

DIE  
Provinsiale Koerant  
VAN  
KwaZulu-Natal

IGazethi  
YESIFUNDAZWE  
(saKwaZulu-Natali

THE  
Provincial Gazette  
OF  
KwaZulu-Natal

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

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(Irejistiwe njengephephandaba eposihhovisi)

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*Isaziso esihunyushwe noma ezihlolwe uPhiko Lwemisebenzi yeziLimi zikhonjiswe ngaloluphawu †.*

No. Ikhasi

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No. 6317 DONDERDAG, 13 JANUARIE 2005

*Kennisgewings wat deur die Afdeling Taaldiens vertaal of nagesien is, word met 'n † aangedui.*

No. Bladsy

No. 6317 THURSDAY, 13 JANUARY 2005

*Notices which have been translated or checked by the Language Services Division are indicated by a †.*

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

IZAZISO ezilandelayo zikhishelwe ulwazi lwawonkewonke.

R. K. SIZANI  
Direkteur-generaal

R. K. SIZANI  
UmQondisi-Jikelele

Natalia  
Langmarkstraat  
Pietermaritzburg  
13 Januarie 2005

Natalia  
Longmarket Street  
Pietermaritzburg  
13 kuMasingana 2005

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

R. K. SIZANI  
Director-General

Natalia  
Longmarket Street  
Pietermaritzburg  
13 January 2005

No. 29, 2005

13 kuMasingana 2005

**UKWETHULWA KWEMIGWAQO EMIKHULU**

**N**GOKWESIGABA 7 soMthetho wezeMiGwaqo KwaZulu-Natali (uMthetho No. 4 ka 2001), uNgqongqoshe wethula ukuthi kusukela ngosuku lokushicilelwa —

- (a) imigwaqo ecaciswe kuHlelo A ngaphansi, ngokwesigaba 7(2)(b)(iii) kumele ivalwe kuphele ukuba imigwaqo yezifunda le imphakathi ongunya lokuyisebenzisa; kanye
- (b) imigwaqo ecaciswe kuHlelo B ngaphansi, ngokwesigaba 7(2)(a) kumele ibe imigwaqo yesifunda; kanye
- (c) nemigwaqo ecaciswe kuHlelo C ngaphansi, ngokwesigaba 7(2)(a) kumele ibe imigwaqo yangaphakathi.

**DECLARATION OF PROVINCIAL ROADS**

**I**N terms of section 7 of the KwaZulu Natal Roads Act, 2001 (Act No. 4 of 2001), the Minister declares that as from the date of publication hereof —

- (a) the roads specified in Schedule A hereunder, shall in terms of section 7(2)(b)(iii) be closed and cease to be district roads which the public has the right to use; and
- (b) the roads specified in Schedule B hereunder, shall in terms of section 7(2)(a) be district roads; and
- (c) the roads specified in Schedule C hereunder, shall in terms of section 7(2)(a) be local roads.

**SCHEDULE/UHLELO A**

District Road 1211: Macabazini – Nonguxa

UMgwaqo wesiFunda u-1211: Macabazini – Nonguxa

**SCHEDULE/UHLELO B**

District Road 1211: Macabazini – Ngubane

From its junction with District Road 1212 near Macabazini, proceeding in a general south-easterly direction over Upper Umkomaas Location No. 2 No. 16416, passes Macabazini, changes to a north-westerly then to a southerly direction, crosses the Luhane River, changes back to a general south-easterly then to a south-westerly direction, to terminate at the Nkosi Ngubane's House.

UMgwaqo wesiFunda u-1211: Macabazini - Ngubane

Usukela enhlanganweni yawo nomgwaqo wesifunda u-1212 eduze nase Macabazini, uqhubeke ubheke eningizimu-mpumalanga phezu kwase Upper Umkomaas Location No. 2 No. 16416, udlule eMacabazini, ujike ubheke enyakatho-ntshonalanga bese ubheke eningizimu, uwele umfula iLuhane, ujike ubuyele emuva ubheke eningizimu-mpumalanga bese ubheke eningizimu-ntshonalanga, uze uphele endlini yeNkosi u-Ngubane.

District Road 2068: Mabane River – KwaBhekizizwe

From its junction with District Road 1132 near the Mabane River, proceeding in a south-easterly direction over Zwaartkop Location No. 4669, passes Bhekizizwe School, to terminate within KwaBhekizizwe.

UMgwaqo wesiFunda u-2068: Umfula iMabane – KwaBhekizizwe

Usukela enhlanganweni yawo nomgwaqo wesifunda u-1132 eduze nomfula iMabane, uqhubeke ubheke eningizimu-mpumalanga phezu kwase Zwaartkop Location No. 4669, udlule isikole iBhekizizwe, uze uphele maphakathi naKwaBhekizizwe.

District Road 2208: Esokheni School – Emadekeni School

From its junction with District Road 215 near the Esokheni School, proceeding in a southerly direction over Reserve No. 19 No. 15839, crosses the Vamuvule River, changes to a general north-easterly then to a general northerly direction, to terminate near the Emadekeni School.

UMgwaqo wesiFunda u-2208: Isikole Esokheni – Isikole Emadekeni

Usukela enhlanganweni yawo nomgwaqo wesifunda u-215 eduze nesikole i-Esokheni, uqhubeke ubheke eningizimu phezu kwase Reserve No. 19 No. 15839, uwele umfula iVamuvule, ujike ubheke enyakatho-mpumalanga bese ubheke enyakatho, uze uphele eduze nesikole i-Emadekeni.

**SCHEDULE/UHLELO C**

Local Road 879: Mangwaneni – Nkelabantwana River

From its junction with District Road 1220 south of Mangwaneni, proceeding in a general westerly direction over Upper Umkomaas Location No. 2 No. 16416, changes to a general south-westerly direction, to terminate near the Nkelabantwana River.

**Umgwaqo Wangaphakathi u-879: Mangwaneni – Umfula iNkelabantwana**

Usukela enhlanganweni yawo nomgwaqo wesifunda u-1220 eningizimu kwase Mangwaneni, uqhubeke ubheke entshonalanga phezu kwase Upper Umkomaas No. 2 No. 16416, ujike ubheke eningizimu-ntshonalanga, uze uphele eduze nomfula iNkelabantwana.

**Local Road 901: Zitendeni – KwaDuma**

From its junction with District Road 1353 north of Zitendeni, proceeding in a general westerly direction over Gracourt No. 2 No. 8273, to terminate at the turning circle at KwaDuma.

**Umgwaqo Wangaphakathi u-901: Zitendeni - KwaDuma**

Usukela enhlanganweni yawo nomgwaqo wesifunda u-1353 enyakatho yase Zitendeni, uqhubeke ubheke entshonalanga phezu eGracourt No. 2 No. 8273, uze uphele esiyingini sokujika KwaDuma.

**Local Road 902: Zitendeni – Mkomazi River**

From its junction with District Road 1353 near Zitendeni, proceeding in a general north-easterly direction over Gracourt No. 7467, changes to a general south-easterly direction, enters Legisa No. 7539, to terminate near the Mkomazi River.

**Umgwaqo Wangaphakathi u-902: Zitendeni – Umfula uMkomazi**

Usukela enhlanganweni yawo nomgwaqo wesifunda u-1353 eduze nase Zitendeni, uqhubeke ubheke enyakatho-mpumalanga phezu kwase Gracourt No. 7467, ujike ubheke eningizimu-mpumalanga, ugene eLegisa No. 7539, uze uphele eduze nomfula uMkomazi.

**Local Road 909: Mnyamana Station – Voyizana Station**

From its junction with District Road 1217 near the Mnyamana Station, proceeding in general southerly direction over Upper Umkomaas Location No. 2 No. 16416, changes to a westerly then back to a general southerly direction, over Erf NE No.8279, changes to a north-easterly direction to terminate south-east of the Voyizana Station.

**Umgwaqo Wangaphakathi u-909: Isiteshi iMnyamana – Isiteshi iVoyizana**

Usukela enhlanganweni yawo nomgwaqo wesifunda u-1217 eduze nesiteshi iMnyamana, uqhubeke ubheke eningizimu phezu kwase Upper Umkomaas Location No. 2 No. 16416, ujike ubheke entshonalanga bese ubuyele emumva ubheke eningizimu, phezu nase Erf NE No.8279 ujike ubheke enyakatho-mpumalanga uze uphele eningizimu-mpumalanga yasesiteshini iVoyizana.

**Local Road 980: District Road 1232 – Ekuphumuleni Store**

From its junction with District Road 1232, proceeding in a general easterly direction over Upper Umkomaas Location No. 5 No. 16501, passes Ntabangema, changes to a general south-easterly then to a north-easterly direction, to terminate at the Ekuphumuleni Store.

**Umgwaqo Wangaphakathi u-980: Umgwaqo wesifunda u-1232 – iStolo Ekuphumuleni**

Usukela enhlanganweni yawo nomgwaqo wesifunda u-1232, uqhubeke ubheke empumalanga phezu kwase Upper Umkomaas Location No. 5 No. 16501, udlule nase Ntabangema, ujike ubheke eningizimu-mpumalanga bese uye enyakatho-mpumalanga, uze uphele iStolo Ekuphumuleni.

**Local Road 981: Mpofini – KwaMadondo**

From its junction with District Road 1232 south-west of Mpofini, proceeding in a general southerly then to a general north-westerly direction over Location No. 5 No. 16501, to terminate at the turning circle at KwaMadondo.

**Umgwaqo Wangaphakathi u-981: Mpofini – KwaMadondo**

Usukela enhlanganweni yawo nomgwaqo wesifunda u-1232 eningizimu-ntshonalanga yase Mpofini, uqhubeke ubheke eningizimu bese ubheke enyakatho-ntshonalanga phezu kwase Location No. 5 No. 16501, uze uphele esiyingini sokujika esiKwaMadondo.

**Local Road 982: District Road 1243 – Mqatsheni River**

From its junction with District Road 1243, proceeding in a general north-westerly direction over Maguswana No. 7729, to terminate at the turning circle at the Mqatsheni River.

**Umgwaqo Wangaphakathi u-982: Umgwaqo wesifunda u-1243 – Umfula iMqatsheni**

Usukela enhlanganweni yawo nomgwaqo wesifunda u-1243, uqhubeke ubheke enyakatho-ntshonalanga phezu kwase Maguswana No. 7729, uze uphele esiyini sokujika esisemfuleni iMqatsheni.

**Local Road 1021: Mqatsheni – KwaMiya**

From its junction with District Road 1243 west of Mqatsheni, proceeding in a westerly then to a northerly direction over Maguswana No. 7729, changes to a general south-westerly direction, to terminate near the Mqatsheni River at KwaMiya.

**Umgwaqo Wangaphakathi u-1021: Mqatsheni – KwaMiya**

Usukela enhlanganweni yawo nomgwaqo wesifunda u-1243 entshonalanga yase Mqatsheni, uqhubeke ubheke entshonalanga bese ubheke enyakatho phezu kwase Maguswana No.7729, ujike ubheke eningizimu-ntshonalanga, uze uphele eduze nomfula iMqatsheni esiKwaMiya.

**Local Road 1027: Boboyi - Murchison**

From its junction with National Route 2-22 near Boboyi, proceeding in a general north-westerly direction over Alfred Location No. 5 No. 15845, crosses the Boboyi River, changes to a general westerly direction, to terminate at its junction with Main Road 262, north of Murchison.

**Umgwaqo Wangaphakathi u-1027: Boboyi – Murchison**

Usukela enhlanganweni yawo nomgwaqo kazwelonke u-2-22 eduze nase Boboyi, uqhubeke ubheke enyakatho-ntshonalanga phezu kwase Alfred Location No. 5 No. 15845, uwele umfula iBoboyi, ujike ubheke entshonalanga, uze uphele enhlanganweni yawo nomgwaqo omkhulu u-262, enyakatho yase Murchison.

**Local Road 1102: Ndodeni River – Xalingena State Forrest**

From its junction with Main Road 429 near the Ndodeni River, proceeding in a general westerly direction over Upper Umkomaas Location No. 1 No. 16415 and Location No.1A No.7660, passes Mpumulwane, changes to a general south-westerly direction, over the Xalingena State Forrest, changes to a south-easterly then back to a south-westerly direction, to terminate at its junction with District Road 1201, on the Xalingena State Forrest.

**Umgwaqo Wangaphakathi u-1102: Umfula iNdodeni – Xalingena State Forrest**

Usukela enhlanganweni yawo nomgwaqo omkhulu u-429 eduze nomfula iNdodeni, uqhubeke ubheke entshonalanga phezu kwase Upper Umkomaas Location No. 1 No. 16415 kanye nase Location No. 1A No. 7660, udlule eMpumulwane, ujike ubheke eningizimu-ntshonalanga, phezu kwase Xalingena State Forrest, ujike ubheke eningizimu-mpumalanga bese ubuyela emumva ubheke eningizimu-ntshonalanga, uze uphele enhlanganweni yawo nomgwaqo wesifunda u-1201, phezu eXalingena State Forrest.

**Local Road 1110: District Road 483 – Trig Beacon No.192**

From its junction with District Road 483 proceeding in a general south-easterly then to a general south-westerly direction, over Upper Umkomaas Location No. 5 No. 16501, to terminate near Trig Beacon No. 192.

**Umgwaqo Wangaphakathi u-1110: UMgwaqo wesifunda u-483 – Trig Beacon No.192**

Usukela enhlanganweni yawo nomgwaqo wesifunda u-483 uqhubeke ubheke eningizimu-mpumalanga bese ubheke eningizimu-ntshonalanga, phezu kwase Upper Umkomaas Location No. 5 No. 16501, uze uphele eduze neTrig Beacon No. 192.

**Local Road 1319: Kwelidumayo – Nonguxa**

From its junction with District Road 1210 and Local Road 1320 north of Kwelidumayo, proceeding in a general north-easterly direction over Upper Umkomaas Location No. 2 No. 16416, changes to a westerly direction, to terminate at its junction with District Road 1211, south of Nonguxa.

**Umgwaqo Wangaphakathi u-1319: Kwelidumayo – Nonguxa**

Usukela enhlanganweni yawo nomgwaqo wesifunda u-1210 kanye nomgwaqo wangaphakathi u-1320 enyakatho naKwelidumayo phezu kwase Upper Umkomaas Location No. 2 No. 16416, ujike ubheka entshonalanga, uze uphele enhlanganweni yawo nomgwaqo wesifunda u-1211, eningizimu yase Nonguxa.

## DEPARTMENT OF HEALTH

## EMPANGENI HEALTH DISTRICT DC 28

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

- (i) Quotations must be on the quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health: Empangeni District Administration together with the quotation number and closing date.
- (v) The name and address of the tenderer must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Department of Health, Empangeni Health District DC 28, 2nd Lood Avenue Kuleka Rd, Empangeni Rail, 3910. Telephone: (035) 7870631/3. Facsimile: (035) 7870646.

## SERVICE:

Supply, deliver and installation of A0 laminating machine to meet all requirements, from a low cost model to 1.5m wide suitable for laminating the very large digital image prints (big one) to a very small prints, i.e. ID cards

## FULL DESCRIPTION

ITEM DESCRIPTION	QUANTITY	BRAND/MODEL
A 0 Laminating machine to meet all requirements, from a low cost model to a 1.5 m wide, suitable for laminating the very large digital image prints (big one).	One	Rexel / Brother
Quotation number:	ZNQ 002PG/2005 DC28	
Closing date:	2005-01-19	
Closing time:	11:00	
Contact person:	S. E. Mbatha	
Enquiries regarding specification:	Mrs R. Z. N. Ntombela	
ITEM DESCRIPTION	QUANTITY	BRAND/MODEL
Executive high back swivel chairs with oak armrest with wheels (preferable burgundy)	Eight	Classique high back chair (9726)
Quotation number:	ZNQ 003PG/2005 DC28	
Contact person:	S. E. Mbatha	
Closing date:	2005-01-19	
Closing time:	11:00	
Enquiries regarding specification:	Mrs R. Z. N. Ntombela	

## DEPARTMENT OF HEALTH

## EMPANGENI HEALTH DISTRICT DC 28

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

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- (vii) Quotation documents are available from the Department of Health, Empangeni Health District DC 28, 2nd Lood Avenue Kuleka Rd, Empangeni Rail, 3910. Telephone: (035) 7870631/3. Facsimile: (035) 7870646.

## SERVICE:

Accommodation, meals and conference facilities package for 05 days for PHC nursing training on Mental Health Training Workshop: 07 to 11 February 2005 (excluding weekends)

SERVICE	DESCRIPTION	QUANTITY	VENUE	DURATION
Accommodation, meals and conference facilities package for Mental Health training 07 to 11 February 2006	ACCOMMODATION: 20 double-bedded rooms	40 people	Empangeni area	05 days and 9 nights
	MEALS: BREAKFAST	40 people	Same venue	05 days [from Monday to Friday]

<b>LUNCH</b>	40 people	Same venue	05 days [from Monday to Friday]
<b>VEGETARIANS LUNCH</b>	2 people	Same venue	05 days [from Monday to Friday]
<b>SUPPER</b>	40 people	Same venue	05 days [from Monday to Friday]
<b>CONFERENCE FACILITY:</b> venue, flipcharts, flipcharts-stand, marking pens (multicolor), overhead projector and color televideo.	40 people	Same venue	5 days [from Monday to Friday]
Quotation number:	ZNQ 001PG/2005 DC28		
Closing date:	2005-01-19		
Contact person:	S. E. Mbatha		
Closing time:	11:00		
Enquiries regarding specification:	Mrs R. Z. Ntombela		

No. 32, 2005

13 January 2005

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Town Hill Hospital, Quotation Evaluation Committee off Hyslop Road, Pietermaritzburg or Town Hill Hospital, Quotation Evaluation Committee, P O Box 400, Pietermaritzburg, 3200, together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Town Hill Hospital, Workshop Department, Hyslop Road, Pietermaritzburg, Telephone: (033) 3415593, Fax: (033) 3943972.

**SERVICE:**

R and R to showers at prefabs wards: Peacehaven, Möregloed and Libertas at Town Hill Hospital

Quotation number:

ZNQ 100/04

Closing date:

2005-02-02 at 11:00

Compulsory site meeting:

2005-01-24 at 10:00

Contact person:

Mrs A. le Roux, Telephone: (033) 3415593

Technical enquiries:

Mr A. Robberts, Telephone: (033) 3415591

No. 33, 2005

13 January 2005

**DEPARTMENT OF HEALTH****LOWER UMFOLOZI DISTRICT WAR MEMORIAL HOSPITAL****Cancellation of quotation****SUPPLY:**

4 x I.C.U Beds

Quotation number:

ZNQ 851/2004

Reason for cancellation:

Incorrect specifications

No. 34, 2005

13 January 2005

**DEPARTMENT OF WORKS****NORTH COAST REGION****Award of tender****SERVICE:**

Add four (4) New Classrooms, Six (6) Toilets and Staff Ablution Block: Eshowe District: Amatimofu Primary School

Tender number:

ZNT 6614W

Contractor:

Siyaxhasana Construction cc

## DEPARTMENT OF HEALTH

## MURCHISON HOSPITAL

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to the Department of Health, Murchison Hospital, Private Bag 701, Port Shepstone, 4240 together with the quotation number and closing date.
- (iv) The name and the address of the quoting supplier/ contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from the Department of Health, Murchison Hospital, N2 Main Harding Road, Port Shepstone, Hibiscus Coast, 4240, Telephone: (039) 6877311, Facsimile: (039) 6877690.

SUPPLY: I x Universal Washer Disinfector S-606  
 Quotation number: ZNQ S 800/04/05  
 Closing date: 2005-01-28  
 Time: 11:00  
 Contact person: Mr Themba Mbotshwa / Mrs Nxasane

SUPPLY: 122 x Lace Curtains Width x Length (3 m x 2 m)  
 Cream White  
 Quotation number: ZNQ S 801/04/05  
 Closing date: 2005-01-28  
 Time: 11:00  
 Contact person: Mr Themba Mbotshwa

SUPPLY: 1 x Air conditioner, X-Ray Department  
 Quotation number: ZNQ S 802/04/05  
 Closing date: 2005-01-28  
 Time: 11:00  
 Compulsory site meeting: 2005-01-21  
 Time: 11:00  
 Contact person: Mr Themba Mbotshwa

## DEPARTMENT OF HEALTH

## LOWER UMFOLOZI DISTRICT WAR MEMORIAL HOSPITAL

## Award of quotation

SUPPLY: 4 x Dinamaps  
 Quotation number: ZNQ 852/2004  
 Contractor: Welch Allyn South Africa

## DEPARTMENT OF HEALTH

## FORT NAPIER HOSPITAL

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Fort Napier Hospital, Quotation Evaluation Committee, 1 Devonshire Road, Pietermaritzburg or Fort Napier Hospital, Quotation Evaluation Committee, P. O. Box 370, Pietermaritzburg, 3200, together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Fort Napier Hospital, 1 Devonshire Road, Pietermaritzburg, Telephone: (033) 3454221, Ext. 2122, Fax: (033) 3426695.

SERVICE: Standard cleaning and day to day domestic maintenance of buildings at Fort Napier Hospital  
 Quotation number: ZNQ 162/2004

Closing date: 2005-01-26  
 Closing time: 11:00  
 Site meeting: 2005-01-18  
 Time: 11:00  
 Contact person: Mr A. Stoffels, Telephone: (033) 3454221, Ext. 2122  
 Enquiries regarding specification: Mr A. Stoffels, Telephone: (033) 3454221, Ext. 2122

**SERVICE:** Garden and Grounds at Fort Napier Hospital  
 Quotation number: ZNQ 163/2004  
 Closing date: 2005-01-28  
 Closing time: 11:00  
 Site meeting: 2005-01-20  
 Time: 11:00  
 Contact person: Mr A. Stoffels, Telephone: (033) 3454221, Ext. 2122  
 Enquiries regarding specification: Mr A. Stoffels, Telephone: (033) 3454221, Ext. 2122

**SERVICE:** Security Services at Fort Napier Hospital  
 Quotation number: ZNQ 164/2004  
 Closing date: 2005-01-27  
 Closing time: 11:00  
 Site meeting: 2005-01-19  
 Time: 11:00  
 Contact person: Mr A. Stoffels, Telephone: (033) 3454221, Ext. 2122  
 Enquiries regarding specification: Mr A. Stoffels, Telephone: (033) 3454221, Ext. 2122

No. 38, 2005

13 January 2005

**DEPARTMENT OF HEALTH****AMAJUBA DISTRICT 25****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects.
- (ii) Each quotations must be submitted in a sealed envelope.
- (iii) Quotations documents are available from the Department of Health, Amajuba District 25, Private Bag X6661, Newcastle 2940, Telephone: (034) 3287000, Fax: (034) 3287037.

**SUPPLY:** Sugar beans  
 Quotation number: ZNQ 866  
 Closing date: 2005-01-21  
 Closing time: 11:00  
 Contact person: Mr B. K. S. Mthethwa  
 Enquiries: Mr B. K. S. Mthethwa

No. 39, 2005

13 January 2005

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Port Shepstone Provincial Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) The envelope must be physically deposited into the Tender Box Situated at the main entrance of the Hospital, at the Switchboard.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from Port Shepstone Provincial Hospital, Stores Department, 7 Bazley Street, Port Shepstone, Telephone: (039) 6886000, Fax: (039) 6285948.

**SUPPLY:** Occupational and Speech Therapy Sundries  
 Quotation number: ZNQ G09 of 2004/05  
 Closing date: 2005-02-07  
 Closing time: 11:00  
 Contact person: Mr S. Premnadu, Telephone: (039) 6886120

No. 40, 2005

13 January 2005

## DEPARTMENT OF HEALTH

## MONTEBELLO HOSPITAL

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

- (i) Tenders must be on the official tender form which shall be completed in all respects and all information must be supplied as stipulated in the tender document.
- (ii) Each tender must be submitted separately in a sealed envelope.
- (iii) The address, tender number and closing date must be endorsed on the front of the envelope.
- (iv) The name and address of the tender must be endorsed on the back of the envelope.
- (v) All Department of Health contract awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Montebello Hospital Stores at R614 Nooordsburg/ Tongaat Rd, Telephone: (033) 5060101, Fax: (033) 5060102.

## SUPPLY:

Tender number:

Closing date:

Closing time:

Enquiries regarding specification:

1x Black and white ultrasound

ZNT 129-2004/05

2005-01-28

11:00

Gumede S. J., Dladla N. C. and Sibisi G. P.

## SUPPLY:

Tender number:

Closing date:

Closing time:

Enquiries regarding specification:

1x Dental High Volume Evacuator

ZNQ 130-2004/05

2005-01-28

11:00

Dladla N. C. and Dr Bux, Telephone: (032) 4376000

No. 41, 2005

13 January 2005

## DEPARTMENT OF HEALTH

## UGU DISTRICT HEALTH OFFICE

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Ugu District Health Office, Private Bag X735, Port Shepstone, 4240, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from: Ugu District Health Office, 41 Bisset Street, Port Shepstone, Main Entrance Nelson Mandela Drive. Telephone: (039) 6883000, Ext. 3049, Fax: (039) 6826296.

## SUPPLY:

Purchase of office furniture as per specification below:

DESCRIPTION	QTY
SAVER FILING CABINET 4 DRAWER OAK LAMINATE 852 1315(H) X 460(W) X 60 Ea	5
PISA HI BACK CHAIR MANUAL LIFT SWIVEL AND TILT FABRIC 4650 Ea	5
SAVER VISITORS ARM CHAIR FABRIC 5010 Ea	8
WEDGE DESK 750 MM X 1600 MM 1101 OAK LAMINATE Ea	5
WEDGE L-EXTENSION 600 MM X 1200 MM 1106 OAK LAMINATE Ea	3
WEDGE LINK 90 LHS 600 MM X 750 MM 1111 DESK TO CRED/L-EXT OAK La Ea	3
WEDGE MOBILE PEDESTAL 3 DRAWER 1925 OAK LAMINATE Ea	5
CONFERENCE TABLE ROUND 1200 MM DIA OAK LAMINATE 1970 SEATS 4 Ea	2
CONFERENCE ARM CHAIR WALTONS FABRIC 2910 Ea	8

Quotation number:

Closing date:

Closing time:

Contact person:

Enquiries regarding specification:

ZNQ 622 of 2004

2005-02-04

11:00

Charles N. Khuzwayo, Telephone: (039) 6883000, Ext. 3049

Jessie Martin, Telephone: (039) 6883000, Ext. 3034

No. 42, 2005

13 January 2005

## DEPARTMENT OF HEALTH

## SUB-DIRECTORATE: PROVISIONING ADMINISTRATION

## Award of tender

SERVICE: New Type 2 House, Face Brick – 3 Units: East Griqualand & Usher Memorial Hospital  
 Tender No.: ZNT 7281/004-H  
 Contractor: GAP Contracting & Maintenance cc

## Cancellation of tender

SUPPLY: Rapid Diagnosis of Malaria P. Falciparum Test Kits  
 Tender No.: ZNT 6881/2004-H  
 Contact Person: Mrs C. Louw, Telephone: (033) 3946519

No. 43, 2005

13 January 2005

## DEPARTMENT OF HEALTH

## HEALTH TECHNOLOGY UNIT: CLINICAL ENGINEERING

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all the information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Health Technology Unit: Clinical Engineering together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) Suppliers must supply a valid, original Tax Clearance Certificate.
- (vii) Suppliers may submit a ZNT 30 to claim preference points for items over R30,000.00 in value.
- (viii) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (ix) Quotation documents are available from the Department of Health, Health Technology Unit: Assets Management, Telephone: (031) 4614531, Fax: (031) 4689594, between 07:00 to 15:30.

SERVICE/SUPPLY: 3 x Multiparameter Monitors for Bethesda Hospital  
 Quotation number: ZNQ 1291 of 2004/2005  
 Closing date: 2005-01-28  
 Closing time: 11:00  
 Contact person: J. Anthony/J. Jones, Tel.: (031) 4614531  
 Enquiries regarding specification: R. Govender, Tel.: (031) 4614531

SERVICE/SUPPLY: 2 x NIBP Monitors for Bethesda Hospital  
 Quotation number: ZNQ 1292 of 2004/2005  
 Closing date: 2005-01-28  
 Closing time: 11:00  
 Contact person: J. Anthony/J. Jones, Tel.: (031) 4614531  
 Enquiries regarding specification: R. Govender, Tel.: (031) 4614531

## Award of quotations

SUPPLY: 1 x Shortwave Diathermy Unit for King Edward VIII Hospital  
 Quotation number: ZNQ LS626 of 2004/2005  
 Contractor: Mediotronics KZN

SUPPLY: 1 x Defibrillator/Monitor for Dundee Hospital  
 Quotation number: ZNQ DD03/07 of 2004/2005  
 Contractor: Mthembu Medical Systems (Pty) Ltd

SUPPLY: 1 x Shortwave Diathermy Unit for Port Shepstone Hospital  
 Quotation number: ZNQ 331 of 2004/2005  
 Contractor: Mediotronics KZN

SUPPLY: 7 x Non-Invasive Pulse Oximeters for King Edward VIII Hospital  
 Quotation number: ZNQ LS630 of 2004/2005  
 Contractor: Tyco Healthcare

SUPPLY: 4 x NIBP Monitors for Estcourt Hospital  
 Quotation number: ZNQ 6 of 2004/2005  
 Contractor: The Cupboard Group t/a Medhold Gems – Offer 2

SUPPLY:	3 x NIBP Monitors for Church of Scotland Hospital
Quotation number:	ZNQ 57 of 2004/2005
Contractor:	The Cupboard Group t/a Medhold Gems
SUPPLY:	1 x Pulse Oximeter for Estcourt Hospital
Quotation number:	ZNQ 4 of 2004/2005
Contractor:	Newport Medical (Pty) Ltd t/a Ibuki Medical
SUPPLY:	1 x Uninterruptable Power Supply for the Health Technology Unit
Quotation number:	ZNQ 980 of 2004/2005
Contractor:	Universal Power Corporation (Natal) cc
SUPPLY:	4 x NIBP Monitors for Mahatma Gandhi Memorial Hospital
Quotation number:	ZNQ 728 of 2004/2005
Contractor:	The Cupboard Group t/a Medhold Gems – Offer 1
SUPPLY:	3 x Pulse Oximeters for Dundee Hospital
Quotation number:	ZNQ DD01/07 of 2004/2005
Contractor:	Tyco Healthcare
SUPPLY:	1 x Intra-Oral Dental X-Ray Unit for Phoenix CHC
Quotation number:	ZNQ 819 of 2004/2005
Contractor:	The Scientific Group (Pty) Ltd – Offer 4
SUPPLY:	1 x Infusion Pump Analyser for the Health Technology Unit
Quotation number:	ZNQ 928 of 2004/2005
Contractor:	G.W. Strike t/a Glenmed
SUPPLY:	1 x Electrosurgical Unit for Vryheid Hospital
Quotation number:	ZNQ 449 of 2004/2005
Contractor:	Marcus Medical (Pty) Ltd
SUPPLY:	1 x Dermatome for Appelsbosch Hospital
Quotation number:	ZNQ 81 of 2004/2005
Contractor:	Seven Four Trading cc
SUPPLY:	1 x Skin Graft Cutters for Appelsbosch Hospital
Quotation number:	ZNQ 82 of 2004/2005
Contractor:	Duromed cc
SUPPLY:	1 x Multiparameter Monitor for Port Shepstone Hospital
Quotation number:	ZNQ 332 of 2004/2005
Contractor:	The Cupboard Group t/a Medhold Gems

#### Non-acceptance of offers received

SUPPLY:	3 x Multiparameter Monitors for Bethesda Hospital
Quotation number:	ZNQ 127 of 2004/2005
SUPPLY:	2 x NIBP Monitors for Bethesda Hospital
Quotation number:	ZNQ 128 of 2004/2005

No. 44, 2005

13 January 2005

#### DEPARTMENT OF HEALTH

#### STANGER HOSPITAL

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all the information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in a sealed envelope.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Sub-directorate: Provisioning Administration, together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) The department is not obliged to accept the lowest quotation.
- (viii) Quotation documents are available from the Department of Health, Sub-directorate: Stanger Hospital, corner King Shaka and Patterson Street, Stanger, Telephone: (032) 4376000, Fax: (032) 5512479.

SERVICE:	Potering Services
Quotation number:	ZNQ 907 of /2004
Closing date:	2005-01-21
Closing time:	11:00

Contact person:	Mr T. Ganasan
Enquiries:	Mr J. B. Naidoo
SERVICE:	HIV/AIDS Counselling
Quotation number:	ZNQ 908 of /2004
Closing date:	2005-01-21
Closing time:	11:00
Contact person:	Mr T. Ganasan
Enquiries:	Mr J. B. Naidoo
SUPPLY:	Trolleys
Quotation number:	ZNQ 909 of /2004
Closing date:	2005-01-21
Closing time:	11:00
Contact person:	Mr T. Ganasan
Enquiries:	Mr J. B. Naidoo
SUPPLY:	Information Signs
Quotation number:	ZNQ 910 of /2004
Closing date:	2005-01-21
Closing time:	11:00
Contact person:	Mr T. Ganasan
Enquiries:	Mr J. B. Naidoo
SERVICE:	Heavy Duty Shelving
Quotation number:	ZNQ 912 of /2004
Closing date:	2005-01-21
Closing time:	11:00
Contact person:	Mr T. Ganasan
Enquiries:	Mr J. B. Naidoo
SERVICE:	Employment Agency (Nursing Services)
Quotation number:	ZNQ 913 of /2004
Closing date:	2005-01-21
Closing time:	11:00
Contact person:	Mr T. Ganasan
Enquiries:	Mr J. B. Naidoo

No. 45, 2005

13 January 2005

## DEPARTMENT OF HEALTH

## EDENDALE HOSPITAL

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Edendale Hospital, together with the quotation number and closing date.
- (v) The name and address of the tenderer must be endorsed on the back of the envelope.
- (vi) Contracts shall only be awarded to suppliers registered on the Provincial Supplies Database.
- (vii) Quotation documents must be deposited in the quotation box situated on the fourth floor or faxed to: Edendale Hospital, Private Bag X509, Plessislaer, 3216, Telephone: (033) 3954364, Facsimile: (033) 3954252 or (033) 3954060.

SERVICE:	Once off cleaning for a vacant land at Edendale Hospital
Quotation number:	ZNQ 2094/10/05
Closing date:	2005-01-28
Time:	11:00
Compulsory site meeting:	2005-01-24
Contact person:	Mr S. A. Cekwana, Telephone: (033) 3954364
Enquiries regarding specification:	Mr S. A. Cekwana, Telephone: (033) 3954364

No. 46, 2005

13 January 2005

## DEPARTMENT OF AGRICULTURE AND ENVIRONMENTAL AFFAIRS

## Invitation of tenders

Tenders are invited for the undermentioned requirements:

SUPPLY:	Hardwood treated poles – Ladysmith and Ingwavuma
Tender number:	ZNT 3322/2005A
Closing date:	2005-02-10
Closing time:	11:00
Enquiries regarding specification:	Mr R. Humphry, Tel. No.: (033) 3559558

SERVICE:	Supply and installation of pump systems – Nkandla District
Tender number:	ZNT 3323/2005a
Closing date:	2005-02-10
Closing time:	11:00
Enquiries regarding specification:	Mr N. F. Gumede, Tel. No.: (033) 3559872
Documents are available from:	Cedara (Pietermaritzburg)
Contact persons:	Mrs R. B. Radebe, Tel.: (033) 3559169 Miss S. N. Mbuyazi, Tel.: (033) 3559228 Mr B. L. Zikhali, Tel.: (033) 3559170

No. 47, 2005

13 January 2005

## DEPARTMENT OF HEALTH

## ILEMBE HEALTH DISTRICT OFFICE

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

- (i) Quotations must be on the official quotation form, which shall be completed in respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelopes must be addressed to Ilembe Health District Office, Quotation Evaluation Committee, together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents and specifications are available from Ilembe Health District Office, Stanger Hospital, Corner of Patterson and King Shaka Streets, Stanger, Telephone: (032) 4373500, Facsimile: (032) 5511592.

SUPPLY:	Conference facilities accommodation, bed and breakfast, lunch and dinner for 25 people
Quotation number:	For the following days 24, 25, 26, 27, 28 (5 days)
Closing date:	Preferable within Ilembe District
Closing time:	ZNQ 492/04/05
Contact person:	2005-01-19
Enquiries regarding specification:	11:00
	S. Mabaso, Telephone: (032) 4376063
	N. B. Cele

No. 48, 2005

13 January 2005

## DEPARTMENT OF HEALTH

## MAHATMA GANDHI MEMORIAL HOSPITAL

## Award of quotations

SUPPLY:	35 x Aneroid BP Machine Portable on stands
Quotation number:	ZNQ 1309/2004
Contractor:	Saimed
SUPPLY:	2 x Aluminium double door – fixed panel
Quotation number:	ZNQ 1310/2004
Contractor:	Dees Aluminium
SUPPLY:	5 x Aluminium double door – louver
Quotation number:	ZNQ 1311/2004
Contractor:	Dees Aluminium

No. 49, 2005

13 January 2005

## DEPARTMENT OF HEALTH

## CATHERINE BOOTH HOSPITAL

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

- (i) Quotations must be on the official tender form, which shall be completed in all respects.
- (ii) Each quotation must be submitted in a sealed envelope.
- (iii) Quotations documents are available from the Department of Health.

