



KWAZULU-NATAL PROVINCE  
KWAZULU-NATAL PROVINSIE  
ISIFUNDAZWE SAKWAZULU-NATALI

**Provincial Gazette • Provinsiale Koerant • Igazethi Yesifundazwe**

**GAZETTE EXTRAORDINARY—BUITENGEWONE KOERANT—IGAZETHI EYISIPESHELI**

*(Registered at the post office as a newspaper) • (As 'n nuusblad by die poskantoor geregistreer)*  
*(Irejistiwee njengephephandaba eposihhovisi)*

**Vol. 1**

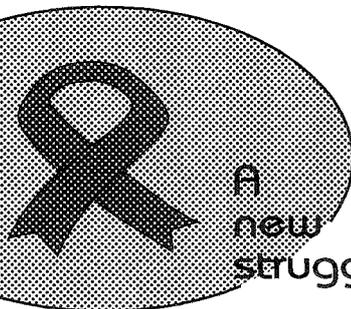
**PIETERMARITZBURG,**

2 AUGUST 2007  
2 AUGUSTUS 2007  
2 kuNCWABA 2007

**No. 22**

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

AIDS  
affects  
us all



A  
new  
struggle

**Prevention is the cure**

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH



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No. 1

2 August 2007

[English text signed by the Premier]

**KWAZULU-NATAL APPROPRIATION ACT, 2007**

[No. 3 of 2007]

Assented to on 2007-05-09

**ACT**

To provide for the appropriation of money from the Provincial Revenue Fund for the requirements of the Province in the 2007/08 financial year ending on 31 March 2008 and to provide for subordinate matters incidental thereto.

**PREAMBLE**

**WHEREAS** section 226(2) of the Constitution of the Republic of South Africa, 1996 provides that money may be withdrawn from the Provincial Revenue Fund only in terms of an appropriation by a provincial Act;

**AND WHEREAS** section 26 of the Public Finance Management Act, 1999 (Act No. 1 of 1999) provides that the Provincial Legislature must appropriate money for each financial year for the requirements of the Province;

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

**Definitions**

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

“**conditional grants**” means allocations to the province from the national government’s share of revenue raised nationally, provided for in section 214(1)(c) of the Constitution of the Republic of South Africa, 1996;

**“current payments”** means any payments made by a provincial department in respect of the operational requirements of that department, and includes, amongst others, payments for the compensation of employees, goods and services, interest, rental of immovable property and financial transactions relating to assets and liabilities, but excludes transfers and subsidies and payments for capital assets;

**“payments for capital assets”** means any payments made by a provincial department –

- (a) for assets that can be used continuously or repeatedly in production for more than one year, and from which future economic benefits or service potential is expected to flow directly to the provincial department making the payment; and
- (b) that must be classified as or deemed to be payments for capital assets in accordance with the *“Reference Guide to the new Economic Format”* (November 2003, Version 2) and the *“Asset Management Framework”* (April 2004, Version 3.3), issued by the National Treasury under section 76 of the Public Finance Management Act;

**“Province”** means the province of KwaZulu-Natal established in terms of section 103 of the Constitution of the Republic of South Africa, 1996;

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

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

**“transfers and subsidies”** means any payments made by a provincial department to another organ of state or any other person in respect of which the provincial department does not receive anything of similar value directly in return, and includes the payment of conditional grants; and

**“this Act”** includes the Schedule.

- (2) Any word or expression to which a meaning has been assigned in the Public Finance Management Act has the meaning assigned to in that Act.

### **Appropriation of money for the requirements of the Province**

2.(1) Appropriations by the Provincial Legislature of money from the Provincial Revenue Fund for the requirements of the province in the 2007/08 financial year, to votes and main divisions within a vote, and for the specific listed purposes, are set out in the Schedule.

(2) Spending of appropriations is subject to the Public Finance Management Act and section 3 of this Act.

### **Appropriation listed as “specifically and exclusively”**

3. Despite the provisions of any law, appropriations to a vote or main divisions within a vote that are listed as “specifically and exclusively” may only be utilised for the purpose indicated and may not be used for any other purpose, unless an Act of the Provincial Legislature amends or changes the purpose for which it was allocated.

### **Short title**

4. This Act is called the KwaZulu-Natal Appropriation Act, 2007.

| Vote | Description   | Vote and main divisions | Details of appropriated amounts |                           |                             | Amounts specifically and exclusively appropriated |
|------|---|-------------------------|---------------------------------|---------------------------|-----------------------------|---|
|      |   |                         | Current Payments                | Transfers and subsidies   | Payments for capital assets |   |
|      |   | R000                    | R000                            | R000                      | R000                        |   |
| 1    | <b>Office of The Premier</b><br>To support the Premier in carrying out his constitutional and statutory duties through professionally executing departmental mandates, co-ordinating and facilitating macro-provincial and other transverse, co-ordinating and promoting co-operative and good governance, providing the highest quality of policy and legal analysis and advice, creating policy relating to regulations, information and legislation, and supporting the Executive branch in executing laws and policies. | 342,859                 | 281,566                         | 51,739                    | 9,334                       | 5,090,824   |
|      | 1. Administration   | 60,243                  | 58,629                          | -                         | 1,614                       | 5,090,824   |
|      | To provide administrative support to the Premier, Executive Council and the Director-General in fulfilling their legislative and oversight function and in promoting corporate governance.  |                         |                                 |                           |                             | 5,090,824   |
|      | 2. Institutional Development  | 85,146                  | 83,517                          | 774                       | 3,855                       | 5,090,824   |
|      | To improve service delivery through institutional capacity building and transformation management.  |                         |                                 |                           |                             | 5,090,824   |
|      | 3. Policy and Governance  | 194,270                 | 139,440                         | 50,965                    | 3,865                       | 5,090,824   |
|      | To initiate the development and implementation of policies and strategies to ensure a co-ordinated approach towards sustainable provincial growth and development.  |                         |                                 |                           |                             | 5,090,824   |
|      | of which transfers to public entities are:<br>KwaZulu-Natal Gambling Board<br>Amata at KwaZulu-Natal<br>KwaZulu-Natal Youth Commission<br>of which specific allocation is:<br>Soccer development (in and out of school) in collaboration with SAFA  |                         |                                 | 19,238<br>18,147<br>2,439 |                             |   |
| 2    | <b>Provincial Legislature</b><br>To create a legislative environment that is responsive to the needs of the people of KwaZulu-Natal, and to facilitate the general upliftment of the quality of life by monitoring the utilisation of all available resources in the province.  | 138,891                 | 99,984                          | 29,359                    | 12,548                      | -   |
|      | 1. Administration   | 62,132                  | 47,237                          | 2,347                     | 12,548                      | -   |
|      | To conduct the overall management of the Provincial Legislature.  |                         |                                 |                           |                             | -   |
|      | 2. Parliamentary Services   | 46,082                  | 46,082                          | -                         | -                           | -   |
|      | To provide operational and institutional support to the Provincial Legislature.   |                         |                                 |                           |                             | -   |
|      | 3. Facilities for Members and Political Parties   | 30,677                  | 6,665                           | 24,012                    | -                           | -   |
|      | To render administrative support services to office-bearers and other Members of the Legislature with regard to facilities and benefits.  |                         |                                 |                           |                             | -   |
| 3    | <b>Agriculture and Environmental Affairs</b><br>To optimise the agricultural potential and environmental stability for sustainable livelihoods in the Province of KwaZulu-Natal.  | 1,507,602               | 927,147                         | 490,277                   | 90,378                      | 76,311  |
|      | 1. Administration   | 145,669                 | 128,894                         | -                         | 16,795                      | -   |
|      | To support the line function components of the department in achieving their goals.   |                         |                                 |                           |                             | -   |
|      | 2. Agricultural Development Services  | 909,378                 | 655,685                         | 180,891                   | 72,600                      | -   |
|      | To unlock the agricultural potential of the province and to create food security for all the inhabitants of the province.   |                         |                                 |                           |                             | -   |
|      | of which conditional grants are:<br>Land Care Grant<br>Comprehensive Agricultural Support Programme<br>of which transfers to public entities are:<br>Ithala   |                         |                                 | 175,500                   | 983                         | 7,010   |
|      | 3. Environmental Management   | 143,967                 | 142,388                         | 616                       | 983                         | 66,301  |
|      | To ensure effective compliance and governance in respect of environmental management.   |                         |                                 |                           |                             | 66,301  |
|      | 4. Conservation   | 308,770                 | 308,770                         | 307,041                   | -                           | -   |
|      | To cater for transfer payments to various institutions in the Province, of which transfers to public entities are:<br>Ezemvelo KZN Wildlife   |                         |                                 |                           |                             | -   |

(Schedule)

| Vote | Description   | Vote and main divisions | Details of appropriated amounts |                         |                             | Amounts specifically and exclusively appropriated |
|------|---|-------------------------|---------------------------------|-------------------------|-----------------------------|---|
|      |   |                         | Current Payments                | Transfers and subsidies | Payments for capital assets |   |
|      |   | R000                    | R000                            | R000                    | R000                        | R000  |
| 4    | <b>Economic Development</b><br>To formulate and implement strategies that create an environment conducive to sustainable economic development in KwaZulu-Natal.   | 1,394,441               | 219,549                         | 1,174,142               | 1,750                       | 222,500   |
|      | 1 Administration  | 45,575                  | 44,525                          | -                       | 1,050                       |   |
|      | 2 Integrated Economic Development Services  | 1,008,289               | 132,807                         | 875,142                 | 350                         |   |
|      | 3 Trade and Industry Development  | 321,418                 | 22,268                          | 299,000                 | 150                         |   |
|      | 4 Business Regulation and Governance  | 10,232                  | 10,082                          | -                       | 150                         | 212,500   |
|      | 5 Economic Planning   | 8,817                   | 8,887                           | -                       | 50                          | 10,000  |
| 5    | <b>Education</b><br>To provide opportunities for all people in the province to have access to quality education, which will improve their position and contribute to the advancement of democratic values in KwaZulu-Natal. | 18,576,821              | 16,488,385                      | 1,054,089               | 1,034,377                   | 876,773   |
|      | 1 Administration  | 1,084,282               | 938,288                         | 20,000                  | 125,994                     |   |
|      | 2 Public Ordinary School Education  | 16,078,596              | 14,486,385                      | 744,588                 | 887,783                     | 35,292  |
|      | 3 Independent School Subsidies  | 48,702                  | -                               | 48,702                  | -                           |   |
|      | 4 Public Special School Education   | 359,296                 | 282,969                         | 51,558                  | 24,789                      |   |
|      | 5 Further Education and Training  | 401,275                 | 217,011                         | 184,284                 | -                           |   |
|      | 6 Adult Basic Education and Training  | 106,988                 | 105,746                         | 12                      | 1,210                       |   |
|      | 7 Early Childhood Development   | 187,697                 | 162,516                         | 4,985                   | 224                         |   |
|      | 8 Auxiliary and Associated Services   | 350,005                 | 315,618                         | -                       | 14,387                      |   |
|      |   |                         |                                 |                         |                             | 488,022   |
|      |   |                         |                                 |                         |                             | 290,006   |
|      |   |                         |                                 |                         |                             | 115,453   |

43,475,338 33,828,630 5,090,824 4,555,884

| Vote | Description  | Vote and main divisions | Details of appropriated amounts |                         |                             | Amounts specifically and exclusively appropriated |
|------|--|-------------------------|---------------------------------|-------------------------|-----------------------------|---|
|      |  |                         | Current Payments                | Transfers and subsidies | Payments for capital assets |   |
|      |  | R000                    | R000                            | R000                    | R000                        | R000  |
| 6    | <b>Provincial Treasury</b><br>To ensure an equitable distribution of resources and provide strategic leadership in areas of financial and fiscal management and corporate governance.  | 649,493                 | 642,078                         | 133                     | 7,284                       | 18,500  |
|      | 1 Administration.....<br>To render support services to the Minister and department.  | 156,161                 | 150,022                         | 21                      | 6,118                       |   |
|      | 2 Resource Management.....<br>To effectively manage and monitor the provincial and local government fiscal resources.  | 396,353                 | 385,837                         | 65                      | 451                         |   |
|      | 3 Financial Management.....<br>To ensure effective and efficient management of physical and financial assets for provincial and local government.  | 35,953                  | 35,787                          | 15                      | 151                         |   |
|      | 4 Internal Audit.....<br>To manage risk management strategies and governance, to build and maintain essential client relationships, to develop knowledge by creating a learning culture and to build foundations for excellence to support the KZN Provincial Government in achieving its objectives.  | 42,526                  | 41,930                          | 32                      | 584                         |   |
|      | 5 Growth and Development.....<br>To cater for special projects as approved by the Provincial Executive Council.<br>of which specific allocation is:<br>Planning/management costs of the Government Precinct<br>A1 Grand Prix   | 18,500                  | 18,500                          | -                       | -                           | 6,000<br>12,500                                   |
| 7    | <b>Health</b><br>To develop a sustainable, co-ordinated, integrated and comprehensive health system at all levels of care, based on the primary health care approach through the District Health System.   | 13,412,815              | 11,648,938                      | 375,449                 | 1,185,428                   | 2,137,492   |
|      | 1 Administration.....<br>To provide overall strategic leadership, coordination and management for activities towards the achievement of the mandate and status of all departments in the province, to ensure the administration of the department in line with good governance practice.   | 274,399                 | 270,860                         | 600                     | 2,939                       |   |
|      | 2 District Health Services.....<br>To render Primary Health Care services and District Hospital services.<br>of which conditional grants are:<br>Health Professionals Training and Development<br>Forensic Pathology Services<br>Comprehensive HIV and AIDS Grant  | 6,200,035               | 5,861,040                       | 281,356                 | 77,639                      | 76,592<br>94,232<br>466,922                       |
|      | 3 Emergency Medical Services.....<br>To render pre-hospital emergency medical services including inter-hospital transfers and planned patient transport.   | 553,561                 | 470,365                         | 487                     | 82,689                      |   |
|      | 4 Provincial Hospital Services.....<br>To render hospital services which are accessible, appropriate and effective and the provision of general specialist services including specialised rehabilitation service, and a platform for training health professionals and research.<br>of which conditional grants is:<br>Health Professionals Training and Development                                       | 3,512,310               | 3,447,095                       | 41,906                  | 23,339                      | 101,554   |
|      | 5 Central Hospital Services.....<br>To provide tertiary health services and to create a platform for the training of health workers.<br>of which conditional grants are:<br>Health Professionals Training and Development<br>National Tertiary Services  | 1,271,875               | 1,061,886                       | 3,062                   | 206,925                     | 23,896<br>789,578                                 |
|      | 6 Health Sciences and Training.....<br>To render training and development opportunities for actual and potential employees of the department.  | 503,519                 | 440,135                         | 56,389                  | 4,985                       |   |
|      | 7 Health Care Support Services.....<br>To provide funding for health care support services, in particular the Medicine Trading Account.  | 12,649                  | -                               | 12,649                  | -                           |   |
|      | 8 Health Facilities Management.....<br>To cater for the management of community health centres, health centres, district hospitals, emergency medical services facilities, provincial hospitals, central and tertiary hospitals, as well as all other buildings and structures.<br>of which conditional grants are:<br>Hospital Rehabilitation<br>Forensic Pathology Services<br>Provincial Infrastructure | 1,084,467               | 297,565                         | -                       | 786,902                     | 268,433<br>56,577<br>259,759                      |
|      |  |                         | 43,475,338                      | 33,628,500              | 5,090,824                   | 4,555,984   |

(Schedule)

| Vote | Description   | Vote and main divisions | Details of appropriated amounts |                         |                             | Amounts specifically appropriated |
|------|---|-------------------------|---------------------------------|-------------------------|-----------------------------|-----------------------------------|
|      |   |                         | Current Payments                | Transfers and subsidies | Payments for capital assets |                                   |
| 8    | <b>Housing</b><br>To effectively and efficiently manage the implementation of rational and provincial housing programmes in partnership with the relevant rate payers, by developing sustainable human settlements characterised by affordable and adequate shelter for qualifying citizens in KwaZulu-Natal. | R000<br>1,530,850       | R000<br>322,819                 | R000<br>1,190,187       | R000<br>8,044               | R000<br>1,310,555                 |
| 1    | Administration<br>To provide strategic leadership, ensure sound financial management, provide strategic housing support, manage housing and residential property performance and market trends, implement and monitor corporate governance and provide strategic management services.                         | 79,245                  | 76,395                          | -                       | 2,850                       |                                   |
| 2    | Housing Planning and Research<br>To undertake research and policy formulation, planning, information management including the Geographic Information System (GIS), capacity building and institutional management for the department.   | 21,541                  | 19,282                          | -                       | 2,249                       |                                   |
| 3    | Housing Development Implementation<br>To promote effective and efficient housing delivery.<br>of which conditional grant is:<br>Integrated Housing and Human Settlement Development Grant   | 1,192,142               | 54,645                          | 1,135,187               | 2,310                       | 1,135,187                         |
| 4    | Housing Property Management<br>To manage ex-Natal Provincial Administration and Own Affairs stock such as residential properties, vacant land and non-residential properties.<br>of which conditional grant is:<br>Integrated Housing and Human Settlement Development Grant                                  | 227,922                 | 172,287                         | 55,000                  | 635                         |                                   |
| 9    | <b>Community Safety and Liaison</b><br>To be the lead agency in driving the integration of community safety initiatives, towards a crime free Kwa-Zulu-Natal  | 78,800                  | 75,528                          | 3,000                   | 272                         | -                                 |
| 1    | Administration<br>To conduct the overall administration, including rendering of administrative, financial, executive support and legal and human resource services to the department.   | 22,507                  | 22,393                          | -                       | 114                         |                                   |
| 2    | Civilian Oversight<br>To monitor police conduct and assess the effectiveness of visible policing, facilitate research development and co-ordination of social crime prevention initiatives, as well as to promote and establish good relations with the police and communities.                               | 56,293                  | 53,135                          | 3,000                   | 158                         |                                   |
| 10   | <b>The Royal Household</b><br>To create a sustainable, conducive environment for the Zulu Monarch in which to lead, develop and protect the Zulu Nation.  | 36,479                  | 32,068                          | 111                     | 4,300                       | -                                 |
| 1    | Support Services - His Majesty the King<br>To provide administrative and auxiliary services to His Majesty the King and the Royal Family.   | 20,174                  | 17,617                          | 57                      | 2,500                       |                                   |
| 2    | Royal Household Planning and Development<br>To provide for the overall infrastructure design and maintenance of the Royal Households.   | 14,094                  | 12,252                          | 42                      | 1,800                       |                                   |
| 3    | His Majesty the King's Farms<br>To provide support through the upkeep of His Majesty the King's Farms.  | 2,211                   | 2,199                           | 12                      |                             |                                   |
|      |   |                         | 43,475,338                      | 33,628,530              | 5,090,824                   | 4,555,984                         |

43,475,338 33,826,530 5,090,824 4,555,984

(Schedule)

| Vote | Description   | Vote and main divisions | Details of appropriated amounts |                         |                             | Amounts specifically and exclusively appropriated |
|------|---|-------------------------|---------------------------------|-------------------------|-----------------------------|---|
|      |   |                         | Current Payments                | Transfers and subsidies | Payments for capital assets |   |
| 11   | <p><b>Local Government and Traditional Affairs</b><br/>To promote people-centred, accountable and viable local governance that accelerates service delivery and ensures sustainable communities.</p> <p>1 Administration<br/>To provide support to the Ministry and to provide all other support services rendered within the department, including the financial management of the department.</p> <p>2 Local Governance<br/>To implement an institutional, administrative and financial municipal framework, and to provide a municipal infrastructure framework of which specific allocations are:<br/>Infrastructure provision for soccer stadia</p> <p>3 Development and Planning<br/>To promote informed integrated planning and development in the province of which transfer to public entity is:<br/>Provincial Planning and Development Commission</p> <p>4 Traditional Institutional Management<br/>To support and enhance the capacity of traditional authorities/councils.</p> <p>5 Urban and Rural Development<br/>To assist communities that are largely classified within the Second Economy Framework to access socio-economic opportunities and to better grapple with the challenges that are facing them, to better enhance service delivery and improve quality of life.</p> <p>6 Systems and Institutional Development<br/>To develop and implement a comprehensive capacity building strategy for the department, in addition to establishing business units for monitoring and evaluation and external communications in order to promote municipal and traditional institutional transformation.</p> | R000                    | R000                            | R000                    | R000                        | R000  |
|      |   | 769,070                 | 583,933                         | 131,891                 | 52,246                      | 89,000  |
|      |   | 147,887                 | 132,909                         | 108                     | 14,870                      |   |
|      |   | 233,989                 | 126,989                         | 104,000                 | 1,000                       |   |
|      |   | 101,569                 | 73,528                          | 27,410                  | 631                         | 89,000  |
|      |   | 105,154                 | 103,441                         | 2,625                   | 1,340                       |   |
|      |   | 135,017                 | 100,612                         | 373                     | 34,405                      |   |
|      |   | 44,454                  | 44,454                          | -                       | -                           |   |
| 12   | <p><b>Transport</b><br/>To provide the public with an integrated and accessible road and public transport infrastructure, to promote road and public transport safety and ensure that, in delegating on its mandate, the department meets the developmental needs of the province.</p> <p>1 Administration<br/>To provide support services and conduct the overall administration of the department.</p> <p>2 Road Infrastructure<br/>To provide a balanced, equitable provincial road network, through the upgrading of surfaced roads and the construction, rehabilitation and maintenance of roads, causeways and bridges.<br/>of which conditional grant is:<br/>Provincial Infrastructure Grant</p> <p>3 Transportation<br/>To plan, regulate, enforce and develop public transport and freight transport in order to ensure balanced, equitable, safe and sustainable public and freight transport services.</p> <p>4 Traffic Management<br/>To ensure the provision of a safe road environment through the regulation of traffic on public roads, law enforcement, the implementation of road safety campaigns and awareness programmes and the registration and licensing of vehicles and drivers.</p> <p>5 Community Based Programme<br/>To cater for the development of programmes designed to empower and transfer skills to historically disadvantaged communities, thereby facilitating their active participation in the economy of the country.</p>  |                         |                                 |                         |                             |   |
|      |   | 3,119,687               | 1,059,426                       | 22,388                  | 2,036,053                   | 573,012   |
|      |   | 149,173                 | 110,407                         | 193                     | 38,573                      |   |
|      |   | 2,359,229               | 509,696                         | 9,195                   | 1,840,348                   |   |
|      |   | 70,788                  | 57,788                          | 13,000                  | -                           | 573,012   |
|      |   | 434,238                 | 340,329                         | -                       | 93,909                      |   |
|      |   | 106,439                 | 41,216                          | -                       | 65,223                      |   |

| Vote | (Schedule) | Description   | Vote and main divisions | Details of appropriated amounts |                         |                             | Amounts specifically appropriated |
|------|------------|---|-------------------------|---------------------------------|-------------------------|-----------------------------|-----------------------------------|
|      |            |   |                         | Current Payments                | Transfers and subsidies | Payments for capital assets |                                   |
| 13   |            | <b>Social Welfare and Population Development</b><br>To provide, promote and develop a transformed, integrated, people-centred, developmental social welfare service to all people in KwaZulu-Natal, to maximise their quality of life and social well-being.  | R000<br>1,000,360       | R000<br>523,951                 | R000<br>422,988         | R000<br>53,421              |                                   |
|      |            | 1 Administration<br>To provide overall strategic management and support services for the department.  | 247,487                 | 188,685                         | 823                     | 47,689                      |                                   |
|      |            | 2 Social Welfare Services<br>To provide social welfare services and social relief to children, families, other persons, victims of crime and abuse, people affected by HIV and AIDS and people with disabilities, as well as in the fields of substance abuse and social crime prevention.  | 528,488                 | 287,499                         | 335,093                 | 3,896                       |                                   |
|      |            | 3 Development and Research<br>To provide sustainable development programmes which will enable the poorest of the poor to reach a level of self-reliance.  | 126,385                 | 37,567                          | 86,972                  | 1,826                       |                                   |
| 14   |            | <b>Works</b><br>To lead in building infrastructure and property development.  | 479,419                 | 425,304                         | 7,028                   | 47,087                      | -                                 |
|      |            | 1 Administration<br>To conduct the overall operations of the department, policy formulation by the Minister and the department's management, and to render professional, administrative and office services.  | 160,263                 | 150,847                         | 376                     | 9,060                       |                                   |
|      |            | 2 Real Estate<br>To provide and facilitate the provision of accommodation and management services to clients, achieve optimal utilisation of state fixed assets, improve integrated service delivery, policy development and monitoring and evaluation as well as leasing of buildings and land evaluations.                                    | 13,864                  | 13,706                          | 8                       | 150                         |                                   |
|      |            | 3 Provision of Buildings, Structures and Equipment<br>To provide for the erection and/or acquisition of buildings, structures and engineering works and the maintenance of buildings to client specifications.  | 305,272                 | 260,751                         | 6,644                   | 37,877                      |                                   |
| 15   |            | <b>Arts, Culture and Tourism</b><br>To provide and promote innovative and vibrant cultural and tourism services which address the diverse needs of the people of KwaZulu-Natal, in order to enhance their quality of life.  | 287,394                 | 174,164                         | 109,870                 | 3,560                       | 13,950                            |
|      |            | 1 Administration<br>To conduct the overall management of the department.  | 44,757                  | 44,227                          | -                       | 530                         |                                   |
|      |            | 2 Cultural Affairs<br>To assist arts and cultural organisations to promote, develop and preserve culture for the benefit of the citizens in KwaZulu-Natal.<br>The Playhouse Company   | 61,786                  | 47,085                          | 14,291                  | 410                         |                                   |
|      |            | 3 Library and Archive Services<br>To provide public libraries and archives in the province, of which conditional grant is:<br>Library Services Grant  | 91,488                  | 69,686                          | 5,000                   | 2,570                       | 13,950                            |
|      |            | 4 Tourism Development<br>To facilitate economic growth through promoting and developing tourism opportunities for entrepreneurs, establishing sound relations with stakeholders, and provide support to the public entities funded by the department, of which transfers to public entities are:<br>KZN Tourism Authority<br>Natal Sharks Board | 89,363                  | 13,164                          | 76,149                  | 50                          |                                   |
| 16   |            | <b>Sport and Recreation</b><br>To maximise opportunities through the promotion and development of sustained Sport and Recreation Programmes to improve the quality of life of the citizens of KwaZulu-Natal.  | 161,177                 | 124,902                         | 26,373                  | 7,902                       | 37,276                            |
|      |            | 1 Administration<br>To conduct the overall management of the department.  | 35,347                  | 33,419                          | 28                      | 1,902                       |                                   |
|      |            | 2 Sport Co-ordination<br>To promote, develop, administer and fund sport in the Province of KwaZulu-Natal, of which conditional grant is:<br>Mass Sport and Recreation Participation   | 125,830                 | 91,483                          | 26,347                  | 6,000                       | 37,276                            |

43,475,338 33,628,530 5,090,824 4,555,984

## Additional Information on Health: Programme 5 - Central Hospital Services

| Vote | Description  | Budget           | MTEF             |                  |
|------|--|------------------|------------------|------------------|
|      |  | 2007/08          | 2008/09          | 2009/10          |
|      |  | R000             | R000             | R000             |
| 7    | <b>Health</b>  |                  |                  |                  |
|      | <b>5 Central Hospital Services</b>   | <b>1,271,875</b> | <b>1,395,811</b> | <b>1,540,400</b> |
|      | <i>To provide a highly specialised and quaternary level of health care, as well as a platform for the training of specialists.</i> |                  |                  |                  |
|      | <i>of which</i>  |                  |                  |                  |
|      | Support Services   | 60,436           | 63,458           | 67,139           |
|      | <i>Allocations to institutions</i>   |                  |                  |                  |
|      | 5.1 Central Hospitals  | 409,818          | 490,519          | 543,000          |
|      | Inkosi Albert Luthuli Central Hospital   | 409,818          | 490,519          | 543,000          |
|      | 5.2 Tertiary Hospitals   | 801,621          | 841,834          | 930,261          |
|      | Inkosi Albert Luthuli Central Hospital   | 536,639          | 563,471          | 605,753          |
|      | Greys Hospital   | 212,998          | 223,648          | 246,620          |
|      | Ngwelezana Hospital  | 32,655           | 34,419           | 46,415           |
|      | Empangeni Hospital   | 16,851           | 17,694           | 28,720           |
|      | Mseleni Hospital   | 2,478            | 2,602            | 2,753            |

Note: All Tertiary Hospitals, except Inkosi Albert Luthuli Central Hospital, are in developmental stage and the allocations may change during the year. Also, the above allocations are for the Tertiary Services only and do not include the allocations for the services rendered under other programmes of the Vote.

