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PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

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### IZIQULATHO

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#### Provincial Notice

#### Provinsiale Kennisgewing

#### Isibhengezo

- 37 Publication of Western Cape Gambling and Racing Regulations, June 1996, as amended in IsiXhosa for General Information ..... 2

- 37 Publication of Western Cape Gambling and Racing Regulations, June 1996, as amended in IsiXhosa for General Information ..... 2

- 37 Publication of Western Cape Gambling and Racing Regulations, June 1996, as amended in IsiXhosa for General Information ..... 2

It is hereby notified that the following isiXhosa version of the Western Cape Gambling and Racing Board Regulations, June 1996, as amended, has been published for general information. The English version was published in the Provincial Gazette Extraordinary 6088, dated 21 November 2003.

Hiermee word bekend gemaak dat onderstaande isiXhosa-weergawe van die Wes-Kaapse Wet op Dobbelaar en Wedrenne Regulasies, soos gewysig op Junie 1996 vir algemene inligting gepubliseer word. Die Engelse weergawe was in die Buitengewone Provinsiale Koerant 6088, gedateer 21 November 2003 gepubliseer.

Kwenziwa isaziso sokuba le nguqulelo yesiXhosa yoMthetho weBhodi yoNgcakazo neMidyarho yeNtshona Koloni, June 1996 njengoko ilungisiwe, yapapashelwa ulwazi gabalala. Inguqulelo yesiNgesi yapapashwa kwi Gazethi yePhondo eyoNgezelelweyo 6088, yowe 21 November 2003.

**PROVINCIAL NOTICE****PROVINSIALE KENNISGEWING**

The following Provincial Notice is published for general information.

ADV. B. GERBER,  
DIRECTOR-GENERAL

Provincial Building,  
Wale Street,  
Cape Town.

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Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

ADV. B. GERBER,  
DIREKTEUR-GENERAAL

Provinsiale-gebou,  
Waalstraat,  
Kaapstad.

29 Februwari 2012

**UMTHETHO WENTSHONA KOLONI WONGCAKAZO NEMIDYARHO YAMAHASHE, 4 KA-1996****IMIGAQO YONGCAKAZO NEMIDYARHO YAMAHASHE YENTSHONA KOLONI**

Ishicilelwe phantsi

kwe-PN 239 ka-1996 (PG 5054 yomhla we-7 Juni 1996)  
(ukusukel kumhla we-7 Juni 1996)

**njengoko yenziwe izilungiso nge-**

- PN 440 ka-1996 (PG 5082 yomhla we-11 Okthobha 1996)
- PN 458 ka-1996 (PG 5088 yomhla we-30 Okthobha 1996)
- PN 303 ka-1996 (PG 5167 yomhla wama-29 Agasti 1997)
- PN 446 ka-1997 (PG 5213 yomhla we-12 Disemba 1997)
- PN 50 ka-1998 (PG 5223 yomhla wama-23 Meyi 1998)
- PN 285 ka-1998 (PG 5261 yomhla wama-29 Meyi 1998)
- PN 331 ka-1996 (PG 5270 yomhla we-19 Juni 1998)
- PN 334 ka-1998 (PG 5271 yomhla wama-26 Juni 1998)
- PN 363 ka-2000 (PG 5563 yomhla we-16 Agasti 2000)
- PN 24 ka-2001 (PG 5667 yomhla we-2 Febhuwari 2001)
- PN 11 ka-2002 (PG 5818 yomhla we-18 Januwari 2002)
- PN 358 ka-2002 (PG 5944 yomhla we-8 Novemba 2002)

[ukusukela kumhla we-2 Disemba 2002]

- PN 265 ka-2003 (PG 6055 yomhla we-8 Agasti 2003)
- PN 396 ka-2003 (PG 6088 yomhla wama-21 Novemba 2003)

Phantsi kwamagunya endiwaniweyo kwicandelo 18 loMthetho woNgcakazo neMidyarho yaMahashe weNtshona Koloni, 1996 (uMthetho 1996), mna Hermanus Jacobus Kriel, ngokwesikhundla sam sokuba lilungu leKhansile eLawulayo (iKhabhinethi) elongamele ulawulo lwalo Mthetho, apha ndenza le migaqo icaciswe ngezantsi apha.

**UCWANGCISO LWEMIGAQO**

[Ucwangciso lweMigaqo efakelwe nge-PN 303 ka-1997 ukusukela ngomhla wama-29 Agasti 1997, yenziwa izilungiso nge-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998 kwaza endaweni yayo kwafakwa i-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

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## Isahluko 1

[Indawo yeSahluko 1 ithathwe yi-PN 303 ka-1997 ukusukela ngomhla wama-29 Agasti 1997  
naye-PN 331 ka-1998 ukusukela ngomhla we-19 Juni 1998.]

**1 Inkcazo-magama**

Kule Migaqo, naliphi na igama okanye ibinza lamagama esele linikwe intsingiselo kuMthetho woNgcakazo neMidyarho yaMahashe weNtshona Koloni ka-1996 (uMthetho wePhondo 4 ka-1996), liya kuthi libe naloo ntsingiselo liyinikeyo kuwo, ngaphandle ke kokuba indlela elisetyenziswe ngayo ilinika intsingiselo eyenye—

**'umatshini wokuzonwabisa'** uthetha nawuphi na umatshini okanye isixhobo esingiselo isixhobo songcakazo, ekunokuthi ngaso kudlalwe umdlalo wokuzonwabisa;

**'imali'** ithetha nayiphi na imali eziinkozo okanye engamaphepha okanye imali yelizwe esetyenziswa neyamkelekileyo njengemali;

**'itshiphu'** ithetha iplastikhi, ipespeksi okanye into enjalo ethi ifumaneke ngesixa semali esibekiweyo okanye ethengiswa ngumnini welayisenisi kubaxhasi khona ukuze bayisebenzise xa bengcakaza;

**'isebe elichongiweyo'** lithetha isebe lephondo lePhondo leNtshona Koloni elithe lachongwa nguMphathiswa owongameleyo ukuba lijongane neBhodi njengoko kucaciswa nguMgaqo 24.1 weCandelo leNkcitho yeMali leSizwe (National Treasury) (eyapapashwa kwiGazethi kaRhulumente enguNomb. 23463 yomhla wama-25 Meyi 2002);

[Indawo yenkcazo 'yesebe elichongiweyo' ifakwe endaweni yenkcazo 'yoMlawuli-Jikelele nge-PN 265 ka-2003 ukusukela kumhla we-8 Agasti 2003.]

[Inkcazo 'yoMlawuli-Jikelele iye yacinywa yi-PN 265 ka-2003 ukusukela kumhla we-8 Agasti 2003.]

**'igosa elinika inkcazo elibekiweyo'** lithetha igosa elinoxanduva lokunika inkcazo kwelo sebe lithe laba lelichongiweyo

[Inkcazo 'yeigosa elinika inkcazo elibekiweyo' ifakelwe yi-PN 265 ka-2003 ukusukela kumhla we-8 Agasti 2003.]

**'umsebenzi'** uthetha umsebenzi ophambili okanye umsebenzi wongcakazo okhankanywa kwicandelo 56 nele-57 lalo Mthetho;

**'ikhontrakthi ephathelele kungcakazo'** ithetha ikhontrakthi ekhankanywe kwicandelo 59 lalo Mthetho;

**'ibhodi yomdlalo'** ithetha ibhodi yokuqhuba umdlalo ofakwe kuyo umdlalo oyiEPROM;

**'umdlalo we-EPROM'** ngumdlalo oyi*Erasable Programmable Read Only Memory* okanye *iProgrammable Read Only Memory* okanye nayiphi na enye impokhwe ethi igcinwe kwikhompyutha-

(a) eyenzelwe ukuba okanye ekwaziyo ukuba ifakwe kwibhodi yokuhambisa umdlalo

(b) nelungiswe ngokolungiso (programming) lomdlalo;

**'intlawulo yejekhipoti'** ngokubhekisele koomatshini bokufaka imali ithetha intlawulo ehlawulwa ngumnini welayisenisi kumxhasi othe waphumelela kuloo matshini wokufaka imali—

(a) engakunyusiyo oko kubhalwe phaya kwimitha yokubonisa okuphuyelelweyo, kwaye

(b) ingakhutshwa iphume phaya kwihopha.

**'uMthetho'** uthetha uMthetho woNgcakazo neMidyarho yaMahashe weNtshona Koloni ka-1996 (uMthetho 4 ka-1996), njengoko wenziwe izilungiso;

**'ibhodi yokuqhuba umdlalo'** ithetha ibhodi esebenza ngombane neyenzelwe okanye ekwaziyo ukuba isetyenziswe kumatshini wokufaka imali;

**'ijekhipoti ezinyukelayo'** ithetha isixa semali esiye sabhengezwanesiphunyelelwa ngokuchana udibaniso lwengqokelela yamanani, yamakhasi okudlala, yeempawu eziyimizobo, yemifanekiso, yezazobe okanye naziphi na ezinye izinto ezinjalo ezinokuthi zikwazi ukukhutshwa ngumatshini wokufaka imali ozinyuselayo;

**'umdlali ongumtyalwa'** uthetha umdlali obekwe okanye oqeshwe ngumnini welayisenisi ngenjongo yokuba adlale kumdlalo wongcakazo esebenzisa imali yakhe aze akuthathe akuphumeleleyo neelahleko ibe zezakhe;

**'umdlali osisandla'** uthetha umdlali obekwe okanye oqeshwe ngumnini welayisenisi ukuba adlale kumdlalo wongcakazo esebenzisa kuphela imali ayinikwe ngumnini welayisenisi;

**'ithowukheni'** ithetha ithowukheni ethi ifumaneke ngesixa semali esibekiweyo okanye ekhutshwa okanye ethengiswa ngumnini welayisenisi kubaxhasi khona ukuze bayisebenzise xa bengcakaza.

[Indawo yoMgaqo 1 ithathwe yi-PN 303 ka-1997 ukusukela ngomhla wama-29 Agasti 1997 naye-PN 331 ka-1998 ukusukela ngomhla we-19 Juni 1998.]

## Isahluko 2

## UKUNYULWA KWAMALUNGU EBHODI [IMIGAQO 2 — 4]

**2 . . .**

[UMgaqo 2 watshitshiswa yi-PN 440 yomhla we-11 Okthobha 1996]

**3 Ukutyunjwa kwabatyunjwa**

(1) Igosa elinika inkcazo elibekiweyo liya kuthi ngenothisi epapashwe ngolwimi ngalunye kwiilwimi zaseburhulumenteni eNtshona Koloni kwiGazethi yePhondo nakweyiphi na enye into eshicilelwayo elinokuthi liyibone ifanelekile, acele ukuba kutyunjwe abanokutyunjwa njengambalungu iBhodi.

[Umhlathana (1) yenziwa izilungiso yi-PN 265 ka-2003 ukusukela kumhla 8 Agasti 2003]

- (2) Utyumbo oluqulathe igama, iadresi, inombolo yefowuni nenkcukacha ngobomi (isivi) yomtyunjwa lowo iya kuthi ingeniswe ngento ebhaliweyo kwigosa elinika inkcazo elibekiweyo zingadlulanga iintsuku ezilishumi elinesine emva komhla wopapasho lwale nothisi ikhankanywe kumgaqwana (1).

[Umgaqwana (2) wenziwa izilungiso yi-PN 440 yomhla we-11 Okthobha 1996 nayi-PN 265 ka-2003 ukusukela kumhla 8 Agasti 2003]

- (3) Igosa elinika inkcazo elibekiweyo liya kuthi lisakuba lifumene ol tyumbo lukhankanywa kumgaqwana (2) lufanelekile, linike loo mtyunjwa ifomu afanele kkuyizalisa neya kuthi isikakhulu ibe ngoluya hlobo luchazwe kuShedyuli 1, ifomu leyo ekuya kuthi kufuneka ibuyiswe izaliswe zingaphelanga iintsuku ezingamashumi amabini ananye emva kwaloo mhla wayeyinikwe ngayo umtyunjwa lowo.

[Umgaqwana (3) wenziwa izilungiso yi-PN 440 yomhla we-11 Okthobha 1996 nayi-PN 265 ka-2003 ukusukela kumhla 8 Agasti 2003]

- (4) Esi sicelo sikhankanywe kumgaqwana (3) siya kuthi sihambe noku kulandelayo—

- (a) inkcazo etyikitywe ngumfaki-sicelo exela ukuba akanangxaki ngokudiza iinkcukacha ngaye nangemicimbi yemali yakhe; kunye  
(b) nenkcazo etyikitywe ngumfaki-sicelo lowo exela ukuba ngankalo zonke uyayifezekisia imiqathango yecandelo 4 loMthetho lo, into leyo emenza akufanele ukuba angalilungu leBhodi le.

- (5) Ukusilela ukuzalisa le fomu ikhankanywe kumgaqwana (3) ngokuchanekileyo nangokupheleleyo, okanye ekungeniseni inkcazo ekhankanywe kumgaqwana (4), kuya kusiphuthisa isicelo eso;

[Umgaqwana (5) wenziwa izilungiso yi-PN 440 yomhla we-11 Okthobha 1996]

- (6) Liya kuthi lisakuba sidlulile esiya sithuba simiselweyo kumgaqwana (3) sokuba kubuyiswe iifomu zezicele, igosa elinika inkcazo elibekiweyo liya kuthi ngolwimi ngalunye lwaseburhulumenteni lweli Phondo lipapashe kwiGazethi yePhondo nakweyiphi na enye into eshicilelwayo elinokuthi liyibone ifanelekile, inothisi—

- (a) exela igama neadresi yomtyunjwa ngamnye othe wangenisa isicelo esifanelekileyo, kananjalo  
(b) echaza nokuba izimvo ngokufaneleka kwakhe umtyunjwa lowo zingaya kungeniswa kwigosa elinika inkcazo elibekiweyo zingadlulanga iintsuku ezilishumi elinesine emva kwaloo mhla wokupapashwa kwaloo nothisi.

[Umhlathi (b) wenziwa izilungiso yi-PN 265 ka-2003 ukusukela kumhla 8 Agasti 2003]

[Umgaqwana (6)wenziwa izilungiso yi-PN 440 yomhla we-11 Okthobha 1996 nayi-PN 265 ka-2003 ukusukela kumhla 8 Agasti 2003]

- (7) Utyumbo olukhankanywe kumgaqwana (2) nesicelo esikhankanywe kwicandelwana (3) kunye nazo naziphi na izimvo ezithe zakhankanywa kumgaqwana (6) kufuneka zingeniswe kwigosa elinika inkcazo elibekiweyo ingadlulanga intsimbi yesine emva kwemini ngaloo mhla wokugqibela ubekiweyo.

[Umgaqwana (7) wenziwa izilungiso yi-PN 440 yomhla we-11 Okthobha 1996 nayi-PN 265 ka-2003 ukusukela kumhla 8 Agasti 2003]

#### 4 Inkubo yokunyula

- (1) Igosa elinika inkcazo elibekiweyo liya kuthi livandlakanye isicelo ngasinye esikhankanywe kumgaqo 3(3), lize ke liqulunqe uluhlwana olufutshane lwamagama angekho ngaphantsi kweshumi elinesihlanu okanye, xa kubhekisele kwisithuba esithe savuleka eBhodini, angabi ngaphantsi kwesithathu, angawabona bafaki bezicelo bakufanele ngakumbi ukunyulwa; kuqondakale ke kambe ukubaigosa elinika inkcazo elibekiweyo lisenokuthi lifune ezinye iinkcukacha okanye iimpepha ezongezelelweyo malunga nomfaki wesicelo nezemicimbi yemali yakhe, xa lithe labona kuyimfuneko oko ekuvandlakanyeni kwalo isicelo.

[Umgaqwana (1) wenziwa izilungiso yi-PN 446 ka-1997 ukusukela kumhla we-12 Disemba 1997 nayi-PN 50 ka-1997 ukusukela kumhla wama-23 Januwari 1998 nayi-PN 265 ka-2003 ukusukela kumhla 8 Agasti 2003]

- (2) Olu luhlu lufutshane lukhankanywe kumgaqwana (1), kwakunye noluhlu olupheleleyo lwabo bonke abafaki bezicelo kwakunye nazo zonke iinkcukacha neempepha ezifumanekayo nezimalunga nabo nemicimbi yemali yabo kwakunye nazo naziphi na izimvo ezivakalisiweyo ezithe zafunyanwa ngokwemiqathango yomgaqo 3(6), ziya kungeniswa kwiKomiti eMileyo yePalamente yePhondo ejongene nalo Mthetho ukuba iziqwalasele.  
(3) Loo Komiti iMileyo ifanelekileyo iya kuthi zingaphelanga iintsuku ezisixhenxe emva kokuba izifumene ezi mpepha zikhankanywe kumgaqwana (2), ingenise uluhlu olufutshane lokugqibela lwamagama angekho ngaphantsi kweshumi elinesihlanu kwaunye noluhlu olupheleleyo lwabo bonke abafaki bezicelo kuMphathiswa ukuze yena alungenise kwiKhansile eLawulayo (kwiKhabhinethi).

