

THE  
Provincial Gazette  
OF  
KwaZulu-Natal

Published by Authority  
(Registered at the post office as a newspaper)

DIE  
Provinsiale Koerant  
VAN  
KwaZulu-Natal

Op Gesag Uitgegeë  
(As 'n nuusblad by die poskantoor geregistreer)

IGazethi  
YESIFUNDAZWE  
saKwaZulu-Natali

Ishicilelwe ngegunya  
(Irejisiwe njengephephandaba eposihhovisi)

No. 6553 UL WESINE, 26 KUMBASA 2007

No. Ikhasi

IZAZISO ZESIFUNDAZWE

556	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala waseThekwini: Inkomba yefayela 2006/1415	1051
557	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala waseThekwini: Inkomba yefayela 2006/1414	1052
558	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala waseThekwini: Inkomba yefayela 2006/1152	1053
559	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala waseThekwini: Inkomba yefayela 2006/1416	1054
560	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala waseThekwini: Inkomba yefayela 2006/1887	1055
561	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala waseThekwini: Inkomba yefayela 2006/12078	1055
562	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukukhethwa koMhlaba njengoMhlaba wokuhlala okungahleleki ngokuphelele: Inkomba yefayela: 2006/94	1056
563	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala waseThekwini: Inkomba yefayela 2006/1701	1057
564	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala waseThekwini: Inkomba yefayela 2006/1617	1058
565	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala waKwaDukuza: Inkomba yefayela 2006/1015	1059
566	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala waseThekwini: Inkomba yefayela 2006/1042	1060
567	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala waseMhlathuze	1062
568	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala wase-Hibiscus Coast: Inkomba yefayela 2005/11096	1068
569	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala wase-Hibiscus Coast: Inkomba yefayela 2006/1607	1068
570	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala wase-Hibiscus Coast: Inkomba yefayela 2006/1167	1069
571	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala wase-Hibiscus Coast: Inkomba yefayela 2006/1913	1070
572	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala wase-Hibiscus Coast: Inkomba yefayela 2005/11280	1071
573	UMnyango woHulumeni baseKhaya nezeNdabuko: Ukususwa kwesimiso setayitela: uMasipala waseThekwini: Inkomba yefayela 2006/1072	1072

IZAZISO ZIKAMASIPALA

10	UMasipala waKwaSani: Imithetho lobha yezokuphatha kwenfucuzo	1093
11	UMasipala wasoLundi: Inqubomgomo yokulawulwa kochungechunge lokuthengwa kwempahla kajdasipala wasoLundi	1122

IZIKHANGISO

Ezingxubevange (bhaka uhlu cluseceleni, ekhasini 1160)

No. 6553 THURSDAY, 26 APRIL 2007

No. 6553 DONDERDAG, 26 APRIL 2007

No. Page

PROVINCIAL NOTICES

556	Department of Local Government and Traditional Affairs: Removal of condition of title: eThekwini Municipality: Ref.: 2006/11415	1051
557	Department of Local Government and Traditional Affairs: Removal of condition of title: eThekwini Municipality: Ref.: 2006/11414	1052
558	Department of Local Government and Traditional Affairs: Removal of condition of title: eThekwini Municipality: Ref.: 2006/11152	1053
559	Department of Local Government and Traditional Affairs: Removal of conditions of title: eThekwini Municipality: Ref.: 2006/11416	1054
560	Department of Local Government and Traditional Affairs: Removal of condition of title: eThekwini Municipality: Ref.: 2005/1887	1055
561	Department of Local Government and Traditional Affairs: Removal	

No. Bladsy

PROVINSIALE KENNISGEWINGS

556	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: eThekwini Munisipaliteit: Leerverwysing 2006/11415	1051
557	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: eThekwini Munisipaliteit: Leerverwysing 2006/11414	1052
558	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: eThekwini Munisipaliteit: Leerverwysing 2006/1152	1053
559	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: Leerverwysing 2006/11416	1053

No.	PROVINCIAL NOTICES <i>continued</i>	Page	No.	Bladsy	
	of conditions or tide: Ref.: 200512078	1055	560	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: eThekwiini Munisipaliteit: Leerverwysing 2005/1 187	1054
562	Department of Local Government and Traditional Affairs: Designation of land as land for less formal settlement: eThekwiini Municipality: Ref.: 20061949	1056	561	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: eThekwiini Munisipaliteit: Leerverwysing 2005/2078	1055
563	Department of Local Government and Traditional Affairs: Removal of condition of title: eThekwiini Municipality: Ref.: 2006n01	1057	562	Departement van Plaaslike Regering en Tradisionele Sake: Aanwysing van grond as grand vir minder fonnele dorpstigting: Leerverwysing 20061949	1056
564	Department of Local Government and Traditional Affairs: Removal of condition of title: eThekwiini Municipality: Ref.: 2006/1415	1058	563	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: eThekwiini Munisipaliteit: Leerverwysing 2006/1617	1057
565	Department of Local Government and Traditional Affairs: Removal of condition of title: KwaDukuza Municipality: Ref.: 2005/10 L5	1059	564	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: KwaDukuza Munisipaliteit: Leerverwysing 2005/1015	1058
566	Department of Local Government and Traditional Affairs: Removal of conditions of title: eThekwiini Municipality: Ref.: 200611042	1060	565	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: eThekwiini Munisipaliteit: Leerverwysing 200611042	1059
567	Department of Local Government and Traditional Affairs: Removal of conditions of title: Hibiscus Coast Municipality: Ref.: 2005/1096	1068	566	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: Hibiscus Coast Munisipaliteit: Leerverwysing 2006/607	1068
569	Department of Local Government and Traditional Affairs: Removal of condition of title: Hibiscus Coast Municipality: Ref.: 2006/607	1069	567	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: Hibiscus Coast Munisipaliteit: Leerverwysing 2006/607	1069
570	Department of Local Government and Traditional Affairs: Removal of condition of title: Hibiscus Coast Municipality: Ref.: 2006n6	1069	568	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: Hibiscus Coast Munisipaliteit: Leerverwysing 2006/607	1068
571	Department of Local Government and Traditional Affairs: Removal of condition of title: Hibiscus Coast Municipality: Ref.: 20061913	1070	569	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: Hibiscus Coast Munisipaliteit: Leerverwysing 2006/1280	1071
572	Department of Local Government and Traditional Affairs: Removal of conditions of title: Hibiscus Coast Municipality: Ref.: 2006/1280	1071	570	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: Hibiscus Coast Munisipaliteit: Leerverwysing 2006/1280	1071
573	Department of Local Government and Traditional Affairs: Removal of condition of title: Hibiscus Coast Municipality: Ref.: 200611072	1072	571	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: Hibiscus Coast Munisipaliteit: Leerverwysing 2006/1034	1072
574	Department of Health: Grey town Hospital: Invitation of quotations	1073	572	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: Hibiscus Coast Munisipaliteit: Leerverwysing 2006/1280	1071
575	Department of Health: Amajuba District Office Invitation of quotations	1073	573	Departement van Plaaslike Regering en Tradisionele Sake: Opheffing van titelvoorwaarde: Hibiscus Coast Munisipaliteit: Leerverwysing 2006/1034	1072
576	Department of Health: Ladysmith Provincial Hospital: Invitation, award and cancellation of quotations	1074			
577	Department of Health: Amajuba District Officer Invitation of quotation	1076			
578	Department of Health: King Edward VM Hospital: Invitation of quotation	1076			
579	Department of Health: Umgungundlovu District Office-Brasfort House: Award of quotation	1077			
580	Department of Health: KwaDabeka Community Health Centre: Invitation of quotations	1077			
581	Department of Health: Ndwedwe Community Health Centre Award of quotation	1077			
582	Department of Health: Eshowe District Hospital: Award of quotation	1077			
583	Department of Health: Esbowe District Hospital: Invitation of quotations	1078			
584	Department of Health: Grey's Provincial Hospital: Invitation of quotations	1078			
585	Department of Works: North Coast Region: Invitation of bids	1079			
586	Department of Health: Uthukela Health District: Invitation of quotations	1079			
587	Department of Health: Addington Hospital: Invitation, award and cancellation of quotations	1080			
588	Department of Health: Charles Johnson Memorial Hospital: Invitation of quotations	1081			
589	Department of Health: ILembe Health District Office: Invitation of quotations	1081			
590	Department of Health: King Edward VIII Hospital: Award of quotation	1082			
591	Department of Health: Phoenix Community Health Centre: Invitation of quotations	1083			
592	Department of Health: Umgeni Care and Rehabilitation Centre: Award of quotations	1083			
593	Department of Health: Regional Laundry Northern Natal: Invitation of quotations	1084			
594	Department of Local Government and Traditional Affairs: Invitation of bids	1084			
595	Department of Local Government and Traditional Affairs: Invitation of bids	1084			
596	Department of Local Government and Traditional Affairs: Invitation of quotations	1085			
597	Department of Works: Southern Regional Office: Invitation of bids	1085			
598	Department of Health: Provincial Medical Supply Centre: Award of quotations	1085			
599	Department of Works: Southern Regional Office: Invitation of bids	1086			
600	Department of Health: Central Supply Chain Management Invitation of bids	1087			
601	Department of Health: St Andrew's Hospital: Award of quotations.	1090			
602	Department of Health: Prince Mshiyeni Memorial Hospital: Invitation of quotations	1091			
603	Department of Transport: Invitation of bids	1092			
604	Department of Transport: Award of bids	1092			

#### MUNICIPAL NOTICES

10	KwaSani Municipality: Waste Management By-laws	1108
11	Ulundi Municipality: Supply Chain Management Policy	1142

#### ADVERTISEMENTS

Miscellaneous (see separate index, page 1160)

#### ADVERTENSIES

Diverse (kyk afsonderlike bladwyser, bladsy 1160)

**PROVINSIALE KENNISGEWINGS - IZAZISO ZESIFUNDAZWE - PROVINCIAL NOTICES**

**O**NDERSTAANDE kennisgewings word vir algemene inligting gepubliseer.

IZAZISO ezilandelayo zikhishelwe ulwazi lukawonkewonke.

Langalibalestraat 300  
Pietermaritzburg  
26 April 2007

PROFESSOR M. A. MCHUNU  
Direkteur-generaal

300 Langalibalele Street  
Pietermaritzburg  
26 kuMbaso 20a7

USOLWAZI M. A. MCHUNU  
uMqondisi-Jikelele

**T**HE following notices are published for general information.

PROFESSOR M. A. MCHUNU  
Director-General

300 Langalibalele Street  
Pietermaritzburg  
26 April 2007

No. 556, 2007

26 April 2007

**DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE**

**KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; ERF 91 WESTVILLE, ETHEKWINI MUNISIPALITEIT**

**T**N my hoedanigheid as Bestuurder: Ontwikkelingsadministrasie in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, .I 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 T 04 12265, of enige daaropvolgende akte betreffende Erf 91 Westville, Registrasie Afdeling FT, eThekwini Munisipaliteit, Provinsie van Kwazulu-Natal-

voorwaardes (B)(b) en (B)(C) wat die gebruik van die eiendom tot woondoeleindes beperk en die oprigting van meer as een woning.

Gegee onder my hand te Durban op hierdie 16de dag van April, Tweeduisend- en- sewe.

M.L.POVALL

Bestuurder: Ontwikkelingsadministrasie

Leerverwysing: 200611415

No. 556, 2007

26 kuMbaso 2007

**UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO**

**ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO SETAYITELA; ISIZA 91 E-WESTVILLE, KUMASIPALA WASETHEKWINI**

**E**SIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya kanye nereNdabuko waKwazulu-Natali, ngaphansi kwamandla engiwanikwe yisigaba 2(1) soMthetho wokususwa kwemiThetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 seNgxenywe VIII yeSabluko B seGunya lokulfluliselwa kwaMandla okuVamile kuMnyango woHulumeni baseKhaya kanye nezeNdabuko, esikhishwe yiLungu lolvkhandlu oPhethe obhekele ohulumeni basekhaya nezezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla waKwaZulu-Natali, 1994 (uMthetho No.8 ka 1994), ngalokhu ngisusa umshwana encwadini esemthethweni yokuDluliselwa kweTayitela elingu T 04 12265 eliphathelene neSiza 91 e-Westville, isiGaba sokuBhalisa ngu FT , kuMasipala waseThekwini, esiFundazweni saKwazulu-Natali, izimiso (B)(b) no (B)(c) ezivumela ukusetshenziswa kcrnhlaba ngezinhloso zokuhlala nokwakha indlu eyodwa yokuhlala.

Sinikezwe ngaphansi kwesandla sami eThekwini. ngalolu suku Iwe-16 kuMbaso, oNyakeni weziNkulungwane eziMbili neSikhombisa.

M.L.POVALL

uMphathi: wezokuPhathwa kweNtuthuko

iNkomba yeFayela: 200611415

No. 556, 2007

26 April 20a7

**DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**

**NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTION ACT, 1967: REMOVAL OF CONDITIONS OF TITLE; ERF 91 WESTVILLE, ETHEKWINI MUNICIPALITY**

**I**n my capacity as Manager: Development Administration 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 Department of Local Government and Traditional Affairs, issued by 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 T 04 12265, or any subsequent deed pertaining to 91 Westville, Registration Division FT, eThekwini Municipality, Province of Kwazulu-Natal-

conditions (B)(b) and (B)(c) that restrict the use of the property to residential purposes and one dwelling house.

Given under my hand at Durban this 16th day of April, Two thousand and Seven.

M.L.POVALL

Manager: Development Administration

File Reference: 2006/1415

No. 557, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPIEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDES; ERF 90 WESTVILLE, ETIEKWINI MUNISIPALITEIT

**I**n my hoedanigheid as Bestuurder: Ontwikkelingsadministrasie 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 T 58036/99, of enige daaropvolgende akte betreffende Erf 90 Westville, eThekweni Munisipaliteit, Registrasie Afdeling FT, Provinsie van KwaZulu-Natal. —

voorwaardes wat die gebruik van die eiendom tot woondoeleindes beperk en die oprigting van meer as een woning beperk,

Gegee onder my hand te Durban op hierdie 16de dag van April, Tweeduisend- en- sewe

M.L.POVALL

Bestuurder: Ontwikkelingsadministrasie

Leerverwysing: 200611414

No. 557, 2007

26 kuMbaso 2007

UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHIETHO WOKUSUSWA KWEMITHIETHO YOKUTHMELA, 1967: UKUSUSWA KWEZIMISO ZETA YITELA; ISIZA 90 E-WESTVILLE, KUMASIPALA WASETHEKWINI

**E**SIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko waKwaZulu-Natali, ngaphansi kwannandla engiwanikwe yisigaba 2(1) soMthetho wokuSuswa kwemiThetho yokuThibela. 1967 (uMthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 seNgxenywe VIII yeSahluko B seGunya lokufjuliselwa kwaMandla okuVamile kuMnyango woHulumeni baseKhaya kanye nezeNdabuko, esikhishwe yiLungu lolvkhandu oPhethe obhekele ohulumeni basckhaya nezezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla waKwaZulu-Natali, 1994 (uMthetho No.8 ka 1994), ngalokhu ngisusa umshwana encwadini esemthethweni yokuDluliselwa kweTayitela elingu-T 58036/99 eliphathelene neSiza 90 e-Westville isiGaba sokuBhalisa ngu FT, kuMasipala waseThekwini, esiFundazweni saKwaZulu-Natali,

izimiso B.b. no B.c. ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nokwakha indlu eyodwa yokuhlala.

Sinikezwe ngaphansi kwesandla sami eThekwini ngalolu suku lwe-16 kuMbaso, oNyakeni weziNkulungwane eziMbili neSikhombisa.

M.L.POVALL

uMphathi: wezokuPhathwa kweNtuthuko

iNkombayeFayela: 2006/1414

No. 557, 2007

26 April 2007

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTION ACT, 1967: REMOVAL OF CONDITIONS OF TITLE; ERF 90 WESTVILLE, ETIEKWINI MUNICIPALITY

**I**n my capacity as Manager: Development Administration 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 Department of Local Government and Traditional Affairs, issued by 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 T 58036/99, or any subsequent deed pertaining to Erf 90 Westville, Registration Division FT, eThekweni Municipality, Province of KwaZulu-Natal-

conditions B.b. and B.c. that restrict the use of the property to residential purposes and one dwelling ho.use.

Given under my hand at Durban this 16th day of April, Two thousand and Seven.

M.L.POVALL

Manager: Development Administration

File Reference: 200611414

No. 558, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPIEFFING VAN TITELVOORWAARDE; ERF 735 PINETOWN, ETHEKWINI MUNISIPALITEIT

**T**N my hoedanigheid as Bestuurder: Ontwikkelingsadministrasie 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-Natallid 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 hiennee van Transportakte T 04 27472, of enige daaropvolgende akte betreffende Erf 735 Pinetown, Registrasie Afdeling FT, eThekwin Municipisipaliteit, Provinsie van Kwazulu-Natal,

voorwaarde B.3. wat die oprigting van meer as een woning op die eiendom verbied,

Gegee onder my hand te Durban op hierdie 16de dag van April, Tweeduisend- en -sewe.

M.L.POVALL

Bestuurder: Ontwikkelingsadministrasie

Leerverwysing: 2006/1152

No. 558, 2007

26 kuMbasas 2007

UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTIDBELA, 1967: UKUSUSWA KWESIMISO SETAYITELA; ISIZA 735 E-PINETOWN, KUMASIPALA WASETHEKWINI

**E**SIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko waKwazulu-Natali, ngaphansi kwamandla engiwanikwe yisigaba 2(1) soMthetho wokuSuswa kwemiThetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa nesiriso sokuDluliselwa kwaMandla 2 seNgxenywe VIII yeSahluko B seGunya lokufzuluselwa kwaMandla okuVamile kuMnyango woHulumeni baseKhaya kanye nezeNdabuko, esikhishwe yiLungu Iolvlkhandlu oPhethe obhekele ohulumeni basekhaya nezezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla waKwazulu-Natali, 1994 (uMthetho No.8 ka 1994), ngalokhu ngisusa urnshwana encwadini esemthethweni yokuDluliselwa kweTayitela elingu-T 04 27472 eliphathelene neSiza 735 e-Pinetown, isiGaba sokuBhalisa ngu FT, kuMasipaia waseThekwini, esiFundazweni sa KwaZulu-Natali. isiriso B.3. esivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nokwakha indlu eyodwa yokuhlala

Sinikezwe ngaphansi kwesandla sami eThekwini ngalolu suku Iwe-16 kuMbasas, oNyakeni weziNkulungwane eziMbili nesiKhombisa.

M.L.POVALL

uMphathi: wezokuPhathwa kweNtuthuko

tNkomba yeFayela: 200611152

No. 558, 2007

26 April 2007

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; ERF 735 PINETOWN, ETHEKWINI MUNICIPALITY

**I**N my capacity as Manager: Development Administration 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 Department of Local Government and Traditional Affairs, issued by 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 T 04 27472. or any subsequent deed pertaining to Erf 735 Pinetown, Registration Division FT, eThekwini Municipality, Province of Kwazulu-Natal,

condition B.3. that restricts the use of the property to one dwelling house.

Given under my hand at Durban this 16th day of April. Two thousand and Seven.

M.L.POVALL

Manager: Development Administration

File Reference: 200611152

No. 559, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDES; ERF 2683 WESTVILLE, ETHEKWINI MUNISIPALITEIT

**I**N my hoedanigheid as Bestuurder: Ontwikkelingsadministrasie in die Kwa'Zulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikel 2(1) van die Wet op Opheffing van Beperrings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegering van Bevoegdhede van die Kwa'Zulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, uitgereik deur die Kwazulu-Natallid 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 hiennee van Transportakte T 0612171, of enige daaropvolgende akte betreffende Erf 2683 Westville, Registrasie Afdeling FT, eThekwini Municipisipaliteit, Provinsie van Kwazulu-Natal,

voorwaardes B.(b) en B.(c) wat die gebruik van die eiendom tot woondoeleindes becek en die oprigting van meer as een woning.

Gegee onder my hand te Durban op hierdie 16de dag van April, Tweeduisend -en -sewe.

M.L.POVALL

Bestuurder: Ontwikkelingsadministrasie

Uerverwysing: 200611416

No. 559, 2007

26 kuMbasas 2007

## UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWEZIMISO SETAYITELA; ISIZA 2683 E-WESTVILLE, KUMASIPALA WASETHEKWINI

**E**SIKHUNDLENI sami njengoMphathi: wezolruPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko waKwaZulu-Natali, ngaphansi kwamandla engiwanikwe yisigaba 2(1) soMthetho wokuSuswa kwemiThetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 seNgxenywe YIII yeSahluko B seGunya lokulzuliselwa kwaMandla okuYamile kuMnyango woHulumeni baseKhaya kanye nezeNdabuko, csikhishwe yiLungu lolvkhandlu oPhethe obhekele ohulumeni basekhaya nezezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla waKwaZulu-Natali, 1994 (uMthetho No.8 ka 1994), ngalokhu ngisusa umshwao encwadini esemthethweni yokuDluliselwa kweTayitela elingu-T 06 12171 eliphathelene neSiza 2683 e-Westville, isiGaba sokuBhalisa ngu FT, IruMasipala waseThekwini, esiFundazweni saKwaZulu-Natali —

izimiso R(b) no B.(c). ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nokwakha indlu eyodwa yokuhlala

Sinikezwe ngaphansi kwesandla sami eThekwini ngalolu suku Iwe-16 kuMbasas. oNyakeni weziNkulungwane eziMbili nesiKhombisa.

M.L.POYALL

uMphathi: wezokuPhathwa kweNtuthuko

iNkombayefayela: 2006/1416

No. 559, 2007

26 April 2007

## DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTION ACT, 1967: REMOVAL OF CONDITIONS OF TITLE; ERF 2683 WESTVILLE, ETHEKWINI MUNICIPALITY

**I**n my capacity as Manager: Development Administration 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 Department of Local Government and Traditional Affairs, issued by 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 T 06 12171, or any subsequent deed pertaining to Erf 2683 Westville, Registration Division FT, eThekwini Municipality, Province of KwaZulu-Natal-

conditions R(b) and B.(c) that restrict the use of the property to residential purposes and one dwelling.

Given under my hand at Durban this 16th day of April, Two thousand and Seven.

M.L.POYALL

Manager: Development Administration

File Reference: 2006/1416

No. 560, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKEKENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; ERF 37 UMLAZI, ETHEKWINI MUNISIPALITEIT

**I**n my hoedanigheid as Bestuurder: Ontwikkelingsadministrasie 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 artikele 12 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No.8 van 1994), verwyder ek hiermee van Transportakte T 9270/88, of enige daaropvolgende akte betreffende Erf 37 Umlazi, Registrasie Afdeling ET, eThekwini Munisipaliteit, Provinsie van KwaZulu-Natal-

voorwaarde c.(d) wat die oprigting van meer as een woning op die eiendom verbied.

Gegee onder my hand te Durban op hierdie 16de dag van April, Tweedulsend-en-sewe.

M.L.POYALL

Bestuurder: Ontwikkelingsadministrasie

Leerverwysing: 2005/1887

No. 560, 2007

26 kuMbasas 2007

## UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO SETAYITELA; ISIZA 37 EMLAZI, KUMASIPALA WASETHEKWINI

**E**SIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko waKwaZulu-Natali, ngaphansi kwamandla engiwanikwe yisigaba 2(1) soMthetho wokuSuswa kwemiThetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 seNgxenywe YIII yeSahluko B seGunya lokulzuliselwa kwaMandla okuYamile kuMnyango woHulumeni baseKhaya kanye nezeNdabuko, esikhishwe yiLungu lolvkhandlu oPhethe obhekele ohulumeni basekhaya nezezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla waKwaZulu-Natali, 1994 (uMthetho No.8 ka 1994), ngalokhu ngisusa umshwana encwadini esemthethweni yokuDluliselwa kweTayitela elingu-T 9270/88 eliphathelene neSiza 37 Umlazi, isiGaba sokuBhalisa ngu ET, kuMasipala waseThekwini, esiFundazweni saKwaZulu-Natali,

izimiso c.(d) ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala nokwakha indlu eyodwa yokuhlala

Sinikezwe ngaphansi kwesandla sami eThekwini ngalolu suku Iwe-16 kuMbaso, oNyakeni wezibkukungwane eziMbili nesiKhombisa.

M.L. POVALL

uMphathi: wezokuPhathwa kweNtuthuko

iNkombayeFayela: 2005/1887

No. 560, 2007

26 April 2007

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; ERF 37 UMLAZI, ETHEKWINI MUNICIPALITY

**I**N my capacity as Manager: Development Administration 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 VII of Chapter B of the General Delegations of Authority of the KwaZulu-Natal Department of Local Government and Traditional Affairs, issued by 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 T 9270/88, or any subsequent deed pertaining to Erf 37 Umlazi, Registration Division ET, eThekwini Municipality, Province of KwaZulu-Natal-

condition c.(d) that restricts the use of the property to one dwelling house.

Given under my hand at Durban this 16th day of April, Two thousand and Seven.

M. L. POVALL,

Manager: Development Administration

File Reference: 2005/1887

No. 561, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITEL VOORWAARDES; GEDEELTE 5 VAN ERF 60 ST WINIFREDS, ETHEKWINI MUNISIPALITEIT

**I**N my hoedanigheid as Bestuurder: Ontwikkelingsadministrasie 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 Beperrings, 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 T 05 56926, of enige daaropvolgende akte betreffende Gedeelte 5 van Erf 60 St Winifreds, Registrasie Afdeling ET, eThekwini Munisipaliteit, Provinsie van KwaZulu-Natal-

voorwaardes wat die onderverdeling van die eiendom verbied en die oprigting van meer as een woning.

Gegee onder my hand te Durban op hierdie 16de dag van April, Tweeduisend-en-sewe.

M.L. POVALL

Bestuurder: Ontwikkelingsadministrasie

Lzerverwysing: 2005/2078

No. 561, 2007

26 kuMbaso 2007

UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTIDBELA, 1967: UKUSUSWA KWESIMISO SETAYITELA; INGXENYE YESIZA 60 E-ST WINIFREDS, KUMASIPALA WASETHEKWINI

**E**SIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko waKwaZulu-Natali. ngaphansi kwamandla engiwanikwe yisigaba 2(1) somthetho wokuSuswa kwemiThetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 seNngxenye VIII yeSahluko B seGunya lokufrluliselwa kwaMandla okuVamile kuMnyango woHulumeni baseKhaya kanye nezeNdabuko, esikhishwe yiLungu lolvkhandlu oPhethe obhekele ohulumeni basekhaya nezezindlu ngokwesigaba 2 somthetho wokuDluliselwa kwaMandla waKwaZulu-Natali. 1994 (uMthetho No.8 ka 1994), ngalokhu ngisusa umshwana encwadini esemthethweni yokuDluliselwa kweTayilela elingu-T 05 56926 eliphathelene neNngxenye 5 yeSiza 60 St Winifreds, isiGaba sokuBhalisa ngu ET, kuMasipala waseThekwini, kwisiFundazwe sa KwaZulu-Natali, izimiso C(i) kanye no C.(ii) ezivumela ukwehlukaniswa komhlaba nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.

Sinikezwe ngaphansi kwesandla sarni eThekwini ngalolu suku Iwe-16 kuMbaso, oNyakeni weziNkulungwane eziMbili nesiKhombisa.

M.L. POVALL

uMphathi: wezokuPhathwa kweNtuthuko

iNkombayeFayela: 2005/2078

No. 561, 2007

26 April 2007

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTION ACT, 1967: REMOVAL OF CONDITIONS OF TITLE; PORTION 5 OF ERF 60 ST WTNIFREDS, ETHEKWINI MUNICIPALITY

**I**N my capacity as Manager: Development Administration 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 Department of Local Government and Traditional Affairs, issued by 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. of 1994), I hereby remove from Deed of Transfer T 05 56926, or any subsequent deed pertaining to Portion 5 of Erf 60 St Winifreds, Registration Division ET, eThekweni Municipality, Province of KwaZulu-Natal-

conditions C.(i) and C.(ii) that prohibits the subdivision of the property and restricts the use of the property to one dwelling house.

Given under my hand at Durban this 16th day of April, Two thousand and Seven.

M.L.POVALL

Manager: Development Administration

File Reference: 200512078

No. 562, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 3(1)(8) EN 3(6)(A) VAN DIE WET OP MINDER FORMELE DORPSTIGTING, 1991: AANWYSING VAN GROND AS GROND VIR MINDER FORMELE VESTIGING: GEDEELTE VAN PLAAS NTUZUMA NO. 17504 EN GEDEELTE VAN PLAAS INANDA RESERVAAT NO. 4579 WAT GEKONSILIDEER SAL WORD AS NTUZUMA D (FASE 4), ETHEKWINI MUNISIPALITEIT

IN my hoedanigheid as Adjunkbestuurder: Ontwikkelingsadministrasie in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikel 3(1)(b) en 3(b)(a) van die Wet op Minder Formele Dorpstigting, 1991 (Wet No. 113 van 1991), saamgelees met delegasie 3 van deel I van hoofstuk 8 van die Aigemene Delegasies van Bevoegdheid van die Departement van Plaaslike Regering en Tradisionele Sake uitgereik deur die KwaZulu-Natal lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering ingevolge artikel 12 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No. g van 1994)-

- (a) wys ek hierby voorgestelde gedeelte van die plaas Ntuzuma No. 17504 en gedeelte van die plaas Inanda Reserwaat No. 4579 aan om gekonsolideer te word met Ntuzuma (Fase 4), Registrasie-afdeling FT, soos aangedui op aanwysingsdiagram opgestel deur Terraplan en Vennote, EThekweni Munisipaliteit, provinsie KwaZulu-Natal as grond vir minder formele vestiging; en
- (b) verklaar ek hierby die bepalings van die Dorpbeplanningsordonnansie, 1949 (Ordonnansie No. 27 van 1949), met uitsluiting van die bepalings van artikels II, *Ibis* 12, 16-27, 33, 35, 36 en 39 as van toepassing op die grond aangewys as grond vir minder formele vestiging.

Die minder formele dorpsstigting moet soos 'n privaatdorp hanteer word soos beskryf in artikel I van die Dorpbeplanningsordonnansie, 1949, vir die doeleindes van die voormelde Ordonnansie.

Gegee onder my hand te Durban op hierdie 28ste dag van Maart, Tweeduisend-en-sewe.

G.K.SUZOR

Adjunkbestuurder: Ontwikkelingsadministrasie

Leerverwysing: 2006/949

No. 562, 2007

26 kuMbasas 2007

UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 3(I)(B) KANYE NO 3 (6)(A) SOMTHETHO WOKUSUNGULWA KWAMALOKISID ANGAHLELEKILE NGOKUPHELELE, 1991: UKUKHETHWA KOMHLABA NJENGOMHLABA WOKUHLALA OKUNGAHLELEKILE NGOKUPHELELE; INGXYENYE YEPULAZI I-NTUZUMA NO. 17504 KANYE NENGYENYE YEPULAZI INANDA INOMBOLO YOKULFIEKA ECELENI 4579 UKUBA LIHLANGANE NJENGE NTUZUMA D (ISIGCEME 4), KUMASIPALA WASETHEKWINI

ESIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko waKwaZulu-Natali, ngaphansi kwamandla engiwanikwe yisigaba 3(1)(b) and 3 (b)(a) soMthetho wokuSungulwa kwamaLokishi angaHlelekile ngokuPhelele, 1991 (uMthetho No. 113) sifundwa neSimiso sokuDluliselwa kwaMandla 3 seNgxenywe I yeSahluko B seGunya lokufhluliselwa kwaMandla okuVamile kuMnyango woHulumeni baseKhaya kanye nezeNdabuko, esikhishwe yiLungu lolvikhandlu oPhethe obhekele ohulumeni basekhaya nezezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla waKwaZulu-Natali, 1994 (uMthetho No. g ka 1994),-

- (a) ngikhetha ingxenywe yePulazi i-Ntuzuma No. 17504 kanye neNgxenywe yePulazi Inanda Inombolo yokulibeka eceleni 4579 ukuba lihlangani ne- Ntuzuma D (isiGceme 4), isiGaba sokuBhalisa ngu-'F', njengalokhu kukhunjisiwe kumboniso mdwebo wokukhethiwe ohlanganiswe ngu-Terraplan nabaLingani bakhe, kuMasipala waseThekweni, esiFundazweni saKwaZulu-Natali, njengomhlaba wokuhlala okungahlelekile ngokuphelele; futhi
- (b) ngimemezela izihlinzeko ze-Odinensi yokuHlelwa kweDolobha, 1949 (I-Odinensi No. 27 ka 1949), ngaphandle kwezihlinzeko zezigaba II, *Ibis*, 12, 16-27, 33, 35, 36 kanye no 39 ezingena ekuhlaleni okungahlelekile ngokuphelele.

Ukuhlala okungahlelekile ngokuphelele kumele kuthathwe njengelokishi elizimele elichazwe esigabeni I se-Odinensi yokuHlelwa kweDolobha, 1949, ngezinhloso ze-Odinesni eshiwo.

Sinikezwe ngaphansi kwesandla sami eThekweni ngalolu suku Iwama-28 kuNdasas, oNyakeni weziNkulungwane eziMbili nesiKhombisa.

G.K.SUZOR

iSekela iMphathi: kuPhathwa kwezoNtuthuko

iNkomba yeFayela: 2006/1949

No. 562, 2007

26 April 2007

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 3(1)(8) AND 3 (6)(A) OF THE LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991: DESIGNATION OF LAND AS LAND FOR LESS FORMAL SETTLEMENT; PORTION OF THE FARM NTUZUMA NO. 17504 AND PORTION OF THE FARM INANDA RESERVE NO. 4579 TO BE CONSOLIDATED AS NTUZUMA D (PHASE 4), ETHEKWINI MUNICIPALITY

IN my capacity as Deputy Manager: Development Administration in the KwaZulu-Natal Department of Local Government and Traditional Affairs, under powers vested in me by section 3(1)(b) and 3(b)(a) of the Less Formal Township Establishment Act, 1991 (Act No. 113 of 1991), read with delegation 3 of Part I of Chapter B of the General Delegations of Authority of the Department of Local Government and Traditional Affairs 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 -

- (a) designate Portion of the farm Ntuzuma No. 17504 and Portion of the Farm Inanda Reserve No. 4579 to be consolidated with Ntuzuma D (Phase 4), Registration Division FT, as shown on designation diagram compiled by Terraplan and Associates, eThekweni Municipality, Province of KwaZulu-Natal, as land for less formal settlement; and
- (b) declare the provisions of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949), excluding the provisions of sections II, IIbis, 12, 16-27,33,35,36 and 39 applicable to the less formal settlement.

The less formal settlement must be treated as a private township defined in section I of the Town Planning Ordinance, 1949, for the purposes of the said Ordinance,

Given under my hand at Durban this 28th day of March, Two Thousand and Seven.

G.K.SUZOR

Deputy Manager: Development Administration

File reference: 20061949

No. 563, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; ERF 697 TONGAAT, ETHEKWINI MUNISIPALITEIT

**I**n my hoedanigheid as Bestuurder: Ontwikkelings Administrasie in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artike 12(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 of 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 Transportakte *TJ0804f/1983* en Transportakte T20039/85, betreffende Erf 697 Tongaat, Registrasie-afdeling FU, eThekweni Munisipaliteit, provinsie KwaZulu-Natal-

voorwaarde (d)(ii) wat die gebruik van die eiendom tot 'n woonhuis beperk.

Gegee onder my hand te Durban hierdie 13de dag van April, Tweeduisend-en-sewe.

M.L.POVALL

Bestuurder: Ontwikkelings Administrasie

Leerverwysing: 20061701

No. 563, 2007

26 kuMbasas 2007

UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO SETAYITELA; ISIZA 697 O-TONGAAT, KUMASIPALA WASETHEKWINI

**E**SIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya nezeNdabuko waKwaZulu-Natali, ngaphasi kwamandla engiwanikwe yisigaba 2(1) soMthetho wokuSuswa kweMithetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 weNxenye VIII yeSahluko B seGunya lokufrluliselwa kwaMandla okuVamile woMnyango woHulumeni baseKhaya nezeNdabuko, esikhishwe yiLungu lolvlkhandlu oPhethe elibhekele oHulumeni baseKhaya ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngisuswa umshwana osencwadini esemthethweni yokuDlulisela kweTayitela elingu-TJ080411983 kanye neTayitela lokwedlulisela elingu- T20039/85, eliphathelene neSiza 697 o-Tongaat, isiGaba sokuBhalisa ngu FU, kuMasipala waseThekweni, esiFundazweni saKwaZulu-Natali-

Isimiso (d)(ii) esivumela ukusetshenziswa kombalaba ukwakha indlu eyodwa yokuhlala.

Sinikezwe ngaphansi kwesandla sami eThekweni ngalolu suku Iwe-13 kuMbasas, oNyakeni weziNkulungwane eziMbili nesiKhombisa.

M.L.POVALL

uMphathi: wezokuPhathwa kweNtuthuko

iNkomba yeFayela: 20061701

No. 563, 2007

26 April 2007

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 697 TONGAAT, ETHEKWINI MUNICIPALITY

**I**n my capacity as Manager: Development Administration 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 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 8 of 1994), I hereby remove from Deed of Transfer TJ080411983 and Deed of Transfer T20039/85, pertaining to Erf 697 Tongaat, Registration Division FU, eThekweni Municipality, Province of KwaZulu-Natal -

condition (d)(ii) that restricts the use of the property to a dwelling house.

Given under my hand at Durban this 13 th day of April, Two thousand and Seven.

M. L. POVALL,

Manager: Development Administration

File reference: 20061701

No. 564, 2007

26 April 2007

## DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; RESTANT VAN GEDEELTE 4 VAN ERF 68 ASSAGAY, ETHEKWINI MUNISIPALITEIT

IN my hoedanigheid as Bestuurder: Ontwikkelingsadministrasie 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 Aigemene 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 hiernee van Transportakte T 31243/1983, of enige daaropvolgende akte betreffende Restant van Gedeelte 4 van Erf 68 Assagay, Registrasie Afdeling F1, eThekwini Munisipaliteit, provinsie van KwaZulu-Natal, voorwaarde-

E. (b) wat die oprigting van meer as een woning op die eiendom beperk.

Gegee onder my hand te Durban op hierdie 13de dag van April, Tweeduisend-en-sewe.

M.L.POVALL

Bestuurder: Ontwikkelingsadministrasie

Leerverwysing: 2006/1617

No. 564, 2007

26 kuMbaso 2007

## UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO SETA YITELA; INSALELA YENGXENYE 4 YESIZA 68 ESISE-ASSAGAY, KUMASIPALA WASETHEKWINI

ESIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNmthuko eMnyangweni woHulumeni baseKhaya nezeNdabuko waKwaZulu-Natali, ngaphasi kwarnandla engiwanikwe yisigaba 2(1) soMthetho wokuSuswa kweMithetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 weNxenye VIII yeSahluko 2 seGunya lokufrluliselwa kwaMandla okuVarnile woMnyango woHulumeni baseKhaya nezeNdabuko, esikhishwe yiLungu 10Mkhaudi oPhethe elibhekele oHulumeni baseKhaya ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla, 1994 (ulvlthetho No.8 ka 1994), ngalokhu ngisuswa umshwana osencwadini esemthethweni yokuDiulisela kweTayitela elingu T 31243/183 noma nanoma yiliphi eliphathelene neNsalela yeNgxenye 4 yeSiza 68 esise-Assagay, isrGaba sokuBhalisa ngu FT, kuMasipala waseThekwini, esiFundazweni sa KwaZulu-Natali, isimiso-

E.(h) esivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.

Sinikezwe ngaphansi kweSandla sami eThekwini ngalolu suku (we-I 3 kuMbaso, oNyakeni weziNkulungwane eziMbili nesiKhombisa.

M.L.POVALL

uMphathi: wezokuPhathwa kweNtuthuko

iNkomba yeFayela: 2006/1617

No. 564, 2007

26 April 2007

## 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; REMAINDER OF PORTION 4 OF ERF 68 ASSAGAY, ETHEKWINI MUNICIPALITY

IN my capacity as Manager: Development Administration 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 84 of 1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority of the KwaZulu-Natal Department of Local Government and Traditional Affairs, issued by 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 8 of 1994), I hereby remove from Deed of Transfer T 31243/1983, or any subsequent deed pertaining to Remainder of Portion 4 of Erf 68 Assagay, Registration Division FT, eThekwini Municipality, Province of KwaZulu-Natal, condition-

E(b) that restricts the use of the property to a dwelling house.

Given under my hand at Durban this 13th day of April, Two thousand and Seven.

M.L.POVALL

Manager: Development Administration

File Reference: 2006/1617

No. 565, 2007

26 April 2007

## DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; ERF 4116 STANGER, KWADUKUZA MUNISIPALITEIT

IN my hoedanigheid as Bestuurder: Ontwikkelingsadministrasie in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikeI2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Aigemene Delegering van Bevoegdhede van die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, uitgereik deur die KwaZulu-Natal lid van die Uitvoerende Rood verantwoordelik vir plaaslike regering ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet 8 van 1994), verwyder ek hiermee van Transportakte T 61594/2001 of enige daaropvolgende akte betreffende Erf 4116 Stanger, Registrasie Afdeling FU, KwaDukuza Munisipaliteit, Provinsie van Kwazulu-Natal, voorwaarde C.3. wat die oprigting van meer as een woning op die eiendom beperk.

Gegee onder my hand te Durban op hierdie 13de dag van April, Tweeduisend-en-sewe

M. L. POVALL

Bestuurder: Ontwikkelingsadministrasie

Leerverwysing: 200S/IOIS

No. 5652007

26 kuMbasas 2007

UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO SETAYITELA; ISIZA 4116 E-STANGER, KUMASIPALA WAKWADUKUZA

**E**SIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya nezeNdabuko waKwaZulu-Natali, ngaphasi kwamandla engiwanikwe yisigaba 2(1) soMthetho wokuSuswa kweMithetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 weNxenye VIII yeSahluko 2 seGunya lokuffluliselwa kwaMandla okuVamile woMnyango woHulumeni baseKhaya nezeNdabuko, esikhishwe yiLungu lolvkhandlu oPhethe elibhekele oHulumeni baseKhaya ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngisuswa umshwana osencwadini esemthethweni yokuDlulisela kweTayitela elingu T 61S94/2001 eliphathelene neSiza 4116 e-Stanger, isiGaba sokuBhalisa ngu- FU, kuMasipala waKwaDukuza, esiFundazweni saKwaZulu-Natali, isirmiso C.3. esivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala.

Sinikezwe ngaphansi kweSandla sarni eThekwini ngaloIu suku Iwe-13 kuMbasas, oNyakeni weziNkulungwane eziMbili nesiKhombisa.

M.L.POVALL

uMphathi: wokuPhathwa kweNtuthuko

iNkomba yeFayela: 200S/IOIS

No. 565, 2007

26 April 2007

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; ERF 4116 STANGER, KWADUKUZA MUNICIPALITY

**I**n my capacity as Manager: Development Administration 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 84 of 1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority of the KwaZulu-Natal Department of Local Government and Traditional Affairs, issued by 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 8 of 1994), I hereby remove from Deed of Transfer T 61S94/2001, or any subsequent deed pertaining to Erf 4116 Stanger, Registration Division FU, KwaDukuza Municipality, Province of KwaZulu-Natal, condition C.3. that restricts the use of the property to a dwelling house.

Given under my hand at Durban this 13th day of April, Two thousand and Seven.

M.L.POVALL

Manager: Development Administration

File Reference: 200S/101S

No. 566, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDES; ERF 190 WATERFALL, ETHEKWINI MUNISIPALITEIT

**I**n my hoedanigheid as Bestuurder: Ontwikkelingsadministrasie 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 84 van 1967), saarngelees 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 8 van 1994), verwyder ek hiermee van Sertifikaat van Registrasie SRT 4006/197S of enige daaropvolgende akte betreffende Erf 190 Waterfall, Registrasie Afdeling FT, Thekwini Munisipaliteit, Provinsie van KwaZulu-Natal-

voorwaardes F. en

G.1. wat die gebmik van die eiendom tot 'n woonhuis beperk en die boulyn voorskryf.

Gegee onder my hand te Durban op hierdie 13de dag van April, Tweeduisend-en-sewe,

M.L.POVALL

Bestuurder: Ontwikkelingsadministrasie

Leerverwysing: 2006/1042

No. 566, 2007

26 kuMbasas 2007

UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWEZIMISO ZETAYITELA; ISIZA 190 ESISE-WATERFALLS, KUMASIPALA WASETHEKWINI

**E**SIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya nezeNdabuko waKwaZulu-Natali, ngaphasi kwamandla engiwanikwe yisigaba 2(1) soMthetho wokuSuswa kweMithetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 weNxenye VIII yeSahluko 2 seOunya lokuffluliselwa kwaMandla okuVamile woMnyango woHulumeni baseKhaya nezeNdabuko, esikhishwe yiLungu loMkhandlu oPhethe elibhekele oHulumeni baseKhaya ngokwesigaba 2 soMthetho wokuDluliselwa

kwaMandla, 1994 (uMthetho No.8 ka 1994), ngalokhu ngisuswa umshwana osencwadini esemthethweni yokuDlulisela kweTayitela elingu CRT 400611975 eliphathelene neSiza 190 csise-Waterfall, kuMasipala waseThekwini, isiGaba sokuBhalisa ngu Ft. esiFundazweni saKwaZulu-NataJi,-

izimiso F. no G.I. ezivumela ukusetshenziswa kommhlaba ngezinhloso wzokwakha nezibeka imingcele yemisele yokwakha, Sinikezwe ngaphansi kwSandla sami eThekwini ngalolu suku Iwe-13kuMbsa, oNyakeni weziNkulungwane eziMbili nesiKhombisa.

M.L.POVALL

uMphathi: wezokuPhathwa kweNtuthuko

iNkomba yeFayela: 200611042

No. 566, 2007

26 April 2007

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTION ACT, 1967: REMOVAL OF CONDITIONS OF TITLE; ERF 190 WATERFALL, ETHEKWINI MUNICIPALITY

In my capacity as Manager: Development Administration 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 84 of (1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority of the KwaZulu-Natal Department of Local Government and Traditional Affairs, issued by 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 8 of 1994), I hereby remove from Certificate of Registered Title CRT 4006/1975, or any subsequent deed pertaining to Erf 190 Waterfall, Registration Division Fl', in the eThekwini Municipality, Province of KwaZulu-Natal, conditions F. and G.I. that restrict the use of the property to residential purposes and imposing building lines.

Given under my hand at Durban this 13th day of April, Two thousand and Seven.

M.L.POVALL

Manager: Development Administration

File Reference: 2006/1042

No. 567, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

OPHEFFING VAN TITELVOORWAARDES

In my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Noordelike 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 die KwaZulu-Natal Wet op die delegering van bevoegdhede, 1994 (Wet No.8 van 1994, verwyder ek hiermee Van volgende Transportakte die volgende voorwaardes soos in bylae hier-aan-geheg genome.

Eindomsbeskrywing, titel en voorwaarde	Omvang van besluit	Munisipaliteit Registrasieafdeling en leerverwysing
Erf 2047 Richardsbaai 000034423101	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensieel doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2001/870
Erf 632 Richardsbaai 44637/2004	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensieel doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2005/640
Erf 1162 Richardsbaai T39277197 BI-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensieel doeleindes beperk en die gebruik van die eiendorn tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 200511066
Erf 558 Richards Bay T2630312000 BI-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensieel doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 200511068
Erf 157 St Lucia T12728/1989	<b>Opheffing van titelvoorwaardes</b> wat die gebruik van eiendom tot residensieel doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	Mtubatuba Munisipaliteit Registration GV 200511069
Erf 1850 Richardsbaai T1610/87 la-ld	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensieel doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2005/1455
Erf 424 Richardsbaai T18522195 B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensieel doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 200511460
Erf 1299 Richardsbaai T14287/03 BI-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensieel doeleindes beperk en die gebruik van die eiendorn tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2005/1462
Erf 5364 Richardsbaai T63531/04 BI-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensieel doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 200511729

Erf 5386 Richardsbaai T22237/96 B2	Opheffing van titeLvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 200511738
Erf 4145 Richardsbaai T442 1212002 BI-B2	Opheffing van titeLvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik von die eiendom tot 'n woonhuis beperk	uMhlalhuze Munisipaliteit Registration GU 200511941
Erf 3864 Richardsbaai T8188/93 BI-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 200611730
Erf 1055 Richardsbaai TI93173 2a-1d	Opheffing van titelvoorwaardes war die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woohuis beperk	uMhlathuze Munisipaliteit Registration GU 200511733
Erf 559 Richardsbaai T30486/89 BI -B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2005/1938
Erf 5364 Richardsbaai T34580/04 BI -B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlalhuze Munisipaliteit Registration GU 200511739
Erf 3877 Richardsbaai T29264/84 BI- B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlalhuze Munisipaliteit Registration GU 2006/494
Erf 1092 Richardsbaai T229512001 BI- B2	Opheffing van titeLvoorwaardes wat die gebruik van eiendom tot residensiele doeleindcs beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/893
Erf 1998 Richardsbaai T 1640712000 BI-B2	Opheffing van titelvoorwaardes war die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze MunisipaJiteit Registration GU 2006/896
Erf 1568 Richardsbaai T61717/99 BI- B2	Opheffing van titelvoorwaardes war die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlalhuze Munisipaliteit Registration GU 2006/897
Erf 2191 Richardsbaai T324228105 BI-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlalhuze Munisipaliteit Registration GU 2006/899
Erf 4027 Richardsbaai T3366312001 B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlalhuze Munisipaliteit Registration GU 2006/900
Erf 3795 Richardsbaai T31346/2002 BI- B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/901
Erf 3681 Richardsbaai T82465411994 BI- B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/902
Erf 2548 Richardsbaai T8244/2002 BI- B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/904
Erf 2473 Richardsbaai T338/2004 BI- B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/908
Erf 5410 Richardsbaai T29272/2006 BI- B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlalhuze Munisipaliteit Registration GU 2006/929
Erf 1498 Richardsbaai T3432J97 BI-B2	Opheffing van titelvoorwaardes war die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration OU 2006/985
Erf 3647 Richardsbaai T31342/99 BI-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/987
Erf 579 Richardsbaai TI5347/98 BI-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 20061988
Erf 1636 Richardsbaai TI7663/06 BI-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlalhuze Munisipaliteit Registration GU 200611 114
Erf 519 Richardsbaai T4372/04 BI-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/11 15
Erf 479 Richardsbaai TOOOO32466/00 BI-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/1116

Erf 457 Richardsbaai T46990/05 B1-B2	<b>Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk</b>	uMhlathuze Munisipaliteit Registration GU 2006/11 J7
Erf 456 Richardsbaai T9198/98 B1-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/11118
Erf 414 Richardsbaai T11453191 B1-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/11119
Erf 351 Richardsbaai 000036642/2001 B1- B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/1121
Erf 195 Richardsbaai T60714/02 <b>BI-B2</b>	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/1122
Erf 1017 Richardsbaai T35479/05 B1- B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele <b>doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk</b>	uMhlathuze Munisipaliteit Registration GU 2006/11470
Erf 445 Nseleni T1127012006 3.I(a)-3.I(c)	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/11471
Erf 150 Richardsbaai T9195n4 B1-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/11472
Erf300 Richardsbaai T315fO/06 B1-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/1473
Erf 770 Richardsbaai T000004984/2002 B7	<b>Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk</b>	uMhlathuze Munisipaliteit Registration GU 2006/11476
Erf 2020 Richardsbaai T62512105 <b>BI-B2</b>	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/11477
Erf 770 Richardsbaai T000004984/2002 B7	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/11476
Erf 3836 Richardsbaai T28872103 B1-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/11480
Erf 4173 Richardsbaai T33637194 B1-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/11482
Erf 5537 Richardsbaai T8317195 B1-B2	Opheffing van titelvoorwaardes wat die gebruik van eiendom tot residensiele doeleindes beperk en die gebruik van die eiendom tot 'n woonhuis beperk	uMhlathuze Munisipaliteit Registration GU 2006/11485

Gegee onder my hand op hierdie 30ste dag van Maart, Tweeduisend-en-sewe

Bestuurder: Ontwikkelingsbeplanning  
Noordelike Implementeringskantoor  
M. Povall

No. 567, 2007

26 April 2007

**UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO**

**UKUSUSWA KWESIMISO SETAYITELA**

**E**SIKHUNDLENI sami njengopMphathi: wezokul-ilelwa kweNtuthuko (eHHovisi lokuQaliswa eliseNyakatho) eMnyangweni woHulumeni baseKhaya nezexdabuko waKwaZulu-Natafi, ngaphansi kwamandla engiwanikwe yiigaba 2 (I) soMthetho wokuSuswa kweziThibelo, 1%7 (uMthetho No. 84 ka (967), sifundwa nesimiso sesidluliselo samandla 2 seNgxenywe VIII yeSahluko B seGunya lokuDiuliselwa kwaMandla okuVami le koMnyango woHulumeni baseKhaya nezexdabuko. esikhishwe yiLungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya nezexdabuko ngokwesigaba 2 soMthetho wokuDiuliselwa kwaMandla, 1994 (uMthetho No.8 ka 1994), Ngajokhu ngisusa asirnisio setayitela kamatayitela ebhalwe oHlwini **olungenzansi.**

Incazelo yesiza, Itayitela kanye nezimiso	Isingumo	Isigaba sokuBhaliswa koMasipaia kanye neNkomba yeFayela
Isiza 2047 e-Richards Bay 000034423101	<b>Ukususwa kwezimiso zetayitela ezivunela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala wase Mhlathuze isiGaba sokuBhalisa ngu GU 20011870

Isiza 632 e-Richards Bay 44637/2004	Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala wase Mhlathuze isiGaba sokuBhalisa ngu GU 2005/640
Isiza 1162 e-Richards Bay T19277/97 BI-B2	Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala wase Mhlathuze isiGaba sokuBhalisa ngu GU 2005/1066
Isiza 558 e-Richards Bay T26303/2000 BI-B2	Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipaJa wase Mhlathuze isiGaba sokuBhalisa ngu GU 2005/1068
Isiza 157 e-St Lucia T 1272811989	Ngaphandle kokuvuma okubhalwe phansi nguMphathi wesiFundazwe saseNatali urnhlaba kufanele unghlukaniswa, ukwakha indlu engaphezulu kweyodwa yokuhlala, alikho ibhizinisi, ukuhweba, urnsebenzi noma ukusebenza okufanele kughutshwe kumhlaba.	uMasipaJa wase Mtubatuba isiGaba sokuBhalisa ngu GV 2005/11069
Isiza 1850 e-Richards Bay T1610/87 la-Id	<b>Ukususwa kwezimiso zetayitela ezi vumela ukusetshenziswa komhlaba</b> ngaphandle kwezinhloso zokuhlala, ukwehlukana, okwenziwa ngaphansi kwetayitela elibhalisiwe ngabantu abangaphezulu koyedwa futhi lidluliswe, liqashiselwe, abantu abangebona abamnyama	uMasipala wase Mhlathuze isiGaba sokuBhalisa ngu GU 2005/11455
Isiza 424 e-Richards Bay T18522/95 B2	<b>Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2005/1460
Isiza 1299 e- Richards Bay T14287103 BI-B2	Ukususwa kwezimiso <b>zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2005/1462
Isiza 5364 e-Richards Bay T63531104 BI-B2	Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2005/11729
Isiza 5386 e-Richards Bay T22237/96 B2	Ukususwa <b>kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2005/1738
Isiza 4145 e-Richards Bay T44212/2002 BI-B2	<b>Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2005/11941
Isiza 3864 e-Richards Bay T8 I88/93 BI-B2	<b>Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhaJisa ngu GU 2006/11730
Isiza 1055 e-Richards Bay T193173 Za-2d	zetayitela ezivumela ukusetshenziswa komhlaba ngaphandle kwezinhloso wkuhlala, ukwehlukana , okwenziwa ngaphansi kwetayitela elibhalisiwe ngabantu abangaphezulu koyedwa futhi lidluliswe, liqashiselwe, abantu <b>abangebona abamnyama</b>	uMasipala waseMhlathuze siGaba sokuBhalisa ngu GU 2005/11733
Isiza 559 e-Richards Bay T30486/89 B1 – B2	<b>Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2005/1938
Erf 5364 Richards Bay T34580104 BI- B2	Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2005/11739
Isiza 3877 e-Richards Bay T29264/84 BI-B2	<b>Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/494
Isiza 1092 e-Richards Bay T229512001 BI- B2	<b>Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/893
Isiza 1998 e-Richards Bay T 16407/2000 BI-B2	<b>Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/896
Isiza 1568 e-Richards Bay T61717/99 BI- B2	<b>Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipaia waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/897
Isiza 219 e-Richards bay TI24228105 BI-B2	Ukususwa <b>kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/899
Isiza 4027 e-Richards bay T33663/2001 B2	<b>Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/900
Isiza 3795 e-Richards Bay TI134612002 BI- B2	<b>Ukususwa kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/901
Isiza 3681 e-Richards Bay T824654/1 994 BI- B2	Ukususwa <b>kwezimiso zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/902

Isiza 2548 e-Richards Bay T8244/2002 B1- B2	Ukususwa kwezirniso zetayitela ezivurnela ukusetshenziswa komhlaba ngezinhloso zokuhlala kanye nesivurnela ukusetshenziswa komhfaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/904
Isiza 8989 e-Richards Bay 819212/2005 BI	UMaziphathe wasendaweni kufanele ngokungahlawuli abe nelungelo <b>lokwenza noma lokugcina noma yimuphi umsebenzi ngaphansi</b> kwesiza kunorna yimiphi iringcele ngaphandle kwernigwaqo engaphambili, futhi akwazi ukungena urna silungiswa, okubandakanya ukulungisa ukuvikela kokuphazamiseka kornsebenzi.	uMasipala waseMhlathuze IsiGaba sokulshalisa ngu GU 2006/905
Isiza 473 e-Richards Bay T338/2004 BI- B2	Ukususwa kwezimiso zetayitela <b>ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/908
Isiza 5410 e-Richards Bay T2927212006 B1- B2	<b>Ukususwa</b> kwezirniso <b>zetayitela ezivumela</b> ukusetshenziswa <b>komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokulshalisa ngu GU 2006/929
Isiza 1498 e-Richards Bay T3432/97 BI-B2	<b>Ukususwa</b> kwezimiso zetayitela <b>ezivumela</b> ukusetshenziswa <b>komhlaba</b> ngezinhloso zokuhlala kanye nesivurnela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/985
Isiza 3647 e-Richards Bay T31342199 BI-B2	Ukususwa kwezirniso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/987
Isiza 579 e-Richards Bay T15347/98 BI-B2	<b>Ukususwa</b> kwezimiso <b>zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/988
Isiza 1636 e-Richards Bay T17663/06 BI-B2	<b>Ukususwa</b> kwezimiso zetayitela <b>ezivumela</b> ukusetshenziswa <b>komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokulshalisa ngu GU 2006/1114
Isiza 519 e-Richards Bay T4372104 BI-B2	<b>Ukususwa</b> kwezimiso <b>zetayitela ezivumela</b> ukusetshenziswa komhlaba ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 200611115
Isiza 479 e-Richards Bay T000032466/00 BI-B2	<b>Ukususwa</b> kwezimiso <b>zetayitela ezivumela</b> ukusetshenziswa <b>komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/11 16
Isiza 457 e-Richards Bay T46990105 BI-B2	Ukususwa kwezimiso zetayitela <b>ezivumela</b> ukusetshenziswa <b>komhlaba</b> ngezinhloso zokuhlala kanye nesivurnela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokulshalisa ngu GU 2006/11 17
Isiza 456 e-Richard Bay T9198/98 BI-B2	<b>Ukususwa</b> kwezirniso <b>zetayitela ezivumela</b> ukusetshenziswa <b>komhlaba</b> ngezinhloso zokuhlala kanye nesivurnela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 200611118
Isiza 414 e-Richards Bay T11453/91 BI-B2	<b>Ukususwa</b> kwezimiso zetayitela <b>ezivumela</b> ukusetshenziswa komhlaba ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 200611119
Isiza 351 e-Richards Bay 000036642/2001 B1- B2	Ukususwa kwezimiso zetayitela ezivurnela ukusetshenziswa komhlaba ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokulshalisa ngu GU 200611 121
Isiza 195 e-Richards Bay T60714102 B1-B2	Ukususwa kwezimiso <b>zetayitela ezivumela</b> ukusetshenziswa <b>komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokulshalisa ngu GU 200611122
Isiza 1017 e-Richards Bay T35479/05 B1- B2	Ukususwa <b>kwezimiso</b> zetayitela <b>ezivumela</b> ukusetshenziswa <b>komhlaba</b> ngezinhloso zokuhlala kanye nesivurnela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 200611470
Isiza 445 eNseleni T1127012006 3.I(a)-3.I(c)	Ukususwa <b>kwezimiso</b> zetayitela <b>ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 200611471
Isiza 1500- Richards Bay T9195174 BI-B2	<b>Ukususwa</b> kwezirniso <b>zetayitela ezivumela</b> ukusetshenziswa <b>komhlaba ezinhloso</b> zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokulshalisa ngu GU 200611472
Isiza 300 e-Richards Bay T31510/06 BI-B2	Ukususwa kwezirniso zetayitela ezivumela ukusetshenziswa komhlaba ngezinhloso zokuhlala kanye nesivurnela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 200611473
Isiza 770 e-Richards Bay T00000498412002 B7	<b>Ukususwa</b> kwezirniso <b>zetayitela ezivumela ukusetshenziswa</b> komhlaba ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 200611476
Isiza 2020 e-Richards Bay T62512105 BI-82	<b>Ukususwa</b> kwezimiso <b>zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/1477
Isiza 770 e- Richards Bay T00000498412002 B7	<b>Ukususwa</b> kwezimiso <b>zetayitela ezivumela ukusetshenziswa komhlaba</b> ngezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 200611476



Isiza 3836 e-Richards Bay T28872/03 BI-B2	Ukususwa kwezimiso <b>zetayitela ezivumela ukusetshenziswa komhJaba</b> ezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/1480
Isiza 4173 e-Richards Bay T33637/94 BI-B2	Ukususwa <b>kwezimiso</b> zetayitela <b>ezivumela ukusetshenziswakomhlaba</b> ezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/1482
Isiza 5537 e-Richards Bay T8317/95 BI-B2	<b>Ukususwa</b> kwezimiso zetayitela <b>ezivumela ukusetshenziswa komhlaba</b> ezinhloso zokuhlala kanye nesivumela ukusetshenziswa komhlaba kwakha indlu eyodwa yokuhlala	uMasipala waseMhlathuze IsiGaba sokuBhalisa ngu GU 2006/1485

Sinikezwe ngaphansi kwesandla sami Olundi ngalolu suku Iwarna-30 kuNdasa, oNyakeni weziNkulungwane eziMbili nesiKhombisa.

M. POVALL

uMphathi: wezokuPhathwa kweNtuthuko

eHhovisi 10kuQaliswa kweziNhlelo eNyakatho

No. 567, 2007

26 April 2007

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

REMOVAL OF CONDITIONS OF TITLE

I N my capacity as Manager: Development Planning (Northern 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 the conditions of title from the deeds listed in the Schedule.

Property Description, Deed and condition	Scope of Decision	Municipality Registration division and File Reference
Erf 2047 Richards Bay 000034423/01	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2001/870
Erf 632 Richards Bay 4463712004	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2005/640
Erf 1162 Richards Bay T39277/97 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2005/1066
Erf 558 Richards Bay T2630312000 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2005/1068
Erf 157 St Lucia T12728/1989	Except with the approval in writing of the Administrator of the Province of Natal the land shall not be subdivided, not more than one dwelling be erected, no business, trade, vocation or calling shall be conducted on the land.	Mtubatuba Municipality Registration GV 200511069
Erf 1850 Richards Bay T1610/87 la-Id	Removal of conditions of title that restricts the use of property other than residential purposes, be subdivided, be held under registered title by more than one person and be transferred, leased, sublet to a person other than black	uMhlathuze Municipality Registration GU 200511455
Erf 424 Richards Bay T18522195 B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200511460
Erf J299 Richards Bay T14287/03 B1 - B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2005/1462
Erf 5364 Richards Bay T6353 1/04 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2005/1729
Erf 5386 Richards Bay T22237/96 B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2005/1738
Erf 4145 Richards Bay T4421212002 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2005/1941
Erf 3864 Richards Bay T8188/93 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200611730
Erf 1055 Richards Bay T193173 2a-2d	Removal of conditions of title that restricts the use of property other than residential purposes, be subdivided, be held under registered title by more than one person and be transferred. leased, sublet to a person other than black.	uMhlathuze Municipality Registration GU 2005/1733

Erf 559 Richards Bay T30486/89 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200511938
Erf 5364 Richards Bay T34580/04 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200511739
Erf 3877 Richards Bay T29264/84 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 20061494
Erf 1092 Richards Bay T229512001 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/893
Erf 1998 Richards Bay T 16407/2000 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/896
Erf 1568 Richards Bay T61717199 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/897
Erf2191 Richards bay T324228/05 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/899
Erf 4027 Richards bay T33663/2001 B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/900
Erf 3795 Richards Bay T3 1346/2002 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/901
Erf 3681 Richards Bay T824654/1994 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/902
Erf 2548 Richards Bay T8244/2002 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/904
Erf 8989 Richards Bay 819212/2005 B1 The local authority shall without compensation have the right to construct and maintain any service over or under the lot along any boundary there- <b>fore other than a road frontage within a distance, shall have access for maintenance, which shall include trimming to prevent interferences with service.</b> Registration GU 20061905		
Erf 2473 Richards Bay T338/2004 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 20061908
Erf 5410 Richards Bay T2927212006 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/929
Erf 1498 Richards Bay T3432/97 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/985
Erf 3647 Richards Bay T31342/99 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/987
Erf 579 Richards Bay T15347/98 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 20061988
Erf 1636 Richards Bay T17663106 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200611114
Erf 519 Richards Bay T4372104 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/1115
Erf 479 Richards Bay T000032466/00 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200611116
Erf 457 Richards Bay T46990105 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200611117

Erf 456 Richards Bay T9198/98 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200611118
Erf 414 Richards Bay T11453/91 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/1119
Erf 351 Richards Bay 0000366421200 I BI- B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/1121
Erf 195 Richards Bay <b>T60714/02</b> <b>BI-IB2</b>	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200611122
<del>Erf 1017 Richards Bay</del> <del>T35479/05</del> <del>BI- B2</del>	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/1470
Erf 445 Nseleni T11270/2006 3.1(a)-3.1(c)	Removal of conditions of title that restricts the use of property to residential and be held under registered title by more than one person	uMhlathuze Municipality Registration GU 200611471
Erf 150 Richards Bay T9195n4 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200611472
Erf300 Richards Bay T31510106 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200611473
Erf 770 Richards Bay TOOOO0498412002 B7	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200611476
Erf 2020 Richards Bay T625i2105 B1-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200611477
Erf 770 Richards Bay TOOOO0498412002 B7	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200611476
Erf 3836 Richards Bay T28872/03 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200611480
Erf 4173 Richards Bay T33637/94 BI-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 200611482
Erf 5537 Richards Bay T8317/95 B1-B2	Removal of conditions of title that restricts the use of property to residential purposes and restricts the use of the property to a dwelling	uMhlathuze Municipality Registration GU 2006/1485

Given under my hand at Ulundi this 30th day of March, Two thousand and seven.

M.POVALL

Manager: Development Administration  
Northern Implementation Office

No. 568, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; ERF 406 PALM BEACH, MUNISIPALITEIT HIBISCUS COAST

IN my hoedanigheid as Bestuurder: Ontwikkelingsadministrasie in die Kwazulu-Natal Departement van Plaaslike en Tradisionele Regeringsake, 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 delegerasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid, uitgereik deur die Kwazulu-Natal lid van die Uitvoerende Rood 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 04 33757, betreffende Erf 406 Palm Beach, Registrasie Afdeling ET, in die Munisipaliteit Hibiscus Coast, Provinsie van KwaZulu-Natal. voorwaardes-

- (a) voorwaarde A. (4J) wat reisigers verbied;
- (b) voorwaarde B. (b) wat die gebruik van die eiendom tot 'n woonhuis beperk; en
- (c) voorwaarde B. (c) (1)(ii) wat die gebruik van sekere tipes boumateriaal beperk.

Gegee onder my hand te Durban op hierdie 19de dag van Maart, Tweeduisend-en-sewe.

M.L.POVALL

Bestuurder: Ontwikkelingsadministrasie  
Leerverwysing: 200511096

No. 568, 2007

26 kuMbaso 2007

## UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO SETAYITELA; ISIZA 406 E-PALM BEACH, KUMASIPALA WASE-HIBISCUS COAST

**E**SIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya nezeNdabuko waKwaZulu-Natali, ngaphasi kwamandla engiwanikwe yisigaba 2(!) soMthetho wokuSuswa kweMithetho yokuThibela, 1967 (nMthetho No. 84 ka 1967), sifundwa nesimiso sokuDlulise!wa kwaMandla 2 weNxenye VIII yeSahluko B seGunya lokufzuliselwa kwaMandla okuVami!e woMnyango woHulumeni baseKhaya nezeNdabuko, esikhishwe yiLungu lolvkhandlu oPhethe elibhekele oHulumeni baseKhaya ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla, 1994 (uMthetho No.8 ka 1994), ngalokhu ngisuswa umshwana osencwadini esemthethweni yokuDlulise!a kweTayitela elingu-T 04 33757, eliphathelene neSiza 406 e-Palm Beach, isiGaba sokuBhalisa ngu ET, kuMasipala wase-Hibiscus Coast, esiFundazweni saKwaZulu-Natali-

- (a) isimiso A. (4) esivimbela abahambayo;
- (b) isimiso B. (b) esivumela ukusetshenziswa komhlaba ukwakha indlu yokuhlala; kanye
- (c) nesiriso B. (c) (i) (ii) esivumela umhlaba ukusebenzisa izinhlobo ezithile zempahal yokwakha,

Sinikezwe ngaphansi kweSandla sami eThekwini ngalolu suku lwe-19 kuNdasa., oNyakeni weziNkulungwane eziMbili nesiKhombisa.

M.L.POVALL

uMphathi: wezokuPhathwa kweNtuthuko

iNkomba yeFayela: 200511 096

No. 568,2007

26 April 2007

## DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 2 (1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967: REMOVAL OF CONDITIONS OF TITLE; ERF 406 PALM BEACH, HIBISCUS COAST MUNICIPALITY

**I**N my capacity as Manager: Development Administration 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 0433757, pertaining to Erf 406 Palm Beach, Registration Division ET. in the Hibiscus Coast Municipality, Province of Kwuzulu-Natal. conditions-

- (a) condition A.(4) that prohibits travelers;
- (b) condition B. (b) that restricts the use of the property to a dwelling house; and
- (c) condition B. (c) (i) (ii) that restricts the property to certain types of building material.

Given under my hand at Durban this 19th day of March, Two thousand and Seven.

M.L.POVALL

Manager: Development Administration

File reference: 2005/1096

No. 569,2007

26 April 2007

## DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; ERF 1243 PENNINGTON, MUNISIPALITEIT HIBISCUS COAST

**I**N my hoedanigheid as Bestuurder: Ontwikkelingsadministrasie in die KwaZulu-Natal Departement van Plaaslike en Tradisionele Regeringsake, 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 Transportakte T 06 26877, betreffende Erf 1243 Pennington, Registrasie Afdeling ET, in die Munisipaliteit Hibiscus Coast, Provinsie van KwaZulu-Natal, voorwaarde D.3. wat die oprigting van die eindom tot besigheid op grondvloer gebruik en die eerste vloer tot woondoleindes beperk.

Gegee onder my hand te Durban op hierdie 13de dag van Maart, Tweeduisend-en-sewe.

M. L. POVALL,

Bestuurder: Ontwikkelingsadministrasie

Leerwysing: 2006/607

No. 569, 2007

26 kuMbaso 2007

## UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO SETAYITELA; ISIZA 1243 E-PENNINGTON, KUMASIPALA WASE-HIBISCUS COAST

**E**SIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya nezeNdabuko waKwaZulu-Natali, ngaphasi kwamandla engiwanikwe yisigaba 2(1) soMthetho wokuSuswa kweMithetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 weNxenye VIII yeSahluko B seGunya lokufzuliselwa kwaMandla okuVamile woMnyango woHulumeni baseKhaya nezeNdabuko, esikhishwe yiLungu lolvkhandlu oPhethe elibhekele oHulumeni baseKhaya ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla, 1994 (uMthetho No.8 ka 1994), ngalokhu ngisuswa umshwana osencwadini esemthethweni yokuDluliselwa kweTayitela elingu-T 06 26877,

eliphathelene neSiza 1243 e-Pennington, isiGaba sokuBhalisa ngu ET, kuMasipala wase-Hibiscus Coast, esiFundazweni saKwaZulu-Natali, isimiso D.3. esivurnela ukusetshenziswa komhlaba ukuqhuba ibhizinisi nganzansi kanye nokusetshenziselwa ukuhlala ngaphezulu.

Sinikezwe ngaphansi kweSandla sami eThekwini, ngalolu sukulwe-13 kuNdasa, oNyakeni weziNkulungwane eziMbili nesiKhombisa.

M.L.POVALL

uMphathi: wezokuPhathwa kweNtuthuko

iNkomba yeFayela: 2006/607

No. 569, 2007

26 April 2007

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 2 (1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967: REMOVAL OF CONDITIONS OF TITLE; ERF 1243 PENNINGTON, HIBISCUS COAST MUNICIPALITY

IN my capacity as Manager: Development Administration 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 06 26877, pertaining to Erf 1243 Pennington, Registration Division ET, in the Hibiscus Coast Municipality. Province of KwaZulu-Natal, condition – D. 3. that restricts the use of the property to business purposes on the ground floor and residential purposes on the upper floors.

Given under my hand at Durban this 13th day of March, Two thousand and Seven.

M.L.POVALL

Manager: Development Administration

File reference: 2006/607

No. 570, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP DIE OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; ERF 43 RAMSGATE, MUNISIPALITEIT HIBISCUS COAST

IN my hoedanigheid as Bestuurder: Ontwikkelingsadministrasie in die KwaZulu-Natal Departement van Tradisionele en Plaaslike Regeringsake, 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 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 Bevoegdhe, 1994 (Wet No.8 van 1994), verwyder ek hiermee van Transportakte T 04 10606, Erf 43 Ramsgate, Registrasie Afdeling ET, Hibiscus Coast Munisipaliteit, Provinsie KwaZulu-Natal -

voorwaarde F. 2. wat die gebruik van die eiendorn tot 'n woonhuis beperk.

Gegee onder my hand te Durban op hierdie 13de dag van April, Twee duisend-en-sewe.

M.L.POVALL

Bestuurder: Ontwikkelingsadministrasie

Leerverwysing: 20061761

No. 570, 2007

26 kuMbaso 2007

UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHMELA, 1967: UKUSUSWA KWESIMISO SETAYITELA; ISIZA 43 ERAMSGATE, KUMASIPALA WASE-HIBISCUS COAST

ESIKHUNDLENI sami njengolvlphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya nezeNdabuko waKwaZulu-Natali, ngaphasi kwamandla engiwanikwe yisigaba 2(1) soMthetho wokuSuswa kweMithetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 weNxenye VIII yeSahluko B seGunya lokufhluliselwa kwaMandla okuVamile woMnyango woHulumeni baseKhaya nezeNdabuko, esikhishwe yiLungu lolvkhandlu oPhethe elibhekele oHulumeni baseKhaya ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla, 1994 (uMthetho No.8 ka 1994), ngalokhu ngisuswa umshwana osencwadini esemthethweni yokuDlulisela kweTayitela elingu-T 0410606, eliphathelene neSiza 43 e-Ramsgate, isiGaba sokuBhalisa ngu ET, ngaphansi kukaMasipala wase-Hibiscus Coast, esiFundazweni saKwaZulu-Natali,

isimiso F.2. esivumela ukusetshenziswa komhlaba ukwakha indlu eyodwa yokuhlala

Sinikezwe ngaphansi kwesandla sami eThekwini ngosuko Iwe 13 kuMbaso, oNyakeni weziNkulungwane eziMbili neSikhombisa

M.L.POVALL

uMphathi: wezokuPhathwa kweNtuthuko

iNkomba yeFayela: 20061761

No. 570, 2007

26 April 2007

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 43 RAMSGATE, HIBISCUS COAST MUNICIPALITY

IN my capacity as Manager: Development Administration 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), [ hereby remove from Deed of Transfer T 04 10606, pertaining to Erf 43 Ramsgate, Registration Division ET, Hibiscus Coast Municipality, Province of KwaZulu-Natal.

condition F. 2. that restricts the Use of the property to one dwelling house.