No. 1

2 Augustus 2007

[Engelse teks deur die Premier geteken]

**KWAZULU-NATAL BEGROTINGSWETSONTWERP,  
2007  
(No. 3 van 2007)  
Goedgekeur op 2007-05-09**

## **WET**

**Om voorsiening te maak vir die bewilliging van geld uit die Provinsiale Inkomstefonds vir die behoeftes van die provinsie in die 2007/08 finansiële jaar wat op 31 Maart 2008 eindig en om voorsiening te maak vir ondergeskikte aangeleenthede wat daarmee verband hou.**

### **AANHEF**

**AANGESIEN** artikel 226(2) van die Grondwet van die Republiek van Suid-Afrika, 1996, bepaal dat geld uit die Provinsiale Inkomstefonds onttrek kan word slegs ingevolge 'n bewilliging deur 'n provinsiale Wet;

**EN AANGESIEN** artikel 26 van die Wet op Openbare Finansiële Bestuur, 1999 (Wet No. 1 van 1999), bepaal dat die Provinsiale Wetgewer vir elke finansiële jaar geld vir die behoeftes van die provinsie moet bewillig;

**W**ORD DAAR DERHALWE VERORDEN deur die Provinsiale Wetgewer van die provinsie KwaZulu-Natal, soos volg:—

### **Woordomskrywing**

1.(1) In hierdie Wet, tensy dit uit die samehang anders blyk, beteken

“**betalings vir kapitaalbates**” enige betalings deur 'n provinsiale departement –

- (a) vir bates wat deurlopend of herhaaldelik vir meer as een jaar in produksie gebruik kan word, en waaruit toekomstige ekonomiese voordele of dienspotensiaal na verwagting regstreeks na die provinsiale departement wat die betaling doen, sal vloei; en
- (b) wat geklassifiseer moet word as of geag word betalings te wees vir kapitaalbate ooreenkomstig die *Reference Guide to the new Economic Format* (November 2003, Version 2) en die *Asset Management Framework* (April 2004, Version 3.3), uitgereik deur die Nasionale Tesourie ingevolge artikel 76 van die Wet op Openbare Finansiële Bestuur;

**“hierdie Wet”** ook die Bylae;

**“lopende betalings”** enige betalings deur 'n provinsiale departement ten opsigte van die bedryfsbehoefte van daardie departement, en dit sluit onder andere in betalings vir die vergoeding van werknemers, goedere en dienste, rente, huur van onroerende eiendom en finansiële transaksies rakende bates en laste, maar dit sluit oordragte, subsidies, betalings vir kapitaalbate en betalings ingevolge artikel 73 van die Wet op Openbare Finansiële Bestuur uit;

**“oordragte en subsidies”** enige betalings deur 'n provinsiale departement aan 'n ander staatsorgaan of enige ander persoon ten opsigte waarvan die provinsiale departement niks van soortgelyke waarde regstreeks in ruil ontvang nie, en dit sluit die betaling van voorwaardelike toekennings in;

**“voorwaardelike toekennings”** toewysings aan die provinsie uit die nasionale regering se deel van inkomste wat nasionaal ingesamel word, waarvoor voorsiening gemaak word in artikel 214(1)(c) van die Grondwet van die Republiek van Suid-Afrika, 1996; en

**“Wet op Openbare Finansiële Bestuur”** die Wet op Openbare Finansiële Bestuur; 1999 (Wet No. 1 van 1999).

(2) enige woord of uitdrukking waaraan daar in die Wet op Openbare Finansiële Bestuur 'n betekenis geheg is, die betekenis in daardie Wet daaraan geheg.

### **Bewilliging van geld vir die behoeftes van die provinsie**

2.(1) Bewilligings deur die Provinsiale Wetgewer van geld uit die Provinsiale Inkomstefonds vir die behoeftes van die provinsie in die 2007/08 finansiële jaar vir begrotingsposte en hoofindelings binne 'n begrotingspos, en vir die spesifiek gemelde doeleindes, word in die Bylae uiteengesit.

(2) Besteding van bewilligings is onderhewig aan die Wet op Openbare Finansiële Bestuur en artikel 3 van hierdie Wet.

### **Bewilliging aangedui as “spesifiek en uitsluitlik”**

3. Ondanks enige wetsbepaling mag bewilligings vir 'n begrotingspos of hoofindelings binne 'n begrotingspos wat as “spesifiek en uitsluitlik” aangedui is, slegs vir die aangeduide doel aangewend word en mag dit nie vir enige ander doel aangewend word nie, tensy 'n provinsiale Wet die doel waarvoor dit toegewys is, wysig of verander.

### **Kort titel en inwerkingtreding**

4. Hierdie Wet heet die KwaZulu-Natal Begrotingswet, 2007.

| Pos | Beskrywing  | Pos en hoofdelings | Besondere van bewilligde bedrae |                       |                           | Bedrae spesifiek en uitsluitlik bewillig |
|-----|---|--------------------|---------------------------------|-----------------------|---------------------------|--|
|     |   |                    | Lopende betalings               | oordragte en subsidie | Betalings vir vaste beses |  |
|     | (Bylaw)   |                    |                                 |                       |                           |  |
| 1   | <p>Kantoor van die Premier</p> <p>Om die Premier by te staan met die uitvoering van sy grondwetlike en wettige funksies, insluitende die voorbereiding van verslagte, die opstelling van ander transaksie bewaars en programme te koördineer en te bewaak, koördinerende en goeie regering te bewaak, hoe gehalte beleidsontwerping en regasies te verskaf, beleid daar te stel deur middel van regulasies, inligting en wegwinning, en ondersteuning van die Uitvoerende Tak met betrekking tot die uitvoering van wette en beleidsrigtings.</p> | R000<br>342,659    | R000<br>281,986                 | R000<br>51,739        | R000<br>9,334             | R000<br>35,000                           |
| 1   | <p>Administrasie</p> <p>Om administratiewe steun aan die Premier, as Uitvoerende Gesag, en die Hoof van die Departement te verskaf met betrekking tot die wegwinning en ooring funksies en in die bevordering van korporatiewe bestuur.</p>   | 60,243             | 58,629                          | -                     | 1,614                     | -  |
| 2   | <p>Institusionele ontwikkeling</p> <p>Om dienslewering te verbeter deur middel van kapasiteitsbou en</p>  | 88,146             | 83,517                          | 774                   | 3,855                     | -  |
| 3   | <p>Bekleedings en beheer</p> <p>Om die administratiewe en logistieke ondersteuning van die departement om 'n gekoördineerde benadering ten opsigte van volhoubare provinsiale groei en ontwikkeling te bereik</p> <p>Oordragte aan openbare entiteite:<br/>KwaZulu-Natal Dobbelaard<br/>Amata eKwaZulu-Natal<br/>KwaZulu-Natal Jeug Kommissie</p> <p>Spesifieke toekennings:<br/>Sakeontwikkeling (in en buite streeklid) in samewerking met SASI</p>   | 194,270            | 139,440                         | 50,985                | 3,865                     | 55,000                                   |
| 2   | <p>Provinsiale Weggewer</p> <p>Om 'n verskeide oorsig te stig met oogmerk op die behoeftes van die mense van KwaZulu-Natal, en om die algemene verhoging van lewensgehalte te bewerkstellig deur die gebruik van beskikbare hulpbronne te monitor.</p>  | 138,881            | 99,984                          | 26,389                | 12,548                    | -  |
| 1   | <p>Administrasie</p> <p>Om die algemene bestuur van die Provinsiale Weggewer te behartig.</p>   | 62,132             | 47,237                          | 2,947                 | 12,548                    | -  |
| 2   | <p>Parlementêre Dienste</p> <p>Om administratiewe en logistieke steun aan lede van die Provinsiale Weggewer te verskaf.</p>   | 46,082             | 46,082                          | -                     | -                         | -  |
| 3   | <p>Geloue vir Lede en Politieke Partye</p> <p>Om administratiewe ondersteuning aan die ampdragners en ander lede van die Weggewer te verskaf ten opsigte van gereue en voorraete.</p>   | 30,677             | 6,665                           | 24,012                | -                         | -  |
| 3   | <p>Landbou en Ongewingsake</p> <p>Om die landbouproduksie en ongewingsake te bevorder in KwaZulu-Natal te optimaliseer.</p>   | 1,507,862          | 927,147                         | 490,277               | 90,378                    | 75,311                                   |
| 1   | <p>Administrasie</p> <p>Om die funksiekomponente van die departement in die bereiking van hul doelwitte te ondersteun.</p>  | 145,689            | 128,884                         | -                     | 16,795                    | -  |
| 2   | <p>Landbou-ontwikkelingsprojekte</p> <p>Om die landbouproduksie van die provinsie te ontwikkel en om voedselproduksie te bevorder.</p> <p>Voorwaardelike toekennings:<br/>Ondersteuning van landbou-ontwikkelingsprojekte<br/>Oordragte aan openbare entiteite:<br/>Ithala</p>  | 909,376            | 655,895                         | 180,881               | 72,600                    | 7,010<br>68,301                          |
| 3   | <p>Ongewingsake</p> <p>Om die bevolking te ondersteun en te ontwikkel ten opsigte van ongewingsake te verskaf.</p>  | 143,867            | 142,868                         | 616                   | 983                       | -  |
| 4   | <p>Beweging</p> <p>Om die bevolking te ondersteun en te ontwikkel ten opsigte van ongewingsake te verskaf.</p> <p>Oordragte aan openbare entiteite:<br/>Ezemvelo KZN Wildlife</p>   | 308,770            | -                               | 308,770               | -                         | -  |

| Pos | Besrywing   | Pos en hoofbedryfs | Besonderhede van bewilligde bedrae |                        |                           | Bedrae spesifiek en uitdruklik bewillig |
|-----|---|--------------------|------------------------------------|------------------------|---------------------------|---|
|     |   |                    | Lopende betalings                  | Contracte en subsidies | Betalings vir vaste bates |   |
| 4   | <b>Ekonommiese Ontwikkeling</b><br>Om strategie te formuleer en te implementeer met die oog op die skep van 'n omgewing wat houdbare ekonomiese ontwikkeling in KwaZulu-Natal bevorder.                                       | ROCO<br>1,394,441  | ROCO<br>218,549                    | ROCO<br>1,174,142      | ROCO<br>1,750             | 5,996,869                               |
| 1   | <b>Administrasie</b><br>Om voorsiening te maak vir die algehele bestuur van die departement en om 'n ondersteuningsdiens aan ander programme te lewer ten opsigte van oorblywende funksies.                                   | 45,575             | 44,525                             | -                      | 1,050                     |   |
| 2   | <b>Granterende Ekonomiese Ontwikkelingsdienste</b><br>Om strategie te ontwikkel, op te stel en te implementeer van ekonomiese bemagtigingsinisiatiewe in die provinsie te verskaf.  | 1,008,299          | 132,807                            | 875,142                | 350                       |   |
| 3   | <b>Handel en Nywerheidsontwikkeling</b><br>Om ekonomiese groei te stimuleer deur industriële ontwikkeling en handel en belegging te bevorder.   | 321,418            | 22,268                             | 875,142                | 150                       |   |
|     | <b>Spesifieke bekennings:</b><br>Dubu Tradieport<br>Stigting van 'n musikale opname stelling  |                    |                                    | 269,000                |                           | 212,500                                 |
| 4   | <b>Besighouding en Kultuur</b><br>Om 'n regverdige en sosiaal-verantwoordelike besighoudingsomgewing tot stand te bring.  | 10,232             | 10,082                             | -                      | 150                       | 10,000                                  |
| 5   | <b>Ekonommiese Beglanning</b><br>Om provinsiale ekonomiese beleid en strategie te ontwikkel om volgehoue ekonomiese ontwikkeling te bereik en te meet.  | 8,917              | 8,907                              | -                      | 50                        |   |
| 5   | <b>Ondernoms</b><br>Om geleenthede vir belegging te identifiseer en te ontwikkel, om provinsiale te voorsien wat hulle potensiële sal verbeeter en 'n bydrae lewer tot die bevordering van ekonomiese groei in KwaZulu-Natal. | 18,576,821         | 16,488,355                         | 1,054,089              | 1,094,377                 | 876,773                                 |
| 1   | <b>Administrasie</b><br>Om voorsiening te maak vir die algehele owerheid en die algehele bestuur van die departement.   | 1,094,282          | 938,288                            | 20,000                 | 125,994                   |   |
|     | <b>Voorwaardelike bekennings:</b><br>MIV en viga  |                    |                                    |                        |                           | 35,282                                  |
| 2   | <b>Operasionele Ondernoms</b><br>Om operasionele gewone sakeondernoms in die provinsie te voorsien.   | 16,078,596         | 14,466,205                         | 744,598                | 867,793                   |   |
|     | <b>Voorwaardelike bekennings:</b><br>Provinsiale Infrastruktuur<br>Nasionale Skoelvoedingsprogram   |                    |                                    |                        |                           | 486,022                                 |
| 3   | <b>Onafhanklike Skoolbedryf</b><br>Om onafhanklike skole te monitor en te subsidieer in ooreenstemming met nasionale beleid en riglyne.   | 48,702             | -                                  | 48,702                 | -                         | 280,006                                 |
| 4   | <b>Operasionele Ondernoms</b><br>Om operasionele sake te voorsien en te ontwikkel.  | 555,296            | 282,998                            | 51,558                 | 24,768                    |   |
| 5   | <b>Verre Ondernoms</b><br>Om Verre Ondernoms en Opleiding (VCO) by operasionele VCO-kolleges te verskaf in ooreenstemming met die Wet op Verre Ondernoms en Opleiding.  | 401,275            | 217,011                            | 184,264                | -                         |   |
|     | <b>Voorwaardelike bekennings:</b><br>VCO Kollege Sektor herkapitalisering   |                    |                                    |                        |                           | 115,453                                 |
| 6   | <b>Verre Ondernoms en Opleiding</b><br>Om aan voorsiening te maak vir die algehele owerheid en te voorsien van geleenthede en opleiding.  | 106,968            | 105,746                            | 12                     | 1,210                     |   |
| 7   | <b>Kleinbedryfsontwikkeling</b><br>Om Kleinbedryfsontwikkeling (KO) te verskaf.   | 167,697            | 162,518                            | 4,955                  | 224                       |   |
| 8   | <b>Ondersteuning en Verwante Dienste</b><br>Om ekonomiese ondersteuningsdienste aan lede van die departement te verskaf, en om deur middel van geleentheidsontwikkeling geleentheidsontwikkeling te voorsien.                 | 300,005            | 315,618                            | -                      | 14,387                    |   |

| Pos | Beslywing  | Pos en hoofdelings | Besonderhede van bewilligde bedrae |                        |                           |                              | Bedrae spesifiek en uitdruklik bewilling |
|-----|--|--------------------|------------------------------------|------------------------|---------------------------|------------------------------|--|
|     |  |                    | Lopende betalings                  | Condrasie en subalides | Betalings vir vaste bates | ROOO                         |  |
| 6   | <p><b>Provinsiale Tesourie</b><br/>Om 'n negatiewe verspreiding van hulpbronne te verseker en om strategiese leierskap ten opsigte van finansiële en fiskale bestuur en korporatiewe regering te voorsien.</p> <p>1 Administrasie.....<br/>Om ondersteuningsdienste aan die Minister en departement te verskaf.</p> <p>2 Hulpbronnestruktuur.....<br/>Om die fiskale hulpbronne van die provinsiale en plaaslike regering doeltreffend te bestuur en te monitor.</p> <p>3 Finansiële Bestuur.....<br/>Om doeltreffende bestuur van finansiële bates vir die provinsiale en plaaslike regering te verseker.</p> <p>4 Internes Oordel.....<br/>Om te verseker dat daar voldoende finansiële hulpbronne beskikbaar is vir die uitvoering van ontwikkelingsprojekte, kulturele sake, en om die grondslag vir voordeelbaarheid te lê ten opsigte van die KZN Provinsiale Regering in staat te stel om sy doelwitte te bereik.</p> <p>5 Groek- en Ontwikkelingsfondse.....<br/>Om aan die provinsiale regering die middelle en ploosbaarheid te verskaf om meetbare en sigbare resultate met betrekking tot werkverskaffing, arbeidsvoorsiening, KMO's en SEB te lewer.<br/>Spesifieke toekennings:<br/>Bepalingsbestuur koeste van die Regeringsbuurt<br/>A1 Motorweë</p>   | ROOO<br>648,493    | ROOO<br>642,076                    | ROOO<br>133            | ROOO<br>7,284             | ROOO<br>18,500               | 5,396,869                                |
| 7   | <p><b>Gesondheid</b><br/>Om 'n volhoubare, gekoördineerde, volledige en geïntegreerde gesondheidsdiens te verskaf vir alle vlakke van sorg te ontwikkel, gebaseer op die primêre gesondheidsorgbenadering deur middel van die Distrikgesondheidsdiens.</p> <p>1 Administrasie.....<br/>Om algemene strategiese leierskap, koördinasie en beheer van aktiwiteite, om 'n optimale gesondheidsdiens van alle gemaakstappe in die provinsie te bereik, en om te verseker dat die departement volgens goedgekeurde bestuursbeginsels te bediening.</p> <p>2 Distrikgesondheidsdienste.....<br/>Om primêre gesondheids- en distrikhospitaal dienste te lewer.<br/>Voorwaardelike toekennings:<br/>Opleiding en Ontwikkeling van Professionele Gesondheidswerkers<br/>Forense Patologiese Dienste<br/>Omvalterende MIV en vgs-toekennings</p> <p>3 Nood- Mediese Dienste.....<br/>Om voor-hospitaal nood mediese dienste te verskaf, insluitend verplasinge tussen hospitale en beplande pasiëntvervoer.</p> <p>4 Provinsiale Hospitaalbedienings.....<br/>Om bereikbare, geskikte en effiekwie hospitaalbedienings, sowel as spesialisasiestruktuur, insluitend spesialiseerde rehabilitasiedienste en 'n platform vir die opleiding van spesialisate en navorsing te voorsien.<br/>Voorwaardelike toekennings:<br/>Opleiding en Ontwikkeling van Professionele Gesondheidswerkers</p> <p>5 Sentrale Hospitaalbedienings.....<br/>Om sentrale gesondheidsdienste te lewer, asook 'n platform vir die opleiding van gesondheidspersoneel te voorsien.<br/>Voorwaardelike toekennings:<br/>Nasionale Terisiere Dienste</p> <p>6 Gesondheidswetenskappe en Opleiding.....<br/>Om voorsiening te maak vir die opleiding van gesondheidsfisiologiese werkers in besonder die Medysyne Handlerekening.</p> <p>7 Gesondheidsopvoedingsdiens.....<br/>Om foonse te verskaf vir gesondheidsopvoedingsdiens, in besonder die Medysyne Handlerekening.</p> <p>8 Bestuur van Gesondheidsaantelle.....<br/>Om voorsiening te maak vir die aanreëlbediening van gesondheidsaantelle, insluitend provinsiale hospitale, sentrale en terisiere hospitale, asook ander geboue en strukture.<br/>Voorwaardelike toekennings:<br/>Hospitaalvernuwing<br/>Forense Patologiese Dienste<br/>Provinsiale Infrastruktuur</p> | 13,412,815         | 11,848,838                         | 378,449                | 1,185,428                 | 2,137,492                    | 76,502<br>94,232<br>466,922              |
|     |  | 274,399            | 270,860                            | 600                    | 2,939                     |                              |  |
|     |  | 6,200,035          | 5,961,040                          | 261,356                | 77,639                    |                              |  |
|     |  | 553,561            | 470,985                            | 487                    | 82,689                    |                              |  |
|     |  | 3,512,310          | 3,447,065                          | 41,506                 | 25,339                    |                              |  |
|     |  | 1,271,875          | 1,061,888                          | 3,062                  | 206,925                   | 101,554                      |  |
|     |  | 503,519            | 440,135                            | 58,389                 | 4,995                     | 23,936<br>789,578            |  |
|     |  | 12,649             | -                                  | 12,649                 | -                         |                              |  |
|     |  | 1,094,467          | 297,995                            | -                      | 786,302                   | 298,433<br>56,577<br>259,758 |  |

