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IGazethi
 YESIFUNDAZWE
 saKwaZulu-Natali

Ishicilelwe ngegunya
 (Irejisiwe njengephephandaba eposihhovisi)

No. 6488 ULWESINE, 8 KUNHLANGULANA 2006

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THE following notices are published for general information.

300 Langalibalele Street
Pietermaritzburg
8 June 2006

PROFESSOR M. A. MCHUNU
Director-General

ONDERSTAANDE kennisgewings word vir algemene inligting gepubliseer.

300 Langalibalele Street
Pietermaritzburg
8 Junie 2006

PROFESSOR M. A. MCHUNU
Direkteur-generaal

IZAZISO ezilandelayo zikhishelwe ulwazi lwawonkewonke.

300 Langalibalele Street
Pietermaritzburg
8 kuNhlangulana 2006

USOLWAZI M. A. MCHUNU
uMqondisi-Jikelele

No. 906, 2006

8 June 2006

OFFICE OF THE PREMIER

DIRECTORATE: GAMING AND BETTING

**INVITATION TO NOMINATE CANDIDATES
FOR APPOINTMENT TO THE KWAZULU-NATAL GAMBLING BOARD**

1. BACKGROUND

- 1.1 Gambling in KwaZulu-Natal is currently regulated under two separate pieces of provincial legislation, i.e. the KwaZulu-Natal Gambling Act, 1996 and the Regulation of Racing and Betting Ordinance, 1957. The creation of two separate bodies to regulate gambling in KwaZulu-Natal is out of step with the other provinces in South Africa, where gambling is overseen by one statutory body. In order to correct this anomalous situation and achieve uniformity with the other provinces, the Premier will soon present new legislation in the Provincial Legislature.

2. APPOINTMENT OF THE BOARD

- 2.1 It is the intention of the Premier to appoint new members to the KwaZulu-Natal Gambling Board at this stage. The newly constituted Gambling Board will assume the functions of the KwaZulu-Natal Bookmakers Control Committee and will be charged with the task of regulating the entire gambling industry, including horse racing and betting.
- 2.2 The duties of the Board are to ensure that all gambling authorised under the Act is conducted in a manner which promotes the integrity of the gambling industry and does not cause harm to the public interest and promotes the Province's objectives for developing a gambling industry, which are the promotion of tourism, employment and economic and social development in the Province.
- 2.3 In accordance with the provisions of section 12(5) read with section 10 of the KwaZulu-Natal Gambling Act, 1996 (Act No. 10 of 1996) and section 21A(1)(a)(i) of the Regulation of Racing and Betting Ordinance, 1957, I hereby invite any interested party within the Province to nominate suitable candidates for appointment to the KwaZulu-Natal Gambling Board (the Board).
- 2.4 All nominations must be **in writing** and must —
- fully describe the nominee's knowledge and experience to enable the Minister to determine whether the nominee is suitable to be a member of the Board;
 - be accompanied by —
 - the full names of the nominee, his or her address, his or her identity number and the *curriculum vitae* of such person; and
 - an affidavit by the nominee wherein the nominee affirms that he or she is not disqualified in terms of paragraph 4 of this notice, provided that if the nominee has been convicted of an offence contemplated in paragraph 4(j)(i) of this notice, such nominee must furnish an affidavit wherein he or she discloses full details of any conviction and affirms that he or she is not disqualified in terms of any of the other provisions of paragraph 4 of this notice;
 - include the name, telephone number, fax number (if applicable) and address of the person who may be contacted in regard to the nomination.

3. REQUIREMENTS OF BOARD NOMINEES

- 3.1 Preference will be given to individuals who possess the following:
- qualification in the field of law and experience related to the application or administration of the law;
 - qualification and experience in accounting and financial management;
 - knowledge and experience in the field of community welfare and/or socio-economic development;
 - experience in community representation;
 - knowledge and experience in fields such as tourism, entertainment, organised local government, business and commerce, including persons with a knowledge of the promotion of small and medium size business; and
 - knowledge and experience of gambling including horse racing and betting.

N.B. An indicator of nominees that will improve the representation of the Board in terms of gender, disability and youth is encouraged.

4. DISQUALIFICATION

- 4.1 In terms of section 9 of the KwaZulu-Natal Gambling Act, 1996 a person is disqualified from being appointed to the Board, by reason that —
- he or she is not a South African citizen;
 - he or she is not a resident of the Province;
 - he or she is, at the time of the appointment, or during the preceding twelve months was —
 - over the age of sixty-five years;

- (ii) appointed as a public servant;
- (iii) a member of Parliament or of any provincial legislature;
- (iv) a member of a local authority or any council or board established in terms of the Constitution, including a member of the House of Traditional Leaders; or
- (v) an office-bearer or employee of any party, organisation or body of a party-political nature;
- (d) his or her relative is a person mentioned in subparagraph (c)(iii), (iv) or (v) above;
- (e) he or she is a member of a board of directors of any gambling or fund-raising activity, has a controlling interest or any financial or other interest in any gambling or fund-raising activity or is employed by any person, company, organisation or other body, whether corporate or unincorporated, which has any interest contemplated in this subparagraph;
- (f) his or her relative is a member of a board of directors of any gambling or fund-raising activity or has any direct or controlling interest in such activity;
- (g) he or she is an unrehabilitated insolvent;
- (h) he or she is of unsound mind, or is subject to an order of a competent court declaring him or her to be mentally ill or disordered;
- (i) he or she has at any time been removed from an office of trust on account of misconduct;
- (j) he or she has at any time been convicted, whether in the Republic or elsewhere, of any offence —
 - (i) except that the Minister may, upon a candidate who is nominated for appointment disclosing fully details of an offence in the affidavit mentioned in paragraph 2.4(b)(ii) of this notice, condone a previous conviction, provided that it is not a conviction for murder, culpable homicide involving an assault, rape, robbery, theft, fraud, forgery or uttering a forged document, perjury, an offence under the Corruption Act, 1992 (Act No. 94 of 1992), any serious offence involving dishonesty, an offence relating to money-laundering, an offence relating to scheduled substances and drugs and an offence relating to proceeds of defined crime as contemplated in the Drugs and Drugs Trafficking Act, 1992 (Act No. 140 of 1992), or any offence under the Act or any other similar law;
 - (ii) unless the conviction and sentence have been set aside by a competent court or such person has received a grant of amnesty or free pardon; or
- (k) he or she failed to disclose an interest, including a pecuniary interest, which —
 - (i) he or she; or
 - (ii) his or her relative, whether as an employee or as a director, member or partner,
 may have in the business of any prospective applicant for a licence contemplated by the Act or may derive from the grant of a licence to a prospective applicant for a licence contemplated by the Act.

4.2 For the purposes of the KwaZulu-Natal Gambling Act, 1996, "relative" means any of the following, as the case may be —

- (a) a husband or wife, any partner in a customary union according to indigenous law or any partner in a relationship where the parties live together in a manner resembling a marital relationship or a customary union;
- (b) any child born out of any one of the unions referred to in subparagraph (a) above or any child born to one of the partners referred to in subparagraph (a);
- (c) the parents of a person referred to in subparagraph (a) above and the parents of such person's husband, wife or partner referred to in subparagraph (a).

5. The closing date for submission of nominations, together with the documents referred to in paragraphs 2.4 (b) and (c) will be no later than 29 June 2006, failing which the nomination will not be considered.

All nominations must be sent to:

Director-General, Office of the Premier
 Attention: Mr NS Mutheiwana
 Directorate Air Transport, Gaming and Betting
 P O Box 101
PIETERMARITZBURG
 3200

Enquirers to be directed to the General Manager:
 Office of the Premier
 Directorate: Air Transport, Gaming and Betting
 Mr NS Mutheiwana
 (033) 3952640

MR S. J. NDEBELE
MINISTER FOR GAMING AND BETTING

No. 906, 2006

8 Junie 2006

KANTOOR VAN DIE PREMIER

DIREKTORAAT: DOBBELARY EN WEDDERY

UITNODIGING OM KANDIDATE TE BENOEM VIR AANSTELLING IN DIE KWAZULU-NATAL DOBBELRAAD

1. AGTERGROND

1.1 Dobbelary in KwaZulu-Natal word tans gereguleer kragtens twee afsonderlike stukke provinsiale wetgewing, i.e. die Dobbelwet van KwaZulu-Natal, 1996 en die Ordonnansie op die Regulering van Wedrenne en Weddery, 1957. Die daarstelling van twee afsonderlike liggame om dobbelary in KwaZulu-Natal te reguleer, is uit pas met die ander provinsies in Suid-Afrika waar een statutêre liggaam toesig hou oor dobbelary. Om hierdie afwyking reg te stel en ooreenstemming met die ander provinsies te bewerkstellig, beoog die Premier om binnekort nuwe wetgewing in die Provinsiale Wetgewer ter tafel te lê.

2. AANSTELLING VAN DIE RAAD

2.1 Dit is die voorneme van die Premier om op hierdie stadium nuwe lede in die KwaZulu-Natal Dobbelraad aan te stel. Die nuut saamgestelde Dobbelraad sal die funksies van die KwaZulu-Natal Komitee vir die Beheer van Beroepswedders oorneem en belas word met die taak om die hele dobbelbedryf, met inbegrip van perdewedrenne en weddenskappe, te reguleer.

- 2.2 Die pligte van die Raad is om te verseker alle dobbelary wat kragtens die Wet gemagtig word op 'n wyse bedryf word wat die integriteit van die dobbelbedryf bevorder en nie die openbare belang skaad nie, en die provinsie se oogmerke vir die ontwikkeling van 'n dobbelbedryf waarvan die doelstellings die bevordering van toerisme, indiensneming en ekonomiese en maatskaplike ontwikkeling in die provinsie is, te bevorder.
- 2.3 In ooreenstemming met die bepaling van artikel 12(5), saamgelees met artikel 10 van die Dobbelwet van KwaZulu-Natal, 1996 (Wet No. 10 van 1996), en artikel 21A(1)(a)(i) van die Ordonnansie op die Regulering van Wedrenne en Weddery, 1957, nooi ek hiermee enige belanghebbende in die provinsie uit om geskikte kandidate vir aanstelling die KwaZulu-Natal Dobbelraad (die Raad) te benoem.
- 2.4 Alle benoemings moet skriftelik wees en moet —
- die benoemde se kennis en ervaring volledig beskryf ten einde die Minister in staat te stel om te bepaal of die benoemde geskik is vir aanstelling in die Raad;
 - vergesel gaan van —
 - die volle name van die benoemde, sy of haar adres, sy of haar identiteitsnommer en die curriculum vitae van sodanige persoon; en
 - 'n beëdigde verklaring deur die benoemde waarin die benoemde bevestig dat hy of sy nie ingevolge paragraaf 4 van hierdie kennisgewing onbevoeg is nie, met dien verstande dat indien die benoemde weens 'n misdryf skuldig bevind is soos bedoel in paragraaf 4(j)(i), sodanige benoemde 'n beëdigde verklaring moet voorsien waarin hy of sy volle besonderhede van enige skuldigbevinding bekend moet maak en bevestig dat hy of sy nie ingevolge enige ander van die bepaling van paragraaf 4 van hierdie kennisgewing onbevoeg is nie;
 - die naam, telefoon- en faksnommer (indien beskikbaar) en adres bevat van die persoon met wie in verbinding getree kan word rakende die benoeming.

3. VEREISTES VAN BENOEMDES IN RAAD

- 3.1 Voorkeur sal gegee word aan individue wat oor die volgende beskik:
- kwalifikasie in die regte en ondervinding wat met die toepassing of administrasie van die wet verband hou;
 - kwalifikasie en ondervinding in rekeningkunde en finansiële bestuur;
 - kennis en ondervinding op die gebied van gemeenskapswelsyn en/of sosio-ekonomiese ontwikkeling;
 - ondervinding rakende gemeenskapsverteenvoording;
 - kennis en ondervinding van terreine soos toerisme, vermaak, georganiseerde plaaslike regering, besigheid en handel, met inbegrip van 'n kennis van die bevordering van klein en mediumgrootte besigheid; en
 - kennis en ondervinding van dobbelary met inbegrip van perdewedrenne en weddenskappe.
- N.B. Benoemings wat verteenwoordiging in die Raad met betrekking tot gender, gestremdheid en jeug bevorder, word aangemoedig.

4. ONBEVOEGDHEID

- 4.1 Ingevolge artikel 9 van die Dobbelwet van KwaZulu-Natal, 1996 is 'n persoon onbevoeg om in die Raad aangestel te word uit hoofde van die feit dat —
- hy of sy nie 'n Suid-Afrikaanse burger is nie;
 - hy of sy nie 'n inwoner van die provinsie is nie;
 - hy of sy tydens aanstelling of gedurende die voorafgaande twaalf maande —
 - ouer as vyf-en-sestig jaar was;
 - as 'n staatsampptenaar aangestel was;
 - 'n lid van die Parlement of van enige provinsiale wetgewer was;
 - 'n lid van 'n plaaslike owerheid of 'n raad was ingestel ingevolge die Grondwet, met inbegrip van 'n lid van die Huis van Tradisionele Leiers; of
 - 'n ampsbekleër of werknemer was van enige party, organisasie of liggaam van 'n party politieke aard;
 - hy of sy verwant is aan iemand bedoel in subparagraaf (c)(iii), (iv) or (v) hierbo;
 - hy of sy 'n lid van die direksie is van 'n dobbel- of fondsinsamelingsaktiwiteit, 'n beheerende belang of 'n finansiële of ander belang het by 'n dobbel- of fondsinsamelingsaktiwiteit of in die diens is van 'n persoon, maatskappy, organisasie of ander liggaam, hetsy korporatief of nie-korporatief, wat enige belang het bedoel in hierdie subparagraaf;
 - iemand aan wie hy of sy verwant is 'n lid is van die direksie van enige dobbel- of fondsinsamelingsaktiwiteit of 'n regstreekse of beheerende belang het by sodanige aktiwiteit;
 - hy of sy 'n ongerehabiliteerde insolvente persoon is;
 - hy of sy geestelik versteur is of onderhewig is aan 'n bevel van 'n bevoegde hof waarvan hy of sy geestelik versteurd of ongesteld verklaar is;
 - hy of sy te eniger tyd uit 'n vertrouensposisie ontslaan is weens wangedrag;
 - hy of sy te eniger tyd, hetsy in die Republiek of elders, aan 'n misdryf skuldig bevind is —
 - behalwe dat die Minister, wanneer 'n kandidaat wat vir aanstelling benoem is, volledige besonderhede bekend maak van 'n misdryf in die beëdigde verklaring vermeld in paragraaf 2.4(b)(ii) van hierdie kennisgewing, 'n vorige veroordeling kan kondoneer, met dien verstande dat nie 'n veroordeling is weens moord, strafbare manslag waarby aanranding, verkragting, roof, diefstal, bedrog, vervalsing of uitgifte van 'n vervalste dokument, meined, 'n misdryf kragtens die Wet op Korupsie, 1992 (Wet No. 94 van 1992), enige ernstige misdryf waarby oneerlikheid, 'n misdryf betreffende geldafkoeling, 'n misdryf betreffende gelyste stowwe en dwelmmiddels en 'n misdryf betreffende die opbrengs uit omskrewe misdaad soos bedoel in die Wet op Dwelmmiddels en Dwelmsmokkelary, 1992 (Wet No. 140 van 1992), of enige misdryf kragtens hierdie Wet of 'n ander dergelyke wet betrokke is nie;
 - tensy die veroordeling en vonnis deur 'n bevoegde hof ter syde gestel is of daar aan sodanige persoon amnestie of algehele kwytskelding verleen is; of
 - hy of sy versuim het om 'n belang, met inbegrip van 'n geldelike belang, te verklaar wat —
 - hy of sy; of
 - sy of haar familielid, hetsy as werknemer of as direkteur, lid of vennoot, mag hê in die besigheid van enige voornemende aansoeker om 'n lisensie bedoel in die Wet, of wat mag voortspruit uit die toestaan van 'n lisensie aan 'n voornemende aansoeker om 'n lisensie bedoel in die Wet.
- 4.2 Vir die doeleindes van Dobbelwet van KwaZulu-natal, 1996, beteken "familielid", na gelang van die geval, enige van die volgende:

- (a) 'n eggenoot of eggenote, enige gewoonteverbintenis volgens inheemse reg of enige lewensmaat waar die partye saam lewe op 'n wyse wat met 'n huweliksvennootskap of gewoonteverbintenis ooreenstem;
- (b) enige kind gebore uit enige van die verbintenisse vermeld in subparagraaf (a) hierbo of 'n kind gebore vir enige van die lewensmaats vermeld in subparagraaf (a);
- (c) die ouers van iemand vermeld in subparagraaf (a) hierbo en die ouers van sodanige persoon eggenoot, eggenote of maat vermeld in subparagraaf (a).

5. Die sluitingsdatum vir die indiening van benoemings, tesame met die dokumente vermeld in paragraaf 2.4(b) en (c), is voor of op Junie 29, 2006, by versuim waarvan die benoeming nie oorweeg sal word nie.

Alle benoemings moet gerig word aan:

Die Direkteur-Generaal, Kantoor van die Premier

Vir aandag: Mnr. N. S. Mutheiwana

Direktoraat: Lugvervoer, Dobbelay en Weddery

Postbus 101

PIETERMARITZBURG

3200

Navrae moet gerig word aan die Hoofbestuurder:

Kantoor van die Premier

Direktoraat: Lugvervoer, Dobbelay en Weddery

Mnr. N. S. Mutheiwana

(033) 395 2640

MNR. S. J. NDEBELE

MINISTER VAN DOBBELARY EN WEDDERY

No. 906, 2006

8 kuNhlangulana 2006

IHHOVISI LIKANDUNANKULU

UPHIKO LOMQONDISI: LWEMIDLALO YEMALI KANYE NOKUBHEJA

ISIMEMO SOKUPHAKAMISA ABAZOQOKELWA KWIBHODI YOKUGEMBULA YAKWAZULU-NATALI

1. ISENDLALELO

- 1.1 Ukugembula KwaZulu-Natali okwamanje kusalawulwa ngaphansi kwemithetho emibili yesifundazwe, okunguMthetho wokuGembula waKwaZulu-Natali, 1996 kanye ne-Odinensi yokuLawulwa kweMijaho nokuBheja, 1957. Ukubunjwa kwemigwamanda emibili eyahlukene yokulawula ezokugembula KwaZulu-Natali akuhambisani nokwenziwa ngezinye izifundazwe eNingizimu Afrika, lapho ukugembula kwenganyelwe ngumgwamanda owodwa. Kuze kulungiswe lesi simo esingajwayelekile ukuze sifane nesakwezinye izifundazwe, uNdunankulu uzokwethula umthetho omusha maduze nje kwisiShayamthetho sesiFundazwe.

2. UKUQOKWA KWEBHODI

- 2.1 Kuyinhloso kaNdunankulu ukuqoka amalungu amasha kwiBhodi yokuGembula yaKwaZulu-Natali. IBhodi esanda kubunjwa iyoqala ukwenza imisebenzi yeKomidi lokuLawula oBhuki laKwaZulu-Natali futhi liyonikezwa umsebenzi wokulawula imboni yokugembula yonke kubandakanya imijaho yamahashi kanye nokubheja.
- 2.2 Imisebenzi yeBhodi ngukuqinisekisa ukuthi konke ukugembula okugunyazwe ngaphansi koMthetho kwenziwa ngendlela egququzela ukuhlonishwa kwemboni yokugembula futhi engakhubazi umphakathi negququzela izinjongo zesiFundazwe zokuthuthukisa imboni yokugembula, okungukugququzela ezokuvakasha, ukuvula amathuba emisebenzi kanye nokuthuthuiswa omnotho nesimo senhlalo esiFundazweni.
- 2.3 Ngokuhambisana nezinhlinzeko zesigaba 12(5) sifundwa nesigaba 10 soMthetho wokuGembula waKwaZulu-Natali, 1996 (uMthetho No. 10 ka 1996) kanye nesigaba 21A(1)(a)(i) se-Odinensi yokuLawulwa kweMijaho kanye nokuBheja, 1957, ngalokhu ngimema amaqembu anogqozi esiFundazweni ukuthi aphakamise abantu abafanelekile ukuqokelwa kwiBhodi yokuGembula yaKwaZulu-Natali (iBhodi).
- 2.4 Zonke iziphakamiso kumele **zibhalwe** futhi kumele —
- (a) zichaze ngokugcwele ulwazi nesipiliyoni salowo ophakanyisiwe ukuze uNgqongqoshe akwazi ukunquma ukuthi lowo ophakanyisiwe ufanelekile ukuba yilungu leBhodi;
 - (b) kumele ziphelezetwe —
 - (i) ngamagama aphelele ophakanyisiwe, ikheli lakhe, inombolo yakhe kamazisi kanye *nencwadi echaza kabanzi ngomlando wokuqeqeshwa nokusebenza (i-CV)* kwalowo muntu; kanye
 - (ii) nencwadi efungelwe ngophakanyisiwe lapho ophakanyisiwe efunga ukuthi akachithwa ngokwendima 4 yalesi saziso; inqobo uma ophakanyisiwe ayegwethelwe icala njengoba kubekiwe esigabeni 4(j)(i) yalesi saziso, lowo ophakanyisiwe uyokwethula incwadi efungelwe lapho eyodalula khona imininingwane egcwele yanoma yikuphi ukugwethiswa futhi efunga ukuthi akachithwa ngokwanoma yiziphi izinhlinzeko zesigaba 9 soMthetho okukhulunywe ngawo;
 - (c) zibandakanye igama, inombolo yocingo, inombolo yesikhahlezi (uma ikhona) kanye nekheli lomuntu okungaxhunywana naye mayelana nesiphakamiso.

3. IZIDINGO ZABAPHAKANYISWE KWIBHODI

3.1 Kuyocatshangelwa labo bantu abanolokhu okulandelayo:

- (a) ukuqeqeshwa emkhakheni wezomthetho kanye nesipiliyoni esihambisana nokusebenza noma nokuphathwa komthetho;
- (b) ukuqeqeshwa kanye nesipiliyoni ekuphathweni kwezimali;
- (c) ulwazi nesipiliyoni emkhakheni wenhlalakahle yomphakathi kanye/noma nokuthuthukiswa kwezomnotho;
- (d) isipiliyoni ekumeleni umphakathi;
- (e) ulwazi kanye nesipiliyoni emkhakheni efana nezokuvakasha, ezikaqedisizungu, ohulumeni basekhaya abahlelekile, ezamabhizinisi kanye nezohwebo, kubandakanya nabantu abanolwazi lokuthuthukisa amabhizinisi asafufusa; kanye
- (f) nolwazi nesipiliyoni sokugembula kubandakanya imijaho yamahashi kanye nokubheja.

QAPHELA: Inkomba yabaphakanyisiwe engaphucula ukumelwa kwiBhodi ngokobulili, kwabakhubazekile kanye nentsha iyagququzelwa.

4. UKUNGFANELEKI UKUQOKWA

4.1 Ngokwesigaba 9 soMthetho wokuGembula waKwaZulu-Natali, 1996 umuntu angeke aqokelwe kwiBhodi, ngenxa yokuthi —

- (a) akasona isakhamuzi saseNingizimu Afrika;
- (b) akasona isakhamuzi sesiFundazwe;
- (c) ngesikhathi sokuqokwa, noma ngesikhathi esiyizinyanga eziyishumi nambili ezedlule —
 - (i) ubeneminyaka engamashumi ayisithupha nanhlano;
 - (ii) ubeqokwe njengomqashwa kahulumeni;
 - (iii) ubeyilungu lePhalamende noma lanoma yisiphi isiShayamthetho sesiFundazwe;
 - (iv) ubeyilungu likaMaziphathe waseKhaya, noma lanoma yimuphi umkhandlu noma ibhodi elisungulwe ngokoMthethosisekelo, kubandakanya neNdlu yabaHoli beNdbuko; noma
 - (v) ubenesikhundla noma ubengomqashwa wanoma yiliphi iqembu, inhlango noma umgwamanda wezepolitiki;
- (d) isihlobo sakhe kungumuntu obalulwe endinyaneni (c)(iii), (iv) noma (v) ngenhla;
- (e) uyilungu lebhodi yabaqondisi yanoma yimuphi umbhidlango wokugembula noma wokuqokelela izimali noma enezimali azitholayo noma ephethe kulelo bhizinisi kunoma yimuphi umbhidlango wokugembula noma wokuqokelela izimali noma uqashwe yinoma yimuphi umuntu, inkampani, inhlango noma ngomunye umgwamanda, noma ngabe uhlanganyelwe noma awuhlanganyelwe, elinoma iyiphi intshisekelo ebalulwe kule ndinyana;
- (f) isihlobo sakhe siyilungu lebhodi yabaqondisi yanoma yiliphi umbhidlango wokugembula noma wokuqokelela izimali noma enezimali azitholayo noma ephethe kulelo bhizinisi;
- (g) ungumuntu ongene shi ezikweletini ngokungenakuhlekeka;
- (h) akaphilile kahle engqondweni, noma kweyame esinqumeni senkantolo ethathwa njengomuntu ogula ngengqondo noma ongaphilile;
- (i) useke esikhathini esithile wasuswa ehhovisi lokugcina imali ngenxa yokungaziphathi kahle;
- (j) useke esikhathini esithile wagwetshwa, kungaba kwiRiphabhulikhi noma ndawana thize, egwetshelwa noma yiliphi icala —
 - (i) ngaphandle kokuthi uNgqongqoshe, lapho ophakanyiselwe ukuqokwa edalula imininingwane egcwele yecala encwadini efungelwe okukhulunywe ngayo endimeni 2.4(b)(ii) yalesi saziso, ehoxisa ukugwetshwa osekwadalulwa, inqobo nje uma kungekona ukugwetshelwa ukubulala, ukubulala ngenhloso kubandakanya ukhukumeza, ukudlwengula, ukubamba inkunzi, ukweba, inkohlakalo, ukufoja noma ukuphimsa imibhalo efojiwe, ukwephula izifungo, icala ngaphansi koMthetho weNkohlakalo, 1992 (uMthetho No. 94 ka 1992), noma yiliphi icala elibucayi elibandakanya ukungethembeki, icala eliphathelene nokukhwabanisa izimali, icala eliphathelene nezidakamizwa kanye necala eliphathelene nokulandelwa komkhondo wobugebengu obuchaziwe njengoba kubekiwe eMthethweni weziDakamizwa kanye nokuShushumbiswa kweziDakamizwa, 1992 (uMthetho No. 140 ka 1992), noma yiliphi icala ngaphansi koMthetho nanoma yimuphi omunye umthetho ofanayo;
 - (ii) ngaphandle uma ukugwetshwa kanye nokudonsa sekubekwe eceleni yinkantolo enamandla noma lowo muntu esexolelwe noma esenikezwe ushwele; noma
- (k) ehlulekile ukuveza inzuzo kubandakanya inzuzo yemali, okungathi —
 - (i) yena; noma
 - (ii) isihlobo sakhe, noma njengomqashwa noma njengomqondisi, ilungu noma ashade naye, angaba nayo odabeni lomfakisicelo onokuphumelela njengoba kubekwe nguMthetho noma angasusela ekunikelweni ngelayisensi kumfakisicelo onokuphumelela njengoba ubekwe nguMthetho.

4.2 Ngokwezinhloso zoMthetho wokuGembula waKwaZulu-Natali, 1996 "isihlobo" kusho noma yikuphi kwalokhu okulandelayo, njengoba isimo singaba njalo —

- (a) umyeni noma unkosikazi, noma yimuphi umuntu ashade naye umshado wesintu ngokulandela umthetho wendabuko noma ashade naye abudlelwani lapho behlala ndawonye ngendlela esabudlelwane obusamshado noma umshado wesintu;
- (b) noma iyiphi ingane ezalelwe kunoma yiluphi uhlobo lobudlelwano okukhulunywe ngalo endinyaneni (a) ngenhla nanoma iyiphi ingane ezalelwe kwabanye abalingani okukhulunywe ngabo endinyaneni (a);
- (c) abazali bomuntu okukhulunywe ngaye endinyaneni (a) ngenhla kanye nabazali bomnyeni, bankosikazi noma bomlingani okukhulunywe ngaye endinyaneni (a).

5. **Usuku lokugcina lokulethwa kwezephakamiso, kanye nemibhalo okukhulunywe ezindimeni 2.4(b) kanye no (c) luyoba wusuku lwama-29 kuNhlanguvana 2006, ngale kwalokho isiphakamiso angeke sicutshungulwe.**

Zonke iziphakamiso kumele zithunyelwe ku:

Mqondisi-Jikelele, eHhovisi likaNdunankulu
 Ziqondiswe: kuMnu. N. S. Mutheiwana
 uPhiko loMqondisi: Air Transport, Gaming and Betting
 PO Box 01
 Pietermaritzburg
 3200

Imibuzo kumele iqondiswe:

kuMphathi Jikelele: eHhovisi likaNdunankulu
 uPhiko loMqondisi: Air Transport, Gaming and Betting
 Mnu. N. S. Mutheiwana, iNombolo yocingo: (033) 3952640

MR S. J. NDEBELE

UNGQONGQOSHE WEMIDLALO YEMALI NOKUBHEJA

No. 907, 2006

8 June 2006

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967: REMOVAL OF CONDITION OF TITLE;
ERF 1235 NEW GERMANY, ETHEKWINI MUNICIPALITY

IN my capacity as Manager: Development Planning (Coastal Implementation Office) in the KwaZulu-Natal Department Local Government and Traditional Affairs, under powers vested in me by section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority, issued by the KwaZulu-Natal Member of Executive Council responsible for local government and housing in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), I hereby remove from Certificate of Consolidated Title T12998/85, pertaining to Erf 1235 New Germany, Registration Division FT, eThekweni Municipality, Province of KwaZulu-Natal —

- (a) condition B.(2) that restricts the use of the property to one dwelling house; and
- (b) condition B.(3) that restricts the use of the property for commercial purposes.

Given under my hand at Durban this 31st day of May, Two thousand and Six.

T. A. BHENGU

Manager: Development Planning
Coastal Implementation Office
File reference: 2005/1091

No. 907, 2006

8 Junie 2006

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN
TITELVOORWAARDE; ERF 1235 NEW GERMANY, ETHEKWINI MUNISIPALITEIT

IN my hoedanigheid as die Bestuurder: Ontwikkelingsbeplanning (Kusstreekimplementeringskantoor) in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid, uitgereik deur die KwaZulu-Natal lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering en behuising ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No. 8 van 1994), verwyder ek hiermee van Sertifikaat van Gekonsolideerde Titel T12998/85, betreffende Erf 1235 New Germany, Registrasie-afdeling FT, eThekweni Munisipaliteit, provinsie KwaZulu-Natal —

- (a) voorwaarde B.(2) wat die gebruik van die eiendom tot een woonhuis beperk; en
- (b) voorwaarde B.(3) wat die gebruik van die eiendom tot kommersiele doeleindes beperk.

Gegee onder my hand te Durban op hierdie 31ste dag van Mei Tweeduisend-en-Ses.

T. A. BHENGU

Bestuurder: Ontwikkelingsbeplanning
Kusstreekimplementeringskantoor
Leerverwysing: 2005/1091

No. 907, 2006

8 kuNhlangulana 2006

UMNYANGO WOHULUMENI BASEKHAYA KANYE NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO
SETAYITELA; ISIZA 1235 E-NEW GERMANY, KUMASIPALA WASETHEKWINI

ESIKHUNDLENI sami njengoMphathi: wokuHlelwa kweNtuthuko (iHhovisi lokuQaliswa kweziNhlelo elingasoGwini) eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko, ngaphansi kwamandla engiwanikiwe yisigaba 2(1) soMthetho wokuSuswa kwemiThetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa noMthetho wokuDluliselwa kwaMandla weNgxenywe 2 yeSahluko VIII soMthetho wokuDluliselwa kwaMandla okuVamile, esikhishwe yiLungu loMkhandlu oPhethe KwaZulu-Natali elibhekele ohulumeni basekhaya kanye nezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngisusa esiTifiketini seTayitela eliHlanganyelwe u- T12998/85, noma yiliphi itayitela eliphathelene neSiza 1235 e-New Germany, isiGaba sokuBhalisa ngu-FT, kuMasipala waseThekweni, esiFundazweni saKwaZulu-Natali —

- (a) isimiso B.(2) esithibela ukusetshenziswa komhlaba okwakhiwe kuwo indlu yokuhlala eyodwa; futhi
- (b) nesimiso B.(3) esithibela ukusetshenziswa komhlaba ngezinhloso zokudayisa.

Sisayinwe eThekweni ngalolu suku lwama-31 kuNhlabo oNyakeni weziNkulungwane eziMbili nesiThupha.

T. A. BHENGU

uMphathi: wokuHlelwa kweNtuthuko
iHhovisi lokuQaliswa kweziNhlelo elingasoGwini
iNkomba yeFayela: 2005/1091

No. 908, 2006

8 June 2006

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967: REMOVAL OF CONDITION OF TITLE;
ERF 3288 RESERVOIR HILLS, ETHEKWINI MUNICIPALITY

IN my capacity as Manager: Development Planning (Coastal Implementation Office) in the KwaZulu-Natal Department Local Government and Traditional Affairs, under powers vested in me by section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority, issued by the KwaZulu-Natal Member of Executive Council responsible for local government and housing in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), I hereby remove from Deed of Transfer T36341/03, pertaining to Erf 3288 Reservoir Hills, Registration Division FT, eThekweni Municipality, Province of KwaZulu-Natal, condition G.(b) that restricts the use of the property to one dwelling house.

Given under my hand at Durban this 26th day of May, Two thousand and Six.

T. A. BHENGU

Manager: Development Planning

Coastal Implementation Office

File reference: 2005/1604

No. 908, 2006

8 Junie 2006

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN
TITELVOORWAARDE; ERF 3288 RESERVOIR HILLS, ETHEKWINI MUNISIPALITEIT

IN my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Kustreek-implementeringskantoor) in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid, uitgereik deur die KwaZulu-Natal Lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering en behuising ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdheede, 1994 (Wet No. 8 van 1994), verwyder ek hiermee van Transportakte T36341/03, betreffende Erf 3288 Reservoir Hills, Registrasie-afdeling FT, eThekweni Munisipaliteit, Provinsie KwaZulu-Natal, voorwaarde G.(b) wat die gebruik van die eiendom tot een woonhuis beperk.

Onder my hand gegee te Durban hierdie 26ste dag van Mei, Tweeuisend-en-Ses.

T. A. BHENGU

Bestuurder: Ontwikkelingsbeplanning

Kustreek Implementeringskantoor

Lêerverwysing: 2004/1604

No. 908, 2006

8 kuNhlanguana 2006

UMNYANGO WOHULUMENI BASEKHAYA KANYE NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO
SETAYITELA; ISIZA 3288 E-RESEVOIR HILLS; KUMASIPALA WASETHEKWINI

ESIKHUNDLENI sami njengoMphathi: wokuHlelwa kweNtuthuko (eHhovisi lokuQaliswa kweziNhlelo elingasoGwini) eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko, ngaphansi kwamandla engiwanikiwe yisigaba 2(1) soMthetho wokuSuswa kwemiThetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa noMthetho wokuDluliselwa kwaMandla weNgxenyane 2 yeSahluko VIII soMthetho wokuDluliselwa kwaMandla okuVamile, esikhishwe yiLungu loMkhandlu oPhethe KwaZulu-Natali elibhekele ohulumeni basekhaya kanye nezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngisusa umshwana weGunya lokuDluliselwa kweTayitela T36341/03, noma yiliphi itayitela eliphathelene neSiza 3288 e-Resevior Hills, isiGaba sokuBhalisa ngu-FT, kuMasipala waseThekweni, esiFundazweni saKwaZulu-Natali, isimiso G.(b) esithibela ukusetshenziswa komhlaba okwakihiwe kuwo indlu yokuhlala eyodwa.

Sisayinwe eThekweni ngalolu suku lwama-26 kuNhlaba, oNyakeni weziNkulungwane eziMbili nesiThupha.

T. A. BHENGU

uMphathi: wokuHlelwa kweNtuthuko

eHhovisi lokuQaliswa kweziNhlelo elingasoGwini

iNkomba yeFayela: 2005/1604

No. 909, 2006

8 June 2006

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967: REMOVAL OF CONDITION OF TITLE; PORTION 182 OF ERF 944 DURBAN NORTH, ETHEKWINI MUNICIPALITY**

IN my capacity as Manager: Development Planning (Coastal Implementation Office) in the KwaZulu-Natal Department Local Government and Traditional Affairs, under powers vested in me by section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority, issued by the KwaZulu-Natal Member of Executive Council responsible for local government and housing in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), I hereby remove from Deed of Transfer T5643/89, or any subsequent deed pertaining to Portion 182 of Erf 944 Durban North, Registration Division FU, eThekweni Municipality, Province of KwaZulu-Natal, condition (g)D. that restricts the use of certain types of building materials on the property.

Given under my hand at Durban this 31st day of May, Two thousand and Six.

T. A. BHENGU

Manager: Development Planning
Coastal Implementation Office
File reference: 2005/1779

No. 909, 2006

8 Junie 2006

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE**KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; GEDEELTE 182 VAN ERF 944 DURBAN-NOORD, ETHEKWINI MUNISIPALITEIT**

IN my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Binnelandse Implementeringskantoor) in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid uitgereik deur die KwaZulu-Natal lid van die Uitvoerende Raad vir plaaslike regering en behuising ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No. 8 van 1994), verwyder ek hiermee van Transportakte T5643/89, of enige daaropvolgende akte betreffende Gedeelte 182 van Erf 944 Durban-noord, Registrasie-afdeling FU, eThekweni Munisipaliteit, provinsie KwaZulu-Natal, voorwaarde (g)D. wat die gebruik van sekere tipe boumateriaal op die eiendom beperk.

Onder my hand gegee te Durban op hierdie 31ste dag van Mei, Tweeduisend-en-Ses.

T. A. BHENGU

Bestuurder: Ontwikkelingsbeplanning
Kusstreekimplementeringskantoor
Lêerverwysing: 2005/1779

No. 909, 2006

8 kuNhlangulana 2006

UMNYANGO WOHULUMENI BASEKHAYA KANYE NEZENDABUKO**ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO SETAYITELA; INGXYENYE 182 YESIZA 944 E-DURBAN NORTH; KUMASIPALA WASETHEKWINI**

ESIKHUNDLENI sami njengoMphathi: wokuHlelwa kweNtuthuko (iHhovisi lokuQaliswa kweziNhlelo elingasoGwini) eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko, ngaphansi kwamandla engiwanikiwe yisigaba 2(1) soMthetho wokuSuswa kweMithetho yokuThibela, 1967 (uMthetho 84 ka 1967), sifundwa noMthetho wokuDluliselwa kwaMandla weNgxenywe 2 yeSahluko VIII soMthetho wokuDluliselwa kwaMandla okuVamile, esikhishwe yiLungu loMkhandlu oPhethe KwaZulu-Natali elibhekele ohulumeni basekhaya kanye nezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngisusa umshwana weGunya lokuDluliselwa kweTayitela T5643/89, noma yiliphi itayitela eliphathelene neNgxenywe 182 yeSiza 944 e-Durban North, isiGaba sokuBhalisa ngu-FU, kuMasipala waseThekweni, esiFundazweni saKwaZulu-Natali, isimiso (g)D. esithibela ukusetshenziswa kwezimpahla eziyizinhlobo ezithile zokwakha emhlabeni.

Sisayinwe eThekweni ngalolu suku lwama-31 kuNhlabla, oNyakeni weziNkulungwane eziMbili nesiThupha.

T. A. BHENGU

uMphathi: wokuHlelwa kweNtuthuko
iHhovisi lokuQaliswa kweziNhlelo elingasoGwini
iNkomba yeFayela: 2005/1779

No. 910, 2006

8 June 2006

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967: REMOVAL OF CONDITION OF TITLE; ERF 511 PINETOWN, ETHEKWINI MUNICIPALITY**

IN my capacity as Manager: Development Planning (Coastal Implementation Office) in the KwaZulu-Natal Department Local Government and Traditional Affairs, under powers vested in me by section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with Delegation 2 of Part VIII of Chapter B of the General Delegations of Authority, issued by the KwaZulu-Natal Member of Executive Council responsible for local government and housing in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), I hereby remove from Deed of Transfer T23695/96, pertaining to Erf 511 Pinetown, Registration Division FT, eThekweni Municipality, Province of KwaZulu-Natal, condition C.3. that restricts the use of the property to one dwelling house.

Given under my hand at Durban this 26th day of May, Two thousand and Six.

T. A. BHENGU

Manager: Development Planning
Coastal Implementation Office
File reference: 2005/1831

No. 910, 2006

8 Junie 2006

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; ERF 511 PINETOWN, ETHEKWINI MUNISIPALITEIT

IN my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Kusstreekimplementeringskantoor) in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid uitgereik deur die KwaZulu-Natal lid van die Uitvoerende Raad vir plaaslike regering en behuising ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No. 8 van 1994), verwyder ek hiermee van Transportakte T23695/96, betreffende Erf 511 Pinetown, Registrasie-afdeling FT, eThekwini Munisipaliteit, provinsie KwaZulu-Natal, voorwaarde C.3. wat die gebruik van die eiendom tot een woonhuis beperk.

Onder my hand gegee te Durban hierdie 26ste dag van Mei, Tweeduisend-en-Ses.

T. A. BHENGU

Bestuurder: Ontwikkelingsbeplanning
Kusstreekimplementeringskantoor
Lêerverwysing: 2005/1831

No. 910, 2006

8 kuNhlanguzana 2006

UMNYANGO WOHULUMENI BASEKHAYA KANYE NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO SETAYITELA; ISIZA 511 E-PINETOWN, KUMASIPALA WASETHEKWINI

ESIKHUNDLENI sami njengoMphathi: wokuHlelwa kweNtuthuko (eHhovisi lokuQaliswa kweziNhlelo elingasoGwini) eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko KwaZulu-Natali, ngaphansi kwamandla engiwanikiwe yisigaba 2(1) soMthetho wokuSuswa kwemiThetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa noMthetho wokuDluliselwa kwaMandla 2 weNgxenywe VIII yeSahluko B soMthetho wokuDluliselwa kwaMandla okuVamile, esikhishwe yiLungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla waKwaZulu-Natali, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngisusa emshwaneni wokuDluliselwa kweTayitela T23695/96, eliphathelene neSiza 511 e-Pinetown, isiGaba sokuBhalisa ngu-FT, kuMasipala waseThekwini, esiFundazweni saKwaZulu-Natali, isimisiso C.3 esithibela ukusetshenziswa komhlaba ngokwakha indlu eyodwa yokuhlala.

Sisayinwe eThekwini ngalolu suku lwama-26 kuNhlaba, oNyakeni weziNkulungwane eziMbili nesiThupha.

T. A. BHENGU

uMphathi wokuHlelwa kweNtuthuko
eHhovisi lokuQaliswa kweziNhlelo elingasoGwini
iNkomba yeFayela: 2005/1831

No. 911, 2006

8 June 2006

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967: REMOVAL OF CONDITION OF TITLE; ERF 14 MALVERN, ETHEKWINI MUNICIPALITY

IN my capacity as Manager: Development Planning (Coastal Implementation Office) in the KwaZulu-Natal Department of Local Government and Traditional Affairs, under powers vested in me by section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with Delegation 2 of Part VIII of Chapter B of the General Delegations of Authority, issued by the KwaZulu-Natal Member of the Executive Council responsible for local government and housing in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), I hereby remove from Deed of Transfer T 30949/96, pertaining to Lot 14 Malvern, Registration Division FT situate in the eThekwini Municipality, Province of KwaZulu-Natal —

- (a) condition 2. c. that restricts the use of the property to a dwelling house;
- (b) condition 2. d. prohibits certain types of building material;
- (c) condition 2. k. prohibits signage for advertising on the property.

Given under my hand at Durban this 26th day of May, Two Thousand and Six.

T. A. BHENGU

Manager: Development Planning
Coastal Implementation Office
File Reference: 2005/1408

No. 911, 2006

8 Junie 2006

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP DIE OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDES; ERF 14 MALVERN, ETHEKWINI MUNISIPALITEIT

IN my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Kusstreek Implementeringskantoor) in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikel 2(1) van die Wet op die Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid, uitgereik deur KwaZulu-Natal lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering en behuising ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No. 8 van 1994), verwyder ek hiermee van Transportakte T 30949/96, betreffende Erf 14 Malvern, Registrasie-afdeling FT, geleë in die Ethekwini Munisipaliteit, provinsie KwaZulu-Natal —

- (a) kondisie 2. c. wat die gebruik van die eiendom tot 'n woonhuis beperk;
- (b) kondisie 2. d. wat sekere boumateriaal verbied; en
- (c) kondisie 2. k. wat advertensieborde op die eiendom verbied.

Gegee onder my hand te Durban op hierdie 26 dag van Mei, Tweeduisend-en-Ses.

T. A. BHENGU

Bestuurder: Ontwikkelingsbeplanning
Kusstreek Implementeringskantoor
Lêerverwysing: 2005/1408

No. 911, 2006

8 kuNhlanguana 2006

UMNYANGO WOHULUMENI BASEKHAYA KANYE NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWEZIMISO ZETAYITELA: ISIZA 4 E-MALVERN, KUMASIPALA WASETHEKWINI

ESIKHUNDLENI sami njengoMphathi: wokuQaliswa kweziNhlelo zeNtuthuko (eHhovisi lokuQaliswa kweziNhlelo elingasoGwini) eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko waKwaZulu-Natali, ngamandla engiwanikiwe yisigaba 2(1) soMthetho wokuSuswa kweMithetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa noMthetho wokuDluliselwa kwaMandla 2 weNgxenye VIII yeSahluko 2 seGunya lokuDluliselwa kwaMandla okuVamile eMnyangweni woHulumeni baseKhaya kanye nezendabuko, esikshhwe yiLungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya kanye nezezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngikhipha imishwana yeGunya lokuDlulisela kweTatayitela, isiGaba sokuBhalisa T 3094/96 nanoma yiliphi elinye eliphathelene neSiza 14 e-Malvern, isiGaba sokuBhalisa FT kuMasipala waseThekwini, esiFundazweni saKwaZulu-Natali esifundeka kanje —

- (a) isimiso 2. c. esithibela ukusetshenziswa komhlaba ngokwakha indlu eyodwa yokuhlala;
- (b) isimiso 2. d. esithibela ukusetshenziswa kwezimpahla ezithile zokwakha; kanye
- (c) nesimiso 2. k. esenqabela ukukhangisa emhlabeni.

Sisayinwe eThekwini ngalolu suku lwama-26 kuNhlaba, oNyakeni weziNkulungwane eziMbili nesiThupha.

T. A. BHENGU

uMphathi: wokuHlelwa kweNtuthuko
iHhovisi lokuQaliswa kweziNhlelo elingasoGwini
iNkomba yeFayela: 2005/1408

No. 912, 2006

8 June 2006

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTION ACT, 1967: REMOVAL OF CONDITION OF TITLE: PORTION 101 (OF 80) OF THE FARM LOT 2 NO. 1673 NKWAZI, KWADUKUZA MUNICIPALITY

IN my capacity as Manager: Development Planning (Coastal Implementation Office) in the KwaZulu-Natal Department of Local Government and Traditional Affairs, under powers vested in me by section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority of the KwaZulu-Natal Member of the Executive Council responsible for local government in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), I hereby remove from Deed of Transfer T04 41508, pertaining to Portion 101 (of 80) of the Farm Lot 2 No. 1673 Nkwazi, Registration Division FU, Province of KwaZulu-Natal, condition G. 2. that restricts the use of the property to a dwelling house.

Given under my hand at Durban this 31st day of May, Two thousand and Six

T. A. BHENGU

Manager: Development Planning
Coastal Implementation Office
File Reference: 2005/556

No. 912, 2006

8 Junie 2006

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; GEDEELTE 101 (VAN 80) VAN DIE PLAAS LOT 2 NO. 1673 NKWAZI, KWADUKUZA MUNISIPALITEIT

IN my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Kusstreek Implementeringskantoor) in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegering van Bevoegdhede van die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, uitgereik deur die KwaZulu-Natal lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No. 8 van 1994), verwyder ek hiermee van Transportakte No. T 04 41508 betreffende Gedeelte 101 (van 80) van die Plaas Lot 2 No. 1673 Nkwazi, Registrasie-afdeling FU, KwaDukuza Munisipaliteit, Provinsie van KwaZulu-Natal, voorwaarde G. 2. wat die gebruik van die eiendom tot 'n woonhuis beperk.

Gegee onder my hand te Durban op hierdie 31^{ste} dag van Mei, Tweeduisend en Ses

T. A. BHENGU

Bestuurder: Implementering van Ontwikkelingsbeplanning

Kusstreek Implementeringskantoor

Lêerverwysing: 2005/556

No. 912, 2006

8 kuNhlanguzana 2006

UMNYANGO WOHULUMENI BASEKHAYA KANYE NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO SETAYITELA; INGXYENYE 101 (KA 80) YESIZA SEPULAZI 2 NO. 1673 NKWAZI, KUMASIPALA WAKWADUKUZA

ESIKHUNDLENI sami njengoMqphathi: wokuQaliswa kweziNhlelo (eHhovisi lokuQaliswa kweziNhlelo elingasoGwini) eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko waKwaZulu-Natali, ngaphansi kwamandla engiwanikiwe yisigaba 2(1) soMthetho wokuSuswa kwemiThetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa noMthetho wokuDluliselwa kwaMandla weNgxenywe 2 yeSahluko B seGunya lokuDluliselwa kwaMandla okuVamile, esikhishwe yiLungu loMkhandlu oPhephe elibhekele ohulumeni basekhaya nezindlu KwaZulu-Natali ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla KwaZulu-Natali, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngikhipha uMshwana weGunya lokuDluliselwa kweTayitela No. T04 41508 eliphathelene neNgxenywe 101 (ka 80) yeSiza sePulazi 2 No. 1673 Nkwazi, isiGaba sokuBhalisa ngu-FU, kuMasipala waKwaDukuza, esiFundazweni saKwaZulu-Natali, isimiso G. 2. esithibela ukusetshenziwa komhlaba onendlu yokuhlala.

Sisayinwe eThekwini ngalolu suku lwama-31 kuNhlaba oNyakeni weziNkulungwane eziMbili nesiThupha.

T. A. BHENGU

uMphathi: wokuHlelwa kweNtuthuko

iHhovisi lokuQaliswa kweziNhlelo eli ngasoGwini

iNkomba:2005/556

No. 913, 2006

8 June 2006

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 33(4) OF THE DEVELOPMENT FACILITATION ACT, 1995: DECISION OF THE DEVELOPMENT TRIBUNAL AND CONDITIONS OF ESTABLISHMENT RELATING TO LAND USE MANAGEMENT AND THE APPLICABILITY OF LAWS; PORTIONS 1, 2 AND 3 OF ERF 576 NEW ENGLAND AND (UMKHAMBA GARDENS), MSUNDUZI MUNICIPALITY

IN my capacity as Designated Officer for Msunduzi Local Municipality, appointed in terms of section 1 of the Development Facilitation Act, 1995 (Act No. 67 of 1995), under powers vested in me by section 33(4) of the Development Facilitation Act, 1995 I hereby give notice that the Development Tribunal has approved the development of 285 special residential erven, 1 intermediate residential erf 2 crèche sites, 4 private open space sites and 2 erven for road purposes on Portions 1, 2 and 3 of Erf 576 New England (uMkhamba Gardens), Registration Division FT, Msunduzi Municipality, Province of KwaZulu-Natal, subject to the following conditions of establishment relating to land use management and the application of laws:

(a) the amendment of the Pietermaritzburg Town Planning Scheme as follows:

- (i) the zoning of Erf 584 as "Intermediate Residential Zone";
- (ii) the zoning of Erven 659 and 736 as "Educational Zone";
- (iii) the reservation of Erven 705, 723, 784 and 799 for "Private Open Space" zone;
- (iv) the reservation of the resultant Remainder of Erf 576 New England, (after deduction of Portions 1, 2 and 3 of Erf 576), as "Road" and "Active Public Open Space";
- (v) incorporation of Portions 1 and 2 of Erf 576 New England into Density Zone 3;
- (v) by the insertion of the following item after item 213 of Appendix 3.

214	20.01.06 Decision of the Development Tribunal 2005/1564	Portions 1 and 2 of Erf 576 New England	Off Dunsby Road and Rogers Avenue	Allow up to 300 subdivisions off a private road and the establishment of refuse collection areas, gatehouses, ablution facilities and administrative buildings within the area set aside for a private road (Erven 7735 and 870). A building line of 3.0 m shall apply along the private road.
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(b) the suspension of the following laws —

- (i) section 47bisA of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949); and

(ii) section 18 of the Pietermaritzburg Loand and Extended Powers Ordinance, 1936, 1936 (Ordinance No. 14 of 1936).

The laws are suspended until the opening of the township register.

(c) The provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), and the municipal building regulations and bylaws are applicable to the land development area.

Given under my hand at Pietermaritzburg this 1st day of June, Two thousand and Six.

W. COOPER

Designated Officer

Msunduzi Municipality

File Reference: 2005/1564

No. 913, 2006

8 Junie 2006

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 33(4) VAN DIE WET OP ONTWIKKELINGSFASILITERING, 1995: BESLUIT VAN DIE ONTWIKKELINGSTRIBUNAAL EN STIGTINGSVOORWAARDES MET BETREKKING TOT GRONDGEBRUIKBESTUUR EN DIE TOEPASLIKHEID VAN WETTE; GEDEELTE 1, 2 EN 3 VAN ERF 576 NEW ENGLAND AND (UMKHAMBA GARDENS), MSUNDUZI MUNISIPALITEIT

IN my hoedanigheid as die Aangewese Beampte vir die Msunduzi Plaaslike Munisipaliteit, aangestel ingevolge artikel 1 van die Wet op Ontwikkelingsfasilitering, 1995 (Wet No. 67 van 1995), kragtens die bevoegdheid aan my verleen by artikel 33(4) van die Wet op Ontwikkelingsfasilitering, 1995, gee ek hierby kennis dat die Ontwikkelingstribunaal goedkeuring verleen het vir die ontwikkeling van 285 spesiale residensiese erwe, 1 intermediêre residensiese erf, 2 crèche-persele, 4 persele vir private oop ruimtes en twee erwe vir paddoeleindes op Gedeeltes 1, 2 en 3 van Erf 576 Erwe England (uMkhamba Gardens), Registrasie-afdeling FT, Msunduzi Munisipaliteit, provinsie KwaZulu-Natal, onderhewig aan die volgende stigtingsvoorwaardes betreffende grondgebruikbestuur en die toepassing van wette:

- (a) die wysiging van die Pietermaritzburg Dorpaanlegskema soos volg
- (i) die sonering van Erf 584 as "Intermediêre Residensiese Sone";
 - (ii) die sonering van Erwe 659 en 736 as "Onderwys-sone";
 - (iii) die opsysit van Erwe 705, 723, 784 en 799 vir "Private Oop Ruimte"-sone;
 - (iv) die opsysit van die gevolglike Restant van Erf 576 New England, (na aftrekking van Gedeeltes 1, 2 en 3 van Erf 576), as "Pad" en "Aktiewe Openbare Oop Ruimte";
 - (v) inkorporering van Gedeeltes 1 en 2 van Erf 576 New England by Digtheidsone 3;
 - (v) deur die invoeging van die volgende item na item 213 van Aanhangel 3.

214	20.01.06 Besluit van die Ontwikkelingstribunaal 2005/1564	Gedeelte 1 en 2 van Erf 576 New England	Uit Dunsbyweg en Rogerslaan	Maak voorsiening vir tot 300 onderverdelings uit 'n privaat pad en die daarstelling van vullisversamelings- gebiede, hekhuisies, ablusiegeriewe en administrasiegeboue binne die gebied wat vir 'n openbare pad opsy gesit is (Erwe 735 en 870). 'n Boulyn van 3.0 m sal langs die private pad van toepassing wees.
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(b) die opskrofting van die volgende wette:

- (i) artikel 47bisA van die Dorpbeplanningsordonnansie, 1949 (Ordonnansie No. 27 van 1949); en
- (ii) artikel 18 van die Ordonnansie op Lening en Uitgebiede Magte van Pietermaritzburg, 1936 (Ordonnansie No. 14 van 1936).

Die wette word opgeskort totdat die dorpregister geopen word.

(c) Die bepalinge van die Nasionale Bouregulasies en Wet op Boustandaarde, 1977 (Wet No. 103 van 1977), en die munisipale bouregulasies en verordeninge is op die grondontwikkelingsgebiede van toepassing.

Onder my gegee te Pietermaritzburg op hierdie 1ste dag van Junie, Tweeduisend-en-ses.

W. COOPER

Aangewese Beampte

Msunduzi Munisipaliteit

Lêerverwysing: 2005/1564

No. 913, 2006

8 kuNhlangulana 2006

UMNYANGO WOHULUMENI BASEKHAYA KANYE NEZENDABUKO

ISAZISO NGOKUHAMBISANA NESIGABA 33(4) SOMTHETHO WOKULETHWA KWENTUTHUKO, KA-1995: ISINQUMO SESIGUNGU SENTUTHUKO KANYE NEMIBANDELA YOKUSUNGULWA EMAYELANA NOKUPHATHWA KOKUSETSHENZISWA KOMHLABA KANYE NOKUSEBENZA KWEMITHETHO; IZINGXENYE 1, 2 NO 3 ZESIZA ESINGUNOMBOLO 576 E-NEW ENGLAND (UMKHAMBA GARDENS), UMASIPALA WASEMSUNDUZI

NGOKWESIKHUNDLA sami njesiKhulu Esibekiwe kuMasipala Wendawo waseMsunduzi, njengokuqokwa ngokuhambisana nesigaba 1 somthetho Wokulethwa Kwentuthuko, ka-1995 (uMthetho No. 67 ka-1995), ngaphansi kwamandla enginikezwe wona yisigaba 33(4) somthetho Wokulethwa Kwentuthuko, ka-1995, ngalokhu nginikeza isazaso sokuthi isiGungu Sentuthuko sesivume ukuthuthukiswa kweziza ezingama-285 zokuhlala, isiza esisodwa sokuhlala okwesikhashana, izinkulisa ezimbili, izindawo ezine ezingakhiwe kanye neziza ezimbili zokwakha umgwaqo eziNgxenyeni 1, 2 no 3 zeSiba esingunombolo-576 e-New England (uMkhamba Gardens), isiGaba Sokubhaliswa esingu-FT, kuMasipala waseMsunduzi, esiFundazweni saKwaZulu-Natali, kuye ngokwale mibandela yokusungulwa ngokuqondene nokuphathwa kokusetshenziswa komhlaba kanye nokusebenza kwemithetho —

- (a) ukuchitshiyelwa koHlelo Lokuhlelwa Kwedolobha LaseMgungundlovu ngale ndlela elandelayo:
- (i) ukuklanywa kwesiza esingunombolo 584 "njengendawo yokuhlala okwesikhashana";
 - (ii) ukuklanywa kweziza esingunombolo 659 n0-736 "njengendawo yezemfundo";
 - (iii) ukugcinwa kweziza ezingunombolo 705, 723, 784 no-799 "njengendawo evulekile okungakhiwe kuyo";
 - (iv) ukugcinwa kwensalela yesiza esingunombolo 576 sase-New England (emva kokususwa kweziNgxenywe 1, 2 no-3 zesiza 576) "njengomgwaqo nendawo evulelwe umphakathi";
 - (v) ukufakwa kweziNgxenywe 1 no 2 zesiza 576 New England Road ku-Density Zone 3;
 - (v) ngokufakwa kwalokhu okulandelayo emva kohlamvu 213 lwesiThasiselo 3.

214	20.01.06 Isinqumo sesiGungu Sentuthuko 2005/1564	Izingxenywe 1 no 2 zesiza 576 sase-New England	Ekuphumeni ku Dunsby Road no-Rogers Avenue	Ukuvumela kuhlukaniswa kweziqeshana zomhlaba ezingama-300 emgwaqeni kanye nokusungulwa kwezindawo zokuqoqwa kwemfuciza, izindawo zokugezela kanye nezakhiwo zokuphatha ezisendaweni ebekelwe umgwaqo (Iziza 735 no 870). Ubude besakhiwo obungu-3.0 m buzosebenza engwagani.
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- (b) ukumiswa kokusebenza kwale mithetho elandelayo:
- (i) isigaba 47bisA ose-Odinensi Yokuhlelwa Kwedolobha, ka-1949 (i-Odinensi 27 ka-1949); kanye
 - (ii) nesigaba 18 se-Odinensi YaseMgungundlovu Yamandla Engeziwe, ka-1936 (i-Odinensi No. 14 ka-1936).
- Le mithetho iyamiswa kuze kube kuvulwa irejista yelokishi.
- (c) Izinhlinzeko zoMthetho Wemithethonqubo Kazwelonke Yokwakha Namazinga Okwakha, 1977 (uMthetho No. 103 ka-1977), kanye nemithethonqubo kamasipala yokwakha nemithetho kamasipala esebenza ngokuqondene nokuthuthukiswa komhlaba.

Sisayinwe eMgungundlovu ngalolu suku loku-1 kuNhlangulana, oNyakeni weziNkulungwane eziMbili nesiThupha.