Given under my hand at Durban.this 13th day of April, Two thousand and Seven.

M.L.POVALL

**Manager: Development Administration**

File reference: 2006n61

No. 571, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; ERF 733 PALM BEACH, MUNISIPALITEIT HIBISCUS COAST

**I**n my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Kusstreek Iraplerneringskantoor) in die KwaZulu-Natal Departement van Plaaslike en Tradisionele Regeringsake, 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 T 06 07004, Erf 733 Palm Beach, Registrasie Afdeling ET, Hibiscus Coast Munisipaliteit, Provinsie van KwaZulu-Natal, voorwaarde B. (c) (i) (ii) wat die gebruik van sekere tipes boumateriaal beperk en wat die indiening van beplanning vereis.

Gegee onder my hand te Durban op hierdie 13de dag van April, Tweeduisend-en-sewe.

M.L.POVALL

**Bestuurder: Ontwikkelingsadministrasie**

Leerverwysing: 2006/913

No.571,2007

26 kuMbaso 2007

UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO SETAYITELA; ISIZA 733 E-PALM BEACH, KUMASIPALA WASE-HMISCUS COAST

**E**SIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya nezeNdabuko waKwaZulu-Natali, ngaphasi kwamandla engiwanikwe yisigaba 2(1) soMthetho wokuSuswa kweMithetho yokuThibela, 1967 (uMthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 weNxenye VIII yeSahluko B seGunya lokulruliselwa kwaMandla okuVamile woMnyango woHulumeni baseKhaya nezeNdabuko, esikhishwe yiLungu 10Mkhandlu oPhethe elibhekele oHulumeni baseKhaya ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla, 1994 (uMthetho No.8 ka 1994), ngalokhu ngisuswa umshwana osencwadini esemthethweni yokuDlulisela kweTayitela elingu-T 06 07004, nanoma yiliphi elinye eliphathelene neSiza 733 e-Palm Beach, isjGaba sokufshalisa ngu ET, kuMasipala wase- Hibiscus Coast, esiFundazweni saKwaZulu-Natali, isimiso B. (c) (i) (ii) esivumela ukusetshenziswa kwezihlobo ezithile zernpahlala yokwakha futhi esidinga ukulethwa kwepulani yesakhiwo

Sinikezwe ngaphansi kweSandla sami eThekwini ngalolu suku Iwe-19 ku-Ndasa, oNyakeni weziNkuJungwane eziMbili neSikhombisa.

M.L.POVALL

uMphathi: wezokul'hathwa kweNtuthuko

iNkomba yeFayela: 2006/913

No. 571, 2007

26 April 2007

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 733 PALM BEACH, HIBISCUS COAST MUNICIPALITY

**I**n my capacity as **Manager: Development Administration 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 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 06 07004, pertaining to Erf 733 Palm Beach, Registration Division ET, Hibiscus Coast Municipality, Province of KwaZulu-Natal, condition B. (c) (i) (ii) restricts the use of certain types of building material and requires the submission of building plans.

Given under my hand at Durban this 19th day of March, Two thousand and Seven.

M.L.POVALL

**Manager: Development Administration**

File reference: 2006/913

No. 572, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKEKENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; ERF 266 PALM BEACH, MUNISIPALITEIT HIBISCUS COAST

IN my hoedanigheid as Bestuurder: Ontwikkelingsadministrasie in die KwaZulu-Natal Departement van Plaaslike en Tradisionele Regeringsake, 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 Transportakte T 61772106, betreffende Erf 266 Palm Beach, Registrasie Afdeling ET, in die Munisipaliteit Hibiscus Coast, Provinsie van KwaZulu-Natal, voorwaardes-

- (a) voorwaarde B. (b) wat die gebruik van die eiendom tot 'n woonhuis beperk; en
- (b) voorwaarde B. (c) (i) (ii) wat die gebruik van sekere tipes boumateriaal beperk.

Gegee onder my hand te Durban op hierdie 13de dag van April, Tweeduisend-en-sewe.

M.L.POVALL

Besuurder: **Ontwikkelingsadministrasie**

Leerverwysing: 2006f1280

No. 572, 2007

26 kuMbasas 2007

## UMNYANGO WOHULUMENI BASEKHAYA NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEMITHETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIMISO SETA YITELA; ISIZA 266 E-PALM BEACH, KUMASIPALA WASE-HIBISCUS COAST

ESIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya nezeNdabuko waKwaZulu-Natali, ngaphasi kwamandla engiwanikwe yisigaba 2(1) soMthetho wokuSuswa kweMithetho yokuThibela, 1967 (ulvthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 weNxenye VIII yeSahluko B seGunya lokuDluliselwa kwaMandla okuVamile woMnyango woHulumeni baseKhaya nezeNdabuko, esikhishwe yiLungu lolvkhandlu oPhethe elibhekele oHulumeni baseKhaya ngokwesigaba 2 soMthetho wokufzuliselwa kwaMandla, 1994 (uMlithetho No.8 ka 1994), ngalokhu ngisuswa umshwana osencwadini esemthethweni yokuDlulisela kweTayitela elingu-T 61772106, eliphathelene neSiza 266 e-Palm Beach, isiGaba sokuBhalisa ngu ET, kuMasipala wase-Hibiscus Coast, esiFundazweni saKwaZulu-Natali,

- (a) isimiso B. (b) esivumela ukusetshenziswa kwezinhlobo ezithile zempahla yokwakha futhi esidinga ukulethwa kwamapulani ezakhiwo; kanye
- (b) nesimiso B. (c) (i) (ii) esivumela ukusetshenziswa kwezinhlobo ezithile zempahla yokwakha kanye nesinquma imingcele yokwakha.

Sinikezwe ngaphansi kweSandla sami eThekwini ngalolu suku 1we-13 kuMbasas. oNyakern weziNkulungwane eziMbili nesiKhombisa.

M.L.POVALL

uMphathi: wezokuPhathwa kweNtuthuko

iNkomba yeFayela: 200611280

No. 572, 2007

26 April 2007

DEPARTMENT OF WCAL GOVERNMENT AND TRADITIONAL AFFAIRS

## NOTICE IN TERMS OF SECTION 2 (1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967: REMOVAL OF CONDITIONS OF TITLE; ERF 266 PALM BEACH, HIBISCUS COAST MUNICIPALITY

TN my capacity as Manager: Development Administration in the KwaZulu-Natal Department of Local Government and Traditional Affairs, under .1 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 61772106, pertaining to Erf 266 Palm Beach, Registration Division ET, in the Hibiscus Coast Municipality, Province of KwaZulu-Natal, conditions-

- (a) condition B. (b) that restricts the use of the property to a dwelling house; and
- (b) condition B. (c) (i) (ill that restricts the property to certain types of building material.

Given under my band at Durban this 13th day of April, Two thousand and Seven.

M.L.POVALL

Manager: **Development Administration**

File reference: 200611280

No. 573, 2007

26 April 2007

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKEKENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; ERF 1093 RAMSGATE, MUNISIPALITEIT HIBISCUS COAST

IN my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Kusstreek Impleneringskantoor) in die KwaZulu-Natal Departement van Plaaslike en Tradisionele Regeringsake, 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 Transportakte T 50051103, Erf 1093 Ramsgate, Registrasie Afdeling ET, Hibiscus Coast Munisipaliteit, Provinsie van KwaZulu-Natal, voorwaarde (f) wat die gebruik van sekere tipes boumateriaal beperk .

Gegee onder my hand te Durban op hierdie 13de dag van April, Tweeduisend-en-sewe.

M.L.POYALL

Bestuurder: Ontwikkelingsadministrasie

Lêerverwysing: 2006/1034

No. 573, 2007

26 kuMbaso 2007

UMNYANGO WOHULUMEN] BASEKHAYA NEZENDABUKO

ISAZ]SO NGOKWES]GABA 2(I) SOMTHETHO WOKUSUSWA KWEM]THETHO YOKUTHIBELA, 1967: UKUSUSWA KWESIM]SO SETA Y]TELA; ]S]ZA 1093 RAMSGATE, KUMASIPALA WASE-HIB]SCUS COAST

**E**SIKHUNDLENI sami njengoMphathi: wezokuPhathwa kweNtuthuko eMnyangweni woHulumeni baseKhaya nezeNdabuko waKwaZulu-Natali, ngaphasi kwamandla engiwanikwe yisigaba 2(I) soMthetho wokuSuswa kweMithetho yokuIhibela, 1967 (uMthetho No. 84 ka 1967), sifundwa nesimiso sokuDluliselwa kwaMandla 2 weNxenye VIII yeSahluko B seGunya lokuDluliselwa kwaMandla okuVamile woMnyango woHulumeni baseKhaya nezeNdabuko, esikhishwe yiLungu loMkbandlu oPhethe elibhekele oHulumeni baseKhaya ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla, 1994 (uMthetho No.8 ka 1994), ngalokhu ngisuswa umshwana osencwadini esemthethweni yokufslulisela kweTayitela elingu-T 50051103, eliphathelene neSiza 1093 e-Ramsgate, isiGaba sokuBhalisa ngu ET, kuMasipala wase-Hibiscus Coast, esiFundazweni saKwaZulu-Natali, isimiso (I) esivumela ukusetshenziswa kwezinhlobo ezithile zempahla yokwakha.

Sinikezwe ngaphansi kweSandla sami eThekwini ngalolu suku Iwe-13 kuMbaso, oNyakeni weziNkulungwane eziMbili neSikhornbisa.

M.L.POYALL

uMphathi: wezokuPhathwa kweNtuthuko

iNkomba yeFayela: 200611 034

No. 573, 2007

26 April 2007

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 1093 RAMSGATE, HIBISCUS COAST MUNICIPALITY

**I**N 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 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 50051103, pertaining to Erf 1093 Ramsgate, Registration Division ET, Hibiscus Coast Municipality, Province of KwaZulu-Natal, condition (I) that restricts the use of certain types of building material.

Given under my hand at Durban this 13th day of April, Two thousand and Seven

M.L.POVALL

Manager: Development Administration

File reference: 2006/1034



No. 574, 2007

26 April 2007

## DEPARTMENT OF HEALTH

## GREYTOWN 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 Department of Health, Grey town Hospital, 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) Please complete original ZNT 30 documents when submitting quotations above R30 000 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.
- (viii) Quotation documents are available from the Grey town Hospital, Bell Street, Greytown, Telephone: (033) 4139400, Fax: (033) 4132809.

SUPPLY/SERVICE:	<b>Fire extinguishers for entire hospital</b>
Quotation number:	ZNQ 13/04/07
Closing date:	2007-05-08
<b>Time:</b>	11:00
Compulsory site meeting:	2007-04-30
Time:	11:00
<b>Venue:</b>	Greytown Hospital Boardroom
<b>Contact person:</b>	Mr M. Mzila, Telephone: (033)4139400
Enquiries regarding specification:	Mr A. Khanaye, Telephone: (033) 4139400

No. 575, 2007

26 April 2007

## DEPARTMENT OF HEALTH

## AMAJUBA DISTRICT OFFICE

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 Amajuba District Office, 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 Amajuba District Office, Procurement Department, 38 Voortrekker Street, Newcastle, Telephone: (034) 3287000, Fax: (034) 3123122.
- (vii) An original ZNT 30 (application for preference points) form must be submitted for quotations exceeding R30 000 to the Amajuba District Office. an original Tax Clearance Certificate must also be submitted regardless of price.

SUPPLY:	3 Closed incubators (Neonatal nursery)
	1 Flash bilirubinometer
	6 Headboxes - large
	4 Headboxes - large
	7 Headboxes - medium
	6 Headboxes - small
	1 Blood gas machine with electrolytes (Catridge)
	4 ICU crib
	16 Infusion pumps
	2 Multiparameter monitor - iBP, CO2
	2 Multiparameter monitor - ECG, BP, RESP, SP02
	12 Oxygen blender (02)
	4 Nasal CPAP
	30xycheck
	10 Pulse oximeters
	<b>1 Resuscitation set</b>
	• 45 Suction units (wall mounted)
	12 Syringe pumps
	3 Ventilators
<b>Quotation number:</b>	ZNQ49/2007
Closing date:	2007-05-10
Closing time:	11:00

Contact person:  
Enquiries regarding specification:

Mr M. M. Zwane, Telephone: (034) 3287024, Fax: (034) 3123122  
Mr M. M. Zwane, Telephone: (034) 3287024, Fax: (034) 3123122

No. 576, 2007

26 April 2007

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 respects, and all 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 Ladysmith Provincial Hospital, Bid Evaluation Committee, 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, Ext. 335/346, Fax: (036) 6312136.
- (vii) An original ZNT 30 (application for preference points) form must be submitted for quotations exceeding R30 000 to Ladysmith Provincial Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.
- (viii) Quotation documents will only be faxed on request, between 15:00 to 16:00.
- (ix) Quotation documents faxed after completion is done at own risk. Ladysmith Provincial Hospital will not be held liable if any documentation is missing.

**SERVICE:** Gardens and grounds - Gate Clinic (six (6) month period) only co-operatives from DC 23  
**Quotation number:** ZNQ 11200712008  
**Closing date:** 2007-05-11  
**Closing time:** 11.00  
**Compulsory site meeting:** 2007-05-03  
**Time:** 09:00  
**Venue:** Ladysmith Provincial Hospital, Maintenance Department  
**Contact person:** Me B. M. Nkosi  
**Enquiries regarding specification:** Ms L. S. Oosthuizen/Mrs N. B. Mngadi

**SERVICE:** Cleaning of buildings - Gate Clinic (six (6) month period) only co-operatives from DC 23  
**Quotation number:** ZNQ 2/2007/2008  
**Closing date:** 2007-05-11  
**Closing time:** 11.00  
**Compulsory site meeting:** 2007-05-03  
**Time:** 11:00  
**Venue:** Ladysmith Provincial Hospital, Maintenance Department  
**Contact person:** Mr B. M. Nkosi  
**Enquiries regarding specification:** Ms L. S. Oosthuizen/Mrs N. B. Mngadi

**SERVICE:** Gardens and grounds - Primary Health Care Clinic (six (6) month period) only co-operatives from DC 23  
**Quotation number:** ZNQ 3/2007/2008  
**Closing date:** 2007-05-11  
**Closing time:** 11:00  
**Compulsory site meeting:** 2007-05-03  
**Time:** 13:00  
**Venue:** Ladysmith Provincial Hospital, Maintenance Department  
**Contact person:** Me B. M. Nkosi  
**Enquiries regarding specification:** Ms L. S. Oosthuizen/Mrs N. B. Mngadi

**SUPPLY:** 8016 Tins (668 cases) Nan Pelargon - per month (three (3) month contract subjected to special conditions)  
**Quotation number:** ZNQ 41200712008  
**Closing date:** 2007-05-11  
**Closing time:** 11:00  
**Contact person:** Ms L. S. Oosthuizen/Mrs N. B. Mngadi  
**Enquiries regarding specification:** Ms L. S. Oosthuizen/Mrs N. B. Mngadi

**SUPPLY:** I High capacity X-ray film processor  
**Quotation number:** ZNQ 5/200712008  
**Closing date:** 2007-05-11  
**Closing time:** 11:00  
**Contact person:** Ms L. S. Oosthuizen/Mrs N. B. Mngadi  
**Enquiries regarding specification:** Ms L. S. Oosthuizen/Mrs N. B. Magadi

**SUPPLY:** 6 Warmers - blood solution (Electronic Control)  
**Quotation number:** ZNQ 6/200712008  
**Closing date:** 2007-05-11

Closing time:	11:00
Contact person:	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
<b>Enquiries regarding specification:</b>	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
<b>SUPPLY:</b>	Groceries - eggs (six (6) month contract)
Quotation number:	ZNQ 7120071200S
Closing date:	2007-0S-II
Closing time:	11:00
Contact person:	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
Enquiries regarding specification:	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
<b>SUPPLY:</b>	Groceries - milk and other dairy products (six (6) month contract)
<b>Quotation number:</b>	ZNQ S120071200S
Closing date:	2007-0S-11
Closing time:	11:00
Contact person:	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
Enquiries regarding specification:	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
<b>SUPPLY:</b>	Groceries - meat and other processed meat products (six (6) month contract)
Quotation number:	ZNQ 920071200S
Closing date:	2007-0S-II
Closing time:	11:00
Contact person:	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
Enquiries regarding specification:	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
<b>SUPPLY:</b>	Groceries - fresh fruit and vegetables (six (6) month contract)
Quotation number:	ZNQ 10120071200S
Closing date:	2007-0S-11
Closing time:	11:00
Contact person:	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
Enquiries regarding specification:	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
<b>SUPPLY:</b>	Groceries - frozen vegetables/meat and other products (six (6) month contract)
Quotation number:	ZNQ 1120071200S
Closing date:	2007-0S-11
Closing time:	11:00
Contact person:	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
<b>Enquiries regarding specification:</b>	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
<b>SUPPLY:</b>	Groceries - bread and other confectionery products (six (6) month contract)
Quotation number:	ZNQ 1212007200S
Closing date:	2007-05-11
Closing time:	11:00
Contact person:	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
<b>Enquiries regarding specification:</b>	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
<b>SUPPLY:</b>	Groceries - spices and other products (six (6) month contract)
Quotation number:	ZNQ 13120071200S
Closing date:	2007-0S-11
Closing time:	11:00
Contact person:	Ms L. S. Oosthuizen/Mrs N. B. Mngadi
Enquiries regarding specification:	Ms L. S. Oosthuizen/Mrs N. B. Mngadi

#### Award of quotations

<b>SUPPLY:</b>	9 Diagnostic set- battery operated
Quotation number:	ZNQ S412006/07
<b>Contractor:</b>	Welch Allyn SA
<b>SUPPLY:</b>	10 Emergency patient trolleys without X-ray cassette holders
Quotation number:	ZNQ 10112006107
Contractor:	Disposable Technologies
<b>SUPPLY:</b>	37 Bedside lockers
Quotation number:	ZNQ 1032006/07
Contractor:	Unitrade
<b>SUPPLY:</b>	2 Infant incubators - standard air temp. control
Quotation number:	ZNQ 10412006/07
<b>Contractor:</b>	Medioronics
<b>SUPPLY:</b>	1 High capacity batch - type silver recovery unit
Quotation number:	ZNQ 1062006/07
<b>Contractor:</b>	Energy X-Ray KZN
<b>SUPPLY:</b>	S Aspirators - Electric high vacuum suction pump
Quotation number:	ZNQ 10712006/07
<b>Contractor:</b>	Alpha Healthcare

SUPPLY: 20 Cotbeds adult  
 Quotation number: ZNQ 10812006/07  
 Contractor: Tiakeni Medical

SUPPLY: I Hopkins II wide angle forward - oblique telescope 30  
 Quotation number: ZNQ 1092006107  
 Contractor: Marcus Medical

Cancellation of quotation

SUPPLY: Ensure (three (3) month contract)  
 Quotation number: ZNQ 7912006107

No. 577, 2007

26 April 2007

DEPARTMENT OF HEALTH

AMAJUBA DISTRICT OFFICE

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 Amajuba District Office, 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 Amajuba District Office, Procurement Department, 38 Voortrekker Street, Newcastle, Telephone: (034) 3287000, Fax: (034) 3123122.
- (vii) An original ZNT 30 (application for preference points) form must be submitted for quotations exceeding R30 000 to the Amajuba District Office, an original Tax Clearance Certificate must also be submitted regardless of price.

SERVICE: Midwifery skills development training  
 Quotation number: ZNQ 5012007  
 Closing date: 2007-05-10  
 Closing time: 11:00  
 Contact person: Mr M. M. Zwane, Telephone: (034) 3287024, Fax: (034) 3123122  
 Enquiries regarding specification: Ms Gugu Shabangu, Telephone: (034) 3287000

No. 578, 2007

26 April 2007

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 quoting contractor 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, Congella, Telephone: (031) 3603448.

SUPPLY: 300 Bags of washing powder  
 Quotation number: ZNQLS 156 gaz  
 Closing date: 2007-05-21  
 Time: 11:00  
 Contact person: Louise Steyn, Telephone: (031) 3603448  
 Enquiries regarding specification: Louise Steyn, Telephone: (031) 3603448

No. 579,2007

26 April 2007

DEPARTMENT OF HEALTHUMGUNGUNDLOVU DISTRICT OFFICE – BRASFORT HOUSE

## Award of quotation

SUPPLY/SERVICE: Hiring of 13 buses, sixty five-seater for the World Health Day Event on  
2007-05-25  
Quotation number: ZNQ 2248/06/07  
Contractor: Rural Upliftment Transport

No. 580,2007

26 April 2007

DEPARTMENT OF HEALTHKWADABEKA COMMUNITY HEALTH CENTRE

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

- (i) Quotations must be submitted 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 the KwaDabeka Quotation Evaluatin 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) An original ZNT 30 form must be submitted for items over R30 000 in value.
- (vi) All Depanment 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 KwaDabeka Community Health Centre, 4 Spine Road, KwaDabeka, Stores Department, Telephone: (031) 7072371.

SUPPLY/SERVICE: 7 x 4 x 5 Units of wooden constructed lockers wall mounted  
6 x 3 x 5 Units of wooden constructed lockers wall mounted  
Quotation number: ZNQ03/2007  
Closing date: 2007-05-11  
Closing time: 11:00  
*Compulsory site meeting:*  
Time: 10:00  
Date: 2007-05-04  
Venue: KwaDabeka CHC, 4 Spine Road, KwaDabeka Township (report at stores)  
Contact person regarding specification: Mr B. Janjies, Cellphone: 0844563782

SUPPLY: I 12 m x 2,4 m converted container to be used as Stores Department  
Quotation number: ZNQOm007  
Closing date: 2007-05-11  
Closing time: !!:00  
Contact person regarding specification: Mr B. Lewele, Telephone: (031) 7072371

No. 581, 2007

26 April 2007

DEPARTMENT OF HEALTHNDWEDWE COMMUNITY HEALTH CENTRE

## Award of quotation

SUPPLY: Installation of entrance illuminated light box  
Quotation number: ZNQ 222/2006/07  
Contractor: Amabutho Signs

No. 582, 2007

26 April 2007

DEPARTMENT OF HEALTHESHOWE DISTRICT HOSPITAL

## Award of quotation

SUPPLY/SERVICE: Cataract equipment  
Quotation number: ZNQ 03/07  
Contractor: MARS OPTICS

DEPARTMENT OF HEALTH  
ESHOWE DISTRICT 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 a sealed envelopes.
- (iii) Separate envelope must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Eshowe District Hospital, 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, Eshowe District Hospital, 40 Kaugella Street, Telephone: (035) 4734597, Fax: (035)4741197.

SUPPLY: 30 Kg Extractor washing machine  
 Quotation number: ZNQ04/07  
 Closing date: 2007-05-10  
 Time: 11:00  
 Contact person: Mrs V. Ajencu  
 Enquiries regarding specification: Mrs V. Ajencu

SUPPLY: 30 Kg Industrial tumble drier  
 Quotation number: ZNQ05/07  
 Closing date: 2007-05-10  
 Time: 11:00  
 Contact person: Mrs V. Ajencu  
 Enquiries regarding specification: Mrs V. Ajencu

DEPARTMENT OF HEALTH  
GREY'S 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 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 the Grey's 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 a letter of acceptance being issued.
- (vi) Quotation documents are available from the Grey's Provincial Hospital, Supplies Division, Town Bush Road, and Pietermaritzburg, Telephone: (033) 8973485, Fax: (033) 3424288.
- (vii) An original ZNT 30 (application for preference points) form must be submitted for quotations exceeding R30 000 to Grey's Provincial Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.

SUPPLY: **5 Pulse oximeters, stand alone, non-invasive**  
 H.T.U. Specification number: C.E. No 711997 (Electronic)  
 U.M.D.N.S. number: 17148  
 Quotation number: ZNQ 7691103/07  
 Closing date: 2007-05-22  
 Closing time: 11:00  
 Contact person: Mr J. Govender, Telephone: (033) 8973485  
 Enquiries regarding specification: Mr J. Govender, Telephone: (033) 8973485

SUPPLY: 1 Survey meter  
 Quotation number: ZNQ 7692/03/07  
 Closing date: 2007-05-22  
 Closing time: 11:00  
 Contact person: Mr J. Govender, Telephone: (033) 8973485  
 Enquiries regarding specification: Mr J. Govender, Telephone: (033) 8973485

SUPPLY: 1 Arterial tray, 11 in tray  
 Quotation number: ZNQ 7689/03107  
 Closing date: 2007-05-22

Closing time:	11:00
Contact person:	Mr J. Govender, Telephone: (033) 8973485
Enquiries regarding specification:	Mr J. Govender, Telephone: (033) 8973485
<b>SUPPLY:</b>	I Defibrillator monitor - portable built in recorder
H.T.U. Specification number:	HT.S. No 1/1997 (Electronic)
Specification date:	2007-02-06
U.M.D.N.S. number:	11129
Quotation number:	ZNQ 306/04/07
Closing date:	2006-05-22
Closing time:	11:00
<b>Contact person:</b>	Mr J. Govender, Telephone: (033) 8973485
Enquiries regarding specification:	Mr J. Govender, Telephone: (033) 8973485
<b>SUPPLY:</b>	I Blood gas analyser – plus co-oximeter
Quotation number:	ZNQ 7690103/07
Closing date:	2006-05-22
Closing time:	11:00
Contact person:	Mr J. Govender, Telephone: (033) 8973485
Enquiries regarding specification:	Mr J. Govender, Telephone: (033) 8973485

No. 585, 2007

26 April 2007

## DEPARTMENT OF WORKS

## NORTH COAST REGION

<b>SERVICE:</b>	External maintenance and rehabilitation of landscape works and external pest control, Provincial Government Buildings, Ulundi
Bid number:	ZNT7293 W
Closing date:	2007-06-07
Time:	11:00
Technical enquiries:	Ms Bernice Rumble, Telephone: (032) 9472402
CIDB contractor:	3SH or higher
grading designation:	
Compulsory site inspection:	2007-05-16
<b>Time:</b>	12:00
<b>Venue:</b>	On site
Documents available from:	KZN Department of works North Coast Region Legislative Assembly Administrative Building (1st Floor), Zone I Prince Mangosuthu Street
Times for collection of bid documents:	09:00 to 12:30 and 13:00 to 15:30
<b>Administrative enquiries;</b>	Mr D. F. Khambule/Mr S. L. Nyakatha, Telephone: (035) 8743419/3354
Closing of bid:	KZN Department of Works North Coast Region Legislative Assembly Administrative Building (1st Floor), Zone I Prince Mangosuthu Street

Note: All interested bidders must be registered on the provincial suppliers database. No bid documents will be issued at the site inspection meeting, telegraphic, faxed, and late bids will not be accepted. Bid documents may only be submitted on the bid documentation that is issued.

No. 586, 2007

26 April 2007

## DEPARTMENT OF HEALTH

## UTHUKELA HEALTH DISTRICT OFFICE

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 a sealed envelope.
- (iii) The envelopes must be addressed to Uthukela Health District Office. Cash Flow Committee, together with the quotation number and closing date.
- (iv) The name and the address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department Of Health awarded contracts are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) An original ZNT 30 form must be completed for quotations exceeding R30 000 which will be available from Uthukela Health District Office 70A Alexandra Street, Ladysmith.
- (vii) Quotation documents are available from Uthukela Health District Office Procurement Section, 70A Alexandra Street, Ladysmith, Telephone: (036) 6312202, Fax: (036) 6312217.

<b>SUPPLY:</b>	Portable screening audiometer
<b>Quotation number:</b>	ZNQ 70 of 2007/08
Closing date:	2007-04-30

Contact person:  
Enquiries regarding specification:

Mrs R Ramnarayan, Telephone: (036) 6312202  
Mrs N Pienaar, Telephone : (036) 6312202

No. 587, 2007

26 April 2007

## 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 Department, Addington Hospital for attention Mr G. Nair reflecting the quotation number.
- (v) The name and address of the quoting contractor 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) An original ZNT 30 document must be completed when submitting quotations above R30 000 (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: 150 Gabler rails and 100 l. V. Poles  
Quotation number: ZNQ71 A  
Closing time: 11:00  
Closing date: 2007-10-05  
Contact person: Mr G. Pillay, D. Reddy, Telephone: (031) 3272132/3  
Enquiries regarding specification: Mr G. Pillay, D. Reddy, Telephone: (031) 3272132/3

## Award of quotations

SERVICE: Monitor – parameter ECG without gas module  
Quotation number: ZNQ 1315 A  
Contractor: Duromed

SERVICE: Cardiocotograph - single  
Quotation number: ZNQ 1314A  
Contractor: **Tiakeni**

SERVICE: **Monitor- multiparameter anaesthesia**  
Quotation number: ZNQ 1316 A  
Contractor: SSEM – Mthembu

SERVICE: Install burglar alarms, fire alarms and smoke detectors  
Quotation number: ZNQ 1294C  
Contractor: TES Security

## Cancellation of quotations

SERVICE: Equipment rails and l. V. Poles  
Quotation number: ZNQ 1364 A

No. 588, 2007

26 April 2007

## DEPARTMENT OF HEALTH

CHARLES JOHNSON MEMORIAL 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 documents.
- (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 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 a letter of acceptance being issued.
- (vi) Quotation documents are available from Charles Johnson Memorial Hospital, Stores Department. 92 Hlubi Street, Nqutu, Telephone: (034) 2716446.



(vii) An original ZNT 30 (application for preference points) form must be completed for quotations exceeding R30 000 and submitted to Charles Johnson Memorial Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.

**SUPPLY:** 200 x 15 mm Ceramic disc washes right hand  
200 x 15 mm Ceramic disc washes left hand  
20 x 15 mm Side inlet ball valves  
**Quotation number:** ZNQ 0062-2007/2008  
**Closing date:** 2007-05-03  
**Closing time:** 11:00  
**Contact person:** Mr M. Ngcobo, Telephone: (034) 2716522  
**Enquiries:** Mbali Mazibuko, Telephone: (034) 2716445/6/7

**SUPPLY:** 300 Cases of Nan Perlagon (case of 12)  
**Quotation number:** ZNQ 0063-2007/2008  
**Closing date:** 2007-05-03  
**Closing time:** 11:00  
**Contact person:** Mbali Mazibuko, Telephone: (034) 271644516/7

**SUPPLYISERVICE:** Installation of new kitchen cupboard in 6 wards at CIM Hospital  
**Quotation number:** ZNQ 0064-2007/2008  
**Closing date:** 2007-05-10  
**Closing time:** 11:00  
**Site inspection date:** 2007-05-07  
**Time:** 10:00  
**Venue:** **Largeconference room**  
**Contact person:** Mr M. Ngcobo, Telephone: (034) 2716522  
**Enquiries:** Mbali Mazibuko, Telephone: (034) 2716445/6/7

**SUPPLY:** 300 Tons of small ground nut peas coal  
**Quotation number:** ZNQ 0065-200712008  
**Closing date:** 2007-05-10  
**Closing time:** 11:00  
**Contact person:** Mr M. Ngcobo, Telephone: (034) 2716522  
**Enquiries:** Mbali Mazibuko, Telephone: (034) 2716445/617

**SUPPLY:** Shoes, female, service type (parabellam) black  
10 x Size 4  
50 x Size 5  
50 x Size 6  
50 x Size 7  
50 x Size 8  
5 x Size 9  
**Quotation number:** ZNQ 0074-200712008  
**Closing date:** 2007-05-10  
**Closing time:** 11:00  
**Enquiries:** Mbali Mazibuko, Telephone: (034) 2716445/617

**No. 589, 2007**

26 April 2007

DEPARTMENT OF HEALTH

ILEMBE HEALTH DISTRICT OFFICE

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 envelope must be addressed to Ilembe Health District Office, Quotation Evaluation Committee, together with the quotation number and **closing date and must be deposited into the quotation box, which is next to the entrance of the office**.
- (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 a letter of acceptance being issued.
- (vi) Quotations documents are available from Ilembe Health District Office, 36/40 Chief Albert Luthuli Street, 1st Floor OK Mall, Kwadukuza 4450, Telephone: (032) 4373500, Fax: (032) 551190 and 5511425,
- (v) An original ZNT 30 (application for preference points) form must be submitted for quotations exceeding R30 000 to Ilembe Health District Office, an original Tax Clearance Certificate must also be submitted regardless of price.

**SUPPLY:** 2000 Full caps with embroidered messages  
**Quotation number:** ZNQ 089/07/08  
**Closing date:** 2007-05-09  
**Closing time:** 11:00  
**Contact person:** Zandile Mbururna, Telephone: (032) 4373500  
**Enquiries regarding specification:** Nkululeko Nxasana, Telephone: (032) 4373500

**SUPPLYISERVICE:** Collection of condoms from Amatikulu and distribution within KwaDukuza sub-district for a period of 9 months

Quotation number: ZNQ 093107108  
 Closing date: 2007-05-09  
 Closing time: 11:00  
 Contact person: Zandile Mbuturna, Telephone: (032) 4373500  
 Enquiries regarding specification: Nkululeko Nxasana, Telephone: (032) 4373500

**SUPPLY/SERVICE:** Collection of condoms from Amatikulu and distribution within Mandini sub-district for a period of 9 months

Quotation number: ZNQ 095/07/08  
 Closing date: 2007-05-09  
 Closing time: 11:00  
 Contact person: Zandile Mbutuma, Telephone: (032) 4373500  
 Enquiries regarding specification: Nkululeko Nxasana, Telephone: (032) 4373500

**SUPPLY/SERVICE:** Collection of condoms from Amatikulu and distribution within Maphumulo sub-district for a period of 9 months

Quotation number: ZNQ 090/07108  
 Closing date: 2007-05-09  
 Closing time: 11:00  
 Contact person: Zandile Mbutuma, Telephone: (032) 4373500  
 Enquiries regarding specification: Nkululeko Nxasana, Telephone: (032) 4373500

**SUPPLY/SERVICE:** Collection of condoms from Amatikulu and distribution within Ndwedwe sub-district for a period of 9 months

Quotation number: ZNQ 093/07108  
 Closing date: 2007-05-09  
 Closing time: 11:00  
 Contact person: Zandile Mbutuma, Telephone: (032) 4373500  
 Enquiries regarding specification: Nkululeko Nxasana, Telephone: (032) 4373500

**NB:** From the above advertisement, preferences will be given to local cooperative, women owned and youth organisations

**SUPPLY/SERVICE:** 700 boxes of powdered full cream milk to institutions

Quotation number: ZNQ 049/07/08  
 Closing date: 2007-05-09  
 Closing time: 11:00  
 Contact person: Zandile Mbutuma, Telephone: (032) 4373500  
 Enquiries regarding specification: Nkululeko Nxasana, Telephone: (032) 4373500

**SUPPLY/SERVICE:** 350 packets to institutions (dozen of 1 kg sugar beans first grade)

Quotation number: ZNQ 050/07108  
 Closing date: 2007-05-09  
 Closing time: 11:00  
 Contact person: Zandile Mbuturna, Telephone: (032) 4373500  
 Enquiries regarding specification: Nkululeko Nxasana, Telephone: (032) 4373500

**SUPPLY:** Photocopier for rental 12 months period

Quotation number: ZNQ 101/07/08  
 Closing date: 2007-05-09  
 Closing time: 11:00  
 Contact person: Zandile Mbutuma, Telephone: (032) 4373500  
 Enquiries regarding specification: Nkululeko Nxasana, Telephone: (032) 4373500

**SERVICE:** 2 Armed guard day security and 2 armed guard night security for 10 months period

Quotation number: ZNQ 102107108  
 Closing date: 2007-05-09  
 Closing time: 11:00  
 Contact person: Zandile Mbutuma, Telephone: (032) 4373500  
 Enquiries regarding specification: Nkululeko Nxasana, Telephone: (032) 4373500

DEPARTMENT OF HEALTH

KING EDWARD VIII HOSPITAL

Award of quotation

**SUPPLY:** 2 Electric tow trucks  
 Quotation number: ZNQ DN 252  
 Contractor: Nomageba Trading

No. 591, 2007

26 April 2007

## DEPARTMENT OF HEALTH

## PHOENIX COMMUNITY HEALTH 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) Each quotation must be submitted in a sealed envelope.
- (iii) The envelope must be addressed to the CHC Manager, Phoenix, Community Health Centre, Private Bag X007, Mount Edgecombe 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 a leuer of acceptance being issued.
- (vi) Quotations documents and specifications are available from the Department of Health, Phoenix Community Health Centre, Telephone: (031) 5076774, Fax: (031) 5007029.

SERVICE:	Rental of pre-fab offices
Quotation number:	ZNQ 53/2007
Closing date:	2007-05-109
Closing time:	11:00
Compulsory site meeting:	
Date:	2007-05-03
Time:	11:00
Venue:	Stores Department
Contact person:	Mr A. Udayan, Telephone: (031) 5076774, Ext. 227
Enquiries regarding specification:	Mr A. Udayan, Telephone: (031) 5076774, Ext. 227

No. 592,2007

26 April 2007

## DEPARTMENT OF HEALTH

## UMGENI CARE AND REHABILITATION CENTRE

## Award of quotations

SERVICE:	Cleaning of hospital buildings
Quotation number:	ZNQ 271/06
Contractor:	Dialberton Business Enterprise CC
SERVICE:	Cleaning of gardens and grounds
Quotation number:	ZNQ 391/06
Contractor:	Abanqobi Communications and Technical Services

No. 593, 2007

26 April 2007

## DEPARTMENT OF HEALTH

## REGIONAL LAUNDRY NORTHERN NATAL

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

- (i) Please note that bid requests can be made via facsimile viz. (0342121211) for all documents.
- (ii) Bids must be on the official bid form which shall be completed in all respects and information must be supplied as stipulated in the tender documents.
- (iii) Bids must be submitted in separate sealed envelopes.
- (iv) The name and address of the bidder must be endorsed on the back of the envelope.
- (v) The address, bid number and closing date must be indorsed on the envelope.
- (vi) All bid contract awards are subject to appeals being lodged (if any) and letters of acceptance being issued.
- (vii) Contractors will be required to produce a copy of a valid Tax Certificate before issued with bid documents.
- (viii) Quotation documents are available from Regional Laundry Northern Natal, Watt Road, Avon Industrial Site, Dundee, Telephone: (034) 2123161 Fax: (034) 2121211.

SUPPLY:	200 tons Bituminous washed coal, small mixed peas
Bid number:	ZNQ 26/2007
Closing date:	2007-05-08
Closing time:	11:00
Contact person:	Mrs A. S. Bhartu, Telephone: (034) 2123161

SUPPLY:	Pest control - Regional Laundry Dundee
Bid number:	ZNQ27/2007
Closing date:	2007-05-28
Closing time:	11:00
Site inspection meeting:	Regional Laundry Dundee
Date:	May 2007-05-16
Time:	11:00
Venue:	Regional Laundry Dundee
Contact person:	Mrs A. S. Bhartu

No. 594, 2007

26 April 2007

## DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

BIDS ARE INVITED FOR THE UNDER-MENTIONED REQUIREMENTS OF THE ROVINCIAL 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 separate sealed envelopes.
- (iii) Separate envelopes must be used for each bid invitation.
- (iv) Bids must be addressed as directed in the bid document, i.e. front of the envelope must reflect the bid number, description of bid, closing date and time as well as the name and address of the bidder. The name and address of the department must be written on the reverse side of the envelope.

SERVICE:	Appointment of an external services provider to provide audit support to the inland Regional Office
Bid number:	ZNT 146912006 LG
Closing date:	2007-05-25
Time:	11:00
Documents available:	Bid Office, Office 13 - 08, 13th Floor Natalia Building, 330 Langalibalele Street, Pietermaritzburg
Contact person:	Miss Kbyani Bhengu, Telephone: (033) 3952301
Compulsory briefing session:	
Date:	2007-05-11
Time:	10:00
Venue:	Ground floor, exhibition room, Natalia Building 330 Langalibalele Street Pietermaritzburg

Note: Bid documents are to be collected at the address stipulated above before the commencement of the compulsory briefing session.  
No documents will be banded out at the briefing session.  
Persons who do not have the documents before the briefing session will be disqualified from submitting bids.

No. 595, 2007

26 April 2007

## DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

BIDS ARE INVITED FOR THE UNDER-MENTIONED REQUIREMENTS OF THE ROVINCIAL 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 separate sealed envelopes.
- (iii) Separate envelopes must be used for each bid invitation.
- (iv) Bids must be addressed as directed in the Bid Document, i.e. front of the envelope must reflect the bid number, description of bid, closing date and time as well as the name and address of the bidder. The name and address of the Department must be written on the reverse side of the envelope

SERVICE:	Appointment of an external service provider to provide audit support to the Coastal Regional Office
Bid number:	ZNT 147012006 LG
Closing date:	2007-05-25
Time:	11:00
Documents available:	Bid Office, Office 13 - 08, 13th Floor Natalia Building, 330 Langalibalele Street, Pietermaritzburg
Contact person:	Miss Kbyani Bhengu, Telephone: (033) 3952301
Compulsory briefing session:	
Date:	2007-05-11
Time:	10:00
Venue:	Ground floor, exhibition room, Natalia Building 330 Langalibalele Street Pietermaritzburg

Note: Bid documents are to be collected at the address stipulated above before the commencement of the compulsory briefing session.

No documents will be handed out at the briefing session.

Persons who do not have the documents before the briefing session will be disqualified from submitting bids.

No. 596, 2007

26 April 2007

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

BIDS ARE INVITED FOR THE UNDER-MENTIONED REQUIREMENTS OF THE ROVINCIAL 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 separate sealed envelopes.
- (iii) Separate envelopes must be used for each bid invitation.
- (iv) Bids must be addressed as directed in the Bid Document, i.e. front of the envelope must reflect the bid number, description of bid, closing date and time as well as the name and address of the bidder. The name and address of the Department must be written on the reverse side of the envelope

SERVICE:	Appointment of an external service provider to provide audit support to the Coastal Regional Office
Bid number:	ZNT 147112006 LG
Closing date:	2007-05-25
Time:	11:00
Documents available:	Bid Office, Office 13 - 08, 13th Floor Natalia Building, 330 Langalibalele Street, Pietermaritzburg
Contact person:	Miss Khanyi Bhengu, Telephone: (033) 3952301
<i>Compulsory briefing session:</i>	
Date:	2007-05-11
Time:	10:00
Venue:	Ground floor, exhibition room, Natalia Building 330 Langalibalele Street Pietermaritzburg

Note: Bid documents are to be collected at the **address** stipulated above before the commencement of the compulsory briefing session.

No documents will be handed out at the briefing session.

Persons who do not have the documents before the briefing session will be disqualified from submitting bids.

No. 597,2007

26 April 2007

DEPARTMENT OF WORKS

SOUTHERN REGIONAL OFFICE

- (i) Bids may only be submitted on the official bid form, which shall be completed in all respects and all information must be supplied as stipulated in the bid documents
- (ii) Requirements for sealing, addressing, delivery, opening and assessment of bidders are stated in the bid data.
- (iii) Telegraphic, telephonic, telex, facsimile and late bids will not be accepted.
- (iv) Documents available from Department of Works, 191 Prince Alfred Street, Pietermaritzburg. All bidders must be registered on the Provincial Suppliers Database and the CIDB.

SERVICE:	Izongolweni: Izongolweni Clinic: Alterations and additions to existing clinic
CIDB grading:	6GB or if a joint venture 2 x 5GB or 1 x 5GB + 2 x 4 GBs
Bid number:	ZNTMOO119W
Closing date:	2007-05-24
Closing time:	11:00
Contact person:	Mr S. Mahlaba, Telephone: (033) 3555477
<i>Compulsory site inspection meeting:</i>	
Date:	2007-05-14
Time:	11:00
Venue:	Bidders to meet at the Izongolweni Clinic
Technical enquiries:	Mrs E. Fleming, Telephone: (033) 3557155

No. 598, 2007

26 April 2007

DEPARTMENT OF HEALTH

PROVINCIAL MEDICAL SUPPLY CENTRE

Award of quotations

SUPPLY:	High risk tape
Quotation number:	ZNQ 09/0212007
Contractor:	Rayvin Trading tJa Safeway ordering System

SUPPLY:	Tarring of parking areas
Quotation number:	ZNQ 05102/2007
<b>Contractor:</b>	Apex Asphalt cc
SUPPLY:	<b>Concentrated fruit juice</b>
Quotation number:	ZNQ 04103/2007
<b>Contractor:</b>	Nomageba Trading
SUPPLY:	Dayglo orange labels
Quotation number:	ZNQ 0510312007
<b>Contractor:</b>	Avvo Labels

No. **599,2007**

26 April 2007

## DEPARTMENT OF WORKS

## SOUTHERN REGIONAL OFFICE

- (i) Bids may only be submitted on the official bid form, which shall be completed in all respects and all information must be supplied as stipulated in the bid documents
- (ii) Requirements for sealing, addressing, delivery, opening and assessment of bids are stated in the bid data.
- (iii) Telegraphic, telephonic, telex, facsimile and late bids will not be accepted.
- (iv) Documents available from Department of Works, 191 Prince Alfred Street, Pietermaritzburg. All bidders must be registered on the Provincial Suppliers Database and the CIDB.

SERVICE:	<b>Pietermaritzburg: Gcewu High School: demolitions, repairs, renovations, seventeen pit toilets and one urinal</b>
CIDB grading:	4GB
Bid number:	ZNT 1902 W
Closing date:	2007-05-11
Closing time:	11:00
Documents available from:	Department of Works, Regional Office, 10-18 Prince Alfred Street Extension, Pietermaritzburg, Mr M. Smith, Telephone: (033) 3557100
Contact person:	
<i>Compulsory site inspection meeting;</i>	
Date:	2007-05-02
Time:	11: 30
Venue:	Bidders to meet at the Gcewu High School
Technical enquiries:	Mr M. Smith, Telephone: (033) 3557100
SERVICE:	Pietermaritzburg: Yise High School: Complete repairs and renovations
CIDB grading:	4GB
Bid number:	ZNTM000067 W
Closing date:	2007-05-11
Closing time:	11:00
Documents available from:	Department of Works, Regional Office, 10-18 Prince Alfred Street Extension, Pietermaritzburg, Mr W. Butland, Telephone: (033) 3557100
Contact person:	
<i>Compulsory site inspection meeting;</i>	
Date:	2007-05-07
Time:	11: 00
Venue:	bidders to meet at the Yise High School
Technical enquiries:	Mr W. Butland, Telephone: (033) 3557100
SERVICE:	Pietermaritzburg: Powerscourt Primary School: Demolitions, repairs, renovations to seventeen pit toilets and one urinal
CIDB grading:	3GB
Bid number:	ZNT 1903 W
Closing date:	2007-05-11
Closing time:	11:00
Documents available from:	Department of Works, Regional Office, 10-18 Prince Alfred Street Extension, Pietermaritzburg, Mr M. Smith, Telephone: (033) 3557100
Contact person:	
<i>Compulsory site inspection meeting;</i>	
Date:	2007-05-02
Time:	10: 00
Venue:	bidders to meet at the Powerscourt High School
Technical enquiries:	Mr M. Smith, Telephone: (033) 3557100
SERVICE:	Bulwer: Mdingi High School: Repairs and renovations to seventeen pit toilets and one urinal
CIDB grading:	3 GB
Bid number:	ZNTM00098 W
Closing date:	2007-05-11
Closing time:	11:00
Documents available from:	Department of Works, Regional Office, 10-18 Prince Alfred Street Extension, Pietermaritzburg, Mr W. Butland, Telephone: (033) 3557100
Contact person:	

**Compulsory site inspection meeting:**

Date: 2007-05-02  
 Time: 11:00  
 Venue: Bidders to meet at the Mdingi High School  
 Technical enquiries: Mr W. Butland, Telephone: (033) 3557100

**No. 600, 2007**

26 April 2007

**DEPARTMENT OF HEALTH****CENTRAL SUPPLY CHAIN MANAGEMENT: DIRECTORATE**BIDS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL

- (i) Submissions must be on the official bid form, which shall be completed in all respects, and all information must be supplied.
- (ii) Bids must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Central Supply Chain Management together with the bid number and closing date.
- (iv) The name and address of the bidder 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) Bid documents are available from Central Supply Chain Management, Capital Towers, First floor, 121 Chief Albert Luthuli Street, **Pietermaritzburg.**

**SERVICE:** Cleaning of gardens and grounds: EMRS Ixopo Base  
**Bid number:** ZNB 203512007-H  
**Closing date:** 2007-05-31  
**Closing time:** 11:00

**Site inspection meeting:**

**Date:** 2007-05-14  
**Time:** 11:00  
**Contact person:** Mrs N. Mbongwa, Telephone: (033) 8467000  
**Enquiries regarding specification:** Mr T. S. Mkhize, Telephone: (039) 8438517

**SERVICE:** Cleaning of gardens and grounds: Greytown Hospital  
**Bid number:** ZNB 2275/2007-H  
**Closing date:** 2007-05-31  
**Closing time:** 11:00

**Site inspection meeting:**

**Date:** 2007-05-08  
**Time:** 11:00  
**Contact person:** Mrs N. Mbongwa, Telephone: (033) 8467000  
**Enquiries regarding specification:** Mr S. Cotchobos, Telephone: (033) 4139450

**SERVICE:** Cleaning of gardens and grounds: Prince Mshiyeni Memorial Hospital  
**Bid number:** ZNB 2515/2007-H  
**Closing date:** 2007-05-29  
**Closing time:** 11:00

**Site inspection meeting:**

**Date:** 2007-05-07  
**Time:** 12:00  
**Contact person:** Mrs N. Mbongwa, Telephone: (033) 8467000  
**Enquiries regarding specification:** Mr M. L. Kheswa, Telephone: (031) 9078163

**SERVICE:** Cleaning of gardens and grounds: Bethesda Hospital  
**Bid number:** ZNB 2090/2007-H  
**Closing date:** 2007-05-30  
**Closing time:** 11:00

**Site inspection meeting:**

**Date:** 2007-05-11  
**Time:** 10:00  
**Contact person:** Mrs N. Mbongwa, Telephone: (033) 8467000  
**Enquiries regarding specification:** Mr S. A. Macwele, Telephone: (035) 5951004

**SERVICE:** Cleaning of gardens and grounds: Umphumulo Hospital  
**Bid number:** ZNB 2610/2007-H  
**Closing date:** 2007-05-31  
**Closing time:** 11:00

**Site inspection meeting:**

**Date:** 2007-05-08  
**Time:** 09:00  
**Contact person:** Mrs N. Mbongwa, Telephone: (033) 8467000  
**Enquiries regarding specification:** Mrs E. N. Maphumulo, Telephone: (032) 8414100/94

**SERVICE:** Cleaning of gardens and grounds: Makhathini Clinic  
**Bid number:** ZNB 2388512007-H  
**Closing date:** 2007-05-29  
**Closing time:** 11:00

**Site inspection meeting:**

- Date: 2007-05-11  
**Time:** 11:00  
**Contact person:** Mrs N. Mbongwa, Telephone: (033) 8467000  
 Enquiries regarding specification: Mr S. A. M. Macwele, Telephone: (035) 8438517
- SERVICE:** Cleaning of gardens and grounds: EMRS Wentworth Base  
 Bid number: ZNB 20735/2007-H  
 Closing date: 2007-05-29  
 Closing time: 11:00  
**Site inspection meeting:**  
 Date: 2007-05-09  
 Time: 11:00  
 Contact person: Mrs N. Mbongwa, Telephone: (033) 8467000  
**Enquiries regarding specification:** Mr V. Ritchal, Telephone: (031) 3029953
- SERVICE:** Cleaning of gardens and grounds: EMRS Oldham House Base  
 Bid number: ZNB 2055/2007-H  
 Closing date: 2007-05-30  
 Closing time: 11:00  
**Site inspection meeting:**  
 Date: 2007-05-09  
 Time: 09:00  
 Contact person: Mrs N. Mbongwa, Telephone: (033) 8467000  
**Enquiries regarding specification:** Mr V. Ritchal, Telephone: (031) 3029953
- SERVICE:** Cleaning of gardens and grounds: EMRS Utrecht Base  
 Bid number: ZNB 2204/2007-H  
 Closing date: 2007-05-30  
 Closing time: 11:00  
**Site inspection meeting:**  
 Date: 2007-05-15  
 Time: 11:00  
 Contact person: Mrs N. Mbongwa, Telephone: (033) 8467000  
 Enquiries regarding specification: Mr S. E. Mchunu, Telephone: (034) 3285501
- SERVICE:** Cleaning of gardens and grounds: EMRS R.K. Khan  
 Bid number: ZNB 2066/2007-H  
 Closing date: 2007-05-31  
 Closing time: 11:00  
**Site inspection meeting:**  
 Date: 2007-05-07  
 Time: 10:00  
 Contact person: Mrs N. Mbongwa, Telephone: (033) 8467000  
 Enquiries regarding specification: Mr V. Ritchal, Telephone: (031) 3029953
- SERVICE:** Cleaning of gardens and grounds: EMRS Oldham House Base  
 Bid number: ZNB 2055/2007-H  
 Closing date: 2007-05-30  
 Closing time: 11:00  
**Site inspection meeting:**  
 Date: 2007-05-09  
 Time: 09:00  
 Contact person: Mrs N. Mbongwa, Telephone: (033) 8467000  
 Enquiries regarding specification: Mr V. Ritchal, Telephone: (031) 3029953
- SERVICE:** Cleaning of gardens and grounds: EMRS Utrecht Base  
 Bid number: ZNB 220412007-H  
 Closing date: 2007-05-30  
 Closing time: 11:00  
**Site inspection meeting:**  
 Date: 2007-05-15  
 Time: 11:00  
 Contact person: Mrs N. Mbongwa, Telephone: (033) 8467000  
**Enquiries regarding specification:** Mr S. E. Mchunu, Telephone: (034) 3285501
- SERVICE:** Cleaning of gardens and grounds: EMRS R.K. Khan  
 Bid number: ZNB 2066/2007-H  
 Closing date: 2007-05-31  
 Closing time: 11:00  
**Site inspection meeting:**  
 Date: 2007-05-07  
 Time: 10:00  
 Contact person: Mrs N. Mbongwa, Telephone: (033) 8467000  
**Enquiries regarding specification:** Mr V. Ritchal, Telephone: (031) 3029953
- SERVICE:** Cleaning of gardens and grounds: Mkhuzo Clinic  
 Bid number: ZNB 239812007-H  
 Closing date: 2007-05-30  
 Closing time: 11:00  
**Site inspection meeting:**



Date:	2007-05-11
Time:	12:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 8467000
Enquiries regarding specification:	Mr S. A. M. Macwele, Telephone: (035) 5951004
<b>SERVICE:</b>	Cleaning of gardens and grounds: Vryheid Mobile Clinic
Bid number:	ZNB 262912007-H
Closing date:	2007-05-30
Closing time:	11:00
<b>Site inspection meeting:</b>	
Date:	2007-05-10
Time:	12:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 8467000
Enquiries regarding specification:	Mrs Kathy Strick, Telephone: (034) 9822111
<b>SERVICE:</b>	Cleaning of gardens and grounds: Vryheid Hospital
Bid number:	ZNB 263012007-H
Closing date:	2007-05-30
Closing time:	11:00
<b>Site inspection meeting:</b>	
Date:	2007-05-10
Time:	14:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 8467000
Enquiries regarding specification:	Ms Kathy Strick, Telephone: (034) 9822111
<b>SERVICE:</b>	Cleaning of gardens and grounds: Bhekuzulu Clinic
Bid number:	ZNB 208812007-H
Closing date:	2007-05-29
Closing time:	11:00
<b>Site inspection meeting:</b>	
Date:	2007-05-10
Time:	10:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 8467000
Enquiries regarding specification:	Ms Kathy Strick, Telephone: (034) 9822111
<b>SERVICE:</b>	Cleaning of gardens and grounds: Bhekuzulu Clinic
Bid number:	ZNB 208812007-H
Closing date:	2007-05-31
Closing time:	11:00
<b>Site inspection meeting:</b>	
Date:	2007-05-25
Time:	11:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 8467000
Enquiries regarding specification:	Ms Kathy Strick, Telephone: (034) 9822111
<b>SERVICE:</b>	Cleaning of gardens and grounds: Makhwela Clinic
Bid number:	ZNB 239212007-H
Closing date:	2007-05-31
Closing time:	11:00
<b>Site inspection meeting:</b>	
Date:	2007-05-24
Time:	11:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 8467000
Enquiries regarding specification:	Ms Kathy Strick, Telephone: (034) 9822111
<b>SERVICE:</b>	Cleaning of gardens and grounds: Kharnbi Clinic
Bid number:	ZNB 233112007-H
Closing date:	2007-05-31
Closing time:	11:00
<b>Site inspection meeting:</b>	
Date:	2007-05-04
Time:	11:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 8467000
<b>Enquiries regarding specification:</b>	Ms Kathy Strick, Telephone: (034) 9822111
<b>SERVICE:</b>	Cleaning of gardens and grounds: Swart Mfalozi Clinic
Bid number:	ZNB 257312007-H
Closing date:	2007-05-30
Closing time:	11:00
<b>Site inspection meeting:</b>	
Date:	2007-05-16
Time:	11:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 8467000
Enquiries regarding specification:	Ms Kathy Strick, Telephone: (034) 9822111
<b>SERVICE:</b>	Cleaning of gardens and grounds: Louwsburg Clinic
Bid number:	ZNB 238212007-H
Closing date:	2007-05-31
Closing time:	11:00
<b>Site inspection meeting:</b>	

Date:	2007-05-17
Time:	11:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 8467000
Enquiries regarding specification:	Ms Kathy Strick. Telephone: (034) 9822111
<b>SERVICE:</b>	Cleaning of gardens and grounds: Bhekumthetho Clinic
Bid number:	ZNB 209212007-H
Closing date:	2007-05-29
Closing time:	11:00
<b>Site inspection meeting:</b>	
Date:	2007-05-23
<b>Time:</b>	11:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 8467000
<b>Enquiries regarding specification:</b>	Ms Kathy Strick. Telephone: (034) 9822111
<b>SERVICE:</b>	Cleaning of gardens and grounds: Siyakhathala Clinic
Bid number:	ZNB 2553/2007-H
Closing date:	2007-05-29
Closing time:	11:00
<b>Site inspection meeting:</b>	
Date:	2007-05-22
Time:	11:00
<b>Contact person:</b>	Mrs N. Mbongwa, Telephone: (033) 8467000
<b>Enquiries regarding specification:</b>	Ms Kathy Strick. Telephone: (034) 9822111
<b>SERVICE:</b>	Cleaning of gardens and grounds: Hlobane Clinic
Bid number:	ZNB 2292/2007-H
Closing date:	2007-05-29
Closing time:	11:00
<b>Site inspection meeting:</b>	
Date:	2007-05-21
Time:	11:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 8467000
Enquiries regarding specification:	Ms Kathy Strick. Telephone: (034) 9822111
<b>SERVICE:</b>	Cleaning of gardens and grounds: Gluckstad Clinic
Bid number:	ZNB 2267112007-H
Closing date:	2007-05-29
Closing time:	11:00
<b>Site inspection meeting:</b>	
Date:	2007-05-18
<b>Time:</b>	11:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 8467000
Enquiries regarding specification:	Ms Kathy Strick, Telephone: (034) 9822111
<b>SERVICE:</b>	Cleaning of gardens and grounds: King George V Hospital
Bid number:	ZNB 234112007-H
Closing date:	2007-05-30
Closing time:	11:00
<b>Site inspection meeting:</b>	
Date:	2007-05-28
Time:	11:00
Contact person:	Mrs N. Mbongwa, Telephone: (033) 8467000
Enquiries regarding specification:	Mr M. F. Madinane, Telephone: (031) 2426051

**No. 601, 2007**

26 April 2007

DEPARTMENT OF HEALTHST ANDREW'S HOSPITAL**Award of quotations**

<b>SERVICE:</b>	Pest control
Quotation number:	ZNQ 960/06107
	ZNQ 1047/06/07
	ZNQ 1045/06/07
	ZNQ 964/06/07
	ZNQ 962/06/07
	ZNQ 963/06/07
	ZNQ 961106/07
	ZNQ 1046/06/07
<b>Contractor:</b>	<b>Enviroguru</b>

No. 602, 2007

26 April 2007

## DEPARTMENT OF HEALTH

## PRINCE MSIDYENI MEMORIAL 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, Prince Mshiyeni Memorial Hospital, 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, Prince Mshiyeni Memorial Hospital, Buying Section, Mangosuthu Highway, and Unit "V" Umlazi, Telephone: (031) 9078163, Facsimile: (031) 9061391.

**SUPPLY:** 30 Bedside lockers – stainless steel  
**Quotation number:** ZNQ 9812007  
**Closing date:** 2007-05-14  
**Closing time:** 11:00  
**Contact person:** Mr M. A. Mngadi, Telephone: (031) 9078365  
**Enquiries regarding specification:** Mr M. A. Mngadi, Telephone: (031) 9078365

**SUPPLY:** 20 of RIO LCI-dymcko ribbon  
 5 of Rio cleaning kit  
 5 of PVC badge holder (1 00/pkt)  
 (Specification available on request)  
**Quotation number:** ZNQ99/2007  
**Closing date:** 2007-05-14  
**Closing time:** 11:00  
**Contact person:** Mr M. A. Mngadi, Telephone: (031) 9078365  
**Enquiries regarding specification:** Mr M. A. Mngadi, Telephone: (031) 9078365

**SUPPLY:** 10 Heavy duty, gown made of canvas material (specification on request)  
 40 Suites (top and pants) sizes on request  
**Quotation number:** ZNQ 100/2007  
**Closing date:** 2007-05-14  
**Closing time:** 11:00  
**Contact person:** Mr M. A. Mngadi, Telephone: (031) 9078365  
**Enquiries regarding specification:** Ms N. E. T. Stainbank, Telephone: (031) 9078302

**SUPPLY:** 1 Juvenile cot bed with mattress  
 12 Juvenile beds with mattress  
 24 Infant cot beds with mattress  
**Quotation number:** ZNQ 101/2007  
**Closing date:** 2007-05-14  
**Closing time:** 11:00  
**Contact person:** Mr M. A. Mngadi, Telephone: (031) 9078365  
**Enquiries regarding specification:** Mr M. A. Mngadi, Telephone: (031) 9078365

**SUPPLY:** 1 Steam table top autoclave (basic) H.T.S. As revised: 2010212007 S 83  
 (surgical)  
**Quotation number:** ZNQ 10212007  
**Closing date:** 2007-05-14  
**Closing time:** 11:00  
**Contact person:** Mr M. A. Mngadi, Telephone: (031) 9078365  
**Enquiries regarding specification:** Mr M. A. Mngadi, Telephone: (031) 9078365

**SUPPLY:** 40 Foot stools, double step metal without rubber  
**Quotation number:** ZNQ 27951200612007  
**Closing date:** 2007-05-14  
**Closing time:** 11:00  
**Contact person:** Mr M. A. Mngadi, Telephone: (031) 9078365  
**Enquiries regarding specification:** Mr M. A. Mngadi, Telephone: (031) 9078365

**SUPPLY:** Painting of main theatre as per scope of work  
**Quotation number:** ZNQ 85 of 2007  
**Closing date:** 2007-05-14  
**Closing time:** 11:00  
**Compulsory site meeting:**  
**Date:** 2007-05-03  
**Time:** 09:00  
**Venue:** Workshop

Contact person:	Mr Sakhile Ngubane, Telephone: (031) 9078365
Enquiries regarding specification:	Mr M. Nondaba, Telephone: (031) 9078266
SUPPLY:	Painting of main stores as per scope of work
Quotation number:	ZNQ 86 of 2007
Closing date:	2007-05-14
Closing time:	11:00
<b>Compulsory site meeting:</b>	
Date:	2007-05-03
Time:	09:00
Venue:	Workshop
Contact person:	Mr Sakhile Ngubane, Telephone: (031) 9078365
Enquiries regarding specification:	Mr M. Nondaba, Telephone: (031) 9078266

No. 603, 2007

26 April 2007

## 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) 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 documents.
- (iii) Bids 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 bidder must be endorsed on the back of the envelope.
- (vii) All bid contract awarded are subject to appeals being timeously lodged (if any) and letters of acceptance 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 bid documents.
- (x) Please note that the bid box is situated outside the foyer Department of Transport, 172 Burger Street, Pietermaritzburg.
- (xiv) Bidders should have a CIDB contractor grading designation of 4 CEPE or higher.
- (xv) Bidders must be registered with the CIDB in a Civil Engineering class of construction works.
- (xvi) Bidders must also be registered with Department of Transport as a stage 4 emerging contractor within the Vukuzakhe Contractor Development Programme

SERVICE:	<b>Employment of emerging contractors, stage 4 for the construction</b> Stabilized sub-base, kerbing and channeling on main road P568 in the Empangeni RRTF from km 4 to km 10
Bid number:	ZNT 3731P586112T
Closing date:	2007-06-012
Closing time:	11:00
<b>Compulsory briefing session:</b>	
Date:	2007-05-02
Time:	10:00
Venue:	Area office of the Department of Transport, North Road, off Logan Road, Empangeni
Contact person:	Mr Themba Zulu, Telephone: (031) 2619673/(031) 2616873, <a href="mailto:info@mzala.co.za">info@mzala.co.za</a> Mr J. S. Mbhele, Telephone: (033) 3424082/(033) 3422962, <a href="mailto:Siboniso.mbhele@kzntransport.gov.za">Siboniso.mbhele@kzntransport.gov.za</a>
Bid documents available from:	Department of Transport, Head Office, B-Block, 172 Burger Street, Pietermaritzburg and at the compulsory site meeting

No. 604, 2007

26 April 2007

## DEPARTMENT OF TRANSPORT

## Award of bids

SERVICE:	Pothole repairs and patching in the Empangeni Region: Eshowe
Bid number:	373TIDC28/04
Contractor:	<b>Awenkosi Construction</b>
SERVICE:	Construction of 3/2, 4 m x 2,4 Box Culvert (KwaDeshula) Main Road: P68-2, km43
Bid number:	373/AIP68-2/1100
Contractor:	MB Ndlovu Construction

## MUNISIPALE KENNISGEWINGS - IZAZISO ZIKAMASIPALA - MUNICIPAL NOTICES

No. 10,2007

26 kuMbaso 2007

**T** TMKHANDLU kaMasipala waKwaSani ngokwesigaba 156 soMthethosisekelo, 1996 (uMthetho 108 ka 1996), sifundwa nesigaba 11 kanye no 98  
**U** soHulumeni baseKhaya: uMthetho weziNhlelo zoMasipala, 2000 (uMthetho No. 32 ka 2000), wenze le Mithethodolobha elandelayo:

UMASIPALA WAKWASANI  
 IMITHETHODOLOBHA YEZOKUPHATHWA KWEMFUCUZA  
 UHLU

ISAHLUK01  
 UKUHUNYUSHA, IMIGOMO KANYE NEZINHLOSO

ISAHLUK02  
 IZINHLELO ZOKUPHATHWA KWEMFUCUZA, INQUBOMGOMO KANYE NAMASU

ISAHLUK03  
 IMISEBENZI YOMKHANDLU

ISAHLUK04  
 IMISEBENZI YEZOHWEBE

ISAHLUK05  
 UKUTHUTHWA NOKULAWA KWEMFUCUZA

ISAHLUK06  
 ABAHLINZEKA NGEMISEBENZI

ISAHLUK07  
 ABANIKAZI BAMALAYISENSI

ISAHLUK08  
 UKUNGCOLISA, UKULAWA KANYE NEZINTO EZINGANAKIWE

ISAHLUK09  
 IZINHLINZEKO EZIQINISEKISA UKUPHATHA

ISAHLUK010  
 IZINHLINZEKO EZIQINISEKISA UKULANDELWA KOMTHETHO

ISAHLUK011  
 IZINHLINZEKO EZIWAYELEKILE

ISAHLUK01  
 UKUHUNYUSHA, IMIGOMO KANYE NEZINHLOSO

## 1. IZINCAZELO

- (1) Kule Mithethodolobha, ngaphandle uma ngqikithi isho okwehlukile-

"umuntu olhinkelile" kusho ukuthi umuntu okhishelwe, noma

ozokhishelwa, isaziso sokucizelelwa kornthetho;

**"okuvunyiwe"** maqondana nemigqomo, okwendlalwe emgqomeni, iziqukathi kanye nezinto zokusonga kusho okuvunyiwe nguMkhandlu noma ngabahlizeki bomsebenzi wokuqoqwa nokugcinwa kwemfucuzo;

"isiphathimandla esignnyaziwe" kusho isiphathimandla esigunyazwe nguMkhandlu ngezinhloso zale Mithethodolobha ukwenza yonke imisebenzi kanye nokusebenzisa noma yimaphi amandla abalulwe lapha;

"uMthethosivivinyo wamaLungelo" kusho iSahluko 2 soMthethosisekelo weRiphabhuliki yase Ningizimu Afrika, ka 1996;

**"umgqomo"** kusho isitsha esivunyiwe sokugcina imfucuzo engaphansi kwamakhubikhi amamitha ayi-1,5 emfucuzo engakhishwa nguMkhandlu noma ngumhlizeki womsebenzi ezakhiweni ngokwale Mithethodolobha;

"okokwendlala emgqonyeni" kusho amapulasitiki noma izinto zokufaka ezifanele ukusetshenziselwa ukwendlalwa emgqonyeni;

"imfucuzo edaleka uma kwakhiwa" kubandakanya yonke imfucuzo edaleka ngesikhathi kwakhiwa, kulungiswa, kupheshwa noma kubhidlizwa noma yisiphi isakhiwo futhi kuphinde kuhlangukisa nemfucuzo edaleka uma kwakhiwa, umhlabathi, imvelo namadwala okulahlwa ngesikhathi kwakhiwa, kulungiswa noma kupheshwa noma kubhidlizwa;

**"imfucuzo eyinqwaba"** Irusho imfucuzo edalwa amabhezini noma emakhaya ngenxa yesisindo sawo, isimo sawo, ubukhulu bawo kanye nenani nobuningi bawo okwenza kube nzima ukuwususa ngendlela eyejwayelekile ehlelwe nguMkhandlu noma ngabahlizeki ngemisebenzi;

**"imfucuzo yamabhezini"** kusho imfucuzo, ngaphandle kwemfucuzo enobungozi, enobungozi ernpilweni, ezakhiweni, ezimbonini, engadini, oyingqwaba kanye nemfucuzo ekhethekile yezirboni, evela ezakhiweni ezingasetshenziswa ngenhloso yokuhlala;

**"imisebenzi yokuhweba"** kusho noma yimuphi urnsebenzi, kungabandakanyi imisebenzi yomkhandlu, ephethelene noma eqondene noku-nqwabela ndawonye, ukuvuselela, ukulungisa, ukugcina, ukunakekela, ukuthutha, ukulahlwa, ukuthenga noma ukuthengisa imfucuzo okanye noma iyiphi indlela yokuphatha imfucuzo;

"isinqalhi" kusho isiqukathi esivunyiwe ukuthwala imfucuzo engaphezulu kwamakhubikhi amamitha ayi-1.5 ukugcina okwesikhashana imfucuzo ngokwale Mithethonqubo;

**"uMkhandlu" kusho -**

- (a) uMkhandlu kaMasipala waKwaSani osungulwe yiSaziso sesiFundazwe No. 344, 2000, njengoba sichitshiyelwe, noma abazowulandela esikhundleni, nanoma yiliphi ikomidi noma umuntu onikezwe umyalelo noma onikezwe arandla ngokwesigaba noma njengoba kulongozwe esigabeni 59 soMthetho weziNhlaka noma, uma ingqikithi isho njalo kusho uMasipala waKwaSani; noma
- (b) umhlinzeki womsebenzi maqondana nanoma yimaphi amandla, umsebenzi noma isibopho somsebenzi woMkhandlu njengalokhu kulongoziwe esigabeni (a), yadluliselwe yiwo ngezinhloso zale Mithethodolobha kulowo mhlinzeki womsebenzi ngokwesigaba 81(2) soMthetho weziNhlelo;

"imisebenzi yoMkhandlu" kusho imisebenzi kaMasipala ephathelene nokuqoqwa kwemfueza, kubandakanya imfueza yasemakhaya, imfueza yasemabhizinisini futhi nsukuzonke, ehlinzekwa kuphela ngoMkhandlu noma umhlinzeki womsebenzi ngokuhambisana nezihlinzeko zoMthetho weziNhlelo kanye neSahluko 6 sale Mithethonqubo, futhi uma kuyimfueza yrnabhizinisini. kuba elahlwa emaphaketheni andlalwa emigqonyeni, imigqomo engamalitha angama-240 ehamba ngamasondo amane;

"umonakalo kwezemvelo" kusho noma yikuphi ukungcoliswa, kokunokubezwa komoya, ukungahlelwa noma ukunganakekelwa kwemvelo noma ukulinyazwa kwemvelo okubonakalayo noma okungabonakali;

"imfueza yansukuzonke" kusho imfueza enukayo okhishwa arnahhotela, izindawo zokudlela, izitolo zokudla, izibhedlela kanye nezinkantini okufanele uqoqwe njalo noma nsukuzonke ukuvimbela ukubola kwayo okungadala iphunga elibi futhi libeke izimpilo zabantu engeupheni;

"imfueza yasekhaya" kusho imfueza edaleka ezindaweni ezisetshenziselwa ukuhlala kuphela nasezindaweni zokukhonza zornphakathi kubandakanya amaholo kanye nezinye izakhiwo ezisetshenziselwa ukudumisa, kodwa akubandakanyi imfueza yamabhizinisi, yasengadini kanye nemfueza eyinqwaba;

"ukulahla" kusho ukubeka imfueza noma yikuphi ngaphandle kwasemgqonyeni ovumelekile noma kusho indawo ebekelwe ukulahla irnfueza noma indawo yokuehitha imfueza evunywe nguMkhandlu noma ngabahlinzeka ngernisebenzi;

"DWAFA" kusho uMnyango wezaManzi namaHlalhi kaZwelonke;

"isaziso sokugcizelwa komthetho" kusho isaziso esikhishwe yisiphathimandla esigunyaziwe ngaphansi kwesigaba 39 sale Mithethodolobha ;

"imvelo" kusho indawo lapho kuhlala khona abantu; eyakhiwa-

- (a) umhlaba, amanzi kanye nomkhathi;
- (b) okuneanyana okuphilayo, izitshalo kanye nempilo yezilwane;
- (c) nanoma iyiphi ingxenye noma inhlanganisela kanye nobudlelwano phakathi kokubalulwe ku (a) no (b);
- (d) kanye nemvelo, namakhemikhali nokwamasiko kanye nezimo eziqhubekayo ezithinta impilo nenhlalo yomuntu;

"izimo eziphuthumayo zemvelo" kusho okwenzeka kungalindelekile noma ngokushesha okungadala noma oskudale ukulimala empilweni yomuntu noma umonakalo kwezemvelo akukhathaleki noma ngabe ukulimala noma umonakalo kwenzeka ngokushesha noma ngemuva kwesikhathi;

"ifemu" kubandakanya nanoma yimuphi umuntu ngokomthetho nanorna iyiphi inhlango yabantu esungulwe noma esebenza eRiphabhuliki yase Ningizimu Afrika;

"imfueza yasengadini" kusho udoti odaleka ngokwenza imisebenzi yasengadini eyejwayelekile kuhlanganisa ukusika utshani, amahlamvu, izitshalo izimbali kanye nezinye izinto ezincane futhi ezingenasisindo, lokhu akubandakanyi imithi enamagatsha ubukhulu bawo bungaphansi kwamamimitha angama-40 ubude bawo, irnfueza eyinqwaba kanye nanoma yimuphi udoti odaleka uma kwenziwa imisebenzi yasengadini;

"umsebenzi wasengadini" lruho ukuhlinzekwa kwemisebenzi yasengadini ngumuntu onelayisensi kubandakanya nokusika utshani, nokuthena izihlahla nanoma yimuphi omunye umsebenzi wokulungiswa kwezitshalo, kubandakanya nokuhlela indlela okuzotshalwa ngayo, kunoma yiziphi izakhiwo zekhaya, zebhizinisi, zendawo yokuhweba noma zernboni;