[Umgaqwana (3) wenziwa izilungiso yi-PN 446 ka-1997 ukusukela kumhla we-12 Disemba 1997 nayi-PN 50 ka-1997 ukusukela kumhla wama-23 Januwari 1998.]

- (4) Igosa elinika inkcazo elibekiweyo liya kuthi lisakuba lisifumene isigqibo seKhansile eLawulayo malunga nabo bafaki bezicelo bathe baphumelela, libazise bonke abafaki bezicelo ngezo ziphumo.

[Umgaqwana (4) wenziwa izilungiso yi-PN 265 ka-2003 ukusukela kumhla 8 Agasti 2003]

## Isahluko 3

## IZIBHENO (umg. 5)

[Isahluko 3 (umg. 5) safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**5 Izibheno eziphathelele ngamagunya okanye imisebenzi enikiweyo**

- (1) Umntu ochaphazeleka ngqo kwisigqibo sakhe nawuphi na umntu okanye ikomiti esebenza ngokwamagunya okanye ngokomsebenzi weBhodi onikwe phantsi yemiqathango yecandelo 13 lalo Mthetho, usenokuthi zingaphelanga iintsuku ezingamashumi amathathu emva kokuthathwa kweso sigqibo, afake isibheno eBhodini.
- (2) Esi sibheno sikhankanywa kumgaqwana (1) siya kuba ngento ebhaliweyo kwaye siya kuchaza—
  - (a) eso sigqibo kfakwa isibheno ngaso;
  - (b) umhlaba okanye imihlaba esifakwa phantsi kwayo eso sibheno;
  - (c) igama, iadresi, kunye nenombolo yefowuni yalo mntu ufaka isibheni eso; kunye
  - (d) uhlobo achaphazeleka ngalo loo mntuufaka isibheno kwesi sigqibo.
- (3) Iya kuthi ke iBhodi isakuba isifumene isibheno eso, iqhube uphando okanye yenze ukuba kuqhutywe uphando ngokolo hlobo ilubona lufanelekile ukuba makuqhutywe ngalo.
- (4) Imiqathango yeSahluko III salo Mthetho siya, sinezo nguqulelo ziyimfuneko, silandelwe ekuqhutyweni kolu phando lukhankanywe kumgaqwana (3).
- (5) Emva kokuba sithe saqwalaselwa isibheno eso nasemva kokuba kufikelelwe kwisigqibo ngesibheno eso, ukuba kunjalo, iBhodi isenokuthi—
  - (a) isamkele eso sigqibo bekubhenwa ngaso;
  - (b) isitshitshise eso sigqibo bekubhenwa ngaso;
  - (c) ithathe nasiphi na isigqibo esibona sifanelekile phantsi kwezo meko,

Ize ke ithi emva koko ibazise ngento ebhaliweyo abo bachaphazelekayo ngeso sigqibo isithathileyo.

[Umgaqo 5 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

## Isahluko 4

## UKUKHUTSHWA KWEELAYISENISI (Imig. 6-13)

[Isahluko 4 (imig. 6 ukuya ku-13) safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**6 Ngokubanzi**

- (1) Nayiphi na ilayisenisi, ipemethi, ufaneleko olufunyanisiweyo, ubhaliso, ugunyaziso okanye ulwamkelo oluthe lwakhutshwa yiBhodi luya kuthi luthathwe ngokuba luyakwazi ukutshitshiswa, kuxhomekeke ekubeni ngaba ufaneleko lwalo mntu uthe wanikwa loo layisenisi, loo pemethi, oko kufaneleka, oko kubhaliswa, olo gunyaziso okanye olo lwamkelo kunye nokufezekisa kwaloo mntu imiqathango yalo Mthetho, kuhlala kuhleli, kungaguquki.
- (2) IBhodi isenokuthi nanini na ifune naziphi na iinkcukacha ezibona ziyimfuneko ekukwazini kwayo ukuzanelisa ngokuba oko kufaneleka nook kufezekiswa kwemiqathango akuguqakanga.
- (3) Xa umntu efaka isicelo selayisenisi okanye sepemethi, sokufunyaniswa efanelekile okanye sobhaliso, esogunyaziso okanye esolwamkelo, uxanduva luya kusoloko lusemagxeni akhe menzi wesicelo lokuba abonakalise ukuba ngenene ukufanele ukuba angayinikwa loo layisenisi, loo pemethi, olo faneleko, olo bhaliso, olo gunyaziso okanye oko kwamkelwa.

[Umgaqo 6 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**7 Isicelo neenkukacha**

- (1) Isicelo selayisenisi okanye sepemethi, sokufunyaniswa efanelekile okanye sobhaliso, esogunyaziso okanye esolwamkelo, phantsi kwemiqathango yalo Mthetho siya kuthi singeniswe ngaloo ndlelathayabekwa yiBhodi, kwaye siya kubandakanya, sihambe nazo naziphi na iimpepha
- (2) Ukuba umntu uthe wenza inkcazo yobuxoki okanye elahlekisayo okanye ungenisa iinkcukacha ezibubuxoki okanye ezilahlekisayo okanye uthe wasilela ekunikeni iinkcukacha ezipheleleyo nezichanekileyo ngokuphathelele kwisicelo esingeniswe kwiBhodi, eso senzo okanye olo silelo luya kuba sisizathu esikufaneleyo ukukhatywa kweso sicelo.
- (3) Zonke iinkcukacha ekufuneka zibandakanyiwe okanye zihambe nesicelo ziya kuba ziinkcukacha ezipheleleyo nezichanekileyo ngaloo mhla isicelo eso side siqwalaselwe yiBhodi.
- (4) Isicelo okanye naziphi na impepha okanye iinkcukacha ezihamba okanye ezilulungezelelo kwisicelo eso zisenokuthi, xa kuthe kwenziwa isicelosaza samkelwa yiBhodi, senziwe izilungiso nangayiphi na indlela nanini na phambi kokuba siqwalaselwe yiBhodi.



- (5) Lowo mhla sifunyenwe ngawo isicelo yiBhodi, okanye apho isicelo siye senziwa izilungiso okanye senziwa naluphi na ulongelelo, usku lokwenziwa kwezilungiso zokugqibela kwisicelo eso okanye kwiimpepha ezo okanye kwiinkcukacha ezo zihamba nesicelo eso luya kuthi luthathwe njengosuku esingeniswe ngalo eso sicelo.
- (6) Ukusilela ekungeniseni naziphi na iinkcukacha ezithe zancelwa yiBhodi ngokwemiqathango yale migaqo singaphelanga eso sithuba besithe sabekwa yiBhodi kuya kuthi nike imihlaba eyanelyo yokukhatywa kwesicelo eso.

[Umgaqo 7 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 8. Ukubhengezwa kwesicelo

Lisakuba lisifumene isicelo esifanelekileyo sokunikwa ilayisenisi echazwe kwicandelo 32(2) lalo Mthetho, iGosa eliLawulayo eliyiNtloko liya kuthi, ngenjongo yokunika ithuba lokuba kungeniswe izichazo okanye kuvakaliswe izimvo lipapashe kwiGazethi yePhondo nakuyo nayiphi na enye into eshicilelweyo eliyibona ifanelekile, ezi nkcukacha zilandelayo:

- (a) Igama lalowo ufake isicelo;
- (b) ukuba ngaba umfaki wesicelo lowo yinkampani okanye iqumrhu loshishino, amagama abo bonke abantu abanochaphazeleko ngokwasezimalini okanye abanolunye nje uchaphazeleko lwee-pesenti ezintlanu nangaphazulu kumfaki wesicelo;
- (c) Uhlobo lwelayisenisi efakelwa isicelo;
- (d) iadresi nendawo okanye amasango aceba ukuqhubela kulo umfaki wesicelo lowo;
- (e) iadresi ezifanele kuthunyelwa kuyo izichazo okanye izimvo ezivakalisiweyo ngesicelo eso;
- (f) umhla wokuvawa kokungeniswa kwezo zichazo nezo zimvo zivakalisiweyo eBhodini, umhla lowo ongasayi kuba ngaphambili kokuba ziphele iintsuku ezingamashumi amabini ananye emva kolo papasho; kunye
- (g) neadresi apho zinokuya kuhlolwa khona izicelo ezo nalapho zinokuya kufakwa khona okanye zinokuthunyelwa khona izichazo kunye nezimvo ezivakalisiweyo.

[Umgaqo 8 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 9. Ukudluliselwa kweenkcukacha kumaqela achaphazelekayo nokuhlolwa luluntu

- (1) Lisakuba lisifumene isicelo esifanelekileyo sokunikwa ilayisenisi engeyiyo le ikhankanywe kwicandelo 27(e), (l), no-(m), iGosa eliLawulayo eliyiNtloko liya kuthi lidlulisele kumasipala ofanelekileyo ikopi yesibhengezo esikhutshwe ngokwemiqathango yomgaqo 8 kwakunye nazo naziphi na iinkcukacha eziphathelele kweso sicelo, elicinga ukuba ziya kumnceda umasipala lowo ekuqwalaseleni isicelo eso nasekuvakaliseni izimvo ngaso.
- (2) Xa isisicelo solwakhiwo, esi sibhengezo sikhankanywe kumaqwana (1) siya kuthi sidluliselwe nakwezi ndawo—
  - (a) kwisebe likarhulumente wephondo elijongene nobonelelo ngezindlu, ulawulo lweedolophu nezithili kunye nophuhliso;
  - (b) kwisebe likarhulumente wephondo elijongene nezothutho,
  - (c) nakwisebe likarhulumente wephondo elijongene nemicimbi yokusingqongileyo.
- (3) IGosa eliLawulayo eliyiNtloko alisayi kuzidlulisela naziphi na iinkcukacha ngokwemiqathango yemigaqwana (1) nowe-(2), xa ngokokubona kwalo ezo nkcukacha iziinkcukacha ezifanele ukuba yindaba yakwamkhozi engenakudizwa okanye elibona ukuba azingeni ndawo kumba wokuvakaliswa kwezimvo ngesicelo eso.
- (4) Zonke izicelo ziya kuthi, kuthathelwe ingqalelo umgaqwana (3) phofu, zivulelwe ukuhlolwa ngabo bantu banomdla phaya kwiofisi zeBhodi ngamaxesho omsebenzi esiqhelo isithuba esiziintsuku ezingamashumi amabini ananye ukusukela kulaa mhla wokupapashwa kwalaa nothisi ikhankanywe kwicandelo 32 lalo Mthetho.

[Umgaqo 8 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 10. Izichaso novakaliso lwezimvo

- (1) Nawuphi na umntu onqwenela ukufaka isichaso okanye ofuna ukuvakalisa izimvo ngesicelo esingeniswe eBhodini, uya kuthi akwenze oko ngento ebhaliweyo zingadlulanga iintsuku ezingamashumi amabini ananye emva kokuba ipapashiwe le nothisi ikhankanywe kumgaqo 8 okanye ke eso sithuba sisesinye sithe sabekwa yiBhodi, kwaye ke kuya kufuneka ukuba axele ngento ebhaliweyo—
  - (a) isicelo eso sibhekise kuso isichaso eso;
  - (b) xa isisichaso, imihlaba esisekelwe phezu kwayo eso sichaso;
  - (c) xa kuvakaliswa izimvo, iinkcukacha ezipheleleyo kunye neziganga sokucacisa izimvo ezo zivakaliswayo, kunye
  - (d) negama, iadresi kunye nenombolo yefowuni yaloo mntu ufaka isichaso okanye uvakalisa izimvo ezo.
- (2) Isakuba ithe yafumana isichaso okanye izimvo ezingathethi kakuhle ngesicelo, iBhodi iya kuthi ingeniseleumfaki wesicelo eso sichaso okanye ezo zimvo zingathethi kakuhle, onokuthi ke yena aphenyule ngento ebhaliweyo zingadlulanga iintsuku ezingamashumi amabini ananye emva kokuba ezifumene, okanye singekpheli eso sithuba songezelelweyo athe wasibekelwa yiBhodi.

[Umgaqo 10 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**11 Ukurhoxiswa kwesicelo**

- (1) Umfaki, usenokuthi nanini na phambi kokuba siqwalaselwe isicelo sakhe, afake isicelo eBhodini ngento ebhaliweyo sokuba asirhoxise isicelo sakhe eso.
- (2) Kweso sicelo ke umfaki wesicelo uya kuthi acacise ezi ndawo zilandelayo ngokuzelelo—
  - (a) izizathu zeso sicelo, kunye
  - (b) nezizathu zokuba kungasizathu sini na engenakuthi athathwe njengomntu ongafanelekanga ngokwemiqathango yecandelo 32(5) lalo Mthetho.

[Umhlathi (b) wenziwa izilungiso yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000].

- (3) IBhodi inokuthi isamkele esi sicelo sikhankanywe kumgaqwana (1)—
  - (a) ngaphandle kwemiqathango, okanye
  - (b) ukuba, ngokokubona kweBhodi, ezi zizathu zokurhoxisa isicelo zinikiweyo aziyanelisi okanye azenziwanga ngeenjongo ezintle, kambe ke iyithathele ingqalelo imiqathango yecandelo 32(5) lalo Mthetho.

[Umhlathi (b) wenziwa izilungiso yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000].

[Umgqo 11 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**12 Ithuba lokulungisa iimeko zokungafaneleki**

Umfaki wesicelo ophantsi kweemeko zokungafaneleki ngokwemiqathango yalo Mthetho usenokuthi, ngokokubona kweBhodi kuphela, phambi kokuba akhatywe ngokungafaneleki kwakhe, anikwe ithuba lokuba alungise loo mekoyokungafaneleki, singaphelanga isithuba athe wasibekelwa yiBhodi.

[Umgqo 12 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**13 Umntu ongafanelekanga omakangakuzuzi**

Umntu ongunobangela ngqo okanye bugungu, weemeko ezibangele ukungafaneleki komfaki wesicelo akasayi kwamkela imali ethe chatha ngochaphazelekolwakhe kumfaki wesicelo engaphezulu kwaleyo ebethe wayihlawula okanye kuneso sixa sithe sabekwa yiBhodi, isixa eso esiya kuthi singabi ngaphezulu kwexabiso lemarike lolo chaphazeleko.

[Umgqo 13 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**Isahluko 5****ABASEBENZI ABANIKWE IILAYISENISI (umg 14-17)**

[Isahluko 5 (imig. 14 ukuya ku-17 idibene yonke) safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**14 Abasebenzi abaphambili**

Phezu kwabo basebenzi bathathwa ngokuba ngabasebenzi abaphambili ngokwemiqathango yecandelo 56 lalo Mthetho, abantu abakwezi zikhundla zilandelayo okanye kwezifana kakhulu nazo, baya kuthathwa ngokuba bangabasebenzi abaphambili ngokwakulo Mthetho:

- (a) nawuphi na umntu othi eyedwa nje okanye esebenza njengelungu leqela, aqulunqe umgaqo-nkqubo wolawulo;
- (b) nawuphi na umntu onegunya lokunika ityala okanye iinkonzo zobhengezo okanye iithowukheni;
- (c) nawuphi na umntu onegunya lokuba nenxaxheba ekusonjululweni okanye ekujonganeni neembambano zabaxhasi;
- (d) awuphi na umntu onegunya lokuqesha okanye lokugxotha abasebenzi abangabaphathi nabaneelayisenisi ngokwemiqathango yalo Mthetho;
- (e) nawuphi na umntu onegunya lokubeka iliso okanye lokongamela ukuqhutywa kongcakazo okanye into eyenziwayo ephathelele kukhuseleko, kubandakanya, kodwa kungaphelelanga apho, ukubeka iliso okanye ukongamela wonke umsebenzi nabo bonke oomatshini bongcakazo okanye nezinye nje izinto zongcakazo, kunye naye nawuphi na umntu onegunya lokubeka iliso okanye lokongamela lo mntu ebeye wakhankanywa kuqala;
- (f) nawuphi na umntu onegunya lokulawula okanye onoxanduva lokulawula icandelo elinye okanye amacandelo okanye imisebenzi yongcakazo, kubandakanya, kodwa kungaphelelanga apho—
  - (i) ugcino-zincwadi;
  - (ii) amatyala nokuqokelelwa kwawo;
  - (iii) icandelo lekheyiji;
  - (iv) abasebenzi;
  - (v) uhlolo-zincwadi lwangaphakathi;

(vi) ukhuseleko, kunye

(vii) nokucupha;

- (fA) nawuphi na umntu onegunya lokuba nakanjani na lokuba aguqule indlela yokusebenza kwazo naziphi na iimpokhwe zekhompyutha eziphathelele kungcakazo okanye naziphi na iinkcukacha ezikwezo mpokhwe/

[Umhlathi (fA) wafakelwa yi-PN 363 ka-2000 ukusukela kumhla wama-16 Agasti 2000.]