SERVICE:	Annual Contract
	Access control and Peripheral patrol

Quotation number:	4 Armed Guards Grade "D" Night Shift
Closing date:	3 Unarmed Guard grade "E" Day Shift
Closing time:	ZNQ 4100/03H
Contact person:	2005-01-31
Site inspection date:	11:00
Enquiries regarding specification:	Mr M. A. Mkhize, Telephone: (035) 4748407, Ext. 110
	2005-01-26
	Mr M. A. Mkhize

No. 50, 2005

13 January 2005

## DEPARTMENT OF HEALTH

## ST ANDREW'S HOSPITAL

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to St Andrew's Hospital, Quotation Evaluation Committee, together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available at St Andrew's Hospital, Stores Department, 14 Moodie Street, Harding, Telephone: (039) 4331955, Ext. 236, Fax: (039) 4332051.

SERVICE:	Garden Services
Quotation number:	ZNQ 517/04
Closing date:	2005-02-17
Closing time:	11:00
Contact person:	Mr H. Ogle/Superintendent
Compulsory site meeting:	2005-01-20
Time:	11:00
Enquiries regarding specification:	Mr H. E. Ogle, Telephone: (039) 4331955

SERVICE:	Provision of Security Service at St Andrew's Hospital
	Day Duty
	2 x D Grade Female Guards
	2 x D Grade Male Guards
	Night Duty
	2 x D Grade Male Guards
	1 x D Grade Female Guards
Quotation number:	ZNQ 518/04
Closing date:	2005-02-17
Closing time:	11:00
Contact person:	Mr M. C. Nguza/Finance & Systems Manager
Compulsory site meeting:	2005-01-20
Time:	9:00
Enquiries regarding specification:	Mr M. C. Nguza, Telephone: (039) 4331955

No. 51, 2005

13 January 2005

## DEPARTMENT OF HEALTH

## HLABISA HOSPITAL

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all the information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Hlabisa Hospital, Private Bag X5001, Hlabisa, 3937, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Procurement Division, Hlabisa Hospital, Private Bag X5001, Hlabisa, 3937 on the site inspection day only.
- (vii) For quotations exceeding R30 000.00 an original ZNT 30 (application for preference points) form must be submitted to Procurement Division, Hlabisa Hospital, an original Tax Clearance Certificate must also be submitted regardless of prices.

SERVICE:	Security Services to Hlabisa Hospital
Quotation number:	ZNQ 130/2004/H05
Closing date:	2005-02-24

Closing time: 11:00  
 Contact person: Mr A. Sithole, Telephone: (035) 8381003  
 Specification enquiries: Mr A. M. Nene, Telephone: (035) 8381003

SERVICE: Security Services to Hlabisa Clinic  
 Quotation number: ZNQ 131/2004/H05  
 Closing date: 2005-02-24  
 Closing time: 11:00  
 Contact person: A. Sithole, Telephone: (035) 8381003  
 Specification enquiries: A. M. Nene, Telephone: (035) 8381003  
 Site inspection: Contractor to assembly at the access control gate Hlabisa Hospital on the 2005-01-31 at 9:30

No. 52, 2005

13 January 2005

## DEPARTMENT OF HEALTH

## PROVINCIAL MEDICAL SUPPLY CENTRE

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all the information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Provincial Medical Supply Centre, Quotation Evaluation Committee, together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Provincial Medical Supply Centre – Registry Department, 1 Higginson Highway, Mobeni, Durban, Telephone: (031) 4698323, Fax: (031) 4629158.
- (vii) An original ZNT 30 (application for preference points) form must be submitted to the Provincial Medical Supply Centre, an original Tax Clearance Certificate must also be submitted regardless of prices.
- (viii) To obtain quotation forms, please fax your request to the number below. No calls will be taken, except for queries relating to specifications that are not clearly understood. See number of contact person.

## SUPPLY:

Office furniture – 4 x high back swivel and tilt chair with back support and 3 x high back typist chairs  
 Quotation number: ZNQ 08-11-2004  
 Closing date: 2005-01-27  
 Closing time: 11:00  
 Contact person: Ayesha Khan, Telephone: (031) 4698300, calls will only be taken for queries relating to unclear specifications, see paragraph (viii)  
 Enquiries regarding specification: Please send fax to (031) 4698380, no telephone calls will be accepted to obtain quotation forms, see paragraph (viii)  
 Compulsory site meeting: Site meeting to be held on 2005-01-21

## SUPPLY:

Solar film tint  
 Quotation number: ZNQ 11-11-2004  
 Closing date: 2005-01-27  
 Closing time: 11:00  
 Contact person: Ayesha Khan, Telephone: (031) 4698300, calls will only be taken for queries relating to unclear specifications, see paragraph (viii)  
 Enquiries regarding specification: Please send fax to (031) 4698380, no telephone calls will be accepted to obtain quotation forms, see paragraph (viii)  
 Compulsory site meeting: Site meeting to be held on 2005-01-21

## SUPPLY:

Stainless steel hand basin (1) Stainless steel urinal (1). Supply and fit as per departmental specifications  
 Quotation number: ZNQ 17-11-2004  
 Closing date: 2005-01-27  
 Closing time: 11:00  
 Contact person: Ayesha Khan, Telephone: (035) 4698300, calls will only be taken for queries relating to unclear specifications, see paragraph (viii)  
 Enquiries regarding specification: Please send fax to (031) 4698380, no telephone calls will be accepted to obtain quotation forms, see paragraph (viii)  
 Compulsory site meeting: Site meeting to be held on 2005-01-21

## SUPPLY:

Dorma door closures (x 6) supply and fit  
 Quotation number: ZNQ 18-11-2004  
 Closing date: 2005-01-27  
 Closing time: 11:00  
 Contact person: Ayesha Khan, Telephone: (031) 4698300, calls will only be taken for queries relating to unclear specifications, see paragraph (viii)  
 Enquiries regarding specification: Please send fax to (031) 4698380, no telephone calls will be accepted to obtain quotation forms, see paragraph (viii)

- SUPPLY:**  
 Quotation number:  
 Closing date:  
 Closing time:  
 Contact person:
- Heavy duty plastic pallets (K-Performer)  
 ZNQ 20-11-2004  
 2005-01-27  
 11:00  
 Ayesha Khan, Telephone: (031) 4698300, calls will only be taken for queries relating to unclear specifications, see paragraph (viii)  
 Please send fax to (031) 4698380, no telephone calls will be accepted to obtain quotation forms, see paragraph (viii)  
 Site meeting to be held on 2005-01-21
- Enquiries regarding specification:
- Compulsory site meeting:*
- SUPPLY:**  
 Quotation number:  
 Closing date:  
 Closing time:  
 Contact person:
- Office furniture  
 ZNQ 01-12-2004  
 2005-01-27  
 11:00  
 Ayesha Khan, Telephone: (031) 4698300, calls will only be taken for queries relating to unclear specifications, see paragraph (viii)  
 Please send fax to (031) 4698380, no telephone calls will be accepted to obtain quotation forms, see paragraph (viii)  
 Site meeting to be held on 2005-01-21
- Enquiries regarding specification:
- Compulsory site meeting:*
- SUPPLY:**  
 Quotation number:  
 Closing date:  
 Closing time:  
 Contact person:
- White and Wonder Blue PVC Tape  
 ZNQ 03-01-2005  
 2005-01-27  
 11:00  
 Ayesha Khan, Telephone: (031) 4698300, calls will only be taken for queries relating to unclear specifications, see paragraph (viii)  
 Please send fax to (031) 4698380, no telephone calls will be accepted to obtain quotation forms, see paragraph (viii)
- Enquiries regarding specification:
- SUPPLY:**  
 Quotation number:  
 Closing date:  
 Closing time:  
 Contact person:
- Service of Autotrol Detonization Control  
 ZNQ 04-01-2005  
 2005-01-27  
 11:00  
 Ayesha Khan, Telephone: (031) 4698300, calls will only be taken for queries relating to unclear specifications, see paragraph (viii)  
 Please send fax to (031) 4698380, no telephone calls will be accepted to obtain quotation forms, see paragraph (viii)
- Enquiries regarding specification:
- SUPPLY:**  
 Quotation number:  
 Closing date:  
 Closing time:  
 Contact person:
- Green and Yellow Vellum Labels  
 ZNQ 05-01-2005  
 2005-01-27  
 11:00  
 Ayesha Khan, Telephone: (031) 4698300, calls will only be taken for queries relating to unclear specifications, see paragraph (viii)  
 Please send fax to (031) 4698380, no telephone calls will be accepted to obtain quotation forms, see paragraph (viii)
- Enquiries regarding specification:
- SUPPLY:**  
 Quotation number:  
 Closing date:  
 Closing time:  
 Contact person:
- Bankers Assistant (Rubber Thimbles for finger)  
 ZNQ 06-01-2005  
 2005-01-27  
 11:00  
 Ayesha Khan, Telephone: (031) 4698300, calls will only be taken for queries relating to unclear specifications, see paragraph (viii)  
 Please send fax to (031) 4698380, no telephone calls will be accepted to obtain quotation forms, see paragraph (viii)
- Enquiries regarding specification:
- SUPPLY:**  
 Quotation number:  
 Closing date:  
 Closing time:  
 Contact person:
- Self Inking Stamps (red) and Ink Pads (black)  
 ZNQ 07-01-2005  
 2005-01-27  
 11:00  
 Ayesha Khan, Telephone: (031) 4698300, calls will only be taken for queries relating to unclear specifications, see paragraph (viii)  
 Please send fax to (031) 4698380, no telephone calls will be accepted to obtain quotation forms, see paragraph (viii)
- Enquiries regarding specification:
- SUPPLY:**  
 Quotation number:  
 Closing date:  
 Closing time:  
 Contact person:
- A4 Multi punch alphabet index (grey-plastic)  
 ZNQ 08-01-2005  
 2005-01-27  
 11:00  
 Ayesha Khan, Telephone: (031) 4698300, calls will only be taken for queries relating to unclear specifications, see paragraph (viii)  
 Please send fax to (031) 4698380, no telephone calls will be accepted to obtain quotation forms, see paragraph (viii)
- Enquiries regarding specification:

DEPARTMENT OF HEALTH  
REGIONAL LAUNDRY CATO MANOR

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

- (i) Quotations must be on the official quotation form, which shall be completed in respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelopes must be addressed to the Department of Health, Sub-directorate: Provisioning Administration together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Regional Laundry Cato Manor, 800 Bellair Road, Mayville, 4058, Telephone: (031) 2402873, Facsimile: (031) 2402880.

**SUPPLY:**

Item 1: Stainless steel tables 2 m x 1.1 m Code 359518  
(City metal products) complete with 6 x Stainless Steel  
41 mm dia legs with adjustable feet code 354706  
(City metal products) number required: 6

Quotation number:

ZNQ 78/04/05

Closing date:

2005-01-20

Closing time:

11:00

Contact person:

S. T. Moodley, Telephone: (031) 2402873

Enquiries regarding specification:

Mr T. T. Terblanche, Telephone: (031) 2402866

DEPARTMENT OF HEALTH  
REGIONAL LAUNDRY CATO MANOR

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

- (i) Quotations must be on the official quotation form, which shall be completed in respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotation must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelopes must be addressed to the Department of Health, Sub-directorate: Provisioning Administration together with the quotation number and closing date.
- (v) The name and address of the tenderer contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Regional Laundry Cato Manor, 800 Bellair Road, Mayville, 4058, Telephone: (031) 2402873, Facsimile: (031) 2402880.

**SUPPLY:**

Item 1: Erect new office in the Stores Department with demountable aluminium  
partitioning as per specification  
Number required: 1

Quotation number:

ZNQ 101/04/05

Closing date:

2005-01-27

Closing time:

11:00

Contact person:

S. T. Moodley, Telephone: (031) 2402873

Enquiries regarding specification:

Mr T. T. Terblanche, Telephone: (031) 2402866

Site meeting:

2005-01-20

No. 55, 2005

13 January 2005

DEPARTMENT OF HEALTHUMPHUMULO HOSPITALQUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF  
KWAZULU-NATAL

- (i) Quotations must be on the official quotation form, which shall be completed in respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelopes must be addressed to the Hospital Manager, Private Bag X9219, Maphumulo, 4470.
- (v) The name and address of the quoting contract or tenderer must be enclosed on the back of the envelope.
- (vi) All Department of Health contracts are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Documents (Quotations) are available from the Department of Health at uMphumulo Hospital, Private Bag X9219, Maphumulo 4470.  
Tel.: (032) 4103/4181, Fax: (032) 4812054.

**SERVICE:**

Quotation number:

Closing date:

Site inspection:

Contact person:

Cover Shelter for Work Shop

ZNQ 258/2004

2005-01-21

2005-01-19

Mr P. V. Ntuli

Mr M. R. Madulini

## MUNISIPALE KENNISGEWINGS — IZAZISO ZIKAMASIPALA — MUNICIPAL NOTICES

No. 1, 2005

13 kuMasingana 2005

UMKHANDLU kaMasipala waseMngeni ngokwesigaba 156 soMthethosisekelo weRiphabhliki yaseNingizimu Afrika, 1996 (uMthetho 108 ka 1996) ufundwa nezigaba 11 no 98 zoMthetho weziNhlalo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000) wenze le mibuzo dolobha elandelayo:

## UMASIPALA WASEMNGENI

## IMITHETHO EMILE KANYE NEZINQUBO KWEMIHLANGANO YOMKHANDLU KANYE NAWO WONKE AMAKOMIDI

## 1. IMIHLANGANO YOMKHANDLU

- (1) Yonke imihlangano yoMkhandlu, kanye namaKomidi awo iyovuleleka emphakathini: Inqobo nje uma lesi sigaba zingeyukusebenza kunesizathu sokwenza njalo kubhekelelwe uhlobo lomhlangano obanjiwe ngokwesigaba 20 soMthetho weziNhlaka zoMasipala, (uMthetho No. 32 ka 2000).
- (2) Kule Mithetho eMile, "umhlangano" kusho yonke imihlangano yoMkhandlu.

## 2. IMIHLANGANO YOMKHANDLU

UMkhandlu uyobamba umhlangano ojwayelekile wokuqhuba umsebenzi okungenani kanye ezinyangeni ezintathu.

## 3. IMIHLANGANO EPHUTHUMAYO YOMKHANDLU

USomlomo noma yingasiphi isikhathi, ngokucelwa ngokubhaliweyo yiningi lamakhansela kaMasipala angaphezu kokukodwa kokuthathela angabiza umhlangano ophuthumayo woMkhandlu, emahoreni angamashumi amane nesishiyagalombili kukhishwe isaziso esibhaliwe maqondana nalokho.

## 4. UKUKHISHWA KWEZAZISO

Okungenani emahoreni angamashumi ayisikhombisa nambili (72) ngaphambi kwanoma yimuphi umhlangano ojwayelekile woMkhandlu kwethamela umhlangano, esibalula okuyodingidwa lapho nesisayinwe nguSomlomo noma nguMphathi kaMasipala siyoshiywa noma siyothunyelwa endaweni esiyothokala kalula kuyo ngamalungu oMkhandlu noma endaweni okufinyeleleka kalula kuyona enqunywe yikhansela.

## 5. UKUNGATHUNYELWA KWEZAZISO

Ukungathunyelwa kwesaziso somhlangano ngephutha kunoma yiliphi ikhansela akuyukhinyabeza izinqubo zalowo mhlango.

## 6. IZINDABA EZISEMQOKA

Akukho daba oluyodingidwa emhlanganweni ngaphandle kwalokho okubalulwe ezazisweni zawo, ngaphandle kwezindaba usihlalo ofanele abona ukuthi zibalulekile noma uMkhandlu noma iKomidi eliKhulu ngokunquma namalungu amabili kwamathathu akhona ukuthi ludingidwe njengolusemqoka.

## 7. IMIHLANGANO EHLEHLISIWE

UMkhandlu noma iKomidi eliKhulu, ungahlehlisa umhlangano ube nganoma yiluphi usuku noma ihora, kodwa akukho daba oluyodingidwa kunoma yimuphi umhlangano ohlehlisiwe ngaphandle uma lokho kwakubekwe esazisweni somhlangano owahlehliswa ngaphandle kwezindaba ezivezwe ngokwendima 6 yale Mithetho eMile.

## 8. ISAZISO SOMHLANGANO OHLEHLISIWE

- Uma umhlangano uhlehliswa, isaziso sokuhlehlisa umhlangano siyothunyelwa kwilungu loMkhandlu noma leKomidi eliKhulu ngalinye, sibalule udaba oluyodingidwa.

## 9. IZENZO ZOMKHANDLU: ZINQUNYWA KANJANI: IKHORAMU

Jningi lamakhansela kumele libe khona emhlanganweni woMkhandlu ngaphambi kokuthi kuthathwe ivoti nganoma yiluphi udaba. Yonke imibuzo ephathelene nokubalulwe esigabeni 160(2) soMthethosisekelo inqunywa nguMkhandlu ngevoti lokwesekela iningi lamalungu awo. Yonke eminye imibuzo ebekwe ngaphambi koMkhandlu inqunywa yiningi lamavoti kweyame kwisigaba 34 soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998) ophathelene nokuhlakazwa kweMikhandlu yoMasipala.

## 10. UKUVOTA

Uma kunoma yimuphi umbuzo kunamavoti alinganayo, ikhansela elingusihlalo kumele lifake ivoti elingujuqu ngaphezu kwevoti lalo elijwayelekile.

## 11. UMA AMAKHANSELA ENGEKE AKWAZI UKWETHAMELA NOKUTHI ABAMBE IQHAZA EZINQUBENI ZOMKHANDLU — UKUDALULWA KWENTSHISEKELO (ISIGABA 5 SOMGOMO WOKUZIPHATHA WAMAKHANSELA)

- (1) Ikhansela liyodalula eMkhandlwini kaMasipala, noma kunoma yiliphi iKomidi lelo khansela eliyilungu lakho, noma yiziphi izinzuzo zebhizinisi lakhe noma elizimele ikhansela, noma umlingani walo, noma elisebenzisana naye elingaba nazo ngaphambi koMkhandlu noma kweKomidi.
- (2) Ikhansela kumele lihoxe ezinqubeni zoMkhandlu noma zeKomidi ngesikhathi udaba ludingidwa nguMkhandlu noma yiKomidi, ngaphandle uma uMkhandlu noma iKomidi unquma ngesixazululo, ukuthi ukuzuza kwekhansela okuqondile noma okungaqondile kulolo daba akubalulekile noma akusho lutho.
- (3) Ikhansela, lona uqobo, noma elimlingani walo, noma osebenzisana nalo noma ilungu lomndeni walo elisondele, lithola noma esethubeni lokuthola inzuzo eqonde ngqo esivumelwaneni sikaMasipala, kumele lidalule imininingwane egcwele yaleyo nzuzo ikhansela elaziyo ngayo emhlanganweni wokuqala woMkhandlu noma wekomidi lomkhandlu lapho kunokwenzeka ukuba ikhansela lidalule lokho.
- (4) Lesi sigaba asisebenzi uma inzuzo ikhansela, noma umlingani walo, osebenzisana nalo noma ilungu lomndeni walo elisondele, liyizuze kanye nezinye izakhamuzi zikaMasipala.

## 12. UKUNGABIBIKHO KWEKHORAMU

Uma ekupheleni kwesikhathi esiyimizuzo engamashumi amabili emva kwehora lapho noma yimuphi umhlangano woMkhandlu noma weKomidi eliKhulu kuqokwe ukuba kubanjwe ikhoramu ingakahlangani, akukho mhlango oyoba khona, ngaphandle uma kunquma, ngazwi linye wonke amalungu akhona, ukuthi kwelulwe isikhathi, esingeyukweqa emizuzwini emihlanu ngaphezulu, ukuze ikhoramu ikwazi ukuhlalana, kodwa amalungu akhona ngobuningi bawo anganquma ukuhlehlisa umhlangano, esikhathini esingcono.

## 13. UKUBALWA

Uma nganoma yisiphi isikhathi uMkhandlu noma iKomidi eliKhulu okuhlangene ngaso, uSihlalo uyokwaziswa ngesibalo samalungu akhona, uyowabala, futhi uma kutholakala ukuthi akukho khoramu ekhona, uMkhandlu noma iKomidi eliKhulu kuyohlehliselwa lesi sikhathi esiyonqunywa ngamalungu akhona.

**14. USIHLALO WEMIHLANGANO**

- (1) Kuyo yonke imihlangano yoMkhandlu uSomlomo, uma engekho noma ibamba likaSomlomo, liyoqokwa njengSihlalo.
- (2) IMeya iyoba nguSihlalo wemihlangano yeKomidi eliKhulu, kodwa uma iMeya ingekho kuyoba iSekela leMeya.

**15. OKUDINGIDWA EMIHLANGANWENI YOMKHANDLU**

- (1) Uhlelo lokudingidwa kuyona yonke imihlangano ejwayelekile yoMkhandlu noma yeKomidi eliKhulu lumi kanje:
  - (a) Okuzodingidwa emhlanganweni
  - (b) Ukuthatha ikhefu
  - (c) Amaminithi omhlangano odlule
  - (d) Izimemezelo
  - (e) Izicelo kanye nezinxuso
  - (f) Izaziso zeziphakamiso
  - (g) Imibiko yekomidi leziKhundla
  - (h) Ezingxubevange ngendlela enqunywe nguMphathi kaMasipala noma njengokuyalela kukaSomlomo maqondana nemihlangano yoMkhandlu.
- (2) USihlalo, ngokubona kwakhe, angethula noma yiluphi udaba olusohlelweni nganoma yisiphi isikhathi.
- (3) Kuyosetshenziswa utolika ngaphandle uma iningi lamakhansela akhona linquma ngokunye. Kulindeleke ukuthi amakhansela asebenzise utolika osebenzisana noSomlomo.

**16. UKUNGETHANYELWA KWEMIHLANGANO**

- (1) Ukufaka isicelo sokuhlaba ikhefu ngefomu elifanele kunoma yimuphi umhlangano woMkhandlu noma wamaKomidi awo kuyokwenziwa noMphathi kaMasipala ngokubhaliwe ngaphambi kokuqala komhlangano othintekayo.
- (2) Uma ikhansela linesizathu esizwakalayo sokungakwazi ukuhambisana noMthetho 16(1), lingabhelela uMphathi kaMasipala licele ukudluliswa kwalokho kungahambisani noMthetho lesi siculo esibuyekwezwa nguMkhandlu ekulethweni kwesiculo esibhaliwe.
- (3) Ngezinhlalo zenhlizwekhi yesigaba 3 no 4 (Ukwethanyelwa kwemihlangano) kweMigomo yokuziPhatha kwamaKhansela (uHlelo 1 loMthetho weziNhlelo), indlela yokwaphula umthetho njengoba kuqokethwe ezindimeni 66, 67, no 68 wale Mithetho eMile iyosebenza.
- (4) Amakhansela adinga ukushiya umhlangano woMkhandlu ngaphambi kokuthi uphele ayothola invume kuSomlomo.
- (5) Ngezinhlalo zoMthetho 16 wokungethanyelwa kwemihlangano, wezinkundla zokuphucula amakhono okuhlelwe noma okuvunywe nguMkhandlu kuthathwa njengemihlangano.

**17. AMAMINITHI OKUMELE AGCINWE NOKUQINISEKISWA KWALOKHO**

Amaminithi ezinqubo zayo yonke imihlangano ayoqoshwa futhi agcinwe nguMqondisi weMisebenzi yokuXhumana. UMphathi kaMasipala uyoba nomthwalo wokulungisa lokho, kanti amaminithi omhlangano ngamunye ayoqinisekiswa emhlanganweni ojwayelekile olandelayo futhi asayinwe nguSihlalo.

**18. AKUKHO ZINGXOXO NGAMAMINITHI**

Ngaphandle kobuqiniso bawo, akukho ziphakamiso noma zingxoxo okuyovunyelwa ngamaminithi.

**19. IZIKHALAZO KUMELE ZIBHALWE, ZIQOSHE NOMA ZISHICILELWE**

Izikhalazo, okumele zibhalwe ngokucacile, ziqoshe noma zishicilelwe, kumele zisayinwe yizakhazumi ezingengaphansi kwezintathu futhi kumele zibhalwe ngolimi oluhloniphekile futhi zethulwe ehovisi loMphathi kaMasipala, uma ebona kufanele, oyokwethula udaba ngaphambi kweKomidi eliKhulu.

**20. AMANXUSA KUMELE ATHUMELE IMEMORANDAMU**

Amanxusa afisa ukwamukelwa yiKomidi eliKhulu kuyodingeka, okokuqala ukuba athumele imemorandamu ebhaliwe, futhi uMphathi kaMasipala uyokwethula imemorandamu eKomidini eliKhulu, elingayigunyaza, uma libona kufanele ukwamukela amanxusa, futhi libike eMkhandlwini emva kwalokho.

**21. UKWAMUKELWA KWAMANXUSA**

Amanxusa afisa ukwethula inkulumbo eKomidini eliKhulu akumele abe ngaphezu kwesihlanu ngesibalo, kodwa yilungu elilodwa kuphela lawo elingethula inkulumbo eKomidi (ngaphandle uma kuphendulwa imibuzo yamalungu eKomidi) futhi ayokwenza lokho isikhathi esingevile emizuzwini eyishumi. IKomidi aliyubuyele libhekelele lolo daba kuze kube amanxusa ayozihoxela emhlanganweni.

**22. UKWETHULA ISIPHAKAMISO**

USihlalo weKomidi uyophakamisa isincomo esiqukethwe embikweni ngaphandle uma ekade ephakamise ukungahambisani naso phambilini. USihlalo weKomidi noma elinye ilungu elithula umbiko lingahoxisa noma lichibiyele noma yisiphi isigaba ngemvume yeKomidi eliKhulu.

**23. INDLELA YOKUKHIPHA ISAZISO SESIPHAKAMISO**

Akukho daba oluyokwethulwa emkhandlwini noma eKomidini eliKhulu ngayinoma yiliphi ilungu lomkhandlu ngaphandle uma sekwethulwa isaziso sesiphakamiso, esiyobe sibhaliwe futhi sasayinwa yilungu elithula isaziso. Leso saziso siyonikezwa uMphathi kaMasipala.

Isaziso sesiphakamiso kumele silethwe ngaphambi kwehora leshumi nambili (12:00) ezinsukwini eziyisikhombisa ngaphambi komhlangano woMkhandlu.

**24. UKUHELELWA KWEZAZISO ZEZIPHAKAMISO**

Zonke izaziso zeziphakamiso ziyofakwa usuku kanye nezinombolo njengoba zitholwe nguMphathi kaMasipala, futhi ziyofakwa ohlelweni nguMqondisi wezokuXhumana ngohlelo azithole ngalo, azigcine futhi alindele ukuthi izichibiyelo zezaziso zeziphakamiso ziyofakwa ngokushesha emva kwaleso saziso sesiphakamiso, kungakhathalekile ukuthi isaziso sitholakale nini.

**25. IZITHIBELO ZEZAZISO ZEZIPHAKAMISO**

- (1) Akukho lungu eliyoba nezaziso zeziphakamiso ezingaphezu kwezimbili ohlelweni olulodwa ngasikhathi sinye, inqobo nje uma lo Mthetho ungeke usebenze koSotswebhu bamaqembu.
- (2) Ekuphatheni izaziso zeziphakamiso, uSihlalo uyoqale afunde inombolo ngayinye kanye negama lobeke lesi siphakamiso, futhi uyoqinisekisa ukuthi iziphakamiso aziphikiswa, bese zidluliswa ngaphandle kwezingxoxo. USihlalo uyobe esebiza labo iziphakamiso zabo eziphikisiwe ngokulandelana kwabo ohlelweni.

**26. IZIPHAKAMISO NOMA IZISONGOZO**

Ngaphambi kokuthi noma yisiphi isaziso sifakwe ohlelweni, siyokwethulwa kuMphathi kaMasipala, okumele, uma ebona ukuthi ngaphandle kwe-gunya lomthetho okhona, uyokwenza ukuba okhiphe isaziso aziswe ngalokho. Umuntu okhiphe isaziso, uyoba nelungelo lokukhalaza ekomidini

elincane loMkhandlu elibunjwe yiMeya, iSekela leMeya kanye namakhansela amabili, aboyulubhekisisa udaba bese benquma ukuthi lesa sesiphakamiso singafakwa yini ohlelweni.

## 27. ISIPHAKAMISO ESINGATHULWANGA

Uma isiphakamiso, isaziso esibalulwe ohlelweni, simenyezwe, kodwa singathulwanga yilungu elikhipe isaziso noma ngelinye ilungu eligunyazwe ukuba lenze njalo ngokubhaliweyo, siyothathwa njengesishiywe futhi asiyukwethulwa ngaphandle komyalelo.

## 28. AMALUNGU AYOBHEKISA KUSIHLALO

Ngesikhathi uMkhandlu uhlangene, uma ekhuluma, amakhansela ayohlala phansi, kodwa ngazo zonke izikhathi, abhekise inkulumo yawo kusihlalo. Lo mithetho angeke usebenze maqondana neKomidieliKhulu noma namaKomidi aqokwe ngokwesigaba 80(2) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho NO. 117 ka 1998).

## 29. UKUGXILA ODABENI

Ilungu elikhulumayo liyogxilisa inkulumo yalo odabeni noma encazelweni noma embuzweni okudingidwayo.

## 30. UBUHOLI BUKASIHLALO

Noma yinini uma uSihlalo ekhombisa ukungenelela ngesikhathi sengxoxo noma esukuma esihlalweni sakhe, noma yimaphi amalungu akhulumayo ayoyeka ukukhuluma ngokushesha, athule, ukuze uSihlalo azwakale ngaphandle kokuphazanyiswa.

## 31. UBUDE BEZINKULUMO

Akukho nkulumo ayokweqa emizuzwini emihlanu ngaphandle kwemvume yomhlango, futhi ikhansela ngalinye liyokhuluma kanye, ngaphandle uma uSihlalo ebona kunesidingo sokuthi likhulume ngaphezu kwalokho.

## 32. UKUNGAZIPHATHI KAHLE KWEKHANSELA: UMSEBENZI KASIHLALO

Uma kunoma yimuphi umhlango woMkhandlu, weKomidi eliKhulu, noma wamanye amaKomidi ikhansela liziphatha ngendlela engafanele, liziphatha bededengu noma libelesela ngokuthikameza umhlango noma liphikisana nesinqumo sikaSihlalo nganoma yikuphi ukuziphatha ngendlela efanele noma lenqaba ukuhoxisa amazwi uma linuxwa ukuba lenze njalo nguSihlalo noma libelesa nokudina noma lilokhu lisebenzisa ulimi olungamukelekile noma lephula noma yimuphi omunye wale mithetho, uSihlalo uyoqondisa lelo khansela ukuba liziphathe kahle futhi, uma likhuluma, liyeke ukukhuluma bese lihlala phansi, uma kade limile.

Uma liqhubeka lingayinaki imiyalelo kaSihlalo, uSihlalo uyocela lelo khansela ukuba liphume kuleyo ndawo okubanjelwe kuyo umhlango isikhathi esesisele somhlango, futhi, uma kunesidingo, uyokwenza ukuba likhishwe kuleyo ndawo.

## 33. IZINYATHELO ZOKUNGAZIPHATHI KAHLE

Ngaphezu kwezinyathelo zikaSihlalo ngokwendima okukhulunywe ngayo ngenhla, uSomlomo angathathela noma yiliphi ilungu elingaziphathanga ahle noma eliziphathe budlabha noma elithikameze ukuqhutshwa komhlango noma elidelele igunya likasihlalo ngokuhambisana nenqubo yokwe-phula umthetho equkethwe ezindimeni 66, 67 no 68 zale Mithetho eMile: Inqobo nje uma ikhansela elithintekayo linguSomlomo, izinyathelo ezi-zothathwa ngokwalesi sigaba ziyothathwa yikomidi elincane eliqokwe yiKomidi eliKhulu.

## 34. UKUPHAZAMISA KWABANYE ABANTU NGAPHANDLE KWAMAKHANSELA

Noma yimuphi umuntu, ngaphandle kwekhansela, oziphatha kabi noma othikameza izinqubo zoMkhandlu noma zeKomidi eliKhulu kunoma yimuphi umhlango, uma uSihlalo esho njalo, liyokhishwa endaweni okubanjelwe kuyo umhlango, futhi uSihlalo angakhipha lowo muntu ekutheni aphinde amukelwe ukwethamela eminye imihlangano isikhathi angasibona sifanele.

## 35. AMALUNGU KUMELE AKHULUME KANYE KUPHELA: ILUNGELO LOWETHULA INKULUMO LOKUTHI APHENDULE: AKUKHO LUNGU ELIYOKHULUMA EMVA KOKUTHI OWETHULA INKULUMO ESEPHENDULILE

Maqondana nesaziso sesiphakamiso, akukho lungu eliyokwethula inkulumo eMkhandlini amahlandla angaphezu kwelilodwa nganoma yisiphi isiphakamiso noma isichibiyelo. Umuntu okunguyena obebeke isiphakamiso, kodwa, angaphendula, kodwa kumele agxile ekuphenduleni umbuzo wokade eqeda ukukhuluma angafaki udaba olusha engxoxweni. Ilungelo lokuphendula angeke ligunyaze obebeke isiphakamiso ukuba enze isichibiyelo. Emva kwempendulo akukho lungu elingakhuluma futhi akukho mibuzo eyobuzwa.

## 36. IZICHIBIYELO KUMELE ZIBHALWE

USihlalo angabiza noma yimuphi umuntu obethula inkulumo ngesichibiyelo ukuba asibhale, futhi, emva kokuyisayina, ukuba asihambise kuMphathi kaMasipala.

## 37. UKUHOXISWA KWESIPHAKAMISO, UKUCHITSHIYELWA KANYE NESAZISO SESIPHAKAMISO

Isikhulumi ngemvume yosesekelayo singahoxisa isiphakamiso noma isichibiyelo.

## 38. ISIPHAKAMISO ESISEKELWAYO NGAPHAMBI KWENGXOXO

(1) Akukho siphakamiso noma isichibiyelo esiyodingidwa noma sethulwe eMkhandlini kuze kube zisekeliwe.

(2) Ilungu elesekele isiphakamiso noma isichibiyelo ngendlela esemthethweni liyovunyelwa emva kwesikhathi ukuthi likhulume ngaso.

## 39. ISINQUMO KANYE NEZINCAZELO

(1) Noma yiliphi ilungu, noma ngabe seliphawulile ngodaba noma cha, lingakhuluma ngesinqumo noma lichaze, kodwa leyo ncazelo iyohambisana nenkulumo yalo yaphambilini ebingaqondakalanga kahle. Ilungu elikhulumayo liyoba nelungelo lokuzwakala. Isinqumo kufanele lihambisane nokuqokethwe ohlelweni 2 lwale Mithetho eMile.

(2) Uma ilungu lifisa ukubeka ombono, liyoma ukuze uSihlalo alibone.

## 40. ISINQUMO SIKASIHLALO MAYELANA NENQUBO

Isinqumo sikaSihlalo mayelana nenqubo noma nokuvumeleka kokuzichazela kuyoba nguququ futhi angeke kuvuleleke ekutheni kudingidwe.

## 41. ISINQUMO SENINGI

Zonke izixazululo ezingethulwa eMkhandlini kanye naseKomidini eliKhulu ziyophethwa futhi zinqunywe ngokuhambisana 9 no 10 yale Mithetho eMile.

## 42. WONKE AMALUNGU AYOVOTA

(1) Ikhansela ngalinye likhipha ivoti lalo kuyo yonke imihlangano uma likhona, futhi akukho khansela eliyoshiya umhlango ngesikhathi uSihlalo esabeka umbuzo.

(2) Ukuvota kuyokwenziwa ngokuphakamisa izandla noma kuvotwe ephepheni ngokuyimfihlo, kuyonquma uSomlomo, kubhekelelwe ukubaluleka kokuvota.

## 43. KUYOTHATHWA KANJANI

(1) UMphathi kaMasipala noma isiphathimandla esigunyazwe nguye siyosebenza njengomqoqi futhi simemezele kuSihlalo imiphumela yezigaba. USihlalo khona lapho uyomemezele isiphakamiso esiphumelele noma esingaphumelelanga, futhi siyobhalwa emaminithini. Uma noma yiliphi ilungu licela, igama lalo liyoqoshwa.

(2) USihlalo uyokwazi ukuphinde avote okwesibili noma afake ivoti elingumqamula juqu uma amavoti elingene.

#### 44. AMAPHUZU OKUSETSHENZELWA PHEZU KWAWO AMAKOMIDI AMANCANE

Ekuqokweni kwanoma yiliphi iKomidi, iKomidi eliKhulu liyonquma amaphuzu okuzosetshenzelwa phezu kwawo alelo Komidi futhi kuyobunjwa ikhohlamu yalelo Komidi. IMithetho eMile yoMkhandlu kanye neMigomo kuyosebenza ngokugquguquka okudingekayo kuwo wonke amakomidi amancane.

#### 45. UMKHANDLU UNGAKHUPHULA NOMA UNCIPHISE AMANDLA

Ngaphandle kwekomidi elikhulu elimisebenzi yalo inqunywa ngokwesigaba 44 soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998) uMkhandlu noma yingasiphi isikhathi ungelula isikhathi, ungahoxisa noma uguqule imisebenzi namandla eKomidi.

#### 46. AMAMINITHI EKOMIDI ELIKHULU, EKOMIDI LEZIKHUNDLA NAWAMAKOMIDI AMANCANE

(1) Wonke amaKomidi aqokwe ngokwesigaba 80 soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998) ayoqopha amaminithi emihlangano yawo futhi aqinisekise ukuthi agcinwa ngendlela efanele nguMqondisi wezokuXhumana. Kuyo yonke imihlangano ejwayelekile yekomidi amaminithi angaqinisekisiwe ayothathwa afundwe, ngenhloso yokuwaqinisekisa, inqobo nje uma ikhophi yalowo maminithi iyobe ithunyelwe kwilungu ngalinye lekomidi emahoreni angamashumi amabili nane ngaphambi kwalokho. Akukho ngxoxo eyovunyelwa mayelana namaminithi, ngaphandle kobuqiniso bawo.