(Byne)

| Pos | Beskrywing   | Pos en hoofdelings | Besonderhede van bewilligde bedrae |                        |                           |                   | Bekers spesifiek uitstaande bewilling |
|-----|--|--------------------|------------------------------------|------------------------|---------------------------|-------------------|---------------------------------------|
|     |  |                    | Lopende betalings                  | Oordragte en subbedies | Betalings vir vaste bates | R000              |                                       |
| 8   | <p><b>Behuising</b><br/>Om die implementering van nasionale en provinsiale behuisingprogramme doeltreffend te bestuur in vennootskap met die relevante rolspelers, en om voldoende, bekostigbare en houdbare stelling vir die inwoners van KwaZulu-Natal, wat daarvoor kwalifiseer, te voorsien.</p> <p>1 Administrasie<br/>Om strategiese leiding te voorsien, verantwoordbare finansiële bestuur te verseker, strategiese behuisingondersteuning te verskaf, behuising, eiendoms- en marktoesende te bestuur en korporatiewe bestuur te implementeer en te monitor en strategiese bestuursdienste te verskaf.</p> <p>2 Behuisingbeplanning en -navorsing<br/>Om navorsing en beleidsoormoed te onderneem, rigtinggevoel met inbegrip van die opdragte van die stigter (GIS), vermeerdering en institusionele bestuur vir die departement.</p> <p>3 Behuisingontwikkeling implementering<br/>Om 'n doeltreffende behuisingleweringsprogram te voorsien.</p> <p>4 Eiendomsbestuur<br/>Voorwaardelike toekennings:<br/>Gefinanseerde behuising en menslike veiligheidsontwikkeling toekennings<br/>Om voormalige Natalse Provinsiale Administrasie en EA Sake se behuisingvoorraad, byvoorbeeld residensie- en eiendom, onbesette land, en nie-voorwaardelike toekennings:<br/>Behuisingsubsidietoekennings</p> | R000<br>1,520,950  | R000<br>322,619                    | R000<br>1,190,187      | R000<br>8,044             | R000<br>1,310,555 |                                       |
|     |  | 78,245             | 76,395                             | -                      | 2,850                     |                   |                                       |
|     |  | 21,541             | 19,252                             | -                      | 2,249                     |                   |                                       |
|     |  | 1,192,142          | 54,645                             | 1,135,187              | 2,310                     |                   |                                       |
|     |  | 227,922            | 172,287                            | 55,000                 | 635                       | 1,135,187         |                                       |
| 9   | <p><b>Gemeenskapveiligheid en Stelsel</b><br/>Om die doeltreffende agtergrond te verskaf rakende die bestuur van gemeenskapveiligheidsinstansies ten einde 'n misdaadrye KwaZulu-Natal te verskaf.</p> <p>1 Administrasie<br/>Om die algemene bestuur van die departement te behartig en om administratiewe, finansiële, regs- en menslike hulpbronne te lewer.</p> <p>2 Burgerlike Toesig<br/>Om polisie-gedrag te monitor en die doeltreffendheid van sigbare polisie te aksioneer, die fasilitering van navorsingsontwikkeling en koördinerende maatskaplike misdaadvoorkomingsinstansies, soek om goeie verhoudings tussen die polisie en die gemeenskap daar te stel.</p>   | R000<br>78,800     | R000<br>76,528                     | R000<br>3,000          | R000<br>272               | R000<br>-         |                                       |
|     |  | 22,557             | 22,393                             | -                      | 114                       |                   |                                       |
|     |  | 56,293             | 53,135                             | 3,000                  | 158                       |                   |                                       |
| 10  | <p><b>Die Koninklike Huishouding</b><br/>Om 'n houdbare en bevoorradings opvoering vir die Zulu-monarg te skep (in elinde sy rol te vervul en sy pligte na te kom).</p> <p>1 Ondersteuningsdienste - Sy Majesteit die Koning<br/>Om die algemene administrasie van die Koninklike Huishouding te verskaf en om administratiewe, finansiële en uitvoerende dienste en die verskaffing van regs- en menslike hulpbronne aan die departement.</p> <p>2 Koninklike Huishoudings Beplanning en Ontwikkeling<br/>Om voorsiening te maak vir die algemene infrastruktuurontwerp en instandhouding van die Koninklike werings.</p> <p>3 Sy Majesteit die Koning se Plase<br/>Om ondersteuning te verskaf met betrekking tot die instandhouding en onderhoud van Sy Majesteit die Koning se Plase.</p>  | R000<br>36,479     | R000<br>32,088                     | R000<br>111            | R000<br>4,300             | R000<br>-         |                                       |
|     |  | 20,174             | 17,617                             | 57                     | 2,500                     |                   |                                       |
|     |  | 14,094             | 12,252                             | 42                     | 1,800                     |                   |                                       |
|     |  | 2,211              | 2,199                              | 12                     | -                         |                   |                                       |
|     |  |                    | 43,475,339                         | 33,829,530             | 5,090,824                 | 4,555,984         | 5,396,869                             |

| Pos | Beskrywing  | Pos en hoofsaaklik | Besonderhede van bewilligde bedrae |                        |                           | Bedrae spesifiek en uitdruklik bewillig |
|-----|---|--------------------|------------------------------------|------------------------|---------------------------|---|
|     |   |                    | Lopende betalings                  | Ordnings- en subsidies | Betalings vir vaste bates |   |
|     |   | R000               | R000                               | R000                   | R000                      | R000                                    |
| 11  | <p><b>Plaslike Regering en Tradisionele State</b><br/>                     Om mensgeriewe, verskikbaar en lewensvatbare plaslike bestuur te bevorder wat dienslewering verhoog en volhoubare gemeenskaps versker.</p> <p>1 Administrasie<br/>                     Om saaklike dienslewering te verbeter en te bevorder in die departement getrewe werke, met inbegrip van die finansiële bestuur van die departement.</p> <p>2 Plaslike Bestuur<br/>                     Om 'n institusionele, administratiewe en finansiële raamwerk te implementeer, en om 'n munisipale infrastruktuurraamwerk te voorsien.</p> <p>Spesifieke toekennings:<br/>                     Infrastruktuurvoorsiening vir sakkerastadions</p> <p>3 Ontwikkeling en Beglanning<br/>                     Om goeie ligtelike getuigedrade beplanning en ontwikkeling in die provinsie te voorsien.</p> <p>Ordnig aan openbare entiteite:<br/>                     Provinsiale Beplanning- en Ontwikkelingskommissie</p> <p>4 Tradisionele en Institusionele Bestuur<br/>                     Om die vermoë van tradisionele owerheidsrade te verhoog en te ondersteun.</p> <p>5 Stelsels en Landelike Ontwikkeling<br/>                     Om gemeenskaps, wat groeiende deel van die Tweede Ekonomiese is, by te staan om toegang te verkry tot sosio-ekonomiese geleenthede en ketter rekenskap te gee van die uitdagings waarmee hulle te kampe het, en om dienslewering te verbeter en lewensgehalte te verhoog.</p> <p>6 Stelsels en Institusionele Ontwikkeling<br/>                     Om 'n omvattende kapasiteitsboustrategie vir die departement te ontwerp en te implementeer, asook om besigheidsaanname vir monitoring, ewaluering en sisteme kommunikasie te skep om transformasie van munisipale en tradisionele instansies te bevorder.</p> | 788,070            | 583,883                            | 131,881                | 52,246                    | 89,000                                  |
|     |   | 147,887            | 132,808                            | 108                    | 14,870                    |   |
|     |   | 233,988            | 128,989                            | 104,000                | 1,000                     |   |
|     |   | 101,569            | 73,528                             | 27,410                 | 631                       | 89,000                                  |
|     |   | 105,154            | 103,441                            | 373                    | 1,340                     |   |
|     |   | 135,017            | 100,812                            | -                      | 34,405                    |   |
|     |   | 44,454             | 44,454                             | -                      | -                         |   |
| 12  | <p><b>Vervoer</b><br/>                     Om die publiek van 'n getuigedrade en toeganklike pad- en openbare vervoerinfrastruktuur te voorsien, om pad- en openbare vervoer in die provinsie te bevorder, en om uitvoering te gee aan sy mandaat die departement in die ontwikkelingsbeheer van die provinsiale voorsien.</p> <p>1 Administrasie<br/>                     Om onderstaatsligging te verskaf en die eersaaklike administrasie van die departement te behartig.</p> <p>2 Plaaslike Infrastruktuur<br/>                     Om die publiek van 'n getuigedrade en toeganklike pad- en openbare vervoerinfrastruktuur te voorsien, om pad- en openbare vervoer in die provinsie te bevorder, en om uitvoering te gee aan sy mandaat die departement in die ontwikkelingsbeheer van die provinsiale voorsien.</p> <p>3 Vervoer<br/>                     Om onderstaatsligging te verskaf en die eersaaklike administrasie van die departement te behartig.</p> <p>4 Vervoer<br/>                     Om die publiek van 'n getuigedrade en toeganklike pad- en openbare vervoerinfrastruktuur te voorsien, om pad- en openbare vervoer in die provinsie te bevorder, en om uitvoering te gee aan sy mandaat die departement in die ontwikkelingsbeheer van die provinsiale voorsien.</p> <p>5 Gemeenskaplike Ontwikkelingsprogram<br/>                     Om voorsiening te maak vir die ontwikkeling van projekte wat ontwerp is om historiese benadeelde gemeenskappe te bemagtig en vaardighede aan hulle oor te dra om daardeur hulle aktiewe deelname aan die landse ekonomie te fasiliteer.</p>   | 3,119,887          | 1,059,426                          | 22,388                 | 2,038,053                 | 573,012                                 |
|     |   | 148,173            | 110,407                            | 193                    | 38,573                    |   |
|     |   | 2,359,229          | 506,688                            | 9,195                  | 1,940,348                 |   |
|     |   | 70,788             | 57,788                             | 13,000                 | -                         | 573,012                                 |
|     |   | 454,238            | 340,325                            | -                      | 83,609                    |   |
|     |   | 106,439            | 41,216                             | -                      | 65,223                    |   |

43,475,338

33,828,530

5,090,824

4,555,984

5,398,869

| (Bylae) |   | Besonderhede van bewilligde bedrae |                |                       |                         | Bedrae spesifiek en uitdruklik bewillig |
|---------|---|------------------------------------|----------------|-----------------------|-------------------------|---|
| Pos     | Bestryking  | Poe en hoofinligings               | Lopende bedrae | Correkte en subbedrae | Beatings vir vaste data |   |
|         |   |                                    | R000           | R000                  | R000                    | R000                                    |
| 13      | Markskaplike Wepens en Bewoingsontwikkeling<br>Om te verskerf vermoede, volgevoerde, ontrentende markskaplike wysingsiens aan die gemeenskap te lever en te bevorder, met die oog daarop om die inherente potensiaal van elke individu in KwaZulu-Natal te maksimiseer.   | 1,000,360                          | 523,951        | 422,988               | 53,421                  | 5,396,868                               |
| 1       | Administrasie<br>Om algemene strategiese bestuur en ondersteuningsdienste vir die departement te voorsien.  | 247,487                            | 198,965        | 923                   | 47,688                  | 4,555,984                               |
| 2       | Maatskaplike Wespensdienste<br>Om maatskaplike wespensdienste aan kinders die leug, gesins, bevoerd, vroue en gestremdes te voorsien, saok op die terrein van dwelmmisbruik en maatskaplike misdadaoorkoming.   | 626,488                            | 287,469        | 335,093               | 3,896                   | 5,090,824                               |
| 3       | Ontwikkeling en Naersing<br>Om verbeterde ontwikkelingsprojekte te voorsien wat die armste onder die armes in staat sal om selfversorgend te wees.  | 126,385                            | 37,587         | 86,972                | 1,828                   | 33,828,530                              |
| 14      | Werke<br>Om 'n koste-doeltreffende, mededrigende bou- en eiendombestuurssiens op 'n doeltreffende en bilike wyse te voorsien wat werfgeleentheid sal verhoog en amoeude sal veilig.   | 479,419                            | 425,304        | 7,028                 | 47,087                  | -                                       |
| 1       | Administrasie<br>Om die algemene bestuur van die departement te behartig, beoedig deur die Minister en bestuur van die departement, en die lewering van professionele administratiewe en kerkoordenste.   | 160,283                            | 150,847        | 376                   | 9,060                   |   |
| 2       | Eienend<br>Om die versorging van eiendomme aan linnerte te verskaf en te fasiliteer, asook die geboue, staat verskeide funksionele dienstelewering, bekoontwikkeling en moonting en ewaering, saok die  | 13,864                             | 13,706         | 8                     | 150                     |   |
| 3       | Voorlening van Geboue, Strukture en Toerusting<br>Om vir die bou en/of aanpassing van geboue, strukture en ingenieurtoerusting, asook die instandhouding van geboue volgens mensspesifikasie voorsiening te maak.   | 395,272                            | 260,751        | 6,644                 | 37,877                  |   |
| 15      | Kuns, Kultur en Toerisme<br>Om vernemende en lewende kulture- en toerismediensite te verskaf en te bevorder, asook die verskaf van toeristiese dienste en toeristiese aanspreek ten einde hulle lewingsgehalte te verhoog.  | 287,994                            | 174,164        | 108,970               | 3,560                   | 13,950                                  |
| 1       | Administrasie<br>Om die algemene bestuur van die departement te behartig.   | 44,757                             | 44,227         | -                     | 530                     |   |
| 2       | Kulturele Aangleentheid<br>Om kultuurorganisasies by te staan en om kulture in belang van die inwoers van KwaZulu-Natal te bevorder, ontwikkel en te bewaar.  | 61,786                             | 47,085         | 14,291                | 410                     |   |
| 3       | Biblioteek- en Argiefdienste<br>Om openbare biblioteke en argiewe in die provinsie te bevorder. Voorwaardelike loekennig: The Playhouse Company   | 91,488                             | 69,688         | 19,230                | 2,570                   |   |
| 4       | Toerisme Ontwikkeling<br>Om ekonomiese groei te fasiliteer deur die bevordering en ontwikkeling van geleentheid vir ondernemers, amoeude die styd aan te se, werk te skep, om gesonde vermoedskappe tussen die privaat en openbare sektor daar te stel en steun aan openbare entiteite te verleen. Coördragte aan openbare entiteite: KZN Toerisme-owerheid Natalase Hoofraad | 89,363                             | 13,164         | 76,149                | 50                      | 13,950                                  |
| 16      | Sport en Ontspanning<br>Om die lewingsgehalte van die inwoers van KwaZulu-Natal te verbeter deur sporttoerisme te bevorder, en sportspesialite te maksimiseer deur maatsdeinsame en ontspanning.  | 161,177                            | 124,902        | 26,373                | 7,902                   | 37,276                                  |
| 1       | Administrasie<br>Om die algemene bestuur van die departement te behartig.   | 35,347                             | 33,419         | 26                    | 1,902                   |   |
| 2       | Sportkoördinerig<br>Om sport in die provinsie te bevorder, ontwikkel en te administree. Voorwaardelike loekennig: Deelneme aan Massa Sport en Ontspanning   | 125,830                            | 91,483         | 26,347                | 6,000                   |   |

## Addisionele Informatie vir Gesondheid: Program 5 - Sentrale Hospitaaldienste

| Pos | Beskrywing   | Begroting        | MTBR             |                  |
|-----|--|------------------|------------------|------------------|
|     |  | 2007/08          | 2008/09          | 2009/10          |
|     |  | R000             | R000             | R000             |
| 7   | <b>Gesondheid</b>  |                  |                  |                  |
|     | <b>5 Sentrale Hospitaaldienste.....</b>  | <b>1,271,875</b> | <b>1,395,806</b> | <b>1,540,400</b> |
|     | <i>Om 'n hoogs gespesialiseerde en vierledige vlak van gesondheidsorg te lewer, asook 'n platform vir die opleiding van spesialiste te voorsien.</i> |                  |                  |                  |
|     | <i>insluitend</i>  |                  |                  |                  |
|     | Ondersteuningsdienste  | 60,436           | 63,453           | 67,139           |
|     | <i>Toekenning aan institusies</i>  |                  |                  |                  |
|     | 5.1 Sentrale Hospitale   | 409,818          | 490,519          | 543,000          |
|     | Inkosi Albert Luthuli Central Hospital   | 409,818          | 490,519          | 543,000          |
|     | 5.2 Tersiêre Hospitale   | 801,621          | 841,834          | 930,261          |
|     | Inkosi Albert Luthuli Central Hospital   | 536,639          | 563,471          | 605,753          |
|     | Greys Hospital   | 212,998          | 223,648          | 246,620          |
|     | Ngwelezana Hospital  | 32,655           | 34,419           | 46,415           |
|     | Empangeni Hospital   | 16,851           | 17,694           | 28,720           |
|     | Mseleni Hospital   | 2,478            | 2,602            | 2,753            |

No. 1

2 kuNcwaba 2007

[Umbhalo wesiNgisi unyathelwe nguNdunankulu]

**UMTHETHO WAKWAZULU-NATALI WOKWABIWA  
KWEZIMALI, 2007  
(Na. 3 ka 2007)  
Uvunywe mhlaka 2007-05-09**

## **UMTHETHO**

Ukuhlinzekela ukwabiwa kwezimali esiKhwameni Semali Yesifundazwe ngokwezidingo zesiFundazwe onyakeni wezimali we-2007/2008 ophela mhla zingama-31 kuNdasa wonyaka we-2008 kanye nokuhlinzekela ezinye izindaba eziphathelene nakho.

### **ISINGENISO**

**NAKUBA** isigaba 226(2) soMthethosisekelo weRiphabhliki yaseNingizimu Afrika wonyaka we-1996 uhlinzekela ukuba imali ikhishwe esiKhwameni seMali yesiFundazwe kuphela ngokuhambisana nokwabiwa kwezimali ngoMthetho Wesifundazwe;

**NAKUBA FUTHI** isigaba 26 soMthetho wokuPhathwa kweziMali zikaHulumeni, wonyaka we-1999 (uMthetho No.1 we-1999) uhlinzekela ukuthi isiShayamthetho sesiFundazwe kumele sabe izimali ngonyaka wezimali ngamunye ngokuhambisana nezidingo zesiFundazwe;

**NGAKHO-KE MAKUMISWE UMTHETHO** yisiShayamthetho sesiFundazwe saKwaZulu-Natali kanje:-

#### **Izincazelo**

1. (1) Kulo Mthetho, ngaphandle uma ingqikithi isho okunye,

“**izibonelelo ezikhishwa ngenxa yezimo ezithile**” kusho ukunikezelwa kwezimali esifundazweni ziqhamuka esikhwameni sokwabelana sikazwelonke, kuhlinzekelwe esigabeni 214(1)(c) soMthethosisekelo weRiphabhlikhi yaseNingizimu Afrika, wonyaka we-1996;

“**izinkokhelo zamanje**” kusho noma yiziphi izinkokhelo ezenziwa umnyango wesifundazwe ngokuqondene nezidingo zokusebenza zalowo mnyango, futhi kufaka phakathi kokunye, izinkokhelo zokunxeshezela kwezisebenzi, impahla kanye nemisebenzi, inzalo, irenti yezakhiwo ezingagudluki kanye nokusetshenziswa kwemali ngokuqondene nezimpahla kanye nezikweletu, kodwa

akubandakanyi izimali ezidlulisiwe kanye nemixhaso, izinkokhelo zempahla yokusebenza;

**“izinkokhelo zempahla”** kusho noma yiziphi izinkokhelo ezenziwa ngumnyango wesifundazwe –

- (a) ukhokhela izimpahla ezingaqhubeka nokusetshenziswa noma ezikhiqizwa ngokuphindelela isikhathi esingaphezu konyaka, futhi okulindeleke ukuthi ngesikhathi esizayo zingenise imihlomulo ngokomnotho noma ngokomsebenzi kulowo mnyango okhokhayo; futhi
- (b) kumele zihlukaniswe noma zithathwe njengezinkokhelo zempahla ngokuhambisana noMhlahlandlela Wohlelo Olusha Lwezomnotho ( “*Reference Guide to the New Economic Format*”) ( kuLwezi wonyaka we-2003, Isihumusho sesi- 2) kanye noHlaka lokuPhathwa kweMpahla ( “*Asset Management Framework*”) (kuMbaso wonyaka we-2004, Isihumusho sesi- 3.3), ekhishwe uMgcinimafa kaZwelonke ngaphansi kwesigaba 76 soMthetho wokuPhathwa kweziMali zikaHulumeni;

**“IsiFundazwe”** kusho isifundazwe saKwaZulu-Natali esasungulwa ngokwesigaba 103 soMthethosisekelo weRiphabhlikhi yaseNingizimu Afrika, wonyaka we-1996;

**“IsiShayamthetho sesiFundazwe”** kusho isishayamthetho sesiFundazwe saKwaZulu-Natali;

**“uMthetho wokuPhathwa kweziMali zikaHulumeni”** kusho uMthetho wokuPhathwa kweziMali zikaHulumeni, wonyaka we-1999 ( uMthetho No. 1 we-1999); kanti

**“izinkokhelo ezidlulisiwe nemixhaso”** kusho noma yiziphi izinkokhelo ezenziwa ngumnyango wesifundazwe kwenye ingxenye kahulumeni kumbe kunoma yimuphi omunye umuntu, umnyango ongatholi lutho kuye olunenani elifanayo, futhi kuhlanganisa ukukhokhelwa kwezibonelelo ezikhishwa ngenxa yezimo ezithile;

**“Lo Mthetho”** uhlanganisa iSheduli;

- (2) “Noma yiliphi igama noma ibinza lamagama elinikezwe incazelo eMthethweni wokuPhathwa kweziMali zikaHulumeni linencazelo elinikezwe yona kulowo Mthetho.”

**Ukwabiwa kwezimali ngezidingo zesiFundazwe**

2.(1) Ukwabiwa kwezimali yiPhalamende lesiFundazwe esiKhwameni seMali yesiFundazwe ukuze kubhekelwe izidingo zikahulumeni onyakeni wezimali ka-2007/08, kumavoti ehlukenene **nezingxenye zamavoti**, kanye nangokwezinhloso ezibaluliwe, kuchaziwe kwiSheduli.

(2) Ukusetshenziswa kwezimali ezabiwe kumele kuhambisane noMthetho wokuPhathwa kweziMali zikaHulumeni kanye nesigaba 3 salo Mthetho.

**Ukwabiwa kwezimali okubalulwe ngokukhethekileyo**

3. Ngaphandle kwezinhlinzeko zanoma yimuphi umthetho, izimali ezabelwe ivoti noma izingxenye zevoti ezibalulwe ngokukhethekileyo, zingasetshenziselwa kuphela inhloso ebaluliwe futhi azikwazi ukusetshenziselwa enye inhloso, ngaphandle uma uMthetho wesiShayamthetho Sesifundazwe uchibiyela noma uguqula inhloso owawumiselwe yona.

**Isihloko esingqiwe**

4. Lo Mthetho ubizwa ngoMthetho woKwabiwa kweziMali KwaZulu-Natali wonyaka we-2007.

| Iveli | Ukuchazwa   | (UHLJ) Iveli nezabelo ezinkulu | Iminiingwane yezamba ezibhwe |                       |                      | Izamba ezibhwe<br>Inhlase ethile |
|-------|---|--------------------------------|------------------------------|-----------------------|----------------------|----------------------------------|
|       |   |                                | Izinkokalo Zamanje           | Edidulisiwe Nemibhazo | Izinkokalo Zamphepha |                                  |
| 1     | <p><b>Inhlovisi Likandunankulu</b><br/>Ukuxa undunankulu akwenzi imisebenzi yakhe abekwe ngumthethosisekelo neminye imithetho ngokuthi kwenzwe ngobungoweli imiyalelo enikezwe iminyango, ukhale nokwenza zonke izinhlelo zeSifundazwe, ukukhuthaza ukusebenza ngokubambisana nokubusa kahle, kuninziwe ngokwango lwezinqobomgomo oluseqaphaweni ePhizulu kanye nezalwazi zezomthetho, ukwenza izinqobomgomo ezimantlathu nemithetho, ukwenza kanye nemithetho, kanye nokweseka uphiko oluphezulu akwenzi imithetho nezinqobomgomo.</p> <p>1. Ezokuphatha .....<br/>Ukwenza imisebenzi yokuxa undunankulu kanye nelhloko Yominyango ekulewuleni inhlovisi Likandunankulu, ngokukhuzeka ngemisebenzi yokuxa abaphathi emnyangweni.</p> <p>2. Ukubuhlukenisa Kwezikhungo<br/>Ukwenza nqano ukwenza komisebenzi ngokubambisana ngamakhono ezikhungo kanye nokulawula kwazinguquko.</p> <p>4. Izinhlelo eziyisiphelel .....<br/>Ukuphatha kwamaphrojekthi ayisiphelel kanjengokuba ekhonywe nguNdunankulu kanye nesigungu seSifundazwe.</p> <p><i>Abasenzisa nezikhungo zomphakathi:</i><br/>Inca leKwaziwe kwaziwe kwaziwe Natali<br/>Ama-akhawunti eKwaZulu-Natali<br/>Izomphelana Yentsha YaKwaZulu-Natali<br/>Abekwe ukuxa eziselele kakhulu.<br/>Ekuhambisani ibhola leziyayo (ezikoleni nangaphandle kwesikole)</p> | R000<br>342,659                | R000<br>281,586              | R000<br>51,739        | R000<br>9,334        | R000<br>35,000                   |
| 2     | <p><b>Isisayamthehi Sezifundazwe</b><br/>Ukwakha isisayamthehi esibhekisa nezidingo zabantu baKwaZulu-Natali, kanye nokukhuthaza imilo engcono kubantu ngokwelusa ukusefihenziswa kwenzisakusebenza ezikhona eSifundazweni.</p> <p>1. Ezokuphatha .....<br/>Ukubekha ulawulo-jikelele lwesisayamthehi SesiFundazwe</p> <p>2. Imisebenzi Yephalamende .....<br/>Ukukhuzeka ngemisebenzi yezokuphatha nokuxa amalungu ePhalamende ngenzisakusebenza.</p> <p>3. Izakhiwo Zamalungu Namaqembu Ezombusazwe<br/><i>Ukwenza imisebenzi yezokuphatha kwenzakha abasenzisa ehlovisi kanye namanye amalungu eSisayamthehi ngokuphathelane nezakhiwo nemithetho</i></p>  | 139,891                        | 99,994                       | 26,359                | 12,548               | 55,000                           |
| 3     | <p><b>Ezolimo Nezamvelo</b><br/>Ukukhuthaza ngokubambisana nababambala iqhaza abaqondene, umphakathi onenqubo ekelelaphambili ngokulandela izinhlelo zezolimo nezamvelo eziphuhlisa.</p> <p>1. Ezokuphatha .....<br/>Ukweseta izingonye eziqondene nemisebenzi ethile zominyango, ekufezeni izinhloso zazo.</p> <p>2. Imisebenzi Yokuthuthukiswa Kwezolimo .....<br/>Ukuvundulula amandla ezolimo eSifundazweni kanye nokutholalala kokudla kubo bonke abantu beSifundazwe.<br/>Ukuxa olunale mbandela.<br/>Ukuxa lokumakelwa komhlaba<br/>Ukholo olubanzi lokwesetwa kwezolimo</p> <p>3. Ukulawula Kwezamvelo .....<br/>Ukujikelela kokulandela kwemithetho eziqondene nokuphatha kwamvelo.</p> <p>4. Ukuphila Kwamvelo .....<br/>Ukubhekela ukudluliselwa kwemithetho ezikhungweni ezahlukenile eSifundazweni okuyilezi ezilandelayo:<br/>Ezamalwazi KZN Wildlife</p>   | 1,507,802                      | 927,147                      | 490,277               | 90,378               | 75,311                           |
|       |   | 145,689                        | 128,894                      | -                     | 16,795               |                                  |
|       |   | 909,376                        | 655,865                      | 180,891               | 72,600               |                                  |
|       |   | 143,987                        | 142,368                      | 616                   | 983                  | 7,010                            |
|       |   | 308,770                        | -                            | 308,770               | -                    | 68,301                           |
|       |   |                                |                              | 307,041               |                      |                                  |