- (g) nawuphi na umntu osebenza njengesandla okanye njengomdlali ongumtyalwa, kunye

- (h) nawuphi na umntu othe weziswa kwiBhodi ngumnini welayisenisi okanye ligosa okanye umlawuli womnini welayisenisi njengomntu obalulekileyo okanye oyimfuneko ekuqhutyweni kweshishini lomnini welayisenisi

[Umgaqo 14 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 15. Ilayisenisi yomsebenzi wexeshana

- (1) Ukuba kuthe kwenziwa isicelo selayisenisi yomsebenzi ophambili okanye yomsebenzi wongcakazo okanye ukuba iBhodi yabona umsebenzi womnini welayisenisi njengomsebenzi ophambili okanye engumsebenzi wongcakazo, yaza yacela ukuba loo mntu makafake isicelo selayisenisi, ibe iBhodi ibona ukuba yanelisekile ukuba—

(a) ukuqhuba kweshishini lomnini welayisenisi kuya kuqhwaliseka kakhulu kukulibaziseka kokuqeshwa kwaloo mfaki wesicelo okanye kukuphazamiseka komsebenzi wakhe, nokuba

(b) ukuqala kwaloo mfaki wesicelo ukusebenza okanye ukuqhuba kwakhe ngokusebenza akusayi kukubeka emngciphekweni ukuqhuba ngokufanelekileyo kweshishini lomnini welayisenisi,

iBhodi isenokuthi imnike ilayisenisi yexeshana umfaki wesicelo lowo ilayisenisi yexeshana, kude kube lelo xesha siya kwaziswa isiphumo sesicelo eso.

- (2) Ukukhutshwa kwelayisenisi yexeshana yiBhodi ngokwemiqathango yomgaqwana (1) akusayi kuba sisiseko sokunika ithemba lokuba iza kunikwa ilayisenisi ngokwecandelo 56 okanye 57 lalo Mthetho.

- (3) Ukuba ukufakwa kwesicelo selayisenisi ngokwecandelo 56 okanye 57 lalo Mthetho siye sakhatywa yiBhodi, umnini welayisenisi ongumqeshi waloo mntu uya kuthi asakuba esifumene isigqibo seBhodi, amyekise ngokukhawuleza loo mntu kuso nasiphi na isikhundla ebicelelwa sona ilayisenisi leyo.

- (4) Le miqathango ikumgaqwana (3) iya kuba yimiqathango yengqesho.

[Umgaqo 15 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 16 Ubungqina bokuba nelayisenisi kwiinkcukacha zengqesho

Umnini welayisenisi uya kuthi ngamaxesha onke agcine ikopi yelayisenisi yomsebenzi ngamanye okhutshelwe ilayisenisi phantsi kwemiqathango yecandelo 56 nele-57 lalo Mthetho kwiinkcukacha zengqesho zomsebenzi lowo.

[Umgaqo 16 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 17 Ukumiswa okwexeshana okanye ukutshitshiswa kwelayisenisi

- (1) Ukuba ilayisenisi yomsebenzi onelayisenisi ayinikwe ngokwemiqathango yecandelo 56 okanye 57 lalo Mthetho—

(a) ithe yatshitshiswa yiBhodi, umnini welayisenisi ongumqeshi waloo uya kuthi ngokukhawuleza amyekise loo mntu emsebenzini kuso nasiphi na isikhundla ebisifuna ukuba abe naloo layisenisi, okanye

(b) ithe yamiswa okwexeshana yiBhodi umnini welayisenisi ongumqeshi waloo uya kuthi ngokukhawuleza amyekise loo mntu emsebenzini kuso nasiphi na isikhundla ebisifuna ukuba abe naloo layisenisi, ngso sonke eso sithuba sokumiswa okwexeshana kwaloo layisenisi,

- (2) Kungekho butyala aya kuba nabo umnini welayisenisi okanye iBhodi.

[Umgaqo 17 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### Isahluko 6

#### UKUFUMANA UKUFANELEKA (Imigaqo 18-20)

[Isahluko 6 (imig. 18 ukuya ku-20 idibene yonke) safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 18 Ukufumana ukufaneleka

- (1) IBhodi isenokuthi ifune ukuba nawuphi na umntu okhankanywe kumacandelo 58 nele-59 alo Mthetho abonakalise ngokuyanelisayo iBhodi ukuba ukufanele ukuba angafumana uchaphazeleko ngenxaxheba kwishishini lomnini welayisenisi okanye lalowo ungumfaki wesicelo okanye ukuba angangena kwikhontrakthi naye.

- (2) IBhodi iya kuthi imazise ngenothi ebhaliweyo umntu ofanele ukuba afunyaniswe efanelekile ngokwemiqathangoyomgaqwana (1) ngeemfuno zesi Sahluko, kwaye ke loo mntu uya kuthi zingaphelanga iintsuku ezingamashumi amabini ananye eyifumene loo nothisi, okanye ke elo xesha athe walongezelelwa yiBhodi, angenise kwiBhodi isicelo sokuba afunyaniswe efanelekile.

- (3) IBhodi iya kuthi isakuba ilusongile uphando lwayo ngokwemiqathango yalo mgaqo, imfumanise loo mntu—
- efanelekile, okanye
  - engafanelekanga
- kwaye ke iya kuthi ngenothi ebhaliweyo imazise ngesigqibo sayo loo mntu kunye nomnini welayisenisi okanye umfaki wesicelo ochaphazeleka ngokuthe ngqo okanye ngokungathanga ngqo naloo mntu.
- (4) Xa iBhodi ithe yamfumanisa engafanelekanga ngokwemiqathango yomgaqwana (3), isenokuthi imcele umnini welayisenisi okanye umfaki wesicelo ukuba makawaqhawule amaqhina oqhagamshelwano lwakhe naloo mntu singahelanga isithuba esithe sabekwa yiBhodi.
- (5) Xa athe umntu wafunyaniswa efanelekile ngokwemiqathango yomgaqwana (3), iBhodi iya kuthi imkhuphele isiqinisekiso loo mntu.
- (6) IBhodi iya kuthi imazise umnini welayisenisi lowo ngako nakuphi na okuthe kwafunyaniswa phantsi komgaqwana (3).
- (7) Ukusukela kuloo mhla ithe iBhodi yamnika inothi umnini welayisenisi okanye umfaki wesicelo ngoko kuthe kwafunyaniswa ngokuphathelele kumgaqwana (3)(b), lowo mntu uchaphazelekayo akasayi kuthi, ngendlela ethe ngqo okanye ngengathanga ngqo, akasayi kusebenzisa nawaphi na amalungelo okuvota anikwa kukuba enolo chaphazeleko analo.
- (8) Ukufunyaniswa komntu efanelekile okanye engafanelekanga kuya kuba kokweenyanga ezilishumi elinesibini, kuze ke emva koko kuphinde kusebenze laa miqathango ikumgaqwana (1), inezo nguqulelo kuthe kwayimfuneko ukuba zenziwe kuyo.
- (9) Imiqathango yamacandelo 28 nelama-29 alo Mthetho, iya kuthi isetyenziswe xa kuza kuqwalaselwa ukufaneleka komntu, inezo nguqulelo kuthe kwayimfuneko ukuba zenziwe kuyo.

[Umgaqo 18 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 19 Uchaphazeleko ngokwemali kumnini wesiqinisekiso sofaneleko

Umnini wesiqinisekiso sofaneleko akasayi kuthi, ngaphandle kokufumana imvume yeBhodi, avumele nawuphi na omnye umntu ukuba afumane uchaphazeleko lwenxaxheba ngokwemali oluzipesenti ezintlanu (5 iipesenti ezintlanu) okanye ngaphezulu, okanye lwepesenti engaphantsi ethe yabekwa yiBhodi, kwishishini lakhe.

[Umgaqo 19 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 20 Ukutshitshiswa konxulumano

- (1) Ukuba iBhodi—
- ifumanisa ukuba lo mntu ukhankanywe kumgaqo 18 akakufanaelekanga ukuba angaba nonxulumano analo nomnini welayisenisi okanye umfaki wesicelo, okanye
  - iyasimisa okwexeshana okanye iyasitshitshisa isiqinisekiso sofaneleko somntu,
- loo mnini welayisenisi okanye loo mfaki wesicelo uchaphazelekayo uya kuthi, lingadlulanga elo xesha lithe labekwa yiBhodi, ya kusitshitshisa nasiphi na isivumelwano phakathi komnini welayisenisi okanye komfaki wesicelo naloo mntu.
- (2) Ukusilela ekubandakanyeni imiqathango yomgaqwana (1) kwisivumelwano akusayi kuba lityholo lokusithela kulo naliphi na inyathelo elinokuthathwa ngokwemiqathango yalo mgaqo lokusitshitshisa isivumelwano eso.
- (3) Umnini welayisenisi otyeshela okanye osilelayo ekuthobeleni imiqathango yomgaqwana (1) uya kuba nobutyala.

[Umgaqo 20 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### Isahluko 7

#### UKUFUMANA UCHAPHAZELEKO NGOKWEMALI KUMNINI WELAYISENISI (Imig. 21-22)

[Isahluko 7 (imig. 21 nowe-22) safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 21 Isaziso sokufumana

- (1) Umnini welayisenisi othe wafumanisa ukuba umntu othile uye wafumana olu chaphazeleko lukhankanywe kwicandelo 58 lalo Mthetho kushishino lwale layisenisi yakhe uya kuthi, zingadlulanga iintsuku ezilishumi elinesine emva kokuba ethe wakufumanisa oko kufunyanwa kochaphazeleko, ayazise iBhodi ngento ebhaliweyo ngegama neadresi yaloo mntu ufumene uchaphazeleko, kwaye uya kuthi anike iBhodi naziphi na ezinye iinkcukacha ezinokuthi zifunwe yiBhodi.
- (2) Umntu othi, ngendlela ethe ngqo okanye engathanga ngqo, afumane olu chaphazeleko lukhankanywe kwicandelo 58 nlalo Mthetho, kwishishini lomnini welayisenisi, uya kuthi, zingadlulanga iintsuku ezilishumi elinesine emva kokuba efumene olo chaphazeleko, ayazise iBhodi ngento ebhaliweyo ngolo chaphazeleko, anike igama lakhe neadresi yakhe.

[Umgaqo 21 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 22 Amalungu aphambili afanele kudizwa

Akukho mntu uya kuthi, engakhange afumane imvume yeBhodi ngento ebhaliweyo, abe nochaphazeleko okanye afumane uchaphazeleko lwepesenti ezintlanu okanye ngaphezulu kwishishini lomnini welayisenisi njengommeli okanye womtyunjwa welungu eliphambili okanye lomnini ongumxhamli.

[ Umgaqo 22 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

## Isahluko 8

## ULWAMKELO LWEEKHONTRAKTHI EZIPHATHELELE KUNGCAKAZO (Imig. 23-24)

[Isahluko 8 safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**23 Iikhontrakthi eziphathelele kungcakazo**

Zonke iikhontrakthi achaphazeleka kuzo umnini welayisenisi okanye umfaki wesicelo okanye aceba ukungena kuzo, ziya kuba ngento ebhaliweyo.

[Umgaqo 23 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**24 Ukungeniswa kweekhontrakthi eziphathelele kungcakazo**

- (1) Wonke umnini welayisenisi uya kuthi, zingadlulanga iintsuku ezintlanu emva kokuba eceliwe yiBhodi ukuba angenise ikhontrakthi ephathelele kungcakazo okanye esacetywayo, ayingenise loo khontrakthi okanye loo khontrakthi icetywayo kwiiofisi zeBhodi.

[Indawo yomgaqwana (1) yathathwa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

- (2) IBhodi isenokuthi, xa ivandlakanya ikhontrakthi okanye ikhontrakthi ecetywayo ekungenwe kuyo okanye ekuza kungenwa kuyo ngumnini welayisenisi nalowo aza kuba nekhontrakthi naye, iqwalasele ukufaneleka kwakhe loo mntu.

[Indawo yomgaqwana (2) yathathwa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

- (3) IBhodi isenokuthi nanini na ikhe iyivandlakanye ikhontrakthi ebitha yamkelwa ngokwemiqathango yomgaqwana (1).
- (4) Ukuba umntu ekungenwe kwikhontrakthi naye ufunyaniswa ukuba akafanelekanga, iBhodi iya kuthi iyalele umnini welayisenisi okanye umfaki wesicelo uuba ayitshitshise loo khontrakthi naloo mntu.
- (5) Lowo mnini welayisenisi okanye lowo mfaki wesicelo uthe wayalelwa yiBhodi ukuba atshitshise ikhontrakthi ephathelele kungcakazo ngokwalo mgaqwana, uya kuthi ayitshitshise lingadlulanga elo xesha athe walibekelwa yiBhodi.
- (6) Zonke iikhontrakthi eziphathelele kungcakazo ziya kuthi ziyifake indawo yotshitshiso phantsi kwezi meko zichazwa kwimigaqwana (4) nowe-(5).
- (7) ...

[Umgaqwana 7 wafakelwa yi-PN 331 ka-1998 ukusukela ngomhla we-19 Juni 1998, waza watshitshiswa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

[Umgaqo 24 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

## Isahluko 9

## AMAZIKO ONGCAKAZO (Imig. 25-26)

[Isahluko (imigaqo 25 no 26) safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**25 Amaziko ongcakazo**

- (1) Akukho ndawo iliziko longcakazo iya kuthi ibe—
- (a) kumasango abonwa yiBhodi engenakukwazi ukuba nokhuseleko, ulawulo, nokubekwa esweni, nofikeleleko okanye lokujongwa ngamapolisa, ngokufanelekileyo;
- (b) kumasango apho, ngokokubona kweBhodi, ukuqhutywa kongcakazo bungayi kuhambelana nemigaqo-nkqubo yeKhansile eLawulayo (yeKhabhinethi), okanye
- (c) kumasango apho umntu owafunyaniswa engafanelekanga yiBhodi ngokwemiqathango yomgaqo 18 enochaphazeleko ngokwemali olupesenti ezintlanu okanye ngaphezulu.
- (2) Imiqathango yemigaqo 18 nowama-24 iya kuthi, inezo nguqulelo kuthe kwaba yimfuneko ukuba zenziwe, ilandelwe kwisvumelwano sokuqeshwa kweziko longcakazo nakulowo ungumqeshisi weziko longcakazo.
- (2A) Umnini welayisenisi ekhutshwe ngokwemiqathango yomhlathi (a), (b), (d), (i), okanye (k) wecandelo 27 lalo Mthetho kufuneka aqinisekise ukuba isaziso esichazela uluntu ngomba wokuba likhoboka longcakazo okanye wokuba nengxaki yongcakazo okanye yokubheja sixhonyiwe kwezi ndawo zilandelo kumasango anelayisenisi:
- (i) kumnyango ngamnye kuloo masango wokungena kwindawo eyenzelwe imida apho kuqhubeka khona ukubheja okanye ukungcakaza, kwaye
- (ii) xa ingamasango anelayisenisi omntu onelayisenisi yokuqhuba oomatshini bokubala imali yabadlali othi avumele umnini okanye abanini belayisenisi yababhejisi ukuba bamkele iimali zokubheja kwiindawo ezithile abazikhethelweyo kuloo masango anelayisenisi yokuqhuba oomatshini bokubala imali yabadlali, kwezo ndawo inokuthi iBhodi, ngento ebhaliweyo, isakuba yenze uhlobo lwezo ndawo zikhethiweyo, yazise umnini okanye abanini abo belayisenisi yokubhejisa.

[Umgaqwana (2A) wongezwe yi-PN 11 ka-2002 ukusukela ngomhla we-18 Januwari 2002.]

(2B) Esi saziso sifunwa ngumgaqwana (2A)—

- (i) siya kuthi siqulathe iinkcukacha zezibonelelo ezo zinika uncedo kwabo bantu bangamakhoboka okanye banokuthi kanti bangamakhoboka ongcazako okanye okubheja, kwaye
- (ii) siya kuthi ngokobukhulu, sibe bobobukhulu bufunwa yiMithetho yeBhodi

[Umgaqwana (2B) wongezwe yi-PN 11 ka-2002 ukusukela ngomhla we-18 Januwari 2002.]

(2C) Umnini welayisenisi ekhankanywe kumgaqwana (2A) uya kuthi aqinisekise ukuba kuloo masango achaphazelekayo kukho amaphetshana awaneleyo aya kumana ejongwa esetyenziswa ngabantu, ngokuphathelele lo mba wobukhoboka kungcazako okanye wengxaki yongcazako okanye yokubheja.