W. COOPER

Isikhulu Esikhonjiwe

UMasipala WaseMsunduzi

Inkomba Yefayela: 2005/1564

No. 914, 2006

8 June 2006

DEPARTMENT OF HEALTH

UMGENI CARE AND REHABILITATION CENTRE

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Maintenance Department for attention Mrs Rossouw reflecting the quotation number.
- (v) The name and address of the quoting company must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Please complete original ZNT 30 document when submitting quotation above R30 000.00 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.
- (viii) Quotation documents are available from Umgeni Care and Rehabilitation Centre, Workshop Department, Main Road, Howick, Telephone: (033) 3306146, Ext. 258, Fax: (033) 3304270.
- (ix) In order to facilitate sufficient documents being made available, could prior arrangements be made with Institution.

SUPPLY/SERVICE:

Replacement of existing stormwater line at Umgeni Care and Rehabilitation Centre, Main Road, Howick

Quotation number:

ZNQ 38/06/07

Closing date:

2006-06-29

Closing time:

11:00

Compulsory site meeting:

2006-06-15 at 9:00

Contact person:

Mrs P. Rossouw, Telephone: (033) 3304270

Enquiries regarding specification:

Mr I. Grant, Telephone: (033) 3306146, Ext. 258

No. 915, 2006

8 June 2006

DEPARTMENT OF HEALTH

UMGENI CARE AND REHABILITATION CENTRE

QUOTATIONS ARE INVITED FOR UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in respects; and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes/faxed.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Stores Department for attention Mrs A. Bekker reflecting the quotation number.
- (v) The name and address of the quoting company must be endorsed on the back of the envelope.
- (vi) All Departments of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Please complete original ZNT 30 documents when submitting quotations above R30 000.00 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.
- (viii) Quotations documents are available from Stores Department, Umgeni Care and Rehabilitation Centre, Old Main Road, Howick. Telephone (033) 3306146 Ext. 234, Fax: (033) 3308637.

SUPPLY/SERVICE:

Electric high vacuum suction pumps

Quotation number:

ZNQ 2/06

Closing date:

2006-06-30

Closing time:

11:00

Contact person:

Mrs A. Bekker, Telephone: (033) 3306146, Ext. 234

No. 916, 2006

8 June 2006

DEPARTMENT OF AGRICULTURE AND ENVIRONMENTAL AFFAIRS

Invitation of bids

Bids are invited for the undermentioned requirements:

SERVICE:

Baseline study for the formulation of a programme for empowerment for food security in KwaZulu-Natal (2006-2010). The District municipalities to be covered are Zululand, Ugu, Umgungundlovu and Umkhanyakude around the greater St. Lucia Wetland Park

Bid number:

ZNB 4152/06A

Closing date: 2006-06-30
 Compulsory site briefing:
 Date: 2006-06-19
 Time: 10:00
 Venue: First Floor Conference Room, Admin. Building, Cedara
 Enquiries regarding terms of reference: Mr T. van Rooyen, Telephone: (035) 3559632

Bid documents are obtainable from Cedara (Pietermaritzburg)
 Contact persons:

Mrs R. B. Radebe, Telephone: (033) 3559169
 Mr B. L. Zikhali, Telephone: (033) 3559170
 Miss L. I. Ndabezitha, Telephone: (033) 3559290

No. 917, 2006

8 June 2006

DEPARTMENT OF HEALTH

ORTHOPAEDIC SERVICES

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Orthopaedic Services, together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Department of Health, Orthopaedic Services, c/o Wentworth Hospital, Boston Road, off Quality Street, Wentworth.
- (viii) An original ZNT 30 (application for preference points) must be submitted. An original Tax Clearance Certificate must accompany the quotation, regardless of the price.

SUPPLY: Aluminium walking frames – adult
 Quotation number: ZNQ 43 of 2006/07
 Closing date: 2006-06-18
 Closing time: 11:00
 Contact person: R. Pillay, Telephone: (031) 4605332
 Enquiries regarding specification: P. M. Pillay, Telephone: (031) 4605163

SUPPLY: Aluminium elbow crutches – adult
 Double adjustable
 Quotation number: ZNQ 44 of 2006/07
 Closing date: 2006-06-18
 Closing time: 11:00
 Contact person: R. Pillay, Telephone: (031) 4605332
 Enquiries regarding specification: P. M. Pillay, Telephone: (031) 4605163

No. 918, 2006

8 June 2006

DEPARTMENT OF HEALTH

ST ANDREW'S HOSPITAL

Award of quotations

SERVICE: Replacement of asbestos gutters
 Quotation number: ZNQ 171/2006/2007
 Contractor: Jays Construction

SUPPLY: Asbestos sheeting HR
 Quotation number: ZNQ 04/2006/07
 Contractor: Wilcote South Coast

SUPPLY: Elbow taps
 Quotation number: ZNQ 02/2006/2007
 Contractor: Invusa Trading

SUPPLY: Storeroom for condemned items
 Quotation number: ZNQ 03/2006/2007
 Contractor: Jays Construction

SUPPLY: Relocation of pigs with enclosure
 Quotation number: ZNQ 01/2006/2007
 Contractor: Ngqavana Maintenance

SERVICE: Garden/grounds
 Quotation number: ZNQ 05/2006/2007
 Contractor: Mbizwa Construction

SERVICE: Security services
 Quotation number: ZNQ 06/2006/2007
 Contractor: Vulture Security Services

No. 919, 2006

8 June 2006

DEPARTMENT OF TRANSPORT

TENDERS ARE INVITED FROM EXPERIENCED STAGE 4 VUKUZAKHE CONTRACTORS, WHO ARE REGISTERED WITH THE CIDB IN A CIVIL ENGINEERING CLASS OF CONSTRUCTION WORKS AND ON THE PROVINCIAL DATABASE FOR THE CONSTRUCTION OF GABION WALL ALONG MAIN ROAD P240 FROM KM 17,980 TO KM 18,060. TENDERERS SHOULD HAVE A CIDB CONTRACTOR GRADING DESIGNATION OF 4CE, 3CEPE OR HIGHER

- (i) Please note that tender requests can be made via facsimile viz. (033) 3558091 for all documents.
- (ii) Tenders must be on the official tender/quotation form which shall be completed in all respect and all information must be supplied as stipulated in the tender documents.
- (iii) Tenders must be submitted in separate sealed envelopee.
- (iv) Separate envelopes must be used for each tender invitation.
- (v) The address, tender number and closing date must be endorsed on the back of the envelope.
- (vi) The name and address of the tenderer must be endorsed on the back of the envelope.
- (vii) All tender contract awards are subject to appeals being timeously lodged (if any) and letters of acceptances being issued.
- (viii) **To obtain the following tender documents, contact the telephone and facsimile numbers stipulated.**
- (ix) **Contractors will be required to produce a copy of a valid Tax Clearance Certificate before being issued with tender documents.**
- (ix) **Please note: The tender box is situated in the foyer Department of Transport, 172 Burger Street, Pietermaritzburg.**

SUPPLY: The construction of a gabion wall along Main Road P240 from KM 17,980 to KM 18,060

Tender number: ZNT 373T/A/P240/1233
 Closing date: 2006-06-30
 Time: 11:00
 Tender document available from: Department of Transport: Procurement B-Block at 172 Burger Street, Pietermaritzburg, during working hours from 09:00 on 2006-02-16
 Tender box situated in the foyer: Department of Transport, 172 Burger Street, Pietermaritzburg
 Compulsory site inspection: Yes
 Date: Wednesday, 2006-06-14
 Time: 10:00
 Venue: Obanjeni Community Hall on Road P240 (Previously P525) approximately 800 metres from the Main Road P2-4 intersection (Gingindlovu to Mthunzini)

Contract period: 4 Months
 Const of document: Nil
 Enquiries: Mr L. Sydenham, Telephone: (033) 3558600, Fax: (033) 3558089
 BCP Engineers (Pty) Ltd/Mark Moonsamy & Associates, Telephone: (033) 3453211/(031) 7651725, Fax: (033) 33426271/(031) 7651474

No. 920, 2006

8 June 2006

DEPARTMENT OF HEALTH**R. K. KHAN HOSPITAL**

BIDS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Bids must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Bids must be submitted in sealed envelopes/faxed.
- (iii) Separate envelopes must be used for each bid.
- (iv) The envelope must be addressed to R.K. Khan Hospital for attention Mr D. Naidoo reflecting the quotation number.
- (v) The name and address of the quoting company must be endorsed on the back of the envelope. All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Please complete original ZNT 30 documents when submitting quotations above R30 000.00 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.
- (vii) Bid documents are available from the Supplies Division on the 1st Floor - Room S17, R. K. Khan Hospital, Road 336 Chatsworth Circle, Westcliff, Chatsworth, Telephone: (031) 4596300, Fax: (031) 4030217.

SERVICE: Wire mesh bird proofing as per specification
 Quotation number: ZNQ 801/2006
 Closing date: 2006-06-23

Time: 11:00
Compulsory site meeting:
 Date: 2006-06-21
 Time: 10:30
 Venue: Maintenance Division at the Hospital
 Contact person: P. Govender, Telephone: (031) 4596310

Awards of bids

SUPPLY: Physiotherapy neuromuscular stimulator
 Bid number: ZNQ 308/2006
 Contractor: Mediotronics KZN

SUPPLY: Pacemakers cardiac temp external
 Bid number: ZNQ 309/2006
 Contractor: Medtronic Africa

No. 921, 2006

8 June 2006

DEPARTMENT OF HEALTH**VRYHEID HOSPITAL****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to Vryheid Hospital, Bid Evaluation Committee together with the quotation number and closing date. To be placed in quotation box situated on the ground floor at lift entrance.
- (v) The name and address of the quoting contractors must be endorsed on the back of the envelope. All Department of Health contracts are subject to appeals timeously lodged (if any) and letters of acceptance being issued.
- (vi) Please complete original ZNT 30 documents when submitting quotations above R30 000.00 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.

Note: Documentation will not be faxed to suppliers. Documentation must be collected at Procurement Department, Vryheid Hospital.

SUPPLY/SERVICE Installation of new security gates
 Quotation number: ZNQ 96/2006/07
 Closing date: 2006-06-28
 Closing time: 11:00
 Documentation contact person: K. M. Strick, Telephone: (034) 9822111, Ext. 268
 Technical contact person: J. G. Porter, Telephone: (034) 9822111, Ext. 256

No. 922, 2006

8 June 2006

DEPARTMENT OF HEALTH**REGIONAL LAUNDRY NORTHERN NATAL****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF
THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official tender form, which shall be completed in all respects.
- (ii) Each quotation must be submitted in a sealed envelope.
- (iii) Quotation documents are available from the Department of Health, Regional Laundry Northern Natal, Telephone: (034) 2123161, Fax: (034) 2121211.

SUPPLY: 100 x Tons bituminous washed coal
 Quotation number: ZNQ 54/2006
 Closing date: 2006-06-19
 Closing time: 11:00
 Contact person: Mrs A. S. Bhartu, Telephone: (034) 2123161

No. 923, 2006

8 June 2006

DEPARTMENT OF HEALTH

KING GEORGE V HOSPITAL

Award of quotations

SUPPLY: Linear cutter and staples
 Quotation number: ZNQ 260 of 05/06
 Contractor: Johnson & Johnson Medical (Pty) Ltd

SUPPLY: Spinal Manometer
 Quotation number: ZNQ 265 of 05/06
 Contractor: Top Draw Healthcare (Pty) Ltd

No. 924, 2006

8 June 2006

DEPARTMENT OF HEALTH

CENTRAL SUPPLY CHANGE MANAGEMENT UNIT (CENTRAL PROVINCIAL STORES)

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL
 ADMINISTRATION OF KWAZULU-NATALI

- (i) Quotations must be on the official ZNQ24 quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes or faxed at the tender's risk.
- (iii) Separate envelopes must be used for each closing date.
- (iv) Quotations must be dropped into the quotation box on the under mentioned address.
- (v) Quotation documents are available from CPS, 200 Mayors Walk, Pietermaritzburg, 3201, Telephone: (033) 3946519, Facsimile: (033) 3428525
- (vi) The quoting contractors must be registered with provincial database
- (vii) Original ZNT 30 (Application for preference points) forms must be submitted to Central Provincial Stores.
- (viii) To obtain quotation forms, please fax your request to number below. No calls will be taken, except for queries relating to specifications that are not clearly understood) See number by contact person.

SUPPLY: 4000 Units, ammonia detergent hard surface cleaner, liquid
 Quotation number: ZNQ 001/2006/7 (G)
 Closing date: 2006-06-22
 Closing time: 11:00
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms (see top of page-viii)
 Contact person: Mrs S. Naidoo (033) 3946519, calls will only be accepted for queries relating to unclear specifications (see top of Page-viii)

SUPPLY: 5000 Units, dishwashing liquid, 750 ml
 Quotation number: ZNQ 010/2006/7 (G)
 Closing date: 2006-06-22
 Closing time: 11:00
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms (see top of page-viii)
 Contact person: Mrs S. Naidoo, Telephone: (033) 3946519, calls will only be accepted for queries relating to unclear specifications (see top of Page-viii)

SUPPLY: 1500 Pkts, folders, out-patient record
 Quotation number: ZNQ 001/2006/7 P
 Closing date: 2006-06-22
 Closing time: 11:00
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms (see top of page-viii)
 Contact person: Mrs S. Naidoo, Telephone: (033) 3946519, calls will only be accepted for queries relating to unclear specifications (see top of Page-viii)

SUPPLY: 2500 Pkts, covers, record: Department of Health KZN
 Quotation number: ZNQ 002/2006/7 P
 Closing date: 2006-06-22
 Closing time: 11:00
 Enquiries regarding specifications: Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms (see top of page-viii)
 Contact person: Mrs S. Naidoo (033) 3946519, calls will only be accepted for queries relating to unclear specifications (see top of Page-viii)

SUPPLY: 800 Units, white short sleeve shirts, small
 Quotation number: ZNQ 006/2006/7 (G)
 Closing date: 2006-06-22

Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms (see top of page-viii)
Contact person:	Mrs S. Naidoo (033) 3946519, calls will only be accepted for queries relating to unclear specifications (see top of Page-viii)
SUPPLY:	
Quotation number:	700 Units, white short sleeve shirts, XX-Large ZNQ 007/2006/7 (G)
Closing date:	2006-06-22
Closing time:	11:00
Enquiries regarding specifications:	Please fax to (033) 3428525, no telephone calls will be accepted to obtain quotation forms (see top of page-viii)
Contact person:	Mrs S. Naidoo (033) 3946519, calls will only be accepted for queries relating to unclear specifications (see top of Page-viii)

No. 925, 2006

8 June 2006

DEPARTMENT OF HEALTH

KING EDWARD VIII HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL
ADMINISTRATION OF KWAZULU- NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health: King Edward VIII Hospital together with the quotation number and closing date.
- (v) The name and address of the tendered must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Department of Health: King Edward VIII Hospital Stores Department, Private Bag X02, Congella, 4013, Telephone: (031) 3603448.

SUPPLY: 1 Unit of real-time colour Doppler ultrasound system as per specification R10
 Quotation number: ZNQ LS227gaz
 Closing date: 2006-06-26
 Time: 11:00
 Contact person: Louise Steyn, Telephone: (031) 3603448
 Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448

SUPPLY: Office furniture for HR Department
 Quotation number: ZNQ LS253gaz
 Closing date: 2006-06-26
 Time: 11:00
 Contact person: Louise Steyn, Telephone: (031) 3603448
 Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448

Award of quotations

SERVICE: 5000 Mt of casement cloth different colours
 Quotation number: ZNQ LS54
 Contractor: A to Z Trading

SERVICE: Supply and installation of double aluminium nosing with black inserts
 Quotation number: ZNQ DN32
 Contractor: Dereck Logan Flooring

SERVICE: Painting exterior of blood bank
 Quotation number: ZNQ DN22
 Contractor: Majid Shaik Painters

SERVICE: Complete renovations to bathroom a ward i4a
 Quotation number: ZNQ DN03
 Contractor: Simunye Plumbers

No. 926, 2006

8 June 2006

DEPARTMENT OF EDUCATION

BIDS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS PROVINCIAL ADMINISTRATION OF THE KWAZULU-NATAL

- (i) Bids must be in the official Bid Form, which shall be completed in all respects and all information requested must be supplied as stipulated in the bid document.
- (ii) Bids must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to: The General Manager: Department of Education and clearly indicate bid number and closing date.
- (iv) The envelope must be physically deposited into the bid box situated at the main public entrance of the Department of Education Building, (Head Office, formerly NED Building), 228 Pietermaritz Street, next to the Security Cubicle.
- (v) Bidding documents will be obtainable at the Department of Education Building, (formerly NED Building), 228 Pietermaritz Street, Pietermaritzburg, next to the Security Cubicle at a non refundable fee of R100-00 per document payable at the cashier, Office No. 420, 185 Old Mutual Building, Longmarket Street, Pietermaritzburg, bidding documents will not be release without producing a receipt from Cashier as proof of payment. Only cash or bank guaranteed cheques will be accepted.

SERVICE:

Printing, packaging and delivery of Generic Education and Training Certificate Examination Papers for 2006

Bid number:

ZNB 003E/2006

Closing date:

2006-06-20

Closing time:

11:00

Contact person:

P. M. Mashaya, Telephone: (033) 8465439

No. 927, 2006

8 June 2006

DEPARTMENT OF HEALTH

EMPANGENI HEALTH DISTRICT DC 28

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the Quotation document.
- (ii) Quotation must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health: Empangeni District Administration together with the quotations number and closing date.
- (v) The name and address of the tenderer must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being lodged (if any) and letters of acceptance being issued.
- (vii) Bidders must be aware that they are required to confirm in writing that they will attend the site meeting. Confirmation must reach this office on or before the 06.06.2006, in order to prepare the documents. Documents will not be issued to those who failed to confirm, written confirmation must be brought to the attention of P. Lombard Fax: (035) 7921669. **Only contractors registered on CIDB will be issued documents on site. Compulsory site meeting on 20th June 2006 at District Office Old Telkom Building Main Parking area at 10:00.**

SUPPLY/SERVICE:

Empembeni Clinic – Supply and installation of New Perimeter Fencing

Quotation number:

ZNQ 001 PG of 2006

Closing date:

2006-06-27

Contact person:

P. Lombard

Enquiries:

R. Z. N. Ntombela

No. 928, 2006

8 June 2006

DEPARTMENT OF HEALTH

KZN HAST UNIT - KZN PMTCT UNIT

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation forms obtainable at the Department of Health KZN HAST UNIT, 230 Prince Alfred Street, Old Greys complex, Pietermaritzburg or any Provincial government department, alternatively the suppliers may prepare a proposal sighting all necessary requirements.
- (ii) Specifications (if any) may only be obtainable from the Department of Health in Pietermaritzburg HAST Unit.
- (iii) Quotations must be hand delivered to KZN HAST UNIT, 230 Prince Alfred Street, Old Greys complex, Pietermaritzburg and must be sealed.
- (iv) The envelopes must be marked for the attention of Mr S. Z. Shelembe with a quotation number and closing date stipulated.
- (v) Name and address of the contractor must be written at the back of the envelope.
- (vi) It is to a supplier's advantage to complete a ZNT 30 form for preference points, which is available at KZN Treasury.

- (vii) Suppliers must attach Tax Clearance Certificates for all quotations exceeding R 30 000.00
 (viii) All Department of Health contracts awarded are subject to appeals, which are timeously lodged (if any) and letters of acceptance being issued.

SUPPLY/SERVICE	Female condoms, education models L 41- 12CM: 0.15kg (100 units)
Quotation number:	ZNQ026U6-7
Closing date:	2006-06-15
Closing time:	11: 00
Enquires regarding specifications:	Sphiwe Shelembe, Telephone: (033) 3940270

No. 929, 2006

8 June 2006

DEPARTMENT OF HEALTH**ADDINGTON HOSPITAL****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU – NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
 (ii) Quotations must be submitted in sealed envelopes/faxed.
 (iii) Separate envelopes must be used for each quotation.
 (iv) The envelope must be addressed to Supplies Dept, Addington Hospital for attention Mr M. Pillay reflecting the quotation number.
 (v) The name and address of the quoting company must be endorsed on the back of the envelope. All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
 (vi) Please complete original ZNT 30 documents when submitting quotations above R30 000.00 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.
 (vii) Quotation documents are available from the Supplies Department, Addington Hospital, Durban, Telephone: (031) 3272000, Fax: (031) 3272758/9.

SUPPLY:	20 000 Units set administration iv standard 20 drops/ml
Quotation number:	ZNQ 226 B
Closing time:	11:00
Closing date:	2006-07-06
Contact person:	Mr S. Ramesur, Telephone: (031) 3272141
Enquiries regarding specification:	Mr I. Shaik, Telephone: (031) 3272123

SUPPLY:	1000 Boxes of 50 pieces gloves high risk non sterile powder free small
Quotation number:	ZNQ 227 B
Closing time:	11:00
Closing date:	2006-07-06
Contact person:	Mr S. Ramesur, Telephone: (031) 3272141
Enquiries regarding specification:	Mr I. Shaik, Telephone: (031) 3272123

SUPPLY:	1000 Boxes of 50 pieces gloves high risk non powder free medium
Quotation number:	ZNQ 228 B
Closing time:	11:00
Closing date:	2006-07-06
Contact person:	Mr S. Ramesur, Telephone: (031) 3272141
Enquiries regarding specification:	Mr I. Shaik, Telephone: (031) 3272123

SUPPLY:	1000 Boxes of 50 pieces gloves high risk non sterile powder free large
Quotation number:	ZNQ 229 B
Closing time:	11:00
Closing date:	2006-07-06
Contact person:	Mr S. Ramesur, Telephone: (031) 3272141
Enquiries regarding specification:	Mr I. Shaik, Telephone: (031) 3272123

SUPPLY:	600 Boxes of 25 pairs/box of gloves latex exam. sterile pre powdered medium
Quotation number:	ZNQ 230 B
Closing time:	11:00
Closing date:	2006-07-06
Contact person:	Mr S. Ramesur, Telephone: (031) 3272141
Enquiries regarding specification:	Mr I. Shaik, Telephone: (031) 3272123

SUPPLY:	600 Packets of 100 per packet paper steri green crepe 900 x 1300 mm
Quotation number:	ZNQ 231 B
Closing time:	11:00
Closing date:	2006-07-06
Contact person:	Mr S. Ramesur, Telephone: (031) 3272141
Enquiries regarding specification:	Mr I. Shaik, Telephone: (031) 3272123

SUPPLY:	1 x Ophthalmic a scan ultrasound as per specification H.T.U. – CE No. E54
Quotation number:	ZNQ 276 A
Closing time:	11:00
Closing date:	2006-06-29
Contact person:	Mr G. Pillay, D. Reddy, Telephone: (031) 3272132/3
Enquiries regarding specification:	Dr Gundry, Telephone: (031) 3272240

- SUPPLY:** 1 x Therapy electroconvulsive unit (e.c.t) as per specification H.T.U.– Ce No. E19 (electronics)
Quotation number: ZNQ 277 A
Closing time: 11:00
Closing date: 2006-06-29
Contact person: Mr G. Pillay, D. Reddy, Telephone: (031) 3272132/3
Enquiries regarding specification: Sister Hawkins, Telephone: (031) 3272461
- SUPPLY:** 1 x Gastroscope with double instrument channel as per specification H.T.U. CE No. 520B (surgical)
Quotation number: ZNQ 278 A
Closing time: 11:00
Closing date: 2006-06-29
Contact person: Mr G. Pillay, D. Reddy, Telephone: (031) 3272132/3
Enquiries regarding specification: Sister Simonsen, Telephone: (031) 3272501
- SUPPLY:** 1 x Monitor multiparameter ECG, NIBP, TEMP & 2 X IBP as per specification H.T.U. CE. No. 11/2000 (electronics)
Quotation number: ZNQ 279 A
Closing time: 11:00
Closing date: 2006-06-29
Contact person: Mr G. Pillay, D. Reddy, Telephone: (031) 3272132/3
Enquiries regarding specification: Sister Hawkins, Telephone: (031) 3272461
- SUPPLY:** 1 x Surveillance camera for Pharmacy as per specification & diagram
Quotation number: ZNQ 280 A
Closing time: 11:00
Closing date: 2006-06-29
Contact person: Mr G. Pillay, D. Reddy, Telephone: (031) 3272132/3
Enquiries regarding specification: Sue Meyer, Mr P. Khwela, Ms Ishwar, Telephone: (031) 3272000

Cancellation of quotations

- SUPPLY:** Sets admin iv std 20 drops/ml
Quotation number: ZNQ 65 B
- SUPPLY:** Gloves high risk non sterile small
Quotation number: ZNQ 74 B
- SUPPLY:** Gloves high risk non sterile medium
Quotation number: ZNQ 75 B
- SUPPLY:** Gloves high risk non sterile large
Quotation number: ZNQ 76 B
- SUPPLY:** Gloves latex exam ster. Pre- powdered medium
Quotation number: ZNQ 111 B
- SUPPLY:** Drill osteon (pneumatic)
Quotation number: ZNQ 184 A

No. 930, 2006

8 June 2006

DEPARTMENT OF HEALTH

MADADENI PROVINCIAL HOSPITAL

QUOTATIONS ARE INVITED FOR UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelopes must be addressed to Madadeni Provincial Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Departments of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotations documents are available from Madadeni Provincial Hospital Stores Department, Section Five Madadeni Township, Telephone number (034) 3288006, Fax: (034) 3288222.
- (vii) For quotations exceeding R30 000.00 an original ZNT 30 (application for preference points) form must be submitted to Madadeni Provincial Hospital, an original Tax Clearance Certificate must be submitted regardless of price.

- SERVICE:** Pauper burials and storage of corpses
Quotation number: ZNQ 351/06-07
Closing date: 2006-06-30
Closing time: 11:00

Compulsory site meeting:

Date: 2006-06-23
 Time: 11:00
 Contact person: Mr J. J. Shongwe, Telephone: (034) 3288097
 Enquiries regarding specification: Mr F. O. Mtshali, Telephone: (034) 3288014

SUPPLY: Gloves non-sterile examtex, different sizes
 Quotation number: ZNQ 349/06-07
 Closing date: 2006-06-22
 Closing time: 11:00
 Contact person: Mr T. H. C. Radebe, Telephone: (034) 3288205
 Enquiries regarding specification: Mrs L. P. Sithole, Telephone: (034) 3288014

SUPPLY: Gloves surgical sterile, different sizes
 Quotation number: ZNQ 350/06-07
 Closing date: 2006-06-22
 Closing time: 11:00
 Contact person: Mr T. H. C. Radebe, Telephone: (034) 3288205
 Enquiries regarding specification: Mrs L. P. Sithole, Telephone: (034) 3288

No. 931, 2006

8 June 2006

DEPARTMENT OF HEALTH

NGWELEZANA HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF
 KWAZULU-NATAL

- (i) Quotations must be on the official form, which shall be completed in all respects.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Ngwelezana Hospital together with the quotation number and closing date.
- (v) Contracts will only be awarded to suppliers registered on the Provincial Database.
- (vi) Quotation documents must be deposited in the Quotation box at Ngwelezana Hospital.
- (vii) Quotation documents are available from The Department of Health, Ngwelezana Hospital, Private Bag X20021 Empangeni, 3880.

SUPPLY: Resuscitation Trolley (Emergency Trolley) = 01 Model: CP/EM3
 Including (Medication/Drug Drawer Lockable
 Central Locking Device, Waste Container
 CPR Board, Waste Bin, Electrical Points,
 Ampoule Opener, Utility Hooks, Oxygen Tank Holder
 Writing Surface, Monitor Holder/Defibrillator Tray)
 Quotation number: ZNQ 96/04/06
 Closing date: 2006-06-15
 Enquiries: Miss Slindile Mchunu, Telephone: (035) 9017180

SUPPLY: Nihon Kohden Multiparameter Monitor 2301 = 05
 with stand
 Quotation number: ZNQ 94/01/06
 Closing Date: 2006-06-15
 Enquiries: Miss Slindile Mchunu, Telephone: (035) 9017180

SUPPLY: ERCP Catheter tapered tip 0.021 guidewire = 02 (Standard)
 ERCP Catheter standard tip = 05
 Triple Lumen Sphincterotome 5 mm tip = 05
 Before wire, 25 mm cutting wire.
 Triple Lumen Needle Knife (y) = 02
 Stone extraction balloon 5fr (0.021 guidewire) (y) = 02
 Stone extraction balloon 7fr (0.035 guidewire) (y) = 02
 Quotation number: ZNQ 13/06/06
 Closing date: 2006-06-15
 Enquiries: Mr I. Thirsk, Telephone: (035) 9017065

SUPPLY: Re-usable stone extraction baskets 2.5 mm diameter = 03
 With a 25 mm basket diameter (memory basket)
 Re-usable stone extraction baskets 1.9 mm diameter = 03
 With a 25 mm basket diameter (memory basket)
 Guidewire 0.021 inch length 400 cm = 05
 (Nitinol with hydrophilic tip)
 Guidewire 0.035 inch length 400 cm = 05
 (Nitinol with hydrophilic tip)
 Quotation number: ZNQ 14/06/06
 Closing date: 2006-06-15
 Enquiries: Mr I. Thirsk, Telephone: (035) 9017065

SUPPLY: Billiary stent set 10fr 5 cm = 02
 Billiary stent set 10fr 7 cm = 02
 Billiary stent set 10fr 9 cm = 02
 Billiary stent set 10fr 12 cm = 02
 Billiary stent 10fr 5 cm = 02
 Billiary stent 10fr 7 cm = 02
 Billiary stent 10fr 9 cm = 06
 Billiary stent 10fr 12 cm = 02

Quotation number: ZNQ 15/06/06
 Closing date: 2006-06-15
 Enquiries: Mr I. Thirsk, Telephone: (035) 9017065

SUPPLY: Sophexa Easy Cytology Brush for Guidewire use = 05
 Biopsy Forcep 2200 mm; 1.0 mm diameter = 01
 For FCP-9P
 Basket Grasping Forcep + Handle for FCP-9P = 02
 Cytology Brush for FCP-9P = 02

Quotation number: ZNQ16/06/06
 Closing date: 2006-06-15
 Enquiries: Mr I. Thirsk, Telephone: (035) 9017065

SUPPLY: Washing of Linen for 3 Months
 1. Theatre Gowns = 1500
 2. Theatre Towels = 2000
 3. Cross Overs = 1500
 4. Green Trousers = 1000
 5. Lithotomic Mayo Covers = 1500

Quotation number: ZNQ196/03/2006/G
 Closing date: 2006-06-15
 Enquiries: Mr M. Mthethwa, Telephone: (035) 9017183
 Contact person: Mrs Lulu Nxumalo, Telephone: (035) 9017179

Award of quotation

SERVICE: Cleaning of Thokozani Clinic
 Quotation number: ZNQ 42/12/05
 Contractor: Khuseleka Trading

No. 932, 2006

8 June 2006

DEPARTMENT OF HEALTH

UMPUMULO HOSPITAL

QUOTATIONS ARE INVITED FOR UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in respects, and all information must be supplied as stipulated in the document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelopes must be addressed to uMpumulo Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotations documents are available from Umpumulo Hospital, Stores Department, R74 Road, Maphumulo, Telephone: (032) 4817787, Ext. 4181, Fax: (032) 4812054.
- (vii) For quotations exceeding R30 000.00 an original ZNT 30 (application for preference points) form must be submitted to the uMpumulo Hospital, an original Tax Clearance Certificate must also be submitted regardless of prices.

SERVICE: Replacement of entrance door for casualty, maternity and outpatients
 Quotation number: ZNQ 145/2006
 Closing date: 2006-06-22
 Closing time: 11:00
 Site inspection date: 2006-06-14
 Site inspection time: 11:00

No. 933, 2006

8 June 2006

DEPARTMENT OF HEALTH

PHOENIX COMMUNITY HEALTH CENTRE

Amendment of quotation closing date

SERVICE: Contract/Sessional Nurses
 Quotation number: ZNQ 114/2006
 Closing date: 2006-06-15

DEPARTMENT OF HEALTH

EDENDALE HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF
THE PROVINCIAL ADMINISTRATION OF KWAZULU- NATAL

- (i) Quotations must be on the official tender form, which shall be completed in all respects.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Edendale Hospital together with the quotation number and closing date.
- (v) The name and address of the tenderer must be endorsed on the back of the envelope.
- (vi) Contracts shall only be awarded to suppliers registered on the Provincial Supplies Database.
- (vii) Quotation documents must be deposited in the Quotation Box situated on the fourth floor or faxed to: Edendale Hospital, Private Bag X509, Plessislaer, 3216, Telephone: (033) 3954244, Facsimile: (033) 3954252.

SUPPLY: 01 x Camera, video, video printer and endoscope - 3 chip
 Quotation number: ZNQ 0024/05/06
 Closing date: 2006-06-19 at 11:00
 Contact person: N. J. Potgieter, Telephone: (033) 3954244
 Enquiries regarding specification: R. Govender, Telephone: (033) 3954257

SUPPLY: 01 x Arthroscopic shaver system
 Quotation number: ZNQ 0025/05/06
 Closing date: 2006-06-19 at 11:00
 Contact person: N. J. Potgieter, Telephone: (033) 3954244
 Enquiries regarding specification: R. Govender, Telephone: (033) 3954257

SUPPLY: 01 x Ventilator - Inter Hospital transport, adult and paediatric
 Quotation number: ZNQ 0026/05/06
 Closing date: 2006-06-19 at 11:00
 Contact person: N. J. Potgieter, Telephone: (033) 3954244
 Enquiries regarding specification: R. Govender, Telephone: (033) 3954257

Award of quotations

SERVICE: Alterations and additions for 2RICU
 Quotation number: ZNQ 286/03/06
 Contractor: Sbude Trading

SERVICE: Alterations and additions for 7B2
 Quotation number: ZNQ 285/03/06
 Contractor: Shayimamba

SERVICE: Alterations and additions for 1B2
 Quotation number: ZNQ 284/03/06
 Contractor: Nicholas t/a Mzilikazi

SUPPLY: Electrosurgical unit: high power
 Quotation number: ZNQ 0001/03/06
 Contractor: R & J Medical

SUPPLY: Nebulizer: Ultrasound
 Quotation number: ZNQ 0011/03/06
 Contractor: Tiaken

SUPPLY: Single base sets
 Quotation number: ZNQ 0061/02/06
 Contractor: Newholmes Furnishers

DEPARTMENT OF TRANSPORT

Award of tender

SUPPLY: Construction of one 3.6 m x 3.6 m Culvert on Road P 701
 Tender number: ZNT 373T/C266/0239/S/60
 Contractor: Wonder Dream Projects cc

No. 936, 2006

8 June 2006

DEPARTMENT OF HEALTH

UMGUNGUNDLOVU DISTRICT OFFICE - BRASFORT HOUSE

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF
KWAZULU-NATAL

- (i) Quotations must be on the official form, which shall be completed in all respect, and all the information must be supplied as stipulated in the quotation document.
- (ii) Each quotation must be submitted in a sealed envelope.
- (iii) The envelopes must be addressed to: District 22 Health Office, together with the quotation number and closing date.
- (iv) The name and number of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from the Department of Health, Brasfort House, Telephone: (033) 8971031.

SUPPLY: Sugar beans
 Quotation number: ZNQ 118/2006-2007
 Closing date: 2006-06-29
 Closing time: 11:00
 Contact person: Miss N. Radebe
 Enquiries regarding to the specification: Miss N. Radebe, Telephone: (033) 8971031

No. 937, 2006

8 June 2006

DEPARTMENT OF HEALTH

ST APOLLINARIS HOSPITAL

BIDS ARE INVITED FOR UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF
KWAZULU-NATAL

- (i) Bids must be on the official bid form, which shall be completed in respects, and all information must be supplied as stipulated in bid document.
- (ii) Bids must be submitted in sealed envelopes or faxed at the bids risk.
- (iii) Bids must be dropped into the bid box on the undermentioned address.
- (iv) Bid documents are available from St Apollinaris Hospital, Centocow Road, Creighton, 3263, Telephone: (039) 8331045, Fascimile: (039) 8331062.
- (v) The Bidding contractors must be registered with the Basic Accounting System (BAS) and on the supplier's database.
- (vi) For Bids exceeding R30 000.00 an original ZNT 30 (Application for preference points) forms and a valid original Tax Clearance Certificate must be submitted.

SERVICE: Trimming and cutting of trees
 Bid number: ZNQ 190/06/2006
 Closing date and tender opening: 2006-06-30
 Closing time: 11:00
 Site inspection date: 2006-06-20
 Time: 11:00
 Enquiries regarding specifications: Mr B. N. Simelane, Telephone: (039) 8331045

SERVICE: Build-in cupboards
 Bid number: ZNQ 189/06/2006
 Closing date and tender opening: 2006-06-30
 Closing time: 11:00
 Site inspection date: 2006-06-20
 Time: 11:00
 Enquiries regarding specifications: Mr B. N. Simelane, Telephone: (039) 8331045

No. 938, 2006

8 June 2006

DEPARTMENT OF HEALTH

HLABISA HOSPITAL

Award of quotations

SUPPLY/SERVICE: Supply and installation of cupboards in OPD
 Quotation number: ZNQ 421-05/06
 Contractor: Nonjenje Trading cc

SUPPLY/SERVICE: Supply and installation of two showers in OPD
 Quotation number: ZNQ 418-05/06

Contractor:	Ngomuso Trading Services cc
SUPPLY/SERVICE:	Supply, painting and tiling in OPD
Quotation number:	ZNQ 420-05/06
Contractor:	Mphuhlane Construction
SUPPLY/SERVICE:	Painting of OPD
Quotation number:	ZNQ 417-05/06
Contractor:	Msizeni Construction cc

No. 939, 2006

8 June 2006

DEPARTMENT OF HEALTH

LADYSMITH PROVINCIAL HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respect, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Ladysmith Provincial Hospital, Quotation Evaluation Committee, together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Ladysmith Provincial Hospital, 36 Malcolm Road, Ladysmith, 3370, Telephone: (036) 6372111, Fax: (036) 6376457.
- (vii) For quotations exceeding R30 000.00 an original ZNT 30 (Application for Preference Points) form must be submitted to the Ladysmith Provincial Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.

SERVICE: Security services (Ladysmith Provincial Hospital)
 Quotation number: ZNQ 11/2006/07
 Closing date: 2006-06-28
 Closing time: 11:00
 Compulsory site meeting: 2006-06-19
 Time: 9:00
 Venue: KZN Security Department (Ladysmith Provincial Hospital)
 Contact person: Mr M. I. Mbanjwa, Telephone: (036) 6372111
 Enquiries regarding specification: Mr M. I. Mbanjwa, Telephone: (036) 6372111

SUPPLY: Combi steamer and griller (main kitchen) Ladysmith Provincial Hospital
 Quotation number: ZNQ 12/2006/07
 Closing date: 2006-06-20
 Closing time: 11:00
 Contact person: Mr M. I. Mbanjwa, Telephone: (036) 6372111
 Enquiries regarding specification: Mr M. I. Mbanjwa, Telephone: (036) 6372111

NB: Tenderers must please supply their catalogue for the above item

NB: Tenderers must please be aware that they are required to confirm in writing that they will attend the site meeting. Confirmation must reach this office before the site meeting date. Tender documents will be distributed at the site meeting date. Documents will not be issued to those who failed to confirm. Written confirmation must be brought to attention of Mr M. I. Mbanjwa, Fax: (036) 6312136.

No. 940, 2006

8 June 2006

DEPARTMENT OF HEALTH

THULASIZWE HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE
PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Thulasizwe Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Thulasizwe Hospital, Telephone: (035) 8320197, Fax: (035) 8320195.
- (vii) For quotations exceeding R30 000.00 an original ZNT 30 (application for preference points) form must be submitted to the Thulasizwe Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.

SERVICE: Eradication of unsaleable trees

Quotation number:	Whole hospital yard and poisoning of previously eradicated tree stumps and new stumps ZNQ 115/2006-2007
Closing date:	2006-06-21
Closing time:	11:00
Compulsory site meeting:	2006-06-13 at 10:00
Contact person:	Miss T. N. Mchunu, Telephone: (035) 8320197
Contact person regarding specification:	Miss T. N. Mchunu, Telephone: (035) 8320197

No. 941, 2006

8 June 2006

DEPARTMENT OF HEALTH

CHARLES JOHNSON MEMORIAL HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENT OF
THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Charles Johnson Memorial Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contract must be endorsed on the back of the envelope.
- (v) All Departments of Health contracts awarded are subject to appeals being timeously lodged (if any) and a letter of acceptance being issued.
- (vi) Quotation documents are available from Charles Johnson Memorial Hospital, Stores Department, Flint Street, Nqutu – Telephone: (034) 2711900. Fax: (034) 2710169.
- (vii) For quotations exceeding R30 000.00 an original ZNT 30 (application for preference points) form must be submitted to the Charles Johnson Memorial Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.

SUPPLY:

Comfeel paste cat. No. 4708 = 200 boxes
Comfeel paste cat. No. 4701 = 200 boxes
Kattostat 10 cm–20 cm = 200 boxes
Graugel hydrocolloid gel = 200 boxes
Punton hydrogel = 200 boxes

Quotation number:

ZNQ 0149-2006/2007

Closing date:

2006-06-20

Closing time:

11:00

Contact person:

Mrs Sherrol Ragubeer

Enquiries regarding specification:

Mrs Zanele Sithole, Telephone: (034) 2711900

No. 942, 2006

8 June 2006

DEPARTMENT OF HEALTH

MOSVOLD HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF PROVINCIAL ADMINISTRATION OF
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation documents.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Mosvold envelopes, Quotation Evaluation Committee, together with quotation number and closing date.
- (iv) The name and the address of the quotation contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Mosvold Hospital, Stores Department, Ingwavuma Main Road, Telephone: (035) 5910145, Ext. 155, Fax: (035) 5910039.

SERVICE:

Tree felling and re-leveling of the ground as per specification

Quotation number:

ZNQ 164/N/MNT/06/07

Closing date:

2006-06-29

Closing time:

11:00

Compulsory site meeting:

Date:

2006-06-20

Time:

11:00

Venue:

Mosvold Big Nursing Lounge

Contact person:

Mr T. G. Khanyile, Telephone:/Ext. 155

Enquiries regarding specification:

Mr C. J. Mathenjwa, Telephone:/Ext. 142

SERVICE:

Lay and parving parking area back to main kitchen and entrance to mortuary areas

Quotation number:

ZNQ 165/N/MNT/06/07

Closing date:	2006-07-08
Closing time:	11:00
<i>Compulsory site meeting:</i>	
Date:	2006-06-29
Time:	11:00
Venue:	Mosvold Big Nursing Lounge
Contact person:	Mr T. G. Khanyile, Telephone/Ext. 155
Enquiries regarding specification:	Mr C. J. Mathenjwa, Telephone/Ext. 142
SERVICE:	
Quotation number:	Internal renovation to Nursing School Hail B23 ZNQ 166/N/NURSING SCHOOL/06/07
Closing date:	2006-07-15
Closing time:	11:00
<i>Compulsory site meeting:</i>	
Date:	2006-07-08
Time:	11:00
Venue:	Mosvold Big Nursing Lounge
Contact person:	Mr T. G. Khanyile, Telephone/Ext. 155
Enquiries regarding specification:	Mr C. J. Mathenjwa, Telephone/Ext. 142
SERVICE:	
Quotation number:	Renovation to Stone Class B24 ZNQ 167/N/Nursing School/06/07
Closing date:	2006-07-22
Closing time:	11:00
<i>Compulsory site meeting:</i>	
Date:	2006-07-15
Time:	11:00
Venue:	Mosvold Big Nursing Lounge
Contact person:	Mr T. G. Khanyile, Telephone/Ext. 155
Enquiries regarding specification:	Mr C. J. Mathenjwa, Telephone/Ext. 142

No. 943, 2006

8 June 2006

DEPARTMENT OF TRANSPORT

Award of tender

SERVICE:	Distribution of the Departmental Newsletter known as Igalelo
Tender number:	ZNT 1287/05 T
Contractor:	Busicor/Ekhaya Consortium

No. 944, 2006

8 June 2006

DEPARTMENT OF HEALTH

UTHUKELA DISTRICT OFFICE

Award of quotation

SUPPLY:	8 x 6 Weekly pest control services at 24 Clinics as per attached specifications – 12 month contract
Quotation number:	ZNQm 08 of 2006/07
Contractor:	Bulala Pest Services

No. 945, 2006

8 June 2006

DEPARTMENT OF TRANSPORT

TENDERS ARE INVITED FROM EXPERIENCED STAGE 4 VUKUZAKHE CONTRACTORS, WHO ARE REGISTERED WITH THE CIDB IN A CIVIL ENGINEERING CLASS OF CONSTRUCTION WORKS AND ON THE PROVINCIAL DATABASE FOR THE CONSTRUCTION OF EARTHWORKS AND LAYERWORKS FOR THE UPGRADING OF MAIN ROAD P296 KM 16,7 TO KM 18,5 AND KM 18,5 TO KM 20,2. TENDERERS SHOULD HAVE A CIDB CONTRACTOR GRADING DESIGNATION OF 4 CEPE OR 5 CE.

- (i) Please note that tender requests can be made via facsimile viz. (033) 3558775 for all documents.
- (ii) Tenders must be on the official tender/quotation form which shall be completed in all respect and all information must be supplied as stipulated in the tender documents.
- (iii) Tenders must be submitted in separate sealed envelopes.
- (iv) Separate envelopes must be used for each tender invitation.
- (v) The address, tender number and closing date must be endorsed on the back of the envelope.
- (vi) The name and address of the tenderer must be endorsed on the back of the envelope.
- (vii) All tender contract awards are subject to appeals being lodged (if any) and letters of acceptance being issued.
- (viii) To obtain the following tender documents, contact the telephone and facsimile numbers stipulated.
- (ix) Contractors will be required to produce a copy of a valid Tax Clearance Certificate before being issued with tender documents.
- (x) Please note: The tender box is situated in the Foyer Department of Transport, 172 Burger Street, Pietermaritzburg.

SERVICE: Construction of earthworks and layer works for the upgrading of Main Road P296 KM 16, 7 to KM 18, 5.
Tender number: ZNT 373 T/P296/1606
Time: 11:00
Closing date: 2006-07-07
Compulsory site inspection: Yes
Time: 10:30
Date: 2006-06-22
Venue: uBuhlebamakhosi Community Authority Hall
Contract period: 7 Months
Cost of documents: Nil
Tender document available from: Department of Transport, Room L205, on 2006-06-09 during working hours between (9:00 to 12:00) and (14:00 to 16:00). Tender documents will also be available at the site inspection meeting.
Tender box situated in the foyer: Department of Transport, 172 Burger Street, Pietermaritzburg
Enquiries: Mr L. Zuma, Telephone number: (033) 3558719, Fax number: (033) 3558775, e-mail address: lucky.zuma@kzntransport.gov.za
 Mr G. J. Payne, Telephone number: Telephone number: (033) 2651777, Fax number: (033) 2652727, e-mail address: fgc@tgcengineers.co.za

SERVICE: Construction of Earthworks and Layer works for the Upgrading of Main Road P296 KM 18, 5 to KM 20, 2.
Tender number: ZNT 373 T/P296/1607
Time: 11:00
Closing date: 2006-07-07
Compulsory site inspection: Yes
Time: 10:30
Date: Thursday; 2006-06-22
Venue: uBuhlebamakhosi Community Authority Hall
Contract period: 7 Months
Cost of documents: Nil
Tender document available from: Department of Transport, Room L205, on 2006-06-09 during working hours between (9:00 to 12:00) and (14:00 to 16:00). Tender documents will also be available at the site inspection meeting.
Tender box situated in the foyer: Department of Transport, 172 Burger Street, Pietermaritzburg
Enquiries: Mr L. Zuma, Telephone number: (033) 3558719, Fax number: (033) 3558775, e-mail address: lucky.zuma@kzntransport.gov.za
 Mr G. J. Payne, Telephone number: (033) 2651777, Fax number: (033) 2652727, e-mail address: fgc@tgcengineers.co.za

SUPPLY: Construction of three box culverts STC 1130, STC 1131 And STC 3723 on John Ross Highway
Tender number: ZNT 373 T/P496/15
Time: 11:00
Closing date: 2006-06-20
Compulsory site inspection: Yes
Time: 10:00
Date: 2006-06-13
Venue: Area office, Department of Transport, North Road, off Logan Road, off Biyela Road, Empangeni
Contract Period: 6 Months
Cost of Documents: Nil
Tender document available from: Site inspection
Tender box situated in the foyer: Department of Transport, 172 Burger Street, Pietermaritzburg
Enquiries: Mr M. Mostert, Telephone number: (033) 3424082, Fax number: (033) 3423962, Mr. K. Sparks, Telephone number: (033) 3940621, Fax number: (033) 3944188

No. 946, 2006

8 June 2006

DEPARTMENT OF HEALTH

CENTRAL SUPPLY CHAIN MANAGEMENT DIRECTORATE

BIDS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL

ADMINISTRATION OF KWAZULU-NATAL

- (i) Bids must be on the official bid form, which shall be completed in all respects, and all information must be supplied as stipulated in the bid document.
- (ii) Bids must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each bid.
- (iv) The envelope must be addressed to the Department of Health, Sub-Directorate: Provisioning Administration together with the bid number and closing date.
- (v) The name and address of the bidder must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Bid documents will be available from the Department of Health, Central Supply Chain Management Directorate, Room 20, 200 Mayors Walk, Pietermaritzburg, between the hours 08:00 and 15:00. Telephone: (033) 3946519.

SERVICE:	Rapid Assessment
Bid number:	ZNB 1002/2006-H
Closing date:	2006-07-06
Time:	11:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 3946519
Enquiries re Specification:	Mr N. Ndlela, Telephone: (033) 3952642
SERVICE:	Health and Hygiene Education Programme: Street Theatre Shows – Environmental Health Directorate
Bid number:	ZNB 7580/2006-H
Closing date:	2006-06-29
Time:	11:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 3946519
Enquiries re Specification:	Mr W. D. Khanyile, Telephone: (033) 3952772
SUPPLY:	Dental Equipment
Bid number:	ZNB 7348/2006-H
Closing date:	2006-07-06
Time:	11:00
Contact person:	Miss T. Shangase, Telephone: (033) 3946519
Enquiries re Specification:	Dr A. C. Vayej, Telephone: (031) 3322444
SERVICE:	Express Road Distribution: Central Provincial Stores
Bid number:	ZNB 5057/2006-H
Closing date:	2006-07-05
Contact person:	Ms M. Govender, Telephone: (033) 3946519
Enquiries re Specification:	Mrs R. Morris, Telephone: (033) 3946519
SUPPLY:	Printing of Face Value Items: Central Provincial Stores
Bid number:	ZNB 5200/2006-H:
Closing date:	2006-07-05
Contact person:	Ms M. Govender, Telephone: (033) 3946519
Enquiries re Specification:	Mrs R. Morris, Telephone: (033) 3946519
SUPPLY:	Orthopaedic Boots
Bid number:	ZNB 5065/2006-H
Closing date:	2006-07-05
Contact person:	Ms M. Govender, Telephone: (033) 3946519
Enquiries re Specification:	Mr P. M. Pillay, Telephone: (031) 4605332
SUPPLY:	HIV 1 and 2 Rapid test kits: PMTCT/VCT Programmes
Bid number:	ZNB 7564/2006-H
Closing date:	2006-07-06
Enquiries re Document:	Mrs P. Mbhele, Telephone: (033) 3946519
Enquiries re Specification:	Mr A. T. Ndabandaba, Telephone: (031) 2665410
SERVICE:	Conversion of Vehicle to Refrigerate Units (Mortuary Vehicle)
Bid number:	ZNB 7563/2006-H
Closing date:	2006-07-06
Time:	11:00
Enquiries re Bid Document:	Ms N. Zondi, Telephone: (033) 3946519
Enquiries re Specification:	Mrs L. Vorster, Telephone: (033) 3952900

SECURITY SERVICES

ZNB 4601/2006-H: UMGUNGUNDLOVU DISTRICT (DC 22)

Bid documents will be available from the Department of Health, Central Supply Chain Management Directorate, Room 20, 200 Mayors Walk, Pietermaritzburg, between the hours 08:00 and 15:00. Telephone: (033) 3946519.

A *compulsory site inspection* meeting will be held in respect of Security Services at the following institutions:

SERVICE:	Security service: Imbalenhle Clinic
Bid number:	ZNB 4300/2006-H
Venue:	Imbalenhle Clinic Thwala Road Imbali Pietermaritzburg
<i>Compulsory site meeting:</i>	2006-06-22 at 10:00
Site meeting contact person:	Mr F. H. Nkabinde, Telephone: (033) 3985013
Closing date and time:	2006-07-06 at 11:00
Enquiries:	Mr A. Alfredson or Mr R. Sibiya, Telephone: (033) 3946519
SERVICE:	Security service: East / Boom Street Clinic
Bid number:	ZNB 4209/2006-H
Venue:	East / Boom Street Clinic Corner of East and Boom Street Pietermaritzburg
<i>Compulsory site meeting:</i>	2006-06-22 at 13:00
Site meeting contact person:	Mrs Z. S. Ndwandwe, Telephone: (033) 3879000
Closing date and time:	2006-07-06 at 11:00
Enquiries:	Mr A. Alfredson or Mr R. Sibiya, Telephone: (033) 3946519

- SERVICE:** Security service: Richmond Clinic
Bid number: ZNB 4538/2006-H
Venue: Richmond Clinic
 Nelson Street
 Richmond
 2006-06-23 at 11:00
Compulsory site meeting:
Site meeting contact person: Mrs Z. S. Ndwandwe, Telephone: (033) 3879000
Closing date and time: 2006-07-06 at 11:00
Enquiries: Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519
- SERVICE:** Security service: EMRS Emergency Care College and Northdale Hospital
Bid number: ZNB 4022/2006-H and ZNB 4460/2006-H
Venue: Northdale Hospital
 Old Greytown Road
 Northdale
 Pietermaritzburg
 2006-06-26 at 10:00 (EMRS Emergency Care College)
 2006-06-26 at 11:00 (Northdale Hospital)
Site meeting contact person: Mr K. Pillay, Telephone: (031) 4803636 (EMRS Emergency Care College)
 Mr R. A. Naicker or Mr G. Thurman, (033) 3879032/ 47 (Northdale Hospital)
Closing date and time: 2006-07-06 at 11:00
Enquiries: Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519
- SERVICE:** Security service: Appelsbosch Hospital
Bid number: ZNB 4075/2006-H
Venue: Appelsbosch Hospital
 Mshwati Municipality
 2006-06-27 at 11:00
Compulsory site meeting:
Site meeting contact person: Mr F. W. Khomo, Telephone: (032) 2948020
Closing date and time: 2006-07-06 at 11:00
Enquiries: Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519
- SERVICE:** Security service: Edendale Hospital
Bid number: ZNB 4215/2006-H
Venue: Edendale Hospital
 Main Road
 Edendale
 2006-06-28 at 10:00
Compulsory site meeting:
Site meeting contact person: Mrs H. M. Findlay, Telephone: (033) 3954001
Closing date and time: 2006-07-06 at 11:00
Enquiries: Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519
- SERVICE:** Security service: Edendale Nursing Campus
Bid number: ZNB 4216/2006-H
Venue: Edendale Nursing Campus
 29 Havelock Road
 Pietermaritzburg
 2006-06-28 at 13:00
Compulsory site meeting:
Site meeting contact person: Mr D. Smith, Telephone: (033) 3927571
Closing date and time: 2006-07-06 at 11:00
Enquiries: Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519
- SERVICE:** Security service: Townhill Hospital
Bid number: ZNB 4595/2006-H
Venue: Townhill Hospital
 Hyslop Road
 Pietermaritzburg
 2006-06-29 at 09:00
Compulsory site meeting:
Site meeting contact person: Mr M. T. Makhubu, Telephone: (033) 3415514
Closing date and time: 2006-07-06 at 11:00
Enquiries: Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519
- SERVICE:** Security service: Grey's Hospital
Bid number: ZNB 4270/2006-H
Venue: Grey's Hospital
 Town Bush Road
 Pietermaritzburg
 2006-07-29 at 13:00
Compulsory site meeting:
Site meeting contact person: Mr Aiyer, Telephone: (033) 8973335
Closing date and time: 2006-06-06 at 11:00
Enquiries: Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519
- SERVICE:** Security service: Umgeni Hospital
Bid number: ZNB 4600/2006-H
Venue: Umgeni Hospital
 Main Road
 Howick
 2006-06-30 at 10:00
Compulsory site meeting:
Site meeting contact person: Mrs Oosthuisen, Telephone: (033) 3306146
Closing date and time: 2006-07-06 at 11:00
Enquiries: Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519

SERVICE: Security service: Central Provincial Store
Bid number: ZNB 4106/2006-H
Venue: Central Provincial Store
 200 Mayors walk
 Pietermaritzburg
 2006-06-30 at 13:00
Compulsory site meeting:
Site meeting contact person: Mr M. Peters, Telephone: (033) 3946519
Closing date and time: 2006-07-06 at 11:00
Enquiries: Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519

ZNB 4011/2006-H: AMAJUBA DISTRICT (DC 25)

Bid documents will be available from the Department of Health, Central Supply Chain Management Directorate, Room 20, 200 Mayors Walk, Pietermaritzburg, between the hours 08:00 and 15:00. Telephone: (033) 3946519.

Bid documents will also be available from the Department of Health, Amajuba District Office, 38 Voortrekker Street, Newcastle. Telephone: (034) 328 7000 for attention Ms Sindisiwe Mabaso.

A compulsory site inspection meeting will be held in respect of Security Services at the following institutions:

SERVICE: Security service: Newcastle Hospital
Bid number: ZNB 4425/2006-H
Venue: Newcastle Hospital
 4 Hospital Road
 Madadeni
 Newcastle
 2006-06-19 at 11:00
Compulsory site meeting:
Site meeting contact person: Mrs Y. Meiring, Telephone: (034) 3280000
Closing date and time: 2006-07-10 at 11:00
Enquiries: Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519

SERVICE: Security service: Madadeni Hospital
Bid number: ZNB 4380/2006-H
Venue: Madadeni Hospital
 F0001 Section 6
 Madadeni
 2006-06-20 at 11:00
Compulsory site meeting:
Site meeting contact person: Mr R. Jele, Telephone: (034) 3288030
Closing date and time: 2006-07-10 at 11:00
Enquiries: Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519

ZNB 4622/2006-H: UTHUNGULU DISTRICT (DC 28)

Bid documents will be available from the Department of Health, Central Supply Chain Management Directorate, Room 20, 200 Mayors Walk, Pietermaritzburg, between the hours 08:00 and 15:00. Telephone: (033) 3946519.

Bid documents will also be available from the Department of Health, Uthungulu District Office, 2nd Lood Ave, Empangeni Rail, (Next to Intercity Nissan) Telephone: (035) 7870631 – Mr B.Z.D. Dumisa.

A compulsory site inspection meeting will be held in respect of security services at the following institutions:

SERVICE: Security service: Uthungulu District Office
Bid number: ZNB 4622/2006-H
Venue: Uthungulu District Office
 2nd Lood Ave
 Empangeni Rail (Next to Intercity Nissan)
 2006-06-21 at 11:00
Compulsory site meeting:
Site meeting contact person: Mr B. Z. D. Dumisa, Telephone: (035) 7870631
Closing date and time: 2006-07-10 at 11:00
Enquiries: Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519

ZNB 4247/2006-H: ETHEKWENI (DURBAN)

Bid documents will be available from the Department of Health, Central Supply Chain Management Directorate, Room 20, 200 Mayors Walk, Pietermaritzburg, between the hours 08:00 and 15:00. Telephone: (033) 3946519.

Bid documents will also be available from the Department of Health, eThekweni District Office, Highway House, 83 Jan Smuts Highway, Mayville, Durban. Telephone: (031) 240 5501/3 for attention Ms Z. Mpfu.