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43,475,338

33823530  
33,823,530

5090824  
5,090,824

4555984  
4,555,984

5,409,389

| Ivoti | Ukuchazwa  | (UHLU) Ivozi ezabaliwe ezinhlulo |            | Imihlingwane yezamba ezabaliwe |                       | Izamba ezabaliwe Inithiso ethile |      |
|-------|--|----------------------------------|------------|--------------------------------|-----------------------|----------------------------------|------|
|       |  | Izinkhopho Zamaqhe               | R000       | Izinkhopho Zamaqhe             | Esidiyisiwe Nembaliwe | R000                             | R000 |
| 4     | <p><b>Ukuthuthukiswa Kwezomnotho</b> .....</p> <p>Ukwekha nokuzisa akusikweni kwemasu ezisa isimo esivuna ukukhula kwezomnotho okusimame kanye nenuthuko KwaZulu-Natali.</p> <p>1. Ezokuphatha<br/>Ukukhulizeka ngayo yonke imisebenzi yezokuphatha komnyango, nokwenza umsebenzi wokuzisa ezinye izinhlelo ngokwemisebenzi ekhona eyahlukelelene.</p> <p>2. Imisebenzi Yezokuthuthukiswa Komnotho Edidiyile<br/>Ukuthuthukisa ngobunzima abomnotho, ungqirisi kanye nokubuyisela kwemisebenzi yomnotho ngomnotho esifundazweni.</p> <p><i>Kusenziswa nalesi khungo zomphakathi:</i><br/><i>Abantu abo yile:</i><br/>A. I-Dube Tradeport<br/>B. I-Dube Tradeport<br/>C. I-Dube Tradeport<br/>D. I-Dube Tradeport<br/>E. I-Dube Tradeport<br/>F. I-Dube Tradeport<br/>G. I-Dube Tradeport<br/>H. I-Dube Tradeport<br/>I. I-Dube Tradeport<br/>J. I-Dube Tradeport<br/>K. I-Dube Tradeport<br/>L. I-Dube Tradeport<br/>M. I-Dube Tradeport<br/>N. I-Dube Tradeport<br/>O. I-Dube Tradeport<br/>P. I-Dube Tradeport<br/>Q. I-Dube Tradeport<br/>R. I-Dube Tradeport<br/>S. I-Dube Tradeport<br/>T. I-Dube Tradeport<br/>U. I-Dube Tradeport<br/>V. I-Dube Tradeport<br/>W. I-Dube Tradeport<br/>X. I-Dube Tradeport<br/>Y. I-Dube Tradeport<br/>Z. I-Dube Tradeport</p> <p>3. Ukuthuthukiswa Kwezomnotho Nezimbini<br/>Ukukhulizeka ukuthuthukisa komnotho ngokuthuthukisa izimbini, ezobhebo kanye nokuthuthukiswa kothabomali.</p> <p><i>Isabelo sabikhu yile:</i><br/>I-Dube Tradeport<br/>Ukwakhiwa Kwendawo Yokuphatha Umculo<br/>Ukwakhiwa Nokuphatha Kwamabhizinisi<br/>Ukuvumela indawo yezamabhizinisi enokulingana nokuzibophezela komphakathi</p> <p>5. Ukuthuthukisa Kwazomnotho<br/>Ukwekha izingqongilezi kanye namaswazi okuzisa ezomnotho zezifundazwe kanye namaswazi ezomnotho ezifundazweni nokuzisa izinhlelo ezomnotho ezimnane.</p> | 1,394,441                        | 218,549    | 1,174,142                      | 1,750                 | 222,500                          |      |
| 5     | <p><b>Ezemfundo</b> .....</p> <p>Ukukhulizeka ngamathuba wonke umuntu ukuzise athole imfundo esecophelweni eliphuzulu, okuzokwenza ngcono isimo sakhe, abe negalelo ekukhulazweni kwemigomgqangi yentando yeningi KwaZulu-Natali.</p> <p>1. Ezokuphatha<br/>Ukukhulizeka umkhandlu olawulayo kanye nokuphatha i-kelele komnyango, okufaka lolu xhasomalo olulandelayo<br/>Isandulalengcalazi neNgqoluzi<br/>Ukukhulizeka ngemfundo yomphakathi esifundazweni.<br/><i>Novhasomali olumale mbandela:</i><br/>Ukhaso lweqalazinda yesifundazwe<br/>Uhlolo lokukhulizeka izikole ngokudisa okunempilo</p> <p>3. Ukhosomali lwezikole ezizimele<br/>Ukwakhiwa nokubhala izikole ezizimele ngokulandela inqubo ngomnotho kanye nezintambo.</p> <p>4. Izikole zomphakathi esiyisiphebi<br/>Ukukhulizeka ngemfundo yomphakathi ezikoleni esiyisiphebi, nangazo zonke izidingo zazo.</p> <p>5. Ukuqhubeka nemfundo kanye nokugqesha<br/>Ukukhulizeka ngemfundo eqhubekayo nokugqesha kumakolishi okugqesha ( FET)<br/><i>Novhasomali olumale mbandela:</i><br/>Ukuvuselelwa Kwezikhungo Zemfundo Ekhulisekileyo</p> <p>6. Imfundo Yabasala Nokugqesha<br/>Ukukhulizeka ngemfundo yabasala nokugqesha amakhono abo okufunda nokubhala, ngokuhambisana noMfundo Wemfundo Yabasala.</p> <p>7. Ukuthuthukiswa kwemfundo yezingane<br/>Ukukhulizeka ngemfundo yokuthuthukisa izingane abangeni lesipasa-FET nakwamanye angaphambili, ukuzisa kwizikole ukuthi bonke abafundi bathole imfundo yezamazingeni apheleli ngaphambi kokuba bangene esikoleni.</p> <p>8. Imisebenzi eyengqalazayo neminye ehlobene nayo<br/>Ukukhulizeka ngemisebenzi yokweseka ngesikhathi sokukhulizeka kwemfundo emabangeni afanele, kanye nokukhulizeka ukuthi umsebenzi wemfundo usazingeni eliphuzulu.</p>  | 18,576,823                       | 14,488,355 | 1,054,089                      | 1,034,377             | 876,773                          |      |
|       |  | 1,064,292                        | 938,288    | 20,000                         | 125,894               | 35,292                           |      |
|       |  | 16,078,599                       | 14,466,205 | 744,598                        | 867,793               | 466,022                          |      |
|       |  | 48,702                           | 48,702     | 48,702                         | 260,006               | 115,433                          |      |
|       |  | 369,296                          | 292,969    | 51,558                         | 24,769                |                                  |      |
|       |  | 401,275                          | 217,011    | 184,264                        |                       |                                  |      |
|       |  | 106,668                          | 105,746    | 12                             | 1,210                 |                                  |      |
|       |  | 167,687                          | 162,518    | 4,955                          | 224                   |                                  |      |
|       |  | 330,005                          | 315,618    |                                | 14,387                |                                  |      |

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| Ivoti | Ukuqashwa  | (UHLU) Ivoti nezabalot esinkulu | Imininingwana yezamba ezabiwe |                       |                    | Izamba ezabehle inhloso ethile |
|-------|--|---------------------------------|-------------------------------|-----------------------|--------------------|--------------------------------|
|       |  |                                 | EziKokhelo Zamanje            | EziDululane Nemikhaso | IziKokhelo Zempaha |                                |
|       |  |                                 |                               |                       |                    |                                |
| 6     | <b>UMgqibama WeSifundazwe</b><br>Ukuqinisekisa ukuthi izinsizakusibenza zabwa ngokulinganayo kanye nokuhlizisekela ngamasu okusebenza amahle emkhakheni wazokuphatha kwezimali zikahulumeni  | R000<br>649,463                 | R000<br>642,076               | R000<br>133           | R000<br>7,284      | R000<br>16,500                 |
|       | 1. Ezokuphatha<br>Ukuhlizisekela ngomsebenzi wokweseka uNgongqoshe kanye nomnyango   | 156,161                         | 150,022                       | 21                    | 6,118              |                                |
|       | 2. Ukuphatha kwesizakusibenza<br>Ukuphatha nokwelusa ngendlela izinsizakusibenza esiyizimali zikahulumeni wesi-fundazwe nowasekaya.  | 396,353                         | 395,837                       | 65                    | 451                |                                |
|       | 3. Ukuphatha kwezimali<br>Ukuqinisekisa ukuphatha ngendlela kwempaha nezimali zikahulumeni wesi-fundazwe, nowasekaya.  | 35,953                          | 35,787                        | 15                    | 151                |                                |
|       | 4. Ukusungulwa kwamabhuku<br>Ukusungulwa kwamabhuku kwengqondo, inkululeko, kwesizakusibenza, ukubona nokujika ukubona obuhle nowasekaya, nabo, ukubala ukwazi ngokwabo loko loturinda nokwaba isisekela sokusebenza kakhulu ukweseka ukhuleni wesi-fundazwe sakwa-Natali ekuqaleni inhloso yayo.  | 42,526                          | 41,930                        | 32                    | 564                |                                |
|       | 5. Ukukhula Nentuthuko<br>Ukuhlizisekela imiklamo njengoba kuvuywe uMkhawulo Omkhulu Ophethe Isifundazwe <i>(isibalo sabokho yaso)</i> :<br>Ukubala/ukulawula izindleko zezifunda zika-hulumeni I-A1 Grand Prix  | 18,500                          | 18,500                        |                       |                    |                                |
|       | <b>Isibalo sabokho yaso:</b>   |                                 |                               |                       |                    | 6,000                          |
|       |  |                                 |                               |                       |                    | 12,500                         |
| 7     | <b>Example</b><br>Ukuhluluka uhlelo lwesampilo olusimeme noludidiyelwe kuwona wonke amaziga okunakwela, ngokubuka unakelongangol lwesampilo ngohlelo lwesampilo lwesifundazwe  | R000<br>13,412,815              | R000<br>11,848,938            | R000<br>378,449       | R000<br>1,185,428  | R000<br>2,137,492              |
|       | 1. Ezokuphatha<br>Ukuhlizisekela ngawo wonke amasu okukhula, ukukhulisa nokulawula kwemisebenzi ekuqaleni izimpopoliso zesimo sempilo abalulekelelyo yonke imiphakathi esifundazweni, kanye nokuphatha komnyango okuhambisana nemisebenzi yokubusa okuhle.   | 274,389                         | 270,860                       | 600                   | 2,839              |                                |
|       | 2. Usizo lwesampilo lwesifundazwe<br>Ukuhlizisekela ngosizo lwesampilo kanye nezibhedlela zesifundazwe.<br><i>Ngabali xhasomali okunemibandela olandelayo:</i><br>Ukuqeqeshwa Nokuthuthukiswa Kongoti Bazempilo<br>Umisebenzi wokujinela izifo<br>Uxhasomali Oudidiyelwe LeSandozielengcalazi neNgculazi   | 6,200,035                       | 5,961,040                     | 261,356               | 77,639             |                                |
|       | 3. Imisebenzi Yesampilo Ephuthumayo<br>Ukuhlizisekela ngosizo lwesampilo oluphuthumayo ngaphambi kokufika esibhedlela kubandakanya nokwelulisekela kwesinye isibhedlela nokuhlela kwesizinto zokuthutha  | 553,561                         | 470,385                       | 487                   | 82,689             | 76,502<br>94,232<br>-466,922   |
|       | 4. Imisebenzi Yasesibhedlela Esifundazweni<br>Ukuhlizisekela ngosizo lwasesibhedlela olufayalekayo, olufanele kanye noluphuhlile kanye nokuhlizisekela ngemisebenzi yochwepheshe edingekayo kubandakanya nomsebenzi wokulungilekwa kwemizila, kanye nesigawu soqoqosho lochwepheshe bezampilo kanye nozwasingo.  | 3,512,310                       | 3,447,065                     | 41,906                | 23,339             |                                |
|       | 5. Imisebenzi Yosizo Lwasesibhedlela<br>Ukuqeqeshwa nokuthuthukiswa lochwepheshe bezampilo kwabasebenzi bezampilo.<br>Ukuzisa olunemibandela yilolu olulandelayo:<br>Uqeqesho luhluqo lochwepheshe Bezempilo.<br>Imisebenzi Esizingeni Eliphazulu Kazwelinko<br>Ukuqeqeshwa Nokuthuthukiswa Kochwepheshe Imisebenzi Yezikhungo Zikazwelinko Zemifundo Eliphakama | 1,271,875                       | 1,061,888                     | 3,062                 | 206,925            | 101,554                        |
|       | 6. Izifundo Zesampilo Noqeqesho<br>Ukuhlizisekela ngamathuba oqeqesho nentuthuko yelabo abangise bathi abasebenzi noma abayibo abasebenzi bomnyango.   | 503,519                         | 440,135                       | 58,389                | 4,665              | 23,936<br>788,578              |
|       | 7. Imisebenzi Yokuzisa nokweseka Ezempilo<br>Ukuhlizisekela ngobasomali emisebenzini yosizo lwesampilo, isahluluzi/ i-Aktawuntli Yokuhwebelana Ngamithi.   | 12,849                          |                               | 12,649                |                    |                                |

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| Ivoti | Ukuchazwa  | Ivoti nezabelo ezinkulu<br>R000 | Imihingwane yezimba ezabiwe |                      |                     | Izamba ezabelwe<br>Inhloso efilele<br>R000 |
|-------|--|---------------------------------|-----------------------------|----------------------|---------------------|--|
|       |  |                                 | Izinkokhelo Zamanje         | Eziduliswe Nemithaso | Izinkokhelo Zampaha |  |
|       |  |                                 |                             |                      |                     |  |
| 10    | <p><b>Umyango Wezindaba ZaseMlunkulu</b><br/>Ukudata sino isianale ukuhi nNgonyama yamaZulu ikwazi ukwenza imisebenzi</p> <p>1. Imisebenzi Yokwekelela – Ngonyama .....<br/>Ukusingatha ulwalo ikelela loMyango obhekene nazindaba zaseMlunkulu.</p> <p>2. Ukuthuthukiswa Nokuhliswa Kwezizipho .....<br/>Ukulinzeka ngayo yonke ingqalasizinda edingekayo kanye nokunakelwa</p> <p>3. Anapulazi eNgonyama .....<br/>Ukulinzeka ngosizo ekuqinweni nasekuthuthukiseni kwemapulazi eNgonyama.</p>   | 36,479                          | 32,068                      | 111                  | 4,300               | 455,984                                    |
| 11    | <p><b>Izindaba Zomdabu Mkhulumeni Basekhatya</b><br/>Ukuthuthukisa ulwalo lokuthuthukisa ulugqale kubantu, olunselelo sekubika noluseshisa ukuqheka kwezizipho lobuys luqhekelele imiphakathi esimema.</p> <p>1. Ezokuphatha .....<br/>Ukwelelela uhngongqoshe nokwenza eminye imisebenzi yokwekelela ngaphakathi eMnyangweni, kanye nokuphatha kwezimali.</p> <p>2. Ulwalo Lohulumeni Basekhatya .....<br/>Ukqalisa uhlelo lwesokuphatha nolwezimali komasipala, ukuhlinzeka ngengqalasizinda yomasipala.<br/><i>Ukuziso olugqale:</i><br/>Kwinqalasisizinda yokwakhiswa kwezinkundla ezinkulu zebhola.</p> <p>3. Intuthuko Nokhalela .....<br/>Ukukhuthaza ukhalela okudidiyele kanye nentuthuko esifundazweni.<br/><i>Ukhasomali okweduliselwa kulesi sikhungo somphakathi:</i><br/>Ikhomishana yesifundazwe Yesokuhlela Nentuthuko</p> <p>4. Ukulawula Kwezikhungo Zomdabu .....<br/>Ukweseka nokuthuthukisa amandla ezindawo zamakhozi esifundazweni.</p> <p>5. Ukuthuthukiswa Kwezindawo Zasemadolobheni Nezasemakhaya .....<br/>Ukuzisa imiphakathi eMhathwa njengomnotho ophansi ukuba lithole amathuba okufinyelela kumnotho wezenhlobo nokuthhekana kangcono nezinsalelo ababhekene nazo.</p> <p>6. Ukhuthukiswa Kwezikhungo Nezihlelo .....<br/>Ukwakha nokqalasa Isu Lokusenzisa Ekuthuthukisweni Kwemakhono okubanzi lomnyango, ngaphazisi kokusungula izikhungo zokugqoka nokubola kanye nokuchumama kwangaphandle ukuse kuthuthukiswe kungquku Zikamasipala</p> | 766,070                         | 563,933                     | 131,891              | 52,246              | 89,000                                     |
|       |  | 147,887                         | 132,909                     | 108                  | 14,870              |  |
|       |  | 233,989                         | 128,989                     | 104,000              | 1,000               |  |
|       |  | 101,569                         | 79,528                      | 27,410               | 631                 | 89,000                                     |
|       |  | 105,154                         | 103,441                     | 373                  | 1,340               |  |
|       |  | 135,017                         | 100,812                     | -                    | 34,405              |  |
|       |  | 44,464                          | 44,464                      | -                    | -                   |  |

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| Ivoti | Ukuhazwa  | (UHLU) Ivoti nezabelo ezinkulu |           | Imihlingwane yesambi ezabive |                      |                     | Izamba ezabive<br>Inhliso ethile |
|-------|---|--------------------------------|-----------|------------------------------|----------------------|---------------------|----------------------------------|
|       |   | R000                           | R000      | Izinkokhelo Zamanje          | Ezidululwe Nemikhiso | Izinkokhelo Zempaha |                                  |
| 12    | <p><b>Ezokuthutha</b></p> <p>Ukukhazwa umphakathi ngengqalazizinda edidiyela nefinyelelekeyo yezokuthutha, ukukhazwa ukuphepha kwizokuthutha emgwagweni kanye nokufikeleleka ukuthi ekwenzani lotho, umnyango uyalingatuzane nezango zeninzi zezokuthutha.</p> <p>1. Ezokuphatha</p> <p>Ukukhazwa ngemisebenzi yokufikeleleka kanye nokusungatha ukuphathwa jikelele komnyango.</p> <p>2. Ingqalazizinda Yezomgwago</p> <p>Ukukhazwa ngengqalazizinda yemgwago esifundazweni ngokulinganayo ngokwenzwa ngcono kwemgwago kanye nokugcinwa kwayo kanye namabuloho, ngokusebenzisa le mali yohlasomali elandelayo:</p> <p>Ukhasomali Lwengqalazizinda Yesifundazwe</p> <p>3. Ukuthutha</p> <p>Ukukhazwa ukulawula nokuthutha ezokuthutha umphakathi nempaha ukuzo kufikeleleke ezokuthutha umphakathi nempaha eziphethile nezisimema, ngokudlulisela uhasomali kulazi sikhungo.</p> <p>Umkhazulo Wezamatheki KwaZulu-Natal</p> <p>4. Ukulawula Kwizokuthutha</p> <p>Ukukhazwa isimo esiphethile emgwagweni ngokulawula tokujambisa kwazimato emgwagweni yomphakathi, ukunolishwa komthetho, ukulawula kwemikhankaso yokuphepha emgwagweni kanye nezinhlelo zokugqashisa nokubhaliswa nokunikazwa kwamalayisense ezimato nawabashayeli.</p> <p>5. Izinhlelo Ezigqile Eumphakathini</p> <p>Ukukhazwa izinhlelo zeninzi ezakhele ukuthutha nokudlulisela amakhono kulayo umphakathi eyayinokhazwa amathuba ngaphambili, kuthi ngalayo indlela kokuthazwa ukubamba kwayo iqhaza emthethweni waswe.</p> | 3,119,867                      | 1,056,428 | 22,368                       | 2,058,053            | 573,012             |                                  |
| 13    | <p><b>Ezokufikeleleka Nokuthutha Kwemphakathi</b></p> <p>Ukukhazwa ukuthutha nokuthutha ezokufikeleleka ezididiyela nezibeka umphakathi phambili, ukuzo kubululiseke lihono lawo wonke umntu KwaZulu-Natal.</p> <p>1. Ezokuphatha</p> <p>Ukukhazwa ngolawulo jikelele olwasekela emaswini okusebenza kanye nemisebenzi yokufikeleleka umnyango.</p> <p>2. Ukuqinisekisa ngemisebenzi wosizo lomphakathi nasobalelo ngenhlo yezingane, imideli, abantu abadala, abantu abangabisi ngayo nabantu abayezayo, abantu abayezayo yezingane ngokulinganayo ngalazi, abantu abayezayo, kanye nabantu abayezayo wokuthutha ngokulinganayo ngokwenzwa ngokwenzwa ngokwenzwa emphakathini.</p> <p>3. Imibutho nokwawingo</p> <p>Ukukhazwa ngazinhlelo ezinokupheka ezizosiza abantu abahlanganyela ezizosiza ngokwawingo.</p>  | 1,000,360                      | 523,951   | 422,986                      | 55,421               | 47,087              |                                  |
| 14    | <p><b>Ezomisebenzi</b></p> <p>Ukukhazwa ngokwawingo ezizosiza nemisebenzi yokulawula kwazizindlu ngendlela efanekile ezokuthutha amathuba emisebenzi ukuzo kugqwethe ububha.</p> <p>1. Ezokuphatha</p> <p>Ukukhazwa ukuphathwa jikelele komnyango, ukukhazwa kwengqomgomo ngokwawingo kanye nabaphathi bomnyango kanye nokukhazwa ngemisebenzi yezokuphatha neyasehlovisi enobungoweli.</p> <p>2. Umhlabo</p> <p>Ukukhazwa ukusebenza kanye kophiko lwemimhlabo kanye nokufikeleleka ukuthi abantu abasebenzani nabo bafikeleleke ngokwawingo ngalazi ngalazi.</p> <p>3. Ukukhazwa ngokwawingo, izinhlelo kanye nezizenzekusobenzisa</p>  | 479,419                        | 425,304   | 7,028                        | 47,087               | 37,877              |                                  |

| Ivoti | Ukuchazwa  | (UHLU) Ivoti nezabelo ezinkulu | Imifinilingwane yesamba ezabiliwe |                       |                     | Izamba ezabelwe Inhliso ethile |
|-------|--|--------------------------------|-----------------------------------|-----------------------|---------------------|--------------------------------|
|       |  |                                | Izinkokhelo Zamanje               | Ezidulisiwe Nemixhaso | Izinkokhelo Zamanja |                                |
|       |  | R000                           | R000                              | R000                  | R000                | R000                           |
|       | Ukulinzeka iminyango esibanzisana nayo ngezindlu, izakhiwo, kanye nempahla ngesikhathi esifanele luthi ngokulandela izimiselo zayo, ukwenza ngcono indlela ezilinzeka ngayo ngemisebenzi, ukwenza indawo engcono neyumelela ukuthuthuka kwemabizini asafutisa nayichishe amathuba ngaphambili, ukukhela amasu okutambileana, kanye nokukhela nokupondisa imisebenzi neyehovisi lesilunda.  |                                |                                   |                       |                     |                                |
| 15    | <b>Ezobulko, Amasiko Nezokuvasha</b><br>Ukulinzeka nokuthuthaza imisebenzi edondolobele yezamasiko nokuvakasha ehekela lidingo ezahlukeno zabantu bakulesi sifundazwe ukuze kwenziwe ngcono izinga labo lempilo.<br>1. Ezokuphatha .....<br>Ukusingathisa ukuphathwa i-kelele komnyango.<br>2. Ezamasiko .....<br>Ukuzisa izinhlangano zezobulko namasiko, ukuthuthaza, ukuthuthukisa nokugcina amasiko ukuze kubombele abantu baKwaZulu-Natali.<br>Okunololu Xhasomali olulandelayo:<br>ICZN Philharmonic Orchestra<br>3. Imisebenzi Yezemilapo Yolwazi Nezokuphatha Kwamaqungu<br>Ukuthuthukisa imilapo yolwazi yomphakathi kanye nezinqolobane zokugcina amaqungu esifundazweni.<br>Uchaso olunembandela vijulu olulandelayo:<br>Ukhlaso Lwemisebenzi Yemilapo Yolwazi<br>4. Ezokuvakasha Nokwesalela izikhungo Zomphakathi<br>Ukuthuthaza ukuthuthuka kempahlo ngokuthuthaza nokuthuthukisa amathuba amabizini kwesokuvakasha, ukukhela nobuhla, ukukhela amathuba emisebenzi, ukwakha ubudlelwane obugqirha nezinkampani zangaphandle, kanye nokweseka izikhungo zomphakathi. Lokhu kufaka phakathi ukudluliselwa kwemizali kulezi zikhungo ezilandelayo:<br>KZN Tourism Authority<br>Natali Share Board. | 287,394                        | 174,164                           | 109,870               | 3,560               | 13,950                         |
|       |  | 44,757                         | 44,227                            |                       | 530                 |                                |
|       |  | 61,786                         | 47,085                            | 14,291                | 410                 |                                |
|       |  | 91,488                         | 69,668                            | 5,000                 | 2,970               |                                |
|       |  | 89,363                         | 13,164                            | 76,149                | 50                  | 13,950                         |
|       |  |                                |                                   | 57,536                |                     |                                |
|       |  |                                |                                   | 18,613                |                     |                                |
| 16    | <b>Ezimidlalo nezokungcabeleka</b><br>Ukwenza ngcono izinga lempilo kubantu baKwaZulu-Natali ngokwandisa amathuba okungcabeleka nokuvakasha kwesemidlalo, ngokubamba iqhaza nokuthuthukisa abantu abaningi.<br>1. Ezokuphatha .....<br>Ukusingathisa ukuphathwa i-kelele komnyango, ukwakhwa kweinqumbongo nguNgqongqoche kanye nabaphathi bomnyango.<br>2. UkuHlawa Kwesemidlalo .....<br>Ukuchakambisa, ukuthuthukisa nokulinzeka ngezimali ezemidlalo esifundazweni.<br>Okufaka phakathi loku xhasomali:<br>UkuBamba Qhaza, kweningi kwesemidlalo nakwezokungcabeleka   | 161,177                        | 124,902                           | 28,373                | 7,902               | 37,276                         |
|       |  | 35,347                         | 33,419                            | 26                    | 1,902               |                                |
|       |  | 125,830                        | 91,483                            | 28,347                | 6,000               |                                |