(2) Amaminithi awo wonke amakomidi oMkhandlu ayoethwa eKomidini eliKhulu.

#### 47. UKUHLOLWA KWAMABHUKU AMAMINITHI NGAMAKHANSELA

Amaminithi ayo yonke imihlangano yoMkhandlu nawamaKomidi onke ayovuleleka ukuba ahlowe ngokoMthetho wokuGquguzela ukuFinyelela oLwazini.

#### 48. ILUNGU LINGASHIYA ISIKHUNDLA EKOMIDINI

Noma yiliphi ilungu leKomidi lingashiya isikhundla ekomidini ngesaziso esibhalwe yilo bese lisithumela kuMphathi kaMasipala. Noma yikuphi ukwesula okunjalo kuyobikwa eKomidini eliKhulu ukuze leso sikhala sigcwaliswe.

#### 49. USUKU NESIKHATHI SOMHLANGANO

Usuku nesikhathi kwanoma yimiphi imihlangano yeKomidi eliqokwe ngokwesigaba 80 soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998) kuyonqunywa ngokuhambisana namaphuzu okusetshenzelwa phezu kwawo alelo komidi elithintekayo.

#### 50. UKUHLANGANA KWAMAKOMIDI EZIKHUNDLA

Wonke amakomidi ezikhundla ayohlangana ngokuhambisana namaphuzu okusetshenzelwa phezu kwawo.

#### 51. AMALUNGU OMKHANDLU ANGETHAMELA NOMA YIMIPHI IMIHLANGANO YEKOMIDI

Amalungu oMkhandlu ayoba nelungelo lokwethamela noma yimiphi imihlangano yamaKomidi, kodwa amalungu oMkhandlu ethamele lowo mhlango aneke abe nelungelo lokuzibandakanya ezingxoxweni zekomidi elithintekayo, ngaphandle kwemvume yekomidi.

#### 52. IZINQUBO ZAMAKOMIDI

Zonke izindaba ezilethwe ngaphambi kwekomidi kumele zidingidwe yiningi lalabo abakhona nabavotayo. Ukuvota kuyokwenziwa ngokuphakamisa izandla noma ngokubhala ephepheni. Noma yimaphi amalungu eKomidi akhona ngaleso sikhathi angadinga amagama abantu abavotayo kanye nokufakwa kwamavoti emaminithini.

#### 53. IMISEBENZI KASIHLOLO WEKOMIDI

USihlalo weKomidi uyophatha kuyo yonke imihlangano yekomidi akhona kuyo. Uyoba nelungelo lokuvota okokuqala, futhi, uma kunokulingana kwamavoti, anganikeza ivoti lesibili noma elingumqamula juqu. Uyoayina amaminithi uma iKomidi seliwadlulisile. Kuyoba ngumsebenzi wakhe, uma, ekhona, ukwethula umbiko weKomidi eKomidini eliKhulu.

#### 54. UKUQOKWA KWEBAMBA LIKASIHLOLO

IKomidi ngalinye, uma libona kufanele lingaqoka iBamba likaSihlalo, uma liqokiwe, liyokwengamela imihlangano uma uSihlalo engekho.

#### 55. AMANDLA EBAMBA LIKASIHLOLO

IBamba likaSihlalo, uma lengamele umhlango, liyoba namandla alinganayo kanye nawokuvota afana nalawo kaSihlalo. Uma uSihlalo engekho, liyokwethula umbiko weKomidi eKomidini eliKhulu kanye naseMkhandlini.

#### 56. INDLELA YOKUCHITHA IZINQUMO EZEDLULE ZOMKHANDLU

Ngaphandle kwezinqomo zeKomidi elinikezwe nguMkhandlu amandla noma umsebenzi wokudingida udaba oluthile, akukho sinqumo esithathwe kunoma yimuphi umhlango woMkhandlu esiyochithwa noma sishintshwe kunoma yimuphi umhlango olandelayo ngaphandle kokukhishwa kwesiphakamiso sokuchitha noma sokushintsha leso sinqumo esinikezwe uMphathi kaMasipala okungenani ezinsukwini eziyisikhombisa ngaphambi kwalowo mhlango olandelayo futhi uMphathi kaMasipala, okungenani ezinsukwini ezimbili ngaphambi kwalowo mhlango olandelayo, kuyodingeka ukuthi adlulisele ikhophi yaleso siphakamiso ekhanseleni ngalinye: Kuncike ekutheni uMphathi kaMasipala eyofaka ohlelweni olufanele okuchitha isinqumo esedlule soMkhandlu ezingxoxweni ezijwayelekile.

#### 57. ULWAZI OKUMELE LUTHOLAKALE KUMPHATHI KAMASIPALA

Amalungu oMkhandlu afisa ukuthola ulwazi kunoma yisiphi isiphathimandla soMkhandlu mayelana nokuphathwa komsebenzi woMkhandlu, olungenakutholwa ngumphakathi wonkana, kumele abhekise imibuzo yawo kuqala kuMphathi kaMasipala ngokoMthetho oGquguzela ukuTholakala koLwazi.

#### 58. ULWAZI OLUYA EMAPHENDABENI NOLUSHICILELWAYO NOMA UKUDALULA IMIBHALO

(1) UMphathi kaMasipala ngokuhlanganyela neMeya ngokubona kwabo, ekufakweni kwesicelo ngayinoma yiliphi iphephandaba elaziwayo, banganikeza labo bezindaba noma obamele, ulwazi nemibiko okuphathelene nomsebenzi kaMasipala. Ngokwazi ukuthi uMphathi kaMasipala nguyena ogunyaziwe ukuthi abezindaba bathole kuyena ulwazi kanye nemibiko, ngakho-ke amalungu oMkhandlu kulindekele ukuthi angizibandakanyi nokuthumela abezindaba imibhalo noma ulwazi abalunikezwe nguMkhandlu nanoma yiliphi iKomidi noma bashicilele noma yiluphi ulwazi olungahlungiwe noma izitatimende ezingathathwa njrgekudalula ulwazi oluyimfihlo noma olutshelwa abathile olungalimaza uMkhandlu.

(2) Ngenhloso yalolu hlamvu "ulwazi olutshelwa abathile noma oluyimfihlo" kusho ulwazi okukhulunywe ngalo esigabeni 10(2) soMgomo wokuPhatha kwamaKhansele oHlelweni 1 loMthetho weziNhlalo, 2000 (uMthetho No. 32 ka 2000).

#### 59. UKUNXENXA AMAVOTI UKUZE UQOKWE: UKUCHITHWA

(1) Ukunxexela ukuqokwa ngokugwazela uMkhandlu akuvumelekile nakancane. Ubufakazi buyochitha umfakisicelo ekuqokweni.

(2) IMithetho eMile iyocashunwa emkhangisweni yezicelo zokuqokwa.

#### 60. UKUSETSHENZISWA KOMAKHALEKHUKHWINI EMIHLANGANWENI YOMKHANDLU NOMA YEKOMIDI

Angeke kuvunyelwe ukusetshenziswa komakhalekhukhwini emihlanganweni yoMkhandlu neyeKomidi.

**61. UKUMISWA KWEMITHETHO EMILE**

Akukho Mthetho oMile oyomiswa ngaphandle kwevoti leningi lamalungu oMkhandlu akhona, kanye nokwesiphakamiso, esesekeliwe, sokumisa iMithetho eMile okuyoqaliswa ngaphandle kwenkulumo-mpikiswano.

**62. UKUVIKELWA NGUMTHETHO NOKUVIMBELA AMACALA KWAMAKHANSELA KANYE NEZIPHATHIMANDLA ZOMKHANDLU**

(1) UMkhandlu unganquma izimo lapho uyovikela noma lapho uyokhokhela izindleko zomthetho noma isamba sezindleko maqondana nanoma yiziphi izindleko zomthetho, noma ezobugebengu noma eliphakathi kwabantu abathile, ikhansela noma isiphathimandla esingaba nalo nanoma yimuphi umuntu, umgwamanda, inhlangano noma isikhungo elivela esikhundleni salo njengekhansela noma njengesiphathimandla soMkhandlu.

(2) Izinhlinzeko zesigaba 28 soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), njengoba uqethe oHlelweni 1 lweMithetho eMile zifakwe njengengxenye yale Mithetho eMile.

**63. IGUNYA LAMAKHANSELA NGAWODWANA**

(1) Amakhansela ngawodwana angeke abe namandla okuphatha futhi angeke akhiphe imiyaelelo kwiziphathimandla noma athathe izinqumo ezibandakanya noma ngubani maqondana nezindaba zoMkhandlu; noma okucela iKomidi elithintekayo ukuthi lenze uphenyo noma lidingide noma yiluphi udaba loMkhandlu elibona ukuthi lidinga ukubhekisiswa.

(2) Izinhlinzeko zesigaba 11 (ukungenelela ekuphatheni) soMgomo wokuziphatha kwamaKhansela njengoba uqukethwe oHlelweni 1 loMthetho weziNhlalo, 2000 (uMthetho No. 32 ka 2000) zifakwe njengengxenye yalo Mthetho.

**64. UKUVUNYELWA KOMPHAKATHI EMIHLANGANWENI**

Imihlangano yoMkhandlu kanye naleyo yamakomidi awo ivulelekile emphakathini, kubandakanya nabemithombo yezindaba, kanye noMkhandlu noma lelo komidi elingebandakanye umphakathi, kubandakanya nabemithombo yezindaba, emhlanganweni ebalulwe esigabeni 20 soMthetho weziNhlalo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000).

**65. IMPAHLA YOMPHAKATHI**

Ikhansela angeke lisebenzise, lithathe noma lizuze ngayinoma iyiphi impahla elawulwa, ephethwe noma okungekaMasipala lelo khansela elingenalungelo lalokho.

**66. INQUBO YOKWAPHULWA KOMTHETHO****(1) Umsebenzi kaSomlomo**

(a) Ukugcinwa komthetho ngamakhansela, okokuqala, kungumsebenzi kaSomlomo, noma uma uSomlomo ezojeziswa, weMeya.

(b) USomlomo kumele anqume ukuthi ukwephulwa koMgomo wokuziphatha kwamaKhansela okusolwayo (uHlelo 1 loMthetho weziNhlalo, 2000 uMthetho No. 32 ka 2000) noma le Mithetho eMile kanye neMiyalelo kumele kubhekwane nakho ngokukhipha isaziso esibhaliwe, yiBandla likaSomlomo noma yiKomidi eliKhethekile.

**(2) Uphenyo**

Uma uSomlomo, ngezinsolo ezifanele, ebona ukuthi le Mithetho eMile noma uMgomo wokuziphatha kwamaKhansela wephuliwe futhi kunesijeziso kowenze njalo, uSomlomo uyogunyaza uphenyo oluyokwenziwa ngumgwamanda oyonqunywa nguSomlomongokuholele kulokho kwephulwa komthetho.

**(3) Icala**

(a) Uma ukungaziphathi kahle kwekhansela okusolwayo, ngokubona komgwamanda ojutshwe nguSomlomo ukuthi wenze uphenyo, kubonakala ukuthi kubucayi futhi kudinga isijeziso esiqinile kunesexwayiso somlomo, ikhansela elithintekayo liyonikezwa Icala esibhaliwe nguSomlomo esichaza —

(i) ngokuziphathi kahle okusolwayo; kanye

(ii) nobufakazi bokungaziphathi kahle.

(b) Icala liyobuyele linikeze ikhansela elithintekayo isaziso ngelungelo lalo —

(i) lokubona iziqinisekiso, imibhalo noma ubufakazi obuphathekayo obutholakale ngesiphathi kwenziwa uphenyo kanye nombiko womgwamanda obuphenya ngokwephulwa komthetho;

(ii) ithuba elanele lokuziphendulela ngokubhaliwe mayelana nokwephulwa komthetho okusolwayo;

(iii) lokwesulwa;

(iv) lokuba khona kukasotswebhu weqembu kunoma yikuphi ukujeziswa kwekhansela; kanye

(v) nokufuna ukwethula ubufakazi ngomlomo enkundleni kaSomlomo.

(c) Ikhophi yecala iyodluliselwa nguSomlomo kusotswebhu weqembu lekansela elithintekayo.

**(4) Amalungelo amakhansela**

Ikhansela elinecala liyoba nelungelo —

(a) lokubona iziqinisekiso, imibhalo noma ubufakazi obuphathekayo obutholakale ngesiphathi kwenziwa uphenyo kanye nombiko womgwamanda obuphenya ngokwephulwa komthetho;

(b) lokwesula eMkhandlini kaMasipala: Inqobo nje uma lenze njalo ngaphambi kokutholakala kobufazi kunoma iyiphi inkundla;

(c) lokuphendula uSomlomo ngokubhaliwe ngecala libeka ubufakazi obuphikisayo;

(d) lokuba khona kukasotswebhu weqembu lalo kunoma yikuphi ukujeziswa; kanye

(e) lokufuna ukulalelwa kobufakazi obethulwa ngomlomo noma ngabe kusenkundleni kaSomlomo noma yeKomidi eliKhethekile njengoba kuyonquma uSomlomo ngaleso sikhathi asibona sifanele esiyobhalwa ephapheni lesigwebo.

**(5) Ukujeziswa ngaphandle kwenkundla kaSomlomo**

Uma —

(a) ikhansela elithintekayo lingafuni ukwethula ubufakazi ngomlomo enkundleni kaSomlomo ngokwale Mithetho eMile; futhi

(b) uSomlomo ebona ukuthi angeke kwenzeke ubulungiswa ngokubamba inkundla kaSomlomo,

uSomlomo, ngokwakhe, angajezisa ikhansela ngokwale Mithetho eMile: Kuncike ekutheni uyobika udaba kanye nezinqumo zakhe emhlanganweni woMkhandlu kaMasipala ngendlela enqunywe eMthethweni weziNhlalo zoMasipala, 2000 (uMthetho No. 32 ka 2000).

**(6) Inkundla kaSomlomo yokuqondisa izigwegwe**

(a) Inkundla kaSomlomo yokuqondisa izigwegwe iyobanjwa yiBandla likaSomlomo elibandakanya uSomlomo kanye nabahloli ababili abaqoke yiKomidi eliKhulu enkundleni ngayinye esikhathini esifanele —

- (i) ikhansela elithintekayo liyosebenzisa ilungelo lalo enkundleni; noma
- (ii) uSomlomo uyobhekelela ukuthi ubulungiswa buyenzeka ngokubamba inkundla yokuqondisa izigwegwe.
- (b) USomlomo uyokhipha isaziso mayelana nesikhathi nendawo inkundla yokuqondisa ezibanjelwa khona.
- (c) Kunoma iyiphi inkundla kaSomlomo —
  - (i) kuyolandelwa indlela yokuphendulana;
  - (ii) umuntu ofanele uyohola ubufakazi becala;
  - (iii) ikhansela lingamelwa ngusotswebhu walo enkundleni, nanoma yiliphi elinye ikhansela nanoma yimuphi omunye umuntu;
  - (iv) ikhansela kanye nolimele banelungelo lokuhlola ubufakazi obethulwa nguuntu ohlola ubufakazi becala kanye nokuveza ubufakazi;
  - (v) uSomlomo uoba nelungelo lokuhlola ubufakazi obethulwa yikhansela kanye nolimele;
  - (vi) inkundla, uma isihlangene, iyoqoshwa ngokuhambisana nezidingo zikaNobhala woMkhandlu oyobe ebhekelela ubuqiniso bamarekhodi asemthethweni.
- (d) Emva kokucubungula ubufakazi, uSomlomo kanye nabahloli ababili bayothatha isinqumo ngeningi lamavoti.
- (e) Uma iBandla likaSomlomo libona ukuthi kwaba khona ukwepulwa komthetho, liyobe selilalela noma yiziphi izikhalazo ezingxoxweni ngaphambi kokukhipha isigwebo.
- (f) Uma ithimba lokuthetha amacala likaSomlomo, emva kokulalela izinhlangothi zombili, libona ukuthi, selilonke, ikhansela kumele lithole isigwebo, uSomlomo uyokhipha lesi sigwebo futhi anikeze ikhansela isaziso ngesigwebo, lesi saziyo esiyochaza —
  - (i) amalungelo ekhansela ngaphansi koMthethosisekelo, uMthetho weziNhlaka zoMasipala, 2000 (uMthetho No. 32 ka 2000), uMthetho wokuPhatha ubuLungiswa kanye nanoma yimuphi omunye umthetho; kanye
  - (ii) nokuthi isikweletu (uma sikhona) sidaleke kusukela ngosuku isaziso esakhishwa ngalo.
- (g) Ikhansela liyosayina ikhophi yesaziso ukuqinisekisa ukuthi lisitholile.
- (h) USomlomo uyobika ngezinqumo zethimba lokuthetha amacala emhlanganweni woMkhandlu kaMasipala.
- (i) Umbiko ngokwesigaba 66(6)(h) sale Mithetho eMile uvulelekile emphakathini.
- (j) USomlomo uyodlulisela umbiko kuNgqongqoshe woHulumeni baseKhaya ngokuhambisana noMgomo wokuziPhatha kwamaKhansela.
- (7) **Izikhalo zangaphakathi**
  - (a) Ikhansela linelungelo lokuzikhalela eKomidini eliKhethekile uma iBandla likaSomlomaliligweba: Kuncike ekutheni —
    - (i) incwadi yokuzikhalela inikezwe uSomlomo ezinsukwini ezinhlanu kutholakele isaziso ngokwesigaba 66(6) sale Mithetho;
    - (ii) izikhalo ziyolalelwa ngezizathu zesikhalo esilethwe yikhansela elithintekayo encwadini yokuzikhalela.
  - (b) Akukho sigwebo esiyokhishwa nguMasipala ngaphambi kokuqedwa kwanoma yisiphi isikhathi esifakwe ngesikhathi ngokwesigaba 66(7)(a)(1) sale Mithetho eMile.
  - (c) IKomidi eliKhethekile angeke liphinde futhi lilalele udaba noma lithikameze ingxoxo ngesikhalo ngezizathu ezithile zesikhalo.
  - (d) IKomidi eliKhethekile, ngesikhathi kufakwa isikhalo, linganciphisa isigwebo esibekwe yiBandla likaSomlomonoma libeke eceleni noma liqinisekise isinqumo esikhishwe nguSomlomo enkundleni yokuqondisa izigwegwe.
  - (e) Ngezinhloso zenqubo yoMkhandlu yowephula umthetho, iKomidi eliKhethekile liyosho ikomidi elnamalungu amahlanu njengoba eqokwe yiKomidi eliKhulu enkundleni ngayinye.
- (8) **Inqubo**
  - (a) Kweyame ezinhlinzekwini zesigaba 66(7) sale Mithetho, izinhlinzeko zesigaba 66(3) ziyosebenza kunoma iyiphi inkundla yeKomidi eliKhethekile.
  - (b) Noma yiliphi ikhansela linelungelo lokuzikhalela kuNgqongqoshe nganoma yini etholwe yiKomidi eliKhethekile noma ngesigwebo esikhishwe yilelo Komidi ngokulandela inqubo efanayo naleyo enqunywe yisigaba 66(7) sale Mithetho.

## 67. IZIGWEBO

### (1) Okujwayelekile

Kweyame ezidingweni zobulungiswa, uMgomo wokuziPhatha kwamaKhansela (uHlelo 1 loMthetho weziNhlalo) kanye nezinhlinzeko zale Mithetho eMile, iBandla likaSomlomo noma iKomidi eliKhethekile, njengoba kungaba njalo, linelungelo lokunquma isigwebo, kuncike ebu-cayini bomthetho owephuliwe.

### (2) Izexwayiso

#### (a) Izexwayiso zomlomo ezisemthethweni

Uma iBandla likaSomlomo libona ukuthi ubulungiswa buyofezeka kangcono ngokunikeza ikhansela isexwayiso somlomo esisemthethweni ngokwephula umthetho, uSomlomo —

- (i) uyonikeza ikhansela lesi sexwayiso ngasese; futhi
- (ii) uyokwazisa usotswebhu weqembu ngalesi sexwayiso.

#### (b) Izexwayiso ezisemthethweni

- (i) Uma iBandla likaSomlomo noma iKomidi eliKhethekile, njengoba kungaba njalo, libona ukuthi ukuthi ubulungiswa buyofezeka kangcono ngokunikeza ikhansela isexwayiso somlomo esisemthethweni ngokwephula umthetho, lesi sigwebo, emva kokuqinisekiswa nguMkhandlu kaMasipala, kumele —

(aa) sidluliswe ngokubhaliwe; futhi

(bb) sinikezwe ikhansela elithintekayo kanye nosotswebhu weqembu, futhi uSomlomo uyobe esebhala igama lekansela, umthetho eliwuphulile kanye nesigwebo erekhodini okukhulunywe ngalo esigabeni 66(6)(c)(vi) sale Mithetho futhi angabuye ashicilele ukwepulwa komthetho ngendlela uSomlomo ayibona ifanele.

- (ii) Uma, ngenxa yokwepulwa komthetho kuphindelelwa, iBandla likaSomlomo noma iKomidi eliKhethekile, njengoba kungaba njalo, libona ukuthi ubulungiswa buyofezeka kangcono ngokunikeza ikhansela isexwayiso somlomo esisemthethweni ngokwephula umthetho, lesi sigwebo, emva kokuqinisekiswa nguMkhandlu kaMasipala —

(aa) kumele sidluliswe ngokubhaliwe;

(bb) sibalule uma ikhansela lephule umthetho woMgomo wokuziPhatha kwamaKhansela noma le Mithetho eMile, iKomidi eliKhethekile liyocabanga ukweluleka uMkhandlu kaMasipala ukuthi ucele ukumiswa noma ukususwa kwalelo khansela ngokoMgomo wokuziPhatha wamaKhansela; futhi

## UHLELO 3

## Amalungelo kanye nezivikelo

- (1) Umthetho wesifundazwe ngokwesigaba 161 soMthethosisekelo kumele okungenani uhlinzeke lokhu okulandelayo:
- (a) ukuthi amakhansela abe nelungelo lokubeka izimvo zawo eMkhandlwini kaMasipala nasemaKomidini, kweyame emithethweni nasemiyalelweni yamakhansela njengoba kubekiwe esigabeni 160(6) soMthethosisekelo; kanye
  - (b) nokuthi amakhansela awanakubizelwa enkantolo noma aboshwe noma akhokhele ukulimala —
    - (i) nganoma yini ayishilo, okulethwe eMkhandlwini noma ekomidini layo; noma
    - (ii) nganoma yini evezwe ngenxa yanoma yini eliyishiyo, okulethwe eMkhandlwini noma ekomidini layo; noma
  - (c) Kuze kube umthetho ohlongozwe esigatshaneni (1) usumisiwe, amalungelo okukhulunywe ngawo endimeni (a) no (b) esigaba (1) ayosebenza kuyo yonke iMikhandlu kaMasipala esifundazweni esithintekayo.

No. 1, 2005

13 January 2005

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

## UMNGENI LOCAL MUNICIPALITY

## STANDING RULES AND ORDERS FOR COUNCIL AND ITS COMMITTEES

## 1. MEETINGS OF THE COUNCIL

- (1) Every meeting of the Council and its Committees shall be open to the public: Provided that this section shall not apply when it is reasonable to do so having regard to the nature of the business being transacted, section 20 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).
- (2) In these Standing Rules, "meeting" shall mean all meetings of the Council.

## 2. COUNCIL MEETINGS

The Council shall hold an ordinary meeting for the transaction of business not less than once in every three months.

## 3. SPECIAL MEETINGS

The Speaker may at any time and shall, upon request by a majority of the councillors for the Municipality and/or on his own, call a special meeting of the Council, within forty-eight (48) hours of giving written notice to that effect.

## 4. SERVICE OF NOTICES

At least seventy-two (72) hours before any ordinary meeting of the Council a summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Speaker or the Municipal Manager shall be left or delivered at the usual place of abode of every member of the Council or at such place which is reasonably accessible as such councillor may designate.

## 5. NON-SERVICE OF NOTICE

Accidental omission to serve on any councillor a notice of meeting shall not affect the validity of the meeting.

## 6. URGENT MATTERS

No business shall be transacted at a meeting other than that specified in the summons relating thereto, except any matters which the chairperson considers urgent or which the Council/Executive Committee resolves by a majority of at least two-thirds of the members present to deal with as urgent.

## 7. ADJOURNED MEETINGS

The Council/Executive Committee may adjourn a meeting to any day or hour, but no business shall be transacted at any adjourned meeting except such as was set out in the summons for the meeting of which it is an adjournment other than matters which are brought forward in accordance with paragraph 6 of these Standing Rules.

## 8. NOTICE OF ADJOURNMENT MEETING

When a meeting is adjourned, notice of the adjourned meeting shall be sent to each member of the Council/Executive Committee, specifying the business to be transacted.

## 9. ACTS OF THE COUNCIL: HOW DETERMINED: QUORUM

A majority of the councillors must be present at a meeting of the Council before a vote may be taken on any matter. All questions concerning matters mentioned in section 160(2) of the Constitution are determined by a decision taken by the Council with a supporting vote of a majority of its members. All other questions before the Council are decided by a majority of the votes cast, subject to section 34 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), pertaining to the dissolution of Municipal Councils.

## 10. CASTING VOTE

If on any motion there is an equality of votes, the councillor presiding must exercise a casting vote in addition to that councillor's vote as a councillor.

## 11. WHEN COUNCILLORS MAY NOT ATTEND AND TAKE PART IN THE PROCEEDINGS OF THE COUNCIL — DISCLOSURE OF INTEREST (SECTION 5 OF THE CODE OF CONDUCT FOR COUNCILLORS)

- (1) A councillor must disclose to the Municipal Council, or to any Committee of which that councillor is a member, any direct or indirect personal or private business interest that that councillor, or any spouse, partner or business associate of that councillor may have in any matter before the Council or the Committee.
- (2) A councillor must withdraw from the proceedings of the Council or Committee when that matter is considered by the Council or Committee, unless the Council or Committee decides that the councillor's direct or indirect interest in the matter is trivial or irrelevant.
- (3) A councillor who, or whose spouse, partner or business associate or close family member, acquired or stands to acquire any direct benefit from a contract concluded with the Municipality, must disclose full particulars of the benefit of which the councillor is aware at the first meeting of the Municipal Council at which it is possible for the councillor to make the disclosure.
- (4) This section does not apply to an interest or benefit which a councillor, or a spouse, partner, business associate or close family member, has or acquires in common with other residents of the Municipality.

## 12. NO QUORUM

If at the expiration of twenty (20) minutes after the hour at which any meeting of the Council/Executive Committee is appointed to be held, a quorum shall not have assembled, no meeting shall take place, unless it is decided, with the unanimous consent of the members present, to allow fur-

ther time, not exceeding an additional ten (10) minutes, in order to enable a quorum to assemble, but the members present may by a majority decide to adjourn the meeting to a more convenient time.

### 13. COUNT OUT

If during any sitting of the Council or the Executive Committee the attention of the Chairperson be called to the number of members present, he shall count them, and if it be found that there is not a quorum present, the Council or the Executive Committee shall stand adjourned for such period as the members present may decide.

### 14. CHAIRPERSON OF COUNCIL MEETINGS

- (1) At every meeting of the Council, the Speaker, or if he be not present, an Acting Speaker, shall be elected to act as Chairperson.
- (2) Meetings of the Executive Committee shall be chaired by the Mayor and if he/she is not present the Deputy Mayor.

### 15. BUSINESS AT COUNCIL MEETINGS

- (1) The order of business at every ordinary meeting of the Council or its Executive Committee is as follows:
  - (a) Notice of meeting
  - (b) Leave of absence
  - (c) Minutes of previous meeting
  - (d) Announcements
  - (e) Petitions and deputations
  - (f) Notices of motion
  - (g) Reports of Portfolio Committee/s
  - (h) Miscellaneous in the order determined by the Municipal Manager or as directed by the Speaker in respect of Council meetings.
- (2) The chairperson may, in his/her discretion, bring forward any business which is on the agenda paper at any stage.
- (3) The service of an interpreter will be made use of unless the majority of councillors present decide otherwise. It is expected from councillors to accommodate the interpreter who falls under the auspices of the Speaker.

### 16. NON-ATTENDANCE OF MEETINGS

- (1) Application for leave of absence in a prescribed form, from any meeting of the Council or its Committees shall be lodged with the Municipal Manager in writing prior to the commencement of the relevant meeting.
- (2) Should a councillor for valid reasons not be able to comply with Rule 16(1), he/she can apply in writing to the Municipal Manager for a condonation of such non-compliance which application will be reviewed by the Council upon the strength of the written application.
- (3) For the purposes of the provisions of sections 3 and 4 (Attendance at meetings) of the Code of Conduct for Councillors (Schedule 1 of the Systems Act), the procedure for infringements as contained in paragraphs 66, 67 and 68 of these Standing Rules shall apply.
- (4) Councillors that need to leave a Council meeting prior to conclusion thereof shall obtain permission from the Speaker.
- (5) For the purposes of Rule 16 non-attendance of meetings, capacity building or empowerment workshops arranged or approved by the Council are regarded as meetings.

### 17. MINUTES TO BE KEPT: CONFIRMATION

Minutes of the proceedings of every meeting shall be recorded and be kept for that purpose by the Director Corporate Services. The Municipal Manager shall be responsible for the correctness of the same, and the minutes of every meeting shall be confirmed at the next ordinary meeting and be signed by the Chairperson.

### 18. NO DISCUSSION ON MINUTES

Except as to accuracy, no motion or discussion shall be allowed upon the minutes.

### 19. PETITIONS TO BE WRITTEN, TYPED OR PRINTED

Petitions, which may be written, typed or printed, must be signed by not less than three members of the community and must be couched in respectful language and presented to the office of the Municipal Manager who shall, if he deems it necessary bring the matter before the Executive Committee.

### 20. DEPUTATIONS TO SEND MEMORANDUM

Deputations wishing to be received by the Executive Committee shall be requested, in the first instance, to send in a memorandum in writing, and the Municipal Manager shall bring the memorandum before the Committee concerned, which is authorised, if it sees fit, to receive the deputation and to report to the Council.

### 21. RECEPTION OF DEPUTATIONS

A deputation wishing to address the Executive Committee shall not exceed five in number, but only one member thereof shall be at liberty to address the Committee (except in reply to questions from members of the Committee) and then only for a period not exceeding ten minutes. The matter shall not be further considered by the Committee until the deputation shall have withdrawn.

### 22. MOVING A REPORT

The Chairperson of a Committee shall move the recommendations contained in the report unless he/she shall have previously stated his/her disagreement with it. The Chairperson of a Committee or other member bringing up a report may withdraw or amend any section with the consent of the Executive Committee.

### 23. FORM OF GIVING NOTICE OF MOTION

Except as provided in Standing Rule 6, no subject shall be brought before the Executive Committee by any member except upon notice of motion, which shall be in writing and signed by the member giving the notice. Such notice shall be given to the Municipal Manager.

A notice of motion must be submitted before 12:00 seven (7) days prior to the meeting of the Council.

### 24. ORDER OF MOTION

All notices of motion shall be dated and numbered as received and shall be entered by the Director Corporate Services upon the agenda paper in the order in which they are received, save and except that notice of an amendment shall be entered immediately after such notice of motion, irrespective of the time at which notice of the motion shall have been received.

### 25. RESTRICTION OF NOTICES OF MOTION

- (1) No member shall have more than two notices of motion on the agenda at the same time, provided that this Rule shall not be applicable to party whips.
- (2) In dealing with notices of motion, the Chairperson shall first read out the number of each and the name of the mover, and shall ascertain which

**61. SUSPENSION OF STANDING RULES**

No Standing Rule shall be suspended without the vote of a majority of the members of the Council or of two-thirds of the members present, and a motion, duly seconded, to suspend the Standing Rules shall be put without debate.

**62. LEGAL DEFENCE AND INDEMNIFICATION OF COUNCILLORS AND OFFICERS OF THE MUNICIPALITY : PRIVILEGES AND IMMUNITIES**

- (1) The Council may determine the circumstances in which it will undertake the defence of or pay the legal costs or costs and the amount in respect of any legal proceedings whether civil or criminal a councillor or an official may have against any person, body organisation or institution arising from the councillor's or official's capacity as a councillor or official of the Council.
- (2) The provisions of section 28 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), as contained in Schedule 3 of these Standing Rules are incorporated as part of these Standing Rules.

**63. AUTHORITY OF INDIVIDUAL COUNCILLORS**

- (1) Individual councillors shall not have any executive power and cannot give instructions to officials or make any decisions binding on anyone else in regard to Council matters; or to ask the committee concerned to institute an enquiry into or otherwise deal with any aspect of matters of the Council which he/she feels requires attention.
- (2) The provisions of section 11 (Intervention in administration) of the Code of Conduct for Councillors as contained in Schedule 1 of the Systems Act, 2000 (Act No. 32 of 2000) is incorporated as part of this Rule.

**64. ADMISSION OF PUBLIC TO MEETINGS**

Meetings of the Council and those of its committees are open to the public, including the media, and the Council or such committee may not exclude the public, including the media, from a meeting except in those instances as stipulated in Section 20 of the Local Government : Municipal Systems Act, 2000 (Act No. 32 of 2000).

**65. COUNCIL PROPERTY**

A councillor may not use, take, acquire or benefit from any property or asset owned, controlled or managed by the municipality to which that councillor has no right.

**66. PROCEDURE FOR INFRINGEMENTS****(1) Responsibility of the Speaker**

- (a) The maintenance of the discipline of councillors is, in the first instance, the responsibility of the Speaker, or when the Speaker is to be sanctioned, the Mayor.
- (b) The Speaker is to determine whether an alleged breach of the councillor's Code of Conduct (Schedule 1 of the Systems Act, 2000 (Act No. 32 of 2000)) or these Standing Rules and Orders is to be dealt with by issuing an informal warning, the Speaker's hearing or a hearing by a Special Committee.

**(2) Investigation**

If the Speaker, on reasonable suspicion, is of opinion that a provision of these Standing Rules or the Councillor's Code of Conduct has been breached for which breach a sanction is provided, the Speaker shall authorise an investigation of the facts and circumstances of the alleged breach by an appropriate body determined by the Speaker.

**(3) Charge**

- (a) In the event of alleged misconduct by a councillor, which, in the opinion of the body charged by the Speaker with the investigation, would appear to be sufficiently serious to warrant a sanction more serious than an informal oral warning, the councillor concerned will be issued with a charge sheet by the Speaker detailing —
  - (i) the alleged misconduct; and
  - (ii) the evidence for such misconduct.
- (b) The charge shall further give the councillor concerned notice of his/her right to —
  - (i) the sight of any affidavits, documents or real evidence discovered as a result of the investigation and of the report of the body that investigates the breach;
  - (ii) a reasonable opportunity to reply in writing regarding the alleged breach;
  - (iii) resign;
  - (iv) the presence of his/her party whip at any sanctioning of a councillor; and
  - (v) demand the hearing of oral evidence in a Speaker's hearing.
- (c) A copy of the charge shall further be given by the Speaker to the party whip of the councillor concerned.

**(4) Rights of Councillors**

A councillor who receives a charge shall be entitled to —

- (a) affidavits, documents or real evidence discovered as a result of the investigation and of the report of the body charged by the Speaker with the investigation;
- (b) resign from the Municipal Council: Provided that he/she does so prior to the leading of evidence at any hearing;
- (c) reply to the Speaker in writing to the charge setting out contradicting evidence or evidence in mitigation;
- (d) have his/her party whip present at any sanctioning; and
- (e) demand the hearing of oral evidence either in a Speaker's hearing or a Special Committee as to be determined by the Speaker within such reasonable time as may be set out in the charge.

**(5) Sanctioning without the Speaker's disciplinary hearing**

Where —

- (a) the councillor concerned does not demand the hearing of oral evidence in a Speaker's disciplinary hearing in terms of these Standing Rules; and
- (b) the Speaker is of the opinion that the interest of justice will not be served by holding a Speaker's disciplinary hearing,

the Speaker may, out of own accord, sanction such councillor in terms of these Standing Rules: Provided that he/she shall report the matter and his/her conclusions to a meeting of the Municipal Council in the manner prescribed in the Municipal Systems Act, 2000 (Act No. 32 of 2000).

**(6) Speaker's disciplinary hearing**

- (a) A Speaker's disciplinary hearing shall be held by the Speaker's Tribunal consisting of the Speaker together with two assessors appointed by the Executive Committee for each hearing within a reasonable time of —
  - (i) the councillor concerned exercising his/her right of hearing; or
  - (ii) the Speaker determining that the interests of justice will be served by holding a Speaker's disciplinary hearing.
- (b) The Speaker shall serve notice of the time and place of a Speaker's disciplinary hearing.
- (c) In any Speaker's disciplinary hearing —
  - (i) the hearing shall follow the adversarial format;
  - (ii) an appropriate person shall lead the evidence for the charge;
  - (iii) the councillor may be represented at the hearing by his/her party whip, any other councillor or any other person;
  - (iv) the councillor and/or his/her representative is entitled to cross-examine the evidence adduced by the person leading the evidence for the charge and to produce any evidence;
  - (v) the Speaker shall also be entitled to cross-examine the evidence adduced by the councillor and/or his/her representative;
  - (vi) the hearing, once convened, shall be recorded in accordance with the requirements of the Secretary to the Council who shall be responsible for the accuracy of the official record.
- (d) After having considered the evidence, the Speaker and the two assessors shall make their decision on a majority of votes.
- (e) In the event of the Speaker's Tribunal concluding that there was an infringement, they will then hear any plea in mitigation and/or extenuation prior to deciding the sanction.
- (f) If the Speaker's Tribunal, after considering both sides, is of the opinion that, on the balance of probabilities, a councillor is liable for a sanction, the Speaker shall impose such sanction and serve notice on the councillor of the sanction in which notice they shall further set out —
  - (i) the rights of the councillor under the Constitution, the Municipal Systems Act, 2000 (Act No. 32 of 2000), the Administrative Justice Act and any other law; and
  - (ii) that the debt (if any) arises from the date the notice was issued.
- (g) The councillor shall sign a duplicate of the notice to confirm receipt thereof.
- (h) The Speaker shall report the fact of the hearing and the Tribunal's conclusions thereon to a meeting of the Municipal Council.
- (i) A report in terms of section 66(6)(h) of these Rules is open to the public.
- (j) The Speaker shall forward the report to the MEC for Local Government in accordance with the Councillors' Code of Conduct.