"izindawo zokugcina imfueza" kusho indawo yokugcina imfueza okulethwa kuyona futhi kugcinwe imfueza yasengadini okwesikhashana kanye nanoma yimuphi udoti ongabuyi usetshenziswe;

"udoti oyingozi" kusho udoti oyingozi noma onobuthi, izinto ezidlekayo, ukutshezi olungabanga umlilo olukukhipha ilangabi izinga lalo lokushisa elingekho ngaphansi kwamadigrizi angama-90, okubhamukayo, ikhemikhali nanorna yimuphi udoti okungathi nezinhlayiyana zawo zibe nobungozi ezimpilweni zomphakathi nakwezemvelo ngenxa yobuthi namakhemikhali akuwona;

"imfueza enobungozi yezikhungo zezempilo" kusho youke irnfueza enobungozi edaleka ezikhungweni zezempilo ezifana nezibhedlela, imitholampilo, amalabothethri, izikhungo zoewaningo lezokwelapha, ezindaweni zodokotela, ezindaweni zodokotela bamazinyo kanye nezodokotela bezilwane;

"imfueza yasezimbomini" kusho imfueza edaleka uma kukhiqizwa, kulungiswa, kwenziwa, noma kuqaqwa kodwa akubandakanyi imfueza edaleka uma kwakhiwa, udoti wezitolo, udoti wansukuzonke, udoti wezimbomini okhethekile, imfueza enobungozi, imfueza yasezikhungweni zezempilo oyingozi noma irnfueza yasemakhaya;

"ukulungiswa komhlaba" kusho ukuehithwa okuhleliwe kwanoma iyiphi imfueza engadingeki ngenhloso yokwakha kabusha noma yokushintsha umumo wanoma iyiphi ingxenye yomhlaba;

"izinga lokwethula umsebenzi" kusho imisebenzi eyejwayelekile eyenziwa nguMkhandlu kanye nendawo lapho kuhlinzekwa khona ngemisebenzi;

"umnikazi welayisensi" kusho nanoma yimuphi umuntu othole ilayisensi ngokweSahluko 7 sale Mithethodolobha ;

"okulahHwe" kusho noma iyiphi into elahlwe ngumuntu noma ikanjani endaweni engafanele, okungeyona eyokulahlala izibi noma okungeyona equkatha izibi;

"umphakathi wasendaweni" ngokuphathelene noMkhandlu kusho umgwamanda wabantu oqukethe-

- (a) izakhamuzi zoMkhandlu;
- (b) abakhokhintela boMkhandlu;
- (c) noma yiziphi izinhlangano zedolobha kanye nezinhlangano ezingekho ngaphansi kukahulumeni, izinkampani ezizimele, izinhlangano zabasebenzi noma imigwarnanda ebhekele endaweni kuMkhandlu;
- (d) abavakashi kanye nabanye abantu nje abahlala ngaphandle koMkhandlu, ngenxa yobukhona babo eMkhandlwini abasebenzisa izinsiza ezethulwa nguMkhandlu;

"inkathazo" kusho noma yiluphi uhlobo lokulimala, ukuhlukumezeka noma ukukhathazeka kwanoma yimuphi umuntu nganoma iyiphi indlela ngenxa yokungabekwa kahle kwemfueza, kubandakanya kodwa kungagcini nje ngokubekwa, ngokulandwa, ngokuthuthwa noma ngokuehithwa kwemfueza noma ngokungecolisa;

"umhlali" kusho noma yimuphi umuntu ohlala kunoma yimuphi umhlaba noma kunoma yiziphi izakhiwo emhlabeni noma emagcekeni ngaphandle kokubheka itayitela ahlala ngaphansi kwalo, futhi, uma izakhiwo eziqashiselwe abantu abehlukahlukene, kubandakanya nomuntu othola intela ekhokhwa ngabaqashi noma ngabe bakhokhela yena ngqo noma bamkhokhela njenge-ejenti yanoma yimuphi umuntu;

"umnikazi" kubandakanya nanoma yimuphi umuntu onetayitela lanoma yiziphi izakhiwo noma umhlaba kunoma yimuphi umuntu oqashile noma umhlali walapho, noma othola intela noma inzuzo uma Iowa mhlaba noma lezo zakhiwo ziqashisiwe, noma ngabe ingena kwinkhawunti yakhe noma ukhokhelwa njenge-ejenti yanoma yimuphi umuntu onelungelo kulezo zakhiwo noma kulowo umhlaba: Kuncike ekutheni "umnikazi" maqondana nezakhiwo ezikwiRejiswe lamaTayitela aHlukaniswe izigaba ngezigaba elivulwe ngokwesigaba I soMthetho wamaTayitela aHlukaniswe izigaba ngezigaba; 1986 (uMthetho No. 95 ka 1986), kusho umgwamanda njengoba uchazwe kulowo Mthetho, maqondana nalezo zakhiwo;

"umuntu" kusho umuntu qoho noma ifemu futhi kubandakanya abanikazi bezimvurne;

"ukungcola" kusho noma yiluphi ushitsho kwezernvelo oludalwa -

(a) okusaluketshezi; noma

(b) umsindo, amaphunga, izintuli noma ukusha okwenzeka emisebenzini eyehlukene kuhlangukisa ukugcinwa noma ukuphathwa kwemfucuzo noma kwezinto ezithize, ukwakha kanye nokuhlazekwa kwemisebenzi, noma ngabe yenziwa yinoma yimuphi omunye umuntu noma uhlaka lukahulumeni, lapho 1010 shintsho luba nomthelela ongemuhle ezimpilweni zabantu noma kwinkhulakahlale noma ekubunjweni, ekusimameni **nasemkhizweni noma ukuphathwa kwemvelo noma kwezinye izimpahla ezistshenziswa ngabantu, noma eziyobanthelela esikhathini esizayo;**

"izakhiwo" kusho isiza nanoma iyiphi enye ingxenywe yomhlaba, kuhlangukisa amabhilidi kanye nezakhiwo ezisetshenziselwa amabhizinisi, izimhoni noma ukuhlala;

"imali enqunyiwe" kusho imali enqunyiwe nguMkhandu ngesisombululo ngokwesigaba IOG(7)(a)(ii) soMthetho woGuquko woHulumeni baselvhaya, 1993 (uMthetho No. 209 ka 1993) nanoma yimiphi eminye imithetho esebenzayo;

"indawo yomphakathi" kubandakanya noma yiliphi ibhili, umgwaqo womphakathi, ibhuloho elihamba phezulu, indledlana, usebe 10-mgwaqo, indlela yokuhamba ngezinyawo, icala lomgwaqo, iphasishi, isikhala esivulekile, ipaki, isikhala esivulekile soMkhandu kanye nanoma yimuphi umgwaqo, indawo noma indlela eyenziwe ngumphakathi oyisebenzisa ngokungaphazamiseki noma indlela umphakathi ovunyelwe ukuyisebenzisa;

"umgwaqo womphakathi" kusho noma yimuphi umgwaqo, isitaladi, noma indlela yabantu bonke, nanoma iyiphi indawo (yabantu noma okungesiyona eyabantu) ngokuvamile esetshenziswa ngumphakathi nanoma iyiphi enye ingxenywe **umphakathi** onelungelo lokuyisebenzisa, futhi ibandakanya -

(a) unqenqema lwanoma yimuphi umgwaqo, noma indlela yabantu bonke;

(b) ibhuloho, izibuko lanoma yimuphi umgwaqo, noma indlela yabantu; kanye

(c) nanoma yimuphi umsebenzi noma into eyingxenywe noma exhumene noma okungeyaziwo mgwaqo, noma isitaladi noma indlela yabantu;

"izinto ezikhipha imisebe ngokushesha" kusho noma yikuphi okusaketshezi okuqukethe, noma yini ekhipha imisebe ngokushesha, noma ngabe ngokwemvelo noma ngokuzakhela;

"imfucuzo ekhipha imisebe ngokushesha" kusho noma iyiphi impahla ekhipha imisebe ngokushesha okuhloswe ukuthi noma okungahlosiwe ukuthi ilahlwe njengodoti;

"imfucuzo engaphinde iselshenziswe" kusho imfucuzo ehlukaniwe nemfucuzo eningi, ebekwa eceleni ngenhloso yokuthi iphinde isetshenziswe;

**"isakhamuzi" maqondana noMkhandu kusho noma yimuphi umuntu oyisakhamuzi soMkhandu;**

"ingxenywe yomgwaqo ebekelwe oknthile" kusho leyo ngxenywe yomgwaqo, yesitaiadi noma yendlela yabantu, elungiselwe noma eyakhelwe noma okuhloswe ukuthi ihambe izimoto ephakathi konqenqema Iwendlela noma laleyo ngxenywe yomgwaqo, yesitaladi noma yendlela yabantu, kubandakanya kodwa kungacini nje ngendledlana okungeyona indlela yomgwaqo;

"isivumelwano sokwethulwa kwemisebenzi" kusho isivumelwano phakathi koMkhandu kanye nabahlinzeka ngemisebenzi ngaso leso sivumelwano abahlinzeka ngemisebenzi okudingeka ukuthi bahlinzeke ngemisebenzi yomkhandu;

**"ohlinzeka ngemisebenzi" kusho noma yimuphi umuntu ongene esivumelwaneni sokwethula imisebenzi nomkhandu ngokoMthetho weziNhlelo;**

"imfucuzo ekhethekile yezimboni" kusho imfucuzo ekukethe uketsbezi, udaka noma okuqinile, edaleka uma kukhiqizwa, imfucuzo yezimboni noma kufakwa amakheli emfucuzeni yezimboni noma yemayini ngaphambi kokuthi ichithwe, ngokwe yoMkhandu yenhlanzeko engeke yachithwa emapayipini amanzi noma okuthutha indle;

"uMthetho weziNhlaka" kusho uMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998);

"intuthuko esimeme" kusho ukudididyelwa kwezenhlanakahlale, ezomnotho kanye nezemvelo ekuhloleni, ekuqaliseni nasekuthatheni izinqumo ukuqinisekisa ukuthi intuthuko iyohlomulisa izizukulwane ngezizukulwane;

**"okuhlosiwe" kusho noma yimuphi umoya odingekayo, izinga lamanzi noma amazinga kadoti okuqukethwe kunoma yimuphi umntu;**

"intela" kusho leyo ngxenywe yemali yokuhlazekwa ngemisebenzi yomkhandu ekhokhwa yilowo muntu ohlomulile, enqunyiwe futhi yashicilelwa nguMkhandu noma yancishiswa noma yakhushulwa ngohlazekwa ngemisebenzi ngokwe yezeziMali elandelwa ngaphansi kwesigaba 75 soMthetho weziNhlelo;

**"imfucuzo" kusho noma yini engadingeki noma engafuneki, izinto nje, izinto ezivela uma akwakiwa okuthile noma izinsalela zanoma yimuphi umsebenzi esezilahliwe, ezibuthelene ndawonye noma ezigcinwe ngenhloso yokuphinde zisebenze, yokubuyiselwa noma yokwenza okunye ngazo. [izinto eziyimfucuzo ezingaba uketshezi noma okuqinile kanti ingabandakanya izinto ezinobuthi ezingavela ernakhaya, ezindaweni zokuhweba, ezimhonini kodwa ezingahlangukisa -**

(a) izinto ezakhiwe ngenhloso yokuqinisekisa inhlanzeko ngaphansi koMthetho wezaManzi, 1997 (uMthetho No. 107 ka 1997);

(b) nanoma iyiphi igesi noma izinto ezinegesi ezingalwulwa yimithetho kazwelonke neyesifundazwe; noma

(c) nanoma yini ekhipha imisebe ngokushesha ngaphandle kwalapho le ivumela ukuthi uphathwe;

"indawo yokulahlala imfucuzo" kusho noma iyiphi indawo noma isiza okulahlwa kusona, futhi esisebenza ngokwemvume etholakale eMnyangweni wezaManzi kanye namaHlathi nakunoma yisiphi isiphathimandla esigunyaziwe noma uma leyo ndawo iyindawo yokushisa, ukubhalisa noma leyo mvume njengoba idingeka ngokomthetho, futhi ibandakanya indawo yokulahlala udoti wasengadini;

**"umuntu odala imfucuzo" kusho noma yimuphi umuntu noma imboni ekhiqiza noma edala imfucumfucu kadoti;**

"indawo yokugcina imfucuzo" kusho noma iyiphi indawo eyamukela, eqoqa, esebenzisa, ehlela, elungisa imfucuzo ngaphambi kokuthi idluliselwe koshiswa noma ilahlwe;

"indawo yokusebenza" kusho noma iyiphi indawo engaphansi koMkhandu lapho, lapho umuntu enzela khona imisebenzi yomkhandu noma imisebenzi yokuhweba; futhi

"okokusonga" kusho upulastiki nanoma yini evumelekile esonga ivale ngokuphelele umfuqulu noma izinhlamvana zokuPhathwa kukaDoti ezihlangene.

- (2) Amagama asetshenziswe kunorna yimuphi umuntu obandakanya abantu, izinkampani kanye nezinhlango, kanti ubulili buyobandakanya abasifazane kanjalo nabesilisa, kuthi ubunye bubandakanye nobuningi,

## 2. IMIGOMO

- (1) UMkhandlu unesibophezelo sokuqinisekisa ukuthi yonke imfueuza edaleke eMkhandlwini-
- uyabuthwa ulahlwe noma uphinde usetshenziswe ngokwale; futhi
  - lokho kuqoqwa kulahlwa noma kusetshenziswa kuyingxenywe yohlelo lokuphathwa kwadoti olubekwe esigatshaneni (2) ngezansi.
- (2) La mgomo ongezansi wale wenzelwe ukuhlela ngezigaba ukubaluleka kokuphathwa kwemfueuza ngalezi zindlela ezilandelayo:
- ukugwenywa kanye nokuneishiswa kwemfueuza;
  - ukusetshenziswa kabusha;
  - ukusetshenziswa futhi, ukwakha futhi, kanye nokuphathwa; kanye
  - nokulahlwa.
- (3) Nanoma yisiphi isiphathimandla esibandakanyeka ekusebenzeni kwale kufanele nakakanjani sikubheke ngendlela ukuhleleka ngezigaba kwayo ngokwesigatshana (2).

## 3. IZINJONGO EZIHLOSIWE

- (1) Izinjongo ezihloziwe zale Mithethodolobha-
- ukulawulwa kokubuthwa, kokulahlwa kanye nokusetshenziswa kabusha kwemfueuza;
  - ukulawulwa kwemisebenzi yoMkhandlu eyenziwa ngabahlinzeka ngemisebenzi kanye nabakwebi abanezimvume;
  - ukugququzela intuthuko esimeme.
- (2) Ekuqhubeni izinhloso-ngqangi zale mithethodolobha, ikakhulukazi inhloso **ebekwe** esigarshaneni (I), uMkhandlu kumele-
- uzame ukuqinisekisa ukuthi umphakathi uyabandakanyeka ezinhlelweni zokusungula iiebo lokuphathwa kwemfueuza;
  - uqhubekisele phambili ukusetshenziswa kabusha kwadoti;
  - ugququzele ukusetshenziswa kabusha imfueuza;
  - ugququzele ukuhlukaniswa kwemfueuza ukuze isetshenziswe kabusha;
  - ugququzele ukwenziwa ngendlela nokuhlelwa kwemisebenzi karnasipala kanye nemisebenzi yokuhweba;
  - (f)** uphokophelele ukuba nohlelo lokuphathwa kwemfueuza komasipala;
  - ugququzele futhi uqinisekise umkhandlu obhekelela ezemvelo kanye nemisebenzi yokuhweba;
  - uphokophelele ukuqinisekisa ukuhambisana nezinhlizwe zale .

## 4. ISmOPHO SOKUPHATHA NGENDLELA EFANELE

- (1) Wonke umuntu unomsebenzi wokuphatha ngendlela udoti awenzile noma owenziwe yilabo abasuke besebenza ngakuyena ukuze imfueuza ingadali umonakalo ezimpilweni zabantu noma kwezemvelo, Ikakhulu -
- akekho umuntu okufanele aqhube imisebenzi yomkhandlu noma imisebenzi yokuhweba ngendlela engabeka engeupheni izimpilo zabantu noma engalimaza imvelo ngaphandle uma ubungozi noma umonakalo kuyinto engeke yagwemeka eyingxenywe yomsebenzi woMkhandlu noma yemisebenzi yokuphathwa kwadoti futhi igunyaziwe ngumkhandlu; futhi
  - wonke umuntu odala imfueuza noma owenza imisebenzi yomkhandlu kumele athathe zonke izinyathelo ezifanele ukuvimbela noma yimuphi umuntu ukuthi ephule isigatshana I esingenhla maqondana naleyo mfueuza.
- (2) Ngaphandle kokusincisha amandla, isigatshana (I) sisebenza kumnikazi womhlaba, wendawo noma wempahla, kumuntu osebenzisa umhlaba, indawo noma impahla noma kurnuntu onelungelo lokusebenzisa umhlaba, indawo noma impahla noma okungaba-
- nanoma yimuphi umsebenzi noma inqubo eyenziwe noma eyenziwa; noma
  - nanoma yisiphi isirno esikhona, esibeka noma esingabeka ebungozini izimpilo zabantu nama esingadala umonakalo kwezemvelo,
- (3) Noma yimuphi umuntu owenza imisebenzi okukhulunywe ngayo esigatshaneni (I) angadingwa nguMkhandlu noma yisiphathimandla esigunyaziwe ukuthi athathe izinyathelo zokuqinisekisa ukuhambisana nomsebenzi.
- (4) Izinyathelo okukhulunywe ngazo esigatshaneni (I) okungadingeka ukuthi umuntu azithathe zibandakanya-
- uphenyo, ukuhlola kanye nomthelela womsebenzi
  - ukwazisa nokufundisa abasebenzi ngobungozi bendawo abasebenza kuyo kanye nendlela okufanele baqhube ngayo imisebenzi yabo nkuze bavikele ukudaleka komonakalo wezemvelo;
  - ukukhawula, ukuguqula noma ukuvirnbela nanoma yisiphi isenzo, inqubo, isirno noma umsebenzi ongadala umonakalo kwezemvelo;
  - ukuvirnbela ukuhamba kwezinto ezingeolisa umoya kanye nezinye izinto ezidala umonakalo kwezemvelo;
  - ukususa noma ukunciphisa imbangela yobungozi kwezemvelo; noma
  - (f)** ukulungisa imithelela yobungozi kwezemvelo.

### ISAHLUKO2

#### UKUPHATHWA KWEMFUCUZA, INQUBOMGOMO, KANYE NESU

#### INGXENYE 1: IZINHLELO ZOKUPHATHWA KWEMFUCUZA YENDAWO

#### UKUSUNGULWA KWEZINHLELO ZOKUPHATHWA KWEMFUCUZA YENDAWO

- (1) UMkhandlu kurnele ulungise izinhlelo zokuPhathwa kweMfueuza yeNdawo esikhathini esingango nyaka kuqaliswe Ie Mithethodolobha , 1010 hlelo kumele luqaliswe eminyakeni emine yokuqala kwale . Izinhloso zoHlelo lokuPhathwa kweMfueuza yeNdawo zibandakanya-
- nkusungula indlela yokuqinisekisa ukuthi imfueuza iyaqoqwa, iphinde isetshenziswe, iyabuyiselwa noma ilahlwa ngaphandle kokudala umonakalo ezimpilweni zabantu noma kwezemvelo futhi, ikakhulu, ngaphandle-
- kobungozi emanzini, emoyeni, emhlabathini, ezitshalweninoma ezilwaneni;
  - kokudala inkathazo ngomsindo noma amaphunga; noma



- (iii) kokuvimbela ukuthinteka kwezindawo ezisemakhaya kanye nezisemadolobheni noma izindawo ezithandekayo;
- (b) ukusungula ubambiswano ekuphatheni kanye nezindawo zokulapha irnfucua ukuqinisekisa ukuthi-
- (i) imisebenzi yomkhandlu enzulu kanye neyanele nemisebenziyokuhweba isungulwa eMkhandlwini;
- (ii) ukulahlwa kwemfueuza kwenziwa ezindaweni ezibonakalayo zokulahlwa imfucua; kanye
- (iii) nokusetshenziswa kwezindlela ezifanele nobuehwepheshe ukuze kuqinisekise izinga eliphezulu lokuvikeleka kanye nokuvimbela umonakalo kwezernvelo nobungozi ezimpilweni zabantu;
- (iv) kukhuthazwe ukwehliswa nokuncishiswa kwemfucua;
- (v) kugququzelwe ukusetshenziswa kabusha kwemfucua ngokusebenzisa ubuehwepheshe;
- (vi) kusetshenziswe nanoma yini engaqinisekisa intuthuko esimeme.
6. INDAWO, AMALUNGISELELO KANYE NOKUCHITSHIYELWA KOHLELO LOKUPHATHWA KWEMFUCUA YENDAWO
- (1) UHlelo lokuf'hathwa kweMfueuza yeNdawo lubandakanya kepha futhi alugcini nje ngalokbu okungezansi —
- (a) isibalo sabantu kanye nezinhlelo zentuthuko eziseMkhandlwini;
- (b) ukubhekwa kabanzi kwazo zonke izinto eziyimithombo nembangela yokwakheka kwernfucua eMkbandlwini;
- (c) ukubhekwa kwamanani namazinga emfucua edaleke ngaleso sikhathi kanye naleyo engadaleka eMkhandlwini;
- (d) ukubhekwa kwezimakethe ezikhona, imisebenzi yomkhandlu, imisebenzi yezohwebo kanye nokuphathwa kwernfucua, izindawo zokulahlwa irnfucua ngokwehlukane kwayo;
- (e) ukubhekwa kwezindlela ezikhona zokunciphisa, ukuphatha, kanye nokulahlwa kwemfucua eMkbandlwini;
- (f) ukubhekwa kwesibalo sabantu abangaphansi koMkhandlu abangayitholi imisebenzi yomkhandlu ebese kuvezwa amasu nezinhlelo zokuhluzeka leyo misebenzi kulabo bantu;
- (g) amasu nemigomo ehlongozwayo yokuphatha nokunciphisa imfucua eMkhandlwini kanye nendlela ekahle yokulahlwa imfucua engeke isaphinde isetshenziswe;
- (h) amasu okufundisa kanye nokuqarnba izindlela ezintsha zokwahlukanisa imfueuza emithonjeni yawo;
- (i) amasu okuqwashisa ngezindaba zokuphathwa kwemfueuza;
- (j) amasu okusungula ubuehwepheshe njengoba kudingeka esigabeni 7;
- (k) uhlelo lokuqalisa oluhlonza isikhathi ezidingekayo, izinsiza kanye nezibopho zokufezwa lawn masu ngaiezo zikhathi ezinqunyiwe;
- (l) indlela yokuqapha umsebenzi ukuze kufezwe amasu ngalezo zikhathi ezinqunyiwe;
- (m) ukuqoqwa, ukuthuthwa, ukudluliswa nokulahlwa kwemfueuza ekhona nesazoba khona;
- (n) ukueubungula ukuthi uHlelo lokul'hathwa kweMfueuza yeNdawo luhlangana kanjani nezinye izinhlelo wMkhandlu; kanye
- (o) nezinye izindaba njengoba kungadingwa ngemioye imithetho, imithethonqubo noma imihlahlandlela.
- (2) Ekulungiseleni uHlelo lokuf'hathwa kweMfueuza yeNdawo, uMkhandlu kumele —
- (a) ubhekele uHlelo lweNtuthuko kanye neziNhlolo zokuThuthukisa uMhlaba lolvkhandlu, nezidingo zanoma iyiphi inqubomgomo kazwelonke neyesifundazwe;
- (b) ubonisane nabantu bendawo, njengoba kudingeka ngokoMthetho weziNhlelo;
- (c) uthathe izinyathelo ukwazisa umphakathi ngoHlelo lokul'hathwa kweMfueuza yeNdawo olusewuHlaka ngokumema imibono yama-lungu omphakathi. Kumele kuvunyelwe isikhathi esingekho ngaphansi kwezinyanga ezimbili sokulethwa kwaleyo. mibono, nesokuphethwa koHlelo lokuf'hathwa kweMfueuza yeNdawo kumele ngemuva kokuebungula noma yimiphi imibono evela ernphakathini;
- (d) uthumele ikhophi yoHlelo lokuf'hathwa kweMfueuza yeNdawo olusewuHlaka kuNgqongqoshe wezeMvelo kanye nakuNgqongqoshe wezaManzi namaHlathi, kanye nakoMasipala abaseduze ukuze babe nolwazi; futhi
- (e) uthumele ikhophi yoHlelo lokul'hathwa kweMfueuza yeNdawo olusewuHlaka esiFundazweni saKwazulu-Natali ukuze uthole imibono nokuphetha uhlelo lokul'hathwa kweMfueuza yeNdawo ngemuva kokuebungula leyo mibono.
- (3) UMkhandlu ungaehibiyela uHlelo lokuf'hathwa kweMfueuza yeNdawo njalo ngeruwa kwesikhathi futhi kumele ubuyeeze uhlelo njalo ngeruwa kweminyaka okungenani emihlanu. Lezo zichibiyelo noma lokbo kubuyekwezwa kumele kwenziwe ngokubonisana nomphakathi wendawo.
- (4) UMkhandlu kumele ushieilele umbiko kanye ngonyaka mayelana nokuqaliswa kohlelo. Umbiko kumele ubandakanye-
- (a) inezazo ngemisebenzi kanye nezinyathelo ezithathiwe ukuze izinhloso zohlelo;
- (b) Iikhomba ukuthi izinhloso zohlelo ziyafezwa, uma kungenjalo, kumele kube nenezazo yezinkinga ezivimbe ukuze kwezinhloso;
- (c) imininingwane yokuboshwa ngaphansi kwale Mithethodolobha; kanye
- (d) nezinezazo zezigigaba ezisemqoka zokulahlwa kwemfueuza.

#### INGXENYE II: UHLELO LOKUGCINA ULWAZI

#### 7. UKUSUNGULWA KOHLELO LOKUGCINA ULWAZI

- (1) UMkhandlu kumele usungule futhi ugcine uHlelo lokuGcina ulwazi oluqoqwa imininingwane yokuphathwa kwemfueuza eMkhandlwini.
- (2) UHlelo lokuficina ulwazi lungabandakanya noma yiluphi ulwazi oluphathelele noma oluxhumene nokuphathwa kwemfueuza eMkbandlwini.
- (3) Imininingwane ephathelene nokuqaliswa koHlelo lokuficina ulwazi iyobekwa oHlelweni lokuf'hathwa kwemfueuza yeNdawo okukhulunywe ngalo esigabeni 6.
- (4) Umphakathi wendawo unelungelo lokufinyelela olwazini oluqukethe wuHlelo lokuficina ulwazi, kuncike kunoma yimiphi imibandela ebekwe ngokomthetho. Ekuzezekiseni leli lungelo, uMkhandlu kumele -
- (a) ngesieelo selungu lomphakathi wendawo, uhlinzeke ulwazi olusoHlelweni lokuGcina ulwazi;
- (b) uthathe izinyathelo zokuqinisekisa ukuthi ulwazi olukhishwayo lusesimweni esifanele ukuthi lungafundwa yiwo wonke umuntu;
- (c) ungakhokbisa umphakathi imali ngokuwuhlinzeka ngolwazi ukuze ukwazi ukuhlangabezana nezindleko zokuhluzeka ngolwazi oluceliwe.

#### 8. INHLOSO YOHLELO LOKUGCINA ULWAZI

- (1) lithloso yohlelo lokugcina ulwazi ngukuthi uMkhandlu-

- (a) ugcine ulwazi oluphathelele nokuqaliswa koHlelo lokuPhathwa kweMfueuza yeNdawo kanye nokuphathwa kwemfueuza eMkhandlwini;
- (b) ugcine ulwazi olugodlwe nguMkhandlu oluphathelele nanoma yiziphi izindaba ezibalulwe esigatshaneni (I)(a) kuya ku (e);
- (c) uhlinzeke ulwazi uma kunesieelo noma kunesidingo ngokomthetho wesifundazwe noma kazwelonke;
- (d) uqoqe ulwazi ngabangakhiqiza imfucuzi kanye nalabo abakhiqiza imfucuzi, abahlinzeka ngemisebenzi, kanye nabanikazi bamalayisensi;
- (d) uhlinzeke ngolwazi kubakhiqizi bemfucuzi, kwabahlinzeka ngemisebenzi, nakubanikazi bamalayisensi kanye nornphakathi wendawo **ukuze-**
  - (i) uqaphe umsebenzi owenziwa nguMkhandlu, yilabo abahlinzeka ngemisebenzi kanye nabanikazi bamalayisensi, kanye nabakhiqiza imfucuzi uma bekhona;
  - (ii) ugqugquzele uwaningo; kanye
  - (iii) nokusiza uMkhandlu ekufezeni izinhloso zale Mithethodolobha .

#### 9. UKUHLINZEKA NGOLWAZI

- (1) UMkhandlu, kuncike ezinhlinzekweni zanoma yimuphi omunye umthetho kubandakanya nemithetho yabantu, ungadinga ukuthi noma yimuphi umuntu **olchiqiza imfucuzi, umnikazi** welayisensi, **umhlinzeki** womsebenzi **noma umuntu** ohlinzekwa **ngemisebenzi yomkhandlu** noma yokuhweba
  - (a) ubuningi bezindawo ezikhiqiza imfucuzi, kanye nokukhomba abakhiqizi bemfucuzi;
  - (h) inani kanye nezinga lemfueuza ekhiqizwe;
  - (e) indlela abakhiqizi abaphatha ngayo imfucuzi;
  - (d) ukuphathwa kwemfueuza kanye nezinto zokuwulahla;
  - (e) Isibalo sabantu kanye nengxenywe yentuthuko;
  - (f) imibiko eqhubekayo ngokufezwa kwezinqumo zokuphatha imfueuza;
  - (g) ukuphathwa kwemfueuza esheshayo;
  - (h) nanoma yiluphi ulwazi obeluhlanganisiwe ngokuhambisana nesigatshana.....;
  - (i) ukudayiswa kwemfueuzi ngamazanga kanye nangezinhlobo; kanye
  - (j) nanoma yiluphi ulwazi oludingwa iMithetho ekhishiwe, imibandela kanye neziqondiso.

- 2, UMkhandlu ngokubona kwawo unganquma ukuthi ulwazi lunganikezwa nini futhi kanjani,

#### 10. INDELELA YOKUZMANDAKANYA EZINHLELWENI ZOKUNCIPHISA IMFUCUZA

Nokho izidingo zokugqugquzela ukuneishiswa kwemfucuzi, ukubuyiselwa kanye nokusetshenziswa futhi kwemfueuza akekho namunye umuntu ongabamba iqhaza ezinhlelweni zokuncishiswa kwemfucuzi okungadala noma okunganyusa amazinga obungozi empilweni yomuntu noma urno nakalo kwezemvelo.

#### ISAHLUKO3

#### IMISEBENZI YOMKHANDLU

#### INGXENYE I: UKUHLINZEKA NGEMISEBENZI YOMKHANDLU

#### u. ISmOPHO SOKUHLINZEKA NGEMISEBENZI YOMKHANDLU

- (1) UMkhandlu unesibopho emphakathini sokuqhuba ukuqinisekisa ikhono lokwenza, ezohwebo kanye nokufinyelela emisebenzini yoMkhandlu.
- (2) Lo msebenzi weyame-
  - (a) kwisibopho somphakathi wasendaweni sokuba ukhokhe imali enqunye, ngokwezihlinzeko zemisebenzi yoMkhandlu, okumele ukuba ibe inani layo elihambisana nanoma yiliphi elinqunye ngokwenkambiso kazwelonke kanye nangokwamazanga ezindlela; kanye
  - (b) nelungelo loMkhandlu lokwahlukanisa phakathi izinhlobo zabantu kanye nezindawo zokuhlala uma bebheka ukukhula kanye narnazinga omsebenzi olothwa imisebenzi yoMkhandlu. Ekusebenziseni ilungelo kulesi sigatshana, umkhandlu kumele uvumelane neSishayamthetho sikaZwelonke ube usubheka izinto njengoba zishiwo kusigatshana (I)
- (3) uMkhandlu kumele ubhekisise lezi zinto ezilandelayo ukuqinisekisa ukuthi imisebenzi yoMkhandlu iyahlolakala:
  - (a) ishadi eliphatheiene nokuphalhwa kwemfucuzi njengoba kubekiwe esigabeni 2;
  - (h) isidingo sokusebenzisa izinto ezingamalungelo abangendlela;
  - (e) isidingo sokwaneliseka;
  - (d) isidingo sokusebenza ngokugewe; kanye
  - (e) nesidingo sokuvikela izimpilo zabantu kanye nezemvelo.

#### 12. UKUHLINZEKA NGEMISEBENZI YOMKHANDLU

- (1) UMkhandlu kumele noma kanjani wenze futhi ngokweyame ezihlinzekweni zale Mithethodolobha-
  - (a) Uhlinzeke ngabazoqoqa imfueuza yasemakhaya, ezindaweni zokuhweba, kanye neyansukuzouke ngokweywayeiekile, okungadinga ukuba **ilandwe zonke izinsuku; futhi**
  - (b) nokuhlinzeka ngezinto zokubuyisela imfueuza ukuze ibuye isetshenziswe, ngenani elinqunye ngokuhambisana nomthetho obekwe nguMkhandlu
- (2) Ngokuphathelele nemisebenzi yoMkhandlu, uMkhandlu unganquma-
  - (a) ngenani lemfucuzi elizoqoqwa;
  - (b) yiziphi izindawo zokuhlala noma zokuhweba ezidinga imisebenzi yoMkhandlu njalo kunokweywayeiekile ngenxa yezizathu zempilo, kanye nokuvikela ezemvelo;
  - (e) isilinganiso semfueuza esingabekelwa ukuqoqwa ngaphandle kokuhlinzekwa ngemisebenzi eyongeziwe noma ngokufakwa kwezintela **ezongeziwe; kanye**
  - (d) khomba izihlinzeko ezidingekile zendawo yokugeina imfucuzi kanye nokungena kuleyo ndawo ngokuphathelele nendawo entsha eyakhiwe ngemva kokuqalisa kwale Mithethodolobha.
- (3) UMkhandlu unganquma, noma udinge ukwenzeka kwemfucuzi ukuba kuhlinzekwe, futhi imigqomo yokugcina imfueuza yasemakhaya, imfueuza yezohwebo kanye nokuqoqwa kwansukuzonke, Lapho leyo migqomo ihlinzekwe khona nguMkhandlu, kuba yindawo yolukhhandlu.

- (4) Ekuhlinzekeni ngemisebenzi yoMkhandlu, uMkhandlu noma umhlinzeki wornsebenzi anganquma noma akhethethe —
- uhlelo lolruqoqa;
  - izindawo zokubeka imigqomo evunyelwe yokuqoqa imfucuzi;
  - noluthi yiluphi uhlobo lwemfueuza olwenziwe umhlali wanoma yiziphi izakhiwo eyimfueuza ebuye isebenziseke futhi anqume imigqomo yokuyibeka kanye nokuyiqoqa; kanye
  - nokuthi iyona yiphi irnfcuza okungafanele iqoqwe,
- (5) UMkhandlu noma umhlinzeki womsebenzi angadinga ulruqoqa imfueuza yansuku zonke kanye nemfucuzi yezohwebo ukuba ipakishiwe ingxenye epakishekayo. Lokho kungadingeka ukuba kwenziwe lapho imfueuza yansuku zonke noma imfucuzi yezohwebo eqoqwa ezakhiweni okudingeka ukuba isuswe zonke izinsuku engaphezulu kwamalitha angama-240 emigqomo futhi, ngokubona koMkhandlu noma kohlinzeka ngornsebenzi, ingxenye enkulu yaleyo mfueuza iyapakishaka, Umhlali wasezakhiweni angakhetha ukupakisha imfueuza eningi yalokho ayibeke emgqonyeni ovurulekile noma ukusonga okuvunyelwe nguMkhandlu noma umhlinzeki wornsebenzi: Kuncike ekutheni
- ubukhulu besisongi kumele bungeqi kumalitha angama-85 futhi ubuningi besisongi kanye nokusongiwe kungeqi kuma khilogilernu angama-35;
  - ngemuva koluthi imfueuza ipakishwe yase ifakwa kwisongi, kumele uluba ibekwe emgqonyeni ovumelekile futhi kumele igeinwe ukuze kuvikelwe ukuba isisongi singonakali noma kube nenkathazo evelayo kuze kube iyalandwa.
- (6) Noma yimuphi umgqomo ovumelekile osetshenziswa ngokwesigatshana (3) ungaqoqwa, utshululwe futhi uphinde ubuyiselwe ezakhiweni IOMkhandlu noma zomhlinzeki womsebenzi ngaleso sikhathi njengalokhu kungabonakala kudingekile.
- (7) UMkhandlu noma umhlinzeki womsebenzi angahlaziya noma yisiphi isinqubo esithathwe ngokwesigatshana (6) noma ngasiphi isikhathi.
- (8) UMkhandlu noma umhlinzeki womsebenzi kumele azise bonke abakhiqiza imfucuzi yasemakhaya, kwezohwebo kanye neyansuku zonke ngezinqumo ezithathwe ngokwesigatshana (6) noma (7) ngokubabalela.

### INGXENYE II, UKUSEBENZISA IMISEBENZI YOMKHANDLU

#### 13. IZfifOPHO ZABAQOQA IMFUCUZA YASEMAKHAYA, IMFUCUZA YEZOHWEBU KANYE NEYANSUKU ZONKE

- Noma yimuphi umuntu oqoqa irnfcuza yasemakhaya, yezohwebo kanye nowansuku zonke (ngaphandle kwemfueuza ekhethwe uMkhandlu njengesazobuye isetshenziswe) lrueme ayifake imfueuza yasemakhaya, yezohwebo kanye neyansuku zonke emgqonyeni ovumelekile.
- Akekho umuntu ongavumela isilwane esisesandleni sakhe ukuba sisingqoqwe noma sikhakaze irnfcuza, ebekelwe ukuba iqoqwe.
- Umnikazi wezakhiwo kumele aqinisekise ukuthi-
  - awuvumelekile umlotha oshisayo, izingilazi ezingasongiwe noma olrunye okuyimfueuza yasemakhaya, imfueuza yezohwebo kanye neyansuku zonke engenza umonakalo emgqonyeni ovurulekile noma noma ongenza kulimala umsebenzi woMkhandlu noma umhlinzeki womsebenzi ngesikhathi eqhuba umsebenzi wakhe ngokwale Mithethodolobha, obokwe emgqonyeni ovumelekile ngaphambi kokuba kuthathwe izinyathelo ezifanele ukuvirnbela umonakalo noma ululimala;
  - azikho izirnpahla, kubandakanya noma yiluphi uketshezi, ngenxa yesisindo sazo esingadala ubunzima kubasebenzi boMkhandlu ukuthi bathwale noma baphakamise umgqomo, ezifakwa kulowo mgqomo;
  - yonke imigqomo evumelekile elethwe nguMkhandlu ayisetshenziselwa ezinye izimbiso okungezona ezokugeina imfueuza yasemakhaya, imfueuza yezohwebo kanye neyansuku zonke futhi, awukho umlilo oyolayithelwa emgqonyeni noma kwisiqukathi;
  - umgqomo ulethwe uMkhandlu ukuba usetshenziselwa ezinye izimbiso ngaphandle kolugeina kwemfueuza yasemakhaya, yezohwebo kanye namaphephandaba ansuku zonke, futhi ikakhulukazi ukubasa umlilo kulezi ziqukathi akuvumelekile;
  - umgqomo ubekwa ngaphandle kwalapho kungenwa khona esakhiweni singakashayi isikhathi ngosuku olunqunye uMkhandlu noma urnsebenzi ngokwazisa ongumnikazi noma osebenzisa isakhiwo, ngaphandle kwalapho kubhalwe khona isicelo sibhalwa trMkhandlu, nalapho uMkhandlu ubhale waehaza khona ukuthi wanelisekile ukuthi umuntu ukhuzekile noma akakwazi ukuhambisana nesaziso: futhi
  - umgqomo obekwe ngokuhambisana nesigaba (3) kumele ube sesimweni esikahle futhi uvalwe ngendlela efanele uluze kuvikeleke ukuchitheka kwezinto ezisiqukethe.
- Umnikazi noma osebenzisa isakhiwo kumele anikezele ngendawo noma ngezinsiza kuMkhandlu noma kumsebenzi ozibona njengezinsidingo esakhiweni ukugcina iziqukathi.
- Isikhala esinikezelwe ngokwesigaba (4) kumele-
  - sibe sendaweni yesakhiwo ezokwazi ukugcina imigqomo ngaphandle kokuthi ibonakale uma usemgwaqeni noma endaweni yomphakathi;
  - lapho kuthathwa khona amaphephandaba ansuku zonke esakhiweni -
    - ube sendaweni ezokwazi ukuvumela ukuthatha nolrususwa kwaleyo mfucuzi, isuswa uMkhandlu ngaphandle kwenkinga; futhi
    - ungabi ngaphezu kwarnarnitha angama-20 kusukela endaweni yokungena esakhiweni esetshenziselwa ukuthatha imfucuzi uMkhandlu wabasebenzi;
  - wakhelwe ukuze kwazekwe ukufinyelela nokusuka kuleso sikhala ukwenzela izithuthi zoMkhandlu zikwazi ukuqoqa imfucuzi;
  - uhambisane nezinye izidingo ezibekwe uMkhandlu ngesaziso kumnikazi noma kosebenzisa isakhiwo; futhi
  - wakhiwe ngokuhambisana nezidingo zanoma yimuphi umthethonqubo wezokwakha osetshenziswayo.
- Umhlali wasezakhiweni lrueme abeke noma enze ukuthi imigqomo ibekwe endaweni enikezelwe ngokwesigaba (4) futhi kurule ngaso sonke isikhathi ayigeine ilapho, ageine ukuthi -
  - esimweni sokwakha izakhiwo, ipulani yesakhiwo esivunyiwe, ngokusebenza kwale Mithethodolobha, noma
  - esimweni lapho uMkhandlu noma umhlinzeki womsebenzi engakwazi khona ukuqoqa nokususa imfucuzi endaweni ehlinzekiwe ngokwesigatshana (4),

uMkhandlu noma umhlinzeki womsebenzi ngokunqanda inkathazo kanye nokwazi ukuqoqa imfucuzi, ungakhornba indawo noma ngaphandle kwezakhiwo lapho imigqomo evunyiwe okumele ibekwe khona uma kuqoqwa noma kulandwa imfucuzi waleyo migqomo futhi leyo migqomo lrueme futhi ibekwe ngaleyo ndlela ngezikhathi ezithile ngaleso sikhathi ngengalokhu uMkhandlu noma umhlinzeki womsebenzi engadinga kwenzeke.

#### 14. IMALI ENQUNYIWE YEMISEBENZI YOMKHANDLU

UMkhandlu ungakhokhisa intela kumlabana noma inhlawulo yokuhlinzekwa kwemisebenzi yomkhandlu (noma kokubili).

## 15. UKUBHEKANA NOKUKHOKHELWA KWEMISEBENZI YOMKHANDLU

- (1) Umnikazi wezakhiwo uyena obhekne nokukhokhela ukunhlinzekwa kwemisebenzi yomkhandlu, futhi ngeke axolelwa ekutheni akhokhe isarnba esibekiwe ngenxa yokungayisebenzisi kwakhe, noma ngokusebenzisa ngokungaphelele noma ngokunomkhawulo, imisebenzi enikezelwe urnkhandlu noma ngabe uMkhandlu unikezela ngqo ngale misebenzi noma uthumela isisebenzi.
- (2) Isamba esibekiwe sikhokhwa ngosuku olufanayo nosuku Jokuhlolwa kwentela ekhokbiswayo.

ISAHLUKO4  
IMISEBENZI YEZOHWEDO

*INGXENYE I: UKUHLINZEKWA KWEMISEBENZI YEZOHWEDO NGABANIKAZI BAMALAYISENSI KANYE NOKUPHATHWA KOKUQHUTSHWA KWAYO.*

## 16. UKUHLINZEKWA KWEMISEBENZI YEZOHWEDO ABANIKAZI BAMALAYISENSI

- (1) Osebenza imfueuza yengadi, ongurnnikazi welayisensi ongabJinzeka ngokwenza umsebenzi.
- (2) Noma yimuphi umuntu odinga ukwenzeJwa umsebenzi kumele azenelise ngokuthi inkontileka inelayisensi yokuqoqa nokulahla kwemikhakha yemfueuza eqoqwayo futhi kumele athathe izinyathelo ukuqinisekisa ukuthi imfueuza efanele iqoqiwe futhi yalah!wa ngokwale Mithethodolobha.

## 17. IZIHLINZEKO ZOMKHANDLU WEZOKUPHATHWA KOKULAHLWA KWEMFUCUZA

UMkhandlu ungayalela, ngesaziso esishicilelwe *kwiGazethi yesiFundazwe*, ukuthi uhlobo oluthile lwemfueuza luzolahlwa endaweni ethile noma endaweni yokulabla imfueuza. Akekho umunru ongalabla imfueuza ngaphandle uma kuehazise kwisaziso segazethi ngaphansi kwalesi sigaba noma njengalokhu kubalulwe nguMkhandlu ngaphansi kornthetho onamandla ngokuqalisa kokusebenza kwale Mithethonqubo.

## 18. UKUGCINWA KWEMFUCUZA YEZOHWEDO. YEZIMBONI KANYE NEBUYE ISETSHENZISWE

- (1) Umnikazi noma umhlali asezakhiweni zalapho ezohwebo, izimbongi noma imfueuza ebuye isetshenziswe uqoqwa kumele kuqinisekise ukuthi kuze kube yileso sikhathi leyo mfueuza iqoqwa ngumnikazi welayisensi ezakhiwenioqoqwe **low**-
  - (a) imfueuza igcinwa emgqonyeni ornkhulu noma kweminye imigqomo evumelekile; futhi
  - (b) ayikho inkathazo, kubandakanya kungacini othulini, oludalwa imfueuza ngesikhathi sokuyiqoqa, ukuyigcina noma ukuyilanda

## 19. UKUQOQWA NOKULAHLWA KWEMFUCUZA YEZIMBONI, YEZOHWEDO KANYE NEBUYE ISETSHENZISWE

- (1) Umnikazi noma umhlali wasezakhiweni eziziquba ezohwebo, izimbongi kanye nemfueuza ebuye isetshenziswe kurnele aqinisekise ukuthi-
  - (a) umgqomo okugcinwe kuwo imfueuza angeke ugcinwe endaweni yomphakathi ngaphandle uma kudingeke ukuba ulandwe;
  - (b) irnfueuza iqoqwa ngumnikazi welayisensi ngezikhathi ezifanele ngemuva kokuthi yakheke; futhi
  - (c) umsebenzi owenziwa ngumnikazi welayisensi kurnele ube kuphela rnaqondana naleyo ngxenye yezohwebo, irnboni noma imfueuza ebuye isetshenziswe egunyazwe elayisensini yakhe.
- (2) Umnikazi welayisensi kumele imfueuza yezohwebo, izimbongi noma ebuye isetshenziswe endaweni yokubeka irnfueuza noma yokulahla imfueuza ekhethwe nguMkhandlu njengendawo yemfueuza ngezinhloso zesigaba 17 esingehla kanye nokuhambisana nezihlinzeko zesigaba 18.

*INGXENYE II: IMFUCUZA YASENGADINI KANYE NEMFUCUZA EMBONDELENE*

## 20. UKUGCINWA. UKUQOQWA KANYE NOKULAHLWA KWEMFUCUZA YASENGADINI NEMFUCUZA EMBONDELENE

- (1) Umnikazi noma uhlahi wasezakhiweni zalapho kudaleke khona imfueuza yasengadini, angawenza umanyolo kuphela uma ukwenza njalo kungeke kudale inkinga.
- (2) Umhlali wasezakhiweni okudaleke kuzo imfueuza yasengadini yangagqitshelwa ukwenza umanyolo noma okudaleke kuzo imfueuza embondelene kumele aqinisekise ukuthi imfueuza iyalandwa futhi ichithwa ngesikhathi esifanele ngemuva kokudaleka.
- (3) **Noma yimuphi umuntu noma urnnikazi welayisensi angasusa irnfueuza yasengadini noma imfueuza embondelene: Kuncike ekutheni uma Jeyo mfueuza seyilandiwe ezakhiweni eyakheke kuzo, iJahlwa endaweni yokubeka imfueuza yasengadini ngokuhambisana nczihlinzeko zesigaba 20.**
- (4) Esiphakamisweni esibhaliwe somhlali wasezakhiweni uMkhandlu noma urnhlinzeki ngomsebenzi ngokuqaphela angaletha imigqomo evumelekile ngenhloso yokugcina imfueuza yasengadini ngokwenezela imigqomo evumelekile esezakhiweni yokugcina imfueuza yase-makhaya. Izihlinzeko eziqukethwe esigabeni 20, ezifundwa noshintsho oludingekile, kumele zifakwe, kwimigqomo evurnelekile elethiwe ngokwesigaba kepha ezosetshenziswa ukugeina imfueuza yasengadini,
- (5) Lapho, ekwenziweni kokuhlinzeka komkhandlu ngemisebenzi, uMkhandlu noma umhlinzeki womsebenzi owenza umsebenzi, enombono wokuthi kungaba ngeono kumalungu omphakathi, ukuba kususwe imfueuza yasengadini kanye nemfueuza embondelene, uMkhandlu noma urnhlinzeki womsebenzi angayisusa leyo mfueuza uma leyo mfueuza ifakwe emigqonyeni evurnelekile okukhulunywe ngayo esigabeni 20 endaweni ekhethiwe noma yemfueuza yasekhaya, lapho inhlawulo kadoti wasemakhaya, efundwa noshintsho cludingekile, kumele isebenze.

*INGXENYE IV: IMFUCUZA YEZAKHIWO*

## 21. UKUDALEKA KWEMFUCUZA YEZAKHIWO

- (1) Umnikazi noma umhlali wasezakhiweni okudaleka kuzo imfueuza yezakhiwo kurnele azise uMkhandlu. ngokuwubhalela, ngenhloso yokudaleka kwemfueuza yasezakhiweni kanye abeke nendlela ezosuswa ngayo okungenani ezinsukwini eziyishumi nane (14) Ongumnikazi noma osebenzisa isakhiwo lapho kuzodaleka khona udoti odalwa ukwakhiwa kwesakhiwo kumele azise uMkhandlu, ngokuthi awubhalele, ngezinhloso zokudala 1010 hlobo lokul'hathwa kweMfueuza kanye nendlela ephakanyisiwe yokususa 1010 hlobo lokul'hathwa kweMfueuza zingakapheli izinsuku eziyishumi nane (14) ngaphambi kokudaleka kwaleyo mfueuza.
- (2) Umnikazi noma umhlali wasezakhiweni kumele aqinisekise ukuthi -
  - <a> ususa, yonke imfueuza yezakhiwo, kanye nayo yonke imigqomo esetshenziselwa ukufaka imfueuza, ukuqoqa noma ukuyilahla, isesakhiweni lapho kudaleke khona leyo mfueuza kuze kufike usuku lokuthi ususwe;
  - (b) izakhiwo okudaleke kuzo imfueuza yezakhiwo azisitheki noma akudali inkathazo ngenxa yokwanda kwemfueuza;
  - (c) yonke imfueuza yezakhiwo epheshulwa umoya osuka ezakhiweni ibuyiselwa ngendlela; futhi
  - (d) ngokwanoma yimiphi imiyalelo evela kuMkhandlu, yanoma yisiphi isakhiwo ezithatha imfueuza yezakhiwo siyakhiwa,

## 22. UKUGCINWA KWEMFUCUZA YEZAKHIWO

- (1) Umnikazi noma umhlali wasezakhiweni angafaka isicelo kuMkhandlu ngokutho!a imvume ebhaliswe yokubeka imigqomo yokugcina kanye nokuqoqa imfueuza yezakhiwo emgaqweni ngaleso sikhathi asibekelwe.

- (2) Noma iyiphi imvume enikezwe ngokwesigaba (1) ingamela leyo mibandela njengalokhu uMkhandlu ubona kunesidingo.
- (3) Yonke imigqomo evumelekile, yagunyazwa ngokwesigaba (1) futhi esetshenziselwa ukususwa imfueuza yezakhiwo, kumele-
  - (a) ibhalwe igama, ikheli nezinombolelo zoeingo zalowo muntu ophethe leyo migqomo;
  - (b) inikezelwe ngeshevroni noma ngokueaeisa ingaphambili nengemuva; futhi
  - (c) imbozwe ngazo zonke izikhathi ngaphandle uma kufakwa okuthize noma kuehithwa leyo mfueuza ukuze kungahitheki lokho okuqukethwe ngaphakathi.

23. UKUQOQWA NOKULAWA KWEMFUCUZA YEZAKHIWO

- (1) Urnikazi noma umhlali wasezakhiweni lapho okwakheka khona imfueuza kumele ukuba aqinisekise ukuthi imfueuza ilahlwa inelayisensi.
- (2) Yonke imfueuza kummel ukuba ilahlwe endaweni yokulahlwa imfueuza ekhethelwe ukwenza lokho uMkhandlu ngokwesaziso esingaphansi kwesigaba 23, ngaphandle uma uMkhandlu unikezele ngemvume yokuthi imfueuza yezakhiwo kunenhloso yokuthi izobuyise isetshenziswe.

*INGXENYE V: IMFUCUZA EKHETHEKILE YASEZIMBONINI, ENOBUNGOZI NOMA IMFUCUZA ENOBUNGOZI YOKUNAKEKELWA KWEMPIW*

24. UKWAKHEKA KWEMFUCUZA YASEZIMBONINI, ENOBUNGOZI NOMA IMFUCUZA ENOBUNGOZI YOKUNAKEKELWA KWEMPIW

- (1) Akekho umuntu ongaqhuba ukwenza kokudaleka kwemfueuza ekhethekile yasezimbonini, enobungozi noma imfueuza enobungozi yokunakekelwa kwempilo, ngaphandle kokwazisa uMkhandlu, ngokwakheka kwemfueuza enjalo, nokugqitshwa kwemfueuza enjalo, isilinganiselo senani elakhekile, indlela yokuwugeina, isikhathi esihlongozwayo sokuyigeina, indlela ezoqoqwa noma ilahlwe ngayo, kanye nokwaziwa komnikazi welayisensi oqoqwa leyo mfueuza: Kuncike ekutheni lapho kwakheka khona leyo mfueuza ngenxa yomsebenzi oqaliswa ngokwale Mithethodolobha, oyakhayo kumele azise uMkhandlu ngaphambi kwezinyanga ezisiyisithupha zokuwqalisa kwale Mithethodolobha.
- (2) Uma kunesidingo kuMkhandlu, ukwaziswa okukhulunywe ngakho esigabeni (1) kungalandelwa ukuhlaziywa kokusungulwa kwalolo hlobo lokuf'hathwa kwemfueuza nokungenziwa ngusokhemesi wasembonini ofanele.
- (3) Umuntu okukhulunywa ngaye esigabeni (1) kumele azise ngokubhalela uMkhandlu nganoma yiluphi ushintsho olwenzakalayo mayelana nokudaleka, ukumbozwa, inani, indlela nendawo yokulahlwa imfueuza yasezimbonini, enobungozi noma imfueuza enobungozi yokunakekelwa kwempilo.

25. UKUGCINWA KWEMFUCUZA YASEZIMBONINI, ENOBUNGOZI NOMA IMFUCUZA YOKUNAKEKELWA KWEMPILO

- (1) Noma yimuphi umuntu owenza okuthile nokungadala imfueuza yasezimbonini, udoti onobungozi kanye nodoti ongabeka impilo engeupheni, kumele aqinisekise ukuthi imfueuza leyo igcinwa ngaphakathi emgqonyeni kuze kube iyasuswa esakhiweni.
- (2) Imfueuza yasezimbonini, imfueuza enobungozi kanye nemfueuza ebeka impilo engeupheni egeinwe esakhiweni kumele igeinwe ngendlela yokuthi ingaphenduki inkinga noma idale ingozi ezimpilweni zabantu noma ulimaze imvelo, futhi igeinwe ngokuhambisana nezidingo zanoma yimiphi imithethonqubo esetshenziswayo noma iMithethodolobha.
- (3) Imfueuza yasezimbonini, imfueuza enobungozi kanye nemfueuza ebeka impilo engeupheni igeinwe emgqonyeni isikhathi esingeqile esikhathini esiehazwe uMkhandlu ngaphambi kokuthi iqoqwe.
- (4) UMkhandlu ungarnisa eminye imithethodolobha enikezela ngemigomo okumele ilandelwe nkuze yokuphathwa kwemfueuza ebeka izimpilo engeupheni.

26. UKUQOQWA NOKULAWA KWEMFUCUZA YASEZIMBONINI, IMFUCUZA ENOBUNGOZI NOMA EBEKA IMPILO ENGEUPHENI

- (1) Abanikazi bamalayisensi kuphela abangathutha imfueuza yasezimbonini, imfueuza enobungozi nernfueuza ebeka impilo engeupheni futhi kumele benze njalo ngokuhambisana nezidingo zoMkhandlu, okuehazwe njengemibandela yelayisensi noma eminye iMithethodolobha. ngohlobo lwesithuthi, omaka nangendlela esakhiwe ngayo lesi sithuthi, izinyathelo zokuphepha kanye nokuhlazeka, narnapheshana achaza mayelana nesisusa, ukuthuthwa nokulahlwa kwaleyo mfueuza nezidingo zezinye izishayamthetho,
- (2) Umnikazi welayisensi yokuqoqwa nokulahlwa imfueuza yasezimbonini, imfueuza enobungozi nemfueuza ebeka impilo engeupheni, kumele azise uMkhandlu ngezikhathi uMkhandlu ongazibhala kwilayisensi noma kwenye indawo, mayelana nokususwa kwemfueuza yasezimbonini, udoti onobungozi kanye nodoti ongabeka impilo engeupheni, usuku lokususwa kwemfueuza, ubuningi bawo, uhlobo lokuf'hathwa kweMfueuza esuswayo kanye nalapho elahlwe khona.
- (3) Umnikazi welayisensi kumele alable imfueuza yasezimbonini, imfueuza enobungozi nemfueuza ebeka izimpilo engeupheni endaweni eyakhiwe uMkhandlu uyakhela inhloso yokuthi kulahlwe kuyona futhi nangokuhambisana nezihlinzeko zesigaba 25.

ISAHLUKO5

UKUTHUTHWA NOKULAWA KWEMFUCUZA

27. UKUTHUTHWA KWEMFUCUZA

- (1) Naphezu kwezihlinzeko zezinye izishayamthetho, akekho umuntu -
  - (a) ongashayela isithuthi emgwaqeni ahambise imfueuza ngaphandle uma isithuthi sakhawe ngendlela eyanele futhi sinomzimba omkhulu ngokwanele ukuthutha 1010 hlobo lokuf'hathwa kweMfueuza;
  - (b) ongahluleka ukugeina izithuthi zokuthutha imfueuza zisesimweni esihlanzekile nesifanele ukuthi zibe semgwaqeni ngazozonke izikhathi;
  - (c) ongavumela imfueuza ethuthwayo eMkhandlwini ukuthi uwele phansi noma uxebeke kuleso sithuthi esiwuthuthayo, ngaphandle uma kuyisendaweni lapho kuehithwa khona imfueuza;
  - (d) ongalahlwa ngamabomu imfueuza endaweni lapho kungavunyelwe ukuthi kulahlwe khona 1010 hlobo JokuPhathwa kweMfueuza.

28. UKULAWA KWEMFUCUZA

- (1) Udoti oqhamuka ngaphansi komkhandlu kumele ulahlwe endaweni lapho kuvunyelwe khona ukulahlwa 1010 hlobo lokuf'hathwa kweMfueuza ngokwesigaba 17 nangokuhambisana nezihlinzeko zeminye imithetho evumela ukulahlwa kwemfueuza.
- (2) Akekho umuntu ongashisa imfueuza esendaweni yornphakathi noma okungesiyi eyomphakathi ngaphandle uma ezoshisa ngokokushisa okuvumelekile kushiswe futhi ngumuntu onelayisensi, noma endaweni evunyelwe uMkhandlu ukuthi kwenziwe njalo.
- (3) Naphezu kwezihlinzeko zesigaba (1), umuntu angahlahlwa izinhlobo ezablukeni zokuPhathwa kweMfueuza engabuyise isetshenziswe eziekhazwe uMkhandlu esazisweni ngokwesigaba 17 noma kwenye indawo lapho kwakhelwe khona ukulahlwa imfueuza yasengadini, kodwa angenza kanjalo kuphela uma 1010 hlobo lokuf'hathwa kweMfueuza lulethwe endaweni yokuehithwa imfueuza ngesithuthi esingathwala umthwalo onesisindo esifinyelela ethanini elilodwa noma ngaphansi lesisindo.

- (4) Ukulahlwa kwernfucuzwa kunoma iyiphi indawo yokulahlwa, nangaphezu kwezimo ezibekwe ngokwamandla, maqondana nezirno lezo uMkhandlu ozibekayo isikhathi nesikhathi, kubandakanye amahora okuvula nokuvala, uhlobo Twemfucuzwa okufanele ilahlwe, indlela yokulahlwa imfucuzwa kuleyo ndawo yokulahlwa kanye nezinye izinto uMkhandlu azibona zibalulekile ukuqinisekisa ukuphathwa kwemfucuzwa.
- (5) Wonke umuntu ongena endaweni lapho kulahlwa khona imfucuzwa kumele-
- angene endaweni yokungena kuleyo ndawo yokulahlwa kwemfucuzwa ebekwe ngumuntu ophethe kuleyo ndawo;
  - uma kudingeka, anikeze uMkhandlu nomá umuntu ophethe kuleyo ndawo yokulahlwa imfucuzwa ngemininingwane ephathelene nohlobo lokuPhathwa kweMfucuzwa; futhi
  - alandele yonke imiyalelo ekhishwe umphathi waleyo ndawo yokulahlwa udoti mayelana nokungena endaweni efanele lapho, nangendlela imfucuzwa okumele ilahlwe ngayo.
- (6) Akekho umuntu -
- ongaletha utshwala noma izidakamizwa ezilalisayo endaweni yokulahlwa udoti noma angene kule ndawo ebe edakwe izidakamizwa;
  - ongangena kule ndawo ngezinjongo okungezona ezokulahlwa udoti ngokwale Mithethodolobha, ngaphandle uma evumelekile ukwenza njalo evunyelwe umphathi waleyo ndawo noma uMkhandlu futhi ngezikhathi ezithile lapho uMkhandlu noma umphathi waleyo ndawo evumile;
  - ongalahla imfucuzwa yohlobo oluthile endaweni lapho lungavumelekile khona; noma
  - ongabasa umlilo eduze noma khona endaweni yokulahlwa imfucuzwa ngaphandle kwemvume.
- (7) Umuntu ophula umthetho wesigaba (6) uyena oyobhekana nezindleko ezidalekele uMkhandlu ngokubhekana nokungalahlwa kahle kwemfucuzwa endaweni yokulahlwa.
- (8) Umphathi wendawo lapho kulahlwa khona udoti angaphoqa nganoma isiphi isikhathi ukuthi isithuthi noma umgqomo wemfucuzwa esingena kuleyo ndawo ngenjongo yokuzochitha imfucuzwa sikalwe endaweni lapho kukalwa khona.
- (9) UMkhandlu, umphathi wendawo yokulahlwa imfucuzwa, isiphathimandla noma yimuphi umuntu onikezwe amandla nguMkhandlu, angahlola okukukethwe noma uhlobo lokuPhathwa kweMfucuzwa oluzolahlwa noma angathatha ingxenyana yemfucuzwa ayithathele ukuthi ahlole leyo mfucuzwa etholakale esithuthini ukuze athole ukuthi hlobo luni lokuPhathwa kweMfucuzwa.
- (10) Uruntu ophula umthetho wezinhlizwe zalesi sigaba anganqatshelwa ukulhi angene noma angasuswa kuleyo ndawo yokuJahla imfucuzwa.

## ISAHLUK06

## ABAHLINZEKA NGEMISEBENZI

## 29. ISIVUMELWANO, UKUHLUKANISWA KWEMISEBENZI KANYE NAMALUNGELO ABATHENGI

- (1) UMkhandlu ungasusa noma yimiphi imisebenzi yawo engaphansi kwesigaba 29 sale Mithethodolobha ngokuvumelana nabenzi bomsebenzi ngokoMthetho weziNhlelo.
- (2) Ngokwezinhlinzeko zoMthetho weziNhlelo noma esinye isishayamthetho, uMkhandlu unganikezela umsebenzi obukade wenziwa uMkhandlu kulowo ozowenza, ngaphansi kwale Mithethodolobha: Uma kuphela lowo msebenzi udinga lowo ozowenza ukuthi asuse isibophezelo ngaphansi kwesivumelwano sokwenza umsebenzi.
- (3) Kule Mithethodolobha amagama athi "uMkhandlu noma umsebenzi" kumele afundwe kanje "uMkhandlu" uma uMkhandlu ungekho esivumelwaneni **sokwenzelwa umsebenzi**, futhi **kumele ufundwe kanje "umsebenzi" uma uMkhandlu unesivumelwano nomsebenzi**.
- (4) Abasebenzi kurnele benze umsebenzi ngokuhambisana namalungelo abasebenzi okurnele abhalwe ngokukhulumisana noMkhandlu nokumele-
- ahambisane nezinhlinzeko zale Mithethodolobha;
  - umphakathi ufinyelele kalula kuwona;
  - usungule imigomo yomsebenzi okubandakanya izikhathi zokuqoqa; futhi
  - unikezele ngezigameko lapho imisebenzi yomkhandlu ingaba nomkhawulo.

## ISAHLUK07

## ABANIKAZI BAMALAYISENSI

## INGXENYE I: UKUBHALISWA

## 30. IZIDINGO ZOKUBHALISWA

- (1) **Wonke umuntu ofuna noma owenza umsebenzi eMkhandlwini kumele abhaliswe kuMkhandlu.**
- (2) Ukubhaliswa kurnele kube isaziso esibhalelwe uMkhandlu, futhi kumele sichaze -
- igama nekheli lomuntu owenza umsebenzi, futhi uma kuyinkarpani, kufuneka inombolo ebhaliswe ngayo, aragarna abaphathi noma **amalungu kanye nekheli lamahhovisi amakhulu** abhalisiwe;
  - uhlobo lokuPhathwa kweMfucuzwa ezothuthwa yilowo muntu;
  - uhlobo lomsebenzi, okumele luehaze inani labantu abazosizakala noma abasizakalayo kusukela ngosuku lokubhaliswa, isimo sendawo **lapho kuzosetshenzelwa khona nezindleko ezibandakanyekayo, noma ezizobandakanyeka ekwenzeni 10 msebenzi; futhi**
  - nezindawo zokulahlwa imfucuzwa ezizosetshenziswa ukuze kulahlwe imfucuzwa.
- (3) UMkhandlu kumele unikezele ngobufakazi bokubhaliswa obuehaza igama nekheli lomuntu obhalisiwe nobuchaza ngohlobo lomsebenzi **owenziwayo noma ozokwenziwa yilowo muntu.**
- (4) Lapho umuntu ebhalise khona ngokwesigaba (1) futhi umuntu -
- engakwazi ukwenza **umsebenzi wakhe emafemini;**
  - ehlanganyela nomunye urnuntu ukwenza lowe msebenzi;
  - eshintsha ubunikazi;
  - ushintsho oluphathelene nomthetho,
  - eshintsha uhlobo lomsebenzi awenzayo;
  - efuna ukuyeka ukwenza umsebenzi;
  - ebandakanyeka ekurniseni ukusebenza;
  - enyusa imali ayitholayo noma abantu abasebenzelayo ngaphezulu kwama-25%, lowo muntu kumele azise uMkhandlu ngaleso senzo futhi, nezingqinamba ezibekwe esigabeni (f) noma (g), aphinde abhalise ngokuhambisana nezinhlinzeko zesigaba (4).

## INGXENYE 11: ILAYISENSI YOKWENZA UMSEBENZI

## 31. IZIDINGO ZELA YISENSI

- (1) Ngokwesigaba 27, akekho umuntu ongenza 10msebenzi ngaphambi kokuthi aqale athole ilayisensi.
- (2) Amalayisensi akhishwe ngaphansi kwale Mithethodolobha -
  - (a) awalowo muntu kuphela futhi angeke asetsheuziswa ngaphandle kokuthola imvume ebhaliwe evela eMkhandlwini kuqala;
  - (b) asebenzela kuphela leso sikhatbi esichaziwe kwilayisensi, leso silchathi esingekwe saba ngaphezulu Mithethodolobha angavuselelwa nguMkhandlu; futbi
  - (c) angapbuewa igunya lokusebenza nguMkhandlu, ngendlelaechaziwe kwilayisensi yokuphela igunya.

## 32. ISICELO SELA YISENSI

- (1) Izieelo zelayisensi yokusebenza kumele zibhalwe efomini elicabazwe uMkhandlu. Ifomu kumele lichaze imininingwane okumele ifakwe kulo nesikhathi esikhona sokufaka isicelo, okungamele sibe ngaphansi kwezinyanga ezimbili (2).
- (2) UMkhandlu kumele ubheke isicelo ngasinye ngaphansi kwalokhu okulandelayo:
  - (a) indlela yokugcina izimali, indlela yokuphatha kanye nesipiliyoni salowo ofaka isicelo;
  - (b) imininingwane yendawo apbila kuyo, yempilo kanye nemininingwane yokupbepba yalowo ofaka isicelo;
  - (c) indlela yokuphathwa kwemfueza ezosetsbenziswa;
  - (d) neminye imininingwane uMkhandlu oyibona njengebalulekile.
- (3) Emva kokubheka isicelo ngokwesigaba (1), uMkhandlu kumele -
  - (a) wamukele isicelo ngokukhipha ilayisensi ngapbansi kwemigomo nemibandela; noma
  - (b) ungasamukeli isicelo, okumele kubambisane nezizathu.

## 33. IMIGOMO NEMMIBANDELA YELAYISENSI

- (1) Urna ukhipha ilayisensi ngokwesigaba 33, uMkhandlu kumele, ngapbansi kwezihlinzeko zesigaba (2), umise imibandela oyibona njengensidingo.
- (2) Amalayisensi akhishwe uMkhandlu kumele -
  - (a) aehaze ngendawo yokusebenzela Iowa onelayisensi;
  - (b) aehaze ngobude besikhathi sokusebenza kwelayisensi kanye nendlela yokuyivuselela;
  - (c) acbaze ngezinblobo noma ngohlobo lokulhathwa kwemfueza ezophathwa umuntu onelayisensi;
  - (d) ube nesidingo sokuthi umuntu onelayisensi kumele ahambisane nale Mithethodolobha, nemithetho yesifundazwe nekazwelonke eseshenziswayo.
  - (e) avumele lowo onelayisensi ukuthi agcine imininingwane yanyangazonke maqondana-
    - (i) nesibalo semfueza etholakele, indawo lapho kuqhamuka khona imfueza, indawo lapho umuntu onelayisensi ephethe khona izinhlobo ezahlukene zokuPhathwa kweMfueza, isibalo sohlobo ngalunye lokulhathwa kweMfueza okusetshenzwe ngalo;
    - (ii) nezigaba zokwakhiwa noma zokuhanjiswa komlilo noma igesi lapho umuntu onelayisensi ephethe khona okokubasa umlilo okunelayisensi;
    - (iii) nezenzo eziphathelene nokuzuzwa kwezinhloso zasekhaya, zesifundazwe noma zikazwelonke lapho ebeziehazwe khona, kumele futhi zibandakanye imiphumela yokuhlola;
    - (iv) nokususwa kwemfueza lapho kubandakanyeka khona umuntu onelayisensi;
    - (v) namanani abathengi; kanye
    - (vi) nezikhalazo zomphakathi
  - (f) uvumele umuntu onelayisensi ukuthi abe nendawo efanelekile nomshwalensi wokubhekana nezindawo zokulahla imfueza noma izindawo zokuphathwa kwemfuezaeziphethwe umuntu onelayisensi ngokuhambisana nohlelo lomshwalense ogunyazwe uMkhandlu ngaphansi kwelayisensi, ukugunyazwa okungeke kwabhekana noMkhandlu uma uhlelo lomshwalensi luhluleka;
  - (g) uvumele umuntu onelayisensi ukuthi aqhube elinye ibhizinisi elingekho ngaphansi kwelayisensi: Kuphela uma lelo bhizinisi Jingashayisani nemisebenzi yomuntu ekwilayisensi, nale Mithethodolobha noma eminye imithetho, noma futhi kuzokwenziwa ngesinye isikhathi eeleni;
  - (h) uveze izindlela zokushintsha kwelayisensi;
  - (i) wenze izingqinamba ezingadala ukuthi ilayisensi ingabe isasebenza noma imiswe nguMkhandlu ebese umisa indlela yokummangalela;
  - (j) umise isamba sokukhokhela ilayisensi;
  - (k) uvumele umuntu onelayisensi ukuthi athathe izinyathelo ezifanele ukuvikela abasebenzi ekutheni benze okuthile noma bashiye okunye bengakwenzile emsebenzini wabo okungaba nomthelela omubi kubantu noma empilwenijikelele;
  - (l) uvumele umuntu onelayisensi ukuthi aqinisekise ukulandelwa ngabasebenzi kwale Mithethodolobha kanye nemibandela, abaphathi kanye nabezinkontilaki, aphinde aqinisekise ukuthi abezinkontilaki banamalayisensi okugcina, ukuqoqa, ukuthutha nokulahlwa kwanoma yiluphi uhlobo lokulhathwa kweMfueza okumele basebenze ngalo; futhi
  - (m) ube nemigomo nemibandela uMkhandlu oyithatha njengedingekayo.

## 34. IZENZO EZINGA VUMELEKILE

- (1) Abanamalayisensi abavumelekile:
  - (a) ukumisa ukusebenza endaweni lapho kulahlwa khona imfueza ngaphandle kwendlela yokumisa egunyazwe i-DWAF kanye noMnyango wezeMvelo nezokuVakasha noma omunye umnyango ophethe;
  - (b) ukunganaki indawo yokulahla imfueza;
  - (c) ukuthi basebenze ngokuphula umthetho wemigomo nemibandela yelayisensi;
  - (d) ukwehluleka ukunikela ngemininingwane, noma banikezele ngemininingwane engesilo iqiniso noma engavumelekile lapho kudingekile ukuthi banikezele ngemininingwane ngokwale Mithethodolobha;
  - (e) ukwehluleka ukuthatha izinyathelo ezidingekayo ukuvikela ukwenzeka kokuthile noma ukungenziwa kokuthile ngumsebenzi lapho umsebenzi ekade enza okuthile ekwenzela umuntu onelayisensi, lapho lesa senzo noma ukungenzeki kokuthile kungadala icala ukube bekuyisenzo noma ukungenziwa kokuthile okukwilayisensi;

- (l) ukulahla imfucuzwa engashisiwe engabeka impilo engcupheni, ngaphandle kokuthi sekutholakale imvume evela kwi-DW AF;noma
- (g) ukulahla imfucuzwa enobungozi noma imfucuzwa yasezimbonini endaweni lapho kuvumeleke ukuthi kulahlwe 1010 hlobo lokul'hathwa kweMfucuzwa.

### 35. IZINGUQUKO ZOMTHETHO KANYE NOKUKHISHWA.

- (1) Noma yimuphi umuntu owenza umsebenzi eMkhandlwini ngesikhathi kufawa isicelo selayisensi, angaqhubeka nokwenza umsebenzi ngesikhathi isicelo selayisensi sisacutshungulwa uMkhandlu.
- (2) UMkhandlu nangezinhlalo zale Mithethodolobha neNdlela yokuPhathwa kweMfucuzwa yaseMakhaya, angakhipha noma yiluphi uhlobo lomsebenzi wokuhwebelana ezihlinzekweni zeSahluko 7 sale Mithethodolobha futhi akhombiso imibandela kanye nokubukwa kwanoma yikuphi ukukhishwa kwesicela esishicilelwe kwiGazethi kaZwelonke.