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| Ivoti  | Ukuchazwa  | Isabelozimali    | MTEF             |                  |
|--|--|------------------|------------------|------------------|
|  |  | 2007/08          | 2008/09          | 2009/10          |
|  |  | R000             | R000             | R000             |
| <b>7 Ezempilo</b>  |  |                  |                  |                  |
| <b>5. Imisebenzi Yosizo Yasesibhedlela .....</b>         | <b>Ukuhlinzeka ngonakekelo lwezempilo oluyisipesheli kuwo wonke amazanga, kanye nangenkundla yokuqeqeshwa kochwepheshe, okufaka phakathi Imisebenzi Yokwelekelela Izabelo eziqondiswe ezikhungweni</b> | <b>1,271,875</b> | <b>1,395,811</b> | <b>1,540,400</b> |
| 5.1 Iziphedlela Ezinkulu .....                           | Inkosi Albert Luthuli Central Hospital   | 366,638          | 383,699          | 412,440          |
|  |  | 409,818          | 490,519          | 543,000          |
| 5.2 Iziphedlela Ezisebenzisana Nezikhungo Zemfundo ..... | Inkosi Albert Luthuli Central Hospital   | 748,864          | 784,458          | 821,627          |
|  | Greys Hospital   | 536,639          | 563,471          | 605,753          |
|  | Ngwelezane Hospital  | 212,998          | 223,648          | 246,620          |
|  | Empangeni Hospital   | 32,655           | 34,419           | 46,415           |
|  | Mseleni Hospital   | 16,851           | 17,694           | 28,720           |
|  |  | 2,478            | 2,602            | 2,753            |

No. 2

2 August 2007

[English text signed by the Premier]

**KWAZULU-NATAL PROVINCIAL PUBLIC PROTECTOR ACT  
REPEAL ACT, 2007  
(Act No. 4 of 2007)  
Assented to on 18-07-2007**

# **ACT**

**To provide for the repeal of the KwaZulu-Natal Provincial Public Protector Act, 1994; and to provide for matters connected therewith.**

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

**Repeal of law**

1. The KwaZulu-Natal Provincial Public Protector Act, 1994 (Act No. 9 of 1994), is hereby repealed.

**Short title**

2. This Act is called the KwaZulu-Natal Provincial Public Protector Act Repeal Act, 2007.

No. 2

2 Augustus 2007

[Engelse teks deur die Premier geteken]

**KwaZulu-Natal Wet op die Provinsiale Openbare  
Beskermer, 2007.****(Wet No. 4 van 2007)  
Goedgekeur op 18-07-2007****WET**

**Om voorsiening te maak vir die herroeping van die KwaZulu-Natal Wet op die Provinsiale Openbare Beskermer, 1994; en om vir aangeleenthede in verband daarmee voorsiening te maak.**

DAAR WORD soos volg deur die Provinsiale Wetgewer van die provinsie KwaZulu-Natal bepaal:-

**Herroeping van wet**

1. Die KwaZulu-Natal Wet op die Provinsiale Openbare Beskermer (Wet No. 9 van 1994), word hierby herroep.

**Kort titel**

5. Hierdie Wet heet die Herroepingswet op die KwaZulu-Natal Wet op die Provinsiale Openbare Beskermer, 2005.

No. 2

2 kuNcwaba 2007

[Umbhalo wesiNgisi unyathelwe Ndunankulu]

**UMTHETHO WOKUCHITHA UMTHETHO WOMVIKELI  
WOMPHAKATHI WESIFUNDAZWE WAKWAZULU-NATALI, 2007.**

**(uMthetho No. 4 ka 2007)**

**Uvunywe ngomhlaka 18-07-2007**

## **UMTHETHO**

**Wokuhlinzekela ukuchithwa koMthetho woMvikeli woMphakathi wesiFundazwe waKwaZulu-Natali, 1994; kanye nokuhlinzekela okunye okuphathelene nalokho.**

**MAKUMISWE UMTHETHO yisiShayamthetho sesiFundazwe saKwaZulu-Natali, kanje:-**

**Ukuchithwa komthetho**

**1. UMthetho woMvikeli woMphakathi wesiFundazwe waKwaZulu-Natali, 1994 (uMthetho No. 9 ka 1994), ngalokhu uyachithwa.**

**Isihloko esifingqiwe**

**2. Lo Mthetho ubizwa ngokuthi uMthetho wokuChitha uMthetho woMvikeli woMphakathi wesiFundazwe waKwaZulu-Natali, 2007.**

No. 3

2 August 2007

[English text signed by the Premier]

**KWAZULU-NATAL PEACE ACT REPEAL ACT, 2007**  
**(Act No. 5 of 2007)**

Assented to on 18-07-2007

# ACT

**To provide for the repeal of the KwaZulu-Natal Peace Act, 1995; and to provide for matters connected therewith.**

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

### **Definitions**

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

“**Department**” means the Department in the Provincial Government of KwaZulu-Natal responsible for community safety and liaison;

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

### **Repeal of laws**

2. The KwaZulu-Natal Peace Act, 1995 (Act No. 3 of 1995), the KwaZulu-Natal Peace Amendment Act, 1997 (Act No. 3 of 1997), and the KwaZulu-Natal Peace Repeal Act, 2002 (Act No. 3 of 2002), are hereby repealed.

### **Disposal of assets**

3. (1) The Department is the legal successor to the KwaZulu-Natal Peace Committee established in terms of section 2 of the repealed KwaZulu-Natal Peace Act, 1995 (Act No. 3 of 1995).

(2) All movable and immovable assets of the KwaZulu-Natal Provincial Peace Committee, including any unspent portion of funds received in terms of section 15(1) and (3) of the repealed KwaZulu-Natal Peace Act, 1995 (Act No. 3 of 1995), vest in the Department.

**Validation**

4. Any act, determination, designation, decision, matter or any other thing done, made, taken, executed or carried out or purported to have been done, made, taken, executed or carried out by KwaZulu-Natal Provincial Peace Committee, the Director-General, the Executive Director, the local committee, Parliament, the Portfolio Committee, the Minister, or the Minister of (Provincial) Finance as defined in the repealed KwaZulu-Natal Peace Act, 1995 (Act No. 3 of 1995), in terms of or in pursuance of that Act from 21 November 1995 to the date of commencement of this Act, is not invalid by reason only of the commencement date of the repealed KwaZulu-Natal Peace Act, 1995 (Act No. 3 of 1995), not having been fixed in the *Gazette* by the Premier, as contemplated in section 17 of that Act.

**Short title**

5. This Act is called the KwaZulu-Natal Peace Act Repeal Act, 2007.

No. 3

2 Augustus 2007

[Engelse teks deur die Premier geteken]

**HERROEPINGSWET OP DIE KWAZULU-NATAL VREDESWET, 2007  
(No. 5 van 2007)**

Goedgekeur op 18-07-2007

**WET****Om voorsiening te maak vir die herroeping van die KwaZulu-Natal Vredeswet, 1995; en om vir aangeleenthede in verband daarmee voorsiening te maak.**

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

**Omskrywings**

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

“**Departement** ” die departement van die Provinsiale Regering verantwoordelik vir gemeenskapveiligheid en skakeling;“**Koerant**” die amptelike *Provinsiale Koerant* van die die Provinsie KwaZulu-Natal.**Herroeping van wette**

2. Die KwaZulu-Natal Vredeswet, 1995 (Wet No. 3 van 1995), die KwaZulu-Natal Wysigingswet op die Vredeswet, 1997 (Wet No. 3 van 1997) en die KwaZulu-Natal Herroepingswet op die Vredeswet, 2002 (Wet No. 3 van 2002) word hierby herroep.

**Beskikking oor bates**

3. (1) Die Departement is die regsopvolger van die KwaZulu-Natal Vredeskomitee wat ingevolge artikel 2 van die h erroepe KwaZulu-Natal Vredeswet, 1995 (Wet No. 3 van 1995) ingestel is.

(2) Alle roerende en onroerende bates van die KwaZulu-Natal Provinsiale Vredeskomitee, met inbegrip van enige onbestede gedeelte van fondse wat ingevolge artikel 15(1) en (3) van die herroepe KwaZulu-Natal Vredeswet, 1995 (Wet No. 3 van 1995) ontvang is, val terug op die Departement.

**Bekragtiging**

4. Enige handeling, bepaling, aanwysing, besluit, aangeleentheid of enige ander ding gedoen, gemaak, geneem of uitgevoer of voorgegee om gedoen, gemaak, geneem of uitgevoer te wees deur die KwaZulu-Natal Provinsiale Vredeskomitee, die Direkteur-generaal, die Uitvoerende Direkteur, die plaaslike komitee, Parlement, die Portefeuljekomitee, die Minister, of die Minister van (Provinsiale) Finansies soos omskryf in die herroepe KwaZulu-Natal Vredeswet, 1995 (Wet No. 3 van 1995) ingevolge of kragtens daardie Wet vanaf 21 November 1995 tot die datum van die inwerkingtreding van hierdie Wet, is nie ongeldig slegs op grond daarvan dat die datum van inwerkingtreding van die herroepe KwaZulu-Natal Vredeswet, 1995 (Wet No. 3 van 1995) nog nie deur die Premier in die *Koerant* vasgestel is soos bedoel in artikel 17 van daardie Wet nie.

**Kort titel**

5. Hierdie Wet heet die Herroepingswet op die KwaZulu-Natal Vredeswet, 2007.

No. 3

2 kuNcwaba 2007

[Umbhalo wesiNgisi unyathelwe nguNdunankulu]

**UMTHETHO WOKUCHITHA UMTHETHO WOXOLO WAKWAZULU-NATALI,  
2007  
(No. 5 ka 2007)**

Uvunywe mhlaka 18-07-2007

## UMTHETHO

Wokuhlinzekela ukuchithwa koMthetho woXolo waKwaZulu-Natali, 1995; kanye nokuhlinzekela okunye okuphathelene nalokho.

MAKUMISWE UMTHETHO yisiShayamthetho sesiFundazwe saKwaZulu-Natali, kanje:-

### Izincazelo

1. Kulo Mthetho, ngaphandle uma ingqikithi isho okwehlukile -

*“iGazethi”* kusho *iGazethi yesiFundazwe saKwaZulu-Natali*.

*“uMnyango”* kusho uMnyango kaHulumeni wesiFundazwe saKwaZulu-Natali obhekele ukuphepha nokuxhumana nomphakathi;

### Ukuchithwa kwemithetho

2. UMthetho woXolo waKwaZulu-Natali, 1995 (uMthetho No. 3 ka 1995), uMthethosichibiyelo woXolo waKwaZulu-Natali, 1997 (uMthetho No. 3 ka 1997), kanye noMthetho wokuChitha uXolo, 2002 (uMthetho No. 3 ka 2002), ngalokhu iyachithwa.

### Ukuchithwa kwempahla

3.(1) UMnyango ulandela ngokusemthethweni iKomidi loXolo laKwaZulu-Natali elasungulwa ngokwesigaba 2 soMthetho woXolo waKwaZulu-Natali, 1995 (uMthetho No. ka 1995) osuchithiwe.

(2) Zonke izimpahla ezisukayo nezingenakususwa zeKomidi loXolo laKwaZulu-Natali, kubandakanya nezimali ezingakasetshenziswa ezatholakala ngokwesigaba 15(1) no (3) soMthetho woXolo waKwaZulu-Natali, 1995 (uMthetho No. 3 ka 1995), zis ezandleni zoMnyango.

**Ukuqinisekiswa**

4. Noma yisiphi isenzo, isinqumo, isikhundla, udaba nanoma iyiphi into eyenziwe, ethathwe noma okuhloswe ukuthi yenziwe, ithathwe nguHulumeni weKomidi loXolo, uMqondisi-Jikelele, uMqondisi oPhethe, ikomidi lasekhaya, iPhalamende, iKomidi leziKhundla, uN gqongqoshe, noma uNgqongqoshe wezeziMali (wesiFundazwe) njengoba kuchazwe eMthethweni woXolo, 1995 (uMthetho No. 3 ka 1995) osuchithiwe, ngokwalowo Mthetho kusukela ngomhlaka 21 kuLwezi 1995 kuya osukwini lokuqala kokusebenza kwalo Mthetho, akusho ukuthi akukho semthethweni ngenxa yokuthi usuku lokuqala kokusebenza koMthetho woXolo waKwaZulu-Natali, 1995 (uMthetho No. 3 ka 1995) osuchithiwe, alunqunywanga *kwiGazethi* nguNdunankulu, njengoba kuhlangezwe esigabeni 17 salowo Mthetho.

**Isihloko esifingqiwe**

5. Lo Mthetho ubizwa ngokuthi uMthetho wokuChitha uMthetho woXolo waKwaZulu-Natali, 2007.

No. 4

2 August 2007

[English text signed by the Premier]

**KWAZULU-NATAL ELIMINATION AND PREVENTION OF  
RE-EMERGENCE OF SLUMS ACT, 2007  
(Act No. 6 of 2007)**

**Assented to on 18-07-2007**

## **ACT**

**To provide for the progressive elimination of slums in the Province of KwaZulu-Natal; to provide for measures for the prevention of the re-emergence of slums; to provide for the upgrading and control of existing slums; and to provide for matters connected therewith.**

### **PREAMBLE**

WHEREAS the provision of affordable housing for all citizens in South Africa, and especially those sectors of the community who, prior to the advent of democracy in South Africa, were disadvantaged politically and economically, is a cornerstone in the building of a stable and healthy national community;

AND WHEREAS everyone has a constitutional right to have access to affordable housing;

AND WHEREAS section 7 of the Housing Act, 1997 (Act No. 107 of 1997), encourages provincial governments to, amongst other things, enact legislation which will facilitate the achievement of the objective of providing adequate and affordable housing;

AND WHEREAS the KwaZulu-Natal Housing Act, 1998 (Act No. 12 of 1998), was duly enacted by the KwaZulu-Natal provincial government to afford everyone in the Province access to affordable housing;

AND WHEREAS one of the objectives of both the Housing Act, 1997 (Act No. 107 of 1997), and the KwaZulu-Natal Housing Act, 1998 (Act No. 12 of 1998), is to encourage interaction and support between provincial and local governments in the provision of affordable housing;

AND WHEREAS it is desirable to introduce measures which seek to enable the control and elimination of slums, and the prevention of their re-emergence, in a manner that promotes and protects the housing construction programmes of both provincial and local governments,

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

## ARRANGEMENT OF SECTIONS

### *Section*

#### CHAPTER 1

#### DEFINITIONS, APPLICATION AND OBJECTS OF ACT

1. Definitions
2. Application of Act
3. Objects of Act

#### CHAPTER 2

#### PROHIBITION OF UNLAWFUL OCCUPATION AND USE OF SUBSTANDARD ACCOMMODATION

4. Prohibition of unlawful occupation
5. Prohibition on use of substandard accommodation for financial benefit
6. Responsibility of municipality on use of substandard accommodation

#### CHAPTER 3

#### ROLE OF RESPONSIBLE MEMBER OF EXECUTIVE COUNCIL

7. Provision of adequate and affordable housing

8. Powers and functions of responsible Member of Executive Council

CHAPTER 4

ROLE OF MUNICIPALITIES

9. Progressive realisation of right to adequate and affordable housing
10. Eviction by municipality
11. Submission of status and annual reports to responsible Member of the Executive Council
12. Condition for provision of alternative land or buildings
13. Establishment of transit area
14. Notice to owner or person in charge to upgrade land or building

CHAPTER 5

DUTIES OF OWNERS AND PERSONS IN CHARGE OF LAND OR BUILDING

15. Steps to prevent unlawful occupation
16. Eviction of unlawful occupiers

CHAPTER 6

GENERAL MATTERS

17. Report to Provincial Legislature by responsible Member of Executive Council
18. Right of municipalities to expropriate land
19. Municipal by-laws
20. Offences
21. Penalties
22. Regulations
23. Delegations
24. Short title

CHAPTER 1

DEFINITIONS, APPLICATION AND OBJECTS OF ACT

**Definitions**

1. In this Act any word or expression to which a meaning has been assigned in the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998 (Act No. 19 of 1998), must, unless clearly inappropriate, bear that meaning, and unless the context indicates otherwise –

"**annual report**" means a report referred to in section 11;

"**building**" includes any structure, hut, shack, tent or similar structure or any other form of temporary or permanent dwelling or shelter, irrespective of the material used in the erection thereof, erected or used for or in connection with the accommodation or convenience of persons;

"**Constitution**" means the Constitution of the Republic of South Africa, 1996;

"**department**" the department in the Provincial Government of KwaZulu-Natal responsible for housing;

"**financial year**" means the period from 1 April in any year to 31 March of the following year;

"**Gazette**" means the official *Provincial Gazette* of KwaZulu-Natal;

"**informal settlement**" means an area of unplanned and unapproved informal settlement of predominantly indigent or poor persons with poor or non-existent infrastructure or sanitation;

"**integrated development planning**" means planning by a municipality in accordance with a plan envisaged in section 25 of the Local Government: Municipal Systems Act, 2000 (Act No.32 of 2000), and "**integrated development plan**" has a corresponding meaning;

"**land**" means a portion of land that is occupied or is capable of being occupied by persons;

"**municipal manager**" means a person appointed in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No.117 of 1998);

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

"**officer**" means an officer as defined in section 1 of the KwaZulu-Natal Housing Act, 1998 (Act No.12 of 1998);

**"Prevention of Illegal Eviction from and Unlawful Occupation of Land Act"** means the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998 (Act No. 19 of 1998);

**"person in charge"** means a person who has or at the relevant time had, the legal authority to give permission to a person to enter or reside upon any land or building;

**"Province"** means the Province of KwaZulu-Natal as contemplated in section 103 of the Constitution, 1996;

**"Provincial Government"** means the Provincial Government of the Province of KwaZulu-Natal;

**"Provincial Housing Code"** means the Provincial Housing Code referred to in section 34 of the KwaZulu-Natal Housing Act, 1998 (Act No.12 of 1998);

**"provincial housing development fund"** means the provincial housing development fund contemplated in section 12(2) of the Housing Act, 1997 (Act No. 107 Of 1997);

**"Provincial Legislature"** means the Legislature of the Province of KwaZulu-Natal;

**"regulations"** means regulations made in terms of section 22;

**"responsible Member of the Executive Council"** means the member of the Executive Council of the KwaZulu-Natal Province responsible for housing;

**"slum"** means overcrowded or squalid land or buildings occupied by predominantly indigent or poor persons, without security of tenure and with poor or non-existent infrastructure or sanitation, and

**"slum conditions"** has a corresponding meaning;

**"slum elimination programme"** means a programme contained in the status and annual report of a municipality submitted in terms of section 11;

**"status report"** means a report referred to in section 11;

**"this Act"** includes the regulations;

**"traditional council"** means a traditional council established in terms of section 6 of the KwaZulu-Natal Traditional Leadership and Governance Act, 2005 (Act No. 5 of 2005);

**"transit area"** means any land or building acquired or used by a municipality for temporary accommodation or settlement of persons who are removed from a slum or informal settlement.

### **Application of Act**

2.(1) This Act applies to all matters pertaining to the promotion of and protection against illegal and unlawful occupation of land or buildings in the Province.

(2) Where this Act does not regulate a matter pertaining to promotion and protection against illegal and unlawful occupation of land or buildings, the provisions of the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, apply.

### **Objects of Act**

3. The objects of this Act are –

- (a) to eliminate slums;
- (b) to prevent the re-emergence of slums;
- (c) to promote co-operation between the department and municipalities in the elimination of slums;
- (d) to promote co-operation between the department and municipalities in the prevention of the re-emergence of slums;
- (e) to monitor the performance of the department and municipalities in the elimination and prevention of the re-emergence of slums; and
- (f) to improve the living conditions of the communities, in the Province.

**CHAPTER 2**  
**PROHIBITION OF UNLAWFUL OCCUPATION AND USE OF SUBSTANDARD**  
**ACCOMMODATION**

**Prohibition of unlawful occupation**

4.(1) No person may occupy any land or building without the consent of the owner or person in charge of such land or building.

(2) Any person who contravenes subsection (1) in respect of residential premises, may be evicted from such land or building after following the procedure set out in sections 4, 5 or 6 of Prevention of Illegal Eviction from and Unlawful Occupation of Land Act.

**Prohibition on use of substandard accommodation for financial benefit**

5. The owner or person in charge of a building or structure may not allow persons to use such building or structure for accommodation purposes and in return for financial benefit if such building or structure has not been approved by the municipality in terms of regulations made under the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), or is clearly not fit for human habitation on the basis that such building or structure –

- (a) does not have access to natural light;
- (b) does not have running water supply available or connected;
- (c) does not have ablution facilities available or connected;
- (d) is a health nuisance as defined in the National Health Act, 2003 (Act No. 61 of 2003); or
- (e) is in a serious state of neglect or disrepair.

**Responsibility of municipality on use of substandard accommodation**

6.(1) A municipality within whose area of jurisdiction a building or structure referred to in section 5 falls must give a written notice to the owner or person in charge thereof to institute, within the period stipulated in such notice, proceedings for the eviction of the occupants thereof.

(2) If the owner or person in charge of the building or structure fails to comply with the notice referred to in subsection 1, the municipality may institute proceedings for the eviction of the

occupants of such building or structure as provided for in section 6 of the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act.

### CHAPTER 3 ROLE OF RESPONSIBLE MEMBER OF EXECUTIVE COUNCIL

#### **Provision of adequate and affordable housing**

7. Subject to the provisions of the Housing Act, 1997 (Act No. 107 Of 1997), the responsible Member of the Executive Council must promote and facilitate the provision of adequate housing throughout the Province within the framework of the national policy on housing development.

#### **Powers and functions of responsible Member of Executive Council**

8.(1) For the purposes of section 7, the responsible Member of the Executive Council must –

- (a) ensure that the slum elimination programme adopted by a municipality is consistent with
  - (i) the objectives of the provincial policy in respect of housing development; and
  - (ii) the multi-year plan for the execution of national and provincial housing programmes in the Province, as contemplated in section 2B(3) of the KwaZulu-Natal Housing Act, 1998 (Act No. 12 of 1998);
- (b) monitor the progress made by municipalities in their programmes for the eradication of slums within their respective areas of jurisdiction;
- (c) co-ordinate slum elimination and related activities in the Province;
- (d) take all reasonable and necessary steps to support municipalities in their progressive elimination of slums; and
- (e) administer the provincial housing programme and may, for this purpose, in accordance with that programme and the prescripts contained in the Provincial Housing Code, approve –
  - (i) any project that is recommended by a municipality to upgrade and improve a slum or informal settlement within its area of jurisdiction;
  - (ii) any project adopted by a municipality to relocate persons living in a slum or an informal settlement within its area of jurisdiction; or
  - (iii) the financing of the projects referred to in subparagraph (i) and (ii) out of money paid into the KwaZulu Natal Housing Fund established in terms of section 11 of the KwaZulu-Natal Housing Act, 1998 (Act No. 12 of 1998).

(2) The responsible Member of the Executive Council may, generally, do everything which is necessary or expedient to achieve the objects of this Act referred to in section 3 and to perform the duties and carry out his or her functions referred to in subsections (1).

#### CHAPTER 4 ROLE OF MUNICIPALITIES

##### **Progressive realization of right to adequate and affordable housing**

9.(1) A municipality may, as part of its process of integrated development planning, and within its available resources –

- (a) take reasonable measures to achieve for its inhabitants the progressive realization of the right of access to adequate housing contained in section 26 of the Constitution;
- (b) promote the establishment, development and maintenance of socially and economically viable communities and of safe and healthy living conditions to ensure the elimination and prevention of slums and slum conditions;
- (c) encourage and promote housing and economic development in rural areas within its area of jurisdiction so as to avoid the undue influx of persons to urban areas and the resultant development of slums;
- (d) in the case of a Category B municipality, collaborate with the Category C municipality within whose area of jurisdiction it falls, to enable initiatives for the provision of housing sector plans based on a safe and healthy environment for the community to be coordinated on a district-wide basis; and
- (e) in the case of land falling within the area of a traditional council, consult with the traditional council concerned with a view to agreeing to appropriate measures for the elimination of existing slum conditions within the area of such traditional council.