**(7) Internal appeals**

- (a) A councillor has the right to appeal to the Special Committee in the event of the Speaker's Tribunal imposing a sanction on that councillor: Provided that —
  - (i) a letter of appeal is lodged with the Speaker within five (5) days of receipt of the notice in terms of section 66(6)(f) of these Rules;
  - (ii) appeals will only be heard on the grounds of an appeal submitted by the councillor concerned in his/her letter of appeal.
- (b) No sanction shall be executed by the Municipality prior to finalisation of any appeal which is timeously lodged in terms of section 66(7)(a)(i) of these Standing Rules.
- (c) The Special Committee may either rehear all or part of the matter or limit the appeal to argument on specific grounds of appeal.
- (d) The Special Committee may, on appeal, reduce the sanction imposed by the Speaker's Tribunal or set aside or confirm the decision given at the Speaker's disciplinary hearing.
- (e) For the purpose of the Council's procedure of infringements, the Special Committee shall mean a five (5) member committee as appointed by the Executive Committee for each hearing.

**(8) Procedure**

- (a) Subject to the provisions of section 66(7) of these Rules, the provisions of section 66(3) shall apply to any hearing by the Special Committee.
- (b) Any councillor has the right to appeal to the MEC against any finding of the Special Committee and/or sanction imposed by such Committee following the same procedure as determined by section 66(7) of these Rules.

**67. SANCTIONS****(1) General**

Subject to the requirements of substantive fairness, the Councillor's Code of Conduct (Schedule 1 of the Systems Act, 2000 (Act No. 2000)) and the provisions of these Standing Rules, the Speaker's Tribunal or the Special Committee, as the case may be, has the right to determine the sanction to be applied, depending on the seriousness of the infringement.

**(2) Warnings****(a) Informal oral warnings**

Where the Speaker's Tribunal is of the opinion that the interests of justice will best be served by issuing an informal oral warning to a councillor for an infringement, the Speaker shall —

- (i) issue such warning to the councillor in private; and
- (ii) notify the party whip of the issuing of such warning.

**(b) Formal warnings**

- (i) Where the Speaker's Tribunal or the Special Committee, as the case may be, is of the opinion that the interests of justice will best be served by issuing a formal warning to a councillor for an infringement, such sanction shall, after confirmation by the Municipal Council, be —

- (aa) expressed in writing; and

- (bb) served on the councillor concerned and on the party whip, and the Speaker shall thereupon enrol the name of the councillor, the infringement concerned and the sanction in the record referred to in section 66(6)(c)(vi) of these Rules and may further publicise the infringement in such manner as the Speaker deems appropriate.

- (ii) Where, as a result of repeated infringements, the Speaker's Tribunal or the Special Committee, as the case may be, is of the opinion that the interests of justice will best be served by issuing a formal final warning to a councillor, such sanction shall, after confirmation by the Municipal Council —

**SCHEDULE 3**  
**Privileges and immunities**

28. (1) Provincial legislation in terms of section 161 of the Constitution must provide at least —
- (a) that councillors have freedom of speech in a municipal council and in its committees, subject to the relevant council's rules and orders as envisaged in section 160(6) of the Constitution; and
  - (b) that councillors are not liable to civil or criminal proceedings, arrest, imprisonment or damages for —
    - (i) anything that they have said in, produced before or submitted to the Council or any of its committees; or
    - (ii) anything revealed as a result of anything that they have said in, produced before or submitted to the Council or any of its committees.
- (2) Until provincial legislation contemplated in subsection (1) has been enacted, the privileges referred to in paragraphs (a) and (b) of subsection (1) will apply to all Municipal Councils in the province concerned.

No. 2, 2005

13 kuMasingana 2005

UMKHANDLU kaMasipala waseMngeni ngokwesigaba 256 soMthethosisekelo, 1996 (uMthetho 108 ka 1996), ufundwa nesigaba 11, soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000), wenze le Mithethodolobha elandelayo, eyoqala ukusebenza ngosuku lokushicilelwa kwalesi saziso.

**UMASIPALA WASEMNGENI**

**IMITHETHODOLOBHA YEZIMPAWU ZOKUKHANGISA**

**1. IZINCAZELO**

- (1) Ekuhumusheni le Mithethodolobha, amagama alandelayo noma izisho kuyoba nencazelo ezinikezwe yona la ngezansi, ngaphandle uma lezo zincazelo ziphikisana nesimo enzeka kuso.
- "umkhangiso" kusho noma yiliphi igama, uhlamvu, inombolo noma into ethile noma isifinyezo segama elithile nanoma yiluphi uphawu noma yiliphi ilambu okungahlosiwe nje ukuba likhanyise noma ukwexwayisa nganoma iyiphi ingozi, onhloso yawo kunguqhakambisa imboni, ibhizinisi, umsebenzi, umcimbi noma umgidi wanoma yiluphi uhlobo futhi okugqamile kunoma yisiphi isitaladi noma endaweni yomphakathi;
- "uhlaka lokukhangisa" kusho noma yiluphi uhlaka olwakhelwe ukukhangisa;
- "isithuthi sokukhangisa" kusho isithuthi esakhelwe futhi salungiselwa ukubeka imikhangiso;
- "ukukhangisa emoyeni" kusho noma yimuphi umkhangiso obekwe emoyeni ngokusebenzisa ibhaluni, ikhayithi, noma yini efuthekayo, indiza-mshini nanoma iyiphi enye indlela;
- "namathisela" kubandakanya ukupendela kokuthile kanti "okunanyathiselwe" kunencazelo efanayo;
- "imikhangiso enyakazayo" kusho imikhangiso esebenza ngamandla kagesi equkethe imiyalezo eyethulwa ngokuthi inyakaze okwenziwa ngemisebe ethile kagesi;
- "umfakisicelo" kusho umuntu noma abantu abafake isicelo sokugxumeka umkhangiso, lesi sicelo esiyogunyazwa ngumnikazi wezakhiwo lapho kuzobekwa khona uphawu lokukhangisa;
- "okufanele" kusho ukuthi ubukhulu, ukufakwa, izimpahla, indawo noma izisekelo, ngokubona koMkhandlu, zifanelekile, kuzo zonke izimo;
- "imvume" kusho imvume yoMkhandlu noma yeziphathimandla ezigunyaziwe;
- "uphawu oluyibhanela" kusho uphawu lwesikhashana noma olungenakugqulwa olupediwe endwangini eboshwe ngezintambo noma ngenye indlela;
- "ukunanyathiselwa kwezaziso" kusho umkhangiso onanyathelise ngqo entweni engakhelwe ukubeka imikhangiso;
- "isakhiwo" kusho noma yiluphi uhlaka olunezindonga noma olungenazindonga, olunophahla noma olunokokwemboza kanye nesikhala sokungena esejwayelekile kanye nesinye esingaphansi, esemboza noma iyiphi indawo engaphezu kwama-square metre amahlanu futhi obude baso bangaphakathi bungamamitha ayisikhombisa;
- "umpheme" kusho into emile esaluphahla odongeni lwesakhiwo;
- "uhlaka" kusho into ukweseka kwayo okuncike esakhiweni esikhulu esingenalo uhlaka oluvundlile noma ezinye izisekelo;
- "ugquko" kusho ushintsho kokuqethwe yimikhangiso ebekwe uhlaka lwezimpawu oluvunyiwe;
- "ubude obubonakalayo" maqondana nezimpawu isikhala phakathi komphetho osekugcineni ngei wophawu kanye nokulingana nomhlaba, nendlela yezinyawo noma yomgwaqo ngaphansi kophawu;
- "uphawu oludidiyele" kusho izimpawu eziningi, ezinobukhulu obulinganayo, ezifakwe zamiswa zalingana esigxotsheni esisodwa noma ngaphezulu;
- "okungasha" kusho okungashisa noma kudale ukusha ezingeni elingamadigri angama-75 noma ngaphansi uma kuhlolelwa ukusha ngokuhambisana neZinga aseBrithani 476: Izincazelo zokungabambi umlilo, zezimpahla zokwakhwa nezakhiwo (kubandakanya izindlela zokuhlola);
- "uMkhandlu" kusho uMasipala waKwaSani kanye nowabalandela kphatheni ngokomthetho, futhi kubandakanya uMkhandlu walowo masipala noma iKomodi lawo eliPhethe nanoma yimuphi omunye umgwamanda osebenza ngokwamandla owanikezwe nomthetho, nanganoma yisiphi esinye isiphathimandla iKomidi eliKhulu elinikeze noma yimaphi amandla kanye nemisebenzi okuphathelene nale Mithethodolobha;
- "impahla yoMkhandlu" kubandakanya ynke impahla, noma ngabe inokuswa negenakuswa, okungeyoMkhandlu, noma elawulwa yiwo;
- "iqele" kusho indawo yonke ephakathi kwemingecele yeziza engaba yisiza sanoma yisiphi isakhiwo;
- "ukudepha kophawu" kusho ibanga phakathi komphetho ophezulu nophansi wophawu;
- "okuthathwa njengokufanele" kusho ukuthi uma uphawu lokukhangisa luhambisana nendlela ethile ebekiwe kungathathwa ngokuthi luyahlangabezana nezidingo zoMkhandlu ngezinhoso zemvume;
- "izindawo ezibekiwe" kusho izinga lokulawulwa elibekiwe emgomweni wokukhangisa izinhlobo ezahluahlukene zezimpawu zokukhangisa;
- "okubekiwe" kusho okubekiwe noma okufakiwe kophawu lokukhangisa noma lwesakhiwo;
- "uphawu lukagesi" kusho uphawu olusebenza ngamandla kagesi, olukhangisiwe olwenza ukuthi umkhangiso uvele unyakaza ngezindlela eziningi;

"umkhangiso wokhetho" kusho umkhangiso osetshenziswa maqondana nokhetho lwesifundazwe, lukazwelonke noma lukamasipala, ukhetho lwesihlalo esisodwa noma lokuthola umqondo wabantu;

"ukuhlola umthelela kwezemvelo" maqondana nokukhangisa phandle kusho ukuhlola umthelela wophawu lokukhangisa kwezemvelo noma isakhiwo esinawo kwezemvelo;

"ibhodi labathengisa izindlu" kusho umkhangiso obekwe okwesikhashana ukukhangisa ngendawo, izakhiwo, ukuthuthukiswa noma olunye uhlobo lwempahla engenakususwa edayisayo noma eqashisayo;

"ifulegi" kusho isiqephu sendwangu (noma okufanayo) okubekwe kuyo umkhangiso onanyathiselwe entanjeni, epalini noma uthi lwefulegi elime lavundla ngendlela yokuthi elikuqethe akufundeki uma kunomoya. Amafulegi awabandakanyi —

(a) amafulegi kazwelonke angenayo imikhangiso ngaphezu komdwebo wefulegi noma wothi lwefulegi;

(b) amafulegi aphethwe kwinkhlabaluhide;

"umkhangiso obanizayo" kusho umkhangiso osebenza ngogesi obanizayo ovela ubuye ucishe;

"uphawu olugunyekwe emhlabathini" kusho uphawu olugunyekwe emhlabathini olungananyathiselwe esakhiweni noma odongeni;

"isikhala" kusho indawo engaphansi ehlukanisa imigwaqana ekhawulise ngamachopho aleyo migwaqana;

"uphawu olukhanyisiwe" kusho uphawu lokukhangisa olufakwe ngogesi noma nganoma yiluphi uhlobo lombani ngenhloso yokukhanyisa umyalezo;

"okubekwe ngokusemthethweni" kusho okubekwe endaweni lapho kuzobonwa khoa ngumphakathi ngokuhambisana neMithethdolobha esebenza ngaleso sikhathi zokufakwa kophawu;

"udonga olukhulu" kusho noma yiluphi ingaphandle lodonga lwesakhiwo kodwa aluyukubadkanya uthango lokuvikela noma insika kavulanda noma uvulanda ophakeme;

"uphawu olungumhambanendlwana" kusho uphawu olunanyathiselwe esithuthini noma eqnoleni okusetshenziselwa ukukhangisa kuphela;

"umasipala" kusho indawo eyenganyelwe nguMasipala waKwaSani;

"umgwamanda ongenzi nzuzo" kusho umgwamanda osungulelwe ukuphakamisa inhloso yomphakathi ngaphandle kokuzuzwa imali kwanoma yimuphi umuntu noma kwenhlangano eyenza inzuzo ethintekayo;

"umhlali" kubandakanya noma yimuphi umuntu ohlala endaweni noma ezakhiweni ngandle kokupheka itayitela lomuntu ahleli endaweni yakhe;

"uphawu lombukiso wendlu" kusho uphawu lwesikhashana olukhombisa ukuthi iyabukiswa kwabafisa ukuyithenga;

"inkomba" maqondana nanoma yimuphi umkhangiso, kusho ukuthi lowo mkhangiso udlulisela kuphela igama nohlobo lwemboni. Iwebhizinisi, lomkhakha noma lomsebenzi owenziwayo kuleso sakhiwo okubekwe kuso umkhangiso;

"ukukhangisa ngaphandle" kusho noma yiluphi uhlobo lokukhangisa njengoba kuchaziwe, olubonakala kunoma yisiphi isitaladi noma indawo yomphakathi futhi okwenzeka ngaphandle;

"ubude obugcwele" maqondana nophawu, kusho ibanga lokusuka phezulu kuya phansi kanye nokulingana nomhlaba, nendlela yezinyawo noma nomgwaqo;

"ibhodi eliphathekayo" yinoma yiluphi uphawu oluzimele nanoma yiluphi uhlobo oluhlakazekayo olungagxunekiwe emhlabathini futhi olungasuswa kalula;

"amaphosta" kusho izasizo ezinkulu emgwaqeni ezibekwe okwesikhashana esitaladini noma endaweni yomphakathi njengesimemezero somhlangano, somecimi noma somgidi ophathelene nokhetho noma nomcimbi;

"izakhiwo" kusho noma yiluphi ibhilidi kanye nomhlaba lelo bhlidi elakhiwe kuwo;

"uphawu olwenziwe lwaphumela ngaphandle" kusho nom yiluphi uphawu olukhishwe ngekhamera yokuthatha izithombe zebhayisikobho, kodwa akubandakanyi uphawu oluphumele ngasohlangothini lwababukeli, noma endaweni yokubuka izithombe okungenwa kuyo ngezimoto ngesikhathi sombukiso;

"uphawu oluphumele ngaphandle" kusho noma yiluphi uphawu olusodongeni olunamathiselwe ebholidini futhi olukhiphela ngaphandle amamilimitha angama-300 odonga lwalelo bhlidi;

"indawo yomphakathi" kusho noma yimuphi umgwaqo, isitaladi, indlela, ibhulohlo, indledlana, indlela yabahamba ngezinyawo, umhubhe, indawo evelekile, ingadi, ipaki noma indawo evikelekile eginwe nguMkhandlu kodwa umphakathi ovumelekile ukuyisebenzisa;

"ukukhangisa kude noma kolunye uhlangothi" kusho ukuthi okuqethekwe kulowo mkhangiso akuhambisani nanoma yini eyenziwa ezakhiweni lapho umkhangiso ubekwe khona;

"udonga lokubuya" kusho noma yiluphi udonga olungaphandle lwebhlidi noma lwanoma yiluphi udong, olubheke kunoma yimuphi umngecele ngaphandle kwengaphambili lesitaladi;

"indawo ebekjiwe emgwaqeni" kusho indawo equkethe ebubanzini obusemthethweni bomgwaqo;

"uMthetho wokuHamba kweziThuthi eMgwaqeni" kusho uMthetho wokuHamba kweziThuthi eMgwaqeni kaZwelonke, 1996 (uMthetho No. 93 ka 1996) kanye neMithethonqubo emenyazelwe ngokuhambisana nalo Mthetho, njengoba uchitshiyelwe ngezikhathi ngezikhathi;

"uphawu lwezithuthi olusemgwaqeni" kusho noma yiluphi uphawu lomgwaqo njengoba kuchaziwe eMithethweni wokuHamba kweziThuthi eMgwaqeni, 1996 (uMthetho No. 93 ka 1996);

"uphawu lwaphezu kwendlu" kusho uphawu olupendwe noma olunamathiselwe ngqo phezu kokumboze ibhlidi;

"SAMOAC" kusho uMkhandlu wokuKhangisa ngaPhandle waseNingizimu Afrika;

"ibhodi esasemishi" kusho ibhodi eliphathekayo, elinamacala amabili, elizimele, eligxunyekwe emhlabathini lavundla noma eliphethwe ngumuntu noma isithuthi;

"uphawu" kusho noma yiluphi uhlobo olubekwe ngenhloso yokukhangisa;

"impambana-mgwaqo enezimpawu" kusho indawo lapho kuphambana khona imigwaqo elawulwa ngamarobothi;

"uphawu olusemoyeni" kusho uphawu olubekwe noma olugxunyekwe ophahleni noma phezu kophahla lwesakhiwo, kodonga lokuvikela noma ondini lophahla lwebhlidi;

"imvume ethile" kusho imvume ebhaliwe yoMkhandlu okudingeka ukuba yethulwe uma kufakwa isicelo;

"impahla yasesitaladini" kusho izinsiza zomphakathi kanye nezinhlobo okuhloswe ngakho ukukhangisa kubandakanya namabentshi okuhlala, okutshaliwe, imigqomo kadoti, imipheme yokulindela amabhosi, amawashi kathaniwolo, imithombo yokuphuza, kodwa akubandakanyi izimpawu zomgwaqo, amarobothi, amalambu okukhanyisa, nanoma yiluphi olunye uhlobo oluphathelele nemigwaqo;

"izimpawu zamagama emigwaqo" kusho izimpawu ezisezigxotsheni, ezinamacala amabili, ezivikelwe ngepulastiki ukuze zingangenwa ngamanzi noma zigqwaliswe yilanga ezibhalwe amagama ezitaladi;

"umugqa wesitaladi" kusho umngcele wesitaladi somphakathi;

"uphawu lwesikhashana" kusho uphawu, olungafakiwe okokuphela futhi okungahlosiwe ukuthi luhlale endaweni eyodwa, olusetshenziselwa ukukhangisa okwesikhashana;

"umkhangiso-ntathu" kusho okubekiwe, ngokusebenzisa uhlaka oluveza imikhangiso, okwenza kuvele imiyalezo emithathu ngendlela ehlelwe ngayo;

"uphawu olungaphansi kompheme" kusho uphawu olufakwe noma olunamathiselwe kwikhenophi noma kuvulandi;

"uvulandi" kusho uhlaka olunamathiselwe noma oluphuma ngaphambili ebhilidini olusekelwe ngamapali;

"indawo ebonakalisayo" kusho indawo ebekiwe emgwaqeni nakunoma iyiphi indawo okwazi ukuyibona uma ukunoma iyiphi indawo, kodwa akubandakanyi indawo esebangeni elingamamitha angama-250 ukusuka emngceleni osemgwaqeni onguthelewayeka endaweni esedolobheni; kanti

"indawo" kusho ukusetshenziswa njengoba kuchaziwe oHlelweni lokuHlela amaDolobha laseMngeni uma kwenziwa amalungiselelo.

- (2) Ngezinhloso zokusetshenziswa kokukala, kobukhulu noma kwezindawo ezibaluwe kule Mithethonqubo maqondana nezimpawu, kuyosetshenziswa lokho ophawini lonke, kubandakanya noma yisiphi isikhala esiphakathi kwezinhlamvu, kwamagama, kwezimbobo, kwezimpawu, kwezithombe, kwemidwebo kanye nokunye okufana nakho okubela kulolo phawu, nakunoma yisiphi isikhala phakathi kobukhulu bophawu kanye nomkhangiso ovela kulona.
- (3) Amagama abhekiswe kunoma yimuphi umuntu ayobandakanya abantu, izinkampani kanye nezainhlango, kanti ubulili buyobandakanya abantu besifazane kanjalo nabesilisa, kuthi ubunye bubandakanye ubuninigi.

## 2. Ukwamukeleka kwemikhangiso nezimpawu

- (1) Kweyame kwizihlinzeko zale mithethodolobha, akukho muntu oyogxumeka noma adale noma avumele ukuthi kugxunyelwe, kushintshwe, kubekwe noma kuginwe noma yimuphi umkhangiso noma uphawu okubonakala kunoma yisiphi isitaladi noma endaweni yomphakathi nakunoma iyiphi indawo yoMkhandlu ngaphandle kokuthi kuqale kutholakale imvume ebhaliwe eMkhandlwini noma kwiziphathimandla zawo.
- (2) Izimpawu zesikhashana noma eziphathekayo okungaba ngamaphosta nokunye okufana nawo okukhangisa okwesikhashana ngenhloso noma maqondana nomcimbi othile okwesikhashana okuphathelele nawo, kubandakanya imikhangiso ekhombisa indlela eya kulowo mcimbi, izimpawu eziphathelele nokhethe noma nombuthano obanjwe noma owenziwa ngaphansi komthetho, kanye nezimpawu ezphethwe ezitaladini, ziyobekwa ngemvume ebhaliwe yoMqondisi weMisebenzi yobuChwepheshe futhi kweyamne kuleyo mibandela angayibeka. Lezo zimpawu aziyukuba ngaphezu kwamamitha anga-0,5 m<sup>2</sup> ubukhulu.

## 3. Imikhangiso nezimpawu ezikhululiwe

- (1) Kweyame kwizihlinzeko zale Mithethodolobha, imikhangiso nezimpawu okungadingeki mvume ngazo yilezi ezilandelayo:
  - (a) Noma yimuphi umkhangiso noma uphawu olungeqile kuma-2 m<sup>2</sup> okudingeka ukuthi zibekwe ngokwanoma yimuphi umthetho kaZwelonke, wesiFundazwe noma kaMasipala, njengenkampani, njengenhlangano, njengezakhiwo ezinelayisense noma amahhovisi okusebenza noma yiluphi uphawu lwezokuphepha olulodwa esitaladini ngasinye noma ezakhiweni.
  - (b) Noma yimuphi umkhangiso noma uphawu oluphezu noma oluseduze kwendawo yokungena kunoma yiziphi izakhiwo lapho kuqhutshelelwa khona ibhizinisi futhi olunegama lalelo bhizinisi.
  - (c) Umkhangiso noma uphawu olulodwa ekungeneni kwesitaladi olukhombisa kuphela igama noma uhlobo lwebhizinisi, indawo yokuhlala kanjalo negama lomnikazi, lomlongani noma likachwepheshe ubukhulu obungama-1,5 m<sup>2</sup> uphawu ngalunye, noma olukhombisa igama kanye nohlobo lwezikhungo nezinye izinsiza zomphakathi ubukhulu obungama-3 m<sup>2</sup> uphawu ngalunye.
  - (d) Noma yimuphi umkhangiso ongavikelwe obekwe ngaphakathi kwebhilidi noma efasiteleni lokukhangisa noma ngaphambili esitolo.
  - (e) Noma yimuphi umkhangiso ngaphezu kwama-4,5 m<sup>2</sup>, ebekwe onqenqemeni lwezakhiwo ophathelene nendawo yokuhlala ezoqashiswa noma ezodayiswa ebhilidini, okumele kubu ngumkhangiso owodwa kumdayisi wezindlu ngamunye ekungeneni esitaladini esisodwa futhi okungamele ubekwe isikhathi esingaphezu kwezinsuku ezingamashumi amathathu emva kosuku lokuqashisa noma lokudayisa.
  - (f) Amabhodi akhangisa ngezinhlelo ezithile zabakhi nabanye abasebenzi abazimele abayingxenywe yohlelo, angengaphezukwama-18 m<sup>2</sup> abude bawo bungama-6 m, abekwe onqenqemeni lwezakhiwo ngenkathi kusakhiwa, kube ngelilodwa ekungeneni esitaladini esisodwa futhi okungamele ubekwe isikhathi esingaphezu kwezinsuku ezingamashumi amathathu emva kokuphela kohlelo.
  - (g) Ifulegi likazwelonke lanoma yiliphi izwe ngaphandle, uma ngokubona koMkhandlu, kusetshenziswe amafulegi angaphezu kwelilodwa ukuqhakambisa, ukukhangisa noma ukuhlonza umsebenzi wezomnotho, lapho kuyosebenza izihlinzeko zale Mithethodolobha.
  - (h) Noma yiluphi ushintsho kunoma yimuphi umkhangiso obekwe okude noma ogxunyekwe uma uMkhandlu usukhiphe imvume yokukhangisa uhlaka olunophawu.
  - (i) Ukukhangisa emoyeni ngokusebenzisa ibhanoyi: Inqobo nje uma imvume edingakalayo itholakele eMkhandlwini wezokuNdiza, kubandakanya nanoma yimiphi imibandela enganqunywa.
  - (k) Izimpawu eziphathelele nokudayiswa ngokushesha kwamaphephandaba nokunye esitaladini somphakathi.
  - (l) Izimpawu okudingeka ukuthi zibekwe ngokwale Mithethodolobha.
  - (m) Izimpawu, ezikhululiwe nguMphathi kaMasipala ngokubonisana neKomidi leziKhundla lamaPulani amaBhilidi nokuHlela.

## 4. Ukufaka isicelo, ukuhlolwa kanye nenqubo yokuzikhalela

- (1) Wonke umuntu onenhloso yokubeka, yokugxumeka, yokushintsha noma yokucina noma yimuphi umkhangiso noma uphawu, akutholele imvume yoMkhandlu ngaphambilini, uyoletsa isicelo esibhaliwe eMkhandlwini ngendlela enqunyiwe, kanye nemali enqunyiwe ngokuhambisana noHlelo lowezimali zokukhangisa (uHlelo A). Isicelo siyosayinwa ngumnikazi wophawu lokukhangisa oluhlongozwe nangumnikazi obhalisiwe womhlaba noma webhilidi, ngogunyazwe nguye ngokubhalwe yilowo mnikazi futhi iyophelezelwa ngamapulani alandelayo adwetshwe ngokuhambisana nalezi zidingo ezilandelayo:
  - (a) Ipulani yendawo edwetshwe ngendlela ethile ekhombisa uphawu oluphathelele nemigwaqo eseduze kanye nezinhlela ezingamamitha angama-500, lapho kufanele.
  - (b) Ipulani yesiza ekhombisa indawo lapho kunophawu noma kunomkhangiso ezakhiweni, edwetshwe yaba 1:500 uma kunikezwa ubukhulu obuphelele, ekhombisa indawo lapho kunophawu oluphathelele nemingcele, nezinye izakhiwo, nezinhlela, nemisebenzi kanye nokugqamile esizeni futhi ekhombisa izitaladi kanye nezakhiwo ezisemhlabeni oseduze kwesiza.
  - (c) Imidwebo echazwe ngokwanele ukuthi uMkhandlu ukwazi ukucubungula indlela uphawu noma umkhangiso okubukeka ngayo kubandakanya impahla, ukwakha kanye neminingwane yokuvikeleka.
  - (d) Imidwebo echazwe ngokuphele ekhombisa ngokugcwele iminingwane yomkhangiso edwetshwe yaba 1:20 lapho kufanele.
  - (e) Imidwebo echazwe ngokuphelele ukwenyuswa kanye nezigaba ezi-1: 100 ekhombisa indawo lapho kunomkhangiso noma nophawu oluphathelele zakhiwo, nezinhlela, nokugqamile kanye nezinye izimpawu zokukhangisa ezisakhiweni nasezindaweni ezakhelele naso.

- (f) Izithombe ezinomblala zokukhombisa indawo lapho kunophawu oluphathele nezakhiwo, nezinhlaka, nokugqamile kanye nezinye izimpawu zokukhangisa ezisesizeni naseduze kwaso.
- (g) Leyo mibhalo eyengeziwe, yokuhlola isimo sezemvelo kanye nezithombe nakho kuyadingeka, ngokubona koMkhandlu, ukuze kuchaze kabanzi ngohlelo nendlela yokusetshenziswa.
- (2) Ezimweni ezithile, uMkhandlu ungazinqumela ngokwawo ukwamukela imidwebo ekhombisa kuphela ingxenye yepulani noma ukuphakama kwesakhiwo, noma imidwebo emincane, noma imidwebo eyenziwe ngekompuyutha ekhombisa okuhlongozwayo lapho imidwebo ethile kungabanizma ukuthi ihlinzekwe noma izithombe uma lokhu kubonakala ukuthi akwenele.
- (3) Ngaphezu kwalokho, lapho kunesidingo, umfakisiselo uyoletsa ezinye izinhlaka noma imidwebo kanye nezitifiketi njengoba udingeka ukuba kudingeka ukuthi ahlinzeke imininingwane egcwele yezibalo, yobukhulu kanye nempahla esetshenzisiwe ohlakeni lokweseka, ukukhanda, ukuvikeleka nokusimama kohlaka nomkhangiso walo ukuqinisekisa ukuthi kungawo, kuviphephile nasemilweni ngokuhambisana nezihlinzeko zoMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977) kanjalo noMthetho obhekele ezeMpilo nezokuPhapha eMsebenzini, 1993 (uMthetho No. 85 ka 1993); njengoba ichitsheyelwa njalo emva kwesikhathi.
- (4) Ngaphezu kwalokho, umfakisiselo uyokhokhela uMkhandlu nganoma yikuphi okungadalwa ngokugxumeka, ngokukhangisa noma ngokuba khona nje kwalezo zimpawu.
- (5) Zonke izimpawu ezizogxunyeka noma ezizobekwa kumele zihambisane neMithethonqubo yokuHlelwa kwamaDolobha ekhona, kanjalo neminye imithetho ehambisana nayo, njengoba ichitshyelwa njalo emva kwesikhathi.
- (6) Ekucubunguleni izicelo, ngaphezu kokunye, uMkhandlu uyoqimisekisa ukuthi ukwakheka nokubekwa kwazo zonke izimpawu zokukhangisa ziyahambisana nenqubomgomo yoMkhandlu kanye nemihlahlandlela ye-SAMOAC yokulawula ngokwemibandela kanye nemigomo, njengoba ichitshyelwa njalo emva kwesikhathi.
- (7) UMkhandlu ungenqaba isicelo noma ukhiphe imvume yawo, kweyame emibandeleni njengoba ungabona kungashesha kodwa kungaphikisani nezihlinzeko zale Mithethodolobha noma nenqubomgomo yoMkhandlu yokukhangisa ngaphandle.
- (8) Ukuvuywa noma ukwenqatshwa kwesicelo nguMkhandlu kuyokwenziwa ngokubhaliwe kuhlinzekwe nezizathu ezinsukwini ezingama-60 kulethwe isicelo ngokwale Mithethodolobha.
- (9) Ekuvunywini, ikhophi yesicelo esigwaliswe ngendlela njengoba silethiwe iyogcinwa nguMkhandlu njengerekhodi.
- (10) Noma yimuphi umkhangiso noma uphawu olubekwe ngokuhambisana nemvume ekhishiwe kanye nanoma yimuphi umbandela noma umbandela ochitshyelwe obekwe kuleyo mvume, kanye nomuntu ogxumeka uhawu oluvunyiwe uyokwazisa uMkhandlu esinsukwini eziyisikhombisa egxumeka lowo mkhangiso noma lolu phawu.
- (11) Umuntu onikizwe imvume yokubeka noma yimuphi umkhangiso noma uphawu okwedlula emngceleni wanoma yisiphi isitaladi noma indawo yomphakathi uyongena esivumelwaneni esibhaliwe noMkhandlu, akhokhele uMkhandlu maqondana nophawu futhi kuyomele akhokhele uMkhandlu imali enqunyiwe njalo ngonyaka yokweqa umudwa.
- (12) Imvume yazo zonke izimpawu zokukhangisa iyoba sezandleni zoMkhandlu futhi iyosebenza isikhathi esiyonqunywa nguMkhandlu noma ngabe kumaqondana nohlaka lokukhangisa noma nokuquketshwe ngumkhangiso noma kokubili, emva kwalokho isicelo esisha okumele sicutshungulwe kumele silethwe eMkhandlwini ukuze sicutshungulwe ngokwale Mithethodolobha.
- (13) Umfakisiselo angakhalaza nganoma yikuphi ukwenqatshwa kwesicelo, ukwehluleka ukuthatha isinqumo, umbandela obekwe yisiphthimandla esigunyaziwe.
- (14) Isikhalo okukhulunywe ngaso esigatshaneni (13) siyofakwa ezinsukwini ezingamashumi amathathu kukhishwe isaziso futhi siyoletshwa, kanye nombiko, ekomidini elifanele loMkhandlu ukuze sicutshungulwe.

#### 5. Ukuxoxiswa noma ukuchitshyelwa kwemvume

- (1) UMkhandlu, nganoma yisiphi isikhathi, ungaxoxisa imvume ekhishiwe noma uchibiyele noma yimuphi umbandela noma ubeke omunye umbandela maqondana naleyo mvume uma, ngokubona koMkhandlu, uphawu lokukhangisa lungahambisani nemihlahlandlela yokulawula izimpawu ngokwenqubomgomo yoMkhandlu noma ye-SAMOAC, njengoba uchitshyelwa njalo emva kwesikhathi, nanganoma yisiphi esinye isizathu uMkhandlu osibona sifanele.
- (2) UMkhandlu, nganoma yisiphi isikhathi, ungamisa imvume yawo yokukhangisa ngophawu oselweqe indawo obekuvunyelwe ngayo futhi wesule leso sivumelwano okukhulunywe ngaso esigabeni 4(11), unike umnikazi noma umfakisiselo isaziso esibhaliwe ngaleso sinqumo. Umnikazi noma umfakisiselo naye uyokwazisa uMkhandlu ngokubhaliwe anikeze imininingwane nganoma iyiphi inhloso yokudlulisela ubunikazi bophawu olwenabele kwenye indawo.
- (3) Uphawu oluvunyiwe luyogxunyeka ezinyangeni eziyisithupha kusukela ngosuku lokuvunywa kwalo emva kwalokho lolu phawu luyophelelwa yisikhathi ngaphandle uma kwenziwe isicelo ngokubhaliwe sokwelula isikhathi, leyo mvume engakhishelwa iziyanga ezimbili.
- (4) Noma yisiphi isicelo esibuyiselwe kumfakisiselo ukuze sichitshyelwe siyoletshwa kabusha ezinyangeni ezimbili kusukela ngosuku lwesaziso sokubuyisela, okudlula lapho isicelo siyophelelwa yisikhathi.
- (5) Imvume yophawu lokukhangisa iyonikezwa umfakisiselo kuphela futhi iyophelelwa yisikhathi uma eyeka ukusebenzisa izakhiwo, inqobo nje uma imvume ebhaliwe ingakhishwa nguMkhandlu yokudlulisela leli lungelo kumuntu omusha ozohlala ezakhiweni uma leyo mvume idingeka ezinsukwini ezingamashumi amathathu kusukela osukwini angene ngalo.
- (6) Umkhangiso osebenza ngamandla kagesi noma ovikelwe, ngokubona koMkhandlu, odala ukuthikamezeka kubahlali banoma yiziphi izakhiwo ezithintekayo iyoshintshwa ngendlela eyonqunywa nguMkhandlu ngokubhaliwe, noma isuswe ngumfakisiselo noma ngumhlali leso sikhathi esingabekwa.
- (7) Imvume enikezwe maqondana nomkhangiso noma nophawu iyophelelwa yisikhathi uma noma yiluphi ushintsho noma ukwengezwa kwenziwe kulowo mkhangiso noma kulolo phawu, inqobo nje uma uMkhandlu uvuma izinguquko ezingatheni ngokubona kwawo ngokusayina isicelo sasekuqaleni.

#### 6. Izidingo eziphathelele nokwakha

- (1) Zonke izimpawu ziyokwakhiwa kahle nangobunono, zenziwe futhi ziphothulwe ngendlela enobuchwepheshe.
- (2) Zonke izimpawu ziyonamathiselwa esakhiweni, ocingweni noma odongeni, ziyofakwa ziqine ngendlela ephephile ukuze zinganyakazi nangayiphi indlela. Indlela yokunamathisela iyoba ngendlela yokuthi ivikela, isekela futhi igcina isisindo sophawu okukhulunywa ngalo, ngaphezu kwanoma yimuphi umfutho engamelana nawo. Ukusetshenziswa kwezikipili kanye nokokufasa ngenhloso yokuqinisa nokwesekela akuvumelekile.
- (3) Noma yiluphi uphawu oluphumele ngaphandle, ngaphandle uma uMqondisi weMisebenzi yobuCiko evuma, ingasekekile nxa zonke —
- okuyokuba nguthayela;
  - noma yiziphi ezimbili eziyokwazi ukuthwala isisindo sophawu;
  - amandla, uma ehlanganisiwe, ayobalwa esisindweni sophawu anofutho womoya ovundlayo ongama-1,5 kPa;
  - oluyokwakhiwa ngobunono njengengxenye yokwakha uphawu noma esithekile.

- (4) Zonke izimpawu ezisekele lokho, ezinamathiselwe ezitinini noma kusimende ziyiqiniswa zinamatheliswe ngamabhawodi kulezo zitininoma kulowo simende. Amabhawodi ayolingana ukuze kuqinisekise ukuhambisana nendima (2) no (3) walokhu.