[Umgaqwana (2C) wingewe yi-PN 11 ka-2002 ukusukela ngomhla we-18 Januwari 2002.]

(2D) Indawo abekwe kuyo la maphetshana akhankanywe kumgaqwana (2C), kwakunye neenkcukacha eziphathelele kumba wobukhoboka kungcazako okanye wengxaki yongcazako okanye yokubheja eza kuqulathwa ngala maphetshana, zizinto ekuya kugqiba iBhodi ngazo.

[Umgaqwana (2D) wongez we yi-PN 11 ka-2002 ukusukela ngomhla we-18 Januwari 2002.]

[Umgaqo 25 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

## 26 Uqinisekiso lokugqitywa kwamasango

- (1) Ukuba ngaba isicelo selayisenisi siye samkelwa yiBhodi malunga namasango angekakiwa okanye angekagqitywa, umfaki wesicelo uya kuthi anike iBhodi nasiphi na isiqinisekiso sokugqitywa kwaloo esifunwa yiBhodi.
- (2) Ukuba ngaba amasango lawo okanye naiziphi na izingaba zolwakiwo lwawo kusekude kakhulu ukuba agqitywe ngeliya xesha nesiya sicwangciso besiye samkelwa yiBhodi okanye okanye sade saphela esiya sithuba besiye sabekwa njengoqathango eya kukhutshwa phantsi kwawo ilayisenisi leyo, loo layisenisi isenokuthi itshitshiswe phantsi kwemiqathango yecandelo 42 loMthetho lo.
- (3) Ukuba ngaba ilayisenisi iye yatshitshiswa phantsi kwemiqathango yecandelo 42 lalo Mthetho, esiya siqinisekiso sikhankanywe kumgaqwana (1) kuya kuthi kuulukwane naso sibe seseBhodi.

[Umgaqo 26 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

### Isahluko 10

#### UKUBIZWA KWENTLAWULO YEENDLEKO (Imigaqo 27-29)

[Isahluko 10 (imig. 27 ukuya kowama-29 ibandakanyiwe) safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

## 27 Ukubizwa kwentlawulo yeendleko zophando ngokukhupha okanye ngokuvuselela ilayisenisi

(1) Isicelo selayisenisi okanye sokuvuselelwa kwelayisenisi siya kuthi sihambe kunye nale dipozithi ilandelayo, okanye kunye nazo naziphi na ezinye iidipozithi ezinokuthi zibekwe yibhodi, iidipozithi ezo ezijoliswe ekukhawulelaneni neendeko ekungenwe kuzo phantsi kwemiqathango yecandelo 34 lalo Mthetho:

- |  |             |
|--|-------------|
| (a) Ilayisenisi yomnini wekhasino                                | R250 000.00 |
| (b) Ilayisenisi yoomatshini bongcazako olubekelwe imida          | R150 000.00 |
| (c) Ilayisenisi yamasango oomatshini bongcazako olubekelwe imida | R10 000.00  |
| (d) Ilayisenisi yebhingo   | R100 000.00 |
| (dA) Ilayisenisi yamasango ebhingo                               | R10 000.00  |
| (e) Ilayisenisi yommeli  | R10 000.00  |
| (f) Ilayisenisi yomvelisi  | R50 000.00  |
| (g) Ilayisenisi yomhambisi                                       | R50 000.00  |
| (h) . . .  |             |

[Umhlathi (h) wacinywa yi-PN 24 ka-2001 ukusukela kumhla we-2 Febhuwari 2001.]

(hA) . . .

[Umhlathi (hA) wacinywa yi-PN 24 ka-2001 ukusukela kumhla we-2 Febhuwari 2001.]

- |   |             |
|---|-------------|
| (i) Ilayisenisi yomnini woomatshini bokubala imali yabidlali  | R150 000.00 |
| (j) Ilayisenisi yamasango oomatshini bokubala imali yabidlali | R10 000.00  |
| (k) Ilayisenisi yombhejisi                                    | R10 000.00  |
| (kA) Ilayisenisi yamasango ombhejisi                          | R10 000.00  |
| (l) Ilayisenisi yomsebenzi ophambili                          | R750.00     |
| (m) Ilayisenisi yomsebenzi wongcazako                         | R500.00     |

[Endaweni yomhlathana (1) kwafakwa omnye yi-PN 363 ka-2000 ukusukela ngomhla we-16 Agasti 2000, waza wenziwa izilungiso yi-PN 24 ka-2001 ukusukela kumhla we-2 Febhuwari 2001.]

- (2) Imali eye yahlawulwa iBhodi ngokwemiqathango yomgaqwana (1) iya kuthi iye kugcinwa kwiakhawunti eyenza inzala, kwaye kuya kufuneka ukuba yahluke kuzo naziphi na ezinye iimali zeBhodi, kwiziko lemali okanye *ibuilding society*, ibhalwe ngomfaki wesicelo lowo.
- (3) Inzala kwimali ethe yaya kugcinwa ngokomgaqwana (1), ukuba ikhona, iya kuthi ibe yeyomfaki wesicelo.
- (4) IGosa eliLawulayo eliyiNtloko lisenokuthi limana lisiya kutsala kule mali ihlawulwe njengedipozithi ngumfaki wes liye kuhlawula ngayo zonke iindleko ekuthe kwangenwa kuzo yiBhodi ngokwemiqathango yecandelo 34 lalo Mthetho.
- (5) IGosa eliLawulayo eliyiNtloko liya kuthi ligcine iincwadi zemali ezifanelekileyo eziqulathe iinkcukacha zayo nayiphi na imali efunyenweyo, egciniweyo kunye nehlawuliweyo lilo egameni lomfaki wesicelo okanye ngenxa yakhe.
- (6) Ukuba ngaba idipozithi iya isihla ide isondele ekushokoxekeni, iBhodi isenokuthi ibize enye idipozithi elingana naleya, okanye engaphantsi kuleya ibiye yahlawulwa kuqala; kuqondakale ke kodwa ukuba, naluphi na uphando oluchaphazela loo mfaki wesicelo lungayekwa, de ibe ihlawulwe loo dipozithi iyenye.
- (7) Inkcazo yeemali eziye zakhutshwa kule dipozithi, iintlawulo ezithe zenziwa yiBhod kwakunye nomncono okhoyo, uya kuthi azinikwe umfaki wesicelo xa athe wazicela zingadlulanga iintsuku ezilishumi elinesine emva kokuba sifunyenwe isicelo sakhe.
- (8) Nawuphi na umncono oseleyo kwidipozithi uya kuthi ubuyiselwe kumfaki wesicelo zingadlulanga iintsuku ezingamashumi alithoba emva kokuba iBhodi ithe yasamkela okanye yasikhaba isicelo okanye emva kokuba ethe umfaki wesicelo wasirhoxisa isicelo eso; kuqondakale ke kodwa ukuba inkcazo ebonakalisa zonke iimali eziye zakhutshwa kule dipozithi, iintlawulo ezenziwe yiBhodi kwakunye nmncono okhoyo ziya kuthi zihambe nalo mncono ubuyiselwa kumfaki wesicelo.
- (9) Ukuba ngaba umfaki wesicelo unengxaki ngeentlawulo ezenziweyo okanye ngokuba kufunwe ukuba makakhuphe enye idipozithi, umfaki wesicelo usenokuthi enze isicelo sokuba iBhodi mayimnike ingcaciso ngento ebhaliweyo malunga nalo mba kukho imbambano ngawo.
- (10) Akukho layisenisi iya kuthi ikhutshwe de abe umfaki wesicelo ukuhlawule ngokupheleleyo oko afanele kukuhlawula ngokuphathelele kuzo naziphi na iindleko ekuthe kwangenwa kuzo ngokwemiqathango yecandelo 34 lalo Mthetho.
- (11) Ngokwakkulo mgaqo eli binza lithi "umfaki wesucelo" liya kuthi libhekisele kuzo zonke izigqeba zoshishino okanye wonke umntu ekufuneka ukuba ekhutshelwe ilayisenisi ngokwemiqathango yamacandelo 45, 46, 48, 50, 51, 53 nelama-55 alo Mthetho.

[Umgaqwana (11) wongezwe yi-PN 285 ka-1998 ukusukela ngomhla wama-29 Meyi 1998.]

- (12) Lomfaki sicelo uchazwa kumgaqwana (11) uya kuthi, ngokuphathelele kuzo zonke izicelo zelayisenisi okanye zokuvuselelwa kwelayisenisi, angenise iifomu zezicelo, ahlawule zonke iidipozithi eziza kujongana neziya ndleko zikhankanywe kumgaqwana (1), ezikhutshelwa:
  - (a) Ilayisenisi efakelwa isicelo ekhankanywe kumgaqwana (11), kwaye
  - (b) ilayisenisi ezifakelwa izicelo izezabasebenzi abaphambili kunye nabasebenzi bongcakazo abaza kuqeshwa nguloo mfaki wesicelo, ziya kuthi zenziwe egameni laba basebenzi okanye zisenzelwa bona, ziya kuthi zenziwe nguloo mfaki wesicelo njengommeli waba basebenzi; kuqondakale ke kambe ukuba apho kuye kwathi nanini na, kwafunyaniswa ukungafaneleki kwakhe nawuphi na umntu kwaba bebecelwa ilayisenisi, oko kungafaneleki akusayi kuthathwa njengokumfaki wesicelo lowo njengoko echazwa kumgaqwana (11), ngaphandle kwalapho umthethoukhokela ngolunye uhlobo, kodwa ke nawo uya kujolisa kulowo mntu ufunyaniswa engafanelekanga.

[Umgaqwana (12) wongezwe yi-PN 285 ka-1998 ukusukela ngomhla wama-29 Meyi 1998.]

- (13) Nanini na xa umntu esenza isicelo esenzela abanye abantu nokuba bangaphi na ngokolu hlobo lukhankanywe kumgaqwana (12), kuya kuhanjwa ngokwemiqathango yemigaqwana (2) ukuya kutsho kowe-(10); kuqondakale ke kambe ukuba zonke iidipozithi eziye zahlawulwa ngumfaki wesicelo ngokwemiqathango yomgaqwana (1) ziya kudityaniswa kwiakhawunti enye, kwaye ke akukho mncono wezi dipozithi uya kuthi xa kufanelekile, ubuyiselwe kumfaki wesicelo lude lube lufinyeziwe uphando ngomntu ngamnye obenzelwe isicelo nalowo bekwenziwe isicelo egameni lakhe.

[Umgaqwana (13) wongezwe yi-PN 285 ka-1998 ukusukela ngomhla wama-29 Meyi 1998.]

[Umgaqo 27 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

## 28 Ukubizwa kwentlawulo yeendleko ezingezizo ezokukhupha okanye ukuvuselela ilayisenisi

- (1) IBhodi iya kuthi phambi kokuba iqhube nayiphi na ingxoxo, upando okanye imibuzo, engaphandle kwengxoxo okanye yophando okanye yemibuzo ephathelele ekukhutshweni okanye ekuvuselelweni kwelayisenisi, imazise loo mntu uchaphazelekayo kulo ngxoxo okanye kolo phando okanye kuloo mibuzo, ize futhi kananjalo imazise nangeendleko eziqikelelwayo.
- (2) IBhodi iya kuthi iya kuthi ngeenjongo zokufuna intlawulo yazo naziphi na iindleko ekuthe kwangenwa kuzo xa bekuqhutywa ingxoxo okanye uphando okanye imibuzo okanye xa bekusenziwa nawuphi na umsebenzi ongenguwo owokukhutshwa okanye ukhulaziywa kwelayisenisi, iqukunqwe inkcazo echaka zonke iindleko ekuthe kwangenwa kuzo.
- (3) Lo mntu ukhankanywe kumgaqwana (1) uya kuthi, zingaphelanga iintsuku ezingamashumi amathathu emva kokuba eyinikiwe le nkcazo ikhankanywe kumgaqwana (2), ahlawule iBhodi zonke ezo ndleko kuthe kwangenwa kuzo.
- (4) Ukuba ngaba umntu unengxaki ngezo ndleko kuthiwa kungenwe kuzo, usenokuthi acele iBhodi ukuba imnike e ingcaciselo ebhaliweyo ngaloo mba anengxaki ngawo.

[Umgaqo 28 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

## 29 Ukubizwa kwentlawulo yeendleko zokuqulunqa uxwebhu, ifomu okanye irekhodi

Kuthathelwe ingqalelo imiqathango yamacandelo 17 nele-19 alo Mthetho, nawuphi na umntu unokuthi enze isicelo sokuba anikwe ikopi yeengxoxo zeBhodi ebezikwisishicileli-lizwi, zaza zakhutshelwa ngokuzibhala okanye ikopi yalo naluphi na uxwebhu, ifomu okanye irekhodi leBhodi, kwaye iBhodi iya kuthi imenzele imnike loo kopi loo mntu asakuba ezihlawule iindleko zokuyikopa.

[Umgaqo 29 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

## Isahluko 11

## IIMBAMBANO ZABAXHASI (Imig. 30-32)

[Isahluko 11 (imigaqo 30-32) safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**30 Usombululo lweembambano zabaxhasi**

Apho kukho imbambano malunga nentlawulo yetyala longcakazo ekukho ingxaki ngayo, loo mbambano isenokuthi isonjululwe yiBhodi ngokwemiqathango yesi Sahluko.

[Umgaqo 30 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**31 Ukwaziswa kweBhodi xa kukho imbambano**

- (1) Nanini na apho umnini welayisenisi ethe wala ukuhlawula loo mxhasi uthi uphumelele okanye xa umxasi esala kuhlawula umnini wetyala elo tyala kuthiwa unalo, phantsi kwaso nasiphi na isizathu, babe bobabini umnini welayisenisi nomxhasi lowo bengakwazi ukuyisombulula le mbambano ngendlela ewakholisa omabiniamacala, umnini welayisenisi uya kuthi azise umxhasi lowo ukuba yena uxolele ukuwudlulisele eBhodini khon' ukuze iwusombulule; aze ke emva koko athi zingaphelanga iiyure ezingamashumi amane anesibhozo, awudlulisele eBhodini umbala lo.
- (2) Imiqathango yomgaqwana (1) ayisayi kumthintela umxhasi ekubeni afake isikhalazo sakhe eBhodini ngqo.
- (3) IBhodi iya kuthi iqhube nalo naluphi na uphando elubona lukufanele ukusonjululwa imbambano leyo, kwaye ke iya kuthi inike umnini welayisenisi nomxhasi lowo isaziso esibhaliweyo, ibazisa ngesisombululo seBhodi kuloo mbambano.
- (4) Isisombululo seBhodi siya kuthi siqale ukusebenza ngaloo mhla abo bachaphazelekayo basifumna ngawo isaziso ngesisombululo eso.

[Umgaqo 31 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**32 Isicelo sokuxoxelwa yiBhodi**

- (1) Zingadlulanga iintsuku ezilishumi elinesine emva kokuba besifumene esi sisombululo seBhodi sibhaliweyo sikhankanywe kumgaqo 31(4) aba babandakanyeka kule mbambano, nawuphi na kubo usenokuthi enze isicelo eBhodini sokuba kubekho ingxoxo yokuqwalaselwa ngokutsha kwesi sisombululo.
- (2) Isicelo eso siya kuthi sicacise ukuba kungazizathu zini na kufuneka siphinde siqwalaselwe ngokutsha isisombululo eso.
- (3) IBhodi iya kuthi imise umhla wengxoxo leyo ize ke ngamnye kwaba bachaphazelekayo imnike isaziso esibhaliweyo kungasalanga ngaphantsi kweentsuku ezilishumi elinesine phambi kwengxoxo leyo sibazisa ngomhla, ngexesha nangendawo ekuya kuxoxelwa kuyo, ize kananjalo bobabini aba bachaphazelekayo ibanike ikopi yesicelo eso.
- (4) Lowo ke wenze esi sicelo sokuba siphinde siqwalaselwe isisombululo esi kule ngxoxo ikhankanywe kumgaqwana (1) uya kuthi abe noxanduva lokuba abonakalise ukuba kufanelekile ukuba siphinde siqwalaselwe esi sisombululo.
- (5) Omabini la macala aya kuthi kule ngxoxo abe nelungelo lokuba anike ubungqina nelokuba ayicacisele iBhodi.
- (6) IBhodi isenokuthi isiqinisekise okanye isenze izilungiso okanye isijike esiya sisombululo sayo sakuqala, kwaye ke iya kuthi iwazise omabini la macala achaphazeleka kule mbambano ngeso sigqibo ithe yafikelela kusongaloo ndlela ibona ifanelekile.
- (7) Ukuba kuthe kwenzeka ukuba kude kudlule eliya xesha libekiweyo phaya kumgaqwana (1) kungekho sicelo soqwalaselo ngokutsha, isigqibo seBhodi asisayi kuba nakujikwa ekupheleni kwelo xesha belibekiwe kumgaqwana (1), kwaye akusayi kuphinda kukwazeke ukuba sijongwe ngokutsha yiBhodi.
- (8) Isisombululo sokugqibela seBhodi siya kuqalisa ukuebenza zingadlulanga iintsuku ezisixhenxe—
  - (a) emva kokuba sazisiwe ngokomgaqwana (6), okanye
  - (b) emva kokuba liphelile eliya xesha likhankanywe kumgaqwana (1).