(2) Subject to subsection (3), the responsible Member of the Executive Council may, in the interest of health or safety, and after consulting with the affected municipalities, require a neighboring municipality or the Category C municipality within whose area of jurisdiction a Category B municipality falls to provide any sanitary or other service to the occupants of a slum, an informal settlement or a transit area within the area of jurisdiction of such Category B municipality if, in the opinion of the responsible Member of the Executive Council, the neighboring or Category C municipality concerned is best able and suited to provide such sanitary or other service to the occupants of a slum, an informal settlement or a transit area.

(3) A municipality that is required by the responsible Member of the Executive Council to provide sanitary or other services in terms of subsection (2) must prioritize its available Municipal Infrastructure Grant funding for the provision of such service.

### **Eviction by municipality**

**10.** A municipality may, subject to section 6 of the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, the Constitution, and any other national legislation protecting the housing or occupational rights of persons, institute proceedings for the eviction of an unlawful occupier from land or buildings falling within its area of jurisdiction if such eviction is in the public interest.

### **Submission of status and annual reports to responsible Member of Executive Council**

**11.(1)** Each municipality must, within six months of the commencement of this Act, prepare and submit to the responsible Member of the Executive Council a status report –

- (a) detailing the number and location of existing slums within its area of jurisdiction, together with details of its slum elimination programme and key performance indicators to measure progress in the implementation of such programme;
- (b) detailing, in respect of each slum, the ownership, description and the estimated number of persons in occupation thereof;
- (c) indicating, in the case of persons who are unlawful occupiers of a slum, whether –
  - (i) such persons have been in occupation thereof for more than six months;
  - (ii) land or building may be made available or may reasonably be made available by the municipality or other organ of state or another owner of land or building for their relocation, particularly, where they have been in occupation for more than six months; and
  - (iii) the estimated cost, if any, of acquiring the available land or building for the relocation of unlawful occupiers; and
- (d) containing recommendations by the municipality as to which slums, if any, are suitable for upgrading and improvement to address the shortage of housing, as well as the estimated cost of such upgrading and improvement.

(2) Each municipality must, after submitting the status report referred to in subsection (1), prepare, within three months after the end of each financial year, an annual report for that financial year reflecting –

- (a) the steps taken towards the realization of its slums elimination programme during that financial year, as well as the improvements made in the living conditions of the persons concerned as a result thereof;
- (b) a comparison of the progress referred to in paragraph (a) with targets set in the key performance indicators referred to in subsection (1)(a) and the performance in the previous financial year; and
- (c) measures taken by the municipality to improve on the progress made to bring it in line with the targets set in the key performance indicators.

### **Condition for provision of alternative land or buildings**

**12.** In the event of a municipality deciding to make available alternative land or buildings for the relocation of persons living in a slum, such municipality must take reasonable measures, within its available resources, to ensure that such alternative land or building is in reasonable proximity to one or more economic centres.

### **Establishment of transit area**

**13.(1)** A municipality may identify or acquire land or buildings within its area of jurisdiction for the purpose of establishing a transit area to be utilized for the temporary accommodation of persons who are evicted from a slum pending the acquisition of land or buildings for their permanent accommodation.

(2) A municipality must, in acquiring the land or buildings referred to in subsection (1), ensure that such land or building is –

- (a) suitable for the accommodation of persons; and
- (b) equipped with the necessary basic infrastructure and sanitation, prior to the occupation thereof by the persons concerned.

### **Notice to owner or person in charge to upgrade land or building**

**14.(1)** A municipality must, if it is of the opinion that any land or building within its area of jurisdiction is –

- (a) in an unhygienic condition;
- (b) in a state of disrepair; or
- (c) likely to become a slum,

give written notice to the owner or person in charge thereof, calling upon such owner or person in charge to upgrade and refurbish such land or building to remove the unhygienic conditions prevailing therein.

(2) A person served with a notice in terms of subsection (1) must, within three months, upgrade and refurbish such land or building to remove the unhygienic conditions prevailing therein.

(3) Any person who fails to comply with the provisions of subsection (2) commits an offence.

## CHAPTER 5

### DUTIES OF OWNERS AND PERSONS IN CHARGE OF LAND OR BUILDINGS

#### **Steps to prevent unlawful occupation**

**15.(1)** An owner or person in charge of vacant land or building must, within twelve months of the commencement of this Act, take reasonable steps to prevent the unlawful occupation of such vacant land or building.

(2) In the event that the owner or person in charge of vacant land or building fails to comply with subsection (1), a municipality within whose area of jurisdiction the vacant land or building falls must give written notice to the owner or person in charge thereof to, within 30 days of receipt of such notice –

(a) comply with the provisions of subsection (1); or

(b) give reasons for failure to comply.

(3) The failure by the owner or person in charge of vacant land or building to comply with the notice issued in terms of subsection (2) constitutes an offence.

#### **Eviction of unlawful occupiers**

**16.(1)** An owner or person in charge of land or a building, which at the commencement of this Act is already occupied by unlawful occupiers must, within the period determined by the responsible Member of the Executive Council by notice in the *Gazette*, in a manner provided for in section 4 or 5 of the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, institute proceedings for the eviction of the unlawful occupiers concerned.

(2) In the event that the owner or person in charge of land or a building fails to comply with the notice issued by the responsible Member of the Executive Council in terms of subsection (1), a municipality within whose area of jurisdiction the land or building falls, must invoke the provisions of section 6 of the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act.

## CHAPTER 6 GENERAL MATTERS

### **Report to Provincial Legislature by responsible Member of Executive Council**

17.(1) The responsible Member of the Executive Council must, within five months after the end of the financial year, table in the Provincial Legislature a consolidated report based on the annual reports submitted by municipalities in terms of section 11.

(2) The report referred to in subsection (1) must, amongst other things, set out –

- (a) the progress made by municipalities in eliminating slums, as well as the improvements made in the living conditions of the persons residing within the area of jurisdiction of each municipality;
- (b) the challenges, if any, encountered by municipalities in the implementation of their slum elimination programmes, as well as the solutions proposed by the responsible Member of the Executive Council to overcome such challenges; and
- (c) any other information which the responsible Member of the Executive Council may wish to bring to the attention of the Provincial Legislature in relation to the provincial programme for the elimination of slums.

### **Right of municipalities to expropriate land**

18. Subject to the provisions of the Expropriation Act, 1975 (Act No. 63 of 1975), the Local Authorities Ordinance, 1974 (Ordinance No. 25 of 1974), or any other law, a municipality may expropriate any land or right in land, whether temporarily or otherwise, required by it for the purpose of establishing a transit area or, alternatively, for permanent settlement of persons who are removed or evicted from a slum.

**Municipal by-laws**

19. A municipal council may, subject to the Constitution and national legislation, adopt bylaws not inconsistent with this Act to give effect to its slum elimination programme and the provisions of this Act.

**Offences**

20. Any person who unlawfully interferes with the reasonable measures adopted by an owner or person in charge of vacant land or building to prevent the unlawful occupation of such vacant land or building commits an offence.

**Penalties**

21. Any person convicted of an offence in terms of section 20, and other offences provided for in this Act, is liable to a fine not exceeding R20 000 or imprisonment for a period not exceeding 5 years or to both such fine and imprisonment.

**Regulations**

22.(1) The responsible Member of the Executive Council may, by notice in the *Gazette*, make regulations or issue guidelines not inconsistent with this Act or any national legislation regarding –

- (a) the upgrading of slums and informal settlements within the Province;
- (b) the contents of the status and annual reports to be submitted by municipalities to the responsible Member of the Executive Council in terms of this Act;
- (c) the prerequisites for the financing of any projects adopted by municipalities to upgrade or relocate slums or informal settlements within the Province;
- (d) the administration of any funds that the Provincial Government may advance to the municipalities for the purpose of financing their slum eradication programmes;
- (e) the acquisition of any suitable land or building identified by a municipality for the relocation of persons living in a slum or informal settlement; and
- (f) any administrative or procedural matter necessary to give effect to the provisions of this Act.

(2) The responsible Member of the Executive Council may by regulation made in terms of subsection (1) declare a contravention of, or failure to comply with, any specific regulation hereof an offence.

**Delegations**

**23.**(1) The responsible Member of the Executive Council may delegate to an officer, employee or functionary in the department any power or duty conferred on the responsible Member of the Executive Council by this Act, except –

- (a) the power to make regulations referred to in section 22; and
- (b) the duty to table the consolidated report in the Provincial Legislature in terms of section 17.

(2) A delegation referred to in subsection (1) –

- (a) must be in writing;
- (b) does not prohibit the responsible Member of the Executive Council from exercising that power or performing that duty; and
- (c) may at any time be withdrawn or amended in writing by the responsible Member of the Executive Council.

**Short title**

**24.** This Act is called the KwaZulu-Natal Elimination and Prevention of Re-emergence of Slums Act, 2007.

No. 4

2 Augustus 2007

[Engelse teks deur die Premier geteken]

**KWAZULU-NATAL WET OP DIE UITSKAKELING EN  
VOORKOMING VAN DIE HERVERSKYNING VAN  
KROTBUURTE, 2007**  
(No. 6 van 2007)

Goedgekeur op 18-07-2007

## **WET**

Om voorsiening te maak vir die toenemende uitskakeling van krotbuurte in die provinsie KwaZulu-Natal; om voorsiening te maak vir maatreëls vir die voorkoming van die herverskyning van krotbuurte; om voorsiening te maak vir die opgradering en beheer van bestaande krotbuurte; en om vir aangeleenthede in verband daarmee voorsiening te maak.

## **AANHEF**

AANGESIEN die verskaffing van bekostigbare behuising vir alle burgers in Suid-Afrika, en veral daardie sektore van die gemeenskap wat voor die koms van demokrasie in Suid-Afrika polities en ekonomies benadeel is, 'n hoeksteen is vir die bou van 'n stabiele en gesonde nasionale gemeenskap;

EN AANGESIEN elkeen 'n grondwetlike reg op toegang tot bekostigbare behuising het;

EN AANGESIEN artikel 7 van die Behuisingswet, 1997 (Wet No. 107 van 1997) provinsiale regerings aanmoedig om, onder andere, wetgewing te verorden wat die bereiking van die oogmerk om geskikte en bekostigbare behuising te verskaf, fasiliteer;

EN AANGESIEN die KwaZulu-Natal Behuisingswet, 1998 (Wet No. 12 van 1998), behoorlik deur die KwaZulu-Natale Provinsiale Regering verorden is om aan almal in die Provinsie toegang tot bekostigbare behuising te bied;

EN AANGESIEN dit een van die oogmerke van sowel die Behuisingswet, 1997 (Wet No. 107 van 1997) as die KwaZulu-Natal Behuisingswet, 1998 (Wet No. 12 of 1998) is om skakeling en ondersteuning tussen provinsiale en plaaslike regerings by die verskaffing van bekostigbare behuising aan te moedig;

EN AANGESIEN dit wenslik is om maatreëls in te stel wat daarop gemik is om die beheer en uitskakeling van krotbuurte moontlik te maak, en die voorkoming van hulle herverskyning, op 'n wyse wat die huisbouprogramme van sowel die provinsiale as die plaaslike regerings bevorder en beskerm,

WORD DAAR DAAROM BEPAAL deur die Provinsiale Wetgewer van die provinsie KwaZulu-Natal, soos volg:-

## INDELING VAN ARTIKELS

### *Artikel*

#### HOOFSTUK 1 OMSKRYWINGS, TOEPASSING EN OOGMERKE VAN WET

1. Omskrywings
2. Toepassing van Wet
3. Oogmerke van Wet

#### HOOFSTUK 2 VERBOD OP ONREGMATIGE BESETTING EN GEBRUIK VAN SUBSTANDAARD HUISVESTING

4. Verbod op onregmatige besetting
5. Verbod op gebruik van substandaard huisvesting vir finansiële voordeel
6. Verantwoordelikheid van munisipaliteit betreffende gebruik van substandaard huisvesting

**HOOFSTUK 3**  
**ROL VAN VERANTWOORDELIKE LID VAN UITVOERENDE RAAD**

7. Verskaffing van geskikte en bekostigbare behuising
8. Bevoegdhe en funksies van verantwoordelike lid van Uitvoerende Raad

**HOOFSTUK 4**  
**ROL VAN MUNISIPALITEITE**

9. Toenemende verwesenliking van reg op geskikte en bekostigbare behuising
10. Uitsetting deur munisipaliteit
11. Indiening van status- en jaarverslae by verantwoordelike lid van die Uitvoerende Raad
12. Voorwaarde vir verskaffing van alternatiewe grond of geboue
13. Instelling van deurgangsgebied
14. Kennisgewing aan eienaar of persoon in beheer om grond of gebou op te gradeer

**HOOFSTUK 5**  
**PLIGTE VAN EIENAARS EN PERSONE IN BEHEER VAN GROND OF GEBOU**

15. Stappe om onregmatige besetting te voorkom
16. Uitsetting van onregmatige okkupeerders

**HOOFSTUK 6**  
**ALGEMENE AANGELEENTHEDE**

17. Verslag aan Provinsiale Wetgewer deur verantwoordelike lid van Uitvoerende Raad
18. Reg van munisipaliteite om grond te onteien
19. Munisipale verordeninge
20. Misdrywe
21. Strawwe
22. Regulasies
23. Delegasies
24. Kort titel

**HOOFSTUK 1**  
**OMSKRYWINGS, TOEPASSING EN OOGMERKE VAN WET**

**Omskrywings**

1. In hierdie Wet moet enige woord of uitdrukking waaraan 'n betekenis in die Wet op die Voorkoming van Onwettige Uitsetting en Onregmatige Besetting van Grond, 1998 (Wet No.

19 van 1998) toegeken is, tensy duidelik onvanpas, daardie betekenis hê, en tensy uit die samehang anders blyk, beteken –

**"beampte"** 'n beampte soos omskryf in artikel 1 van die KwaZulu-Natal Behuisingswet, 1998 (Wet No.12 van 1998);

**"boekjaar"** die tydperk van 1 April in enige jaar tot 31 Maart van die volgende jaar;

**"departement"** die departement van die Provinsiale Regering van KwaZulu-Natal verantwoordelik vir behuising;

**"deurgangsgebied"** enige grond of gebou verkry of gebruik deur 'n munisipaliteit vir tydelike huisvesting of vestiging van persone wat uit 'n krotbuurt of informele vestiging verwyder is;

**"gebou"** ook enige struktuur, hut, pondok, tent of soortgelyke struktuur of enige ander vorm van tydelike of permanente woning of beskutting, ongeag die materiaal vir die oprigting daarvan gebruik, wat opgerig of gebruik word vir die huisvesting of gerief van persone;

**"geïntegreerde ontwikkelingsbeplanning"** beplanning deur 'n munisipaliteit in ooreenstemming met 'n plan beoog in artikel 25 van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet No. 32 van 2000), en **"geïntegreerde ontwikkelingsplan"** het dieselfde betekenis;

**"grond"** 'n gedeelte van grond wat beset of moontlik deur persone beset kan word;

**"Grondwet"** die Grondwet van die Republiek van Suid-Afrika, 1996;

**"hierdie Wet"** ook die regulasies;

**"informele vestiging"** 'n gebied vir onbeplande of nie-goedgekeurde informele vestiging van oorwegend hulpbehoewende of arm persone met onvoldoende of geen infrastruktuur of sanitasie nie;

**"jaarverslag"** 'n verslag vermeld in artikel 11;

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

"**krotbuurt**" oorbevolkte of bemorste grond of geboue bewoon deur oorwegend hulpbehoewende of arm mense, sonder sekerheid van eiendomsreg en met onvoldoende of geen infrastruktuur of sanitasie nie, en "**krottoestande**" het dieselfde betekenis;

"**krotuitskakelingsprogram**" 'n program vervat in die status- en jaarverslag van 'n munisipaliteit ingedien ingevolge artikel 11;

"**munisipale bestuurder**" 'n persoon aangestel ingevolge artikel 82 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998);

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

"**persoon in beheer**" 'n persoon wat regsbevoegdheid het of op die betrokke tydperk regsbevoegdheid gehad het om toestemming aan 'n persoon te verleen om enige grond of gebou te betree of te bewoon;

"**Provinsie**" die provinsie KwaZulu-Natal soos bedoel in artikel 103 van die Grondwet, 1996;

"**Provinsiale Behuisingskode**" die Provinsiale Behuisingskode vermeld in artikel 34 van die KwaZulu-Natal Behuisingswet, 1998 (Wet No.12 van 1998);

"**provinsiale behuisingsontwikkelingsfonds**" die provinsiale behuisingsontwikkelingsfonds bedoel in artikel 12(2) van die Behuisingswet, 1997 (Wet No. 107 van 1997);

"**Provinsiale Regering**" die Provinsiale regering van die provinsie KwaZulu-Natal;

"**Provinsiale Wetgewer**" die Wetgewer van die provinsie KwaZulu-Natal;

**"regulasies"** die regulasies ingevolge artikel 22 afgekondig;

**"statusverslag"** 'n verslag vermeld in artikel 11;

**"tradisionele raad"** 'n tradisionele raad ingestel ingevolge artikel 6 van die KwaZulu-Natal Wet op Tradisionele Leierskap en Regering, 2005 (Wet No. 5 van 2005);

**"verantwoordelike lid van die Uitvoerende Raad"** die lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal verantwoordelik vir behuising; en

**"Wet op die Voorkoming van Onwettige Uitsetting en Onregmatige Besetting van Grond"** die Wet op die Voorkoming van Onwettige Uitsetting en Onregmatige Besetting van Grond, 1998 (Wet No. 19 van 1998).

### **Toepassing van Wet**

2.(1) Hierdie Wet is van toepassing op alle aangeleenthede wat verband hou met die bevordering en beskerming teen onwettige en onregmatige besetting van grond of geboue in die Provinsie.

(2) Waar hierdie Wet nie 'n aangeleentheid reël wat verband hou met die bevordering en beskerming teen onwettige en onregmatige besetting van grond of geboue nie, geld die bepalings van die Wet op die Voorkoming van Onwettige Uitsetting en Onregmatige Besetting van Grond.

### **Oogmerke van Wet**

3. Die oogmerke van hierdie Wet is om –

- (a) krotbuurte uit te skakel;
- (b) die herverskyning van krotbuurte te voorkom;
- (c) samewerking tussen die departement en munisipaliteite met betrekking tot die uitskakeling van krotbuurte te bevorder;
- (d) samewerking tussen die departement en munisipaliteite met betrekking tot die voorkoming van die herverskyning van krotbuurte te bevorder;

- (e) die prestasie van die departement en munisipaliteite te monitor met betrekking tot die uitskakeling en voorkoming van die herverskyning van krotbuurte; en
  - (f) die lewensomstandighede van gemeenskappe te bevorder,
- in die Provinsie.

## HOOFSTUK 2 VERBOD OP ONREGMATIGE BESETTING EN GEBRUIK VAN SUBSTANDAARD HUISVESTING

### **Verbod op onregmatige besetting**

4.(1) Geen persoon mag enige grond of gebou beset sonder die toestemming van die eienaar of persoon in beheer van sodanige grond of gebou nie.

(2) Enige persoon wat subartikel (1) ten opsigte van residensiële persele oortree, kan van sodanige grond afgesit of uit sodanige gebou gesit word nadat die prosedure vermeld in artikels 4, 5 of 6 van die Wet op die Voorkoming van Onwettige Uitsetting of Onregmatige Besetting van Grond gevolg is.

### **Verbod op gebruik van substandaard huisvesting vir finansiële voordeel**

5. Die eienaar of persoon in beheer van 'n gebou of struktuur mag nie persone toelaat om sodanige gebou of struktuur vir huisvestingsdoeleindes en in ruil vir finansiële voordeel te gebruik nie, indien sodanige gebou of struktuur nie deur die munisipaliteit ingevolge regulasies afgekondig kragtens die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet No. 103 van 1977) goedgekeur is nie, of duidelik nie geskik is vir menslike bewoning nie op grond daarvan dat sodanige gebou of struktuur –

- (a) nie toegang tot natuurlike lig het nie;
- (b) nie lopende watervoorsiening beskikbaar of aangesluit het nie;
- (c) nie ablusiegeriewe beskikbaar of aangesluit het nie;
- (d) 'n gesondheidslas is soos omskryf in die Nasionale Gesondheidswet, 2003 (Wet No. 61 van 2003); of
- (e) in 'n ernstige toestand van verwaarlosing of verval is.

### **Verantwoordelikheid van munisipaliteit betreffende gebruik van substandaard huisvesting**

6.(1) 'n Munisipaliteit in wie se regsgebied 'n gebou of struktuur vermeld in artikel 5 val, moet 'n skriftelike kennisgewing aan die eienaar of persoon in beheer daarvan gee om, binne die tydperk wat in sodanige kennisgewing bepaal word, geregtelike stappe te doen vir die uitsetting van die okkupeerders daarvan.

(2) Indien die eienaar of persoon in beheer van die gebou of struktuur versuim om aan die kennisgewing vermeld in subartikel (1) te voldoen, kan die munisipaliteit geregtelike stappe doen vir die uitsetting van die okkupeerders van sodanige gebou of struktuur soos bepaal in artikel 6 van die Wet op die Voorkoming van Onwettige Uitsetting en Onregmatige Besetting van Grond.

## **HOOFSTUK 3 ROL VAN VERANTWOORDELIKE LID VAN UITVOERENDE RAAD**

### **Verskaffing van geskikte en bekostigbare behuising**

7. Behoudens die bepalings van die Behuisingswet, 1997 (Wet No. 107 van 1997), moet die verantwoordelike lid van die Uitvoerende Raad die verskaffing van geskikte behuising regoor die Provinsie bevorder en fasiliteer binne die raamwerk van die nasionale beleid oor behuisingsontwikkeling.

### **Bevoegdhede en funksies van die verantwoordelike lid van die Uitvoerende Raad**

8.(1) Vir die doeleindes van artikel 7, moet die verantwoordelike lid van die Uitvoerende Raad –

(a) verseker dat die krotbuurtuitskakelingsprogram wat deur 'n munisipaliteit aangeneem is in ooreenstemming is met –

(i) die oogmerke van die provinsiale beleid ten opsigte van behuisingsontwikkeling; en

(ii) die meerjarige plan vir die uitvoering van nasionale en provinsiale behuisingsprogramme in die Provinsie, soos bedoel in artikel 2B(3) van die KwaZulu-Natal Behuisingswet, 1998 (Wet No. 12 van 1998);

(b) die vordering wat munisipaliteite maak met hulle programme vir die uitskakeling van krotbuurte in hulle onderskeie regsgebiede monitor;

- (c) krotbuurtuitskakeling en verbandhoudende werksaamhede in die Provinsie koördineer;
- (d) alle redelike en nodige stappe doen om munisipaliteite te ondersteun met hulle toenemende uitskakeling van krotbuurte; en
- (e) die provinsiale behuisingsprogram administreer en kan, vir hierdie doel, in ooreenstemming met daardie program en die voorskrifte vervat in die Provinsiale Behuisingskode –
  - (i) enige projek wat deur 'n munisipaliteit aanbeveel word vir die opgradering en verbetering van 'n krotbuurt of informele vestiging in sy regsgebied;
  - (ii) enige projek wat deur 'n munisipaliteit aangeneem word om persone te hervestig wat in 'n krotbuurt of informele vestiging in sy regsgebied woon; of
  - (iii) die finansiering van projekte vermeld in paragraaf (i) en (ii) uit fondse gedeponeer in die KwaZulu-Natal Behuisingsfonds ingestel ingevolge artikel 11 van die KwaZulu-Natal Behuisingswet, 1998 (Wet No. 12 van 1998), goedkeur.

(2) Die verantwoordelike lid van die Uitvoerende Raad kan, in die algemeen, alles doen wat nodig of wenslik is om die oogmerke vermeld in artikel 3 van hierdie Wet te bereik en om die pligte na te kom en sy of haar funksies vermeld in subartikel (1) te verrig.

#### HOOFSTUK 4 ROL VAN MUNISIPALITEITE

##### **Toenemende verwesenliking van reg op geskikte en bekostigbare behuising**

**9.(1)** 'n Munisipaliteit kan, as deel van sy proses van geïntegreerde ontwikkelingsbeplanning, en binne sy beskikbare hulpbronne –

- (a) redelike maatreëls tref om vir sy inwoners die toenemende verwesenliking van die reg op toegang tot geskikte behuising vervat in artikel 26 van die Grondwet te bereik;
- (b) die instelling, ontwikkeling en handhawing van maatskaplik en ekonomies lewensvatbare gemeenskappe en van veilige en gesonde lewensomstandighede bevorder om die uitskakeling en voorkoming van krotbuurte en krotbuurttoestande te verseker;

(c) behuisings- en ekonomiese ontwikkeling in landelike gebiede in sy regsgebied aanmoedig en bevorder ten einde die onbehoorlike toestroming van persone na stedelike gebiede en die gevolglike ontwikkeling van krotbuurte te voorkom;

(d) in die geval van 'n Kategorie B munisipaliteit, met die Kategorie C munisipaliteit saamwerk in wie se regsgebied dit val ten einde inisiatiewe moontlik te maak vir die verskaffing van behuisingssektorplanne gebaseer op 'n veilige en gesonde omgewing vir die gemeenskap wat op 'n distrikwye grondslag gekoördineer moet word; en

(e) in die geval van grond wat in die gebied van 'n tradisionele raad val, met die betrokke tradisionele raad oorleg pleeg met die oog op die bereiking van 'n ooreenkoms ten opsigte van toepaslike maatreëls vir die uitskakeling van bestaande krotbuurttoestande in die gebied van sodanige tradisionele raad.