### ISAHLUKO8

#### UKUNGCOLISA, UKULAHLA KANYE NEZINTO EZINGANAKIWE

### 36. UMSEBENZI WOKUNIKEZELA NGEZINTO ZOKULAHLA IMFUCUZA

- (1) UMkhandlu, noma umnikazi esehlakalweni sendawo ephethwe ezimele, kumele athathe izinyathelo ezidingekayo ukuqinisekisa ukuthi imigqomo egunyaziwe yanikezelwa ukuze kulahlwe imfucuzwa, endaweni lapho umphakathi unokufinyelela khona.
- (2) UMkhandlu, noma umnikazi, esehlakalweni sendawo ephethwe ezimele, kumele aqinisekise ukuthi yonke imigqomo yokuqoqa imfucuzwa esezakhiweni -
  - (a) igcinwa isesimweni esikahle;
  - (b) ilinganiselwe isisindo futhi imiswa phansi inganyakazi ukuze ngaphenduki ichithe imfucuzwa;
  - (c) yakhiwe ngendlela yokuthi ingaphazanyiswa isimo sezulu kanye nezilwane;
  - (d) mikhulu ngokwanele ukuqokatha lonke uhlobo lokuPhathwa kweMfucuzwa olungase luqhamuke kuleso sakhwiwo noma kubantu abahlala kusona;
  - (e) ibekwa endaweni lapho abahlali noma abasebenzisi besakhwiwo befinyelela khona kalula kuyona ukuze kungasaphazeki imfucuzwa noma kwande udoti;
  - (f) iyathululwa futhi iyagezwe uma seyigcolile. Ukuthululwa nokugezwa kwemigqomo kumele kwenziwe njalo ukuze kuqinisekiswa ukuthi imigqomo noma ekuqokethe akuphenduki inkinga noma kudale isizathu sokukhononda.
- (3) Endaweni yomphakathi lapho imigqomo ibekelwe ukuthi kulahlwe kuyo imfucuzwa, uMkhandlu ungabeka izaziso mayelana nokulahlwa kwemfucuzwa.

### 37. UKUNGAVUMELEKI KOKUSAPHAZWA KWEMFUCUZA

- (1) Akekho umunni-
  - (a) ongadala ukusaphazeka kwemfucuzwa;
  - (b) ongashanela udoti awuyise emseleni wamanzi noma kunoma iyiphi indawo yomphakathi;
  - (c) ongaphazamisa noma yini ephakathi, noma akhiphe okuthile emgqonyeni ebifakelwe injongo yokuthi iyahlahlwa, ayikhiphe ngendlela yokuthi idale ukuthi okuqokathwe kwehithethe noma kuqathakele phansi eduze komgqomo; futhi
  - (d) ongavumela noma yimuphi umuntu enze noma yini echazwe endimeni (a), (b) noma (c) ngaphezulu.
- (2) Naphezu kwezihlinzeko zesigaba (1), uMkhandlu noma umuntu ongumnikazi wendawo ezimele umphakathi onokufinyelela kuyona, emva kokuba imfucuzwa isichithekile, ushiyake ngemuva noma iwele phansi, kumele asuse leyo mfucuzwa kungakapheli isikhathi eside. Ngokwenjongo yalesi sigaba, isikhathi eside singasho isikhathi esithile lapho imfucuzwa ingakadali inkinga noma inkakhazo.

### 38. UKUNGAVUMELEKI KOKULAHLWA KWEZINTO EZINGANAKIWE

- (1) Akekho umuntu, ngaphandle kwemvume, ongalahla noma avumele ukulahlwa kwanoma yiphi imfucuzwa ngenxa yomvuzo noma okunye, -ernhlabeni noma esakhiweni lapho engumnikazi noma esisebenzisa ngaphandle kwalapho uma lokho kulahla kwenziwa ngokuhambisana nezihlinzeko zale Mithethodolobha.
- (2) Ngokuhluka kwezihlinzeko eziqokethwe kule Mithethodolobha, akekho umuntu ongashiya izinto noma adedele izinto ebezikade zigadwe nguyena ukuthi zisale endaweni ngenhloso yokuthi azishiye ngokungayinaki.
- (3) Akekho umuntu ongalaxaza imfucuzwa.
- (4) Noma iyiphi impahla, ngaphandle kwemoto ethathwa njengenganakiwe ngokwesigaba 114 soMthetho wokuHamba kweziMoto, 1989 (uMthetho No. 29 ka 1989), ngokwendawo lapho itholakale khona, isikhathi esihlale kuleyo ndawo kanye nesimo sayo, uMkhandlu oyithatha njengenganakiwe, ingasuswa ilahlwe uMkhandlu uma ibona kufanele.
- (5) UMkhandlu ungasusa noma ulahle impahla eboshelwe esigxobeni, ernitheni yasepaki noma yikuphi okunye okuyimpahla yoMkhandlu, ngaphandle kwemvume uma nje ubona kufanele.

### ISAHLUKO9

#### IZILILINZEKO ZOKUSETSHENZISWA KOKUPHATHA

#### INGXENYE I: UKUQOKWA KWEZIPHATHIMANDLA

### 39. UKUQOKWA KWEZIPHATHIMANDLA

- (1) UMkhandlu uyoqoka iziphathimandla ezinyonikezelwa amandla-
  - (a) okuchitha ilungelo lokungena koMkhandlu esakhiweni ngokwesigaba 101 soMthetho weziNhlelo;
  - (b) okukhipha isaziso sokuphoqelela ngaphansi kwesigaba 44;
  - (c) okunquma isaziso sokuphazamiseka ngokwesigaba 45; futhi
  - (d) okusebenzisa amandla esiphathimandla ngaphansi koMthetho woHulumeni baseKhaya.
- (2) Isiphathimandla asiyena umuntu ogcina ukuthula ngokwenzelwe YoMthetho oLawula ezobuGebengu kanti futhi asinawo amandla okubopha abantu lapho kwenzakale khona isenzo esingadala ukuboshwa komuntu kuLe Mithethodolobha.
- (3) Ekuqokweni kwesiphathimandla, uMkhandlu kumele wazi kabanzi:
  - (a) ngokuqonda umsebenzi womunini kanye nesipiliyoni sezehlakalo eziphathelene nokuphathwa kwemfucuzwa; kanye
  - (b) nanoma yiziphi ezinye izinto ezingaba usizo eknhlolweni nasekusetshenzisweni komthetho wale Mithethodolobha, okungaba mayelana nomsebenzi noma nokuphatha.



- (4) Isiphathimandla singaba urnqashwa woMkhandlu noma urnsebenzi woMkhandlu: Kuphela urna, ngasekupheleni, kungeke kube khona ukushayisana phakathi komsebenzi womuntu njengesiphathimandla nanjengomqashwa womuntu owenza umsebenzi.
- (5) Emva kokuqokwa. uMkhandlu kumele unikezele isiphathimandla ngekhadhi eliehaza kabanzi (elibizwa lapha ngokuthi "isichazi") okufanele lichaze igama nomsebenzi wesiphathimandla, futhi kumele libandakanye isithombe sesiphathimandla, Ngamandla esiwanike yile Mithethodolobha, isiphathimandla kudingeka ukuthi sikhipe leli khadi uma kusho ilungu lomphakathi.

*INGXENYE 11: AMANDLA EZIPHATHIMANDLA*

40. AMANDLA OKWENZA UMSEBENZI NOKUHLOLA IZITHUTFFI KANYE NEZAKHIWO

- (1) Ukunyezela kulawo mandla isiphathimandla esinawo njengesithunywa soMkhandlu ngaphansi kwesigaba 101 soMthetho weziNhlelo noma okunye ukushaywa komthetho, isiphathimandla -
  - (a) singangena kunoma yisiphi isakhiwo noma umhlaba ukuzokwenza umsebenzi noma sizohlola ngokuhambisana noMthetho woHulumeni baseKbaya; futhi
  - (b) singahlola noma yisiphi isithuthi noma okunye kokuthutha ngemvume yomnikazi noma umuntu ophethe 1080 sithuthi.
- (2) Uma imvume ingatholakalanga ngokwesigaba (1)(b), isithuthi noma okunye kokuthutha kungaseshwa noma kumiswe ebese kuyaphenywa.
- (3) Uphenyo olwenziwe ngokwale Mithethodolobha kumele Iwenziwe ngendlela ezohambisana nezidingo zoHlu IwamaLungelo kanye nanoma yimiphi eminye imithetho, futhi ikakhulukazi, kumele Iwenziwe ngokukhulu ukucophelela nangendlela eyamukelekile, ngokuhlonipha isithunzi somunye umuntu, inkululeko nokuphepha kanye nengasese lomuntu.
- (4) Eshlakalweni lapho ukungena esakhiweni kungekho ngaphansi kwesigaba 101 soMthetho weziNhlelo noma okunye ukushaywa komthetho, urna isiphathimandla sisola ukuthi kukhona okungahambi kahle nokuthi ukudembesela ekutholeni ilungelo lokuphenya kuzodala okukhulu ukuhlukumezeka ezimpilweni zabantu noma ukulimala kuleyo ndawo, ngaphandle kwemvume, angangena aseshe lesa sakhiwo: Kungike ekutheni uma ukungena nokusesha kwenziwa ngokuhambisana nezidingo zoHlu IwamaLungelo kanye neminye imithetho, futhi ikakhulukazi, kumele Iwenziwe ngokukhulu ukucophelela nangendlela eyamukelekile, ngokuhlonipha isithunzi somunye umuntu, inkululeko nokuphepha kanye nengasese lomuntu.
- (5) Ngokubona kwesiphathimandla, ukusesha kwesithuthi njengoba kuchaziwe kule Mithethodolobha, kunikezela ngobufakazi obuphelele ukuthi ukuba khona kwemfucuzo phakathi noma kusona lesa sithuthi kuyingozi ezimpilweni zabantu nasendaweni jikelele, isiphathimandla singasisusa lesa sithuthi ukuvikela, noma lapho kungeke kwenzeka khona, ukunciphisa ubungozi ezimpilweni zabantu noma ukulimala kwemvelo.
- (6) Eshlakalweni sokuthathwa kwesithuthi ngaphansi kwesigaba 5, uMkhandlu kumele-
  - (a) uthathe izinyathelo zokulahlala leyo mfueza ukuvikela, noma lapho kungeke kwenzeka khona, ukunciphisa ubungozi ezimpilweni zabantu noma ukulimala kwendawo jikelele.
  - (b) ubuyisele lesa sithuthi, engakapheli amahora angama-48 emva kokuchithwa kwemfucuzo, kulowo muntu esasithathwe kuyena.

41. IGUNYA LOKUBUZA IMMUNO

- (1) Ukuze kuhlolwe noma kumiswe umthetho wokuhambisana nale Mithethodolobha, isiphathimandla, ngokwezidingo zoHlu IwamaLungelo, nanoma yimiphi eminye imithetho okubandakanya eyejwayelekile, singadinga ukuthi lowo onelayisensi anikezele ngemininingwane, ebhaliwe noma ekhulunywe, phakathi kofakazi noma engayedwana, kunoma yisiphi isehlakalo le Mithethodolobha esithintayo, sidinge ukuthi ukunikezelwa kwemininingwane kwenziwe ngokuthembeka.
- (2) Isiphathimandla singaphelezela ngutolika futhi nanoma yimuphi umuntu odingekayo ukuze isiphathimandla siqhuba ukuhlola.
- (3) Isiphathimandla kumele, uma sielelwe, sikhombise ikhadhi elichazayo ukuthi siyisiphathimandla.

42. UKUHLOLWAKWABANAMALAYISENSI

- (1) Iziphathimandla kumele zihlola indawo yokusebenzela yalowo onelayisensi izikhathi ezingekho ngaphansi kwezimbili ngonyaka futhi isiphathimandla singangena endaweni yokusebenzela yalowo onelayisensi.
- (2) Lokhu kuhlola kumele kwenziwe ngokuhambisana nezidingo zoHlu IwamaLungelo kanye neminye imithetho, ikakhulukazi, uma isiphathimandla sihlola ngaphansi kwesigaba (1) kumele senze njalo ngokukhulu ukucophelela nangendlela eyamukelekile, ngokuhlonipha isithunzi somunye umuntu, inkululeko nokuphepha kanye nengasese lomuntu.
- (3) Uma isiphathimandla sibona ukuthi umuntu onelayisensi, emva kokuhlola, uyahambisana nale Mithethodolobha, ngokwezinhlinzeko zesigaba (4), singanikeza lowo muntu onelayisensi isitifiketi esiqinisekisa ukuhambisana nale Mithethodolobha, okumele sichaze-
  - (a) ikheli negama lalowo muntu onelayisensi;
  - (b) Isikhathi usuku nendawo lapho kuhlolwe khona;
  - (c) izincomo ezifanelekile ngokubona kwesiphathimandla.
- (4) Uma lowo muntu onelayisensi ehluleka ukuthola isitifiketi esiqinisekisa ukuhambisana nale Mithethodolobha emva kokuhlolwa izikhathi ezintathu esikhathini esiyiminyaka emibili (2), isiphathimandla singanqurna ukuthi uMkhandlu uphinde ubhekisise ilayisensi, urna kunesidingo, uMkhandlu ungamisa ukusebenza kwelayisensi ngokwesigaba (4): Kuncike ekutheni ukuhlola lokho kwenzeka esikhathini esingekho ngaphansi kwezinyanga ezine.
  - (5) Iziphathimandla kumele zigcine uhla lwemininingwane yokuhlola okwenzekile.

43. UKUHLOLWA KWABANIKAZI NABANTU ABASEBENZISA ISAKHIWO

Abanikazi nabantu abasebenzisa isakhiwo kumele bagcine isakhiwo sihlanzekile futhi singenayo imfueza engase idale ukuphazamiseka, ubungozi empilweni noma kulimaze imvelo, futhi kumele bathathe izinyathelo ezifanelekile uvikela umsebenzi owenza umsebenzi wakhe ekutheni angenzi okuthile okungadala ukuphazamiseka, ubungozi empilweni noma okulimaza imvelo.

*INGXENYE III: IZAZISO ZOKULANDELWA NOKUPHULWA KOMTHETHO*

44. IZAZISO ZOKULANDELWA KOMTHETHO

- (1) Uma, ngokubona kwesiphathimandla, umuntu -
  - (a) edala ukuphazamiseka, ubungozi empilweni noma elimaza imvelo; noma
  - (b) umuntu onelayisensi, ehluleka ukulandela imithetho yelayisensi ayinikezwe ngokwale Mithethodolobha, isiphathimandla singanikeza lowo muntu isaziso sokulandelwa komthetho ngokwalesi sigaba.
- (2) Isaziso sokulandelwa komthetho esikhishwe ngaphansi kwalesi sigaba kumele sichaze -
  - (a) ikheli negama lalowo muntu othintekile;
  - (b) ngohlobo Iwenkinga olungadala ingozi empilweni noma lulimaze imvelo, umuntu othintekayo aludalayo 110ma angase aludale;

- (e) ngezinyathelo ezidingakalayo ukubuyisela noma ukulungisa inkinga engadala ubungozi empilweni noma ilimaze imvelo ukuze kuhambisane nesaziso solrulandelwa komthetho;
  - (d) ukuthi umuntu othintekayo zingakapheli izinsuku ezingamashumi amabili nanye (21) kusukela ngosuku lokukhishwa kwesaziso sokulandelwa komthetho, athathe izinyathelo zokulandela lesi saziso;
  - (e) ngokuhluleka ukulandela izidingo zesaziso sokulandelwa komthetho esikhathini esichaziwe endimeni (d) lungaholela elrutheni lolu daba lubhekwe inkantolo; futhi
  - (l) iziphakamiso ezibhaliwe zingaqondiswa eMkhandlwini ngokuhambisana nesigaba 47, noma ikomidi elifanelekile noma ithimba langaphakathi elinikezwe amandla ngaphansi kwale Mithethodolobha, endaweni ethile, gakapheli izinsuku ezingamashumi amabili nanye (21) sitholakele isaziso.
- (3) Uma umuntu othintekayo ehluleka ukuhambisana nesaziso sokulandelwa komthetho, uMkhandlu noma yimuphi umuntu onikezwe igunya nguMkhandlu, angathatha izinyathelo ezidingekayo esazisweni sokulandelwa komthetho: Kuncike ekutheni uMkhandlu uzokwenza kanjalo ngokuhambisana nezidingo zoHlu IwamaLungelo kanye neminye imithetho, isiphathimandla kumele ikakhulukazi, senze njalo ngokukhulu ukucophelela nangendlela eyamukelekile, ngokuhlonipha isithunzi somunye umuntu, inkululeko nokuphepha kanye nengasese lomuntu.
- (4) Lapho uMkhandlu ungena ezindlekweni ngenxa yalezi zinyathelo, uMkhandlu ungakhokhelwa izindleko ongene lruzona yil6wo muntu ohlulekile ukwenza obekumele ulruthi akwenze noma, lapho kwenzeka khona ubugebengu bungebona obenziwe ngenxa yokusebenzela umphakathi
- (5) Noma yimuphi umuntu onelayisensi owenza isenzo sobubi ngokwesigaba (1) (b) futhi, eminyakeni emihlanu (5) edlule eke waboshelwa isenzo esifanayo, ngaphansi kwale MithethoDolobha angabizwa ngesaphulamthetho futhi ilayisensi yakhe ingamiswa ekutheni isebenze ngokukhulu ukushesha.

#### 45. IZAZISO NGOKUPHULWA KOMTHETHO

- (1) Urna, ngokubona kwesiphathimandla, umuntu-
- (a) ephula umthetho wezigaba 13,15, 18,22,24,28,30,34,37, noma 38 le Mithethodolobha; noma
  - (b) evumela imfueza okungeyona yasernakhaya noma amaphephandaba ansukuzonke ukuthi ungaqoqwa, isiphathimandla singanikeza lowo muntu ophula umthetho isaziso sokuphulwa komthetho ngokwalesi sigaba esikhundleni sesaziso esiehawwe esigabeni 56 soMthetho oLawula ezobuGebengu (uMthetho No. 51 ka 1977).
- (2) Isaziso sokuphulwa komthetho lrumele-
- (a) siehaze, ngesikhathi sokukhishwa kwesaziso, igama nekheli lomuntu, uma kwaziwa, umuntu lowo onikezwa isaziso sokuphulwa komthetho;
  - (b) siehaze ngemininingwane yolrughulwa komthetho;
  - (e) siehaze ngesamba senhlawulo okumele ikhokhelwe lokho lruphulwa komthetho nendawo lapho kuzokhokhwa khona leyo nhlawulo engeke yaba ngaphezu kuka R5 000.00 (izinkulungwane ezinhlanu); futhi
  - (d) sazise umuntu onikezwe isaziso sokuphulwa umthetho ukuthi, zingakapheli izinsuku ezingamashumi amabili nesishiyagalombili (28)-
    - (i) angakhokha inhlawulo; noma
    - (ii) angatshela uMkhand!u ukuthi ukhetha ulruya enkantolo ngenxa yesenzo sobubi asenzile ngaphansi kwesigaba 45.
- (3) Lapho umuntu ekhetha khona isigaba (d)(ii), uhlelo Iwesigaba 47 luyasetshenziswa.

#### 46. IZIKHALO

Noma yimuphi umuntu angafaka isikhhalazo ngesiphathimandla, noma ngezinye izindlela ezakhiwe uMkhandlu, ukuthi kunomuntu odala ubungozi empilweni noma ulimaza isimo semvelo ngokusebenzela umkhandlu, lapho isiphathirandla, ngaphandle uma ebona ulruthi isikhhalazo asinasidingo noma sihlukumeza izinjongo zale Mithethodolobha ezibekwe esigabeni 3, kumele aphenye isikhhalazo futhi, uma ebona ukuthi ubungozi buyadaleka noma bungadaleka, lrumele akhiphe isaziso solrulandelwa komthetho noma isaziso solruphulwa komthetho, noma ilruthi okufanelekile.

#### 47. IZIPHAKAMISO

- (1) Noma yimuphi umuntu othintekayo angenza iziphakamiso kuMkhandlu, noma ikornidi noma ithimba langaphakathi 10Mkhandlu lapho uMkhandlu unikezele khona ngamandla, ngendlela echazwe esazisweni sokulandelwa komthetho.
- (2) Iziphakamiso kumele zenziwe ngokuhambisana isitatimenti esifungelwe sihanjise eMkhandlwini, ikomidi noma ithimba langaphakathi, zingakapheli izinsuku ezingamashumi amabili nanye (21) siqalile ukusebenza isaziso.
- (3) Noma yisiphi isiphakamiso esingangeniswanga ezinsukwini ezingu (21) zekhalenda nrasingabhekela, kuze kuthi umuntu othintekayo abonise isenzo esihle kuMkhandlu, nethimba eliqokiwe noma ababheki bangaphakathi bebona ukungeniswa kwesikhhalo sekudlule isikhathi.
- (4) UMkhandlu, ikomidi noma ithimba langaphakathi, kumele libheke iziphakamiso nanoma yiziphi izimpendulo zesiphathimandla noma omunye urnuntu, uma kukhona izimpendulo, futhi ba, ngokwepulwa kwazo, benze ucwaningo ukuthola amaqiniso uma bebona kubalulekile. Uma uMkhandlu, noma ikomiti eliqokiwe noma ithimba langaphakathi lenza ucwaningo, iziphumo zalolo cwano mazaziwe umuntu othintekayo, anikwe ithuba lokuphendula uma efisa, futhi uMkhandlu, noma ithimba eliqokiwe noma elangaphakathi mabayamkele impendulo.
- (5) Emva kokuthi uMkhand!u, ikomidi noma ithimba langaphakathi, ligculiseka ngezidingo zesigaba (4), uMkhandlu, ikomidi noma ithimba langaphakathi, kumele libeke umyalelo ngolrubhala phansi futhi linikeze umuntu othintekayo ikhophi yomyalelo echaza ngazo zonke izinto ezitholakele. Lowo myalelo kumele -
- (a) uqinisekise, ushintshe noma ubeke eceleni sonke noma ingxenye yesaziso sokulandelwa komthetho; futhi
  - (b) uchaze ngesikhathi esithile lowo muntu othintekayo okumele alandele lowo myalelo obekiwe.
  - (e) Uma isaziso sokulandelwa komthetho siqinisekisiwe, sonke noma ingxenye yaso, noma sishintshiwe kodwa sangabekwa eceleni, uMkhandlu, ikomidi noma ithirba langaphakathi, lrumele lazise umuntu othintekayo ukuthi angakhetha ukuvela phambi kwenkantolo **noma kumele kumiswe imisebenzi esesazisweni sokulandelwa komthetho.**
- (6) Uma umuntu othintekayo ekhetha ukuvela phambi kwenkantolo, lrumele aze uMkhandlu, ikomidi noma ithimba langaphakathi ngesinqumo sakhe zingakapheli izinsuku eziyisikhombisa (7), ekwaziseni uMkhandlu ngalesi sinqumo, ikomidi noma thimba gaphakathi, izinhlizeko zesigaba 48 ziyasetshenziswa,
- (7) Uma umuntu othintekayo ekhetha ukungaveli phambi kwenkantolo, kumele amise imisebenzi esesazisweni sokulandelwa komthetho ngendlela nangesikhathi esiqokiwe,
- (8) Uma umuntu othintekayo ekhetha ukuvela phambi kwenkantolo noma ezomelwa, izidingo ngokwesigaba 41 sale Mithethodolobha ezidinga uluhambisana nolrulandelwa komthetho, zingamiswa, uma nje, ngokubona koMkhandlu, umuntu othintekayo esedale isimo esiphuthumayo esehlakalweni lapho noma nangaphandle kokubekela phansi amafungelo umuruu othintekayo angase abe nawo, noma angase abe nawo ngokuhamba kwesikhathi, emthethweni owayelekile noma omunye umthetho, ngokukhulula noma isiphi isimo, umuntu othintekayo lrumele ngokukhulu ukushesha ahambisane nanoma yiziphi izidingo eziyalwele nguMkhandlu ngokuthi zibhalwe phansi noma zikhulunywe ngomlomo.

- (9) Uma kunesimo esiphuthumayo futhi nomuntu othintekayo, naphezu kokuthola umyalelo ngokomthetho owenziwe ngokwesigaba (5), ehluleka ukulandela Iowa myalelo, uMkhandlu ungamisa isimo esiphuthumayo, sibuyiselwe emuva noma sincishiswe, lapho isigameko uMkhandlu angasimisa njengesiphathelene nezakhamuzi ukubuyisela noma yiziphi izindleko ezifanele ezenzekile noma ezizokwenzeka ezingadala ukuma, ukuhlehla noma ukwehla.

## ISIAHLUKO 10

## IZIHLINZEKO EZIQINISEKISA UKUSETSHENZISWA KOMTHETHO

## 48. IMISEBENZI YEMIBHALO KANYE NOKUQHUTSHWA

**Ngenjongo** yokusebenza **kwanoma isiphi** isaziso, **umyalelo noma imininingwane ephathelene nokungakhokhelwa kwezinhlinzeko zomsebenzi** yomkhandlu, indawo yomnikazi wesakhiwo lapho kuqharnuka khona udoti wasemakhaya narnaphephandaba ansukuzonke ithathwa njengendawo yokusebenza kwemibhalo kanye nokuqhuba kwalowo mnikazi

## 49. UKUSEBENZA KWEZAZISO

- (1) Lapho le Mithethodolobha idinga khona isaziso noma imininingwane ezosebenza kunoma imuphi umuntu ngaphandle kokuqhutshwa kobugebengu —
- (a) kumele ibhekane naye ngqo, nokungabhekana nelunga lomndeni wakhe uma ehluleka, elineminyaka eyi-16 noma ngaphezulu, elisayinela ukuthola lesi saziso endaweni lapho behlala khona noma ebhizinisini; futhi
- (b) uma ithunyelwe ngeposi ekheleni Iornuntu othintekayo njengoba kuchaziwe esigabeni 48, yenza ingxenye ngokwesigaba 7 soMthetho wokuQonda (Interpretation), 1957 (uMthetho No. 33 ka 1957).

## 50. UKUQULWA KWECALA

Uma umuntu ekhetha ukuveJa ngaphambi kwenkantolo ngokwezigaba 47(6) **noma** 47(8). azisa uMkhandlu ngesinqumo sakhe, isiphathimandla kumele zingakapheli izinsuku eziyishumi (10) sithathe izinyathelo ezifanele, njengoba kucatshangeliwe eMthethweni oLawula ezobuGebengu, .1977 (uMthetho No. 51 ka 1977), ukuze kushushiswe umsolwa, esehlakalweni lapho kumele kuqedwe khona isaziso sokumiswa komthetho noma isaziso sokulandelwa komthetho.

## 51. AMACALA NEZINHLAWULO

- (1) Noma yimuphi umunro, okubandakanya umuntu othintekayo nomuntu onelayisensi-
- (a) ephula umthetho noma ehluleka ukuhambisana nezihlinzeko zale Mithethodolobha;
- (b) ehluleka ukuhambisana nezaziso ezikhishwe ngokwale Mithethodolobha; noma
- (c) ehluleka ukuhambisana nemiyalelo yomthetho enikezelwe ngokwale Mithethodolobha; noma
- (d) evimbezela isiphathimandla noma umsebenzi woMkhandlu ekwenzeni umsebenzi wakhe ngaphansi kwale Mithethodolobha, uneeala futhi angahlawuliswa imali noma uma ehluleka ukukhokha leyo mali angaboshwa isikhathi esingeqile ezinyangeni eziyisithupha (6).

## 52. UBUNIKAZI

- (1) Umuntu onemvume yokuphatha endaweni lapho kulahlwa khona imfucuzo uthathwa njengomnikazi waleyo mfucuzo eJahlwe kuleyo ndawo.
- (2) Umuntu ophethe unelungelo lokusizwa-
- (a) kubantu abalahlwa imfucuzo abazi kahle nangaphandle kokwazi komphathi, abalahlwa udoti ongavumelekile kuleyo ndawo; futhi
- (b) **kubantu** ababeka imfucuzo ezoqoqwa ongesiyo inhlobo lokufhathwa kweMfucuzo okumele ukuthi iqoqwe.

## 53. UKUHLANGANISWA KWEMITHETHODOLOBHA

- (1) noma yimiphi iMithethodolobha ehlangene. nezindaba ezibalulekile zeMithethodolobha rnaziphathwe uMkhandlu kwifomu lokuhlanganisa kanye naleyo Mithethodolobha yenziwe ukuba itholakale uma umphakathi uyicela,
- (2) Eminye iMithethodolobha ingasetshenziswa ngokuphathelene-
- (a) nezinyathelo okumele zisetshenziswe ekunakekeleni okuvezwe esigabeni 4;
- (b) nezindawo lapho noma yini ephathelene nemfucuzo, okubandakanya ukuwulahlwa, okwenzelwa khona;
- (c) nokuhlukaniswa kwemfucuzo nganoma yisiphi isikhathi nanoma yinini lapho kwenziwa okuthile okuphathelene nemfucuzo;;
- (d) nezindlela zokuthuthukiswa kokuncishiswa kwemfucuzo;
- (e) nokubekwa nokusetshenziswa kwezinhlelo zokusebenzisa izimpahla ebezikade sezilahliwe;
- (f) nezinhlawulo okumele zimiswe mayelana nokungalandelwa kwemigomo ekwilayisensi, futhi
- (g) nemininingwane okumele inikezwe uMkhandlu.

## 54. UKUSETSHENZISWA

Ngokufaka isaziso *kwiGazethi yesiFundazwe*, uMkhandlu ungakuchaza ukuthi izihlinzeko zale Mithethodolobha azisebenzi kwezinye izindawo lapho unamandla khona kusukela ngosuku oluchazwe esazisweni.

## 55. UKUHOXISWA KWEMITHETHODOLOBHA

IMithethodolobha ephathelene nokufhathwa kweMfucuzo kaMasipaia waKwaSani izohoxiswa, izobanjelwa iMithethodolobha ezoqala ukusebenza **emva** kokwaziswa.

THE Council of Kwa Sani Local Municipality has in terms of section 156 of the Constitution, 1996 (Act No. 108 of 1996), read in conjunction with sections 11 and 98 of the Local Government: Municipal Systems Act, 2000, (Act No. 32 of 2000), made the following By-laws:

KWA SANI LOCAL MUNICIPALITY  
WASTE MANAGEMENT BY-LAWS

INDEX

CHAPTER 1

INTERPRETATION, PRINCIPLES AND OBJECTS

CHAPTER 2

WASTE MANAGEMENT PLANNING, POLICY AND STRATEGY

CHAPTER 3

COUNCIL SERVICES

CHAPTER 4

COMMERCIAL SERVICES

CHAPTER 5

TRANSPORTATION AND DISPOSAL OF WASTE

CHAPTER 6

SERVICE PROVIDERS

CHAPTER 7

LICENSEES

CHAPTER 8

LITTERING, DUMPING AND ABANDONED ARTICLES

CHAPTER 9

ADMINISTRATIVE ENFORCEMENT PROVISIONS

CHAPTER 10

JUDICIAL ENFORCEMENT PROVISIONS

CHAPTER 11

GENERAL PROVISIONS

CHAPTER 12

INTERPRETATION, PRINCIPLES AND OBJECTS

1. DEFINITIONS

(1) In these By-laws, unless the context indicates otherwise-

"affected person" means a person who has been issued, or who is being issued, with an enforcement notice;

"approved" in the context of bins, bin liners, containers, receptacles and wrappers means approved by the Council or service provider for the collection and storage of waste;

"authorised official" means an authorised official authorised by the Council for purposes of these By-laws to perform and exercise any or all of the functions and powers specified herein;

"Bill of Rights" means Chapter 2 of the Constitution of the Republic of South Africa, 1996;

"bin" means an approved receptacle for the storage of less than 1,5 cubic metres of waste which may be supplied by the Council or service provider to premises in terms of these By-laws;

"bin liner" means an approved loose plastic or other suitable material liner for use in the interior of a bin;

"building waste" includes all waste produced during the construction, alteration, repair or demolition of any structure, and includes building rubble, earth, vegetation and rock displaced during such construction, alteration, repair or demolition;

"bulky waste" means business waste or domestic waste which by virtue of its mass, shape, size or quantity is inconvenient to remove in the routine door-to-door council service provided by the Council or service provider;

"business waste" means waste, other than hazardous waste, healthcare risk waste, building waste, industrial waste, garden waste, bulky waste and special industrial waste, generated on premises used for non-residential purposes;

"commercial services" means any service, excluding council services, relating or connected to accumulating, collecting, managing, recycling, sorting, storing, treating, transporting, disposing, buying or selling of waste or any other manner of handling waste;

"container" means an approved receptacle having a capacity greater than 1,5 cubic metres for the temporary storage of waste in terms of these By-laws;

"Council" means -

- (a) the Municipal Council of Kwa Sani Local Municipality established by Provincial Notice No. 344, 2000, as amended, or its successor in title, and any committee or person to which or whom an instruction has been given or any power has been delegated or sub-delegated in terms of, or as contemplated in, section 59 of the Systems Act or, where the context so requires, means the aforesaid Kwa Sani Local Municipality; or

(b) a service provider in respect of any power, function or duty of the Council as contemplated in paragraph (a), assigned by it for the purpose of these By-laws to that service provider in terms of section 81(2) of the Systems Act;

"council services" means a municipal service relating to the collection of waste, including domestic waste, business waste and dailies, provided exclusively by the Council or service providers in accordance with the provisions of the Systems Act and Chapter 6 of these By-laws, and which in the case of business waste extends only to waste deposited in bin liners, bins and 240 litre wheeled bins;

"damage to the environment" means any pollution, degradation or harm to the environment whether visible or not;

"dailies" means putrescible waste generated by hotels, restaurants, food shops, hospitals, and canteens that must be collected on a more frequent basis, normally a daily basis, to prevent the waste from decomposing and presenting a nuisance, environmental or health risk;

"domestic waste" means waste generated on premises used solely for residential purposes and purposes of public worship, including halls or other buildings used for religious purposes, but does not include business waste, building waste, garden waste or bulky waste;

"dump" means placing waste anywhere other than an approved receptacle or a place designated as a waste handling facility or waste disposal facility by the Council or service provider;

"DWAF" means the National Department of Water Affairs and Forestry;

"enforcement notice" means a notice issued by an authorised official under section 39 of these By-laws;

"environment" means the surroundings within which humans exist made up of -

- (a) the land, water and atmosphere of the earth;
- (b) micro-organisms, plant and animal life;
- (c) any part or combination of (a) and (b) and the interrelationships among and between them; and
- (d) the physical, chemical aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being;

"environmental emergency" means any unexpected or sudden occurrence that may cause or has caused serious harm to human health or damage to the environment, regardless of whether the potential for harm or damage is immediate or delayed;

"firm" includes any juristic person or any association of persons established or operating in the Republic of South Africa;

"garden waste" means waste generated as a result of normal domestic gardening activities, including grass cuttings, leaves, plants, flowers and other similar small and light organic matter, but does not include tree branches with a diameter thicker than 40mm at any point of its length, bulky waste or any waste generated as a result of garden service activities;

"garden service" means the provision of gardening services by a licensee including the cutting of grass, pruning of trees or any other horticultural activity including landscaping, to any domestic, business, commercial or industrial premises;

"garden waste handling facility" means a waste handling facility that receives and temporarily stores garden waste or any other recyclable waste;

"hazardous waste" means waste containing or contaminated by poison, a corrosive agent, a flammable substance having an open flash-point of less than 90°C, an explosive, radioactive material, a chemical or any other waste that has the potential even in low concentrations to have a significant adverse affect on public health or the environment because of its inherent toxicological, chemical and physical characteristics;

"health care risk waste" means all hazardous waste generated at health care facilities such as hospitals, clinics, laboratories, medical research institutions, dental and medical practitioners and veterinarians;

"industrial waste" means waste generated as a result of manufacturing, maintenance, fabricating, processing or dismantling activities, but does not include building waste, business waste, dailies, special industrial waste, hazardous waste, health care risk waste or domestic waste;

"land reclamation" means the planned and engineered disposal of inert or other appropriate waste for the purpose of constructing any facility or changing the natural features of any piece of land;

"level of service" means the frequency of the council service and the type of service point;

"licensee" means any person who has obtained a licence in terms of Chapter 7 of these By-laws;

"litter" means any object or matter which is discarded by a person in any place except in an approved receptacle provided for that purpose or at a waste handling facility or waste disposal facility;

"local community" in relation to the Council means that body of persons comprising -

- (a) the residents of the Council;
- (b) the ratepayers of the Council;
- (c) any civic organisations and non-governmental, private sector or labour organisations or bodies which are involved in local affairs within the Council; and
- (d) visitors and other people residing outside of the Council who, because of their presence in the Council, make use of services or facilities provided by the Council;

"nuisance" means any injury, harm, damage, inconvenience or annoyance to any person which is caused in any way whatsoever by the improper handling or management of waste, including but not limited to, the storage, placement, collection, transport or disposal of waste or by littering;

"occupier" includes any person in actual occupation of the land or premises without regard to the title under which he occupies, and, in the case of premises let to lodgers or various tenants, includes the person receiving the rent payable by the lodgers or tenants whether for his own account or as an agent for any person entitled thereto or interested therein;

"owner" includes any person that has the title to any premises or land or any person receiving the rent or profits of any land or premises from any tenant or occupier thereof, or who would receive such rent or profits if such land or premises were let, whether for his own account or as an agent for any person entitled thereto or interested therein: Provided that the "owner" in respect of the premises on the Sectional Title Register opened in terms of section 12 of the Sectional Titles Act, 1986 (Act No. 95 of 1986), means the body corporate as defined in that Act, in relation to such premises;

"person" means natural person or firm and includes licensees;

"pollution" means any change in the environment caused by -

- (a) substances; or
- (b) noise, odours, dust or heat, emitted from any activity, including the storage or treatment of waste or substances, construction and the provision of services, whether engaged in by any person or an organ of state,

where that change has an adverse effect on human health or well-being or on the composition, resilience and productivity of natural or managed ecosystems, or on materials useful to people, or will have such an effect in the future;

"premises" means an erf or any other portion of land, including any building thereon or any other structure utilised for business, industrial or residential purposes;

"prescribed fee" means a fee determined by the Council by resolution in terms of section IOG(7)(a)(ii) of the Local Government Transition Act, 1993 (Act No. 209 of 1993), or any other applicable legislation;

"public place" includes any public building, public road, overhead bridge, subway, foot pavement, footpath, sidewalk, lane, square, open space, garden park, enclosed space vested in a Council, and any road, place or thoroughfare however created which is in the undisturbed use of the public or which the public has the right to use or the right to access;

"public road" means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access and includes -

- (a) the verge of any such road, street or thoroughfare;
- (b) any bridge, ferry, or drift traversed by any such road, street or thoroughfare; and
- (c) any other work or object forming part of or connected with or belonging to such road, street or thoroughfare;

"radioactive material" means any substance consisting of, or containing, any radioactive nuclide, whether natural or artificial;

"radioactive waste" means any radioactive material which is or is intended to be disposed of as waste;

"recyclable waste" means waste which has been separated from the waste stream, and set aside for purposes of re-use, reclamation or recycling;

"resident" means in relation to a Council a person who is ordinarily resident in the Council;

"road reserve" means that portion of a road, street or thoroughfare improved, constructed or intended for vehicular traffic which is between the edges of the roadway or that portion of a road, street or thoroughfare, including the sidewalk, which is not the roadway or the shoulder;

"service delivery agreement" means an agreement between the Council and a service provider in terms of which the service provider is required **to provide council services;**

"service provider" means any person who has entered into a service delivery agreement with the Council in terms of the Systems Act;

"special industrial waste" means waste consisting of a liquid, sludge or solid substance, resulting from a manufacturing process, industrial treatment or the pre-treatment for disposal purposes of any industrial or mining liquid waste, which in terms of the Council's drainage or sanitation By-laws may not be discharged into a drain or a sewer;

"Structures Act" means the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

"sustainable development" means the integration of social, economic and environmental factors into planning, implementation and decision-making so as to procure that development serves present and future generations;

"Systems Act" means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

"target" means any desired air, water quality or waste standards contained in any legislation;

"**tariff**" means the user charge for the provision of council services, determined and promulgated by the Council or adjusted by a service provider in terms of Tariff Policy By-laws adopted under section 75 of the Systems Act;

"waste" means any undesirable or superfluous matter, material, by-product or residue of any process or activity that has been discarded, accumulated or stored for the purpose of discarding, re-use, reclamation or recycling. Waste products may be liquid or solid and may include products that contain a gaseous component and may originate from domestic, commercial or industrial activities, but does not include -

- (a) matter processed as part of sanitation services under the Water Services Act (Act No. 107 of 1997);
- (b) any gas or gaseous product which may be regulated by national or provincial legislation; or
- (c) any radioactive material save where these By-laws specifically permit it to be handled;

"waste disposal facility" means any facility or site which receives waste for disposal thereof, and which is operated in terms of a permit obtained from DWAF or any other competent authority or where such a facility is an incinerator, registration or such permission as is required by law, and includes garden waste handling facilities;

**"waste generator" means any person or firm that generates or produces waste;**

"waste handling facility" means any facility that accepts, accumulates, handles, recycles, sorts, stores or treats waste prior to its transfer for incineration or final disposal;

"workplace" means any place within the Council on or in which or in connection with which, a person undertakes council services or commercial **services;and**

"wrapper" means a plastic or other suitable or approved material covering that totally encloses bales or slugs of compacted waste.

- (2) Words applying to any individual shall include persons, companies and corporations, and the masculine gender shall include females as well as males. and the singular number shall include the plural and *vice versa*.

## 2. PRINCIPLES

- (1) The Council has the responsibility to ensure that all waste generated within the Council **is** -
  - (a) collected disposed of or recycled in accordance with these By-laws; and
  - (b) that such collection disposal or recycling takes account of the waste management hierarchy set out in subsection (2) below.
- (2) The underlying principle of these By-laws is to establish a waste management hierarchy in the following order of priority:
  - (a) avoidance, waste minimisation and waste reduction;
  - (b) re-use;
  - (c) recycling, reprocessing and treatment; and
  - (d) disposal.
- (3) Any official involved in the application of these By-laws must, as far as reasonably possible, take into account the hierarchy referred to in subsection (2).

## 3. MAIN OBJECTS

- (1) The main objects of these By-laws are -
  - (a) the regulation of the collection, disposal and recycling of waste;
  - (b) the regulation of the provision of council services by service providers and commercial services by licensees; and
  - (c) enhancing sustainable development.
- (2) In pursuing the main objects of these By-laws, and in particular the object set out in subsection (1), the Council **must**-
  - (a) endeavour to ensure that local communities are involved in the development of local waste plans;
  - (b) endeavour to minimise the consumption of natural resources;

- (c) promote the recycling and re-use of waste;
- (d) encourage waste separation to facilitate re-use and recycling;
- (e) promote the effective resourcing, planning and delivery of council services and commercial services;
- (f) endeavour to achieve integrated waste planning and services on a local basis;
- (g) promote and ensure environmentally responsible council services and commercial services; and
- (h) endeavour to ensure compliance with the provisions of these By-laws.

#### 4. DUTY OF CARE

- (1) Every person has a duty to manage any waste generated by his activities or the activities of those persons working under his direction in such a manner that the waste does not cause harm to human health or damage to the environment. In particular-
  - (a) no person may engage in council services or commercial services in a manner that results in, or creates a risk of harm to human health or damage to the environment, except insofar as such risk of harm or damage is an unavoidable aspect of the council services or waste management service and has been authorised by the Council; and
  - (b) every person who generates waste or engages in council services or commercial services must take all reasonable measures to prevent any other person from contravening subsection (1) above in relation to that waste.
- (2) Without limiting its generality, subsection (1) applies to an owner of land, premises or equipment, a person in control of land, premises or equipment or a person who has a right to use the land, premises or equipment on which or in which -
  - (a) any activity or process is or was performed or **undertaken**; or
  - (b) any other situation exists, which causes, or is likely to cause, harm to human health or damage to the environment.
- (3) Any person subject to the duty imposed in subsection (1) may be required by the Council or an authorised official to take measures to ensure compliance with the duty.
- (4) The measures referred to in subsection (1) that a person may be required to **undertake** include-
  - (a) investigation, assessment and evaluation of the impact that their activities, the process or a situation have on the environment;
  - (b) informing and educating employees about the environmental risks of their work and the manner in which their tasks must be performed **in order to avoid causing damage to the environment**;
  - (c) ceasing, modifying or controlling any act, process, situation or activity which causes damage to the environment;
  - (d) containing or preventing the movement of pollutants or other causes of damage to the environment;
  - (e) eliminating or mitigating any source of damage to the environment; or
  - (f) rehabilitating the effects of the damage to the environment.

### CHAPTER 2

#### WASTE MANAGEMENT PLANNING, POLICY AND STRATEGY

##### PART I : LOCAL WASTE PLANS

#### S. DEVELOPMENT OF LOCAL WASTE PLANS

- (1) The Council must prepare a Local Waste Plan for the Council within one year of commencement of these By-laws, which plan must be implemented within four years of the commencement of these By-laws. The objectives of the Local Waste Plan include-
  - (a) establishing a means of ensuring that waste is collected, re-used, recycled or disposed of without causing harm to human health or damage to the environment and, in particular, without -
    - (i) risk to water, air, soil, plants or animals;
    - (ii) causing nuisance through noise or odours; or
    - (iii) adversely affecting rural or urban areas or areas of special interest;
  - (b) establishing an integrated network of waste handling and waste disposal facilities to ensure **that**-
    - (i) comprehensive and adequate council services and commercial services are established within the Council;
    - (ii) the disposal of waste occurs at accessible waste disposal facilities; and
    - (iii) the most appropriate methods and technologies are used in order to ensure a high level of protection for and prevention of damage to the environment and harm to human health;
    - (iv) encouraging the minimisation or reduction of waste;
    - (v) promoting the recovery of waste by means of recycling or re-use through proven alternative technology; and
    - (vi) any other object which would enhance sustainable development.

#### 6. SCOPE, PREPARATION AND AMENDMENT OF THE LOCAL WASTE PLAN

- (1) The Local Waste Plan includes but is not limited to the following matters —
  - (a) population and development profiles within the Council;
  - (b) an assessment of all significant sources and generators of waste within the Council;
  - (c) an assessment of the quantities and classes of waste currently generated and projected to be generated within the Council;
  - (d) an assessment of the existing markets, council services, commercial services and waste handling and waste disposal facilities for each waste category;
  - (e) an assessment of the existing options for waste reduction, management and disposal within the Council;
  - (f) an assessment of the number of persons within the Council who are not receiving council services and proposed strategies and targets **for providing these services to such persons**;
  - (g) proposed strategies and targets for managing and reducing waste in the Council and for the efficient disposal of waste that cannot be re-used or recycled;
  - (h) strategies for waste education and initiatives for separating waste at its source;
  - (i) **strategies for raising awareness of waste management issues**;
  - (j) strategies for establishing the information system as required in section 7;

- (k) an implementation programme that identifies the required time-frames, resources and responsibilities for achieving these strategies and targets;
  - (l) a mechanism for monitoring performance in light of these targets and strategies;
  - (m) current and anticipated waste collection, transportation, transfer and disposal costs;
  - (n) a consideration of how the Local Waste Plan relates to other relevant plans of the Council; and
  - (o) such other matters as may be required by any other legislation, regulation or guidelines.
- (2) In preparing the Local Waste Plan, the Council must-
- (a) take into consideration any Integrated Development Plan or Land Development Objectives of the Council, and the requirements of any national or provincial legislation or policy;
  - (b) consult with the local community, as required by the Systems Act;
  - (c) take reasonable steps to bring its Draft Local Waste Plan to the notice of the local community by inviting comment thereon from members of the local community. Not less than two months must be allowed for submitting such comments, and the finalisation of the Local Waste Plan must be after considering any comment received from the local community;
  - (d) send copies of the Draft Local Waste Plan to the Minister of Environmental Affairs and the Minister of Water Affairs and Forestry, and neighbouring Municipalities for their information; and
  - (e) send a copy of the Draft Local Waste Plan to the KwaZulu-Natal Province for comment and finalise the local waste plan after considering such comment.
- (3) The Council may amend the Local Waste Plan from time to time and must review the plan at least every five (5) years. Such amendments or reviews must be conducted in consultation with the local community.
- (4) The Council must publish a report once a year on the implementation of the plan. The report must include -
- (a) a description of activities and measures taken to achieve the objects of the plan;
  - (b) an indication of whether the objects of the plan are being achieved, and if not, and explanation of problems which have undermined the achievement of the objects;
  - (c) details of convictions under these By-laws; and
  - (d) a description of significant incidents of dumping.

## PART II: INFORMATION SYSTEM

### 7. ESTABLISHMENT OF AN INFORMATION SYSTEM

- (1) The Council must establish and maintain an Information System which records how waste is managed within the Council.
- (2) The Information System may include any information relating to or connected to the management of waste within the Council.
- (3) Details regarding the implementation of the Information System will be set out in the Local Waste Plan referred to in section 6.
- (4) The local community is entitled to reasonable access to the information contained in the Information System, subject to any limitations imposed by law. In giving effect to this right, the Council must-
  - (a) at the request of a member of the local community, provide information contained in the Information System;
  - (b) take steps to ensure that the information provided is in a format appropriate for lay readers; and
  - (c) may impose a fee for providing such information in order to cover the cost of providing the information requested.

### 8. PURPOSE OF THE INFORMATION SYSTEM

- (1) The purpose of the information system is for the Council to -
  - (a) record data relating to the implementation of the Local Waste Plan and the management of waste in the Council;
  - (b) record information held by the Council in relation to any of the matters referred to in subsection (1)(a) - (e);
  - (c) furnish information upon request or as required by law to provincial and national government;
  - (d) gather information regarding potential and actual waste generators, service providers and licensees;
  - (e) provide information to waste generators, service providers, licensees and the local community in order to -
    - (i) facilitate monitoring of the performance of the Council, service providers and licensees, and, where applicable, waste generators;
    - (ii) stimulate research; and
    - (iii) assist the Council to achieve the main objects of these By-laws.

### 9. PROVISION OF INFORMATION

- (1) The Council may, subject to the provisions of any other law including the common law require any waste generator, licensee, service provider or person involved in or associated with the provision of council services or commercial services within the Council to furnish information to the Council that may reasonably be required for the Information System. Such information may concern -
  - (a) significant sources of waste generation and the identification of the generators of waste;
  - (b) quantities and classes of waste generated;
  - (c) management of waste by waste generators;
  - (d) waste handling and waste disposal facilities;
  - (e) population and development profiles;
  - (f) reports on progress in achieving any waste management targets;
  - (g) the management of radioactive waste;
  - (h) any information which has been compiled in accordance with subsection (1)(a) - (g);
  - (i) markets for waste by class of waste or category; and
  - (j) any other information required by legislation, regulation or guidelines.
- (2) The Council may, at its discretion, determine when and how often information must be furnished.

### 10. MANNER OF ENGAGING IN WASTE MINIMISATION INITIATIVES

Notwithstanding the need to promote waste minimisation recycling and re-use of waste, no person may undertake minimisation initiatives in such a manner that is likely to cause or to increase the risk of harm to human health or damage to the environment.



CHAPTER 3  
COUNCIL SERVICES

*PART I: PROVIDING ACCESS TO COUNCIL SERVICES*

11. DUTY TO PROVIDE ACCESS TO COUNCIL SERVICES

- (1) The Council has an obligation to the local community to progressively ensure **efficient**, affordable, economical and sustainable access to **council services**.
- (2) This duty is subject to -
  - (a) the obligation of the local community to pay the prescribed fee, for the provision of council services, which must be priced in accordance with any nationally prescribed norms and standards for rates and tariffs; and
  - (b) the right of the Council to differentiate between categories of users and geographical areas when setting service standards and levels of service for the provision of council services. In exercising the right in this subsection, the Council must comply with national legislation and have regard to the factors set out in subsection (1).
- (3) The Council must take the following factors into account in ensuring access to council services:
  - (a) the waste management hierarchy set out in section 2;
  - (b) the need to use resources efficiently;
  - (c) the need for affordability;
  - (d) the requirements of operational efficiency;
  - (e) the requirements of equity; and
  - (f) the need to protect human health and the environment.

12. THE PROVISION OF COUNCIL SERVICES

- (1) The Council must as far as reasonably possible and subject to the provisions of these By-laws -
  - (a) provide for the collection of domestic waste, business waste and dailies on a regular basis, which in the case of dailies requires collection on a daily basis; and
  - (b) provide recycling facilities,
 at a cost to end users determined in accordance with the prescribed fee promulgated by the Council.
- (2) In relation to council services, the Council may determine -
  - (a) the quantities of waste that will be collected;
  - (b) which residential or commercial premises require council services more frequently than the regular collection service for reasons of health, safety and environmental protection;
  - (c) the maximum amount of waste that may be placed for collection without the provision of an additional service or the imposition of an additional tariff; and
  - (d) specify requirements for the provision of waste storage areas and access to such areas in respect of new premises which are constructed after the commencement of these By-laws.
- (3) The Council may provide, or require the generator of the waste to provide, and approved receptacle for the storage of domestic waste, business waste and dailies pending collection. Where such receptacle is provided by the Council, it remains the property of the Council.
- (4) In providing council services, the Council or service provider may determine or designate -
  - (a) collection schedules;
  - (b) locations for placing approved receptacles for collection;
  - (c) which types of waste generated by the occupier of any premises are recyclable waste and determine the conditions for their storage or collection; and
  - (d) which waste items are unsuitable for collection.
- (5) The Council or service provider may require a generator of dailies and business waste to compact that portion of the waste that is compactable. Such a requirement may be imposed where the quantity of dailies or business waste generated on premises requires daily removal of more than the equivalent of eight 240-litre bins and where, in the opinion of the Council or service provider, the major portion of such waste is compactable. The occupier of premises may elect to compact any volume of such waste and place it into an approved receptacle or wrapper approved by the Council or service provider: Provided that -
  - (a) the capacity of the wrapper must not exceed 85 litres and the mass of the wrapper and contents must not exceed 35 kilograms;
  - (b) after the waste has been compacted and put into the wrapper, it must be placed in the approved receptacle and must be stored so as to prevent damage to the wrapper or any nuisance arising until collected.
- (6) Any approved receptacle used in terms of subsection (3) may be collected, emptied and returned to the premises of the Council or service provider **at such intervals as it may deem necessary**.
- (7) The Council or service provider may review any decisions taken in terms of subsection (6) at any time.
- (8) The Council or service provider must notify all generators of domestic waste, business waste and dailies of any decisions taken in terms of subsections (6) or (7) in writing.

*PART II: USING COUNCIL SERVICES*

13. OBLIGATIONS OF GENERATORS OF DOMESTIC WASTE, BUSINESS WASTE AND DAILIES

- (1) Any person generating domestic waste, business waste and dailies (other than waste which has been designated by the Council as recyclable) must place domestic waste, business waste and dailies in an approved receptacle.
- (2) No person may allow an animal in his control to interfere with, overturn or damage a receptacle, which has been placed for collection.
- (3) The occupier of premises must ensure **that** -
  - (a) no hot ash, unwrapped glass or other domestic waste, business waste and dailies which may cause damage to approved receptacles or which may cause injury to the Council or service provider's employees while carrying out their duties in terms of these By-laws, is placed in approved receptacles before suitable steps have been taken to avoid such damage or injury;

- (b) no material, including any liquid, which by reason of its mass or other characteristics is likely to render such approved receptacles unreasonably difficult for employees of the Council or service provider to handle or carry, is placed in such receptacles;
  - (c) every approved receptacle on the premises is kept closed save when waste is being deposited in it or discharged from it, and every approved receptacle is kept in a clean and hygienic condition;
  - (d) the approved receptacle delivered by the Council is not used for any purpose other than the storage of domestic waste, business waste and dailies and, in particular, that no fire may be lit in a bin or container;
  - (e) the approved receptacle is placed outside the entrance to the premises before a time and on a day of the week specified by the Council or service provider by notice to the owner or occupier of the premises, except where, on written application to the Council, the Council has indicated in writing that it is satisfied that a person is physically infirm or otherwise incapable of complying with the notice; and
  - (f) the approved receptacle, placed in accordance with subsection (3) must be undamaged and properly closed so as to prevent the dispersal of its contents.
- (4) The owner or occupier of premises must provide space and any other facilities deemed necessary by the Council or service provider on the premises for the storage of approved receptacles.
- (5) The space provided in terms of subsection (4) must-
- (a) be in such a position on the premises as will allow the storage of approved receptacles without their being visible from a street or public place;
  - (b) where dailies are generated on the premises —
    - (i) be in such a position as will allow the collection and removal of such waste by the Council or service provider's employees without hindrance; and
    - (ii) be not more than 20m from the entrance to the premises used for the collection of waste by the Council or service provider;
  - (c) be so located as to permit convenient access to and egress from such space for the Council or service provider's waste collection vehicles;
  - (d) comply with any further reasonable requirements imposed by the Council or service provider by notice to the owner or occupier of the premises; and
  - (e) be constructed in accordance with the requirements of any applicable building regulations.
- (6) The occupier of premises must place or cause the approved receptacles to be placed in the space provided in terms of subsection (4) and must at all times keep them there, save that -
- (a) in the case of buildings erected, or buildings, the building plans of which have been approved, prior to the coming into operation of these By-laws, or
  - (b) in the event of the Council or service provider being unable to collect and remove waste from the space provided in terms of subsection (4),
- the Council or service provider may, having regard to the avoidance of nuisance and the convenience of collection of waste, indicate a position within or outside the premises where the approved receptacles must be placed for the collection and removal of such waste and such receptacles must then be placed in such position at such times and for such period as the Council or service provider may require.

#### 14. THE PRESCRIBED FEE FOR COUNCIL SERVICES

The Council may either levy rates on property or determine tariffs (or both) for the provision of council services.

#### 15. LIABILITY TO PAY FOR COUNCIL SERVICES

- (1) The owner of premises is liable to the Council to pay the prescribed fee for the provision of council services, and is not entitled to exemption from the liability to pay the prescribed fee by reason of his not making use, or of making a partial or limited use, of council services regardless of whether the Council provides such services directly or through a service provider.
- (2) The prescribed fee becomes due and payable on the same date as the general assessment rate levied.

### CHAPTER 4

#### COMMERCIAL SERVICES

##### *PART I ; PROVISION OF COMMERCIAL SERVICES BY LICENSEES AND FLOW CONTROL*

#### 16. PROVISION OF COMMERCIAL SERVICES BY LICENSEES

- (1) Save in the case of garden waste, only a licensee may provide commercial services.
- (2) Any person requiring commercial services must satisfy himself that the contractor is licensed to collect and dispose of the category of waste that has been generated and must take reasonable steps to ensure that the relevant waste is collected and disposed of in terms of these By-laws.

#### 17. PROVISION FOR COUNCIL CO-ORDINATION OF WASTE DISPOSAL

The Council may direct, by a notice published in the *Provincial Gazette*, that a category of waste be disposed of at a particular depot or disposal site. No person may dispose of such waste other than as specified in the notice gazetted under this section or as specified by the Council under other empowering legislation prior to the coming into operation of these By-laws.

#### 18. STORAGE OF BUSINESS, INDUSTRIAL AND RECYCLABLE WASTE

- (1) The owner or occupier of premises on which business, industrial or recyclable waste is generated must ensure that until such time as such waste is collected by a licensee from the premises on which it was generated -
  - (a) the waste is stored within a bulk container or other approved receptacle; and
  - (b) no nuisance, including but not limited to dust, is caused by the waste in the course of generation, storage, or collection.

#### 19. COLLECTION AND DISPOSAL OF INDUSTRIAL, BUSINESS AND RECYCLABLE WASTE

- (1) The owner or occupier of premises generating business, industrial and recyclable waste must ensure that-
  - (a) the container in which the waste is stored may not be kept in a public place except as required for collection;
  - (b) the waste is collected by a licensee within a reasonable time after the generation thereof; and
  - (c) that the service rendered by the licensee must only be in respect of that portion of the business, industrial or recyclable waste authorised in its licence.
- (2) A licensee must dispose of business, industrial or recyclable waste at a waste handling facility or waste disposal facility designated by the Council as a waste disposal facility for that purpose in terms of section 17 above and in accordance with the provisions of section 8.

*PART III: GARDEN WASTE AND BULKY WASTE***20. STORAGE, COLLECTION AND DISPOSAL OF GARDEN WASTE AND BULKY WASTE**

- (1) The owner or occupier of the premises on which garden waste is generated may compost garden waste on the property, provided that such composting does not cause a nuisance.
- (2) The occupier of the premises on which garden waste is generated and not composted or on which bulky waste is generated must ensure that such waste is collected and disposed within a reasonable time after the generation thereof.
- (3) Any person or licensee may remove garden waste and bulky waste: Provided that once such waste has been collected from the premises on which it was generated, it is deposited at a garden waste handling facility in accordance with the provisions of section 20.
- (4) At the written request of the occupier of premises the Council or service provider may, in its sole discretion, deliver an approved receptacle for the purpose of storing garden waste in addition to any approved receptacle delivered to the premises for the storage of domestic waste. The provisions contained in section 20, read with the necessary changes, must apply, to an approved receptacle delivered in terms of this section but which is to be used for the storage of garden waste.
- (5) Where, in the course of providing council services, the Council or the service provider providing the service, is of the opinion that it would cause inconvenience to members of the public not, at the same time, to remove garden and bulky waste. the Council or service provider may remove such waste if such waste has been placed in an approved receptacle referred to in section 20 in the space designated for domestic waste, in which event the tariff for domestic waste, read with the necessary changes, must apply.

*PART IV: BUILDING WASTE***21. GENERATION OF BUILDING WASTE**

- (1) The owner or occupier of premises on which building waste is to be generated must notify the Council, in writing, of the intention to generate building waste and of the proposed manner for its removal at least fourteen (14) days prior to the intended generation of such waste.
- (2) The owner or occupier of such premises must ensure that —
  - (a) until disposal, all building waste, together with the containers used for the storage, collection or disposal thereof, is kept on the premises on which the waste was generated;
  - (b) the premises on which the building waste is generated does not become unsightly or cause a nuisance as a result of accumulated building waste;
  - (c) any building waste which is blown off the premises is promptly retrieved; and
  - (d) pursuant to any instructions from the Council, any structure necessary to contain the building waste is constructed.

**22. STORAGE OF BUILDING WASTE**

- (1) The owner or occupier of premises may apply to the Council for written consent to place an approved receptacle for the storage and collection of building waste in the road reserve for the period of such consent.
- (2) Any consent given in terms of subsection (1) may be subject to such conditions as the Council may consider necessary.
- (3) Every approved receptacle, authorised in terms of subsection (1) and used for the removal of building waste, must -
  - (a) have clearly marked on it the name, address and telephone number of the person in control of such approved receptacle;
  - (b) be fitted with reflecting chevrons or reflectors which must completely outline the front and the back thereof; and
  - (c) be covered at all times other than when actually receiving or being emptied of such waste so that no displacement of its contents can occur.

**23. COLLECTION AND DISPOSAL OF BUILDING WASTE**

- (1) The owner or occupier of premises on which building waste is generated must ensure that the waste is disposed of by a licensee.
- (2) All building waste must be disposed at a waste disposal facility designated for that purpose by the Council in terms of a notice under section 23, unless the Council has given written consent for the building waste to be used for the purpose of land reclamation or for recycling.

*PART V: SPECIAL INDUSTRIAL, HAZARDOUS OR HEALTH CARE RISK WASTE***24. GENERATION OF SPECIAL INDUSTRIAL, HAZARDOUS OR HEALTH CARE RISK WASTE**

- (1) No person may carry on an activity which may cause special industrial, hazardous or health care risk waste to be generated. without notifying the Council, prior to the generation of such waste, of the composition of such waste, the estimated quantity generated, the method of storage, the proposed duration of storage, the manner in which it will be collected and disposed, and the identity of the licensee removing such waste: Provided that where such waste is being generated as a result of activities which commenced prior to the commencement of these By-laws, the generator must notify the Council within six months of the commencement of these By-laws.
- (2) If so required by the Council, the notification referred to in subsection (1) may be substantiated by an analysis of the composition of such waste certified by an appropriately qualified industrial chemist.
- (3) The person referred to in subsection (1) must notify the Council in writing of any changes occurring with respect to the generation, composition, quantity and method and location of disposal of the special industrial, hazardous, or health care risk waste.

**25. STORAGE OF SPECIAL INDUSTRIAL, HAZARDOUS OR HEALTH CARE RISK WASTE**

- (1) Any person carrying on an activity which may cause special industrial, hazardous or health care risk waste must ensure that the special industrial, hazardous or health care risk waste generated on the premises is kept and stored thereon until it is collected from the premises.
- (2) Special industrial, hazardous or health care risk waste stored on premises must be stored in such a manner that it does not become a nuisance or cause harm to human health or damage to the environment, and in accordance with the requirements of any applicable building regulations or additional By-laws.
- (3) Special industrial, hazardous or health care risk waste must be stored in an approved receptacle for a period not exceeding any maximum period stipulated by the Council before collection.
- (4) The Council may enact additional By-laws providing guidelines for the management of health care risk waste.

**26. COLLECTION AND DISPOSAL OF SPECIAL INDUSTRIAL, HAZARDOUS OR HEALTH CARE RISK WASTE**

- (1) Only licensees may transport special industrial, hazardous and health care risk waste and must do so in accordance with the requirements of the Council, stipulated as licence conditions or in additional By-laws, in respect of the type of vehicle, the markings and manner of construction of such vehicle, procedures for safety and cleanliness, and documentation relating to the source, transportation and disposal of such waste. and the requirements of any other legislation.

- (2) A licensee licensed to collect and dispose of special industrial, hazardous or health care risk waste, must inform the Council at those intervals the Council may stipulate in the licence or elsewhere, about the removal of special industrial, hazardous or health care risk waste, the date of such removal, the quantity, the composition of the waste removed and the facility at which the waste has been disposed.
- (3) A licensee must dispose of special industrial, hazardous or health care risk waste at a waste disposal facility designated by the Council as a waste disposal facility for that purpose and in accordance with the provisions of section 25.

#### CHAPTERS

#### TRANSPORTAnON AND DISPOSAL OF WASTE

##### 27. TRANSPORTAnON OF WASTE

- (1) Notwithstanding the provisions of any other legislation, no person may -
  - (a) operate a vehicle for the conveyance of waste upon a street unless the vehicle has a body of adequate size and construction for the type of waste being transported;
  - (b) fail to maintain the vehicles used for the conveyance of waste in a clean, sanitary and roadworthy condition at all times;
  - (c) cause or permit any waste being transported in or through the Council to become detached, leak or fall from the vehicle transporting it, except at a waste disposal facility;
  - (d) knowingly dispose waste at a waste disposal facility that is not permitted to accept such waste.

##### 28. DISPOSAL OF WASTE

- (1) Waste generated within the Council must be disposed of at a waste disposal facility that has been permitted to accept and dispose of such waste in terms of section 17 and in accordance with the provisions of any other law regulating the disposal of waste.
- (2) No person may bum waste either in a public or private place except at an authorised incinerator operated by a licensee, or other than at a place designated by the Council for such purpose.
- (3) Notwithstanding the provisions of subsection (1), any person may dispose of those forms of recyclable waste specified by the Council in a notice in terms of section 17 or elsewhere at designated garden waste handling facilities, but may do so only if all such waste is brought to the facility in vehicles able to carry a maximum load of one tonne or less.
- (4) The disposal of waste at any waste disposal facility may, in addition to any conditions imposed by a competent authority, be subject to such conditions as the Council may from time to time specify, including the hours of opening and closing, the nature of the waste which may be disposed of, the position in any such waste disposal facility in which the waste may be placed and any other matter which the Council considers necessary to ensure the environmentally sound management of waste.
- (5) Every person who enters a waste disposal facility must -
  - (a) enter the waste disposal facility at an access point determined by the operator of the waste disposal facility;
  - (b) on request, provide the Council or the operator of the waste disposal facility with any information regarding the composition of the **waste; and**
  - (c) follow all instructions issued by the operator of the waste disposal facility in regard to access to the actual place where, and the manner in which, the waste should be deposited.
- (6) No person may -
  - (a) bring any liquor or intoxicating or narcotic substance onto a waste disposal facility or enter such facility in an intoxicated state;
  - (b) enter a waste disposal facility for any purpose other than the disposal of waste in terms of these By-laws, unless authorised to do so by the operator of the waste disposal facility or the Council and then only at such times and on such conditions as the Council Oroporator may from time to time determine;
  - (c) dispose of waste at a waste disposal facility which is not permitted for such waste; or
  - (d) light any fire upon or near any disposal area without authorisation.
- (7) Any person who contravenes subsection (6) will be liable for all reasonable costs incurred by the Council in removing or otherwise dealing with waste improperly disposed of at a waste disposal facility.
- (8) The operator of the waste disposal facility may at any time require a vehicle or a container on a vehicle that has entered the waste disposal facility for the purposes of disposing waste to be weighed at a weighbridge.
- (9) The Council, the operator of the waste disposal facility, an authorised official or any other persons duly authorised by the Council may, at a waste disposal facility, inspect the content and nature of waste to be disposed of or processed and may take samples and test any waste found on any vehicle to ascertain its composition.
- (10) Any person contravening any of the provisions of this section may be refused entry or be removed from a disposal waste disposal facility.

#### CHAPTER 6

#### SERVICE PROVIDERS

##### 29. AGREEMENT, DELEGA nON AND CUSTOMER CHARTER

- (1) The Council may discharge any of its obligations under section 29 of these By-laws by entering into a service delivery agreement with a service provider or service providers in terms of the Systems Act.
- (2) Subject to the provisions of the Systems Act or any other legislation, the Council may assign to a service provider any power enjoyed by the Council under these By-laws: Provided that the assignment is required for the service provider to discharge an obligation under its service delivery agreement.
- (3) Any reference in these By-laws to "Council or service provider" should be read as the "Council" if the Council has not entered into a service delivery agreement, and should be read as "service provider" if the Council has entered into a service delivery agreement.
- (4) Service providers must provide services in accordance with a customer charter which must be drawn up in consultation with the Council and which must-
  - (a) accord with the provisions of these By-laws;
  - (b) be accessible to the public;
  - (c) establish the conditions of the service including collection times; and
  - (d) provide for the circumstances in which council services may be limited.

CHAPTER 7  
LICENSEES

PART I: REGISTRATION

30. REGISTRATION REQUIREMENTS

- (1) Any person who provides or intends to provide commercial services within the Council must register with the Council.
- (2) Registration must be by written notification to the Council, and must specify -
  - (a) the name and the residential and postal address of the person providing commercial services; and if a company or close corporation, its registration number, names of its directors or members and the address of its registered head office;
  - (b) the nature of the waste management service provided or intended to be provided by the person;
  - (c) the scope of the service, which must specify the number of clients served or intended to be served at the time of registration, the geographical area of operation and the actual or intended capital expenditure involved, or to be involved, in rendering the service; and
  - (d) the disposal facilities it owns or intends to utilise for the disposal of waste it collects or generates.
- (3) The Council must provide proof of registration specifying the name and the residential and postal address of the registered person and describing the nature of the commercial services provided or intended to be provided by that person.
- (4) Where a person has registered in terms of subsection (1) and the person -
  - (a) acquires a firm providing commercial services;
  - (b) merges with other persons providing commercial services;
  - (c) changes ownership;
  - (d) changes juristic nature;
  - (e) changes the nature of the commercial services it provides;
  - (f) intends to cease providing such services;
  - (g) is involved in winding-up proceedings; or
  - (h) increase its gross revenue or client base in excess of 25%,**
 then that person must notify the Council of that occurrence and, save in the circumstances set out in subsection (f) or (g), re-register in accordance with the provisions of subsection (4).

PART 11: LICENCE TO PROVIDE COMMERCIAL SERVICES

31. LICENCE REQUIREMENTS

- (1) Subject to section 27, no person may provide commercial services without having first obtained a licence.
- (2) Licences issued under these By-Laws-
  - (a) are personal to the licensee and incapable of cession or assignment without the prior written consent of the Council;
  - (b) are valid for the period stipulated in the licence, which period may not exceed five (5) years, and may, upon application in terms of these By-laws, be renewed by the Council for further periods; and
  - (c) may be suspended or revoked by the Council, on grounds for suspension or revocation which must be stipulated in the licence.

32. LICENCE APPLICATION

- (1) Applications for a licence to provide commercial services must be in writing on a form prescribed by the Council. The form must specify the information to be included in the application and the time available for making the application, which period must not be less than two (2) **months in duration.**
- (2) The Council must consider each application, having regard to the following:
  - (a) the financial, technical and managerial competency and experience of the applicant;
  - (b) the environmental, health and safety record of the applicant;
  - (c) the nature of the waste management service to be provided; and
  - (d) any other factors which the Council considers relevant.
- (3) After considering the application in terms of subsection (1), the Council **must**-
  - (a) approve the application by issuing a licence subject to terms and conditions; or
  - (b) reject the application, which rejection must be accompanied by reasons.

33. LICENCE TERMS AND CONDITIONS

- (1) When issuing a licence in terms of section 33, the Council may, subject to the provisions of subsection (2), impose any licence conditions it **deems reasonably necessary.**
- (2) Licences issued by the Council **must**-
  - (a) describe the geographical area of operation of the licensee;
  - (b) specify the licence period and the procedure for any licence renewal;
  - (c) specify the category Or categories of waste the licensee may manage;
  - (d) contain a requirement that the licensee must comply with these By-laws, and applicable provincial and national legislation;
  - (e) require the licensee to keep monthly records in respect of-
    - (i) the quantities of waste received, the location of the sources generating the waste, the identity of the generator and, where the licensee manages different categories of waste, the quantity of each category managed;
    - (ii) emission levels where the licensee manages a licensed incinerator;
    - (iii) any activity related to the achievement of local, provincial or national targets where such targets have been determined, and must **include the results of monitoring such activity;**
    - (iv) any waste minimisation or recycling activities in which the licensee is involved;
    - (v) consumer supply figures; and
    - (vi) complaints received by the public;

- (f) require the licensee to have the appropriate property and liability insurance for any waste disposal or handling facilities owned by it in accordance with an insurance programme approved by the Council under the licence, which approval may not subject the Council to any liability if the insurance programme proves inadequate;
- (g) permit the licensee to conduct any other business activity not regulated in the licence: Provided that any such business activity does not conflict with or adversely affect the licensee's obligations under the licence, these By-laws or any other law, and provided that such activities are separately accounted for;
- (h) stipulate procedures for amendment of the licence;
- (i) stipulate circumstances under which the licence may be revoked or suspended by the Council and set out an appeals procedure;
- (j) prescribe the payment of a licence fee;
- (k) require the licensee to take reasonable steps to prevent his employees from committing any act or omission in the course of their employment that may cause harm to humans or damage to the environment;
- (l) require the licensee to ensure compliance with these By-laws and conditions by its employees, agents and sub-contractors, and ensure that sub-contractors are licensed to store, collect, transport and dispose of any waste stream that they have been contracted to manage; and
- (m) contain any other term or condition that the Council considers relevant.

#### 34. PROHIBITED CONDUCT

- (1) Licensees may not:
  - (a) cease operations at a waste disposal facility without a closure plan approved by DWAF and the Department of Environmental Affairs and Tourism or any other competent authority;
  - (b) abandon a waste disposal facility or waste handling facility;
  - (c) operate in contravention of the terms and conditions of their licence;
  - (d) fail or refuse to give information, or give false or misleading information when required to do so in terms of these By-laws;
  - (e) fail to take all reasonable steps to prevent an act or an omission by an employee where the employee is or was acting on behalf of the licensee, when such an act or omission would constitute an offence if it were the act or omission of a licensee;
  - (f) dispose of any health care risk waste otherwise than by incineration, unless prior consent has been obtained from the DWAF; or
  - (g) dispose of hazardous or special industrial waste otherwise than by disposing of it at a waste disposal facility which has been permitted for the disposal of this category of waste.

#### 35. TRANSITIONAL PROVISIONS AND EXEMPTIONS

- (1) Any person lawfully providing commercial services within the Council at the time an application for a licence is made, may continue to provide commercial services while the licence application is being considered by the Council.
- (2) A Council may at its sole discretion, and having regard to the main object of these By-laws and its Local Waste Plan, exempt any form of commercial service from the provisions of Chapter 7 of these By-laws and must indicate the terms and scope of any exemption in a notice published in the Provincial Gazette.

### CHAPTER 8

#### LIITERING, DUMPING AND ABANDONED ARTICLES

#### 36. DUTY TO PROVIDE FACILITIES FOR LITTER

- (1) The Council, or owner in the case of privately owned land, must take reasonable steps to ensure that sufficient approved receptacles are provided for the discarding of litter by the public, in any place to which the public has access.
- (2) The Council, or owner of privately owned land, must ensure that all approved receptacles installed on the premises for the collection of litter are-
  - (a) maintained in good condition;
  - (b) suitably weighted and anchored so that they cannot be inadvertently overturned;
  - (c) constructed in such a manner as to ensure that they are weatherproof and animal proof;
  - (d) of suitable size to contain all litter likely to be generated on the premises and by the users thereof;
  - (e) placed in locations convenient for the use by users or occupants of the premises to discourage littering or the unhealthy accumulation of waste; and
  - (f) emptied and cleansed periodically or when full. The emptying and cleansing of approved receptacles must be sufficiently frequent as to ensure that no receptacle or its contents may become a nuisance or provide reasonable grounds for complaint.
- (3) In any public place where an approved receptacle has been placed for the depositing of litter, the Council may put up notices about littering.