[Umgaqo 32 wafakelwa yi- PN 303 ka- 1997 ukususela kumhla wama- 29 Agasti 1997]

## Isahluko 12

## IINGXOXO (Imig 33-36)

[Isahluko 12 (imigaqo 33-36) safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**33 Umntu ochopheleyo**

- (1) Kuthathelwe ingqalelo umgaqwana (2), usihlalo weBhodi uya kuthi ngokoMthetho lo achophele ingxoxo yeBhodi.
- (2) Usihlalo usenokuthi anyule ilungu okanye umsebenzi weBhodi ukuba achophele okanye aqhube ingxoxo yeBhodi.
- (3) Inkqubo eya kuthi ilandelwe xa kuqhutywa ingxoxo iya kuba yileyo ithe yabekwa ngulowo uchophele ingxoxo leyo, ehamba ngokweemeko zengxoxo nganye.

[Umgaqo 33 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]



**34 Ubungqina engxoweni**

- (1) Iinkqubo ezilandelwayo ezinkundleni zamatyala ngokuphathelele ekunikweni kobungqina akukho mfuneko yokuba kuhanjwe ngazo kwingxoxo eqhutywa ngokwalo Mthetho, kwaye lowo mntu uchophele ingxeko uya kuthi enze isigqibo ngokokubona kwakhe malunga nokwamkeleka kobungqina.
- (2) Undiva angamkeleka njengobungqina ukuba ngaba umntu ochopheleyo wanelisekile kuba bobona bungqina bubambekayo bufumanekayo.
- (3) IBhodi ingathi ingathi izithathele ingqalelo ngokusesikweninaziphi na iinkcukacha, izimiselo okanye imibayobugcisa neyobunzululwazi ngokwalapha kwinkalo yongcakazo okanye yemidyarho yamahashe ezizinto ezaziwa ngokubanzi apha kushishino longcakazo nolwemidyarho yamahashe.

[Umgaqo 34 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**35 Irekhodi lengxoxo**

- (1) Okuqhubekileyo kunye nobungqina obunikwe kwingxoxo buya kuthi burekhodishwe ngaloo ndlela athe wabona ifanelekile usihlalo, ngeenjongo zokuqinisekisa ukuba irekhodi elo liyagcinwa.
- (2) Ingxoxo ethe yashicilelwa kwishicileli-lizwi iya kuthi ikhtshelwe ibhaliwe xa kuthe kwabakho naliphi na icala elenza isicelo soko.
- (3) Ikopi yenkqubo yengxoxo iya kuthi igcinwe yiBhodi isithuba seminyaka emibini ubuncinane.
- (4) Imiqathango yomgaqo 29 iya kuthi ilandelwe xa kuqwalaselwa esi sicelo sikhankanywa kumgaqwana (2), kambe ke kwenziwe ezo nguqulelo ziyimfuneko kuwo.

[Umgaqo 35 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**36 Izigqibo nemiya lelo yokugqibela**

- (1) Lomntu uchophele ingxoxo uya kuthi umyalelo wakhe wokugqibela awukhuphe ngento ebhaliweyo, aze ke ngaxesha nye anike nezizathu zakhe zokuba akhuphe loo myalelo.
- (2) Likopi zaloo myalelo ubhaliweyo ziya kuthi zinikwe aba bantu bachaphazelekayo ngokwemiqathango yale migaqo.
- (3) Umyalelo wokugqibela uya kuthi uqalise ukusebenza xa uthe wadluliswa ngokwemiqathango yomgaqwana (2).

[Umgaqo 36 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

## Isahluko 13

## UKUHANJISWA KWEENOTHISI, IMIYALELO NEZIGQIBO (Umg 37)

[Isahluko 13 (umgaqo 37) safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**37 Ukuhanjiswa kweenothisi, imiyalelo nezigqibo**

- (1) Nayiphi na inothisi, umyalelo okanye isigqibo esiza kunikwa umntu yiBhodi ngokwemiqathango yalo Mthetho okanye ngokwemiqathango yale migaqo, siya kudluliswa ngento ebhaliweyo, kwaye siya kudluliswa—
  - (a) ngokuthi sisiwe;
  - (b) ngokuthi kushiye ikopi yaso kuloo ndawo ibiye yakhethwa ngumntu lowo njengendawo ahlala kuyo okanye asebenza kuyo okanye kwishishini, ishiye naloo mntu kubonakala ngathi nguye owongamele amasango lawo ngelo xesha lokusiwa kwayo;
  - (c) xa iyinkampani okanye iqumrhu loreshishino, kuya kuba ngokuthi kusiwe ikopi leyo kumsebenzi owongameleyo kuloo ofisi ibhalisiweyo yaloo nkampani okanye kuloo ndawo ilikomkhulu leshishini elo apha kwiPhondo eli, okanye ke, ukuba ngaba akukho msebenzi uvuma ukuyithatha, kuya kuba ngokuthi loo kopi incanyathiselwe kumnyango omkhulu waloo ofisi okanye welo shishini;
  - (d) ngokuyithumela ngerejista, okanye
  - (e) ngokuyithumela ngefekisi.
- (2) Nayiphi na inothisi, umyalelo okanye isigqibo esithe sathunyelwa ngokwale ndlela ikhankanywe kumgaqwana (1) (d) okanye (e) iya kuthathwa ngokuba ifunyenwe ngulowo ibithunyelwe kuye, kwisithuba seentsuku ezisixhenxe, xa ibithunyelwe ngerejista okanye ngentsimbi yeshumi kusasa (10:00) kusuku lomsebenzi lokuqala olulandela ukuthunyelwa kwayo xa ibithunyelwe ngefekisi.

[Umgaqo 37 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

## Isahluko 14

## UKUBHENGEZA (Umgaqo 38)

[Isahluko 14 safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**38 Ubhengezo olungamkelekanga**

- (1) Akukho mntu uya kuthi axhome okanye apapashe okanye asasaze emoyeni nasiphi na isibhengezo esinxulumene nongcakazo—
  - (a) engakhange afumene imvume yeBhodi kuqala, okanye
  - (b) esithe safunyaniswa singafanelekanga ngokwemiqathangoyalo mgaqo.

- (2) IBhodi ayisayi kusamkela nasiphi na isibhengezo okanye nayiphi na enye indlela yokubhengeza, xa yona ngokokubona kwayo isifumanisa;
- (a) sinokulumeza esinako;
  - (b) silahlekisa nangayiphi na indlela;
  - (c) sinokungaqhuqheki esinako;
  - (d) sinokuthi silubaxe kakhulu ukhuthazo lokungcakazo; okanye
  - (e) siqulathe uthelekiso phakathi kombhengezi lowo nomnye umnini welayisenisi ngokuphathelele—
    - (i) kubungakanani;
    - (ii) kwinani lemidlalo efumanekayo, okanye
    - (iii) ekufanelekeni kwendlu, ukuphumelela okanye naluphi na olunye uphawu lokuphumelela okanye Lokungaphumeleli.
- (3) IBhodi isenokuthi ngento ebhaliweyo enikwe umnini welayisenisi, yazise ukuba nasiphi na isibhengezo okanye nayiphi na enye indlela yokubhengeza ayifanelekanga phantsi kwale mihlaba icaciswe kumgaqwana (2).

[Umgaqo 38 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### Isahluko 15

#### ILAYISENISI MAYIBE SEMBONISELWENI (Umgaqo 39)

[Isahluko 15 safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 39 Ilayisenisi mayibekwe kwindawo esemboniselweni

Ilayisenisi ethe yakhutshwa ngokwemiqathango yalo Mthetho iya kuthi ibekwe endaweni esemboniselweni ecacileyo kwindawo edulileyo kumasango lawo, okanye ke, apho kufanelekileyo, apha esiqwini kuloo msebenzi unelayisenisi.

[Umgaqo 39 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### Isahluko 16

#### IINCWADI, IIAKHAWUNTI NAMAREKHODI (Imig 40-44)

[Isahluko 16 safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 40 Ngokubanzi

- (1) Zonke iincwadi, iiaxhawunti namarekhodi ekufuneka egciniwe ngumnini welayisenisi ngokwemiqathango yalo Mthetho aya kuthi—
- (a)
    - (i) abe ngendlela;
    - (ii) aqulathe iinkcukacha, kwaye
    - (iii) agcinwe ngendlela,
- ethe yakelwa yiBhodi, kwaye

[Indawo yomhlathi (a) yaye yathathwa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

- (b) ngaphandle kwalapho kuboniswe ngolunye hlobo, aya kugcinwa isithuba seminyaka emihlanu.
- (2) Ezi ncwadi nezi akhawunti nala marekhodi akhankanywe kumgaqwana (1) aya kuthi ngamaxesha onke—
- (a) agcinwe kwindawo ekhuselekileyo, kwaye
  - (b) afumaneke ngokukhawuleza nangokulula.

[Umgaqo 40 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 41 Amarekhodi ongcakazo nogcino-zincwadi

Umnini welayisenisi uya kuthi agcine—

- (a) amarekhodi achanelekileyo naphelleleyo nasisigxina ngayo yonke imicimbi yongcakazo yemali, kwakunye
- (b) namarekhoi ogcino-zimali ngokubanzi ngenkqubo yogcino-zimali eyidouble entry system, inkqubo leyo egcina amarekhodi axhasayo aneencukacha ezininzi necacisa imali ekhoyo, inkcitho, iimpahla ezikhoyo, amatyala nezabelo kunye nawo nawaphi amanye amarekhodi enokuthi iBhodi igunyazise ukuba makagcinwe.

[Umgaqo 41 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**42 Amanye amarekhodi**

(1) Umnini welayisenisi uya kuthi agcine—

(a) xa iyeyenkampani—

- (i) ikopi yememorandum noxwebhu lwemiqathango yoseko, kubandakanya nazo zonke izilungiso ezithe zenziwa kula maxwebhu;
- (ii) ikopi yesiqinisekiso sokuqaliswa kweshishini;
- (iii) irejista esisigxina yabo bonke abasebenzi abaneelayisenisi, ebonisa nomhla wokuqeshwa, Isikhundla kunye nomhla wokuyeka emsebenzini, apho kufanelekileyo;
- (iv) imizuzu yazo zonke iintlanganiso zabanini bezabelo;
- (v) imizuzu yazo zonke iintlanganiso zabalawuli nezeekomiti zebhodi yabalawuli;
- (vi) irejista yabo bonke abanini bezabelo, edwelisa igama lomnini wezabelo, iadresi yakhe, inani lezabelo anazo kunye nomhla awazithenga ngawo ezo zabelo, kunye
- (vii) nazo naziphi na ezinye iinkcukacha enokuthi iBhodi iyalele, kwaye.

(b) xa iliqumrhu loshishino (close corporation)—

- (i) ikopi yenkcazo yesiseko kunye neyaso nasiphi na isilungiso esathi senziwa kuloo nkcazo;
- (ii) isivumelwano sesiseko;
- (iii) imizuzu yazo zonke iintlanganiso zequmrhu loshishino elo;
- (iv) irejista yawo onke amalungu equmrhu loshishino elo ebonisa igama lelungu, iadresi yalo, uchaphazeleko olubekwe ngokwepesenti kunye nomhla wokwakelwa kwalo njengelungu, kunye
- (v) nerejista esisigxina njengoko ichazwa kumgaqwana (a)(iii).

(2) ukuya ku-(4) kubandakanywa yonke . . .

[Imigaqwana (2) ukuya kutsho ku-(4) yaye yacinywa yonkeyi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

[Umgaqo 42 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**43 Iinkcazo zemali ezenziwe uhlolo-zincwadi**

- (1) Umnini welayisenisi uya kuthi ekupheleni konyaka-mali ngamnye aqulunqeiinkcazo zemali zonyaka ngokweenkcazo ezityetyeshwe kwi*Generally Accepted Accounting Practices*, iindlela zogcino-zimali ezivunye jikelele nezaqulunqwa yiBhodi yeeNkqubo zoGcino-zincwadi, i*Accounting Practices Board*.
- (2) Umnini welayisenisi uya kuthi aqeshe ingcali yogcino-zincwadi ezimeleyo ebhaliswe kwiBhodi eyi*Public Accountants' and Auditors' Board*, ingcali leyo eya kuthi yenze uhlolo-ncwadi lweenkcazo zemali zonyaka zomnini welayisenisi, ihamba ngokweenkqubo yemigangatho yohlo-zincwadi evunyiweyo.
- (3) Umnini welayisenisi uya kuthi, zingaphelanga iintsuku ezilikhulu elinamashumi amabini, okanye ezelo thuba athe walandiselwa ngemvumeyeBhodi, emva kokuphela kosuku lokugqibela lonyaka-mali wakhe, angenisele iBhodi ikopi zeenkcazo zemali zonyaka zaloo nyaka ezenziwe uhlolo-zincwadi kwakunye nazo naziphi na iingxelo eziqulathe inkcazelo ngeziphumo zohlolo-zincwadi, kubandakanya neeletha zeziphathamandla.

[Indawo yomgaqwana (3) yaye yathathwa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

- (4) IBhodi isenokuthi icele umnini welayisenisi okanye umhloli-zincwadi wakhe ukuba ayinike ezinye iinkcukacha okanye ezinye iimpepha ezimalunga neenkcazo zemali zonyaka ezo okanye malunga neenkonkonzo ezithe zanikwa ngumhloli-zincwadi lowo.
- (5) Lo mhloli-zincwadi ukhankanywe kumgaqwana (2) uya kuthi, njengenxenywe yolu hlolo-zincwadi lonyaka, avandlakanye indlela azithobela ngayo umnini welayisenisi iinkqubo zayo zolawulo lwangaphakathi ezivunyiweyo yiBhodi, aze ke anike nengxelo ngolo vandlakanyo.
- (6) Le ngxelo ikhankanywe kumgaqwana (5) iya kuthi ingeniswe eBhodini kunye neenkcazo zemali zonyaka.

[Umgaqo 43 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**44 Iifomu zeenkukacha ezifanele kungeniswa**

Umnini welayisenisi uya kuthi angenisele iBhodi iifomu zeenkukacha enokuthi iBhodi imana ukuzifuna ngaloo ndlela ithe yayibeka iBhodi.

[Umgaqo 44 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**45 . . .**

[Umgaqo 45 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

## Isahluko 17

## UKOLULELWA KWAMATYALA (Umgaqo 45)

[Isahluko 17 safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**45 Ukolulewa kwamatyala**

- (1) Umnini welayisenisi yekhasino okanye umbhejisi unako ukuba anganika umxhasi ityala; kodwa ke kuthathelwe ingqalelo yokuba phambi kokuba linikwe elo tyala, umnini welayisenisi yekhasino okanye umbhejisi uya kuthi afumane arekhodishe nangayiphi na indlela ethe yamiselwa yiBhodi nehamba ngokweendlela ezivunyiweyo zolawulo lwangaphakathi, iinkcukacha ezaneleyo malunga nomxhasi lowo ukuba ungubani na, indlela ame ngayo ngasekuhlawuleni amtyala kunye nangezakhono zakhe ngakwezemali malunga neli tyala alicelayo.
- (2) Onke amatyala athe anikwa aya kuthi angqinwe ngesixhobo sokunikwa kwetyala esisayinwe ngumxhasi lowo unikwa ityala ngeli xesha lokunikwa kwalo ityala elo, ngaphandle kwalapho iBhodi imisela ngolunye uhlobo.
- (3) Esi sixhobo sokunikwa kwetyala sikhankanywe kumgaqwana (2) siya kuthi siqulathe iinkcukacha ezaneleyo eziya kuthi zikuklungiselele ukufunwa kwentlawulo yelo tyala kunye nazo naziphi na ezinye iinkcukacha enokuthi iBhodi izifune emva kokuba ithe yasifumana eso sixhobo.
- (4) Ukusilela komnini welayisenisi yekhasino okanye kombhejisi ekuyeni kuya kufaka isixhobo setyala ekunokuthethwana ngaso kusuku lokuqala lokusebenza kweebhanki emva kokufumana isixhobo setyala eso kuya kuthi, ngokwesi Sahluko, kuthathwe ngokuba kukunikwa kwetyala.
- (5) Umnini welayisenisi yekhasino okanye umbhejisi uya kuthi athathe amanyathelo okuya kuqokelela zonke izixhobo zetyala ngokwendlela evunyiweyo yolawulo lwangaphakathi.
- (6) Amatyala ongcakazo atyalwa umnini welayisenisiyekhasino okanye umbhejisi asenokuthi ahlawulwe ngentlawulo engaphantsi esisixa esingaphantsi kwisixa setyala elo: kambe ke kuqondakale ukuba umnini welayisenisi yekhasino okanye umbhejisi uya kuthi afake kumarekhodi akhe izizathu zezo ntlawulo; kuqondakale kanaanalo ukuba umnini welayisenisi yekhasino okanye umbhejisi uza kuyithobela inkqubo yolawulo lwangaphakathi yaloo layisenisi.