(5) Ingilazi

Zonke izingilazi ezisetshenziswe ophawini (ngaphandle kwengilazi esetshenziselwe ukushubha esetshenziswe ezimpawini ezikhanya ngogesi noma ezinye ezifana nazo) kuyoba ngezengilazi yokuvukela engamamlimitha okungenani ama-3,5 ubukhulu. Amaphaneli engilazi ezipmawini angeke abe ngaphezu kwama-2 m<sup>2</sup> ubukhulu. Iphaneli ngayinye iyofakwa iqine emzimbeni wophawu izimele yodwana.

(6) Izidingo zamandla kagesi

Zonke izimpawu ezivikelekile futhi zoke izimpawu okyosetshenziswa kuzo amandla kagesi —

- (a) ziyokwakhiwa ngempahla engenakudala umlilo;
- (b) ziyohlinzekwa ngeswishi yangaphandle endaweni okufunyeleka kalula kuyo lapho ukuhokwa kwagesi kungacishwa khona;
- (c) ziyoxhunywa ngendlela ebekwe kwimithethonqubo.

- (7) Bonke othayela abavele ngaphandle kophawu, bayopendwa noma belashwe ukuvukela ukudleka kuthi zonke izingodo zelashwe ukuze kuvikelwe ukubola.

- (8) Akukho phawu olyokwakhiwa ngendawu, ngekhalihothi, ngephepha noma ngokunye okufana nakho kuphela, ngaphandle uma uphawu kungolwezinhlelo ezizayo zokujabulisa umphakathi lubekwe endaweni yokubuka izithombe noma yemidlalo yeshashalazi, noma kunguphawu olufakwe kwisivekela langa.

7. Izidingo zamandla kagesi

Zonke izimpawu zokukhangisa ezisebenza ngamandla kagesi noma ezivikelwe kubandakanya okokweseka kanye nohlaka ziyokwakhiwa ngokungenakusha futhi ziyofakwa ngendlela yezihlinzeko zeziNtela zamaZinga neziNqubo koMkhandlu kanye noMgomo wokusebenza wokufaka ugezi ezakhiweni ngokuhambisana ne-SABS noma nomthetho osetshenziswayo noma neMithethonqubo.

8. Ukugcinwa kwezimpawu

- (1) Umuntu onophawu, olawula noma yiluphi uphawu, ngesikhathi lolo phawu lusafakiwe noma lusakhiwa ngokwephula izihlinzeko zalo Mithethodolobha, uyothweswa icala.

- (2) (a) Akukho phawu, olukhona noma olwenabela emugqeni wesinye isitaladi esiyohlala, ngaphandle kwemvume yoMkhandlu. UMkhandlu ngesaziso esibhaliwe esinikezwe umuntu onophawu noma olawula uphawu, ungadinga ukuthi lowo muntu asuse lolo phawu ngesikhathi esibekwe kuleso saziyo, ngaphandle uma ngokubona koMkhandlu uphawu luyingxenye yokungadala ingozi emphakathini, noma okungalimaza noma kuthikameze noma yimiphi imisebenzi yoMkhandlu ekhona noma ehlongozwayo noma isitaladi sopmhakathi, uMkhandlu uyoba nelungelo lokususa lolo phawu.

Noma yimuphi umuntu owehluleka ukhambisana nanoma yisiphi isaziyo uyothweswa icala.

- (b) Umuntu onophawu noma olawula uphawu olwenabela emugqeni wesinye isitaladi uyokhokhela uMkhandlu ngezinyathelo ongathathelwa zona ngayinoma yimuphi umuntu ngokulahlekelwa, ngokulinyazwa, ngokugcinwa, ngokukhandwa noma ngokususwa kophawu, futhi uyokhokhela uMkhandlu maqondana nazo zonke izindleko ezidalwe ngokumvikela.

- (c) Umuntu onophawu noma olawula uphawu olwenabela emugqeni wesinye isitaladi uyokhokhela uMkhandlu imali enqunye ohlelweni lwezintela maqondana nesamba sendawo okubekwe kuyo umkhangiso (kubandakanya nanoma yisiphi isikhala esiphakathi kwezinhlamvu kanye nesikhala esiphakathi kophawu nobukhulu balo).

- (i) Izimali ezingenhlala ziyokhokhwa kumasipala noma kogunyazwe yiwo ngesikhathi kufakwa isicelo ngaphambilini, nangemuva kokuphela konyaka kwafakwa isicelo isikhathi phawu lusafakiwe.

- (ii) Akukho mali eyokhokhwa ngaphandle uma uphawu lwenabela kwenye indawo, noma lungaphezu kwamamlimitha ayi-100.

- (iii) Lapho ngesikhathi esiyizinyanga eziyi-12 okukhulunywe ngao endimeni (i), noma yiluphi uphawu olufakwe ngokungemthetho eskhundleni solunye uphawu, akukho mali eyengeziwe eyokhokhwa maqondana nalesi sikhathi ngaphandle uma uphawu olufakiwe lulukhulu kunolukhishiwe, lapho imali eyeneziwe eyobalwa njengoba kubekiwe ngenhla maqondana nendawo kuyomele ikhokhwe ngokushesha eMkhandlini.

- (iv) Lapho uphawu lusuwe ngokuzithandela, noma ngokulayelwa nguMkhandlu, akukho mali eyobuyiselwa nguMkhandlu.

- (v) Ukukhokhwa kwanoma yiziphi izimali njengoba kuhlinzekwe lapha angeke nangayiphi indlela kuthikameze izihlinzeko zendima (a) yale Mithethodolobha.

- (d) Umuntu onophawu noma olawula uphawu olwenabela emugqeni wesinye isitaladi, kuyothi uma ecelwa ngokubhaliwe nguMqondisi weMisebenzi yezobuCiko, angene esivumelwaneni esibhaliwe noMkhandlu maqondana nalolo phawu, athathe izibopho eziqokethwe endimeni (b) no (c) walo Mithethodolobha; inqobo nje uma ukungabibikho kwaleso sivumelwano kungeyokuthikameza izihlinzeko zale Mithethodolobha. Njalo uma kwenziwe ushintsho ekuhloleni umuntu onophawu noma olawula uphawu, lolo shintsho luyokwaziswa uMqondisi weMisebenzi yobuCiko ngokubhaliwe ngumuntu obenalolo phawu noma obelawula lolo phawu.

9. Amacala nokususwa kwezimpawu

- (1) Noma yimuphi umuntu obeke noma ogxumeka noma yimuphi umkhangiso noma uphawu okungatholakanga mvume yakho eMkhandlini ngokwesigaba 2, noma imvume yakho esiphelelwe yisikhathi, noma esihoxisiwe, noma lowo mkhangiso noma lolo phawu olungahambisani nesicelo esamukelwe nanoma yimiphi imibandela yaso, okungahambisani noma okuphikisana nanoma yiziphi izihlinzeko zale Mithethodolobha nanoma yimuphi omunye umthetho noma umthethonqubo, uyothweswa icala.

- (2) Noma yimuphi umuntu ogxumeka noma oqhubeka nokubeka noma yiluphi uphawu noma umkhangiso okungasenasidingo ezakhiweni okubekwe kuzo ngegunya lokushintshwa kokusebenza, lobunikazi noma lokuhlala nanganoma yisiphi isizathu, uyothweswa icala.

- (3) Noma yimuphi umuntu obeke noma ogxumeka noma yimuphi umkhangiso noma uphawu okungahambisani nanoma yiziphi izihlinzeko, izidingo noma imibandela njengoba kubekiwe kunoma yisiphi isaziyo sale Mithethodolobha nanoma yimuphi omunye umthetho osetshenziswayo, noma oqamba amanga ngenhloso maqondana nanoma yisiphi isicelo ngokwale Mithethodolobha, uyothweswa icala.

- (4) UMkhandlu unganikeza isaziyo umuntu obeke umkhangiso noma ogxumeka uphawu noma odala ukuthi uphawu noma umkhangiso kebekwe noma kugxunyekwe, noma umnikazi noma umhlali wasezakhiweni lapho lowo mkhangiso noma lolo phawu lubekwe noma lugxunyekwe khona noam kubona bobabili labo bantu, ecela ukuthi labo bantu basuse lowo mkhangiso noma lolo phawu noma benze lowo msebenzi njengoba ungabekwa esazisweni, ngesikhathi esibabulwe lapho esingeyukuba ngaphansi kwezinsuku eziyisikhombisa kuukela ngosuku lokufika kwesaziyo, ukuze umkhangiso noma uphawu kuhambisane nomthetho.

- (5) Uma noma yimuphi umuntu onikizwe isaziyo ngokwesigatshana (3) ehluleka ukuhambisana nomyalo oqukethe kuleso saziyo ngesikhathi esinqunye, uMkhandlu ungasusa noma uhele ukuthi kususwe umkhangiso noma uphawu, noma wenze ushintsho kokunqunye esazisweni.

- (6) UMkhandlu ungalandela izindleko zawo ezidalwe yinoma yikuphi kususwa, izinyathelo noma ukukhandwa kwempahla yawo nanoma yiziphi izindleko ongene kuzo kumuntu onikezwe isaziyo ngokwesigatshana (3). Akukho sinxephezelo esiyokhokhwa nguMkhandlu kubantu ngenxa yalokho kususwa, kukhandwa noma kwezinyathelo ezithathiwe.

- (7) Noma yimuphi umuntu owehluleka ukususa iphosta, ibhena, ifulegi noma umkhangiso wokhetho ngesikhathi esinqunyiwe, uyothweswa icala. UMkhandlu uyoba nelungelo lokususa lowo mkhangiso bebse uthatha imali enqunyiwe kunoma iyiphi idiphozi efakiwe maqondana nomkhangiso osuswe kanjalo nguMkhandlu: Inqobo nje uma isamba semali ethathiwe yeqile kwidiphozi efakiwe, uMkhandlu uyoba nelungelo lokuthatha leyo mali engaphezulu kulowo muntu. Kuphinde kuncike ekutheni uma leyo phosta, leyo bhena noma lowo mkhangiso wokhetho ususwe ngokwale Mithethodolobha, uMkhandlu uyoba nelungelo lokulahlala lowo mkhangiso ngaphandle kokukhipha isaziso.
- (8) Noma yimuphi umuntu, obeke noma odale ukuthi kubekwe noma yiliphi ibhodi eliphathekayo okukhikshwe maqondana nalo imvume ngokwale Mithethodolobha, owehluleka ukususa lelo bhodi emahoreni amabili esikhathi esibalulwe esigabeni 9, uyothweswa icala futhi uMkhandlu uyoba nelungelo lokususa noma yiliphi ibhodi eliphathekayo nokuthola imali enqunyiwe kulowo muntu. Inqobo nje uma noma yiliphi ibhodi eliphathekayo lisuswe nguMkhandlu lingahlala ngaphandle kokuthi ukhiphe isaziso.
- (9) Noma yimuphi umkhangiso noma uphawu, ngaphandle kwalokho okukhulunywe ngakho ezigatshaneni (6) no (7), ezasuswa noma ezathathwa nguMkhandlu ngokwale Mithethodolobha, zingacelwa ezinsukwini ezingamashumi ayisithupha kusukela ngosuku zasuswa noma zathathwa ngokukhokha izimali ezidingekayo, okwedlula lapho uMkhandlu uyoba nelungelo lokusebenzisa, lokuchitha noma lokuthengisa lolo phawu ngokubona kwawo.
- (10) Uma, ngokubona koMkhandlu, uphawu lokukhangisa lungadala ingozi empilweni noma esakhiweni nalapho umfakisicelo noma umnikazi noma umhlali ehlukeka ukuthatha izinyathelo ezifanele ngokushesha, uMkhandlu ungasusa noma uhlele ukususwa kwalolo phawu bese ufuna izindleko ongene kuzo.
- (11) Noma yimuphi umuntu, ngesikhathi kufakwa noma kususwa uphawu lokukhangisa, odala ingozi endaweni, ohlakeni lwagesi, nakunoma yikuphi okunye okufakwe nguMkhandlu noma endaweni yawo, uyothweswa icala futhi unokujeziswa ngokwesigaba 15 sale Mithethodolobha futhi uyokhokhela umonakalo odalwe yilokhu.
- (12) UMkhandlu unelungelo lokususa okwesikhashana noma yiluphi uphawu lokukhangisa olungagunyaziwe endaweni yawo ngaphandle kokukhipha isaziso.

#### 10. Izithibelo

- (1) Imikhangiso nezimpawu okulandelayo akuvunyelwe:
  - (a) Noma yimuphi umkhangiso noma uphawu, ngaphandle kophawu olukhululiwe, olungakhishelwanga mvume noma olungahabmisani nezidingo, noma olungavumelekile ngokwale Mithethodolobha nanoma yimuphi omunye umthetho.
  - (b) Noma yimuphi umkhangiso, ngokubona koMkhandlu, ongahloniphekile noma owuhlobo olungadala ingozi emphakathini naokunoma yiliphi iqembu labantu noma kunoma yimuphi umkhaya.
  - (c) Noma yiluphi uphawu noma umkhangiso opendiwe noma onamathiselwe nganoma iyiphi indlela esihlahleni, esitshalweni, edwaleni nakunoma yini eyimvelo.
  - (d) Noma yimuphi umkhangiso noma uphawu okuthikameza noma yisiphi isitaladi, indlela yokubalekela umlilo, indlela yokuphuma, ifasitela, umnyango nanoma iyiphi intuba esetshenziswa njenendawo yokuphuma noma yokungenisa umoya noma yokucisha umlilo.
  - (e) Noma yiluphi uphawu oluvikelwe nangayiphi indlela, oluthikameza noma oluyinkathazo kubahlali banoma yiliphi ibhilidi noma emalungwini omphakathi athintwa yilokho.
  - (f) Noma yimuphi umkhangiso noma uphawu okungavumelekile ngoMthetho wokuHlelwa kwamaDolobha nanoma yimuphi omunye umthetho.
  - (g) Noma yimuphi umkhangiso noma uphawu olungafakiwe ngokuhambisana nale Mithethodolobha noma ngokungahambisani nemicikilisho evunye nguMkhandlu weDolobha, noma nemibandela ebekwe nguMkhandlu kuleyo mvume.
  - (h) Noma yimuphi umkhangiso noma uphawu okungathikameza noma yikuphi ukuhamba kwezithuthi noma uphawu lomgwaqo, noma kungathikameza noma kudale ingozi ekuhambeni kwezithuthi, komkhumbi noma kwezindiza noma emphakathini nje wonkana.
  - (i) Noma yimuphi umkhangiso noma uphawu oluvimbela noma oluthikameza abashayeni ukuthi babone ngalokho kubeka engozini abashayeli kanjalo nabahamba ngezinyawo.
  - (j) Noma yiluphi uhlobo oluputshuka kungaba okwamaphosta noma ngokwanoma yiluphi uhlaka olukhona ngaphandle kwemvume kamasi-pala.

#### 11. Amandla okuzithathela izinqumo

- (1) UMkhandlu noma abaguyazwe yiwo bangazithathela izinqumo ngokuvuma noma ngokwenqaba izimpawu zokukhangisa ngokwezihlinzeko zale Mithethodolobha ezimweni ezilandelayo:
  - (a) Noma yimuphi umkhangiso osebhodini eliphathekayo obekwe endleleni yokuhamba abantu esitaladini.
  - (b) Noma yiziphi izithuthi ezikhangisayo kanye nezindawo zazo zokukhangisa.
  - (c) Imikhangiso noma izimpawu ezipendelwe noma ezinamathiselwe ngaphezu kwanoma yiliphi ifasitela ngaphandle kwefasitela lokukhangisa.
  - (d) Imikhangiso noma izimpawu phezu kwekhanophi noma kukavulandi.
  - (e) Imikhangiso ependelwe kokokufulela noma ebekwe noma egxunyekwe njengophawu lwasemoyeni kunoma iyiphi indawo ngaphandle kweyezimboni noma echwebeni.
  - (f) Imikhangiso noma izimpawu ezibekwe noma ezigxenyekwe kunoma iyiphi indawo ngaphandle kwendawo yezimboni noma yamabhizinisi.
  - (g) Imikhangiso noma izimpawu ezenziwe ngempahla ethile uMkhandlu ongayiboni ifanelekile.
  - (h) Amabhena namafulagi okunamathiselwe epalini lokufaka ifulegi njengophawu lwaphansi noma olunamathiselwe esakhiweni noma ohlakeni.
  - (i) Noma yiziphi izimpawu zokukhangisa kude noma zezinhlango ezingenzi nzuzo.
  - (j) Noma yimiphi imikhangiso noma izimpawu ezingahambisani nezihlinzeko zale Mithethodolobha.

#### 12. Izimpawu ezisendaweni yoMkhandlu kanye nemikhangiso yesikhashana

Imikhangiso yesikhashana kanye nezimpawu okusendaweni yoMkhandlu ziyovunywa nguMkhandlu njengoba kubekiwe kule Mithethodolobha. Ukukhangisa unomphela kanye nokufakwa kwezimpawu endaweni yoMkhandlu njengempahla yasesitaladini, izimpawu zamagama emigwaqo, imigqomo kadoti, imipheme yezitobhi, imikhangiso yomphakathi kanye nanoma yimiphi imikhangiso eqhelile kweyame emvumeni ethile yoMkhandlu kanye nasenqubeni yamathenda. UMkhandlu uyophoqeleka ukubeka futhi uvume imicikilisho kanye nendlela elindelekile yokusebenza kwalezi zimpawu ngaphambi kokukhipha izimemo.

##### (1) Amabhodi okukhangisa

- (a) Wonke umuntu ofisa ukubeka noma enze ukuthi kubekwe umkhangiso osebhodini lokukhangisa uyoletsa isicelo esibhaliwe eMkhandlwini ngendlela efanele futhi akhokhe imali enqunyiwe. Lezo zicelo ziyohambisana nombiko wokukhlola isimo semvelo lapho kusetshenziswa amabhodi okukhangisa angaphezu kwama-36 m<sup>2</sup> noma amancane ngokubona koMkhandlu.

- (b) Lolu hlobo lophawu luyovunyelwa kuphela ezindaweni ezisemadolobheni anokulawulwa okuncane noma aluwulwa ngezikhathi ngokubona koMkhandlu, weyame emvumeni ethile nombiko wokuhlola isimo semvelo njengoba kudingeka, oluyobandakanya okokubonisa nezokuphepha emgwaqeni.
- (c) Igama lomnikazi webhodi elinomkhangiso noma wophawu kumele libekwe ligqame kuwo wonke amabhodi kanye nenombolo evunye nguMkhandlu.
- (d) Noma yiliphi iBhodi lokukhangisa elibekwe kanjalo —
- liyohambisana nezidingo zomthetho weGatsha leMigwaqo kaZwelonke laseNingizimu Afrika noMthetho wokuHamba kweziMoto eMgwaqeni lapho kunesidingo;
  - liyohambisana nanoma yimuphi uMthetho kaZwelonke, wesiFundazwe noma woHulumeni baseKhaya kanye nezinqubomigomo, kubandakanya nale Mithethodolobha kanye nenqubomigomo yoMkhandlu yokukhangisa ngaphandle;
  - angeke ligxunyekwe endaweni elawulwa ngokugwele, ngaphandle kokuhlola isimo semvelo kanye nokuhlanganyela komphakathi, uMkhandlu ukhetha ukuthi leyo ndawo, kweyame kuleyo mibandela njengoba ungayibeka, ingahlelwa kabusha njengendawo elawula ngokusendimeni, okungeke kuphinde kuxegiswe kunohlobo lwendawo eyakhelene nayo.
  - aliyukuba nabungozi emvelweni olwakhiwe kuyo ngenxa yobukhulu balo, noma yokusinda kokokulivikela noma yendlela elakhiwe ngayo;
  - angeke, kwelikuqukethe, libe nolimi oluhlambalazayo, olungahloniphekile kunoma yiliphi ilungu lomphakathi;
  - asiyokusitha nangayiphi indlela noma yiluphi uphawu oluvunyelwe olwalugxunyekwe phambilini nolufakwe ngokusemthethweni;
  - aliyukudala ubungozi kunoma yimuphi umuntu noma indawo;
  - angeke lwenabele ngaphezu komngcele wendawo eligxunyekwe kuyona;
  - angeke lugxunyekwe uma uMkhandlu ubona ukuthi luzoba yisiphazamiso kubashayeli, kwabahamba ngamabhayisikili noma kwabahamba ngezinyawo okungadala izimo ezingaphephile emgwaqeni.

(e) Ukubekwa kwamabhodi okukhangisa —

- kuyohlukaniswa ngamamitha ayi-120 noma angama-250 eceleni komgwaqo abhekiswe kuwo lapho ijubane elivumelekile kungamakhilomitha angama-60, angama-80 noma ayi-100 ngehora ngokwahlukahluhana;
- angeke kube semamitheni ayi-100 ukusuka emarempini emigwaqo yomphakathi naphezu kwerobhothi;
- akuyovunyelwa emamitheni ayi-100 ukusuka kwimpambanamgwaqo kunoma yimuphi umgwaqo ongumxhantela nasendaweni engamamitha angama-50 ukusuka phakathi kwimpambanamgwaqo yanoma yimuphi umgwaqo ongaphithizeli;
- akuyukuba ngaphezu kwamamitha ayi-12 ubude ngaphezu komgwaqo elibhekiswe kulo;
- akuyukuba ngaphezu kwama-54 m<sup>2</sup> uma kuyizimpawu zasodongeni;
- akuyukuba njengemibala egqamile, umbala obomvu noma ophuzi noma oluhlaza uma lifakwe kwizimpambanamgwaqo ezinezipawu futhi angeke lithikameze noma yiluphi uphawu lomgwaqo;
- angeke lithikameze ukuphepha emgwaqeni noma lithikameze noma livikelwe uma lesi sivikelo, ngokubona koMkhandlu, singadala ingozi emgwaqeni noma sidale ukuthikamezeka;
- kuyokikelelwa ukuthi ukuhamba kwezithuthi emgwaqeni akuthikamezeki ngokufakwa kwalo nokuwalungisa emigwaqeni yomphakathi, ngaphandle uma kutholakale imvume ngaphambilini eMkhandlwni futhi kuthathwe nezinyathelo ezifanele futhi kwenziwa namalungiselelo;
- lapho kunezipawu ezifakwa odongeni, ziyofakwa kuphela eceleni nasemuva kwezindonga zebhilidi ezingawufezi umsebenzi wesitaladi noma wengaphambili lebhilidi.

(2) Izimpawu ezimbelwe phansi

- Luyoba lunye kuphela uphawu okuyovunywa ukuthi lufakwe ezakhiweni kungaba yilapho lolo phawu ludingeka khona ukukhombisa indawo yokungena noma yokuphuma ezakhiweni zebhizinisi; noma lapho kungeke kwafakwa izimpawu ezifanele ebhilidini; noma lapho izakhiwo zakhiwe endaweni engenhle okwenza ukuthi izimpawu zingabonakali; noma lapho ukuba khona kophawu oluzimele kungavimbela ukwandiswa kwezimpawu.
- Izimpawu ezimbelwe phansi ezifakwe ezakhiweni njengezimpawu zebhizinisi kanye nezinhlobo zombhoshongo aakumele zibe ngaphezu kwama-7,5 m ubude sebuhlangene kanye nama-6 m<sup>2</sup> ubukhulu. Ngaphezu kwalokho, akumele kweqe kuma-4,5 m<sup>2</sup> ubukhulu maqondana nanoma yimuphi umkhangiso okhona futhi ungabi ngaphansi kwama-2,4 m ubude. Lapho kusetshenziswe uhlobo oluqine kakhulu, ubukhulu bendawo yophawu ngalunye kunganyuswa kube ngama-12 m<sup>2</sup>. Uphawu olulodwa kuphela noma iphaneli yokukhangisa ophawini oluxubile oluyovunyelwa lwenkampani ethile ekungeneni kwesitaladi ngasinye.
- Uphawu olusemoyeni kodwa olumbelwe phansi olungewoma ama-7,5 m ngaphezu komhlaba noma kunini nobukhulu balo obungeqi ema-6 m nasema-3 m ubude, ubukhulu obungama-18 m<sup>2</sup>, kuyothathwa ngokuthi ubukhulu obufanele: Inqobo nje uma uphawu olukhulu aluyukufakwa ngaphandle, uma ngokubona koMkhandlu, lolo phawu noma kuthathwa ngokuthi lugxunyekwe noma lufakwe endaweni efanele.
- Zonke izimpawu ezixunyekwe epalini elilodwa ziyokwakhiwa ngendlela yokuthi ubude bokusekele abubude kodwa buhambisana nobukhulu bophawu.
- Kuyovunyelwa izimpawu ezimbili kuphela esixotsheni esikhulu embhoshongweni, ebhulohweni noma esixotsheni ngasinye. Ubukhulu bophawu ngalunye olufakwe embhoshongweni akumele seke ama-36 m<sup>2</sup>. Uphawu kumele lube sohlakeni futhi akumele kube khona okuphumele ngaphandle noma okwenabele kwenye indawo.
- Zonke izimpawu ezimbelwe phansi noma ezifakwe embhoshongweni, emabhulohweni noma ezixotsheni ezinkulu ziyosekelwa ngazinye futhi zivikelwe yisisekelo esifanele futhi angeke zifakwe zizindophi, izinsika, okukuzimelela, kane nokunye kokusekela noma zizisekele futhi zinganciki ohlakeni olukhona nangayiphi indlela.

(3) Izimpawu ezinamathiselwe odongeni

(a) Izimpawu eziyisicaba

- Ngaphandle uma kubekwe ngenyene indlela, izimpawu eziyisicaba, angeke nanini, zenabele kwenye indawo ngokungaphezu kwamamilimitha angama-300 odongeni ezifakwe kulona. Uphawu olufakwe odongeni lungenabele kwenye indawo ngokungaphezu kwamamilimitha ayi-100 lapho ingaphansi lalolo phawu luyoba ngaphansi kwamamitha ama-2,4 kusukela endleleni yezinyawo ngaphansi kwalo kanti ukwenaba okukhulu obuyovunywa kuyoba ngamamilimitha angama-300 lapho ingaphansi lalolo phawu lingaphezu kwama- 2,4 m ngaphezu kwaleyo ndlela yezinyawo noma komhlaba.
- Izimpawu eziyisicaba kuyovunyelwa ukuthi zifakwe ngaphambili, eceleni noma emuva kwezindonga zebhilidi; izimpawu ezise-moyeni eziyisicaba kuyovunyelwa kuphela ukuthi zifakwe eceleni noma ngemuva ezindongeni zamabhilidi ezingawufezi umsebenzi wengaphambili lesakhiwo kanye nasezindongeni zomngcele wesiza sokwakha nasocingweni.

- (iii) Angeke kuvunyelwe izimpawu ezimbili eziyisicaba zaphansi zenkampani eyodwa futhi angeke kuvunyelwe izimpawu ezimbili eziyisicaba zasemoyeni.
- (iv) Izimpawu eziyisicaba angeke zivale amafasitela nanoma iyiphi enye intuba yebhilidi noma zithikameze ukubona kulezo zintuba.
- (v) Izimpawu eziyisicaba angeke zibe ngaphezu kwama-54 m<sup>2</sup> ubukhulu futhi angeke zibe ngaphezu kwama-30 % ubukhulu bodonga ezifakwe, ezinamathiselwe noma ezipendelwe kulona sebhlanganisiwe, noma ngabe yikuphi okuncane, inqobo nje uma endaweni esedolobheni ezilawulwa ngokugcwele izimpawu aziykeqqa ama-20 % obukhulu bodonga.
- (vi) Ukuhlolwa kwesimo sezemvelo kuyodingeka kuzo zonke izimpawu ezingaphezu kwama-36 m<sup>2</sup>.
- (b) Izimpawu ezenabela kwezinye izindawo
  - (i) Ubude bophawu olwenabayo buyoba ngaphezulu ngama-2,4 m.
  - (ii) Izimpawu ezenabela kwezinye izindawo ziyoba ngama-300 mm ukuba wugqinsi.
  - (iii) Izimpawu ezenabela kwezinye izindawo angeke zivunyelwe ukuthi zenabele ema-600 mm onqenqema lomgwaqo.
  - (iv) Ukwenaba okuvumelekile kuyoba ngama-1,5 m lapho uphawu olwenabayo lungaphezulu kwama-7,5 m; kube yi-1 m lapho ubude bophawu bungama-7,5 m.
  - (v) Izimpawu ezenabayo ziyofakwa zithi mpo ekungeneni komgwaqo noma endelelni eqhamuka izithuthi.
  - (vi) Zonke izimpawu ezenabayo ziyoba phansi.
- (4) **Izimpawu ezisophahleni**
  - (a) Ubukhulu obuvunyiwe bezimpawu ezisophahleni buyoba ngama-18 m<sup>2</sup> ezakhiweni ezinx ntathu: Inqobo nje uma kuyovunyelwa uphawu olulodwa ebhilidini ngalinye.
  - (b) Izimpawu ezisophahleni angeke zenabele ngaphambi kodonga lwesakhiwo ukuze zanabele ngale kophahla lwaleso sakhiwo kunoma yimuphi umkhondo.
  - (c) Izimpawu zasophahleni angeke zithikameze ukubona noma inhlalakahle yanoma yiliphi elinye ibhilidi.
  - (d) Izimpawu zasophahleni ziyobekwa ngendlela yokuthi azithikamezi ukugeleza kwamanzi emvula ophahleni lwebhilidi.
  - (e) Izimpawu zasophahleni ziyovikelwa futhi ziqiniselwe abhilidini ezifakwe kulo futhi zonke izinhla ziyosatshalaliswa kuwo wonke amalungu ayizinhla zebhilidi ngaphandle kokusetshenziswa kwezindophi, nezinye izinto zokusekela.
  - (f) Uphawu lwasophahleni, kubandakanya okokwesela ibhlidi, kuyokwakhiwa ngempahla engenakuqhuma idale umlilo evunye nguMkhandlu noma abagunyazwe yiwo futhi uma
  - (g)
  - (h) ivikelwe, angeke ibekwe phezu kophahla lwanoma yiliphi ibhlidi ngaphandle kokuthi lolo phawu, kanye nokwakhiwa kwalo konkana, kwenziwe ngempahla engekudala umlilo.
- (5) **Izimpawu ezibekwa kovulandi, kwikhenophi nangaphansi kwetende**
  - (a) Izimpawu zinganamathiselwa noma zipendelwe othangweni lokuvikela, epalini lokuvikela lesitezi noma lukavulandi, lwebhalikhoni, kanye nogongolo lukavulandi noma lwebhalkhoni. Lezo zimpawu angeke zeqe imitha ngobude, zenabele kwanoma iyiphi enye indawo ezinamathiselwe kuyo, noma zenabe ngaphezu kwama-300 mm ngaphambi kwendawo ezinamathiselwe kuyo noma zenabele ema-600 mm onqenqema lomgwaqo.
  - (b) Izimpawu zinganamathiselwa noma zipendelwe ezikhaleni ezisekele noma emapalini. Lezo zimpawu angeke zenabe ngaphezu kwama-500 mm ngaphambi kwalapho zinamathiselwa khona futhi angeke zenabele ngale kwanoma yisiphi isikhala noma kwepali. Uphawu olunamathiselwe lwayisicaba ohlakeni olusasilinda luyogitshiswa luhambisane nokuma kwalolo hlaka futhi uphawu olulodwa kuphela oluvunyelwa esikhaleni ngasinye noma ohlakeni.
  - (c) Kweyame ezihlinzekweni zezigatshana (a) no (b), izimpawu angeke zivunyelwe phezu kwamapulani ezakhiwo futhi angeke zivunyelwe ukuthi zemboze noma yiliphi ifasitela noma zithikameze ukubona kuleyo ntuba.
  - (d) Izimpawu ezingaphansi kwampheme kavulandi noma wekhenophi ziyoba yi-1 m<sup>2</sup> ubukhulu kuthi ubukhulu obuvunyelwe bube ngama-2 m<sup>2</sup> kanti ubude bophawu angeke beqe emamitheni ayi-8 noma ema-600 mm. Ubugqinsi okuvumelekile balezo zimpawu buphakathi kwamamilimita ayi-100 kuya kwangama-300. Lolo phawu ngalunye luyoma luthi mpo emugqeni webhilidi futhi lunamathiselwe endaweni engubude obungama-2,4 m. Uphawu olulodwa kuphela lwenkampani oluyovunyelwa endaweni engama-3 m phakathi kwezimpawu. Lezo zimpawu angeke zenabele ngale kwezionqenqemeni lwekhenophi noma lukavulandi ezinamathiselwe kulona.
  - (e) Izimpawu ezisophahleni lwavulandi, lwekhenophi noma lwebhalkhoni, kungabandakanyi uphahla olukhulu lwesakhiwo, luyokwakhiwa wumugqa owodwa ozimele, onqamula amalogo noma izinhlamvu zamagama ngaphandle kokusimamisa okubonakalayo. Izimpawu ziyobekwa phezu kophahla lukavulandi lapho lowo vulandi ungenalo udonga olukahle, okokubambelela uphawu olunganamathiselwa kukona. Zonke izimpawu angeke zenabele ngale kophahla lukavulandi, lwekhenophi noma lwebhalkhoni futhi kuyofakwa uphawu olulodwa lwenkampani ngayinye.
  - (f) Okokuvikela isimo sezulu noma umpheme kuyokwenziwa kunamathiselwe ukuze kungehliswa kube ngaphansi kwamamitha amabilil ngaphezu kwendlela yezinyawo okungaphansi kwayo. Lolo phawu luyogondana nomugqa webhilidi futhi kuyobekwa ngendlela yokuthi kungaphazamisi ukuhamba kwezithuthi nokwabantu, amarobhothi kanye nezimpawu zomgwaqo noma yingayiphi indlela.
  - (g) Izimpawu ezseduze nezakhiwo ziyogondaniswa ukuze zakhe umugqa oqondile.
- (6) **Amaphosta, amabhena kanye namafulagi**
  - (a) Wonke umuntu onenhloso yokubeka noma yimuphi umkhangiso ophathelene nokhetho noma umkhangiso ophathelene nanoma yimuphi umhlangano, umcimbi wezemidlalo, wokugubha ezamasiko, wezemfundo, wezenkolo, wezepolitiki nanoma yini enye ethi ayibe njalo kunoma yisiphi isitaladi somphakathi.
  - (b) Zonke izicelo zemvume ziyokwenziwa ngendlela enqunyiwe futhi ziyophelezela yimali enqunyiwe kanye nediphozi njengoba kubhaliwe oHlelweni lweziMali zeziMpawu zokuKhangisa (uHlelo A); leyo diphozi iyobuyiselwa kumnikazi uma yonke imikhangiso isisusiwe ngendlela egculisa uMkhandlu. Umfakisicelo, ekufakeni isicelo, uyoletsa amaphosta aphaathelene nomkhangiso kanye neminingwane ebhaliwe yezitaladi amaphosta azobekwa kuzona.
  - (c) Noma yimuphi umuntu obeka noma odala ukuthi iphosta, ibhena noma ifulegi libekwe uyohambisana nalokhu okulandelayo okubekwe nguMkhandlu:
    - (i) Nomayimuphi umkhangiso ophathelene nokhetho, nomhlangano noma nomcimbi uyoba ngamamilimita angama-600 ubude x angama-450 ububanzi; ubude bawo buyoba ngamamitha amabili (2 m); futhi uyofakwa uqine ebhidini eliqinile nakunoma yiliphi elinye ibhodi elingemuva.
    - (ii) Uma kungamabhena noma amafulegi, ubukhulu buyoba ngama-3 m<sup>2</sup>, ayofakwa emapalini angenahumuzeka nanoma yiluphi uhla-ka oluvumelekile; futhi ayobekwa afaswe ngendlela yokuthi angabi nobungozi ezithuthini, kwabahamba ngezinyawo, kubantu noma ezakhiweni kunoma yisiphi isitaladi, endaweni yomphakathi noma endaweni yoMkhandlu.

- (iii) Noma yimuphi umuntu, lapho kufakwa umkhangiso wokhetho, iqembu lezopolitiki ngalinye elibeka noma iyiphi iphosta yokukhangisa ephathelene nomhlangano ofanayo, noma nomcimbi uyovunyelwa ukufaka iphosta eyodwa esigxitshehi sikagesi. Akukho maphosta ayovunyelwa ukuthi afakwe emabulohweni, emarobhothini, ezimpawini zomgwaqo, kwezemvelo, emigwaqeni enguthelawayeka nasemizileni kazwelonke.
  - (iv) Noma yimuphi umkhangiso ophathelene nokhetho, nomhlangano noma nomcimbi angeke ubekwe ngendlela yokuthi okuqukethwe yimikhangiso ehlukene uma ifundwa ngokulandelayo, yenze umzekelo.
  - (v) Noma yimuphi umkhangiso ophathelene nokhetho, nomhlangano noma nomcimbi ngaphandle komgidi wokhetho, angekek ubekwe isikhathi esingaphezu kwezinsuku eziyishumi nane (14) ngaphambi kosuku ozoqala ngalo noma izinyanga ezintathu emva kosuku ophela ngalo. Imikhangiso yokhetho ingabekwa kusukela ekuqaleni kosuku lokumenyenzelwa kokhetho kuzu kube wusuku lwesithathu emva kokhetho.
  - (vi) Isibalo esihlangene samaphosta abekwa ngasikhathi siye aphaathelene nanoma yimuphi umhlangano, umcimbi noma umgidi akumele abe ngaphezu kwekhulu (100), ngaphandle uma ezimeni ezithile nangemvume yoMkhandlu. Uma kuyimikhangiso yokhetho, akukho mkhawulo oyobekwa esibalweni samaphosta afakwayo.
  - (vii) Noma yimuphi umkhangiso ophathelene nokhetho uyokwenziwa ngesivumelwano phakathi kweKhomishana eziMele yoKhetho kanye neqembu lezopolitiki elithintekayo.
  - (viii) Amabhena avunye ngokwalesi sigaba angeke abe ngaphezu kwama-6 m<sup>2</sup>.
  - (ix) Amaphosta endali avunye ngokwalesi sigaba angeke abe ngaphezu kwama-2 m<sup>2</sup>.
  - (x) Amabhena namafulegi angafakelwa izicelo njengemikhangiso ekhombisa indlela yokuhamba ezitaladini zasemadolobheni njengezindawo zokuthenga nezindawo okuhambeka kuzo noma zokukhangisa amagama kuphela, izimpawu zamabhezini kanye nohlobo lwezinkampani.
- (d) Yonke imikhangiso ekhishelwe imvume iyohlizelwa ngombhalo woMkhandlu eyobekwa ugqame okhombisa imvume yoMkhandlu futhi uMkhandlu uyoba nelungelo lokucina iphosta enjalo eyodwa ngezinhloso zokuhlondza.