#### 37. PROHIBITION OF LITTERING

- (1) No person may-
  - (a) cause litter;
  - (b) sweep any waste into a gutter, onto a road reserve or onto any other public place;
  - (c) disturb anything in, or remove anything from any receptacle which has been placed for the purposes of collecting litter in such a manner as to cause the contents of the receptacle to spill or fall onto the ground around it; and
  - (d) allow any person under his control to do any of the act contemplated in paragraphs (a), (b) or (c) above.
- (2) Notwithstanding the provisions of subsection (1), the Council, or owner in the case of privately owned land to which the public has access, must within a reasonable time after any liner has been discarded, dumped or left behind, remove such litter or cause it to be removed. For the purposes of this section, a reasonable time may mean that period of time before the litter becomes a nuisance or cause for complaint.

#### 38. PROHIBITION OF DUMPING AND ABANDONING ARTICLES

- (1) No person may, without authorisation, deposit or permit the depositing of any waste whether for gain or reward or otherwise, upon any land or in any building of which he is the owner or occupier except where such deposits are made in accordance with the provisions of these By-laws.
- (2) Subject to any provisions to the contrary contained in these By-laws, no person may leave any article or allow any article under his or her control to be left at a place with the intention of abandoning it.
- (3) No person may dump waste.

- (4) Any article, other than a motor vehicle deemed to have been abandoned in terms of section 114 of the Road Traffic Act, 1989 (Act No. 29 of 1989), which, in the light of such factors as the place where it is found, the period it has been lying at such place and the nature and condition of such article, is reasonably regarded by the Council as having been abandoned, may be removed and disposed of by the Council as it may deem fit.
- (5) The Council may remove and dispose of any article which is chained or fastened to any pole, parking meter or any other property belonging to the Council, without authorisation as it may deem fit.

## CHAPTER 9

### ADMINISTRATIVE ENFORCEMENT PROVISIONS

#### PART I: APPOINTMENT OF AUTHORISED OFFICIALS

#### 39. APPOINTMENT OF AUTHORISED OFFICIALS

- (1) The Council shall appoint authorised officials who shall be vested with the power to—
  - (a) discharge the Council's right of access to premises in terms of section 101 of the Systems Act;
  - (b) issue an enforcement notice under section 44;
  - (c) impose an infringement notice in terms of section 45; and
  - (d) exercise the powers of an authorised official under the Local Government Ordinance.
- (2) An authorised official is not a peace officer within the meaning of the Criminal Procedure Act and has no powers of arrest in respect of any offence created in these By-laws.
- (3) In appointing an authorised official, the Council shall have regard to:
  - (a) a person's technical understanding and experience of matters related to waste management; and
  - (b) any other factor that may be relevant to supervision and enforcement of these By-laws, whether technical or administrative.
- (4) An authorised official may be an employee of the Council or any service provider of the Council: Provided that, in the latter case, there is no conflict of interest between the person's duty as an authorised official and as an employee of the service provider.
- (5) Upon appointment, authorised officials shall be issued with a means of identification by the Council (hereinafter called "an identification") which shall state the name and function of the authorised official, and must include a photograph of the officer. An authorised official, acting within the powers vested in him by these By-laws, is required to present identification on demand by a member of the local community.

#### PART 1/: POWERS OF AUTHORISED OFFICIALS

#### 40. POWERS TO EXECUTE WORK AND INSPECT VEHICLES AND PREMISES

- (1) In addition to the powers an authorised official has as an authorised representative of the Council under section 101 of the Systems Act or any other legislation, an authorised official, may -
  - (a) enter any land or premises to execute work or conduct an inspection in accordance with the Local Government Ordinance; and
  - (b) may search any vehicle or other mode of conveyance with the consent of the owner or person in charge of the vehicle.
- (2) Where consent is not obtained in terms of subsection (1)(b), a vehicle or other mode of conveyance may be searched or stopped and searched.
- (3) A search conducted in terms of these By-laws must be conducted in a manner that conforms to the requirements of the Bill of Rights and any other law and, in particular, must be conducted with strict regard to decency and order, respect for a person's dignity, freedom and security, and personal privacy.
- (4) To the extent that access to premises does not fall within the scope of section 101 of the Systems Act or any other legislation, an authorised official who has reasonable grounds to suspect that there is an environmental emergency and that any delay in obtaining a search warrant will cause serious harm to human health or damage to the environment may, without warrant, enter and search any premises associated with the emergency: Provided that the entry and search be conducted in conformity with the requirements of the Bill of Rights and any other law, and in particular, with strict regard to decency and order, respect for a person's dignity, freedom and security, and personal privacy.
- (5) Where, in the opinion of an authorised official, any search of a vehicle, as contemplated in these By-laws, gives rise to the reasonable apprehension that the presence of waste in or on that vehicle is a serious and immediate danger to human health or to the environment, the authorised official may seize that vehicle in order to prevent, or where that is impossible, to mitigate harm to human health or damage to the environment.
- (6) In the event of the seizure of any vehicle under subsection 5 the Council must—
  - (a) forthwith take steps to dispose of such waste in order to prevent, and where that is impossible, to mitigate, harm to human health or damage to the environment; and
  - (b) return the said vehicle, within 48 hours after disposing of such waste, to the control of the licensee or person from whose possession or control it was taken,

#### 41. POWERS TO QUESTION

- (1) In order to monitor or enforce compliance with these By-laws, the authorised official, may, subject to the requirements of the Bill of Rights, and any other law including the common law, require a licensee or any other person to disclose information, either orally or in writing, and either alone or in the presence of witnesses. on any matter to which these By-laws relate, require that the disclosure be made on oath or affirmation.
- (2) An authorised official may be accompanied by an interpreter and any other person reasonably required to assist the authorised official in conducting the inspection.
- (3) An authorised official must, on request, provide his identification as an authorised official.

#### 42. SUPERVISION OF LICENSEES

- (1) Authorised officials must inspect the workplace of a licensee not less than twice a year and an authorised official is entitled to enter the workplace of a licensee for this purpose.
- (2) Such an inspection must be conducted in conformity with the requirements of the Bill of Rights, and any other law, and in particular, an authorised official in conducting an inspection under subsection (1) must do so with strict regard to decency and order, respect for a person's dignity, freedom and security, and personal privacy.
- (3) If an authorised official is of the opinion, after such an inspection, that a licensee is complying with these By-laws, he may, subject to the provisions of subsection (4), issue the licensee with a certificate confirming compliance, which must state—

- (a) the name and residential and postal address of the licensee;
  - (b) the time, date and scope of the inspection; and
  - (c) any remarks which in the opinion of the authorised official may be relevant.
- (4) If a licensee fails to obtain a certificate confirming compliance at three inspections over a period of two (2) years, the authorised official may recommend that the Council review the licence, and should there be reasonable grounds, the Council may revoke the licence in terms of subsection (4): Provided that the consecutive inspections occur at not less than four month intervals.
- (5) Authorised officials must keep a register recording each inspection that has been undertaken.

#### 43. SUPERVISION OF OWNERS AND OCCUPIERS

Owners and occupiers must keep their premises clean and free from any waste which in the opinion of an authorised official is likely to cause a nuisance, harm to human health or damage to the environment, and must take reasonable steps to prevent an employee acting in the course of their employment, from committing an act or omission that may cause a nuisance, harm to human health or damage to the environment.

### *PART III : ENFORCEMENT AND INFRINGEMENT NOTICES*

#### 44. ENFORCEMENT NOTICES

- (1) If, in the opinion of the authorised official, a person is -
- (a) causing a nuisance, harm to human health or damage to the environment; or
  - (b) as licensee, is failing to comply with the terms of a licence granted in terms of these By-laws; or
  - (c) as owner or occupier, failed to satisfy an obligation in terms of section 13 of these By-laws, the authorised official may issue or cause to be issued on that person an enforcement notice in terms of this section.
- (2) An enforcement notice issued under this section must state -
- (a) the name and also the residential and postal address, if either or both of these be known, of the affected person;
  - (b) the nature of the nuisance, harm to human health or damage to the environment that the affected person is causing or is likely to cause;
  - (c) the steps required to forestall or remediate the nuisance, harm to human health or damage to the environment in sufficient detail to enable compliance with the enforcement notice;
  - (d) that the affected person must not later than twenty-one (21) calendar days from the date on which the enforcement notice is issued take steps to comply with the notice;
  - (e) that failure to comply with the requirements of the enforcement notice within the period contemplated in paragraph (d) may result in civil liability; and
  - (f) that written representations may be made to the Council in accordance with section 47, or a designated committee or internal functionary to which powers under these By-laws have been delegated, at a specified place, within twenty-one (21) calendar days of receipt of the notice.
- (3) If an affected person fails to comply with an enforcement notice, the Council or anyone authorised by the Council, may perform the steps required in the enforcement notice: Provided that Council does so in conformity with the requirements of the Bill of Rights and any other law, in particular, an authorised official must act with strict regard to decency and order, respect for a person's dignity, freedom and security, and personal privacy.
- (4) Where the Council incurs any expenditure as a result of performing such steps, the Council may recover any reasonable expenditure from the person who failed to act as directed or, where criminal proceedings have not been instituted, by means of civil proceedings.
- (5) Any licensee which commits an offence in terms of subsection (1)(b) and has, within the last five (5) years, been convicted of the same offence, may be declared a serial offender under these By-laws and have its licence revoked immediately,

#### 45. INFRINGEMENT NOTICES

- (1) If, in the opinion of the authorised official, a person is -
- (a) contravening sections 13, 15, 18, 22, 24, 28, 3D, 34, 37 or 38 of these By-laws; or
  - (b) allowing waste other than domestic waste or dailies to remain uncollected,
- the authorised official may serve or cause to be served on that person an infringement notice in terms of this section instead of a notice contemplated in section 56 of the Criminal Procedure Act (Act No. 51 of 1977).
- (2) The infringement notice must -
- (a) specify, at the time when the notice is issued, the name and also the residential and postal address, if either or both of these be known, of **the person on whom the infringement notice is served;**
  - (b) state the particulars of the infringement;
  - (c) specify the amount of the penalty payable in respect of that infringement and the place where the penalty may be paid which penalty may not exceed R5 000.00 (Five Thousand Rand); and
  - (d) inform the person on whom the infringement notice is served that, not later than twenty eight (28) calendar days after the date of service of the infringement notice, he may -
    - (i) pay the penalty; or
    - (ii) inform the Council in writing that he elects to be tried in conn on a charge of having committed an offence under section 45,
- (3) Where a person makes an election under subsection (d)(ii) the procedure set out in section 47 applies,

#### 46. COMPLAINTS

Any person may lodge a complaint with an authorised official, or through any other channel established by the Council, that any other person is causing harm to human health or damage to the environment by engaging in council services or commercial services, in which event the authorised official, unless he has reasonable grounds to believe that the complaint is frivolous or an abuse of the main objects of these By-laws set out in section 3, must investigate the complaint and must, if he is satisfied that such harm is or is likely to be caused, issue an enforcement notice or infringement notice, whichever be appropriate.

#### 47. REPRESENTATIONS

- (1) Any affected person may make representations to the Council, or a designated committee or internal functionary of the Council to which the Council has delegated its powers, in the manner specified in the enforcement notice.
- (2) Representations must be made by submitting a sworn statement or affirmation to the Council, designated committee or internal functionary within twenty one (21) calendar days of the service of the notice.



- (3) Any representation not lodged within twenty one (21) calendar days must not be considered, save where the affected person has shown good cause and the Council, the designated committee or internal functionary condones the late lodging of the representation.
- (4) The Council, or designated committee or internal functionary, must duly consider the representations and any response thereto by an authorised official or any other person, if there be such a response; and may, on its own volition, conduct any further investigations to verify the facts if that, in its opinion, is necessary. If the Council, or designated committee or internal functionary, should conduct any further investigations, the results of such investigation must be made available to the affected person, who must be given an opportunity of making a further response if he so wishes, and the Council, or designated committee or internal functionary, must also consider such further response.
- (5) After the Council, or designated committee or internal functionary, is satisfied that the requirements of subsection (4) have been satisfied, the Council, or designated committee or internal functionary, must make an order in writing and give a copy of it to the affected person setting out its findings. Such an order may —
  - (a) confirm, alter or set aside in whole or in part, an enforcement notice; and
  - (b) must specify the period within which the affected person must comply with any order made by it.
  - (c) **If the enforcement notice is confirmed, in whole or in part, or is altered but not set aside, the Council, or designated committee or internal functionary, must inform the affected person that he may elect to be tried in court, or must discharge the obligations set out in the enforcement notice.**
- (6) **If the affected person elects to be tried in court, he must notify the Council, or designated committee or internal functionary of his election within seven (7) calendar days, and on receipt of such notification by the Council, or designated committee or internal functionary, the provisions of section 48 apply.**
- (7) **If the affected person does not elect to be tried in court, he must discharge his obligations under the enforcement notice within the prescribed manner and time.**
- (8) **If the affected person lodges a representation or elects to be tried in court, any requirement in terms of section 41 of these By-laws requiring compliance with an enforcement notice, may be suspended unless, in the opinion of the Council, the affected person has caused an environmental emergency in which event and without derogation from any right that the affected person may have, or may in the future have, at common law or under any other law, to any relief of whatever nature, the affected person must immediately comply with any such requirement on being ordered, orally or in writing, by the Council to do so.**
- (9) **If there is an environmental emergency and if the affected person, despite receiving a lawful order made in terms of subsection (5), fails to comply with such an order, the Council may itself cause the environmental emergency to be stopped, reversed or abated, in which event the Council may institute civil proceedings for the recovery of any reasonable and necessary expenditure which it has incurred or may incur in effecting such a stoppage, reversal or abatement.**

#### CHAPTER 10

#### JUDICIAL ENFORCEMENT PROVISIONS

##### 48. SERVICE OF DOCUMENTS AND PROCESS

For the purpose of the service of any notice, order or other document relating to non-payment for the provision of council services, the address of the owner of the premises on which domestic waste and dailies is generated is deemed to be the place for service of documents and process of such owner.

##### 49. SERVICE OF NOTICES

- (1) Where any notice or other document is required by these By-laws to be served on any person other than for the purpose of criminal proceedings —
  - (a) it must be served on him personally, failing which if it be served on any member of his household, 16 years or older, who signs for the receipt of such notice at his place of residence or business; and
  - (b) if sent by registered post to the person's address as contemplated in section 48, it constitutes service in terms of section 7 of The Interpretation Act, 1957 (Act No. 33 of 1957).

##### 50. TRIAL

If a person who elects to be tried in court in terms of sections 47(6) or 47(8), notifies the Council of his election, the authorised official must within ten (10) calendar days take all necessary steps, as envisaged in the Criminal Procedure Act, 1977 (Act No. 51 of 1977), in order to secure the attendance and prosecution of the accused, in which event the enforcement notice or infringement notice must be cancelled.

##### 51. OFFENCES AND PENALTIES

- (1) Any person, including an affected person or licensee, who —
  - (a) contravenes or fails to comply with any provisions of these By-laws;
  - (b) fails to comply with any notice issued in terms of these By-laws; or
  - (c) fails to comply with any lawful instruction given in terms of these By-laws; or
  - (d) who obstructs or hinders any authorised representative or employee of the Council in the execution of his or her duties under these By-laws, is guilty of an offence and liable on conviction to a fine or in default of payment to imprisonment for a period not exceeding six (6) months.

#### CHAPTER 11

#### GENERAL PROVISIONS

##### 52. OWNERSHIP

- (1) The person holding the permit to operate a waste disposal facility is deemed to be the owner of the waste disposed at that facility.
- (2) Such operator has a right of recourse against —
  - (a) any person that causes waste to be disposed at the waste disposal facility where that person knowingly and without the knowledge of the operator disposes waste that that facility is not permitted to accept; and
  - (b) any waste generator that knowingly puts waste out for collection that is not of the category being collected.

##### 53. CONSOLIDATION OF BY-LAWS

- (1) Any By-laws relating to the main objects of these By-laws must be maintained by the Council in consolidated form together with these By-laws, and must be made available to the public, on request.
- (2) Additional By-laws may be enacted relating to —
  - (a) the steps and measures to be adopted in giving effect to the duty of Care set out in section 4;
  - (b) the locations at which any activities relating to waste, including disposal, may be carried out;

- (c) the separation of waste at any stage in any activity relating to waste;
- (d) measures to promote waste minimisation;**
- (e) the implementation and operation of recycling, re-use, refundable deposit or take-back schemes;
- (f) penalties to be prescribed for the violation of licence conditions, and
- (g) information to be furnished to the Council.

## 54. APPLICATION

The Council may by notice in the *Provincial Gazette*, determine that the provision of these By-laws do not apply in certain areas within its area of jurisdiction from a date specified in the notice.

## 55. REPEAL OF BY-LAWS'

The By-laws relating to Waste Management for the Kwa Sani Local Municipality, are hereby repealed and replaced by these By-laws, which are to become effective on promulgation hereof.

No.H,2007

26 kuMbaso 2007

INQBOMGOMO YOKULA WULWA KOCHUNGECHUNGE LOKUTHENGWA KWEMPAHLA KAMASIPALA WASOLUNDI

## UHLULOKUQUKETHWE

1. IZINCAZELO
1. IZINJONGO
2. IZINDLELA NENQUBO YOKUTHENGWA KWEMPAHLA
  - 2.1 Inqubo yokuThengwa kwempahla
  - 2.2 Okufinyelela esilingansweni senani lezi-RIO 000
  - 2.3 Okufinyelela esilingansweni senani lezi-R200 000
  - 2.4 Okungaphezu kwesilinganiso senani lezi-R200 000 kanye nezivumelwano zomsebenzi zesikhathi eside
  - 2.5 Okufingqiwe okuphathelene nokuthengwa kwempahla
  - 2.6 Imigomo yokwaHluleia
  - 2.7 UChungechunge lokuThengwa kwempahla
  - 2.8 Uphiko lokuphathwa koChungechunge lokuThengwa kweMpahla
  - 2.9 Ukwakhiwa kohlu lwabenzimsebenzi
  - 2.10 Inqubo ezigaba-mbili yokuncintisana
  - 2.11 Ukuncintisana okungahlonziwe
3. UKUNGAHAMBISANI NENQUBO YOKUTHENGWA KWEMPAHLA
4. AMAKOMIDI OCHUNGECHUNGE LOKUTHENGWA KWEMPAHLA
  - 4.1 IKomidi elicubungula izilinganisi
  - 4.2 IKomidi elihlungayo
  - 4.3 IKomidi elahlulelayo
5. IMIBANDELA NEMIGUDU ELANDELWAYO
  - 5.1 Iziqondiso ezisebenzayo
  - 5.2 Ukumema amathenda
  - 5.3 Ukucutshungulwa kwamathenda
  - 5.4 Ukulawulwa kwesivumelwano somsebenzi
    - 5.4.1 Ukulamula
    - 5.4.2 Ama-oda
    - 5.4.3 Ukupakisha, okokupakisha kanye nokokuphatha
    - 5.4.4 Isiqinisekiso
    - 5.4.5 Inkokhelo yempahla kanye nemisebenzi
    - 5.4.6 Amakhambi okuzazulula uma kushoniwe, kudliwe impahla, ukhokhela isikweletu noma kunomthetho okuphetha
    - 5.4.7 Okufanele kwenziwe othole isivumelwano somsebenzi
    - 5.4.8 Ukudluliswa kwezivumelwano zomsebenzi
6. UKUCHITHWA NOKUQASHISWA KWEMPAHLA KAMASIPALA
  - 6.1 Ukudayiswa noma ukuChithwa kweMpahla
  - 6.2 Ukuqashisa ngeMpahla
7. UKUTHENGWA KWEMPAHLA OKUYISIPESHELI
  - 7.1 Izivumelwano zokuthengwa kweMpahla ngoNyaka
  - 7.2 Ukutholakala kweziNsiza zokuBhenka
  - 7.3 Ukuthengwa kweMpahla neMisebenzi okuMbisana nobuChwepheshe bezoKwazisa (IT)
  - 7.4 UkuThenga ngezivumelwano zoMsebenzi ezingaphansi kwezinye iziNhlaka zikaHulumeni**
  - 7.5 Ukuthengwa kweMpahla edinga amaLungiselelo ezokuPhepha ayisiPesheli
  - 7.6 Ukuqokwa kwabaxhumanisi
  - 7.7 Izinkontileka ezihlinzeka ngezibonelelo zeMali engenayo.
8. INQUBOELANDELWAYOYOKULAMULA
9. UKUGCINWA PHANSI KOKUNCINTISANA
10. UKULA WULWA KWEZIVUMELWANO ZOMSEBENZI

## 11. UKUZIPHATHA NOKUQEQESHA KWABASEBENZI

- 11.1 Ukuziphatha kwabasebenzi
- 11.2 Ukuqeqesha kwabasebenzi

## 12. UKUVIMBELA UKUSETSHENZISWA KABI KOCHUNGECHUNGE LOKUTHENGWA KWEMPAHLA

## 13. UKUDLULISELWA KWAMANDLA KANYE NEMITHETHO EBEBIWE

## 14. UKUBIKA

- 14.1 Ukubika.nyangazonkel njalo emva kwezinyanga ezintathu
- 14.2 Ukubika njalo ngonyaka
- 14.3 Okunye ukubika

## 15. UKUSEBENZA NOKUBUYEKEZWA KWENQUBOMGOMO.

## 16. IQHAZA LOKUQAPHA KOMKHANDLU

## 17. IMITHETHO KAMASIPALA

## 18. ISENGEZO:IZIDINGO ZOMTHETHO

ISENGEZO: UKUBEKA NGENDLELA EZWAKALA KANGCONO

INGXENYE1: UMTHETHO WOHLAKA LWENQUBOMGOMO YOKUTHENGWA KWEMPAHLA OKUKHETHEKILE

INGXENYE 2: UMTHETHO WOKUTHUTHUKISA KWABAMNYAMA KWEZOMNOTHO OBANZI

INGXENYE 3: UMTHETHO WOKUPHATHWA KWEZIMALI ZIKAMASIPALA (MFMA) WAMA-56 KA-2003

ISIGABAI4: Ukuehithwa Kwempahla Ebalulekile

ISIGABA 19: Imisebenzi Ebalulekile

ISIGABA 33: Izivumelwano Zomsebenzi Ezingabuye Zigamanxele Kusabelozirnali Sonyaka Olandelayo

ISIGABA 110: Ukusebenza Kwale Ngenye

ISIGABA III: INqubomgomo Yokulawulwa Kochungeehunge Lokuthengwa Kwempahla ISIGABA 112: INqubomgomo Yokulawulwa Kochungechunge Lokuthengwa Kwempahla ukuze kuHambisane noHlaka Oluhlonziwe

ISIGABA 113: Izineintswano Ezingaqhudelenanga Ngokusemthethweni

ISIGABA 114: Ukuvunywa Kwamathenda Anganeonywanga

ISIGABA 115: Ukusebenza Kohlelo Lokulawulwa Koehungechunge Lokuthengwa Kwempahla

ISIGABA 116: Izivumelwano Nokulawulwa Kwazo

ISIGABA 117: Amakhansela awavunyelwe Ukusebenza ernakomidini

ISIGABA 118: Ukugxambukela

ISIGABA 119: Amazinga Amakhono Abasebenzi

## IZINCAZELO

Kule nqubomgomo, ngaphandle uma okuqukethwe kusho okunye, izincazelo ezilandelayo ziyosebenza -

'Isikhulu esinesibopho Sokubika' kusho iMeneja Kamasipala emele uMasipala ngokuqukethwe yiSigaba sama-82 soMthetho Wezakhiwo Zikamasipala ka-1998, (UMthetho we-117 ka-1998);

'Tsincintswano' kusho ukugagulwa kwenani efomini elifanele elihambisana nesimemo esikhishwe uhlaka lukahulumeni ukuze kuJethwe izinsizakalo, imisebenzi noma impahla. Lokhu kuthatha indawo ye'thenda' ebisebenza kuzinqubomgomo ezedlule;

i'CFO' kusho iSikhulu Esiphezulu Esiphethe Ezezimali;

'Uungu Lomndeni Elisondele' kusho:

- (i) ilungu lomuzi owodwa (kumbandakanya nomuntu ohlala emageekeni alowo muzi,
- (ii) umzali (kumbandakanya nosingamzali),
- (iii) umkhwe noma umkhwekazi
- (iv) indodana (kumbandakanya nendodana oyikhulisa njengeyakh),
- (v) umkhwenyane,
- (vi) indodakazi (kumbandakanya nendodakazi oyikhulisa njengeyakh),
- (vii) umakoti,
- (viii) umzali omusha,
- (ix) indodana yakho ongayizali,
- (x) indodakazi yakho ongayizali.
- (xi) umfowenu,
- (xii) udadewenu,
- (xiii) umkhulu noma ugogo,
- (xiv) urnzokulu,
- (xv) umalume,
- (xvi) umalumekazi,
- (xvii) umshana (wesilisa),
- (xviii) umshana (wesifazane),
- (xix) oganene naye noma umasihlalisane wanoma ubani kusukela lou (i) kuye ku (xii) ngenhla;

**i'Sivumelwano Somsebezi' kusho isivumelwano esivumelwano wokuvuma isincintswano noma isilinganiso senani nguMasipala;**

'Ukusenzela uhulumeni' kusho ukuba-

## (a) ilungu-

- (i) lomkhandlu wanoma yimuphi umasipala;

- (ii) lesishayamthetho kunoma yisiphi isifundazwe; noma
- (iii) leSishayamthetho LikaZwelonke noma lolVlkhandlu Kazwelonke Wezifundazwe;
- (b) ilungu lebhodi labaqondisi kunoma yiluphi uhlaka lukamasipala;
- (c) isiphathimandla sanoma yimuphi umasipala noma uhlaka lukamasipala;
- (d) oqashwe emnyangweni kazwelonke noma wesifundazwe, kunoma yiluphi uhlaka olusebenzela umphakathi kuzwelonke noma esifundazweni noma esikhungweni esibekwe ngokomthethosisekelo esisebenza ngezimiso zoMthetho Wokuphathwa Kwezimali Zomphakathi ka-1999 (uMthetho woku-I ka-1999);
- (e) ilungu eliphethamandla lohlaka Iukakazwelonke noma lesifundazwe noma lohlaka Iomphakathi; or noma
- (f) oqashwe ePhalamende noma kusishayamthetho sesifundazwe.

'isIvemelwano somsebenzi sesikhathi eside' means kusho isivumelwano somsebenzi esithatha isikhathi esingaphezu konyaka;

'MFMA' kusho uMthetho Wokuphathwa Kwezimali Zikamasipala, wama-56 ka-2003;

'isiInganiso senani' kusho isamba esigaguliwe esilindelwe ukutholwa yilowo oletha usizo ngokunikeza izinsiza, imisebenzi noma izimpahla okunqunyelwene ngakho;

'Inhloko yomnyango efanele' kusho inhloko yomnyango lowo okulethwa khona impahla noma owenzelwa umsebenzi; kanye

'Abalawuli bokuphathwa kochungeehunge lokuthengwa kwempahla' kufaka Isikhulu Esiphezulu Esiphethe Ezezimali, iSekela Lesikhulu Esiphezulu Esiphethe Ezezimali, uMsizi Wemeneja Yezimali - IMeneja Yokukhishwa Kwezimali Nochungechunge Lokuthengwa Kwempahla.

'Umlahlandlela Womnyango Wezezimali' kusho noma yimuphi umlahlandlela wokuphathwa koehungeehunge lokuthengwa Kwempahla okwakhishwa nguNgqongqoshe ngokwesigaba se-168 soMthetho Wokuphathwa Kwezimali Zikamasipala (i-MFMA).

## 1. IZINILOSISO

Ukuhlinzeka ngenqubomgomo ezokwenza ukuthi isikhulu esinesibopho sokubika sigeine futhi siqhube uhlelo lokulawulwa kochungechunge lokuthengwa kwempahla olu:-

- (a) Nokuba sobala, olunokulingana, nokuqhathaniseka kanye nokonga izimali zikamasipala;
- (b) Sebenzisa amazanga aphezulu okuziphatha ngobuqotho;
- (c) Khuthaza intuthuko yezomnotho endaweni;
- (d) Kusiza ukuba kwenziwe imisebenzi eyikhwalthi kumakhasimende kamasipala;
- (e) Kukhuthaza uthando nokuzethemba ekuqhubeni umsebenzi wokuthengwa kwempahla kanye nezinye izinqubo zikamasipala;
- (f) Sebenziseka futhi luhambisane nomthethonqubo, nemithetho narnazinga, ngokusebenzisa Ie nqubo umkhandJu wenza umsebenzi wokuqapha yonke imitbethonqubo kazwelonke esebenzayo (kubandakanye nezichibiyelo kanye nemithethonqubo) ikakhulukazi;
- (g) UMthetho Wohlaka Lwenqubomgomo Yokuthengwa Kwempahla Okukhethekile wesi-5 ka-2000;
- (h) UMthetho Okhuthaza.Ukuhlomisa Abamnyama Ngokomnotho Obanzi, wama-53 ka-2003; kanye
- (i) NoMthetho Wokuphathwa Kwezimali Zikamasipala wama-56 ka-2003.

Le nqubomgomo ihlelwe ngendlela yokuthi kuchitshiyelwe imithetho engokomthetho kanye nezinhlinzeko ezinkulu okungenzeka ukuba zengezwe kule nqubomgomo noma kuMithethonqubo Yokusebenza Efanelekile.

## 2. IZINDLELA KANYE NEZINQUBO ZOKUTHENGWA KWEMPAHLA

### 2.1 Imigudu Elandelwayo Yokuthengwa Kwempahla

Zonke izicefo zokuthengwa kwempahla kanye nokwenziwa kwemisebenzi ziyothunyelwa oPhikweni Lokulawulwa Kochungechunge Lokuthengwa Kwempahla futhi:

- (a) Okuthengwa ngenani elifinyelela futhi Iihlanganise nezi-R30 000 kubhalwe phansi, kucaciswe ngokusobala uhlobo kanye nobungako bempahla noma ubude besikhathi sokuletha izinsiza ezidingakayo. Imininingwane kufanele yenziwe ngendlela yokungenzeleli futhi ieaiese ngokwanelisayo ukuze kube nokuhlolwa kwamakhotheshini ngendlela efanele,
- (b) Okudinga inani elingaphezu kuka-R30,000.00 isicefo sesofaka indlela yokuhlunga ukuze ikhotheshini iqhathiniseke nakho, kuqikelelwa ukuthi Uhlaka Lwenqubomgomo Yokuthengwa Kwempahla Olukhethekile kanye neMithethonqubo iyosebenza enanini elingaphezu kwezi-R30,000.00
- (c) .Inhloko Yomnyango iyoqinisekisa ukuthi kunesabelozimali esanele kuleso sabelozimali esiqondene nokuthengwa kwempahla.
- (d) Kuyosayina inhloko yomnyango maqondana nalokhu.
- (e) Kuyonikezwa uMnyango Wezimali ithuba elanele ukuze kutholwe isikhathi esidingakayo sokuthengwa kwempahla noma sokwenziwa komsebenzi ngokuhambisana nale nqubomgomo.
- (f) Ukuthengwa kwempahla ngezilinganiso zamanani noma ngohlelo lokuncintisana kuyohambisana nezimiso ezilandelayo (kufaka neNtela Yempahla i-VAT) noma izimiso zokuehlabisa imithethonqubo. UMasipla akaphoqelekile ukuvuma isilinganiso senani noma ithenda efakelwe isicelo. Uma kungekho silinganiso senani noma ithenda evumelana nokunqunyiwe, abasebenzi abaeubungulayo zingenza lokhu:
- (g) Zingabiza amathenda amasha, noma
- (h) Zineome ukuthi kuvunywe ithenda esondele kakhulu kokunqunyiwe, uma kuwukuthi abasebenzi abaeubungulayo bayaneliseka ukuthi -

#### **isilinganiso senani siyavumeleka;**

kuyohlangabezana nezidingo zikamasipala; futhi

inhloko yomnyango lapho kudingeka khona impahla noma usizo iyahambisana nesinqumo

Abasebenzi abasebenza ngamandla adluliselwe kubo bayobika ngokubhala phansi eSikhulwini Esinesibopho Sokubika naseSikhulu Esiphezulu Esiphethe Ezezimali nyangazonke mayelana nezilinganiso zamanani ezibhalwe phansi ezivunywe ngumsebenzi osebenza ngamandla edluliselwe kuyena.

### 2.2 Ukulhenga okulinganiselwa enanini lezi- R 30,000.00

Impahla nemisebenzi yenani elifinyelela ezi-R30,000.00 kufanele kutholakale ngokuthi kube nezilinganiso zamanani ezintathu (3) ezibhalwe phansi ngokulandelanisa labo ababhaliswe ohleni Iwabenzimsebenzi. Zonke izilinganiso zenani kufanele zifake i-Ntela Yempahla (i-VAT) futhi umsebenzi oqondene nalokho uyogcina phansi igama negama labenzimsebenzi kanye nezilinganiso zamanani abo. Umenzimsebenzi kufanele aithe inewadi eqinisekisa imali kanye nempahla ukuze kwenziwe ama-oda.

Bonke abenzimsebenzi kufanele bahambisane nezidingo zesiSigaba se-13 (1) (b) no (c) seMithethonqubo YokuLawulwa Koehungeehunge -Lokuthengwa Kwempahla,

Uphiko Lokulawulwa Kochungeehunge Lokuthengwa Kwempahla luyogcina phansi amagama kanye nezilinganiso zamanani zabenzimsebenzi futhi onganikeza imvume yokuthenga kungaba Isikhulu EsiphezuJu Esiphethe Ezezimali noma Iowa ogunyazwe yisona. Uma kungenzeki ukuthi kutholakale izilinganiso zenani ezintathu (3), kufanele isikhulu esifanelekile sibeke izizathu sibikele Isikhulu Esinesibopho Sokubika.

2.3 Ukuthenga okulinganiselwa enanini lezi-R 200,000.00

Okuthengwa ngezindleko ezisukela ezi-RJO,OOl.OO kuya ezi-R200,000.00 ngokufuna inani lezilinganiso zenani okuncomeka ukuba litholalake kulabo abangaba abasizi Izilinganiso zenani zingabizwa nakulabo abangekho ohlwini Iwabenzimsebenzi uma kungekho osohlwini kulabo abosohlwini okulungele ukuthengwa kwaleyo mpahla noma ukwenza lowo msebenzi, inqobo nje uma umenzimsebenzi ehlangabezana zokubasohlwini ngokwezinhlinzeko zeSigaba se-13 (1) (b) no (c) seMithethonqubo Yokulawulwa Koehungehuage Lokuthengwa Kwempahla. Uphiko Lokulawulwa Kochungeehunge Lokuthengwa Kwempahla siyogcina phansi amagama kanye nezilinganiso zamanani zalabo benzimsebenzi futhi onganikeza imvume yokuthenga kungaba Isikhulu Esiphezulu Esiphethe Ezezimali **noma lowo ogunyazwe yisona**

Uma kungenzeki ukuthi kutholakale izilinganiso zenani ezintathu (3), kufanele umsebenzi ofanelekile sibeke izizathu sibikele Isikhulu Esinesibopho Sokubika.

Isieelo sezilinganiso zenani ezibhalwe phansi siyonyanyekwa ebhodini lezaziso likamasipala elibekelwe ukunanyatheliswa kwezivumelwano zomsebenzi namathenda, **kanye** naku-inthanethi, **Izaziso zezivumelwano zomsebenzi ziyonikezwa** izinsuku eziyisi-? **bese kugagulwa** nosuku lokuvalwa lokuletha izieelo.

**Umasipala angenake asinake isilinganiso senani noma isincintiswano esibhalwe Ngaphandle uma umenzimsebenzi efake isilinganiso senani noma isincintiswano:**

- (a) Enikeza umasipala-
  - (i) igama eliphelele;
  - (ii) inombolo kamazisi noma yenkampani noma yolunye uhlobo lokubhaliswa
  - (iii) inombolo ekhomba ukukhokhwa kwentela kanye nenombolo yokubhaJiswa kweNtela Yempahla (i-VAT)
- (b) Esegunyaze urnasipala ukuba athole isitifiketi esiveza imininingwane yokukhokhwa kwentela eSikhungweni Semisebenzi Yezentela;
- (c) Eveza ukuthi-
  - (i) usebenzela uhulumeni, noma uke wasebenzela uhulumeni ezinyangeni eziyishumi nambili ezedule
  - (ii) ungomunye wabaqondisi, wezirneneja, wabamqoka abanamashya noma ababambe iqhaza emisebenzini kahulumeni noma uke **wasebenzela uhulumeni ezinyangeni eziyishumi nambili ezedule; noma**
  - (iii) ungunkosikazi noma umyeni, uyingane noma umzali womenzimsebenzi noma kamqondisi, wemeneja, wabaninimashya noma ababambe iqhaza emisebenzini kahulumeni njengokusho kwegatshana (ii) ngenhla noma uke wasebenzela uhulumeni ezinyangeni eziyishumi nambili ezedule.
  - (iv) Ungumeluleki noma urnqeqeshi onikezwe isivumelwano somsebenzi ngumasipala,
- (d) Kubhalwe phansi, kwasayinwa umuntu onegunya elifanele lokwenza umsebenzi egameni lomenzimsebenzi olindelekile.
- (e) Uhambisana nezidingo ezibekiwe ezibekwe esazisweni sesilinganiso senani.
- (f) Kuhambisana nesitifiketi esiveza isimo sokukhokhwa kwentela esikhishwa umasipala ofanele esingekho ngaphezu kwezinyanga ezi-3 ubudala,

IKomidi Elicubungula Izineintiswano Lokulawulwa Kochungeehunge Lokuthengwa Kwempahla Jiyoeubungula izivumelwano zomsebenzi zenani eliphakathi kwezi-R30,00J.00 kuya ezi-R200,000.00 lisebenzisa indlela elandelwayo yokuqoka bese lenza isineomo ngaleso sincintiswano esiphumelele Iziyise eKomidini Elahlulela Ukuncintisana Lokulawulwa Koehungeehunge Lokuthengwa Kwempahla ukuze livume leso sincintiswano esiphumelele.

Ngokusebenzisa umbiko obhaliwe nezincinco zoPhiko Lokulawulwa Kokuthengwa Kwempahla, iKomidi Elahlulela Izincintiswano liyonquma ngezilinganiso zamanani bese lenza izineomo liziyise eSikhulwini Esinesibopho Sokubika ukuze kuvunywe. Izilinganiso zamanani ezingaphezu kwezi-R30,000.00 ayoncika ezidingweni zoMthetho Wohlaka Lwenqubumgomo Yokuthengwa Kwempahla Ekhethekile kanye neMithethonqubo noHlelo Lwekhadi Lamaphuzu.

IMeneja Yophiko Loehungeehunge Lokuthengwa Kwempahla liyogcina phansi amagama abenzimsebenzi kanye nezilinganiso zamanani abo ayohlungwa yiKomidi Elihlungayo. Uma kungenzeki ukuthi kutholakale izilinganiso zenani ezintathu kufanele isikhulu esifanele sibeke izizathu bese sibika eSikhulwini Esinesibopho Sokubika.

2.4 Ukuthenga ngenani elingaphezu kwesilinganiso sezi-R200,000,00 kanye nezivumelwano zomsebenzi zesikhathi eside

Izieelo zokuletha ngasinye esingaphezu kwenani lezi-R200,000.00 kanye nezivumelwano zomsebenzi zesikhathi eside ngasinye esingaphezu kwenani lezi-R200,000.00 ayokwenziwa ngesimemo sethenda esisemthethweni. Izieelo zamathenda ziyohlolwa wuPhiko Lokulawulwa Koehungeehunge Lokuthengwa Kwempahla lusebenzisa izidingo ezibekiwe ezivela eKomidini Lezidingo Ezibekiwe **Zesincintiswano**, futhi:

Kuyokhangiswa ebhodini lezaziso lakwaMasipala elenzelwe le nhloso

Kuyofakwa ku-webhusayithi kaMasipala

Kuyokhishwa ephephandabeni lendawo eliphuma ngokuvamile okungenani ezinsukwini eziyi-14 kusukela osukwini okwakhishwa ngalo isieelo nezidingo zokuthengwa ngenani lezi-R10 000 000 bese kuba yizinsuku ezingama-30 ngokwezidingo zokuthengwa ngenani elingaphezu kwezigididi ezili-R10.

Kufake izidingo zokuthi izincintiswano zingajethwa kuphela emqulwini wokuncintisana ovela kumasipala.

Uma iKomidi Lezidingo ezibekiwe libona kulungile, lingabuye lisebenzise ezinye izindlela zokukhangisa ukumema umphakathi njengakuSomqulu kaHulumeni Wokukhipha Amathenda.

Ukuze ithenda ieatshangeIwe kufanele ihambisane nezidingo zeSigaba sesi-5 senqubomgomo, 'Imibandela Nemigudu Elandelwayo Esebenzayo'. UMasipala angabiza imali yokufakela ithenda engabuyiselwa emumva ukuhlineka ngemiqule yethenda. Amathenda avela 'Kubancintisani Abangavumelekile' ngokwezimiso zeSigaba 48 seMithethonqubo angeke jaze aeatshangelwe. IKomidi Eliubungulayo liyohlola amathenda angaphezu kwenani lezi-R200,000.00 ngokuhambisana nernigomo yokwahlulela yale nqubomgomo bese lenza izineomo ziye eKomidini Lokwahlulela,

2.5 Okufingqiwe Kwezokuthengwa Kwempahla

Inquho Yokuthenga Ngenani Elithle Okudingeka Dandelwe .

Kusuka ku-RO kuya ezi-R30, 000.00

Okungenani kudingeka izilinganiso zamanani ezibhalwe phansi kube yilezo zinkampani zabenzimsebenzi ezibhalise ohleni Iwabenzimsebenzi lukahulumeni.

Kuncomeka ukuthi kucatshangelwe kuqala osomabhizinisi abasafufusa (SMMEs) kanye nalabo ababencishwe amathuba phambilini (HDIs) bacatshangelwa kuqala

Isikhulu Esiphezulu Esiphethe Ezezimali yisona esivunayo.

Kusuka ezi-R30, 001.00 kuya ezi-R200, 000.00

Okungenani kudingeka izilinganiso zamanani ezibhalwe phansi kube yilezo zinkampani zabenzimsebenzi ezibhalise ohleni Iwabenzimsebenzi lukahulumeni.

Kuneomeka ukuthi kucatshangelwe kuqala osomabhizinisi abasafufusa (SMMEs) kanye nalabo ababencishwe amathuba phambilini (HDIs) bacatshangelwa kuqala

Kusetshenziswa uHlelo Lwamaphuzu Lokuqoka Ngokukhethelile okungamaphuzu angama-80/20

IKomidi Elahlulela Izineintiswana yilona elenza izineomo

Isikhulu Esiphezulu Esiphethe Ezezimali yisona esivumayo.

Kusuka ezi-R200, 001.00 kuya esi-R1, 000,000.00

Kudingeka amathenda asemthethweni

**IKomidi Elicubungulayo lenza izincomo**

UHlelo Lwekhadi Lwamaphuzu angama-80nO luyasebenza

IKomidi Elahlulela Izincintiswano lenza izineomo

IMeneja kaMasipala iyona evumayo.

Ngaphezu kwesi-R1, 000,000.00

Kudingeka amathenda asemthethweni

IKomidi Elahlulela Izineintiswano lenza izineomo

Uhlelo lwamaphuzu angama-90/10 luyasebenza.

IMeneja kaMasipaia iyona evumayo.

## 2.6 Imigomo Yokwahlulela

Onke amakhotheshini namathenda anesilinganiso semali phakathi kuka-R30,001.00 no-R1,000,000.00 amaphuzu okukbethe azoma kanje:

AMAPHUZU

Ubunani bemali obuhambisana nezilinganiso u-80 amaphuzu

Okunye okukhethekile u-20 amaphuzu

Isamba 100

Zonke izilinganiso zenani zamathenda angaphezu kwesi-R1,000,000.00 amaphuzu okukhetha ayoma kanje:

AMAPHUZU

**Inani lemali elihambisana nesilinganiso samaphuzu angama-90.**

Amanye amaphuzu okuqoka ayi-10

Isamba yi-1 00 lamaphuzu

Amanye amaphuzu okuqoka ngokweKhadi Lamaphuzu Lokulinganisa njengokwezinhlinzeko zoMthetho Wohlaka Lwenqubomgomo Yokuthengwa Kwempahla Ekubhekile ka-2000. Ngaphambi kokunikezelwa kwesincintiswano uMasipala angasikhansela leso sincintiswano ngenxa yokuguquka kwezimo, uma zinganele izimali ukuthi kuqhutshekwe, noma singekho isincintiswano esivumelekile esikhona. Uma kukhona ithenda ngaphandle kwaleyo eneomeka ngokwezimo zale nqubomgomo enikeziwe, iSikhulu Esinesibopho Sokubika kufanele sibikele uMewaningimabhuku-jikelele, uMnyango Wezezimali wesiFundazwe kanye noMnyango Wezezimali kaZwelonke mayelana nezizathu zokungahambisani nesincomo. ISikhulu Esinesibopho Sokubika singaxoxisana nabancintisani abahlonzwe njengalabo abakhethekile ngokulandela umgudu wokuncintisana, **inqobo nje uma Iowa mgudu unganikezi umncintisani ithuba** lesibili, **futhi akuthuntubezi abanye** abancintisani/abenzimsebenzi futhi akuholeli enanini elingaphezu kwaleli lokuncintisana elilethiwe. Amaminithi alokho kuxoxisana ayogcinwa.

## 2.7 Uphiko Lokulawulwa Kochungechunge Lokuthengwa Kwempahla

Uphiko Lokulawulwa Kochungechunge Lokuthengwa Kwempahla siyomiswa il-hovisi Lesabelozimali noMnyango wezezimali ukuze siqhube le nqubomgomo. Lolu Phiko luyobika eSikhulwini Esiphezulu Esiphethe Kwezezimali.

## 2.8 Ukwazisa Ngemiphumela

Onke amathenda namakhotheshini kuyofakwa ohlwini Iwebhusayithi nasemabhodini ezaziso kukamasipala lingakapheli isonto emva kokuvunywa kube isikhathi esingangezinsuku eziyi-7. Ngaphezu kwalokbo, uPhiko Lokulawulwa Kochungechunge Lokuthengwa Kwempahla luyokwazisa ngokubabhelele abafake amathenda ngokuphumelela kwabo kuvunywa amathenda abo kanyel noma ukunikezwa kwabo amakhontrakthi.

## 2.9 Ukwakhiwa Kohlu Lwabenzimsebenzi

Uphiko Lokulawulwa Kochungechunge Lokuthengwa Kwempahla luyokwakhela uhlu lwabenzimsebenzi oluyosetshenziswa ezidingweni zokuthengwa kwempahla ngokwezinhlinzeko zeSigaba 2.3 no-2.4 ngenhla.

Isimemo sokufakwa ohlwini njengomenzimsebenzi kuyokhangiswa okungenani kanye ngonyaka emaphephandabeni endawo ajwayelekile, kuwebhusayithi kamasipala, kanye nangezinye izindlela ezifanelekile eziyosetshenziswa ngokubona kweSikhulu Esiphezulu Esiphethe Kwezezimali.

Isaziso siyoqagala izidingo zokufakwa ohlwini kwabenzimsebenzi abakulungele ukwenza umsebenzi bese beyamenywa ukuba bafake izice-10 bahlungwe bafakwe ohlwini njengabenzimsebenzi. Abenzimsebenzi komele balethe amagama abo kanye neminye imininigwane ecelwayo kubandakanye nempahla nemisebenzi abangakwenza. Lolu hlu kufanele lusetshenziselwe ukukhuthaza ukuba Abamnyama Babenamabhizinisi Abo.

Uhlu olwakhiwe ngokwempahla noma ngokohlobo lomsebenzi futhi lulungiswa njalo emva kwezinyanga ezintathu ngokusebenzisa isaziso esibasemabhodini ezaziso enzelwe lokhu kufakwa ohlwini Iwebhusayithi kaMasipala.

Abenzimsebenzi abafisa ukuba bafakwe ohlwini lwabenzimsebenzi ngaphandle kokulinda isimemo esilandelayo bangaya oPhikweni Lokulawulwa Kochungechunge Lokuthengwa Kwempahla ukuze bafakwe, uma beletha konke okuyizidingo kanye nolwazi ukuze bahlungwe. Uma lezi zidingo sezifeziwe, uPhiko Lokulawulwa Kehungechunge Lokuthengwa Kwempahla luyocubungula abenzimsebenzi bese lukhipha nemiphumela ezinsukwini eziyi-14.

Abenzimsebenzi abanagunya lokuhlinzeka ngezidingo zokuthengwayo kuze kube yilapho bevunywe njengabafanelekile yiKomidi Elahlulelayo.

Bonke abangaletha usizo kufanele bahlangabezane nezidingo zokufakwa ohlwini ngokweSigaba se-I;3 (I) (b) no (c) seMithethonqubo.

#### 2.10 Inqubo Yokuncintisana Ezigahamhili

Ukuqhuba ukuncintisana okuzigambili kungasebenza kulokhu-

- imiklamo emikhulu eyinxakanxaka;
- imisebenzi lapho kungadingekile ukulungiselela imininingwane yezidingo ezibekiwe zobuchwepheshe ngaphambi kwesikhathi, kanye
- nezivumelwano zomsebenzi ezinesikhathi esingaphezu kweminyaka emi-3.

Isigaba sokuqala siyofuna izicelo zokwenza umsebenzi ezingenamanani ngokwezidingo ezicatshangwayo noma ngokwezidingo zokwenza umsebenzi ezibekiwe, okusengashintshwa ngandlelathile kanye nezincalazo ngezobuchwepheshe nezezimali.

Isigaba sesibili sidinga imiqulu yokuncintisana echibiyelwe kanye nokulethwa kwezilinganiso zobuchwepheshe kanye nezincintiswano osekufikwe esiphethweni ngakho.

#### 2.11 Izincintiswano Ezingahlonziwe

Umasipala akaphoqelekile nakancane ukucubungula isincintiswano esingahlonziwe. Uma umasipala enquma ukucubungula isincintiswano esingahlonziwe kungalandelwa inqubo yokukhishwa kwamathenda efanale. Lokhu kungenziwa kuphela uma kuzohanjisanwa nezimiso zeSigaba sama-36 seMithethonqubo.

### 3. UKUNGAHAMBISANI NENQUBO YOKUTHENGWA KWEMPAHLA

Isikhulu Esinesibopho Sokubika singehambisane nezinqubo ezisungulwe ngokwale nqubomgomo besc ethenga impahla nganoma ngayiphi enye inqubo yokuthengwa kwempahla, kodwa ngaphansi kwalezi zimo ezilandelayo:

uma kunesimo esiphuthumayo

uma impahla nezinsiza kukhiqizwa noma kuhlinzekwa ngumenzimsebenzi oyedwa

uma kufunwa umsebenzi wobuciko onqala noma okunomlando lapho kungelula ukwenza izilinganiso zamanani khona

ezimweni lapho kungeke kuze kulandelele khona indlela escmthethweni yokuthengwa kwempahla

uma ukuvurnelana nokuncane okungahambisani nokobuchwepheshe enqubeni yokuthengwa kwempahla izizathu zokwehluka ezincintiswani eziqhudelanayo ziyobhalwa phansi futhi isikhulu esinesibopho sokubika sibike ngazo emhlanganweni olandelayo woMkhandlu bese uzifaka kulokho okuvela eZitatimendeni Zemali Zonyaka.

### 4. AMAKOMIDI OCHUNGECHUNGE LOKUTHENGWA KWEMPAHLA

#### 4.1 Ikomidi Elicubungula Izilinganiso Zamanani Zokuncintisana

*Isikhulu esinesibopho sokubika siyoqoka amalungu ekomidi lokulinganisa izincintiswano ukuze lakhe izilinganiso nomqulu. Izilinganiso zenani kufanele:*

Zilungiswe ngendlela engenzeleli

Kube nemininingwane eyanele ukuze kube nokucutshungulwa okuyikho kwezilinganiso zenani namathenda

Kufanele kulandelwe amazanga avumelekile njengalawo akhishwa

Ioblangano Yamazinga YaseNingizimu Afrika (i-SSA), iNhlango Yamazinga

Yomhlaba Wonke (i-ISA) noma ibaphi abanegunya abavunyelwe

Lapho kungenzeka khona, kuchazwe ngokwenziwa komsebenzi kunokuba kusctshenziswe izicizokuchaza

Kungavimbeli imigudu yokuhweba ezidingweni zezivumelwano sornsebenzi ngokwezilinganiso, imidwebo, ukuhlelwa, ukuhlola, izindlelala zokuhlola, okokufaka impahla, ukubhala nokulebula izitifiketi ezihambisana nemigomo

Kungahambisani nanoma iluphi uphawu lohwebo, igarna, ubunikazi, ukobelelwa, uhlobo, imvelaphi noma umkhiqizi ngaphandle urna kungekho okuqondile okwanelo noma indlela enobuchule yokuchaza umsebenzi futhi-ke kufanele kuhambisane negama 'kuyalingana'

Kufanele kuveze izinhloso czithile ezingavumela ukunikezelwa iphuzu

Kufanele kuvunywe Isikhulu Esinesibopho Sokubika ngaphambi kokukhangiswa kwesincintiswano.

Ikomidi Elicubungula Izidingo Ezibekiwe Zokuncintisana Liyokwakheka **kanje:**

Isikhulu esisodwa noma ngaphezulu sikamasipala, okuncomeka ukuba kube yimeneja ebhekeleno nomsebenzi owenziwayo

Lapho kudingeka khona kube nomaluleki wangaphandle ongungoti

#### 4.2 Ikomidi Elihlunga Izincintiswano

Isikhulu Esinesibopho Sokubika siyoqoka amalungu ekomidi elicubungula izincintiswano ukuba libenze ukucubungula izincintiswano. Ikomidi lizokwakheka kanje:

Isikhulu esisodwa noma ngaphezulu esivela emnyangweni odinga iziripahla noma ukwenzelwa umsebenzi

Isikhulu esisodwa noma ngaphezulu esiwungoti wezokulawulwa kochungechunge lokuthengwa kwempahla esivela kurnasipala.

Imeneja eyodwa noma ngaphezulu esesikhundleni esiphakeme, Ikomidi Lokucubungula liyo:

Cubungula izincintiswano kuhambisane

- nezilinganiso zalowo msebenzi

- nohlelo lwamaphuzu njengoba kubekiwe eSigabeni sesi-3 sale nqubomgomo.

Qinisekisa ukuthi izincintiswano ziyahambisana yini nezidingo zoHlaka Lokulawulwa Kochungechunge Lokuthengwa Kwempahla kanye nale nqubomgomo;

Cubungula ukuthi umncintisani ngamunye uyokwazi yini ukwenza umsebenzi wesivumelwano somsebenzi:

Hlola wonke umncintisani ukuthi

- Ezentela zilungile ngokweSikhungo Sernisebenzi Yezentela SaseNingizimu Afrika (u-SARS)

-Intel yezinsiza, izintela kanye nezinsiza zikaMasipala akunasikweletu

Ikomidi Elicubungulayo Iiyochitha umncintisani o-

Hlulekayo ukuveza ubufakazi obuvela eSikhungweni Semisebenzi Yezentela SaseNingizimu Afrika obukhomba ukuthi akukho okumphoqa ukuba afeze izidingo zentela, noma wenze amalungiselelo okuba ahangabezane nentela engakhokhiwe.

Kunesikweletu esingaphezu kwezinyanga ezintathu sezinsiza zikamasipala, izintela nezinye izimali.

Wenze isenzo seukohlakalo noma ukukhwabanisa ngenkathi eqhudelana (encintisana) nabanye kufunwa isivumelwano somsebenzi eminyakeni emihlanu edule.

Useenzise ngokungeyikho uHlelo Lokulawulwa Kochungechunge Lokuthengwa Kwempahla noma olunye uhlobo lokungaziphathi kahle okuphathelene nohlelo.

Akanakanga, wayeka noma wehluleka ukuhambisana nezimiso zesivumelwano somsebenzi sikahulumeni, umasipala noma iyiphi enye ingxenye yokusebenzela umphakathi eminyakeni ernihlanu edlule.

IKomidi Elicubungulayo liyonikeza umbiko lenze nezincimo liziyise eKomidini Elahlulelayo ngokuphathelene nokunikezwa kwesincintiswano nokunye okuhambisana nakho zingakapheli izinsuku eziyi-14 sekuvalwe amathenda.

#### 4.3 IKomidi Elahlulela IzIndntiswano

ISikhulu Esinesibopho Sokubika siyoqoka amalungu eKomidini Elahlulelayo ukwenza umsebenzi wokwahlulela ngokwenqubomgomo. Ikomidi liyokwakheka kanje:

- INhloko Yomnyango noma omele umnyango ofuna ukuthola usizo noma isikhulu esinekhono lobuchwepheshe obudingekayo;
- ISikhulu Esiphezulu Esiphethe Ezezimali noma urna singatholakali kube iSekela leMeneja Yezimali ngokomyalelo weSikhulu Esiphezulu Esiphethe Ezezimali; kanye
- NeziMeneja Ezinkulu okungenani ezimbili;

ISikhulu Esinesibopho Sokubika siyoqoka iSikhulu Esiphezulu Esiphethe Ezezimali njengosihlalo wekomidi lokwahlulela.

IKomidi Elahlulelayo liyobheka urnbiko nezincimo zeKomidi Elicubungulayo bese Incoma umnikezelo noma ezinye izincimo kuMeneja KaMasipala ukuze livurne, okuyinani lesi-R1,000,000.00 noma ngaphansi. Imincintiswano yenani elingaphezu kwesi-R1,000,000.00, iKomidi Elahlulelayo Iiyokwenza izincimo eSikhulwini Esinesibopho Sokubika ukuze kutholakale ukuthi kungaqhutshakwa kanjani nokwenziwa komsebenzi.

Isibalo esidingekayo sokuqhubeka nomhlangano kuyoba usihlalo kanye namalungu amathathu.

Amaminithi omhlangano weKomidi Elahlulelayo ayoba ngumbiko obhalwe phansi okudingeka ukuba udluliselwe eSikhulwini Esinesibopho Sokubika ngokwezidingo zeSigaba sesi-S (3) seMithethonqubo.

Uma iKomidi Elahlulelayo likhetha ukuncoma isintiswano esinganconyanga iKomidi Elicubungulayo, kofanele laziswe iSikhulu Esinesibopho Sokubika ngaphambi kokuba lincome leso sincintiswano. ISikhulu Esinesibopho Sokubika ngokubheka izizathu zokwahluka singavuma noma sichithe leso sinqumo sisibuyisele eKomidini Elahlulelayo.

ISikhulu Esinesibopho Sokubika singabuyisela noma yinini noma yisiphi isincomo esenziwe iKomidi ukuba sibuyikezwe uma kunezizathu ezibalulekile zokwenza kanjalo.

### 5. IMIBANDELA NEZINQUBO EZILANDELWAYO EZISEBENZA YO

#### 5.1 Imiyalelo Esebenzayo

Imibandela nezinqubo ezilandelwayo eziqokethwe kusornqulu ziyosebenza kuwo wonke amathenda, ama-oda nasezivumelwaneni zomsebenzi ngaphandle uma kuvunywe iSikhulu Esinesibopho Sokubika ngaphambi kwesimerno sethenda,

1. Imibandela nezinqubo ezilandelwayo ezikhethekile ezibhalwe phansi yiSikhulu Esinesibopho Sokubika ukwengamela ukuthengwa kwempahla nokwenziwa kwemisebenzi kuyosebenza.
2. Uma kunokungqubuzana phakathi kwaleyo mibandela eyisipesheli nezinqubo ezilandelwayo ezikhethekile kanye nemibandela nezinqubo ezilandelwayo esebenzayo, kuyosebenza imibandela eyisipesheli nezinqubo ezilandelwayo eknethekile
3. Ofake isicelo sethenda uyozeanelisa ngemibandela kanye nezimo zethenda. Ngokufaka ithenda, ofake ithenda uyothathwa njengomuntu osezanelisile ngemibandela nezimo zethenda.
4. Izivumelwano zomsebenzi ezisemthethweni esezifinyelela esiphethweni kanye nabathola izivumelwano zomsebenzi kuphela urna izidingo ezibalwe esigatshaneni sesi-3 ngenhla zibhaliwe esimemweni sethenda,
5. Ukuvunywa kwethenda okubhalwe phansi kuyothunyelelwa ofake isicelo sethenda ngencwadi erejistiwe noma efunjelwe.

#### 5.2 Isimemo Samathenda

Izincintiswano zethenda kufanele ziveze imibandela yokuthenga, uHlelo lwamaphuzu olukhethekile oluzosetshenziswa, izilinganiso, izikhathi zokwenza umsebenzi, usuku lokuvula, umuntlabantu abangathintwa kanye nanoma iluphi olunye ulwazi oludingakayo.

1. Ngaphandle kuveziwe emiqulwini yethenda, umasipala ngeke aboshezelve ezindlekweni zokulungiselela nokufakwa kwamathenda ekhokhela ofaka ithenda.
2. Ngaphandle uma iSikhulu Esiphezulu Esiphethe Ezezimali sisho okunye, amathenda amanyezelwa endaweni ephethwe ngurnasipala kuphela. (Ngenhloso yokuthuthukisa umnotho wendawo)
3. Ngaphandle uma kuvuma iSikhulu Esiphezulu Esiphethe Ezezimali, ukwazisa ngezimemo zamathenda koshicilelwa ezindaweni ezihlonzwa yile nqubomgomo, amasonto amabili elandelana.
4. Isiqinisekiso sesikhangiso sizoletshwa embikweni wethenda eKomidini Elahlulelayo.
5. InomboJo yethenda akufanele ivele emvilophini ngaphandle uma imvilophi iqukethe ithenda luqobo Iwayo.
6. UMasipaia uyoveza emqulwini wethenda uhlelo lwamaphuzu ngokukhethekile oluzosebenza uma kwahlulelwa amathenda
7. Abafake izicelo zamathenda kufanelc:
  - (a) Basebenzisc imiqulu yamathenda esemthethweni kaMasipala.wasoLundi
  - (b) Bafake inani lokufaka isicelo sokwenza umsebenzi kanye neminye imininigwane edingakayo ezikheleni ezifanele efomini,
  - (c) Banikeze lonke ulwazi oludingakayo emqulwini wethenda futhi balethe arnaphephazaziso, amasampula, nokunye lapho kudingeka khona.
  - (d) Balethe iSitifiketi SeNtela esingungqo, ukuhluleka ukwenza lokhu ithenda iyothathwa njengengekho.
  - (e) Bagcwalise izeneko ezithi:
    - (i) Ulwazi olunikiwe luyiqiniso alunaphutha;
    - (ii) Osayinile unegunya lokusayina umqulu wethenda: futhi
    - (iii) Amathenda aqukethe imibandela yabafaka izicelo zokwenza umsebenzi angaholela ekutheni leyo thenda ingathathwa njengokuyiyo uma ofaka isicelo sokwenza umsebenzi ehluleka ukufakaza ngaleyo mibandela uma ecelwa ukuba afakaze.
8. Izimali zethenda, ezingabuyiselwa emumva, kufanele zikhokhwe zihambisane nesilinganiso sokukhokha kuhaqoqi zimah bakaMasipala.
9. Incazelo egcwele yokuhlolwa kwendawo, lapho lefanele khona, kufanele kwenziwe ngaphambi kokuvalwa kwamathenda ukuqinisekisa ukuthi abafake izicelo zokwenza umsebenzi bayaqonda ngebanga nemikhawulo yomsebenzi futhi bayahambisana nemibandela nezidingo. Uma kufanele, ukuya emhlanganweni kuphoqelekile futhi kugcwaliswe kusayinwe irejista yokufika endaweni ehlohlwayo.



10. Amathenda avalwa ngehora le-12 emini ngosuku lokuvala olubhalwe emqngweni wethenda. Ngaphandle uma iSikhulu Esiphezulu **Sezimali sinquma okunye, amathenda avalwa** okungenani emva kwamasonto **amabili** emva **kosuku akhangiswa** ngalo. **Ukwelulwa** kosuku lokuvalwa kungagunyazwa kuphela iSikhulu Esiphezulu Esiphethe Ezezimali. Lokho kungenzeka kuphela ima izimo zikuvumela ukwelulwa kwesikhathi. Ukwelulwa kwesikhathi kuyokwenzeka kuphela uma isikhathi sokushicilela isaziso esiehitshiyelwe sanele, ngaphambi kosuku lokuvala.
  11. Ithenda iyobe isalungele ukufakwa ezinsukwini zekhalenda ezehazwe ernqulwini wethenda okubalwa kusukela osukwini nasesikhathini sokuvalwa kwethenda esixivizwe ngaphandle ekhasiniserbatho somqulu wethenda. Uma kwenzeka usuku lokufakwa luba uMgqibelo, iSonto noma iHolidi Lomphakathi, ithenda iyovunyelwa ukuba ilethwe. ngosuku olulandelayo lokusebenza ngezikhathi **zomsebenzi**.
  12. Amathenda ayofakwa singakadluli isikhathi esinqunyiwe ukuze amukelwe kuleyo ndawo futhi ehambisana nemiyalelo esemqulwini wethenda. Ithenda ngayinye iyofakelwa ngokomqulu wethenda futhi ifakwe emvilophini evaliwe yethenda ngayinye kube negarna nekheli lofaka isicelo sokwenza umsebenzi, inombolo yethenda kanye nosuku lokuvala lubhalwe kuaee emvilophini. Imvilophi akuvunyelwe ukuba iqukathe okwenye ithenda ngaphandle kwalokho okubhalwe emvilophini. Akuvunyelwe ukuletha ngokushaya ucingo, itheleksi, ithelegramu noma ngokufeksa,
  13. Amathenda angathunyelwanga ekhelini enikezwe emqulwini wethenda emva kosuku nesikhathi sokuvala ayothathwa ngokuthi asedlulelwe yisikhathi. Ithenda esidlulelwe yisikhathi angeke isanakwa futhi uma kwenzeka iyophindiselwa kumnikazi ingavulwanga iharu **bisana nencazelo**.
  14. Amathenda avulwa kubuka noma ubani masinyane nje emva kosuku lokuvala. Ngosuku lokuvala, ibhokisi lokufaka amathenda lizovulwa isikhulu esiqhamuka oPhikweni Lokulawulwa Koehungehunge Lokuthengwa Kwempahla kanye nesikhulu esiqhamuka eMnyangweni Wezinhlango Zokusebenza kanye nesikhulu esivela eMnyangweni ofanele (uma sikhona) kukhona abafake amathenda kanye nanoma ubani othandayo.
    - (a) Ekuvulweni kwamathenda ngokusemthethweni, isikhulu esiqhamuka oPhikweni Lokulawulwa Koehungehunge Lokuthengwa Kwempahla siyofunda igama negama sabafake izicelo zekwenza umsebenzi kanye nesilinganiso senani lethenda ngayinye. Uma amathenda emaningi ngale ndlela yokuthi kuzodla isikhathi ukuwafunda, kuyofundwa lawo aelwa ngabafake amathenda ukuba afundwe, uhlu oluphelele luyokhishwa masinyane.
    - (b) Ithenda iyogxivizwa ngesitembu esisemthethweni sikaMasipala yisikhulu esivela eMnyangweni Wezinhlango Zemisebenzi abuye aqinisekise ngokusayina kovulc itbenda kanye nalowo obekhona kuvulwa itbenda.
    - (c) Arnathenda kanye neqoqa lohlu kuyogcinwa uPhiko Lokulawulwa Koehungehunge Lokulawulwa Kokuthengwa Kwempahla.
    - (d) IMeneja Yochungehunge Lokuthengwa Kwempahla iyokwenza isiqiniseko sokuthi amabhokisi amathenda avalwe ngci kuze kube yisikhathi sokuthi avulwe ngokusemthethweni, nanokuthi aphephile.
- 5.3 Ukucutsungulwa Kwamathenda
- I. UmasipaJa kufanele athathe onke amathenda avunyiwe awacubungule,
  2. UmasipaJa unelungelo lokungayivumi itbenda ephansi ngokwenani noma iyiphi enye itbenda
  3. Isinqumo sikamasipala mayelana nonikezwa kwezivumelwano zomsebenzi okuhambisana nale nqubomgomo kothathwa ngokuyikho futhi kunesibopho.
  4. **Uma** isivumelwano **somsebenzi** sinikezwe **ngezizathu zolwazi oJunikeziwe**, emva **kokuphuthulwa** kwesivumelwano, **kutholakala** ukuthi ulwazi olunikeziwe akulona, urnasipala ngaphezu kokuhamba komthetho angeba nalokhu okulandelayo:
    - (a) afune zonke izindleko, ukulahlekelwa noma amademeshe enzeke ngenxa yokunikeza isivumelwano somsebenzi;
    - (b) **akhansela isivumelwano somsebenzi abuye afune amademeshe enzeke ngenxa yamalungiselelo owenze kukhanselwa ukunikezwa** kwethenda;
    - (c) afune inhlawulo yemali ethe xaxa kunalokho kwezimali obekushiwo kuyo ithenda; futhi
    - (d) avirnebele obetbole isivumelwano somsebenzi, abanimasheya kanye nabaqondisi ukuba batbole umsebenzi kuMasipala okungaba yisikhathi esingeqi eminyakeni elishurni (10).
  5. UMasipaJa uyokwahlulela amathenda avunyiwe ngokusebenzisa uhlelo lwamaphuzu oluyisipesheli oluklomelela amaphuzu ngokubheka:
    - (a) Inani elifakwe esielweni sethenda; futhi
    - (b) Ukuhlangabezana nezinhlosongqangi
- UMasipala ngokwejwayelekile unikeza isivumelwano somsebenzi ofake isicelo sokwenza umsebenzi wazuza amaphuzu aphezulu, kodwa awuzibophezeli kulokho.**
6. Umasipala, uma ehlulela amathenda, angabonelela ngokuthi atnole imikhiziqo yendawo. Ukubonelela kuhambisane nemitsetho yohlelo lwamaphuzu angama-80/20 noma angama-90/10. uma ukubonelela ngokwamaphuzu kunikezwe imikhiziqo yendawo, ukunikezwa kwaJawo maphuzu kuyocaciswa emibandeleni yethenda.
  7. Ofake isicelo sethenda wagcwalisa wasayina ingxenye yesiqinisekiso yomqulu wctbenda okuyobhekwa uhlelo lwamaphuzu oluyisipesheli,
  8. Umasipala, ngaphambi kokwahlulelwa kwethenda noma ngesinye isikhathi, angadinga ukuba ofake ithenda afakaze ngakushilo mayelana nohlelo lwamaphuzu olukhethekile.
  9. Uma kunokuhlukana kwamanani kwezikhathi ezahlukile zekhontrakthi, inani lesikhathi esithile kufanele lithathwe njengenani elimile **urnakuhambisana nencazelo 'inani elinile'**.
  10. Amaphuzu atholiwe ayolungiswa asondezelwe kokwamaphuzu angukhulwini, (45.168 > 45.17)
  - II. Uma amatbenda amabili noma ngaphezulu ethola amaphuzu alinganayo, ithenda ephumelelayo kuyoba yileyo ethole amaphuzu aphezulu uma kubhekwa amaphuzu akhethekile ezinhloso-ngqangi, Uma amatbenda amabili noma ngaphezulu elingana kukho konke, kuyonikezwa Iowa oyotonyulwa.
  12. Izimfuno zezindinganiso zaMafa (amaThrasti) ngeke zivunyelwe kubantu abangayizindlanga kanye nalabo abangabazuzimafa abarnbakanyeka ekuphathweni kwaMafa.
  13. Izinewadi ezisekela ukufaneleka okuqotho kwezindlalifa okuhlonzwa ibinza (12) ziyolethwa kumasipala.
  14. INdidiyela Yezinhlango noma uMfelandawonye, kubhekwe ingxenye yekhulu (%) yenani lesivumelwano somsebenzi esiphethwe noma esilawulwa amalungu Ababeneishwe amathuba phambilini (ama-Hlzl), kunegunya lobunini bokulingana mayelana naBebencishwe Amathuba Phambilini.
  15. Inani lamaphuzu elitholwe iNdidiyela Yezinhlango noma uMfelandawonye kufanele lihlanganise nenani lamaphuzu elitholakele ngezinhlosongqangi.