A compulsory site inspection meeting will be held in respect of security services at the following institutions:

SERVICE: Security service: Wentworth Hospital
Bid number: ZNB 4639/2006-H and ZNB 4640/2006-H
Venue: Wentworth Hospital
 Sidmouth Ave
 Bluff, Durban
 2006-06-22 at 10:30 (Guard Patrols)
 2006-06-22 at 11:30 (Access / exit control)
Compulsory site meetings:
Site meeting contact person: Mr M. I. Smith, Telephone: (031) 4605006
Closing date and time: 2006-07-07 at 11:00
Enquiries: Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519

SERVICE: Security service: Addington Hospital
Bid number: ZNB 4005/2006-H
Venue: Addington Hospital
 16 Erskine Terrace

Compulsory site meeting:
Site meeting contact person:
Closing date and time:
Enquiries:

South Beach
Durban
2006-06-23 at 11:00
Mr R. Le Rordier, Telephone (031) 3272092
2006-07-07 at 11:00
Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519

SERVICE:
Bid number:
Venue:

Security service: Mahatma Gandhi Hospital
ZNB 4385/2006-H
Mahatma Gandhi Hospital
100 Phoenix Highway
Phoenix,
Durban

Compulsory site meeting:
Site meeting contact person:
Closing date and time:
Enquiries:

2006-06-26 at 11:00
Mr M. J. Mthembu, Telephone: (031) 5021869
2006-07-07 at 11:00 2006-07-07 at 11:00
Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519

SERVICE:
Bid number:
Venue:

Security service: King Edward VIII Hospital
ZNB 4335/2006-H
King Edward VIII Hospital
Corner of Sydney and Francis Roads
Congella
Durban

Compulsory site meeting:
Site meeting contact person:
Closing date and time:
Enquiries:

2006-06-27 at 11:00
Mr I. Sibiyi or Mr D. B. Nzama, Telephone (031) 3603441
2006-07-07 at 11:00
Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519

SERVICE:
Bid number:
Venue:

Security service: Prince Mshiyeni Hospital
ZNB 4515/2006-H
Prince Mshiyeni Hospital
Mangosuthu Highway
Amlazi

Compulsory site meeting:
Site meeting contact person:
Closing date and time:
Enquiries:

2006-06-28 at 11:00
Mr B. N. Qulo, Telephone (031) 9073334
2006-07-07 at 11:00
Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519

SERVICE:
Bid number:
Venue:

Security service: Osindisweni Hospital
ZNB 4490/2006-H
Osindisweni Hospital
Oakfarm Road
Verulam

Compulsory site meeting:
Site meeting contact person:
Closing date and time:
Enquiries:

2006-06-29 at 11:00
Mr C. R. Gilbert, Telephone: (032) 5410323
2006-07-07 at 11:00
Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519

SERVICE:
Bid number:
Venue:

Security service: R.K. Khan Hospital
ZNB 4540/2006-H
R. K. Khan Hospital
Road 336
Westcliff
Chatsworth

Compulsory site meeting:
Site meeting contact person:
Closing date and time:
Enquiries:

2006-06-30 at 11:00
Mr D. Naidoo, Telephone: (031) 4596300
2006-07-07 at 11:00
Mr A. Alfredson or Mr R. Sibiyi, Telephone: (033) 3946519

Cancellation of bid

SUPPLY:
Bid number:

Procedure carts for Stanger Hospital
ZNT 7551/2006-H

INVITATION TO ATTEND A PRE-BID SPECIFICATION MEETING: ZNT 5274/2006-H: GROCERIES, STANGER HOSPITAL

A Specification meeting will be held in respect Groceries, Stanger Hospital. A representative of your company is invited to attend a meeting.

To prepare your company for the meeting an existing specification for the items can be obtained between the hours 08:00 to 15:00. Your co-operation regarding this matter will be much appreciated.

Venue:
Time:
Date:
Enquiries:

Stanger Hospital, Nurses Lounge
10:00
2006-07-12
Miss N. Mkhize/ Mr B. J. Peters/ Mrs D. Mdalose, Telephone: (033) 3946519

DEPARTMENT OF HEALTH

CEZA HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Ceza Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and a letter of acceptance being issued.
- (vi) Quotation documents are available from Ceza Hospital, Telephone: (035) 8320006, Fax: (035) 8320022.
- (vii) For quotations exceeding R30 000.00 an original ZNT 30 (application for preference points) form must be submitted to the Ceza Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.

SUPPLY:

1 x Basic first aid
 1 x C.P.R the new basic procedure
 1 x Caring for people with AIDS
 1 x Challenges in AIDS counselling
 1 x Healing the mind

Quotation number: ZNQ 244/2006-2007

Closing date: 2006-06-26

Closing time: 11:00

Contact person: Mr K. B. Khumalo, Telephone: (035) 8350001/6, Fax: (035) 8320022/7

SUPPLY:

1 x The skeleton-general survey
 1 x The circulatory system
 1 x The digestive system
 1 x General system of the nervous system
 1 x The endocrine system

Quotation number: ZNQ 245/2006-2007

Closing date: 2006-06-26

Closing time: 11:00

Contact person: Mr K. B. Khumalo, Telephone: (035) 8350006, Fax: (035) 8320022/7

SUPPLY:

1 x Structure of the female sex organ
 1 x Structure of the male sex organ
 1 x The lymphatic tissue
 1 x Muscular tissue

Quotation number: ZNQ 246/2006-2007

Closing date: 2006-06-26

Closing time: 11:00

Contact person: Mr K. B. Khumalo, Telephone: (035) 8350006, Fax: (035) 8320022/7

SUPPLY:

1008 x Mama delivery pads (packets)
 100 Boxes 5 ml syringe disposable
 30 x Boxes IV cannular 24 g
 120 x Boxes 10 ml syringe disposable
 100 x Boxes blue needle 23 g
 120 x Boxes 2 ml syringe disposable

Quotation number: ZNQ 08/2006-2007

Closing date: 2006-06-26

Closing time: 11:00

Contact person: Mr K. B. Khumalo, Telephone: (035) 8350001/6, Fax: (035) 8320022/7

SUPPLY:

150 x Batteries R6
 5 x Tape measure 3 m
 50 x Plastic apron red 100 micron
 50 x Plastic apron blue 100 micron
 50 x Plastic apron white or clear 100 micron

Quotation number: ZNQ 283/2006-2007

Closing date: 2006-06-26

Closing time: 11:00

Contact person: Mr K. B. Khumalo, Telephone: (035) 8350001/6, Fax: (035) 8320022/7

SUPPLY:

1500 Toothbrushes similar to Oral B

Quotation number: ZNQ 160/dental/06/07

Closing date: 2006-06-19

Closing time: 11:00

Contact person: Mrs S. A. Nhleko, Telephone: (035) 5910122, Ext. 155

Enquiries regarding specification: Mrs S. A. Nhleko

SUPPLY:

2 Each incubator infants – standards air temp control

Quotation number: ZNQ 161/mbadl/ekuhl/06/07

Closing date: 2006-06-19
 Closing time: 11:00
 Contact person: Mrs S. A. Nhleko, Telephone: (035) 5910122, Ext. 155
 Enquiries regarding specification: Mrs S. A. Nhleko

SUPPLY: 6 Neonatal resuscitation unit mobile for new-born infant
 Quotation number: ZNQ 162/mbandl/ekuhl/shem/0607/many
 Closing date: 2006-06-19
 Closing time: 11:00
 Contact person: Mrs S. A. Nhleko, Telephone: (035) 5910122, Ext. 155
 Enquiries regarding specification: Mrs S. A. Nhleko

SUPPLY: 485 Each strong plastic chairs similar to Ancona 1 year guarantee, colour maroon
 Quotation number: ZNQ 163/nond/gwal/sub-camp/eye/mbadl/shem/06/07
 Closing date: 2006-06-19
 Closing time: 11:00
 Contact person: Mrs S. A. Nhleko, Telephone: (035) 5910122, Ext. 155
 Enquiries regarding specification: Mrs S. A. Nhleko

SUPPLY: 51 Office chairs swivel, adjustable tilt high back colour navy
 Quotation number: ZNQ 98/mat/nku/aids/opho/ndum/nond/gwal/many/ekuhl/switch
 Closing date: 2006-06-19
 Closing time: 11:00
 Contact person: Mrs S. A. Nhleko, Telephone: (035) 5910122, Ext. 155
 Enquiries regarding specification: Mrs S. A. Nhleko

No. 948, 2006

8 June 2006

DEPARTMENT OF HEALTH

MSELENI HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF
 KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to Mseleni Hospital for attention Procurement office reflecting the quotation number.
- (v) The name and address of the quoting company must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Please complete original ZNT 30 document when submitting quotations above R30 000.00 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.
- (vi) Quotation documents are available from Mseleni Hospital, P.O. Sibhayi, 3967 and they can be obtained via fax.

SUPPLY: 1 x Bar fridge
 4 x Infusion pump
 Quotation number: ZNQ H 63/2006/07
 Closing date: 2006-07-05
 Closing time: 11:00
 Contact person: Mandla Nxumalo

SUPPLY: Cannula medical vasocan size 18 x 50
 Cannula medical vasocan size 20 x 50
 Cannula medical vasocan size 22 x 50
 Cannula medical vasocan size 24 x 50
 Quotation number: ZNQ H 73/2006/07
 Closing date: 2006-07-05
 Closing time: 11:00
 Contact person: Mandla Nxumalo

SUPPLY: 500 x Gloves examtex non sterile small
 500 x Gloves examtex non sterile medium
 500 x Gloves examtex non sterile large
 100 x Gloves surgeon size 6½
 100 x Gloves surgeon size 7
 100 x Gloves surgeon size 7½
 Quotation number: ZNQ H 74/2006/07
 Closing date: 2006-07-05
 Closing time: 11:00
 Contact person: Mandla Nxumalo

SUPPLY: 1 x Portable dental chair
 1 x Osen quality chair - dental chair
 1 x Trophy elitys high frequency wall

Quotation number: ZNQ H 75/2006/07
 Closing date: 2006-07-05
 Closing time: 11:00
 Contact person: Mandla Nxumalo

SUPPLY: 1 x Sound system
 1 x ID tag machine
 1 x Video camera
 Quotation number: ZNQ H 76/2006/07
 Closing date: 2006-07-05
 Closing time: 11:00
 Contact person: Mandla Nxumalo
 Enquiries regarding specification: Mandla Nxumalo

Cancellation of quotation

SERVICE: Erect roomed house, wooden structure with concrete foundation and concrete slab
 Quotation number: ZNQ H24/2006/07

No. 949, 2006

8 June 2006

DEPARTMENT OF TRANSPORT

BIDS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Please note that bid requests can be made via facsimile (viz. (033) 3558091) for all documents.
- (ii) Bidders must be on the official bid/quotation form which shall be completed in all respect and all information must be supplied as stipulated in the bid documents.
- (iii) Bidders must be submitted in separate sealed envelopes.
- (iv) Separate envelopes must be used for each bid invitation.
- (v) The address, bid number and closing date must be endorsed on the back of the envelope.
- (vi) The name and address of the bidders must be endorsed on the back of the envelope.
- (vii) All bid contract awards are subject to appeals being timeously lodged (if any) and letters of acceptances being issued.
- (viii) To obtain the following bid documents, contact the telephone and facsimile numbers stipulated.
- (ix) Contractors will be required to produce a copy of a valid Tax Clearance Certificate before being issued with tender documents.
- (x) **Please note: The bid box is situated in the Foyer of the Department of Transport, Head Office at 172 Burger Street, Pietermaritzburg.**

SERVICE: Cleaning services at the Department of Transport, Head Office, 172 Burger Street, Pietermaritzburg
 Bid number: ZNB 1222/06 T
 Closing date: 2006-07-05
 Time: 11:00
 Documents available from: Department of Transport, Head Office, Bid Closing Section, B Block, 172 Burger Street, Pietermaritzburg
Compulsory site inspection: Yes
 Date: 2006-06-19
 Time: 10:00
 Venue: McDonald Theatre, 172 Burger Street, Pietermaritzburg
 Contact person for documents: Mr Ricardo Francis, Telephone: (033) 3558975
 Contract period: 2 Years from date of award
 Enquiries regarding specification: Mrs Malische Pienaar, Telephone: (033) 3558627

SUPPLY: Grader blades
 Bid number: ZNB 2701/06 T
 Closing date: 2006-07-05
 Time: 11:00
 Documents available from: Department of Transport, Head Office, Bid Closing Section, B Block, 172 Burger Street, Pietermaritzburg
 Contact person for documents: Mr Ricardo Francis, Telephone: (033) 3558975
 Contract period: 2 Years from date of award
 Enquiries regarding specification: Mr Mark Pistorius, Telephone: (033) 3558847

DEPARTMENT OF HEALTH

NKONJENI HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all the information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelopes must be addressed to the Department of Health, Nkonjeni Hospital, with the quotation number and the closing date.
- (v) Quoting contractors must be registered with the Provincial Database.
- (vi) For quotations exceeding R30 000.00 an original Tax Clearance Certificate must be submitted.
- (vii) Quotations must be dropped into the tender box, near the Switchboard Area.
- (viii) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (ix) Quotation documents are available from the Department of Health, Nkonjeni Hospital, Stores Department, Ekudubekeni Reserve, Private Bag X509, Mahlabathini, 3865, Telephone: (035) 8730013, Ext. 2227, Facsimile: (035) 87300131.

SUPPLY:

2-4 x 1 Laryngoscope set welch curved set handle
 1 x NIBP patient monitor
 1 x Fluid pump
 1 x Fluid warmer
 5 x Digital thermometer
 1 x Defibrillator
 1 x Oxygen gauge for cylinder
 1 x Oxygen gauge leaning type
 1 x Mobile spot lamp
 1x Autoclavable face masks size 3, 4 and 5 each
 3 x Wall mounted oxygen gauge
 1 x Weighing scale adult with height
 1 x Dressing trolley with two drawers
 1 x Large dressing trolley with top and bottom shelves
 1 x Medium dressing trolley with top and bottom shelves
 1 x Kickabout with s/steel 15 l
 1 x Medicine trolley
 1 x Soiled lined runabout with canvas
 3 x Foot stool double step
 6 x 1.5 litre Large receivers
 6 x 8 litres Large saline bowl
 6 x Gallipots
 6 x Sponge forceps
 6 x Vulsellum forceps
 1 x Gynaecological couch
 1 x Pair of sterrup
 1 x Examination couch
 1 x Sphygmomanometer with gauge on adult cuff
 1 x Hospital suction aspiration
 2 x Littman double barrel
 6 x Sims speculum small
 6 x Sims speculum medium
 6 x Sims speculum large
 1 x Double bowl stand with bowl
 1 x Single bowl stand with bowl
 1 x Trolley patient with mattresses swivel casters
 30 x Batteries for digital thermometers
 1 x Cabinet sterile packs mobile
 ZNQ 139/06
 2006-06-29
 Miss A. D. Ntuli
 Mrs M. P. T. Kheswa

Quotation number:

Closing date:

Contact person:

Enquiries regarding specification:

SUPPLY:

1 x Oxygen stand with 2 wheel leaning type
 10 x Digital thermometer
 1 x Oxygen gauge with pressure and flowmeter
 2 x Doctors trolley with 2 drawers
 2 x Single bowl stand with bowl
 3 x Small poison cabinet
 1 x Measuring jug 1 litre
 1 x H.G.T. Machine
 1 x Urine collector jars
 2 x Sphygmomanometer with gauge on cuff
 supply with extra neonate and paediatric cuffs 1 set

Quotation number:
Closing date:
Contact person:
Enquiries regarding specification:

1 x Pulse oximeter
1 x NIBP patient monitor
1 x Mobile spot lamp
5 x 0-4 x 1 each Silicone autoclavable face mask
1 x Single foot stool
1 x Patella hammer
1 x Torch (penlight)
1 x Linen runabout with canvass lining
ZNQ 139/06
2006-06-29
Ms A. D. Ntuli
Mrs M. P. T. Kheswa

SUPPLY:

2 x Office desk with drawer
1 x Swivel chair
1 x Stationery wooden cupboard
1 x Filing cabinet with drawers
1 x Set lounge suite
1 x Coffee table
1 x 220 l Refrigerator domestic
1 x Credenza base
1 x 30 l Micro waves electric grill
1 x Electric kettle
1 x 4 Compartment locker steel
1 x Office chairs with arm rest
1 x Filing cabinet steel
1 x Televideo with arial
ZNQ 140/06
2006-06-29
Ms A. D. Ntuli
Mrs M. P. T. Kheswa

Quotation number:
Closing date:
Contact person:
Enquiries regarding specification:

SUPPLY:

1 x Cabinet sterile pack mobile
1 x Recovery bed
2 x Double foot stool
1 x Fluid pump
1 x Drip stand
1 x Medium dressing trolley with top and bottom shelves
1 x Anaesthetic trolley with one drawer
1 x Foot scale adult with height
1 x Weight scale – electronic – infant
1 x Protoscope
1 x Patient locker
1 x Resuscitation emergency trolley
1 x Oxygen stand with 2 wheels leaning type
10 x Digital thermometer
1 x Oxygen gauge with pressure and flowmeter
2 x Doctors trolley with 2 drawers
2 x Single bowl stand with bowl
3 x Small poison cabinet
1 x 1 litre Measuring jug
1 x H.G.T. Machine
1 x Urine collectors jars
2 x Syphgmanometer with gauze and cuff
1 x Syphgmanometer with adult cuff
1 x Syphgmanometer Paediatric size
1 x Pulse oximeter
1 x NIBP patient monitor
1 x Mobile spot lamp
5 x 0-4 x 1 each Silicone autoclavable face mask
1 x Single foot stool
1 x Patella hammer
1 x Torch (penlight)
1 x Linen runabout with canvass lining
1 x Electrical suction machine
1 x Urinometer
2 x Examination couch
ZNQ 141/06
2006-06-29
Ms A. D. Ntuli
Mrs M. P. T. Kheswa

Quotation number:
Closing date:
Contact person:
Enquiries regarding specification:

SUPPLY:

4 x Office paper bin
1 x Credenza base
4 x Paper town dispensers
4 x Liquid soap dispensers
6 x 15 liters Pedal bin stainless steel
1 x Ringer with 2 x 15 litre bucket with mop
6 x Paper trays
1 x 30 l Micro waves electric grill

1 x Electric kettle
 1 x She bin
 Shower mat (rubber)
 1 x Photocopy machine
 Tier book case x 12 shelves
 3 x Office desk with drawers (oak melamine)
 2 x Swivel chairs (high back)
 10 x Visitors chairs
 Pastor chairs 5 joined x 1 set
 1 x Stationery wooden cupboard
 1 x Filing cabinet wooden
 5 x Stationery stainless steel cupboard
 2 x Nurses locker 4 compartment steel
 1 x 220 l Domestic fridge
 1 x Bar fridge
 ZNQ 142/06
 2006-06-29
 Ms A. D. Ntuli
 Mrs M. P. T. Kheswa

Quotation number:
 Closing date:
 Contact person:
 Enquiries regarding specification:

SUPPLY:

1 x Oxygen stand with 2 wheels leaning type
 10 x Digital thermometer
 1 x Oxygen gauge with pressure and flowmeter
 2 x Doctors trolley with 2 drawers
 2 x Single bowl stand with bowl
 3 x Small poison cabinet
 1 x 1 litre Measuring jug
 1 x H.G.T. Machine
 1 x Urine collectors jars
 1 x Syphgmomanometer with adult cuff
 1 x Syphygmomanometer with neonatal size
 1 x Syphgmomanometer Paediatric size
 1 x Pulse oximeter
 1 x NIBP patient monitor
 1 x Mobile spot lamp
 5 x 0-4 x 1 each Silicone autoclavable face mask
 1 x Single foot stool
 1 x Patella hammer
 1 x Torch (penlight)
 1 x Linen runabout with canvass lining
 1 x Electrical suction machine
 1 x Urinometer
 2 x Examination couch
 3 x NIBP patient monitor with adult cuff
 One with extra pediatric and one neonate cuff
 2 x Pulse oximeter
 1 x Agilent patient monitor multiparameters
 Pulse oximeter finger probis x 2 or finger sensors
 Dash 3000 sensor/finger probe cable and adult cuff
 ZNQ 144/06
 2006-06-29
 Ms A. D. Ntuli
 Mrs M. P. T. Kheswa

Quotation number:
 Closing date:
 Contact person:
 Enquiries regarding specification:

SUPPLY:

1 x Emergency trolley
 2 x Weighing scale adult with height
 6 x Wheelchairs
 1 x Spot lamp
 4 x Ankle weights
 2 x 1.5 kg, 2 x 2 kg
 2 x 1.5 kg Free weights
 2 x 2.5 kg, 2 x 3 kg, 2 x 5 kg x 8
 40 cm Balance board
 1 x Wobble board
 5 x Globes belmont chains
 O&S light 12 x 55W
 2 x Kodak ultra-sound
 Size 2/2 boxes
 5 x Plastic bib: adult size
 3 x Children size
 5 x Recovery beds
 5 x Linen trolley
 1 x Fluid warmer
 15 x Troch penlight
 2 x Laryngeal mask size 3
 1 x 18.9 l Desk top water dispenser
 1 x Portable electric fan
 2 x Curved laryngoscope set with handle size 2-4 blades
 2 x Splints-thomas x-large
 2 x Splints-thomas small

	1 x Treatment table/low
	Pilnth height: 45 cm
	Width: 120 cm
	Length: 180 cm
	Therabands: yellow thin x 1 each colour
	Red: Medium, Green x 1 each colour
	Heavy black special x 1 each colour
	Heavy 40-50 m each colour x 1 each colour
	Silent vacuum cleaner
	Air flow 43.5 litre/sec
	Capacity 15c
	Motor 1100w
	ZNQ 145/06
Quotation number:	2006-06-29
Closing date:	Ms A. D. Ntuli
Contact person:	Mrs M. P. T. Kheswa
Enquiries regarding specification:	

Award of quotations

SUPPLY:	Unsterile examtex gloves
Quotation number:	ZNQ 26/06
Contractor:	Progress Medical supplies
SUPPLY:	Injection syringes, insulin syringes
Quotation number:	ZNQ 27/06
Contractor:	Endomed Medical and Surgical Supplies cc
SUPPLY:	Crepe bandages
	Webcol swabs
	Humidifier bottles
Quotation number:	ZNQ 28/06
Contractor:	Central Medical (Pty) Ltd
SUPPLY:	Surgical blades
	Stitch cutter
Quotation number:	ZNQ 16/06
Contractor:	Iziko Medical and Surgical supplies
SUPPLY:	Wooden crutches
Quotation number:	ZNQ 68/06
Contractor:	Iziko Medical and Surgical supplies
SUPPLY:	Nasogastric tubes
Quotation number:	ZNQ 56/06
Contractor:	Dynamed medical & pharmaceutical (Pty) Ltd
SUPPLY:	Injection needles
Quotation number:	ZNQ 68/06
Contractor:	Palmed Medical & Surgical supplies cc
SUPPLY:	Plastic aprons
	Sterile airwaves
Quotation number:	ZNQ 30/06
Contractor:	Shalom Medical and Surgical
SUPPLY:	Disposable receptal
	Sensitive tape
	Non sensitive tape
Quotation number:	ZNQ 32/06
Contractor:	Gabler Medical (Pty) Ltd
SUPPLY:	Tupigrip
Quotation number:	ZNQ 34/06
Contractor:	Infinity Industrial Supplies
SUPPLY:	Granuflex katlostat
Quotation number:	ZNQ 35/06
Contractor:	Coloplast in South Africa
SUPPLY:	Spinal needles
	Vacutainer needles
Quotation number:	ZNQ 40/06
Contractor:	Dynamed Medical & Pharmaceutical (Pty) Ltd
SUPPLY:	Central venous pressure catheterisation
Quotation number:	ZNQ 42/06
Contractor:	Arrow Africa (Pty) Ltd
SUPPLY:	O.T. caps
	Chest drainage with bottle for adult

Quotation number:	ZNQ 44/06
Contractor:	Logan Medical and Surgical
SUPPLY:	Primapore
Quotation number:	ZNQ 45/06
Contractor:	Logan Medical and Surgical
SUPPLY:	Asptor bags Ayers wooden spatulae Wooden spatulae
Quotation number:	ZNQ 46/06
Contractor:	Endomed Medical and Surgical Supplies cc
SUPPLY:	Nebulisation set Nasal prongs Oxygen face mask
Quotation number:	ZNQ 48/06
Contractor:	Iziko Medical & surgical supplies
SUPPLY:	Sterile amniotic hooks Cusco speculum
Quotation number:	ZNQ 494/06
Contractor:	Konke Marketing cc
SUPPLY:	Vision floor liquid polish
Quotation number:	ZNQ 63/06
Contractor:	Chemicals Logistics Industrial
SUPPLY:	Floor liquid soap
Quotation number:	ZNQ 64/06
Contractor:	SRF Multisales
SUPPLY:	Machine brushes
Quotation number:	ZNQ 66/06
Contractor:	Just in time Logistics
SUPPLY:	Lever line soft care hand soap
Quotation number:	ZNQ 65/06
Contractor:	Thandanani Chemicals
SUPPLY:	Plastic bags clear
Quotation number:	ZNQ 72/06
Contractor:	Zwelisha Trading
SUPPLY:	Fitted garments
Quotation number:	ZNQ 69/06
Contractor:	Kimberly Clark of South Africa
SUPPLY:	LSD 64 Powder
Quotation number:	ZNQ 70/06
Contractor:	Thandanani Chemicals
SUPPLY:	Stain remover powder
Quotation number:	ZNQ 71/06
Contractor:	H.M.S.

No. 951, 2006

8 June 2006

DEPARTMENT OF TRANSPORT

Request for proposals

The Department of Transport invites proposals from Consultants for the following services:

- (i) Carry out visual inspection of the paved road network.
- (ii) Carry out visual inspection of the unpaved road network.
- (iii) Carry out manual traffic counts on provincial main and district roads.

"Request for Proposal" documents may be obtained from Ricardo Francis on (033) 3558975.

Proposals in sealed envelopes should be marked with the title of the service to be provided and placed in the tender box at the address below no later than 2006-06-15.

The Front Entrance
172 Burger Street
Pietermaritzburg
3201

Enquiries: Dr Oloo on (033) 3558054

No. 952, 2006

8 June 2006

DEPARTMENT OF TRANSPORT

TENDERS ARE INVITED FROM EXPERIENCED STAGE 4 VUKUZAKHE CONTRACTORS, WHO ARE REGISTERED WITH THE CIDB IN A CIVIL ENGINEERING CLASS OF CONSTRUCTION WORKS AND ON THE PROVINCIAL DATABASE FOR THE CONSTRUCTION OF THREE BOX CULVERTS STC 1130, STC 1131 AND STC 3723 ON JOHN ROSS HIGHWAY

- (i) Please note that tender requests can be made via facsimile viz. (033) 3558775 for all documents.
- (ii) Tenders must be on the official tender/quotation form which shall be completed in all respect and all information must be supplied as stipulated in the tender documents.
- (iii) Tenders must be submitted in separate sealed envelopee.
- (iv) Separate envelopes must be used for each tender invitation.
- (v) The address, tender number and closing date must be endorsed on the back of the envelope.
- (vi) The name and address of the tenderer must be endorsed on the back of the envelope.
- (vii) All tender contract awards are subject to appeals being timeously lodged (if any) and letters of acceptances being issued.
- (viii) **To obtain the following tender documents, contact the telephone and facsimile numbers stipulated.**
- (ix) **Contractors will be required to produce a copy of a valid Tax Clearance Certificate before being issued with tender documents.**
- (ix) **Please note: The tender box is situated in the foyer Department of Transport, 172 Burger Street, Pietermaritzburg.**

SUPPLY:	Construction of three box culverts STC 1130, STC 1131 and STC 3723 on John Ross Highway
Tender number:	ZNT 373 T/P496/15
Closing date:	2006-06-30
Time:	11:00
Tender document available from:	Site inspection
Tender box situated in the foyer:	Department of Transport, 172 Burger Street, Pietermaritzburg
Compulsory site inspection:	Yes
Date:	2006-06-13
Time:	10:00
Venue:	Area office, Department of Transport, North Road, off Logan Road, off Biyela Road, Empangeni
Contract period:	6 Months
Const of document:	Nil
Enquiries:	Mr M. Mostert, Telephone: (033) 3424082, Fax: (033) 3423962 Mr K. Sparks, Telephone: (033) 3940621, Fax: (033) 3944188

No. 953, 2006

8 June 2006

DEPARTMENT OF HEALTH

BENEDICTINE HOSPITAL

QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Benedictine Provincial Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Departments of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Benedictine Hospital, Stores Department, Private Bag X5007, Nongoma, 3950, Telephone: (035) 8317157, Fax: (035) 8313241.
- (vii) To obtain quotation forms, please fax your request to the number below. No calls will be taken, except for queries relating to specification that are not clearly understood, see number of contact person.

SUPPLY:	Wrap-around/crossovers, red colour
Quotation number:	Sizes M, L, XL, XXL, pair of scissor
Closing date:	ZNQ 227/06/07
Closing time:	2006-06-23
Contact person:	11:00
Enquiries regarding specifications:	Mrs L. W. Sibisi, Telephone: (035) 8317062, calls will only be taken for queries relating unclear specification, see paragraph (vii)
	Please send fax to (035) 8313241 no telephone calls will be accepted to obtain quotation forms see paragraph (vii)

SUPPLY:	Mattresses, firm sponge, adult (270) with water resistant upholstery
Quotation number:	Mattresses, firm sponge, large child cotbed (04)
Closing date:	ZNQ 228/06/07
	2006-06-23

Closing time:	11:00
Contact person:	Mrs L. W. Sibisi, Telephone: (035) 8317062, calls will only be taken for queries relating unclear specification, see paragraph (vii)
Enquiries regarding specifications:	Please send fax to (035) 8313241 no telephone calls will be accepted to obtain quotation forms see paragraph (vii)
SUPPLY:	Vital signs monitors with NIBP SpO ₂ , HR and ECG on mobile stand (13)
Quotation number:	ZNQ 229/06/07
Closing date:	2006-06-23
Closing time:	11:00
Contact person:	Mrs L. W. Sibisi, Telephone: (035) 8317062, calls will only be taken for queries relating unclear specification, see paragraph (vii)
Enquiries regarding specifications:	Please send fax to (035) 8313241 no telephone calls will be accepted to obtain quotation forms see paragraph (vii)
SUPPLY:	Foetal monitors (05), Baumanometers, non mercurial on mobile stand (30)
Quotation number:	ZNQ 230/06/07
Closing date:	2006-06-23
Closing time:	11:00
Contact person:	Mrs L. W. Sibisi, Telephone: (035) 8317062, calls will only be taken for queries relating unclear specification, see paragraph (vii)
Enquiries regarding specifications:	Please send fax to (035) 8313241 no telephone calls will be accepted to obtain quotation forms see paragraph (vii)

No. 954, 2006

8 June 2006

DEPARTMENT OF WORKS
NOTICE AND INVITATION TO BID

Department of Works: Pietermaritzburg Head Office invites a bid for the rendering of security services at PEBS Building Pietermaritzburg.x

Bid number: ZNT 08 H/OW

The closing time for receipt of the bids is 11:00 on 2006-06-29.

Only bidders who are registered on the Provincial Supplier Database are eligible to submit bids.

The physical address for collection of bid documents is:

**Department of Works,
Ground floor, Foyer
191 Prince Alfred Street,
Pietermaritzburg 3200.**

Technical enquiries: MR S. F. Mtshali, Telephone: (033) 8976341

Documents may be collected during working hours between: **9:00 to 15:00.**

Queries relating the issues of these documents may be addressed to:

Ms Lee Ngobese/Ms Gugu Ncanana

Telephone: (033) 3555557/(033) 3555477, Fax: (033) 3555680

A compulsory site inspection meeting/pre-bid briefing with representatives of the Employer will take place at **PEPBS Building, 4th Floor boardroom, 258 Longmarket Street, Pietermaritzburg on 2006-06-13 at 10:00.**

Telegraphic, telephonic, telex, facsimile and late bids will not be accepted, bids may only be submitted on the bid documentation that are issued.

Invitation to bid

SERVICE:	Security services at PEBS Building, Pietermaritzburg
Bid number:	ZNB 08 H/OW
Closing date:	2006-06-29 at 11:00
Time:	11:00
Compulsory site inspection:	2006-06-13 at 10:00
Venue:	PEPBS Building, 4th Floor Boardroom, 258 Longmarket Street, Pietermaritzburg
Technical enquiries:	Mr S. F. Mtshali, Telephone: (033) 8976341
Enquiries regarding documents:	Ms Lee Ngobese/Ms Gugu Ncanana, Telephone: (033) 3555557, Fax: (033) 3555680

Department of Works: Pietermaritzburg Head Office invites a bid for the rendering of Cleaning services at PEBPS Building, 258 Longmarket Street, Pietermaritzburg, 3200

Tender Number: ZNT 07H/OW

The closing time for receipt of the bids is 11:00 on 2006-06-29.

Only bidders who are registered on the Provincial Supplier Database are eligible to submit bids.

The physical address for collection of bid documents is:

**Department of Works,
Ground floor, Foyer
191 Prince Alfred Street,
Pietermaritzburg, 3200.**

Technical enquiries: MR S. F. Mtshali, Telephone: (033) 8976341

Documents may be collected during working hours between: **9:00 to 15:00.**

Queries relating the issues of these documents may be addressed to:

Ms Lee Ngobese, Telephone: (033) 3555557

Ms Gugu Ncanana, Telephone: (033) 3555477

A compulsory site inspection meeting/pre-bid briefing with representatives of the Employer will take place at **PEPBS Building, 4th Floor boardroom, 258 Longmarket Street, Pietermaritzburg on 2006-06-13 at 10:00.**

Telegraphic, telephonic, telex, facsimile and late bids will not be accepted. Bids may only be submitted on the bid documentation issued.

SERVICE:

Cleaning services at PEPBS Building, 258 Longmarket Street, Pietermaritzburg, 3200

Tender number:

ZNT 07 H/OW

Closing date:

2006-06-29 at 11:00

Time:

11:00

Compulsory site meeting:

2006-06-13 at 10:00

Technical enquiries:

Mr S. F. Mtshali, Telephone: (033) 8976341

Enquiries regarding documents:

Ms Lee Ngobese, Telephone: (033) 3555557

Ms Gugu Ncanana, Telephone: (033) 3555477

Documents will be collected at: Department of Work, Ground Floor, Foyer, 191 Prince Alfred Street, Pietermaritzburg, 3200 at 9:00 to 15:00.

GENERAL NOTICES — ALGEMENE KENNISGEWINGS — IZAZISO KUWONKEWONKE

No. 8, 2006

8 June 2006

KWAZULU-NATAL WELFARE BILL, 2006**Notice in terms of Rule 120 of the Standing Rules of the KwaZulu-Natal Legislature**

NOTICE is hereby given in terms of Rule 120 of the Standing Rules of the Provincial Legislature that the KwaZulu-Natal Welfare Bill, 2006 as set out hereunder, has been introduced into the aforesaid Legislature and will be considered by the Social Welfare and Population Development Portfolio Committee. The public and other interested groups are invited to submit representations on the said Bill, which representations on the said Bill, which representations must be addressed to:

Attention: Miss NP Zuma
The Secretary
KwaZulu-Natal Legislature
Private Bag X 9112
PIETERMARITZBURG
3200

so as to reach her not later than 29 June 2006.

N. NAIDOO

Secretary to the KwaZulu-Natal Legislature

BILL

To promote and ensure the social stability of the residents of the Province and to prevent social decline; to identify and implement measures to improve social welfare services; to provide for structures to promote transformation in the governance of the welfare sector; to promote equitable allocation of welfare resources throughout the Province; to promote the participation of civil society in the governance of the welfare sector; to provide for the establishment of a body known as the KwaZulu-Natal Welfare Council to advise and consult in relation to welfare and social development in the Province; to determine the objects, powers, duties and functions of the KwaZulu-Natal Welfare Council; to provide for the establishment of Regional Welfare Councils; to determine the powers, duties and functions of Regional Welfare Councils; to provide for welfare programmes; and to provide for matters connected therewith.

BE IT ENACTED by the Provincial Legislature of the Province of KwaZulu-Natal, as follows —

CHAPTER 1
DEFINITIONS

Definitions

1. In this Act, unless the context indicates otherwise —

“community-based welfare organisation” means a community-based organisation —

- (a) that operates a welfare programme approved by the responsible Member of the Executive Council in terms of section 16 of this Act; and
(b) is a registered nonprofit organisation as defined in section 1 of the Nonprofit Organisations Act, 1997 (Act No. 71 of 1997);

“Department” means the department in the Provincial Government of KwaZulu-Natal responsible for welfare;

“faith-based welfare organisation” means a church or other religious body —

- (a) that operates a welfare programme approved by the responsible Member of the Executive Council in terms of section 16 of this Act; and
(b) is a registered nonprofit organisation as defined in section 1 of the Nonprofit Organisations Act, 1997 (Act No. 71 of 1997);

“Gazette” means the official *Provincial Gazette* of the Province of KwaZulu-Natal;

“Head of Department” means the most senior officer of the department in the Provincial Government of KwaZulu-Natal responsible for welfare;

“Member of the Executive Council responsible for finance” means the member of the Executive Council of the Province of KwaZulu-Natal responsible for finance;

“municipality” means a municipality contemplated in section 155 of the Constitution of the Republic of South Africa, 1996, and established by and under sections 11 and 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), read with sections 3, 4 and 5 of the KwaZulu-Natal Determination of Types of Municipality Act, 2000 (Act No. 7 of 2000);

“non-governmental welfare organisation” means —

- (a) a voluntary association;
(b) a body corporate;
(c) a trust; or
(d) other organisation in civil society,

that —

- (i) operates a welfare programme approved by the responsible Member of the Executive Council in terms of section 16 of this Act; and
(ii) is a registered nonprofit organisation as defined in section 1 of the Nonprofit Organisations Act, 1997 (Act No. 71 of 1997);

“officer” means an employee of the Department;

“prescribed” means prescribed by regulation under section 18, and “prescribe” has a corresponding meaning;

“Province” means the Province of KwaZulu-Natal, and “provincial” has a corresponding meaning;

“Provincial Legislature” means the Legislature of the Province of KwaZulu-Natal;

“**Provincial Welfare Council**” means the KwaZulu-Natal Welfare Council established by section 3(1);

“**Regional Welfare Council**” means a Regional Welfare Council established by section 13(1);

“**regulations**” means regulations made under section 18;

“**responsible Member of the Executive Council**” means the Member of the Executive Council of KwaZulu-Natal responsible for welfare;

“**social welfare services**” means organised activities, measures or programmes in connection with —

- (a) social work as defined in section 1 of the Social Work Act, 1978 ();
- (b) the prevention and treatment of social pathological conditions in the community or in groups of persons or in families or individuals;
- (c) the promotion, protection or stability of family or marital life;
- (d) the welfare of the aged or physically or mentally handicapped persons;
- (e) the welfare of children;
- (f) the prevention of alcoholism or dependence upon dependence-producing substances or the treatment of persons who are dependent upon alcohol or any other dependence-producing substance;
- (g) the provision of housing to indigent persons or persons in need;
- (h) any corrective service; or
- (i) social relief;

“**this Act**” includes the regulations;

“**welfare organisation**” includes —

- (a) a community-based welfare organisation;
- (b) a faith-based welfare organisation; and
- (c) a non-governmental welfare organisation.

CHAPTER 2 OBJECTS OF ACT

Objects of Act

2. The objects of this Act are —

- (a) to promote and ensure the social stability of the residents of the Province and to prevent social decline;
- (b) to identify and implement measures to combat or prevent social problems;
- (c) to identify and implement measures necessary to improve social welfare services in the Province;
- (d) to provide for structures that promote transformation in the governance of the welfare sector;
- (e) to promote equitable allocation of welfare resources throughout the Province;
- (f) to promote the participation of civil society in the governance of the welfare sector;
- (g) to establish the KwaZulu-Natal Welfare Council for the Province; and
- (h) to establish Regional Welfare Councils for the areas of metropolitan and district municipalities in the Province within which community-based organisations, non-governmental organisations, faith-based organisations, municipalities and the Department can discuss matters of common concern in relation to welfare and social development.

CHAPTER 3 KWAZULU-NATAL WELFARE COUNCIL

Establishment of KwaZulu-Natal Welfare Council

3.(1) There is hereby established a council to be known as the KwaZulu-Natal Welfare Council (hereinafter referred to as the “Provincial Welfare Council”).

(2) The Provincial Welfare Council is not a juristic person.

Composition of Provincial Welfare Council

4.(1) The Provincial Welfare Council consists of the following members, appointed by the responsible Member of the Executive Council —

- (a) not more than two representatives from each Regional Welfare Council in the Province established by section 13(1), nominated by each such Regional Welfare Council;
- (b) one representative each, nominated —
 - (i) by organised business and commerce;
 - (ii) by organised labour; and
 - (iii) by organised banking and financial services;
- (c) one representative nominated by organised local government;
- (d) one representative nominated by the Head of Department; and
- (e) at least one, but no more than three other persons, appointed by the responsible Member of the Executive Council as contemplated in subsections (2) and (3).

(2) Members of the Provincial Welfare Council contemplated in subsection (1)(e) must be appointed by the responsible Member of the Executive Council after following the procedure set out in subsection (3), applying the principles of transparency and representivity, and taking into account any special competence, skill, knowledge, experience and interest in the fields of welfare and social development or the provision of social welfare services.

(3) The responsible Member of the Executive Council must —

- (a) in terms of a notice published in four newspapers of general circulation in different areas of the Province invite the public to submit nominations, and individuals to apply, within 30 days of publication of the invitation for appointment as members of the Provincial Welfare Council; Provided that the notice must contain the qualifications for membership of the Provincial Welfare Council referred to in section 5;
- (b) establish an independent panel consisting of at least three officers to prepare, for consideration by the responsible Member of the Executive

Council, a shortlist of nominees of no more than ten persons: Provided that the panel must, in preparing the shortlist, apply the principles of transparency and representivity having due regard to the provisions of subsection (2) and section 5; and (c) subject to the provisions of subsection (2), appoint the required number of members of the Provincial Welfare Council from the shortlist as contemplated in paragraph (b).

Qualifications for appointment as member of Provincial Welfare Council

- 5.(1) A person appointed as a member of the Provincial Welfare Council as contemplated in section 4(1)(e) must —
- (a) have special competence, skill, experience, knowledge, interest or academic expertise in, —
 - (i) welfare;
 - (ii) social development; or
 - (iii) the provision of social welfare services;
 - (b) be permanently resident in the Province; and
 - (c) be a fit and proper person.
- (2) No person may be appointed as a member of the Provincial Welfare Council, if he or she —
- (a) holds any office in any political party or political organisation; or
 - (b) has been convicted of an offence and sentenced to more than 12 months' imprisonment without the option of a fine.

Term of office, filling of vacancies and vacation of office

- 6.(1) Subject to the provisions of subsections (4), (5) and (6), a member of the Provincial Welfare Council holds office for a period not exceeding three years, and is only eligible for re-appointment after a further period of three years has lapsed.
- (2) The responsible Member of the Executive Council must designate a member of the Provincial Welfare Council to act as chairperson at the first meeting.
- (3) The Provincial Welfare Council must, at its first meeting, elect a chairperson and deputy-chairperson from amongst its members.
- (4) The responsible Member of the Executive Council may terminate a person's membership of the Provincial Welfare Council —
- (a) if that member has been absent from three consecutive meetings of the Provincial Welfare Council without sufficient reason;
 - (b) on grounds of incapacity or incompetence;
 - (c) on account of misconduct, including a breach of any provision of a prescribed Code of Conduct for members contemplated in section 18(1)(a); or
 - (d) on the recommendation of the Provincial Welfare Council, for reasons which are fair and just, by a resolution adopted with a supporting vote of at least two-thirds of the members of the Provincial Welfare Council.
- (5) A member of the Provincial Welfare Council vacates office, if —
- (a) he or she no longer meets the qualifications for membership referred to in section 5;
 - (b) he or she dies;
 - (c) he or she resigns by written notice to the responsible Member of the Executive Council;
 - (d) he or she has served the prescribed period, and his or her term of office expires;
 - (e) his or her membership of the Provincial Welfare Council has been terminated as contemplated in subsection (4); or
 - (f) he or she has become medically unfit to hold office.
- (6) Any vacancy on the Provincial Welfare Council must be filled in the manner in which the member who vacates office was appointed, and any member so appointed must hold office for the unexpired portion of the period for which the member who vacates office was appointed.

Meetings of Provincial Welfare Council

- 7.(1) The responsible Member of the Executive Council must convene the first meeting of the Provincial Welfare Council.
- (2) The Provincial Welfare Council must thereafter meet as often as necessary, but at least three times a year, at such places and times as the Provincial Welfare Council may determine.
- (3) Every member of the Provincial Welfare Council must be notified of each meeting in writing, at least fourteen days prior to such meeting, and such notification must contain an agenda for the proposed meeting.
- (4) In the absence from any meeting of the Provincial Welfare Council of both the chairperson and the deputy chairperson, the members present at that meeting may elect one from amongst themselves to preside at that meeting.
- (5) A special meeting of the Provincial Welfare Council may be called at the request of —
- (a) the chairperson; or
 - (b) two-thirds of the members of the Provincial Welfare Council by written petition, whereupon the chairperson must, in writing, notify every member of the Provincial Welfare Council of the time and place of the special meeting.
- (6) A *quorum* for a meeting of the Provincial Welfare Council is a majority of its members.
- (7) Any decision of the Provincial Welfare Council must be taken by resolution of the majority of the members present at any meeting of the Provincial Welfare Council and, in the event of an equality of votes on any matter, the member presiding at the meeting in question has a casting vote in addition to his or her deliberative vote as a member of the Provincial Welfare Council.
- (8) The proceedings of all meetings of the Provincial Welfare Council must be duly recorded and minuted.
- (9)(a) The minutes of the previous meeting must be read at the commencement of each meeting.
- (b) The minutes may be regarded as read if copies thereof were furnished to the members of the Provincial Welfare Council prior to the meeting.
- (c) The chairperson may only sign the minutes once objections or corrections have been dealt with.
- (10)(a) The chairperson must decide on questions of order or procedure.

(b) If any member objects to any such decision, the question must be put to the vote and the decision of the majority of the members is final and binding on the Provincial Welfare Council.

(11) A member of the Provincial Welfare Council must not vote or in any manner participate in the proceedings at any meeting of the Provincial Welfare Council, nor be present at the venue where such a meeting is held if, in relation to any matter before the Provincial Welfare Council, such a member has any interest which, reasonably considered, may preclude him or her from performing his or her functions as a member of the Provincial Welfare Council in a fair, unbiased and proper manner.

Administrative and secretarial work of Provincial Welfare Council

8. The administrative and secretarial work incidental to the performance of the functions of the Provincial Welfare Council must be performed by officers in the Department designated for such purpose by the Head of Department.

Powers, duties and functions of Provincial Welfare Council

9.(1) The Provincial Welfare Council must —

- (a) consider welfare programmes referred to in section 15(1)(d) received from Regional Welfare Councils and submit such welfare programmes together with the comment and recommendations of the Provincial Welfare Council to the responsible Member of the Executive Council for approval in terms of section 16;
- (b) advise the responsible Member of the Executive Council on —
 - (i) proposed welfare policy in the Province;
 - (ii) achieving operational uniformity of welfare programmes in the Province;
 - (iii) any matter related to the functions and operation of Regional Welfare Councils; and
 - (iv) any matter related to welfare and social development or the provision of social welfare services in relation to which the responsible Member of the Executive Council requests advice;
- (c) assist the Department in communicating decisions and relevant information on welfare and social development in the Province to departments in the Provincial Government, municipalities in the Province, the public and all other users of social welfare services in the Province by means of meetings, workshops, notices, and other published and electronic media;
- (d) liaise with national and provincial organisations concerned with welfare and social development or the provision of social welfare services;
- (e) not later than 30 days before the commencement of each financial year, submit a business plan containing such information as may be prescribed to the responsible Member of the Executive Council for his or her approval; and
- (f) perform any other function or duty imposed on it by this Act or any other law.

(2) The Provincial Welfare Council may —

- (a) exercise any power conferred on it by this Act or any other law; and
- (b) generally, do everything which is deemed necessary or expedient to achieve the objects of this Act and to perform the duties and functions referred to in subsection (1).

Committees of Provincial Welfare Council

10.(1) The Provincial Welfare Council may appoint one or more committees not limited to its own members to assist it in the exercise of its powers and the performance of its duties and functions.

(2)(a) A committee contemplated in subsection (1) must consist of two or more members of the Provincial Welfare Council, and must perform such duties and functions of the Provincial Welfare Council as the Provincial Welfare Council may determine.

(b) The Provincial Welfare Council may, at any time, dissolve or reconstitute such a committee.

(3)(a) The Provincial Welfare Council may delegate any of its powers or assign any of its duties or functions to a committee appointed in terms of subsection (1).

(b) Any delegated or assigned power, duty or function so exercised or performed is regarded to have been exercised or performed by the Provincial Welfare Council.

(c) The Provincial Welfare Council is not absolved from exercising or performing any power, duty or function so delegated or assigned.

(d) The Provincial Welfare Council may amend, review or rescind any decision of a committee.

Remuneration of members of Provincial Welfare Council and reimbursement of expenses incurred by members of Provincial Welfare Council and committees of Provincial Welfare Council

11.(1)(a) A member of the Provincial Welfare Council may be paid such remuneration or allowances as may be determined by the responsible Member of the Executive Council in consultation with the Member of the Executive Council responsible for finance.

(b) A member of the Provincial Welfare Council who receives remuneration, allowances or other benefits by virtue of his or her post or employment in the national government, a provincial government, a municipality or a corporation, body or institution in which the national or a provincial government has a controlling interest and who continues to receive such remuneration, allowances or other benefits while serving as a member of the Provincial Welfare Council, may only receive remuneration and allowances referred to in paragraph (a) to the extent required to place such member in the financial position in which he or she would have been were it not for such post or employment:

(2)(a) A member of the Provincial Welfare Council and a member of a committee of the Provincial Welfare Council may, in respect of his or her functions as a member, receive reimbursement for reasonable actual subsistence and travelling expenses necessitated by the actual attendance of a meeting of the Provincial Welfare Council or a committee of the Provincial Welfare Council.

(b) The Member of the Executive Council responsible for finance must determine procedures, including control measures, for the management, handling and processing of claims for subsistence and travelling expenses contemplated in paragraph (a).

Annual report

12.(1) The Provincial Welfare Council must annually submit a report on its activities, including an assessment of the extent to which its objects have been achieved, to the responsible Member of the Executive Council.

(2) The responsible Member of the Executive Council must cause the report to be tabled in the Provincial Legislature within 14 days after receipt thereof if the Provincial Legislature is then in ordinary session or, if the Provincial Legislature is not then in ordinary session, within 14 days after the commencement of its next ordinary session.

(3) Within five months after the report has been tabled, a delegation consisting of the chairperson of the Provincial Welfare Council and at least two other members of the Provincial Welfare Council must brief the relevant Portfolio Committee on the annual report.

CHAPTER 4 REGIONAL WELFARE COUNCILS

Establishment of Regional Welfare Councils

13.(1)(a) The Regional Welfare Councils mentioned in the first column of Schedule 1 are hereby established for the corresponding areas of the metropolitan and district municipalities in the Province listed in the second column of the said Schedule.

(b) The responsible Member of the Executive Council may, by notice in the *Gazette* and after consultation with the Provincial Welfare Council, the affected Regional Welfare Councils and the metropolitan and district municipalities concerned, amend Schedule 1 —

- (i) by changing the name of a Regional Welfare Council;
- (ii) by disestablishing an existing Regional Welfare Council;
- (iii) by establishing a new Regional Welfare Council;
- (iv) by increasing or reducing the number of Regional Welfare Councils in the Province; or
- (v) by adding or deleting metropolitan or district municipalities to or from the area for which a Regional Welfare Council is established:

Provided that there is not at any time more than six Regional Welfare Councils.

(c) An amendment to Schedule 1 contemplated in paragraph (b) takes effect on the date of publication of the notice or on a later date mentioned in the notice.

(d) The provisions of section 14 apply to a Regional Welfare Council established or affected by an amendment to Schedule 1 contemplated in paragraph (b)(iii), (iv) or (v).

(2) A Regional Welfare Council is not a juristic person.

(3) The provisions of section 5 up to and including section 8 and sections 10 and 11, read with the necessary changes, apply to a Regional Welfare Council.

Composition of Regional Welfare Council

14. Each Regional Welfare Council consists of the following members, appointed by the responsible Member of the Executive Council —

- (a) a maximum of six representatives of welfare organisations, one representative being nominated —
 - (i) by each non-governmental welfare organisation;
 - (ii) by each faith-based welfare organisation; and
 - (iii) by each community-based welfare organisation,

operating a welfare programme approved by the responsible Member of the Executive Council in terms of section 16 in the area of the metropolitan or district municipality for which the Regional Welfare Council is established;

(b) one representative nominated by organised business and commerce operating in the area of the metropolitan or district municipality for which the Regional Welfare Council is established;

(c) one representative nominated by each of the metropolitan or district municipalities for which the Regional Welfare Council is established;

(d) one representative nominated by the provincial House of Traditional Leaders established by section 3 of the KwaZulu-Natal Act on the House of Traditional Leaders Act, 1994 (Act No. 7 of 1994): Provided that the representative must be permanently resident in the area for which the Regional Welfare Council is established;

(e) at least one, but no more than five representatives nominated by the Head of Department; and

(f) at least one, but no more than three other persons, appointed by the responsible Member of the Executive Council as contemplated in section 4(2) and (3), read with the necessary changes.

Powers, duties and functions of Regional Welfare Council

15.(1) A Regional Welfare Council must —

(a) investigate the social problems occurring in the areas of the metropolitan or district municipalities for which the Regional Welfare Council is established;

(b) determine the existing and future welfare needs of the residents of the metropolitan or district municipalities for which the Regional Welfare Council is established;

(c) subject to section 17(1), plan and prepare a welfare programme with a view to the provision and future development of the social welfare services or facilities which may be necessary to address the welfare needs referred to in paragraph (b), above, and to recommend the order of priority which such services or facilities should be accorded;

(d) subject to section 17(1), submit the welfare programme referred to in paragraph (c), above, to the Provincial Welfare Council;

(e) make recommendations to the Provincial Welfare Council on —

- (i) proposed welfare policy for the area of the metropolitan or district municipality for which the Regional Welfare Council is established;
- (ii) the implementation, delivery and co-ordination of welfare programmes and social welfare services in the area of the metropolitan or district municipalities for which the Regional Welfare Council is established; and
- (iii) the equitable allocation of welfare resources in the areas of the metropolitan or district municipalities concerned, having regard to historical backlogs and historically disadvantaged persons or groups;
- (iv) any matter related to welfare and social development or the provision of social welfare services in the areas of the metropolitan or district municipalities for which the Regional Welfare Council is established, in relation to which the Provincial Welfare Council requests advice;

(f) assist the Provincial Welfare Council in communicating decisions and relevant information on welfare and social development in the Province to the metropolitan or district municipalities for which the Regional Welfare Council is established, residents and all other users of welfare and social services in the areas of the metropolitan or district municipalities by means of meetings, workshops, notices, and other published and electronic media;

(g) liaise with municipal and provincial organisations concerned with welfare and social development or the provision of social welfare services;

(h) encourage, promote and co-ordinate the rendering of social welfare services by welfare organisations in the areas of the metropolitan or district municipalities for which the Regional Welfare Council is established;

(i) not later than 30 days before the commencement of each financial year, submit a business plan containing such information as may be prescribed to the Provincial Welfare Council for approval; and

(j) perform any other function or duty imposed on it by this Act or any other law.

(2) A Regional Welfare Council may —

(a) with the prior approval of the responsible Member of the Executive Council, arrange for workshops and conferences in connection with any matter relating to its functions;

- (b) exercise any power conferred on it by this Act or any other law; and
- (c) generally, do everything which is deemed necessary or expedient to perform the duties and functions referred to in subsection (1).

CHAPTER 5 WELFARE PROGRAMMES

Power of responsible Member of the Executive Council to approve welfare programmes

16.(1)(a) The responsible Member of the Executive Council may approve or reject, or partly approve and partly reject, any welfare programme submitted to him or her in terms of section 9(1)(a) or refer it back to the Provincial Welfare Council or the Regional Welfare Council for further investigation or consideration or such other action as the responsible Member of the Executive Council may deem fit.

(b) If the responsible Member of the Executive Council approves or partly approves a welfare programme, the responsible Member of the Executive Council may impose such conditions in relation to the implementation of the programme or any part thereof as he or she may consider necessary or appropriate.

(2) If at any time after the approval of a welfare programme it is in the opinion of the responsible Member of the Executive Council necessary or desirable to amend or reconsider the programme, the responsible Member of the Executive Council may refer it back to the Provincial Welfare Council or the Regional Welfare Council for amendment or reconsideration.

(3) Any welfare programme approved by the responsible Member of the Executive Council immediately prior to the date of commencement of this Act in terms of the repealed sections 11(1)(c) and 12 of the National Welfare Act, 1978 (Act No. 100 of 1978), for a region or an area is, subject to section 17(1), regarded as having been approved for the area of the corresponding Regional Welfare Council in terms of this section.

Duties of Regional Welfare Council in relation to welfare programmes

17.(1) A Regional Welfare Council must —

- (a) as soon as is practicable, but not longer than 6 months after the constitution of the Regional Welfare Council concerned in terms of section 14, plan and prepare a welfare programme;
- (b) before finalising a draft welfare programme for submission to the Provincial Welfare Council as contemplated in section 15(1)(d), consult with —
 - (i) any welfare organisation and any other person who, or body which, may have a substantial and direct interest in the rendering or provision of any social welfare service or facility referred to in a welfare programme prepared by the Regional Welfare Council concerned; and
 - (ii) any welfare organisation and any other person or body from whom or from which a representation or comment has been received in relation to any social welfare service or facility referred to in a welfare programme prepared by the Regional Welfare Council concerned;
- (c) before finalising a draft welfare programme for submission to the Provincial Welfare Council as contemplated in section 15(1)(d), furnish a welfare organisation or other person or body referred to in paragraph (b)(i) and (ii), above, with the particulars which have been included in the welfare programme with regard to the service or facility referred to in that paragraph; and
- (d) when submitting a welfare programme to the Provincial Welfare Council in terms of section 15(1)(d), submit any representation or comment referred to in paragraph (b)(ii), above, together with the welfare programme.

CHAPTER 6 GENERAL PROVISIONS

Regulations

18.(1) The responsible Member of the Executive Council may, by notice in the *Gazette* and after consultation with the Provincial Welfare Council or the Regional Welfare Councils, as the case may be, make regulations concerning —

- (a) a Code of Conduct for members of the Provincial Welfare Council;
- (b) a Code of Conduct for members of the Regional Welfare Councils;
- (c) any matter which is required or permitted to be prescribed in terms of this Act; and
- (d) any other matter which the responsible Member of the Executive Council may deem necessary or expedient in order to achieve the objects of this Act: Provided that any regulation relating to State revenue or expenditure must be made with the concurrence of the Member of the Executive Council responsible for finance.

(2) The regulations may provide that any person contravening any regulation or failing to comply therewith is guilty of an offence and liable on conviction to a penalty not exceeding that prescribed in the regulations.

Delegation of powers

19.(1) The responsible Member of the Executive Council may, subject to such conditions as he or she may determine, delegate any power conferred on him or her by or under this Act, other than —

- (a) the power to publish a notice contemplated in section 4(3)(a);
- (b) the power to amend Schedule 1 by notice contemplated in section 13(1)(b); and
- (c) the power to make regulations contemplated in section 18(1),

to the Head of Department or an officer in the Department.

(2) A delegation under subsection (1) does not prevent the responsible Member of the Executive Council from exercising such power.