**(7) Amabhodi abathengisa izindlu kanye namabhodi aphaathekayo**

- (a) Wonke umthengisi wezindlu noma umuntu ofisa ukubeka noma yiliphi ibhodi eliphathekayo, njalo ngonyaka uyoletsa isicelo esibhaliwe eMkhandlwini futhi akhokhe imali enqunye ukuze athole imvume yesibalo samabhodi aphaathekayo abalulwe kuleso sicelo.
- (b) Noma yimuphi umuntu obeka lelo bhodi eliphathekayo kunoma iyiphi indawo yoMkhandlu ngaphandle kokuvimba emgwaqeni, ngaphandle kokunikezwa imvume yokukhangisa endaweni yoMkhandlu, uyohambisana nalokhu okulandelayo okudingwa nguMkhandlu:
  - (i) Amabhodi aphaathekayo kuyomele asetshenziswe kuphela ngezinhloso zokukhombisa indlela eya ezindaweni noma ezakhiweni ezizothengiswa noma ezizokhangiswa.
  - (ii) Amabhodi aphaathekayo kumele abe nohlaka nobukhulu okufanele, okungeqile kuma-600 m<sup>2</sup>, futhi isibalo samabhodi abekiwe uma sesihlangene, ngokubona koMkhandlu angeke sithikameze intuba yokuphumela emgwaqeni noma imvelo.
  - (iii) Kweyame kwizihlinzeko zoMthetho wokuHamba kweziThuthi eMgwaqeni kanye neminye imithetho ehambisana nawo, amabhodi aphaathekayo akumele abekwe ema-1.8 m eduze nonqenqema lomgwaqo, futhi abekwe maphezulu ukuze iphansi lebhodi aleqi ama-600 mm ngaphezu komhlaba.
  - (iv) Amabhodi aphaathekayo akumele abekwe eduze kwama-10 m ukusuka kunoma iyiphi impambanamgwaqo, indawo yokungena noma yokuphuma emgwaqeni onemizila emibili noma onguthelwayeka njengoba kuchazwe eMthethweni wokuHamba kweziThuthi eMgwaqeni naoma yimuphi omunye uMthetho.
  - (v) Amabhodi aphaathekayo akumele abekwe ngendlela yokuthi avimbe ukubona noma yiluphi uphawu lomgwaqo noma uphawu olunegama lesitaladi kunoma iyiphi ingxenye yomgwaqo njengoba kuchazwe eMthethweni wokuHamba kweziThuthi eMgwaqeni nanoma yimuphi omunye uMthetho.
  - (vi) Amabhodi aphaathekayo akumele abekwe ngendlela yokuthi avimbe noma athikameze abantu abahamba ngezinyawo ukuthi bahambe endleleni noma abantu abathengisa esitaladini.
  - (vii) Ukubekwa kwebhodi eliphathekayo lezindlu ezikhangiswayo kuyovunyelwa kuphela ngeMigqibelo, ngamaSonto nangamaholide omphakathi. Amanye amabhodi aphaathekayo avunyelwe imisebenzi yokukhangisa angabekwa kuphela ngamahora ajwayelekile okuhweba, emva kwalokho ayosuswa.
  - (viii) Bhodi eliphathekayo elilodwa lenkampani eliyovunyelwa esitaladini ngasinye ukukhangisa mimisebenzi futhi lezo zimpawu ziyobekwa ngqo phambi kwezakhiwo zokhangisayo.
  - (ix) Abafakizicelo kuyodingeka ukuthi bakhokhele uMkhandlu ngaphambilini ngenoma yiziphi izindleko ezingavela ekufakeni lezo zimpawu emgwaqeni noma endaweni yoMkhandlu futhi kuyodingeka ukuthi bakhokhele iqembu lesithathu ngenhloso yokuthola nomshwalense.

**(8) Imikhangiso yasemoyeni**

- (a) Wonke umuntu ofisa ukukhangisa emoyeni, ngaphandle kokusebenzisa ibhanoyi, uyofaka isicelo esibhaliwe eMkhandlwini ngendlela enqunye futhi akhokhe imali efanele futhi leso sicelo siyophelezela —
  - (i) yimininingwane yobukhulu bomkhangiso wasemoyeni kanye nendlela umkhangiso ozobekwa ngayo kanjalo nokuzosetshenziswa kanye nendlela yokwakha neyokuwusekela;
  - (ii) imininingwane yendawo ozobekwa kuyo kanye nencazelo yezakhiwo lapho okokubhabhisa emoyeni kuzogxunyekwa khona kanye nemininingwane yezigxobo zikagesi nezeyocingo kanye namakhebula nezinye izinhloso ezisemamitheni angama-30 ukusuka kuleyo ndawo;
  - (iii) igama nekheli komuntu noma kwenkontileka efaka lowo mkhangiso kanye negama nekheli komuntu ogunyaziwe oqaphe okukubhabhisa umkhangiso kanye nokomnikazi wawo;
  - (iv) isikhathi umkhangiso ozosihlala ubekiwe;
  - (v) lapho umfakisicelo kungeyena umnikazi wezakhiwo okugxunyekwa kuzo okokubhabhisa umkhangiso, imvume ebhaliwe yomnikazi iyodingeka mayelana nalokho;
  - (vi) ubufakazi bokuhlizelwa kwesifutho esizisebenzela ngokwaso;
  - (vii) ukuvikeleka okwanele komphakathi ngendlela egculisa uMkhandlu;
  - (viii) imvume kanye nanoma yimiphi eminye imibandela nezidingo okunqunye yi-National Civil Aviation Authority.
- (b) Akukho mkhangiso wasemoyeni oyobekwa, phezu kwendawo yoMkhandlu, kubandakanya nanoma yisiphi isitaladi noma indawo yomphakathi, ngaphandle kokuthi kutholakake imvume yoMkhandlu ongabeka noma yimiphi imibandela njengoba ubona kufanele.

**(9) Izithuthi zokukhangisa**

- (a) Wonke umuntu ofisa ukubeka noma yimuphi umkhangiso esithuthini sokukhangisa njalo ngonyaka uyolethe eMkhandlwini isicelo esibhaliwe futhi akhokhe imali enqunyiwe, futhi leso sicelo siyophelezela —
  - (i) yimininingwane yempahla uphawu lokukhangisa olwakhiwe ngayo, ubukhulu balo kanye nendlela ukwakhiwa kwalo esekelwe ngayo esithuthini sokukhangisa;
  - (ii) igama, ikheli nenombolo yocingo yomnikazi wesithuthi, uma umnikazi ehlala noma enendawo yokuqhubela ibhizinisi ngaphandle kwemingcele yoMkhandlu, komuntu olawula isithuthi ngaso sonke isikhathi; kanye
  - (iii) nekhophi yelayisense ekhishelwe leso sithuthi kanjalo namaphepha okubhalisa ngokoMthetho wokuHamba kweziThuthi eMgwaqeni.
- (b) Akukho sithuthi sokukhangisa esiyobekwa endaweni ezimele noma yoMkhandlu, kubandakanya indawo ebekelwe ukupaka, endaweni yomphakathi noma endaweni eseceleni komgwaqo —
  - (i) ngaphandle uma kutholakele imvume ebhaliwe ngaphambilini eMkhandlwini ngokwale Mithethodolobha futhi neziza zokukhangisa sezivunyiwe nguMkhandlu ngokwale Mithethodolobha; futhi
  - (ii) inqobo nje uma, kungekho ziza ezibekiwe ezivunyiwe, isithuthi sokukhangisa siyovunyelwa ukuthi sibekwe uma zihamba ngaso sonke isikhathi futhi ziyohambisana nomthetho kanye nemibandela okubekwe nguMkhandlu.
- (c) Izithuthi zokukhangisa ezipakwe endaweni ezimele ngenhloso yokugcinwa ziyobekwa ngendlela yokuthi zingabonakali esitaladini noma endaweni yomphakathi.
- (d) Iphaneli yokukhangisa noma ingxenye yesithuthi esisetshenzisela ukukhangisa angeke seque ama-6 m<sup>2</sup> uma seyihlanganisiwe.
- (e) Naphezu kwezihlinzeko zale Mithethodolobha, uMkhandlu noma iziphathimandla ezigunyazwe yiwo, ngaphandle kokhipha isaziso, bayosusa imoto yokukhangisa endaweni yoMkhandlu, lapho kunesithuthi sokukhangisa esingagunyaziwe endaweni ezimele, uMkhandlu ungakhapha isaziso esinxusa ukususwa kwaso ngokushesha.
- (f) Ngaphandle uma isithuthi sokukhangisa sivalalelwe nguMkhandlu ngokwendima (e) isilandiwe esikhathini esiyizinyanga ezintathu kusukela ngosuku lokuphuma kwesaziso, leso sithuthi siyodayiswa nguMkhandlu ukuze ukhokhe noma yiziphi izindleko ezikhona. Izithuthi zokukhangisa ezivalalelwe ziyokhulwa nguMkhandlu kuphela emva kokuba zonke izimali noma izinhlawulo sezikhokhwe ngokugcwele futhi namaphepha okubhalisela ilayisense eselethiwe ukuze aqinisekise.

**13. Izingathekiso**

- (1) Uma noma yimuphi umuntu ethwese icala ngokwale Mithethodolobha, kuyothathwa ngokuthi —

- (a) noma yimuphi umuntu obeka noma yimuphi umkhangiso noma uphawu, noma ngabe lowo muntu ungumfakisicelo, umnikazi noma umhlali kulezo zakhiwo, umkhiqizi wanoma iyiphi ingxenye yohlaka lophawu noma umnikazi womsebenzi lowo mkhangiso ophathelelene nawo kanye nanoma yimaphi ama-ajenti, kuyothathwa ngokuthi abeke, noma enze ukuthi kubekwe, avumele lowo mkhangiso noma lolo phawu ukuthi kubekwe kuze kube kutholakala ubufakazi obehlukile kunalokho;
- (b) noma yimuphi umuntu, iqembu, umgwamanda noma iqembu lezepolitiki elihlela, elixhasa, eligqogquzela noma elilawula noma yimuphi umhlangothi, umcimbi noma umgidi lolo phawu, phosta, lowo mkhangiso wokhetho noma wasemoyeni okuphathelelene nawo, kuyothathwa ngokuthi libeke, lenze ukuthi kubekwe noma livumele ukuthi kubekwe lowo mkhangiso noma lolo phawu ukuthi kubekwe kuze kube kutholakala ubufakazi obehlukile kunalokho;
- (c) noma yimuphi umuntu igama lakhe elivela emkhangisweni noma ophawini noma umkhiqizo wakhe noma imisebenzi ekhangiswe kulolo phawu kuyothathwa ngokuthi libeke, lenze ukuthi kubekwe noma livumele ukuthi kubekwe lowo mkhangiso noma lolo phawu ukuthi kubekwe kuze kube kutholakala ubufakazi obehlukile kunalokho;
- (d) umkhangiso obekwe odongeni olungaphandle noma ocingweni oluyingxenye yomngcele wanoma yiziphi izakhiwo nangaphambi kwanoma yisiphi isitaladi noma wendawo yomphakathi kuyothathwa ngokuthi ubekwe esitaladini noma endaweni yomphakathi;
- (e) lapho noma yisiphi isaziso noma omunye umbhalo udingeka ngokwale Mithethodolobha ukuba sinikezwe noma yimuphi umuntu, kuyothathwa ngokuthi sikhishwe ngeendlela efanele, ezinsukwini ezinhlanu (5) zokusebenza sikhishiwe, uma silethwe ngesandla kuyena noma kunoma yiliphi ilungu lomndeni wakhe elineminyaka engaphezu eyishumi nesithupha, nanoma yimuphi umuntu amqashile ebhizinisini lakhe, noma uma sithunyelwe ngeposi elirejistiwe ekheliini lapho ehlala khona noma lapho esebenza khona njengoba kuvela kumarekhodi oMkhandlu, noma uma lowo muntu kuyinkampani noma ithrasti, uma sinikezwe nanoma yimuphi umuntu oqashwe yileyo nkampani noma ithrasti ehhovisi layo elibhalisiwe, noma uma sithunyelwe ngeposi elirejistiwe kulelo hhovisi;
- (f) noma yimuphi umkhangiso noma uphawu olufakwe ngokusemthethweni ngaphambi kosuku lokushicilelwa kwale Mithethodolobha kuyothathwa ngokuthi ufakwe ngokusemthethweni ngokwale Mithethodolobha, inqobo nje uma ulokhu ufakwe endaweni eyodwa ngaphandle kokuwushintshashintsha ngaphandle koshintsho olungatheni oluvunywe ngokubhaliwe nguMkhandlu;
- (g) noma yini eyenziwa ngaphansi noma ngokwanoma yiziphi izihlinzeko ezichithwa yile Mithethodolobha kuyothathwa ngokuthi yenziwe ngaphansi kwezihlinzeko ezihambisanayo zale Mithethodolobha futhi lokho kuchithwa angeke kuthikameze ukuba semthethweni kwanoma yini eyenziwe ngaphansi kweMithethodolobha echithiwe kanjalo. Noma yisiphi isicelo esifakwe nesisacutshungulwa nguMkhandlu ngesikhathi sokuqalisa kwenqubomgomo noma kokumenyezelwa kwale Mithethodolobha, iyocutshungulwa ngokwale Mithethodolobha.

**14. Ukonga maqondana nezimpawu ezikhona**

Lezi zihlinzeko ezilandelayo ziyosebenza maqondana nezimpawu ezikhona ezifakwe ngokusemthethweni ngosuku lokushicilelwa kwale Mithethodolobha:

- (1) Uma noma yiluphi uphawu luhambisana nezihlinzeko zale Mithethodolobha lezo zimpawu zingaqhubeka zibekwe, kweyame kwizihlinzeko zale Mithethodolobha futhi luyothathwa njengophawu oluvunywe nguMkhandlu ngokwale Mithethodolobha.
- (2) Uma lolo phawu lungahambisani nezihlinzeko zale Mithethodolobha lolo phawu lungaqhubeka lubekwe, ngaphandle uma izihlinzeko zale Mithethodolobha zisho okwehlukile: Inqobo nje uma —
  - (a) uma uphawu kunguphawu okusebenza kulo izihlinzeko zesigaba 8 sale Mithethodolobha, uMkhandlu, ngaphandle kokuhoxisa ilungelo lawo lokususwa kwalolo phawu, ngesaziso esibhaliwe ungacela umuntu olawula lolo phawu, ukuthi ashintshe noma alungise uphawu esikhathini esiyizinsuku ezingama-90 kusukela ngosuku lokuthola leso sazi, noma leso sikhathi eseluliwe njengoba uMkhandlu ungabalula, ukuze lwenziwe ukuthi luhambisane nale Mithethodolobha. Noma yimuphi umuntu owehluleka ukuhambisana naleso sazi, uyothwesa icala;
  - (b) lolo phawu angeke lupendwe kabusha, lulungiswe noma lukhandwe, ngaphandle uma lwenziwa ngendlela ehambisana nezihlinzeko zale Mithethodolobha, futhi kutholakale imvume yoMkhandlu ngokwesigaba 2 sale Mithethodolobha. Noma yimuphi umuntu openda kabusha, olungisa noma okhanda lolo phawu ngokuphambana nezihlinzeko zale Mithethodolobha, uyothwesa icala;
  - (c) uMkhandlu, noma yingasiphi isikhathi emva kokuphela kwesikhathi esiyiminyaka emithathu kusukela ngosuku lokukhishwa kwale Mithethodolobha ngesaziso esibhaliwe, ingadinga ukuthi umuntu olawula lolo phawu (okungelona uphawu kulona okusebenza izihlinzeko zesigaba 8 sale Mithethodolobha), ashintshe noma alungise ukuze luhambisane nale mithethodolobha; noma, kuuthi asuse lolo

phawu, esikhathni esiyizinsuku ezingama-30 kusukela ngosuku lokuthola irisidi laleso sazisnoma leso sikhathi eseluliwe njengoba uMkhandlu ungabalula. Noma yimuphi umuntu owehluleka ukuhambisana naleso sazisno, uyothwesa icala.

- (3) Noma yiluphi uphawu olukhona olufakwe ngokungemthetho ngosuku lokukhishwa kwale Mithethodolobha luyosuswa ngumnikazi walo noma ngolulawulayo.

#### 15. Izinhlawulo

Noma yimuphi umuntu owephula noma yiziphi izihlinzeko zale Mithethodolobha uyothweswa icala futhi ekulahlweni yicala uyokhokha inhlawulo noma aboshwe isikhathi esingeqile ezinyangeni eziyisithupha noma kokubili lokho kuboshwa nokuhlawula.

#### 16. Ukulawulwa

\* Bheka uHlelo B.

#### 17. Ukusetshenziswa

UMkhandlu ngesaziso kwiGazethi yesiFundazwe, unganquma ukuthi izihlinzeko zale Mithethodolobha ingasetshenziswa kwezinye izindawo ezenganyelwe yiwo kusukela ngosuku olubalulwe kwisaziso.

#### 18. Ukuchithwa kweMithethodolobha

IMithethodolobha ephathelene nokuKhangisa ngaPhandle kaMasipala waseMngeni, ngalokhu iyachithwa kufakwa esikhundleni sayo le Mithethodolobha, eziqala ukusebenza ngosuku lokushicilelwa kwayo.

### UHLELO A

#### IZIMALI ZEZIPAWU ZOKUKHANGISA

Izimali zokufaka isicelo kanye nediphozi yelayisense noma yemvume yokukhangisa ngaphandle

Wonke umuntu ofaka isicelo eMkhandlwini sokuthola imvume yawo, ekufakeni isicelo, uyokhokhela uMkhandlu imali enqunyelwe lokho futhi akukho isicelo esiyocutshungulwa kuze kube leyo mali iyakhokhwa, izimali zibekiwe lapha ngezansi:

1. Imali engabuyiswa yokufakwa isicelo engama-R150,00 (amarandi ayikhulu namashumi amahlanu) kumele ikhokhwe nesicelo ngasinyesezinhlobo zezimpawu 2 (ezimbelwa phansi), 3 (ezasodongeni), 4 (ezifakwa ophahleni) kanye 5 (nezifakwa kovulandi, kumakhenophi nangaphansi kompheme). Noma yikuphi ukuchithiwe okungatheni kwesicelo, esithathwa yisiphathimandla esigunyaziwe soMkhandlu njengesichibiyelo esingatheni, singathethwa nemali yokufaka isicelo eyephuliwe engama-R50 sisinye (amarandi angamashumi amahlanu).
2. Imali engabuyiswa yokufakwa isicelo engama-R450 (amarandi angakhulu amane namashumi amahlanu) kumele ikhokhwe nesicelo ngasinye sohlobo lwezimpawu 1 (amabhodi amakhulu).
3. Imali yemvume ka 1 no 2 engama-R40,00 (amarandi angamashumi amane) i-m<sup>2</sup> sokubeka umkhangiso noma ingxenye yaso kanye nemali engama-R40,00 (amarandi angamashumi amane) isicelo nasinye.
4. Imali engabuyiswa yokufakwa isicelo engama-50,00 (amarandi angamashumi amahlanu) kumele ikhokhwe nesicelo ngasinye sohlobo lwezimpawu 6 (amaphosta, amabhena namafulegi).
5. Ekwamukelweni kwamaphosta, umfakisicelo kumele athenge izitika eMkhandlwini ezizogqama kuwo wonke amaphosta abekiwe kanje:
  - (a) Irandi (R1,00) isitika ngasinye elizokhokhelwa iphosta ngayinye ebekelwe izinkampani ezingenzi-nzuzo. La maphosta kumele aveze izinombolo zokuthola usizo lwezimali zemigwamanda noma kulethwe umthethosisekelo eMkhandlwini. Akukho mkhangiso wezohwebo noma amalogo abaxhasi okuyovunyelwa ukuthi kuvele kulawo maphosta.
  - (b) Amarandi amabili nesihlanu (R2,50) isitika ngasinye azokhokhelwa iphosta ngayinye ebekiwe yezenkolo, yezemidlalo, yezamasiko, yezepolitiki kanye neyeminye imigidi. Ipheleli eliphansi lomkhangiso wezohwebo kanye namalogo abaxhasi kuvumelekile ukuthi kuvele kulawo maphosta.
  - (c) Amarandi amahlanu (R5,00) isitika ngasinye azokhokhelwa iphosta ngayinye ebekiwe yemigidi ngokubona koMkhandlu noma yiziphathimandla ezigunyazwe yiwo njengengoyohlobo lokuhweba.
6. Imali engabuyiswa yokufakwa isicelo engama-R60,00 (amarandi angamashumi ayisithupha ngonyaka noma ingxenye yayo kumele ikhokhwe nesicelo saminyaka yonke sohlobo lwezimpawu 7 (amabhodi abathengisi bezindlu); isibalo samabhodi adingekayo noma yingasiphi isikhathi kumele sibalulwe kuleso sicelo.
7. Imali engabuyiswa yokufakwa isicelo engama-R50,00 (amarandi angamashumi amahlanu) kumele ikhokhwe nesicelo saminyaka yonke sohlobo lwezimpawu 7 (amabhodi aphahekayo nanoma yiluphi uhlobo olunokubhidlizwa).
8. Imali engabuyiswa yokufakwa isicelo engama-R200,00 (amarandi angamakhulu amabili) kumele ikhokhwe nesicelo ngasinye sohlobo 8 (imikhangiso yasemoyeni); umshwalense wokuvikela umphakathi wesikhathi sokubekwa komkhangiso kuyodinga inikezwe uMkhandlu.
9. Imali engabuyiswa yokufakwa isicelo engama-R1 200,00 (amarandi ayinkulungwane namakhulu amabili) ngonyaka noma ingxenye yayo kumele ikhokhwe nesicelo ngasinye saminyaka yonke sanoma yiluphi uphawu lohlobo 9 (izithuthi zokukhangisa); ikhophi eqinisekisiwe yelayisense yesithuthi nayo kudingeka ukuthi ilethwe.
10. Imali yokwenabela kwezinye izindawo engama-R45 i-square metre (m<sup>2</sup>) ekwamukelweni kwesicelo iyokhokhelwa uphawu ngalunye olwenabela endaweni yoMkhandlu.

**Qaphela:** Isikhathi sokusebenza kwemvume yazo zonke izimpawu siyonqunywa nguMkhandlu.

#### B. Izinhlawulo ngamacala nokususwa kwesizimpawu zokukhangisa ngokwezigaba 9 no 14

1. Ekulahlweni yicala lokuqala, isaphulamthetho siyokhokha inhlawulo noma siboshwe isikhathi esingeqile ezinyangeni ezintathu (3), noma kokubili lokho kuhlawuliswa nokuboshwa.
2. Uma engasaqili ukwephula umthetho, isaphulamthetho siyokhokhiswa enye inhlawulo engeqile ema-R100,00 (amarandi ayikhulu) usuku nosuku elephula ngalo umthetho.
3. Ekulahlweni yicala okwesibili noma okulandelayo, isaphulamthetho siyokhokhiswa inhlawulo noma siboshwe isikhathi ezingeqile ezinyangeni ezintathu (3).
4. Ngokubeka izimpawu zohlobo 6 (amaphosta, amabhena noma amafulegi) singagunyaziwe, isaphulamthetho siyokhokhiswa inhlawulo noma siboshwe isikhathi esingeqile ezinyangeni ezintathu (3).
5. Ngokubeka izimpawu zohlobo 7 (amabhodi abathengisi bezindlu, amabhodi aphahekayo nanoma yiluphi uhlobo olunokubhidlizwa) singagunyaziwe, isaphulamthetho siyokhokhiswa inhlawulo noma siboshwe isikhathi esingeqile ezinyangeni eziyisithupha (6).
6. Noma yimuphi umuntu owephula izigaba 9 no 14 uyokhokhiswa inhlawulo noma siboshwe isikhathi esingeqile ezinyangeni eziyisithupha (6), noma kokubili lokho kukhokhiswa inhlawulo nokuboshwa.

**Qaphela:** Noma yiluphi uphawu lokukhangisa olususwe noma oluthathwe kodwa lwangahlwa nguMkhandlu, ngenxa yokungahambisani nale

Mithethodolobha, lungabuye luthengwe ngumnikazi walo noma ngumfakisicelo ngemali elingana nezindleko ezidalwe ngukulisusa noma ukuligcina.

Phezu walokho, noma yiluphi uphawu olususiwe kodwa lwangaphinde lwathengwa kabusha ezinsukwini ezingamashumi ayisithupha (60) luthathiwe, noma emva kwezinyanga ezintathu (3) uma kunguphawo lohlobo 9 (ukukhangisa izithuthi), luyolahlwa nguMkhandlu ukuthola izindleko.

#### UHLELO B:

#### UKULAWULWA KWEZINDAWO: (ISIGABA 16)

Okukhulu		Okuphakathi		Okuncane
Indawo yezemvelo	Indawo yasemaphandleni	Indawo esedolobheni	Indawo esedolobheni	Indawo esedolobheni
Amapaki kazwelonke	Amapaki kamasipala	Idolobhakazi	Amabhizinisi amakhulu	Izindawo zezimboni
Iziqwi	Izindawo zokulima	Izinhlelo zezindawo	Izindawo zezohwebo	Izindawo zezimboni
Izindawo zezemvelo	Amapulazi amancane	ezivulelekile	namahhovisi ezindaweni	Imizila yezithuthi
Izindawo zamahlathi	asemaphandleni	Amapulazi amancane	zokuhlala	Izindawo zokuhamba
Imvelo	Izindawo ezivulelekile	asedolobheni	Izindawo zokuhweba	izithuthi
Izindawo ezingaso-	ezizimele	Zonke izindawo zokuhlala	ezisezindaweni zokuhlala	Izitobhi zezithuthi
lwandle	Izindawo ezivulelekile	Izindawo ezivulelekile	Imizila yezimboni	
Ugu lolwandle	zomphakathi	ezizimele	nemidweshu	
Izilwandle	Izindawo okulinywa kuzo	Izindawo ezivulelekile	Izifunda nezindawo	
Izindawo ezilinywa	kakhulu	zomphakathi	zokuthuthukisa	
kakhulu	Izindawo ezigqamile uma	Indawo yabahamba	ezikaqedisizungu	
Imizila egqamile	uhamba ngemoto	ngezinyawo	Izikhungo zezemfundo	
Izindawo ezigqamile	Imizila egqamile	Imakethe yabahamba	Izinkundla zezemidlalo	
Imifula	Izinto ezigqamile	ngezinyawo	Umasipala noma uhulumeni	
Izindawo ezivulelekile	Izindawo ezisamadolobha	Izinsizakusebenza	Izindawo ezisetshenziselwa	
ezinamakhaphozi	nezendabuko	zemiphakathi	izinto ezehlukahlukene	
		Okugqamile okuhle	Izindawo okwazi ukubona	
		Izintuba	kuzo emigwaqeni	
		Imifula	engothelawayeka	
		Izindawo ezinamakhaphozi	nasemigwaqeni	
		Izindawo zokongiwa	yasemadolobheni	
		kwemvelo		
		Izindawo ezinomlando		
		Izakhiwo nezindawo		
		ezinomlando		

No. 2, 2005

13 January 2005

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

#### UMNGENI LOCAL MUNICIPALITY

#### ADVERTISING SIGNS BY-LAWS

##### 1. DEFINITIONS

- (1) In the interpretation of these By-laws, the following words and expressions shall have the meanings respectively assigned to them hereunder, unless such meanings are repugnant to or inconsistent with the context in which they occur:

“advertisement” means any representation of a word, name, letter, figure or object or an abbreviation of a word or name, or any sign or symbol, or any light which is not intended solely for illumination or as a warning against any danger, which has its object the furthering of any industry, trade, business undertaking, event, or activity of whatever nature and which is visible from any street or public place;

“advertising signage structure” means any physical structure built to display advertising;

“advertising vehicle” means a vehicle which has been constructed or adapted for use primarily for the display of advertisements;

“aerial advertisement” means any advertisement displayed in the air by the use of a balloon, kite, inflatable object, aircraft or any other means;

“affix” includes to paint onto and “affixed” shall have a corresponding meaning;

“animated advertisement” means an electric advertisement that contains variable messages in which representation is made by the appearance of movement through an electric light source or beam;

“applicant” means the person/s by whom an application for permission to erect a sign or display an advertisement is made, which application shall be endorsed by the owner of the premises upon which such advertisement or sign is to be located;

“application” in relation to advertising sign/s may include all proposed advertising signs per business per site;

“appropriate” means that the dimensions, installation, materials, place and/or supports are, in the opinion of the Council, suitable for, and appropriate in, all circumstances of the case;

“approval” means approval by the Council or its delegated officials;

“banner sign” is a temporary or permanent sign painted or embossed on flexible material suspended by ropes or other means;

**"bill-sticking"** means an advertisement or poster pasted directly onto an existing surface which is not intended specifically for the display of a poster or advertisement;

**"building"** means any structure whatsoever with or without walls, having a roof or canopy and a normal means of ingress and egress thereunder, covering any area in excess of 5m<sup>2</sup> and having an internal height of more than 1,7m;

**"canopy"** means a rigid roof-like projection from the wall of a building;

**"cantilever"** means a projecting feature that is dependant for its support on the main structure of a building without independent vertical or other supports;

**"change of face"** means an alteration to the content of the advertisement displayed on an approved signage structure;

**"clear height"** in relation to a sign means the vertical distance between the lowest edge of the sign and the level of the ground, footway or roadway immediately below the sign;

**"cluster sign"** means a number of signs, all of the same size, erected symmetrically on one or more standards or pylons;

**"combustible"** means will burn or ignite at or below a temperature of 750°C when tested for combustibility in accordance with British Standard 476: 1932: Definitions of fire-resistance, incombustibility and non-inflammability of building materials and structures (including methods of test);

**"Council"** means the uMngeni Local Municipality and its successors in law, and includes the Council of that municipality or its Executive Committee or any other body acting by virtue of any power delegated to it in terms of legislation, as well as any officer to whom the Executive Committee has delegated any powers and duties with regard to these By-laws;

**"Council property"** includes all property, whether movable or immovable, which is owned by, vests in or is under the control of the Council;

**"curtilage"** is the whole of the area of land within the boundaries of the subdivision/s forming the site of any building;

**"depth of a sign"** means the vertical distance between the uppermost and lowest edges of the sign;

**"deemed to comply"** means that if an advertising signage structure meets certain specified criteria it may be deemed to satisfy the requirements of the Council for consent purposes;

**"designated areas"** are areas of maximum, partial or minimum control that have been specifically designated in the policy for the display of various types of advertising signs;

**"display"** means the display or erection of an advertising sign or structure;

**"electronic sign"** means a sign that has an electronically controlled, illuminated display surface which allows the advertisement to be changed, animated or illuminated in various ways;

**"election advertisement"** means an advertisement used in connection with any national, provincial or municipal election, by-election or referendum;

**"environmental impact assessment"** in relation to outdoor advertising means an assessment of the impact that an advertising sign or structure may have on the environment;

**"estate agents' board"** means an advertisement that is temporarily displayed to advertise the fact that land, premises, development or other forms of fixed property are for sale or to let;

**"flag"** means a piece of cloth (or similar material) upon which an advertisement is displayed which is attached to a single rope, pole or flagstaff projecting vertically in such a way that its contents are normally not readable in windless conditions. Flags exclude —

- (a) national flags that do not carry advertisement in addition to the design of the flag or flagstaff; and
- (b) flags carried as part of a procession;

**"flashing advertisement"** means an electric advertisement which intermittently appears and disappears;

**"flat sign"** means any wall sign, other than a projecting sign, which is directly attached to the face of an external wall of a building or on a wall external to and not part of a building;

**"gore"** means the area immediately beyond the divergence of two roadways bounded by the edges of those roadways;

**"ground sign"** is a self-supporting sign erected on the ground and which is not attached to a building or a wall;

**"illuminated advertisement"** means an advertising signage structure which has been installed with electrical or other power for the purpose of illuminating the message of such sign;

**"lawfully displayed"** means displayed within the public view in accordance with the By-laws applicable at the time of the erection of the sign;

**"main wall"** means any external wall of a building but shall not include a parapet wall, balustrade or railing of a veranda or balcony;

**"mobile sign"** means a sign mounted on a vehicle or trailer and used specifically for advertising purposes;

**"municipality"** means the area of jurisdiction of the uMngeni Local Municipality;

**"non-profit body"** is a body established to promote a social goal without the personal financial gain of any individual or profit-making commercial organisation involved;

**"occupier"** includes any person in actual occupation of land or premises without regard to the title under which he/she occupies;

**"on-show sign"** means a temporary sign erected to indicate that a property is on view for sale;

**"on site or directional"** in relation to any advertisement, means that such advertisement conveys only the name and the nature of the industry, trade, business, undertaking or activity which is carried on within the building or premises on which the advertisement is displayed;

**"outdoor advertising"** means any form of advertising as defined, visible from any street or public place and which takes place out of doors;

**"overall height"** in relation to a sign, means the vertical distance between the uppermost edge of the sign and the level of the ground, pathway or roadway immediately below it;

**"portable board"** is any self-supporting sign or any other collapsible structure which is not affixed to the ground and which is capable of being readily moved;

**"posters"** are placards intended to be temporarily displayed in a street or public place as an announcement of a meeting, function or event relating to an election, activity or undertaking;

**"premises"** means any building together with the land on which such building is situated;

**"projected sign"** means any sign projected by a cinematograph or other apparatus, but does not include a sign projected onto the audience's side of a drive-in cinema screen during a performance;

**"projecting sign"** means any wall sign which is affixed to a building and protrudes more than 300mm from the wall of such building;

"public place" means any road, street, thoroughfare, bridge, subway, foot pavement, footpath, sidewalk, lane, square, open space, garden, park or enclosed space vested in the Council and to which the public has access;

"remote or third party advertising" means that the content of such advertisement is unrelated to anything being undertaken on the premises on which such advertisement is displayed;

"return wall" means any external wall of a building or any other wall, which faces any boundary other than a street façade;

"road reserve" means the area contained within the statutory width of a road;

"Road Traffic Act" means the National Road Traffic Act, 1996 (Act No. 93 of 1996) and the Regulations promulgated in terms of this Act, as amended from time to time;

"road traffic sign" means any road traffic sign as defined in the Road Traffic Act, 1996;

"roof sign" means a sign painted or affixed directly onto the roof covering of a building;

"SAMOAC" means the South African Manual for Outdoor Advertising Council;

"sandwich board" is a portable, double-sided, freestanding, vertically splayed sign standing on the ground or carried by a person or vehicle;

"sign" means any physical structure or device intended for the display of an advertisement;

"signalised traffic intersection" means an intersection controlled by traffic lights;

"sky sign" means a sign that is placed or erected on or above the roof, parapet wall or eaves of a building;

"specific consent" means the written approval of the Council which is required on submission of a formal application;

"street furniture" means public facilities and structures which are not intended primarily for advertising and includes seating benches, planters, sidewalk litter bins, pole-mounted bins, bus shelters, sidewalk clocks and drinking fountains, but excludes road signs, traffic lights, street lights, or any other road-related structures;

"street name signs" means pole-mounted, double-sided, internally illuminated advertisements displayed in combination with street naming;

"street line" means the boundary of a public street;

"temporary sign" means a sign, not permanently fixed and not intended to remain fixed in one position, which is used to display an advertisement for a temporary period;

"tri-vision" means a display which, through the use of a triangular louvre construction, permits the advertising of three different copy messages in a predetermined sequence;

"under-awning sign" means a sign suspended or attached to the soffit or a canopy or veranda;

"veranda" is a roofed structure attached to or projecting from the façade of a building and supported along its free edge by columns or posts;

"visual zone" means the road reserve of a road and any area that is visible from any spot on such road reserve, but does not include an area situated at a distance of more than 250 m from the road reserve boundary of a freeway in an urban area; and

"zone" means the use zone as defined in the uMngeni Town Planning Scheme in course of preparation.

(2) For the purpose of the application of the measurements, dimensions or areas specified in these By-laws in relation to signs, the same shall be applied to the sign as a whole, inclusive of any space between letters, words, figures, symbols, pictures, drawings and the like appearing thereon, and also any space between the perimeter of the sign and the actual advertisement appearing thereon.

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

## 2. APPROVAL FOR ADVERTISEMENTS AND SIGNS

(1) Subject to the provisions of these By-laws, no person shall erect or cause or allow to be erected, altered, displayed or maintained any advertisement or sign which is visible from any street or public place or on any Council property without first having obtained the written approval of the Council or its duly delegated officials.

(2) Temporary or portable signs being posters or bills or the like temporarily displayed solely for or in connection with the particular occasion, function or event to which they relate, including directional signs to such an event, signs relating to an election or referendum held or conducted under the authority of any law, and signs carried through the streets, shall only be displayed with the prior written consent of the Director Technical Services and subject to such conditions as he may impose. Such signs shall not exceed 0,5m<sup>2</sup> in area.

## 3. EXEMPT ADVERTISEMENT AND SIGNS

(1) Subject to the provisions of these By-laws, advertisements or signs for which no approval is required are as follows:-

(a) Any advertisement or sign not exceeding 2m<sup>2</sup> which is required to be displayed in terms of any national, provincial or municipal legislation; i.e. company, close corporation, co-operative, licensed premises or professional offices, or any security sign limited to one per street frontage or premises.