[Umgaqo 45, owawufudula ungumg 46 wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000. Lona wangaphambili umg 45 wona wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

## Isahluko 18

## IMICIMBI YEMALI (Imig 46-48)

[Isahluko 18 (imig 46-48 iyonke) safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

**46 Imicimbi yemali angenakungena kuyo umnini welayisenisi**

- (1) Umnini welayisenisi akanakho ukuba angatshintshisa imali ngemali, ngaphandle kwaxa esenza ukuba umxhasi akwazi ukuthatha inxaxheba kungcakazo ekusetyenziswa imali kulo ekudlaleni okanye ngenjongo yokutshintsha imali ephunyelelweyongumdlali emva kokuba ethe wadlala kungcakazo oluhlawula ngemali eyahlukileyo.
- (2) Umnini welayisenisi akasayi kukhupha itshekhi okanye esinye isixhobo setyala, kwaye akukho zimali ziya kuthi zidluliselwe kumxhasi okanye egameni lakhe ziza kutshintshwa ngemali ngaphandle kwangesixhobo setyala, iitshipsi okanye iithowukheni, ngaphandle kokuba umnini welayisenisi wanelisekile ukuba umxhasi lowo ubeye wathatha inxaxheba ngokunyanisekileyo kungcakazo.

[Umgaqo 46, owawusakuba ngumg 47, wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**47 Imicimbi yemali ekufanele kunikwa ingxelo ngayo**

- (1) Umnini welayisenisi uya kuthi anike ingxelo ngale micimbi ilandelayo:
  - (a) Ukutshintshelana ngemali okanye ngesixhobo setyala nomxhasi okanye egameni lomxhasi kuwo nawuphi na umcimbi wemali engaphezulu kwamawaka angamashumi amabini anesihlanu eeranti;
  - (b) ukukhutshelwa komxhasi itshekhi okanye esinye nje isixhobo setyala okanye ukwenziwa kwalo naluphi na udluliselo lwemali egameni lomxhasi kutshintshiselwana ngemali okanye ngesixhobo setyala kuwo nawuphi na umcimbi wemali apho isixa ekutshintshiselwana ngaso singaphezulu kwamawaka angamashumi amabini anesihlanu eeranti;
  - (c) ukutshintshwa kweetshipsi okanye iithowukheni zomxhasi, kuwo nawuphi na umcimbi wemali, ezixabisa ngaphaya kwamawaka angamashumi amabini anesihlanu eeranti ngemali okanye ngesixhobo setyala;
  - (d) ukuthengiswa okanye ukukhutshwa kuwo nawuphi na umcimbi wemali kweetshipsi okanye kweethowukheni kumxhasi ngemali okanye ngesixhobo setyala;
  - (e) ukufunyanwa, kuwo nawuphi na umcimbi wemali, kwemali engaphaya kwamawaka angamashumi amabini anesihlanu eeranti kumxhasi eyimali okanye kwesixhobo setyala, njengedipozithi yokungcakaza;
  - (f) ukufunyanwa, kuwo nawuphi na umcimbi wemali, kwemali engaphaya kwamawaka angamashumi amabini anesihlanu eeranti kumxhasi eyimali okanye kwesixhobo setyala, njengentlawulo yetyala ebethe walinikwa;
  - (g) ukwamkelwa kwemali yokudlala engaphezulu kwamawaka angamashumi amabini anesihlanu eeranti okanye isixhobo setyala sokudlala esingaphaya kwamawaka angamashumi amabini anesihlanu kumdlalo wongcakazo ekungakholisanga ukuba kusetyenziswe iitshipsi kuwo ekudlalweni kwawo;

- (h) ukufunyanwa okanye ukhulawulwa kumxhasi kwamawaka angamashumi amabini anesihlanu eeranti ayimali okanye isixhobo setyala kuwo nawuphi na umcimbi wemali ongekho kule ikhankanywe kwimihlathi (a) ukuya ku-(g).
- (2) Umnini welayisenisi akasayi kuthi esazi avumele ukuphetshwa kwawo nawuphi na umqathango wesi Sahluko kwaye uya kuthi athathe onke amanyathelo okukuthintela ukuphetshwa kwawo nawuphi na imiqathango yesi Sahluko ngemicimbi yemali emininzi kwisithuba seeyure ezingamashumi amabini anesine kunye nomxhasi okanye ummeli womxhasi okanye umncedisi wakhe.
- (3) Ngeenjongo zokwenziwa kwengxelo umnini welayisenisi uya kuthi zingadlulanga iiyure ezingamashumi amabini anesine, ayihlanganise yonke imicimbi yemali athe yena mnini welayisenisi wangena kuyo kunye nomxhasi okanye nomntu amaziyo okanye ebefanele kumazi ukuba ungummeli okanye umncedisi womxhasi.
- (4) Umnini welayisenisi uya kuthi kwindlela yakhe yolawulo lwangaphakathi abandakanye neenkqubo zokuthotyewa kwemiqathango yesi Sahluko.

[Umgaqo 47, owawusakuba ngumg 48, wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

#### 48 Iingxelo zemicimbi yemali

- (1) Umnini welayisenisi uya kuthi phambi kokuba azalise umcimbi wemali okhankanywe kumgaqo 48—
- (a) afumane okanye azame kangangoko ukufumana igama lomxhasi, iadresi yakhe esisigxina kunye nenombolo yesazisi yakhe;
- (b) abuqinisekise ubunyani bezi nkcukacha zikhankanywe kumhlathi (a) athe wazifumana ngokuthi aqwalasele isazisiokanye ipasipoti yomxhasi lowo okanye naziphi na ezinye iimpepha ezinokuqinisekisa ngomxhasi lowo;
- (c) arekhodishe, ngendlela nangeefom ezifunwa okanye ezivunye yiBhodi-
- (i) umhla womcimbi wemali lowo;
- (ii) isixa semali ebesibandakanyeka kuloo mcimbi wemali;
- (iii) uhlobo lwaloo mcimbi wemali;
- (iv) igama lomxhasi neadresi yakhe esisigxina;
- (v) inombolo yesazisi somxhasi;
- (vi) indlela esetyenzisiweyo ekuqinisekiseni ukuba ungubani na kanye loo mxhasi, kunye
- (vii) negama nomsayino waloo mntu ubesebenza loo mcimbi wemali erekhodisha nezi nkcukacha egameni lomnini welayisenisi, kunye
- (d) nazo naziphi na ezinye iinkcukacha ezinokuthi zimana ukufunwa yiBhodi.
- (2) Umnini welayisenisi uya kuthi angenisele iBhodi iikopi zala marekhodi akhankanywe kumgaqwana (1)(c), zingaphelanga iintsuku ezilishumi elinesine emva kokuba iphelile loo nyanga aphathelele kuyo amarekhodi lawo.

[Umgaqo 48, owawusakuba ngumg 49, wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

#### Isahluko 19

#### OKUDLALELWAYO, AMABHASO NEEMBUYEKEZO ZABAXHASI (imig 49-52)

[Isahluko 19 (imig 49-52 iyonke) safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997.]

#### 49 Ubungakanani bokudlalwayo obungenakudlulwa

IBhodi isenokuthi, ngokuphathelele kuwo nawuphi na umdlalo wongcakazo okanye wokubheja, isiqingqe isixa semali ekungenakudlulwa kuyo xa kudlalwa umdlalo wongcakazo okanye kubhejwa; kuqondakale ke kambe ukuba loo mali kungenakudlulwa kuyo kumdlalo woomatshini bongcakazo olubekelwe imida ayinakuba ngaphezulu kweeranti ezintlanu.

[Umgaqo 49, owawusakuba ngumg 50, wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

#### 50 Ubungakanani bamabhaso obungenakudlulwa

IBhodi isenokuthi, ngokuphathelele kuwo nawuphi na umdlalo wongcakazo okanye wokubheja, isiqingqe isixa semali ekungenakuphunyelwa ngaphezu kwayo kumdlalo woomatshini bongcakazo olubekelwe imida okanye wokubheja; kuqondakale ke kambe ukuba imali enokuphunyelwa kumdlalo wongcakazo olubekelwe imida ayisayi kudlula kwiiranti ezingamakhulu amahlanu.

[Umgaqo 50, owawusakuba ngumg 51, wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

#### 51 Amabhaso makabe semboniselweni

Xa kunokwenzeka, konke okuphunyelweyo, kuhamba namabhaso aphunyelweyo, kuya kuthi kubekwe emboniselweni ngokucacileyo apho abaxhasi baya kukwazi ukukufikelela lula.

[Umgaqo 51, owawusakuba ngumg 52, wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**52 Imbuyekezo yabaxhasi**

- (1) Umdlalo wongcakazo uya kuthi ubuyisele abadlali inzuzo echaziweyo nebonakalisiweyo engekho ngaphantsi—
  - (a) kwe-85% xa ingumatshini wokufaka imali ongenguye umatshini wongcakazo olubekelwe imida;
  - (b) kwe-80% xa ingumdlalo wasetafileni;
  - (c) 80% xa ingumdlalo woomatshini bongcakazo olubekelwe imida, kunye
  - (d) ne-65% xa iyibhingo.
- (2) Ukubheja koomatshini bokubala imali abadlali iya uhlawula abadlali intlawulo engekho ngaphantsi kwe-75%.

[Umgaqo 52, owawusakuba ngumg 53, wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

Isahluko 20

**IMIDLALO YOKUZONWABISA (Umg 53)**

[Isahluko 20 (umg 53) safakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-19 Juni 1998.]

**53 Imidlalo yokuzonwabisa**

- (1) Ngokweenjongo zalo Mthetho, ukudlalwa komdlalo wokuzonwabisa asikokungcakaza.
- (2) Lomdlalo wokuzonwabisa ukhankanywe kumgaqwana (1) ubhekiselele kuwo nawuphi na umdlalo, ongeyiyo ibhingo okanye umdlalo wongcakazo odla ngokudlalwa kwikhasino okanye kumatshini wokufaka imali, odlalwa ngomatshini wokuzonwabisa othi kusakuba kufakwe imali okanye ithowukheni okanye nayiphi na into efana nawo, ukwazeke ukudlalwa nothi umenze lowo udlalayo akwazi ukuba aphumelele ibhaso; kuqondakale ke kambe ukuba elo bhaso alisayi kuba yimali, okanye libe ziithowukheniokanye ityala okanye nasiphi na isixhobo setyala, kodwa ke liya kuba libhaso elingeyomali elingaxabisi ngaphezu kweeranti ezingamashumi amabini anesihlanu.

[Umgaqo 53, owawusakuba ngumg 54, wafakelwa yi-PN 303 ka-1997 ukusukela kumhla wama-29 Agasti 1997, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

Isahluko 21

**UKUBHALISWA NOKULONDOLOZWA KWEZIXHOBO ZONGCAKAZO (Imig 54-56)**

[Isahluko 21 (imig 54-56 iyonke) safakelwa yi-PN 331 ka-1998 ukusukela kumhla wama-19 Juni 1998.]

**54 Izixhobo zongcakazo nezinto ezihamba nazo ezifanele kubhaliswa**

Umnini wayo nayiphi na ilayisenisi uya kuthi agcine alondolozwe iirejista ezichanekileyo zezi zinto zokungcakazo zilandelayo nezinye zezinto ezihamba nazo, ngolo hlobo nangaloo fomu ithe yamkelwa yiBhodi:

- (i) Iitafile *zeroulette* neendlela ezibekwe ngazo;
- (ii) Amavili *eroulette*;
- (iii) Iitafile *zeblacjack* neendlela ezibekwe ngazo;
- (iv) Iitafile zamadayisi neendlela ezibekwe ngazo;
- (v) Iitafile zepunto banco neendlela ezibekwe ngazo;
- (vi) Iitafile zephowukha neendlela ezibekwe ngazo;
- (vii) Oomtshini bokufaka imali;
- (viii) Izixhobo zokushafulisha amakhasi, kunye
- (ix) Naziphi na izixhobo zongcakazo nezinye ezihamba nazo enokuthi iBhodi izimisele.

[Umgaqo 54, owawusakuba ngumg 55, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla wama-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**55 Ulondolozo lwezixhobo zongcakazo nezinto ezihamba nazo**

Umnini welayisenisi uya kuthi agcine zonke izixhobo zongcakazo okanye einxulumene nalo ezithi zisetyenziswe zisoloko zikwimeko ekulungeleyo ukusebenza neyilungiselelayo imigagatho yaloo mdlalo wongcakazo nemigangatho ho yezo zixhobo zongcakazo.

[Umgaqo 55, owawusakuba ngumg 56, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla wama-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**56 Amarekhodi afanele kugcinwa ngumnini welayisenisi**

Umnini welayisenisi uya kuthi agcine lawo marekhodi azo zonke izixhobo zongcakazo ezikhankanywe kumgaqo 54 nezinxulumene nalo enokuthi iBhodi izifune okanye izamkele.

[Umgaqo 56, owawusakuba ngumg 57, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla wama-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

## sahluko 22

## IITSHIPSI NEETHOWUKHENI (Imig 57-60)

[Isahluko 22 (imig 57-60 iyonke) safakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998.]

**57 Ukuthathwa nokulahlwa kweethshipsi neethowukheni ezingasetyenziswayo**

- (1) Nawuphi na umnini welayisenisi othi ayekise isigxina ukusetyenziswa okanye ukuhanjiswa kweethshipsi okanye kweethowukheni kwindawo yakhe yokungcakaza okanye afake ezinye, okanye oyekayo ukungcakazisa, nokuba kungenxa yokuba evala, ethengisa iziko elo okanye ngenxa yaso nasiphi na isizathu, uya kuthi aqulunqe inkcazo ebhaliweyo malunga nokubuyiselwa kweethshipsi okanye kweethowukheni ebezithe zakhutshwa nguye nezingekabuyi ngelo xesha loko kuyeka ukusebenza okanye lokufakwa kwezinye endaweni yazo.
- (2) Umnini welayisenisi uya kuthi asingenise esi siphakamiso sikhankanywe kumgaqwana (1) eBhodini zingadlulanga iintsuku ezingamashumi amathathu phambi kokuba koko kususwakucetywayo okanye kufakwa kwezinye okanye kuvalwa okanye kuthengiswa, ngaphande kokuba oko kuthengiswa okanye eso sizathu sokuyekwa kweethshipsi okanye iithowukheni bekungenakukwazi ukuba kungalindeleka, apho ke umnini welayisenisi kuya kufuneka ukuba angenise isindululo kungadlulanga sithuba singakanani kwezo meko, okanye elo thuba lithe labekwa yiBhodi.
- (3) IBhodi isenokuthi isamkele eso sindululo okanye ifune enye ingcaciselo ecacileyo njengomqathango enokusamkela phantsi kwawo.
- (4) Asakuba esifumene isaziso solu lwamkelo lukhankanywe kumgaqwana (1), umnini welayisenisi uya kuthi alusebenzise olo lwamkelo.
- (5) Phezu kwazo naziphi na ezinye izinto eziyimiqathango enokuthi ibekwe okanye ifunwe yiBhodi, isindululo eso siya kuthi silungiselele—
  - (a) ukubuyiswa kweethshipsi okanye kweethowukheni ezisatyalwayo okanye eziphelelweyo ngokwemiqathango yesi Sahluko singaphelanga isithuba seentsuku ezilikhulu elinamashumi amabini emvakoko kususwa okanye kuvaaalwa okanye kuthengiswa, okanye ke mva kweso sithuba singapheezulu okanye singaphantsi sithe sabekwa yiBhodi phantsi kwezizathu ezivakalayo okanye ngokwesicelo okanyengokulwamkelo lwayo;
  - (b) ukubuyiselwa kwezo tshipsi nezo thowukheni kumasango eziko longcakazo okanye kuloo dawo ithe yamkelwa yiBhodi;
  - (c) ukupapashwa kwenothisi malunga nokuyekiswa kweethshipsi okanye kweethowukheni, sibonisa amaxesha neendawo apho zinokubuyiselwa khona, kumaphendaba amabini ubuncinane akhoyo kuloommandlanakwelinye iphephandaba apha kwiPhondo eli kabini ngeveki nganye kweso sithuba sibekelwe oko kubuyiselwa, kuhanjwa ngokwaloo ndlela neso siqulatho senothisi leyo ithe iBhodi yasivuma, nangaloo maphephandaba kuthe kwakhethwa ukupapashwa kuwo nezo ntsuku lwenziwe ngazo upapasho olo;
  - (d) ukubekwa kwindawo ecacileyo kwale nothisi ikhankanywe kumhlathi (c) kwiindawo ngeendawo zeziko longcakazo elo okanye kwenye ke indawo;
  - (e) ukutshatyalaliswa okanye nayiphi na enye indlela yokususwa kweethshipsi okanye iithowukheni ezingasetyenziswayo ngaloo ndlela inokuthi yamkelwe okanye ifunwe yiBhodi.