Repeal of laws

20. The laws mentioned in Schedule 2 are hereby repealed to the extent set out in the third column of the said Schedule.

Short title

21. This Act is called the KwaZulu-Natal Welfare Act, 2006.

SCHEDULE 1
Establishment of Regional Welfare Councils
(Section 13(1))

<i>Name of Regional Welfare Council</i>	<i>Area of Regional Welfare Council</i>
Durban Regional Welfare Council	<p>The area of —</p> <p>(i) the Ilembe District Municipality (DC 29), established by Provincial Notice No. 345 of 19 September 2000, which was subsequently amended by Provincial Notice No. 462 of 1 December 2000, Provincial Notice No. 501 of 29 December 2000, Provincial Notice No. 97 of 15 March 2001, Provincial Notice No. 135 of 12 April, 2001, Provincial Notice No. 299 of 13 August 2001, Provincial Notice No. 461 of 13 December 2001, Provincial Notice No. 269 of 19 July 2002, Provincial Notice No. 369 of 26 September 2002 and Provincial Notice No. 468 of 4 December 2002; and</p> <p>(ii) the eThekweni Metropolitan Municipality (Durban Metro), established by Provincial Notice No. 343 of 20 September 2000, which was subsequently amended by Provincial Notice No. 461 of 1 December 2000, Provincial Notice No. 135 of 12 April, 2001, Provincial Notice No. 299 of 13 August 2001, Provincial Notice No. 460 of 13 December 2001 and Provincial Notice No. 461 of 13 December 2001.</p>
Midlands Regional Welfare Council	<p>The area of —</p> <p>(i) the Uthukela District Municipality (DC 23), established by Provincial Notice No. 351 of 19 September 2000, which was subsequently amended by Provincial Notice No. 462 of 1 December 2000, Provincial Notice No. 501 of 29 December 2000, Provincial Notice No. 97 of 15 March 2001, Provincial Notice No. 135 of 12 April, 2001, Provincial Notice No. 299 of 13 August 2001, Provincial Notice No. 388 of 11 October 2001, Provincial Notice No. 461 of 13 December 2001 and Provincial Notice No. 468 of 4 December 2002;</p> <p>(ii) the Umzinyathi District Municipality (DC 24), established by Provincial Notice No. 350 of 19 September 2000, which was subsequently amended by Provincial Notice No. 462 of 1 December 2000, Provincial Notice No. 501 of 29 December 2000, Provincial Notice No. 97 of 15 March 2001, Provincial Notice No. 135 of 12 April, 2001, Provincial Notice No. 299 of 13 August 2001, Provincial Notice No. 461 of 13 December 2001, Provincial Notice No. 219 of 20 June 2002, Provincial Notice No. 329 of 5 September 2002 and Provincial Notice No. 468 of 4 December 2002; and</p> <p>(iii) the Umajuba District Municipality (DC 25), established by Provincial Notice No. 349 of 19 September 2000, which was subsequently amended by Provincial Notice No. 462 of 1 December 2000, Provincial Notice No. 501 of 29 December 2000, Provincial Notice No. 97 of 15 March 2001, Provincial Notice No. 135 of 12 April, 2001, Provincial Notice No. 299 of 13 August 2001, Provincial Notice No. 388 of 11 October 2001, Provincial Notice No. 461 of 13 December 2001 and Provincial Notice No. 468 of 4 December 2002.</p>
Pietermaritzburg Regional Welfare Council	<p>The area of —</p> <p>(i) the uMgungundlovu District Municipality (DC 22), established by Provincial Notice No. 352 of 19 September 2000, which was subsequently amended by Provincial Notice No. 462 of 1 December 2000, Provincial Notice No. 501 of 29 December 2000, Provincial Notice No. 97 of 15 March 2001, Provincial Notice No. 135 of 12 April, 2001, Provincial Notice No. 299 of 13 August 2001, Provincial Notice No. 388 of 11 October 2001, Provincial Notice No. 461 of 13 December 2001, Provincial Notice No. 257 of 11 July 2002, Provincial Notice No. 350 of 19 September 2002 and Provincial Notice No. 468 of 4 December 2002;</p> <p>(ii) the Ugu District Municipality (DC 21), established by Provincial Notice No. 353 of 19 September 2000, which was subsequently amended by Provincial Notice No. 462 of 1 December 2000, Provincial Notice No. 501 of 29 December 2000, Provincial Notice No. 97 of 15 March 2001, Provincial Notice No. 135 of 12 April, 2001, Provincial Notice No. 299 of 13 August 2001, Provincial Notice No. 461 of 13 December 2001 and Provincial Notice No. 468 of 4 December 2002; and</p> <p>(iii) the Sisonke District Municipality (DC 43), established by Provincial Notice No. 344 of 19 September 2000, which was subsequently amended by Provincial Notice No. 462 of 1 December 2000, Provincial Notice No. 501 of 29 December 2000, Provincial Notice No. 97 of 15 March 2001, Provincial Notice No. 135 of 12 April, 2001, Provincial Notice No. 299 of 13 August 2001, Provincial Notice No. 461 of 13 December 2001, Provincial Notice No. 6 of 17 January 2002, Provincial Notice No. 47 of 12 February 2002, Provincial Notice No. 149 of 9 May 2002, Provincial Notice No. 161 of 16 May 2002 and Provincial Notice No. 468 of 4 December 2002.</p>
Ulundi Regional Welfare Council	<p>The area of —</p> <p>(i) the Zululand District Municipality (DC 26), established by Provincial Notice No. 348 of 19 September 2000, which was subsequently amended by Provincial Notice No. 462 of 1 December 2000, Provincial Notice No. 501 of 29 December 2000, Provincial Notice No. 97 of 15 March 2001, Provincial Notice No. 135 of 12 April, 2001, Provincial Notice No. 299 of 13 August 2001, Provincial Notice No. 388 of 11 October 2001, Provincial Notice No. 461 of 13 December 2001, Provincial Notice No. 468 of 4 December 2002 and Provincial Notice No. 472 of 5 December 2002;</p> <p>(ii) the Umkhanyakude District Municipality (DC 27), established by Provincial Notice No. 347 of 19 September 2000, which was subsequently amended by Provincial Notice No. 462 of 1 December 2000, Provincial Notice No. 501 of 29 December 2000, Provincial Notice No. 97 of 15 March 2001, Provincial Notice No. 135 of 12 April,</p>

	<p>2001, Provincial Notice No. 299 of 13 August 2001, Provincial Notice No. 461 of 13 December 2001 and Provincial Notice No. 468 of 4 December 2002; and</p> <p>(iii) the Uthungulu District Municipality (DC 28), established by Provincial Notice No. 346 of 19 September 2000, which was subsequently amended by Provincial Notice No. 462 of 1 December 2000, Provincial Notice No. 501 of 29 December 2000, Provincial Notice No. 97 of 15 March 2001, Provincial Notice No. 135 of 12 April, 2001, Provincial Notice No. 299 of 13 August 2001, Provincial Notice No. 388 of 11 October 2001, Provincial Notice No. 461 of 13 December 2001, Provincial Notice No. 131 of 25 April 2002 and Provincial Notice No. 468 of 4 December 2002.</p>
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SCHEDULE 2
Repeal of Laws
(Section 20)

Number and year of law	Title	Extent of repeal
Act No. 100 of 1978	National Welfare Act, 1978	(i) Section 5 up to and including section 17; (ii) section 19; (iii) section 21(a), (b), (c), (e) and (f); and (iv) sections 1, 18 and 21(d) and (g) insofar as they apply or relate to the sections referred to in items (i) and (ii) above
Act No. 9 of 1986	KwaZulu National Welfare Act, 1986	The whole

No. 8, 2006

8 Junie 2006

KWAZULU-NATA WELSYNSWETSONTWERP, 2006

Kennisgewing ingevolge reël 120 van die Reglement van Orde van die KwaZulu-Natal

KENNIS geskied hiermee ingevolge reël 120 van die Reglement van Orde van die KwaZulu-Natal Provinsiale Wetgewer dat die KwaZulu-Natal Wetsontwerp op Welsyns, 2006 soos uiteengesit hieronder, by voornoemde Wetgewer ingedien is en deur die Portefeuljekomitee oor Maatskaplike Welsyn en Bevolkingsontwikkeling oorweeg sal word. Die publiek en ander belangstellendes word uitgenooi om vertoë oor genoemde Wetsontwerp in te dien, welke vertoë gerig moet word aan:

Aandag: Mej. NP Zuma
Die Sekretaris
KwaZulu-Natal Wetgewer
Private Bag X 9112
PIETERMARITZBURG
3200

om haar teen nie later nie as 29 Junie 2006.

N. NAIDOO
Sekretaris van die KwaZulu-Natal Wetgewer

WETSONTWERP

Om die maatskaplike bestendigheid van die Provinsie se inwoners te bevorder en te verseker en om maatskaplike agteruitgang te voorkom; om maatreëls vas te stel en te implementeer ten einde maatskaplike welsynsdienste te verbeter; om vir strukture voorsiening te maak wat transformasie met betrekking tot die bestuur van die welsynsektor sal bevorder; om regverdige aanwending van welsynshulpbronne regoor die Provinsie te bevorder; om die deelname van die burgerlike samelewing met betrekking tot die bestuur van die welsynsektor te bevorder; om voorsiening te maak vir die instelling van 'n liggaam bekend as die KwaZulu-Natal Welsynsraad wat kan advies gee en geraadpleeg word met betrekking tot welsyn en maatskaplike ontwikkeling in die Provinsie; om die oogmerke, bevoegdhede, pligte en funksies van die KwaZulu-Natal Welsynsraad te bepaal; om voorsiening te maak vir die instelling van Streekwelsynsrade; om die bevoegdhede, pligte en funksies van die Streekwelsynsrade te bepaal; om voorsiening te maak vir welsynsprogramme; en om vir aangeleenthede voorsiening te maak wat daarmee in verband staan.

DAAR WORD soos volg deur die Provinsiale Wetgewer van die Provinsie KwaZulu-Natal bepaal —

HOOFSTUK 1
OMSKRYWINGS

Omskrywings

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken —

“amptenaar” ’n werknemer van die Departement;

“Departement” die departement in die Provinsiale Regering van KwaZulu-Natal verantwoordelik vir welsyn;

“Departementshoof” die mees senior amptenaar van die departement in die Provinsiale Regering van KwaZulu-Natal verantwoordelik vir welsyn;

“geloofgebaseerde welsynsorganisasie” ’n kerk of ander godsdienstige liggaam —

(a) wat ’n welsynsprogram bedryf wat deur die verantwoordelike Lid van die Uitvoerende Raad ingevolge artikel 16 van hierdie Wet goedgekeur is; en

(b) ’n geregistreerde organisasie sonder winsoogmerk is soos omskryf in artikel 1 van die Wet op Organisasies Sonder Winsoogmerk, 1997 (Wet No. 71 van 1997);

"gemeenskapgebaseerde welsynorganisasie" 'n gemeenskapgebaseerde organisasie —

- (a) wat 'n welsynsprogram bedryf wat deur die verantwoordelike Lid van die Uitvoerende Raad ingevolge artikel 16 van hierdie Wet goedgekeur is;
- (b) 'n geregistreerde organisasie sonder winsoogmerk is soos omskryf in artikel 1 van die Wet op Organisasies Sonder Winsoogmerk, 1997 (Wet No. 71 van 1997); en
- (c) wie se lede binne die gebied van die betrokke Streekwelsynsraad woonagtig is;

"hierdie Wet" ook die regulasies;

"Koerant" die amptelike *Provinsiale Koerant* van die Provinsie KwaZulu-Natal;

"Lid van die Uitvoerende Raad verantwoordelik vir finansies" die Lid van die Uitvoerende Raad van die Provinsie KwaZulu-Natal verantwoordelik vir finansies;

"maatskaplike welsynsdienste" georganiseerde werksaamhede, maatreëls of programme met betrekking tot —

- (a) maatskaplike werk soos omskryf in artikel 1 van die Wet op Maatskaplike Diensberoep, 1978 (Wet No. 110 van 1978);
- (b) die voorkoming en behandeling van sosiaalpatologiese toestande in die samelewing of by groepe persone of by gesinne of individue;
- (c) die bevordering, beskerming of bestendiging van die gesins- of die huwelikslewe;
- (d) die welsyn van bejaardes of persone wat liggaamlik of geestelik gestremd is;
- (e) die welsyn van kinders;
- (f) die voorkoming van alkoholisme of afhanklikheid van afhanklikheidsvormende stowwe of die behandeling van persone wat van alkohol of enige ander afhanklikheidsvormende stof afhanklik is;
- (g) die voorsiening van behuising aan behoeftige persone of noodlydende persone;
- (h) enige korrektiewe diens; of
- (i) maatskaplike noodleniging;

"munisipaliteit" 'n munisipaliteit bedoel in artikel 155 van die Grondwet van die Republiek van Suid-Afrika, 1996 en ingestel by en kragtens artikel 11 en 12 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), saamgelees met artikel 3, 4 en 5 van die KwaZulu-Natal Wet op die Bepaling van Soorte Munisipaliteite, 2000 (Wet No. 7 van 2000);

"nieregeringswelsynorganisasie" —

- (a) 'n vrywillige vereniging;
- (b) 'n maatskappy;
- (c) 'n regs persoon;
- (d) 'n trust; of
- (e) ander organisasie in die burgerlike samelewing, wat —
 - (i) 'n welsynsprogram bedryf wat deur die verantwoordelike Lid van die Uitvoerende Raad ingevolge artikel 16 van hierdie Wet goedgekeur is; en
 - (ii) geregistreer is as 'n organisasie sonder winsoogmerk soos omskryf in artikel 1 van die Wet op Organisasies Sonder Winsoogmerk, 1997 (Wet No. 71 van 1997);

"Provinsie" die Provinsie KwaZulu-Natal, en **"provinsiaal"** het 'n ooreenstemmende betekenis;

"Provinsiale Welsynsraad" die KwaZulu-Natal Welsynsraad wat by artikel 3(1) ingestel is;

"Provinsiale Wetgewer" die Wetgewer van die Provinsie KwaZulu-Natal;

"regulasies" die regulasies kragtens artikel 18 uitgevaardig;

"Streekwelsynsraad" 'n Streekwelsynsraad wat by artikel 13(1) ingestel is;

"verantwoordelike Lid van die Uitvoerende Raad" die Lid van Uitvoerende Raad van KwaZulu-Natal verantwoordelik vir welsyn;

"voorgeskryf" voorgeskryf by regulasie kragtens artikel 18, en **"voorgeskrewe"** het 'n ooreenstemmende betekenis;

"welsynorganisasie" ook —

- (a) 'n gemeenskapgebaseerde organisasie;
- (b) 'n geloofgebaseerde organisasie; en
- (c) 'n nieregeringswelsynorganisasie.

HOOFSTUK 2 OOGMERKE VAN WET

Oogmerke van Wet

2. Die oogmerke van hierdie Wet is —

- (a) om die maatskaplike bestendigheid van die inwoners van die Provinsie te bevorder en te verseker en om maatskaplike agteruitgang te voorkom;
- (b) om maatreëls vas te stel en te implementeer ten einde maatskaplike vraagstukke te bekamp of te voorkom;
- (c) om maatreëls vas te stel en te implementeer ten einde maatskaplike welsynsdienste in die Provinsie te verbeter;
- (d) om voorsiening te maak vir strukture wat transformasie met betrekking tot die bestuur van die welsynsektor sal bevorder;
- (e) om die regverdige aanwending van welsynshulpbronne regoor die Provinsie te bevorder;
- (f) om die deelname van die burgerlike samelewing met betrekking tot die bestuur van die welsynsektor te bevorder;
- (g) om die KwaZulu-Natal Welsynsraad vir die Provinsie in te stel; en
- (h) om Streekwelsynsrade vir die gebiede van metropolitaanse en distriksmunisipaliteite in die Provinsie in te stel waar gemeenskapgebaseerde organisasies, nieregeringsorganisasies, geloofgebaseerde organisasies, munisipaliteite en die Departement aangeleenthede van gemeenskaplike belang rakende welsyn en maatskaplike ontwikkeling kan bespreek.

HOOFSTUK 3

KWAZULU-NATAL WELSYNSRAAD

Instelling van KwaZulu-Natal Welsynsraad

- 3.(1) Daar word hierby 'n raad bekend as die KwaZulu-Natal Welsynsraad (hierna genoem die "Provinsiale Welsynsraad") ingestel.
- (2) Die Provinsiale Welsynsraad is nie 'n regs persoon nie.

Samestelling van Provinsiale Welsynsraad

- 4.(1) Die Provinsiale Welsynsraad bestaan uit die volgende lede wat deur die verantwoordelike Lid van die Uitvoerende Raad aangestel word —
- hoogstens twee verteenwoordigers van elke Streekwelsynsraad in die Provinsie by artikel 13(1) ingestel en deur elke sodanige Streekwelsynsraad benoem;
 - een verteenwoordiger elk benoem deur —
 - georganiseerde sake en handel;
 - georganiseerde arbeid; en
 - georganiseerde bank- en finansiële dienste;
 - een verteenwoordiger benoem deur georganiseerde plaaslike regering;
 - een verteenwoordiger benoem deur die Departementshoof; en
 - minstens een, maar hoogstens drie ander persone, wat deur die Lid van die Uitvoerende Raad aangestel word soos bedoel in subartikel (2) en (3).
- (2) Lede van die Provinsiale Welsynsraad bedoel in subartikel (1)(e) moet deur die verantwoordelike Lid van die Uitvoerende Raad in ooreenstemming met die prosedure vermeld in subartikel (3) aangestel word deur die beginsels van deursigtigheid en verteenwoordiging toe te pas en deur enige spesiale bevoegdheid, vaardigheid, kennis, ervaring en belangstelling op die terrein van welsyn en maatskaplike ontwikkeling of die voorsiening van welsynsdienste in aanmerking te neem.

- (3) Die verantwoordelike Lid van die Uitvoerende Raad moet —
- ingevolge 'n kennisgewing in vier nuusblaaie wat algemeen in die verskillende gebiede van die Provinsie versprei word, benoemings van die publiek aanvra en individue uitmooi om aansoek te doen binne 30 dae na die publikasie van die uitnodiging vir aanstelling as lede van die Provinsiale Welsynsraad: Met dien verstande dat die kennisgewing die kwalifikasies vir lidmaatskap van die Provinsiale Welsynsraad vermeld in artikel 5 bevat;
 - 'n onafhanklike paneel bestaande uit minstens drie amptenare instel om vir die Lid van die Uitvoerende Raad se oorweging 'n kortlys van hoogstens drie benoemdes voor te berei: Met dien verstande dat die paneel by die voorbereiding van die kortlys die beginsels van deursigtigheid en verteenwoordiging moet toepas met deeglike inagneming van die bepalings van subartikel (2) en artikel 5; en
 - behoudens die bepalings van subartikel (2), die vereiste getal lede van die Provinsiale Welsynsraad uit die kortlys bedoel in paragraaf (b) aansel.

Kwalifikasies vir aanstelling as lid van Provinsiale Welsynsraad

- 5.(1) 'n Persoon bedoel in artikel 4(1)(e) wat as 'n lid van die Provinsiale Welsynsraad aangestel word, moet —
- oor spesiale bevoegdheid, vaardigheid, ervaring, kennis of akademiese kundigheid beskik met betrekking tot —
 - welsyn;
 - maatskaplike ontwikkeling; of
 - die lewering van maatskaplike welsynsdienste;
 - permanent in die Provinsie woonagtig wees; en
 - 'n geskikte en gepaste persoon wees.
- (2) Geen persoon mag as lid van die Provinsiale Welsynsraad aangestel word nie as hy of sy —
- 'n amp in enige politieke party of organisasie beklee; of
 - skuldig bevind is aan 'n misdryf en gevangenisstraf van meer as 12 maande opgelê is sonder die keuse van 'n boete: Met dien verstande dat 'n diskwalifikasie kragtens hierdie paragraaf verval vyf jaar nadat die vonnis uitgedien is.

Ampstermyn, vulling van vakatures en ontruiming van amp

- 6.(1) Behoudens die bepalings van subartikel (4), (5) en (6), beklee 'n lid van die Provinsiale Welsynsraad die amp vir 'n tydperk van hoogstens drie jaar en is benoembaar vir heraanstelling slegs nadat 'n verdere tydperk van drie jaar verstryk het.
- (2) Die verantwoordelike Lid van die Uitvoerende Raad moet 'n lid van die Provinsiale Welsynsraad aanwys om as voorsitter by die eerste vergadering op te tree.
- (3) Die Provinsiale Welsynsraad moet by sy eerste vergadering 'n voorsitter en ondervoorsitter uit sy geledere kies.
- (4) Die verantwoordelike Lid van die Uitvoerende Raad kan 'n persoon se lidmaatskap van die Provinsiale Welsynsraad beëindig —
- indien daardie lid sonder voldoende rede van drie opeenvolgende vergaderings van die Provinsiale Welsynsraad afwesig was;
 - op grond van onvermoë of onbevoegdheid;
 - op grond van wangedrag, met inbegrip van die verbreking van enige bepalings van 'n voorgeskrewe Gedragskode vir lede bedoel in artikel 18(1)(a); of
 - op die aanbevelings van die Provinsiale Welsynsraad, vir billike en regverdige redes, deur middel van 'n besluit van die Provinsiale Welsynsraad wat met die ondersteunende stem van minstens twee-derdes van die lede van die Provinsiale Welsynsraad aanvaar is.
- (5) 'n Lid van die Provinsiale Welsynsraad ontruim die amp indien —
- hy of sy nie langer aan die vereistes vir lidmaatskap vermeld in artikel 5 voldoen nie;
 - hy of sy te sterwe kom;
 - hy of sy deur middel van 'n skriftelike kennisgewing aan die verantwoordelike Lid van die Uitvoerende Raad bedank;
 - hy of sy die voorgeskrewe tydperk gedien het, en sy of haar ampstermyn verstryk;
 - sy of haar lidmaatskap van die Provinsiale Welsynsraad beëindig word soos bedoel in subartikel (4); of
 - hy of sy medies ongeskik raak om die amp te beklee.

(6) Enige vakature in die Provinsiale Welsynsraad moet gevul word op die wyse waarop die lid wat die amp ontruim, aangestel is, en enige lid wat sodanige aangestel word, moet die amp beklee vir die onverstreke deel van die tydperk waarvoor die lid aangestel is wat die amp ontruim.

Vergaderings van Provinsiale Welsynsraad

7.(1) Die verantwoordelike Lid van die Uitvoerende Raad moet die eerste vergadering van die Provinsiale Welsynsraad byeenroep.

(2) Die Provinsiale Welsynsraad moet daarna so dikwels vergader as wat nodig is, maar minstens drie keer per jaar, op sodanige plekke en tye as wat die Provinsiale Welsynsraad mag bepaal.

(3) Elke lid van die Provinsiale Welsynsraad moet skriftelik van elke vergadering in kennis gestel word, en sodanige kennisgewing moet 'n agenda vir die voorgestelde vergadering bevat.

(4) Indien beide die voorsitter en die ondervoorsitter afwesig is by enige vergadering van die Provinsiale Welsynsraad, moet die lede teenwoordig by daardie vergadering iemand uit hulle geledere kies om by daardie vergadering voor te sit.

(5) 'n Spesiale vergadering van die Provinsiale Welsynsraad kan byeengeroep word op versoek van —

(a) die voorsitter; of

(b) twee-derdes van die lede van die Provinsiale Welsynsraad by wyse van 'n skriftelike versoek,

waarna die voorsitter elke lid skriftelik van die tyd en plek van die spesiale vergadering in kennis moet stel.

(6) 'n Meerderheid van die lede van die Provinsiale Welsynsraad maak 'n kworum uit vir 'n vergadering.

(7) Enige besluit van die Provinsiale Welsynsraad word geneem deur 'n meerderheid van die lede teenwoordig op 'n vergadering van die Provinsiale Welsynsraad, en in die geval van 'n staking van stemme oor enige aangeleentheid, het die voorsitter 'n beslissende stem bykomend tot sy of haar beraadslagende stem as 'n lid van die Provinsiale Welsynsraad.

(8) Die verrigtinge van elke vergadering van die Provinsiale Welsynsraad moet behoorlik genotuleer word.

(9)(a) Die notule van die vorige vergadering moet voorgelees word by die begin van elke vergadering.

(b) Die notule moet as gelees beskou word indien afskrifte daarvan voor die vergadering aan lede van die Provinsiale Welsynsraad gegee is.

(c) Die voorsitter kan die notule onderteken slegs nadat besware en korreksies afgehandel is.

(10)(a) Die voorsitter besluit oor sake rakende orde of prosedure.

(b) Indien enige lid beswaar aanteken teen enige sodanige besluit, moet die saak tot stemming gebring word en is die besluit van die meerderheid van die lede finaal en bindend op die Provinsiale Welsynsraad.

(11) 'n Lid van die Provinsiale Welsynsraad mag nie stem, of op enige wyse deelneem aan die verrigtinge van enige vergadering van die Provinsiale Welsynsraad nie, en ook nie teenwoordig wees op die plek waar sodanige vergadering gehou word nie indien sodanige lid enige belang het wat, redelik beoordeel, hom of haar daarvan kan weerhou om sy of haar funksies as lid van die Provinsiale Welsynsraad op 'n billike, onpartydige en behoorlike wyse te verrig met betrekking tot enige aangeleentheid wat voor die die Provinsiale Welsynsraad dien.

Administratiewe en sekretariële werk van Provinsiale Welsynsraad

8. Die administratiewe en sekretariële werk wat met die uitoefening van die funksies van die Provinsiale Welsynsraad gepaard gaan moet uitgeoefen word deur amptenare in die Departement wat vir sodanige doel deur die Departementshoof aangewys is.

Bevoegdhede, pligte en funksies van die Provinsiale Welsynsraad

9.(1) Die Provinsiale Welsynsraad moet —

(a) welsynsprogramme vermeld in artikel 15(1)(d) wat van Streekwelsynsrade ontvang is, oorweeg en sodanige welsynsprogramme tesame met die kommentaar en aanbevelings van die Provinsiale Welsynsraad aan die verantwoordelike Lid van die Uitvoerende Raad voorlê vir goedkeuring ingevolge artikel 16;

(b) die verantwoordelike Lid van die Uitvoerende Raad adviseer oor —

(i) voorgestelde welsynsbeleid vir die Provinsie;

(ii) die bereiking van operasionele eenvormigheid ten opsigte van welsynsprogramme in die Provinsie;

(iii) enige aangeleentheid wat verband hou met die funksies en bedryf van Streekwelsynsrade; en

(iv) enige aangeleentheid wat verband hou met welsyn en maatskaplike ontwikkeling of die lewering van maatskaplike welsynsdienste ten opsigte waarvan die verantwoordelike Lid van die Uitvoerende Raad advies verlang;

(c) die Departement bystaan met die kommunisering van besluite en relevante inligting oor welsyn en maatskaplike ontwikkeling in die Provinsie aan departemente van die Provinsiale Regering, munisipaliteite in die Provinsie, die publiek en alle ander gebruikers van maatskaplike welsynsdienste in die Provinsie deur middel van vergaderings, werkwinkels, kennisgewings en ander gedrukte en elektroniese media;

(d) met nasionale en provinsiale organisasies skakel wat betrokke is by welsyn en maatskaplike ontwikkeling of die lewering van maatskaplike welsynsdienste;

(e) nie later as 30 dae voor die begin van elke boekjaar 'n sakeplan, wat sodanige inligting bevat as wat voorgeskryf mag word, aan die verantwoordelike Lid van die Uitvoerende Raad vir sy goedkeuring voorlê; en

(f) enige ander funksie uitoefen of plig vervul wat deur hierdie Wet of enige ander wet aan hom opgelê word.

(2) Die Provinsiale Welsynsraad kan —

(a) enige bevoegdheid uitoefen wat deur hierdie Wet of enige ander wet aan hom verleen word; en

(b) in die algemeen enigiets doen wat nodig of wenslik geag word om die oogmerke van hierdie Wet te verwesenlik en om die pligte en funksies vermeld in subartikel (1) te vervul.

Komitees van die Provinsiale Welsynsraad

10.(1) Die Provinsiale Welsynsraad kan een of meer komitees, wat nie tot sy eie lede beperk is nie, aanstel om hom by te staan in die uitoefening van sy bevoegdhede en die vervulling van sy pligte en funksies.

(2)(a) 'n Komitee bedoel in subartikel (1) moet uit twee of meer lede van die Provinsiale Welsynsraad bestaan en moet sodanige pligte en funksies van

die Provinsiale Welsynsraad vervul as wat die Provinsiale Welsynsraad mag bepaal.

(b) Die Provinsiale Welsynsraad kan te enige tyd sodanige komitee ontbind of hersaamstel.

(3)(a) Die Provinsiale Welsynsraad kan enige van sy bevoegdhede delegeer of enige van sy pligte of funksies oordra aan 'n komitee wat ingevolge sub-artikel (1) aangestel word.

(b) Enige gedeleegde of oorgedraagde bevoegdheid, plig of funksie wat so uitgeoefen of vervul word, word geag deur die Provinsiale Welsynsraad uitgeoefen of vervul te gewees het.

(c) Die Provinsiale Welsynsraad word nie onthef van die uitoefening of vervulling van enige bevoegdheid, plig of funksie wat so gedeleegde of oorgedra word nie.

(d) Die Provinsiale Welsynsraad kan enige besluit van 'n komitee wysig, hersien of herroep.

Vergoeding van lede van Provinsiale Welsynsraad en terugbetaling van uitgawes wat aangegaan is deur lede van Provinsiale Welsynsraad en komitees van Provinsiale Welsynsraad

11.(1)(a) 'n Lid van die Provinsiale Welsynsraad word sodanige vergoeding of toelaes betaal as wat deur die verantwoordelike Lid van die Uitvoerende Raad in oorleg met die Lid van die Uitvoerende Raad vir finansies bepaal word.

(b) 'n Lid van die Provinsiale Welsynsraad wat vergoeding, toelaes of ander voordele ontvang uit hoofde van sy of haar pos of diens in die nasionale regering, 'n provinsiale regering, 'n munisipaliteit of 'n korporasie, liggaam of instelling waarin die nasionale of provinsiale regering 'n beheerende aandeel het, en wat voortgaan om sodanige vergoeding, toelaes of ander voordele te ontvang terwyl diens gedoen word as 'n lid van die Provinsiale Welsynsraad, ontvang slegs die vergoeding en toelaes vermeld in paragraaf (a) tot die mate wat vereis word om sodanige lid in die finansiële posisie te plaas waarin hy of sy sou gewees het indien dit nie vir sodanige pos of diens was nie.

(2)(a) 'n Lid van die Provinsiale Welsynsraad en 'n lid van die komitee van die Provinsiale Welsynsraad kan, ten opsigte van sy of haar funksies as 'n lid, terugbetaling ontvang vir redelike werklike reis- en verblyfuitgawes wat noodsaak is deur die werklike bywoning van 'n vergadering van die Provinsiale Welsynsraad of 'n komitee van die Provinsiale Welsynsraad.

(b) Die Lid van die Uitvoerende Raad verantwoordelik vir finansies moet prosedures, met inbegrip van beheermaatreëls, instel vir die beheer, hantering en prosessering van eise vir reis- en verblyfuitgawes bedoel in paragraaf (a).

Jaarverslag

12.(1) Die Provinsiale Welsynsraad moet jaarliks 'n verslag oor sy werksaamhede, met inbegrip van 'n beoordeling van die mate waartoe sy oogmerke bereik is, aan die verantwoordelike Lid van die Uitvoerende Raad voorlê.

(2) Die verantwoordelike Lid van die Uitvoerende Raad moet sorg dat die verslag in die Provinsiale Wetgewer ter tafel gelê word binne 14 dae na ontvangs daarvan indien die Provinsiale Wetgewer op daardie stadium met 'n gewone sitting besig is of, indien die Provinsiale Wetgewer op daardie stadium nie met 'n gewone sitting besig is nie, binne 14 dae na die begin van sy volgende gewone sitting.

(3) Binne vyf maande nadat die verslag ter tafel gelê is, moet 'n afvaardiging bestaande uit die voorsitter van die Provinsiale Welsynsraad en minstens twee ander lede van die Provinsiale Welsynsraad die betrokke portefeuljekomitee oor die jaarverslag voorlig.

HOOFTUK 4

STREEKWELSYNSRADERADE

Instelling van Streekwelsynsrade

13.(1)(a) Die Streekwelsynsrade vermeld in die eerste kolom van Bylae 1 word hierby ingestel vir die ooreenstemmende gebiede van die metropolitaanse en distriksmunisipaliteite in die Provinsie wat in die tweede kolom van die voornoemde Bylae gelys word.

(b) Die verantwoordelike Lid van die Uitvoerende Raad kan, by kennisgewing in die Koerant en na oorlegpleging met die Provinsiale Welsynsraad, die betrokke Streekwelsynsrade en die metropolitaanse en distriksmunisipaliteite, Bylae 1 wysig —

(i) deur die naam van die Streekwelsynsraad te verander;

(ii) deur 'n bestaande Streekwelsynsraad af te skaf;

(iii) deur 'n nuwe Streekwelsynsraad in te stel;

(iv) deur die aantal Streekwelsynsrade in die Provinsie te vermeerder of te verminder; of

(v) deur metropolitaanse of distriksmunisipaliteite by te voeg tot of weg te laat uit die gebied waarvoor 'n Streekwelsynsraad ingestel word;

Met dien verstande dat daar op enige tydstip hoogstens ses Streekwelsynsrade mag wees.

(c) 'n Wysiging aan Bylae 1 bedoel in paragraaf (b) tree in werking op die datum van die publikasie van die kennisgewing of 'n later datum wat in die kennisgewing vermeld word.

(d) Die bepalinge van artikel 14 is van toepassing op 'n Streekwelsynsraad ingestel of beïnvloed deur 'n wysiging aan Bylae 1 bedoel in paragraaf(b)(iii), (iv) or (v).

(2) 'n Streekwelsynsraad is nie 'n regs persoon nie.

(3) Die bepalinge van artikel 5 tot en met artikel 8 en artikel 10 en 11, saamgelees met die nodige veranderings, is van toepassing op 'n Streekwelsynsraad.

Samstelling van Streekwelsynsraad

14. Elke Streekwelsynsraad bestaan uit die volgende lede wat deur die verantwoordelike Lid van die Uitvoerende Raad aangestel word —

(a) a maksimum van ses verteenwoordigers van welsynsorganisasies waarvan een verteenwoordiger benoem is —

(i) deur elke nieregeringswelsynsorganisasie; en

(ii) deur elke geloofgebaseerde welsynsorganisasie; en

(iii) deur elke gemeenskapgebaseerde welsynsorganisasie,

wat 'n welsynsprogram bedryf wat deur die verantwoordelike Lid van die Uitvoerende Raad ingevolge artikel 16 goedgekeur is in die gebied van die metropolitaanse of distriksmunisipaliteit waarvoor die Streekwelsynsraad ingestel is;

(b) een verteenwoordiger benoem deur georganiseerde sake en handel wat in die gebied van die metropolitaanse of distriksmunisipaliteit werksaam is waarvoor die Streekwelsynsraad ingestel is;

(c) een verteenwoordiger benoem deur elkeen van die metropolitaanse of distriksmunisipaliteite waarvoor die Streekwelsynsraad ingestel is;

(d) een verteenwoordiger benoem deur Provinsiale Huis van Tradisionele Leiers ingestel by artikel 3 van die KwaZulu-Natal Wet op die Huis van

Tradisionele Leiers, 1994 (Wet No. 7 van 1994): Met dien verstande dat die verteenwoordiger permanent woonagtig moet wees in die gebied waarvoor die Streekwelsynsraad ingestel is;
 (e) minstens een, maar hoogstens vyf verteenwoordigers benoem deur die Departementshoof; en
 (f) minstens een, maar hoogstens drie ander persone wat deur die verantwoordelike Lid van die Uitvoerende Raad aangestel is soos bedoel in artikel 4(2) en (3), saamgelees met die nodige veranderings.

Bevoegdhe, pligte en funksies van die Streekwelsynsrade

15.(1) 'n Streekwelsynsraad moet —

- (a) ondersoek instel na die maatskaplike probleme in die gebiede van die metropolitaanse en distriksmunisipaliteite waarvoor die Streekwelsynsraad ingestel is;
- (b) die bestaande en toekomstige welsynbehoefes bepaal van die inwoners van die metropolitaanse of distriksmunisipaliteite waarvoor die Streekwelsynsraad ingestel is;
- (c) behoudens artikel 17(1), 'n welsynsprogram beplan en voorberei met die oog op die voorsiening en toekomstige ontwikkeling van die maatskaplike welsynsdienste vermeld in paragraaf (b) hierbo, en 'n aanbeveling doen met betrekking tot die voorkeurorde waarvolgens sodanige dienste en geriewe toegestaan moet word;
- (d) behoudens artikel 17(1), die welsynsprogram vermeld in paragraaf (c) hierbo aan die Provinsiale Welsynsraad voorlê;
- (e) aanbevelings aan die Provinsiale Welsynsraad doen oor —
 - (i) voorgestelde welsynsbeleid vir die gebied van die metropolitaanse of distriksmunisipaliteit waarvoor die Streekwelsynsraad ingestel is;
 - (ii) die implementering, lewering en koördinerende van welsynsprogramme en maatskaplike welsynsdienste in die gebied van die metropolitaanse of distriksmunisipaliteite waarvoor die Streekwelsynsraad ingestel is; en
 - (iii) die billike aanwending van welsynshulpbronne in die gebiede van die betrokke metropolitaanse of distriksmunisipaliteite, met inagneming van historiese agterstande en voorheen benadeelde persone of groepe;
 - (iv) enige aangeleentheid wat verband hou met welsyn en maatskaplike ontwikkeling of die voorsiening van maatskaplike welsynsdienste in die gebied van die metropolitaanse of distriksmunisipaliteite waarvoor die Streekwelsynsraad ingestel is en waarvoor die Provinsiale Welsynsraad advies verlang;
- (f) die Provinsiale Welsynsraad bystaan met die kommunisering van besluite en relevante inligting oor welsyn en maatskaplike ontwikkeling in die Provinsie aan die metropolitaanse of distriksmunisipaliteite waarvoor die Streekwelsynsraad ingestel is, inwoners en alle gebruikers van welsyns- en maatskaplike dienste in die gebiede van die metropolitaanse of distriksmunisipaliteite deur middel van vergaderings, werkwinkels, kennisgewings en ander gedrukte en elektroniese media;
- (g) skakel met die munisipale en provinsiale organisasies betrokke by welsyn en maatskaplike ontwikkeling of die voorsiening van maatskaplike welsynsdienste;
- (h) die lewering van maatskaplike welsynsdienste deur welsynsorganisasies aanmoedig, bevorder en koördineer in die gebiede van metropolitaanse of distriksmunisipaliteite waarvoor die Streekwelsynsraad ingestel is;
- (i) nie later nie as 30 dae voor die aanvang van elke boekjaar 'n sakeplan aan die Provinsiale Welsynsraad voorlê wat sodanige inligting bevat as wat voorgeskryf word; en
- (j) enige ander funksie of plig vervul wat deur hierdie Wet of enige ander wet opgelê word.

(2) 'n Streekwelsynsraad kan —

- (a) met die vooraf goedkeuring van die verantwoordelike lid van die Uitvoerende Raad reëlings tref vir werkwinkels en konferensies met betrekking tot enige aangeleentheid wat met sy funksies verband hou;
- (b) enige bevoegdheid uitoefen wat deur hierdie Wet of enige ander wet aan hom verleen word; en
- (c) in die algemeen alles doen wat nodig en wenslik geag word om die pligte en funksies te vervul wat in subartikel (1) vermeld word.

HOOFSTUK 5 WESYNPROGRAMME

Bevoegdheid van verantwoordelike Lid van die Uitvoerende Raad om welsynsprogramme goed te keur

16.(1)(a) Die verantwoordelike Lid van die Uitvoerende Raad kan enige welsynsprogram goedkeur of verwerp, of gedeeltelik goedkeur en gedeeltelik verwerp, wat ingevolge artikel 9(1)(a) aan hom of haar voorgelê word of dit na die Provinsiale Welsynsraad of die Streekwelsynsraad terugverwys vir verdere ondersoek of oorweging of sodanige ander optrede wat die verantwoordelike Lid van die Uitvoerende Raad geskik ag.

(b) Indien die verantwoordelike Lid van die Uitvoerende Raad 'n welsynsprogram goedkeur of gedeeltelik goedkeur, kan die verantwoordelike Lid van die Uitvoerende Raad sodanige voorwaardes oplê met betrekking tot die implementering van die program of enige gedeelte daarvan wat hy of sy nodige of gepas ag.

(2) Indien die verantwoordelike Lid van die Uitvoerende Raad enige tyd na die goedkeuring van 'n welsynsprogram van mening is dat dit nodig of verkieslik is dat die program verander of heroorweeg moet word, kan die verantwoordelike Lid van die Uitvoerende Raad dit na Provinsiale Welsynsraad of die Streekwelsynsraad terugverwys vir wysiging of heroorweging.

(3) Enige welsynsprogram wat deur die Lid van die Uitvoerende Raad onmiddellik voor die inwerkingtreding van hierdie Wet ingevolge artikel 11(1)(c) en (12) van die Nasionale Welsynswet, 1978 (Wet No. 100 van 1978) vir 'n streek of gebied goedgekeur is, word, behoudens artikel 17(1), beskou as goedgekeur vir die gebied van die ooreenstemmende Streekwelsynsraad ingevolge hierdie artikel.

Pligte van Streekwelsynsraad met betrekking tot welsynsprogramme

17.(1) 'n Streekwelsynsraad moet —

- (a) so gou doenlik, maar nie later as 6 maande na die samestelling van die betrokke Streekwelsynsraad ingevolge artikel 14, 'n welsynsprogram beplan en voorberei;
- (b) voordat 'n konsepwelsynsprogram gefinaliseer word vir voorlegging aan die Provinsiale Welsynsraad soos bedoel in artikel 15(1)(d), oorleg pleeg met —
 - (i) enige welsynsorganisasie en enige ander persoon of liggaam wat 'n wesenlike en regstreekse belang het by die lewering of voorsiening van enige maatskaplike diens of gerief vermeld in 'n welsynsprogram wat deur die betrokke Streekwelsynsraad voorberei is; en
 - (ii) enige welsynsorganisasie en enige ander persoon of liggaam van wie verhoë of kommentaar ontvang is met betrekking tot 'n maatskaplike welsynsdiens of -gerief vermeld in 'n welsynsprogram wat deur die betrokke Streekwelsynsraad voorberei is;
- (c) voordat 'n konsepwelsynsprogram gefinaliseer word vir voorlegging aan die Provinsiale Welsynsraad soos bedoel in artikel 15(1)(d), 'n welsynsorganisasie of enige ander persoon of liggaam vermeld in paragraaf (b)(i) en (ii) hierbo, voorsien van die besonderhede wat ingesluit is in die welsynsprogram met betrekking tot die diens of gerief vermeld in daardie paragraaf; en

(d) wanneer hy 'n welsynsprogram aan die Provinsiale Welsynsraad ingevolge artikel 15(1)(d) voorlê, enige versoë of kommentaar vermeld in para-graaf (b)(ii) hierbo tesame met die welsynsprogram voorlê.

HOOFSTUK 6 ALGEMENE BEPALINGS

Regulasies

18.(1) Die verantwoordelike Lid van die Uitvoerende Raad kan, by kennisgewing in die *Koerant* en na oorlegpleging met die Provinsiale Welsynsraad of die Streekwelsynsraad, na gelang van die geval, regulasies uitvaardige betreffende —

- (a) 'n Gedragskode vir lede van die Provinsiale Welsynsraad;
- (b) 'n Gedragskode vir lede van die Streekwelsynsraad;
- (c) enige ander aangeleentheid wat ingevolge hierdie Wet voorgeskryf kan of moet word; en
- (d) enige ander aangeleentheid wat die verantwoordelike Lid van die Uitvoerende Raad nodig of wenslik ag ten einde die oogmerke van hierdie Wet te bereik: Met dien verstande dat enige regulasie wat met staatsinkomste of -uitgawe verband hou, uitgevaardig word met die instemming van die Lid van die Uitvoerende Raad verantwoordelik vir finansies.

(2) Die regulasies kan bepaal dat enige persoon wat enige regulasie oortree of versuim om dit te gehoorsaam, skuldig is aan 'n misdryf en by skuldigbevinding strafbaar is met 'n straf wat die straf in die regulasies voorgeskryf nie te bowe gaan nie.

Delegasie van bevoegdhede

19.(1) Die verantwoordelike Lid van die Uitvoerende Raad kan, behoudens sodanige voorwaardes as wat hy of sy mag bepaal, enige bevoegdheid aan hom of haar kragtens hierdie Wet verleen, behalwe —

- (a) die bevoegdheid om 'n kennisgewing bedoel in artikel 4(3)(a) te publiseer;
- (b) die bevoegdheid om Bylae 1 by kennisgewing bedoel in 13(1)(b) te wysig; en
- (c) die bevoegdheid om regulasies bedoel in artikel (18)(1) uit te vaardig,

aan die Departementshoof of 'n amptenaar van die Departement deleger.

(2) 'n Delegasie kragtens subartikel (1) verhoed nie die verantwoordelike Lid van die Uitvoerende Raad om sodanige bevoegdheid uit te oefen nie.

Herroeping van wette

20. Die wette vermeld in Bylae 2 word hierby herroep in die mate soos uiteengesit in die derde kolom van die genoemde Bylae.

Kort titel

21. Hierdie Wet heet die KwaZulu-Natal Welsynswet, 2006.

BYLAE 1 Instelling van Streekwelsynsrade (artikel 13(1))

Naam van Streekwelsynsraad	Gebied van Streekwelsynsraad
Durban Streekwelsynsraad	Die gebied van — (i) die Ilembe Distriksmunisipaliteit (DC 29), ingestel by Provinsiale Kennisgewing No. 345 van 19 September 2000, wat vervolgens gewysig is deur Provinsiale Kennisgewing No. 462 van 1 Desember 2000, Provinsiale Kennisgewing No. 501 van 29 Desember 2000, Provinsiale Kennisgewing No. 97 van 15 Maart 2001, Provinsiale Kennisgewing No. 135 van 12 April 2001, Provinsiale Kennisgewing No. 299 van 13 Augustus 2001, Provinsiale Kennisgewing No. 461 van 13 Desember 2001, Provinsiale Kennisgewing No. 269 van 19 Julie 2002, Provinsiale Kennisgewing No. 369 van 26 September 2002 en Provinsiale Kennisgewing No. 468 van 4 Desember 2002; en (ii) die eThekweni Metropolitaanse Munisipaliteit (Durban Metro), ingestel by Provinsiale Kennisgewing No. 343 van 20 September 2000, wat vervolgens gewysig is deur Provinsiale Kennisgewing No. 461 van 1 Desember 2000, Provinsiale Kennisgewing No. 135 van 12 April 2001, Provinsiale Kennisgewing No. 299 van 13 Augustus 2001, Provinsiale Kennisgewing No. 460 van 13 Desember 2001 en Provinsiale Kennisgewing No. 461 van 13 Desember 2001.
Middellande Streekwelsynsraad	Die gebied van — (i) die Uthukela Distriksmunisipaliteit (DC 23), ingestel by Provinsiale Kennisgewing No. 351 van 19 September 2000, wat vervolgens gewysig is deur Provinsiale Kennisgewing No. 462 van 1 Desember 2000, Provinsiale Kennisgewing No. 501 van 29 Desember 2000, Provinsiale Kennisgewing No. 97 van 15 Maart 2001, Provinsiale Kennisgewing No. 135 van 12 April 2001, Provinsiale Kennisgewing No. 299 van 13 Augustus 2001, Provinsiale Kennisgewing No. 388 van 11 Oktober 2001, Provinsiale Kennisgewing No. 461 van 13 Desember 2001 en Provinsiale Kennisgewing No. 468 van 4 Desember 2002; (ii) die uMzinyathi Distriksmunisipaliteit (DC 24), ingestel by Provinsiale Kennisgewing No. 350 van 19 September 2000, wat vervolgens gewysig is deur Provinsiale Kennisgewing No. 462 van 1 Desember 2000, Provinsiale Kennisgewing No. 501 van 29 Desember 2000, Provinsiale Kennisgewing No. 97 van 15 Maart 2001,

	<p>Provinsiale Kennisgewing No. 135 van 12 April 2001, Provinsiale Kennisgewing No. 299 van 13 Augustus 2001, Provinsiale Kennisgewing No. 461 van 13 Desember 2001, Provinsiale Kennisgewing No. 219 van 20 Junie 2002, Provinsiale Kennisgewing No. 329 van 5 September 2002 en Provinsiale Kennisgewing No. 468 van 4 Desember 2002; en</p> <p>(iii) die uMajuba Distriksmunisipaliteit (DC 25), ingestel by Provinsiale Kennisgewing No. 349 van 19 September 2000, wat vervolgens gewysig is deur Provinsiale Kennisgewing No. 462 of 1 Desember 2000, Provinsiale Kennisgewing No. 501 van 29 Desember 2000, Provinsiale Kennisgewing No. 97 van 15 Maart 2001, Provinsiale Kennisgewing No. 135 van 12 April 2001, Provinsiale Kennisgewing No. 299 van 13 Augustus 2001, Provinsiale Kennisgewing No. 388 van 11 Oktober 2001, Provinsiale Kennisgewing No. 461 van 13 Desember 2001 en Provinsiale Kennisgewing No. 468 van 4 Desember 2002.</p>
Pietermaritzburg Streekwelynsraad	<p>Die gebied van —</p> <p>(i) the uMgungundlovu Distriksmunisipaliteit (DC 22), ingestel by Provinsiale Kennisgewing No. 352 van 19 September 2000, wat vervolgens gewysig is deur Provinsiale Kennisgewing No. 462 van 1 Desember 2000, Provinsiale Kennisgewing No. 501 van 29 Desember 2000, Provinsiale Kennisgewing No. 97 van 15 Maart 2001, Provinsiale Kennisgewing No. 135 van 12 April 2001, Provinsiale Kennisgewing No. 299 van 13 Augustus 2001, Provinsiale Kennisgewing No. 388 van 11 Oktober 2001, Provinsiale Kennisgewing No. 461 van 13 Desember 2001, Provinsiale Kennisgewing No. 257 van 11 Julie 2002, Provinsiale Kennisgewing No. 350 van 19 September 2002 en Provinsiale Kennisgewing No. 468 van 4 Desember 2002;</p> <p>(ii) die Ugu Distriksmunisipaliteit (DC 21), ingestel by Provinsiale Kennisgewing No. 353 van 19 September 2000, wat vervolgens gewysig is deur Provinsiale Kennisgewing No. 462 van 1 Desember 2000, Provinsiale Kennisgewing No. 501 van 29 Desember 2000, Provinsiale Kennisgewing No. 97 van 15 Maart 2001, Provinsiale Kennisgewing No. 135 van 12 April 2001, Provinsiale Kennisgewing No. 299 van 13 Augustus 2001, Provinsiale Kennisgewing No. 461 van 13 Desember 2001 en Provinsiale Kennisgewing No. 468 van 4 Desember 2002; en</p> <p>(iii) die Sisonke Distriksmunisipaliteit (DC 43), ingestel by Provinsiale Kennisgewing No. 344 van 19 September 2000, wat vervolgens gewysig is deur Provinsiale Kennisgewing No. 462 van 1 Desember 2000, Provinsiale Kennisgewing No. 501 van 29 Desember 2000, Provinsiale Kennisgewing No. 97 van 15 Maart 2001, Provinsiale Kennisgewing No. 135 van 12 April 2001, Provinsiale Kennisgewing No. 299 van 13 Augustus 2001, Provinsiale Kennisgewing No. 461 van 13 Desember 2001, Provinsiale Kennisgewing No. 6 van 17 Januarie 2002, Provinsiale Kennisgewing No. 47 van 12 Februarie 2002, Provinsiale Kennisgewing No. 149 van 9 Mei 2002, Provinsiale Kennisgewing No. 161 van 16 Mei 2002 en Provinsiale Kennisgewing No. 468 van 4 Desember 2002.</p>
Ulundi Streekwelynsraad	<p>Die gebied van —</p> <p>(i) die Zoeloeland Distriksmunisipaliteit (DC 26), ingestel by Provinsiale Kennisgewing No. 348 van 19 September 2000, wat vervolgens gewysig is deur Provinsiale Kennisgewing No. 462 van 1 Desember 2000, Provinsiale Kennisgewing No. 501 van 29 Desember 2000, Provinsiale Kennisgewing No. 97 van 15 Maart 2001, Provinsiale Kennisgewing No. 135 van 12 April 2001, Provinsiale Kennisgewing No. 299 van 13 Augustus 2001, Provinsiale Kennisgewing No. 388 van 11 Oktober 2001, Provinsiale Kennisgewing No. 461 van 13 Desember 2001, Provinsiale Kennisgewing No. 468 van 4 Desember 2002 en Provinsiale Kennisgewing No. 472 van 5 Desember 2002;</p> <p>(ii) die uMkhanyakude Distriksmunisipaliteit (DC 27), ingestel by Provinsiale Kennisgewing No. 347 van 19 September 2000, wat vervolgens gewysig is deur Provinsiale Kennisgewing No. 462 van 1 Desember 2000, Provinsiale Kennisgewing No. 501 van 29 Desember 2000, Provinsiale Kennisgewing No. 97 van 15 Maart 2001, Provinsiale Kennisgewing No. 135 van 12 April 2001, Provinsiale Kennisgewing No. 299 van 13 Augustus 2001, Provinsiale Kennisgewing No. 461 van 13 Desember 2001 en Provinsiale Kennisgewing No. 468 van 4 Desember 2002; en</p> <p>(iii) die uThungulu Distriksmunisipaliteit (DC 28), ingestel by Provinsiale Kennisgewing No. 346 van 19 September 2000, wat vervolgens gewysig is deur Provinsiale Kennisgewing No. 462 van 1 Desember 2000, Provinsiale Kennisgewing No. 501 van 29 Desember 2000, Provinsiale Kennisgewing No. 97 of 15 Maart 2001, Provinsiale Kennisgewing No. 135 van 12 April 2001, Provinsiale Kennisgewing No. 299 van 13 Augustus 2001, Provinsiale Kennisgewing No. 388 van 11 Oktober 2001, Provinsiale Kennisgewing No. 461 van 13 Desember 2001, Provinsiale Kennisgewing No. 131 van 25 April 2002 en Provinsiale Kennisgewing No. 468 van 4 Desember 2002.</p>

BYLAE 2**Herroeping van wette**

(artikel 20)

Nommer en jaar van wet	Titel	Omvang van herroeping
Wet No. 100 van 1978	Nasionale Welynswet, 1978	(i) Artikel 5 tot en met artikel 17; (ii) artikel 19;

		(iii) artikel 21(a), (b), (c), (e) en (f); en (iv) artikel 1, 18 en 21(d) en (g) in verband met die artikels vermeld in items (i) en (ii) hierbo.
Wet No. 9 van 1986	KwaZulu Nasionale Wetsynswet, 1986	In sy geheel

No. 8, 2006

8 kuNhlangulana 2006

UMTHETHOSIVIVINYO WEZENHLALAKAHLE WAKWAZULU-NATALI, 2006

Isaziso ngokoMthetho 120 weMithethonqubo yesiShayamthetho sesiFundazwe saKwaZulu-Natali

ISAZISO ngokoMthetho 120 weMithethonqubo yesiShayamthetho sesiFundazwe saKwaZulu-Natali siyakhishwa lapha, ukuthi uMthethosivivinyo weZenhlahalakahle waKwaZulu-Natali ka 2006 njengoba kubekwe lapha ngezansi, sewethuliwe kwisiShayamthetho futhi uzodingidwa yiKomidi lezeNhlalakahle nokuThuthukiswa koMphakathi. Umphakathi kanye namaqembu anogqozi uyamenywa ukuba uthumele iziphakamiso zawo ngalo Mthethosivivinyo, lezo ziphakamiso ziqondiswe ku:

Nksz. NP Zuma
uNobhala
IsiShayamthetho saKwaZulu-Natali
Isikhwama sePosi X 9112
PIETERMARITZBURG
3200

ukuze zifike kuye lungakafiki usuku lwama-29 kuNhlangulana 2006

N. NAIDOO

uNobhala wesiShayamthetho saKwaZulu-Natali

UMTHETHOSIVIVINYO

Wokukhuthaza nokuqinisekisa uzinzo kubantu besiFundazwe kanye nokugwema ukufadalala komphakathi; ukuhlonza kanye nokuqalisa izinyathelo zokwenza ngcono imisebenzi yezenhlahalakahle; ukuhlinzeka ngohlaka lokukhuthaza uguquko ekulawulweni komkhakha wezeNhlalakahle; ukukhuthaza ukwabiwa ngokulinganayo kwezinsizasidingo esiFundazweni sonke; ukukhuthaza ukubamba iqhaza komphakathi ekulawulweni komkhakha wezeNhlalakahle; ukuhlinzekela ukusungulwa komgwamanda ozokwaziwa ngoMkhandlu waKwaZulu-Natali wezeNhlalakahle ukweluleka nokubonisana ngokuqondene nezenhlalakahle nentuthuko yomphakathi esiFundazweni; ukunquma izinjongo, amandla imisebenzisibopho kanye nemisebenzi yoMkhandlu waKwaZulu-Natali; ukuhlinzekela ukusungulwa kweMikhandlu yezeNhlalakahle yesiFundazwe; ukunquma amandla, imisebenzisibopho nemisebenzi yeMikhandlu yeziFundazwe yezeNhlalakahle; ukuhlinzekela izinhlelo zezenhlahalakahle; kanye nokuhlinzekela izindaba, ezihambisana nakho

MAKUMISWE UMTHETHO yisiShayamthetho saKwaZulu-Natali kanje —

ISAHLUKO 1

Izincazelo

1. Kulo Mthetho ngaphandle uma ingqikithi isho okunye —

“**inhlango yezenhlalakahle yomphakathi**” kusho inhlango yomphakathi —

- (a) osebenza ngohlelo lwezeNhlalakahle oluvunywe yiLungu loMkhandlu oPhethe elibhekele ngokuhambisana nesigaba 16 salo Mthetho; futhi
(b) ebhaliswe njengenhlango engayenzi inzuzo njengoba kuchazwe esigabeni 1 soMthetho weziNhlango eziNgenzi Nzuzo, 1997 (uMthetho No. 71 ka-1997);

“**uMnyango**” kusho umnyango kuhulumeni wesiFundazwe saKwaZulu-Natali oqondene nezenhlalakahle;

“**inhlango yezenhlalakahle okungeyenkolo**” kusho isonto noma umgwamanda wezenkolo —

- (a) osebenza ngohlelo lwezeNhlalakahle oluvunywe yiLungu loMkhandlu oPhethe ngokuhambisana nesigaba 16 salo Mthetho; futhi
(b) ebhaliswe njengenhlango engenzi nzuzo njengoba kuchazwe esigabeni 1 soMthetho weziNhlango eziNgenzi Nzuzo, 1997 (uMthetho No. ka 1997);

“**iGazethi**” kusho iGazethi yesifundazwe saKwaZulu-Natali;

“**iNhlalo yoMnyango**” kusho isikhulu esiphuzulu somnyango kuhulumeni wesiFundazwe saKwaZulu-Natali oqondene nezenhlalakahle;

“**iLungu loMkhandlu oPhethe eliqondene nezezimali**” kusho iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali elibhekele kwezezimali;

“**umasipala**” kusho umasipala njengoba kuhlongozwa esigabeni 155 soMthethosisekelo weRiphabhuliki yaseNingizimu Afrika, 1996, futhi wasungulwa ngaphansi kwezigaba 11 kanye ne-12 zoMthetho woHulumeni baseKhaya: iziNhlaka zoMasipala, 1998 (uMthetho No. 117 ka 1998), sifundwa nezigaba zesi-3, 4 kanye nesi-5 zoMthetho waKwaZulu-Natali wokuNqunywa kweziNhlalo zoMasipala, 2000 (uMthetho No. 7 ka 2000);

“**inhlango yezenhlalakahle engekho ngaphansi kukahulumeni**” kusho —

- (a) inhlango engaphoqiwe;
(b) umgwamanda;
(c) ithrasti; noma
(d) olunye uhlobo lwenhlango esemphakathini;
(i) osebenza ngohlelo lwezeNhlalakahle oluvunywe yiLungu loMkhandlu oPhethe elibhekele ngokuhambisana nesigaba 16 salo Mthetho; futhi
(ii) ebhaliswe njengenhlango engenzi nzuzo njengoba kuchazwa esigabeni 1 soMthetho weziNhlango eziNgenzi Nzuzo, 1997 (uMthetho No. 71 ka 1997);

“**isikhulu**” kusho isisebenzi soMnyango;

“okubekiwe” kusho okubekwe ngumthethonqubo ngaphansi kwesigaba 18, futhi “ukubeka” kunencazelo efanayo;

“isiFundazwe” kusho isiFundazwe saKwaZulu-Natali, futhi “yesifundazwe” kunencazelo efanayo;

“isiShayamthetho sesiFundazwe” kusho isiShayamthetho sesiFundazwe saKwaZulu-Natali;

“uMkhandlu wezeNhlalakahle wesiFundazwe” kusho uMkhandlu wezeNhlalakahle waKwaZulu-Natali osungulwe ngesigaba 3(1);

“uMkhandlu wezeNhlalakahle wesiFunda” kusho uMkhandlu wezeNhlalakahle wesiFunda osungulwe ngokwesigaba 13(1);

“imithethonqubo” kusho imithethonqubo eshaywe ngaphansi kwesigaba 18;

“iLungu loMkhandlu oPhethe elibhekele” kusho iLungu loMkhandlu oPhethe eliqondene nezenhlalakahle;

“imisebenzi yezenhlalakahle” kusho imibhidlango ehleliwe, izinyathelo noma izinhlelo eziqondene —

(a) nomsebenzi wezenhlalakahle njengoba uchazwe esigabeni 1 soMthetho woMsebenzi wezeNhlalakahle, 1978 (uMthetho No. 110 ka 1978);

(b) nokugwenywa kanye nokubhekana nezinkinga ezisemphakathini noma emaqenjini abantu okanye emindenini noma kubantu ngabodwana;

(c) nokukhuthazwa, ukuvikelwa noma ukuqiniswa kwemindeni noma imishado;

(d) nenhlalakahle yasebekhulile noma abakhubazekile okanye abantu abaphazamisekile engqondweni;

(e) nenhlalakahle yezingane;

(f) nokugwenywa kokuzinikela ophuzweni noma ekusebenziseni izidakamizwa okanye ukwelashwa kwabantu abayizigqila zophuzo oludakayo noma ezinye izikamizwa;

(g) nokuhlizekwa kwezindlu ebantwini abahlwempu noma abasweleyo;

(h) nanoma yiluphi usizo; noma

(i) nosizo lomphakathi;

“lo Mthetho” kufaka phakathi nemithethonqubo;

“inhlango yezenhlalakahle” kufaka phakathi —

(a) inhlango yezenhlalakahle yomphakathi;

(b) inhlango yezenhlalakahle engeyenkolo; kanye

(c) nenhlango yezenhlalakahle engeyona ekahulumeni.