16. **Umuntu othole isivumelwano somsebenzi** ngenxa yokuba kuqokwe **yena ukuba kubenguyena othola** isivumelwano **somsebenzi, noma** eletha ubunikazi bokulingana kwaBabencishwe Arnathuba, angeke ahlangani nabanye ngaphezu kuma-25% wenani lesivumelwano somsebenzi sornuntu Ongeyena Owayencishwe Amathuba Phambilini noma ongakulengele ukuba abonelelewe.
17. Asikho isivumelwano somsebenzi esiyonikezwa umuntu ohluleka ukuletha Isitifiketi Sentela esivela eSikhungweni Sernisebenzi Yezentela SaseNingizimu Afrika (u-SARS) esiqinisekisa ukuthi izintela zalowo muntu zisesimweni esikahle noma akhona amalungiselela enziwe neSikhungweni Sernisebenzi Yezentela SaseNingizimu Afrika.
18. Abafaka amathenda ngamabili noma ngaphezulu ngaphandle kokuveza intshisekelo angeke bemukelwe.
- 5.4 Ukulawulwa Kwezivumelwano Zomsebenzi
- 5.4.1 Ukulamula  
Uma kuqubuka ukungezwani phakathi kofaka ithendalumenzimsebenzi kanye nomasipala mayelana nokuhunyushwa kwemibandela **yethenda, isivumelwano somsebenzi noma** i-oda, isinqumo **sikamasipala siyoba ngujuqu, kodwa ukusebenza kwesivumelwano somsebenzi noma se-oda** angeke kubambezeleke uma singakaphumi isinqumo.
- 5.4.2 Ama-oda  
Impahla iyolethwa futhi nemisebenzi iyokwenziwa kuphela nge-oda elisemthethweni elivela kumasipala futhi ama-akhawunti alethwayo ayofana navezwe **e-odeni noma** esivumelwaneni **somsebenzi esisemthethweni, kuye ngokohlobo lwempahla noma lomsebenzi.**
- 5.4.3 Ukupakisha, okokupakisha kanye nokokuphatha  
Othole isivumelwano somsebenzi/umenzimsebenzi kusemahlombe akhe ukupakisha izimpahla ngezindleko zakhe futhi ngendlela yokwenza isiqiniseko sokuthi akonakali noma kungalahleki lutho endleleni.  
Lapho kugcizelelwe khona esivumelwaneni somsebenzi izinto zokupakisha noma zokuphatha kufanele zibuyele emu va, kuyobuyiselwa **emuva ngezindleko zalowo othole isivumelwano** somsebenzi.
- 5.4.4 Isiqiniseko  
**Ngaphandle uma isivumelwano** somsebenzi sisho **okunye, othole isivumelwano** somsebenzi **uyonikeza** isiqiniseko sesikhathi esingaba **yizinyanga eziyishumi nambili** ukuthi **akunaphutha** erpahleni **noma emsebenzini** owenziwe **elikhona** ekukhiqizweni **kwempahla noma** ekwenziweni komsebenzi **nokuthi** impahla **ayinasici.**  
Uma kwenzeka kubakhona okungahambisani nesiqiniseko, umasipala, ngaphandle kokuphuhlisa amanye amalungelo, angafuna ukuba kulethwe enye impahla kulungiswe nalapho konakele khona ngaphandle kwezindleko kumasipala.
- 5.4.5 Inkokhelo yempahla nemisebenzi  
Kuhambisana **nemiyalelo** esesivumelwaneni somsebenzi **noma** se-oda, **othole isivumelwano** somsebenzi **uyokhokhelwa ngempahla** nomsebenzi **awenzile kuhambisana** nalezi ezilandelayo:  
1. Ekufakeleni esitolo sikarnasipala noma iyiphi indawo ekhethwe ngumasipala kwaletwa ne-akhawunti enerniningwane futhi kwabonakala ukuthi yonke impahla ikhona,  
2. Kulethiwe, kwakhiwa, kwaxhunywa, njalo njalo kwaletwa ne-akhawunti eneminingwane kwakhishwa nesitifiketi sokwenza ngokugculisayo sikhishwa isikhulu noma osebenzisana noMasipala.  
3. Inkokhelo ngokujwayelekile yenzeka emva kwezinsuku ezingama-30 uma sekutholakele isitatimende se-akhawunti kanye neminye imiqulu edingakalayo, okufanele ingabinaphutha kuyo yonke indawo. Uma othole isivumelwano somsebenzi eveza isaphulelo ku-akhawunti yakhe ngombandela wokuthi inkokhelo yenziwe ngesikhathi esithile, kuyokwenziwa yonke imizamo yokuba kutholakale lesi saphulelo.  
4. Kuwumthetho ukuba inkokhelo yenzelwe othole isivumelwano somsebenzi. Uma kukhona omunye ofuna le nkokhelo kofanele akhombise ngokubhalwe phansi ukudluliswa kwayo, amandla ommeli noma igunya anikezwe lona bese inkokhelo ifunwa incikiswe **kulokhu.**
- 5.4.6 Izixazululo urna kushoniwe, udliwelwe, ukhokhela isikweletu noma kunomthetho okuphethe  
**Uma-**  
kushone othole isivumelwano somsebenzi  
kukhona abekelwe noma isiphetho sokudliwa kwempahla nobunikazindawo  
**noma edJulisa noma** edlulisela isivumelwano **somsebenzi ngaphandle kwemvume** karnasipala;  
noma enikezela ngempahla nobunikazindawo yakhe noma enza isivumelwano nalabo abakweledayo;  
**noma kukhona abekelwe noma isiphetho sokukhokhelwa** kwesikweletu **senkampani yothole** isivumelwano **somsebenzi;**  
noma efaka izindaba zakhe ukuba ziphathwe umthetho.  
UMasipala, ngaphandle kwengcindezi yanoma yimaphi amalungelo onawo, angenza noma yikuphi kwalokhu okulandelayo:  
(a) Akhansela isivumelwano somsebenzi futhi avume noma iyiphi ithenda kulawo ayefakiwe ekuqaleni kanye naleyo yothole isivumelwano somsebenzi **noma ikuphi okunye okubuye** kwatholakala **ukuqedela** isivumelwano **somsebenzi. Kulesi simo impahla** nobunikazindawo **bothole** isivumelwano somsebenzi **angeke bubekwe** eceleni nezindleko esezidalekile **noma ezin-gadaleka** zibhekane **nothole** isivumelwano somsebenzi **mayelana nempahla engazingalethanga noma** urnsebenzi **engawenzanga ngokwezidingo ezibekiwe zesivumelwano somsebenzi** futhi **umasipala unelungelo lokubamba abuye agcine** konke kanye nobekuyizibambiso kanye nezimali ebezingakumasipala ngosuku Iwesihlakalo kuze kube konke kuyalungiswa ngokugculisayo; **noma**  
(b) Avurnele umlawulimafa, umbhekimafa, umqoqirna noma imeneja yezomthetho, noma yikuphi okufanele, emele inani nezindleko zempahla nezobunikazindawo zalowo othole isivumelwano somsebenzi ukuba aqhubeke futhi aqedele umsebenzi.
- 5.4.7 Okufanele kwenziwe othole isivumelwano somsebenzi  
Uma **kwenzeka** isivumelwano **somsebenzi sikhanselwa ngumasipala esebenzisa amalungelo akhe njengokwezimiso zemibandela,** othole isivumelwano somsebenzi kuyoba semahlombe akhe ukukhokhela umasipala ngokulahlekelwa kwakhe kanye nezindleko noma ukusebenza kwemali akuthole ngalokhu kukhansela. Umasipala uyoba nelungelo lokubuyiselwa okunlahlekele, amademeshe **noma** izindleko **ezengeziwe ngokuba ancuzule izimali eziya noma okufanele ziye kothole** isivumelwano **somsebenzi ngokwezidingo ezibekiwe zesivumelwano somsebenzi noma** yisiphi **esinye isivumelwano** somsebenzi, **noma esiqinisekiweni ebesenzelwe ukwenza** umsebenzi wesivumelwano somsebenzi futhi kuze kube yisikhathi lapho lezo zimali zokulahlekelwa, zamademeshe kanye nezindleko ezaziwa, **ukubamba lezo zimali noma** iziqiniseko **noma** izibambiso zokuvikeleka **ekulahlekelweni umasipala** angahlangabezana **noma** ahlangebazane nakho.  
Kuyoba semahlombe alowo othole isivumelwano somsebenzi ukubhekana namademeshe kanye **nokuJahJekelwa** okungabangwa ukungabibikho esimweni esikahle sempahla noma umsebenzi owenziwe ngaleso sikhathi, esikhathini esilandelayo nanoma **okwaluphi uhlobo uma kungahambisani nemibandela noma nezidingo ezibekiwe zesivumelwano somsebenzi.**

## 5.4.8 Ukudluliswa kwezivumelwano zomsebenzi

Othole isivumelwano somsebenzi angeke avele ayeke, adlulise, anikeze omunye noma abambisane nomunye ngomsebenzi noma anikezele ngengxenye yawo ngaphandle kwemvume kamasipala ebhalwe phansi.

## 6. UKUCHITHA NOKUQASmSA NGEMPAHLA KAMASIPALA

## 6.1 Ukudayiswa noma Ukuchithwa Kwempahla

ISikhulu esinesibopho sokubika, sihambisana nesigaba se-14 soMthetho Wokuphathwa Kwezimali Zikamasipala (bheka Isengezo) kufanele sihambisane nokudayiswa noma ukuehithwa kwempahla kamasipala, siqiniseke ukuthi:

- Impahla engasuki idayiswa ngenani elihambisana nezimakethe, ngaphandle uma intshisekelo noma isimo sobuphofu simazonzo.
- Impahla esukayo idayiswa ngenani lesilinganiso senani, ngokuqhudelana kwesineintswano okukhangisiwe, ngokuneintisana ngamazwi arnanani noma idayiswe ngamanani ezimakethe. ISikhulu Esinesibopho Sokubika esibonayo ukuthi iyiphi indlela ezobanengeniso engcono kumasipala.
- Ukuehithwa kwamakhompuyutha kuneika ekutheni uMnyango Wezemfundo uyawadinga yini arnakhompuyutha;
- IKomidi Elilawula Izikhali LikaZwelonke ilona eliyonikeza imvume yokuchitha izibhamu.

ISikhulu Esinebopho Sokubika sivuma ukudayiswa kwempahla ebiza ngaphansi kwezi-R500,000.00 (ngokugunyazwa uMkhandlu ngaphansi kweSigaba se-14 (4) seMFMA).

Imvume yokuehitha impahla ebiza ngaphezu kwezi-R200,000.00 iyodluliselwa eMkhandlwini ngaphansi kweSigaba se-14 (2) seMFMA. Imigudu efanayo yokuchitha impahla iyosebenza ngaphansi kwale nqubomgomo yokuthengwa kwempahla, kufaka nokusebenza kweMithethonqubo noMthetho Wokuthengwa Kwempahla Okukhethekile.

Uma indawo nezakhiwo kuthengiswa ngokwenani lezimakethe, umlinganisimanani obhalisiwe uyoqagula inani lezimakethe. Ukudayiswa kwempahla ngokuncintisana noma ngokuncintisana okumenyenzwayo komphakathi kuyolandela umgudu wokuxhumana obekelwe amathenda. Ngaphezu kwalokho, kuyolulekwa ukuthi kukuphi lapho bengabuka khona impahla abangathenga noma abafake amathenda futhi baziswe ngosuku, isikhathi nendawo lapho koncintisana khona umphakathi .

Impahla edayiswe ngesivumelwano senani elingaphezu kwezi-R30,000.00 iyohlonzwa inani futhi yahlulelwe ngokwezimiso zale nqubomgomo. Ukwahlulela kuyofaka amaphuzu ngokwekhadi lamaphuzu elilinganisekile ngokweNqubomgomo yeMithethonqubo Yokuthengwa Kwempahla Okukhethekile. Impahla yenani elingaphansi kwezi-R30,000.00 ziyohlolwa uPhiko Lokulawula Kochungechunge Lokuthengwa Kwempahla, kwahlulele iSikhulu Esiphezulu Esiphethe Ezezimali bese kuvunywa iMeneja KaMasipala. Umasipala unelungelo lokungamukeli sincintiswano esifakiwe.

## 6.2 Ukuqashisa ngempahla

ISikhulu Esinesibopho Sokubika, sihambisana neSigaba se-14 soThetho Wokuphathwa Kwezimali Zikamasipala (Bheka isengezo), ngokuhambisana nokuqashiswa kwempahla kamasipala:

- siqinisekisa ukuthi impahla enganyakazi iqashiswa kuhambisane namanani ezimakethe, ngaphandle uma kunentshisekelo yomphakathi noma kunengcindezi yobuphofu; futhi
- sibuyenze minyaka yonke ukubiza okuhambisana nokuqashiswa kwempahla kamasipala.

## 7. UKUTHENGWA KWEMPAHLA OKUYISIPESHELI

## 7.1 Izivumelwano Zomsebenzi Zokuthengwa Kwempahla Ngonyaka

Mayelana nempahla edingeka onyakeni wonke, amathenda onyaka akhishwa minyaka yonke ukubhekela izidingo zangonyaka olandelayo. Amathenda Ezivumelwano Zomsebenzi Zokuthengwa Kwempahla Ngonyaka kufanele ngokwejwayelekile angedluli ezidingweni zomthamo wokuthengwa kwempahla futhi angasetshenziselwa izidingo zosuku nosuku.

ISikhulu Esinesibopho Sokubika singabeka imikhawulo yokusebenza Kwezivumelwano Zokuthengwa Kwempahla Ngonyaka uma kutholakala okudingakayo

Uhlelo Iwezikhathi zokuthengwa kwempahla luyokwakhiwa iKomidi Lezilinganiso neleZincintiswano Iibambisane neNhloko Yomnyango bese lunikezwa iMeneja Yochungechunge Lokuthengwa Kwempahla engakapheli uMbaso minyaka yonke.

Uma sezitholakele izincintiswano ziyolandela umgudu olandelwayo osebenzayo wamathenda ukuze ahlolwe futhi ahlulelwe.

## 7.2 Ukwenziwa Kwemisebenzi Yokubhanga

Imisebenzi yeokubhanga kumele itholakale ngokuncintisana kokuqhudelana kwesikhathi esingadluli eminyakeni eyisi-5 futhi kuhambisane neSigaba sesi-? soMthetho. Izincintiswano zivunyelwe kuphela amabhange abhaliswe ngokwemiyalelo yoMthetho WamaBhange, ka-1990.

Umgudu olandelwayo wokuthola inkampani uyoqala okungenani esikhathini esiyizinyanga eziyi-9 ngaphambi kokuphela kwesikhathi sesivumelwano somsebenzi esikhona ngaleso sikhathi.

## 7.3 Ukuthengwa Kwempahla Nokwenziwa Kwemisebenzi Ehambisana Nobuchwepheshe Bezokwazisa (IT)

ISikhulu Esinesibopho Sokubika singacelaEbenzisebenzi Bakahulumeni Bezobuchwepheshe Bezokwazisa (SITA) ekutholweni kwezimpahla nezinsiza ze-IT kuhambisana neSigaba 30 seZilawuli.

## 7.4 Ukuthenga Impahla Nokwenza Umsebenzi ngezinkontileka Ezingaphansi Kwezinye Izinhloko Zikahulumeni

Impahla ingathengwa noma imisebenzi ingenziwa ngokusebenzi zinkampani ezingaphansi kwenye ingxenye kahulumeni uma:

- isivumelwano somsebenzi satholakala ngomgudu olandelwayo wokuncintisana ngokuqhudelana futhi umasipala akanasizathu sokukholwa ekutheni isivumelwano somsebenzi satholakala ngokungafanele;
- kuzoba nenzuzo kumasipala: futhi
- Lolo hlaka Iukahulumeni kanye nabekampani bayavumelana ngokwenza umsebenzi okubhalwe phansi.

## 7.5 Ukuthengwa Kwempahla Edinga Amalungiselelo Ezokuphepha Ayisipesheli

Ukuthengwa kwempahla edinga amalungiselelo ezokuphepha ayisipesheli njengegesi noketshezi olunikeza amandla kufanele kube ngaphansi kwezidingo eziphansi kumasipala.

## 7.6 Ukuqasha Abenzimisebenzi

Abaqeqeshi kumele baqashwe ngokomgudu olandelwayo wokuncintisana ngokuqhudelana uma kungenzeka futhi kufanele kulandelwe imihlahlandlela yoMnyango wezezimali Kazwelonke.

Izivumelwano zomsebenzi zezinsiza zabaqeqeshi kumele zitholakale ngokomgudu olandelwayo wokuncintisana ngokuqhudelana uma inani elilinganiselwe lomsebenzi lingaphezu kwezi-R200,000.00 noma isikhathi sesivumelwano somsebenzi singaphezu konyaka.

Abancintisani kumele baveze imininingwane yayo yonke imisebenzi yoqeqesho eyenzelwa uhulumeni erninyakeni emihlanu eyedlule.

Umasipala uyokwenza isiqiniseko sobunikazi, amalungelo nobunini bornkhiqizo wanoma imuphi urnshini, utho, uhlelo noma umgudu olandelwayo okhona noma okuhlelwe umqeqeshi ngesikhathi sernisebenzi yomqeqeshi kusemandleni kamasipala.

## 7.7 Izinkampani Eziletha Izimali Zokunxephezela Ngemali Engenayo

**Uma umenzimsebenzi** esebenza esikhundleni **sikamasipala njengohambisa anikezele** ngezirnali **noma oqoqa** izimali ze zinsiza **nezintela, isi-bonelelo** siyokhokhwa ngokwephesenti okwavunyelwana ngalo lokusabalalisa noma lokuqoqa, kufanele isivumelwano somsebenzi phakathi **komenzimsebenzi nomasipala Ivezelwe lokhu:**

(a) isinxephezelo siyohambisana nomsebenzi owenziwe; futhi

(b) Izinguquko emalini engena ngenxa yezinguquko zenani lemali enikezelwayo noma zezinsiza/intela kufanele kubekwe eceleni uma kuhlonzwa isibophezelo.

## 8. IMIGUDU ELANDELWAYO YOKULAMULA

1. Abenzimsebenzi abangenelisekile ngesinqumo sikarnasipala mayelana nesilinganiso senani noma ngethenda bangadlulela eSikhulwini Esinesibopho Sokubika. uma nje lokho kudluliswa kufakwa kumasipala ngalezi zindlela:

(a) Ngezilingfaniso zenani, zingakapheli izinsuku ezi-5 zokusebenza kusukela osukwini lokuqala isilinganiso senani esivunyiwe esafakwa ngalo ohlwini ngokwezinhlinzako zeSigaba sesi-9 esingenhla,

(b) Okwamathenda., zingakapheli izinsuku eziyi-14 zokusebenza kusukela osukwini lokuqala ithenda evunyiwe yafakwa ngalo ohlwini ngokwezimiso zeSigaba 9 ngenhla,

2. Abenzimsebenzi kumele bahlinzeke ngeminingwane yezizathu zokudlulisa ukunganeliseki kubandakanye nalokho okungahambisani nale nqubomgomo, noMthetho Wokuphathwa Kwezimali Zikamasipla kanye nemithetho ehambisana nalokhu.

3. ISikhulu Esinesibopho Sokubika siyoletsa incwadi ekhombisa ukusithola isiduliso kulowo onganelisekile futhi sizarne ukuphetha izikhalo ezinsukwini zokusebenza eziyi-10 sesithole izikhalo. Uma lokhu kungenzeki, iSikhulu Esiphethe sizokwazisa onganelisekile ngokubambezeleka kubhalwe phansi.

4. Uma isiduliso sigxile odabeni olunxakanxaka luphathelene nobuchwepheshe noma uma iSikhulu Esinesibopho Sokubika sibona ukuthi kunesidingo siyoqoka umeluleki ozirnele ongachemile uma nje lokho kuhambisana nale nqubomgomo.

5. ISikhulu Esinesibopho Sokubika asilandeli umqondo womuntu

6. ISikhulu Esinesibopho Sokubika siyonquma uma isedluliso sinezizathu zokubambezeleka kokuthola usizo koletha usizo sibuye sibheke ukuthi ukubambezeleka kufanelekile yini,

7. Uma iSikhulu Esinesibopho Sokubika sibona ukuthi kunezizathu zokubambezeleka, umenzimsebenzi ovunyiwe uyokwaziswa ngokubhalwe phansi izizathu zokubambezeleka.

8. Uma isinqumo ngesedluliso sesikhishiwe iSikhulu Esinesibopho Sokubika siyokwazisa odlulise isikhalo ngomphumela ngokubhalwe phansi.

## 9. UKUGCINWA PHANSI KWEZINCINTISWANO

Ukubhalwa phansi kwazo zonke izincintiswano kufanele lokhu okulandelayo:

**1. Izidingo zokuncintisana kufanele zibe amaRandi;**

2. Izidingo zabancintisani kufanele ziveze inombolo yentela, inombolo yokubhaliselwa kwebhela Yempahla (i-VAT) kanye nokutholakala kwakho noma inombolo yokubhaliswa kwenkampani

3. Ukuthengwa kwempahla okubiza ngaphezu kwezi-R10,000.00 kumele kulethwe okukhombisa ukuthi ezentela zongenele umncintiswano zisemweni esikahle okuvela eSikhungweni Semisebenzi Yezentela SaseNingizimu Afrika (i-SARS);

4. Kufanele umncintisani aveze ukuthi kukhona intshesekelo ngokweSigaba sama-20 (f) seMithethonqubo kwakhe noma komunye welungu lomndeni.

**5. Izidingozemihlangano yesizinda somsebenzi nomakwezithangami zokufakana imilomo, uma kusekhona;**

6. Izindlela ezilandelayo zokuhlola noma zokwahlulela kubandakanye nanoma iyiphi enye indlela eMithethweni Wohlaka Lwenqubomgomo Yokuthengwa Kwempahla Ekhethekile kanye neminye imithethonqubo esebenzayo.

7. Inqubo yokuhlunga kanye nemigudu elandelwayo yokuhlola ezokuphepha kwezinkontileka kumathenda angaphezu kwezi-R500,000.00.

8. Lapho kulindeleke ukuba inani libe ngaphezu kwezigididi ezili-10 zamarandi, akulethwe imiqulu nolwazi okudingwa iSigaba sama-20 (g) seMithethonqubo;

9. Isidingo esiphokelekile sokuveza noma yini eshayisana nentshisekelo yalowo ongathola isivumelwano somsebenzi angabanakho kanye **nokukhishwa inyumbazane kwaloyo othole isivumelwano somsebenzi kulawo mathenda noma kulokho kuncintisana.**

10. Izidingo zokuthi umuntu akhishwe inyumbazane ngaphansi kweSigaba se-t12 (1) (f) soMthetho Wokuphathwa Kwezimali Zikamasipala kubandakanya nabantu ababoshelwe ukukhwanisa nenkohlakalo, abahluleke ukwenza umsebenzi wesivumelwano somsebenzi sikahulumeni, noma ezentela zabo zingocobho eSikhungweni Semisebenzi Yezentela SaseNingizimu Afrika (SARS).

11. Uqagule ukuthi ukungezwani kolanyulwa ngokungokubonisa, ukubhula umlilo (kukhona noma engekho owomthetho) noma uma kungalungi, kuyiwe enkantolo yomthetho yaseNingizimu Afrika;

12. Izinqubo nemigudu kokuphathwa kwezivumelwano zornsebenzi kufaka nokubekelwe iSikhulu Esinesibopho Sokubika ukukhansela isivumelwano **somsebenzi uma umsebenzi ungagculisi;**

13. Imiqulu nokunye okungadingwa nguMthetho Wokuphathwa Kwezimali, uHlaka Lokulawulwa Kochungechunge Lokuthengwa Kwempahla, iNqubomgomo Nemigudu Elandelayo Yokulawulwa Kochungechunge Lokuthengwa Kwempahla Kamasipala kanye nanoma yiziphi iziqondiso Iochungechunge Lkuthengwa Kwempahla eMnyangweni Wezezimali Kazwelonke;

14. Irnibandela ejwayelekile yesivumelwano somsebenzi; kanye

IS. Nezidingo zeBhodi Lkuthuthukiswa Kwezimboni Zokwakha odabeni oluphathelene nokwakha, ukulungisa noma ukuthuthukiswa kwezakhiwo **noma izinqalazizinda.**

## 10. UKUPHATHWA KWEZIVUMELWANO ZOMSEBENZI

Uma iSikhulu Esinesibopho Sokubika sesinikeze isivumelwano **somsebenzi ngokwezincinome zeKomidi Elahlulela** Izincintiswano, kuba **semahlombe oMnyango obone isidingo sesivumelwano sornsebenzi ukulawulwa kwaleso sivumelwano somsebenzi.**

Mnyango ngamunye uyosungula uphinde ubuyekeze izinhlelo zokulawula umsebenzi 'ezifancle kubandanye nokugcinwa kwamarekhodi ukwenza isiqiniseko sokuthi izivumelwano zornsebenzi ziphethwe ngendlela efanele nokuyiyo.

Izivumelwano zornsebenzi ezifakela ngempahla nezenza imisebenzi eminyangweni eyehlukene ziyolawulwa wumnyango ofanele.

Izinhlinzako zokukhansela kwesivumelwano sornsebenzi ngenxa yomsebenzi ongagculisi kanye nezindlela ezilungile ezingalandelwa ukukhansela kuyofakwa emqulwini ofanele wokuncintisana. ISikhulu Esinesibopho Sokubika esingakhansela isivumelwano somsebenzi esinikezwe umuntu:

(a) Uma lowo muntu enze noma luhlobo luni lwenkohlakalo noma ukukhwanisa ngenkathi kuncintiswano ngesivumelwano somsebenzi; noma

(b) Isiphathimandla noma omunye omunye obambe iqhaza kulokho enze isenzo senkohlakalo noma ukukhwanisa ngenkathi kuncintiswano kuhlomulise lowo muntu.

## 11. UKUZIPHATHA NOKUQEQESHA KWABASEBENZI

**ILI** Ukuziphatha Kwabasebenzi

**Akukho muntu** ofaka **isicelo sokuthenga** irnpahla **noma** ukwenza **umsebenzi** oyosho **okungaphansi kwezidingo zamanani** alinganiselwe, ngenhloso yokugwema ukuba alandele inqubo yokuthengwa kwempahla eqinile, okungukuthi akuvumelekile ukuconzulwa kwezidingo.

Abasebenzi bangaxhumana kuphela nabenzimsebenzi usizo mayelana nesilinganiso senani noma ithenda lapho kudingeka incazelo yezidingo phakathi kwabo, noma lapho isikhulu esinesibopho sokubika sixoxisana nabancintisani abakhethekile abahlonziwe kuhambisane nale nqubomgomo. Inqubo Yokuziphatha ebekwe eMthethweni Wezinhlalo Zikarnasipala, oHlakeni Lokulawulwa Kochungechunge Lokuthengwa Kwempahla kanye naseNqubeni Yokuziphatha Yokulawulwa Kochungechunge Lokuthengwa Kwempahla.

Abasebenzi bayozama ngokusemandleni ukuziphatha ngokusemazingeni aphezulu uma besebenzisa le nqubomgomo futhi bahambisane neSigaba sama-42 sol-flaka Lokulawulwa Kochungechunge Lokuthengwa Kwempahla kubandakanya:

- Ukuphatha wonke umuntu ngokulingana;
- Ukungasebenzisi izikhundla zabo ukuze bazuze noma bahlomule ngokungernthetho komunye umuntu;
- Ukungemukeli umhlomulo, isipho noma ukwenzelela hona noma izihlobo eziseduze kwabo;
- Ukudalula intshisekelo yaho kulokho okuthengwayo noma ekuqhutshweni kokuchithwayo kanye nokwalokho kwesihlobo esiseduze noma esisondelene nabo futhi siziqhelelanise naleyo nqubo;
- Sisize iSikhulu Esinesibopho Sokubika ukunqanda ukusetshenziswa ngokungemthetho koHlelo Lokulawulwa Kochungechunge Lokuthengwa Kwempahla kubandakanye nokubikwa kwezigameko zokuziphatha budedengu.

Abasebenzi kumele baveze obala eSikhulwini Esinesibopho Sokuhika yonke imininingwane yemihlomulo, yezipho, yokwenzelela, yokuternukiswa, **noma iyiphi eminye imihlomulo** ethenjisiwe, **enikeziwe noma etholakele kulowo muntu noma kulelo Jungulomndeni elisondele, abambisene** naye **noma azwana** nanye.

Uphiko Lokulawulwa Kochungechunge Lokuthengwa Kwempahla luyoba nerejista lapho kubhalwa khona okuvezwa obala okuyizidingo zeSigaba sama-42 sol-flaka hese sibika okuvezwe obala eSikhulwini Esinesibopho Sokubika ukuze kunikezwe uSodolobha. Imeneja kaMasipala iyoqondisa izigwegwe ngokushesha zalowo ongahambisananga nalezi zidingo.

## 11.2 Ukuqeqesha Kwabasebenzi

Umasipala uyolettha izidingo noma amathuba eSikhulwini Esinesibopho Sokubika kanye nezikhulu ezifanele ezibandakanyekayo ekusebenziseni le nqubomgomo ukuba bathole ukuqeqesha kuhlangebezane namazinga adingakayo okwenza ngokufanele ngaphansi koMthetho kube ngokweSifundo sesi-6 se-SAQA ekulawulweni Kochungechunge Lokuthengwa Kwempahla okuba yingxenye yokuthola iSitifiketi kuBasebenzi Bezokuphathwa Kwezimali Zikamasipala okuyohambisana nala mazinga arnakhono kusukela mhla lu-I kuNtulikazi 2006..

## 12. UKUVIMBELA UKUSEBENZISA BUDEDENGU UKULAWULWA KOCHUNGECHUNGE LOKUTHENGWA KWEMPAHLA

Isikhulu Esinesibopho Sokubika siyothatha izinyathelo ezifanele ekwenzeni lokhu okulandelayo-

Ukunqanda ukusebenzisa budedengu uHlelo Lokulawulwa Kochungechunge Lokuthengwa Kwempahla

Ukuphenya izinsolo zokusebenzisa budedengu noma zokwahluleka ukuhambisana nalolu hlelo; futhi

Uma kufanelekile, kuthathlwe izinyathelo ezifanele iziphathimandla noma abanye ababambe iqhaza.

**Akukho menzimsebenzi noma ongenza umsebenzi wokufakela ngempahla noma owenza umsebenzi kumasipala, noma kowamukelayo noma onga-**rukela ongalettha noma anikeze umhlomulo, isipho, ukuzwelana, ukutetemukisa kulethwa ngqo noma ngenye indlela kumsebenzi noma komunye obambe iqhaza ekusebenzisweni kweNqubomgomo Yokulawulwa Kochungechunge Lokuthengwa Kwempahla.

Isikhulu Esinesibopho Sokubika siyobika okuyizinsolo zokungahambisani noMhetho eMnyangweni Wezesizimali Kazwelonke ukuze sicubungule ukufakwa kwabantu ohleni lukahulumeni lwalabo abangavumelekile ukusebenzisana nohulumeni.

## 13. UKWEDLULISELWA KWAMANDLA KANYE NEMITHETHO EBEKIWE

1. UMkhandlu uyodlulisele eSikhulwini Esinesibopho Sokubika amandla nemisebenzi edingekayo yokuLawulwa Kochungechunge Lokuthengwa Kwempahla ukuze iSikhulu Esinesibopho Sokubika sikwazi:-

- ukwandisa ezokuphatha nokusebenza okuphusile;
- ukufaka izindlela ezifanele zokusebenzisa imali ukunqanda ukusetshenziswa budedengu kwenqubomgomo kanye nomthetho, futhi
- Ukulandela ukuhambisana nokusebenza kwaso ngaphansi kweSigaba se-115 kanye nezinye izimiso zoMthetho Wokuphathwa Kwezimali Zikamasipala.

2. . Kusemablombe eSikhulu Esinesibopho Sokubika ukuqinisekisa ukuthi le nqubomgomo iyasebenza futhi iyalandelwa.

3. ISikhulu Esinesibopho Sokubika siyobhala incwadi egunyaza iKomidi Elablulelayo ukuba linikeze izincintiswano zenani elingafinyelela esi-R1,000,000.00. okungaphezu kwaleli nani iSikhulu Esinesibopho Sokubika siyonikeza izincintiswano silandela okunconywe iKomiti Elablulelayo.

4. Lapho ukuthengwa kwempahla kungaba nomthelela kusabelozimali esilandelayo, iSigaba sama-33 soMthetho Wokuphathwa Kwezimali Zikamasipala esimayelana **nezivumelwano zomsebenzi** ziyolandelwa,

5. Ernva kokuvunywa kwale nqubomgomo nguMkhandlu, iSigaba sama-33 (1) angeke sisebenze ezivumelwaneni zomsebenzi zenani elingaphansi kwezi-R200,000.00 ngonyaka noma ezivumelwaneni zomsebenzi ezimayelana naJokhu okulandelayo:

- Amalayisense emisakazo noma** ezimoto
- Izivumelwano zomsebenzi zokunakekela impahla yasernahhovisi
- Ukusika utshani

6. Uma ukuthengwa kwempahla kungumklamo omkhulu, iSigaba se-19 soMthetho Wezokuphathwa Kwezimali Zikamasipala siyolandelwa mayelana nesabelozimali kanye nokunquma inani lemiklamo emikhulu.

7. NgokweSigaba 50-19 (3), emva kokuvunywa kwale nqubomgomo, uMkhandlu ungayivuma imiklamo emikhulu sebenzi engaphansi kwezi-R500,000.00 kurnuntu oyedwa noma engxenyeni yohlelo oludidiyele izinkampani.

## 14. UKUBIKA

## 14.1 Ukubika Nyangazonke

- Zisasele izinsuku ezili-IO ngaphambi kokuba kuphele inyanga iSikhulu Esiphezulu Esiphethe Ezezimali siyoJetha umbiko eSikhulwini Esinesibopho Sokubika ngohlu lokuthengwa kwempahla lapho kutholakale khona izilinganiso zenani ezi-3 kuhambisana nencazelo efanele
- Zingakapheli izinsuku ezili-IO kade kuphele isikhathi sezinyanga ezintathu iSikhulu Esinesibopho Sokubika siyohambisa umbiko kuSodolobha ngokusebenza kweNqubomgomo Yokulawulwa Kochungechunge Lokuthengwa Kwempahla. Lo mbiko uyokwaziwa ngumphakathi ngokwesaziso esiyoba semaphephandabeni endawo, ufakwe emabhodini ezaziso kanye nakuwebhusayithi kamasipala.

## 14.2 Ukubika Minyakayonke

Kusasele izinsuku ezingama-60 ungakapheli unyaka wezimali, iSikhulu Esinesibopho Sokubika siyoletha umbikoeMnyangweni Wezezimali Wesifundazwe mayelana nokuphathwa koehungehunge lokuthengwa kwempahla kamasipala ngokohlelo olusazohlonzwa uMnyango Wezezimali Kazwelonke.

## 14.3 Okanye Ukubika

- (a) Impahla noma imisebenzi eyenziwa ngaphansi kweSigaba se-IIO (2) soMthetho, kwezinye izinhlaka zikahulumeni lapho le nqubomgomo ingasebenzi khona, njengengxenywe yesabelozimali sonyaka noma kube yinqubo eseceleni. Ukwazisa umphakathi kuyobandakanya uhlobo lwempahla noma imisebenzi kanye negama lenkampani
- (b) Uma kube nokwehluka ezidingweni zokumema izineintiswano ngokuqhudlana, isikhulu esinesibopho sokubika siyobika ernhlanganweni olandelayo woMkhandlu ngezizathu futhi sifake lolu daba eZitatimendeni Zezimali Zonyaka.

## 15. UKUSEBENZA NOKUBUYEKEZWA KWENQUBOMGOMO

- (a) Le nqubomgomo isebenza kuyo yonke impahla nemisebenzi eyenziwayo kanye nasekuchithweni kwempahla kamasipala ngaphandle uma kuyilesi sigaba esikhululayo.
- (b) Le nqubomgomo ayisebenzi ekuthengweni kwempahla nasekwenziweni kwemisebenzi kwezinye izinhlaka zikahulumeni ngokweSigaba se-IIO (2) soMthetho Wokulawulwa Kwezimali Zikamasipala uma nje isivumelwano somsebenzi satholakala ngenqubo yokuncintisana futhi **uhJaka lukahulumeni kanye nomenzirnsebenzi bevumelene ngokwenziwa kornsebenzi ngokubhalwe phansi.**
- (c) Le nqubomgomo iyobuyekwezwa njalo kanye ngonyaka njengengxenywe yokubuyekwezwa kwezinqubomgomo kuhambisana nenqubo yesabelozimali.
- (d) ISikhulu Esinesibopho Sokubika siyophuthuma sakhe imigudu yokulekelela ukusebenza, ukuphathwa kanye nokulawulwa kwale nqubomgomo kubandaka nezindlela zokuphathwa kwezokuphepha nokusebenza kuharnbisane neSigaba sama-40 nesama-41 ngokulandelana koHlaka **lomsebenzi.**

## 16. IQHAZA LOKUQAPHA KOMKHANDLU

Iqhaza elibanjwa uMkhandlu ukwenza isiqiniseko sokuthi iSikhulu Esinesibopho Sokubika sisebenzisa le nqubomgomo kube ngaphansi kokusebenza komthetho.

ISikhulu Esinesibopho Sokubika siyobika eKomidini Elikhulu kusasele izinsuku eziyi-IO ngaphambi kwesikhathi esiyizinyanga ezintathu mayelana nokusebenza kwale nqubomgomo. Ngaphezu kwalokho, iSikhulu Esinesibopho Sokubika siyoletha 10 nrbiko eMkhandlwini njalo ngonyaka zingakapheli izinsuku ezingama-30 ngaphambi kokuphela konyaka wezimali noma uma kunezinga ezinkulu zokusebenza kwale nqubomgomo.

## 17. IMITHETHO KAMASIPALA

Umkhandlu uyokhipha imithetho kamasipala efanele ukuze iqalise ukusebenza kwale nqubomgomo Yokulawulwa kochungeebunge Lokuthengwa Kwempahla.

## 18. ISENGEW: IZIDINGO ZOMTHETHO

Okwengezwe kule nqubomgomo ukubeka ngendlela ezwakalayo koMthetho Wohlaka Lwenqubomgomo Yokuthengwa Kwempahla Ekhethekile kanye nokoMthetho Wokuhlomulisa Abamnyama Kwezomnotho Ovulekile kanye nezigaba ezifanele zoMthetho Wokuphathwa Kwezimali ZikaMasipala. Le nqubomgomo kufanele ifundwe ihambisane nokushiwo uHlaka Lokulawulwa Koehungehunge Lokuthengwa Kwempahla kanye neMithethonqubo Yokuthengwa Kwempahla Ekhethekile, eseluhlaka, ka-2004.

## ISENGEZO

## UKUBEKWA NGENDLELA EZWAKALAYO KWEZIDINGO ZOMTHETHO

## INGXENYE 1: UMTHETHO WOHLAKA LWENQUBOMGOMO YOKUTHENGWA KWEMPAHLA EKHETHEKILE

Umasipala kumele ahlonze inqubomgomo yokuthengwa kwempahla ekhethekile

Le nqubomgomo kumele iqaliswe ngokohlaka olulandela uhlelo lwamaphuzu olukhethekile:

mayelana nezivumelwano zomsebenzi zenani ngokweRandi elingaphezu kwaJelo elinqunyiwe, amaphuzu angeqile kwayi- IO kufanele ahelwe izinhloso ezishiwo ngezansi, uma nje inani eliphansi lethenda eyamukelekile ithola amaphuzu angama-90.

mayelana nezivumelwano zomsebenzi zenani ngokweRandi elilingana noma elingaphansi kwenani elinqunyiwe, amaphuzu angeqile kwangama-20 kumele ahelwe izinhloso ezishiwo ngezansi, uma nje inani eliphansi lethenda eyamukelekile ithola amaphuzu angama-80.

Amanye amathenda avumelekile anenani eliphuzulu kufanele azuze amaphuzu ambalwa, ngokwabelwa ngokuhlukana okuhambisanayo, kubalwa ngokwamanani amathenda kuhambisana nenani eliphansi elivunelekile, ngokwezimiso zendlela yokubala ebekiwe.

Izinhloso ezinqala ezibekwe ngumasipala zokuthengwa kwempahla okukhethekile kumele kubandakanye ukunikezelwa kwezivumelwano zemsebenzi kubantu, noma imikbakhha yabantu abebencishwe amathuba phambilini, ngokobuhlanga, ngokobulili noma ngokukhubazeka.

Izinhloso ezinqala zenqubomgomo kufanele futhi zifake ukusebenza kwezinhlelo zokwakha kabusha kanye nohlelo lokuthuthukisa njengoba kushicilelwe kuSomqu!u Kahulurneni wombla zingama-23 kuLwezi 1994.

Zonke **izinhloso ezinqala ezabelwa iphuzu kufanele zicacise** ngokusobala **esimemweni** sokuletha **amathenda.**

Umasipala kufanele anikeze isivumelwano somsebenzi kumutu ofake isieelo sokuthola ithenda ozuze amaphuze aphezulu uma kungenjalo, akwazi ukuveza izindlela zokuhlisiwe ngaphezu kwalezi ezivezwe ngenhla ukuze kube nobulungiswa kumele omunye ofake isieelo sokuthola ithenda.

Izinhloso ezinqala ezihlonzwa ngumasipala ngokwenqubomgomo yokuthenga impahla ekhethekile kufanele zikalake, zikwazi ukubalwa futhi ziqapheleke.

## INGXENYE 2: UMTHETHO WOKUTHUTHUKISA UMNOTHO KWABAMNYAMA OVULEKILE

UNgqongqoshe Wezohwebo Nezimboni angakhipha iziNdelela zokusebenza ezinhle ngokwezinhlinzekil zikaSomqulu zokuthuthukisa umnotho wabamnyama okufaka (phakathi nkunye) lokhu okulandelayo:

ukuqhubezela ukuhunyushwa nokuehazwa kokuthuthukiswa komnotho wabamnyama okuvulekile kanye nokuhunyushwa nokuehazwa kwemikhakha ehluke kwezinhlaka zokuthuthukiswa komnotho wabamnyama.

izindlela zokwamukeleka ngezinhloso zokukhethekile zokuthengwa kwempahla kanye neminye imisebenzi yomnotho

izinkomba zokukala ukuthuthukiswa komnotho wabamnyama okuvulekile; kanye

**nesisindo** esizohambisana **nezinkomba zokuthuthukiswa** komnotho wabamnyama **okuvulekile**

Ingxenywe kahu\umeni kanye nokomphakathi kufanele kucabangele ngokwanele, kusebenzise izimiso zokusebenza okuhle ngokwezinhlinzeko zoMthetho wamanje ku:

**hlonzwa izindlela zokwamukeleka zokukhishwa kwamalaysensi, izirivume noma amandla okusebenza okuhambisana nemithetho;**

thuthukiswa futhi kusetshenziswa inqubomgomo yokuthola okukhekile;  
hlonzwa izindlela zokwamukeleka zokudayiswa kwemisebenzi ephethwe nguhulumeni; kanye  
thuthukiswa izindlela zokusebenzisana nezinkampani ezizimeJe.

UNgqongqoshe kufanele aveze icebo lokuhlonyuliswa kwabarnnyama ngokomnotho okuvulekile. Leli cebo kufanele:

linikeze indlela edidiyele, enokuxhumanisa nefanayo ekuhlonyulisweni kwabarnnyama ngokomnotho okuvulekile kwazo zonke izingxeny zikahulumeni, izinkampani ezizimele, izinhlangano ezingahlangene nohulumeni, imiphakathi yendawo kanye nababambe iqhaza.

lakhe isu lokunikeza imali ekuhlomuliseni abarnnyama ngokomnotho okuvulekile; futhi

linikeze uhlelo lwezingxeny zikahulumeni, okornphakathi kanye nabanye bamabhizinisi ukulungiselela amasu okuhlomulisa abarnnyama ngokomnotho okuvulekile kanye nokubika ngokuhambisana nalawo masu.

INGXENYE YESI 3: UMTHETHO WOKUPHATHWA KWEZIMALI ZIKAMASIPALA (MFMA) UNOMBOLO 56 KA-2003

ISIGABA 14: Ukuchithwa Kwempahla Ebalulekile (ekhiqizwa kakhulu)

1. Umasipala angeke edlulisa ubunikazi ngokudayisa noma ngaluphi olunye uhlobo lokudlulisa noma achithe unomphelo impahla ebalulekile edingeka ukuba ilethe izinsiza ezingqala ngokwezininga eliphansi kurnasipala
2. Urnasipala angeke edlulisa ubunikazi noma achithe impahla ebalulekile ngaphandle kwalokho okushiwo esigatshaneni soku-I ngenhla, kodwa emva kokuba umkhandlu karnasipala usuhlangene nomphakathi-
  - (a) Kwanqunywa ngezizathu ezingqala zokuthi impahla iyadingeka ukwenza umsebenzi onqala kumasipala; futhi
  - (b) Kwacutshungulwa inani lezimakethe eliyilo nokusizakala komnotho nomphakathi okungatholakala ngempahla
3. Isinqumo somkhandlu karnasipala sokuthi impahla ebalulekile ayidingeki ukufeza imisebenzi enqala esezingeni elinphansi emisebenzini kamasipala, ngeke kwaguqulwa ngurnasipala emva kokudayiswa, ukudlulisa noma ukuchithwa kwayo.
4. Umkhandlu karnasipala ungadlulisela arandla esikhulwini esinesibopho sokubika sikamasipala ukubhekelela okublonzwe esigatshaneni sesi-2.a. no b. mayelana nempahla esusekayo engaphansi kwenani elihlonzwa umkhandlu.
5. Ukudlulisa kobunikazi bempahla esemqoka ngokwesigatshana sesi-2. noma sesi-s. kufanele kube nobulungiswa, kulinganiseke, kube sobala, kuqhudelane futhi kuhambisane nenqubomgomo Yokulawulwa Kochungechunge Lokuthengwa Kwempahla okufanele umasipala abenakho futhi akugeine kusesimweni esifanele ngokwezinhinzeke zeSigaba se-III soMthetho Wokuphathwa Kwezimali Zikarnasipala,

ISIGABA 19: Imisebenzi Ebalulekile

- I. Umasipala angasebenzisa imali emisebenzini ebalulekile kuphela **uma-**
  - (a) imali yomsebenzi, kungabalwa izindleko zenhlo ezenzeke futhi kwenziwela umasipala, incsabelo kusabelozimali esishiwo eSigabeni se-17 (2);
  - (b) umsebenzi, kufaka nazo zonke izindleko, kuvunywe uMkhandlu;
  - (c) izinhlinzeke zeSigaba sama-33 zilandelwe, ngendlela yokuthi lesi sigaba singasebenza kulo msebenzi; futhi
  - (d) imithombo yokutholakala kwezimali icutshungulwe, iyatholakala futhi ayibekelwe ukwenza eminye imisebenzi.
2. Ngaphambi kokuvunywa komsebenzi omkhulu ngokwezinhlinzeke zesigatshana soku-Lb, uMkhandlu kufanele **ucabange-**
  - (a) Ngezindleko zayo yonke iminyaka yezimali kuze kube umsebenzi uyaqala ukwenziwa; futhi
  - (b) Izindleko zokusebenza ngomuso kanye nengenisomali lomsebenzi, kubandakanye nemithelela yentela nezimali zikamasipala
3. Urnkhandlu karnasipala ngokwezinhlinzeke zesigatshana soku-Lb ungavuma imisebenzi emikhulu engaphansi kwenani elinqunyiwe ngalinye noma njengexenye yohlelo lomklarno olukhulu olubambisane.

SECTION 33: Izivumelwano Zomsebenzi Ezinomhlelela Kusabelozimali

Sangomnso

1. Umasipala angangena esivumelwaneni enezibophezelo zezimali ezihamba zedlule unyaka wezimali karnasipala. uma isivumelwano sornsebenzi sinesibophezelo sezimali ezihamba zedlule unyaka wezimali karnasipala kuhamba ngaphezu kwerninyaka ernithathu kusabelozimali sonyaka kulowo nyaka wezimali, kungenzeka lokho kuphela **uma -**
  - (a) iMeneja Kamasipala, okungenani kusasele izinsuku ezingama-60 ngaphambi komhlangano womkhandlu kamasipala lapho kuyovunywa khona isivumelwano somsebenzi:
    - (i) kuhambisana neSigaba sarna-ZI A soMthetho Wezinhlelo Zikamasipala-
      - (aa) kwabikelwa umphakathi ngohlaka lwesivumelwanosomsebenzi kanye nangesitatirinde solwazi esiqoqa ukuzibophezela kurnasipala ngokwezimiso zesivumelwano somsebenzi esihlongozwayo;
      - (bb) kwamenywa umphakathi wendawo kanye nabanye abanentshisekelo ukuba balethe kumasipala ukuphawula noma okungabekwa mayelana nesivumelwano somsebenzi esihlongozwayo; futhi
    - (ii) bacela imibono neziphakarniso zo-
      - (aa) Mnyango Wezezimali Kazwelonke kanye noMnyango Wezezimali Wesifundazwe;
      - (bb) uMnyango Kazwelonke ophathelene nohulumeni basekhaya; futhi
      - (cc) Isivumelwano somsebenzi sibandakanya ukulethwa kwarnanzi, ukuthuthwa kwendle, ukufakwa kukagesi, noma iyiphi enye insiza enganqunywa, kuvela emnyangweni kazwelonke othintekiJe.
  - (b) umkhandlu kamasipala **ucabange-**
    - O) izibophezelo zezimali ezihlonziwe zikamasipala ngokwezimiso zesivumelwano somsebenzi esihlongozwayo onyakeni wezimali waleso sivumelwano somsebenzi;
    - (ii) ngomthelela kualezo zibophezelo zezimali ezinteleni zikarnasipala zangomuso;
    - (iii) ukuphawula noma ezethulweni ezivumelwaneni zomsebenzi ezihlongozwayo emphakathini wendawo nakwabanye abanentshisekelo;
    - (iv) noma imiphi imibono neziphakarniso okubhalwe phansi mayelana nesivumelwano somsebenzi esihlongozwayo soMnyango Wezezimali Kazwelonke, soMnyango Wezezimali Wesifundazwe, soMnyango Kazwelonke ophathelene nohulumeni basekhaya kanye nanoma yimuphi uMnyango Kazwelonke ovezwe emaphuzwini aji.cc.; futhi
  - (c) umkhandlu kamasipala unesivumelwano **esithi-**
    - (i) uyonquma umasipala ukuthi uzothola ukugcina imali enkulu noma uyothola umnotho wemali wenzuzo yemali evela esivumelwaneni somsebenzi
    - (ii) uyovuma sonke isivumelwano somsebenzi njengoba sinjalo; futhi onikeze imvume kuMeneja Kamasipala ukuba asayinele umasipala isivumelwano somsebenzi.

2. Okulandelwayo okubekwe esigatshaneni soku-I. akusebenzi kulokhu okulandelayo-
  - (a) esikweletini sezivumelwano zomsebenzi zesikhathi eside okulawulwa yizirniso zeSigaba sama-46 (3);
  - (b) ezivumelwaneni zokuqasha: noma
  - (c) izivumelwano **zomsebenzi**
    - (i) emikhakha yempahla njengoba kungabekwa
    - (ii) ngokwezimiso zezibophezelo zezimali kumasipala kungaphansi -
      - (aa) kwenani elibekiwe; noma
      - (ab) **kwephesenti elibekiwe noma** kwesabelozimali esivunywe ngurnasipala sonyaka okuvunywe ngawo isivumelwano somsebenzi.
3. (a) **Zonke izivumelwano zomsebenzi** ezivezwe esigatshaneni soku-I. kanye nazo **zonke izivumelwano zomsebenzi eziletha izibophezelo zezimali** kumasipala -
  - (i) kufanele alethe epehele emkhandlwini kamasipala; futhi
  - (ii) angeke agodlwa ukuze umphakathi ukwazi ukuwacwaninga ngaphandle kwalokho okushiwo uMthetho Ogqugquzela Ukutholwa Kolwazi ka-2000 (uMthetho Nombolo 2 ka-2000)
- (b) Isigaba (a) (i) asisebenzi ezivumelwaneni zomsebenzi eziphathele nezipophezelo zezimali kumasipala ezingaphansi kwenani elinqunyiwe.

#### ISIGABA 110: Ukusebenza KwaleNgxenywe

ISahluko se-II iNgxenywe yoku-I, esiphathelene nokuLawulwa Kochungechunge Lokuthengwa Kwempahla, sisebenza:

ekuthengweni **kwempahla noma ekwenziweni komsebenzi ngumasipalanoma yisikhungo sikamasipala;**

ekuchithweni kwempahla engasadingeki ngumasipala noma yisikhungo sikamasipala;

ekuqokweni kwabathola izivumelwano zomsebenzi ukuletha usizo ngokwezimiso zezinsiza zikamasipala ngaphandle kwalezo zirno ezitholakala eSahlukweni sesi-8 soMthetho Wezinhlelo Zikamasipala; kanye

Nasekuqokweni kwezinto zokusebenza kwangaphandle ngokubeka kweSigaba sama-80 soMthetho Wezinhlelo Zikamasipala wokuletha izinsiza **zikamasipala ezimweni** ezicatshangwayo.

Ngaphandle uma kuhlonziwe, 'Ie ngxenywe yoMthetho ayisebenzi uma umasipala enikeza urnsebenzi enye ingxenywe kahulumeni ukuze:

kulethe impahla kanye nezinsiza kumasipala

kulethe izinsiza noma usizo kumasipala ngokwezimiso zokwenziwa komsebenzi kamasipala; futhi

kuthengwe impahla kanye nezinsiza ngaphansi kwesivumelwano somsebenzi esitholwe ileyo ngxenywe kahulumeni, uma urnenzirnsebenzi evurnile mayelana nalokho kuthengwa kwempahla noma ukwenziwa komsebenzi.

#### ISIGABA 111: INqubomgomo Yokulawulwa Kochungechunge Lokuthengwa Kwempahla

Umasipala ngamunye kanye nokuphathelele nomasipala kufanele kube futhi kusebenzise iNqubomgomo Yokulawulwa Kochungechunge Lokuthengwa Kwempahla okufanele ezimweni zalc ngxenywe yoMthetho okhona.

#### ISIGABA 112: INqubomgomo Yokulawulwa Kochungechunge Lokuthengwa Kwempahla ukuze kuHambisane noHlaka Oluhlonziwe

INqubomgomo Yokulawulwa Kochungechunge Lokuthengwa Kwempahla kamasipala noma okukamasipala kufanele kube nobulungiswa, kulinganiseke, kube sobala, kuqhudelane futhi konge kubuye kuhambisane nohlaka lokusebenza oluhlonziwe olulawula ukulawulwa kochungechunge lokuthengwa kwempahla kamasipala.

#### I. inqubomgomo kufanele okungenani ibe nalokhu okulandelayo:

(a) indawo okusebenza kuyo izinqubo zokulawulwa kochungechunge lokuthengwa kwempahla okungasetshenziswa umasipala noma yisikhungo sika, **kufaka amathenda**, izilinganiso **zamanani**, ukuncintisana **ngokumemeza esidlangaleni noma nezinye izinhlobo noma ukuncintisana** ngokuqhudelana

(b) **urna umasipala noma isikhungo sikamasipala singasebenzisa noma sisebenzise uhlobo oluthile** lwenqubo;

(c) izinqubo nokokuqhuba ukusebenza okusebenza ohlobeni ngalunye lokuqhuba;

(d) izinqubo nokokuqhuba ukusebenza kwezinqubo ezingenziwa noma yini lapho inani lekhontrakthi lingaphansi kwenani elihlonziwe;

(e) izinqubo zokuthola amathenda ezivulekile nezinkubasobala noma eminye imincintiswano;

(f) izinqubo zokuncintisana ngokuqhudelana lapho abemukelwe okwesikhashana bengancintisana khona;

(g) **umqulu** wokuncintisana, **ukukhangisa ngesimemo sezivumelwano zomsebenzi;**

#### 2. Imigudu nezindlela zokwenza lokhu okulandelayo-

(a) ukuvula, kokubhalisa kanye nokuqoqa phansi izincintiswani kukhona abantu abanetshisekelo;

(b) ukucubungula izintswano ukwenza isiqiniseko sokuthola okufanele imali;

(c) **ukuxoxiswana ngezimiso zokugcina** zezivumelwano zomsebenzi **kanye nokuvunywa kwezincintiswano**

(d) izinqubo zokuhlunga kanye nobumsulwa kwezokuphepha kulabo abangathola izivumelwano zomsebenzi kumathenda noma izincintiswano **ezingaphezu kwenani elihlonziwe;**

(e) ukuvezwa ngokuphoqelekile okungashayisana nentshisekelo yabangathola izivumelwano zomsebenzi abangabanakho kumathenda, kanye **nokukhishwa kwabangathola izivumelwano zomsebenzi** kulawo **mathenda noma kulezo** zintswano;

(f) ukuzibandakanya ohlelweni Lokulawulwa Kochungechunge Lokuthengwa Kwempahla kwabantu abangesizona iziphathimandla kumasipala noma kokukamasipala;

(g) ukujelwa abantu ekuzibandakanyeni ezindleleni zokufaka izicelo zamathenda noma zokuncintisana, kubandakanye naabantu:

ababeboshelwe ukukhwananisa noma inkohlakalo eminyakeni **emi-5** edlule;

ngokwentando yabo baziba, bayeka noma balhluleka ukuhambisana nekhontrakthi kalhulumeni eminyakeni **emi-5** edlule;

ezentela zabo zingacacisiwe iSikhungo Semisebenzi Yezentela SaseNingizimu Afrika (i-SARS)

#### 3. Izindlela zoku-

(a) vimbela ukukhwananisa, ukukhohlakala, ukwenzelela kanye nokungenzi ubulungiswa kanye nezenzo ezingavurnelekile ekulawulweni kochungechunge lokuthengwa karnasipala

(b) ukugqugquzela izindlela zokuziphatha kweziphathimandla kanye nabanye ababambe iqhaza ekulawulweni kochungechunge lokuthengwa kwempahla kamasipala;



- (c) ekuchitheni iziphakamiso noma izinqumo ezathathwa ngokungemthetho noma kokungafanele, zithathwa noma kunomthelela, leubandakanye **neziphakamiso noma izinqumo ezenziwa**, zathathwa, **noma zafakwa** urnoya:  
ngamakbansela ngokuphikisana nephuzu lesi-5 noma lesi-6 okuziphatha kwamakbansela;  
yiziphathimandla zikamasipala ngokuphikisana nephuzu lesi-4 noma lesi-5 okuziphatha kwabasebenzi bakamasipala;
- (d) ukuthengwa kwempabla kanye nokwenziwa komsebenzi kamasipla noma kwesikbungo sikarnasipala ngezivumelwano zomsebenzi ezitholwe ngezinye izingxenywe zikahulumeni;
- (e) izindlela zokuphathwa kwezivumelwano zomsebenzi kanye nezokulamula; kanye
- (f) nokunikeza amandla nemisebenzi abasebenzi bokulawulwa kochungechunge lokutbengwa kwempahla kamasipala.

**ISIGABA 113: Izincintiswano Ezingaqhudelenanga Ngokusemthethweni**

Umasipala noma isikbungo sikamasipala asiphoqelekile ukuba sibhekele isincintiswano esitholakele esingazange siqhudlane ngokusemthethweni **ngenkathi kuncintiswana**.

Uma umasipala noma isikhungo sikamasipala sinquma ukucabangela isincintiswano esitholakele esingazange siqhudlane ngokusemthethweni singakwenza lokbo ngokuhambisana nohlaka lokusebenza olubekiwe.

**SECTION 114: Ukuvunywa Kwamathenda Anganconywangwa**

Uma ithenda ngaphandle kwaleyo enconyiwe enqubeni yokusebenzisa inqubomgomo yokuphathwa kochungechunge lokuthengwa kwempahla ivunywa. iSikbulu Esinesibopho Sokubika sikamasipala kufanele, ngokubhala, sazise uMwaniyimabhuku Omkhulu, uMnyango Wezezimali Wesifundazwe **kanye noMnyango Wezezimali Kazwelonke, ngezizathu zokungahambisani nelezo zincomo**.

Izidingo ezingenhla azisebenzi uma ithenda ehlukele ivunywe kuphela kulungiswa uleungahambanga kable.

**ISIGABA 115: Ukusebenza Kohlelo Lokulawulwa Kochungechunge Lokuthengwa Kwempahla**

iSikbulu Esinesibopho Sokubika sikamasipala noma sesikbungo sikamasipala kufanele sisebenzise inqubomgomo yokulawulwa kochungechunge lokuthengwa kwempahla, futhi kufanele sithathe izinyathelo ezifanele ukwenza isiqiniseko sokuthi ukusebenza okuyikho nokuhlukaniseka kwemisebenzi ohlelweni lokulawulwa kochungechunge lokuthengwa kwempahla kusesimweni ukuze kuncishiswe okungaholela ekubwababaniseni, enkokhulakweni, ekwenzeloleni kanye nokungasebenzi ngokuyikho Aknko muntu ongavimbela isikbulu esinesibopho sokubika ukuba senze urnsebenzi waso.

**ISIGABA 116: Izivumelwano Zomsebenzi Nokulawulwa Kwazo**

1. Isivumelwano somsebenzi noma isivumelwano esitholakala ngohlelo lokuphathwa kochungechunge lokutbengwa kwempahla kumele kwenziwe ngokubhalwe phansi, futhi kumele kugagule imibandela nezimo zesivumelwano somsebenzi noma zesivumelwano, okumele kubandakanye:
  - (a) **ukunqanyulwa kwesivumelwano somsebenzi noma isivumelwano mayelana** nokungasebenzi nhlobo **noma ukungasebenzi kahle;**
  - (b) Izindlela zokuxazulula ukungaboni ngaso linye; kanye
  - (c) **Nokubuyekeza isivumelwano somsebenzi noma isivumelwano kanye eminyakeni emi-3** mayelana **nesimo sesivumelwano somsebenzi noma isivumelwano okungaphezu kweminyaka emi-3.**
2. Isikhulu Esinesibopho Sokubika kumele:
  - (a) sithathe izinyathelo ezifanele ukuqinisekisa ukuthi isivumelwano somsebenzi noma isivumelwano esitholakele ngohlelo lokulawulwa kochungechunge loleuthengwa kwempahla kwenziwa ngendlela;
  - (b) ukuqapha njalo ngenyanga ukusebenza kothole isivumelwano somsebenzi ngaphansi kwenkontileka noma kwesivumelwano;
  - (c) sakbe amandla okulawula ukusiza isikbulu esiphethe ekwenzeni imisebenzi kanye nase kufakeni Iso ekulawulweni kwansuku zonke kwesivumelwano somsebenzi **noma kwesivumelwano;**
  - (d) Sibike njalo emkbandlwini noma ebhodini labaqondisi, njengoba kungable kubenjalo, ukuphathwa kwesivumelwano somsebenzi noma **kwesivumelwano kanye** nokusebenza **kothole isivumelwano somsebenzi.**
3. Isivumelwano somsebenzi noma isivumelwano esitholakele ngenqubomgomo yokulawulwa kochungechunge lokuthengwa kwempahla kungachithiyelwa ngabafanele; kodwa kuphela emva:
  - (a) kokubekwa kwezizathu zokuchibiyela ezihlongozwayo emkbandlwini kamasipala, noma, kokuphathelene nomasipala, emkbandlwini kamasipala; futhi
  - (b) Umphakathi **wendawo** ubuwaziwe **ngezinhloso** zokuchibiyela isivumelwano **somsebenzi noma isivumelwano**, futhi **ubumenyiwe ukufaka** izimvo **zawo** kumasipala **noma kokukarnasipala,**

**ISIGABA 117: Amakhansela avinjelwe ukusebenza emakomidini**

Akukho kbansele iikamasipala elivunyelwe ukuba yilungu lekomidi yokuncintisana kamasipala noma lekomidi ehlungayo noma ukuvuma amathenda, izilinganiso **zenani**, abathola **izivumelwano zomsebenzi noma ikuphi okunye** ukuncintisana, **noma bahambele Iowa mhlango njengabantu abazoqapha.**

**ISIGABA 118: Ukugxambukela**

Akukho muntu ongaxambukela ohlelweni lokulawulwa kochungechunge lokuthengwa kwempahla lukamasipala noma lokukamasipala, noma achibiyele **noma athikarneze amathenda, amakhotheshini, abathole izivumelwano zomsebenzi noma izincintiswano emva kokwenziwa komsebenzi.**

**ISIGABA 119: Amazinga amakhono Abasebenzi**

Isikbulu Esinesibopho Sokubika kanye nabo bonke abasebenzi bakamasipala noma bezikhungo zikamasipala abambandakanyekayo ekusetshenzisweni **kwenqubomgomo** yokulawulwa **kochungechunge lokuthengwa kwempahla kumele** bahlangabezane namazinga amakhono abekiwe. Umasipala **noma** izikbungo zikamasipala kumele zihlinzeke ngezinszakusebenza noma amathuba okuqeqeshwa adingwa ngabasebenzi abathintekayo ukuze kube nesiqiniseko sokuthi kuyahlangatshezwana namazinga amakhono abekiwe.

**ISENEZELELO B**

**IMITIETHONQUBO YOKUTHENGWA KWEMPAHLA EKHETIIEKILE, KA-2001 EYINGXENYE YOMTIETHO WOHLAKA LWENQUBOMGOMO YOKUTHENGWA KWEMPAHLA EKHETIIEKILE: UNOMBOLO 5 KA-2000**

Okuqokethwe

**INGXENYE YOKUQALA IZINCAZELO KANYE NOKUSETSHENZISWA**

1 Izincazelo

2 Ukusetshenziswa

**INGXENYE YEsmILI: UHLELO LWAMAPHUZU OKUQOKA, UKUHLUNGWA KWAMATHIENDA, UKUNIKEZWA KWAMATHIENDA ANGATHOLANGA AMAPHUZU APIEZULU, UKUKHANSELWA KANYE NOKUKHANGISWA KABUSHA KWAMATHIENDA**

3 Uhlelo lwamaphuzu okuqoka angama-80/20

4 Uhlelo lwamaphuzu okuqoka angama-90/110

- 5 Uhlelo lwamaphuzu okuqoka angama-80/20 lokudayisa nokuqashisa ngempahla
- 6 Uhlelo lwamaphuzu okuqoka angama-80/20 lokudayisa nokuqashisa ngempahla
- 7 Ukugagulwa kohlelo lwamaphuzu okuqoka okuzosetsheziwa
- 8 Ukuhlolwa kwamathenda ngokokusebenza kanye nenani
- 9 Ukunikezwa kwethenda engatholanga amaphuzu aphezulu
- 10 Ukukhanselwa nokukhangiswa kabusha kwamathenda

#### INGXENYE YESITHATHU

UMSEBENZI WOKUHLELA, IMIBANDELA ESEBENZAYO, IMIGOMO, UKUVEZA OBALA, IZINHLAWULO, ISIMO SOKUKHOKHWA KWENTELA KANYE NEZINHLOSO ZETHENDA

- 11 Umsebenzi wokuhlelwa kwezimemo zamathenda
- 12 Imibandela esebenzayo
- 13 Imigomo
- 14 Ukuveza obala
- 15 Izinhlawulo
- 16 Isitifiketi esicacisa isimo sokukhokhwa kwentela
- 17 Izinhloso eziqondiwe

#### IMITHETHONQUBO

UNgqongqoshe Wezezimali, ngokweSigaba sesi-5 soMthetho Wohlaka Lwenqubomgomo Yokuthengwa Kwempahla Ekhethekile ka-2000 (uMthetho uNombolo 5 ka-2000), imithethonqubo ekuSheduli.

#### ISHEDULI

#### INGXENYE YOKUQALA

#### IZINCAZELO KANYE NOKUSETSHENZISWA

##### Izincazelo

1. Kule mithethonqubo, ngaphandle uma okuqokethwe kusho okunye, igama noma ukushiwoyo kunomqondo obekwe eMthethweni kunomqondo ofanayo futhi-
  - (a) "nMtbetho" kusho uMthetho Wohlaka Lwenqubomgomo Yokuthengwa Kwempahla Ekhethekile ka-2000 (uMthetho uNombolo 5 ka-2000)
  - (b) "iSithunywa" kusho umuntu ogunyazwe ngomunye umuntu ("yinhloko") ukwenzela othile umsebenzi, noma othile okumele noma omele inkampani, ngalokho athole amalungelo alowo oyinhloko nengxenye yombuso abuye athwale izibopho ezibophezela inhloko ukuvuna ingxenye yombuso.
  - (c) "iNani Eliqhatbanisekayo" lisho inani emva kokubhekisiswa kwamanani aguqukayo kanye nazo zonke izaphulelo ezingenamibandela ezingasetshenziswa,
  - (d) "iZinkampani Ezitlidiyele noma nMfelandawonye" kusho inhlangano yabantu abahlangene ngenhloso yokuhlanganisa ulwazi lomsebenzi, impahla, imali, imizamo, ikhono nolwazi emsebenzini owenziwayo wesivumelwano somsebenzi esitholakele;
  - (e) "iSivumelwano Somsebenzi" kusho isivumelwano esivela ngokuvurna ithenda evela engxenye yombuso;
  - (f) "ukuKhubazeka" kusho, umuntu obuthakathaka ngokomzimba, ngokwengqondo noma ngokusebenza kwemizwa okuholela ekutheni angakwazi sanhlobo ukwenza umsebenzi ngendlela, noma endimeni ethile, noma athathwe njengomuntu ophilile;
  - (g) "iNani Elimiyi" leli yinani elingakwazi kuphela ukushintshwa ngokwenyuka noma ngokwehla okubangelwa wushintsho, noma ukuqedwa kwamasiko noma ukwenza umsebenzi nanoma yimuphi omunye umsebenzi, noma iNtela Yempahla, okutholakala ukuthi, ngaphansi koMthetholawulo noma koMthethonqubo kuyayibophezela inkampani futhi kuveza ukuthi inomthelela entengweni yanoma iyiphi inkampani eyenza umsebenzi.
  - (h) "uMunIn Owayencishwe Amathuba Phwnbilini (i-HDI)" kusho isakhamuzi saseNingizimu Afrika -
    - (1) owayengenalo ilungelo lokuvota ngokwenqubomgomo yobandlululo eyayisebenza ngaleso sikhathi sobandlululo ngaphansi kokufakwa koMthethosisekelo weRiphabhulikhi YaseNingizimu Afrika, ka-1983 (uMthetho we-110 ka-1983) noma uMthethosisekelo WaseRiphabhulikhi YaseNingizimu Afrika, ka-1993 (uMthetho wama-200 ka-1993) ("uMthethosisekelo Wesikhashana"); futhi/noma
    - (2) owesifazane futhi/noma
    - (3) onokukhubazeka okuthile;

Ngaphandle uma othole ubusakharnuzi baseNingizimu Afrika ngesikhathi sokuqalisa noma ngemva kokuqalisa koMthethosisekelo WaseNingizimu Afrika Wesikhashana, uthatha njengongeyena owayencishwe amathuba phambilini (i-HOI);

- (i) "Ukuphatha" ngokuphathelene nenkampani noma nebhizinisi, kusho umsebenzi obandakanya nowokulawula futhi owenziwa nsuku zonke, noma ubani oyisikhulu esiphethe esiyinhloko senkampani, nganoma ngaliphi igama lalowo muntu ongumqomntlisi noma engeyena;
- (j) "uMuntu" kubandakanya nomuntu okhipha izinqumo ngokomthetho.
- (l) "iNani Ngokwerandi" kusho isamba senani esiphelele sesivumelwano somsebenzi ngokwamaRandi esibalwa ngesikhathi kusabizwa amathenda futhi kubandakanye nazo zonke izintela ezikhona kanye nokwenziwa komsebenzi;
- (m) "Amabhizoiisi Asafufusa, Amaphakathi Namakhulu" kunencazelo efanayo naleyo esemthethweni Wamabhizinisi Asafufusa Kazwelonke ka-1996 (uMthetho uNombolo 102 ka-1996);
- (n) "Ukuba Ngaphansi kweNkontileka" kusho lapho izinkontileka ezincane zingena ngaphansi noma zingena esivumelwaneni noma zenza umsebenzi, noma ziqasha omunye umuntu ukuba asize leyo nkontileka encane ekwenzeni ingxenye ethile yomklamo ngokwesivumelwano somsebenzi;
- (o) "iThenda" kusho ukunikezwa okubhalwe phansi noma isincintiswano efomini elifanele noma elikhonjiwe ukusabela esimemweni sohlaka lukahulumeni ukuhlinzeka ngemisebenzi noma ngempahla;
- (p) "iThrasli" kusho uhlelo lapho impahla yomuntu yenziwa noma inikezelwa elungwini lethrasti, lowo impahla enikezelwe kuyena ukuze impahla enjalo ilawulwe ukuzizisa lowa muntu;
- (q) "uMlawulimafa" kusho umuntu, kufaka nomsunguli wethrasti, okugcinwa kuye impahla ukuze leyo mpahla ayilawule ngenhloso yokuthi kuzuze omunye umuntu,

## Ukusetshenziswa

2. (1) Phezu kwakho konke okwehlukile okuqukethwe leunoma yimuphi umthetholawulo, le mithethonqubo isebenza ezinhlakeni zikahulumeni njengoba kubekiwe eSigabeni soku-1 (iii) soMthetho.
- (2) Uhlaka lukahulumeni njengokubeka kwesigatshana soku-(I), ngaphandle uma uNgqongqoshe ekhipha omunye umyalelo, leufanele lusebenzise uhlelo lokuthengwa kwempahla olukhethekile kuphela ngokuhambisana noMthetho kanye nale mithethonqubo.
- (3) Uhlaka lukahulumeni lungehluka ohlakeni oluvela esigabeni sesi-2 soMthetho ngokuphathelele nentela ebekwa kuqala esuselwa ekukhetheni ngobuciko.

## INGXENYE YESfili

## UHLELO LWAMAPHUZU OKUQOKA, UKUHLUNGWA KWAMATHENDA, UKUNIKEZWA KWAMATHENDA ANGATHOLANGA AMAPHUZU APHEZULU, UKUKHANSELWA NOKUKHANGISWA KABUSHA KWAMATHENDA

## Uhlelo Iwarnaphuzu okuqoka angama-80/20

3. (1) Le ndlela yokubala elandelayo kufanele isetshenziswe uma kubalwa amaphuzu enani lamathenda okuthengwa kwempahla inani ngokweRandi lilingana, noma lingaphezu kwezi-R30,000.00 leuze kufike ezi-R500,000.00. izingxenye zikahulumeni, nokho, zingasebenzisa le ndlela yokubala uma kuthengwa impahla yanani elingaphansi kwezi-R30,000.00, uma kufanelekile:

$$Ps = 80 (1 - \frac{PI}{P_{min}})$$

(P min)

**Incazelo**

Ps = Amaphuzu atholwa ngenani lethenda okubhekwe nayo

PI = Inani ngamaRandi elinikezwe ithenda okubhekwe nayo

Pmin = Inani ngamaRandi eliphansi lethenda elivumelekile

- (2) Angama-20 amaphuzu anganikezwa ofake ithenda ngokuthi ungowayencishwe amathuba phambilini (uyi-HDI) futhi/noma engaphansi kwenkontileka yalowo ongowayencishwe amathuba phambilini (uyi-HDI) futhil noma izinhlosongqangi ezibekwe kuMthethonqubo we-1?
- (3) Amaphuzu atholwa ofake ithenda mayelana nezinhloso ezibekwe esigatshani sesi-(2) kufanele engezwe emaphuzwini atholwe ngokwenani.
- (4) Ithenda ethole amaphuzu aphezulu iyona kuphela engaqokwa.

## Uhlelo Iwarnaphuzu okuqoka angama-90/IO

4. (1) Le ndlela yokubala elandelayo leufanele isetshenziswe uma leubalwa amaphuzu enani lokuthola amathenda/lokuthengwa kwempahla uma inani ngokweRandi lingaphezu kwezi-R500,000.00:

$$Ps = 90 (1 - \frac{PI}{P_{min}})$$

(P min)

**Incazelo**

Ps = Amaphuzu atholwa ngenani lethenda okubhekwe nayo

PI = Inani ngokweRandi elinikezwe ithenda okubhekwe nayo

Pmin = Inani ngamaRandi eliphansi lethenda elivumelekile

- (2) Ayi-IO amaphuzu anganikezwa ofake isicelo sokunikezwa ithenda ngokuthi ungowayencishwe amathuba phambilini (uyi-HDI) futhilnoma engaphansi kwenkontileka eyayincishwe amathuba phambilini (uyi-HDI) futhil noma izinhlosongqangi ezibekwe kuMthethonqubo we-1?
- (3) Amaphuzu atholwa ofake ithenda mayelana nezinhloso ezibekwe esigatshani sesi (2) leufanele engezwe emaphuzwini atholwe ngokwenani.
- (4) Ithenda ethole amaphuzu aphezulu iyona leuphela engaqokwa,

## Uhlelo Iwamaphuzu okuqoka olungama-80/20 lokudayisa kanye nokuqhashisa ngempahla

5. (1) Le ndlela yokubala elandelayo kufanele isetshenziswe uma kubalwa amaphuzu enani lokuthola amathenda/lokuthenga uma inani ngokweRandi lilingana, noma lingaphezu kwezi-R30,000.00 kuze kufike kwezi-R500,000.00 futhi kuhambisane nokudayiswa nokuqhashiswa kwempahla. Izinhloso zikahulumeni, nokho, zingasebenzisa le ndlela yokubala uma kutholwa okwenani elingaphansi kwezi-R30,000.00, uma kufanelekile:

$$Ps = 80 (1 + \frac{PI}{Ph})$$

(Ph)

**Incazelo**

Ps = Amaphuzu atholwa ngenani lethenda okubhekwe nayo

Pt = Inani ngamaRandi elinikezwe ithenda okubhekwe nayo

Pmin = Inani lamaRandi eliphansi lethenda elivumelekile

- (2) Angama-20 amaphuzu anganikezwa ofake ithenda ngoleuthi ungowayencishwe amathuba (i-HDI) futhilnoma engaphansi kwenkontileka yalabo ababencishwe amathuba phambilini (HDI) futhil noma izinhlosongqangi ezigagulwe kuMthethonqubo we-1?
- (3) Amaphuzu atholwa ofake ithenda mayelana nezinhloso ezibekwe esigatshani sesi (2) leufanele engezwe kumaphuzu atholwe ngokwenani.
- (4) Ithenda ethole amaphuzu aphezulu iyona kuphela engaqokwa.

## Uhlelo Iwamaphuzu okuqoka angama-90/IO lokudayisa kanye nokuqbasbisa ngempahla

6. (1) Le ndlela yoleubala elandelayo kufanele isetshenziswe uma leubalwa amaphuzu enani loleuthola amathendalokuthenga impahla uma inani lamaRandi lingaphezu kwezi-R500,000.00 futhi kuhambisane nokuqashiswa nokuqhashiswa kwempahla.

$$Ps = 90 (1 + \frac{Pt}{Ph})$$

(Ph)

**Incazelo**

Ps = Amaphuzu atholwa ngenani lethenda okubhekwenenayo

Pt = Inani ngokweRandi elinikezwe ithenda okubhekwe nayo

Pmin = Inani ngokweRandi eliphansi lethenda elivumelekile

- (2) Ayi-IO amaphuzu anganikezwa ofake ithenda ngokuthi ubekhiswe inyumbazane (HDI) futhilnoma engaphansi kwekhontrakthi ebikhiswe inyumbazane (HOI) futhil noma izinhloso ngqangi ezogagulwe kusilawuli I?

- (3) Amaphuzu atholwa ofake ithenda mayelana nezinhlalo ezibekwe esigatshaneni (2) kufanele angezwe kumaphuzu atholwe ngokwenani.  
 (4) Ithenda ethole amaphuzu aphezulu iyona kuphela engaqokwa.