(b) Any advertisement or sign over or near the main entrance to any premises in which a business is carried on and which bears only the name of the business.

(c) One advertisement or sign per street frontage indicating only the name and nature of an enterprise, practice, accommodation facility and place of residence as well as the name of the proprietor, partner or practitioner with a maximum area of 1,5m<sup>2</sup> per sign; or indicating the name and nature of institutions and other community facilities with a maximum area of 3m<sup>2</sup> per sign.

(d) Any non-illuminated advertisement displayed inside a building or on a display- or shop front window.

(e) Any advertisement not exceeding 4,5m<sup>2</sup>, displayed with the curtilage of the premises relating to the accommodation being offered to let or purchase in the building, limited to one advertisement per advertising agent per street frontage and not displayed for longer than 30 (thirty) days after the date of sale or lease.

(f) Project boards advertising only the builders and professional consultants involved in a project, not exceeding 18m<sup>2</sup> and with a maximum erected height or 6m, displayed within the curtilage of the premises whilst building work is in progress, limited to one per street frontage and to be removed within 30 (thirty) days of completion of the project.

(g) A national flag of any country except when, in the Council's opinion, more than one national flag is used to promote, advertise or identify an economic activity, in which case the provisions of these By-laws shall apply.

(h) Any change of face to any remote advertisement displayed or erected if approval has already been granted by the Council for the advertising signage structure.

(i) Aerial advertising by means of an aircraft: Provided that the necessary approval has been obtained from Civil Aviation, including any conditions and requirements as prescribed.

(j) Signs not exceeding 0,25m<sup>2</sup> in area affixed to the wall of a building or erected within the boundary line indicating that the property can be leased and by whom it is maintained.

- (k) Signs relating to the immediate sale of newspapers and the like within a public street.
- (l) Signs required to be displayed by law.
- (m) Signs which, on merit, are exempted by the Municipal Manager in consultation with the Planning and Building Plan Portfolio Committee.

#### 4. APPLICATION, ASSESSMENT AND APPEAL PROCEDURE

- (1) Every person intending to display, erect, alter or maintain any advertisement or sign, for which the prior written permission of the Council is required, shall submit a written application to the Council on the prescribed form, together with the prescribed fee in accordance with the Schedule of advertising sign charges (Schedule A). The application shall be signed by the owner of the proposed advertising sign and by the registered owner of the land or building on which the advertising sign is to be erected or displayed or, on behalf of the owner of the land or building, by his/her agent authorised in writing by such owner and shall be accompanied by the following plans drawn in accordance with the following requirements:-
  - (a) A locality plan drawn to scale showing the sign in relation to surrounding roads and structures within a 500 m radius, where applicable.
  - (b) A site plan showing the position of the sign or advertisement on the premises, drawn to a minimum scale of 1:500 and giving all dimensions, showing the position of the sign in relation to the boundaries, other buildings, structures, services and features on the site and showing the streets and buildings on properties abutting the site.
  - (c) Detailed dimensioned drawings sufficient to enable the Council to consider the appearance of the sign or advertisement including materials, construction and illumination details.
  - (d) Detailed dimensioned drawings showing the full text and graphic details of the advertisement to a scale of minimum 1:20 where applicable.
  - (e) Detailed dimensioned elevations and sections to a scale of minimum 1:100 showing the position of the advertisement or sign in relation to the buildings, structures, features and other existing advertising signs on the site and in the surrounds.
  - (f) Coloured photographs to illustrate the position of the sign in relation to the buildings, structures, features and other existing advertising signs on the site and in the surrounds.
  - (g) Such other additional drawings, environmental impact assessments and/or photographs as are necessary, in the opinion of the Council, to explain the true nature and scope of the application.
- (2) In certain circumstances, the Council may use discretion to accept drawings that show only a portion of the plan or elevation of a building/s, or drawings to a smaller scale, or computer generated graphics drawn to scale to illustrate the proposal where certain drawings may be difficult to provide or even photographs where this is considered sufficient.
- (3) In addition, where required, the applicant shall submit additional structural and other drawings and certifications as required giving full details of the calculations, size and materials used in the supporting framework, its fixings, securing and anchorage as well as for the structure and its advertisement to ensure this sign's stability, fire and safety compliance with the provisions of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977) as well as the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993); as amended from time to time.
- (4) In addition, the applicant shall indemnify the Council against any consequences arising from the erection, display or mere presence of such advertising sign.
- (5) All signs to be erected or displayed must comply with the applicable Town Planning Scheme Regulations, as well as other relevant legislation, as amended from time to time.
- (6) In considering applications, in addition to any other relevant factors, the Council shall ensure that the design and display of all advertising signs conforms to the Council's policy and to SAMOAC's guidelines for control in terms of the general conditions and principles as set out in these documents, as amended from time to time.
- (7) The Council may refuse an application or grant its approval, subject to such conditions as it may deem expedient but not inconsistent with the provisions of these By-laws or the Council's policy on outdoor advertising.
- (8) An approval or refusal of an application by the Council shall be made in writing with reasons provided within 60 (sixty) days of a complete application having been submitted in terms of these By-laws.
- (9) On approval, a complete copy of the application as submitted shall be retained by the Council for record purposes.
- (10) Any advertisement or sign erected or displayed shall be in accordance with the approval granted and any condition or amended condition imposed by such approval; and the person who erects an approved sign shall notify the Council within 7 (seven) days of such sign or advertisement being erected.
- (11) The person/s to whom permission has been granted for the display of any advertisement or sign which extends beyond any boundaries of any street or public place shall enter into a written encroachment agreement with the Council, indemnify the Council in respect of the sign and be liable to the Council for the prescribed annual encroachment rental.
- (12) Approval of all advertising signs shall be at the pleasure of the Council and will endure for a period as may be determined by the Council either in relation to the advertising structure or to the advertising content or both, whereafter a new application for consideration must be submitted to the Council for approval in terms of these By-laws.
- (13) The applicant may appeal in writing against any refusal, lack of decision or condition imposed by the duly authorised official/s.
- (14) The appeal referred to in subsection (13) shall be lodged within 30 (thirty) days of the date of the notice and will be submitted, together with a report, to the relevant committee of the Council for consideration.

#### 5. WITHDRAWAL OR AMENDMENT OF APPROVAL

- (1) The Council may, at any time, withdraw an approval granted or amend any condition or impose a further condition in respect of such approval if, in the opinion of the Council, an advertising sign does not conform to the guidelines for the control of signage in terms of the Council's policy and/or SAMOAC, as amended from time to time, or for any other reason Council may deem fit.
- (2) The Council may, at any time, revoke its approval for the display of an encroaching sign and cancel the encroachment agreement referred to in section 4(11), giving notice in writing to the owner/applicant of such decision. The owner/applicant shall also advise the Council in writing giving details of any intent to transfer ownership of any encroaching sign.
- (3) An approved sign shall be erected within 6 (six) months from the date of approval whereafter such approval shall lapse unless written application for extension is made, which may only be granted for a maximum period of 2 (two) months.
- (4) Any application which has been referred back to the applicant for amendment shall be resubmitted within 2 (two) months of the date of the referral notice, failing which the application shall lapse.
- (5) Permission for an advertising sign is granted to the applicant only and shall lapse if he ceases to occupy the premises, provided that written approval may be granted by the Council to transfer this right to the new occupier of the premises if such approval is sought within 30 (thirty) days from the date of the new occupation.

- (6) An electronic or illuminated advertisement which, in the opinion of the Council, causes a disturbance to the occupants of any affected premises shall be altered in such a manner as prescribed by the Council in writing, or be removed by the applicant/occupier within such period as may be specified.
- (7) The permission granted in respect of an advertisement or sign shall lapse if any alteration or addition is made to such advertisement or sign, provided that Council may approve minor alterations at its discretion by means of an endorsement on the original application.

#### 6. STRUCTURAL REQUIREMENTS

- (1) Every sign shall be neatly and properly constructed, executed and finished in a workmanlike manner.
- (2) Every sign attached to or placed on a building, fence or wall, shall be rigidly and securely attached thereto so that it is safe and that movement in any direction is prevented. The method of attachment shall be such that it is capable of effectively securing, supporting and maintaining not less than twice the weight of the sign in question, with the addition of any force to which the sign may be subjected. The use of nails or staples for the purpose of anchorage and support is prohibited.
- (3) Every projecting sign or suspended sign shall, unless the Director Technical Services otherwise approves, have not less than four supports —
  - (a) which shall be of metal;
  - (b) any two of which shall be capable of carrying the weight of the sign;
  - (c) the designed strength of which, acting together, shall be calculated on a weight of the sign with a horizontal wind pressure of 1,5kPa;
  - (d) which shall be neatly constructed as an integral part of the design of the sign or otherwise concealed from view.
- (4) All signs and supports thereof, which are attached to brickwork, masonry or concrete shall be securely and effectively attached thereto by means of bolts securely embedded in such brickwork, masonry or concrete or passing through the same and secured on the opposite side. The bolts shall be of such size and strength as will ensure effective compliance with paragraphs (2) and (3) hereof.
- (5) Glass
 

All glass used in signs (other than glass tubing used in neon or similar signs) shall be safety glass at least 3,5mm thick. Glass panels in signs shall not exceed 2m<sup>2</sup> in area, each panel being securely fixed in the body of the sign independently of all other panels.
- (6) Electrical requirements
 

Every illuminated sign and every sign in which electricity is used shall —

  - (a) be constructed of material which is not combustible;
  - (b) be provided with an external switch in an accessible position whereby the electricity supply to such a sign may be switched off;
  - (c) be connected according to statutory regulations.
- (7) All exposed metalwork in a sign, or its supports, shall be painted or otherwise treated to prevent corrosion and all timber shall be similarly treated to prevent decay.
- (8) No sign shall be constructed in whole or in part of cloth, canvas, cardboard, paper or like material, except where the sign relates solely to current or forthcoming programmes of public entertainment displayed upon a cinema or theatre, or is a sign on a sunblind.

#### 7. ELECTRICAL REQUIREMENTS

Every electronic and illuminated advertising sign including its supports and framework shall be constructed entirely of non-combustible materials and shall be installed in accordance with the provisions of the Council's Standard Tariffs and Procedures and the Code of Practice for the wiring of premises in accordance with the SABS or applicable legislation/regulations.

#### 8. MAINTENANCE OF SIGNS

- (1) The person having possession, or control of any sign, while such sign is erected and constructed in contravention of the provisions of this By-law, shall be guilty of an offence.
- (2) (a) No sign, which exists or extends beyond the street line shall remain, except during the pleasure of the Council. The Council may by written notice served on the person having possession or control of any such sign, require such person to remove such sign within a period of time specified in such notice, except where in the opinion of the Council the sign constitutes a potential source of danger to the public, or will or is likely to damage or interfere with any existing or proposed works of the Council or upon the public street, the Council shall have the right to remove such sign forthwith.
 

Any such person who fails to comply with such notice shall be guilty of an offence.
- (b) The person having possession or control of any sign extending or existing beyond the street line, shall at all times indemnify the Council against all actions or claims which may be brought against it by any person for loss, injury or maintenance, repair or removal of the sign, and shall also reimburse the Council in respect of all expenses incurred in defending any action or resisting any claim.
- (c) The person having possession or control of any sign extending or existing beyond the street line shall pay to the Council the fee prescribed in the schedule of tariffs and charges in respect of the sum total of the surface area containing any advertisement (inclusive of any space between lettering and the like and any space between the actual advertisement and the perimeter of the sign).
  - (i) The above charges shall be payable to the municipality or its duly appointed agents upon application in advance, and thereafter annually on the anniversary of the date of application for the time the sign is in place.
  - (ii) No charge shall be payable unless the sign projects, or is more than 100mm, beyond the street line.
  - (iii) Where during the course of the period of 12 (twelve) months referred to in paragraph (i) hereof, any sign is lawfully replaced by another sign, no additional charge in respect of that period shall be made unless the sign substituted has a greater surface area than the former sign, in which event a further charge calculated as above in respect of the excess area shall become immediately due and payable to the Council.
  - (iv) Where any sign is removed voluntarily, or at the instance of the Council, no refund of any charges paid shall be made by the Council.
  - (v) The payment of any charges as herein provided shall not in any way prejudice or affect the provisions of paragraph (a) of this By-law.
- (d) The person having possession or control of any sign extending, or existing beyond the street line, shall when required in writing by the Director Technical Services, enter into a written agreement with the Council in respect of such sign, undertaking the obligations contained in paragraphs (b) and (c) of this By-law; provided that the absence of any such agreement shall in no way affect the provisions of these By-laws. Whenever any change occurs in the identity of the person having possession or control of any such sign, such change shall forthwith be notified to the Director Technical Services in writing by the person formerly having such possession or control.

#### 9. OFFENCES AND REMOVAL OF SIGNS

- (1) Any person who displays or erects any advertisement or sign for which no approval has been granted by the Council in terms of section 2, or which approval has expired, or has been withdrawn, or which advertisement or sign does not conform with the approved application or any of

its conditions, or does not comply with or is contrary to any provision of these By-laws or to any other applicable Act or Regulation, shall be guilty of an offence.

- (2) Any person who erects or continues to display any advertisement or sign which ceases to be relevant to the premises on which it is displayed by virtue of a change in use, ownership or occupancy of the premises to which it relates or for any other reason, shall be guilty of an offence.
- (3) Any person who displays or erects any advertisement or sign which contravenes or fails to comply with any provision, requirements or conditions as set out in any notice issued and served in terms of these By-laws or other applicable legislation, or who knowingly makes any false statement in respect of any application in terms of these By-laws, shall be guilty of an offence.
- (4) The Council may serve notice on the person/s who is displaying the advertisement or who has erected the sign or cause the advertisement or sign to be displayed or erected, or the owner or occupier of the premises upon which such advertisement or sign is being displayed or erected or upon both such persons, directing those persons to remove such advertisement or sign or to do such other work as may be set forth in the notice, within a time frame specified therein which shall not be less than 14 (fourteen) days from the date of receipt of the notice, so as to bring the advertisement or sign into conformity or compliance.
- (5) If any person/s to whom any notice has been given in terms of subsection (3) fails to comply with a direction/instruction contained in such notice within the specified period, the Council may remove or arrange for the removal of the advertisement or sign, or affect any of the alterations prescribed in the notice.
- (6) The Council may recover the expenses incurred as a result of any removal, action taken, repairs to Council property or for any other costs incurred from any person(s) to whom the notice was issued in terms of subsection (3). No compensation shall be payable by the Council to any persons in consequence of such removal, repairs or action taken.
- (7) Any person who fails to remove any poster, banner, flag or election advertisement within the prescribed period shall be guilty of an offence. The Council shall be entitled to remove any such advertisement and deduct the prescribed amount from any deposit made in respect of the advertisement(s) so removed by the Council: Provided that if the amount of money to be deducted exceeds the amount of the deposit made, the Council shall be entitled to recover such excess amount from such person(s): Provided further that when any such poster, banner or election advertisement is removed in terms of these By-laws, the Council shall be entitled to destroy any such advertisement without giving notice to anyone.
- (8) Any person/s who, having displayed or caused to be displayed any portable board in respect of which approval has been granted in terms of these By-laws, fails to remove such board within 2 (two) hours of the time as specified in section 9, shall be guilty of an offence and the Council shall be entitled to remove any such portable board and to recover from such person/s the fee prescribed: Provided that any portable board so removed by the Council may be destroyed without giving notice to anyone.
- (9) Any advertisement or sign, other than those referred to in subsections (6) and (7), which were removed or confiscated by the Council in terms of these By-laws, may be reclaimed within 60 (sixty) days from the date of removal or confiscation and on payment of the charges due, failing which the Council shall have the right to use, dispose of or sell such sign at its discretion.
- (10) If, in the opinion of the Council, the advertising sign constitutes a danger to life or property and in the event of the applicant/owner and/or occupier failing to take the necessary action with immediate effect, the Council may carry out or arrange for the removal of such sign and recover the expenses so incurred.
- (11) Any person who, in the course of erecting or removing any advertising sign, causes damage to any natural feature, electric structure or service, or any other Council installation or property, shall be guilty of an offence and punishable in terms of section 15 of these By-laws and shall be liable for damages so incurred.
- (12) The Council is entitled to summarily remove any unauthorised advertising signs on its own property without giving notice to anyone.

## 10. PROHIBITIONS

- (1) The following advertisements and signs are prohibited:-
  - (a) Any advertisement or sign, other than an exempted sign, for which neither a permit nor approval has been obtained or which does not comply with the requirements of, or which is not permitted by these By-laws or any other law.
  - (b) Any advertisement which, in the opinion of the Council, is indecent, obscene or objectionable or of a nature which may produce a pernicious or injurious effect on the public or on any particular class of person/s or on the amenity of any neighbourhood.
  - (c) Any advertisement or sign that is painted onto or attached in any manner to any tree, plant, rock or to any other natural feature.
  - (d) Any advertisement or sign which obstructs any street, fire escape, exit way, window, door or other opening used as a means of egress or for ventilation or for fire fighting purposes.
  - (e) Any illuminated sign whether laser, animated, flashing or static, which disturbs or is a nuisance to the residents and/or occupants of any building and/or to any member/s of the public affected thereby.
  - (f) Any advertisement or sign which is prohibited in terms of any Town Planning Scheme Regulation or other legislation.
  - (g) Any advertisement or sign not erected in accordance with these By-laws or not in accordance with the specifications approved by the City Council, or the terms or conditions attached by the Council to any such approval.
  - (h) Any advertisement or sign which may obstruct or interfere with any traffic sign or signal for traffic control, or which is likely to interfere with or constitute a danger to traffic, shipping or aircraft or to the public in general.
  - (i) Any advertisement or sign which may inhibit or obstruct the motorists' vision or line of sight thus endangering vehicular and pedestrian safety.
  - (j) Any form of bill-sticking by means of posters or placards to any existing structure without the approval of the Council.

## 11. DISCRETIONARY POWERS

- (1) The Council or its delegated officer/s shall exercise discretionary powers to permit or not to permit advertising signs in terms of the provisions of these By-laws in the following cases:
  - (a) Any advertisements on a portable board displayed on a street pavement.
  - (b) Any mobile advertising vehicles and their designated positions of display.
  - (c) Advertisements or signs painted on or in any way affixed to the surface of any window other than a display window.
  - (d) Advertisement or signs on top of a canopy or veranda.
  - (e) Advertisements painted on roofs or displayed or erected as a sky sign in an area other than industrial or harbour zone.
  - (f) Advertisements or signs displayed or erected in an area other than industrial or general business zone.
  - (g) Advertisements or signs made of certain materials not considered by the Council to be suitable or appropriate for the intended purpose.
  - (h) Banners and flags affixed to flagpole/s as a ground sign or attached to an existing building or structure.
  - (i) Any remote or third party advertising signs, sponsored signs and signs for non-profit organisations and institutions.

- (j) Any advertisements or signs of dimensions not in accordance with the provisions of these By-laws.

## 12. SIGNS ON THE COUNCIL PROPERTY AND TEMPORARY ADVERTISEMENTS

Temporary advertisements and signs on the Council property are subject to the Council's specific consent as set out in these By-laws. Permanent advertisements and signs on the Council property; i.e. street furniture, street name signs, dustbins, bus shelters, suburban and community advertisements and any other remote advertising signs are subject to the Council's specific authority and/or tender procedure. The Council shall be obliged to set out and agree to the specifications and required performance standards for these signs prior to calling for proposals.

### (1) Billboards

- (a) Every person who wishes to display or cause to display a billboard advertisement shall submit to the Council a written application on the prescribed form and pay the prescribed fee. Such applications shall be accompanied by an environmental impact assessment in the case of billboards in excess of 36m<sup>2</sup> and/or for smaller billboards at the Council's discretion.
- (b) This type of sign shall be permitted only in urban areas of minimum control and in urban areas of partial control at the Council's discretion, subject to specific consent and assessment of their environmental impact as required, which shall include the visual, social and traffic safety aspects.
- (c) The name of the owner of the billboard or sign must be clearly displayed on all boards together with the identification number approved by Council.
- (d) Any billboard so displayed shall —
  - (i) comply with all legal requirements of the South African National Roads Agency Limited and Road Traffic Act where applicable;
  - (ii) comply with any other applicable National, Provincial or Local Government legislation and policy, including these By-laws and the Council's policy on outdoor advertising;
  - (iii) not be erected within an area of maximum control, unless, after an environmental impact assessment and public participation process, the Council identifies that such area, subject to such terms and conditions as it may impose, may be reclassified as an area of lesser control, which may not be relaxed further than the control type in the area adjacent to the site in question;
  - (iv) not be detrimental to the nature of the environment in which it is located by reason of abnormal size, intensity of illumination or design;
  - (v) not be, in its content, objectionable, indecent or insensitive to any sector or member of the public;
  - (vi) not unreasonably obscure partially or wholly any approved sign previously erected and legally displayed;
  - (vii) not constitute a danger to any person or property;
  - (viii) not encroach over the boundary line of the property on which it is erected; and
  - (ix) not be erected if considered by the Council to be a distraction to drivers, cyclists or pedestrians which could contribute to unsafe traffic conditions.
- (e) The positioning of billboards shall —
  - (i) be spaced at least 120 m, 200 m or 250 m apart when in view of each other on the side of the road/s to which they are directed or aimed with up to 60 km/h, 80 km/h or 100 km/h+ speed limit respectively;
  - (ii) not be erected within 100 m from the ramp gore of public roads and from overhead traffic directional signs;
  - (iii) not be permitted within a radius of 100 m from the centre of an intersection on any arterial road and within a radius of 50 m from the centre of an intersection on any lower order road;
  - (iv) not have an overall height in excess of 12m above the surface of the road level to which it is aimed;
  - (v) not have an overall dimension which exceeds 64m<sup>2</sup> in the case of ground signs and 54m<sup>2</sup> in the case of wall signs;
  - (vi) not have as main colours, red or amber or green when located at signalised traffic intersections and shall not obscure or interfere with any road traffic light or sign;
  - (vii) not constitute a road safety hazard or cause undue disturbance or permitted to be illuminated if such illumination, in the opinion of the Council, constitutes a road safety hazard or causes undue disturbance;
  - (viii) ensure that the traffic flow is not impeded during their erection and servicing on public roads, unless prior permission from the Council has been obtained and the necessary precautions taken and arranged;
  - (ix) in the case of wall signs, be attached only to the side and back walls of buildings which do not fulfil the function of a street or front façade of the building.

### (2) Ground signs

- (a) Only one on-site, locality bound, freestanding ground sign per premises shall be permitted either where such a sign is necessary to facilitate the location of the entrance or access to a business premises; or where it is not reasonably possible to affix appropriate signs to the building; or where the business premises is so set back as to make proper visibility of signs on the building not feasible, or where the existence of a freestanding composite sign may prevent the proliferation of signage.
- (b) On-site, locality and non-locality bound freestanding ground signs in the form of business signs and tower structures may not exceed 7.5 m in overall height and 6m<sup>2</sup> in total area. In addition, they may not exceed 4.5 m<sup>2</sup> in total area in respect of any individual advertisement thereon and have a clear height of less than 2.4 m. Where a more solid structure is used, the maximum area per sign may be increased to 9m<sup>2</sup> and where the sign incorporates a combination sign, the maximum area per signage structure may be increased to 12m<sup>2</sup>. Only one sign or advertising panel on a combination sign shall be allowed per enterprise per street frontage.
- (c) A remote, non-locality bound ground sign which does not have an overall height in excess of 7.5 m above the ground at any point nor dimensions which exceed 6m in length and 3 m in height, a total area of 18 m<sup>2</sup>, shall be deemed to be of appropriate dimensions: Provided that a ground sign which has greater dimensions shall not be erected unless, in the opinion of the Council, such sign will be or is deemed to be erected or displayed in an appropriate place.
- (d) All signs erected on a monopole shall be appropriately designed so that the height of the support is proportionally not too long in relation to the size of the sign.
- (e) A maximum of 2 pylon signs per tower, bridge or pylon shall be permitted. The maximum sign area per tower may not exceed 36m<sup>2</sup>. The sign must be wholly contained within the structure and must have no projections.
- (f) Every ground sign or sign on towers, bridges and pylons shall be independently supported and properly secured to an adequate foundation and be without the aid of guys, stays, struts, brackets or other restraining devices and/or be entirely self-supporting and not dependant upon any existing structure for its support in any way.

### (3) Wall signs

- (a) Flat signs

- (i) Unless otherwise stipulated, flat signs shall, at no point, project more than 300 mm from the surface of the wall to which they are attached. The maximum projection of any part of a flat sign shall be 100 mm where the underside of such sign measures less than 2,4 m from a footway or pathway immediately below it and the maximum projection shall be 300 mm where the underside of such sign measures more than 2,4 m above such footway or ground level.
- (ii) On-site, locality bound flat signs shall be permitted to be attached to the front, side and back walls of buildings; remote, non-locality bound flat signs shall only be permitted to be attached to the side and back walls of buildings which do not fulfil the function of a building façade and to construction site boundary walls and fences.
- (iii) No more than two locality bound flat signs per enterprise shall be permitted and no more than one non-locality bound flat sign per wall shall be permitted.
- (iv) Flat signs shall not cover any windows or other external openings of a building or obstruct the view from such openings.
- (v) Flat signs shall not exceed 54m<sup>2</sup> in total area and shall not exceed 30% of the overall area of the wall surface to which they are attached, affixed or painted, whichever is the lesser, provided that in urban landscapes of maximum control the signs may not exceed 20% of the wall surface area.
- (vi) An environmental impact assessment shall be required for all flat signs in excess of 36m<sup>2</sup>.
- (b) Projecting signs
  - (i) The minimum clear height of a projecting sign shall be in excess of 2,4 m.
  - (ii) Projecting signs shall be 300 mm in maximum thickness.
  - (iii) Projecting signs shall not be allowed to extend within 600mm of the edge of a roadway.
  - (iv) The maximum projection shall be 1,5 m in the case of a projecting sign which has a clear height of more than 7,5 m; and 1m where the sign has a clear height of less than 7,5 m.
  - (v) Projecting signs shall be installed perpendicular to the street façade or to the direction of oncoming traffic.
  - (vi) All projecting signs shall be locality bound

#### (4) Roof signs

- (a) The maximum permitted size of a roof sign shall be 18 m<sup>2</sup> or 6 m<sup>2</sup> per face for three-sided units: Provided that only one sign per building shall be allowed.
- (b) Roof signs shall not project in front of a main wall of a building so as to extend beyond the roof of such building in any direction.
- (c) Roof signs shall not obstruct the view or affect the amenity of any other building.
- (d) Roof signs shall be placed in such a manner so as not to interfere with the run-off of rainwater from the roof of the building.
- (e) Roof signs shall be thoroughly secured and anchored to the building on or over which they are to be erected and all structural loads shall be safely distributed to the structural members of the building without the use of guys, stays or other restraining devices.
- (f) A roof sign, including all its supports and framework, shall be constructed entirely of non-combustible materials approved by the Council or its duly authorised official/s and if illuminated, shall not be placed on or over the roof of any buildings unless such sign, as well as the entire roof construction, is of non-combustible material.

#### (5) Veranda, balcony, canopy and under-awning signs

- (a) Signs may be affixed flat onto or painted on a parapet wall, balustrade or railing of a veranda or balcony, and beam or fascia of a veranda or balcony. Such signs may not exceed 1m in height, project beyond any of the extremities of the surface to which it is affixed, or project more than 300mm in front of the surface to which it is affixed or extend within 600 mm of the edge of a roadway.
- (b) Signs may be affixed flat onto or painted on supporting columns, pillars and posts. Such signs may not project more than 50mm in front of the surface to which it is affixed and shall not extend beyond any of the extremities of such column, pillar or post. Sign affixed flat onto cylindrical supporting structures shall be curved to fit the form of such structure and only one sign shall be allowed per column, pillar or post.
- (c) Subject to the provisions of subsections (a) and (b), signs shall not be allowed on or over architectural features of buildings nor shall they be allowed to cover any window or obstruct the view from any such opening.
- (d) Under-awning signs suspended below the roof of a veranda, canopy or balcony shall have a maximum sign area of 1m<sup>2</sup> per face with a maximum of 2 m<sup>2</sup> in total sign area and shall not exceed 1,8m in length or 600 mm in height. The allowable thickness of such signs is between 100 mm and 300 mm. Every such sign shall be perpendicular to the building line and fixed at a clear height of not less than 2,4 m. Only one sign per enterprise façade shall be allowed with a minimum spacing of 3 m centre to centre between signs. Such signs shall not extend beyond the external edges of the canopy or veranda to which it is attached.
- (e) Signs on the roof of a veranda, canopy or balcony, excluding the main roof of a building, shall be composed of a single line of freestanding, individual, cut out logos and/or letter without visible bracing or support. Signs shall only be placed on top of veranda roofs where such veranda does not have an appropriate wall, railing or beam to which the sign may be affixed. All such signs shall not extend beyond the extremities of the veranda roof, canopy or balcony and only one sign per enterprise façade shall be allowed with a maximum height of 1 m.
- (f) Sunblinds and awnings shall be so made and fixed as to be incapable of being lowered to less than 2 m above the footway or pavement directly beneath it. Such signs shall be parallel to the building line and placed in a manner so as not to interfere with vehicular or pedestrian traffic, traffic lights or traffic signs in any way.
- (g) Signs on adjacent buildings shall be aligned as far as possible in order to achieve a straight line or parallel configuration.

#### (6) Posters, banners and flags

- (a) Every person intending to display or cause or permit to be displayed any advertisement relating to an election or advertising any meeting, function or event of a sporting, civic, cultural, social, educational, religious, charitable, political or other similar character in any street or public place or on Council property shall first obtain the written permission of the Council.
- (b) Every application for permission shall be made on the prescribed form and be accompanied by the prescribed fee and deposit as contain in the Schedule of Advertising Sign Charges (Schedule A); such deposit shall be refunded when all the advertisements have been removed to the satisfaction of the Council. The applicant shall, on application, submit a copy of all the posters to which the application relates and written details of the streets in which the posters are to be displayed.
- (c) Any person who displays or causes a poster, banner or flag advertisement to be displayed shall comply with the following requirements to the Council's satisfaction;
  - (i) Any advertisement relating to an election, meeting, function or event shall be a maximum size of 600 mm high x 450 mm wide; shall have a clear height of minimum 2m; and shall be securely fixed to durable hardboard or other approved backing board.

- (ii) In the case of banners or flags, the maximum size shall be 3 m<sup>2</sup>, suspended between non-corrosive pole/s or other approved support/s; and which shall be placed and fastened in such a manner so as not to constitute a danger to any vehicular traffic, pedestrian, person/s or property in any street, public place or Council property.
- (iii) Any person/s or, in the case of election advertising, each political party displaying or causing to display any poster advertisement relating to the same meeting, function or event shall only be permitted one poster per electricity lamppost. No posters are permitted to be displayed on bridges, traffic lights, traffic signs, natural features, freeways and/or national routes.
- (iv) Any advertisement relating to an election, meeting, function or event shall not be placed in such a manner that the content of separate advertisements when read in succession, forms a continuous relative legend.
- (v) Any advertisement relating to a meeting, function or event other than an election, shall not be displayed for longer than 14 (fourteen) days before the day on which it begins or longer than 3 (three) days after the day on which it ends. Election advertisements may be displayed from the beginning of the day of declaration of an election to the end of the third day after the election.
- (vi) The total number of posters displayed at any one time relating to any meeting, function or event may not exceed 100, except in special circumstances and with the consent of the Council. In the case of election advertisements, no limitation will be placed on the number of posters displayed.
- (vii) Any advertisement relating to an election shall be on the basis of a written agreement between the Independent Electoral Commission and the relevant political party.
- (viii) Banners approved in terms of this section may not be larger than 6 m<sup>2</sup>.
- (ix) Auction posters approved in terms of this section may not be larger than 2 m<sup>2</sup>.
- (x) Banners and flags may be applied for as directional advertising for streetscaping urban areas such as pedestrian malls and gateways or for displaying only the name, corporate symbol and nature of enterprises.
- (e) Every poster for which permission is granted shall be provided with a Council sticker or marking which shall be visibly displayed to indicate the Council's approval and the Council shall be entitled to retain one such poster for identification purposes.

#### (7) Estate agents' boards and portable boards

- (a) Every agent or person intending to display, cause or permit to be displayed any portable board, shall annually submit the prescribed, written application to the Council and pay the prescribed fee for approval of the number of portable boards specified in such application.
- (b) Any person who displays or causes any such portable board to be displayed on any Council property other than a road reserve, unless specific approval has been granted for the display on other property of the Council, shall comply with the following requirements to the Council's satisfaction:
  - (i) Portable boards are only to be used for the purpose of indicating the route to the property or premises to be sold or advertised.
  - (ii) Portable boards are to be of appropriate structure and size, not exceeding 600 mm<sup>2</sup>, and collectively the number of boards displayed may not, in the opinion of the Council, detract from the amenities of the streetscape or environment.
  - (iii) Subject to the provisions of the Road Traffic Act and other applicable legislation, portable boards are not to be positioned nearer than 1,8m from the edge of the roadway, and placed at such height that the lower edge of the board does not exceed 600 mm above the ground.
  - (iv) Portable boards are not to be positioned nearer than 10m from any road intersection, entrance or exit from a dual carriage way or freeway as defined in the Road Traffic Act or other applicable legislation.
  - (v) Portable boards are not to be positioned so as to obstruct the view of any road traffic sign or street name sign from any portion of roadway as defined in the Road Traffic Act or other applicable legislation.
  - (vi) Portable boards are not to be positioned so as to hinder or obstruct pedestrians' right of way on a sidewalk or to unfairly prejudice other traders.
  - (vii) The display of portable boards for show-houses will only be permitted on Saturdays, Sundays and public holidays. Other approved portable boards advertising services may only be displayed during normal trading hours, hereafter they shall be removed.
  - (viii) Only one portable board per street frontage per enterprise shall be allowed to advertise services and such signs shall be placed directly in front of the advertiser's premises.
  - (ix) Applicants will be required to indemnify the Council against any claims that may arise from the placement of such signs within the road reserve or on Council property and shall be required to procure third party insurance for this purpose.

#### (8) Aerial advertisement

- (a) Every person who wishes to display or cause to display an aerial advertisement, except by means of an aircraft, shall submit to the Council a written application on the prescribed form and pay the prescribed fee and such application shall be accompanied by —
  - (i) particulars of the content of dimensions of the aerial advertisement and of the aerial device by means of which the advertisement is to be displayed as well as the materials used and method of construction and anchorage;
  - (ii) particulars of the intended location with a description of the premises to which the aerial device will be anchored or tethered and details of electricity and telephone poles and cables and other structures within 30m of the point of anchorage;
  - (iii) the name and address of the person/s or contractor/s displaying the aerial advertisement and the name and address of the approved competent person in attendance of the aerial device and of its owner;
  - (iv) the period and times of intended display;
  - (v) where the applicant is not the owner of the premises to which the aerial device is to be anchored or tethered, the written consent of the owner for such anchoring;
  - (vi) proof of the provision of an automatic deflation device;
  - (vii) adequate public liability insurance to the Council's satisfaction; and
  - (viii) approval and any conditions and requirements prescribed by the National Civil Aviation Authority.
- (b) No aerial advertisement shall be displayed or caused to be displayed on, from or over Council property, including any street or public place, unless approval has been granted by the Council who may impose such conditions as it deems fit.

#### (9) Advertising vehicles

- (a) Every person who wishes to display or cause to display any advertisement on an advertising vehicle shall annually submit to the Council a written application on the prescribed form and pay the prescribed fee, and such application shall be accompanied by —
  - (i) particulars of the materials of which the advertising sign is made, its dimensions, and the manner of its construction and the method by which it is secured to the advertising vehicle;

- (ii) the name, address and telephone number of the owner of the vehicle or, if the owner resides or has his place of business outside the boundaries of the Council, of the person having control over the vehicle at all times; and
- (iii) a copy of the current vehicle licence issued in respect of such vehicle as well as the registration as required in terms of the Road Traffic Act.
- (b) No advertising vehicle shall be placed or caused to be placed on private property or Council property, including any demarcated parking bay, in a public road or within a road reserve —
  - (i) unless the prior written approval of the Council has been obtained in terms of these By-laws and designated display site(s) have been approved in terms of these By-laws; and
  - (ii) provided that, if no approved designated site(s) exists, advertising vehicle signs shall only be permitted to be displayed if they are mobile at all times and comply with legislation and conditions imposed by the Council.
- (c) Advertising vehicles parked on private property for the purpose of storage shall be positioned in such a manner as not to be visible from a street or public place.
- (d) The advertising panel or portion of the vehicle used for transit advertising shall not exceed a cumulative total of 6m<sup>2</sup>.
- (e) Notwithstanding any provisions of these By-laws, the Council or its authorised officials may, without prior notice, remove an advertising vehicle from Council property, and in the case of an unauthorised advertising vehicle on private property, the Council may serve notice instructing the immediate removal thereof.
- (f) Unless an advertising vehicle impounded by the Council in terms of paragraph (e) has been reclaimed within a period of three (3) months from the date of notification, such vehicle shall be disposed of by the Council to defray any costs involved. Impounded advertising vehicles shall only be released by the Council after all removal costs and fines have been paid in full and a copy of the current licence registration papers have been submitted for verification.