ISAHLUKO 2

IZINJONGO ZALO MTHETHO

Izinjongo zalo Mthetho

2. Izinjongo zalo Mthetho yilezi —

(a) ukukhuthaza kanye nokuqinisekisa uzinzo lomphakathi kubantu besifundazwe kanye nokugwema ukufadalala komphakathi;

(b) ukuhlonza kanye nokuqalisa izinyathelo zokulwa nokunqanda izinkinga eziyisihlaba emphakathini;

(c) ukuhlonza kanye nokuqalisa izinyathelo ezidingekile ukwenza ngcono imisebenzi yezenhlalakahle esiFundazweni;

(d) ukuhlizeka ngezinhlelo ezikhuthaza uguquko ekulawulweni komkhakha wezeNhlalakahle;

(e) ukukhuthaza ukwabiwa ngokulinganayo kwezinsizasidingo zezenhlalakahle esiFundazweni sonkana;

(f) ukukhuthaza ukubamba iqhaza komphakathi ekulawulweni komkhakha wezeNhlalakahle;

(g) ukusungula uMkhandlu wezeNhlalakahle waKwaZulu-Natali; kanye

(h) nokusungula iMkhandlu yezeNhlalakahle yeziFunda ezindaweni zomasipala bemikhandludolobha nabezifunda esiFundazweni lapho khona, izinhlangano zomphakathi, izinhlangano ezingezona ezikahulumeni, izinhlangano okungezenkolo, omasipala kanye noMnyango bengadingida khona izindaba ezibathintayo ngokuqondene nezenhlalakahle nentuthuko yomphakathi.

ISAHLUKO 3

UMKHANDLU WEZENHLALAKAHLE WAKWAZULU-NATALI

Ukusungulwa koMkhandlu wezeNhlalakahle waKwaZulu-Natali

3.(1) Ngalokhu kusungulwa umkhandlu ozokwaziwa ngokuthi uMkhandlu waKwaZulu-Natali wezeNhlalakahle (emva kwalokhu ozobizwa ngoMkhandlu wezeNhlalakahle esiFundazweni”).

(2) UMkhandlu wezeNhlalakahle esiFundazweni awusona isikhungo somthetho.

Ukwakheka koMkhandlu wezeNhlalakahle wesiFundazwe

4.(1) UMkhandlu wezeNhlalakahle wesiFundazwe wakhiwe yila malungu alandelayo, aqokwe yiLungu loMkhandlu oPhethe elibhekele —

(a) abantu abangevile kwababili abamele uMkhandlu wezeNhlalakahle wesiFunda ngamunye esiFundazweni osungulwe ngesigaba 13(1), abaphakanyiswe nguMkhandlu wezeNhlalakahle wesiFundazwe;

(b) umuntu oyedwa, ophakanyiswe —

(i) abezamabhinisi ahlekile nezohwebo;

(ii) ngabasebenzi; kanye

(iii) nabezamabhange nemisebenzi yezezimali;

(c) umuntu oyedwa ophakanyiswe ngohulumeni basekhaya;

(d) umuntu oyedwa ophakanyiswe yiNhloko yoMnyango; kanye

(e) nokungenani umuntu oyedwa, kodwa kungedluli ebantwini abathathu, oqokwe yiLungu loMkhandlu oPhethe elibhekele njengoba kuhlangezwa yizigaba (2) no (3).

(2) Amalungu oMkhandlu wezeNhlalakahle wesiFundazwe ahlangezwa esigatshaneni (1)(e) kumele aqokwe yiLungu loMkhandlu oPhethe elibhekele emva kokulandela inqubo echazwe esigatshaneni (3), kulandelwe nemigomo yokungafihli lutho nokumeleleka, kubuye futhi kubukwe noma yimaphi

amakhono ayisipesheli, ulwazi, isipiliyoni kanye nentshisekelo emikhakheni yezehlalakahle kanye nokuthuthukiswa komphakathi noma ukuhlinzekwa kwemisebenzi yezehlalakahle.

(3) ILungu loMkhandlu oPhethe elibhekele kumele —

- (a) ngokuhambisana nesaziso esishicilelwe kumaphephandaba amane aphuma kakhulu ezindaweni ezahlukene esiFundazweni, limeme umphakathi ukuba ulethe amagama aphakanyisiwe, kanye nabantu ukuba bafake izicelo zingakapheli izinsuku ezingama-30 emva kokushicilelwa kwesimemo sokuqokwa kwamalungu oMkhandlu wezeNhlalakahle wesiFundazwe: Inqobo nje uma isaziso sizoqokatha okudingekayo ukuze umuntu abe yilungu loMkhandlu wezeNhlalakahle wesiFundazwe obalulwe esigabeni 5;
- (b) asungule iphaneli ezimele enezikhulu okungenani eziyi-5 ukuze zilungise uhla lwalabo abaqokiwe abangevile kwabayishumi, ukuze lucutshungulwe yiLungu loMkhandlu oPhethe elibhekele: Inqobo nje uma iphaneli kuzomele, ekulungiseni uhla izosebenzisa imigomo yokwenzela izinto obala nokumeleleka ngokubuka izinhlinzeko zesigatshana (2) kanye nesigaba 5; futhi
- (c) kuye ngokuhambisana nezihlinzeko zesigatshana (2), liqoke isibalo esidingekile samalungu oMkhandlu wezeNhlalakahle wesiFundazwe ohlwni oluhlongozwa endimeni (b).

Okudingekayo ukuze umuntu aqokwe njengeLungu loMkhandlu oPhethe

5.(1) Umuntu oqokwe njengelungu loMkhandlu wezeNhlalakahle wesiFundazwe njengoba kuhlangezwa esigabeni 4(1)(e) kumele —

- (a) abe namakhono ayisipesheli, isipiliyoni, intshisekelo noma ubuchule bezemfundo, —
 - (i) kwezeNhlalakahle;
 - (ii) kwezokuthuthukiswa komphakathi; noma
 - (iii) kwezokuhlinzekwa kwemisebenzi yezehlalakahle;
 - (b) abe ngumuntu ohleli unomphelo esiFundazweni; futhi
 - (c) abe ngumuntu ophilile nofanelekile.
- (2) Akekho umuntu ongaqokwa njengelungu loMkhandlu wezeNhlalakahle wesiFundazwe, uma —
- (a) enesikhundla kunoma yiliphi iqembu lezombusazwe; noma
 - (b) eseke walahlwa wabuye wagwetshwa ukugunywa ejele isikhathi esingaphezulu kwezinyanga eziyi-12 ngaphandle kokunikezwa inhlawulo.

Isikhathi esihlalwa esikhundleni, ukugwaliswa kwezikhala kanye nokushiya isikhundla

6.(1) Kuye ngokuhambisana nezigatshana (4), (5) no (6), ilungu loMkhandlu wezeNhlalakahle wesiFundazwe lihlala esikhundleni isikhathi esingekwe sibe ngaphezu kweminyaka emithathu, futhi lingakwazi kuphela ukuba libuye liqokwe emva kokuba sekuphele eminye iminyaka emithathu.

(2) ILungu loMkhandlu oPhethe elibhekele kumele likhombwe ilungu loMkhandlu wezeNhlalakahle wesiFundazwe ukuba libe ngusihlalo emhlanganweni wokuqala.

(3) UMkhandlu wezeNhlalakahle wesiFundazwe kumele, emhlanganweni wawo wokuqala, ukhethe usihlalo kanye nesekele likasihlalo kumalungu awo.

(4) ILungu loMkhandlu oPhethe elibhekele lingabuqeda ubulungu bomuntu eMkhandlwini wezeNhlalakahle wesiFundazwe —

- (a) uma lelo lungu lingazange libe khona emhlanganweni emithathu ilandelana yoMkhandlu wezeNhlalakahle wesiFundazwe ngaphandle kwesizathu esizwakalayo;
- (b) ngezizathu zokungakwazi ukusebenza noma zokungabi nekhono;
- (c) ngesizathu sokungaziphathi kahle, okufaka phakathi ukwaphulwa kwanoma iyiphi inhlinzeko yoMgomo wokuziPhatha obekiwe kumalungu ahlangezwe esigabeni 18(1)(a); noma
- (d) ngesincomo soMkhandlu wezeNhlalakahle wesiFundazwe, ngezizathu ezinobulungiswa nezizwakalayo, ngesinqumo esimukelwe ngamavoti okungenani angokubili kokuthathu kumalungu oMkhandlu wezeNhlalakahle wesiFundazwe.

(5) ILungu loMkhandlu wezeNhlalakahle wesiFundazwe liyashiya esikhundleni uma -

- (a) lingasahlangabezani nezidingo zokuba yilungu ezibalulwe esigabeni 5;
- (b) lishona;
- (c) lisula esikhundleni ngesaziso esibhaliwe sabhekiswa eLungwini loMkhandlu oPhethe elibhekele;
- (d) selisebenze isikhathi esibekiwe, futhi isikhathi salo sokuhlala esikhundleni sesiphelile;
- (e) ubulungu balo eMkhandlwini wezeNhlalakahle wesiFundazwe sebuqediwe njengoba kuhlangezwa esigatshani (4); noma
- (f) isimo salo sempilo sesibuthaka ukuthi lingaqhubeka nokuba sesikhundleni.

(5) Noma yisiphi isikhala esivela eMkhandlwini wezeNhlalakahle wesiFundazwe kumele sigwaliswe ngendlela lelo lungu elishiya isikhundla elaqokwa ngayo, futhi noma yiliphi ilungu eliqokwa ngaleyo ndlela kumele lihlale esikhundleni leyo ngxenye yesikhathi ebingakapheli okwakuqokelwe yona ilungu eselishiya esikhundleni.

Imihlangano yoMkhandlu wezeNhlalakahle wesiFundazwe

7.(1) ILungu loMkhandlu oPhethe elibhekele kumele libize umhlangano wokuqala woMkhandlu WezeNhlalakahle WesiFundazwe.

(2) UMkhandlu wezeNhlalakahle wesiFundazwe kumele uhlangele ngokuhambisana nesidingo, kodwa okungenani kathathu onyakeni, ezindaweni nangesikhathi ezinganqunywa nguMkhandlu wezeNhlalakahle wesiFundazwe.

(3) Onke amalungu oMkhandlu wezeNhlalakahle wesiFundazwe kumele aziswe ngomhlangano ngamunye ngokubhalelwa, okungenani kusasele izinsuku eziyishumi nane ngaphambi kwalowo mhlangano, futhi leso saziso kumele sifake uhlelo lomhlangano ohlongozwayo.

(4) Uma, kunoma yimuphi umhlangano woMkhandlu wezeNhlalakahle wesiFundazwe usihlalo nesekele lakhe bengekho, amalungu akulowo mhlangano angakhetha kuwona oyedwa ongawuhola lowo mhlangano.

(5) Umhlangano oyisipesheli woMkhandlu wezeNhlalakahle wesiFundazwe ungabizwa ngokucelwa —

- (a) ngusihlalo; noma
- (b) ingxenye yokubili kokuthathu kumalungu oMkhandlu wezeNhlalakahle wesiFundazwe ngesinxuso esibhaliwe, nokuzomele emva kwalokho usihlalo abhale azise wonke amalungu oMkhandlu wezeNhlalakahle wesiFundazwe ngesikhathi nendawo yalowo mhlangano oyisipesheli.

(6) Ikhoramu yomhlangano woMkhandlu wezeNhlalakahle wesiFundazwe iyiningi lamalungu.

(7) Noma yisiphi isinqumo soMkhandlu wezeNhlalakahle wesiFundazwe kumele sithathwe yiningi lamalungu akhona kunoma yimuphi umhlangano

woMkhandlu wezeNhlalakahle wesiFundazwe futhi, uma kunokulingana kwamavoti kunoma yiluphi udaba, ilungu elingusihlalo kulowo mhlango linevoti elingujuqu ngaphezu kwevoti lalo njengelungu loMkhandlu wezeNhlalakahle wesiFundazwe.

(8) Okuqhubekayo kuyona yonke imihlangano yoMkhandlu wezeNhlalakahle wesiFundazwe kumele kubhalwe futhi kufakwe emaminithini.

(9)(a) Amaminithi omhlangano odlule kumele afundwe ekuqaleni komhlangano ngamunye.

(b) Amaminithi angathathwa ngokuthi afundiwe uma amakhophi awo anikezwa amalungu oMkhandlu wezeNhlalakahle wesiFundazwe ngaphambi komhlangano.

(c) Usihlalo angawasayina amaminithi kuphela emva kokuba izikhalo noma izilungiso sezenziwe.

(10) (a) Usihlalo kumele anqume ngezindaba ezithinta inqubo noma inkambiso.

(b) Uma noma yiluphi ilungu likhalaza ngaleso sinqumo, lolo daba kumele luvotelwe bese kuthi isinqumo seningi kube yisona esingujuqu nesibophezelayo eMkhandlwini wezeNhlalakahle WesiFundazwe.

(11) Ilungu loMkhandlu wezeNhlalakahle wesiFundazwe akumele livote noma libambe iqhaza noma ngandlelani kokuqhubekayo kunoma yimuphi umhlangano woMkhandlu wezeNhlalakahle wesiFundazwe, noma libe khona endaweni lapho khona lowo mhlango ubanjelwe khona, uma ngokuqondene nanoma yiluphi udaba olungaphambi koMkhandlu wezeNhlalakahle wesiFundazwe, lelo lungu linentshisekelo, okungathi uma ibukisiswa, ilivimbele ekutheni lenze imisebenzi yalo njengelungu loMkhandlu wezeNhlalakahle wesiFundazwe ngendlela enobulungiswa, engachemile nefanele.

Umsebenzi wezokuphatha nowobubhalane woMkhandlu wezeNhlalakahle wesiFundazwe

8. Umsebenzi wezokuphatha nowobubhalane oyingxenywe yokwenziwa kwemisebenzi yoMkhandlu wezeNhlalakahle wesiFundazwe kumele wenziwe yizisebenzi zoMnyango ezikhonjelwe lokho yiNhlalo yoMnyango.

Amandla, imisebenzisibopho kanye nemisebenzi yoMkhandlu wezeNhlalakahle wesiFundazwe

9.(1) UMkhandlu wezeNhlalakahle wesiFundazwe kumele —

(a) ucubungule izinhlelo zezenhlalakahle ezibalulwe esigabeni 15(1)(d) ezitholwe eMkhandlwini yezeNhlalakahle yesiFunda ebese uletha lezo zinhlelo zihambisana nemibono nezincwadi zoMkhandlu wezeNhlalakahle wesiFundazwe kwiLungu loMkhandlu oPhethe elibhekele ziphasiswe ngokuhambisana nesigaba 16;

(b) leluleke iLungu loMkhandlu oPhethe elibhekele —

(i) ngenqubomgomo yezenhlalakahle ehlongozwayo esiFundazweni;

(ii) ngokuphumelela kokusebenzisana kwezinhlelo zezenhlalakahle esiFundazweni;

(iii) nganoma yiluphi udaba oluhlobene nemisebenzi nokusebenza kweMkhandlu yezeNhlalakahle yesiFunda; kanye

(iv) nganoma iluphi udaba oluhlobene nezenhlalakahle kanye nokuthuthukiswa komphakathi noma ukuhlinzekelwa kwemisebenzi yezenhlalakahle leyo iLungu loMkhandlu oPhethe elibhekele elicela ukuba linikezwe izeluleko ngayo;

(c) lisize uMnyango ekudluliseni izinqumo kanye nolwazi oluqondene mayelana nezenhlalakahle kanye nokuthuthukiswa komphakathi esiFundazweni eminyangweni ekuHulumeni wesiFundazwe, komasipala abasesifundazweni, emphakathini kanye nakubo bonke abantu abadinga imisebenzi yezenhlalakahle esiFundazweni ngokuhlela imihlangano, imihlangano yokucobelelana ngolwazi, izaziso kanye nokunye okushicilelwe nokutholakala ngekompuyutha;

(d) axhumane nezenhlalango zikazwelonke nezesifundazwe eziqondene nezenhlalakahle kanye nokuthuthukiswa komphakathi noma ukuhlinzekwa kwemisebenzi yezenhlalakahle;

(e) zingakapheli izinsuku ezingama-30 ngaphambi kokuqala konyaka wezimali ngamunye, lilethe uhlelo lokusebenza oluqokethe ulwazi olungadingeka kwiLungu loMkhandlu oPhethe elibhekele ukuze liluphasise; futhi

(f) lenze noma yimuphi omunye umsebenzi noma umsebenzisibopho obekwe emahlombe alo yilo Mthetho okanye yinoma imuphi omunye.

(2) UMkhandlu wezeNhlalakahle wesiFundazwe —

(a) ungasebenzisa noma yimaphi amandla onikezwe wona yilo Mthetho okanye yinoma imuphi omunye umthetho; futhi

(b) ngokujwayelekile lingenza konke okuthathwa njengokudingekile noma okungasiza ukufeza izinjongo zalo Mthetho kanye nokwenza imisebenzisibopho kanye nemisebenzi ebalulwe esigatshaneni (1).

Amakomiti oMkhandlu wezeNhlalakahle wesiFundazwe

10.(1) UMkhandlu wezeNhlalakahle wesiFundazwe ungaqoka ikomiti elilodwa noma ngaphezulu elizokwakhiwa ngamalungu awo kuphela ukuba asize ekusetshenzisweni kwamandla kanye nasekwenziweni kwemisebenzisibopho nemisebenzi.

(2)(a) Ikomiti elihlongozwe esigatshaneni (1) kumele libe namalungu amabili noma ngaphezulu oMkhandlu wezeNhlalakahle wesiFundazwe, futhi kumele lenze imisebenzisibopho nemisebenzi yoMkhandlu wezeNhlalakahle wesiFundazwe njengoba kunganqunywa nguMkhandlu wezeNhlalakahle wesiFundazwe.

(b) UMkhandlu wezeNhlalakahle wesiFundazwe, nganoma yisiphi isikhathi, ungahlalakaza noma ulakhe kabusha leli komiti.

(3)(a) UMkhandlu wezeNhlalakahle wesiFundazwe ungadlulisela noma imaphi amandla awo okanye noma yimiphi emisebenzisibopho noma emisebenzini yawo ekomitini eliqokwe ngokuhambisana nesigaba (1).

(b) Noma yimaphi amandla, umsebenzisibopho noma umsebenzi odluliselwe noma onikezelwe uthathwa ngokuthi wenziwe nguMkhandlu wezeNhlalakahle wesiFundazwe.

(c) UMkhandlu wezeNhlalakahle wesiFundazwe awuvinjiwe ekusebenziseni noma imaphi amandla, noma ekwenzeni noma imuphi umsebenzisibopho noma umsebenzi odluliselwe ngale ndlela.

(d) UMkhandlu wezeNhlalakahle wesiFundazwe ungachibiyela, ubukeze noma uhoxise noma yisiphi isinqumo sekomiti.

Ukukhokhelwa kwamalungu oMkhandlu wezeNhlalakahle wesiFundazwe kanye nokubuyiselwa kwezindleko okungenwe kuzo amalungu oMkhandlu wezeNhlalakahle wesiFundazwe

11.(1)(a) Ilungu loMkhandlu wezeNhlalakahle wesiFundazwe lingakhokhelwa inkokhelo kanye nezibonelelo ezinganqunywa yiLungu loMkhandlu oPhethe elibhekele ngokubonisana neLungu loMkhandlu oPhethe eliqondene nezezimali.

(b) Ilungu loMkhandlu wezeNhlalakahle wesiFundazwe elithola inkokhelo, izibonelelo noma eminye imihlomulo ngokwesikhundla salo noma ngokuqashwa kwalo kuhulumeni kazwelonke, uhlumeni wesiFundazwe, umasipala noma inkampani, umgwamanda noma isikhungo lapho khona uhlumeni kazwelonke noma wesiFundazwe enegunya lolawulo futhi, elisaqhubeka nokuthola leyo nkokhelo, izibonelelo noma eminye imihlomulo ngesikhathi lisebenza njengelungu loMkhandlu wezeNhlalakahle wesiFundazwe, lingathola kuphela inkokhelo nezibonelelo ezibalulwe endimeni (a) ezilungana nengxenywe edingekile ukubeka lelo lungu esimeni sezimali lelo lungu ebelingaba kuso ukuba bekungekhona ukuthi likuleso sikhundla noma liqashiwe;

- (2)(a) ILungu loMkhandlu wezeNhlalakahle wesiFundazwe kanye nelungu lekomiti loMkhandlu wezeNhlalakahle wesiFundazwe, angathola inkokhelo ngezindleko zangempela zokudla nezokuhamba ezidalwe ukuhambela umhlangano woMkhandlu wezeNhlalakahle wesiFundazwe noma wekomiti loMkhandlu wezeNhlalakahle wesiFundazwe, ngokuqondene nemisebenzi yawo njengamalungu.
- (b) ILungu loMkhandlu oPhethe elibhekele kwezizimali kumele linqume izingqubo okufaka phakathi izanyathelo zolawulo, ekuphathweni kanye nasekukhokhweni kwezibizo ngezindleko zokudla kanye nokuhamba njengoba kuhlangezwa endimeni (a).

Umbiko wonyaka

- 12.(1) UMkhandlu wezeNhlalakahle wesiFundazwe kumele njalo ngonyaka ubike ngayo yonke imisebenzi yawo, okufaka phakathi ukuhlolwa kwempumelelo ekufezeni izinjongo, kwiLungu loMkhandlu oPhethe elibhekele.
- (2) ILungu loMkhandlu oPhethe elibhekele kumele liqinisekise ukuthi umbiko wendlalwa ngaphambi kweSishayamthetho sesiFundazwe kungakapheli izinsuku eziyi-14 emva kokuba liwutholile uma kungukuthi iSishayamthetho sihleli lokhu okwejwayelekile noma, uma kunguthi iSishayamthetho asihleli lokhu okwejwayelekile, zingakapheli izinsuku eziyi-14 emva kokuqala kokuhlala kwaso okwejwayelekile okulandelayo.
- (3) Zingakapheli izinyanga ezinhlano emva kokuba umbiko wethuliwe, ithimba elijutshiwe elifaka phakathi usihlalo woMkhandlu wezeNhlalakahle wesiFundazwe kanye nokungenani namanye amabili amalungu oMkhandlu wezeNhlalakahle wesiFundazwe, kumele lichazele iKomiti lasePhalamende eliqondene nalowo mbiko wonyaka.

ISAPHLUKO 4

IMIKHANDLU YEZENHLALAKAHLE YESIFUNDA

Ukusungulwa kweMikhandlu yezeNhlalakahle yesiFunda

- 13.(1)(a) UMkhandlu wezeNhlalakahle wesiFundazwe obalulwe ohlwini lokuqala loHlelo 1, ngalokhu uyasungulwa ezindaweni zomasipala bomkhandludolobha nabesifunda esiFundazweni abanikezwe ohlwini lwesibili kwiSheduli ebaluliwe.
- (b) ILungu loMkhandlu oPhethe, ngesaziso kwiGazethi nangemva kokubonisana noMkhandlu wezeNhlalakahle wesiFundazwe, iMikhandlu yezeNhlalakahle yesiFunda ethintekayo kanye nomasipala bomkhandludolobha nabesifunda abathintekayo, lingachibiyela uHlelo 1-
- (i) ngokushintsha igama loMkhandlu wezeNhlalakahle WesiFunda;
- (ii) ngokuhlakaza uMkhandlu wezeNhlalakahle wesiFunda okhona;
- (iii) ngokusungula uMkhandlu wezeNhlalakahle wesiFundazwe;
- (iv) ngokukhuphula noma ngokunciphisa isibalo seMikhandlu yezeNhlalakahle yesiFunda esesiFundazweni; noma
- (v) ngokwengeza okanye ngokususa omasipala bomkhandludolobha noma besifunda endaweni esungulelwe uMkhandlu wezeNhlalakahle wesiFundazwe;
- Inqobo nje uma kungeke kube neMikhandlu yezeNhlalakahle yesiFunda engaphezu kweyisithupha.
- (c) Ukuchitshiyelwa koHlelo 1 okuhlongozwa endimeni (b) kuqala ukusebenza ngosuku lokushicilelwa kwesaziso noma ngolunye usuku olubalulwe-esazisweni.
- (d) Izinhlinzeko zesigaba 14 zisebenza eMkhandlwini wezeNhlalakahle wesiFundazwe osungulwe noma othintekayo ngesichibiyelo kuSheduli 1 esihlongozwa endimeni (b)(iii), (iv) noma (v).
- (2) UMkhandlu wezeNhlalakahle wesiFunda awusona isikhungo somthetho
- (3) Izinhlinzeko zesigaba 5 kuze kufike esigabeni 8 kanye nezigaba 10 kanye no 11, zifundwa nezinguquko ezidingekile, ziyasebenza eMkhandlwini wezeNhlalakahle wesiFunda.

Ukwakheka koMkhandlu WezeNhlalakahle WesiFunda

14. UMkhandlu wezeNhlalakahle wesiFundazwe unala malungu alandelayo aqokwe yiLungu loMkhandlu oPhethe elibhekele —
- (a) isibalo esingaze sigcine ebantwini abayisithupha abamele izinhlangano zezenhlalakahle, oyedwa oqokwe —
- (i) yinhlangano ngayinye zezenhlalakahle engekho ngaphansi kukahulumeni;
- (ii) yinhlangano ngayinye zezenhlalakahle engeyenkolo; kanye
- (iii) nenhlangano ngayinye zezenhlalakahle yomphakathi,
- esebenza ngohlelo lwezeNhlalakahle oluyunywe yiLungu loMkhandlu oPhethe ngokuhambisana nesigaba 16 endaweni yomkhandludolobha noma yomasipala wesiFunda lowo Mkhandlu wezeNhlalakahle wesiFunda osungulelwe yona;
- (b) ngumuntu oyedwa ophakanyiswe abezamabhizinisi kanye nezohwebo abasebenza endaweni yomkhandludolobha noma yomasipala wesiFunda lowo Mkhandlu wezeNhlalakahle wesiFunda osungulelwe yona;
- (c) umuntu oyedwa ophakanyiswe ngumkhandludolobha ngamunye noma omasipala bezifunda lowo Mkhandlu wezeNhlalakahle wesiFunda osungulelwe bona;
- (d) umuntu oyedwa ophakanyiswe yiNdlu yesiFundazwe yabaHoli beNdabuko esungulwe ngokuhambisana nesigaba 3 soMthetho waKwaZulu-Natali weNdlu yabaHoli beNdabuko, 1994 (uMthetho No. 7 ka 1994); Inqobo nje uma lowo muntu ezoba isakhamuzi esihlala inomphelo kuleyo ndawo uMkhandlu wezeNhlalakahle wesiFundazwe osungulwe kuyo;
- (e) okungenani umuntu oyedwa, kodwa bangeqi ebantwini abahlanu abaphakanyiswe yiNhlalo yoMnyango; kanye
- (f) nokungenani umuntu oyedwa, kodwa kungeqi abantwini abathathu, abaqokwe yiLungu loMkhandlu oPhethe njengoba kuhlangezwa ezigabeni 4(2) kanye no(3), zifundwa nezinguquko ezidingekayo.

Amandla, imisebenzisobho kanye nemisebenzi yoMkhandlu wezeNhlalakahle wesiFunda

15. (1) UMkhandlu wezeNhlalakahle wesiFunda kumele —
- (a) uphenye izinkinga zomphakathi ezenzeka ezindaweni ezikumkhandludolobha noma komasipala bezifunda lowo Mkhandlu wezeNhlalakahle wesiFunda osungulelwe zona;
- (b) unqume izidingo zezenhlalakahle ezikhona nezangomuso zabahlali abakumkhandludolobha noma komasipala bezifunda lowo Mkhandlu wezeNhlalakahle wesiFunda osungulelwe bona;
- (c) kuye ngokuhambisana nesigaba 17(1), uhlele ubuye ulungise uhlelo ngenhloso yokuhlizekela imisebenzi zezenhlalakahle kanye nentuthuko yangomuso noma izinsiza ezingadingeka ukuze kubhekwane nezidingo zezenhlalakahle ezibalulwe endimeni (b), ngenhla bese wenza izincomo ngohlelo lokulandelana kwaleyo misebenzi noma izinsiza;
- (d) kuye ngokuhambisana nesigaba 17(1), ulethe uhlelo lwezeNhlalakahle olubalulwe endimeni (c), ngenhla, kuMkhandlu wezeNhlalakahle wesiFundazwe;
- (e) wenze izincomo eMkhandlwini wezeNhlalakahle wesiFunda mayelana —

- (i) nenqubomgomo yezehlalakahle ehlongozwayo kuleyo ndawo yomkhandludolobha noma yomasipala wesiFunda lowo Mkhandlu wezeNhlalakahle wesiFunda osungulelwe yona;
- (ii) ukuqaliswa, ukulethwa kanye nokuxhunyaniswa kwezinhlelo zezehlalakahle kanye nemisebenzi yezehlalakahle endaweni yomkhandludolobha noma yomasipala bezifunda abasungulelwe uMkhandlu wezeNhlalakahle wesiFunda; kanye
- (iii) nokwabiwa ngokulinganayo kwezinsizasidingo zezehlalakahle ezindaweni zomkhandludolobha noma yomasipala bezifunda abathintekayo, ngokubuka ukusilela emuva ngokomlando kanye nalabo bantu ababencishwe amathuba phambilini;
- (f) usize uMkhandlu wezeNhlalakahle wesiFunda ekudluliseleni izinqumo kanye nolwazi oluqondene olumayelana nezeehlalakahle kanye nokuthuthukiswa komphakathi esiFundazweni emkhandlwindolobha noma komasipala bezifunda lowo Mkhandlu wezeNhlalakahle wesiFunda osungulelwe bona, abahlali kanye nabo bonke abantu abahlomulayo kwezeNhlalakahle kanye nasemisebenzini yomphakathi ezindaweni zomkhandludolobha noma yomasipala bezifunda ngokusebenzisa imihlangano, imihlangano yokucobelelana ngolwazi, izaziso kanye nayinoma yikuphi okunye okushicilelwe noma okukwikhompuyutha;
- (g) uxhumane nezinhlangano zomasipala nezefundazwe eziqondene nezindaba zezehlalakahle kanye nokuthuthukiswa komphakathi noma nokuhlizekwa kwemisebenzi yezehlalakahle yomphakathi;
- (h) ugququzele, ukhuthaze ubuye uhlele ukunikezwa kwemisebenzi yezehlalakahle yomphakathi yizinhlangano zezehlalakahle ezindaweni zomkhandludolobha noma yomasipala lowo Mkhandlu wezeNhlalakahle wesiFunda osungulelwe zona;
- (i) zingakapheli izinsuku ezingama-30 ngaphambi kokuqala konyaka wezimali ngamunye, ulethe uhlelo lokusebenza oluqukethe ulwazi olubekelwe uMkhandlu wezeNhlalakahle wesiFundazwe ukuze luphasiswe; bese
- (j) lwenza noma yimuphi omunye umsebenzi noma umsebenzisibopho obekwe emahlombe awo yilo Mthetho noma yinoma imuphi omunye umthetho.
- (2) UMkhandlu wezeNhlalakahle wesiFunda —
- (a) ngokuvunyelwa kuqala yiLungu loMkhandlu oPhethe elibhekele, ungalhela imihlangano yokucobelelana ngolwazi kanye nezingqungquthela mayelana nanoma yiluphi udaba oluqondene nemisebenzi yawo;
- (b) ungasebenzisa noma yimaphi amandla adluliselwe kuwona yilo Mthetho okanye yinoma imuphi omunye umthetho; futhi
- (c) ngokuvamile, ungenza noma yini ethathwa ngokuthi inesidingo noma ibalulekile ukwenza imisebenzisibopho kanye nemisebenzi ebalulwe esigatshaneni (1).

ISAHLUKO 5

IZINHLELO ZEZEHLALAKAHLE

Amandla eLungu loMkhandlu oPhethe elibhekele okuphasisa izinhlelo zezehlalakahle

- 16.(1)(a) ILungu loMkhandlu oPhethe elibhekele lingaphasisa noma lenqabe noma liphasise ingxenye okanye lenqabe ingxenye yanoma yiluphi uhlelo olulethwe kulona ngokuhambisana nesigaba 9(1)(a) noma lilubuyisele emuva eMkhandlwini wezeNhlalakahle wesiFundazwe noma eMkhandlwini wezeNhlalakahle wesiFunda ukuze lubuye luphenywe noma lucutshungulwe kabusha okanye kwenziwe ngalo noma yini iLungu loMkhandlu oPhethe elingakubona kufanele.
- (b) Uma iLungu loMkhandlu oPhethe elibhekele liluphasisa noma luphasisa ingxenye yohlelo lwezeNhlalakahle, lingabeka imibandela ngokuqondene nokuqaliswa kwalolo hlelo okanye ngokuqondene nanoma iyiphi ingxenye yalo engayibona idingekile noma ifanele.
- (2) Uma nganoma yisiphi isikhathi emva kokuphasiswa kohlelo lwezeNhlalakahle iLungu loMkhandlu oPhethe elibhekele libona kunesidingo noma kuyimfuneko ukuba luchitshiyelwe noma lucutshungulwe kabusha lolo hlelo, lingalubuyisele emuva eMkhandlwini wezeNhlalakahle wesiFundazwe noma eMkhandlwini wezeNhlalakahle wesiFunda ukuze luchitshiyelwe noma lucutshungulwe kabusha.
- (3) Noma iluphi uhlelo oluphasiswe yiLungu loMkhandlu oPhethe elibhekele ngaphambi kokuqala kokusebenza kwalo Mthetho ngokuhambisana nezigaba ze-11(1)(c) ne-12 ezichithiwe zoMthetho wezeNhlalakahle kaZwelonke, 1978 (uMthetho No. 100 ka 1978), ngokuqondene nesifunda noma indawo, kuye ngokuhambisana nesigaba 17(1), luthathwa ngokuthi luphasiselwe leyo ndawo eqondene noMkhandlu wezeNhlalakahle wesiFunda ngokuhambisana nalesi sigaba.

Imisebenzi yoMkhandlu wezeNhlalakahle wesiFunda ngokuqondene nezinhlelo zezehlalakahle

- 17.(1) UMkhandlu wezeNhlalakahle wesiFunda kumele —
- (a) kungakapholi maseko, kodwa zingakapheli izinyanga eziyi-6 emva kokwakhiwa koMkhandlu wezeNhlalakahle wesiFunda othintekayo ngokuhambisana nesigaba 14, uhlele ubuye ulungise uhlelo lwezeNhlalakahle;
- (b) ngaphambi kokuphuthula uhlaka lohlelo lwezeNhlalakahle ukuze lwethulwe eMkhandlwini wezeNhlalakahle wesiFundazwe njengoba kuhlongozwa esigabeni 15(1)(d) abonisane —
- (i) nanoma iyiphi inhlangano yezehlalakahle kanye nanoma yimuphi umuntu noma umgwamanda ongalhela ube nentshisekelo ngoko ekwenziweni noma ekuhlizekweni kwanoma yimuphi umsebenzi wezeehlalakahle noma isikhungo okubalulwe ohlelelweni lwezeNhlalakahle olulungiswe uMkhandlu wezeNhlalakahle wesiFunda othintekayo; kanye
- (ii) nanoma iyiphi inhlangano yezehlalakahle kanye nanoma yimuphi umuntu noma umgwamanda okutholwe kuwo isethulo noma umbono ngokuqondene nanoma yimuphi umsebenzi wezeNhlalakahle noma izinsiza okubalulwe ohlelelweni lwezeNhlalakahle olulungiswe uMkhandlu wezeNhlalakahle wesiFunda othintekayo;
- (c) ngaphambi kokuphuthula uhlaka lohlelo lwezeNhlalakahle ukuze lwethulwe eMkhandlwini wezeNhlalakahle wesiFundazwe njengoba kuhlongozwa esigabeni 15(1)(d), unikeze inhlangano yezehlalakahle okanye noma yimuphi umuntu noma umgwamanda obalulwe endimeni (b)(i) no-(ii) ngenhla, imininigwane efakwe ohlelweni lwezeNhlalakahle ngokuqondene nomsebenzi nezinsiza ezibalulwe kuleyo ndima; futhi
- (d) uma ulethe uhlelo lwezeNhlalakahle eMkhandlwini wezeNhlalakahle wesiFundazwe ngokuhambisana nesigaba 15(1)(d), ulethe nanoma yisiphi isethulo noma umbono obalulwe endimeni (b)(ii), ngenhla, kanye nohlelo lwezeNhlalakahle.

ISAHLUKO 6

IZIHLINZEKO EZIJWAYELEKILE

Imithethonqubo

- 18.(1) ILungu loMkhandlu oPhethe elibhekele, ngesaziso kwiGazethi nangemva kokubonisana noMkhandlu wezeNhlalakahle wesiFundazwe noma uMkhandlu wezeNhlalakahle wesiFunda lenze imithethonqubo emayelana —
- (a) noMgomo wokuziPhatha kumaLungu oMkhandlu wezeNhlalakahle wesiFundazwe;
- (b) noMgomo wokuziPhatha kumaLungu oMkhandlu wezeNhlalakahle wesiFunda;
- (c) nanoma yiluphi udaba oludingwa noma oluvunyelwe ukuba lubekwe ngokuhambisana nalo Mthetho; kanye

(d) nanganoma yiluphi udaba iLungu loMkhandlu oPhethe elilubona ludingekile noma lufanele ukuze kufezwe izinjongo zalo Mthetho: Inqobo nje uma nanoma imuphi umthethonqubo oqondene nemali engenayo kahulumeni noma imali esebenzayo kuzomele wenziwe ngokuvumelana neLungu loMkhandlu oPhethe eliqondene nezezimali.

(2) Imithethonqubo ingahlizekela ukuthi noma ngubani owaphula noma imuphi umthethonqubo noma ohluleka ukuhambisana nawo unecala futhi, uma limlahla angajeziswa ngesijezo esingedluli kuleso esibekwe emithethweninqubo.

Ukudluliselwa kwamandla

19.(1) ILungu loMkhandlu oPhethe elibhekele, kuye ngokuhambisana nemibandela elingayibeka, lingadlulisela noma yimaphi amandla anikezwe lona yilo Mthetho noma ngaphansi kwalo Mthetho, ngaphandle —

- (a) kwamandla okushicilela isaziso ahlangozwe esigabeni 4(3)(a);
- (b) amandla okuchibiyela uHlelo 1 ngesaziso esihlongozwa esigabeni 13(1)(b); kanye
- (c) namandla okwenza imithethonqubo ahlangozwe esigabeni 18(1),

kwiNhlalo yoMnyango noma isikhulu soMnyango.

(2) Ukudluliselwa kwamandla ngaphansi kwesigatshana (1) akulivimbeli iLungu loMkhandlu oPhethe ukuba liwasebenzise lawo mandla.

Ukuchithwa kwemithetho

20. Imithetho ebalulwe kuHlelo 2 ngalokhu iyachithwa njengoba kuchazwe ohlwini lwesithathu loHlelo olubaluliwe.

Isihloko esifushane

21. Lo Mthetho ubizwa ngoMthetho wezeNhlalakahle waKwaZulu-Natali, 2006.

UHLELO 1

Ukusungulwa kweMikhandlu yezeNhlalakahle yesiFunda

(Isigaba 13(1))

Igama loMkhandlu wezeNhlalakahle wesiFunda	Indawo yoMkhandlu wezeNhlalakahle wesiFunda
UMkhandlu wezeNhlalakahle wesiFunda saseThekwini	<p>Indawo —</p> <p>(i) yoMasipala wesiFunda seLembe (DC 29), eyasungulwa ngesaziso sesiFundazwe esingunombolo 345 somhla ziyi-19 kuMandulo 2000, nesabuye sachitshiyelwa ngeSaziso sesiFundazwe esingunombolo 462 sangomhla lu-1 kuZibandlela 2000, yiSaziso sesiFundazwe esingunombolo 501 sangomhla zingama-29 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 97 samhla ziyi-15 kuNdasa 2001, iSaziso sesiFundazwe esingunombolo 135 sangomhla ziyi-12 kuMbaso 2001, iSaziso sesiFundazwe esingunombolo 299 sangomhla ziyi-13 kuNcwaba 2001, iSaziso sesiFundazwe esingunombolo 461 sangomhla ziyi-13 kuZibandlela 2001, iSaziso sesiFundazwe esingunombolo 269 sangomhla ziyi-19 kuNtulikazi 2002, iSaziso sesiFundazwe esingunombolo 369 sangomhla zingama-26 kuMandulo kanye neSaziso sesiFundazwe esingunombolo 468 sangomhla zi-4 kuZibandlela 2002; kanye</p> <p>(ii) nekaMasipala woMkhandludolobha waseThekwini, osungulwe ngeSaziso sesiFundazwe esingunombolo 343 sangomhla zingama-20 kuMandulo 2000, nesabuye sachitshiyelwa ngeSaziso sesiFundazwe esingunombolo 461 samhla lu-1 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 135 samhla ziyi-12 kuMbaso, 2001, iSaziso sesiFundazwe esingunombolo 299 sangomhla ziyi-13 kuNcwaba 2001, iSaziso sesiFundazwe esingunombolo 460 sangomhla ziyi-13 kuZibandlela 2001 kanye neSaziso sesiFundazwe esingunombolo 461 sangomhla ziyi-13 kuZibandlela 2001.</p>
UMkhandlu WezeNhlalakahle WesiFunda sase-Midlands	<p>Indawo —</p> <p>(i) kaMasipala wesiFunda saseThukela (DC 23), eyasungulwa ngeSaziso sesiFundazwe esingunombolo 351 sangomhla ziyi-19 kuMandulo 2000, nesabuye sachitshiyelwa ngeSaziso sesiFundazwe esingunombolo 462 sangomhla lu-1 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 501 sangomhla zingama-29 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 97 sangomhla ziyi-15 kuNdasa 2001, iSaziso sesiFundazwe esingunombolo 135 sangomhla ziyi-12 kuMbaso 2001, iSaziso sesiFundazwe esingunombolo 299 sangomhla ziyi-13 kuNcwaba 2001, iSaziso sesiFundazwe esingunombolo 388 sangomhla ziyi-11 kuMfumu 2001, iSaziso sesiFundazwe esingunombolo 461 sangomhla ziyi-13 kuZibandlela 2001 kanye neSaziso sesiFundazwe esingunombolo 468 sangomhla zi-4 kuZibandlela 2002;</p> <p>(ii) kaMasipala WesiFunda saseMzinyathi (DC 24); eyasungulwa ngeSaziso sesiFundazwe esingunombolo 350 sangomhla ziyi-19 kuMandulo 2000, nesabuye sachitshiyelwa ngeSaziso sesiFundazwe esingunombolo 462 sangomhla lu-1 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 501 sangomhla zingama-29 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 97 sangomhla ziyi-15 kuNdasa 2001, iSaziso sesiFundazwe esingunombolo 135 sangomhla ziyi-12 kuMbaso 2001, iSaziso sesiFundazwe esingunombolo 299 sangomhla ziyi-13 kuNcwaba 2001, iSaziso sesiFundazwe esingunombolo 461 sangomhla ziyi-13 kuZibandlela 2001, iSaziso sesiFundazwe esingunombolo 219 sangomhla zingama-20</p>

	<p>kuNhlangulana 2002, iSaziso sesiFundazwe esingunombolo 329 sangomhla zi-5 kuMandulo 2002 kanye neSaziso sesiFundazwe esingunombolo 468 sangomhla zi-4 kuZibandlela 2002; kanye</p> <p>(iii) nekaMasipala WesiFunda saseMajuba (DC 25), eyasungulwa ngeSaziso sesiFundazwe esingunombolo 349 sangomhla ziyi-19 kuMandulo 2000, nesabuye sachitshiyelwa ngeSaziso sesiFundazwe esingunombolo 462 sangomhla lu-1 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 501 sangomhla zingama-29 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 97 sangomhla ziyi-15 kuNdasa 2001, iSaziso sesiFundazwe esingunombolo 135 sangomhla ziyi-12 kuMbaso 2001, iSaziso sesiFundazwe esingunombolo 299 sangomhla ziyi-13 kuNcwaba 2001, iSaziso sesiFundazwe esingunombolo 388 sangomhla ziyi-11 kuMfumu 2001, iSaziso sesiFundazwe esingunombolo 461 sangomhla ziyi-13 kuZibandlela 2001 kanye neSaziso sesiFundazwe esingunombolo 468 sangomhla zi-4 kuZibandlela 2002.</p>
<p>UMkhandlu WezeNhlalakahle WesiFunda sase-Pietermaritzburg</p>	<p>Indawo —</p> <p>(i) kaMasipala wesiFunda saseMgungundlovu (DC 22), eyasungulwa ngeSaziso sesiFundazwe esingunombolo 352 sangomhla ziyi-19 kuMandulo 2000, nesabuye sachitshiyelwa ngeSaziso sesiFundazwe esingunombolo 462 sangomhla lu-1 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 501 sangomhla zingama-29 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 97 sangomhla ziyi-15 kuNdasa 2001, iSaziso sesiFundazwe esingunombolo 135 sangomhla ziyi-12 kuMbaso 2001, iSaziso sesiFundazwe esingunombolo 299 sangomhla ziyi-13 kuNcwaba 2001, iSaziso sesiFundazwe esingunombolo 388 sangomhla ziyi-11 kuMfumu 2001, iSaziso sesiFundazwe esingunombolo 461 sangomhla ziyi-13 kuZibandlela 2001, iSaziso sesiFundazwe esingunombolo 257 sangomhla ziyi-11 kuNtulikazi 2002, iSaziso sesiFundazwe esingunombolo 350 sangomhla ziyi-19 kuMandulo 2002 kanye neSaziso sesiFundazwe esingunombolo 468 sangomhla zi-4 kuZibandlela 2002;</p> <p>(ii) kaMasipala wesiFunda saseGwini (DC 21) eyasungulwa ngeSaziso sesiFundazwe esingunombolo 353 sangomhla ziyi-19 kuMandulo 2000, nesabuye sachitshiyelwa ngeSaziso sesiFundazwe esingunombolo 462 sangomhla lu-1 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 501 sangomhla zingama-29 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 97 sangomhla ziyi-15 kuNdasa 2001, iSaziso sesiFundazwe esingunombolo 135 sangomhla ziyi-12 kuMbaso, 2001, iSaziso sesiFundazwe esingunombolo 299 sangomhla ziyi-13 kuNcwaba 2001, iSaziso sesiFundazwe esingunombolo 461 sangomhla ziyi-13 kuZibandlela 2001 kanye neSaziso sesiFundazwe esingunombolo 468 sangomhla zi-4 kuZibandlela 2002; kanye</p> <p>(iii) nekaMasipala wesiFunda saseSisonke (DC 43) eyasungulwa ngeSaziso sesiFundazwe esingunombolo 344 sangomhla ziyi-19 kuMandulo 2000 nesabuye sachitshiyelwa ngeSaziso sesiFundazwe esingunombolo 462 sangomhla lu-1 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 501 sangomhla zingama-29 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 97 sangomhla ziyi-15 kuNdasa 2001, iSaziso sesiFundazwe esingunombolo 135 sangomhla ziyi-12 kuMbaso 2001, iSaziso sesiFundazwe esingunombolo 299 sangomhla ziyi-13 kuNcwaba 2001, iSaziso sesiFundazwe esingunombolo 461 sangomhla ziyi-13 kuZibandlela 2001, iSaziso sesiFundazwe esingunombolo 6 sangomhla ziyi-17 kuMasingana 2002, iSaziso sesiFundazwe esingunombolo 47 sangomhla ziyi-12 kuNhlojanja 2002, iSaziso sesiFundazwe esingunombolo 149 sangomhla ziyi-9 kuNhlabha 2002, iSaziso sesiFundazwe esingunombolo 161 sangomhla ziyi-16 kuNhlabha 2002 kanye neSaziso sesiFundazwe esingunombolo 468 sangomhla zi-4 kuZibandlela 2002.</p>
<p>UMkhandlu WezeNhlalakahle WesiFunda saseLundi</p>	<p>Indawo —</p> <p>(i) kaMasipala wesiFunda saseZululand (DC 26), eyasungulwa ngeSaziso sesiFundazwe esingunombolo 348 sangomhla ziyi-19 kuMandulo 2000 nesabuye sachitshiyelwa ngeSaziso sesiFundazwe esingunombolo 462 sangomhla lu-1 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 501 sangomhla zingama-29 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 97 sangomhla ziyi-15 kuNdasa 2001, iSaziso sesiFundazwe esingunombolo 135 sangomhla ziyi-12 kuMbaso 2001, iSaziso sesiFundazwe esingunombolo 299 sangomhla ziyi-13 kuNcwaba 2001, iSaziso sesiFundazwe esingunombolo 388 sangomhla ziyi-11 kuMfumu 2001, iSaziso sesiFundazwe esingunombolo 461 sangomhla ziyi-13 kuZibandlela 2001, iSaziso sesiFundazwe esingunombolo 468 sangomhla zi-4 kuZibandlela 2002 kanye neSaziso sesiFundazwe esingunombolo 472 sangomhla zi-5 kuZibandlela 2002;</p> <p>(ii) kaMasipala WesiFunda saseMkhanyakude (DC 27), eyasungulwa ngeSaziso sesiFundazwe esingunombolo 347 sangomhla zingama-19 kuMandulo 2000, nesabuye sachitshiyelwa ngeSaziso esingunombolo 462 sangomhla lu-1 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 501 sangomhla zingama-29 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 97 sangomhla ziyi-15 kuNdasa 2001, iSaziso sesiFundazwe esingunombolo 135 sangomhla ziyi-12 kuMbaso 2001, iSaziso sesiFundazwe esingunombolo 299 sangomhla ziyi-13 kuNcwaba 2001,</p>

	<p>iSaziso sesiFundazwe esingunombolo 461 sangomhla ziyi-13 kuZibandlela 2001 kanye neSaziso sesiFundazwe esingunombolo 468 sangomhla zi-4 kuZibandlela 2002; kanye</p> <p>(iii) nekaMasipala wesiFunda sasoThungulu (DC 28), eyasungulwa ngeSaziso sesiFundazwe esingunombolo 346 sangomhla ziyi-19 kuMandulo 2000, nesabuye sachitshiyelwa ngeSaziso esingunombolo 462 sangomhla lu-1 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 501 sangomhla zingama-29 kuZibandlela 2000, iSaziso sesiFundazwe esingunombolo 97 sangomhla ziyi-15 kuNdaso 2001, iSaziso sesiFundazwe esingunombolo 135 sangomhla ziyi-12 kuMbaso 2001, iSaziso sesiFundazwe esingunombolo 299 sangomhla ziyi- 13 kuNcwaba 2001, iSaziso sesiFundazwe esingunombolo 388 sangomhla ziyi-11 kuMfumu 2001, iSaziso sesiFundazwe esingunombolo 461 sangomhla ziyi-13 kuZibandlela 2001, iSaziso sesiFundazwe esingunombolo 131 sangomhla zingama-25 kuMbaso 2002 kanye neSaziso sesiFundazwe esingunombolo 468 sangomhla zi-4 kuZibandlela 2002.</p>
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USHEDULI 2**Ukuchithwa kwemithetho***(Isigaba 20)*

Inombolo nonyaka	Isihloko	Izigaba ezichithwayo
UMthetho No. 100 ka-1978	UMthetho WezeNhlalakahle Kazwelonke, 1978	(i) Isigaba 5 kuze kufike futhi kufake isigaba 17; (ii) isigaba 19; (iii) isigaba 21(a), (b), (c), (e) kanye no (f); kanye (iv) nezigaba 1, 18 no 21(d) no (g) ngokuqondene nokusebenza kwazo noma ngokuqondana kwazo nezigaba ezibalulwe ku-(i) no-(ii) ngenhla.
UMthetho No. 9 ka-1986	UMthetho wezeNhlalakahle 1986 waKwaZulu-Natali,	Wonke

No. 9, 2006

8 June 2006

KWAZULU-NATAL POUND BILL, 2006**Notice in terms of Rule 120 of the Standing Rules of the KwaZulu-Natal Legislature**

NOTICE is hereby given in terms of Rule 120 of the Standing Rules of the Provincial Legislature that the KwaZulu-Natal Pound Bill, 2006 as set out hereunder, has been introduced into the aforesaid Legislature and will be considered by the Local Government and Traditional Affairs Portfolio Committee. The public and other interested ground are invited to submit representations on the Bill, which representations on the Bill, which representations must be addressed to:

Attention:

Miss S. Sibisi
The Secretary
KwaZulu-Natal Legislature
Private Bag X9112
Pietermaritzburg
3200

so as to teach her not later than 29 June 2006.

N. NAIDOO

Secretary to the KwaZulu-Natal Legislature

BILL**To regulate the establishment of municipal pounds and the impounding of animals; and to provide for matters connected therewith.****ARRANGEMENT OF SECTIONS****Section**

1. Definitions
2. Application and administration of Act
3. Establishment and operation of pounds
4. Appointment of poundkeeper
5. Trespassing or straying animals may be impounded
6. Animals too vicious, intractable or wild to be impounded
7. Release of animals before removal to pound
8. Care of trespassing animals
9. Pound to which animals must be taken
10. Information to be supplied to poundkeeper of animals sent to pound
11. Acceptance at pound of animals to be impounded
12. Pound register

13. Notice to owners of impounded animals
 14. Care of impounded animals
 15. Isolation of infected animals
 16. Treatment of Impounded animals
 17. Death of or injury to impounded animals.
 18. Copies of Act to be made available
 19. Fees and costs payable to poundkeeper
 20. Release of impounded animals
 21. Sale of impounded animals
 22. Poundkeeper may not purchase impounded animals
 23. Animals unsuccessfully offered for sale
 24. Proceeds of sale
 25. Action for recovery of damages
 26. Procedure to be followed in applications to Court
 27. Offences and penalties
 28. Regulations
 29. Schedules 1, 2 and 3 form part of Act
 30. Repeal of laws
 31. Transitional arrangements
 32. Short title
- Schedule 1: Code of Good Practice on the Handling and Transportation of Impounded Animals
 Schedule 2: Pound register information
 Schedule 3: Fees and costs per animal due and payable to poundkeeper
 Schedule 4: Repeal of laws

BE IT ENACTED by the Provincial Legislature of the Province of KwaZulu-Natal, as follows:—

Definitions

1. In this Act, unless the context otherwise indicates —

“**animal**” means a horse, bovine, donkey, sheep, goat, pig, ostrich, dog, cat or the hybrid of any such animal, and “**animals**” has a corresponding meaning;

“**Court**” means a Magistrate’s Court as referred to in section 166(d) of the Constitution, 1996, having jurisdiction in the area in which the pound is situated;

“**Gazette**” means the official *Provincial Gazette* of KwaZulu-Natal;

“**municipality**” means a municipality contemplated in section 155 of the Constitution of the Republic of South Africa, 1996, and established by and under sections 11 and 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), read with sections 3, 4 and 5 of the KwaZulu-Natal Determination of Types of Municipality Act, 2000 (Act No. 7 of 2000), and “**municipalities**” has a corresponding meaning;

“**organised local government**” means the KwaZulu-Natal Local Government Association being that organisation in the Province of KwaZulu-Natal recognised in terms of section 2(1) of the Organised Local Government Act, 1997 (Act No. 52 of 1997), as representing the majority of municipalities in the Province;

“**owner**”, in relation to any —

- (a) animal, means an owner who is known, or whose identity, with the exercise of reasonable diligence, can be ascertained, and includes the agent of the owner or other person having the lawful custody or possession of such animal; or
- (b) land, means the owner, and includes a lessee or lawful occupier of such land or his or her agent;

“**pound**” means a pound established in terms of section 3, and “**pounds**” has a corresponding meaning;

“**poundkeeper**” means any person appointed in terms of section 4, and includes any person acting for or on behalf of the appointed poundkeeper;

“**regulations**” means any regulation made in terms of section 28;

“**responsible Member of the Executive Council**” means the Member of the Executive Council of the Province of KwaZulu-Natal responsible for local government;

“**service delivery agreement**” means a service delivery agreement as defined in section 1 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

“**this Act**” includes the regulations and the Schedules to the Act.

Application and administration of Act

2. This Act applies to all municipalities within the Province of KwaZulu-Natal, and is administered by the responsible Member of the Executive Council: Provided that the Act does not apply to a municipality which, in the opinion of the responsible Member of the Executive Council, has established a pound in terms of a municipal by-law that complies with the principles of this Act.

Establishment and operation of pounds

3.(1) Each municipality without a pound must, within 12 months after the commencement of this Act, establish and operate a pound to service its area of jurisdiction.

(2) Notwithstanding the provisions of subsection (1), a municipality may, within a period of 12 months after the commencement of this Act, enter into a service delivery agreement with an institution or person mentioned in section 76(b) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), to provide for the establishment and operation of a pound to service its area of jurisdiction.

Appointment of poundkeeper

4. Each municipality must, in terms of its human resource policy, appoint a suitably skilled and experienced person as a poundkeeper: Provided that a municipality may not appoint such poundkeeper if a pound is operated in terms of section 3(2).

Trespassing or straying animals may be impounded

5.(1) The owner of land upon which any animal is found trespassing may seize such animal: Provided that such animal may not be removed to a pound before notice is given to the owner in writing no less than 48 hours prior to the removal to the pound.

(2) Any animal found straying untended upon any public road or public place may be seized for impounding by —

- (a) a member of the South African Police Services;
- (b) a member of the South African National Defence Force;
- (c) a member of the KwaZulu-Natal Road Traffic Inspectorate;
- (d) a member of any municipal police or protection services; or
- (e) the owner of any land through or alongside which such road passes or which abuts on such public place.

(3) A person may not keep an animal, seized for purposes of impounding in terms of in subsections (1) and (2), for a period longer than six hours without supplying such animal with adequate food and water.

(4) Any person who has seized an animal for purposes of impounding must comply with the provisions of the Code of Good Practice on the Handling and Transportation of Impounded Animals contained in Schedule 1.

Animals too vicious, intractable or wild to be impounded

6. If a State Veterinarian or official referred in section 5(2)(a) to (d) is satisfied that an animal found trespassing on any land, or straying untended on a public road or public place, is too dangerously vicious, intractable or wild to be impounded, he or she may authorise the humane destruction or other disposal of the animal after giving written reasons and written notice thereof to the owner of the animal.

Release of animals before removal to pound

7.(1) The owner of an animal seized in terms of section 5(1) may apply to the owner of land referred to in section 5(1) for the release of such animal prior to its removal to the pound.

(2) The owner of land referred to in section 5(1) —

- (a) may release such animal forthwith; or
- (b) may refuse the release of the animal, whereupon he or she may apply to Court for authority to impound the animal or to claim any damages he or she may have suffered, in which event the Court may make any order, including an order as to costs that the Court deems just and equitable.

(3) The owner of an animal seized in terms of section 5(2) may apply for the release of such animal prior to its removal to the pound, in which event the person who seized the animal must release such animal forthwith.

Care of trespassing animals

8. A person may not work, use or ill-treat an animal found trespassing on any land or whilst such animal is in the process of being removed to a pound.

Pound to which animals must be taken

9. An animal seized for the purpose of impounding in terms of section 5, must be removed to the nearest accessible pound, by the shortest practical route, and within the shortest practical time: Provided that animals of different species must be separated at all times according to their species.

Information to be supplied to poundkeeper of animals sent to pound

10. A person sending animals to the pound must advise the poundkeeper of the nearest accessible pound in writing of —

- (a) the number and description of the animals;
- (b) the land upon which the animals were found trespassing; and
- (c) the distance in kilometers, by the shortest practical route, between the place on such land where they were seized and the pound.

Acceptance at pound of animals to be impounded

11. A poundkeeper may not refuse to accept an animal for impounding.

Pound register

12.(1) Each poundkeeper must —

- (a) maintain a pound register containing the information contemplated in Schedule 2, which must be available for public inspection at all reasonable times; and
- (b) complete the pound register immediately upon the acceptance into the pound of any animal.

- (2) A poundkeeper who —
- (a) neglects or refuses to comply with any of the provisions of subsection (1);
 - (b) knowingly makes a false entry in the pound register;
 - (c) fraudulently destroys or erases any previous entry in the pound register; or
 - (d) wilfully delivers a false copy or extract from the pound register to any person,
- is guilty of an offence.

Notice to owners of impounded animals

13. A poundkeeper must immediately notify the owner of an impounded animal in writing of the impounding of any animal.

Care of impounded animals

- 14.(1) A poundkeeper —
- (a) is responsible for the proper care of all impounded animals;
 - (b) must ensure that fresh water and sufficient food is available to impounded animals at all times; and
 - (c) is liable to the owner of an impounded animal for any damage caused by his or her wilful or negligent acts or omissions.
- (2)(a) If the poundkeeper is of the opinion that an impounded animal is dangerously vicious, permanently disabled or terminally ill, he or she must apply to the Court, who may authorise the destruction or other disposal of the impounded animal, if the Court is satisfied that the condition of such animal warrants its destruction or disposal.
- (b) Where the Court authorizes the destruction or disposal of an animal on application by the poundkeeper, the poundkeeper must immediately notify the owner in writing of the order of Court and the destruction or disposal of the animal.

Isolation of infected animals

15. Any poundkeeper who suspects, or is aware, that an impounded animal, or an animal to be impounded, is infected with any disease contemplated in the Animal Diseases Act, 1984 (Act No. 35 of 1984), must —
- (a) provide separate accommodation for such animal;
 - (b) immediately isolate the animal, and report the disease to the nearest State Veterinarian; and
 - (c) immediately notify the owner of the animal of such disease in writing.

Treatment of impounded animals

16. A poundkeeper —
- (a) may not work or in any way make use of an impounded animal or permit any such animal to be worked or made use of by any other person; and
 - (b) must ensure that all impounded male animals are at all times kept apart from female animals.