Ukukugagulwa kohlelo lwamaphuzu okuqoka oluzosetshenziswa

7. Ingxenywe kahulumeni kufanele, emiqulwini yamathenda, igagule uhlelo lwamaphuzu okuqoka,

Ukuhlungwa kwamathenda ngokokusebenza nangokwenani

8. (1) Uhlaka lukahulumeni kufanele, emiqulwini yamathenda, izeze, mayelana nesimemo sethenda, uma amathenda ezohlungwa ngokokusebenza **za nangokwenani**.  
 (2) Isamba samaphuzu ahlanganisiwe avumelekile ngokokusebenza nangokwenani, mayelana namathenda alinganiselwa enanini ngokweRandi elilingana, noma elingaphansi, kwezi-R500,000.00 singadluli emaphuzwini angama-80.  
 (3) Isamba samaphuzu ahlanganisiwe avumelekile ngokokusebenza nangokwenani, mayelana namathenda alinganiselwa enanini ngokweRandi elingaphezu, kwezi-R500,000.00 singadluli emaphuzwini angama-90.  
 (4) Urna kuhlungwa amathenda njengoba kubekwa lapha, amaphuzu ngokokusebenza kufanele abalwe kulowo nalowo ofake ithenda.  
 (5) Izimiso zethenda zingagagula ukuthi ofake ithenda kufanele athole inani lamaphuzu elingaphansi kwalawo agaguliwe ngokokusebenza ukuze akwazi ukufakwa ohlwini lwabazohlulelwa.  
 (6) Amaphuzu ngokwenani, mayelana nethenda ethole amaphuzu ahlonzwe esigatshaneni sesi (5) kumele, kuye ngokusetshenziswa kohlelo lokuhlunga ngokusebenza nangokwenani okubekwe kumthethonqubo, kwenziwe kuzihambela kodwa futhi kubalwe kuhambisane nezimiso zemithethonqubo wesi-3 nowesi-4.  
 (7) Ukukhetha ngokuthi ungowawuncishwe amathuba phambilini (i-HOI) futhi/noma ungaphansi kwenkontileka eyayincishwe amathuba phambilini (i-HOI) futhi/noma uzuzwa izinhloso ezinqala kufanele kubalwe kodwana bese kwengezwa emaphuzwini atholwe ngokokusebenza **za nangokwenani**.  
 (8) Ithenda ethole amaphuzu aphezulu iyona kuphela eyoqokwa.

Ukunikezwa kwesivumelwano somsebenzi kuthenda engatholanga amaphuzu aphezulu

9. Ngaphandle kwemithethonqubo yesi- 3.(4) 4.(4),5.(4),6.(4) nowesi 8.(8), inkontileka, ngezizathu eziphathekayo, inganikezwa ithenda engazange ithole amaphuzu aphezulu.

Ukukhanselwa nokukhangiswa kabusba kwamathenda

10. (1) Uma kwenzeka, ekusebenzeni kohlelo lwamaphuzu okuqoka olungama-80/20 njengoba kugagulwe emiqulwini yethenda, onke amathenda atholiwe engaphezu kwenani ngokweRandi lezi-R500,00.00 isimemo sethenda kumele sikhanselwe.  
 (2) Urna kwenzeka, ekusebenzeni kohlelo lwamaphuzu okuqoka olungama-90/110 njengoba kugagulwe emiqulwini yethenda, onke amathenda atholiwe elingana noma engaphansi kwenani ngekweRandi lezi-R500,00.00 isimemo sethenda kumele sikhanselwe.  
 (3) Uhlaka lukahulumeni olukhansela isimemo sethenda njengokubeka kwemithethonqubo woku-(I) nowesi-(2) kurule Iuphinde lumeme amathenda futhi kufanele, emiqulwini yethenda, lugagule uhlelo lwamaphuzu okuqoka oluzosebenza.  
 (4) Uhlaka lukahulumeni, ngaphambi kokunikeza ithenda, lungakhansela ithenda **uma-**  
 (a) kunezinguquko ezimeni ezithile, kungasekho sidingo sernpahlala noma umsebenzi wethenda, noma  
 (b) izinali zingasatholakali ukukhokhela zonke izindleko zobekuhlonziwe; noma  
 (c) kungekho mathenda avumelekile atholakele.

## INGXENYE YESITHATHU

### UMSEBENZI WOKUHLELA, IMMANDELA ESEBENZA YO, IMIGOMO, UKUVEZA OBALA, IZINHLAWULO, ISIMO SOKUKHOKHWA KWENTELA KANYE NEZINHLOSO ZETHENDA

Umsebenzi wokuhlela izimemo zethenda

#### II. Uhlaka lukahulumeni kufanele, ngaphambi kokwenza isimemo samatenda-

- (a) luhlele kahle, futhi, ngokwanele, ibale ngokucophelela izindleko, ukuze kulethwe impahla nezinsiza ngokwesimemo samathenda esenziwayo;  
 (b) lubeke uhlelo lwamaphuzu okuqoka oluzosebenza uma sekuhlungwa amathenda;  
 (c) **lubeke izinkomba zokungathengwa noma zomsebenzi ongenziwa** kuhambisane neziriso **umuntu ozothola** isivumelwano **somsebenzi** azohlolwa ngazo.

Jrnibandela Esebenzayo

12. (1) Uhlaka lukahulumeni, ekwahluleleni amathenda, lunganikeza ukucabanga okungcono ekuthengeni imikhiqizo ekhiqizwa endaweni. Ukuqoka mayelana nalokhu kuyohambisana noMthetho wezinhlalo zamaphuzu okungama-80/20 noma okungama-90/110. Mayelana nezimboni ezithile (ezihlonzwe nguMnyango Wezohwebo Nezimboni). lapho ukunikezwa kwamathenda kubakhiqizi bendawo kusemqoka kakhulu, lawo mathenda angakhangiswa ngokubeka imibandela ebalulekile yokufaka amathenda kubalulwa ukuthi impahla ezikhiqizwe endaweni kuphela eziyocatshangelwa.  
**Uma kwenzeka kunikezwa amaphuzu okuqoka** emikhiqizweni **futhi noma ezintweni** zendawo, **ukunikezwa kwalawo maphuzu kufanele** kucaciswe ernibandeleni **yethenda**.  
 (2) Ofake ithenda kuphela wagcwaJisa wabuye wasayina ingxenywe yokuveza obala oyocatshangelwa ngokwamaphuzu okuqoka  
 (3) Uhlaka lukahulumeni, ngaphambi kokwahlulela noma ngasiphi esinye isikhathi, lungafuna ukuba ofake ithenda afakaze ngezimfuno zokuqoka.  
 (4) Uhlaka lukahulumeni kufanele, uma lubala inani eliqhathanisekayo, lubhekele izaphulelo ezinikeziwe ngaphandle kwemibandela.  
 (5) Isaphulelo esinikezwe ngaphandle kwemibandela, kumele, yize singasetshenziswa kuhlungwa, sisetshenziswe uma sekukhokhwa.  
 (6) Uma kunamanani ehlukele ezikhathi ezahlukile zesivumelwano somsebenzi, inani lesikhathi nesikhathi kufanele lithathwe njengenani elimi-**Ie uma** kuhambisana **nencazelo** yevnani elimile",  
 (7) Amaphuzu atholiwe kufanele abuyiselwe kokusondelene nokwekhulu,  
 (8) Uma amathenda amahili noma ngaphezulu ethole amaphuzu alinganayo, ithenda eyophumelela yileyo ethole amaphuzu aphezulu ngokwamaphuzu okuqoka ezinhlosongqangi. Uma amathenda amabili noma ngaphezulu elingana kuyo yonke into, ithenda iyonikezwa ngokwenza **unkatho**.

Imigomo

13. (1) Amaphuzu kuqoka agagujiwe mayelana nethenda kumele afake amaphuzu okuqoka ngobulungiswa bobunikazi balabo ababencishwe amathuba phambilini (ama-HDIs)

- (2) Ubulungiswa bobunikazi obubekwe kumthethonqubo woku (I) kufanele kulinganise ngokwephesenti lomsebenzi ophethwe abantu noma, mayelana nenkampani, kube ngokwephesenti yamasheya enkampani ephethwe ngabantu. abaphethe Iowa msebenzi futhi abalawula umsebenzi, ngokuzuzana ngokwamazinga obunikazi ngenkathi kuvalwa ithenda,
- (3) Uma kwenzeka Iiguquka iphesenti lobunikazi okubekwe kumthethonqubo wesi (2) emva kosuku lokuvalwa kwethenda, ofake ithenda kufanele azise ingxenye kahulumeni futhi Iowa ofake ithenda ngeke esakwazi ukuthola amaphuzu okuqoka.
- (4) Amaphuzu okuqoka ngeke atholwe abantu abangaphethe umsebenzi futhi abangawulawuli lowo msebenzi .... ngokwezinga lobunikazi.
- (5) Kuhambisana nemithethonqubo woku (I), (2), (3) nowesi- (4), zonke izidingo zobuJungiswa bobunikazi zalowo owayencishwe amathuba phambilini (i-IIDI) kumele zicatshangwe ngokwezindlela ezilandelayo:
- (a) Ubulungiswa ezinkampanini ezizimele kumele kuneike ephesentini lobulungiswa bobunikazi;
- (b) Amaphuzu okuqoka angeke anikezwe izinkampani zomphakathi kanye nezikhungo eziphakeme (zemfundo)
- (c) Indlela yokubala elandelayo kumele isetshenziswe ukubala amaphuzu obulungiswa bobunikazi bomuntu owayeneishwe amathuba phambilini (i-IIDI)

$$NEP \text{ NOP } \times EP = 100$$

Incazelo

NEP = Amaphuzu obulungiswa bobunikazi bomuntu owayeneishwe amathuba phambilini (i-HDI)

NOP = Amaphuzu aphezulu obulungiswa bobunikazi bomuntu owayeneishwe amathuba phambilini (i-IIDI)

EP = Iphesenti yobulungiswa bobunikazi bomuntu owancishwe amathuba phambilini (i-HOI) ngaphakathi emsebenzini (ebhizinisini), ngokuhambisana nemithethonqubo (1), (2), (3) nowesi (4).

- (6) Izidingo zobulungiswa zeThrasti zingavunywa kuphela ku!abo bantu abayikhona kokubili kokuba abalawulimafa futhi babengabazusa amafa futhi kube abantu abayingxenye yabaphathi beThrasti.
- (7) Izinewadi ezifakazela isiqiniseko semfaneleko yokuba abaqaphimafa njengokubeka komthethonqubo wesi (6) kumele zilethwe kuleyo ngxente kahulumeni.
- (8) Izinkampani Ezididiyele noma uMfeilandawonye, kuneike ephesentini lenani lwenkontileka ephethwe noma eyenziwa amalungu ayeneishwe amathuba phambilini (i-HOI), kungavunyelwa ukuthola ubulungiswa bobunikazi mayelana nababeneishwe amathuba phambilini (ama-HOI).
- (9) Inani lamaphuzu atholwe iZinkampani Ezididiyele noma uMfelandawonye kumele ahlanganiswe nenani lamaphuzu atholwe ngokwezinkampani ezididiyele.
- (10) Amaphuzu ngokubeka komthethonqubo wesi (9) kumele ahlanganiswe namaphuzu atholwe ngokwentengo, ukuze kubonakale isamba sonke samaphuzu atholiwe.
- (II) Kuhambisana nomthethonqubo wesi-9 nowe-I0, isi vumelwano somsebenzi kumele sinikezwe ithenda ethole amaphuzu aphezulu.
- (12) Umuntu onikezwe isivumelwano somsebenzi ngenxa yokuqokwa ngoba esebenzisana nowayencishwe amathuba phambilini (i-HDI), noma eletha ubulungiswa bobunikazi nowayeneishwe amathuba phambilini (i-IIDI), angeke anikeze abangaphansi kwenkontileka ngaphezu kwama-25% enani lenkontileka kumuntu owaoganeishiwe amathuba phambilini noma ongavumelekiJe ukubhekelwa ngokukhethekile.

Ukuveza obala

14. Ofake ithenda kumele, ngokugagula, aveze obala ukuthi-

- (a) ulwazi alunikezile luyiqiniso futhi luyilona
- (b) umuntu osayina ithenda unegunya eliphelele; futhi
- (c) Imiqulu efakazela okuphalhelene nethenda, uma kudingeka, kuyoletwa engxenye kahulumeni efanele.

Izinhlawulo

15. (I) Uhlaka lukahulumeni, uma luthola ukuthi ukubhekeleka ngokwezimiso zoMthelho kanye nale Mithethonqubo kutholakale ngokukhwanabisa, noma izinhlosongqangi azitholakali ekusebenzeni kwenkontileka, luyiqondana ngqo nalowo muntu onikezwe isivumelwano somsebenzi.
- (2) Uhlaka lukahulumeni, ngaphezu kwanoma ikuphi ukulungisa olungabanakho kumuntu ohambisane nomthethonqubo woku (I)-
- (a) lungabuyisa zonke izindleko, ukulahlekelwa noma amademeshe enzokile noma olukuthole ngenxa yokuziphatha kwalowo muntu;
- (b) lungakhansela isivumelwano somsebenzi futhi ifune amademeshe enzeke ngenxa yokuthi isizokwenza amalungiselelo angekho esirweni **esikahle ngesizathu sokukhansela kwesivumelwano somsebenzi.**
- (c) lungafaka inhlawulo yemali enzima kunalokho okungokukhethekile kwezimali okuhambisana nezimfuno ebezenziwe kuthenda.
- (d) lunganqinda othole isivumelwano somsebenzi, abaninimasheya kanye nabaqondisi ekutholeni umsebenzi kunoma iyiphi ingxenye kahulumeni okungaba yisikhathi esingadluli eminyakeni eli-10.

Isitifiketi sokukhokhwa kwentela

16. Akukho sivumelwano somsebenzi esiyonikezwa umuntu ohlulekile ukuletha isitifiketi sokukhokhwa kwentela esingesiyi ikhophi esikhishwa yiSikhungo Semisebenzi Yezentela LaseNingizimu Afrika (i-SARS) esiqinisekisa ukuthi ezenteJa zalowo muntu zisemweni esikahle noma kwenziwe amalungiselelo afanele neSikhungo Semisebenzi Yezentela LaseNingizimu Afrika (i-SARS).

Izinhlosongqangi

17. (I) Imibandela yokufaka ithenda ingagagula ukuthi izinhlosongqangi, njengokubeka kweSigaba sesi-2(1)(d)(ii) soMthetho, ukuba kutholakale.
- (2) Ukugagula okubekwe kumthethonqubo woku (I) kufaneJe kufake indlela ezosetshenziswa uma kubalwa amaphuzu azotholwa ekufezeni izinhlosongqangi.
- (3) Ngaphezu kokunikeza amaphuzu akhethekile nokuzwelana nababencishwe amathuba phambilini, okulandelayo kuogathathwa njengalokho okusiza ukufeza izinhloso ze-RDP (okushicilelwe kuSom'lulu kaliulumeni uNombolo 16085 womhla zingama-23 kuLwezi 1994);
- (a) Ukuthuthukisa imisebenzi ephethwe abaseNingizimu Afrika;
- (b) Ukuthuthukisa impahla ekhiqizwa ngenhloso yokudayisela abamanye amazwe ukuze kwakheke amathuba ernisebenzi;
- (c) Ukuthuthukisa osomabhizinisi abasafufusa (SMMEs);
- (d) **Ukwakha amathuba emisebenzi emisha noma ukuqashwa kwabasebenzi abaningi;**
- (e) **Ukuthuthukiswa kwemisebenzi esesifundazweni esihlonzwe ukuba umsebenzi wenziwe yiso noma izinsiza zenzeke kuleso sifundazwe.**
- (0) **Ukuthuthukiswa kwernisebenzi esesifundeni esihlonzwe ukuba umsebenzi wenziwe yiso noma izinsiza zenzeke kusona.**

- (g) Ulcuthuthukiswa kwemisebenzi karnasipala ehlonzwe ukuba umsebenzi wenziwe noma izinsiza zenzeke kulowo masipala.
  - (h) Ulcuthuthukiswa kwemisebenzi ezindaweni zasemakhaya
  - (i) Ukuthuthukisa abasebenzi ngokubeka ernazingeni afanele ulwazi lomsebenzi kanye nolwazi Iwabasebenzi;
  - (j) Ukuthuthukisa izinhla zokuthola abasebenzi, kufaka izikhungo zemfundo ephakerne kanye nezinye izinhlelo ezisezingeni eliphezulu lokuqeqeshwa, kuhambisana nezinkomba zepheleli lemali ekhokhelwa ukufunda nokuqeqesha kanye nokukhulisa ulwazi lokuphatha; kanye
  - (k) Nokuthuthukisa imiphakathi, kungagcini kulokhu, ngokwezindlu, ezokuthutha, izikole, inqalasisinda ngeminikelo kanye nezinhlangano ezibonelelayo.
- (4) Izingxoxiso kufanele zikaleke futhi zibaleke bese izingxoxiso zikahulumeni kufanele ziqaphe ukusebenza kwesivumelwano somsebenzi ukuthi iyahambisana yini nalezi zingxoxiso.

No.H,2007

26 April 2007

ULUNDI MUNICIPALITY

SUPPLY CHAIN MANAGEMENT POLICY POLICY

**TABLE OF CONTENTS**

**DEFINITIONS**

**1. OBJECTIVES**

**2. METHODS AND PROCESS OF PROCUREMENT**

- 2.1 Procedures for Procurement
- 2.2 To an estimated value of R 10 000
- 2.3 To an estimated value of R 200 000
- 2.4 Above an estimated value of R 200 000 and long-term contracts
- 2.5 Summary of Procurement
- 2.6 Principles of Adjudication
- 2.7 Supply Chain Management Unit
- 2.8 Advising of Results.
- 2.9 Compilation of a List of Prospective Suppliers.
- 2.10 Two-stage Bidding Process
- 2.11 Unsolicited Bids

**3. DEVIATIONS FROM THE PROCUREMENT PROCESS**

**4. SUPPLY CHAIN COMMITTEES**

- 4.1 Specification Committee
- 4.2 Evaluation Committee
- 4.3 Adjudication Committee

**5. GENERAL CONDITIONS AND PROCEDURES**

- 5.1 General Directives**
- 5.2 Invitation of tenders
- 5.3 Consideration of tenders.
- 5.4 Administration of Contracts
  - 5.4.1 Settlement of disputes
  - 5.4.2 Orders
  - 5.4.3 Packing, packing material and containers
  - 5.4.4 Guarantee.
  - 5.4.5 Payment for supplies and services.
  - 5.4.6 Remedies in the case of death, sequestration, liquidation or judicial management
  - 5.4.7 Contractor's liability
  - 5.4.8 Transfer of contracts

**6. DISPOSAL AND LETTING OF THE MUNICIPALITY'S ASSETS**

- 6.1 Sale or Disposal of Assets.
- 6.2 Letting of Assets.

**7. SPECIALISED PROCUREMENT**

- 7.1 Annual Supply Contracts.
- 7.2 Procurement of Banking Services
- 7.3 Procurement of IT related goods and services**
- 7.4 Procurement under Contracts by Other Organs of State
- 7.5 Procurement of Goods Requiring Special Safety Arrangements
- 7.6 Appointment of Consultants
- 7.7 Contracts Providing for Compensation Based on Turnover.

**8. DISPUTE SETTLING PROCEDURES**

**9. BID DOCUMENTATION**

10. CONTRACT MANAGEMENT
  11. CONDUCT AND TRAINING OF OFFICIALS
    - 11.1 Conduct of Officials
    - 11.2 Training of Officials
  12. PREVENTING SUPPLY CHAIN MANAGEMENT ABUSE.
  13. DELEGATIONS AND PRESCRIPTIONS
  14. REPORTING
    - 14.1 Monthly/Quarterly Reporting
    - 14.2 Annual Reporting
    - 14.3 Other Reporting
  15. POLICY APPLICATION AND REVIEW
  16. OVERSIGHT ROLE OF COUNCIL
  17. BY-LAWS
  18. ANNEXURE: LEGAL REQUIREMENTS
- ANNEXURE: PARAPHRASE OF LEGAL REQUIREMENTS
- PART I: PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT
- PART 2: BROAD BASED BLACK ECONOMIC EMPOWERMENT ACT
- PART 3: MUNICIPAL FINANCE MANAGEMENT ACT (56 OF 2003).
- SECTION 14: Disposal of Capital Assets
- SECTION 19: Capital Projects
- SECTION 33: Contracts Having Future Budget Implications
- SECTION 110: Application of this Part
- SECTION III: Supply Chain Management Policy
- SECTION 113: Unsolicited Bids
- SECTION 114: Approval of tenders not recommended
- SECTION 115: Implementation of the Supply Chain Management system
- SECTION 116: Contracts and Contract Management
- SECTION 117: Councillors barred from serving on committees
- SECTION 118: Interference
- SECTION 119: Competency Levels of Officials
- DEFINITIONS

In this policy, unless the context indicates otherwise, the following definitions are applied-

'Accounting Officer' means the Municipal Manager for the Municipality within the meaning of Section 82 of the Municipal Structures Act, 1998 (Act No. 117 of 1998);

**'Bid' means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods. This replaces "tender" used in previous policies;**

'CFO' means the Chief Financial Officer;

'Close family member' means:

- (i) a member of the same household (including someone residing on the premises),
- (ii) parent (including adoptive parent),
- (iii) parent-in-law,
- (iv) son (including adoptive son),
- (v) son-in-law,
- (vi) daughter (including adoptive daughter),
- (vii) daughter-in-law,
- (viii) stepparent,
- (ix) step-son,
- (x) step-daughter,
- (xi) brother,
- (xii) sister,
- (xiii) grandparent,
- (xiv) grandchild,
- (xv) uncle,
- (xvi) aunt,
- (xvii) nephew,
- (xviii) niece,
- (xix) the spouse or unmarried partner in any of (i) to (xii) above;

'Contract' means the agreement that results from the acceptance of a bid or quotation by the Municipality;

**'In the service of the state' means to be-**

- (a) a member of-
  - (i) any municipal council;

- (ii) any provincial legislature; or
- (iii) the National Assembly or the National Council of Provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial or public entity; or
- (f) an employee of Parliament or provincial legislature.

'Long-term contract' means a contract with a duration period exceeding one year;

'MFMA' means the Municipal Finance Management Act, No. 56 of 2003;

'Quotation' means a stated price that a supplier expects to receive for the provision of specified services, works or goods;

'Relevant head of department' means the head of the department for which the goods or services are being procured; and

'Supply Chain Management Practitioners' include the Chief Financial Officer, Deputy Chief Financial Officer, Assistant Finance Manager - Expenditure and the Supply Chain Manager.

'Treasury guidelines' means any guidelines on supply chain management issued by the Minister in terms of section 168 of the MFMA.

## 1. OBJECTIVES

To provide a policy in which the accounting officer can institute and maintain a supply chain management system that is:

- (a) Transparent, efficient, equitable, competitive, and cost effective for the municipality;
- (b) Applies the highest ethical standards;
- (c) Promotes local economic development;
- (d) Assists in the delivery of quality service to the municipality's customers;
- (e) Promotes interest and confidence in the municipality's procurement processes and other related processes;
- (f) Gives effect to and complies with relevant legislation, regulations and standards by adopting this policy the council undertakes to observe all applicable national legislation (including amendments and regulations) notably the:
- (g) Preferential Procurement Policy Framework Act No.5 of 2000;
- (h) Broad Based Black Economic Empowerment Act No 53 of 2003; and the
- (i) Municipal Finance Management Act No. 56 of 2003.

This policy is designed to supplement legal prescriptions and the main provisions are either annexed to this policy or available in the relevant Regulations and Framework.

## 2. METHODS AND PROCESS OF PROCUREMENT

### 2.1 Procedures for Procurement

All requests for the procurement of goods and services will be submitted to the Supply Chain Management Unit and shall be:

- (a) For purchases up to and including R30,000.00 in writing, clearly specifying the nature and quantity/duration of the goods and services required. Specifications should be prepared in an unbiased manner and in sufficient detail to enable meaningful evaluation of quotes.
- (b) For requirements above R30,000.00 the request will include the selection criteria which the quote will be evaluated against, noting that the Preferential Procurement Policy Framework and Regulations will apply above R30,000.00
- (c) Certified by Head of the Department that there is sufficient budget provision in their relevant budget for the procurement.
- (d) Signed by the head of department for this purpose
- (e) Provided to the Finance Department in sufficient time to allow for the lead time involved to procure the goods or services in accordance with this policy.
- (f) Procurement of goods and services by way of quotations or a competitive bidding process will be within the following threshold values (VAT included) or values as amended by the regulations.
- (g) The municipality is not obliged to accept any quotation or tender received. If no quotation or tender is substantially to specification, the evaluation authority may either:
- (h) Call for new tenders, or
- (l) Recommend acceptance of the tender nearest to specification, provided the evaluation authority is satisfied it-
  - offers acceptable value for money;
  - will meet the needs of the municipality; and
  - the head of the department being procured for concurs with the decision.

Officials acting in terms of delegated powers will report monthly in writing to the Accounting Officer and the Chief Financial Officer of any written quotations accepted by the official in terms of delegated powers.

### 2.2 Purchases to an estimated value of R 30,000.00

Goods and services with a value to R30,000.00 must be procured by obtaining 3 written quotations preferably on a rotational basis from the list of prospective suppliers on the database. All quotes are to be inclusive of VAT and the relevant officer will record the name of each potential provider and their quoted prices. The supplier will provide written confirmation of price and goods for placement of an order.

All prospective suppliers must meet the listing requirements of Section 13 (I) (b) and (c) of the Supply Chain Management Regulations.

The Supply Chain Management unit will record the names of potential providers and their quotations and the Chief Financial Officer or his delegate will approve the purchase.

If it is not possible to obtain 3 quotes, the reasons should be documented by the relevant officer and reported to the Accounting Officer.

### 2.3 Purchases to an estimated value of R 200,000.00

Procurement for requirements from R10,000.00 to R200,000.00 will be by inviting written price quotations preferably from the list of prospective suppliers. Quotations can be sought from unlisted providers when there are no suitable providers for the commodity or service, provided the suppliers meet the listing criteria of Section 13 (I) (b) and (c) of the Supply Chain Management Regulations. The relevant department will prepare the request for quotations.



The Supply Chain Management unit will record the names of potential providers and their quotations and the Chief Financial Officer or his delegate will approve the purchase.

If it is not possible to obtain 3 quotes, the reasons should be documented by the relevant officer and reported to the Accounting Officer.

The request for written price quotations will be displayed on the municipality's notice board provided for the purpose of displaying quotations and tenders, and on the municipal website. Quotation notices will give at least 7 days notice and indicate the closing date for submissions.

The municipality may not consider a written quotation or bid unless the provider who submitted the quotation or bid:

- (a) has furnished the municipality with that provider's-
  - (i) full name;
  - (ii) **identification number or company or other registration number; and**
  - (iii) tax reference number and VAT registration number, if any;
- (b) has authorised the municipality to obtain a tax clearance certificate from the South African Revenue Services that the provider's tax **matters are in order; and**
- (c) has indicated-
  - (i) **whether he or she is in the service of the state, or has been in the service of the state in the previous twelve months;**
  - (ii) if the provider is not a natural person, whether any of its directors, managers, principal shareholders or stakeholder is in the **service of the state, or has been in the service of the state in the previous twelve months; or**
  - (iii) whether a spouse, child or parent of the provider or of a director, manager, shareholder or stakeholder referred to in subparagraph (ii) is in the service of the state, or has been in the service of the state in the previous twelve months.
  - (iv) Whether he/she is an advisor or consultant contracted with the municipality.
- (d) Is in writing, and signed by a person with the necessary authority to act on behalf of the prospective supplier
- (e) Substantially comply with the specifications set out in the quotation notice
- (f) Accompanied by a levy clearance certificate issued by the relevant municipality which is not less than 3 months old.

The Supply Chain Management Bid Evaluation Committee will evaluate quotes between the value of R30,001.00 and R200 000.00 against the determined selection criteria and make a recommendation for approval of the successful bid to the Supply Chain Management Bid Adjudication Committee.

Acting on the written report and recommendation of the Supply Chain Management Unit, the Bid Adjudication Committee will adjudicate on these quotations and make recommendations to the Accounting officer for approval. Quotations above R30, 000.00 will be subject to the requirements of the Preferential Procurement Policy Framework Act and Regulations including the Balanced Scorecard Points System.

The Supply Chain Unit Manager will record the names of potential providers and their quotations and the quotes will be adjudicated by the Adjudication Committee. If it is not possible to obtain 3 quotes, the reasons should be documented by the relevant officer and approved by the Chief Financial Officer or delegate and reported to the Accounting Officer.

#### 2.4 Purchases above an estimated value of R 200,000.00 and long-term contracts

Procurement requisitions per case for amounts in excess of R200, 000.00 and long term contracts will be by formal tender invitation. The request for tenders will be prepared by the Supply Chain Management Unit using specifications from the Bid Specification Committee, and will be:

Displayed on the municipality's notice board created for this purpose

Placed on the Municipality's website

Advertised in a commonly circulated local newspaper for at least 14 days from the date the advertisement is placed for requirements to RIO million and for 30 days for requirements in excess of R 10 million

Include the requirement that bids can only be submitted on the bid documentation provided by the municipality

If the Specification Committee deems it appropriate, the public invitation may be extended to other means such as the Government Tender Bulletin.

For a tender to be considered it must comply with the requirements of Section 5 of the policy, 'General Conditions and Procedures'. The Municipality may charge a non-refundable tender fee for provision of tender documents. Tenders from 'Prohibited Bidders' in terms of Section 48 of the Regulations will not be considered.

The Evaluation Committee will evaluate tenders above R200, 000.00 in accordance with the principles of Adjudication of this policy and make recommendations to the Adjudication Committee.

#### 2.5 Summary of Procurement

##### Purchase Value Required Process

RO to R30, 000.00

At least three written price quotations on a rotation basis from the database of **suppliers**.

SMMEs and HDI's are recommended.

Approval by Chief Financial Officer

R30, 001.00 to R200, 000.00

At least three written quotations from the database of **suppliers**

SMMEs and HOI's are recommended.

80120 Preference Point System applies

Recommendation by the Adjudication Committee

Approval by the Municipal Manager

R200, 001.00 to R1, 000,000.00

Formal tenders required.

Recommendation by Evaluation Committee

The 80120 point systems apply.

Recommendation by Bid Adjudication Committee

Approval by the Municipal Manager

Above R1, 000,000.00

Formal tenders required.

Recommendation by Bid Adjudication Committee

The 90/10 point systems apply.

Approval by the Municipal Manager

## 2.6 Principles of Adjudication

For all quotations and tenders with an estimated value between R30, 001.00 and R1, 000,000.00 preference points will be allocated as follows:

POINTS

Value for money substantially to specification 80

Other Preference points 20

Total 100

For all tenders with an estimated value above R1, 000,000.00 preference points will be allocated as follows:

POINTS

Value for money substantially to specification 90

Other Preference points 10

Total 100

Other preference points will be as per the Balanced Scorecard provided in the Procurement Regulations of the Preferential Procurement Policy Framework Act, 2000.

Prior to the award of a bid, the Municipality may cancel the bid due to changed circumstances, if there are insufficient funds to proceed, or if no acceptable bids are received.

If a tender other than the one recommended in the normal course of following this policy is awarded, the Accounting Officer must notify the Auditor-General, Provincial Treasury and National Treasury of the reasons for deviating from the recommendation.

The Accounting Officer may negotiate with bidders identified as a preferred bidder through a competitive bidding process, provided the process does not allow the bidder a second (unfair) opportunity, is not to the detriment of any other supplier/bidder and does not lead to a higher price than the bid submitted. Minutes of such negotiations will be kept.

## 2.7 Supply Chain Management Unit

A Supply Chain Management Unit will be established in the Budget and Treasury Office of the Department Financial Services to implement this policy. This Unit will report to the Chief Financial Officer.

## 2.8 Advising of Results

All approved quotations and tenders will be listed on the municipality's website and relevant notice boards in the week following their approval for a period of 7 days. In addition, the Supply Chain Management Unit will notify successful tenderers in writing of the approval of their tender and/or awarding of the contract.

## 2.9 Compilation of a List of Prospective Suppliers

The Supply Chain Management Unit will compile a list of prospective suppliers to be used in procurement requirements in terms of Section 2.3 and 2.4 above.

The invitation to enlist as a prospective supplier will be advertised at least once a year in a commonly circulated local newspaper, on the municipality's website, and any other method the Chief Financial Officer regards as appropriate.

The notification will specify the listing criteria for accredited prospective providers and invite suppliers to apply for evaluation and listing as a prospective supplier. Prospective suppliers are required to submit their names and other requested details including a list of goods and services they can provide. The list should be used to promote participation of Black-owned Small, Medium and Micro Enterprises (SMMEs).

The list compiled per commodity and per type of service and updated quarterly by notice on the notice boards designated for this purpose and listed on the Municipality's website.

Suppliers who wish to be included in the list of prospective suppliers without waiting for the next invitation may approach the Supply Chain Management Unit for inclusion, provided they supply the necessary documentation and information for evaluation. Once these requirements have been satisfied, the Supply Chain Management Unit will evaluate the supplier and provide a response within 14 days.

Prospective suppliers will not be eligible for providing procurement requirements until they have been approved as a prospective supplier by the Adjudication Committee.

All prospective suppliers must meet the listing criteria of Section 13 (1) (b) and (c) of the Regulations.

## 2.10 Two-stage Bidding Process

A two-stage bidding process may be used for-

- large complex projects;
- projects where it may be undesirable to prepare complete detailed technical specifications in advance, and
- for contracts with a duration period exceeding 3 years.

The first stage will invite un-priced technical proposals on the basis of conceptual design or performance specifications, subject to adjustments and technical and commercial clarifications.

The second stage will require amended bidding documents and the submission of final technical proposals and priced bids.

## 2.11 Unsolicited Bids

A municipality is under no obligation to consider an unsolicited bid. If the municipality decides to consider the bid outside its normal tender process it may only do so in accordance with Section 36 of the Regulations.

## 3. DEVIATIONS FROM THE PROCUREMENT PROCESS

The Accounting Officer may deviate from the processes established by this policy and procure through any convenient process, but only:

In an emergency

Where the goods and services are produced or available from a single supplier

For the acquisition of special works of art or historical objects where the specifications are difficult to compile

Exceptional cases where it is impractical or impossible to follow the official procurement process

To ratify minor breaches of a technical nature in the procurement process. The reasons for deviation from inviting competitive bids will be recorded and the accounting officer will report them to the next Council meeting and include them as a note to the Annual Financial Statements.

#### 4. SUPPLY CHAIN COMMITTEES

##### 4.1 Bid Specification Committee

The Accounting Officer will appoint members to the bid specification committee to compile bid specifications and documentation.

Specifications should be:

Prepared in an unbiased manner

In sufficient detail to enable meaningful evaluation of quotes and tenders

Take into account any accepted standards such as those issued by Standards South Africa, the International Standards Association or an authority recognised by the SA National Accreditation System

Where possible be described in terms of performance rather than descriptive characteristics

May not create trade barriers in contract requirements in the forms of specifications, plans, drawings, designs, testing and test methods, packaging, marking or labelling of conformity certification

May not refer to any particular trade mark, name, patent, design, type, specific origin or producer unless there is no other sufficiently precise or intelligible way of describing the work and then should be accompanied by the word 'equivalent'

Must indicate the specific goals for which a point may be awarded

Are to be approved by the Accounting Officer prior to advertisement of the bid.

The Bid Specification Committee will be composed as follows:

One or more officials of the municipality, preferably the manager responsible for the function involved

Where appropriate external specialist advisors

##### 4.2 Bid Evaluation Committee

The Accounting Officer will appoint members to the bid evaluation committee to undertake the evaluation of bids. The committee will be composed as follows:

One or more officials from the department requiring the goods or services

One or more supply chain management practitioners from the municipality

One or more senior managers

The Evaluation Committee will:

Evaluate bids in accordance with

- The specifications for a specific procurement
- The points system set out in Section 3 of this policy

Ensure bids are compliant with the requirements of the Supply Chain Management Framework and this policy;

Evaluate each bidder's ability to execute the contract;

Check in respect of each bidder whether

- Taxation matters are cleared by SARS
- Municipal rates, taxes and service charges are not in arrears

The Evaluation Committee will reject any bidder who:

Fails to provide proof from SARS that the bidder has no outstanding tax obligations, or has made arrangements to meet outstanding tax obligations,

Has municipal rates, taxes and charges in arrears by more than three months,

Has committed a corrupt or fraudulent act in competing for the contract, or has been convicted of fraud or corruption in the last five years

Has abused the Supply Chain Management System or committed any improper conduct in relation to the system,

Has wilfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years.

Within 14 days of the closing of tenders the Evaluation Committee will provide to the Adjudication Committee a report and recommendations regarding the award of the bid or any other related matter.

##### 4.3 Bid Adjudication Committee

The Accounting Officer will appoint members to the Adjudication Committee to perform the adjudicating functions of this policy. The committee will be composed as follows:

- Departmental Head or nominee of the department being procured for and/or staff member with relevant technical expertise as required;
- The Chief Financial Officer or if unavailable the Deputy Financial Manager designated by the Chief Financial Officer; and
- At least two other Senior Managers;

The Accounting Officer will appoint the Chief Financial officer as chairperson of the adjudication committee.

The Adjudication Committee will consider a report and recommendations of the Evaluation Committee and recommend an award or another recommendation to the Municipal Manager for approval, for bids with a value of R1, 000,000.00 or less. For bids with a value of greater than R1, 000,000.00 the Adjudication Committee will recommend to the Accounting Officer how to proceed with the relevant procurement.

The quorum is the chairperson and three members.

The minutes of the Adjudication Committee meeting will serve as the written report required to be submitted to the Accounting Officer by Section 5 (3) of the Regulations.

If the Adjudication Committee decides to recommend a bid other than the one recommended by the Evaluation Committee, they should notify the Accounting Officer prior to recommending the bid, who after considering the reasons for deviation may ratify the decision of the Adjudication Committee or reject the decision and refer it back to the Adjudication Committee.

The Accounting Officer may at any stage refer any recommendation made by the committee back to that committee for reconsideration of the recommendation if reasonable grounds for such action exist.

## 5. GENERAL CONDITIONS AND PROCEDURES

### 5.1 General Directives

The following general conditions and procedures contained in this document are applicable to all tenders, orders and contracts, unless otherwise approved by the Accounting Officer prior to the invitation of the tender.

1. Where applicable, special conditions or procedures are also laid down by the Accounting Officer to cover specific supplies or services.
2. Where such special conditions or procedures are in conflict with the general conditions and procedures, the special conditions or procedures shall apply.
3. The tenderer shall satisfy himself/herself with the conditions and circumstances of the tender. By tendering, the tenderer shall deem to have satisfied himself/herself as to all the conditions and circumstances of the tender.
4. Formal contracts are concluded with the contractors only where the requirement listed in 3. above is stated in the tender invitation.
5. The written acceptance of tender shall be posted to the tenderer or contractor concerned by registered or certified mail.

### 5.2 Invitation of tenders

Invitations to tender must indicate the conditions of purchase, preference point system to be used, specifications, delivery schedules, closing dates, contact person/s and other necessary information.

1. Unless otherwise indicated in the tender documents, the municipality shall not be liable for any expenses incurred in the preparation and submission of tenders on behalf of the tenderer.
2. Unless the Chief Financial Officer directs otherwise tenders are invited in the municipality's area of jurisdiction only. (For purpose of local economic development).
3. Unless approved by the Chief Financial Officer, notifications of tender invitations are published in the media as determined by this policy, for two consecutive weeks.
4. Proof of advertisement will be submitted in the tender report to the Adjudication Committee.
5. The tender number must not appear on any envelope unless the envelope contains the tender itself.
6. The Municipality shall in the tender document indicate the preference point system to be applied in the adjudication of tenders.
7. Tenderers are required to:
  - (a) Make use of the official Ulundi Municipality's tender documents.
  - (b) Insert tender prices and other required information in the appropriate spaces on the prescribed form.
  - (c) Furnish all further information called for in the tender documents and to supply pamphlets, samples, etc., where required.
  - (d) Submit an Original Tax Clearance Certificate and failure to do so will invalidate the tender.
  - (e) To complete a declaration that:
    - (i) The information provided is true and correct;
    - (ii) The signatory is duly authorised to sign the tender document; and
    - (iii) Tenders containing tenderers own specified conditions may result in the tender being declared invalid if the tenderer fails to renounce such conditions when called upon to do so.
8. Tender fees, which are not refundable, must be paid in accordance with the tariff of charges at the cashier of the Municipality.
9. A fully explanatory site inspection, where applicable, must be conducted before the close of tenders to ensure that tenderers understand the scope of the project and that they comply with the conditions and requirements. If applicable, attendance of this meeting will be compulsory and a site inspection attendance register completed and signed.
10. Tenders close at 12h00 on the closing date indicated in the tender documents. Unless the Chief Financial Officer decides otherwise, tenders close at least two weeks after the date of publication. Extension of a closing date may be granted only with the approval of the Chief Financial Officer. This will only be considered if circumstances justify the extension. The closing may be extended only if there is sufficient time to publish an amending notification, before the original closing date.
11. The tender shall remain valid for the number of the calendar days indicated in the tender documents and is calculated from the date and time of tender closure endorsed on the front cover of the tender document. Should the tender validity expire on a Saturday, Sunday or Public holiday, the tender shall remain valid and open for acceptance until the closure of business on the following working date.
12. Tenders shall be lodged not later than the closing time specified for their receipt at the address and in accordance with the directives in the tender documents. Each tender shall be addressed in accordance with the directives in the tender documents and shall be lodged in a separate sealed envelope with the name and address of the tenderer, the tender number and the closing date indicated on the envelope. The envelope shall not contain documents relating to any tender other than that shown on the envelope. No submission via telephone, telex, telegram or telefax will be considered.
13. Tenders are late if they are received at the address indicated in the tender documents after the closing date and time. A late tender shall not be admitted for consideration and where practicable shall be returned unopened to the tenderer accompanied by an explanation.
14. Tenders are opened in public as soon as practicable after the closing date. Upon tender closing time, the tender box will be unlocked and opened by an official from the Supply Chain Management Unit and an official from the Corporate Services Department and an officer from the relevant Department (if present) in the presence of the tenderers or other interested parties.
  - (a) At the official opening of the tenders, an official from the Supply Chain Management unit shall in each case read out the name of the tenderer and the amount of the tender. In instances of bulk tender amounts which are 100 time consuming to read out, only those requested by tenderers will be read, and a complete schedule provided as soon as is practical.
  - (b) The tender shall be stamped with the official stamp of the Municipality by an official from the Corporate Services Department and endorsed with the signatures of the person opening it and of the person in whose presence it was opened.
  - (c) The original tenders and a summary list will be kept by the Supply Chain Management Unit.
  - (d) The Supply Chain Manager will ensure tender boxes are sealed until the time of their official opening, and that they are properly secured at the time of going to tender.

### 5.3 Consideration of tenders

1. The municipality must take all tenders duly admitted into consideration.
2. The municipality reserves the right not to accept the lowest or any tender received.

3. The decision by the municipality regarding the awarding of a contract in accordance with this policy document shall be final and binding.
4. Where a contract has been awarded on the basis of information which, after the conclusion of the relevant agreement, is proved to have been incorrect, the municipality may, in addition to any other legal remedy it may have:
  - (a) recover all costs, losses or damages it has incurred or suffered as a result of the award of the contract;
  - (b) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to **such cancellations**;
  - (c) impose a financial penalty more severe than the theoretical financial preference associated with the claim which was made in the **tender; and**
  - (d) restrict the contractor, its shareholders and directors from obtaining business from the Municipality for a period not exceeding ten (10) years.
5. The Municipality will adjudicate acceptable **tenders** using a preference point system which awards points on the basis of:
  - (a) The tendered price; and
  - (b) Meeting specific goals (functionality).

The municipality will normally award the contract to the tenderer obtaining the highest score, but will not bind itself to do so.

6. The municipality may, in the adjudication of tenders, give particular consideration to procuring locally manufactured products. Preference in this regard may be accommodated within the ambit of the Act's 80/20 or 90/10 point system. Should preference points be awarded for locally manufacturing and/or content, the award of such points will be specified in the tendering conditions.
7. Only a tenderer who has completed and signed the declaration part of the tender documentation may be considered for preference points.
8. The municipality may, before a tender is adjudicated or at any time, require a tenderer to substantiate claims it has made with regard to preference.
9. In the event that different prices are tendered for different periods of a contract, the price for each period must be regarded as a firm price if it conforms to the definition of a 'firm price'.
10. Points scored will be rounded off to the nearest 2 decimal points.
- II. In the event that two or more **tenders** have scored equal total points, the successful tender must be the one scoring the highest number of preference points for specified goals. Should two or more tenders be equal in all respects, the award shall be decided by the drawing of lots.
12. Equity claims for a Trust shall not be allowed in respect of those persons who are both trustee and beneficiaries and who are actively involved in the management of the Trust.
13. Documentation to substantiate the validity of the credentials of the trustees contemplated in paragraph (12) shall be submitted to the municipality.
14. A Consortium or Joint Venture shall, based on the percentage of the contract value managed or executed by their HOI members, be entitled to equity ownership in respect of an HOI.
15. The number of points scored for a *Consortium* or Joint Venture must be added to the number of points scored for achieving specified goals.
16. A person awarded a contract as a result of preference for contracting with, or providing equity ownership to an HOI, shall not sub-contract more than 25% of the value of the contract to a person who is not an HOI or does not qualify for such preference.
17. No contract shall be awarded to a person who failed to submit an Original Tax Clearance certificate from the South African Revenue Services (SARS) certifying that the taxes of that person to be in order or that suitable arrangements have been made with SA:RS.
18. Tenderers submitting two or more offers without declaring interest will be disqualified.

#### 5.4 Administration of Contracts

##### 5.4.1 Settlement of disputes

Should any dispute arise between a tenderer/supplier and the municipality as to an interpretation of the conditions of a tender, contract or order, the decision of the municipality shall be final, but the execution of a contract or order shall not be delayed pending such decision.

##### 5.4.2 Orders

Supplies shall be delivered and services rendered only upon a written official order from the municipality and accounts shall be rendered as indicated on the official order or in the contract, as the case may be.

##### 5.4.3 Packing, packing material and containers

The contractor/supplier is responsible for packing supplies at his/her own cost and in such a manner as to ensure that there is no loss or damage **in transit**.

Where provision is expressly made in a contract for the return of packing material or containers, such packing material or containers shall be returned at the contractor's expense.

##### 5.4.4 Guarantee

Unless the contract stipulates otherwise, the contractor shall guarantee for a period of twelve months that no faulty material or workmanship was used in the manufacture of goods or in the execution of services and that the finished product is not defective.

Should the guarantee not be complied with, the municipality may, without prejudice to any other rights it may have, demand that the supplies are replaced and the services repaired without cost to the municipality.

##### 5.4.5 Payment for supplies and services

Subject to any instructions issued with a contract or order, a contractor shall be paid for supplies delivered and services rendered in **accordance with the under-mentioned** provisions:

- L On the basis of delivery into the municipal store or to another nominated destination, only after receipt of a detailed account and after delivery has been effected.
2. On the basis of delivered and erected, installed, etc., only after receipt of a detailed account supported by a certificate of satisfactory execution issued by an official or agent of the Municipality.
3. Payment will normally be effected within 30 days after receipt of a statement of account and other required documentation, **which should be correct in every respect. Should a contractor indicate a special discount on his/her account provided payment is made within a certain time, every effort shall be made to take advantage of such discount.**

4. As a rule, payment is made to the contractor only. When payment is claimed by another party the latter must produce a written transfer, power of attorney or authorisation and before payment is made, the contractor must confirm that the transfer, power of attorney or authorisation has been given by him/her and that payment may be claimed in terms thereof.

#### 5.4.6 Remedies in the case of death, sequestration, liquidation or judicial management

In the event of —

- the death of a contractor;
- or the provision or final sequestration of his/her estate;
- or of his/her cession or transfer of a contract without the approval of the municipality;
- or of the surrender of his/her estate or of his/her reaching a compromise with his/her creditors;
- or of the provisional or final liquidation of a contractor's company;
- or the placing of its affairs under judicial management;

The Municipality may, without prejudice to any other rights it may have, exercise any of the following:

- (a) Cancel the contract and accept any of the tenders, which were submitted originally with that of the contractor or any offer subsequently received to complete the contract. In such a case the estate of the contractor shall not be relieved from liability for any claim which has risen or may arise against the contractor in respect of supplies not delivered or work not carried out by him/her under the contract and the municipality shall have the right to hold and retain all or any of the securities and retention moneys held by it at the date of the aforesaid occurrences until such claim has been satisfied; or
- (b) Allow the executor, trustee, liquidator or judicial manager, as the case may be, for and on behalf of and at the cost and expenses of the estate of the contractor to carry on with and complete the contract.

#### 5.4.7 Contractor's liability

In the event of the contract being cancelled by the municipality in the exercise of its rights in terms of these conditions, the contractor shall be liable to pay to municipality any losses sustained and/or additional costs or expenditure incurred as a result of such cancellation and the municipality shall have the right to recover such losses, damages or additional costs by means of set-off from moneys due or which may become due in terms of the contract or any other contract, or from a guarantee provided for the due fulfilment of the contract and until such time as the amount of such losses, damages or additional costs have been determined, to retain such moneys or guarantee or any deposit as security for any loss which the municipality may suffer or have suffered.

The contractor may be held responsible for any consequential damages and loss sustained which may be caused by any defect, latent or otherwise, in the supply or service rendered or if the supply or service as a result of such defect, latent, otherwise, does not conform to any condition or requirement of the contract.

#### 5.4.8 Transfer of contracts

The contractor shall not abandon, transfer, assign or sublet a contract or part thereof without the written permission of the municipality.

### 6. DISPOSAL AND LETTING OF THE MUNICIPALITY'S ASSETS

#### 6.1 Sale or Disposal of Assets

The accounting officer, subject to section 14 of the MFMA (see Annexure) must in relation to the sale or other disposal of a municipality's assets, ensure that:

- (a) Immovable property is sold at market related prices, except when the public interest or the plight of the poor demands otherwise.
- (b) Moveable assets are sold either by price quotations, advertised competitive bidding, public auction or at market related prices, whichever the Accounting Officer determines is the most advantageous to the municipality;
- (c) In the disposal of free computer equipment, approach the Provincial Department of Education to gauge if they have an interest in the equipment;
- (d) The National Conventional Arms Control Committee approves of the disposal of firearms.

The Accounting Officer may approve the sale of movable assets with a value of less than R500,000.00 (with delegated authority from Council under Section 14 (4) of the MFMA).

Approval for the disposal of assets with a value in excess of R200,000.00 will be submitted to Council under Section 14 (2) of the MFMA. The same procedures for disposal of property apply as for procurement under this policy, including application of the Preferential Procurement Policy Act and Regulations.

When land and buildings are to be sold at market value, a registered valuer will determine the market value. Sale of assets through competitive bidding or public auction will follow the same communication process prescribed for tenders. In addition, advice will be given about where prospective buyers/tenderers may view the assets and any notification of a public auction will advise the date, time and venue of the public auction.

Assets sold by private treaty with a value greater than R30, 000.00 will be evaluated and adjudicated in accordance with this policy. Adjudication will include provision for points as per the balanced scorecard in the Preferential Procurement Policy Regulations. Assets with a value less than R30, 000.00 will be evaluated by the Supply Chain Management Unit, adjudicated by the Chief Financial Officer and approved by the Municipal Manager. The municipality reserves the right not to accept any bids offered.

#### 6.2 Letting of Assets

The Accounting Officer, subject to section 14 of the MFMA (see Annexure), must in relation to the letting of municipal assets:

- (a) ensure that immovable property is let at market related prices, except when the public interest or the plight of the poor demands otherwise; and
- (b) annually review all types of charges relating to letting of the municipality's property.

### 7. SPECIALISED PROCUREMENT

#### 7.1 Annual Supply Contracts

In the case of materials and goods which are required on a continuous basis throughout the year, annual tenders are invited each year to cater for the needs for the following year.

Tenders for Annual Supply Contracts should generally be restricted to requirements for bulk supplies and not be used for day-to-day requirements.

The Accounting Officer may prescribe restrictions on the use of Annual Supply Contracts for procurement.

Schedules of items are to be compiled by the appropriate Bid Specification Committee in conjunction with the Head of the Department and provided to the Supply Chain Manager by 1 April each year.

Once bids have been received they will follow the usual tender process for evaluation and adjudication.

#### 7.2 Procurement of Banking Services

Banking services are to be procured through competitive bids for a period of not more than five years and must be consistent with Section 7 of the Act. Bids will be restricted to banks registered in terms of the Banks Act, 1990.

The process for procuring the contract will commence at least 9 months before the expiry of an existing contract. The request for tenders will be in accordance with Section 2.5 of this policy, but the closure date for submission will be at least 60 days from the date that the advertisement is placed.

#### 7.3 Procurement of Information Technology related goods and services

The Accounting Officer may request the State Information Technology Agency (SITA) to assist in the procurement of IT related goods and services in accordance with Section 30 of the Regulations.

#### 7.4 Procurement under Contracts by Other Organs of State

Goods or services may be procured under a contract secured by another organ of state provided:

- (a) the contract was secured by a competitive bidding process and the municipality has no reason to believe the contract was not validly procured;
- (b) there are demonstrable benefits to the municipality; and
- (c) the organ of state and the provider have consented to the procurement in writing.

#### 7.5 Procurement of Goods Requiring Special Safety Arrangements

Procurement of goods that require special safety arrangements such as gasses and fuel should be restricted to minimum requirements for the municipality. Storage of such goods will be justified on sound reasons including the total cost of ownership and cost advantages to the municipality.

#### 7.6 Appointment of Consultants

Consultants should be appointed by means of a competitive bidding process where possible and must take into account any National Treasury guidelines.

Contracts for consultancy services must be procured through competitive bids if the value of the contract exceeds R200,000.00 or the duration of the contract exceeds] year.

Bidders must provide particulars of all consultancy services provided to an organ of state in the last 5 years.

The municipality will ensure that copyright, patent rights or ownership in any plant, thing, system or process designed or devised by the consultant in the course of the consultancy service is vested in the municipality.

#### 7.7 Contracts Providing for Compensation based on Turnover

Where a service provider acts on behalf of the municipality as a distributor of grants or collector of service charges or taxes and the compensation payable is an agreed percentage of the distribution or collection, then the contract between the provider and the municipality must stipulate that:

- (a) the compensation must be performance based; and
- (b) changes in the turnover as a result of changes in the amount of the grant or service charge/tax must be disregarded in determining the compensation.

### 8. DISPUTE SETTLING PROCEDURES

1. Suppliers who are dissatisfied with the decision of the municipality in regard to a quotation or tender may appeal in writing to the Accounting Officer, provided such appeal is lodged with the municipality as follows:
  - (a) For quotations, within 5 working days of the date when the approved quotation is first listed in terms of Section 9 above,
  - (b) For tenders, within 14 working days of the date on when the approved tender is first listed in terms of Section 9 above.
2. Suppliers should provide details of the reasons for their appeal including any non-compliance with this policy, the MFMA and related legislation.
3. The Accounting Officer will provide written acknowledgement of the appeal to the appellant and endeavour to finalise appeals within 10 working days of their receipt. Where this is not possible, the Accounting Officer will advise the appellant in writing of the delay.
4. If the appeal is based on a technically complex matter or if the Accounting Officer feels it is necessary, he/she may appoint an independent and impartial advisor, provided that their engagement is compliant with this policy.
5. The Accounting Officer is not bound by any opinion provided.
6. The Accounting Officer will decide if an appeal constitutes grounds for delay of procurement from the approved supplier and if a delay is practical.
7. If the Accounting Officer determines there are grounds for delay, the approved supplier will be advised in writing of the reasons for the delay.
8. When a ruling on an appeal has been made, the Accounting Officer will advise the appellant in writing of the outcome.

### 9. BID DOCUMENTATION

All bid documentation must include provision for the following matters:

1. The requirement for bids to be submitted in Rand;
2. The requirement for bidders to furnish their tax reference number, VAT registration number and their identification or company registration number;
3. For procurement in excess of R10,000.00 provide an indication from the SARS that the bidders tax matters are in order;
4. Require the bidder to disclose if the bidder or their family has any declared interest in terms of Section 20 (f) of the Regulations;
5. The requirement for site meetings or briefing sessions, if applicable;
6. Evaluation and adjudication criteria including any criteria stated in the Preferential Procurement Policy Framework Act and the Broad-Based Black Economic Empowerment Act and applicable regulations;
7. Screening processes and security clearance procedures for contractors on tenders above R500,000.00;
8. Where the value of the transaction is expected to exceed R10 million, furnish the documents and information required by Section 20 (g) of the Regulations;
9. The requirement for compulsory disclosure of any conflict of interest a prospective contractor may have and the exclusion of that contractor from the those tenders or bids;

10. The requirement for exclusion of persons under Section 112 (1) (I) of the MFMA including those persons convicted of fraud or corruption, who have failed to honour a government contract or, whose tax matters have not been cleared by the South African Revenue Service
- t 1. Stipulate that disputes will be settled by means of mutual consultation, mediation (with or without legal representation) or when unsuccessful, in a South African court of law;
12. Contract management processes and procedures including provision for the Accounting Officer to cancel the contract for unsatisfactory performance;
13. Other matters and documentation as may be required by the Municipal Finance Management Act, The Supply Chain Management Framework, the municipality's Supply Chain Management policy and procedures and any National Treasury Supply Chain Management guidelines;
14. General conditions of contract; and
15. The requirements of the Construction Industry Development Board in the case of a bid relating to construction, upgrading or refurbishment of buildings or infrastructure.

#### 10. CONTRACT MANAGEMENT

Once the Accounting Officer has awarded a contract on the recommendation of the Bid Adjudication Committee, the responsibility for managing that contract rests with the Department who initiated the need for that contract.

Each department will develop and review the necessary performance management systems including appropriate record keeping to ensure contracts **are managed in an effective and efficient manner.**

Contracts which procure goods or services for more than one department will be managed by the appropriate department.

The provision for cancellation of a contract for unsatisfactory performance and the appropriate mechanisms to undertake the cancellation will be included in the relevant bid documentation.

The Accounting Officer will cancel a contract awarded to a person:

- (a) If that person committed any corrupt or fraudulent act during the bidding process or the execution of the contract; or
- (b) An official or any other role player committed any corrupt or fraudulent act during the bidding process or the execution of the contract that benefited that person.

#### 11. CONDUCT AND TRAINING OF OFFICIALS

##### 11.1 Conduct of Officials

No person placing a procurement requisition for goods or services will knowingly understate the requirements of their estimated value, with the intention of avoiding a more stringent procurement process, i.e. no splitting of requirements is permissible.

Officials may only engage in contact with a prospective supplier with regard to an intended quotation or tender where clarification of requirements is required from either party, or where the accounting officer negotiates with identified preferred bidders in accordance with this policy.

All officials involved in Supply Chain Management for the municipality must comply with the Code of Conduct prescribed in the Municipal Systems Act, the Supply Chain Management Framework and the Code of Conduct for Supply Chain Management when prescribed.

Officials will strive for the highest ethical standards in implementing this policy and comply with Section 42 of the Supply Chain Management Framework including:

- (a) Treating all providers equally;
- (b) Not using their position for gain or improperly benefit another person;
- (c) Not accept any reward, gift or favour for themselves or a person they are closely associated with;
- (d) Declaring any personal or private interest in a relevant procurement or disposal process and any interest of a close family member or close associate and immediately withdraw from that process; and
- (e) Assist the Accounting Officer in combating abuse of the Supply Chain Management System including reporting any instances of alleged irregular conduct.

Officials must declare to the Accounting Officer any details of any reward, gift, favour, hospitality, or other benefit promised, offered, or granted to that person or any close family member, partner or associate of that person.

The Supply Chain Management Unit will keep a register for declarations required under Section 42 of the Framework and report those declarations to the Accounting Officer for submission to the Mayor. The Municipal Manager will promptly institute the relevant disciplinary action against any person infringing these requirements.

##### 11.2 Training of Officials

The municipality will provide resources or opportunities for the Accounting Officer and all other relevant officials involved in the implementation of this policy to undertake training to meet the competency levels required under the Act in the form of the SAQA Level 6 Module in Supply Chain Management which forms part of the Certificate in Municipal Financial Management. Officials will comply with these competency standards from 1 July 2006.

#### 12. PREVENTING SUPPLY CHAIN MANAGEMENT ABUSE

The Accounting Officer will take all reasonable steps to avoid-

abuse of the Supply Chain Management System;

investigate any reasonable allegations of abuse or failure to comply with this system; and

when justified take appropriate action against officials or other role players.

**No provider or prospective provider of goods or services to the municipality, or recipient or prospective recipient may directly or indirectly offer or grant any reward, gift, favour or hospitality to any official or other role player involved in the implementation of the Supply Chain Management Policy.**

The Accounting Officer will report any alleged contraventions to National Treasury for consideration of inclusion in their database of persons prohibited from doing business with government.

#### 13. DELEGATIONS AND PRESCRIPTIONS

1. The Council will delegate to the Accounting Officer the required Supply Chain Management powers and duties to enable the Accounting Officer to-

(a) maximise administrative and operational efficiency;

(b) enforce cost effective measures to prevent abuse of the policy and legislation; and



- (c) to enable compliance with his/her responsibilities under Section 115 and other applicable provisions of the MFMA.
2. The Accounting Officer is responsible for ensuring that this policy is implemented and enforced.
  3. The Accounting Officer may provide written delegated authority to the Adjudication Committee to award bids to the value of R1, 000,000.00. Above this value the Accounting Officer will award bids following consideration of the Adjudication Committee's recommendations.
  4. Where the procurement will have future budgetary implications, section 33 of the MFMA regarding contracts will be complied with.
  5. Following Council adoption of this policy, Section 33 (I) will not apply to contracts valued at below R200,000.00 per annum or to contracts in respect of the following:
    - (a) Radio or vehicles licences
    - (b) Office equipment maintenance contracts
    - (c) Grass cutting
  6. If the procurement is for a capital project, section 19 of the MFMA regarding budgeting and costing of capital projects will be complied with.
  7. In terms of Section 19 (3), following adoption of this policy, the Council may approve capital projects below R500,000.00 either individually or as part of a consolidated programme.
14. REPORTING
- 14.1 Monthly Reporting
    - (a) Within 10 days of the end of the month the Chief Financial Officer will submit a report to the Accounting Officer the list of procurements where 3 quotations were not obtained together with an appropriate explanation.
    - (b) Within 10 days of the end of the quarter the Accounting Officer will submit a report to the Mayor on the implementation of the Supply Chain Management Policy. This report will be made public by notification in a locally distributed newspaper, placed on the municipality's website and displayed on the municipality's public notice board.
  - 14.2 Annual Reporting
 

Within 60 days of the end of the financial year, the Accounting Officer will submit a report to Provincial Treasury regarding the municipality's supply chain management in a format to be determined by National Treasury.
  - 14.3 Other Reporting
    - (a) Goods or services procured under Section 110 (2) of the Act, from another organ of state to which this policy does not apply, will be made public as part of the annual budget or a separate process. The publication notification will include the kind of goods or services and the name of the supplier.
    - (b) Where there has been a deviation from the requirement for inviting competitive bids the accounting officer will report the reasons to the next Council meeting and include such matter as a note to the Annual Financial Statements.
15. POLICY APPLICATION AND REVIEW
- (a) This policy applies to the procurement of all goods and services and disposal of assets of the municipality unless exempted by this section.
  - (b) This policy does not apply to procurement of goods and services with other organs of state in terms of Section 110 (2) of the MFMA as long as that contract was secured by a competitive bidding process and the organ of state and provider have consented to the procurement in writing.
  - (c) This policy will be reviewed annually as part of the review of policies within the budget process.
  - (d) The Accounting Officer will promptly develop procedures to support the implementation, management and monitoring of this policy including methods for effective risk management and performance management in accordance with Sections 40 and 41 of the Framework respectively.
16. OVERSIGHT ROLE OF COUNCIL
- Council's role is to ensure that the Accounting Officer executes this policy within the ambit of applicable legislation.
- The Accounting Officer will report to the Executive Committee within 10 days of the end of each quarter on the implementation of this policy. Additionally, the Accounting Officer will submit such a report to Council annually within 30 days of the end of the financial year or whenever there are serious or material problems in the implementation of this policy.
17. BY-LAWS
- The council will publish the appropriate by-laws necessary to give effect to this Supply Chain Management policy.
18. ANNEXURE: LEGAL REQUIREMENTS
- Annexed to this policy is a paraphrase of the Preferential Procurement Policy Framework Act and the Broad-Based Black Economic Empowerment Act as well as relevant sections of the Municipal Financial Management Act. This policy should also be read with the Supply Chain Management Framework and the draft Preferential Procurement Regulations, 2004.

ANNEXURE A

## PARAPHRASE OF LEGAL REQUIREMENTS

## PART 1: PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT

**The municipality must determine a preferential procurement policy.**

This policy must be implemented within a framework which follows the following preference point system:

for contracts with a rand value above a prescribed amount, a maximum of 10 points is allocated for specific goals as contemplated below, provided that the lowest acceptable tender scores 90 points for price;

for contracts with a rand value equal to or below a prescribed amount, a maximum of 20 points is allocated for specific goals as contemplated below, provided that the lowest acceptable tender scores 80 points for price.

**Other acceptable tenders that are higher in price must score fewer points, on a pro-rata basis, calculated on their tender prices in relation to the lowest acceptable tender, in accordance with the prescribed formula.**

The specific goals set by the municipality for preferential procurement must include contracting with persons, or categories of persons, who have been historically disadvantaged by unfair discrimination on the basis of race, gender or disability.

The specific goals of the policy must further include the implementation of programmes of the reconstruction and development programme, as published in Government Gazette no. 16085 dated 23 November 1994.

Any specific goals for which a point is awarded must be clearly specified in the invitation to submit tenders.

The municipality must award its contract to the tenderer who scores the higher points and if not, be able to produce objective criteria in addition to those contemplated above to justify the award to another tenderer.

The specific goals determined by the municipality for its preferential procurement policy must be measurable, quantifiable and monitored for compliance.

## PART 2: BROAD BASED BLACK ECONOMIC EMPOWERMENT ACT

The Minister of Trade and Industry may by notice in the Gazette issue codes of good practice on black economic empowerment that may include (inter alia) the following:

- further interpretation and definition of broad based black economic empowerment and the interpretation and definition of different categories of black empowerment entities;
- qualification criteria for preferential purposes for procurement and other economic activities;
- indicators to measure broad based black economic empowerment; and
- the weighting to be attached to broad based black economic empowerment indicators as referred to above.

Every organ of state and public entity must take into account and as far as it may be reasonably possible, apply any relevant code of good practice issued in terms of the present Act in:

- determining qualification criteria for the issuing of licences, concessions or other authorisations in terms of any laws;
- developing and implementing a preferential procurement policy;
- determining qualification criteria for the sale of state-owned enterprises; and
- developing criteria for entering into partnerships with the private sector.

The Minister must also issue a strategy for broad based black economic empowerment. This strategy must:

- provide for an integrated, co-ordinated and uniform approach to broad based black economic empowerment by all organs of state, public entities, the private sector, non-governmental organisations, local communities and other stakeholders.
- develop a plan for financing broad based black economic empowerment; and
- provide a system for organs of state, public entities and other enterprises to prepare broad based black economic empowerment plans and to report on compliance with those plans.

## PART 3: MUNICIPAL FINANCE MANAGEMENT ACT NO. 56 OF 2003,

### SECTION 14: Disposal of Capital Assets

1. A municipality may not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services.
2. A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection 1. but only after the municipal council, in meeting open to the public-
  - (a) Has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal service; and
  - (b) Has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.
3. A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of.
4. A municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection 2. a. and b. in respect of moveable capital assets below a value determined by the council.
5. Any transfer of ownership of a capital asset in terms of subsection 2. or 4. must be fair, equitable, transparent, competitive and consistent with the Supply Chain Management policy which, the municipality must have and maintain in terms of section III of the MFMA.

### SECTION 19: Capital Projects

1. A municipality may spend money on a capital project only if —
  - (a) the money for the project, excluding the cost of feasibility studies conducted by and on behalf of the municipality, has been appropriated in the capital budget referred to in section 17 (2);
  - (b) the project, including the total cost, has been approved by Council
  - (c) section 33 has been complied with, to the extent that this section may be applicable to the project; and
  - (d) the sources of funding have been considered, are available and have not been committed for other purposes.
2. Before approving a capital project in terms of subsection 1b. the Council must consider-
  - (a) the projected cost covering all financial years until the project is operational; and
  - (b) the future operational costs and revenue on the project, including municipal tax and tariff implications.
3. A municipal council may in terms of subsection 1b. approve capital projects below a prescribed value either individually or as part of a consolidated capital programme.

### SECTION 33: Contracts Having Future Budget Implications

1. A municipality may enter into a contract which will impose financial obligations on the municipality beyond a financial year, but if the contract will impose financial obligations on the municipality beyond the three years covered in the annual budget for that financial year, it may do so only if—
  - (a) the Municipal Manager, at least 60 days before the meeting of the municipal council at which the contract is to be approved:
    - (i) Has in accordance with section 21A of the Municipal Systems Act—
      - (aa) made public the draft contract and an information statement summarising the municipality's obligations in terms of the proposed contract;
      - (bb) invited the local community and other interested persons to submit to the municipality comments or representations in respect of the proposed contract; and
    - (ii) Has solicited the views and recommendations of-
      - (aa) the National Treasury and the Provincial Treasury;
      - (bb) the National Department responsible for local government; and
      - (cc) the contract involves the provision of water, sanitation, electricity, or any other service as may be prescribed, from the responsible national department.
  - (b) the municipal council has taken into account-
    - (i) the municipality's projected financial obligations in terms of the proposed contract for each financial year covered by the contract;

- (ii) the impact of those financial obligations on the municipality's future municipal tariffs and revenue;
  - (iii) **any comments or representations on the proposed contracts received from the local community and other interested persons;**
  - (iv) any written views and recommendations on the proposed contract by National Treasury, the Provincial Treasury, the National Department responsible for local government and any National Department referred to in paragraph a.ii.cc.; and
- (c) the municipal council has adopted a resolution in which -
- (i) it determines that the municipality will secure a significant capital investment or will derive a significant financial economic or financial benefit from the contract;
  - (ii) it approves the entire contract exactly as it is to be executed; and it authorises the Municipal Manager to sign the contract on behalf of the municipality.
2. The process set out in subsection 1. does not apply to —
- (a) contracts for long-term debt regulated in terms of section 46 (3);
  - (b) employment contracts; or
  - (c) contracts
    - (i) for categories of goods as may be prescribed; or
    - (ii) in terms of which the financial obligation on the municipality is below-
      - (08) a prescribed value; or
      - (aa) a prescribed percentage of the municipality's approved budget for the year in which the contract is concluded.
3. (a) All contracts referred to in subsection 1. and all other contracts that impose a financial obligation on the municipality-
- (i) must be made available in their entirety to the municipal council: and
  - (ii) may not be withheld from public scrutiny except as provided for in terms of the Promotion of Access of Information Act 2000 (Act No.2 of 2000).
- (b) Paragraph (a)(i) does not apply to contracts in respect of which the financial obligation on the municipality is below a prescribed value.
4. This section may not be read as exempting the municipality from the provisions of Chapter II to the extent that those provisions are applicable in a **particular case.**

#### SECTION 110: Application of this Part

Chapter II Part I, which deals with Supply Chain Management, applies:

**to the procurement, by a municipality or municipal entity of goods and services;**

the disposal by a municipality or municipal entity of goods no longer needed;

**the selection of contractors to provide assistance in the provision of municipal services otherwise than in the circumstances envisaged in Chapter 8 of the Municipal Systems Act; and**

the selection of external mechanisms as referred in Section 80 of the Municipal Systems Act for the provision of municipal services in the circumstances contemplated.

Except where specified, this part of the Act does not apply if a municipality contracts with another organ of state for:

the provision of goods and services to the municipality

**the provision of a municipal service or assistance in the provision of a municipal service; and**

the procurement of goods and services under a contract secured by such other organ of state, provided that the relevant supplier has **agreed** to such **procurement.**

#### SECTION 111: Supply Chain Management Policy

Each municipality and municipal entity must have and implement a Supply Chain Management policy which gives effect to the provisions of this part of the present Act.

#### SECTION 112: Supply Chain Management Policy to Comply with Prescribed Framework

The supply chain management policy of a municipality or municipal entity must be fair, equitable, transparent, competitive and cost effective and comply with a prescribed regulatory framework for municipal supply chain management.

- I. The policy must cover at least the following:
- (a) the range of supply chain management processes that municipalities and municipal entities may use, including tenders, quotations, auctions and other types or competitive bidding;
  - (b) when a municipality or municipal entity may or must use a particular type of process;
  - (c) the procedures and mechanisms applicable to each type of process;
  - (d) the procedures and mechanisms for more flexible processes where the value of a contract is below a prescribed amount;
  - (e) open and transparent pro-qualification processes for tenders or other bids;
  - (f) competitive bidding processes in which only pre-qualified persons may participate;
  - (g) bid documentation, advertising of and invitation for contracts;
2. **Procedures and mechanisms for:**
- (a) the opening, registering and recording of bids in the presence of interested persons;
  - (b) the evaluation of bids to ensure best value for money;
  - (c) negotiating the final terms of contracts and the approval of bids;
  - (d) **screening processes and security clearances for prospective contractors on tenders or other bids above a prescribed value;**
  - (e) compulsory disclosure of any conflicts of interests prospective contractors may have in specific tenders, and the exclusion of such prospective **contractors from those tenders or bids;**
  - (f) participation in the Supply Chain Management system by persons who are not officials of the municipality or municipal entity;
  - (g) the barring of persons from participating in tendering or other bidding processes,

Including persons:

who were convicted for fraud or corruption during the past 5 years;



6. The 90/10 preference point system for the sale and letting of assets
7. Stipulation of preference point system to be used
8. Evaluation of tenders on functionality and price
9. Award of contract to tender not scoring the highest number of points
10. Cancellation and re-invitation of tenders

#### PART THREE DUTY TO PLAN, GENERAL CONDITIONS, PRINCIPLES, DECLARATIONS, PENALTIES, TAX CLEARANCES AND TENDER GOALS

11. Duty to plan for invitation of tenders
12. General conditions
13. Principles
14. Declarations
15. Penalties
16. Tax clearance certificate
17. Specific goals

#### REGULATIONS

The Minister of Finance has, in terms of section 5 of the Preferential Procurement Policy Framework Act, 2000 (Act No 5 of 2(00)), made the regulations contained in the Schedule.

#### SCHEDULE

##### PART ONE

##### DEFINITIONS AND APPLICATION

###### Definitions

- I. In these regulations, unless the context indicates otherwise, a word or expression to which a meaning has been assigned in the Act bears the same **meaning, and-**
  - (a) "Act" means the Preferential Procurement Policy Framework Act, 2000 (Act No 5 of 2(00));
  - (b) "Agent" means a person mandated by another person ("the principal") to do business for and on behalf of, or to represent in a business transaction, the principal, and thereby acquire rights for the principal against an organ of state and incur obligations binding the principal in favour of an organ of state;
  - (c) "Comparative price" means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have been taken **into consideration;**
  - (d) "Consortium or Joint Venture" means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
  - (e) "Contract" means the agreement that results from the acceptance of a tender by an organ of state;
  - (f) "Disability" means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being;
  - (g) "Firm price" is the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax which, in terms of a law or regulation is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
  - (h) "Historically Disadvantaged Individual (HDI)" means a South African citizen -
    - (1) Who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No 110 of 1983) or the Constitution of the Republic of South Africa, 1993 (Act No 200 of 1993) ("the Interim Constitution"); and 1 or
    - (2) who is a female; and/or
    - (3) who has a disability:

Provided that a person who obtained South African citizenship on or after the coming into effect of the Interim Constitution, is deemed not to be an HDI;

- (i) "Management" in relation to an enterprise or business, means an activity inclusive of control and performed on a daily basis, by any person who is a principal executive officer of the company, by whatever name that person may be designated, and whether or not that person is a **director;**
- (j) **Non-firm prices" means all prices other than "firm" prices;**
- (k) **"Person" includes reference to a juristic person;**
- (l) "Rand value" means the total estimated value of a contract in Rand denomination which is calculated at the time of tender invitations and includes all applicable taxes and excise duties;
- (m) "Small, Medium and Micro Enterprises (SMMEs)" bears the same meaning assigned to this expression in the National Small Business Act, 1996 (Act No 102 of 1996);
- (n) "Sub-Contracting" means the primary contractor's assigning or leasing or making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- (o) "Tender" means a written offer or bid in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services or goods;
- (p) "Trust" means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person;
- (q) "Trustee" means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

###### Application

2. (1) Despite anything to the contrary contained in any law, these regulations apply to organs of state as contemplated in section I(iii) of the Act.
- (2) An organ of state contemplated in sub-regulation (1) must, unless the Minister of Finance has directed otherwise, only apply a preferential procurement system which is in accordance with the Act and these regulations.