[Umgaqo 57, owawusakuba ngumg 63, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla wama-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**58 Ukutshatyalaliswa kweethshipsi neethowukheni zobuxoki nokulahlwa kwemali eziinkzo**

- (1) Umnini welayisenisi uya kuthi azitshabalalise okanye azitshitshise ngenye indlela iitshipsi okanye iithowukheni zobuqhetseba ezithe zabhaqwa kwindawo yakhe yokuqhuba ungcakazo, ngaloo ndlela ithe yayamkela okanye yayifuna iBhodi.
- (2) Umnini welayisenisi usenokuthi ayitshabalalise imali eziinkozo yeariphabliki yoMzantsi Afrika okanye yayo neyaliphi na ilizwe xa ithe yafunyaniswa ithe yasetyenziswa ngokungekhomthethweni apha kweli ziko lakhe ngokuthi idityaniswe nezinye iinkozo zalo okanye xa iyimali yamanye amazwe, ngokuthi itshintshwe ngemali yalapha okanye iimali eziinkozo ize idityaniswe kwimali yalo okanye kwiinkozo zemali yalo, okanye azilahle ke nangayiphi enye indlela esemthethweni.
- (3) Umnini welayisenisi uya kuthi abhale kumarekhodi ache, phezu kwawo naziphi na ezinye iinkcuka enokuthi izifune iBhodi—
  - (a) inani kunye nexabiso, elililo okanye eliqikelelwayo, lezo nkozo zemali nezo tshipsi okanye ezo thowukheni zomgunyathi zither zatshatyalaliswa okanye zither zalahlwa nangayiphi na indlela ngokwemiqathango yesi Sahluko;
  - (b) leyo nyanga zathi zafunyaniswa ngayo;
  - (c) umhla ezatshatyalaliswa ngawo, indawo ezatshatyalaliselwa kuyo kunye nendlela ezithe zatshatyalaliswa ngayo, kubandakanya, kwaye xa iziinkozo zemali yamanye amazwe, nexabiso layo xa ithelekiswa nale yalapha, negama lebhanki, inkampani ebiye yayitshintsha okanye eleinye nje ishishini ebeliye lenza olo tshintsho, kunye
  - (d) namagama abo bantu baza kwenza olu tshabalaliso okanye abaza kulahla ngolo hlobo balahla ngalo egameni lomnini welayisenisi ngokwemiqathango yalo mgaqo.

[Umgaqo 58, owawusakuba ngumg 64, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000. Umgaqo 58 wangaphambili wawuye wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**59 Ezinye izixhobo zexabiso**

Ezinye izixhobo zexabiso eluqhutyw ngazo ungcazako ziya kuthi ziqulunqwe, ziveliswe, zamkelwe, zisetyenziswe, ziyeke ukusetyenziswa, zitshatyalaliswe okanye zilahlwe nangenye indlela ngokwemiqathango yesi Sahluko; kuqondakale ke kambe ukuba—

- (a) Ezo zixhobo zizezinye ziya kuthi zibe nokumila, nobungakanani noqulunqeko oluhambisanayo nezo ziganga zither zamkelwa okanye zabekwa yiBhodi, kwaye
- (b) iBhodi ngokokubona kwayo, isenokuthi yale ukuzamkela ezinye izixhobo zexabiso, ezingezizo iitshipsiokanye iithowukheni, okanye isenokuthi izamkele phantsi kwaloo miqathango inokuthi iyibone ifanelekile.

[Umgaqo 59, owawusakuba ngumg 66, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000. Umgaqo 59 wangaphambili wawuye wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**60 Ukuchatshazelwa komnini welayisenisi yoomatshini bongcakazo olubekelwe imida**

Yonke imiqathango yesi Sahluko ngokuphathelele kwiithowukheni iya kuthi nakumnini welayisenisi yoomatshini bongcakazo olubekelwe imidwa, kukho ken je ezo nguqulelo zinokuthi be yimfuneko.

[Umgaqo 60, owawusakuba ngumg 69, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000. Umgaqo 60 wangaphambili wawuye wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**Isahluko 23****IMIDLALO YEKHASINO EZINYUKELA NGOKWAYO (Imig 61-62)**

[Isahluko 23 (imig 61 nowama-62), esasisakuba siSahluko 25, safakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, saza sanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000. Isahluko 23 sangaphambili (imig 70-72 iyonke) sasiye safakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, saza sacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**61 Imiboniso yeejekhipoti ezinyukelayo, iimitha nemida**

- (1) Imitha ebonakalisa imali ekhoyo kwijekhipoti ezinyukela ngokwayo, kuya kufuneka ukuba ibekwe kwindawo esemboniselweni ecacileyo kuloo ndawo udlalelwa kuyo loo mdlalo wongcakazo wayo loo jekhipoti. Ubuncinane kanye ngemini nganye, umnini welayisenisi uya kuthi arekhodishe kwimitha ezihambelayo, loo mali ibonisiweyo kwimitha yijekhipoti ezinyukelayo, ngaphandle kwaleyo jekhipoti inokuthi ihlawulwe ngqo kwihopha yomtshini wongcakazo lowo zinikwa kuyo ezo jekhipoti, kwelo ziko lomnini welayisenisi. Iinkcazo zokuhla kokuboniswa yimitha kuya kuthi kurekhodishe kwiimphepha ezifanelekileyo zemitha ezinyukelayo, kwaye apho inkcazo imalunga nokuhla kwentlawulo yijekhipoti, umnini welayisenisi uya kuthi ayirekhodishe inombolo yefomu yentlawulo yijekhipoti kwuxwebhu olufanelekileyo okanye ke loo nambala ayigcine ikwazi ukufumaneka. Umnini welayisenisi ngamnye uya kuthi kuxwebhu lwemitha ezinyukelayo arekhodishe isixamali sokuqala sale jekhipoti izinyukelayo luphathelele kuyo uxwebhu olo.
- (2) Umnini welayisenisi usenokuthi ayiqingqele ijekhipoti ezinyukelayo isixa engenakudlula kuso, isixa eso esinokuthi silingane neso sixa ibikuso ijekhipoti ngeli xesha ayiqingqelayo okanye ke sibe ngaphezulu. Xa ke kuthe kwenziwa uqingqo olulolu hlobo, umnini welayisenisi uya kuthi abeke isaziso kwindawo esemboniselweni ecacileyo esazisa ngolu qingqo, kwaye sibe kufutshane nale ndawo uqhubeka kuyo loo mdlalo waloo jekhipoti yenzelwe olo qingqo.

[Umgaqo 61, owawusakuba ngumg 83, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000. Umgaqo 61 wangaphambili wawuye wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**62 Ukucuthwa kwejekhipoti ezinyukelayo**

Umnini welayisenisi akasayi kusithoba isixa-mali esele sibekwe emboniselweni yemitha yijekhipoti ezinyukelayo okanye asithobe, okanye asirhoxise okanye asisuse isixa sejekhipoti, ngaphandle—

- (a) kokuba umdlali utha wayiphumelela loo jekhipoti;
- (b) kokuba umnini welayisenisi wenza uhlehlengiso kwimitha yijekhipoti ezinyukelayo ngeenjongo zokulungisa umonakalo oyenza ingasebenzi ngokufanelekileyo, okanye zkuthintela ukubekwa kwesixa esingaphezulu kwesi siye sabekwa ngokoluya qingqo lukhankanywa kumgaqo 83(2) kwaye umnini welayisenisi uyalubhala olohlehlengiso nezizathu zokuba lwenziwe, okanye

[Umhlathi (b) wenziwe izilungiso yi-PN 334 ka-1998 ukusukela kumhla wama-26 Juni 1998.]

- (c) ngaphandle kokuba umnini welayisenisi uyayirhoxisa ijekhipoti ezinyukelayo, agcine esiya sixa sokuqala njengejekhipoti emiyo, aze ke ezi zixa ibe imana ukunyuka ngazo, izixa ezo ezithi zenze eso sixa ithe yaya kufika kuso ijekhipoti koko kumana izinyukela ngokwayo, asidlulisele kwenye ijekhipoti ezinyukelayo ekwalapha kweli ziko linye lomnini welayisenisi, kwaye—
  - (i) umnini welayisenisi uyalurekhodisha olo dlulisele;
  - (ii) esi sixa inyuke ngaso ijekhipoti ezinyukelayo sidlulisele kumdlalo wongcakazo ofana nalo s sivele kuwo, kanaanjalo ke
  - (iii) udlulisele olu kufuneka lube lugqityiwe zingaphelanga iintsuku ezilishumi emva kokuba ijekhipoti ezinyukelayo ithe yarhoxiswa okanye ke singaphelanga eso sithuba sithe songezelelwa xa ithe iBhodi, ngokubona ukuphatheka kwezo zizathu ither yazinikwa, yavuma ukusongeza.

[Umgaqo 62, owawusakuba ngumg 84, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000. Umgaqo 62 wangaphambili wawuye wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]



## Isahluko 24

## UBUNCINANE BEMALI YEKHASINO EMABUGCINWE (umg 63)

[Isahluko 24 (umg 63) , esasisakuba siSahluko 26, safakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, saza sanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000. Isahluko 24 sangaphambili (imig 73-81 iyonke) sasiye safakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, saza sacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**63 Ubuncinane bemali yekhasino emabugcinwe**

- (1) Umnini welayisenisi yekhasino uya kuthi, ngaloo ndlela inokuthi yamkelwe okanye ifunwe yiBhodi, agcine imali okanye okuxabisa imali eyanele ngokukufaneleyo ukuba ingakwazi ukubakhusela abaxhasi bomnini welayisenisi ekungahlawulekini kumatyala ongcakazo abawatyalwayo ngumnini welayisenisi.
- (2) IBhodi iya kuthi inike abanini beelayisenisi kwakunye nabanye abantu abanomdla, isikhokelo esiya kusetyenziswa ngabanini beelayisenisi xa beqingqa ubuncinane bemali yekhasino obuyimfuneko.
- (3) Ukuba kunokuthi kwenzeka ukuba imali yomnini welayisenisi okanye leyo ikwizinto ezixabisa imali, ibe ngaphantsi kwesiya sixa sibekwe njengesiyimfuneko ngokwemiqathango yomgaqwana (2), umnini welayisenisi kuya kufuneka ukuba akhawuleze ayazise iBhodi ngoko kuqhwalala kunjalo nje atsho nokuba kungakanani na.
- (4) Ukusilela ekugcineni obu buncinane bemali yekhasino buyimfuneko ngokwalo mgaqo, okanye leyo mali ingaphezulu kunabo inokuthi ifunwe yiBhodi phantsi kwalo mgaqo, okanye ukusilela ekuthobeleni umgaqwana (3), kulityala.

[Umgaqo 63, owawusakuba ngumg 85, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

## Isahluko 25

## ABAVELISI NABAHAMBISI (imig 64-66)

[Isahluko 25 (imig 64-66), esasisakuba siSahluko 27, safakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, saza sanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**64 Ulwamkelo lwezixhobo nemidlalo**

- (1) Umnini welayisenisi yokuelisa okanye yokuhambisa akasayi kubonelela okanye ngayo nayiphi na indlela athengisele, aqeshisele okanye ahambisele nawuphi na umnini welayisenisi nasiphi na isixhobo songcakazo okanye nawuphi na umdlalo wongcakazo, ngaphandle kokuba eso sixhobo okanye loo mdlalo uye wathi wamkelwa yiBhodi emva kokuba kufakwe isicelo ngaloo ndlela nangaloo fomu ibekwe yiBhodi, ulwamkelo olo olungasayi kwenzeka ngaphandle kokuba iBhodi yanelisekile ngokufaneleka kwendawo kuyo esiphuma kuyo eso sixhobo songcakaazo okanye loo mdlalo wongcakazo.

[Umgaqwana (1) wenziwa izilungiso yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

- (2) IBhodi iya kuvumela ukuba kuhanjise kuphela ezo zixhobo zongcakazo okanye oo mdlalo yongcakazo izifezekisayo izimiselelo nemigangatho efanelekileyo.
- (3) IBhodi isenokuthi ifune ukuba loo mnini welayisenisi ucela ulwamkelo lwaso nasiphi na isixhobo songcakazo okanye lwawo nawuphi na umdlalo wongcakazo, makafune isixhobo sobungcali okanye iinkonzo zengcali kwezobugcisa ezimeleyo iphathe umba wovandlakanyo lweso sixhobo okanye loo mdlalo wongcakazo.

[Umgaqo 64, owawusakuba ngumg 86, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**65 Inguqulelo nohlengahlengiso azivumelekanga**

Umnini welayisenisi akasayi kuthi akuguqule okanye akuhlengahlengise ukusebenza kwaso nasiphi na isixhobo songcakazo okanye kwawo nawuphi na umdlalo wongcakazo engakhange anikwe imvume ngento ebhaliweyo yokukwenza oko yiBhodi.

[Umgaqo 65, owawusakuba ngumg 87, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000. Umgaqo 65 wangaphambili wawuye wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**66 Ukumiswa okwexeshana kwangoko kolwamkelo**

- (1) IBhodi isenokuthi ikhuphe umyalelo okhawulezileyo, ngesaziso okanye ngaphandle kwesaziso esiya kwabo banini beelayisenisi bachaphazelekayo, omisa ulwamkelo lwesixhobo songcakazo , ukuba ngaba ibona ukuba eso sixhobo asisebenzi ngokolo hlobo belwamkelwe yiBhodi, okanye ukuba ngaba inemihlaba ebambekayo yokukrokrela loo mvelisi waso akanikanga nyaniso malunga nendlela esisebenza ngaso eso sixhobo songcakazo.
- (2) Emva kokuba kuthe kwakhutshwa lo myalelo ukhankanywa kumgaqwana (1), iBhodi isenokutywina okanye ithathe zonke iimodeli zeso sixhobo songcakazo besikhutshelwe loo myalelo wokumiswa okwexeshana.

[Umgaqo 66, owawusakuba ngumg 88, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]—

## Isahluko 26

## IZIGQITHO NEZOHLWAYO (umg 67)

[Isahluko 26 (umg 67) , esasisakuba siSahluko 28, safakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, saza sanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**67 Izigqitho nezohlwayo**

Ulwaphulo lwayo nayiphi na kule Migaqo, okanye ukusilela ekuyithobeleni, nguye okanye kwakhe nawuphi na umntu kuya kuba lityala ekunikwa isohlwayo ngalo kwakufunyaniswa enetyala umntu, isohlwayo eso esingayi kudlula kwifayini engamawaka angamakhulu amahlanu, okanye esikukuvalelwa entolongweni isithuba esingadlulanga kwiminyaka emibini, okanye azinikwe zozibini ezi zohlwayo, ifayini kunye nokuvalelwa entolongweni.

[Umgaqo 67, owawusakuba ngumg 89, wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wanikwa inombolo ngokutsha yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000. Umgaqo 67 wangaphambili wawuye wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-26 Juni 1998, waza wenziwa izilungiso yi-PN 334 ka-1998, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

## Isahluko 27

## INTLAWULO YEERHAFU (imig 68-74)

[Isahluko 27 (imig 68 and 69) safakelwa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000. Umgaqo 70 wongezelelwa yi-PN 24 ka-2001 ukusukela kumhla we- 2 Febhuwari 2001. Imigaqo 71 ukuya kowama-74, iyonke yafakelwa yi-PN 358 yomhla we-8 Novemba 2002 ukusukela kumhla we-2 Disemba 2002.]