Death of or injury to impounded animals

17. If an impounded animal is injured or dies, the poundkeeper must —
- (a) record the injury or cause of death in the pound register referred to in section 12; and
 - (b) notify the owner of the animal in writing of the injury or death.

Copies of Act to be made available

18. A poundkeeper must ensure that sufficient legible copies of the English, *isiZulu* and Afrikaans texts of this Act are available at the pound for inspection.

Fees and costs payable to poundkeeper

19. A poundkeeper may —
- (a) charge, and recover from, the owner of an impounded animal the fees; and
 - (b) recover from the owner of an impounded animal the cost of any dipping, inoculation, medical care or other treatment that may be necessary or required in terms of this Act or any other law,
- in accordance with Schedule 3.

Release of impounded animals

- 20.(1) A poundkeeper must immediately release an impounded animal, and give the owner a written receipt, upon the owner —
- (a) providing proof of ownership of such animal; and
 - (b) paying to the poundkeeper any fee and costs due in terms of section 19.
- (2) If the owner of an impounded animal is unable to pay the fees or costs due in terms of section 19, a poundkeeper may retain such animal to recover such fees or costs as may be due and payable.

Sale of impounded animals

- 21.(1) The poundkeeper must —
- (a) within 14 days of the impounding of an animal, apply to the Court for authority to sell the animal; and
 - (b) in the application contemplated in paragraph (a), provide the Court with proof that the poundkeeper lodged a statement with the owner setting forth all the amounts, including fees, costs and damages, due in terms of this Act.
- (2) The statement contemplated in subsection (1)(b) must include —
- (a) the fees and costs incurred by the poundkeeper; and
 - (b) the amount of any damages that the owner of the land on which the impounded animal trespassed, may have suffered.

- (3) Whether or not the amounts set forth in the statement contemplated in subsection (1)(b) are disputed, the Court must —
- (a) summarily enquire into the matter;
 - (b) enquire whether notice was given to the owner of the animal by the poundkeeper; and
 - (c) make such order as it considers just and equitable, including an order —
 - (i) as to costs; and
 - (ii) on the process to be followed by the poundkeeper in the sale of the animal.

Poundkeeper may not purchase impounded animals

22. The poundkeeper, or a family member or close associate of the poundkeeper, may not purchase an animal offered for sale at a sale of the relevant pound, either personally or through another person.

Animals unsuccessfully offered for sale

23. In the event that any animal is not sold as contemplated in section 21 —
- (a) the poundkeeper must immediately advise the Court and the owner of its estimated value and the fees and costs incurred; and
 - (b) the Court may make such order as it may deem just and equitable.

Proceeds of sale

24. If any impounded animal is sold at a price in excess of —
- (a) the fees and costs incurred; and
 - (b) any damages awarded in terms of section 21,

such excess must be paid by the poundkeeper to the owner within 30 days of the sale, unless the identity of the owner has not been established, in which event the excess must be paid by the poundkeeper into the municipal revenue fund.

Action for recovery of damages

25. Nothing in this Act prevents any person from instituting action in any court with jurisdiction for the recovery of damages suffered by reason of a trespassing animal.

Procedure to be followed in applications to Court

26. An application to Court for —
- (a) the impoundment of an animal in terms of this Act, must comply with the procedure referred to in Rule 55 of the Rules of Court; and
 - (b) the sale of an impounded animal in terms of this Act, must comply with the procedure referred to in section 66 of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), and Rule 41 of the Rules of Court,

made by the Rules Board for Courts of Law in terms of of the Rules Board for Courts of Law Act, 1985 (Act), and published under Government Notice No. R.1108 in *Regulation Gazette* No. 980 of 21 June 1968, as amended from time to time, read with the necessary changes.

Offences and penalties

27. A person who —
- (a) releases an animal that was lawfully seized for the purpose of being impounded or which has been lawfully impounded;
 - (b) unlawfully seizes an animal for the purpose of impounding it;
 - (c) unlawfully impounds an animal; or
 - (d) contravenes any provision of this Act,

is guilty of an offence and is liable on conviction to a fine, or to imprisonment for a period not exceeding six months.

Regulations

- 28.(1) The responsible Member of the Executive Council may, after consultation with organised local government —
- (a) make regulations concerning any matter referred to in this Act which, in the opinion of the responsible Member of the Executive Council, is or may be necessary or expedient for the effective carrying out or furtherance of the provisions and objects of this Act; or
 - (b) if in the application of this Act, administrative problems are being experienced, make regulations to remove such administrative problems.
- (2) The regulations may provide that any person contravening any regulation or failing to comply therewith is guilty of an offence and liable on conviction to a fine, or to imprisonment not exceeding six months.

Schedules 1, 2 and 3 form part of Act

29.(1) Schedules 1, 2, and 3 to this Act form part of the Act for all purposes.

(2) The responsible Member of the Executive Council may, by notice in the *Gazette* and after consultation with organised local government, amend Schedules 1, 2 and 3 to this Act.

Repeal of laws

30. The laws mentioned in Schedule 4 are hereby repealed to the extent set out in the third column of the said Schedule.

Transitional arrangements

31.(1) A pound established in terms of the repealed Pound Ordinance, 1947 (Ordinance No. 32 of 1947 (*Natal*)), continues to exist and operate in terms of the corresponding provisions of this Act until the day immediately before the date of —

- (a) the establishment of a pound in terms of section 3(1) of this Act; or
- (b) the coming into operation of an agreement contemplated in terms of section 3(2) of this Act.

(2) In accordance with section 15 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), a municipal council of a municipality must, within six months from the date of the coming into operation of this Act, review the provisions of every municipal by-law relating to the establishment and operation of pounds which the municipality administers to ensure their consistency with the principles of this Act.

Short title

32. This Act is called the KwaZulu-Natal Pound Act, 2006.

SCHEDULE 1**Code of Good Practice on the Handling and Transportation of Impounded Animals**

(Section 5(4))

PART I**Paddock requirements**

1. Different species of animals must be kept in separate paddocks.
2. Animals may not be penned in overcrowded paddocks, and penning space provided for in each paddock must be sufficient to permit all animals to lie down at the same time and must not be less than 1,5 square metres of floor area for each animal.
3. Ill-tempered animals may not be kept with other animals.
4. Young, weaned juvenile animals, may not be penned with adult animals, except in the case of mother and offspring.
5. Provision must be made in paddocks for —
 - (a) facilities such as racks, mangers or other suitable feed containers that are easy to clean, which will allow the feeding of an animal off the floor, and which can be serviced without disturbing the animals;
 - (b) water troughs with an adequate supply of suitable fresh water at all times;
 - (c) sufficient facilities for the adequate cleaning of paddocks; and
 - (d) facilities for the safe handling of animals.
- 6.(a) The paddocks must at all times be maintained in a good state of repair.
(b) Sharp points such as wire ends, broken boards, jagged ends or protruding hinges or bolts, which could cause injury to animals, must be removed or otherwise suitably covered.
7. The floor of the entire paddock, including the off-loading banks, races, and passages, must be so constructed as to provide adequate non-slip surfaces that can be efficiently and suitably cleaned and kept dry and in a condition fit for the holding of animals.

PART II**Handling of animals**

8. Animals must at all times be handled humanely and with patience and tolerance.
9. The following must be kept in mind when handling animals —
 - (a) animals respond more readily to being driven when the driver stands behind the animal but within its field of vision; and
 - (b) herd animals respond more readily to being driven when in a group rather than singly.
10. Animals may not be dragged by their legs, or carried by their head, ears or tail.
11. Young calves must be carried if they cannot walk with ease, by lifting the calf around the chest and hindquarters, alternatively they must be guided with one hand on the hindquarters and the other near shoulder or neck, and walked in the required direction at an appropriate and comfortable pace.
12. Only sticks with canvas or belting flaps may be used when driving animals and it is preferable to strike the ground behind the animal rather than to hit the animal.
13. Electric prodders, sticks or goads may not be used on young calves.
14. Electric prodders may not be used excessively or indiscriminately or applied to the face, anal or genital areas of animals.

PART III**Movement of animals**

15. Animals driven on the hoof must at all times be under proper and competent supervision.
16. Animals on the hoof must be driven in a calm manner at a gait that is relaxed and comfortable, natural to that animal, and not faster than the pace of the slowest animal.
17. Animals may not be driven for periods in excess of 10 hours without being given rest of at least one hour and provided with sufficient suitable fresh water that is available to all the animals.
18. No animal on the hoof may be moved in excess of the following distances —
- (a) during a journey of not more than one day's duration —
 - (i) 20 kilometres for sheep and goats; and
 - (ii) 30 kilometres for cattle; and
 - (b) during a journey of more than one day's duration —
 - (i) 20 kilometres during the first day and 15 kilometres during each subsequent day for sheep and goats; and
 - (ii) 25 kilometres during the first day and 20 kilometres during each subsequent day for cattle.
19. Animals must be watered and fed immediately on reaching their night camp or final destination, with sufficient food of a quality and of a type compatible with the species.
20. Animals may not be moved in the dark.
21. No sick, injured or disabled animal may be moved on the hoof.

PART IV**Vehicles used in transporting animals**

22. Vehicles and all trailers used in the transport of hoofed animals must be suitable for the transport of such animals and in a roadworthy condition.
23. All vehicles and trailers referred to in item 22 must have —
- (a) a suitable non-slip floor which may not impede the cleaning of the floor of the vehicle, with hinged or removable battens or steel grids being permissible;
 - (b) adequate ventilation and light whilst in motion as well as when stationary, with no vehicle being totally enclosed;
 - (c) adequate protection from exhaust gasses, as exposure to exhaust fumes could interfere with the animals' respiration or cause distress;
 - (d) sidewalls high enough to prevent animals from escaping or falling out of the vehicle: Provided that —
 - (i) the sides and partitions, when used in a vehicle to separate animals carried therein, must be of a height not lower than the shoulder joint of the largest animal being transported;
 - (ii) in the case of cattle other than calves, the minimum height must be 1 800 millimetres; and
 - (iii) the minimum height must be 750 millimetres in the case of any smaller animals;
 - (e) in multi-tier vehicles, heights between decks must be adequate, and in case of sheep and pigs not less than 1 000 millimetres, to enable the largest animals to stand naturally, freely and fully erect and to allow adequate space for the free flow of air above the animals;
 - (f) floors that are solid and impervious;
 - (g) loading and offloading openings at the rear of the vehicle that are the full width of the vehicle or, if at the sides, a width not less than 2 400 millimetres; and
 - (h) gates, with or without partitions —
 - (i) of a design and construction strong enough and suitable for the conveyance of the intended consignment; and
 - (ii) that open and close freely and are able to be well-secured.
24. The density of animals packed into any given space must be such as to ensure the safety and comfort of the animals during transport, and the recommended floor space per animal is —
- (a) 1,4 square metres per large animal; and
 - (b) 0,5 square metre per small animal.

PART V**Watering and feeding of live animals prior to loading**

25. Animals must be provided with sufficient and suitable food and fresh water until the commencement of the journey.

Loading and off-loading procedure

26. Loading and off-loading into or out of a vehicle must be accomplished as quietly and calmly as possible, with patience and tolerance and without undue harassment, terrifying of the animals, bruising, injury, suffering or undue stress.
27. No animal may be loaded or off-loaded by lifting by the head, fleece, skin, ears, tails, horns or legs.

28. No animals may be loaded or off-loaded otherwise than —
 (a) by means of a ramp with a non-slip surface, sturdy enough to support the weight of the species of animals being handled, with side panels or bars adequate to prevent animals escaping or falling off the ramp and of an incline not steeper than 25 degrees; or
 (b) at a loading bank equal to the height of the floor of the vehicle or, at off-loading, not more than 310 millimetres below the level of the off-loading vehicle and with an incline not exceeding 25 degrees.
29. Where a truck is equipped with an onboard removable loading ramp it must have a non-slip surface and be of a sufficient length when lowered, that the inclination is no steeper than the inclines referred to in item 28, with the distance from the ground to the heel of the ramp not exceeding 120 millimetres.
30. Ramps must be correctly adjusted to the exact height of the vehicle's floor.
31. Journeys must commence as soon as possible after the live animals have been loaded and the animals must be promptly off-loaded upon arrival at the destination.
32. Unless adequate provision has been made for effective separation, different species of animals may not be loaded and transported in the same vehicle.
33. Animals of different ages, sizes and sexes may not be loaded and transported in the same vehicle unless adequate provision has been made for the effective separation of such animals.
34. Adult horned cattle may not be transported with polled cattle and they must also be penned separately.
35. When there is reason to believe that an animal is likely to give birth in the course of a proposed journey, the animal may not be loaded onto a vehicle.
36. In the case of an animal giving birth during transport, the necessary measures must be taken to ensure the protection of the mother and offspring from being trampled or otherwise injured or harassed by other animals.
37. In the event of —
 (a) a breakdown of the transport vehicle;
 (b) an accident or collision in which the transport vehicle is involved; or
 (c) injury to, or death of, any animal in transit,
 the carrier must immediately report the details to, and request assistance from —
 (i) in the case of paragraph (a), a breakdown service;
 (ii) in the case of paragraph (b), the South African Police and the traffic authorities; or
 (iii) in the case of paragraph (c), a veterinarian.

PART VI

Restraining of animals during transportation

38. Where the transport of any animal may cause injury to itself or any other animal, it must be restrained in such a manner as to prevent such injury.
39. No animals may be kept in restraint for more than 4 hours in any 24-hour period.
40. No wire or bailing twine may be used for tying the animal's legs or feet.
41. To avoid strangulation or neck-break, a slipknot may not be used where animals are secured to the vehicle by horns or neck, and the rope must be attached to the vehicle at the level of the animal's knees so that in the event of the animal falling, the possibility of serious injury or death is reduced, with the rope being long enough to allow the animal to lie comfortably in a natural position with its head upright.

SCHEDULE 2

Pound register information

(Section 12)

A pond register must, at least, contain the following information —

1. Name of pound
2. Date of receipt of animal
3. Number and description of animals
4. Brands or markings on animal
5. Ear tag number assigned by the poundkeeper
6. Name and address of person who seized the animal
7. Name and address of person who delivered the animal to the pound

8. Name and address of owner of land
9. Name and address of owner of animal
10. Name and address or description of place where animal was found
11. Distance from location where animal was seized to pound
12. Particulars of damage caused by the animal
13. Transport fees payable
14. Details of destruction or disposal of animal
15. Cause of death or injury of impounded animal
16. Description and amount of pound fees
17. Damages awarded by Court
18. Date of release of animal
19. Date of sale of animal
20. Proceeds of sale of animal
21. Name and address of purchaser
22. Excess amount (if any) paid to owner or municipality
23. Receipt number
24. Details of Order of Court with regard to animal not sold in execution

SCHEDULE 3

Fees and costs per animal due and payable to poundkeeper

(Section 19)

Type of fee or cost	Amount of fee or cost due and payable
1. Transport fee	The kilometre tariff for the vehicle which, in the discretion of the poundkeeper, is reasonably necessary to transport the relevant animal to the pound, as determined by the Automobile Association of South Africa (AA) from time to time
2. All inclusive Pound fee, which includes — (a) the pound fee; (b) a tending fee; (b) dipping or spraying fees; (c) wound dressing costs and fees; (d) medication costs and fees; and (e) veterinarian fees	(i) R15-00 per day, or part thereof, for any pig, sheep or goat; and (ii) R50-00 per day, or part thereof, for any other animal

SCHEDULE 4

Repeal of laws

(Section 30)

Number and year of law	Title	Extent of repeal
Ordinance No. 32 of 1947	Pound Ordinance, 1947 (<i>Natal</i>)	The whole
Ordinance No. 20 of 1952	Pound Amendment Ordinance, 1952 (<i>Natal</i>)	The whole
Ordinance No. 8 of 1954	Pound Amendment Ordinance, 1954 (<i>Natal</i>)	The whole
Ordinance No. 38 of 1956	Pound Amendment Ordinance, 1956 (<i>Natal</i>)	The whole
Ordinance No. 31 of 1964	Pound Amendment Ordinance, 1964 (<i>Natal</i>)	The whole
Ordinance No. 7 of 1965	Pound Amendment Ordinance, 1965 (<i>Natal</i>)	The whole
Ordinance No. 32 of 1969	Pound Amendment Ordinance, 1969 (<i>Natal</i>)	The whole
Ordinance No. 16 of 1978	Pound Amendment Ordinance, 1978 (<i>Natal</i>)	The whole
Ordinance No. 20 of 1983	Pound Amendment Ordinance, 1983 (<i>Natal</i>)	The whole
Ordinance No. 19 of 1986	Pound Amendment Ordinance, 1986 (<i>Natal</i>)	The whole

MEMORANDUM ON THE OBJECTS OF THE KWAZULU-NATAL POUNDS BILL, 2005

GENERAL

On 11 December 2003 the High Court, Pietermaritzburg, declared certain provisions of the Pounds Ordinance, 1947 (*Natal*) (Ordinance 31 of 1947) ("the Ordinance"), inconsistent with the Constitution, and therefore invalid, and referred its judgment to the Constitutional Court for confirmation, as is required in section 172(2)(a) of the Constitution of the Republic of South Africa, 1996 ("the Constitution").

On 15 October 2004 the Constitutional Court handed down judgment in the matter *Zondi v Member of the Executive Council for Traditional and Local Government Affairs and Others 2005 (3) SA 589 (CC); 2005 (4) BCLR 347 (CC)*, in terms of which it upheld the appeal in part and dismissed it in part, in that certain provisions of the Ordinance that the High Court found to be inconsistent with the Constitution and therefore invalid, were confirmed to be such and others were not.

The Court specifically dealt with the constitutional validity of sections 16(1), 29(1), 33, 34 and 37 of the Ordinance on the grounds that they were inconsistent with sections 34 and 9(3) of the Constitution, and made the following order:

- (a) The MEC's non-compliance with the Rules of this Court is condoned.*
- (b) The application for leave to appeal is granted.*
- (c) The appeal is upheld in part and dismissed in part.*
- (d) The application for leave to lead further evidence is refused and there is no order for costs.*
- (e) Paragraph 1 of the order of the High Court is set aside and is replaced by the following:*
- (1) Sections 16(1), 29(1), 33, 34 and 37 of the ordinance are declared to be inconsistent with the Constitution and therefore invalid;*
 - (2) The declaration of invalidity made in subpara (e)(1) above is suspended for a period of 12 months from the date of this order to enable the Provincial Legislature of KwaZulu-Natal to correct the inconsistency that has resulted in the declaration of invalidity; and*
 - (3) Pending the enactment of legislation contemplated in subpara (e)(2) above:*
 - (i) The notice contemplated in s 16(1) of the ordinance shall be given to stockowners who are known or who, with the exercise of reasonable diligence, could be ascertained.*
 - (ii) All sales pursuant to the provisions of s 34 of the ordinance shall be authorised by the magistrate's court having jurisdiction over the area where the relevant pound is situated.*
 - (iii) No sale pursuant to s 34 shall be authorised unless:*
 - (aa) the poundkeeper, on notice to the stockowner, who is known or who, with the exercise of reasonable diligence can be ascertained, lodges with a magistrate's court having jurisdiction over the area where the relevant pound is situated, a statement setting forth all the amounts due under the ordinance;*
 - (bb) the amounts set forth in the statement by the poundkeeper are not disputed by the stockowner within seven days of such notice; and*
 - (cc) the magistrate is satisfied that notice had been given to the stockowner, or that, with the exercise of reasonable diligence, the stockowner cannot be ascertained.*
 - (iv) Where the amounts set forth in the statement of the poundkeeper are disputed, the magistrate shall summarily enquire into the matter, following such procedure as seems fair to the parties, and make such order as the magistrate considers just, including the order for costs.*
- (f) The orders in para (e) above shall come into effect on the date of this judgment.*
- (g) Should the Provincial Legislature of KwaZulu-Natal fail to remedy the unconstitutionality in the sections declared to be inconsistent with the Constitution in terms of subpara (e)(1) above within the period referred in subpara (e)(2), any interested person or organisation may, before the expiry of that period, apply to this Court for a further suspension of the declaration of invalidity and/or any other appropriate further relief.*
- (h) Mrs Zondi is awarded costs of the appeal.*
- (i) There will be no order for costs in relation to the application for direct access which was dismissed by the Court on 9 March 2004.*

In terms of paragraph (e)(2) of the order, the Court suspended the declaration of invalidity made in subparagraph (e)(1) for a period of 12 months from the date of its order, to enable the Provincial Legislature of KwaZulu-Natal to correct the inconsistency that resulted in the declaration of invalidity, and the Court also made several orders to remain in place pending enactment of the legislation contemplated in the order.

Immediately upon granting the order, confirming the constitutional invalidity of certain sections of the Ordinance, the Department commenced the process to prepare a draft Bill to repeal the Ordinance, and to replace same with new-order legislation that is consistent with the provisions of the Constitution.

In this regard section 154 of the Constitution, states that "...provincial governments, by legislative and other measures, must support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and to perform their functions", whilst section 155(7) of the Constitution states that "...the provincial governments have the legislative and executive authority to see to the effective performance by municipalities of their functions in respect of matters listed in and, by regulating the exercise by municipalities of their executive authority referred to in section 156 (1)."

In addition thereto Schedule 5B of the Constitution states that the functional area of exclusive provincial legislative competence includes pounds as a "local government matter to the extent set out for provinces in section 155 (6) (a) and (7)."

As the Department was concerned that it would not be able to comply with the time period stipulated by the Court, instructions were issued to the State Attorney on 1 August 2005 to prepare an urgent application to the Constitutional Court in terms of paragraph (e)(2) of the order dated 15 October 2004, requesting the Court to grant the Department a further 12 months to comply with the order, and to extend the period of suspension of the declaration of invalidity.

On 29 November 2005 the Court handed down judgment, granting the application of the Department for a further period of suspension of the declaration of invalidity, and ordered the Department to ensure the enactment of replacement legislation by 15 October 2006.

During *obiter* remarks by several members of the Court, it was suggested that the Honourable Minister utilises the powers vested in an MEC as contemplated in Rule 172 of the Standing Rules of the KwaZulu-Natal Parliament, and certifies the proposed Bill as urgent once it is submitted to the Speaker for tabling in the Provincial Legislature.

NOTES ON CLAUSES

Clause 1: Definitions

In clause 1, an endeavour has been made to include an exhaustive list of words and expressions, which need to be specifically defined for the purposes of the Bill, and provides for a very specific definition for an owner whose identity is to be ascertained with the exercise of reasonable diligence.

Clause 2: Application and administration of Act

Clause 2 provides that this Act applies to all municipalities within KwaZulu-Natal, and that it is administered by the MEC for local government, but contains a 'sunset' clause to the effect that the Act will cease to operate in a municipality, in which a pound, to the satisfaction of the MEC, has been established in terms of a municipal bylaw adopted in compliance with this Act.

Clause 3: Establishment and operation of pounds

Clause 3 provides that each Municipality must establish a pound within 12 months after the commencement of the Act, alternatively that a pound may be operated in its area of jurisdiction in terms of a service delivery agreement concluded in terms of the provisions of section 76(b) of the Local Government: Municipal Systems Act, 2000.

Clause 4: Appointment of poundkeeper

Clause 4 provides that each municipality must appoint a suitably skilled and experienced poundkeeper, unless the pound is operated by a service provider as contemplated in clause 3.

Clause 5: Trespassing or straying animals may be impounded

Clause 5 provides that an owner of land may seize any trespassing animal, and remove it to the pound after giving notice to the owner of the animal, and any animal found straying untended upon any public road or public place may be seized by certain listed officials, provided that any animal impounded must be provided with adequate food and water within a period of six hours, and provided further that all animals transported to a pound must be transported as contemplated in the Code of Good Practice on the Handling and Transportation of Impounded animals contained in Schedule 1 to the Act.

Clause 6: Animals too vicious, intractable or wild to be impounded

Clause 6 provides that a State Veterinarian or other official contemplated in clauses 5(2)(a) to (c) may authorise the humane destruction or other disposal of the animal, if they are satisfied that a trespassing animal is too dangerously vicious, intractable or wild to be impounded.

Clause 7: Release of animals before removal to pound

Clause 7 provides that the owner of an animal may apply for the release of an animal prior to its removal to the pound and that the animal must or may be released depending on the circumstances, alternatively that the person who seized the animal must approach a court to apply for the impounding of the animal and to claim any damages or costs from the owner of the animal.

Clause 8: Care of trespassing animals

Clause 8 provides that any animal found trespassing or being impounded may not be worked or ill-treated.

Clause 9: Pound to which animals must be taken

Clause 9 provides that an animal that was seized for impoundment must, subject to the provisions of this Act, be taken to the nearest pound and that animals of different species must be kept separate at all times.

Clause 10: Information to be supplied to poundkeeper of animals sent to the pound

Clause 10 provides that a poundkeeper must be provided with specific information before an animal is impounded.

Clause 11: Acceptance at pound of animals to be impounded

Clause 11 provides that a poundkeeper may not refuse to accept an animal for impoundment.

Clause 12: Pound register

Clause 12 provides that every poundkeeper must keep a register containing the information contemplated in Schedule 2, and that a poundkeeper is guilty of an offence if he or she neglects to keep a register, or performs certain acts in regard to the register.

Clause 13: Notice to owners of impounded animals

Clause 13 provides that the poundkeeper must advise the owner of an animal in writing of the impoundment of his or her animal.

Clause 14: Care of impounded animals

Clause 14 provides that a poundkeeper must care for and feed all impounded animals, and that he or she will be liable for any damage to the animal, provided that an animal may be destroyed by order of Court, and upon notice to the owner, in the event that the animal is dangerously vicious, permanently disabled or terminally ill.

Clause 15: Isolation of infected animals

Clause 15 provides that any animal infected with a disease, contemplated in the Animal Diseases Act, 1984, must be isolated, and that a report must be forwarded to the State Veterinarian as soon as possible.

Clause 16: Treatment of impounded animals

Clause 16 provides that impounded animals may not be worked and that male and female animals must be separated at all times.

Clause 17: Death of or injury to impounded animals

Clause 17 provides that a poundkeeper must keep a record of all animals that are injured or that die whilst impounded, and that the owner must be advised of the injury or death in writing.

Clause 18: Copies of Act

Clause 18 provides that a poundkeeper must keep copies of this Act in English, *isiZulu* and Afrikaans.

Clause 19: Fees payable to poundkeeper

Clause 19 provides that a poundkeeper is entitled to charge fees and recover costs from the owner of an impounded animal in accordance with Schedule 3.

Clause 20: Release of impounded animals

Clause 20 provides that a poundkeeper must release an impounded animal once the owner pays the prescribed fees and provides proof of ownership, provided that the poundkeeper may retain the animal to recover his or her costs and damages.

Clause 21: Sale of impounded animals

Clause 21 provides that no sales may occur unless authorised by court, after notice to the owner of the animal, and provides for the procedure to be followed by the court in finalising the application.

Clause 22: Poundkeeper may not purchase impounded animals

Clause 22 provides that a poundkeeper or a family member and close associate may not purchase any animals offered for sale.

Clause 23: Animals unsuccessfully offered for sale

Clause 23 provides that a poundkeeper must advise the court that authorised the sale of the fact that an animal was not sold, and the court must give the poundkeeper such instructions as it may deem just and equitable.

Clause 24: Proceeds of sale

Clause 24 provides that the proceeds of all sales, in excess of the fees and costs incurred and any damages awarded by the Court, must be paid to the owner of the animal within 30 days, alternatively that it must be paid into the municipal revenue fund, in the event that the owner cannot be traced.

Clause 25: Action for recovery of damages

Clause 25 provides that any person who suffered damages due to a trespassing animal may institute action in any court.

Clause 26: Procedure to be followed in applications to Court

Clause 26 describes the procedure to be followed when any person applies to Court for the impoundment of an animal, the sale of an animal, or the awarding of damages caused by a trespassing animal.

Clause 27: Offences and penalties

Clause 27 provides for offences and the associated penalties.

Clause 28: Regulations

Clause 28 grants the MEC powers to make regulations after consultation with organised local government.

Clause 29: Schedules 1, 2 and 3 form part of Act

Clause 29 provides that the Schedules to the Act form part of the Act, and that the MEC may amend the Schedules, after consultation with organised local government, by notice in the Provincial Gazette.

Clause 30: Repeal of laws

Clause 30 provides for the repeal of the Ordinance as well as all amendments to the principal Ordinance.

Clause 31: Transitional arrangements

Clause 31 provides for transitional measures with regard to the continued existence of pounds established in terms of the Ordinance, until such time as a pound is established in terms of clause 3 of this Act, and that each Municipality must review its by-laws with regard to pounds within a period of 6 months of the date of commencement of this Act, to ensure compliance with the provisions of this Act.

Clause 32: Short title

This is a standard clause.

Schedule 1: Code of Good Practice on the Handling and Transport of Impounded Animals

As contemplated in clause 5(4) this Code provides a detailed indication on how impounded animals must be handled during and after impoundment, and the manner in which such animals are to be transported to the pound.

Schedule 2: Pound register information

As contemplated in clause 12, this Schedule stipulates all the information that a poundkeeper must enter into his or her register immediately upon any animal being delivered to the pound.

Schedule 3: Fees and costs per animal due and payable to the poundkeeper

As contemplated in clause 19, this Schedule contains the fees and costs payable to the poundkeeper per animal per day.

Schedule 4: Repeal of laws

As contemplated in clause 30, this Schedule contains all the laws that are to be repealed by this Act.

BODIES AND ORGANISATIONS CONSULTED

The Bill was published in terms of the provisions of section 154(2) of the Constitution, although only one comment was received from a poundkeeper. No comments were received from any municipality or from organised local government.

FINANCIAL IMPLICATIONS FOR THE PROVINCE

Nil.

IMPLICATIONS FOR MUNICIPALITIES

Each municipality will have to establish and budget for its own pound, as pounds are an exclusive local government competency in terms of Schedule 5B of the Constitution, although the specific financial implications for each municipality cannot be established at present.

LEGISLATIVE PROCEDURE

Once certified by the Provincial Chief State Law Advisor the Bill will be translated into *isiZulu* and Afrikaans, whereafter it will be presented to the KwaZulu-Natal Executive Council for approval. In the event that such approval is granted, the Department will recommend that the Bill is submitted to the Speaker of the Provincial Legislature as an urgent Bill, as contemplated in Rule 172 of the Standing Rules of the KwaZulu-Natal Parliament, to ensure that the Bill is enacted by the deadline stipulated by the Constitutional Court.

No. 9, 2006

8 Junie 2006

KWAZULU-NATAL SKUTWETSONTWERP, 2006**Kennisgewing ingevolge reel 120 van die Reglement van Orde van die KwaZulu-Natal**

KENNIS geskied hiermee ingevolge reel 120 van die Reglement van die Orde van die KwaZulu-Natal Provinsiale Wetgewer dat die KwaZulu-Natal Skutwetsontwerp, 2006 soos uiteengesit hieronder, by voornoemde Wetgewer ingedien is en deur die Portefeuljekomitee oor Plaaslike Regering en Tradisionale Aangeleenthede oorweeg sal word. Die publiek en ander belangstellendes word uitgenooi om vertoe oor genoemde Wetsontwerp in te dien, welke vertoe gerig moet word aan:

Aandag: Mej. S. Sibisi
Die Sekretaris
KwaZulu-Natal Wetgewer
Private Bag X9112
Pietermaritzburg
3200

om haar teen nie later nie as 29 Junie 2006.

N. NAIDOO

Sekretaris van die KwaZulu-Natal Wetgewer

WETSONTWERP

Om die instelling van munisipale skutte en die skut van diere te reguleer; en om vir aangeleenthede in verband daarmee voorsiening te maak.

INDELING VAN ARTIKELS**Artikel**

1. Omskrywings
2. Toepassing en administrasie van Wet
3. Instelling en bedryf van skutte
4. Aanstelling van skutmeester
5. Oortredende of loslopende diere mag geskut word
6. Diere te kwaai, weerspanning of wild om geskut te word
7. Loslating van diere voor verwydering na skut
8. Versorging van oortredende diere
9. Skut waarheen diere geneem moet word

10. Inligting wat aan skutmeester verstrekk moet word ten opsigte van diere wat na die skut gestuur word
11. Ontvangs by skut van diere wat geskut moet word
12. Skutregister
13. Kennisgewing aan eienaars van geskutte diere
14. Versorging van geskutte diere
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Bylae 4: Herroeping van wette

DAAR WORD BEPAAL deur die Provinsiale Wetgewer van die provinsie KwaZulu-Natal soos volg:—

Omskrywings

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken —

“**diensleweringsooreenkoms**” ’n diensleweringsooreenkoms soos omskryf in artikel 1 van die Wet op Plaaslike Regering: Munisipale Strukture, 2000 (Wet No. 32 van 2000);

“**dier**” ’n perd, bees, donkie, skaap, bok, vark, volstruis, hond, kat of die kruising van enige sodanige dier, en “**diere**” het ’n ooreenstemmende betekenis;

“**eienaar**”, met betrekking tot enige —

- (a) dier, die eienaar wat bekend is, of wie se identiteit met redelike ywer vasgestel kan word, en sluit die agent van die eienaar of ander persoon in wat wettiglik oor sodanige dier toesis het of in besit daarvan is; of
- (b) grond, die eienaar, en sluit ’n huurder of wettige bewoner van sodanige grond of sy of haar agent in;

“**georganiseerde plaaslike regering**” die KwaZulu-Natal plaaslike regeringsvereniging wat die organisasie in die provinsie KwaZulu-Natal is wat ingevolge artikel 2(1) van die Wet op Georganiseerde Plaaslike Regering, 1997 (Wet No. 52 van 1997) erken word as verteenwoordigend van die meerderheid munisipaliteite in die provinsie;

“**hierdie Wet**” ook die regulasies en die bylaes tot die Wet;

“**Hof**” ’n Landdroshof soos bedoel in artikel 166(d) van die Grondwet, 1996 wat jurisdiksie het in die gebied waarin die skut geleë is;

“**Koerant**” die *Provinsiale Koerant* van KwaZulu-Natal;

“**munisipaliteit**” ’n munisipaliteit bedoel in artikel 155 van die Grondwet van die Republiek van Suid-Afrika, 1996, en ingestel by en kragtens artikels 11 en 12 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), saamgelees met artikels 3, 4 en 5 van die KwaZulu-Natal Wet op die Bepaling van Soorte Munisipaliteite, 2000 (Wet No. 7 van 2000), en “**munisipaliteite**” het ’n ooreenstemmende betekenis;

“**regulasies**” enige regulasies wat ingevolge artikel 28 uitgevaardig word;

“**skut**” ’n skut ingestel ingevolge artikel 3, en “**skutte**” het ’n ooreenstemmende betekenis;

“**skutmeester**” enige persoon aangestel ingevolge artikel 4, en sluit enige persoon in wat namens die aangestelde skutmeester optree;

“**verantwoordelike lid van die Uitvoerende Raad**” die lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal verantwoordelik vir plaaslike regering.

Toepassing en administrasie van Wet

2. Hierdie Wet is op alle munisipaliteite in KwaZulu-Natal van toepassing, en word deur die verantwoordelike lid van die Uitvoerende Raad geadministreer: Met dien verstande dat die Wet nie van toepassing is nie op ’n munisipaliteit wat, na die mening van die verantwoordelike lid van die

Uitvoerende Raad, 'n skut ingevolge 'n munisipale verordening ingestel het wat aan die beginsels van hierdie Wet voldoen.

Instelling en bedryf van skutte

3.(1) Elke munisipaliteit sonder 'n skut moet, binne 12 maande na die inwerkingtreding van hierdie Wet, 'n skut instel en bedryf om sy gebied van jurisdiksie te dien.

(2) Ondanks die bepalings van subartikel (1), kan 'n munisipaliteit, binne 'n tydperk van 12 maande na die inwerkingtreding van hierdie Wet, 'n diensleweringsooreenkoms aangaan met 'n instelling of persoon vermeld in artikel 76(b) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet No. 32 van 2000), om voorsiening te maak vir 'n skut om sy gebied van jurisdiksie te dien.

Aanstelling van skutmeester

4. Elke munisipaliteit moet, ingevolge sy mensehulpbronbeleid, 'n paslik bekwame en ervare persoon as skutmeester aanstel. Met dien verstande dat 'n munisipaliteit nie sodanige skutmeester mag aanstel nie indien 'n skut ingevolge artikel 3(2) bedryf word.

Oortredende of loslopende diere mag geskut word

5.(1) Die eienaar van grond waarop enige dier oortree, mag sodanige dier vang: Met dien verstande dat sodanige dier nie na 'n skut verwyder mag word nie voordat skriftelike kennis van nie minder as 48 uur voor verwydering na die skut aan die eienaar gegee is nie.

(2) Enige dier wat sonder toesig op enige openbare pad of plek rondloop, kan gevang word om geskut te word deur —

- (a) 'n lid van die Suid-Afrikaanse Polisie; of
- (b) 'n lid van die Suid-Afrikaanse Nasionale Weermag;
- (b) 'n lid van die KwaZulu-Natal Padverkeersinspektoraat;
- (c) 'n lid van enige munisipale polisie- of beskermingsdienste; of
- (d) die eienaar van die grond waarvoor of waarlangs sodanige pad loop of grens aan sodanige openbare plek.

(3) 'n Persoon mag nie 'n dier, gevang met die doel om te skut ingevolge subartikels (1) en (2), vir langer as ses uur hou sonder om aan sodanige dier voldoende water en voedsel te voorsien nie.

(4) Enige persoon wat 'n dier gevang het met die doel om dit te skut, moet voldoen aan die bepalings van die *Kode vir goeie praktyk oor die hantering en vervoer van geskutte diere* vervat in bylae 1.

Diere te kwaai, weerspanning of wild om te skut

6. Indien 'n staatsveearts of amptenaar bedoel in artikel 5(2)(a) tot (c) tevrede is dat 'n dier wat op enige grond oortree, of sonder toesig op enige openbare pad of plek rondloop, te gevaarlik kwaai, weerspanning of wild is, kan hy of sy toestemming verleen vir die genadige afmaak of ander beskikking oor die dier nadat skriftelike redes en skriftelike kennisgewing daarvan aan die eienaar van die dier verskaf is.

Loslating van diere voor verwydering na skut

7.(1) Die eienaar van 'n dier gevang ingevolge artikel 5(1) kan die eienaar van grond bedoel in artikel 5(1) vir die loslating van sodanige dier versoek voordat dit na die skut verwyder word.

(2) Die eienaar van grond bedoel in artikel 5(1) —

- (a) kan sodanige dier onverwyld loslaat; of
- (b) kan die loslating van die dier weier, waarna hy of sy by die Hof aansoek kan doen vir magtiging om die dier te skut of om skadevergoeding te eis vir enige skade wat hy of sy mag gely het, in welke geval die Hof enige bevel kan gee, met inbegrip van 'n kostebevel wat die Hof as regverdig en billik beskou.

(3) Die eienaar van 'n dier gevang ingevolge 5(2) kan aansoek doen vir die loslating van sodanige dier voordat dit na die skut verwyder word, in welke geval die persoon wat die dier gevang het sodanige dier onverwyld moet vrylaat.

Versorging van oortredende diere

8. 'n Persoon mag nie 'n dier laat werk, gebruik of mishandel wat op enige grond oortree of terwyl sodanige dier in die proses is om na 'n skut verwyder te word nie.

Skut waarheen diere geneem moet word

9. 'n Dier wat gevang word met die doel om dit te skut ingevolge artikel 5, moet na die naaste toeganklike skut verwyder word, met die kortste moontlike roete, en in die kortste moontlike tyd: Met dien verstande dat verskillende dierspesies ten alle tye volgens hulle spesie geskei moet word.

Inligting wat aan skutmeester verstrekk moet word ten opsigte van diere wat na die skut gestuur word

10. 'n Persoon wat diere na die skut stuur, moet die skutmeester skriftelik in kennis stel van —

- (a) die aantal en beskrywing van die diere;
- (b) die grond waarop die diere oortree het; en
- (c) die afstand in kilometer, met die korste moontlike roete, tussen die plek op sodanige grond waar hulle gevang is en die skut.

Ontvangs by skut van diere wat geskut moet word

11. 'n Skutmeester mag nie weier om 'n dier te ontvang en te skut nie.

Skutregister**12.(1) Elke skutmeester moet —**

- (a) 'n skutregister byhou wat die inligting bedoel in bylae 2 bevat, en wat op alle redelike tye vir openbare insae beskikbaar moet wees; en
- (b) die skutregister voltooi onmiddellik nadat enige dier in die skut ontvang is.

(2) 'n skutmeester wat —

- (a) nalaat of weier om te voldoen aan enige van die bepalings van subartikel (1);
- (b) opsetlik 'n valse inskrywing in die skutregister maak;
- (c) op bedrieglike wyse enige vorige inskrywing vernietig of uitwis; of
- (d) met opset 'n onjuiste afskrif of uittreksel uit die skutregister aan enige persoon voorsien,

is skuldig aan 'n misdryf.

Kennisgewing aan eienaars van geskutte diere

13. 'n Skutmeester moet die eenaar van 'n geskutte dier onmiddellik van die skut van sodanige dier in kennis stel.

Versorging van geskutte diere**14.(1) 'n Skutmeester —**

- (a) is verantwoordelik vir die behoorlike versorging van alle geskutte diere;
- (b) moet verseker dat vars water en voldoende voedsel ten alle tye vir geskutte diere beskikbaar is; en
- (c) is teenoor die eenaar van 'n geskutte dier aanspreeklik vir enige skade veroorsaak deur sy of haar opsetlike of nalatige handeling.

(2)(a) Indien die skutmeester van mening is dat 'n geskutte dier gevaarlik kwaai, permanent ongeskik of ongeneeslik siek is, kan hy of sy 'n bevel van die Hof aanvra welke Hof die afmaak of ander beskikking oor die geskutte dier kan magtig indien die Hof tevrede is dat die toestand van sodanige dier sy afmaking of beskikking noodsaak.

(b) Waar die Hof die afmaking of ander beskikking oor 'n dier na 'n aansoek van die skutmeester magtig, moet die skutmeester die eenaar onmiddellik skriftelik in kennis stel van die Hof se bevel en van die afmaking of beskikking oor die dier.

Afsondering van besmette diere

15. Enige skutmeester wat vermoed, of bewys is, dat 'n geskutte dier, of 'n dier wat geskut moet word, besmet is met enige siekte bedoel in die Wet op Dieresiektes, 1984 (Wet No. 35 van 1984), moet —

- (a) afsonderlike huisvesting aan sodanige dier verskaf;
- (b) die dier onmiddellik afsonder, en die siekte aan die naaste staatsveearts rapporteer; en
- (c) die eenaar van die dier onmiddellik van sodanige siekte in kennis stel.

Hantering van geskutte diere**16. 'n Skutmeester —**

- (a) mag nie 'n geskutte dier laat werk of op enige wyse van gebruik maak nie of toelaat dat enige ander persoon sodanige dier laat werk of van gebruik maak nie; en
- (b) moet verseker dat alle geskutte manlike diere te alle tye afsonderlik van vroulike diere gehou word.

Vrekte van of besering aan geskutte diere**17. Indien 'n geskutte dier vrek of beseer word, moet die skutmeester —**

- (a) die besering of oorsaak van die vrekke aanteken in die skutregister bedoel in artikel 12; en
- (b) die eenaar van die dier skriftelik van die besering of vrekke in kennis stel.

Afskrifte van Wet moet beskikbaar gestel word

18. Elke skutmeester moet verseker dat voldoende leesbare afskrifte van hierdie Wet in Engels, Zoeloe en Afrikaans by die skut ter insae is.

Gelde en koste betaalbaar aan skutmeester**19. 'n Skutmeester kan —**

- (a) die gelde van die eenaar van 'n geskutte dier hef en vorder, en
- (b) die koste van enige dip, enting, mediese of enige ander behandeling wat nodig mag wees of vereis word ingevolge hierdie Wet van die eenaar van die geskutte dier verhaal,

in ooreenstemming met bylae 3.

Loslating van geskutte diere**20.(1) 'n Skutmeester moet 'n geskutte dier onmiddellik loslaat en 'n skriftelike kwitansie aan die eenaar gee as die eenaar —**

- (a) bewys van eienaarskap van sodanige dier lewer; en
- (b) die gelde en koste aan die eenaar betaal wat ingevolge artikel 19 betaalbaar is.

(2) Indien die eenaar van 'n geskutte dier nie in staat is om die verskuldigde gelde en koste ingevolge artikel 19 te betaal nie, kan 'n skutmeester sodanige dier terughou met die doel om sodanige gelde en koste wat verskuldigde en betaalbaar is, te verhaal.

Verkoop van geskutte diere**21.(1) Die skutmeester moet —**

- (a) binne 14 dae nadat 'n dier geskut is by die Hof aansoek doen vir magtiging om die dier te verkoop; en
- (b) in die aansoek bedoel in paragraaf (a); bewyse by die Hof indien dat die skutmeester 'n rekeningstaat aan die eenaar voorgelê het wat al die verskuldigde bedrae, met inbegrip van gelde, koste en skadevergoeding verskuldigde ingevolge hierdie Wet, uiteensit.

- (2) Die rekeningstaat bedoel in subartikel (1)(b) moet insluit —
 (a) die gelde en koste deur die skutmeester aangegaan; en
 (b) die bedrag van enige skade wat die eienaar, op wie se grond die geskutte dier oortree het, gely het.
- (3) Of die bedrae wat in die rekeningstaat bedoel in subartikel (1)(b) uiteengesit, betwis word al dan nie, moet die Hof —
 (a) die aangeleentheid summier ondersoek;
 (b) navraag doen of die skutmeester die eienaar van die dier kennis gegee het; en
 (c) sodanige bevel uitreik wat die Hof regverdig en billik ag, met inbegrip van 'n bevel —
 (i) aangaande koste; en
 (ii) oor die prosedure wat die skutmeester moet volg betreffende die verkoop van die dier.

Skutmeester mag nie geskutte diere koop nie

22. Geen skutmeester, of 'n familielid of vertroude medewerker van die skutmeester, mag 'n dier persoonlik of deur enige ander persoon koop wat vir verkoping by die betrokke skut aangebied word nie.

Diere onsuksesvol vir verkoping aangebied

23. In die geval waar 'n dier nie verkoop word soos in artikel 21 bedoel nie —
 (a) moet die skutmeester die Hof en die eienaar onmiddellik in kennis stel van sy geraamde waarde en die gelde en koste wat aangegaan is; en
 (b) die Hof kan sodanige bevel uitreik as wat die Hof regverdig en billik ag.

Opbrengs van verkoping

24. Indien enige geskutte dier verkoop word vir 'n prys wat meer is as —
 (a) die gelde en koste aangegaan; en
 (b) enige skadevergoeding ingevolge artikel 21 toegeken,

moet sodanige surplus binne 30 dae na die verkoping deur die skutmeester aan die eienaar oorbetaal word, tensy die identiteit van die eienaar nie vasgestel kan word nie, in welke geval die surplus deur die skutmeester in die munisipale inkomstefonds gestort moet word.

Optrede vir die verhaling van skade

25. Niks in hierdie Wet verhinder enige persoon om 'n geding in enige Hof met jurisdiksie aanhangig te maak om die skade te verhaal wat weens die loslopende dier gely is nie.

Prosedure wat gevolg moet word by aansoeke voor Hof

26. 'n Aansoek voor die Hof vir —
 (a) die skut van 'n dier ingevolge hierdie Wet, moet voldoen aan die prosedure vermeld in reël 55 van die Reëls van die Hof; en
 (b) die verkoping van 'n geskutte dier ingevolge hierdie Wet, moet voldoen aan die prosedure vermeld in artikel 66 van die Wet op Landdroshowe (Wet No. 32 van 1944), en reël 41 van die Reëls van die Hof,

wat deur die Reëlsraad vir Geregshowe ingevolge artikel 6 van die Wet op die Reëlsraad vir Geregshowe (Wet No. 107 van 1985) uitgevaardig is en kragtens Regeringskennisgewing no. R1108 in *Regulasiekoerant* no. 980 van 21 Julie 1968; soos van tyd tot tyd gewysig, saamgelees met die nodige wysigings, gepubliseer is.

Misdrywe en strawwe

27. 'n Persoon wat —
 (a) 'n dier loslaat wat wettiglik gevang is met die doel om geskut te word, of wat wettiglik geskut is;
 (b) 'n dier onwettiglik vang met die doel om dit te skut;
 (c) 'n dier onwettiglik skut; of
 (d) enige bepaling van hierdie oortree,

is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete, of gevangenisstraf vir 'n tydperk van hoogstens ses maande.

Regulasies

- 28.(1) Die verantwoordelike lid van die Uitvoerende Raad kan, na oorlegpleging met georganiseerde plaaslike regering —
 (a) regulasies uitvaardig rakende enige aangeleentheid vermeld in hierdie Wet wat, na die mening van die verantwoordelike lid van die Uitvoerende Raad, nodig of wenslik is vir die doeltreffende uitvoering of bevordering van die bepalings van die oogmerke van die Wet; of
 (b) indien by die toepassing van hierdie Wet, administratiewe probleme ondervind word, regulasies uitvaardig ten einde sodanige administratiewe probleme die hoof te bied.

(2) Die regulasies kan bepaal dat enige persoon wat enige regulasie oortree of versuim om daaraan te voldoen, skuldig is aan 'n misdryf en by skuldigbevinding strafbaar is met 'n boete, of gevangenisstraf van hoogstens ses maande.

Bylaes 1, 2 en 3 vorm deel van die Wet

- 29.(1) Bylaes 1, 2 en 3 is vir alle doeleindes deel van die Wet.

(2) Die verantwoordelike lid van die Uitvoerende Raad kan, by kennisgewing in die *Koerant* en na oorlegpleging met georganiseerde plaaslike regering, bylaes 1, 2 en 3 tot hierdie Wet wysig.

Herroeping van wette

30. Die wette vermeld in bylae 4 word hierby herroep tot die mate wat in die derde kolom van die genoemde bylae bepaal word.

Oorgangsreëlings

31.(1) 'n Skut wat ingevolge die herroepe Skutordonnansie, 1947 (Ordonnansie No. 32 van 1947 (*Natal*)) ingestel is, bly voortbestaan en word bedryf ingevolge die ooreenstemmende bepalings van hierdie Wet tot die dag onmiddellik voor die datum van —

- (a) die instelling van 'n skut ingevolge artikel 3(1) van hierdie Wet; of
- (b) die inwerkingtreding van die ooreenkoms bedoel in artikel 3(2) van hierdie Wet.

(2) In ooreenstemming met artikel 15 van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet No. 32 van 2000), moet 'n munisipale raad van 'n munisipaliteit, binne ses maande na die inwerkingtreding van hierdie Wet, die bepalings van elke munisipale verordening aangaande die instelling en bedryf van skutte wat deur die munisipaliteit beheer word, hersien om ooreenstemming met die bepalings van hierdie Wet te verseker.

Kort titel

32. Hierdie Wet heet die KwaZulu-Natal Skutwet, 2006.

BYLAE 1**Kode vir goeie praktyk oor die hantering en vervoer van geskutte diere**

(artikel 5(4))

DEEL I**Veekampvereistes**

1. Verskillende dierspesies moet in afsonderlike kampe gehou word.
2. Diere mag nie in oorvol kampe ingehou word nie, en die spasie wat in elke veekamp voorsien word, moet voldoende wees sodat al die diere gelyktydig kan plat lê, en mag nie minder as 1,5 vierkante meter vloeroppervlakte vir elke dier beslaan nie.
3. Weerspannige diere mag nie saam met ander diere gehou word nie.
4. Gespeende jong diere mag nie saam met volwasse diere gehou word nie, behalwe in die geval van 'n ma en haar afstammeling.
5. Voorsiening moet in kampe gemaak word vir —
 - (a) geriewe soos rakke, krippe en ander gepaste voedselhouders wat maklik is om skoon te maak, wat die voeding van 'n dier vanaf die vloer moontlik maak, en wat bereik kan word sonder dat die diere gesteur word;
 - (b) waterbakke wat ten alle tye voldoende vars water bevat;
 - (c) voldoende geriewe vir die behoorlike skoonmaak van kampe; en
 - (d) geriewe vir die veilige hantering van diere.
- 6.(a) Die kampe moet ten alle tye in 'n goeie toestand gehou word.
- (b) Skerp voorwerpe soos draadpunte, gebreke borde, skerp kante of skarniere en skroewe wat uitsteek en diere kan beseer, moet verwyder of andersins behoorlik bedek word.
7. Die vloer van die hele kamp, met inbegrip van die aflaaibanke, druk- en ander gange moet so ingerig word dat voldoende nie-glyerig oppervlaktes beskikbaar is wat doeltreffend en gepas skoongemaak, droog gehou en in 'n toestand gehou word wat geskik is vir die aanhou van diere.

DEEL II**Hantering van diere**

8. Diere moet ten alle tye sag en met geduld en verdraagsaamheid hanteer word.
9. Die volgende moet in gedagte gehou word wanneer diere hanteer word:
 - (a) diere reageer meer geredelik wanneer aangeja word indien die drywer agter die dier maar binne sy gesigsveld staan; en
 - (b) kuddediere reageer meer geredelik wanneer in 'n groep as alleen aangeja word.
10. Diere moet nie aan hulle bene gesleep word nie, of aan hulle koppe, ore of sterte gedra word nie.
11. Jong kalwers moet gedra word, indien hulle nie met gemak kan loop nie, deur die kalf om sy bors en agterlyf op te lig, alternatiewelik moet hulle gestuur word met een hand op die agterlyf en die ander naby die skouer of nek, en aangehelp word in die verlangde rigting teen 'n gemaklike pas.
12. Slegs stokke met seil of slaanflappe mag gebruik word wanneer diere aangeja word en dit is verkieslik dat die grond agter die dier getref word eerder as wat die dier geslaan word.
13. Elektriese porstokke, stokke of prikkels mag nie op jong kalwers gebruik word nie.

14. Elektriese porstokke mag nie oordadig of onoordeelkundige gebruik word nie, of op die gesig, anus of geslagsdele van diere aangewend word nie.

DEEL III

Beweging van diere

15. Diere wat te poot aangeja word, moet ten alle tye onder behoorlike en bevoegde toesig wees.
16. Diere te poot moet op 'n kalm wyse aangeja word teen 'n pas wat onspanne en gerieflik is, wat eie aan daardie dier is, en nie vinniger is as die pas van die stadigste dier nie.
17. Diere mag nie vir tydperke langer as 10 ure aangeja word nie sonder dat hulle vir 'n uur gerus word en van geskikte vars drinkwater vir al die diere voorsien word nie.
18. Geen dier te poot mag verder as die volgende afstande verskuif word nie:
- (a) vir 'n reis wat nie langer as 'n dag duur nie:
 - (i) 20 kilometer vir skape en bokke; en
 - (ii) 30 kilometer vir beeste; en
 - (b) vir 'n reis wat langer as 'n dag duur:
 - (i) 20 kilometer op die eerste dag en 15 kilometer op elke volgende dag vir skape en bokke; en
 - (ii) 25 kilometer op die eerste dag en 20 kilometer op elke volgende dag vir beeste.
19. Diere moet dadelik wanneer die oornagkamp of finale bestemming bereik is van water en voldoende voedsel geskik vir die spesie voorsien word.
20. Diere moet nie in die donker verskuif word nie.
21. Geen siek, beseerde of gestremde dier mag te poot verskuif word nie.

DEEL IV

Voertuie wat vir vervoer van diere gebruik word

22. Voertuie en alle sleepwaens wat gebruik word vir die vervoer van hoefdiere moet geskik wees vir die vervoer van sodanige diere en in 'n padwaardige toestand wees.
23. Alle voertuie en sleepwaens vermeld in item 22 moet beskik oor —
- (a) 'n geskikte nie-glyerig vloer wat nie die skoonmaak van die vloer van die voertuig mag belemmer nie, en geskamierde of verwyderbare strooklatte of staalraliewerk is toelaatbaar;
 - (b) voldoende ventilasie en lugbeweging wanneer in beweging asook wanneer dit stilstaan, en geen voertuig mag heeltemal toe wees nie;
 - (c) voldoende beskerming teen uitlaatgasse, aangesien blootstelling aan uitlaatgasdampe die diere se asemhaling kan belemmer en angs veroorsaak;
 - (d) kantwalle wat hoog genoeg is om te voorkom dat diere ontsnap of uitval: Met dien verstande dat —
 - (i) die kante en afskortings, wanneer dit gebruik word om diere te skei wat daarin vervoer word, se hoogte nie laer mag wees as die skouergewrig van die grootste dier wat vervoer word nie;
 - (ii) in die geval van beeste, buiten kalwers, moet die minimum hoogte 1 800 millimeter wees; en
 - (iii) die minimum hoogte 750 millimeter moet wees in die geval van enige kleiner diere;
 - (e) in multi-vlak voertuie, moet die hoogtes tussen die vlakke voldoende wees, en in die geval van skape en varke nie minder as 1 000 millimeter nie om die grootste diere in staat te stel om natuurlik te staan, vrylik en heeltemal regop om voldoende spasie te laat vir die vrye vloei van lug bokant die diere;
 - (f) vloere wat stewig en dig is;
 - (g) laai- afluai-openinge aan die agterkant van die voertuig wat die volle breedte van die voertuig beslaan of, indien aan die kante, 'n wydte van nie minder as 2 400 millimeter nie; en
 - (h) hekke, met of sonder afskortings —
 - (i) wat so ontwerp en gebou is dat dit sterk genoeg en geskik is vir die vervoer van die bedoelde vrag; en
 - (ii) wat vrylik kan oop- en toemaak en in staat is om veiligheid te verseker.

24. Die digtheid van diere wat in enige gegewe ruimte geplaas word, moet sodanig wees dat dit die gerief en veiligheid tydens vervoer verseker, en die aanbevole vloerspasie per dier is —

- (a) 1,4 vierkante meter vir 'n groot dier; en
- (b) 0,5 vierkante meter vir 'n klein dier.

DEEL V

Die gee van water en voedsel aan lewende diere voor laai

25. Diere moet van voldoende en geskikte voedsel en vars water voorsien word totdat die reis begin.

Op- en aflaai-prosedure

26. Die oplaai op en aflaai van 'n voertuig moet so stil en kalm moontlik geskied, en met geduld, verdraagsaamheid en sonder onnodige treitering, vreesinboeseming, kneusings, beserings, lyding of onnodige stres.

27. Geen dier mag op- of afgelaai word deurdat hulle aan die kop, wol, vel, ore, stert, horings of bene opgetel word nie.
28. Geen dier mag op- of afgelaai word nie op 'n ander wyse as —
 (a) met behulp van 'n ooploop met 'n nie-glyerige oppervlakte, stewig genoeg om die gewig te ondersteun van die spesie wat hanteer word, met sypaneel of tralies wat voldoende is om te voorkom dat die diere ontsnap of van die ooploop val, en met 'n helling nie steiler as 25 grade nie; of
 (b) by 'n laaibank met dieselfde hoogte as die vloer van die voertuig of, by aflaa, nie meer as 310 millimeter onder die vlak van die aflaaivoertuig nie, en met 'n helling wat nie 25 grade te bowe gaan nie.
29. Waar die vragmotor toegerus is met 'n aan boord verwyderbare laai-oooploop moet die ooploop oor 'n nie-glyerige oppervlakte beskik en lank genoeg wees wanneer dit laat sak word, 'n helling wat nie steiler is as die hellings in item 28 vermeld nie, en die afstand vanaf die grond tot die punt van die ooploop mag nie 120 millimeter te bowe gaan nie.
30. Ooploope moet korrek verstel word om dieselfde hoogte as die voertuig se vloer te wees.
31. Reise moet so gou moontlik begin na die lewende diere opgelaai is en die diere moet dadelik afgelaai word wanneer die bestemming bereik word.
32. Tensy voldoende voorsiening vir doeltreffende skeiding gemaak is, mag verskillende dierspesies nie in dieselfde voertuig gelaai of vervoer word nie.
33. Diere van verskillende ouderdomme, groottes en geslagte mag nie in dieselfde voertuig gelaai of vervoer word nie tensy voldoende voorsiening gemaak is vir die doeltreffende skeiding van sodanige diere.
34. Volwasse beeste met horings mag nie saam met beeste met afgesaagde horings vervoer word nie en hulle moet ook in afsonderlike van mekaar gehou word.
35. Indien daar goeie rede bestaan dat 'n dier geboorte mag skenk tydens 'n voorgenome reis, mag die dier nie op die voertuig gelaai word nie.
36. In die geval waar 'n dier geboorte skenk tydens vervoer, moet die nodige maatreëls getref word om die beskerming van die ma en haar kroos te beskerm teen vertrapping, besering en treitering deur die ander diere.
37. In die geval van —
 (a) die onklaar raak van die vervoervoertuig;
 (b) 'n ongeluk of botsing waarin die vervoervoertuig betrokke is; of
 (c) besering aan, of vrekte van, enige dier wat vervoer word,
 moet die voertuigbestuurder die besonderhede rapporteer aan, en bystand versoek van —
 (i) in die geval van paragraaf (a), 'n insleepdiens;
 (ii) in die geval van paragraaf (b), die Suid-Afrikaanse Polisie en verkeersowerhede; of
 (iii) in die geval van paragraaf (c), 'n veearts.