(2) Behoudens subartikel (3), kan die verantwoordelike lid van die Uitvoerende Raad, in die belang van gesondheid en veiligheid, en na oorlegpleging met die geaffekteerde munisipaliteite, van 'n aangrensende munisipaliteit of die Kategorie C munisipaliteit in wie se regsgebied die Kategorie B munisipaliteit val, vereis om enige sanitêre of ander dienste te verskaf aan die bewoners van 'n krotbuurt, 'n informele vestiging of deurgangsgebied in die regsgebied van sodanige Kategorie B munisipaliteit indien, na die mening van die verantwoordelike lid van die Uitvoerende Raad, die betrokke aangrensende of Kategorie C munisipaliteit die beste in staat en toegerus is om sodanige sanitêre of ander diens te lewer aan die bewoners van 'n krotbuurt, 'n informele vestiging of deurgangsgebied.

(3) 'n Munisipaliteit van wie die verantwoordelike lid van die Uitvoerende Raad vereis dat hy sanitêre en ander dienste ingevolge subartikel (2) verskaf, moet sy beskikbare Munisipale Infrastruktuurtoekenningsfondse vir die verskaffing van sodanige diens prioritiseer.

### **Uitsetting deur munisipaliteit**

**10.** 'n Munisipaliteit kan, behoudens artikel 6 van die Wet op die Voorkoming van Onwettige Uitsettings en Onregmatige Besetting van Grond, die Grondwet, en enige ander nasionale wetgewing wat die behuisings- of okkupasieregte van persone beskerm, geregtelike stappe doen vir die uitsetting van 'n onregmatige besetter van grond of geboue in sy regsgebied indien sodanige uitsetting in die openbare belang is.

**Indiening van status- en jaarverslae by verantwoordelike lid van Uitvoerende Raad**

11.(1) Elke munisipaliteit moet, binne ses maande na die inwerkingtreding van hierdie Wet, 'n statusverslag voorberei en by die verantwoordelike lid van die Uitvoerende Raad indien wat –

(a) die aantal en ligging van bestaande krotbuurte in sy regsgebied vermeld, tesame met besonderhede van sy krotbuurtuitskakelingsprogram en sleutel prestasie-aanwysers om vordering te meet betreffende die implementering van sodanige programme;

(b) ten opsigte van elke krotbuurt, die eiendom, beskrywing en die beraamde getal persone vermeld wat dit bewoon;

(c) in die geval van persone wat onregmatige besetters van 'n krotbuurt is, aandui of –

(i) sodanige persone dit vir langer as ses maande bewoon;

(ii) grond of 'n gebou beskikbaar gestel kan word of redelikerwys beskikbaar gestel kan word deur die munisipaliteit of ander staatsorgaan of ander eienaar van grond of 'n gebou vir hulle hervestiging, veral waar hulle dit vir langer as ses maande bewoon; en

(iii) die beraamde koste, indien enige, vir die verkryging van die beskikbare grond of gebou vir die hervestiging van onregmatige besetters; en

(d) aanbevelings deur die munisipaliteit bevat ten opsigte van welke krotbuurt, indien enige, geskik is vir opgradering en verbetering ten einde die behuisingstekort aan te spreek, asook die beraamde koste van sodanige opgradering en verbetering.

(2) Elke munisipaliteit moet, na indiening van die statusverslag vermeld in subartikel (1), binne drie maande na die einde van elke boekjaar, 'n jaarverslag voorberei vir daardie boekjaar waarin weerggee moet word -

(a) die stappe wat gedoen is om sy krotbuurtuitskakelingsprogramme in daardie boekjaar te verwesenlik, asook die verbetering in lewensomstandighede van die betrokke persone as gevolg daarvan;

(b) 'n vergelyking van die vordering vermeld in paragraaf (a) met teikens gestel in die sleutel prestasie-aanwysers vermeld in subartikel (1)(a) en die prestasie in die vorige boekjaar; en

(c) die maatreëls wat die munisipaliteit getref het om op die vordering wat gemaak is te verbeter ten einde dit in ooreenstemming te bring met die teikens wat in die sleutel prestasie-aanwysers gestel is.

**Voorwaarde vir verskaffing van alternatiewe grond of geboue**

12. In die geval waar 'n munisipaliteit besluit om alternatiewe grond of geboue beskikbaar te stel vir die hervestiging van persone wat in 'n krotbuurt woon, moet sodanige munisipaliteit redelike maatreëls tref, binne sy beskikbare hulpbronne, om te verseker dat sodanige alternatiewe grond of geboue in redelike nabyheid van een of meer handelsentrums is.

**Instelling van deurgangsgebied**

13.(1) 'n Munisipaliteit kan grond of geboue in sy regsgebied identifiseer of verkry met die doel om 'n deurgangsgebied in te stel vir gebruik as tydelike huisvesting van persone wat uit 'n krotbuurt gesit is in afwagting op die verkryging van grond of geboue vir hulle permanente huisvesting.

(2) 'n Munisipaliteit moet, by die verkryging van grond of geboue vermeld in subartikel (1), verseker dat sodanige grond of gebou –

(a) geskik is vir die huisvesting van persone; en

(b) toegerus is met die nodige basiese infrastruktuur en sanitasie,

voor die bewoning daarvan deur die betrokke persone.

**Kennisgewing aan eienaar of persoon in beheer om grond of gebou op te gradeer**

14.(1) 'n Munisipaliteit moet, indien dit van mening is dat enige grond of gebou in sy regsgebied –

(a) in 'n onhygiëniese toestand is;

(b) in 'n toestand van verval is; of

(c) waarskynlik 'n krotbuurt kan word,

skriftelike kennis gee aan die eienaar of persoon in beheer daarvan, en 'n beroep op sodanige eienaar of persoon in beheer doen om sodanige grond of gebou op te gradeer of op te knap om die heersende onhygiëniese toestande op te hef.

(2) 'n Persoon aan wie 'n kennisgewing ingevolge subartikel (1) beteken is, moet, binne drie maande, sodanige grond of gebou opgradeer of opknap om die heersende onhygiëniese toestande op te hef.

(3) Enige persoon wat versuim om aan die bepalings van subartikel (2) te voldoen, pleeg 'n misdryf.

## HOOFSTUK 5 PLIGTE VAN EIENAARS EN PERSONE IN BEHEER VAN GROND OF GEBOUE

### **Stappe om onregmatige besetting te voorkom**

**15.(1)** 'n Eienaar of persoon in beheer van onbeboude grond of onbewoonde gebou moet, binne twaalf maande na die inwerkingtreding van hierdie Wet, redelike stappe doen om die onregmatige besetting van sodanige onbeboude grond of onbewoonde gebou te voorkom.

(2) In die geval waar die eienaar of persoon in beheer van onbeboude grond of onbewoonde gebou versuim om aan subartikel (1) te voldoen, moet 'n munisipaliteit in wie se regsgebied die onbeboude grond of onbewoonde gebou val skriftelike kennis aan die eienaar of persoon in beheer daarvan gee om, binne 30 dae na ontvangs van sodanige kennisgewing –

- (a) aan die bepalings van subartikel (1) te voldoen; of
- (b) redes aanvoer vir die versuim om daaraan te voldoen.

(3) Die versuim van die eienaar of persoon in beheer van onbeboude grond of onbewoonde gebou om te voldoen aan die kennisgewing uitgereik ingevolge subartikel (2) maak 'n misdryf uit.

### **Uitsetting van onregmatige okkuperders**

**16.(1)** 'n Eienaar of persoon in beheer van grond of gebou, wat by die inwerkingtreding van hierdie Wet reeds beset word deur onregmatige okkuperders, moet, binne die tydperk wat deur die verantwoordelike lid van die Uitvoerende Raad by kennisgewing in die *Koerant* bepaal is, op 'n wyse soos bepaal in artikels 4 en 5 van die Wet op die Voorkoming van Onwettige Uitsetting en Onregmatige Besetting van Grond, regstappe doen vir die uitsetting van die betrokke onregmatige okkuperders.

(2) In die geval waar die eienaar of persoon in beheer van grond of 'n gebou versuim om te voldoen aan die kennisgewing deur die lid van die Uitvoerende Raad uitgereik ingevolge subartikel (1), moet 'n munisipaliteit in wie se regsgebied die grond of gebou val, hom

beroep op die bepalings van artikel 6 van die Wet op die Voorkoming van Onwettige Uitsetting en Onregmatige Besetting van Grond.

## HOOFSTUK 6 ALGEMENE AANGELEENTHEDE

### **Verslag aan Provinsiale Wetgewer deur verantwoordelik lid van Uitvoerende Raad**

17.(1) Die verantwoordelike lid van die Uitvoerende Raad moet, binne vyf maande na die einde van die boekjaar, 'n gekonsolideerde verslag, gebaseer op die jaarverslae ingedien deur munisipaliteite ingevolge artikel 11, in die Provinsiale Wetgewer ter tafel lê.

(2) Die verslag vermeld in subartikel (1) moet, onder meer -

(a) die vordering deur munisipaliteite gemaak betreffende die uitskakeling van krotbuurte, asook die verbetering in lewensomstandighede van mense wat in die regsgebied van elke munisipaliteit woon;

(b) die uitdagings, indien enige, wat die munisipaliteite ondervind het met betrekking tot die implementering van hulle krotbuurtuitskakelingsprogramme, asook die oplossings deur die verantwoordelike lid van die Uitvoerende Raad voorgestel om sodanige uitdagings die hoof te bied; en

(c) enige ander inligting wat die verantwoordelike lid van die Uitvoerende Raad graag onder die aandag van die Provinsiale Wetgewer wil bring met betrekking tot die provinsiale program vir die uitskakeling van krotbuurte,

vermeld.

### **Reg van munisipaliteite om grond te onteien**

18. Behoudens die bepalings van die Onteieningswet, 1975 (Wet No. 63 van 1975), die Ordonnansie op Plaaslike Owerhede, 1974 (Ordonnansie No. 25 van 1974), of enige ander reg, kan 'n munisipaliteit enige grond onteien of reg in grond vervreem, hetsy tydelik of andersins, wat vereis word vir die doel om 'n deurgangsgebied in te stel of, alternatiewelik, vir permanente vestiging van persone wat uit 'n krotbuurt verwyder of uitgesit is.

**Munisipale verordeninge**

19. 'n Munisipale raad kan, behoudens die Grondwet en nasionale wetgewing, verordeninge uitvaardig wat nie strydig met hierdie Wet is nie om beslag te gee aan sy krotbuurtuitskakelingsprogram en die bepalings van hierdie Wet.

**Misdrywe**

20. Enige persoon wat wederregtelik inmeng met die redelike maatreëls wat 'n eienaar of persoon in beheer van onbeboude grond of onbewoonde gebou tref om die onregmatige besetting van sodanige onbeboude grond of onbewoonde gebou te voorkom, pleeg 'n misdryf.

**Strawwe**

21. Enige persoon wat skuldig bevind word aan 'n misdryf ingevolge artikel 20, en enige ander misdrywe in hierdie Wet bepaal, is strafbaar met 'n boete van hoogstens R20 000 of gevangenisstraf vir 'n tydperk van hoogstens 5 jaar of met sowel sodanige boete as die gevangenisstraf.

**Regulasies**

22.(1) Die verantwoordelike lid van die Uitvoerende Raad kan, by kennisgewing in die *Koerant*, regulasies uitvaardig of riglyne neerlê wat nie strydig met hierdie Wet of enige nasionale wetgewing is nie betreffende –

- (a) die opgradering van krotbuurte en informele vestigings in die Provinsie;
- (b) die inhoud van die status- en jaarverslae wat deur munisipaliteite by die verantwoordelike lid van die Uitvoerende Raad ingedien moet word ingevolge hierdie Wet;
- (c) die voorvereistes vir die finansiering van enige projekte wat deur munisipaliteite aangeneem is om krotbuurte of informele vestigings in die Provinsie op te gradeer of te hervestig;
- (d) die administrasie van enige fondse wat die Provinsiale Regering aan munisipaliteite mag voorskiet met die doel om hulle krotbuurtuitskakelingsprogramme te finansier;

(e) die verkryging van enige geskikte grond of gebou wat deur 'n munisipaliteit geïdentifiseer is vir die hervestiging van persone wat in 'n krotbuurt of informele vestiging bly; en

(f) enige administratiewe of prosedure-aangeleentheid wat nodig is om beslag te gee aan die bepalings van hierdie Wet.

(2) Die verantwoordelike lid van die Uitvoerende Raad kan by regulasie uitgevaardig ingevolge subartikel (1) 'n oortreding van, of versuim om te voldoen aan, enige spesifieke regulasie as 'n misdryf verklaar.

### **Delegasies**

**23.**(1) Die verantwoordelike lid van die Uitvoerende Raad kan aan enige beampste, werknemer of funksionaris in die departement enige bevoegdheid of plig delegeer wat aan die verantwoordelike lid van die Uitvoerende Raad deur hierdie Wet verleen is, behalwe –

(a) die bevoegdheid om regulasies vermeld in artikel 22 uit te vaardig; en

(b) die plig om 'n gekonsolideerde verslag in die Provinsiale Wetgewer ingevolge artikel 17 ter tafel te lê.

(2) 'n Delegasie vermeld in subartikel (1) –

(a) moet skriftelik geskied;

(b) belet nie die verantwoordelike lid van die Uitvoerende Raad om daardie bevoegdheid uit te oefen of die plig na te kom nie; en

(c) kan te eniger tyd skriftelik deur die verantwoordelike lid van die Uitvoerende Raad teruggetrek of gewysig word.

### **Kort titel**

**24.** Hierdie Wet heet die KwaZulu-Natal Wet op die Uitskakeling en Voorkoming van die Herverskyning van Krotbuurte, 2007.

No. 4

2 kuNcwaba 2007

{Umbhalo weSingisi unyathelwe nguNdunankulu}

**UMTHETHO WOKUQEDA NOKUVIMBELA UKWAKHIWA KABUSHA  
KWEMIJONDOLO KWAZULU-NATALI, KA-2007**

**(Umthetho No. 6 ka 2007)**

**Uvunywe mhlaka 18-07-2007**

## **UMTHETHO**

**Ukuhlinzekela ngendlela eqhubekayo ukuqeda imijondolo esiFundazweni saKwaZulu-Natali; ukuhlinzeka ngezindlela zokuvimbela ukwakhiwa kabusha kwemijondolo; ukuhlinzekela ukuthuthukiswa nokulawulwa kwemijondolo ekhona; kanye nokuhlinzekela nezinye izinto ezixhumene nakho.**

### **ISINGENISO**

LAPHO ukunikezela ngezindlu ezingambi eqolo kuzo zonke izakhamizi zaseNingizimu Afrika, ikakhulu lezo zingxenyane zomphakathi ezazincishwe amathuba kwezomnotho nakwezepolitiki kungakabusi uhulumeni wentando yeningi kuleli, kuyinsika ekwakhiweni komphakathi kazwelonke ophilile futhi ongenazinkinga;

FUTHI NALAPHO wonke umuntu enelungelo ngokomthethosisekelo lokuthola indlu engambi eqolo;

FUTHI NALAPHO isigaba 7 soMthetho Wezezindlu, ka-1997 (uMthetho ongunombolo 107 ka-1997), sikhuthaza khona ohulumeni bezifundazwe ukuba, phakathi kokunye, basungule umthetho ozolawula inqubekela phambili ngezinjongo zokunikezela ngezindlu ezanele futhi ezingambi eqolo;

FUTHI NALAPHO uMthetho Wezezindlu KwaZulu-Natali ka-1998 (uMthetho ongunombolo 12 ka-1998), owamiswa wuhulumeni wesifundazwe saKwaZulu-Natali ukuze wonke umuntu walesi sifundazwe afinyelele ekutholeni indlu engambi eqolo;

FUTHI NALAPHO enye yezinjongo zayo yomibili le mithetho, oweZindlu ka-1997 (uMthetho ongunombolo 107 ka-1997), kanye noMthetho Wezezindlu KwaZulu-Natali, ka-1998 (uMthetho ongunombolo 12 ka-1998), wukukhuthaza ukuxoxisana

nokwesekana phakathi kukahulumeni wesifundazwe kanye nowasekhaya ekunikezeleni ngezindlu ezingambi eqolo;

FUTHI NALAPHO kunesidingo sokuthi kuqhanyukwe nezindlela ezizolekelela ekutheni kulawulwe futhi kuqedwe imijondolo, kuphinde kuvinjwe ukwakhiwa kabusha kwayo, ngendlela ethuthukisa iphinde ivikele izinhlelo zokwakhiwa kwezindlu kuhulumeni wesifundazwe nowasekhaya,

NGAKHO-KE KUMELE UMISWE yisiShayamthetho Sesifundazwe SaKwaZulu-Natali, kanje:

#### UKUHLELWA KWEZINGXENYE

*Isigaba*

#### ISAHLUKO 1

**IZINCAZELO, UKUSETSHENZISWA KOMTHETHO, NEZINJONGO ZAWO**

1. Izincazelo
2. Ukusebenza koMthetho
3. Izinjongo zoMthetho

**ISAPHLUKO 2****UKUNGAVUNYELWA KOKUHLALA NGOKUNGEMTHETHO KANYE  
NOKUSETSHENZISWA KWENDAWO YOKUHLALA ESEZINGENI ELIPHANSI**

4. Ukungavunyelwa kokuhlala ngokungemthetho endaweni
5. Ukungavunyelwa kokusetshenziswa kwendawo yokuhlala esezingeni eliphansi ukuze kutholakale inzuzo yemali
6. Umthwalo nemfanelo kamasipala ngokusetshenziswa kwendawo yokuhlala esezingeni eliphansi

**ISAPHLUKO 3****IQHAZA LELUNGU LOMKHANDLU OPHETHE, ELIQONDENE NALO MSEBENZI**

7. Ukunikezela ngezindlu ezanele futhi ezingambi eqolo
8. Amandla nemisebenzi yeLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi

**ISAPHLUKO 4****IQHAZA LOMASIPALA**

9. Ukuqwashiseka, ngendlela eqhubekayo ngelungelo lokuthola izindlu ezanele futhi ezingambi eqolo
10. Ukukhishwa ngumasipala
11. Isethulo ngesimo kanye nemibiko yonyaka kiLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi,
12. Umbandela wokunikezela ngenye indawo kumbe isakhiwo
13. Ukusungulwa kwendawo yesikhashana
14. Isaziso kumnikazi noma umuntu obhekele ukuthuthukiswa kwendawo noma isakhiwo

## ISAPHLUKO 5

## IMISEBENZI YABANIKAZI KANYE NABANTU ABABHEKELE UMHLABA NOMA

## ISAKHIWO

15. Izinyathelo zokuvimbela ukuhlala ngokungemthetho
16. Ukukhishwa kwabahlala ngokungemthetho

## ISAPHLUKO 6

## IZINDABA EZIVAMILE

17. Umbiko oya kwiSishayamthetho Sesifundazwe wenziwe yiLungu Lomkhandlu Ophethe
18. Ilungelo lomasipala lokudla umhlaba
19. Imithetho kaMasipala
20. Amacala
  
21. Izinhlawulo
22. Imithethonqubo
23. Ukudlulisela amandla okwenza umsebenzi
24. Isihloko Esifishane

## ISAPHLUKO 1

## IZINCAZELO, UKUSETSHENZISWA KOMTHETHO, NEZINJONGO ZAWO

**Izincazelo**

1. Kulo Mthetho noma yiliphi igama kumbe umusho ochaziwe eMthethweni Wokuvimbela Ukuxoshwa Ngokungemthetho Endaweni kanye Nokuhlala Ngokungemthetho Endaweni, ka-1998 (uMthetho ongunombolo 19 ka-1998), kumele, ngaphandle uma kungasahambisani nesimo, ligcine incazelo yalo, ngaphandle uma lisetshenziselwe ukuchaza enye into –

"umbiko wonyaka" kusho umbiko njengokwesigaba 11;

"**isakhiwo**" sihlanganisa isakhiwo, iqhugwana, umkhukhu, itende kanye nanoma yiyiphi indawo yokufihla ikhanda yesikhashana, kungakhathalekile ukuthi impahla okwakhiwe ngayo ifanele yini ukwakha indawo yokuhlala abantu;

"**uMthethosisekelo**" kusho uMthethosisekelo waseNingizimu Afrika, ka-1996;

"**umnyango**" umnyango kuHulumeni wesiFundazwe saKwaZulu-Natal obhekele ezezindlu;

"**unyaka wezimali**" kusho isikhathi kusukela mhla lu-1 kuMbaso kunoma yimuphi unyaka kuya kumhla zingama-31 kuNdasa wonyaka olandelayo;

"**iGazethi**" kusho iGazethi esemthethweni yesiFundazwe saKwaZulu-Natali;

"**imijondolo**" kusho indawo okwakhiwe kuyo izindlu eziminyene, engahlelekile futhi eyakhiwe ngokungemthetho ehlala abantu abahlwempu, abangenalo ilungelo elisemthethweni lokuhlala kuleyo ndawo, abangenayo ingqalasizinda nohlelo lokuthuthwa kwendle;

"**ukuhlelela intuthuko okudidiyelwe**" kusho ukuhlelela okwenziwa ngumasipala ngokuhambisana nohlelo olumiswe esigabeni 25 soMthetho Wohulumeni Basekhaya: Izinhlelo Zikamasipala ka-2000 (uMthetho ongunombolo 32 ka-2000), kanye "**nohlelo lwentuthuko oludidiyelwe**" kunencazelo ehambisanayo;

"**umhlaba**" kusho ingxenye yomhlaba ehlala abantu kumbe esilungele ukuhlala abantu;

"**imenenja kamasipala**" kusho umuntu oqokwe ngokwesigaba 82 soMthetho Wohulumeni Basekhaya: Izakhiwo Zikamasipala, ka-1998 (uMthetho ongunombolo 117 ka-1998);

**"umasipala"** kusho umasipala njengoba echaziwe esigabeni 155 soMthethosisekelo, ka-1996, futhi owakhiwe ngaphansi kwezigaba 11 no-12 zoMthetho Wohulumeni Basekhaya: Izakhiwo Zikamasipala, ka-1998 (uMthetho ongunombolo 117 ka-1998), zifundwa nezigaba 3, 4 no- 5 zoMthetho Wokuchazwa Kwezinhlobo Zomasipala KwaZulu-Natali, ka-2000 (uMthetho ongunombolo 7 ka-2000);

**"isikhulu"** kusho isikhulu njengoba sichazwe esigabeni 1 soMthetho Wezezindlu KwaZulu-Natali, ka-1998 (uMthetho ongunombolo 12 ka-1998);

**"umthetho Wokuvimbela Ukuxoshwa Ngokungemthetho Endaweni kanye Nokuhlala Ngokungemthetho Endaweni"** kusho uMthetho Wokuvimbela Ukuxoshwa Ngokungemthetho Endaweni kanye Nokuhlala Ngokungemthetho Endaweni, ka- 1998 (uMthetho ongunombolo 19 ka-1998);

**"umuntu obhekele"** kusho umuntu onamandla kumbe oba namandla asemthethweni ngesikhathi esithile okunikeza imvume kubantu yokuthi bangene kumbe bahlale endaweni noma esakhiweni;

**"isiFundazwe"** kusho isiFundazwe saKwaZulu-Natali njengoba sichaziwe esigabeni 103 soMthethosisekelo, 1996;

**"uHulumeni Wesifundazwe"** kusho uHulumeni Wesifundazwe saKwaZulu-Natali;

**"iNqubo Yohlelo Lwezezindlu Esifundazweni"** kusho iNqubo Yohlelo Lwezezindlu Esifundazweni njengoba iveziwe esigabeni 34 soMthetho Wezezindlu KwaZulu-Natali, ka-1998 (uMthetho ongunombolo 12 ka-1998);

**"isikhwama sokuthuthukiswa kwezindlu esiFundazweni"** kusho isikhwama sesifundazwe sokuthuthukiswa kwezindlu njengoba kuchaziwe esigabeni 12(2) soMthetho Wezezindlu, ka-1997 (umthetho ongunombolo 107 ka-1997);

**"Isishayamthetho"** kusho isiShayamthetho sesiFundazwe saKwaZulu-Natali;

**"Imithethonqubo"** kusho imithethonqubo ngokwesigaba 22;

**"iLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi"** kusho iLungu Lomkhandlu Ophethe Esifundazweni saKwaZulu-Natali elibhekele ezezindlu;

**"imijondolo"** kusho indawo enezindlu eziminyene ehlala abantu abaningi abampofu abangenalo ilungelo elisemthethweni lokuhlala kuleyo ndawo, abangenayo ingqalasizinda kumbe uhlelo lokuthuthwa kwendle, kanti

**"imibandela yemijondolo"** kunencazelo ehambisanayo;

**"uhlelo lokuqeda imijondolo"** kusho uhlelo oluqukethwe yisimo kanye nombiko wonyaka kamasipala onikezelwa ngokwesigaba 11;

**"umbiko ngesimo"** kusho umbiko njengoba kubekiwe esigabeni 11;

**"lo Mthetho"** ufaka imithethonqubo;

**"umkhandlu wobuholi bendabuko"** kusho umkhandlu wobuholi bendabuko owasungulwa ngokwesigaba 6 soMthetho Wobuholi Bendabuko Nokuphatha KwaZulu-Natali, ka-2005 (uMthetho ongunombolo 5 ka-2005);

**"indawo yokugcina impahla okwesikhashana"** kusho noma iyiphi indawo kumbe isakhiwo esitholwe noma esisetshenziswa ngumasipala ukugcina noma ukuhlalisa okwesikhashana abantu abasuke besuswe emijondolo.