- (3) An organ of state may deviate from the framework contemplated in section 2 of the Act in respect of a pre-determined tariff based professional appointments.

## PART TWO

## PREFERENCE POINT SYSTEM, EVALUATION OF TENDERS, AWARDING OF TENDERS NOT SCORING HIGHEST POINTS, CANCELLATION AND RE-INVITATION OF TENDERS

## The 80/20 preference point system

3. (1) The following formula must be used to calculate the points for price in respect of tenders / procurement with a Rand value equal to, or above R 30,000.00 and up to a Rand value of R500,000.00. Organs of state may, however, apply this formula for procurement with a value less than R 30,000.00, if and when appropriate:

$$Ps = 80 \left( 1 - \frac{Pt - \text{min}}{P \text{ min}} \right)$$

Where

**Ps = Points scored for price of tender under consideration**

Pt = Rand value of offer tender consideration

POlin = Rand value of lowest acceptable tender

- (2) A maximum of 20 points may be awarded to a tenderer for being an HDI and / or subcontracting with an HDI and / or achieving any of the specified goals stipulated in regulation 17.
- (3) The points scored by a tenderer in respect of the goals contemplated in sub-regulation (2) must be added to the points scored for price.
- (4) Only the tender with the highest number of points scored may be selected.

## The 90/10 preference point system

4. (1) The following formula must be used to calculate the points for price in respect of tenders / procurement with a Rand value above R500,000.00:

$$Ps = 90 \left( 1 - \frac{PI - Pmin}{POlin} \right)$$

Where

**Ps = Points scored for price of tender under consideration**

PI = Rand value of tender under consideration

Pmin = Rand value of lowest acceptable tender

- (2) A maximum of 10 points may be awarded to a tenderer for being an HDI and / or subcontracting with an HDI and / or achieving any of the specified goals stipulated in regulation 17.
- (3) The points scored by a tenderer in respect of the goals contemplated in sub-regulation (2) must be added to the points scored for price.
- (4) Only the tender with the highest number of points scored may be selected.

## The 80/20 preference point system for the sale and letting of assets.

5. (1) The following formula must be used to calculate the points for price in respect of tenders with a Rand value equal to, or above R 30,000.00 and up to a Rand value of R500,000.00 and which relate to the sale and letting of assets. Organs of State may, however, apply this formula for sales and letting of assets with a rand value less than R30,000.00 if and when appropriate:

$$Ps = 80 \left( 1 + \frac{Pt - Ph}{Ph} \right)$$

Where

Ps = Points scored for price of tender under consideration

PI = Rand value of tender under consideration

Ph = Rand value of highest acceptable tender

- (2) A maximum of 20 points may be awarded to a tenderer for being an HDI and / or subcontracting with an HDI and / or achieving any of the specified goals stipulated in regulation 17.
- (3) The points scored by a tenderer in respect of the goals contemplated in sub-regulation (2) must be added to the points scored for price.
- (4) Only the tender with the highest number of points scored may be selected.

## The 90/10 preference point system for the sale and letting of assets

6. (1) The following formula must be used to calculate the points for price in respect of tenders with a Rand value above R500,000.00 and which relate to the sale and letting of assets:

$$Ps = 90 \left( 1 + \frac{Pt - Ph}{Ph} \right)$$

Where

Ps = Points scored for price of tender under consideration

**Pt = Rand value of tender under consideration**

Ph = Rand value of highest acceptable tender

- (2) A maximum of 10 points may be awarded to a tenderer for being an HDI and / or subcontracting with an HDI and / or achieving any of the specified goals stipulated in regulation 17.
- (3) The points scored by a tenderer in respect of the goals contemplated in sub-regulation (2) must be added to the points scored for price.
- (4) Only the tender with the highest number of points scored may be selected.

## Stipulation of preference point system to be used

7. An organ of state must, in the tender documents, stipulate the preference point system which will be applied in the adjudication of tenders.

## Evaluation of tenders on functionality and price

8. (1) An organ of state must, in the tender documents, indicate if, in respect of a particular tender invitation, tenders will be evaluated on functionality and price.

- (2) The total combined points allowed for functionality and price may, in respect of tenders with an estimated Rand value equal to, or below; R500,000.00 not exceed 80 points.
- (3) The total combined points allowed for functionality and price may, in respect of tenders with an estimated Rand value above R500,000.00 not exceed 90 points.
- (4) When evaluating the tenders contemplated in this item, the points for functionality must be calculated for each individual tenderer.
- (5) The conditions of tender may stipulate that a tenderer must score a specified minimum number of points for functionality to qualify for further adjudication.
- (6) The points for price, in respect of a tender which has scored the specified number of points contemplated in sub-regulation (5) must, subject to the application of the evaluation system for functionality and price contemplated in this regulation, be established separately and be calculated in accordance with the provisions of regulations 3 and 4.
- (7) Preferences for being an HDI and / or subcontracting with an HOI and / or achieving specified goals must be calculated separately and must be added to the points scored for functionality and price.
- (8) Only the tender with the highest number of points scored may be selected.

Award of contract to tender not scoring the highest number of points

9. Despite regulations 3.(4), 4.(4), 5.(4), 6.(4) and 8.(8), a contract may, on reasonable and justifiable grounds, be awarded to a tender that did not score the highest number of points.

Cancellation and re-invitation of tenders

10. (1) In the event that, in the application of the 80/20 preference point system as stipulated in the tender documents, all tenders received exceed the estimated Rand value of R500,000.00 the tender invitation must be cancelled.
- (2) In the event that, in the application of the 90/10 preference point system as stipulated in the tender documents, all tenders received are equal to, or below R500,000.00 the tender must be cancelled.
- (3) An organ of state which has cancelled a tender invitation as contemplated in sub-regulations (1) and (2) must re-invite tenders and must, in the tender documents, stipulate the preference point system to be applied.
- (4) An organ of state may, prior to the award of a tender, cancel a tender **if**-
  - (a) due to changed circumstances, there is no longer need for the goods or services tendered for; or
  - (b) funds are no longer available to cover the total envisaged expenditure; or
  - (c) no acceptable tenders are received.

### PART THREE

#### DUTY TO PLAN, GENERAL CONDITIONS, PRINCIPLES, DECLARATIONS, PENALTIES, TAX CLEARANCES AND TENDER GOALS

Duty to plan for invitation of tenders

- II. An organ of state must, prior to making an invitation for tenders-
  - (a) properly plan for, and, as far as possible, accurately estimate the costs of, the provision of services or goods for which an invitation for tenders is to be made;
  - (b) determine the appropriate preference point system to be utilised in the evaluation of the tenders; and
  - (c) determine the deliverables or performance indicators in terms of which a person awarded a contract will be assessed.

General conditions

- i2. (1) An organ of state may, in the adjudication of tenders, give particular consideration to procuring locally manufactured products. Preferences in this regard may be accommodated within the ambit of the Act's 80/20 or 90/10 point systems. For specific industries (identified by the Department of Trade and Industry), where the award of tenders to local manufacturers are of critical importance, such tenders may be advertised with a specific tendering condition that only locally manufactured products will be considered. Should preference points be awarded for local manufacturing and/or content, the award of such points must be clearly specified in the tendering conditions.
- (2) Only a tenderer who has completed and signed the declaration part of the tender documentation may be considered for preference points.
- (3) An organ of state may, before a tender is adjudicated or at any time, require a tenderer to substantiate claims it has made with regard to preference.
- (4) An organ of state must, when calculating comparative prices, take into account any discounts which have been offered unconditionally.
- (5) A discount which has been offered conditionally must, despite not being taken into account for evaluation purposes, be implemented when payment is effected.
- (6) In the event that different prices are tendered for different periods of a contract, the price for each period must be regarded as a firm price if it conforms to the definition of a "firm price".
- (7) Points scored must be rounded off to the nearest 2 decimals.
- (8) In the event that two or more tenders have scored equal total points, the successful tender must be the one scoring the highest number of preference points for specified goals. Should two or more tenders be equal in all respects, the award shall be decided by the drawing of lots.

Principles

- i3. (i) Preference points stipulated in respect of a tender must include preference points for equity ownership by HDIs.
- (2) The equity ownership contemplated in sub-regulation (1) must be equated to the percentage of an enterprise or business owned by individuals **or, in respect of a company, the percentage of a company's shares that are owned by individuals, who are actively involved in the management** of the enterprise or business and exercise control over the enterprise, commensurate with their degree of ownership at the closing date of the tender.
- (3) In the event that the percentage of ownership contemplated in sub regulation (2) changes after the closing date of the tender, the tenderer must **notify the relevant organ of state and such tenderer will not be eligible for any preference points.**
- (4) Preference points may not be claimed in respect of individuals who are not actively involved in the management of an enterprise or business **and who do not exercise control over an enterprise or business commensurate with their degree of ownership.**
- (5) Subject to sub-regulations (1), (2), (3) and (4), all claims made for equity ownership by an HDI must be considered according to the following **criteria:**
  - (a) Equity within private companies must be based on the percentage of equity ownership;

- (b) Preference points may not be awarded to public companies and tertiary institutions;
- (c) The following formula must be applied to calculate the number of points for equity ownership by an HDI:  

$$\text{NEP} \div \text{NOP} \times \text{EP} = 100$$
 Where  
 NEP = Points awarded for equity ownership by an HDI  
 NOP = The maximum number of points awarded for equity ownership by an HDI  
 EP = The percentage of equity ownership by an HDI within the enterprise or business, determined in accordance with sub-regulations (1), (2), (3) and (4).
- (6) Equity claims for a Trust may only be allowed in respect of those persons who are both trustees and beneficiaries and who are actively involved in the management of the Trust.
- (7) Documentation to substantiate the validity of the credentials of the trustees contemplated in sub-regulation (6) must be submitted to the relevant organ of state.
- (8) A Consortium or Joint Venture may, based on the percentage of the contract value managed or executed by their HDI members, be entitled to 10 equity ownership in respect of an HDI.
- (9) The number of points scored for a Consortium or Joint Venture must be added to the number of points scored for achieving specified goals.
- (10) The points contemplated in sub-regulation (9) must be added to the points scored for price, in order to establish the total number of points scored.
- (II) Subject to regulations 9 and 10, the contract must be awarded to the tender which scores the highest points.
- (12) A person awarded a contract as a result of preference for contracting with, or providing equity ownership to, an HDI, may not subcontract more than 25% of the value of the contract to a person who is not an HDI or does not qualify for such preference.

#### Declarations

- 14. A tenderer must, in the stipulated manner, declare that-
  - (a) the information provided is true and correct;
  - (b) the signatory to the tender document is duly authorised; and
  - (c) documentary proof regarding any tendering issue will, when required, be submitted to the satisfaction of the relevant organ of state.

#### Penalties

- 15. (1) An organ of state must, upon detecting that a preference in terms of the Act and these regulations has been obtained on a fraudulent basis, or any specified goals are not attained in the performance of the contract, act against the person awarded the contract.
- (2) An organ of state may, in addition to any other remedy it may have against the person contemplated in sub-regulations (1)-
  - (a) recover all costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (b) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (c) impose a financial penalty more severe than the theoretical financial preference associated with the claim which was made in the tender; and
  - (d) restrict the contractor, its shareholders and directors from obtaining business from any organ of state for a period not exceeding 10 years.

#### Tax clearance certificate

- 16. No contract may be awarded to a person who has failed to submit an original Tax Clearance Certificate from the South African Revenue Service ("SARS") certifying that the taxes of that person to be in order or that suitable arrangements have been made with SARS.

#### Specific goals

- 17. (1) The tendering conditions may stipulate that specific goals, as contemplated in section 2(1)(d)(ii) of the Act, be attained.
- (2) The stipulation contemplated in sub-regulations (1) must include the method to be used to calculate the points scored for achieving specific goals.
- (3) Over and above the awarding of preference points in favour of HDIs, the following activities may be regarded as a contribution towards achieving the goals of the RDP (published in *Government Gazette* No. 16085 dated 23 November 1994):
  - (a) The promotion of South African owned enterprises;
  - (b) The promotion of export orientated production to create jobs;
  - (c) The promotion of SMMEs;
  - (d) The creation of new jobs or the intensification of labour absorption;
  - (e) **The promotion of enterprises located in a specific province for work to be done or services to be rendered in that province;**
  - (f) The promotion of enterprises located in a specific region for work to be done or services to be rendered in that region;
  - (g) The promotion of enterprises located in a specific municipal area for work to be done or services to be rendered in that municipal area;
  - (h) The promotion of enterprises located in rural areas;
  - (i) The empowerment of the work force by standardising the level of skill and knowledge of workers;
  - (j) The development of human resources, including by assisting in tertiary and other advanced training programmes, in line with key indicators such as percentage of wage bill spent on education and training and improvement of management skills; and
  - (k) The upliftment of communities through, but not limited to, housing, transport, schools, infrastructure donations, and charity organisations.
- (4) Specific goals must be measurable and quantifiable and organs of state must monitor the execution of the contract for compliance with such goals.



## ADVERTENSIES\ADVERTISEMENTS

KENNISGEWING AAN INTEKENAARS,  
ADVERTEERDERS EN DIE ALGEMENE  
PUBLIEK

Advertensietariewe is met ingang van 1 Oktober 1997 soos volg:

	met inbegrip van boonste, sy- en onderste kantlyne	
	per bladsy	per ern'
8-punt-tipe	R350,00	RO,75
8-punt getabuleer	R435,00	RO,90
Kopie op disket voorsien (Word Perfect)		
Slegs leks	R290,00	RO,60
Tabelle	R365,00	RO,76

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 Koerant R2,50 BTW ingesluit.

Navrae moet gerig word aan:

Provinsiale Koerant van KwaZulu-Natal, Posbus 362,  
PIETERMARITZBURG 3200.

NOTICE TO SUBSCRIBERS,  
ADVERTISERS AND THE PUBLIC IN  
GENERAL

Advertisement rates with effect from 1 October 1997 are as follows:

	including top, side and bottom margins	
	per page	per ern'
8-point type	R350,00	RO,75
8-point tabular	R435,00	RO,90
Copy supplied on disk (Word Perfect)		
Text only	R290,00	RO,60
Tables	R365,00	RO,76

No responsibility is accepted for losses arising from omissions or typographical errors.

Advertisements must be submitted by 09:00 on Wednesdays.

Subscription per annum: Republic of South Africa R100,00; outside the Republic R125,00; single copies, excluding Gazettes Extraordinary R2,50 including VAT.

Enquiries to be addressed to:

The Provincial Gazette of KwaZulu-Natal, PO Box 362,  
PIETERMARITZBURG 3200.

## INHOUD

Dorpbeplanningskemas: Wysiging	1161
Dorpe: Wysiging en opheffing van beperkings	1163
Diverse	1163

## CONTENTS

Town Planning Schemes: Amendment	1161
Townships: Amendment and Removal of Restrictions	1163
Miscellaneous	1163

DORPBEPLANNINGSKEMAS: WYSIGINGI  
TOWN PLANNING SCHEMES: AMENDMENTETHEKWINI MUNICIPALITY-SOUTH  
Notice No. 9/2006PROPOSED AMENDMENT TO LOWER  
ILLOVO TOWN PLANNING SCHEME  
IN THE COURSE OF PREPARATION

Notice is hereby given in terms of Section 47 bis of Ordinance No. 27 of 1949, as amended, that application has been made to Council, for authority to amend the Lower Illovo Town Planning Scheme in course of preparation: by rezoning of Portions 9 and 10 of the Farm Illovo No. 16946 (Off the MR 197-3) from Agriculture to Light Industry purposes:

Copies of the proposed amendment and the relevant plans are open for inspection at the Town Planning Offices, 2 Liberty Road, Illovo, during office hours. Consult your local office.

Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the Head, Development Planning and Management at the address below, by Friday 18 May 2007.

MS S.T. MOONSAMMY,  
Head: Development Planning and Management,  
eThekweni Municipality,  
P.O. Box 26,  
Amanzimtoti 4125.

D1-April 26, 2007.

DIE MSUNDUZI MUNISIPALITEIT  
STADSBEPLANNINGSKEMA

Kennis word hierby ingevolge Artikel 47 bis B(2)(b), saamgelees met Artikel 47 bis A(2) van die Dorpbeplanningsordonnansie (Ordonnansie No. 27 van 1949, soos gewysig) gegee dat Die Msunduzi Munisipaliteit van voorneme is om 'n aansoek te oorweeg om die hersonering vanaf

"Openbare Oopruimte" na "Algemene Besigheid", ten opsigte van Erf 1556 Pietermaritzburg, synde vanaf Chattertonweg: Athlone.

'n Afskrif van die voorgestelde wysiging en dokumentasie lê ter insae beskikbaar by die Openbare Navrae Toonbank van Ontwikkelings bestuur, 5de Verdieping, Professor Nyernbezi Sentrum, (Symons Gebou), Kerkstraat 341, Pietermaritzburg.

Enige persoon met voldoende belang kan skriftelike besware of vertoe ten opsigte van die aansoek en voorgestelde wysigings voor of op 18 Mei 2007 by die Strategiese Uitvoerende Bestuurder: Korporatiewe Strategiese Beplanning, 5de Vloer Professor Nyembezi Sentrum, (Symons Sentrum Gebou), Kerkstraat 341, Pietermaritzburg (Posbus 1393, Pietermaritzburg, 3200) indien.

MR R. HASWELL,

Waarnemende Munisipale Bestuurder.

Stadsaal,  
Pietermaritzburg.

D2—April 26, 2007.

THE MSUNDUZI MUNICIPALITY  
TOWN PLANNING SCHEME

Notice is hereby given in terms of Section 47 bis B (2)(b), read in conjunction with Section 47 bis A (2), of the Town Planning Ordinance (Ordinance No. 27 of 1949, as amended) that it is the intention of the Msunduzi Municipality to consider an application for the rezoning from "Active Public Open Space" to "General Business" in respect of the proposed Erf 1556 Pietermaritzburg, being off Chatterton, Athlone.

A copy of the proposed amendment and documents can be inspected at the Corporate Asset

Management Public Enquiry Counter, 5th Floor, Professor Nyembezi Centre, 341 Church Street, Pietermaritzburg.

Any person having sufficient interest therein may lodge written objections or representations relating thereto with the Strategic Executive Manager (Corporate Strategic Planning) by not later than 18 May 2007 at 5th Floor, Professor Nyembezi Building, 341 Church Street, Pietermaritzburg (P.O. Box 1393, Pietermaritzburg, 3200).

MR R. HAWELL,  
Acting Municipal Manager.

City Hall,  
Pietermaritzburg.

D2-April 26, 2007.

UMASIPALA WA KWADUKUZA  
UMHLAHLANDLELA  
WEDOLOBHA LASE - ZIMBALI  
ISICHIBIYELO ESIHLONGOZWAYO

Lapha kukhishwa isaziso ngokwemigomo yoMthetho u-Section 47bis okuyiMthetho engumhlahlandlela yamadolobha oMasipala, onguNo. 27 ka 1949, njengokuchibiyelwa kwayo, ukuthi umhlandlu wakwaDukuza uhlongoza ukuchibiyela uhlelo olungumhlahlandlela wedolobha kubalulwa lapha ngezansi,

- Portions of Rem of Erf 325
- Portions of Rem of Zimbali West No. 17744
- Portions I, 2, 28 and 29 all of Erf 17 Zimbali South

From: Undetermined  
Residential Area 9  
Sports Amenity  
Road Reserve

To Reconfigured: Residential Area 9  
Sports Amenity  
Residential Area 2

Bonke abafisa ukuphikisana nescielo sokushintsha ukusetshenziswa **kwendawo bangaleta** imibono yabo ngaphambi kokuthi kushaye umhlaka kuku 17 May 2007 Kulekikheli elilandelayo the Municipal Manager, KwaDukuza Municipality, P a Box 72, Stanger, 4450.

Abaphikisayo kumele bazise umphati wakwa Masipala bachaze kabanzi ukuthi ikhophi **yesaziso sinikwe kulowo ofake** isicelo kulef kheli elingenzansi ngeposi noma ngokuyinikezela ngesandla. Isikhalazo esifika sekudlule usuku olubhaliwe/noma isikhalazo esingafikanga kulowo ofake isicelo ngekesibalwe.

**Imidwebo ne** mininingwane **ehambisana** nalesicelo ingabonakala kumahhovisi kaMasipala kuleli kheli The Secretary: Development and Planning Section, KwaDukuza Municipality, 10 Leonora Drive, Ballito. Kusukela ngo msombuluko kuya kulwesihlanu (ngaphandle kwaMaholidi) kusukela ngo 08h00 ekuseni kuyaku 16h00 ntambama. Isicelo sizohlala izmsuku esmgamashumi amabili nanye Kusukela ngomhJaka 25 April 2007.

Igama Nekheli Lalowo Ofaka Isicelo:

Ndebele Kirby Planners

P a Box 1326, Wandsbeck, 3631

Tel: (031) 2669011

Fax: (031) 2669017

E-mail: rkassoc@iafrica.com

D6--kuMbsa 26, 2007.

**KWADUKUZA MUNICIPALITY  
ZIMBALI TOWN PLANNING SCHEME  
(IN COURSE OF PREPERANON)  
PROPOSED AMENDMENT**

Notice is hereby given in terms of Section 47bis of the Town Planning Ordinance, No. 27 of 1949, that the KwaDukuza Council intends to consider the following amendment to the Zimbali Town Planning Scheme:

- Portions of Rem of Erf 325
- Portions of Rem of Zimbali West No. 17744
- Portions 1,2,28 and 29 all of Erf 17 Zimbali South

From: Undetermined  
Residential Area 9  
Sports Amenity  
Road Reserve

To Reconfigured: Residential Area 9  
Sports Amenity  
Residential Area 2

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 17 May 2007 With: The Municipal Manager, KwaDukuza Municipality, P a 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 nannal office hours Monday to Friday (excluding public holidays) at the The Secretary: Development and Planning Section, KwaDukuza Municipality, 10 Leonora Drive, Ballito. The application will lie for inspection for 21 days from 25 April 2007.

Name and Address of applicant:

Ndebele Kirby Planners

PO Box 1326, Wandsbeck, 3631

Tel: (031)2669011

Fax: (031) 2669017

E-mail: rkassoc@iafrica.com

D6—April 26, 2007.

**ETHEKWINI MUNICIPALITY  
INNER WEST AREA OFFICE  
ISICHIBIYELO ESILHONGOZWAYO:  
SOHLELO LWEDOLOBHA LA SE PARADISE  
VALLEY TOWNSHIP OLUPHEZU  
KWAMALUNGISELELO**

Kukhishwa isaziso sokuthi kufakwe isicelo eMkhandlwini ngokwesiGaba 47 sib B

sikaSomqulu weMithetho wokuHelwa kweDolobha, sika 1949 (Ordinance No. 27 ka 1949) (njengoba sichitshiyelwe), ukuthi imvumele yokuchibiyela uhlelo Iwedolobha lase Paradise Valley Township oluphezu kwamalungiselelo ngokushintsha:

Lot 3056, Pinetown, 74 Entabeni Road, Pinetown kusuka Special Zone 2 kuya Special Light Industrial Zone 3 - Split Zoning.

Ikhophi yalesichibiyelo esihlongozwayo sivulelekile ehovisini eTown Planning, 2 Club Lane, Pinetown ngezikhathi zokusebenza, **Thintana namahovisi aseduze.**

Noma ngubani othinteka ngokwenele kulesichibiyelo esihlongozwayo angafaka incwadi yokuphikisana naso noma azokwethula ukuphikisa kwakhe ku Director Planning ekhelini elingezantsi ngoLwesihlanu 18 kuNhlaba 2007.

DR M.O. SUTCLIFFE,  
City Manager.

eThekwini Municipality  
Inner West Area Office,  
P.O. Box 244,  
Pinetown 3600.

D8--kuMbsa 26, 2007.

**ETHEKWINI MUNICIPALITY  
INNER WEST AREA OFFICE  
PROPOSED AMENDMENT: PARADISE  
VALLEY TOWNSHIP TOWN PLANNING  
SCHEME IN THE COURSE OF  
PREPARATION**

Notice is hereby given that application has been made to the Council in terms of section 47 bis B of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949) (as amended), for authority to amend the Paradise Valley Township Town Planning Scheme Clauses in the course of preparation for:

Lot 3056, Pinetown, 74 Entabeni Road, Pinetown from Special Zone 2 to Special Light Industrial Zone 3 - Split Zoning.

Copies of the proposed amendment are open for inspection at the Town Planning Office, 2 Club Lane, Pinetown, during office hours. Consult your local office.

**Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the Director: Planning at the address below, by 18 May 2007.**

DR M.a. SUTCLIFFE,  
City Manager.

eThekwini Municipality  
Inner West Area Office,  
P.O. Box 244,  
**Pinetown**  
3600.

D8--April 26, 2007.

**NEWCASTLE MUNISIPALITEIT  
KENNISGEWING NR. 97 VAN 2007  
STADSBEPLANNINGSKEMA**

Hierby word ooreenkornstig artikel 47 bis B (2)(b) van Ordonnansie Nr. 27 van 1949, soos gewysig, bekend gemaak dat die Newcastle **Munisipaliteit n aansoek ontvang het om sy Stadsbeplanningskema wat opgestel word te wysig soos uiteengesit in die ondergaande skedule.**

'n Afskrif van die voorstel tesame met die plan lê ter insae in die kantoor van die Direkteur . Stadsbeplanning, westelike einde van Hospitaalstraat, **Newcastle en enigeen met voldoende belang by vermelde voorstel mag skriftelike besware of vertoe in daardie verband voor of op 2007-05-14 by die ondergetekende indien.**

**SCHEDULE**

Die hersonerig van erf R/795 Newcastle (Coronation Weg 21) vanaf "Enkelwoon" na "Groep en Meentbehuising" soos aangedui op sketsplan W795.

A.R.HOSEN  
**MUNISIPALE BESTUURDER**

Munisipale Kantore  
Privaatsak X6621  
NEWCASTLE  
2940

D10--April 26, 2007.

**NEWCASTLE MUNICIPALITY  
NOTICE NO. 97 OF 2007  
TOWN PLANNING SCHEME**

Notice is hereby given in terms of section 47 bis B (2)(b) of Ordinance No. 27 of 1949, as amended, that the Newcastle Municipality **received an application to amend its Town Planning Scheme in the course of preparation as indicated in the schedule below.**

A copy of the proposal together with plans are lying open for inspection in the office of the Director: Town Planning situated at the western end of Hospital Street, Newcastle and any person **who has a sufficient interest in the said proposal may lodge written representations or objections with the undersigned on or before 2007-05-14.**

**SCHEDULE**

The rezoning of erf R/795 Newcastle (21 Coronation Road) from "Single Residential" to "Group and Cluster Housing" as depicted on sketch plan W 795.

A.R.HOSEN  
**MUNICIPAL MANAGER**

Municipal Offices  
Private Bag X6621  
NEWCASTLE  
2940

DIO--April 26, 2007.

**NEWCASTLE MUNISIPALITEIT  
KENNISGEWING NR. 98 VAN 2007  
STADSBEPLANNINGSKEMA**

Hierby word ooreenkornstig artikel 47 bis B (2)(b) van Ordonnansie Nr. 27 van 1949, soos gewysig, bekend gemaak dat die Newcastle **Munisipaliteit n aansoek ontvang het om sy Stadsbeplanningskema wat opgestel word te wysig soos uiteengesit in die ondergaande skedule.**

'n Afskrif van die voorstel tesame met die plan lê ter insae in die kantoor van die Direkteur Stadsbeplanning, westelike einde van Hospitaalstraat, Newcastle en enigeen met voldoende belang by vermelde voorstel mag skriftelike besware of vertoe in daardie verband voor of op 2007-05-14 by die ondergetekende indien.

**SCHEDULE**

Die hersonerig van erf 7593 Newcastle (Kosmos Straat 28) vanaf "Enkelwoon" na "Groep en Meentbehuising" soos aangedui op sketsplan W7593.

A.R.HOSEN  
**MUNISIPALE BESTUURDER**

Munisipale Kantore  
Privaatsak X6621  
NEWCASTLE  
2940

DI I--April 26, 2007.

**NEWCASTLE MUNICIPALITY  
NOTICE NO. 98 OF 2007  
TOWN PLANNING SCHEME**

**Notice is hereby given in terms of section 47 bis B (2)(b) of Ordinance No. 27 of 1949, as amended, that the Newcastle Municipality received an application to amend its Town Planning Scheme in the course of preparation as indicated in the schedule below.**

A copy of the proposal together with plans are lying open for inspection in the office of the Director: Town Planning situated at the western end of Hospital Street, Newcastle and any person **who has a sufficient interest in the said proposal may lodge written representations or objections with the undersigned on or before 2007-05-14.**

**SCHEDULE**

The rezoning of erf 7593 Newcastle (28 Cosmos Street) from "Single Residential" to "Group and Cluster Housing" as depicted on sketch plan W 7593.

A.R.HOSEN  
**MUNICIPAL MANAGER**

Municipal Offices  
Private Bag X6621  
NEWCASTLE  
2940

DI I--April 26, 2007.

**DORPE: WYSIGING EN OPHEFFING VANBEPERKINGS  
TOWNSHIPS AMENDMENT AND REMOVAL OF RESTRICTIONS**

**AANSOEKE OOREENKOMSTIG DIE WET OP OPHEFFING VANBEPERKINGS, NO. 84 VAN 1967  
APPLICATIONS IN TERMS OF THE REMOVAL OF RESTRICTIONS ACT, NO. 84 of 1967**

KENNISGEWING No. 156

Aansoeke ooreenkomstig bostaande wet am *die* wysiging, opskort-ing of verpligtinge met betrekking tot die onderstaande eiendomme is ontvang.

Die *cedes* vir die aansoeke word hieronder verstrek. (Die letters "DBS" dui aan dat die toekomstige gebruik van die grond ooreenkomstig 'n dorpebeplanningskema beheer sal word.)

Enige besware, verkieslik met volledige *cedes* daarvoor, moet skriftelik voor of op die sluitingsdatum soos hieronder bepaal, aan die Waameemende Hoof, Tradisionele en Plaaslike Regeringsakc, Privaatsak X64, Ulundi, 3838, besorg word. Die voorgenome beswaar sal die volgeode vervat:

- (1) die verwysingsnommer en eiendom wat deur die beswaar geraak word;
- (2) die naam, adres, eiendomsbeskrywing en telefoonnommer van die beswaarmaker; en
- (3) of sodanige beswaarmaker sal verkies am enige verhoor en inspeksie, war uit die beswaar mag voorspruit, by te woon.

Die aansoek sal tot 28 Mei 2007 by die Kantoor van die Direkteur: Ontwikkelings Beplanning: Grond verdieping, Administratiewe Gebou in Ulundi, Kolling Dinizulu Straat, (Mnr D Cherty, tel. 035- 874 2804) ter inslae le,

Verw. en Eiendom  
Ref. and Property

20071189 - Erf 118, 2007/185 - Erf 119  
20071190 - Erf369, 2006/1475 - Erf551  
2007/505 - Erf215, 2007/507 - Erf256  
2007/508 - Erf 311, 2007/510 - Erf 318  
2007/512 - Erf 830, 2007/513 - Erf 976  
2007/523 - Erf 1192, 2007/524 - Erf 1283  
2007/525 - Erf3764, 2007/526 - Erf3867  
2007/527 - Erf 3987, 2007/531 - Erf 5380  
2007/528 - Erf 5475, 2007/529 - Erf 5520  
almal van Richardsbaailall of Richards Bay  
2007/530 - Erf217 vaniofKwambonambi, and  
2007/502 - Erf 73 van/of St Lucia

G9-April 26, 2007.

NOTICE NO. 156

Applications have been received in tenus of the abovementioned Act for the alteration, suspension or removal of restrictions or obligations pertaining to the undermentioned properties.

The reasons for the applications are set out hereunder. (The letters "TPS" indicate that the future use of the land will be controlled in terms of a town planning scheme.)

Any objections, preferably with full reasons therefor, must be lodged in writing, with the Acting Head of Department Traditional and Local Government Affairs, Private Bag X64, U undi, 3838, so as to be received by him no later than the closing date specified below. A letter of Objection must furthermore indicate the following:

- (1) the reference and the property to which the application pertains;
- (2) the name, address, erf number and telephone number of the objector; and
- (3) whether the objector wishes to attend any hearing and inspection which may result from the objection.

The application will be open for inspection in the Office of the Director: Development Planning: Northern Region, Ground Floor, Admin Building, Ulundi, King Dinizulu Street (Attention: Mr D K Chetty: 035-874 2804), until 28 May 2007

Rede  
Reason

Om titelvoorwaardes op te hef wat:

1. Die oprigting van 'n skakelhuis; deelhuis, hotel of woonstelgebou en hoogstens een woonhuis tesame met sodanige buitegeboue verbied sodat 'n tweede wooneenheid 01'die erf opgerig kan word,
2. Die perseel vir doeleindes anders as slegs 'n residentiele eenheid aangewend word, tewete 'n besigheids of ander gebruik (tuis nywerheid of kantoor, ens.)

To remove conditions of title that:

1. Prohibits the erection of a semi-detached house, tenement house, boarding house, hotel or block of flats so as to enable the erection of a second dwelling unit on the property,
2. Restricts the use of the property for residential purposes only in order to use the property for business or other purposes (home industry or office, etc.),

G9-April 26, 2007.

**DIVERSEIMISCELLANEOUS**

**APPLICATION FOR PUBLIC ROAD  
CARRIER PERMITS OR  
OPERATING LICENCES**

Notice is hereby given in terms of section 14(1)(a) of the Road transportation Act, 1977 (Act 74 of 1977) and section 37 of the National Land Transport Transition Act, 2000 (Act 22 of 2000) of the particulars in respect of application for public road carrier permits and/or operating licences received by the KZN Public Transport Licensing Board, indicating: -

- (1) The application number;
- (2) The **name** and identity number of the applicant;
- (3) The place where the applicant conducts his business or wishes to conduct his business, as well as his postal address;
- (4) The nature of the application, that is whether it is an application for: -
  - (4.1) the grant of a new permit or operating licence;
  - (4.2) the grant of additional authorisation;
  - (4.3) the amendment of route;
  - (4.4) the amendment of timetables;
  - (4.5) the amendment of tariffs;
  - (4.6) the renewal of such permit or operating licence;
  - (4.7) the transfer of such permit or operating licence;
  - (4.8) the change of the name, or partie-

ulars of the holder;

- (4.9) the replacement of vehicle;
- (4.10) the amendment of vehicle particulars, including increase in carrying capacity in excess of fifteen percent;
- (4.11) an additional vehicle with existing authorisation;
- (4.12) the refinement of routes in terms of section 85(4)(f), (g) or (5) of Act 22 of 2000 in respect of legitimisation or converted permits issued in terms of sections 52 or 55
- (4.13) Act 4 of 1998, read with section 41 of Act 22 of 2000; or  
the conversion of permits to operating licences in terms of Part 16 of Act 22 of 2000.
- (5) The number and type of vehicles, including the carrying capacity or gross vehicle mass of the vehicles involved in the application;
- (6) The type of public transport service envisaged, as contemplated in section 1(1)(Lxiii) of Act 22 of 2000, with regard to the transportation of persons, personal effects, or both;
- (7) The points between, picking-up and setting down points and the route or routes along or the area or areas within which the road transportation is conducted or the

proposed road transportation is to be conducted; and

- (8) The timetable and scale of charges in respect of scheduled services.

In terms of section 14(2) of Act 74 of 1977, read with regulation 4 of the Road Transportation Regulations, 1977 and section 37(1) of Act 22 of 2000, written representations in quadruplicate supporting or opposing these applications must within 21 (twenty-one) days from the date of this publication, be lodged by hand with, or dispatched by registered post to:

*The Secretary, KZN Public Transport Licensing Board, Private Bag X9135, PIETERMARITZBURG. 3200.*

**OR**

*291 Pietermaritz Street, PIETERMARITZBURG. 3201.*

A copy of such representations must be lodged by hand with, or dispatched by registered post to, the applicant at the advertised address in (3) above.

Full particulars in respect of each application are open 10 inspection at the Board's office.

OP.1301656.

(2) CELE B ill NO 6608105389088.  
POSTAL ADDRESS: POBOX 1441, PINE-TOWN, 3600. (4) TRANSFER OF PERMIT, PERMIT NO. 1276396/0 FROM LEMBEDE A (15 X PASSENGERS, DISTRICT: DURBAN).  
(7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1305108.

(2) CARRIER MARINE SERVICES ID NO 199700639107. POSTAL ADDRESS: PO BOX 38382, POINT, DURBAN, 4069. (4) TRANSFER OF PERMIT, PERMIT NO. 1287449/0 FROM CODI MARINE SERVICE (PTY) LTD (9 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 128900810 FROM CODI MARINE SERVICE (PTY) LTD (9 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 1289009/0 FROM CODI MARINE SERVICE (PTY) LTD (9 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 1277343/0 FROM CODI MARINE SERVICE (PTY) LTD (9 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 1257014/0 FROM CODI MARINE SERVICE (PTY) LTD (9 X PASSENGERS, DISTRICT: PIETERMARITZBURG), PERMIT NO. 1289010/0 FROM CODI MARINE SERVICE (PTY) LTD (8 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 128901110 FROM CODI MARINE SERVICE (PTY) LTD (9 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 128901210 FROM CODI MARINE SERVICE (PTY) LTD (15 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 1289013/0 FROM CODI MARINE SERVICE (PTY) LTD (9 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 1289014/0 FROM CODI MARINE SERVICE (PTY) LTD (9 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 1289021/0 FROM CODI MARINE SERVICE (PTY) LTD (9 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 1289022/0 FROM CODI MARINE SERVICE (PTY) LTD (4 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 1289024/0 FROM CODI MARINE SERVICE (PTY) LTD (4 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 1289025/0 FROM CODI MARINE SERVICE (PTY) LTD (9 X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 1289026/0 FROM CODI MARINE SERVICE (PTY) LTD (9 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1315153.

(2) NTOMBELA GZ ID NO 7912090507087. (3) DISTRICT: PIETERMARITZBURG. POSTAL ADDRESS: 10 TUNA STREET, WESTVILLE, DURBAN, 4001. (4) NEW APPLICATION. (5) 1 X 5 PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY: FROM INKOSINATHI STORE KWAMNCANE LOCATION SITUATED WITHIN THE MAGISTERIAL DISTRICT OF PIETERMARITZBURG TO POINTS WITHIN THE RADIUS OF 35 (THIRTY FIVE) KILOMETRES THEREFROM AND RETURN TO INKOSINATHI STORE KWAMNCANE LOCATION.

OP.1318236.

(2) PAKADE DS ID NO 5010015649084. POSTAL ADDRESS: PO BOX 255, CLERNAVILLE, 3602. (4) TRANSFER OF PERMIT, PERMIT NO. 1289043/0 FROM CHULE MJ (14 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1323715.

(2) NGIDI J ID NO 5103100642088. POSTAL ADDRESS: 026 UMLAZI, P 0 UMLAZI, 4031. (4) TRANSFER OF PERMIT, PERMIT NO. 1262664/1 FROM NGIDI BD (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG), PERMIT NO. 1257427/0 FROM NGIDI BD (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1324075.

(2) GUMEDE VL ID NO 5505245485084. POSTAL ADDRESS: 147 AVOCA HILLS DRIVE, AVOLE HILLS, DURBAN, 4051. (4) TRANSFER OF PERMIT, PERMIT NO. 1261218/0 FROM MDANDA JM (15 X PASSENGERS, DISTRICT: PIETERMARITZBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1326424.

(2) BELL RA ID NO 7007305285080. (3) DISTRICT: DURBAN. POSTAL ADDRESS: 4 SYRINGA MANSION, 23 SYRINGA AVENUE, DURBAN, 4001. (4) NEW APPLICATION. (5) 2 X 5 X PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY: FROM SYRINGA AVENUE, BEREA IN DURBAN TO POINTS WITHIN THE RADIUS OF 50 (FIFTY) KILOMETERS THEREFROM AND RETURN TO SYRINGA AVENUE BEREA.

OP.1326476.

(2) SNEK RAHIMAN GS ID NO 7505295191085. (3) DISTRICT: DURBAN. POSTAL ADDRESS: 121 VICTORIA EMBANKMENT, FLAT 902 BAY TOWERS, DURBAN, 4001. (4) NEW APPLICATION. (5) 1 X 5 X PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY: FROM 6 TRAYFERN PLACE IN PHOENIX TO POINTS WITHIN THE RADIUS OF 50 (FIFTY) KILOMETRES THEREFROM AND RETURN TO 6 TRAYFERN PLACE.

OP.1327345.

(2) GASA D III NO 7601225367083. POSTAL ADDRESS: V 885, PO UMLAZI, 4031. (4) TRANSFER OF PERMIT, PERMIT NO. 1289055/0 FROM GASA MA (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1327521.

(2) NDLOVU ZT ID NO 7106210735088. (3) DISTRICT: PIETERMARITZBURG. POSTAL ADDRESS: PO BOX 1708, PIETERMARITZBURG, 3200. (4) NEW APPLICATION. (5) 1 X 5 X PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY: FROM 17 STALLION CINDERRELA PARK EASTWOOD (PIETERMARITZBURG) TO POINTS WITHIN THE RADIUS OF 35 (THIRTY FIVE) KILOMETERS THEREFROM AND RETURN TO 17 STALLION CINDERRELA PARK EASTWOOD.

OP.1327522.

(2) MADLALA SN III NO 7503145469082. (3) DISTRICT: PIETERMARITZBURG. POSTAL ADDRESS: PO BOX 1708, PIETERMARITZBURG, 3200. (4) NEW APPLICATION. (5) 1 X 5 X PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY: FROM 53 AALWYN ROAD NAPIERVILLE SITUATED WITHIN THE MAGISTERIAL DISTRICT OF PIETERMARITZBURG, WITHIN THE RADIUS OF 35 (THIRTY FIVE) KILOMETERS THEREFROM AND RETURN TO 53 AALWYN ROAD NAPIERVILLE.

OP.1327523.

(2) NGCOBO DS ID NO 7608115288089. (3) DISTRICT: PIETERMARITZBURG. POSTAL ADDRESS: PO BOX 1708, PIETERMARITZBURG, 3200. (4) NEW APPLICATION. (5) 1 X 5 X PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY: FROM 24 MAGAZINE ROAD PRESTBURY SITUATED WITHIN THE MAGISTERIAL DISTRICT OF PIETERMARITZBURG TO POINTS WITHIN THE RADIUS OF 35 (THIRTY FIVE) KILOMETERS THEREFROM AND RETURN TO 24 MAGAZINE ROAD PRESTBURY.

OP.1327524.

(2) KUBHEKA NB ID NO 8403066077080. (3) DISTRICT: PIETERMARITZBURG. POSTAL ADDRESS: PO BOX 1708, PIETERMARITZBURG, 3200. (4) NEW APPLICATION. (5) 1 X 5 X PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY: FROM 21 AALWYN ROAD NAPIERVILLE SITUATED WITHIN THE MAGISTERIAL DISTRICT OF PIETERMARITZBURG TO POINTS WITHIN THE RADIUS OF 35 (THIR-

TY FIVE) KILOMETRES THERE FROM AND RETURN TO 21 AALWYN ROAD NAPIERVILLE.

OP.1327525.

(2) MTHETHWA ZP III NO 6312075703085. (3) DISTRICT: PIETERMARITZBURG. POSTAL ADDRESS: PO BOX 1708, PIETERMARITZBURG, 3200. (4) NEW APPLICATION. (5) 1 X 5 PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY: FROM 24 AALWYN ROAD NAPIERVILLE SITUATED WITHIN THE MAGISTERIAL DISTRICT OF PIETERMARITZBURG TO POINTS WITHIN THE RADIUS OF 35 (THIRTY FIVE) KILOMETRES THERE FROM AND RETURN TO 24 AALWYN ROAD NAPIERVILLE.

OP.1328585.

(2) NTULI SBJ III NO 8409115544087. (3) DISTRICT: DURBAN. POSTAL ADDRESS: BB 342 UMLAZI, P 0 UMLAZI, 4066. (4) NEW APPLICATION. (5) 1 X 5 PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY: FROM BB 342 UMLAZI SITUATED WITHIN THE MAGISTERIAL OF DURBAN TO POINTS WITHIN THE RADIUS OF 50 (FIFTY) KILOMETERS THEREFROM AND RETURN TO BB 342 UMLAZI.

OP.1329450.

(2) ZUMA JT ID NO 6110085496082. (3) DISTRICT: PIETERMARITZBURG. POSTAL ADDRESS: PO BOX 24, PLESSISLAER, 3216. (4) NEW APPLICATION. (5) 1 X 4 PASSENGERS. (6) THE CONVEYANCE OF TAXI PASSENGERS. (7) AUTHORITY: FROM LOT 182 STAND ID-06647 AT SINATHING VILLAGE TO POINTS WITHIN THE RADIUS OF 50 (FIFTY) KILOMETRES THEREFROM AND RETURN TO LOT 182 STAND ID-06647 SINATHING VILLAGE. CHARTER SERVICE: FROM LOT 182 STAND ID-06447 SINATHING VILLAGE TO POINTS THE PROVINCE OF KWAZULU-NATAL AND RETURN.

OP.1330026.

(2) MTHEMBU HR ID NO 7006250451085. POSTAL ADDRESS: PO BOX 210, HLABISA, 3937. (4) TRANSFER OF PERMIT, PERMIT NO. 128909710 FROM MTHEMBU MA (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1330066.

(2) MKHIZE MN ID NO 7209045448081. POSTAL ADDRESS: PO BOX 4171, DURBAN, 4000. (4) TRANSFER OF PERMIT, PERMIT NO. 1289074/0 FROM GOVENDER M (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1330164.

(2) RAMANNA R ID NO 6804030273089. POSTAL ADDRESS: 455 SUMMERFIELD ROAD, BAYVIEW, CHATSWORTH, 4094. (4) TRANSFER OF PERMIT, PERMIT NO. 127139210 FROM MAIKOO J (14 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1330224.

(2) HESLOP A ID NO 5304050183087. POSTAL ADDRESS: 56 KENILWORTH AVENUE, SYDENHAM, DURBAN, 4091. (4) TRANSFER OF PERMIT, PERMIT NO. 128907210 FROM HESLOP G (14 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1330316.

(2) MAZEKA PQ III NO 6006035282087. POSTAL ADDRESS: PO BOX 573, CLERNAVILLE, 3602. (4) TRANSFER OF PERMIT, PERMIT NO. 1288926/0 FROM SHISHANE J (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1330460.

(2) NAIDOO S ill NO 6706160581084. POSTAL ADDRESS: 212 ESSELEN CRES-CENT, LENHAM, PHOENIX, 4068. (4) TRANS-FER OF PERMIT, PERMIT NO. 128908810 FROM NAIDOO DR (14 X PASSENGERS, DIS-TRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1330602.

(2) SULEMAN MR ill NO 6802035123085. POSTAL ADDRESS: 179 CANESHIE DRIVE, UNIT 20, PHOENIX, 4068. (4) TRANSFER OF PERMIT, PERMIT NO. 128909010 FROM ABDUOL RAHMAN N (12 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1330920.

(2) ZULU SZ ill NO 4605245293081. POSTAL ADDRESS: 5 NIGELLA PLACE, PINETOWN, 3610. (4) TRANSFER OF PERMIT, PERMIT NO. 128908610 FROM SMITH BL (IS X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1331430.

(2) GOVENDER I ill NO 7105310149083. POSTAL ADDRESS: 41 FLINTSTONE, WHET-SONE PHOENIX, UNIT 11, 4068. (4) TRANS-FER OF PERMIT, PERMIT NO. 128909210 FROM SINGH S (IS X PASSENGERS, DIS-TRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1331595.

(2) KHALISHWAYO HH ill NO 8008160605080. POSTAL ADDRESS: PO BOX 85, PAULPIETERSBURG, 3180. (4) TRANS-FER OF PERMIT, PERMIT NO. 25331611 FROM KHALISHWAYO BZ (14 X PASSEN-GERS, DISTRICT: PAULPIETERSBURG), PERMIT NO. 2537960 FROM KHALISH-WAYO BZ (IS X PASSENGERS, DISTRICT: PAULPIETERSBURG). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1331806.

(2) KHALULU MARKETING CC ill NO 200102367723. (3) DISTRICT: PIETERMAR-ITZBURG. POSTAL ADDRESS: 21 OLD SYL-VAN ROAD, CLARENDON, PIETERMAR-ITZBURG, 3201. (4) NEW APPLICATION. (5) I X 15 PASSENGERS. (6) THE CONVEYANCE OF TOURISTS. (7) AUTHORITY: TOURISTS AND THEIR PERSONAL EFFECTS: FROM 21 OLD SYLVAN ROAD, CLAREN-DON, PIETERMARITZBURG TO PRE ARRANGED PICK UP POINTS WITHIN KWAZULU-NATAL AND FROM SUCH POINT TO POINTS WITHIN GAUTENG PROVINCE, FREE STATE PROVINCE, WESTERN CAPE PROVINCE, NORTHERN CAPE PROVINCE, MPUMULANGA, LIMPOPO PROVINCE AND RETURN.

OP.1332099.

(2) KOOBBAIR I ill NO 7012285151088. POSTAL ADDRESS: CLUSTER BOX 2697, GLENDALE GARDENS, QUEENS BURGH, 4093. (4) TRANSFER OF PERMIT, PERMIT NO. 12890630 FROM ABBUBAKIR AS (13 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1332141.

(2) ISIZUKULWANE TOURS ill NO 200612866023. (3) DISTRICT: DURBAN. POSTAL ADDRESS: POBOX 144, UMZIN-TO, 4200. (4) NEW APPLICATION. (5) I X 16 PASSENGERS. (6) THE CONVEYANCE OF TOURISTS. (7) AUTHORITY: TOURISTS AND THEIR PERSONAL EFFECTS: FROM H HORIZON VIEW, UMHLANGA ROCKS TO PRE ARRANGED PICK UP POINTS WITHIN THE PROVINCE OF KWAZULU-NATAL AND FROM SUCH POINT TO POINTS WITHIN THE REPUBLIC OF SOUTH AFRICA AND RETURN.

OP.1332305.

(2) MKHIZE ZF ID NO 5501080611082. POSTAL ADDRESS: N 610 UMLAZI TISHIP, PO UMLAZI. 4031. (4) TRANSFER OF PERMIT, PERMIT NO. 12890440 FROM MKHIZE BD (IS X PASSENGERS, DISTRICT: DURBAN), PERMIT NO. 128904710 FROM MKHIZE BD (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1332349.

(2) MAKHUNGA SN ID NO 7711085512080. POSTAL ADDRESS: PO BOX 210, KWAD-LANGEZWA, 3580. (4) TRANSFER OF PERMIT, PERMIT NO. 128905910 FROM MAKHUNGA AM (15 X PASSENGERS, DIS-TRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1332503.

(2) MADELA S.A ill NO 7203156242086. POSTAL ADDRESS: POBOX 36222, NTOKOZWENI, UMLAZI, 4066. (4) TRANS-FER OF PERMIT, PERMIT NO. 127184210 FROM MADELA A (15 X PASSENGERS, DIS-TRICT: DURBAN), PERMIT NO. 12890290 FROM MADELA A (14 X PASSENGERS, DIS-TRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1332511.

(2) NAIDOO C ID NO 7406260060084. POSTAL ADDRESS: 9 PERILLA PLACE, ASH-ERVILLE, DURBAN, 4052. (4) TRANSFER OF PERMIT, PERMIT NO. 128904010 FROM PIL-LAY P (5 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1332773.

(2) NDLOVU 1M ID NO 6911115529085. POSTAL ADDRESS: 4180 TOMTOM ROAD, KWANDENGEZI. 3610. (4) TRANSFER OF PERMIT, PERMIT NO. 12890580 FROM MSIBI BJ (IS X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1332786.

(2) ZULU NC ID NO 5409260227085. POSTAL ADDRESS: POBOX 81578, EMPAN-GENI, 3880. (4) TRANSFER OF PERMIT, PERMIT NO. 128903410 FROM HLATSHWAYO GG (IS X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1333996.

(2) ISHAKA ZULU ADVENTURE TOURS RID NO 200603801507. (3) DISTRICT: LOWER TUGELA. POSTAL ADDRESS: I POPY ROAD, STANGER MANOR, KWADUKUZA, 4450. (4) NEW APPLICATION. (5) 4 X 60 PASSENGERS. (6) THE CONVEYANCE OF TOURISTS. (7) AUTHORITY: TOURISTS AND THEIR PERSONAL EFFECTS: FROM I POPY ROAD, STANGER MANOR, KWADUKUZA TO PRE ARRANGED PICK UP POINTS WITHIN THE PROVINCE OF KWAZULU-NATAL AND FROM SUCH POINT TO POINTS WITHIN THE REPUBLIC OF SOUTH AFRICA AND RETURN.

OP.1334055.

(2) VINOLAN COACH TOURS CC ill NO 963903823. (3) DISTRICT: LOWER TUGELA. POSTAL ADDRESS: PO BOX 109, STANGER, 4450. (4) ADDITIONAL AUTHORITY, PERMIT NO. 1264607/2 FROM VINOLAN COACH TOURS CC (96 X PAS-SENGERS, DISTRICT: LOWER TUGELA) (4) ADDITIONAL AUTHORITY, PERMIT NO. 1264608/2 FROM VINOLAN COACH TOURS CC (96 X PASSENGERS, DISTRICT: LOWER TUGELA) (4) ADDITIONAL AUTHORITY, PERMIT NO. 1264609/3 FROM VINOLAN COACH TOURS CC (100 X PAS-SENGERS, DISTRICT: DURBAN), (4) ADDI-TIONAL AUTHORITY, PERMIT NO. 126461312 FROM VINOLAN COACH TOURS CC (96 X PASSENGERS, DISTRICT: LOWER TUGELA), (4) ADDITIONAL AUTHORITY, PERMIT NO. 1264614/2 FROM VINOLAN

COACH TOURS CC (96 X PASSENGERS, DISTRICT: LOWER TUGELA), (4) ADDI-TIONAL AUTHORITY, PERMIT NO. 1264615/1 FROM VINOLAN COACH TOURS CC (28 X PASSENGERS, DISTRICT: DUR-BAN), (4) ADDITIONAL AUTHORITY, PERMIT NO. 1276167/2 FROM VINOLAN COACH TOURS CC (96 X PASSENGERS, DISTRICT: LOWER TUGELA), (4) ADDI-TIONAL AUTHORITY, PERMIT NO. 1278870/1 FROM VINOLAN COACH TOURS CC (96 X PASSENGERS, DISTRICT: LOWER TUGELA), (4) ADDITIONAL AUTHORITY, PERMIT NO. 1281235/1 FROM VINOLAN COACH TOURS CC (96 X PASSENGERS, DISTRICT: LOWER TUGELA), (4) ADDI-TIONAL AUTHORITY, PERMIT NO. 1286910/0 FROM VINOLAN COACH TOURS CC (92 X PASSENGERS, DISTRICT: LOWER TUGELA). (5) 10 X 96 PASSENGERS. (6) THE CONVEYANCE OF PERSONS ON A PARTICULAR BUS ROUTE. (7) AUTHORITY:

Permit No. 1264607/2  
AS PER ANNEXURE "A" ATTACHED.  
INCREASE IN TARIFFS:  
THE TARIFFS IS AVAILABLE FOR INSPEC-TION AT THE PUBLIC TRANSPORT LICENSING BOARD AT 291 PIETER-MARITZ STREET, PIETERMARITZBURG.  
ADDITIONAL AUTHORITY:  
AS PER ANNEXURE "A" ATTACHED.  
Permit No. 1264608/2  
AS PER ANNEXURE "A" ATTACHED.  
INCREASE IN TARIFFS:  
THE TARIFFS IS AVAILABLE FOR INSPEC-TION AT THE PUBLIC TRANSPORT LICENSING BOARD AT 291 PIETER-MARITZ STREET, PIETERMARITZBURG.  
ADDITIONAL AUTHORITY:  
AS PER ANNEXURE "A" ATTACHED.  
Permit No. 1264609/3  
AS PER ANNEXURE "A" ATTACHED.  
ADDITIONAL AUTHORITY:  
AS PER ANNEXURE "A" ATTACHED.  
Permit No. 1264613/2  
AS PER ANNEXURE "A" ATTACHED.  
INCREASE IN TARIFFS:  
THE TARIFFS IS AVAILABLE FOR INSPEC-TION AT THE PUBLIC TRANSPORT LICENSING BOARD AT 291 PIETER-MARITZ STREET, PIETERMARITZBURG.  
ADDITIONAL AUTHORITY:  
AS PER ANNEXURE "A" ATTACHED.  
Permit No. 1264614/2  
AS PER ANNEXURE "A" ATTACHED.  
INCREASE IN TARIFFS:  
THE TARIFFS IS AVAILABLE FOR INSPEC-TION AT THE PUBLIC TRANSPORT LICENSING BOARD AT 291 PIETER-MARITZ STREET, PIETERMARITZBURG.  
ADDITIONAL AUTHORITY:  
AS PER ANNEXURE "A" ATTACHED.  
Permit No. 1264615/1  
AS PER ANNEXURE "A" ATTACHED.  
ADDITIONAL AUTHORITY:  
AS PER ANNEXURE "A" ATTACHED.  
Permit No. 1276167/2  
AS PER ANNEXURE "A" ATTACHED.  
INCREASE IN TARIFFS:  
THE TARIFFS IS AVAILABLE FOR INSPEC-TION AT THE PUBLIC TRANSPORT LICENSING BOARD AT 291 PIETER-MARITZ STREET, PIETERMARITZBURG.  
ADDITIONAL AUTHORITY:  
AS PER ANNEXURE "A" ATTACHED.  
Permit No. 1278870/1  
AS PER ANNEXURE "A" ATTACHED.  
INCREASE IN TARIFFS:  
THE TARIFFS IS AVAILABLE FOR INSPEC-TION AT THE PUBLIC TRANSPORT LICENSING BOARD AT 291 PIETER-MARITZ STREET, PIETERMARITZBURG.  
ADDITIONAL AUTHORITY:  
AS PER ANNEXURE "A" ATTACHED.  
Permit No. 1281235/1  
AS PER ANNEXURE "A" ATTACHED.  
INCREASE IN TARIFFS:  
THE TARIFFS IS AVAILABLE FOR INSPEC-TION AT THE PUBLIC TRANSPORT

LICENSING BOARD AT 291 PIETER-MARITZ STREET, PIETERMARITZBURG. ADDITIONAL AUTHORITY: AS PER ANNEXURE "A" ATTACHED. Permit No. 128691010 AS PER ANNEXURE "A" ATTACHED. ADDITIONAL AUTHORITY: AS PER ANNEXURE "A" ATTACHED.

OP.1334701.

(2) GARSON'S TOURS & EXPENDITONS GB ID NO 5301105146085. (3) DISTRICT: DURBAN. POSTAL ADDRESS: CLUSTER BOX 2093, UMHLANGA MANORS, UMHLANGA ROCKS, 4021. (4) NEW APPLICATION. (5) 1 X 7 PASSENGERS. (6) THE CONVEYANCE OF TOURISTS. (7) AUTHORITY: TOURISTS AND CHARTER SERVICES AND THEIR PERSONAL EFFECTS: FROM 142 MAUNDI, 24 MARINE DRIVE, UMHLANGA ROCKS TO PRE ARRANGED PICK UP POINTS WITHIN THE PROVINCE OF KWAZULU-NATAL AND FROM SUCH POINT TO POINTS WITHIN THE REPUBLIC OF SOUTH AFRICA AND RETURN.

OP.1334718.

(2) SKYISTHELIMITTRADINGCENIER-PRIZE CM III NO 199906239323. (3) DISTRICT: DURBAN. POSTAL ADDRESS: 909 17TH AVENUE, PO CLERNAVILLE, CLERMONT, 3610. (4) NEW APPLICATION. (5) 2 X 5 PASSENGERS. (6) THE CONVEYANCE OF TOURISTS. (7) AUTHORITY: TOURISTS AND THEIR PERSONAL EFFECTS:

FROM 909 17TH AVENUE, CLERNAVILLE, CLERMONT TO PRE ARRANGED PICK UP POINTS WITHIN KWAZULU-NATAL AND FROM SUCH POINT TO POINTS WITHIN KWAZULU-NATAL AND RETURN.

OP.1335569.

(2) NGCOYA AT III NO 7408151075080. POSTAL ADDRESS: BOX 1032, NEW GERMAN. 3620. (4) TRANSFER OF PERMIT, PERMIT NO 1289032/0 FROM NGCOYA MH (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

OP.1335587.

(2) GASA N III NO 7202245674085. POSTAL ADDRESS: V 885 UMLAZI TOWN-SHIP, P O UMLAZI, 4066. (4) TRANSFER OF PERMIT, PERMIT NO. 1269134/1 FROM GASA MA (15 X PASSENGERS, DISTRICT: DURBAN). (7) AUTHORITY AS IN LAST MENTIONED PERMIT(S).

H3-APRIL 26. 2007.

uMNGENI MUNICIPALITY  
Municipal Notice No. 1112007  
ASSESSMENT OF GENERAL RATES FOR  
2007/12008

Notice is hereby given in terms of Section 14 of the Local Government: Municipal Property Rates Act No. 6 of 2004, that by Resolution taken on 20 April 2007 the Council of uMngeni Municipality has resolved to determine the rates payable on all ratable property within the area of uMngeni Municipality for the financial year 1 July 2007 to 30 June 2008 as 1,38 cents in the rand on the market value of the property as stated in the valuation roll.

All rebates and exemptions are contained in the Rates Policy and may in certain instances be applied to the rate as assessed above.

General:

1. Rates will be payable monthly in eleven (11) equal instalments with the first instalment payable on 31 August 2007 and the last instalment payable on 30 June 2008.
2. The date on which the determination of rates came into operation is 1 July 2007.
3. Any rates remaining unpaid for a period longer than 3 months will be subject to legal action to be instituted to recover the arrear amount.
4. Any rates that are not paid on the due date will be subject to interest @ the rate of 1% per month or part thereof.
5. A collection fee of 10% will be raised on the

amount outstanding on 28 February 2008.

6. The date on which the notice was first displayed on the Municipal Notice Board is 25 April 2007.

7. This notice is also available on uMngeni Municipality's website [www.uMngeni.gov.za](http://www.uMngeni.gov.za).

F.D. VILAKAZI,  
Municipal Manager.

uMngeni Municipality,  
P.O. Box 5,  
Howick 3290.

H4-April 26. 2007.

IDOLOBHA LASEMHLATHUZE

Notice No. 64/2007

[isiMiselo 32 soMthetho wokuThuthukisa uKwelekelela ngokwesiMiso sokuThuthukisa uKwelekelela,1995]

IDOLOBHA LASEMHLATHUZE selifake isicelo ngokulandela isjMiso sokuThuthukisa uKwelekelela ukuba kusungulwe indawo yokuthuthukisa umhlaba ese:

I. IZINXENYE EZASALA KWISIGODLO NO.6 NO. 15825;

II. INXENYE EYASALA KWIXENYE 1 YESIGODLO NO.6 NO. 15825;

III. IZINXENYE EZASALA KU ERF 5333 RICHARDS BAY;

IV. EYESALA KWIXENYE 2 KU ERF 5333 RICHARDS BAY;

V. INXENYE KA ERF 2305 RICHARDS BAY; FUTHI

VI. ERF 11376 RICHARDS BAY.

Lokhu ukuthuthukiswa kornhlaba kuzokwaziwa njenge RICHARDS BAY INDUSTRIAL DEVELOPMENT ZONE, etholakala eduze kwe John Ross Parkway futhi nendawo eseningizimu Mondi Paper Mill, eseningizimu kwe Alton, eseningizimu kwe Hillside Smelter, eseningizimu kwe Foskor futhi esentshonalanga nqo kumgwaqo iMedway.

amaPulani, izincwadi nendininingwane ephathele nako lokhu kuthuthukiswa, kuyatholakala kuMnyango wokuKlamo nokuThuthukisa okuQhubekayo (Department Planning and Sustainable Development), eCivic Centre, Richards Bay ukuba ihlolwe esikhathi esi ngangezinsuku ezingu 21.

Lesisicelo sizocabangwa kwibandla lokuthetha amacala (tribunal hearing) kuzobanjelwa emakamelweni oMkhandlu, eCivic Centre, Richards Bay 25 kuNhlaba 2007 kuzokwandulelwa ukuvakashelwa kwesize <site visit> ngornhlaka 24 kuNhlaba 2007 lapho onke amathimba azohlangana lapho okungenwa khona eCivic Centre, Richards Bay ngo 14:00.

Noma yimuphi umuntu onesihe ngalesi sicelo kumele anake okulandelayo;

1. Unezinsuku ezingu 21. kusuka osukwini lokuqala lokukhishwa kwalesi saziso, ukuba unikeze obekiwe esikhundleni izwi lakho lokuphikisa elibhaliwe phansi noma ukusa isikhalo; noma
2. Urna imibono yakho ichaza impikiso kunorina iyiphi inxenywe yesicelo sokuthuthukiswa kornhlaba, kumele uvele wena mathupha noma omele wena ngaphambili kweBandla lokuthetha amacala ngosuku, osolushiwo ngaphezulu.

Konke okuphikisayo nezikhalo kumele kuthumelwe ku kobekiwe esikhundleni ehhovisi Ika Mr Marinus van Rooijen kuMnango wokuKlamo nokuThuthukisa okuQhubekayo (Department Planning and Sustainable Development), eCivic Centre, Richards Bay futhi ungaxhumana nobekiwe esikhundleni uma unemibuzo ocingweni 035 907500; noma email ku [reg@richemp.org.za](mailto:reg@richemp.org.za) nendikimba: Attention: Designated Officer - Mr M. van Rooijen; noma ufax ku 035 9075444 nendikimba: Attention: Designated Officer - Mr M. van Rooijen,

DR AW. HEYNEKE,  
Chief Executive Officer.

Civic Offices,  
Private Bag X 1004,  
Richards Bay 3900.

H5-kuMbaso 26, 2007.

CITY OF UMHLATHUZE

Notice No. 64/2007

[Regulation 32 of the Development Facilitation Regulations in terms of the Development Facilitation Act. 1995]

The CITY OF UMHLATHUZE has lodged an application in 2002 in terms of the Development Facilitation Act for the establishment of a land development area situated on:

- I. PORTIONS OF REMAINDER OF RESERVE NO.6 NO. 15825;
- II. REMAINDER OF PORTION OF PORTION I OF RESERVE NO.6 NO. 15825;
- III. PORTIONS OF REMAINDER OF ERF 5333 RICHARDS BAY;
- IV. REMAINDER OF PORTION 2 OF ERF 5333 RICHARDS BAY;
- V. PORTION OF ERF 2305 RICHARDS BAY; AND
- VI. ERF 11376 RICHARDS BAY.

The development is known as RICHARDS BAY INDUSTRIAL DEVELOPMENT ZONE, which is situated alongside John Ross Parkway and is the area south of the Mondi Paper Mill, south of Alton, south of Hillside Smelter, south of Foskor and directly west of the Medway Road.

The relevant plan(s), document(s) and information are available for inspection at the Department Planning and Sustainable Development, Civic Centre, Richards Bay for a period of 21 days (*insert date of first publication of this notice*).

The application will be considered at a tribunal hearing to be held on 25 May 2007 at Council Chambers, Civic Centre, Richards Bay and it will be preceded with a site visit will on 24 May 2007 where all parties will meet at the entrance of the Civic Centre, Richards Bay at 14:00.

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, to 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 must 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 the office of Mr Marinus van Rooijen at the Department Planning and Sustainable Development, Civic Centre, Richards Bay and you may contact the designated office if you have any queries on telephone no. 035 907500; or email to [reg@richemp.org.za](mailto:reg@richemp.org.za) with the subject: Attention: Designated Officer - Mr M. van Rooijen; or fax to 035 9075444 with subject: Attention: Designated Officer - Mr M. van Rooijen.

DR AW. HEYNEKE,  
Chief Executive Officer.

Civic Offices,  
Private Bag X 1004,  
Richards Bay 3900.

H5-April 26. 2007.

ISIXWAYISO ESISHA SESICELO  
NGUKUTHUTHUKISWA KOMHLABA  
OWKWAKHIWA eVRYHEID  
EXTENTION 16

Abaqulusi Municipality bafake isicelo ngokwe Development Facilitation Act. 1995. ngenhloso yokusungula indawo yokuhlala (Land Development Area) endaweni esuka kumhlaba 1354 ukuya ku 1362 kanye no. 1368 e Vryheid Extension 8, lokuthuthukisa kwendawo kuzo hlanganiswa ngenxenywe esele yase Vryheid Townlands eku nombolo 6711 - HT KwaZulu-Natal Province. Lesicelo sasiyokwamukelwa ernhlanganweni weziphakamiso nokuhlolwa kwendawo okwakuzoba ngezingu 16, 17 April 2007, okwagcina ngokuhlehliswa.

Umhlanganu weziphakamiso nokulalelwa kwesicelo sekuhlehliselwe Iwesithathu mhlaka 9 May 2007 eCecil Emmet Hall, eVryheid. Ukuhlolwa kwendawo kuyiqala ngo 10:00

ngaphambi kokulalelwa kwesicelo, okuguba kulo ihholo elishiwo ngenhla.

Bonke abamemibuzo, bangaxhumana ne Designated Officer, uMnumzane Edward Bonga, wakwa Department of Local Government and Traditional Affairs, KwaZulu-Natal Provincial Government, Ground Floor, Zone 0, Administration Building, King Dinizulu Highway, Ulundi or Private Bag X31, Ulundi, 3838, bashayele kulocingo (035) 874 2732, fax (035) 8742650 noma kwi e-mail:edward.bonga@kznlgta.gov.za

H7-kuMbasas 26, 2007.

**NOTICE OF NEW DATE FOR TRMUNAL HEARING FOR A LAND DEVELOPMENT AREA APPLICATION:**  
**PROPOSED VRYHEID EXTENTION 16**

The Abaqulusi Municipality has lodged an application in terms of the Development Facilitation Act, 1995 for the establishment of a Land Development Area on Erven 1354 to 1362 and 1368 of Vryheid Extension 8 and a portion of the remaining extent of Vryheid Townlands, No 6711- HT, KwaZulu-Natal Province. This application was to be considered at a Tribunal hearing and site visit scheduled for 16 and 17 April 2007, which however was postponed.

The Tribunal Hearing which was postponed is going to be held on Wednesday 9 May 2007 at the Cecil Emmet Hall, Vryheid. The site inspection will start at 10:00 prior to the Tribunal hearing, whereafter the hearing will follow at the said venue.

Should you have any enquiries, contact the Designated Officer, Mr. Edward Bonga, at the Department of Local Government and Traditional Affairs, KwaZulu-Natal Provincial Government, Ground Floor, Zone 0, Administration Building, King Dinizulu Highway, Ulundi or Private Bag X31, Ulundi, 3838, Telephone number 035 874 2732, fax number 035 874 2650 or e-mail: edward.bonga@kznlgta.gov.za

H7-Apri126,2007.

**ISAZISO**

(Ngokwesigatshana 21 (10) womthetho wezintuthuko owaziwa ngokuthi I Development Facilitation Act, Act 67 of 1995)

Inkampani I Alkara 180 (Pty) Ltd emelwe uSiyazama Consulting ifaka isicelo sokuthuthukiswa komhlaba ngokwemigomo ekusahluko V womthetho I Development Facilitation Act, Act 67 of 1995.

Lesisicelo simayelana nokwakhiwa kwezindlu ezingu 115 ezizoba narnatayitela ahlanganyele. Kuzobekwa ecaleni iziqephu ezingu 5 ezinkulu zendawo ezokwakha izindlu ezingu 180 kube nehotela elizoba namakamelo angu 35, kube nendawo zokuzijabulisa yabantu abazohlala

kulendawo. Kuzoba nendawo yokongcinwa kwemvelo, imigwaqo yabahlali kanye nengqalazinda efanele. Lendawo ezothuthukiswa izokwaziwa ngokuthi iPhumula Hills Estate futhi izokwakhiwa epulazini elaziwa ngokuthi I Rem of Erf 105 Melville esendaweni kaMasipala wesifunda uGu.

Imininingwane kanye nalolonke ulwazi ngaloluhlelo iyatholakala emahhovisi kaMasipala wesifunda uGu osemgwaqweni ongunombolo 28 Connor, Port Shepstone.

Isicelo siyokwethulwa emhlanganweni oyoha kwiShemba yoMkhandlu kaMasipala wesifunda Ugu kumgwaqo ongunamba 28 Connor ePort Shepstone mhla zingu 03 kuNtulikazi 2007 ngo 10 ekuseni,

Bonke abathintekayo nabanothando bayaziswa ukuthi beze ukuzobona lendawo ezothuthukiswa emhlanganweni oyobe uholwa isigungu esibhekele intuthuko mhla zingu 02 kuNtulikazi 2007 ngehora lesibili ntambama.

Umhlangano owandulela lowo woba kwiShemba yoMkhandlu kaMasipala wesifunda Ugu kumgwaqo ongunamba 28 Connor ePort Shepstone mhla zingu 15 kuNhlaba 2007 ngo 10 ekuseni. Noma ubani onensthesiko kulesisicelo komele aqaphele lokhu okulandelayo:

1. Komele nkuba ufake izikhalazo zakho kumphathiswa omele lesisicelo phakathi kwezinsuku ezingu 21 ezimisiwe ezoqala mhla zingu 19 kuMbasas 2007; kumbe
2. Uma ukuphawula kwakho kuyisikhalazo sanoma iluphi uhlobo ngesicelo salentuthuko komele uzizele wena mathupha noma uthumele lowo oyokumela abe semhlanganweni oyoba mhla zingu 03 kuNtulikazi 2007.

Zonke izikhalazo ezibhaliwe noma ezithulwa umuntu siqu sakhe komele zinikwe urnphathiswa, uNksz. Buyisiwe Jaca kulelikheli:

Ugu Municipality  
28 Connor Street  
Port Shepstone  
4240

noma

P.O. Box 33  
Port Shepstone  
4240

Futhi ungarntinta urnphathiswa lona kulenombolo (039) 6885798 kumbe kulesikhahlamezi (039) 6823352.

H8-kuMbasas 19, 26, 2007.

**PUBLIC NOTICE**

[Regulation 2I(10)(c) of the Development Facilitation Regulations in terms of the Development Facilitation Act, Act 67 of 1995]

Alkara 180 (Pty) Ltd, represented herein by

Siyazama Consulting, has lodged an application for the establishment of a land development area in terms of Chapter V of the Development Facilitation Act, Act 67 of 1995.

The land development area will comprise a secure residential estate with 115 special residential erven, 5 intermediate residential erven on which 180 sectional title units will be developed, a lodge with 35 bedrooms, private open space with recreation facilities, private conservation areas, internal roads and other infrastructure. The land development area will be known as Pumula Hills Estate and is situated over the property described as Remainder of Erf 105 Melville, situated in the Ugu District Municipal area.

The relevant plans, document(s) and information are available for inspection at reception of the offices of the Ugu District Municipality, 28 Connor Street, Port Shepstone.

The application will be considered at a hearing to be held in the Council Chambers of the Ugu District Municipality, 28 Connor Street, Port Shepstone, on 3 July 2007 at 10H00.

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 2 July 2007 at 14H00.

A Pre-hearing conference will be held in the Council Chambers of the Ugu District Municipality, 28 Connor Street, Port Shepstone, on 15 May 2007 at 10H00. Any person having an interest in the application should please note:

1. You may within a period of 21 days from 19 April 2007, 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 must 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, Buyisiwe Jaca at:

Ugu Municipality  
28 Connor Street  
Port Shepstone  
4240

or

P.O.Box33  
Port Shepstone  
4240

And you may contact the Designated Officer if you have any queries on telephone no. 039-6885798 and fax no. 039-6823352.

H8-April 19,26,2007.