DEEL VI

Inperking van diere tydens vervoer

38. Waar die vervoer van enige dier 'n besering aan die dier of enige ander dier kan veroorsaak, moet dit ingeperk word op so wyse dat sodanige besering voorkom word.
39. Geen dier mag vir langer as 4 ure in 'n 24-uurtydperk ingeperk word nie.
40. Geen draad of koord mag gebruik word om die dier se bene of voete vas te bind nie.
41. Om verwurging of dat die nek gebreek word, te voorkom, mag 'n skuifknoop nie gebruik word waar diere deur middel van horings of nek aan die voertuig vasgemaak word nie, en die tou moet aan die voertuig vasgemaak word op dieselfde vlak as die knieë van die dier om, indien die dier sou val, die moontlikheid van ernstige besering of vrekte verminder word, en die tou moet lank genoeg wees sodat die dier gerieflik in 'n natuurlike posisie kan plat lê met sy kop regop.

BYLAE 2

Skutregisterinligting (artikel 12)

'n Skutregister moet, minstens, die volgende inligting bevat:

1. Naam van skut
2. Datum waarop dier ontvang is
3. Getal en beskrywing van diere

4. Brandmerke of merke op dier
5. Oorplaatjienommer deur die skutmeester toegeken
6. Naam en adres van die persoon wat die dier gevang het
7. Naam en adres van die persoon wat die dier by die skut besorg het
8. Naam en adres van die grondeienaar
9. Naam en adres van eienaar van dier
10. Naam en adres of beskrywing van plek waar die dier gevind is
11. Afstand tussen skut en plek waar dier gevang is
12. Besonderhede van skade deur dier veroorsaak
13. Vervoerkoste betaalbaar
14. Besonderhede oor afmaking of beskikking oor dier
15. Oorsaak van vrekte of besering van geskutte dier
16. Beskrywing en bedrag van skutgeld
17. Skadevergoeding deur Hof toegestaan
18. Datum waarop dier losgelaat is
19. Datum van verkoping van dier
20. Opbrengs uit verkoop van dier
21. Naam en adres van koper
22. Surplusbedrag (indien enige) aan eienaar of munisipaliteit oorbetaal
23. Kwitansienommer
24. Besonderhede van Hofbevel rakende dier wat nie per geregtelike veiling verkoop is nie

BYLAE 3**Gelde en koste per dier verskuldig en betaalbaar aan skutmeester***(artikel 19)*

Tipe gelde of koste	Bedrag van gelde of koste verskuldig en betaalbaar
1. Vervoergelde	Die kilometer tarief vir die voertuig wat, na die skutmeester se goeddunke, redelik nodig is om die betrokke dier na die skut te vervoer, soos van tyd tot tyd deur die Automobiel Assosiasie van Suid-Afrika (AA) vasgestel
2. Alles-insluitende skutgeld, met inbegrip van die volgende: (a) die skutgeld; (b) oppasgelde; (b) dip- en bespuitingsgelde; (c) wonddresseringskoste en -gelde; (d) medisynekoste en -gelde; en (e) veeartsenykundige gelde	(i) R15-00 per dag, of deel daarvan, vir enige vark, skaap, bok; en (ii) R50-00 per dag, of deel daarvan, vir enige ander dier

BYLAE 4**Herroeping van wette***(artikel 30)*

Nommer en jaar van wet	Titel	Omvang van herroeping
Ordonnansie No. 32 van 1947	Skutordonnansie, 1947 (<i>Natal</i>)	In sy geheel
Ordonnansie No. 20 van 1952	Skutwysigingsordonnansie, 1952 (<i>Natal</i>)	In sy geheel
Ordonnansie No. 8 van 1954	Skutwysigingsordonnansie, 1954 (<i>Natal</i>)	In sy geheel
Ordonnansie No. 38 van 1956	Skutwysigingsordonnansie, 1956 (<i>Natal</i>)	In sy geheel
Ordonnansie No. 31 van 1964	Skutwysigingsordonnansie, 1964 (<i>Natal</i>)	In sy geheel
Ordonnansie No. 7 van 1965	Skutwysigingsordonnansie, 1965 (<i>Natal</i>)	In sy geheel
Ordonnansie No. 32 van 1969	Skutwysigingsordonnansie, 1969 (<i>Natal</i>)	In sy geheel
Ordonnansie No. 16 van 1978	Skutwysigingsordonnansie, 1978 (<i>Natal</i>)	In sy geheel
Ordonnansie No. 20 van 1983	Skutwysigingsordonnansie, 1983 (<i>Natal</i>)	In sy geheel
Ordonnansie No. 19 van 1986	Skutwysigingsordonnansie, 1986 (<i>Natal</i>)	In sy geheel

MEMORANDUM OOR DIE OOGMERKE VAN DIE KWAZULU-NATAL SKUTWETSONTWERP, 2006**ALGEMEEN**

Op 11 Desember 2003 het die Hoë Hof in Pietermaritzburg verklaar dat sekere bepalinge van die Skutordonnansie, 1947 (*Natal*) (Ordonnansie 31 van

1947) ("die Ordonnansie") onbestaanbaar is met die Grondwet en daarom ongeldig, en het die Hof sy uitspraak na die Konstitusionele Hof vir bevestiging verwys soos vereis in artikel 172(2)(a) van die Grondwet van die Republiek van Suid-Afrika, 1996 ("die Grondwet").

Op 15 Oktober 2004 het die Konstitusionele Hof uitspraak gelewer in die saak tussen *Zondi v Member of the Executive Council for Traditional and Local Government Affairs and Others 2005 (3) SA 589 (CC); 2005 (4) BCLR 347 (CC)* ingevolge waarvan die appèl gedeeltelik gehandhaaf en gedeeltelik van die hand gewys is deurdat sekere bepalings van die Ordonnansie wat deur die Hoë Hof as onbestaanbaar met die Grondwet en daarom ongeldig bevind is as sodanig deur die Konstitusionele Hof bevestig is en ander weer nie.

Die Konstitusionele Hof het spesifiek met die grondwetlike geldigheid van artikels 16(1), 29(1), 33, 34 en 37 van die Ordonnansie gehandel op grond daarvan dat hulle onbestaanbaar is met artikels 34 en 9(3) van die Grondwet, en het die volgende bevel uitgereik:

- "(a) *The MEC's non-compliance with the Rules of this Court is condoned.*
- (b) *The application for leave to appeal is granted.*
- (c) *The appeal is upheld in part and dismissed in part.*
- (d) *The application for leave to lead further evidence is refused and there is no order for costs.*
- (e) Paragraph 1 of the order of the High Court is set aside and is replaced by the following:
- (1) *Sections 16(1), 29(1), 33, 34 and 37 of the ordinance are declared to be inconsistent with the Constitution and therefore invalid;*
 - (2) *The declaration of invalidity made in subpara (e)(1) above is suspended for a period of 12 months from the date of this order to enable the Provincial Legislature of KwaZulu-Natal to correct the inconsistency that has resulted in the declaration of invalidity; and*
 - (3) *Pending the enactment of legislation contemplated in subpara (e)(2) above:*
 - (i) *The notice contemplated in s 16(1) of the ordinance shall be given to stockowners who are known or who, with the exercise of reasonable diligence, could be ascertained.*
 - (ii) *All sales pursuant to the provisions of s 34 of the ordinance shall be authorised by the magistrate's court having jurisdiction over the area where the relevant pound is situated.*
 - (iii) *No sale pursuant to s 34 shall be authorised unless:*
 - (aa) *the poundkeeper, on notice to the stockowner, who is known or who, with the exercise of reasonable diligence can be ascertained, lodges with a magistrate's court having jurisdiction over the area where the relevant pound is situated, a statement setting forth all the amounts due under the ordinance;*
 - (bb) *the amounts set forth in the statement by the poundkeeper are not disputed by the stockowner within seven days of such notice; and*
 - (cc) *the magistrate is satisfied that notice had been given to the stockowner, or that, with the exercise of reasonable diligence, the stockowner cannot be ascertained.*
 - (iv) *Where the amounts set forth in the statement of the poundkeeper are disputed, the magistrate shall summarily enquire into the matter, following such procedure as seems fair to the parties, and make such order as the magistrate considers just, including the order for costs.*
- (f) *The orders in para (e) above shall come into effect on the date of this judgment.*
- (g) *Should the Provincial Legislature of KwaZulu-Natal fail to remedy the unconstitutionality in the sections declared to be inconsistent with the Constitution in terms of subpara (e)(1) above within the period referred in subpara (e)(2), any interested person or organisation may, before the expiry of that period, apply to this Court for a further suspension of the declaration of invalidity and/or any other appropriate further relief.*
- (h) *Mrs Zondi is awarded costs of the appeal.*
- (i) *There will be no order for costs in relation to the application for direct access which was dismissed by the Court on 9 March 2004."*

Ingevolge paragraaf (e)(2) van die bevel het die Konstitusionele Hof die verklaring van ongeldigheid wat in subparagraaf (e)(1) gemaak is vir 'n tydperk van 12 maande vanaf die datum van sy bevel opgeskort ten einde die Provinsiale Wetgewer van KwaZulu-Natal in staat te stel om die onbestaanbaarheid reg te stel wat op die verklaring van ongeldigheid uitgeloop het, en het die Hof ook verskeie bevele uitgereik wat bly geld totdat die wetgewing verorden word wat in die bevel bedoel word.

Onmiddellik nadat die bevel uitgereik is waarin die grondwetlike ongeldigheid van sekere artikels van die Ordonnansie bevestig is, het die Departement 'n proses begin om 'n konsepwetsontwerp op te stel ten einde die Ordonnansie te herroep en dit te vervang met wetgewing vir die nuwe bedeling wat in ooreenstemming met die bepalings van die Grondwet is.

In hierdie geval verklaar artikel 154 van die Grondwet dat "...provinsiale regerings moet deur wetgewende en ander maatreëls munisipaliteite se vermoë om hul eie sake te bestuur, hul bevoegdhede uit te oefen en hul funksies te verrig, steun en versterk", terwyl artikel 155(7) van die grondwet bepaal dat "...die provinsiale regerings het die wetgewende en uitvoerende gesag om toe te sien dat munisipaliteite hul funksies ten opsigte van aangeleenthede in Bylae 4 en 5 vermeld doeltreffend verrig, deur die uitoefening van munisipaliteite se uitvoerende gesag genoem in artikel 156(1) te reguleer."

Bykomend daartoe bepaal Bylae 5B van die Grondwet dat die funksionele gebiede van provinsiale wetgewende bevoegdheid skutte insluit as 'n "plaaslike regeringsaangeleentheid in die mate in artikel 155(6) en (7) vir provinsies uiteengesit."

Aangesien die Departement bekommerd was dat hy nie aan die tydperk sou kon voldoen soos deur die Hof gestipuleer nie, is die Staatsprokureur op 1 Augustus 2005 opdrag gegee om 'n dringende aansoek vir die Konstitusionele Hof ingevolge paragraaf (e)(2) van die bevel gedateer 15 Oktober 2004 voor te berei waarin die Hof versoek word om aan die Departement verdere uitstel van 12 maande te verleen om aan die bevel te voldoen, en om die tydperk van die opskorting van die verklaring van ongeldigheid te verleng.

Die Hof het op 29 November 2005 uitspraak gelewer en aan die Departement uitstel verleen vir 'n verdere tydperk rakende die opskorting van die verklaring van ongeldigheid, en die Departement beveel om die verordening van die vervangende wetgewing teen 15 Oktober 2006 te verskeer.

Tydens terloopse opmerkings van verskeie lede van die Hof is daar voorgestel dat die Agbare Minister die bevoegdhede gebruik wat in 'n LUR setel soos bedoel in Reël 172 van die Reglement van die KwaZulu-Natal Wetgewer en die voorgestelde Wetsontwerp as dringend te sertifiseer sodra dit by die Speaker ingedien word vir tertafellegging in die Provinsiale Wetgewer.

AANTEKENING OOR KLOUSULES**Klousule 1: Omskrywings**

In klousule 1 word daar gepoog om 'n uitputlike lys woorde en uitdrukkings in te sluit wat spesifiek omskryf moet word vir die doeleindes van die Wetsontwerp, en maak dit voorsiening vir 'n spesifieke omskrywing van 'n eenaar wie se identiteit bepaal moet word deur die uitoefening van redelike ywer.

Klousule 2: Toepassing en administrasie van Wet

Klousule 2 bepaal dat hierdie Wet op alle munisipaliteite in KwaZulu-Natal van toepassing is en dat dit deur die LUR vir plaaslike regering geadminestreer moet word, maar dit bevat 'n oorgangsklousule wat tot gevolg sal hê dat die Wet nie van krag sal wees in 'n munisipaliteit waar 'n skut tot die bevreëding van die LUR ingestel is ingevolge 'n munisipale verordening wat in ooreenstemming met hierdie Wet aangeneem is nie.

Klousule 3: Instelling en bedryf van skutte

Klousule 3 bepaal dat elke munisipaliteit 'n skut moet instel binne 12 maande na die inwerkingtreëding van hierdie Wet, alternatiewelik dat 'n skut in sy gebied van jurisdiksie bedryf mag word ingevolge 'n diensleweringsooreenkoms gesluit ingevolge die bepalings van artikel 76(b) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000.

Klousule 4: Aanstelling van skutmeester

Klousule 4 bepaal dat elke munisipaliteit 'n paslik bekwame en ervare skutmeester moet aanstel, tensy die skut bedryf word deur 'n diensverskaffer soos bedoel in klousule 3.

Klousule 5: Oortredende of loslopende diere mag geskut word

Klousule 5 bepaal dat die eenaar van grond enige oortredende dier mag vang, en dit na die skut verwyder nadat kennis aan die eenaar gegee is, en enige dier wat sonder toesig op enige openbare pad of plek rondloop, kan deur sekere gelyste amptenare gevang word, met dien verstande dat enige dier wat geskut word van voldoende water en voedsel voorsien word binne 'n tydperk van 6 sure, met dien verstande voorts dat alle diere na 'n skut vervoer word soos bedoel in die *Kode vir Goeie Praktyk oor die Hantering en Vervoer van Geskutte Diere* soos vervat in Bylae 1 van die Wet.

Klousule 6: Diere te kwaai, weerspanning of wild om te skut

Klousule 6 bepaal dat 'n staatsveearts of ander amptenaar bedoel in klousule 5(2)(a) tot (d) toestemming kan verleen vir die genadige afmaak of ander beskikking oor die dier, indien hulle tevrede is dat die oortredende dier te gevaarlik kwaai, weerspanning of wild is om geskut te word.

Klousule 7: Loslating van diere voor verwydering na skut

Klousule 7 bepaal dat die eenaar van die dier kan versoek dat die dier losgelaat word voordat dit na die skut verwyder word en dat die dier losgelaat moet word afhangende van die omstandighede, alternatiewelik dat die persoon wat die dier gevang het by die Hof kan aansoek doen dat die dier geskut word en om enige skadevergoeding te eis of koste van die eenaar van die dier te verhaal.

Klousule 8: Versorging van oortredende dier

Klousule 8 bepaal dat enige dier wat oortree of geskut word nie mag werk of mishandel word nie.

Klousule 9: Skut waarheen diere geneem mag word

Klousule 9 bepaal dat 'n dier wat gevang is om geskut te word, moet, behoudens die bepalings van hierdie Wet, na die naaste skut geneem word en dat verskillende dierspesies ten alle tye afsonderlik gehou word.

Klousule 10: Inligting wat aan skutmeester verstrek moet word ten opsigte van diere wat na die skut gestuur word

Klousule 10 bepaal dat die skutmeester van spesifieke inligting voorsien word voordat 'n dier geskut word.

Klousule 11: Ontvangs van diere wat geskut moet word

Klousule 11 bepaal dat 'n skutmeester nie mag weier om 'n dier te ontvang en te skut nie.

Klousule 12: Skutregister

Klousule 12 bepaal dat elke skutmeester 'n register moet byhou wat die inligting bedoel in Bylae 2 bevat, en dat 'n skutmeester skuldig is aan 'n misdryf indien hy of sy versuim om 'n register te hou, of sekere handeling uitvoer met betrekking tot die register.

Klousule 13: Kennisgewing aan eenaars van geskutte diere

Klousule 13 bepaal dat die skutmeester die eenaar van 'n dier skriftelik in kennis stel van die skut van sy of haar dier.

Klousule 14: Versorging van geskutte diere

Klousule 14 bepaal dat 'n skutmeester vir alle geskutte diere moet sorg en voedsel gee, en dat hy of sy aanspreeklik sal wees vir enige skade aan die dier, met dien verstande dat 'n dier afgemaak mag word ingevolge 'n Hofbevel in die geval waar die dier gevaarlik kwaai, permanent ongeskik of ongeneeslik siek is, en moet die eenaar daarvan in kennis gestel word.

Klousule 15: Afsondering van besmette diere

Klousule 15 bepaal dat enige dier wat met 'n siekte besmet is soos bedoel in die Wet op Dieresiektes, 1984, afgesonder moet word en dat 'n verslag so gou doenlik aan die staatsveearts voorgelê word.

Klousule 16: Hantering van geskutte diere

Klousule 16 bepaal dat geskutte diere nie mag werk nie en dat manlike en vroulike diere van mekaar geskei word.

Klousule 17: Vrekte van of besering aan geskutte diere

Klousule 17 bepaal dat 'n skutmeester rekord hou van alle diere wat beseer word of vrek tydens skut, en dat die eienaar skriftelik van die besering of vrekte in kennis gestel word.

Klousule 18: Afskrifte van die Wet moet beskikbaar gestel word

Klousule 18 bepaal dat 'n skutmeester afskrifte moet hou van die Wet in Engels, Zoeloe en Afrikaans.

Klousule 19: Gelde en koste betaalbaar aan skutmeester

Klousule 19 bepaal dat 'n skutmeester geregtig is om gelde te hef en koste te verhaal van die eienaar van 'n geskutte dier in ooreenstemming met Bylae 3.

Klousule 20: Loslating van geskutte diere

Klousule 20 bepaal dat 'n skutmeester 'n geskutte dier moet loslaat sodra die eienaar die voorgeskrewe gelde betaal het en bewys van eienaarskap lewer, met dien verstande dat die skutmeester die dier mag terughou om sy koste en skade te verhaal.

Klousule 21: Verkoop van geskutte diere

Klousule 21 bepaal dat geen verkoping mag plaasvind tensy deur 'n Hof gemagtig, na kennisgewing aan die eienaar, en maak voorsiening vir die prosedure wat gevolg moet word deur die Hof ten einde die aangeleentheid te finaliseer.

Klousule 22: Skutmeester mag nie geskutte diere koop nie

Klousule 22 bepaal dat 'n skutmeester of 'n familielid en vertroude medewerker nie enige diere mag koop wat te koop aangebied word nie.

Klousule 23: Diere onsuksesvol vir verkoping aangebied

Klousule 23 bepaal dat 'n skutmeester die Hof, wat die verkoping gemagtig het, in kennis moet stel indien die dier nie verkoop is nie, en moet die Hof aan die skutmeester sodanige instruksies gee as wat die Hof regverdig en billik ag.

Klousule 24: Opbrengs van verkoping

Klousule 24 bepaal dat die opbrengs van alle verkope meer as die gelde en koste aangegaan en skadevergoeding toegestaan deur die Hof, binne 30 dae aan die eienaar oorbetal moet word, alternatiewelik moet dit in die munisipale inkomstefonds gestort word in die geval waar die eienaar nie opgespoor kan word nie.

Klousule 25: Optrede vir die verhaling van skade

Klousule 25 bepaal dat enige persoon wat skade gely het weens 'n oortredende dier in enige Hof 'n geding aanhangig mag maak.

Klousule 26: Prosedure wat gevolg moet word by aansoek voor Hof

Klousule 26 beskryf die prosedure wat gevolg moet word indien enige persoon by die Hof aansoek doen vir die skut van 'n dier, die verkoping van 'n dier, of die toekenning van skadevergoeding veroorsaak deur 'n oortredende dier.

Klousule 27: Misdrywe en strawwe

Klousule maak voorsiening vir misdrywe en die verbandhoudende strawwe.

Klousule 28: Regulasies

Klousule 28 verleen aan die LUR bevoegdhede om regulasies uit te vaardig na oorlegpleging met georganiseerde plaaslike regering.

Klousule 29: Bylaes 1, 2 en 3 is deel van die Wet

Klousule 29 bepaal dat die Bylaes by die Wet deel is van die Wet, en dat die LUR die bylaes by kennisgewing in die *Provinsiale Koerant* kan wysig na oorlegpleging met georganiseerde plaaslike regering.

Klousule 30: Herroeping van wette

Klousule 30 maak voorsiening vir die herroeping van die Ordonnansie asook wysigings aan die hoof-Ordonnansie.

Klousule 31: Oorgangsreelings

Klousule 31 maak voorsiening vir oorgangsreelings met betrekking tot die voortgesette bestaan van skutte wat ingevolge die Ordonnansie ingestel is tot dat 'n skut ingevolge klousule 3 van hierdie Wet ingestel is, en elke munisipaliteit moet sy verordeninge met betrekking tot skutte hersien binne 6 maande na die datum van die inwerkingtrede van hierdie Wet ten einde nakoming van die bepalings van hierdie Wet te verseker.

Klousule 32: Kort titel

Dit is 'n standaardklousule wat die kort titel van die Wet bevat.

Bylae 1: Kode vir Goie Praktyk oor die Hantering en Vervoer van Geskutte Diere

Soos bedoel in klousule 5(4) gee hierdie Kode 'n volledige aanduiding van hoe geskutte diere hanteer moet word tydens en nadat hulle geskut is, en die wyse waarop sodanige diere na die skut vervoer moet word.

Bylae 2: Skutregisterinligting

Soos bedoel in klousule 12, bepaal hierdie Bylae al die inligting wat 'n skutmeester in sy of haar register moet aanbring sodra enige dier by die skut afgelewer word.

Bylae 3: Gelde en koste per dier verskuldig en betaalbaar aan skutmeester

Soos bedoel in klousule 19, bevat hierdie Bylae die gelde en koste betaalbaar aan die skutmeester per dier per dag.

Bylae 4: Herroeping van wette

Soos bedoel in klousule 30, bevat hierdie Bylae al die wette wat deur hierdie Wet herroep word.

LIGGAME EN ORGANISASIES GERAADPLEEG

Die Wetsontwerp is gepubliseer ingevolge artikel 154 van die Grondwet, hoewel net een brokkie kommentaar, van 'n skutmeester, ontvang is. Geen kommentaar is van enige munisipaliteit of georganiseerde plaaslike regering ontvang nie.

FINANSIËLE IMPLIKASIES VIR DIE PROVINSIE

Geen.

IMPLIKASIE VIR MUNISIPALITEITE

Elke munisipaliteit moet sy eie skut instel en daarvoor begroot, aangesien skutte 'n eksklusiewe plaaslike regeringsbevoegdheid is ingevolge Bylae 5B van die Grondwet, hoewel die spesifieke finansiële implikasies vir elke munisipaliteit nie tans bepaal kan word nie.

WETGEWENDE PROSEDURE

Sodra die Wetsontwerp deur die Provinsiale Hoofstaatsregsadviseur gesertifiseer is, sal dit in Zoeloe en Afrikaans vertaal word, waarna dit aan die KwaZulu-Natal Uitvoerende Raad vir goedkeuring voorgelê sal word. In die geval waar sodanige goedkeuring verleen is, sal die Departement aanbeveel dat die Wetsontwerp aan die Speaker van die Provinsiale Wetgewer voorgelê word as 'n dringende wetsontwerp soos bedoel in Reël 172 van die Reglement van die KwaZulu-Natal Parlement om te verseker dat die wetsontwerp verorden word teen die sperdatum wat die Konstitusionele Hof bepaal het.

No. 9, 2006

8 kuNhlangulana 2006

UMTHETHOSIVIVINYO WEZIKIDI WAKWAZULU-NATALI, 2006**Isaziso ngokoMthetho 120 weMithethonqubo yesiShayamthetho sesiFundazwe saKwaZulu-Natali**

ISAZISO ngokoMthetho 120 weMithethonqubo yesiShayamthetho sesiFundazwe saKwaZulu-Natali siyakhishwa lapha, ukuthi uMthethosivivinyo weZikidi waKwaZulu-Natali ka 2006 njengoba kubekwe lapha ngezansi, sewethuliwe kwisiShayamthetho futhi uzodingidwa yiKomidi loHulumeni baseKhaya nezindaba zeNdabuko. Umphakathi kanye namaqembu anogqozi uyamenywa ukuba uthumele iziphakamiso zawo ngalo Mthethosivivinyo, lezo ziphakamiso ziqondiswe:

kuNksz. S. Sibisi
uNobhala
IsiShayamthetho saKwaZulu-Natali
IsiKhwama sePosi X9112
Pietermartizburg
3200

ukuze zifike kuye ngaphambi kosuku lwama-29 kuNhlangulana 2006.

N. NAIDOO

uNobhala wesiShayamthetho saKwaZulu-Natali

UMTHETHOSIVIVINYO

Wokulawula ukusungulwa kwezikidi zomasipala kanye nokuvalelwa kwezilwane; kanye nokuhlinzekela okunye okuphatelene nalokho.
UKUHLELWA KWEZIGABA

Isigaba

1. Izincazelo
 2. Ukusetshenziswa kanye nokuphathwa koMthetho
 3. Ukusungulwa kanye nokusebenza kwezikidi
 4. Ukuqokwa kwabagcinizikidi
 5. Izilwane ezinqamula endaweni ngokungemthetho noma ezizulazulayo zingavalelwa esikidi
 6. Izilwane eziwuhlupho, nezinenkani ukuthi zingavalelwa esikidi
 7. Ukukhululwa kwezilwane ngaphambili kokususwa esikidi
 8. Ukunakekelwa kwezilwane ezinqamula endaweni ngokungemthetho
 9. Isikidi okumele izilwane zilethwe kuso
 10. Imininingwane okumele ihlinzekwe umgcinisikidi ngezilwane ezithunyelwe esikidi
 11. Ukwamukelwa kwezilwane okumele zivalelwe esikidi
 12. Irejista yesikidi
 13. Isaziso esiya kubanikazi bezilwane ezivalelwe esikidi
 14. Ukunakekelwa kwezilwane ezivalelwe esikidi
 15. Ukubekwa eceleni kwezilwane ezinezifo
 16. Ukuphathwa kwezilwane ezivalelwe esikidi
 17. Ukufa kanye nokulimala kwezilwane ezivalelwe esikidi
 18. Amakhophi oMthetho okumele atholakale
 19. Izimali ezikhokhelwa umgcinisikidi
 20. Ukukhululwa kwezilwane ezivalelwe esikidi
 21. Ukuthengiswa kwezilwane ezivalelwe esikidi
 22. Umgcinisikidi angethenge izilwane ezivalelwe esikidi
 23. Izilwane ezingakwazanga ukudayiseka
 24. Izinzuzo zokuthengisa
 25. Ukukhokhelwa ngomonakalo
 26. Inqubo elandelwayo ekufakweni kwesicelo eNkantolo
 27. Amacala kanye nezinhlawulo
 28. Imithethonqubo
 29. IziNhlelo 1, 2 kanye no-3 ezakha ingxenye yoMthetho
 30. Ukuchithwa kwemithetho
 31. Izinhlelo zesikhashana
 32. Isihloko esifingqiwe
- uHlelo 1: iNqubo yokuSebenza Kahle ekuPhathweni kanye nasekuThuthweni kweZilwane eziValelwe
- uHlelo 2: Imininingwane yokuBhaliswa kwesiKidi
- uHlelo 3: Imali ekhokhelwa umgcinisikidi ngesilwane ngasinye
- uHlelo 4: Ukuchithwa kwemithetho

MAKUMISWE UMTHETHO yisiShayamthetho sesiFundazwe saKwaZulu-Natali kanje:-

Izincazelo

1. Kulo Mthetho, ngaphandle uma ingqikithi isho okunye —

“iGazethi” kusho *iGazethi yesiFundazwe saKwaZulu-Natali* esemthethweni;

“iLungu loMkhandlu oPhethe” kusho iLungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya;

“imithethonqubo” kusho noma yimuphi umthethonqubo owenziwe ngokwesigaba 28;

“iNkantolo” kusho iNkantolo yeMantshi njengoba kubekiwe esigabeni 166(d) soMthethosisekelo, 1996, eyengamele indawo lapho isikidi sakihiwe khona;

“isikidi” kusho isikidi esisungulwe ngokwesigaba 3, kanye *“nezikidi”* zinencazelo efanayo;

“zilwane” kusho ihhashi, izinkomo, imbongolo, isiklabhu, imbuzi, ingulube, intshe,inja, ikati noma yiluphi uhlobo lwalezi zilwane, kanti *“zilwane”* zinencazelo efanayo;

“isivumelwano sokwethulwa kwemisebenzi” kusho isivumelwano sokwethulwa kwemisebenzi esichazwe ngokwesigaba 1 soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000);

“lo Mthetho” kubandakanya imithethonqubo kanye neziNhlelo eziseMthethweni;

“ohulumeni basekhaya abahlelekile” kusho uSosheni woHulumeni baseKhaya waKwaZulu-Natali oyileyo nhlangothini yesiFundazwe saKwaZulu-Natali esebenza ngokwesigaba 2(1) soMthetho woHulumeni baseKhaya abahlelekile, 1997 (uMthetho No. 52 ka 1997), othathwa njengomele iningi lomasipala esiFundazweni;

“umasipala” kusho umasipala ohlongozwe esigabeni 155 soMthethosisekelo weRiphabhuliki yaseNingizimu-Afrika, 1996, futhi esisungulwe ngaphansi kwezigaba 11 kanye no-12 zoMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), ezifundwa

nezigaba 3, 4 kanye no-5 zoMthetho wokuNqunywa kweziNhlolo zoMasipala waKwaZulu-Natali, 2000 (uMthetho No. 7 ka 2000), kanye "nomasipala" banencazelo efanayo;

"umgcinisikidi" kusho noma yimuphi umuntu oqokwe ngokwesigaba 4, futhi kubandakanya nanoma yimuphi umuntu obambele noma omele umgcinisikidi;

"umnikazi" maqondana nokunye kwalokhu —

- (a) nanoma yisiphi isilwane, kusho umnikazi owaziwayo, noma ukwaziwa kwakhe, ngokusebenzisa isizathu esizwakalayo, angaziswa, futhi kubandakanya umsebenzi womnikazi noma omunye umuntu ogcina ngokomthetho noma ofuye lesi silwane; noma
- (b) nanoma yimuphi umhlaba, kusho umnikazi, futhi kubandakanya umqashi noma umnikazi wendawo osemthethweni noma umsebenzi wakhe.

Ukusetshenziswa kanye nokuPhathwa kwalo Mthetho

2. Lo Mthetho usebenza kubo bonke omasipala esiFundazweni saKwaZulu-Natali, futhi uphethwe yiLungu loMkhandlu oPhethe: kuncike ekutheni lo Mthetho angeke usetshenziswe kumasipala, ngokombono weLungu loMkhandlu oPhethe, selisungule isikidi ngokwemithethodolobha kamasipala ehambisana nemigomo yoMthetho.

Ukusungulwa kanye nokusebenza kwezikidi

3.(1) Umasipala ngamunye ongenaso isikidi kumele, ezinyangeni eziyishumi nambili emuva kokuqaliswa kwalo Mthetho, usungule futhi usebenzise isikidi ukuze sisebenze endaweni onamandla kuso.

(2) Naphezu kwezinhlinzeko zesigatshana (1), umasipala ezinyangeni eziyishumi nambili emuva kokuqaliswa kwalo Mthetho, ungangena esivumelwaneni sokwethulwa kwemisebenzi nesikhungo noma nomuntu obekiwe esigabeni 76(b) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000), ukuhlinzekela ngokusungulwa kanye nokusetshenziswa kwesikidi ukuthi sisetshenziswe endaweni owenganyelwe yiwo.

Ukuqokwa komgcinisikidi

4. Umasipala ngamunye kumele, ngokwenqubomgomo yawo yokuphathwa kwezindaba zabasebenzi, uqoke umuntu onekhono futhi onolwazi lomsebenzi wokuba ngumgcinisikidi: Kuncike ekutheni umasipala ngeke waqoka lowo mgcinisikidi uma isikidi sisetshenziswa ngokwesigaba 3(2).

Izilwane ezinqamula endaweni ngokungemthetho noma ezizulazulayo zingavalelwa esikidi

5.(1) Umnikazi womhlaba lapho kutholakale isilwane sinqamula khona ngokungemthetho angasigcina lesi silwane: Kuncike ekutheni lesi silwane singeswe siyiswe kwesinye isikidi ngaphambi kokunikeza umnikazi isaziso esibhaliwe esikhathini esingaphansi kwamahora angamashumi amane nesishiyagalombili ngaphambi kokususwa esikidi.

- (2) Noma yisiphi isilwane esitholakala sizulazula emgwaqeni noma endaweni yomphakathi singagcinwa ngokuvalelwa esikidi —
- (a) yilungu loMbuthe wamaPhoyisa eNingizimu-Afrika;
- (b) yilungu loMbuthe wezokuVikela kaZwelonke;
- (c) yilungu lamaPhoyisa oMgwaqo KwaZulu-Natali;
- (d) yilungu lamaphoyisa kamasipala noma lombutho wezokuvikela;
- (e) umnikazi wanoma yimuphi umhlaba oseduze noma ongenela endaweni yomphakathi.

(3) Umuntu angegcine isilwane, esigcinwe ngezinhlolo zokusivalela esikidi ngokwezigatshana (1) kanye no- (2), isikhathi esingaphezulu kwamahora ayisithupha ngaphandle kokusipha ukudla namanzi.

(4) Noma yimuphi umuntu ogcine isilwane ngezinhlolo zokusivalela esikidi kumele ahambisane nezinhlinzeko zeNqubo yokuSebenza Kahle ekuPhathweni kanye nasekuThutheni kweziLwane eziValelwe esiKidi equkethwe oHlelweni 1.

Izilwane eziwuhlupho, nezinenkani ukuthi zivalelwe esikidi

6. Uma uDokotela weziLwane osebenzela uHulumeni noma isiphathimandla okukhulunywe ngaso esigabeni 5(2)(a) kuya ku (c) saneliseka ngokuthi isilwane esitholakale sinqamula endaweni ngokungemthetho kunoma yimuphi umhlaba, noma sizulazula emgwaqeni womphakathi noma endaweni yomphakathi, sinobungozi, sinolaka ukuthi singavalelwa esikidi, angagunyaza ukubulawa kwaleso silwane emuva kokunikeza izizathu ngokubhaliwe futhi nesaziso esibhalelwe umnikazi wesilwane.

Ukukhululwa kwezilwane ngaphambi kokususwa esikidi

7.(1) Umnikazi wesilwane esigcinwe ngokwesigaba 5(1) angafaka isicelo kumnikazi womhlaba okukhulunywe ngawo esigabeni 5(1) ukuthi kukhululwe lesi silwane ngaphambii kokususwa kwaso esikidi.

- (2) Umnikazi womhlaba okukhulunywe ngaye esigabeni 5(1) —
- (a) angakhulula lesi silwane ngaphambili; noma
- (b) anganqabela ukukhululwa kwesilwane, lapho angafaka khona isicelo eNkantolo segunya lokuvalela isilwane noma afake isicelo sokukhokhelwa umonakalo odalekile, lapho iNkantolo ingakhipha umthetho, kubandakanya nomthetho wezimali iNkantolo ewubona ulingene.

(3) Umnikazi wesilwane esigcinwe ngokwesigaba 5(2) angafaka isicelo sokukhululwa kwaleso silwane ngaphambi kokususwa kwaso esikidi, lapho umuntu ogcine isilwane kumele asikhulule lesi silwane.

Ukunakekelwa kwezilwane ezinqamula endaweni ngokungemthetho

8. Umuntu angesebenze, asebenzise noma aphahe kabi isilwane esitholakale sinqamula endaweni ngokungemthetho kunoma yimuphi umhlaba noma ngesikhathi lesi silwane sisenqubeni yokususwa esikidi.

Isikidi okumele izilwane ziyiswe kuso

9. Isilwane esigcinwe ngenhlolo yokuvalelwa esikidi ngokwesigaba 5, kumele siyiswe esikidi esiseduze, ngendlela emfishane, futhi esikhathini esifis-

hane: Kuncike ekutheni izilwane eziwuhlobo oluthile kumele zihlukaniswe ngaso sonke isikhathi zibekwe ngezinhlobo zazo.

Imininingwane okumele ihlinzekelwe umgcinisikidi wezilwane ezithunyelwe esikidi

10. Umuntu othumela izilwane esikidi kumele azise umgcinisikidi ngesikidi esitholakala eduze ngokubhala phansi —
- (a) inombolo kanye nencazelo yezilwane;
 - (b) umhlaba lapho izilwane zitholakale zinqamula endaweni ngokungemthetho; futhi
 - (c) nebanga ngamakhilomitha, ngendlela emfishane, phakathi kwendawo yalowo mhlaba lapho bezigciniwe khona nesikidi.

Ukwamukelwa esikidi kwezilwane ezizovalwa esikidi

11. Umgcinisikidi angenqabe ukwamukela isilwane ukuthi sivalwe esikidi.

Irejista yesikidi

- 12.(1) Umgcinisikidi ngamunye kumele —
- (a) agcine irejista yesikidi equkethe imininingwane ehlongozwe oHlelweni 2, okumele itholakale ukuthi ihlolwe ngumphakathi ngezikhathi ezi-fanele; futhi
 - (b) agcwalise irejista yesikidi ngokushesha ekwamukelweni kwesilwane esikidi.
- (2) Umgcinisikidi —
- (a) oziba noma owenqabela ukuhambisana nanoma yiziphi izinhlinzeko zesigatshana (1);
 - (b) obhala ngokwazi okungesilo iqiniso kwirejista yesikidi;
 - (c) oshabalalisa noma osula noma yini eyayibhaliwe ngaphambili kwirejista yesikidi; futhi
 - (d) oletha ikhophi engesilo iqiniso ngenhloso noma okhipha kwirejista yesikidi noma yimuphi umuntu, uyothweswa icala.

Isaziso kubanikazi bezilwane ezivalelwe esikidi

13. Umgcinisikidi kumele ngokushesha azise umnikazi wesilwane esivalelwe esikidi ngokubhala phansi ukuvalelwa kwa'noma yisiphi isilwane.

Ukunakekelwa kwezilwane ezivalelwe esikidi

- 14.(1) Umgcinisikidi —
- (a) unomthwalo wokunakekela kahle zonke izilwane ezivalelwe esikidi;
 - (b) kumele aqinisekise ukuthi amanzi ahlanzekile kanye nokudla okufanele kuyatholwa yizilwane ezivalelwe esikidi ngaso sonke isikhathi; futhi
 - (c) uyohlawuliswa ngumnikazi wesilwane esivalelwe esikidi ngomonakalo odalekile owenzeke ngenhloso noma ngokunganaki noma ngokungenzi obekufanele kwenziwe.
- (2)(a) Uma umgcinisikidi ebona ukuthi isilwane esivalelwe esikidi sinobungozi, sikhubazekile noma sigula kakhulu, angafaka isicelo eNkantolo, engagunyaza ukubulawa noma okunye ukususwa kwesilwane esivalelwe esikidi, uma iNkantolo yaneliseka ukuthi isimo saleso silwane sidinga ukuthi sibulawe noma sisuswe.
- (b) Lapho iNkantolo igunyaza ukubulawa noma ukususwa kwesilwane okufakwe ngesicelo ngumgcinisikidi, umgcinisikidi kumele ngokushesha azise ngokubhaliswe umnikazi wesilwane ngomyalelo weNkantolo kanye nokubulawa noma ngokweqiwa komthetho.

Ukubekwa eceleni kwezilwane ezinezifo

15. Noma yimuphi umgcinisikidi osola, noma owaziyo, ukuthi isilwane esivalelwe esikidi, noma isilwane esizovalwa esikidi, sinanoma yisiphi isifo esihlongozwe eMthethweni weZifo zeziLwane, 1984 (uMthetho No. 35 ka 1984), kumele —
- (a) abe nendawo eseceleni yokugcina lesi silwane;
 - (b) ngokushesha abeke eceleni isilwane, bese ebika isifo kuDokotela weziLwane osebenzela uHulumeni; futhi
 - (c) ngokushesha azise umnikazi wesilwane esinaleso sifo ngokubhaliwe.

Ukuphathwa kwezilwane ezivalelwe esikidi

16. Umgcinisikidi —
- (a) angesebenze noma yingayiphi indlela asebenzise isilwane esivalelwe esikidi noma avumele ukuthi lesi silwane sisetshenziswe noma sisetshenziswe yinoma yimuphi umuntu; futhi
 - (b) kumele aqinisekise ukuthi zonke izilwane ezivalelwe esikidi zesilisa ngaso sonke isikhathi ziyahlukaniswa nezilwane zesifazane.

Ukufa noma ukulimala kwezilwane ezivalelwe esikidi

17. Uma isilwane esivalelwe esikidi silimala noma sifa, umgcinisikidi kumele —
- (a) agcine umlando wokulimala noma imbangela yokufa kwirejista yesikidi okukhulunywe ngaso esigabeni 12; futhi
 - (b) azise umnikazi wesilwane ngokubhaliwe maqondana nokulimala noma nokufa kwesilwane.

Amakhophi oMthetho kumele atholakale

18. Umgcinisikidi kumele aqinisekise ukuthi amakhophi afanelekile esiNgisi, isiZulu kanye nesiBhunu oMthetho ayatholakala esikidi ukuze ahlolwe.

Izimali ezikhokhelwa umgcinisikidi

19. Umgcinisikidi —
- (a) angakhokhisa, futhi akhokhelwe, ngumnikazi wesilwane esivalelwe esikidi izimali; futhi
 - (b) akhokhelwe ngumnikazi wesilwane esivalelwe esikidi izimali zokudipha, zokwelashwa, zokugoma, noma okunye ukwelashwa okudingekile ngokoMthetho nanoma yimuphi omunye umthetho, ngokuhambisana noHlelo 3.

Ukukhululwa kwezilwane ezivalelwe esikidi

- 20.(1) Umgcinisikidi kumele ngokushesha akhulule isilwane esivalelwe esikidi; futhi anikeze umnikazi wesilwane irisidi elibhaliwe, umnikazi —
 (a) ahlinzekele ngobufakazi bobunikazi baleso silwane; futhi
 (b) akhokhele umgcinisikidi noma iyiphi imali okumele ikhokhwe ngokwesigaba 19.
- (2) Uma umnikazi wesilwane esivalelwe esikidi engakwazi ukukhokha izimali okumele zikhokhwe ngokwesigaba 19, umgcinisikidi angasigcina lesi silwane ukuze kukhokhwe lezo zimali.

Ukudayiswa kwezilwane ezivalelwe esikidi

- 21.(1) Umgcinisikidi kumele —
 (a) esikhathini esingangezinsuku eziyishumi nane kusukela kuvalelwa isilwane esikidi, afake isicelo eNkantolo segunya lokuthengisa isilwane; futhi
 (b) esicelweni esihlongozwe endimeni (a), ahlinzeke iNkantolo ngobufakazi bokuthi umgcinisikidi ufake isitatimende esiveza zonke izimali ezikhokhwe ngumnikazi, kubandakanya, nezimali zemonakalo, okumele zikhokhwe ngokoMthetho.
- (2) Isitatimende esihlongozwe esigatshaneni (1)(b) kumele sibandakanye —
 (a) izimali ezitholwe ngumgcinisikidi; kanye
 (b) nenani lomnakalo odalekile kumnikazi womhlaba lapho kunqamule ngokungemthetho isilwane esivalelwe esikidi.
- (3) Uma kwenzeka noma kungenzeki ukuthi izimali ezibekiwe esitatimendeni esihlongozwe esigatshaneni (1)(b) ziphikiswa, iNkantolo kumele —
 (a) kafushane iphenye lolu daba;
 (b) iphenye ukuthi isaziso sanikezwa umnikazi wesilwane ngumgcinisikidi; futhi
 (c) yenze umthetho obonakala ufanele futhi ulingene, kubandakanya nomthetho —
 (i) wezimali okumele zikhokhwe; futhi
 (ii) kwinqubo okumele ilandelwe ngumgcinisikidi ekudayisweni kwesilwane.

Umgcinisikidi angeke athenga izilwane ezivalelwe esikidi

22. Umgcinisikidi, noma ilungu lomndeni noma osondelene nomgcinisikidi, angeke athenga isilwane esidayisa endalini kuleso sikidi, ngokuzithengela yena qobo noma ngokuthengisa omunye umuntu.

Izilwane ezingadayisekanga

23. Esimweni lapho noma yisiphi isilwane esingadayisekanga njengoba kuhlangozwe esigabeni 21 —
 (a) umgcinisikidi kumele ngokushesha aluleke iNkantolo kanye nomnikazi wesilwane ngenani elilinganiselwe kanye nezimali okumele zikhokhwe; futhi
 (b) iNkantolo ingenza lowo myalelo njengoba ingangoba kufanele.

Inzuzo yokudayisa

24. Uma noma yisiphi isilwane esivalelwe esikidi sidayiswe ngenani eleqile —
 (a) ezimalini ezibiziwe obekufanele zikhokhwe; futhi
 (b) nanoma yimuphi umonakalo okhokhwa ngokwesigaba 21,
- lokhu kweqela kumele kukhokhwe ngumgcinisikidi ekhokhela umnikazi wesilwane zingakapheli izinsuku ezingamashumi amathathu kudayisiwe, ngaphandle uma umnikazi wesilwane engaziwa, kuleso simo imali eyeqile kumele ikhokhwe ngumgcinisikidi esikhwameni sokuqoqwa kwezimali zomasipala.

Ukukhokhelwa ngomonakalo

25. Akukho lutho kulo Mthetho okugwema noma yimuphi umuntu ozomisa isinyathelo kunoma iyiphi iNkantolo eyengamele ukuthi kukhokhelwe umonakalo owadaleka ngenxa yokunqamula kwesilwane ngokungemthetho.

Inqubo okumele ilandelwe ekufakweni kwesicelo eNkantolo

26. Isicelo esifakwe iNkantolo —
 (a) sokuvalelwa kwesilwane esikidi ngokwalo Mthetho, kumele sihambisane nenqubo okukhulunywe ngayo kuMgomo 55 wemiGomo yaseNkantolo; futhi
 (b) nesokudayidwa kwesilwane esivalelwe esikidi ngokwalo Mthetho, kumele sihambisane nenqubo okukhulunywe ngayo esigabeni 66 soMthetho weziNkantolo zeMantshi, 1994 (uMthetho No. 32 ka 1944), kanye noMthetho 41 wemiThetho yeNkantolo,
- eyenziwe yemiThetho yeNkantolo yoMthetho ngokwesigaba 6 soMthetho weBhodi yemiThetho yeNkantolo yoMthetho, 1985 (uMthetho No. 107 ka 1985), futhi yashicilelwa kwiSaziso sikaHulumeni No. R. 118 kwiGazethi yemiThethonqubo No. 980 ngosuku lwama-21 kuNhlangulana 1968, njengoba yachitshiyelwa isikhathi nesikhathi, efundwa noshintsho oludingekile.

Amacala kanye nezinhlawulo

27. Umuntu —
 (a) okhulula isilwane esagcinwa ngokusemthethweni ngenhloso yokusivalela esikidi noma esivalelwe esikidi ngokusemthethweni;
 (b) ogcina isilwane ngokungemthetho ngenhloso yokusivalela esikidi;
 (c) ovalela isilwane esikidi ngokungemthetho; noma
 (d) ophikisana nanoma yikuphi okuhlinzekelwe yilo Mthetho,
- uyothweswa icala futhi angathola inhlawulo, noma avalelwe ejele isikhathi esingeqile izinyangeni eziyisithupha.

Imithethonqubo

- 28.(1) ILungu loMkhandlu oPhethe, emva kokubonisana nohulumeni basekhaya abahlelekile —

- (a) lingenza imithethonqubo eqondene nanoma yiluphi udaba okukhulunywe ngalo kulo Mthetho lapho, ngokubona kweLungu loMkhandlu oPhethe, lungadingeka noma lufanele ekusebenzeni noma ekuqhubeni izinhlinzeko kanye nezinjongo zalo Mthetho; noma
(b) uma lisebenzisa lo Mthetho; kunezinkinga zokuphatha, lingenza imithethonqubo yokuqeda lezo zinkinga zokuphatha.

(2) Imithethonqubo ingahlinzekela ukuthi noma yimuphi umuntu ophikisana nanoma yimuphi umthethonqubo noma ehluleka ukuhambisana nalokhu unecala futhi uyothola inhlawulo, noma uyovalelwa ejele isikhathi esingeqile izinyanga eziyisithupha.

IziNhlelo 1, 2 kanye no-3 ezakha ingxenye yoMthetho

29.(1) IziNhlelo 1, 2, kanye no-3 kulo Mthetho zakha ingxenye yoMthetho ngazo zonke izinhloso.

(2) ILungu loMkhandlu oPhethe elibhekele, ngokufaka isaziso *kwiGazethi* futhi emva kokubonisana nohulumeni basekhaya abahlelekile, lingachibiyela iziNhlelo 1, 2, kanye no-3 kulo Mthetho.

Ukuchithwa kwemithetho

30. Imithetho ebaluliwe oHlelweni 4 ngalokhu iyachithwa ngendlela ebekiwe ohlwini lwesithathu loHlelo okukhulunywe ngalo.

Izinhlelo zesikhashana

31.(1) Isikidi esasungulwa ngokwe-Odinensi yeziKidi, 1947 (Odinensi No. 32 ka 1947) (*yaseNatali*) eyachithwa, siyaqhubeka futhi sisebenze ngokwezinhlinzeko ezihambisana nalo Mthetho kuze kube wusuku olwandulela usuku —

- (a) lokusungulwa kwesikidi ngokwesigaba 3(1) salo Mthetho; noma
(b) lokuqala kokusebenza kwesivumelwano esihlongozwe ngokwesigaba 3(2) salo Mthetho.

(2) Ngokuhambisana nesigaba 15 soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000), umkhandlu kamasipala kumele, esikhathini esingeqile ezinyangeni eziyisithupha kusukela ngosuku lokuqala kokusebenza kwalo Mthetho, ubuyekeze izinhlinzeko zemithetho-olobha yabo bonke omasipala ephathelene nokusungulwa kanye nokusebenza kwezikidi eziphethwe ngumasipala ukuqinisekisa ukusebenza ngokuhambisana nemigomo yalo Mthetho.

Isihloko esifingqiwe

32. Lo Mthetho ubizwa ngokuthi uMthetho weziKidi waKwaZulu-Natali, 2006.

UHLELO 1

INqubo yokuSebenza Kahle ekuPhatheni kanye nasekuThuthweni kwezilwane eziValelwe eziKidi
(iSigaba 5(4))

INGXENYE 1

Izidingo zepaneko

1. Izilwane ezinhlobonhlobo kumele zigcinwe kumapaneko ahlukene.
2. Izilwane zingevalelwe kumapaneko agcwele ngokweqile, kanti futhi indawo yokugcina izilwane ehlinzekelwe kuleso kulelo paneko kumele ibe ngeyenele ukuvumela ukuba zonke izilwane zilale.
3. Izilwane ezinolaka aziyukugcinwa nezinye izilwane.
4. Izilwane ezisencane, ezilunyuliwe, aziyukugcinwa nezilwane ezindala, ngaphandle kwesimo lapho kukhona unina kanye nomntwana.
5. Kumele kuhlinzekelwe lokhu, kumapaneko ezilwane —
 - (a) izinto ezifana nezitsha zokufaka ukudla, imikhombe noma imikhombe ehlanzeka kalula, evumela ukuthi izilwane eziphansi zikwazi ukufinyelela ekudleni, futhi ezohlinzekelwa ngaphandle kokuphazanyiswa kwezilwane;
 - (b) izitsha zamanzi ezinamanzi ahlanzekile ngaso sonke isikhathi;
 - (c) izimpahla ezifanele zokuhlaza ipaneko; futhi
 - (d) nezimpahla zokuphatha kahle izilwane ngokuphephile.
- 6.(a) Ipaneko kumele ngaso sonke isikhathi lihlale likhandiwe noma lilungisiwe.
(b) Izinto ezicijile ezifana nezingcingo, amabhodi aphukile, izipikili ezigobile, ezingabangela ubungozi ezilwaneni, kumele zisuswe noma zimbozwe kahle.
7. Iphansi lepaneko, kubandakanya udonga lokuthulula izinto, imijaho, kanye nemihubhe, kumele yakhiwe ukuze kuhlinzekelwe ngezindawo ezin-gashibili ezi-fanele futhi ezilungele ukuhlazwa zigcinwe zomile futhi zisesimweni esifanele sokubamba izilwane.

INGXENYE II

Ukuphathwa kwezilwane

8. Izilwane kumele ngaso sonke isikhathi zigcinwe ngendlela efanelekile futhi ngesineke nangokubekezela.
9. Lokhu okulandelayo kumele kugcinwe emqondweni uma kuphathwa izilwane —
 - (a) izilwane ziphendula ngokushesha okukhulu uma umqhubi wazo eziqhuba emi ngemuva kwezilwane kodwa endaweni lapho zizombona khona; futhi

(b) izilwane eziluswayo ziphendula ngokushesha okukhulu uma ziqhutshwa ziwumhlambi kunokuba iqhutshwa ngayinye.

10. Izilwane aziyukudonswa ngemilenze, noma ngamakhanda, ngamadlebe noma ngemisila.
11. Amathole amancane kumele athwalwe uma engakwazi ukuzihambela kahle, ngokuthi kuphakanyiswe ithole esifubeni nasemilenzeni engemuva, noma kumele ziluswe isandla esisodwa sisemulenzeni owodwa ongemuva kanye nomunye ongasehlombe noma emqaleni, bese lihanjiswa endleleni efanelekile ngejubane elifanelekile.
12. Izinduku ezinekhavasi noma izitswebhu ezingasetshenziswa kuphela uma kuqhutshwa izilwane kanti futhi kungcono ukushaya phansi ngemuva kwesilwane kunokushaya isilwane uqobo.
13. Izindukwana zikagesi, izinswazi angeke zasetsenziswa ematholeni.
14. Izindukwana zikagesi angeke zasetsenziswa ngokudlulele noma ebusweni, ezinqeni noma ezithweni zesilwane.

INGXENYE III

Ukuhamba kwezilwane

15. Izilwane eziqhutshwa ngezinselo kumele ngaso sonke isikhathi zibhekwe kahle ngendlela efanele.
16. Izilwane ezihamba ngezinselo kumele ziqhutshwe ngendlela engagqilazi futhi ehamba kahle, efanele ukuhamba izilwane, futhi engasheshi kunejubane lesilwane esihamba kancane.
17. Izilwane angeke ziqhutshwa isikhathi esingaphezulu kwamahora ayishumi ngaphandle kokuphunyuzwa isikhathi esingangehora elilodwa futhi zihlinzekwe ngamanzi anele ahlanzekile.
18. Asikho isilwane esihamba ngezinselo esiyohamba ngokweqile kulamabanga alandelayo —
- (a) ngesikhathi sohambo olungeqile osukwini olulodwa —
 - (i) iziklabhu nezimbuzi ziyohamba amakhilomitha angamashumi amabili; futhi
 - (ii) izinkomo ziyohamba amakhilomitha angamashumi amathathu; futhi
 - (b) ngesikhathi sohambo olungeqile osukwini olulodwa —
 - (i) iziklabhu nezimbuzi ziyohamba amakhilomitha angamashumi amabili ngosuku lokuqala bese kuba amakhilomitha ayishumi nanhlanu usuku nosuku olulandelayo; futhi
 - (ii) izinkomo ziyohamba amakhilomitha angamashumi amabili nanhlanu ngosuku lokuqala bese kuba amakhilomitha angamashumi amabili usuku nosuku olulandelayo.
19. Izilwane kumele ziphiwe amanzi kanye nokudla ngokushesha uma zifika endaweni yazo yokulala noma uma sezifikile endaweni lapho kuyiwa khona, ziphiwe ukudla okufanele okusezingeni elifanele futhi okufanele lolo hlobo lwezilwane.
20. Izilwane azinakuhanjiswa ebumnyameni.
21. Asikho isilwane esigulayo, esilimele noma esikhubazekile esiyohanjiswa ngezinselo.

INGXENYE IV

Izithuthi ezisetsenziselwa ukuthutha izilwane

22. Izithuthi kanye nazo zonke izinqola ezidonswa yizilwane ezihamba ngezinselo kumele zibe esimweni esifanele ukuthi zidonswe yilezi zilwane futhi emgwaqeni osesimweni esifanele.
23. Zonke izithuthi kanye nezinqola ezidonswayo okukhulunywe ngazo ohlamvini 22 kumele —
- (a) zibe nephansi elingashibiliki elingezukuvimbela ukuhlanzeka kwephansi emotweni, izikhonkwane ezigudluzekayo noma izinsimbi ezinezikhala ezivulelekile;
 - (b) zingene kahle umoya kanye nokukhanya ngesikhathi zihamba noma zimile, ngaphandle kokuvaleka kwemoto;
 - (c) zivikeleke ngokufanelekile entuthwini yegesi, njengoba ukuba semoyeni othunqa igesi kungaphazamisa ukuphefumula kwezilwane noma kubangele ukukhathazeka;
 - (d) zibe nodonga olude ngokwanele oluvimbela izilwane ukuthi zingeqi noma ziwele ngaphandle kwemoto: Kuncike ekutheni —
 - (i) amacala kanye nezindonga, ezisetsenziswa emotweni ukuze kuhlukaniswe izilwane ezifakwe emotweni, kumele zibe nobude obungenaphansi kwehlombe lesilwane esikhulu kunezinye izilwane ezithuthwayo;
 - (ii) lapho kunezinkomo ngaphandle kwamathole, ubude kumele kube ngamamimitha ayi-1 800; futhi
 - (iii) ubude kumele kube ngamamimitha angama-750 uma kunezilwane ezincane;
 - (e) izimoto ezinamathayi amaningi, ubude phakathi kwamatilosu kumele kube ngokufanelekile, nalapho iziklabhu kanye nezingulube zingaphansi kwamamimitha ayi-1000, ukuze izilwane ezinkulu zikwazi ukuma ngokujwayelekile, ngokukhululekile futhi zime ziqonde futhi kube nesikhala esanele sokungena komoya phezu kwezilwane;
 - (f) zibe nephansi eliqinile elingavuzi;
 - (g) ukuvuleka ngemuva kwemoto ukuze kulayishwe kuphinde kuthululwe kuvuleke ngokugcwele emotweni, lapho amacala, evuleka ububanzi obungekho ngaphansi kwamamimitha angama-2 400; kanye
 - (h) amasango, anothango lokwahlukanisa nangenalo —
 - (i) akhiwe ngendlela eqinile futhi afaneleke ukuthutha okuthuthwayo okuhlosiwe; futhi
 - (ii) avuleke aphinde avuleke kalula futhi abopheke kahle.
24. Ukuhanjiswa kwezilwane ezibekwe endaweni ehlinzekelwe kumele kuqinisekiswa ukuphepha kanye nokukhululeka kwezilwane ngesikhathi zithuthwa, futhi ibe nendawo yaphansi eyanele ukuma isilwane —
- (a) ingamasikwemitha angu-1,4 esilwane ngasinye esikhulu; kanye

(b) namasikwemitha angu-0,5 esilwane esincane.

INGXENYE V

Ukuphiwa kwezilwane amanzi nokudla ngaphambi kokulayishwa

25. Izilwane kumele zihlinzekelwe ngokudla okufanele kanye namanzi ahlanzekile kuze kube kuqalwa uhambo.

Inqubo yokulayisha kanye neyokuthulula

26. Ukulayisha kanye nokuthulula izilwane emotweni kumele kwenziwe ngokuthula nangokuzotha, ngokubekezela futhi nangaphandle kokuhlukunyezwa, nokusatshiswa kwezilwane, ukuzilimaza, kanye nokuzikhathaza.

27. Asikho isilwane esiyolayishwa noma sithululwe ngokusiphakamisa ngekhandu, ngesiphanga, ngesikhumba, ngezindlebe, ngemisila, ngezimpondo noma ngemilenze.

28. Asikho isilwane esiyolayishwa noma sithululwe ngaphandle uma —

- (a) ummango unesisekelo esingashibiliki, uqine ngokwanele ukwesekela isisindo sezilwane ezithwelwe, onamacala noma izinsimbi eziqinile ukuvikela izilwane ukuthi zingeqi noma zingaweli ngaphandle kommango futhi nasendaweni eyehlela ibanga elingeqile kuma-25; noma
- (b) kwisisekelo sokulayisha esilingana nobude bephansi noma, lapho kuthululwa, amamilimitha angeqile kwayi-310 angaphansi kwezinga lemoto yokuthulula futhi nendawo eyehlelayo engekho ngaphezulu kwebanga elingama-25.

29. Lapho iloli lifakwe ummango ogudluzekayo kumele libe nesisekelo esingashibiliki futhi sibe nobude obufanele uma sehlisiwe, nokuthi ukwehlela kungehleli ngaphezulu kwendawo eyehlelayo okukhulunye ngayo ohlamvini 28, enobude obusuka phansi buya ekugcineni kommango obungeqile kumamilimitha ayi-120.