**Ukusebenza koMthetho**

2.(1) Lo Mthetho usebenza kukho konke okumayelana nokuthuthukisa kanye nokuvimbela ukuhlala kwabantu ngokungemthetho ezindaweni nasezakhiweni esiFundazweni.

(2) Lapho lo Mthetho ungasho lutho ngokuthuthukisa nokuvimbela ukuhlala kwabantu ngokungemthetho, kusebenza izihlinzeko zoMthetho Wokuvimbela Ukuxoshwa Ngokungemthetho Endaweni Kanye Nokuhlala Ngokungemthetho Endaweni.

### **Izinjongo zoMthetho**

#### **3. Izinjongo zalo Mthetho yilezi –**

- (a) ukuqeda imijondolo;
- (b) ukuvimbela ukwakhiwa kabusha kwemijondolo;
- (c) ukuthuthukisa ukusebenzisana phakathi komnyango nomasipala ekuqedeni imijondolo;
- (d) ukuthuthukisa ukusebenzisana phakathi komnyango nomasipala ekuqedeni ukwakhiwa kabusha kwemijondolo;
- (e) ukuqapha ukusebenza komnyango nomasipala ekuqedeni nasekuvimbeleni ukwakhiwa kabusha kwemijondolo; kanye
- (f) nokuthuthukisa izimo zempilo emiphakathini, esifundazweni.

## **ISAHLUKO 2**

### **UKUNGAVUNYELWA KOKUHLALA NGOKUNGEMTHETHO KANYE NOKUSETSHENZISWA KWENDAWO YOKUHLALA ESEZINGENI ELIPHANSI**

#### **Ukungavunyelwa kokuhlala ngokungemthetho endaweni**

4. (1) Akekho umuntu oyohlala endaweni kumbe esakhiweni ngaphandle kwemvume yomnikazi noma yomuntu obhekele leyo ndawo noma isakhiwo.

(2) Noma ngubani ophikisana nesigatshana (1) maqondana nezindawo zokuhlala, uyokhishwa kuleyo ndawo noma isakhiwo emva kokulandelwa kwenqubo ebekwe ezigabeni 4, 5 no-6 zoMthetho Wokuvimbela Ukuxoshwa Ngokungemthetho Endaweni Kanye Nokuhlala Ngokungemthetho Endaweni.

**Ukungavunyelwa kokusetshenziswa kwendawo yokuhlala esezingeni eliphansi ukuze kutholakale inzuzo yemali**

5. Umnikazi kumbe umuntu obhekele isakhiwo angeke avumele abantu ukuthi basebenzise lesa sakhiwo njengendawo yokuhlala nokuthi basisebenzisele ukuzuzisa imali ngaso uma lesa sakhiwo singaphasiswanga ngumasipala ngokwemithetho emiswe ngaphansi koMthetho Kazwelonke Wemithethonqubo Yezakhiwo Kanye Namaqophelo Ezakhiwo, ka-1977 (uMthetho ongunombolo 103 ka-1977), noma kucaca ukuthi lesa sakhiwo asikho esimweni sokuhlala abantu ngenxa yokuthi lesa sakhiwo—

- (a) sisendaweni emnyama engangeni ukukhanya kwelanga;
- (b) asinalo uhlelo lwamanzi athunyelwa kuyo;
- (c) asinalo uhlelo lwezindlu zangasese olukhona;
- (d) sichazwa njengendawo engenampilo ngokuchaza koMthetho Kazwelonke Wezempilo (uMthetho ongunombolo 61 ka-2003); noma
- (e) sisesimweni sokunganakwa kumbe esingekwe silungiseke.

**Umthwalo nemfanelo kamasipala ngokusetshenziswa kwendawo yokuhlala ezisezingeni eliphansi**

6.(1) Umasipala owengamele indawo lapho isakhiwo sikhona njengoba kuchazwa esigabeni 5, kumele ukhiphe isaziso esibhalwe phansi siye kumnikazi noma umuntu obhekele lesa sakhiwo akhiphe, esikhathini esibekwe kuleso saziso, imiyalelo yokukhishwa kwabantu abahlala kuleyo ndawo.

(2) Uma umnikazi kumbe umuntu obhekele isakhiwo ehluleka ukuhambisana nesaziso okukhulunywe ngaso esigatshaneni 1, umasipala ungakhipha imiyalelo yokukhishwa kwabantu abahlala kulesa sakhiwo njengoba kuchaziwe esigabeni 6 soMthetho

Wokuvimbela Ukuxoshwa Ngokungemthetho Endaweni Kanye Nokuhlala  
Ngokungemthetho Endaweni.

### ISAHLUKO 3

#### IQHAZA LELUNGU LOMKHANDLU OPHETHE, ELIQONDENE

##### **Ukunikezela ngezindlu ezanele futhi ezingambi eqolo**

7. Ngokwezinhlinzekelo zoMthetho Wezezindlu, ka-1997 (uMthetho ongunombolo 107 ka-1997), iLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, kumele lithuthukise futhi lilawule ukunikezelwa kwezindlu ezanele esifundazweni sonke singakapheli isikhathi esinqunyiwe kwinqubomgomo kazwelonke yokuthuthukiswa kwezindlu.

##### **Amandla nemisebenzi yeLungu Lomkhandlu Ophethe, eliqondene**

8.(1) Ngokwenhloso yesigaba 7, iLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, kumele –

(a) liqinisekise ukuthi uhlelo lokuqeda imijondolo olwamukelwa ngumasipala luyahambisana –

(i) nezinjongo zenqubomgomo yesifundazwe maqondana nokuthuthukiswa kwezindlu; kanye

(ii) nohlelo lwaminyaka yonke lokuqaliswa kwezinhlelo zezezindlu kuzwelonke nasesifundazweni, njengoba kuchaziwe esigabeni 2B(3) soMthetho Wezezindlu KwaZulu-Natali, ka-1998 (uMthetho ongunombolo 12 ka- 1998)

(b) nokuqapha inqubekela phambili eyenziwa ngomasipala ezinhlelweni zabo zokuqeda imijondolo ezindaweni ezingaphansi kwabo;

(c) nokulawula ukuqedwa kwemijondolo neminye imisebenzi ehambisana nakho esifundazweni ;

(d) nokuthathwa kwezinyathelo ezifanele ukwesekela omasipala emizamweni yabo eqhubekayo yokuqeda imijondolo; kanye

(e) nokuphatha uhlelo lwezezindlu esifundazweni futhi ngokwale njongo, ngokuhambisana nalolo hlelo kanye nemitheshwana etholakala kwiNqubo Yohlelo Lwezezindlu Esifundazweni, kuphasisa –

(i) noma yimuphi umklamo ophakanyiswe ngumasipala ukuba uthuthukise futhi usimamise imijondolo esendaweni oyengamele;

(ii) noma yimuphi umklamo owemukelwe ngumasipala ukuba ufake ezindaweni ezintsha abantu abahlala emijondolo esendaweni oyengamele; kumbe

(iii) ukunikezela ngemali emiklamweni okukhulunywe ngakho ezindinyaneni (i) no-(ii) ethathwe emalini ekhishwa yiSikhwama Sezezindlu KwaZulu-Natali esasungulwa ngokwesigaba 11 soMthetho Wezezindlu KwaZulu-Natali, ka-1998 (uMthetho ongunombolo 12 ka-1998).

(2) ILungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, ngokuvamile lingenza konke okufanele ukufeza izinjongo zalo Mthetho njengoba zibekiwe esigabeni 3 futhi lenze yonke imisebenzi yalo njengoba ichaziwe esigatshaneni (1).

#### ISAHLUKO 4

#### IQHAZA LOMASIPALA

#### **Ukuqwashisa ngendlela eqhubekayo ngelungelo lokuthola izindlu ezanele futhi ezingambi eqolo**

9.(1) Umasipala, njengengxenywe yohlelo lwawo lokuhlelela intuthuko edidiyelwe nangokusebenzisa izinsizakusebenza ezikhona, ungenza lokhu okulandelayo -

(a) ungathatha izinyathelo eziqotho ukwenza abantu abawakhele babone ngokuphelele ukuthi banelungelo lokuthola izindlu ezanele njengoba kusho isigaba 26 soMthethosisekelo;

(b) ungagquguzela ukwakhiwa, ukuthuthukiswa kanye nokunakekelwa kwemiphakathi ngokwenhlalo nangokomnotho kanye nesimo senhlalo esiphephile futhi esinempilo ukuqinisekisa ukuqedwa nokuvimbelwa kwemijondolo kanye nezimo ezinjalo;

(c) ungakhuthaza agqugquzele ukuthuthukiswa kwezindlu nomnotho ezindaweni zasemakhaya ezingaphansi kwawo ukuze kunqandwe ukuthuthuleka kwabantu emadolobheni okugcina ngokuthi kube nemijondolo;

(d) komasipala abangena ngaphansi kweNgxenywe B, bahlangana nabangaphansi kweNgxenywe C kulezo zindawo abazengamele, ukuqalisa uhlelo lokunikezela ngezindlu endaweni ephhephile futhi enempilo ukuze abantu balawuleke ngokwesifunda; futhi

(e) ezindaweni ezenganyelwe wumkhandlu wobuholi bendabuko, kumele umasipala axoxisane nomkhandlu wobuholi bendabuko othintekayo ngenhloso yokuthi kube nokuvumelana ngezindlela ezingasetshenziswa ukuqeda isimo semijondolo esivele sikhona endaweni.

(2) Kuzoya ngokwesigatshana (3), iLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, lizothi ngokubhekela ukuphepha nempilo, emva kokuxoxisana nomasipala abathintekayo, lingacela umasipala osondele kumbe umasipala ongena ngaphansi kweNgxenywe C ebe enendawo ayengamele ngaphansi kweNgxenywe B ukuba anikezele ngezidingo eziphathelene nempilo noma ezinye izidingo kubantu abahlala emijondolo kumbe ezindaweni zokugcina abantu okwesikhashana ezingaphansi kwalowo masipala ongena ngaphansi kweNgxenywe B. Uma ngokubona kweLungu Lomkhandlu Ophethe,

umasipala osondele kumbe umasipala ongaphansi kweNgxenywe C othintekayo engakwazi ukunikezela ngalezo zidingo zempilo noma ezinye izidingo kubantu abahlala emijondolo noma endaweni egcina abantu okwesikhashana.

(3) Umasipala odingwa ngiLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, ukuba unikezele ngezidingo zempilo kumbe ezinye izidingo ngokwesigatshana (2) kumele ubheke lapho ungathola khona imali ezikhwameni zengqalasizinda ezikhona ukuze ukwazi ukunikezela ngalezo zidingo.

### **Ukukhishwa ngumasipala**

10. Umasipala, ngokwesigaba 6 soMthetho Wokuvimbela Ukuxoshwa Ngokungemthetho Endaweni Kanye Nokuhlala Ngokungemthetho Endaweni, uMthethosisekelo kanye neminye imithetho evikela amalungelo abantu maqondana nezezindlu, angalandela imigudu elandelwayo ukukhipha abangene ngokungemthetho endaweni kumbe esakhiweni esingaphansi kwendawo eyenganyelwe yilowo masipala uma lokho kuwuthinta umphakathi.

**Isethulo ngesimo kanye nemibiko yonyaka kwiLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi**

11.(1) Umasipala ngamunye kumele ezinyangeni eziyisithupha lo Mthetho uqalile ukusebenza, uzilungiselele ukuletha kwiLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, umbiko ngesimo -

(a) ochaza kabanzi ngenani lemijondolo ekhona nokuthi yakhiwe kuphi endaweni lowo masipala oyengamele, kanye neminingwane ngohlelo onalo lokuqeda imijondolo kanye nezinkomba ezisemqoka zenqubekela phambili yokuqaliswa kwalolo hlelo;

(b) ochaza kabanzi, ngomjondolo ngamunye ukuthi ngokabani, unjani futhi bangaki abantu abahlala kuwo;

(c) oveza kabanzi ngabantu abahlala ngokungemthetho kuleyo mikhukhu, ukuthi -

(i) labo bantu sebehlele lapho isikhathi esingaphezu kwezinyanga eziyisithupha yini;

(ii) indawo kumbe isakhiwo kungatholakala yini noma kungenziwa ngumasipala kumbe noma yiyiphi ingxenye kahulumeni noma umnikazi wendawo noma isakhiwo lapho bengayiswa khona, ikakhulu uma sebehlele isikhathi esingaphezu kwezinyanga eziyisithupha; futhi

(iii) isilinganiso sezindleko, uma sikhona, mayelana nokutholwa kwendawo kumbe isakhiwo lapho bezofakwa khona labo ababengene ngokungemthetho; futhi

(d) umbiko ube nezincomo ezenziwe ngumasipala maqondana nokuthi yimiphi imijondolo, uma ikhona, efanele ukuthuthukiswa nokusinyanyiswa ukubhekana nenkinga yokuntuleka kwezindlu, kanye nesilinganiso sezindleko zokuthuthukisa nokusimamisa.

(2) Umasipala ngamunye, emva kokuletha umbiko ngesimo njengoba kuchaziwe esigatshaneni (1), kumele alungise ezinyangeni ezintathu emva kokuphela konyaka wezimali, umbiko wonyaka walowo nyaka wezimali oveza –

(a) izinyathelo ezithathiwe maqondana nokutholakala kohlelo lwawo lokuqeda imijondolo ngonyaka wawo wezimali, kanye nentuthuko eyenzekile ezimweni zempilo kubantu abathintekayo;

(b) ukuqhathaniswa kwenqubekela phambili okukhulunywe ngayo endimeni (a) nezimiso ezenziwe ezinkombeni ezisemqoka okukhulunywe ngazo esigatshaneni (1)(a) kanye nokwenziwe onyakeni odlule wezimali; kanye

(c) nezinyathelo ezithathwe ngumasipala ukugququzela inqubekela phambili ekhona ukwenza ihambisane nezimiso ezenziwe ezinkombeni ezisemqoka zokusebenza.

### **Umbandela wokunikezela ngenye indawo noma isakhiwo**

12. Esimweni lapho umasipala enquma ukukhipha enye indawo kumbe isakhiwo abangafakwa kuso abahlala emijondolo, lowo masipala kumele athathe izinyathelo eziqala, ngokwezinsiza onazo ukuqinisekisa ukuthi leyo ndawo kumbe isakhiwo siseduzane nezikhungo zomnotho.

### **Ukusungulwa kwendawo yesikhashana**

13.(1) Umasipala angahlonza kumbe afune indawo noma isakhiwo ngaphansi kwendawo ayengamele ngenhloso yokwakha indawo ezogcina abantu okwesikhashana ukuze kuhlaliswe okwesikhashana labo abakhishwe emijondolo besalinde ukutholakala kwendawo abazofakwa kuyo ngokuphelele.

(2) Umasipala kumele ngesikhathi esafuna indawo okukhulunywe ngayo esigatshaneni

(1) aqinisekise ukuthi leyo ndawo kumbe isakhiwo –

(a) sikulungele ukuhlalisa abantu; futhi

(b) inazo zonke izidingongqangi zengqalasizinda kanye nezidingo zempilo, ngaphambi kokuthi kufakwe abantu abathintekayo.

**Isaziso kumnikazi kumbe umuntu obhekele ukuthuthukiswa kwendawo noma isakhiwo**

14.(1) Umasipala, uma kubonakala ukuthi leyo ndawo kumbe isakhiwo esingaphansi kwendawo oyengamele—

- (a) sisesimweni esingahlanzekile;
- (b) sisesimweni esingalungisiwe; noma
- (c) esingahle sibe ngumjondolo,

Kumele akhiphe isaziso esibhaliwe asiqondise kumnikazi kumbe umuntu obhekele leyo ndawo, enxusa ukuba kulungiswe kwakhiwe kabusha leyo ndawo kumbe isakhiwo, kuqedwe isimo esingenanhlanzeko esisuke sikhona ngaleso sikhathi.

(2) Umuntu onikezwe isaziso ngokwesigatshana (1), ezinyangeni ezintathu, kumele alungise kumbe akhe kabusha lesa sakhiwo kumbe indawo ingabi sesimweni esingahlanzekile esuke ikuso ngaleso sikhathi.

(3) Noma ngubani owehluleka ukuhambisana nezihlinzeko ezisesigatshaneni (2) unecala.

**ISAHLUKO 5**

**IMISEBENZI YABANIKAZI KANYE NABANTU ABABHEKELE UMHLABA NOMA ISAKHIWO**

**Izinyathelo zokuvimbela ukuhlala ngokungemthetho**

15.(1) Umnikazi kumbe umuntu obhekele umhlaba ongenalutho kumbe isakhiwo kumele, ezinyangeni eziyishumi nambili kuqale ukusebenza lo Mthetho, athathe izinyathelo ezinqala ukuvimbela ukungena kwabantu ngokungemthetho kuleyo ndawo kumbe isakhiwo.

(2) Esimweni lapho umnikazi kumbe umuntu obhekele leyo ndawo engenamuntu kumbe isakhiwo, ehluleka ukuhambisana nesigatshana (1), umasipala leyo ndawo kumbe isakhiwo esingaphansi kwawo kumele akhiphe isaziso esibhalwe phansi esiqondiswe kumnikazi kumbe umuntu obhekele leyo ndawo noma isakhiwo, esithi kumele ezinsukwini ezingama-30 ethole isaziso –

- (a) ahambisane nezihlinzekelo zesigatshana (1); noma
- (b) anikeze izizathu zokwehluleka ukuhambisana nomthetho.

ukwehluleka komnikazi kumbe umuntu obhekele leyo ndawo kumbe isakhiwo esingenamuntu ukuhambisana nokushiwo yisaziso esikhishwe ngokwesigatshana (2) kuyomenza abe necala.

### **Ukukhishwa kwabahlala ngokungemthetho**

16.(1) Umnikazi kumbe umuntu obhekele indawo kumbe isakhiwo, okuthe ngokuqala kokusebenza kwalo Mthetho sabe sesivele sinabantu abahlala kuso ngokungemthetho, kumele esikhathini esiyoshiwo yiLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, ngokwesaziso esiyokhishwa kwiGazethi, ngokulandela indlela ebekwe esigabeni 4 noma 5 soMthetho Wokuvimbela Ukuxoshwa Ngokungemthetho Endaweni Kanye Nokuhlala Ngokungemthetho Endaweni, athathe izinyathelo zokukhishwa kwalabo bantu abangena ngokungemthetho.

(2) Esimweni lapho umnikazi kumbe umuntu obhekele indawo kumbe isakhiwo ehluleka ukuhambisana nokushiwo yisaziso esikhishwe yiLungu Lomkhandlu Ophethe ngokwesigatshana (1), umasipala owengamele leyo ndawo kumele alandele izihlinzeko zesigaba 6 soMthetho Wokuvimbela Ukuxoshwa Ngokungemthetho Endaweni Kanye Nokuhlala Ngokungemthetho Endaweni.

## **ISAPHELA 6**

### **IZINDABA EZIVAMILE**

**Umbiko oya kwiSishayamthetho Sesifundazwe owenziwe yiLungu Lomkhandlu Ophethe**

17.(1) ILungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, kumele ezinyangeni ezinhlanu emva kokuphela konyaka wezimali, lenze isethulo kwisiShayamthetho Sesifundazwe ngombiko odidiyelwe maqondana nemibiko yonyaka elethwe ngomasipala ngokwesigaba 11.

(2) Umbiko okukhulunywe ngawo esigatshaneni (1) kumele phakathi kokunye uveze lokhu -

(a) inqubekela phambili eyenziwe ngomasipala ekuqedeni imijondolo, kanye nasezinhlelweni zokuthuthukisa ezenziwe ezimweni zempilo yabantu abahlala ezindaweni abazengamele;

(b) izinselelo, uma zikhona, ababhekane nazo omasipala ekusebenziseni izinhlelo zokuqeda imijondolo, kanye nezixazululo ezaphakanyiswa yiLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, ukubhekana nalezi zinselelo; kanye

(c) nayinoma yiluphi ulwazi iLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, elingafisa ukulazisa kwisiShayamthetho Sesifundazwe maqondana nokuqedwa kwemijondolo.

#### **Ilungelo lomasipala lokudla umhlaba**

18. Ngokwezihlinzeko zoMthetho Wempango, ka-1975 uMthetho ongunombolo 63 ka-1975), uMthetho Womaziphathe Bendawo, ka-1974 (i-Odinensi engunombolo 25 ka-1974), nanoma yimuphi omunye umthetho, umasipala ungasidla umhlaba kumbe ilungelo lomhlaba, kungaba ngokwesikhashana noma ngenye indlela, efunwa yiwo ngenhloso yokwakha indawo yokuhlalisa abantu okwesikhashana, noma indawo yokuhlalisa abantu abakhishwe emijondolo ngokuphelele.

#### **Imithetho kamasipala**

19. Umkhandlu kamasipala, kuya ngokoMthethosisekelo kanye nemithetho kazwelonke, ungamukela imithetho kamasipala ehambisana nalo Mthetho ukuze ufeze uhlelo lwawo lokuqeda imijondolo kanye nezihlinzeko zalo Mthetho.

#### **Amacala**

**20.** Noma ngubani ophazamisa ngokungemthetho izinyathelo ezinqala ezamukelwa ngumnikazi kumbe umuntu obhekele indawo kumbe isakhiwo ukuvimbela ukuhlala ngokungemthetho kuleyo ndawo noma isakhiwo, wenza icala.

#### **Izinhlawulo**

**21.** Noma ngubani otholwa enecala ngokwesigaba 20, kanye namanye amacala abekwe kulo Mthetho, angahlawuliswa isamba senani elingekho ngaphezu kwe-R20 000 noma agqunywe ejele iminyaka engevile kwemi – 5 kumbe kwenziwe kokubili.

#### **Imithethonqubo**

**22.(1)** ILungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, lingathi ngokwesaziso esikwiGazethi, lenze imithethonqubo kumbe likhiphe imihlahlandlela ehambisana nalo Mthetho kumbe nanoma yimuphi umthetho kazwelonke maqondana –

- (a) nokuthuthukiswa kwemijondolo esifundazweni
- (b) nokuqukethwe yisimo kanye nemibiko yonyaka ezohanjiswa ngumasipala kwiLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, ngokwalo Mthetho;
- (c) okudingekayo ngaphambi kokuthi kukhishwe imali ukuxhasa noma yimiphi imiklamo eyemukelwe ngomasipala ukuthuthukisa kumbe ukwakhiwa kwezindawo ezintsha zabahlala emijondolo esiFundazweni;
- (d) ukuphathwa kwanoma yiziphi izimali uHulumeni Wesifundazwe angazikhiphela omasipala ngaphambi kokuba kuqalwe umsebenzi ngenhloso yokuxhasa izinhlelo zokuqeda imijondolo;
- (e) inzuzo yanoma yiyiphi indawo kumbe isakhiwo esihlonzwe ngumasipala ukuze kuhlaliswe abantu abakhishwe emijondolo; kanye
- (f) noma yikuphi ukuphathwa kumbe inqubo, edingekayo ukuze kuphumelele izihlinzeko ezikulo Mthetho.

(2) ILungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, lingathi ngokomthetho omiswe ngokokulawula kwesigatshana (1) limemezele ukungavumelani kumbe ukwehluleka ukuhambisana nomthethonqubo oqondene nalelo cala.

#### **Ukudlulisela amandla okwenza umsebenzi**

**23.**(1) ILungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, lingabela noma yisiphi isikhulu, umsebenzi noma ngubani osebenza emnyangweni amandla noma umsebenzi osuke unikwe iLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, yilo Mthetho, ngaphandle –

(a) kwamandla okwenza imithetho njengoba kubekiwe esigabeni 22; kanye

(b) nomsebenzi wokwethula umbiko odidiyelwe phambi kwesiShayamthetho Sesifundazwe ngokwesigaba 17.

(2) Ukuba yisithunywa okukhulunywe ngakho esigatshaneni (1) –

(a) kumele kube ngokubhalwe phansi;

(b) akuvimbeli iLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi, ekusebenziseni amandla alo kumbe ekwenzeni imisebenzi yalo; futhi

(c) kungahoxiswa noma yinini kumbe kuchitshiyelwe ngokubhala phansi, yiLungu Lomkhandlu Ophethe, eliqondene nalo msebenzi.

### **Isihloko Esifishane**

**24.** Lo Mthetho waziwa ngokuthi wuMthetho Wokuqeda Nokuvimbela Ukwakhiwa Kabusha Kwemijondolo, ka-2007.

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