**68 Intlawulo yerhafu ngabanini beelayiseni zekhasino, ezoomatshini bongcakazo olubekelwe imida nezebhing**

- (1) Umnini welayiseni yekhasino okanye oweyelayiseni yoomatshini bongcakazo olubekelwe imida okanye oweyelayiseni yebhingo uya kuthi, zingaphelanga iintsuku zomsebenzi ezintlanu emva kwaso nasiphi na isithuba serhafu esikhankanywe kumhlathi 2 weSigaba B sikaShedyuli III salo Mthetho:
  - (a) angenisele iBhodi ifomu zerhafu ngolo hlobo luya kuthi lumana ukubekwa liGosa eliLawulayo eliyiNtloko kunye nezo nkukacha zifuniweyo, kwaye
  - (b) afake kwiakhawunti yeBhodi eso sixa serhafu sifanele kuya kuRhulumente wePhondo leNtshona Koloni, isixa eso esibaliweyo sabonakaliswa kule fomu yerhafu ikhankanywe kumhlathi (a).
- (2) Apho le fomu ikhankanywe kumhlathana (1) ifumaniseka ingachanekanga, iGosa eliLawulayo eliyiNtloko linokuthi libuyisele kumnini welayiseni loo fomu, khona ukuze umnini welayiseni alungise oko kungachanekanga kuyo aphinde ayibuyise ke leyo ilungisiweyo.
- (3) Umnini welayiseni uya kuthi zingaphelanga iintsuku ezintlanu emva (5) kokuba ethe wayifumana laa fomu ingachanekanga ikhankanywe kumgaqwana (2), angenisele iBhodi ifomu yerhafu elungisiweyo ethatha indawo yaleya ibingachanekanga ngokwemiqathango yomgaqwana (1).
- (4) Apho kuyimfuneko, xa umnini welayiseni ebuyisa le fomu ilungisiweyo ikhankanwe kumgaqwana (3), uya kuthi afake kwiakhawunti yeBhodi naziphi na iimali ezifanele kuya kuRhulumente wePhondo leNtshona Koloni, iimali ezo ezizezingaba phezu kwesiya sixa besihlawulwe ngokwakumgaqwana (1)(b).
- (5) IBhodi iya kuthi, zingadlulanga iintsuku ezisixhenxe (7) emva kokuba iyifumene le fomu yerhafu ikhankanywe kumgaqwana (1)(b) okanye kumgaqwana (4), ngokwemeko leyo, iye kuzihlawula ezo zixa kwiNgxowa yeMali yePhondo (Provincial Revenue Fund).

[Umgaqo 68 wafakelwa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000. Umgaqo 68 wangaphambili wawuye wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wenziwa izilungiso yi-PN 334 ka-1998 ukusukela kumhla wama-26 Juni 1998, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**69 Intlawulo yerhafu ngumnini welayiseni yoomatshini bokubala imali yabadlali**

- (1) Umnini welayiseni yoomatshini bokubala imali yabadlali, uya kuthi zingaphelanga ezi ntsuku zisixhenxe (7) zikhankanywe kumgaqwana (2), angenisele iBhodi ifomu yerhafu, ngokolo hlobo lufunwa yiBhodi, ifomu yerhafu leyo ephathelele koomatshini ababesetyenziswa kwesi sithuba serhafu sidlulileyo ngumnini welayiseni lowo, ekuboniswe kuyo imali erhafiswayo ekhankanywe kwiShedyuli III yalo Mthetho, okanye ke ekuya kuthi ukuba akukho mali irhafiswayo, kuchazwe oko.
- (2) Le fomu yerhafu ikhankanywe kumgaqwana (1) iya kuthi ingeniswe zingadlulanga iintsuku ezisixhenxe (7) emva komhla wokugqibela wesithuba serhafu esidlulileyo, umhla lowo oya kuba lusuku lokugqibela lwenyanga engaphambili, ifomu leyo ephathelele kuzo zonke izihlandlo ekwathi ngazo yasetyenziswa imithini yokubala iimali zabadlali kwesi sithuba serhafu sidlulileyo.
- (3) Ukuba ngaba naluphi na usuku ekufanele kungeniswa ngalo ezi fomu zikhankanywe kwimigaqwana (1) no-(2) nguMgqibelo okanye yiCawe okanye usuku lweholide karhulumente, leyo fomu yerhafu iya kungeniswa lungadlulanga usuku lomsebenzi olulandelayo.
- (4) Le rhafu ifanele kuhlawulwa ngokwemiqathango yomgaqwana (1) iya kuhlawulwa ngexesha elinye nokungeniswa kwale fomu yerhafu ikhankanywe kumgaqwana (1).
- (5) Imiqathango equkathwe ngumgaqo 68(2), (3), (4) no-(5) iya kuthi ilandelwe nakumnini welayiseni yoomatshini bokubala imali yabadlali.

[Umgaqo 69 wafakelwa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000.]

**70 Intlawulo yerhafu ngumnini welayisenisi yombhejisi**

- (1) Ngokwemiqathango yeShedyuli IV walo Mthetho, njengoko wenziwe izilungiso, umnini welayisenisi yombhejisi uya kuthi, engadlulanga uLwesine we veki nganye , okanye ke, ukuba uLwesine yiholideyi karhulumente, lungadlulanga usuku lomsebenzi olulandelayo, angenisele iBhodi ngolo hlobo lubekiweyo yiBhodi ifomu yerhafu equlathe zonke iinkcukacha ezimalunga nayo yonke imicimbi yemali ethe yaqhutywa ngumnini welayisenisi leyo kwesi sithuba serhafu sidlulileyo: Kuqondakale ke kambe ukuba ukuba akukhange kubekho micimbi ilolo hlobo iqhubekayo, loo nto kuya kufuneka ichazwe.
- (2) Ipesenti yerhafu eya kuqokelelwa ngumnini welayisenisi yombhejisi ngako konke okuthe kwaphunyelelwa ngabadlali zipesenti ezintathu.  
[Umgaqwana (2) wenziwa isilungiso yi-PN 358 yomhla we-8 Novemba 2002 ukusukela kumhla we-2 Disemba 2002.]
- (3) Irhafu efanele kuhlawulwa koko kuphunyelelweyo ebonakaliswe kwakule fomu yerhafu ikhankanywe kumgaqwana (1) iya kuthi ihlawulwe ngaxesha linye nokungeniswa kwale fomu yerhafu.
- (4) Apho le fomu ikhankanywe kumhlathana (1) ifumaniseka ingachanekanga, iGosa eliLawulayo eliyiNtloko linokuthi libuyisele kumnini welayisenisi loo fomu, khona ukuze umnini welayisenisi alungise oko kungachanekanga kuyo aphinde ayibuyise ke leyo ilungisiweyo.
- (5) Umnini welayisenisi uya kuthi zingaphelanga iintsuku ezintlanu emva kokuba ethe wayifumana laa fomu ingachanekanga ikhankanywe kumgaqwana (4), angenisele iBhodi ifomu yerhafu elungisiweyo ethatha indawo yaleya ibingachanekanga ngokwemiqathanga yomgaqwana (1).
- (6) Apho kuyimfuneko, xa umnini welayisenisi ebuyisa le fomu ilungisiweyo ikhankanwe kumgaqwana (5), uya kuthi afake kwiakhawunti yeBhodi naziphi na iimali ezifanele kuya kuRhulumente wePhondo leNtshona Koloni, iimali ezo ezizezingaba phezu kwesiya sixa besihlawulwe ngokwakumgaqwana (1).
- (7) IBhodi iya kuthi, zingadlulanga iintsuku ezisixhenxe emva kokuba iyifumene le fomu yerhafu ikhankanywe kumgaqwana (3) okanye kumgaqwana (6), ngokwemeko leyo, iye kuzihlawula ezo zixa kwiNgxowa yeMali yePhondo (Provincial Revenue Fund).
- (8) Naziphi na iimali zerhafu ezithe zafunyanwa ngolu hlobo ziya kuthathwa ngokuba bezibekwe ngokwemiqathango yeShedyuli IV yalo Mthetho, njengoko wenziwe izilungiso, zaza zahlawulwa phantsi kwaloo miqathango kanaanjalo.

[Umgaqo 70 wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000, waza wongezelelwa yi-PN 24 ka-2001 ukusukela kumhla we-2 Febhuwari 2001.]

**71 Intlawulo yokubhejisa ngumnini welayisenisi yombhejisi**

- (1) Umnini welayisenisi yombhejisi uya kuthi ngaxesha linye engenisa le fomu yerhafu ifunwa phantsi kwemiqathango yomgaqo 70(1), angenisele iBhodi ifomu yerhafu ebonakalisa—
  - (a) ixabiso lemali iyonke lemidlalo ethe yaqhutywa nguloo mnini welayisenisi kwesi sithuba serhafu sidlulileyo, kunye
  - (b) nesixa semali eyintlawulo efanele kuhlawulwa (levy) iBhodi, nebalwe ngokwemiqathango yomgaqwana (2).
- (2) Ipesenti yentlawulo yokubhejisa efanele kuqokelelwa ngumnini welayisenisi yokubhejisa ngako konke okuphunyelelweyo kuloo mnini welayisenisi zipesenti ezintathu.
- (3) Le ntlawulo yokubhejisa ihlawulwayo ngoko kuye kwaphunyelelwa kukhankanywa kumgaqwana (1) iya kuthi ihlawulwe ngaxesha linye nelokungeniswa kwale fomu yerhafu.
- (4) Apho le fomu ikhankanywe kumhlathana (1) ifumaniseka ingachanekanga, iGosa eliLawulayo eliyiNtloko linokuthi libuyisele kumnini welayisenisi loo fomu, khona ukuze umnini welayisenisi alungise oko kungachanekanga kuyo aphinde ayibuyise ke leyo ilungisiweyo.
- (5) Umnini welayisenisi uya kuthi zingaphelanga iintsuku ezintlanu emva kokuba ethe wayifumana laa fomu ingachanekanga ikhankanywe kumgaqwana (4), angenisele iBhodi ifomu yerhafu elungisiweyo ethatha indawo yaleya ibingachanekanga ngokwemiqathanga yomgaqwana (1).
- (6) Apho kuyimfuneko, xa umnini welayisenisi ebuyisa le fomu ilungisiweyo ikhankanwe kumgaqwana (5), uya kuthi afake kwiakhawunti yeBhodi naziphi na iimali ezifanele kuya kuRhulumente wePhondo leNtshona Koloni, iimali ezo ezizezingaba phezu kwesiya sixa besihlawulwe ngokwakumgaqwana (1).

[Umgaqo 71 wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000, waza wongezelelwa yi-PN 358 yomhla we-8 Novemba 2002 ukusukela kumhla we-2 Disemba 2002.]

**72 Intlawulo yokubhejisa kumnini welayisenisi yoomatshini bokubala imali yabadlali**

Ukuba ke uthu umnini welayisenisi yoomatshini bokubala imali yabadlali kwiphondo leNtshona Koloni wawuthobela umgaqo 73, iGosa eliLawulayo eliyiNtloko liya kuthi, zingadlulanga iintsuku ezisixhenxe emva kokuba lifumene le ntlawulo yokubhejisa ikhankanywe kumgaqo 71 (3) okanye (6) ngokwemeko leyo, limhlawule umnini welayisenisi lowo yonke loo mali.

[Umgaqo 72 wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000, waza wongezelelwa yi-PN 358 yomhla we-8 Novemba 2002 ukusukela kumhla we-2 Disemba 2002.]

**73 Imisebenzi yomnini welayisenisi yoomatshini bokubala imali yabadlali ngokuphathelele kwintlawulo yokubhejisa**

- (1) Umnini wale layisenisi yoomatshini bokubala imali yabadlali ikhankanywe kumgaqo 72 uya kuthi, rho ngekota nganye, angenisele iBhodi ifomu yerhafu ehamba kunye nazo naziphi na iimpepha zokuxhasa ezinokuthi zifunwe yiBhodi, eya kuthi ibonakalise ngaphandle kwamathandabuzo ukuba yonke imali eyintlawulo yokubhejisa athe wayihlawulwa kule kota idlulileyo iye yasetyenziselwa kuphela ukwenza igalelo kuphuhliso lwemidyarho yamahashe nemidlalo yoomatshini bokubala iimali zabadlali kweli phondo leNtshona Koloni okanye eginwe kwiakhawunti eyodwa esetyenziselwa kuphela umsebenzi ololo hlobo.

- (2) Ngokuxhomekeke kwimiqathango yomgaqwano (3) nowe- (4), inkcitho ekuthe kwangenwa kuyo ngokuphathelele—
- kwimibheje efanele kuhlawulwa yemidyarho yamahashe eqhutywe eNtshona Koloni;
  - kuphuculo okanye uphuhliso lwezibonelelo ezitsha zemidyarho yamahashe aseNtshona Koloni;
  - kuphuculo okanye kuphuhliso lwezibonelelo ezitsha zoqeqesho eNtshona Koloni ezifanele kusetyenziswa ngumnini welayisenisi yoomatshini bokubala imali yabadlali.
  - uphuculo lwezibonelelo zemidyarho yamahashe ezikhoyo eNtshona Koloni;
  - uphuculo lwezibonelelo esele zikhona okanye uphuhliso lwezibonelelo ezitsha zeTotalisator Agency Board eNtshona Koloni, kunye
  - nolwandiso lokubheja okwenziwa ngetheknoloji kwizibonelelo ezitsha zeTotalisator Agency Board eNtshona Koloni;
- iya kuba yinkcitho yophuhliso lwemidyarho yamahashe nobhejiso lwemitshini bokubala imali yabadlali apha eNtshona Koloni.
- (3) Imali ehlawulwa kumnini welayisenisi yoomatshini bokubala imali yabadlali ngokwalo mgaqo 72 ayisayi kuba ngaphantsi kwe-25% ehlawulwe umnini welayisenisi kuwo nawuphi na unyaka kumlalo womdyarho wamahashe apha eNtshona Koloni; kodwa kuqondakale ukuba—
- iyonke imali eye yachithwa okanye yanikezelwa kwimidlalo kunyaka wokuqala ozeleyo ohlawulelwa intlawulo kumnini welayisenisi yoomatshini bokubala imali yabadlali ngokwalo mgaqo 72, ayisayi kuba ngaphantsi kwezo mali kuye kwadlalwa ngazo kwisithuba seenyanga ezilishumi elinesibini ezandulela intlawulo yokubheja kumnini welayisenisi kunye nenxenye yionke, ebubuncinane obuzipesenti ezingamashumi amabini anesihlanu yentlawulo yokubheja eye yahawulwa umnini weayisenisi nethe yachithwa ekubhejiseni kwesi sithuba seenyanga ezilishumi elinesibini,
  - imali echithelwe ekubhejiseni okanye eyabelwe ukubhejisa emva konyaka wokuqala opheleleyo owenzelwa intlawulo kumnini welayisenisi yoomatshini bokubala imali yabadlali ngokwemiqathango yomgaqo 72 ayisayi kuba ngaphantsi kwale mali ikhankanywe kumhlathi (a) yionke.
- (4) Akukho nxenye yaso nasiphi na isixa esithe sahlawulwa umnini welayisenisi yoomatshini bokubala imali yabadlali ngokomgaqo 72 iya kuthi isiw—
- ekuhlawulweni kweendleko zomhla nezolo zomnini welayisenisi zokuqhuba ishishini lakhe;
  - ekuhlawulweni kweendleko ekungenwe kuzo nguloo mnini welayisenisi ngokuphathelele kwiJockey Club of Southern Africa;
  - ekuhlawulweni kweendleko zokwenziwa kophando okanye zokukhutshwa kwelayisenisi ekuthe kwangenwa kuzo ngumnini welayisenisi lowo;
  - ekongezelelweni imali kwalo naliphi na icandelo leshishini eli, okanye kwishishini lenkampani elilawulayo okanye kwishishini laso nasiphi na isigqeba abhalise kuso umnini welayisenisi leyo.

[Umgaqo 73 wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000, waza wongezelelwa yi-PN 358 yomhla we-8 Novemba 2002 ukusukela kumhla we-2 Disemba 2002 waze watshintswa yi —PN 336 ka-2003 ukususela kumhla we-21 Novemba 2003.]

#### **74 Umsebenzi weGosa eliLawulayo eliyiNtloko ngokuphathelele kwintlawulo yokubhejisa**

Ukuba lo mnini welayisenisi yoomatshini bokubala imali ekuthetwe ngaye aphakumgaqo 72 yabadlali akawuthobeli umgaqo 73, iGosa eliLawulayo eliyiNtloko liya kuthi likhawuleze liyiyekise nayiphi na intlawulo yokubhejisa ebifanele ukuba ihlawulwe loo mnini welayisenisi, lize ke loo mali liye kuyifaka kwiNgxowa yeMali yePhondo (Provincial Revenue Fund).

[Umgaqo 74 wafakelwa yi-PN 331 ka-1998 ukusukela kumhla we-19 Juni 1998, waza wacinywa yi-PN 363 ka-2000 ukusukela kumhla we-16 Agasti 2000, waza wongezelelwa yi-PN 358 yomhla we-8 Novemba 2002 ukusukela kumhla we-2 Disemba 2002.]

#### **75 ukuya ku-82 yonke . . .**

[Umgaqo 72 ukuya ku- 82 uqukiwe wengezwa yi PN 331 ka 1998 we- 19 Juni 1998 waza wacinywa yi- PN 363 ka 2000 ukususela kumhla we- 16 Agasti 2001.]