30. Ummango kumele ulungiseke ngokufanele ube nobude obufanayo nalobo bephansi lemoto.

31. Uhambo kumele luqale ngokushesha emuva kokulayishwa kwezilwane eziphilayo futhi nezilwane kumele zithululwe ngokushesha uma sekufikiwe lapho kuyiwa khona.

32. Ngaphandle uma kuhlinzekelwe ngezinto ezifanele zokuhlukaniswa kahle kwezilwane, izilwane ezinhlobonhlobo angeke zalayishwa futhi zithuthwe ndawonye esithuthwini esisodwa.

33. Izilwane ezineminyaka eyahlukahlukene, ezingalingani futhi ezihlukile ngobulili angeke zalayishwa futhi zithuthwe ndawonye esithuthwini esisodwa ngaphandle uma kuhlinzekwe ngezinto ezifanele zokuhlukaniswa kahle lezo zilwane.

34. Izinkomo ezindala ezinezimpondo angeke zathuthelwa ndawonye nezinkomo eziyizinqudulu kanti futhi kumele zibekwe ngokuhlukaniswa.

35. Uma kunesizathu esenza kukholelwe ngokuthi isilwane singase sizale ngesikhathi sohambo oluhlongoziwe, isilwane angeke salayishwa emotweni.

36. Esimweni lapho isilwane sizala ngesikhathi sohambo, izinyathelo ezifanele kumele zithathwe ukuqinisekisa ukuvikeleka kukamama kanye nengane ekunyathelweni noma ekulimaleni noma ekuhlukunyezweni ngezinye izilwane.

37. Esimweni lapho —

- (a) kuphuka imoto yokuthutha;
- (b) kunengozi noma kunokushayisana kwezimoto lapho kubandakanywa nemoto ethuthayo; noma
- (c) kulimala, noma kufa, noma yisiphi isilwane esithuthwayo,

umqhubi wazo kumele abike imininingwane ngokushesha, futhi acele nosizo —

- (i) esimweni ebekwe endimeni (a), usizo kwabadonsa izimoto eziphukile;
- (ii) esimweni esibekwe indimeni (b), amaPhoyisa aseNingizimu Afrika kanye namaphoyisa omgwaqo; noma
- (iii) esimweni esibekwe endimeni (c), uDokotela weziLwane.

INGXENYE VI

Ukukhulekwa kwezilwane ngesikhathi sokuthuthwa

38. Lapho ukukhulekwa kwezilwane kungabanga ukulimala kwazo noma ukulimala kwesinye isilwane, kumele sikhulekwe ngendlela ezokwazi ukugwema ukulimala.

39. Azikho izilwane eziyokhulekwa amahora angaphezulu kwama-4 kunoma yisiphi isikhathi esiphakathi kwamahora angama-24..

40. Alukho ucingo noma ijoka eliyosetshenziselwa ukubopha imilenze noma izinyawo zesilwane.

41. Ukugwema ukuklanyeka noma ukuphuka komqala, isihibe angeke sasetsenziswa lapho izilwane zikhulekelwe emotweni ngezimpondo noma ngomqala, kanti nentambo kumele iboshelwe emotweni ilingane namadolo esilwane ukuze lapho izilwane ziwela ngaphandle kwemoto, ukulimala kakhulu kanye nokufa kwazo kunciphe, nentambo ibe yinde ngokwanele ukuvumela isilwane ukuthi sikwazi ukufala ngokukhululeka ngendlela ejwayelekile ikhanda laso libheke phezulu.

UHLELO 2

Imininingwane yerejista lesikidi

(iSigaba 12)

Irejista yesikidi kumele, okungenani, iqukathe le mininingwane elandelayo —

1. Igama lesikidi
2. Usuku lokulethwa kwesilwane
3. Inombolo kanye nencazelo yesilwane
4. Uphawu lwesilwane
5. Inombolo elengiswa endlebeni ekhishwe ngumgcinisikidi
6. Igama kanye nekheli lomuntu obegcine isilwane
7. Igama kanye nekheli lomuntu olethe isilwane esikidi
8. Igama kanye nekheli lomnikazi wendawo
9. Igama kanye nekheli lomnikazi wesilwane
10. Igama kanye nekheli noma incazelo yendawo lapho isilwane sitholakale khona
11. Ibanga lendawo lapho isilwane besigciniwe esikidi
12. Imininingwane yomonakalo odalwe yisilwane
13. Imali yokuthutha ekhokhwayo
14. Imininingwane yokubulawa noma yokususwa kwesilwane
15. Imbangela yokufa noma yokulimala kwesilwane esivalelwe esikidi
16. Incazelo kanye nenani lezimali zesikidi
17. Umonakalo okhishwe yiNkantolo
18. Usuku lokukhululwa kwesilwane
19. Usuku lokudayiswa kwesilwane
20. Inqubo yokudayiswa kwesilwane
21. Igama kanye nekheli lomthengi
22. Imali eyeqile (uma ikhona) ekhokhelwa umnikazi noma umasipala
23. Inombolo yerisidi
24. Imininingwane yoMyalelo weNkantolo ephathelene nesilwane esingadayisekanga endalini

UHLELO 3

Izimali kanye namanani akhokhelwa isilwane kanye nakhokhelwa umgcinisikidi

(iSigaba 19)

Uhlobo lwemali noma inani	Inani lemali ekhokhwayo kanye nekhokhekayo
1. Imali yokuthutha	Imali yamakhilomitha esithuthi, okufanele sihambise isilwane esikidi, njengoba kunqume uSosesheni weziThuthi waseNingizimu Afrika (AA)
2. Zonke izimali zesiKidi, ezibandakanya — (a) imali yesikidi; (b) imali yokwalusa; (c) izimali zokudipha noma zokufuthwa kwezilwane; (d) izimali kanye namanani emithi; (e) izimali zikaDokotela weziLwane	(i) u-R15-00 ngosuku, noma ingxenye yalokho, ingulube, isiklabhu noma imbuzi; kanye (ii) no-R50-00 ngosuku, noma ingxenye ngalokho, yanoma yisiphi esinye isilwane.

UHLELO 4

Ukuchithwa kwemithetho

(iSigaba 30)

iNombolo kanye nonyaka womthetho	isiHloko	Ubukhulu obuchithwayo
i-Odinensi No. 32 ka 1947	i-Odinensi yeziKidi, 1947 (yaseNatali)	Yonke
i-Odinensi No. 20 ka 1952	i-Odinensi yokuChitshiyelwa kweziKidi, 1952 (yaseNatali)	Yonke
i-Odinensi No. 8 ka 1954	i-Odinensi yokuChitshiyelwa kweziKidi, 1954 (yaseNatali)	Yonke

i-Odinensi No. 38 ka 1956	i-Odinensi yokuChitshiyelwa kweziKidi, 1956 (yaseNatali)	Yonke
i-Odinensi No. 31 ka 1964	i-Odinensi yokuChitshiyelwa kweziKidi, 1964 (yaseNatali)	Yonke
i-Odinensi No. 7 ka 1965	i-Odinensi yokuChitshiyelwa kweziKidi, 1965 (yaseNatali)	Yonke
i-Odinensi No. 32 ka 1969	i-Odinensi yokuChitshiyelwa kweziKidi, 1969 (yaseNatali)	Yonke
i-Odinensi No. 16 ka 1978	i-Odinensi yokuChitshiyelwa kweziKidi, 1978 (yaseNatali)	Yonke
i-Odinensi No. 20 ka 1983	i-Odinensi yokuChitshiyelwa kweziKidi, 1983 (yaseNatali)	Yonke
i-Odinensi No. 19 ka 1986	i-Odinensi yokuChitshiyelwa kweziKidi, 1986 (yaseNatali)	Yonke

MEMORANDAMU NGEZINHLOSO ZOMTHETHOSIVIVINYO WEZIKIDI WAKWAZULU-NATALI, 2005

OKUJWAYELEKILE

Mhla ziyi-11 kuZibandlela 2003 iNkantolo ePhakeme yaseMgungundlovu, yamemezela ukuthi izinhlinzeko ezithile ze-Odinensi yeziKidi ka 1947 (yaseNatali) (i-Odinensi No. 31 ka 1947) ("i-Odinensi"), azihambisani noMthethosisekelo, futhi lokho kwakusho ukuthi azisebenzi, yabe isidlulisela isinqumo sayo kwiNkantolo yoMthethosisekelo ukuze siqinisekise, njengoba kudingeka ngokwesigaba 172(2)(a) soMthethosisekelo weRiphabhuliki yaseNingizimu Afrika, 1996 ("uMthethosisekelo").

Mhla ziyi-15 kuMfumfu 2004 iNkantolo yoMthethosisekelo yakhipha isinqumo odabeni olwaluphakathi kukaZondi neLungu loMkhandlu oPhethe elibhekele ezeNdabuko noHulumeni baseKhaya kanye nabanye 2005(3) SA 589(CC); 2005 (4) BCLR 347 (CC), lapho yaxazulula ezinye zezikhalo ezinye yazichitha, ekutheni izinhlinzeko ezithile ze-Odinensi iNkantolo ePhakeme eyathola ukuthi azihambisani noMthethosisekelo lokho okwakusho ukuthi azisebenzi, kwaqinisekiswa ukuthi kwezinye kwakunjalo kanti kwezinye kwakungenjalo.

Inkantolo ibhekane ngqo nokuhambisana noMthethosisekelo kwezigaba 16(1), 29(1), 33, 34 no 37 ze-Odinensi ngenxa yokuthi bezingahambisani nezigaba 34 no 9(3) zoMthethosisekelo, yabe isikhipha lo myalelo olandelayo:

"(a) The MEC's non-compliance with the Rules of this Court is condoned.

(b) The application for leave to appeal is granted.

(c) The appeal is upheld in part and dismissed in part.

(d) The application for leave to lead further evidence is refused and there is no order for costs.

(e) Paragraph 1 of the order of the High Court is set aside and is replaced by the following:

(1) Sections 16(1), 29(1), 33, 34 and 37 of the ordinance are declared to be inconsistent with the Constitution and therefore invalid;

(2) The declaration of invalidity made in subpara (e)(1) above is suspended for a period of 12 months from the date of this order to enable the Provincial Legislature of KwaZulu-Natal to correct the inconsistency that has resulted in the declaration of invalidity; and

(3) Pending the enactment of legislation contemplated in subpara (e)(2) above:

(i) The notice contemplated in s 16(1) of the ordinance shall be given to stockowners who are known or who, with the exercise of reasonable diligence, could be ascertained.

(ii) All sales pursuant to the provisions of s 34 of the ordinance shall be authorised by the magistrate's court having jurisdiction over the area where the relevant pound is situated.

(iii) No sale pursuant to s 34 shall be authorised unless:

(aa) the poundkeeper, on notice to the stockowner, who is known or who, with the exercise of reasonable diligence can be ascertained, lodges with a magistrate's court having jurisdiction over the area where the relevant pound is situated, a statement setting forth all the amounts due under the ordinance;

(bb) the amounts set forth in the statement by the poundkeeper are not disputed by the stockowner within seven days of such notice; and

(cc) the magistrate is satisfied that notice had been given to the stockowner; or that, with the exercise of reasonable diligence, the stockowner cannot be ascertained.

(iv) Where the amounts set forth in the statement of the poundkeeper are disputed, the magistrate shall summarily enquire into the matter, following such procedure as seems fair to the parties, and make such order as the magistrate considers just, including the order for costs.

(f) The orders in para (e) above shall come into effect on the date of this judgment.

(g) Should the Provincial Legislature of KwaZulu-Natal fail to remedy the unconstitutionality in the sections declared to be inconsistent with the Constitution in terms of subpara (e)(1) above within the period referred in subpara (e)(2), any interested person or organisation may, before the expiry of that period, apply to this Court for a further suspension of the declaration of invalidity and/or any other appropriate further relief.

(h) Mrs Zondi is awarded costs of the appeal.

(i) There will be no order for costs in relation to the application for direct access which was dismissed by the Court on 9 March 2004.

Ngokwendima (e)(2) yomyalelo, iNkantolo yahoxisa isimemezelo sokungahambisani kwezigaba ezithile esenziwe endinyaneni (e)(1) isikhathi esiyizinyanga eziyi-12 kusukela ngosuku lokukhishwa kwalo myalelo, ukuze isiShayamthetho sesiFundazwe saKwaZulu-Natali sikwazi ukulungisa lokhu kungahambisani kwezigaba okwaholela ekumenyazelweni kokuthi izigaba ezithile azisebenzi, iNkantolo yabuye yenza eminye imiyalelo ezolinda kuze kuqaliswe umthetho ohlongozwe kulowo myalelo.

Ngokushesha emva kokukhipha umyalelo, wokuqinisekisa ukungahambisani nomthethosisekelo kwezigaba ezithile ze-Odinensi, uMnyango waqala umbhidlango wokubhala uMthethosivivinyo owuhlaka wokuchitha i-Odinensi, nokufaka esikhundleni sayo umyalelo omusha womthetho ohambisana nezinhlinzeko zoMthethosisekelo.

Maqondana nalokhu isigaba 154 soMthethosisekelo, sibalula ukuthi "...ohulumeni bezifundazwe, ngomthetho nangezinye izindlela, kumele beseke futhi baqinise amandla omasipala ukuze bengamele izindaba zabo, basebenzise amandla abo futhi benze nemisebenzi yabo", kanti isigaba 155(7) soMthethosisekelo sibalula ukuthi "...ohulumeni bezifundawe banegunya lokushaya umthetho nelokuphatha lokubheka ukuthi omasipala basebenza ngendlela eyiyo ekwenzeni imisebenzi yabo maqondana nezindaba ezibalulwe eziNhlelweni 4 no 5, nangokulawula ukusetshenziswa kwegunya labo lokuphatha ngomasipala okukhulunywe ngakho esigabeni 156(1)."

Ngaphezu kwalokho uHlelo 5B loMthethosisekelo lubalula umsebenzi okhethekile wezifundazwe wokuba namandla ukushaywa komthetho kubandakanya nezikidi "njengodaba lohulumeni besifundazwe ngendlela olubekelwe ngayo izifundazwe esigabeni 155(6)(a).no (7)."

Njengoba uMnyango wawukhathazekile ngokuthi angeke ukwazi ukugcina isikhathi esasiqunye yiNkantolo, imiyalelo yakhishwa nguMmeli oMkhulu kaHulumeni mhla lu-1 kuNcwaba 2005 yokulungiselela isicelo esiphuthumayo esiya kwiNkantolo yoMthethosisekelo ngokwendima (e)(2) yomyalelo wamhla zi-5 kuMfumfu 2004, owawucela iNkantolo ukuthi imikeze uMnyango ezinye izinyanga eziyi-12 ngaphezulu ukuze ihambisane nomyalelo, kanye nokwengeza isikhathi sokuhoxisa isimemezelo sokungahambisani kwezigaba ezithile.

Mhla zingama-29 kuLwezi 2005 iNkantolo yakhipha isinqumo, yamukela isicelo soMnyango sokwengeza isikhathi sokuhoxisa kwesimemezelo sokungahambisani kwezigaba ezithile, futhi yakhipha nomyalelo wokuthi uMnyango uqinisekise ukuqaliswa komthetho omusha ungakediuli umhla we-15 kuMfumfu 2006.

Ngesikhathi kuphawula amalungu ehluhahlukene eNkantolo, kwaba nombono wokuthi uMhlonishwa uNgqongqoshe asebenzise amandla anikezwe iLungu loMkhandlu oPhethe njengoba kuhlangezwe eMthethweni 172 weMithetho eMile yePhalamende laKwaZulu-Natali, futhi aqinisekise uMthethosivivinyo ohlongozwayo njengophuthumayo emva kokuthi sewethulwe kuSomlomo ukuze udingidwe kwisiShayamthetho sesiFundazwe.

UKUCHAZWA KWEMISHWANA

Umshwana 1: Izincazelo

Kumshwana 1, kuzanywe ukuthi kubandakanywe uhlu olunzulu lwamagama nezisho, okudinga ukuchazwa ngendlela ethile ngezinhloso zalo Mthethosivivinyo, futhi uhlinzekela incazelo ethile yomnikazi okuzotholakala ukuthi ungubani ngokusebenzisa izindlela ezifanele.

Umshwana 2: Ukusebenza nokuphathwa koMthetho

Umshwana 2 uhlinzekela ukuthi lo Mthetho usebenza kubo bonke omasipala baKwaZulu-Natali, kanye nokuthi uphethwe yiungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya, kodwa uqethe umshwana ophathelene nokuthi lo Mthetho angeke usebenze kumasipala, lapho isikidi, ngokugculiseka kweLungu loMkhandlu oPhethe, ukuthi sisungulwe ngokomthethodolobha osebenzayo ngokuhambisana nalo Mthetho.

Umshwana 3: Ukusungulwa nokusebenza kwezikidi

Umshwana 3 uhlinzekela ukuthi uMasipala ngamunye kumele usungule isikidi emva kwezinyanga eziyi-12 kuqaliswe uMthetho, ngale kwalokho isikidi singasetshenziswa endaweni ekusona ngokwesivumelwano sokwethulwa kwemisebenzi esathathwa ngokwezinhlinzeko zesigaba 76(b) soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000.

Umshwana 4: Ukuqokwa komgcinisikidi

Umshwana 4 uhlinzekela ukuthi umasipala ngamunye kumele uqoke umgcinisikidi onobungcweti obufanele nekhono, ngaphandle uma isikidi siphethwe ngumhlinzeki wemisebenzi njengoba kuhlangezwe emshwaneni 3.

Umshwana 5: Izilwane ezinqamula ngokungemthetho noma ezizulazulayo zingavalelwa esikidi

Umshwana 5 uhlinzekela ukuthi umnikazi womhlaba angavalela noma yisiphi isilwane esinqamula endaweni yakhe ngokungemthetho, futhi angayisa lesi silwane esikidi emva kokunikeza isaziso kumnikazi wesilwane, futhi nanoma yisiphi isilwane esitholakala sizulazula singagadiwe kunoma yimuphi umgwaqo womphakathi noma endaweni yomphakathi singavalelwa yiziphathimandla ezinegunya, kuncike ekutheni noma yisiphi isilwane esivalelwe kumele sihlinzekwe ngokudla okwenele namanzi esikhathini esingamahora ayisithupha, futhi kubuye kuncike nasekutheni zonke izilwane ezithuthelwa esikidi kumele zithuthwe ngendlela ehlongozwe kwiNqubo yokuSebenza Kahle ekuPhatheni nasekuThuthweni kweZilwane eziValelwe eziKidi equkethwe oHlelweni 1 loMthetho.

Umshwana 6: Izilwane eziwunolaka, eziwuhluho nezinenkani ukuthi zingavalelwa

Umshwana 6 uhlinzekela ukuthi uDokotela weziLwane oqashwe nguhulumeni noma esinye isiphathimandla esihlongozwe emshwaneni 5(2)(a) kuya ku (d) bangagunyaza ukubulawa noma okunye ukushatshalaliswa kwesilwane, uma bekholwa ngokuthi lesi silwane esinqamula ngokungemthetho sinolaka, siwuhluho noma sinenkani ngendlela enobungozi ukuthi singavalelwa.

Umshwana 7: Ukukhululwa kwezilwane ngaphambi kokuyiswa esikidi

Umshwana 7 uhlinzekela ukuthi umnikazi wesilwane angafaka isicelo sokukhululwa kwesilwane ngaphambi kokuthi siyiswe esikidi nokuthi isilwane kumele sikhululwe noma singakhululwa kuncike ezimweni ezithile, noma ngale kwalokho umuntu ovalalele isilwane kumele axhumane nenkantolo ukuze afake isicelo sokuvalalela isilwane nokuthi akhokhelwe nganoma yimaphi amademeshe noma izindleko ngumnikazi wesilwane.

Umshwana 8: Ukunakekelwa kwezilwane ezinqamula endaweni ngokungemthetho

Umshwana 8 uhlinzekela ukuthi noma yisiphi isilwane esitholakala siinqamula endaweni ngokungemthetho noma esivalelwe esikidi asiyukusetshenziswa noma siphathwe kabi.

Umshwana 9: Isikidi okumele izilwane ziyiswe kuzo

Umshwana 9 uhlinzekela ukuthi isilwane esigcinelwe ukuvalalelwa esikidi kumele, kweyame ezinhlinzekweni zoMthetho, siyiswe esikidi esiseduze kanti futhi izilwane eziwuhlobo oluthile kumele zihlukaniswe ngaso sonke isikhathi.

Umshwana 10: Imininingwane okumele ihlinzekelwe umgcinisikidi wezilwane ezithunyelwe esikidi

Umshwana 10 uhlinzekela ukuthi umgcinisikidi kumele ahlinzekwe ngemininingwane ethile ngaphambi kokuvalalelwa kwesilwane esikidi.

Umshwana 11: Ukwamukelwa esikidi kwezilwane ezizovalelwa esikidi

Umshwana 11 uhlinzekela ukuthi umgcinisikidi angenqabe ukwamukela isilwane ukuthi sivalelwe esikidi.

Umshwana 12: Irejista yesikidi

Umshwana 12 uhlinzekela ukuthi umgcinisikidi ngamunye kumele agcine irejista equkethe imininingwane ehlongozwe oHlelweni 2, kanye nokuthi umgcinisikidi uyothweswa icala uma ekushaya indiva ukugcinwa kwerejista, noma enza okuthile kwirejista.

Umshwana 13: Isaziso kubanikazi bezilwane ezivalelwe esikidi

Umshwana 13 uhlinzekela ukuthi umgcinisikidi kumele azise umnikazi wesilwane ngokubhala phansi ngokuvalelwa kwesilwane sakhe.

Umshwana 14: Ukunakekelwa kwezilwane ezivalelwe esikidi

Umshwana 14 uhlinzekela ukuthi umgcinisikidi kumele anakekele kahle futhi aphe zonke izilwane ezivalelwe esikidi ukudla, kanye nokuthi uyohlawuliswa ngomonakalo owenzeke esilwaneni, kuncike ekutheni isilwane singabulawa ngokugunyazwa yiNkantolo, futhi kwaziswe umnikazi wesilwane, lapho isilwane sinobungozi, sikhubazekile noma sigula kakhulu.

Umshwana 15: Ukubekwa eceleni kwezilwane ezinezifo

Umshwana 15 uhlinzekela ukuthi noma yisiphi isilwane esinesifo, esihlongozwe eMthethweni weZifo zeziLwane, 1984, kumele sibekwe eceleni, kanye nokuthi kumele ngokushesha kudluliselwe umbiko kuDokotela weziLwane osebenzela uHulumeni.

Umshwana 16: Ukuphathwa kwezilwane ezivalelwe esikidi

Umshwana 16 uhlinzekela ukuthi izilwane ezivalelwe esikidi angeke zasetshenziswa kanye nokuthi izilwane zesilisa nezesifazane kumele zihlukaniswe ngaso sonke isikhathi.

Umshwana 17: Ukufa noma ukulimala kwezilwane ezivalelwe esikidi

Umshwana 17 uhlinzekela ukuthi umgcinisikidi kumele agcine umlando ngazo zonke izilwane ezilimele noma ezife ngesikhathi zivalelwe esikidi, kanye nokuthi umnikazi wesilwane kumele aziswe ngokubhaliwe ngokulimala noma ngokufa kwezilwane.

Umshwana 18: Amakhophi oMthetho

Umshwana 18 uhlinzekela ukuthi umgcinisikidi kumele agcine amakhophi alo Mthetho ngesiNgisi, isiZulu kanye nesiBhunu.

Umshwana 19: Izimali ezikhokhelwa umgcinisikidi

Umshwana 19 uhlinzekela ukuthi umgcinisikidi unelungelo lokukhokhisa kanye nokukhokhelwa ngumnikazi wesilwane esivalelwe esikidi ngokuhambisana noHlelo 3.

Umshwana 20: Ukukhululwa kwezilwane ezivalelwe esikidi

Umshwana 20 uhlinzekela ukuthi umgcinisikidi kumele akhulule isilwane esivalelwe esikidi uma umnikazi waso esekhokhe yonke imali edingekile futhi wahlinzekela ngobufakazi bobunikazi baleso silwane, kuncike ekutheni umgcinisikidi angasigcina leso silwane ukuze akhokhelwe imali yakhe kanye nomonakalo.

Umshwana 21: Ukudayiswa kwezilwane ezivalelwe esikidi

Umshwana 21 uhlinzekela ukuthi akukho ukudayisa okuyokwenziwa ngaphandle kokugunyazwa yinkantolo, ngemva kokwazisa umnikazi wesilwane, futhi uhlinzeka ngenqubo okumele ilandelwe yinkantolo maqondana nokuphethwa kwesicelo esifakiwe.

Umshwana 22: Umgcinisikidi angeke athenga izilwane ezivalelwe esikidi

Umshwana 22 uhlinzekela ukuthi umgcinisikidi noma ilungu lomndeni kanye nosondelene naye, angeke athenga isilwane esisendalini.

Umshwana 23: Izilwane ezingadayisekanga

Umshwana 23 uhlinzekela ukuthi umgcinisikidi kumele aluleke inkantolo egunyaze ukudayiswa maqondana nokungadayiseki kwesilwane, futhi inkantolo kumele inikeze umgcinisikidi leyo miyalelo njengoba ingangoba kufanele.

Umshwana 24: Inzuzo yokudayisa

Umshwana 24 uhlinzekela ukuthi inzuzo yakho konke ukudayisa, okweqele ngaphezu kwemali kanye nezindleko ezenzekile kanye nomonakalo okhishwe yiNkantolo, kumele ikhokhelwe umnikazi wesilwane esikhathini esingangezinsuku ezingamashumi amathathu, noma ikhokhwe esikhwameni sokuqoqwa kwezimali zomasipala, uma umnikazi wesilwane engatholakali.

Umshwana 25: Ukukhokhelwa ngomonakalo

Umshwana 25 uhlinzekela ukuthi noma yimuphi umuntu odalekelwe umonakalo ngenxa yokunqamula kwesilwane ngokungemthetho angadlulisela udaba lwakhe kunoma iyiphi inkantolo.

Umshwana 26: Inqubo okumele ilandelwe ekufakweni kwezicelo eNkantolo

Umshwana 26 uchaza ngenqubo okumele ilandelwe uma umuntu efaka isicelo eNkantolo sokuthi kuvalelwe isilwane esikidi, sokudayiswa kwesilwane, noma sokukhokhelwa ngomonakalo odaleke ngesikhathi kunqamula isilwane ngokungemthetho.

Umshwana 27: Amacala kanye nezinhlawulo

Umshwana 27 uhlinzeka ngamacala kanye nezinhlawulo eziyotholakala.

Umshwana 28: Imithethonqubo

Umshwana 28 unikeza iLungu loMkhandlu oPhethe amandla okwenza imithethonqubo emva kokubonisana nohulumeni basekhaya abahlelekile.

Umshwana 29: iziNhlelo 1, 2 kanye no-3 ezakha ingxenye yoMthetho

Umshwana 29 uhlinzekela ukuthi iziNhlelo ezikulo Mthetho zakha ingxenye yalo Mthetho, kanye nokuthi iLungu loMkhandlu oPhethe lingachibiyela iziNhlelo, emva kokubonisana nohulumeni basekhaya abahlelekile, ngokukhipha isaziso kwiGazethi yesiFundazwe.

Umshwana 30: Ukuchithwa kwemithetho

Umshwana 30 uhlinzeka ngokuchithwa kwe-Odinensi kanjalo nazo zonke izichibiyelo ze-Odinensi enkulu.

Umshwana 31: Izinhlelo zesikhashana

Umshwana 31 uhlinzeka ngezinyathelo zesikhashana maqondana nokuqhubeka kokusebenza kwezikidi ezasungulwa ngokwe-Odinensi, kuze kube yisikhathi lapho isikidi sisungulwa ngokomshwana 3 walo Mthetho, kanye nokuthi uMasipala ngamunye kumele ubuyekeze imithethodolobha yawo maqondana nezikidi esikhathini esingangezinyanga eziyisithupha kusukela ngosuku lokuqaliswa kwalo Mthetho, ukuqinisekisa ukuhambisana nezinhlinzeko zalo Mthetho.

Umshwana 32: Isihloko esifingqiwe

Lo ngumshwana omile.

UHlelo 1: INqubo yokuSebenza Kahle ekuPhatheni kanye nasekuThuthweni kweziLwane eziValelwe eziKidi

Njengoba kuhrongozwe emshwaneni 5(4) le Nqubo yokuSebenza Kahle ihlinzekela ngemininingwane emaqondana nokuthi izilwane ezivalelwe esikidi kumele ziphathwe kanjani ngesikhathi zivalelwe nangemuva kokuvalelwa esikidi, kanye nendlela izilwane okumele zithuthelwe ngayo esikidi.

UHlelo 2: Imininingwane yerejista lesikidi

Njengoba kuhrongozwe emshwaneni 12, lolu Hlelo lunikeza yonke imininingwane umgcinisikidi okumele ayigcwalise kwirejista ngokushesha lapho kunesilwane esilethwe esikidi.

UHlelo 3: Izimali kanye namanani akhokhelwa isilwane kanye nakhokhelwa umgcinisikidi

Njengoba kuhrongozwe emshwaneni 19, lolu Hlelo luqukethe izimali kanye namanani akhokhelwa umgcinisikidi ngesilwane ngasinye ngosuku.

UHlelo 4: Ukuchithwa kwemithetho

Njengoba kuhrongozwe emshwaneni 30, lolu Hlelo luqukethe yonke imithetho ezochithwa yilo Mthetho.

IMIGWAMANDA KANYE NEZINHLANGANO OKUZOXHUNYANWA NAZO

UMthethosivivinyo washicilelwa ngokwezinhlinzeko zesigaba 154(2) soMthethosisekelo, yize kwatholakala umbono owodwa owawuvela kumgcinisikidi. Akukho mibono eyayiqhamuka kunoma yimuphi umasipala noma kohulumeni basekhaya abahlelekile eyatholakala.

IZIMALI OKUZODINGEKA UKUTHI ZIKHOKHWE YISIFUNDAZWE

Azikho.

UKUTHINTEKA KOMASIPALA

Umasipala ngamunye kuyodingeka ukuthi usungule futhi ubeke eceleni imali yesikidi sawo ngamunye, njengoba izikidi omsebenzi wohulumeni basekhaya ngokoHlelo 5B loMthethosisekelo, yize izimali ezithile okumele zikhokhwe ngumasipala ngamunye zingakaziwa.

INQUBO YOKWENZIWA KOMTHETHO

Uma uMthethosivivinyo uqinisekiswa nguMeluleki oMkhulu wezoMthetho wesiFundazwe uyobe usudluliselwa kubahumushi ukuze uhunyushwe ngesiZulu nangesiBhunu, emva kwalokho uyokwethulwa eMkhandlwini oPhethe wesiFundazwe saKwaZulu-Natali ukuze uvunywe. Uma kwenzeka uvunywa, uMnyango uyobe usuphakamisa isincomo sokuthi uMthethosivivinyo udluliselwe kuSomlomo wesiShayamthetho wesiFundazwe njengoMthethosivivinyo ophuthumayo, njengoba kuhrongozwe eMthethweni 172 weMithetho eMile yePhalamende laKwaZulu-Natali, ukuze kuqinisekiswa ukuthi uMthethosivivinyo uqala ukusebenza ngaphambi kokuphela kwesikhathi esibekwe yiNkantolo yoMthethosisekelo.

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Advertisements must be submitted by 09:00 on Wednesdays.

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Enquiries to be addressed to:

**The Provincial Gazette of KwaZulu-Natal, PO Box 362,
PIETERMARITZBURG 3200.****KENNISGEWING AAN INTEKENAARS,
ADVERTEERDERS EN DIE ALGEMENE
PUBIEK**

Advertensietariewe is met ingang van 1 Oktober 1997 soos volg:

	met inbegrip van boonste, sy- en onderste kantlyne	
	per bladsy	per cm ²
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Geen aanspreeklikheid vir verliese as gevolg van weglatings of drukfoute word aanvaar nie.

Advertensies moet teen 09:00 op Woensdae ontvang word.

Intekengelde per jaar: Republiek van Suid-Afrika, R100,00; buite die Republiek R125,00; per enkel eksemplaar, uitgesonderd Buitengewone Koerante R2,50 BTW ingesluit.

Navrae moet gerig word aan:

**Provinsiale Koerant van KwaZulu-Natal, Posbus 362,
PIETERMARITZBURG 3200.****CONTENTS**

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**TOWN PLANNING SCHEMES: AMENDMENT/
DORPBEPLANNINGSKEMAS: WYSIGING****KWADUKUZA MUNICIPALITY
BALLITO TOWN PLANNING SCHEME
(IN COURSE OF PREPARATION)
PROPOSED AMENDMENT**

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance, No. 27 of 1949, that the KwaDukuza Council intends to consider the following amendment to the Ballito Town Planning Scheme:

- (i) The introduction of a new "Table C: Use Zone" and "Table D: Density Zone", named "Special Zone: Erf 618, Ballito", permitting the development of a "Residential Building" on Erf 618, Ballito. The proposed "Density Parameters" being F.A.R. Na.; Coverage: 55% and Height: 3 Storeys. It is also proposed that the Building Line requirements onto Compensation Beach Road be restricted 3,5m and onto Edward Place to 6,5m.

- (ii) The Rezoning of Erf 618 (1 Edward Place), Ballito from "General Residential 1" to "Special Zone: Erf 618, Ballito" purposes.

Any person desiring to object to this proposal may do so by lodging a written notice setting out the grounds of his/her objection on or before 30 June 2006 with: The Municipal Manager, KwaDukuz Municipality, P.O. Box 72, Stanger, 4450.

Objectors must, in notifying the Municipal Manager, clarify that a copy of the notice has been served on the applicant at the address given below by registered or certified post or by hand. Any objection received after the prescribed date and/or where a copy has not been served on the applicant is not valid.

Plans and particulars relating to this application may be inspected during normal office hours Monday to Friday (excluding public holidays) at The Secretary: Development and Planning Section, KwaDukuza Municipality, 10 Leonora

Drive, Ballito. The application will lie for inspection from 9 June 2006.

Name and address of applicant
AF Planning (Tel: 032-9460151)
P.O. Box 234
Ballito 4420.

D1—June 8, 2006.

**UMASIPALA WAKWADUKUZA
OLUNGUMHLANDLELA
WEDOLOBHA LASE-BALLITO
ISICHIBIYELO ESIHLONGOZWAYO**

Lapha kukhishwa isaziso ngokwemigomo yoMthetho u-Section 47 bis B okuyiMthetho engumhlahlandlela yamadolobha oMasipala, onguNo. 27 ka 1949, njengokuchibiyelwa kwayo, ukuthi umkhandlu wakwaDukuza uhlongoza ukuchibiyela uhlelo olungumhlahlandlela wedolobha kubalulwa lapha ngezansi.

- (i) The introduction of a new "Table C: Use Zone" and "Table D: Density Zone", named "Special Zone: Erf 618, Ballito", permitting the development of a "Residential Building" on Erf 618, Ballito. The proposed "Density Parameters" being F.A.R. Na.; Coverage: 55% and Height: 3 Storeys. It is also proposed that the Building Line requirements onto Compensation Beach Road be restricted 3,5m and onto Edward Place to 6,5m.

- (ii) The Rezoning of Erf 618 (1 Edward Place), Ballito from "General Residential 1" to "Special Zone: Erf 618, Ballito" purposes.

Bonke abafisa ukuphikisana nesicelo sokushintsha ukusetshenziswa kwendawo bangaleta imibono yabo phambi kuka 30 kuNhlanguvana 2006, kulelikheli elilandelayo with The Municipal Manager, KwaDukuz Municipality, P.O. Box 72, Stanger, 4450.

Abaphikisayo kumelobasize umphakathi wakwa Masipala bachaze kabanzi ukuthi ikhophi

yesaziso sinikwe kulowo ofake isicelo kuleli kheli elingenzansi ngeposi noma ngokuyini-kezela ngesandla. Isikhalazo esifika sekudlule nogkuyinikezela ngesandla. Isikhalazo esifika sekudlule usuko olubhaliwe/noma isikhalazo esingafrikanga kulowo osifakile isicelo ngekesi-balwe.

Imidwebo ne mininingwane ehambisana nalesicelo ingabonakala kumahhovisi kaMasipala kusukela ngo msombuluko kuya kulweshlanu (ngaphandle kwaMaholidi) kusukela ngo 08:00 ekuseni kuyaku 16:00 ntambama.

Igama Nekheli Lalowo Ofaka Isicelo
AF Planning (Tel: 032-9460151)
P.O. Box 234
Ballito 4420.

D1—kuNhlanguvana 8, 2006.

**uMLALAZI MUNICIPALITY
Notice 44/2006
AMENDMENT: ESHOWE TOWN
PLANNING SCHEME: REZONING ERF 895
ESHOWE**

Notice is hereby given in terms of Section 47 bis (B)(1) of the Town Planning Ordinance 27 of 1949, as amended, of the intention of the uMlalazi Municipality to amend the Eshowe Town Planning Scheme, in course of preparation, to rezone Erf 895 Eshowe from "Public Open Space" to "Special Residential 1".

Details of proposed scheme amendment are open for inspection at the uMlalazi Municipality offices at Hutchinson Street, Eshowe during normal office hours.

Written objections against or representations concerning the proposed scheme amendment should reach the Municipal Manager, P.O. Box 37, Eshowe, 3815 on or before 30 June 2006.

CHRIS GERBER,
Municipal Manager.

uMlalazi Municipality,
P.O. Box 37,
Eshowe 3815.

D4—June 8, 2006.

**ETHEKWINI MUNICIPALITY
OUTER WEST ADMINISTRATIVE AREA
AMENDMENT TO THE HILLCREST TOWN
PLANNING SCHEME IN COURSE OF
PREPARATION**

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance (No. 27 of 1949), as amended that an application has been lodged with the Outer West Administrative Area to amend the Hillcrest Town Planning Scheme in course of preparation by rezoning Portion 284 (of 3) of the Farm Albinia No. 957 and known as 3 Old Main Road, Hillcrest from Worship in terms of the Hillcrest Town Planning Scheme to Low Impact Mixed Use District Two in terms of the Hillcrest/Gillitts Activity Corridor Local Development Plan, as a component of the Consolidated Outer West Town Planning Scheme.

The relevant documents are available for inspection during normal hours at the Civic Office, Hillcrest.

Interested persons may lodge written objections or representations with the undersigned by no later than close of business on 30 June 2006.

J.A. FORBES,
Manager: Planning and Development.
Outer West Administrative Area,
P.O. Box 36,
Kloof 3640,
22 Delamore Road,
Hillcrest 3610.

D9—June 8, 2006.

**UMKHANDLU OMKHULU WETHEKU
ENTSHONALANGA ENGAPHANDLE
EMAHHOVISI OKUPHATHA
IZIPHAKAMISO NGEZICHIBIYELO:
KUSOMQULU WOKUHLELWA
KWEDOLOBHA WASE HILLCREST
OSACUTSHUNGULWAYO**

Isaziso ngokwesigaba 47 bis B somthetho wezokuhlelwa kwamadolobha (Town Planning Ordinance No. 27 of 1949), ngokuchitshiyelwa, niyaziswa ngesicelo esifakwe kuMkhandlu weTheku oseNtshonalanga engaphandle mayelana noguquko kuSomqulu woluHlelwa kweDolobha waseGillitts osacutshungulwayo, esimayelana nokuguqula umhlaba (Rezoning).

Portion 284 (of 3) we Farm Albinia No. 957 kanye nenge ngu 3 Old Main Road, Hillcrest uguqulwa ekubeni yindawo yoku Dumisa (Isonto) ngokukasomqulu wase Hillcrest wokuhlelwa kwamadolobha (Hillcrest Town Planning Scheme) ukuba usetshenziselwe izinto ezixubile (Low Impact Mixed Use District Two) ngokuka somqulu wase Hillcrest/Gillitts Activity Corridor Local Development Plan, okuyinto yodudidiyela ekusomqulu (Consolidated Outer West Town Planning Scheme).

Imibhalo neminingwano iyatholakala ngezikhathi zomsebenzi emahhovisi omkhandlu ase Hillcrest.

Iziphakamiso nemibono ingathunyelwa ngaphambi komhlaka 30 kuNhlanguvana 2006.

J.A. FORBES,
Manager: Planning and Development.
Outer West Administrative Area,
P.O. Box 36,
Kloof 3640,
22 Delamore Road,
Hillcrest 3610.

D9—kuNhlanguvana 8, 2006.

**TOWNSHIPS AMENDMENT AND REMOVAL OF RESTRICTIONS
DORPE: WYSIGING EN OPHEFFING VAN BEPERKINGS**

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS
NOTICE NO. 623
INVITATION FOR PUBLIC COMMENT
APPLICATION FOR REMOVAL OF RESTRICTIONS RELATING TO LAND**

An application has been received for the removal of the following conditions from Deed of Transfer T28847/98 pertaining to Portion 164 (of 180) of the farm Shortts Retreat No. 1208, Msunduzi Municipality—

- condition B.2. that restricts the use of the property to one dwelling house;
- condition B.3. that prohibits the erection of any structures within 12.20 metres of the railway boundary and imposes a building line restriction; and
- condition B.4. that prohibits trade or business on the property.

The application (file reference: 2006/426) is available for viewing on appointment at the office of Mrs B M Asaram, Development Planning (Inland Implementation Office), Southern Life Plaza, 271 Church Street, Pietermaritzburg (Telephone: 033- 355 6538).

Anyone wishing to comment on the application may do so in writing by no later than 17 July 2006 to the Acting Deputy Manager: Development Planning (Inland Implementation Office), Private Bag X9018, Pietermaritzburg, 3200. Kindly include your postal address and contact telephone number in your correspondence.

G7—June 8, 2006.

MISCELLANEOUS/DIVERSE

DFA APPLICATION

Regulation 21(10) of the Development Facilitation Regulations in terms of the Development Facilitation Act, 1995

Afriquest Leisure Developments (Pty) Ltd has lodged an application in terms of the Development Facilitation Act, 1995, for the establishment of a land development area on:

- Remainder of Portion 7 of the Farm Driefontein No. 1389
- Remainder of Portion 9 (of 8) of the Farm Driefontein No. 1389
- Remainder of Portion 1 of the Farm Bell Park No. 15793
- Portion 7 of the Farm Bell Park No. 15793
- Remainder of Portion 8 of the Farm Bell Park No. 15793
- Portion 10 (of 1) of the Farm Bell Park No. 15793

The development will consist of a rejuvenation spa, two lodges, recreational facilities and 72 mini-subbs for 72 chalets. The relevant plans, documents and information are available for inspection at the 12 Leonard Road, Hilton (T) 033 3433821, for a period of 21 days from 1 June 2006.

The application will be considered at a Tribunal hearing to be held at the Monks Cowl Country

Club, Cathkin Park on 5 September 2006 at 10:00 and the prehearing conference will be held at Monks Cowl Country Club, Cathkin Park on 25 July 2006 at 10:00.

You may attend an inspection *in loco* of the land development area which will be conducted by the Tribunal on 4 September 2006 at 14:00.

Any person having an interest in the application should please note:

- You may within a period of 21 days from the date of the first publication of this notice, provide the designated officer with your written objections or representations; or
- If your comments constitute an objection to any aspect of the land development application, you must appear in person or through a representative before the Tribunal at the pre-hearing conference, on the date mentioned above.

Any written objection or representation must be delivered to the designated officer, Mr W. Viljoen, uThukela District Council, 76 Murchison Street, Ladysmith and you may contact the designated officer if you have any queries at the following: (T) 036 6385100 or (F) 036 6355501.

H2—June 8, 2006.

DFA APPLICATION

Umthetho 21(10) wemithetho yokuKhuthaza iNtuthuko ngokulandela uMthetho wokuKhuthaza iNtuthuko ka-1995

Afriquest Leisure Developments (Pty) Ltd ufake isicelo ngokulandela uMthetho wokuKhuthaza iNtuthuko mayelana nokumiswa kwendawo yokuthuthukiswa:

- Remainder of Portion 7 of the Farm Driefontein No. 1389
- Remainder of Portion 9 (of 8) of the Farm Driefontein No. 1389
- Remainder of Portion 1 of the Farm Bell Park No. 15793
- Portion 7 of the Farm Bell Park No. 15793
- Remainder of Portion 8 of the Farm Bell Park No. 15793
- Portion 10 (of 1) of the Farm Bell Park No. 15793

Ukuthuthukiswa kubabandakanya lokhu okulandelayo a rejuvenation spa, two lodges, recreational facilities and 72 mini-subbs for 72 chalets. Amapulani, izincwadi neminingwane edingekayo ukuze ihlolwe itholakala 12 Leonard Road, Hilton isikhathi esiyizinsuku ezingama-21 kusukela l kuNhlanguvana 2006.

Isicelo siyocutshungulwa eNkundleni yokulalela izicelo eyohlala Monks Cowl Country Club,

Cathkin Park mhla ka on 5 kuMandulo 2006 ngo 10:00 kanti umhlangano wokwendulela uyoba Monks Cowl Country Club, Cathkin Park mhla ka 25 kuNtulikazi 2006 ngo 10:00.

Ungaba khona lapho kuholwa mathupha indawo ethuthukiswayo okuyokwenziwa yiNkundla yokulalela izicelo mhla ka 4 kuMandulo 2006 ngi 14:00.

Yinoma yimuphi umuntu onentshisekelo mayelana nesicelo kumele aqaphele lokhu:

1. Ezinsukwini ezingu-21 sazizo sokuqala simenyezelwe, unganikeza isiphathi-mandla esiqokiwe isikhalo noma umbono wakho obhalwe phansi; noma
2. Uma umbono wakho kuyisikhalo esiqondene nokuthile mayelana nesicelo sokuthuthukisa umhlaba, kumele ube khona mathupha noma umelwe ummeli eNkundleni ngosuku olubalulwe ngenhla.

Noma yisiphi isikhalo noma umbono obhalwe phansi kumele uthonyelwe kwisiphathi-mandla esiqokiwe Mr W. Viljoen, uThukela District Council, 76 Murchison Street, Ladysmith futhi unqathintana nesiphathi-mandla lapha (T) 036 6385100 (F) 036 6355501.

H2—June 8, 2006.

CITY OF uMHLATHUZE

Notice 123/2006

NOTICE IN TERMS OF SECTION 14 OF THE LOCAL GOVERNMENT MUNICIPAL PROPERTY RATES ACT NO. 6 OF 2004

Notice is hereby given in terms of Section 14 of the Local Government Municipal Property Rates Act No. 6 of 2004 that the uMhlathuze Local Municipality by a resolution by the Council with a supporting vote of a majority of its members on 31 May 2006 a resolution levying rates as follows:

- (a) Assessment rates for Richards Bay, Esikhaweni, Nseleni and Vulindela.
1. 3,718 cents in the Rand on:
 - 1.1. all Special Residential 1, Special Residential 2, Special Residential 3 and General Residential 1 and General Residential 2 zoned premises/properties/erven which in terms of the Richards Bay Town Planning Scheme in course of preparation, in accordance with the relevant zoning is authorised for the erection and use thereof for purposes of chalet, dwelling house, additional dwelling unit, residential building, medium density housing, cluster housing, group housing and hostels;
 - 1.2. premises/properties/erven on the Ridge reserved as Public Open Space;
 - 1.3. 7,383 cents in the Rand on:
 - 1.4. all other properties/premises/erven which in terms of the Richards Bay Town Planning Scheme in course of preparation, have been zoned or reserved for purposes other than those zonings/purposes/reservations mentioned in 1.1 above, with the inclusion of any property or Erf under 1.1 above of which the application actual/ use thereof is not solely that of chalet, dwelling house, additional dwelling unit, residential building, medium density housing, cluster housing and/or group housing, whichever the case may be;
 - 1.5. all properties/premises/erven mentioned under 1.1 above for which consent uses have been granted;

- (b) Assessment Rates for Empangeni and Ngwelezane:

1. for zonings 1 to 6 – 4,666 cents in the rand (residential);
2. for zonings 7 to 26 – 6,307 cents in the rand (properties other than residential);

- (c) all properties/premises/erven zoned and solely used for agricultural purposes be rated at R0,00 per cent on the rand for the 2006/2007 financial year.

- (d) the final date for payment of Assessment Rates be determined as 30 September 2006, provided that this date is not applicable to ratepayers who prefer to pay assessment rates in 12 (twelve) equal monthly investments;

- (e) Pensioners:

1. On written request annually, a rebate of 20% on property rates be granted to persons who own and occupy that property and can prove to the satisfaction of the Chief Financial Officer that they comply with the following requirements:

The applicant must be a ratepayer of 60 years or older or receive a disability pension from a registered pension or provident fund and be a bona fide pensioner (as stipulated in terms of Section 151 (10) and 170 (1) of the Local Authorities Ordinance, 1974) in terms of which Council may determine the minimum age for the purpose of granting a rebate to pensioners.

- 2.1 the applicant must be the owner and occupier of the residential property in question and the property must be registered in his/her name (Body Corporate's not included);
- 2.2 the total household income of the applicant may not exceed R40000,00 per annum;
- 2.3 the applicant must provide a Sworn Affidavit stating:
 - 2.3.1 The declared income is the sole source of income to the pensioner.
 - 2.3.2 His/her income does not exceed R40 000,00.
 - 2.3.3 He/she permanently occupies the residential property.
3. all applicants be submitted before 30 September 2006 and no applicants received after a pre-determined date will be considered; and
4. a new application must be made for each financial year.

A detailed copy of the resolution of levying rates on property is open for inspection on the public notice board at the office of the Director Corporate Services, 1st Floor, Municipal Offices: Corner of Lira Link & Mark Strasse, Richards Bay, all municipal satellite offices, libraries and on the website; www.richemp.org.za for 30 days after the date of this notice.

DR A.W. HEYNEKE,
Chief Executive Officer.

Civic Offices,
Private Bag X1004,
Richards Bay 3900.

H3—June 8, 2006.

NOTICE OF ENVIRONMENTAL AUTHORIZATION: ROAD NETWORK UPGRADE

The proposed activity is for the **UPGRADING OF AN EXISTING 1,6 KMLONG and 7 METRE WIDE JEEP TRACK AND POOR ROAD WITH A PROPER STORMWATER DRAINAGE SYSTEM**, has recently been authorized by the KwaZulu-Natal Department of Agriculture and Environmental Affairs.

The particular road is:

- EIA/6465 – Doornkop Road, Magisterial District Newcastle

Copies of the Record of Decision (RoD) issued on 26 May 2006 may be obtained from either:

Gerhard Cillie (Pr.Sci.Nat)
Environmental Scientist
ENPROCON cc
Tel/Fax: (034) 326-3849
E-Mail: enprocon@telkomsa.net

OR

Mrs Ramdeen/Mr Ngubane
Department of Agriculture and Environmental Affairs
Private Bag X9059
Pietermaritzburg
3200

An appeal against the authorisation or condition/s of authorisation may be lodged with the MEC for Agriculture and Environmental Affairs, Prof. L.G.B. Ndabandaba, Private Bag X9059, Pietermaritzburg, 3200, within 30 calendar days of this of authorisation setting out all the facts as well as the grounds of appeal and including all relevant documents and certified copies in accordance with Section 35 of the Environmental Conservation Act, Act 73 of 1989.

H5—June 8, 2006.

NOTICE OF ESTABLISHMENT OF A LAND DEVELOPMENT AREA

PLANKONSULT has lodged an application in terms of the Development Facilitation Act, 1995 (Act 67 of 1995) for the establishment of a land development area on Erf 508 Oslo Beach (formerly Portion 1 of Lot 24 of the Farm Marburg Settlement No. 5872), Hibiscus Hibiscus Coast Municipality.

The development will consist of the following:

A township development consisting of 28 Residential only 2 erven (minimum size 700m²), 1 Private Open Space erf, 1 Special Zone erf (minimum size 8 500m²), 1 Local Residential 1 erf (minimum size 1800m²), 1 Private Conservation Reserve erf and 1 Private Roads erf.

The relevant plan(s) document(s) and information are available for inspection at Ugu District Municipality offices in Bazley Street in Port Shepstone, for a period of 21 days from 8 June 2006.

All interested and affected parties are hereby informed that they may attend an inspection *in loco* of the land development area, which will be conducted by the Tribunal on 24 July 2006 at 14:00.

A Pre-hearing Conference has been scheduled for 23 June 2006 at 10:00 at St Michaels Sand Hotel, 1 Marine Drive, St Michaels on Sea, Uvongo.

The application will be considered at a Tribunal Hearing to be held on 25 July 2006 at 10:00 at St Michaels Sands Hotel, 1 Marine Drive, ST Michaels on Sea, Uvongo.

Any person having an interest in the application should please note:

1. You may within a period of 21 days from the date of the first publication of this notice (8 June 2006), provide the designated officer with your written objections or representations; or
2. If your comments constitute an objection to any aspect of the land development application, you may but you are not obliged to appear in person or through a representative before the Tribunal on the date mentioned above.

Any written objection or representation must be delivered to the designated officer at Ugu District Municipality, and you may contact the designated officer at the following address:

MR K. ZULU,
Designated Officer.

Ugu District Municipality,
P.O. Box 33,
Port Shepstone 4240.
Telephone Number: 039-688 5796
Fax Number: 039-682 3352

H6—June 8, 2006.

KENNISGEWING VAN STIGTING VAN 'N GRONDONTWIKKELINGSGBIED

PLANKONSULT het 'n aansoek ingevolge die Wet op Ontwikkelingsfasilitering 1995 (Wet 67 van 1995) ingedien vir die stigting van 'n grondontwikkelingsgebied op Erf 508 Oslo Beach (voorheen Gedeelte 1 van die plaas Marburg

Settlement No. 5872), Hibiscus Coast Munisipaliteit.

Die ontwikkeling sal bestaan uit die volgende: 'n Dorpsontwikkeling bestaande uit 28 Enkel Woon erwe (minimum erfgrootte 700m²), 1 Privaat Oopruimte Erf, 1 Spesiale Sone erf (minimum erfgrootte 8 500m²), 1 Algemene Woon erf (minimum erfgrootte 1 800m²), 1 Privaat Bewarings Reserwe erf en 1 Privaat Pad erf.

Die betrokke planne, dokumente en inligting is ter insae beskikbaar by die Ugu Distriksmunisipaliteit, Bazeleystraat, Port Shepstone vir 'n tydperk van 21 dae vanaf 8 Junie 2006.

Betrokkes word hiermee in kennis gestel dat 'n ter plaatse inspeksie van die grondontwikkelingsgebied bygewoon mag word op 24 Julie 2006 om 14:00.

'n Voorverhoor konferensie is geskeduleer vir 23 Junie 2006 om 10:00 te St Michaels Sands Hotel, Marinerylaan 1, St Michaels on Sea, Uvongo.

Die aansoek sal oorweeg word tydens die sitting van die tribunaal wat gehou sal word om 10:00 op 25 Julie 2006 te St Michaels Sands Hotel, Marinerylaan 1, St Michaels on Sea, Uvongo.

Enige persoon wat 'n belang in die aansoek het moet daarop let dat:

1. Belanghebbendes mag die aangewese beampete van geskrewe besware of vertoë voorsien binne 'n tydperk van 21 dae vanaf die datum van die eerste publikasie van hierdie kennisgewing; of
2. Indien enige kommentaar 'n beswaar teen enige aspek van die grondontwikkelingsaansoek daarstel, sodanige persoon of sy verteenwoordiger persoonlik voor die tribunaal kan verskyn op die datum hierbo vermeld, maar is nie verplig nie.

Enige geskrewe beswaar of vertoë moet by die aangewese beampete te Ugu Distriks Munisipaliteit afgelewer word en die aangewese beampete kan gekontak word by:

MNR K. ZULU,
Aangewese Beampete.

Ugu Distrik Munisipaliteit,
Posbus 33,
Port Shepstone 4240.

Telefoonnommer: 039-688 5796
Faksnommer: 039-682 3352

H6—Junie 8, 2006.

**ABAQULUSI MUNICIPALITY
OFFICE OF THE MUNICIPAL MANAGER
Notice 37/2006**

NOTICE OF EXPROPRIATION

THIS NOTICE IS ADDRESSED TO:

Claveshay Estates, being the owner of the property referred to below (hereinafter referred to as "the owner" and which expression includes the trustee or liquidator in the insolvent estate of the owner and the authorised representative of the owner in the Republic of South Africa).

PLEASE TAKE NOTICE that the Abaqulusi Municipality (hereinafter referred to as "the Municipality") in terms of the powers vested in the Municipality by Section 9(3)(a) of the Housing Act, No. 107 of 1997 (hereinafter referred to as "the Housing Act") read with and in terms of Sections 1, 6 to 15 and 18 to 23 of the Expropriation Act, No. 63 of 1975 (hereinafter referred to as "the Expropriation Act") hereby expropriates the following property together with all improvements and all rights to minerals attaching thereto in respect of which you are the owner:

The Farm Bloemkrans No. 853, Registration Division HU, Province of KwaZulu-Natal, measuring 263,0100 (two hundred and six three comma naught one naught naught) hectares under Deed of Transfer No. T12862/2004 (Hereinafter referred to as "the property").

Excluded from this expropriation are four school sites measuring 7,6 (seven comma six) hectares that were expropriated by the Department of Education on 9 October 2003, in terms of notice number 913 of 2003.

As a result of the expropriation by the Department of Education, the actual land area hereby expropriated by the Abaqulusi Municipality will accordingly be 255,4100 (two hundred and fifty five comma four one naught naught) hectares.

PLEASE TAKE FURTHER NOTICE:

1. That the date of Expropriation is the 12 June 2006 from which date ownership in the property shall vest in the Municipality;
2. That the Municipality shall take possession of the property on 12 June 2006.
3. That the property is being expropriated for public purposes in general, with the specific purpose of providing and delivering housing.
4. That no compensation is offered to the owner by the Municipality in terms of this expropriation notice and the owner's attention is drawn to the provisions hereinafter set out with regards to the claim for compensation;
5. Of the provisions of Section 9(1) of the Expropriation Act, read with Section 9(3)(b) of the Housing Act which provides that:

"(1) An owner whose property has been expropriated in terms of this Act, shall, within sixty days from the date of notice in question, deliver or cause to be delivered to the Minister a written statement indicating —

- (a) if any compensation was in the notice of expropriation offered for such property, whether or not he accepts that compensation and, if he does not accept it, the amount claimed by him as compensation and how much of that amount represents each of the respective amounts contemplated in section 12 (1) (a) (i) and (ii) or (b) and full particulars as to how such amounts are made up;
- (b) if no such compensation was so offered, the amount claimed as compensation by him and how much of that amount represents each of the respective amounts contemplated in section 12 (1) (a) (i) and (ii) or (b) and full particulars as to how such amounts are made up;
- (c) if the property expropriated is land and any amount is claimed in terms of paragraph (a) or (b), full particulars of all improvements thereon which, in the opinion of the owner, affect the value of such land;
- (d) if the property being expropriated is land —

(i) which prior to the date of notice was leased as a whole or in part by unregistered lease, the name and address of the lessee, and accompanied by the lease or a certified copy thereof, if it is in writing, or full particulars of the lease, if it is not in writing;

(ii) which prior to the date of notice, was sold by the owner, the name and address of the buyer, and accompanied by the contract of purchase and sale or a certified copy thereof;

(iii) on which a building has been erected which is subject to a builder's lien by virtue of a written building-contract, the name and address of the builder, and accompanied by the building contract or a certified copy thereof;

(e) the address to or at which the owner desires that further documents in connection with the expropriation may be posted or delivered or tendered:

Provided that the Minister may at his discretion extend the said period of sixty days, and that, if the owner requests the Minister in writing within thirty days as from the date of notice to extend the said period of sixty days, the Minister shall extend such period by a further sixty days."

6. Of the provisions of Section 12(3)(a)(ii) of the Expropriation Act (read with Section 9(3)(b) of the Housing Act) which provides that:

"(3)(a) Interest at the standard interest rate determined in terms of section 26 (1) of the Exchequer Act, 1975 (Act No. 66 of 1975), shall, subject to the provisions of subsection (4), be payable from the date on which the State takes possession of the property in question in terms of section 8 (3) or (5) on any outstanding portion of the amount of compensation payable in accordance with subsection (1)."

and the provisions of sub-Section 12(3)(a)(ii) of the Expropriation Act which provides that:

"(ii) if the owner fails to comply with the provisions of section 9 (1) within the appropriate period referred to in the said section, the amount so payable shall during the period of such failure and for the purpose of the payment of interest be deemed not to be an outstanding amount."

7. Of the provision of Section 13(3) of the Expropriation Act, which provides that:

"(3) If the owner of expropriated property fails to comply with the provisions of section 9 (1) 9d) (i) and the Minister did not prior to the payment of any compensation money to the owner become aware of the existence of the lease in respect of such property the State shall not be obliged to pay compensation to the lessee concerned in respect of the termination of this rights, but such owner shall be liable to any such lessee for damage sustained by him in consequence of the termination of his rights."

8. Please take further notice that all responses in terms of this Notice of Expropriation must be addressed to:

Municipal Manager,
Abaqulusi Municipality,
P.O. Box 57,
Vryheid 3100.

C.J. LOURENS,
Acting Municipal Manager.
H8—June 8, 2006.