### 13. PRESUMPTIONS

- (1) If any person is charged with an offence in terms of these By-laws, it shall be presumed that —
  - (b) any person/s who erects or displays or who causes to be erected or displayed any advertisement or sign, whether such person/s be the applicant, the owner or the occupier of the premises, the manufacturer of any part of the signage structure or the proprietor of the undertaking or activity to which such an advertisement relates and any of their agents, shall be deemed to have displayed, caused, allowed or consented to such advertisement or sign being displayed until the contrary is proved;
  - (c) any person/s, club, body or political party responsible for organising, sponsoring, promoting or in control of any meeting, function or event to which a sign, poster, election or aerial advertisement relates, shall be deemed to have displayed, caused, allowed or consented to such advertisement or sign being displayed until the contrary is proved;
  - (d) any person/s whose name appears on the advertisement or sign or whose product or services are advertised on such sign shall be deemed to have displayed, caused, allowed or consented to such advertisement or sign being displayed until the contrary is proved;
  - (e) an advertisement displayed upon the exterior wall or fence constituting the apparent boundary of any premises and fronting any street or public place shall be deemed to be displayed in a street or public place;
  - (f) where any notice or other document is required by these By-laws to be served on any person, it shall be deemed to have been properly served, within 5 (five) working days of dispatch, if served personally on him/her or any member of his household apparently over the age of sixteen years at his/her place of residence, or on any person employed by him at his place of business, or if sent by registered post to such person's residential or business address as it appears in the records of the Council, or if such person is a company, closed corporation or a trust, if served on any person employed by that company, closed corporation or trust at its registered office, or if sent by registered post to such office;
  - (g) any advertisement or sign lawfully in existence prior to the date of promulgation of these By-laws shall be presumed to have been lawfully displayed or erected in terms of these By-laws: Provided that it is continuously displayed or kept in position without any alteration other than a minor alteration approved in writing by the Council; and
  - (h) anything done under or in terms of any provision repealed by these By-laws shall be deemed to have been done under the corresponding provisions of these By-laws and such repeal shall not affect the validity of anything done under the By-laws so repealed. Any application lodged and pending before the Council at the time of commencement of the policy and/or promulgation of these By-laws, shall be dealt with in terms of these By-laws.

### 14. SAVINGS IN RESPECT OF EXISTING SIGNS

The following provisions shall apply in respect of the existing signs lawfully displayed at the date of promulgation of these By-laws:

- (1) Where any such sign complies with the provisions of these By-laws such sign may be continued to be displayed, subject to the provisions of these By-laws and shall be deemed to be a sign approved by the Council in terms of these By-laws.
- (2) Where any such sign does not comply with the provisions of these By-laws such sign may be continued to be displayed, subject otherwise to the provisions of these By-laws: Provided that —
  - (a) if the sign is a sign to which the provisions of section 8 of these By-laws are applicable, the Council may, without in any manner detracting from its right to require the removal of such sign, by notice in writing require the person having possession or control of such sign, to alter, modify or adjust such sign within a period of 90 (ninety) days from the date of receipt of such notice, or such longer period as the Council may specify, in order that it may be made to comply with these By-laws.  
Any such person who fails to comply with such notice, shall be guilty of an offence.
  - (b) No such sign shall be repainted, renovated or reconstructed, unless it is first made to comply with the provisions of these By-laws, and the approval of the Council thereto has been obtained in terms of section 2 of these By-laws. Any person who repaints, renovates or reconstructs any such sign in contravention of the provisions hereof, shall be guilty of an offence.
  - (c) The Council may, at any time after the expiration of a period of 3 (three) years from the date of the promulgation of these By-laws by notice in writing, require the person having possession or control of any such sign (not being a sign to which the provisions of section 8 of these By-laws are applicable) to alter, modify or adjust such sign in order that it may be made to comply with these By-laws; or alternatively, to remove such sign, within a period of 30 (thirty) days from the date of receipt of such notice or such longer period as the Council may specify.  
Any such person who fails to comply with such notice shall be guilty of an offence.
- (3) Any existing sign not lawfully displayed at the date of promulgation of these By-laws shall be removed by the owner or person having possession or control thereof.

### 15. PENALTIES

Any person who contravenes any provision of these By-laws shall be guilty of an offence and liable, upon conviction, to a fine or imprisonment for a period not exceeding six months or both the fine and the imprisonment.

**16. AREAS OF CONTROL**

\* Refer to Schedule B.

**17. APPLICATION**

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

**18. REPEAL OF BY-LAWS**

The By-laws relating to the Control of Outdoor Advertising for the uMngeni Local Municipality, are hereby repealed and replaced by these By-laws, which are to become effective on promulgation hereof.

**SCHEDULE A:  
ADVERTISING SIGN CHARGES**

**A. Application fees and deposits for a licence/permit for outdoor advertising**

Every person who applies to the Council for its approval or permission shall, on making application, pay to the Council the charge determined therefore and no application shall be considered until such charge has been paid; the charges are set out below:

1. A non-refundable application fee of R150.00 (One Hundred and Fifty Rand) must be tendered with each application for sign types 2 (ground signs), 3 (wall signs), 4 (roof signs) and 5 (veranda, balcony, canopy and under-awning signs). Any minor amendment to an application, considered by the duly authorised official of Council to be a minor amendment, may be submitted at a reduced application fee of R50.00 (Fifty Rand) each.
2. A non-refundable application fee of R450.00 (Four Hundred and Fifty Rand) must be tendered with each application for sign type 1 (billboards) and all non-locality bound signs in excess of 12m<sup>2</sup>.
3. The approval fee for 1 and 2 is R40.00 (Forty Rand) per square metre of advertising display or part thereof with a minimum fee of R40.00 (Forty Rand) per application.
4. A non-refundable application fee of R50.00 (Fifty Rand) must be tendered with each application for advertisements for sign types 6 (posters, banners and flags).
5. On approval of posters, the applicant must purchase non-refundable stickers from the Council which are to be clearly visible on all posters displayed as follows:
  - (a) R1.00 (One Rand) per sticker to be paid for each poster to be displayed for non-profit bodies only. These posters must display the fundraising numbers of the bodies or a formal constitution has to be submitted to the Council. No commercial advertising and logos of sponsors will be permitted to appear on such posters;
  - (b) R2.50 (Two Rand and Fifty Cents) per sticker to be paid for each poster to be displayed for religious, sporting, social, cultural, political and other events. A subordinate percentage of commercial advertising and logos of sponsors is permitted to appear on such posters; or
  - (c) R5.00 (Five Rand) per sticker to be paid for each poster to be displayed for events considered by the Council or its duly authorised officials to be primarily of a commercial nature.
6. A non-refundable application fee of R600.00 (Six Hundred Rand) per annum or part thereof must be tendered with the annual application for sign type 7 (estate agents' boards); the maximum number of boards required at any given time to be specified in such application.
7. A non-refundable application fee of R50.00 (Fifty Rand) each per annum must be tendered with the annual application for sign type 7 (portable boards or any other collapsible structure).
8. A non-refundable application fee of R200.00 (Two Hundred Rand) must be tendered with each application for sign type 8 (aerial advertisements); adequate public liability insurance for the duration of display will also need to be furnished to Council's satisfaction.
9. A non-refundable application fee of R1 200.00 (One Thousand Two Hundred Rand) per annum or part thereof must be tendered with each annual application for any sign type 9 (advertising vehicles); a certified copy of the current vehicle licence will also need to be furnished.
10. An encroachment fee of R45/m<sup>2</sup> to be paid on approval of an application for each sign type that encroaches over Council property.

**Note:** The duration of approval for all advertising signs shall be at the Council's discretion.

**B. Fines and penalties for offences and removal of advertising signs in terms of sections 9 and 14**

1. Upon conviction of a first offence, the offender shall be liable to a fine or imprisonment for a period not exceeding 3 (three) months, or both the fine and imprisonment.
2. In the case of a continuing offence, the offender shall be liable to a further fine not exceeding R100.00 (One Hundred Rand) for every day during the continuance of such offence.
3. Upon conviction of a second or subsequent offence, the offender shall be liable to a fine or imprisonment for a period not exceeding 6 (six) months, or both the fine and imprisonment.
4. For the unauthorised display of sign types 6 (posters, banners or flags), the offender shall be liable to a fine or imprisonment for a period not exceeding 3 (three) months.
5. For the unauthorised display of sign types 7 (estate agents boards, portable boards or any other collapsible structure), the offender shall be liable to a fine or imprisonment for a period not exceeding 6 (six) months.
6. Any person contravening sections 9 and/or 14 shall upon conviction be liable to a fine or imprisonment for a period not exceeding 6 (six) months, or both the fine and imprisonment.

**Note:** Any advertising sign which has been removed and confiscated but not destroyed by the Council, as a result of non-compliance with these By-laws, may be repurchased by the original owner/applicant at the cost incurred as a result of such removal and/or storage.

Furthermore, any sign/s removed and not repurchased within 60 (sixty) days of confiscation, or 3 (three) months in the case of advertising sign type 9 (advertising vehicles), shall be disposed of by the Council to defray expenses.

**SCHEDULE A:  
ADVERTISING SIGN CHARGES**

	Maximum		Partial	Minimum
Natural landscape	Rural landscape	Urban landscape	Urban landscape	Urban landscape
National parks	Municipal parks	Metropolitan	Central Business	Industrial areas
Game reserves	Horticultural areas	Open Space Systems	Districts Commercial and	Industrial zones

---

Nature reserves	Rural smallholdings	Urban smallholdings	office components of	Transport nodes
Forestry areas	Private open spaces	All residential zones	residential amenities	Traffic corridors
Natural environments	Public open spaces	Private open spaces	Commercial enclaves in	Transportation terminals
Marine reserves	Intensive agriculture	Public open spaces	residential areas	
Beaches and sea shores	Scenic drives	Pedestrian malls	Commercial nodes and ribbon	
Oceans	Scenic routes	Pedestrian squares	Development Entertainment	
Extensive agriculture	Scenic features	Community facilities	districts or complexes	
Scenic corridors	Peri-urban and Traditional	Scenic features	Educational institutions	
Scenic landscapes	areas	Scenic drives	Sports fields and stadia	
River corridors		Gateways	Municipal/government	
Wetlands open spaces		River corridors	Mixed use and interface areas	
		Wetlands	Visual zones along urban	
		Conservation areas	roads/freeways	
		Heritage sites		
		Historic or graded buildings		
		and areas		

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**ADVERTENSIES/ADVERTISEMENTS****KENNISGEWING AAN INTEKENAARS,  
ADVERTEERDERS EN DIE ALGEMENE  
PUBLEK**

Advertensietariewe is met ingang van 1 Oktober 1997 soos volg:

met inbegrip van boonste, sy- en  
onderste kantlyne

	per bladsy	per cm <sup>2</sup>
8-punt-tipe	R350,00	R0,75
8-punt getabuleer	R435,00	R0,90
Kopie op disket voorsien (Word Perfect)		
Slegs teks	R290,00	R0,60
Tabelle	R365,00	R0,76

Geen aanspreeklikheid vir verliese as gevolg van weglatings of druk-  
foute word aanvaar nie.

Advertensies moet teen 09:00 op Woensdae ontvang word.

Intekengelde per jaar: Republiek van Suid-Afrika, R100,00; buite die  
Republiek R125,00; per enkel eksemplaar, uitgesonderd Buitengewone  
Koerante R2,50 BTW ingesluit.

Navrae moet gerig word aan:

Provinsiale Koerant van KwaZulu-Natal, Posbus 362,  
PIETERMARITZBURG 3200.

**NOTICE TO SUBSCRIBERS,  
ADVERTISERS AND THE PUBLIC IN  
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Advertisement rates with effect from 1 October 1997 are as follows:

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8-point type	R350,00	R0,75
8-point tabular	R435,00	R0,90
Copy supplied on disk (Word Perfect)		
Text only	R290,00	R0,60
Tables	R365,00	R0,76

No responsibility is accepted for losses arising from omissions or typo-  
graphical errors.

Advertisements must be submitted by 09:00 on Wednesdays.

Subscription per annum: Republic of South Africa R100,00; outside the  
Republic R125,00; single copies, excluding Gazettes Extraordinary  
R2,50 including VAT.

Enquiries to be addressed to:

The Provincial Gazette of KwaZulu-Natal, PO Box 362,  
PIETERMARITZBURG 3200.

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**DORPBEPLANNINGSKEMAS: WYSIGING/  
TOWN PLANNING SCHEMES: AMENDMENT****STAD VAN uMHLATHUZE  
HERSONERING VAN GEDEELTE VAN  
ERWE 4229 EN 7458,  
RICHARDSBAAI – GU**

Kennisgewing geskied hiermee ingevolge die  
Bepalings van Artikel 47 bis (1)(a) van die  
Dorpsbeplanningsordonnansie No. 27 van 1949,  
soos gewysig, van die voorneme van die Stad  
van uMhlathuze om die Dorpsbeplanningskema te  
wysig deur die hersonering van Gedeelte van  
Erwe 4229 ( $\pm 385$  m<sup>2</sup> groot) en 7458 ( $\pm 398$  m<sup>2</sup>  
groot) vanaf "Openbare Oop Ruimte" na  
"Spesiaal Woon 1" soos aangedui op Plan No.  
4229-02 en 7458-02.

Besonderhede van die voorgestelde hersoner-  
ing met die toepaslike dokumente lê gedurende  
kantoorure te Kamer D329, Munisipale Kantore,  
Burgersentrum, Mark Strasse 5, Richardsbaai vir  
die publiek ter insae. (Afspraak met mnr W.  
Mpofu (Tel. 035 901 5000) in hierdie verband is  
noodsaaklik).

Skriftelike besware teen of vertoë aangaande  
bogemelde aangeleentheid moet die Hoof  
Uitvoerende Beampte by bogemelde adres of  
Privaatsak X1004, Richardsbaai, 3900, binne 21  
dae vanaf datum van hierdie advertensie bereik.

DR A.W. HEYNEKE,  
Hoof Uitvoerende Beampte.  
Stad van uMhlathuze,  
Privaatsak X1004,  
Richardsbaai.

D1—Januarie 13, 2005.

**CITY OF uMHLATHUZE  
REZONING OF PORTION OF ERVEN 4229  
AND 7458, RICHARDS BAY – GU**

Notice is hereby given in terms of Section 47  
bis (1)(a) of the Town Planning Ordinance No.

27 of 1949, as amended, of the intention of the  
City of uMhlathuze to amend the Richards Bay  
Town Planning Scheme by the rezoning of  
Portion of Erven 4229 ( $\pm 385$  m<sup>2</sup> in extent) and  
7458 ( $\pm 398$  m<sup>2</sup> in extent), from "Public Open  
Space" to "Special Residential 1" as indicated on  
Plan No. 4229-02 and 7458-02.

Details of the proposed rezoning together with  
the relevant documents are open for inspection  
by the public at Room D329, Municipal Offices,  
Civic Centre, 5 Mark Strasse, Richards Bay, dur-  
ing office hours. (Prior appointment with Mr  
Mpofu (Tel. 035 9015000) is essential).

Written objections against or representations  
concerning the above should reach the Chief  
Executive Officer at the above address or Private  
Bag X1004, Richards Bay, 3900 within 21 days  
of date of this advertisement.

Dr A. W. HEYNEKE,  
Chief Executive Officer.  
City of uMhlathuze,  
Private Bag X1004,  
Richards Bay 3900.

D1—January 13, 2005.

**STAD VAN uMHLATHUZE  
HERSONERING VAN ERF 55: MEERENSEE,  
RICHARDSBAAI – GU**

Kennisgewing geskied hiermee ingevolge die  
Bepalings van Artikel 47 bis (1)(a) van die  
Dorpsbeplanningsordonnansie No. 27 van 1949,  
soos gewysig, van 'n aansoek aan die Stad van  
uMhlathuze om die Richardsbaai Dorpsbeplan-  
ningskema te wysig deur die hersonering van Erf  
55, Meerensee, Richardsbaai – GU, vanaf  
"Spesiaal Woon 1" na "Spesiaal: Algemene  
Woon 2: Erf 55" soos aangedui op Plan No. 55.

Besonderhede van die voorgestelde hersoner-

ing met die toepaslike dokumente lê gedurende  
kantoorure te Kamer D329, Munisipale Kantore,  
Burgersentrum, Mark Strasse 5, Richardsbaai vir  
die publiek ter insae. (Afspraak met mnr W.  
Mpofu (Tel. 035 901 5000) in hierdie verband is  
noodsaaklik).

Skriftelike besware teen of vertoë aangaande  
bogemelde aangeleentheid moet die Hoof  
Uitvoerende Beampte by bogemelde straat adres  
of Privaatsak X1004, Richardsbaai, 3900, binne  
21 dae vanaf datum van verskyning van hierdie  
advertensie bereik.

DR A.W. HEYNEKE,  
Hoof Uitvoerende Beampte.  
Stad van uMhlathuze,  
Privaatsak X1004,  
Richardsbaai.

D2—Januarie 13, 2005.

**CITY OF uMHLATHUZE  
PROPOSED REZONING OF ERF 55:  
MEERENSEE: RICHARDS BAY – GU**

Notice is hereby given in terms of Section 47  
bis (1)(a) of the Town Planning Ordinance No.  
27 of 1949, as amended, of an application to the  
City of uMhlathuze to amend the provisions of  
the Richards Bay Town Planning Scheme in the  
course of preparation, by the rezoning of Erf 55:  
Meerensee: Richards Bay – GU from "Special  
Residential 1" to "Special: General Residential  
2: Erf 55" as indicated on Plan No. 55.

Details of the proposed rezoning together with  
the relevant documents are open for inspection  
by the public at Room D329, Municipal Offices,  
Civic Centre, 5 Mark Strasse, Richards Bay, dur-  
ing office hours. (Prior appointment with Mr  
Mpofu (Tel. 035 9015000) is essential).

Written objections against or representations

concerning the above should reach the Chief Executive Officer at the above physical address or Private Bag X1004, Richards Bay, 3900 within 21 days of date of publication of this advertisement.

Dr A. W. HEYNEKE,  
Chief Executive Officer.

City of uMhlathuze,  
Private Bag X1004,  
Richards Bay 3900.

D2—January 13, 2005.

**eTHEKWINI MUNICIPALITY:  
INNER WEST AREA OFFICE  
ISICHIBIYELO ESIHLONGOZWAYO:  
SOHLELO LWEDOLOBHA LASE  
QUEENSBURGH OLUPHEZU  
KWAMALUNGISELELO**

Kukhishwa isaziso sokuthi kufakwe isicelo eMkhandlwini ngokwesiGaba 47 sika B sikaSomqulu weMithetho wokuhlelwa kweDolobha, sika 1949 (Ordinance No. 27 ka 1949) (njengoba sichitshiyelwe), ukuthi imvume yokuchibiyela uhlelo lwedolobha lase Queensburgh oluphezu kwamalungiselelo ngokushintsha Rezoning Erf 2143 Queensburgh, at 454 Old Main Road Escombe, kusuka kwi-General Residential 1 kuya kwi-Limited Commercial.

Amakhophi alesiichibiyelo esihlongozwayo kanye namapulani nezincwadi eziphathelele nakho, kuvulekile ehovisi le Town Planning, 2 Club Lane, Pinetown. Thintana nehovisi eliseduze: naweNoma ngubani onomdlandla mayelana nalesichibiyelo esihlongozwayo angafaka incwadi ehikisana nase kuMqondisi: Planning and Development, ekhelini elingezansi, Nkungkashayi ulwesihlanu, 4 kuNhlolanja 2005.

DR M.O. SUTCLIFFE,  
City Manager.

eThekwini Municipality,  
Inner West Area Office,  
P.O. Box 244,  
Pinetown, 3600.

D3—kuMasingana 13, 2005.

**eTHEKWINI MUNICIPALITY:  
INNER WEST AREA OFFICE  
PROPOSED AMENDMENT TO THE  
QUEENSBURGH TOWN PLANNING  
SCHEME IN THE COURSE  
OF PREPARATION**

Notice is hereby given that application has been made to the Council in terms of Section 47 bis B of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949) (as amended), for authority to amend the Queensburgh Town Planning Scheme in the course of preparation by rezoning Erf 2143 Queensburgh, situated at 454 Old Main Road Escombe, from General Residential 1 to Limited Commercial.

A copy of the proposed amendment is open for inspection at the Town Planning Office, 2 Club Lane, Pinetown, during office hours. Consult your local office.

Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the Director: Planning, at the address below, by Friday, 4 February 2005.

DR M.O. SUTCLIFFE,  
City Manager.

eThekwini Municipality,  
Inner West Area Office,  
P.O. Box 244,  
Pinetown, 3600.

D3—January 13, 2005.

**eTHEKWINI MUNICIPALITY:  
INNER WEST AREA OFFICE  
ISICHIBIYELO ESIHLONGOZWAYO:  
SOHLELO LWEDOLOBHA LASE  
PINETOWN OLUPHEZU  
KWAMALUNGISELELO**

Kukhishwa isaziso sokuthi kufakwe isicelo eMkhandlwini ngokwesiGaba 47 sika B sikaSomqulu weMithetho wokuhlelwa kweDolobha, sika 1949 (Ordinance No. 27 ka 1949) (njengoba sichitshiyelwe), ukuthi imvume yokuchibiyela uhlelo lwedolobha lase Pinetown oluphezu kwamalungiselelo ngokushintsha:

Isiza Lot 30663 Pinetown. Inombolo yomg-

waqo 16 Glenugie Road. Kusuka Office 2. Kuya Special Zone No. 15.

Ikhophi yalesichibiyelo esihlongozwayo sivulekile ehovisini e Town Planning, 2 Club Lane, Pinetown ngezikhathi zokusebenza. Thintana namahovisi aseduze.

Noma ngubani othinteka ngokwenele kulesichibiyelo esihlongozwayo angafaka incwadi yokuphikisana nase noma azokwethula ukuphikisa kwakhe ku Director Planning ekhelini elingezantsi ngoLwesihlanu 4 kuNhlolanja 2005.

DR M.O. SUTCLIFFE,  
City Manager.

eThekwini Municipality,  
Inner West Area Office,  
P.O. Box 244,  
Pinetown, 3600.

D5—kuMasingana 13, 2005.

**eTHEKWINI MUNICIPALITY:  
INNER WEST AREA OFFICE  
PROPOSED AMENDMENT PINETOWN  
TOWN PLANNING SCHEME IN THE  
COURSE OF PREPARATION**

Notice is hereby given that application has been made to the Council in terms of Section 47 bis B of the Town Planning Ordinance, 1949 (Ordinance No. 27 of 1949) (as amended), for authority to amend the Pinetown Town Planning Scheme in the course of preparation for: Lot 30663 Pinetown, 16 Glenugie road from Office 2 to Special Zone No. 15.

Copies of the proposed amendment are open for inspection at the Town Planning Office, 2 Club Lane, Pinetown, during office hours. Consult your local office.

Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the Director: Planning at the address below, by 4 February 2005.

DR M.O. SUTCLIFFE,  
City Manager.

eThekwini Municipality,  
Inner West Area Office,  
P.O. Box 244,  
Pinetown, 3600.

D5—January 13, 2005.

## MISCELLANEOUS/DIVERSE

### APPLICATION FOR PUBLIC ROAD CARRIER PERMITS OR OPERATING LICENCES

Notice is hereby given in terms of section 14(1)(a) of the Road transportation Act, 1977 (Act 74 of 1977) and section 37 of the National Land Transport Transition Act, 2000 (Act 22 of 2000) of the particulars in respect of application for public road carrier permits and/or operating licences received by the KZN Public Transport Licensing Board, indicating: -

- (1) The application number;
- (2) The name and identity number of the applicant;
- (3) The place where the applicant conducts his business or wishes to conduct his business, as well as his postal address;
- (4) The nature of the application, that is whether it is an application for: -
  - (4.1) the grant of a new permit or operating licence;
  - (4.2) the grant of additional authorisation;
  - (4.3) the amendment of route;
  - (4.4) the amendment of timetables;
  - (4.5) the amendment of tariffs;
  - (4.6) the renewal of such permit or operating licence;
  - (4.7) the transfer of such permit or operating licence;
  - (4.8) the change of the name, or particulars of the holder;

- (4.9) the replacement of vehicle;
- (4.10) the amendment of vehicle particulars, including increase in carrying capacity in excess of fifteen percent;
- (4.11) an additional vehicle with existing authorisation;
- (4.11) the refinement of routes in terms of section 85(4)(f), (g) or (5) of Act 22 of 2000 in respect of legitimisation or converted permits issued in terms of sections 52 or 55
- (4.12) 22 of 2000 in respect of legitimisation or converted permits issued in terms of sections 52 or 55
- (4.13) Act 4 of 1998, read with section 41 of Act 22 of 2000; or the conversion of permits to operating licences in terms of Part 16 of Act 22 of 2000.
- (5) The number and type of vehicles, including the carrying capacity or gross vehicle mass of the vehicles involved in the application;
- (6) The type of public transport service envisaged, as contemplated in section 1(1)(Lxiii) of Act 22 of 2000, with regard to the transportation of persons, personal effects, or both;
- (7) The points between, picking-up and setting down points and the route or routes along or the area or areas within which the road transportation is conducted or the proposed road transportation is to be conducted; and
- (8) The timetable and scale of charges in respect of scheduled services.

In terms of section 14(2) of Act 74 of 1977, read with regulation 4 of the Road Transportation Regulations, 1977 and section 37(1) of Act 22 of 2000, written representations in quadruplicate supporting or opposing these applications must within 21 (twenty-one) days from the date of this publication, be lodged by hand with, or dispatched by registered post to:

**The Secretary, KZN Public Transport Licensing Board, Private Bag X9135, PIETERMARITZBURG. 3200.**

OR

**230 Prince Alfred Street, PIETERMARITZBURG. 3201.**

A copy of such representations must be lodged by hand with, or dispatched by registered post to, the applicant at the advertised address in (3) above.

Full particulars in respect of each application are open to inspection at the Board's office.

OP.1268033.

(2) KHUMALO KH ID No 5512105484082. Postal address: BOX 141955, MADADENI, 2951.

(4) TRANSFER OF PERMIT, Permit No. 252071/3 from RADEBE AM (12 x passengers, district: NEWCASTLE).

(7) Authority as in last mentioned permit(s).

OP.1268336.

(2) NTSHANGASE H ID No 4202285578082. District: PIETERMARTIZBURG. Postal address: BOX 2179, VRYHEID, 3100.

(4) CHANGE OF PARTICULARS, Permit No. 1256061/1 from NTSHANGASE H (15 x

- passengers, district: PIETERMARTIZBURG).
- (5) 1 x 15 passengers.
- (6) The conveyance of taxi passengers.
- (7) Authority:  
Permit No. 1256061/1  
ADDITIONAL AUTHORITY.

1. VRYHEID PLAZA TAXI RANK TO NQUTU.

FROM VRYHEID PLAZA TAXI RANK INTO CHURCH STREET AND JOIN R34, CONTINUE WITH THE SAME ROAD AND TURN LEFT AT BLOODRIVER INTO P54, CONTINUE WITH THE SAME AND TURN LEFT INTO NQUTU TAXI RANK.

RETURN JOURNEY: SAME AS FORWARD JOURNEY.

FROM VRYHEID PLAZA TAXI RANK INTO CHURCH STREET THEN TURN LEFT INTO EAST STREET AND JOIN R34 CONTINUE WITH THE SAME ROAD AND TURN RIGHT INTO P463.

CONTINUE WITH THE SAME ROAD INTO EMONDLO AND CONTINUE PASS MONDLO AND TURN LEFT INTO P54 CONTINUE WITH THE SAME ROAD AND TURN LEFT INTO NQUTU TAXI RANK.

RETURN JOURNEY :SAME AS FORWARD JOURNEY.

2. VRYHEID PALZA TAXI RANK TO LADYSMITH.

FROM VRYHEID PLAZA TAXI RANK INTO CHURCH STREET AND JOIN R34 WHICH BECOMES R33 CONTINUE WITH THE SAME ROAD PASS DUNDEE JOIN R602 PASS GLENCOE, CONTINUE WITH THE SAME ROAD AND JOIN N11AND CONTINUE WITH THE SAME ROAD UNTIL LADYSMITH TAXI RANK.

RETURN JOURNEY : SAME AS FORWARD JOURNEY.

3. VRYHEID PLAZA TAXI RANK TO NKANDLA.

FROM VRYHEID PLAZA TAXI RANK INTO CHURCH STREET AND JOIN R34, CONTINUE WITH THE SAME ROAD AND TURN LEFT INTO P54 AT BLOODRIVER, CONTINUE WITH THE SAME ROAD PASS NQUTU CONTINUE WITH THE SAME ROAD AND TURN RIGHT INTO FORT LEWIS, CONTINUE WITH THE SAME ROAD UNTIL NKANDLA.

RETURN JOURNEY : SAME AS FORWARD JOURNEY.

OP.1268729.

- (2) LESETLA I ID No 4912290580085. Postal address: P O BOX 1381, MATATIELE, 4730.
- (4) TRANSFER OF PERMIT. Permit No. 1262716/0 from LESETLA MD (15 x passengers, district: PIETERMARTIZBURG).
- (7) Authority as in last mentioned permit(s).

OP.1272204.

- (2) MHLONGO M ID No 3901016094084.
- (3) District: PIETERMARTIZBURG. Postal address: 1005 TEACHERS CENTRE, 113 ALBERT STREET, DURBAN, 4001.
- (4) CHANGE OF PARTICULARS. Permit No. 1263757/0 from MHLONGO M (15 x passengers, district: PIETERMARTIZBURG).
- (5) 1 x 15 passengers.
- (6) The conveyance of taxi passengers.
- (7) Authority:

Permit No. 1263757/0  
AMENDMENT OF ROUTE.

1. FROM DURBAN TO PARKGATE RESIDENTIAL TOWNSHIP VIA OTTAWA AND RETURN.
2. FROM PARKGATE TO VERULAM AND RETURN.
3. FROM DURBAN TO BHAMSHELA AND RETURN.
4. FROM DURBAN TO DALTON VIA STANGER, PIETERMARTIZBURG AND RETURN.

OP.1274975.

- (2) VIDIMA RZ ID No 6504140365086. Postal address: 9 RAILWAY STATION, PMBURG, 3201.
- (4) TRANSFER OF PERMIT. Permit No. 255327/0 from VIDIMA MA (15 x passengers, district: NEW HANOVER), Permit No. 255326/2 from VIDIMA MA (15 x passengers, district: NEW HANOVER).
- (7) Authority as in last mentioned permit(s).

OP.1276677.

- (2) ZUMA WM ID No 6401105723088. Postal address: F805 NTUZUMA TOWNSHIP, P O KWAMASHU, 4360.
- (4) TRANSFER OF PERMIT. Permit No. 1259437/1 from XIMBA FD (15 x passengers, district: PIETERMARTIZBURG).
- (7) Authority as in last mentioned permit(s).

OP.1279552.

- (2) NDIMANDE CT ID No 5401300713083. Postal address: PO BOX 4493, SUNDUMBILLI, 4491.
- (4) TRANSFER OF PERMIT. Permit No. 1273471/0 from NDIMANDE TB (0 x passengers, district: DURBAN).
- (7) Authority as in last mentioned permit(s).

OP.1281059.

- (2) DLAMINI MT ID No 7602085719082. Postal address: P O BOX 148, NONGOMA, 3950.
- (4) TRANSFER OF PERMIT. Permit No. 254723/3 from DLAMINI BN (15 x passengers, district: PIETERMARTIZBURG).
- (7) Authority as in last mentioned permit(s).

OP.1286600.

- (2) MKHIZE JN ID No 5007075804088.
- (3) District: DURBAN. Postal address: LINDELANI TRAINING CENTRE, PO BOX 47605, GREYVILLE, 4023.
- (4) ADD VEH WITH NEW AUTHORITY.
- (5) 1 x 75 passengers.
- (6) The conveyance of persons on a particular bus route.
- (7) Authority:  
FROM LINDELANI TOWNSHIP VIA NEWLANDS WST TO DURBAN:  
FROM LINDELANI TOWNSHIP INTO AND ALONG UNNAMED DIRT ROAD VIA MURRAY AND ROBERTS HALL, TO CASTLE HILL DRIVE, BRIARDALE DRIVE, TURN AT INTERSECTION OF CITARDALE CRESCENT AND BRIARDALE DRIVE, LEFT FROM ROAD HOUSE, REDHILL, WHYNOT, DURBAN NORTH AND GLEENENN STRAIGHT TO UMHLANGA ROCKS AND RETURN TO ALL STOPS OF LINDELANI.

OP.1288396.

- (2) SIKHAKHANE TD ID No 5610160734084. Postal address: B99 UMLAZI TOWNSHIP, P O UMLAZI, 4031.
- (4) TRANSFER OF PERMIT. Permit No. 1266339/0 from MAJIYA SC (15 x passengers, district: DURBAN).
- (7) Authority as in last mentioned permit(s).

OP.1288930.

- (2) SHAIK ED ID No 6007015206088. Postal address: OVERPORT, DURBAN, 4001, 0000.
- (4) TRANSFER OF PERMIT. Permit No. 1264230/0 from KAYSER M (5 x passengers, district: DURBAN).

- (7) Authority as in last mentioned permit(s).

OP.1291905.

- (2) KHUMALO EM ID No 6402265485088.
- (3) District: PIETERMARTIZBURG. Postal address: 138 UNIT 18, IMBALI, PIETERMARTIZBURG, 3201.
- (4) NEW APPLICATION.
- (5) 1 x 86 passengers.
- (6) The conveyance of persons on a particular bus route.
- (7) Authority:  
ROUTE A  
DEPART MAKHOBA TERMINUS PROCEEDING ALONG MAHANGU ROAD TO KWA SHENXA TO MAGASELA TO KWA YANGE TO KWA NKOSI TO SWARTBURG TO FRANKLIN TO KOKSTAD.

ROUTE B

DEPART KOKSTAD TERMINUS FRANKLIN, SWARTBURG TO KWA NKOSI, KWA YANGE, MAGASELA, KWA SHENXA TO MAHANGU TO MAKHOBA TERMINUS.

CHARTER SERVICES:

FROM POINTS WITHIN A RADIUS OF 100 (ONE HUNDRED) KILOMETRES FROM MALUTI TERMINAL, KOKSTAD TO POINTS SITUATED WITHIN THE REPUBLIC OF SOUTH AFRICA TO POINTS WITHIN A RADIUS OF 100 (ONE HUNDRED) KILOMETRES FROM MALUTI TERMINAL, KOKSTAD.

OP.1291933.

- (2) SIBIYA SW ID No 4403255433080.
- (3) District: LOWER TUGELA. Postal address: P O BOX 2204, STANGER, 4450.
- (4) NEW APPLICATION.
- (5) 1 x 10 passengers.
- (6) The conveyance of other.
- (7) Authority:  
SCHOLARS AND THEIR PERSONAL EFFECTS:

FROM HOUSE MM48 MEMORIAL AREA, STANGER AND GROUTVILLE AND SURROUNDINGS PICKING UP SCHOOL CHILDREN ON AREAS INDICATED BELOW AND DELIVERING THEM TO VARIOUS SCHOOLS WITHIN THE STANGER AREA AND BACK AS PER THE ROUTE DESCRIBED BELOW:

FROM HOUSE MM48 MEMORIAL, STANGER ENTER R102 AND STRAIGHT TO ETETE AREA AND TURN BACK AND TURN LEFT INTO MALEND ROAD AND RETURN BACK TO TOLLGATE ROAD AND BACK TO GROUTVILLE MISSION, THOKEN KHANYA STREET AND TURN LEFT TO CRANBROOK ROAD AND BACK TO R102, STRAIGHT TO STANGER IN BLAINE STREET, SCHOOL STREET, MAHATMA GHANDI STREET AND RETURN TO MM48 MEMORIAL ALONG THE SAME ROUTE.

AFTERNOON TRIP IS THE SAME AS THE MORNING TRIP EXCEPT THAT THE MORNING DROP OFF POINTS ARE THE PICK UP POINTS.

OP.1293276.

- (2) HARRICHUNDER K ID No 6412255167083. Postal address: 10 RIVERFERN PLACE, REDEERN, PHOENIX, 4068.
- (4) TRANSFER OF PERMIT. Permit No. 1262799/0 from PERUMAL S (15 x passengers, district: DURBAN).
- (7) Authority as in last mentioned permit(s).

OP.1293946.

- (2) BUTHELEZI T ID No 5711275805080. Postal address: E 418 UMLAZI TOWNSHIP, P O UMLAZI, 4031.
- (4) TRANSFER OF PERMIT. Permit No. 1260814/0 from BUTHELEZI ZR (15 x passengers, district: PIETERMARTIZBURG).

in last mentioned permit(s).

OP.1294628.  
(2) MKHUNGO WS ID No 7103285510082. Postal address: P O BOX 12205, SUNWICHPORT, 4230.  
(4) TRANSFER OF PERMIT, Permit No. 1270494/0 from DLADLA AS (15 x passengers, district: DURBAN).

in last mentioned permit(s).

ID No 5512100733087.

WCASTLE. Postal address: PO BOX 183, UTRECHT, 2980.

OF PERMIT, Permit No.

MAHOA NN (15 x passengers, district: UTRECHT).

in last mentioned permit(s).

AND THEIR PERSONAL

ROUTE DESCRIPTION.

USE NO. 9 SKILPAD STREET TO 07H45 IN THE MORNING DURING THE AFTERNOON 05 TO 14H45.

USE NO. 9 SKILPAD STREET, TURN LEFT INTO BUFFALO STREET, TURN RIGHT TO TUGELA, TURN LEFT TO LEOPAD, TURN LEFT TO SBURG, TURN RIGHT TO NE. TURN LEFT TO SBURG, TURN LEFT TO TURN LEFT TO CORONA, TURN RIGHT TO VICTORIA, TURN LEFT TO ALLEN STREET, TURN RIGHT TO PERTERSON, TURN RIGHT TO HAPPY STREET, GO TO ARBOR PRIMARY SCHOOL, TURN RIGHT TO BEE PRIMARY SCHOOL OR PRIMARY SCHOOL.

ON TRIP IS THE SAME AS ON TRIP EXCEPT THAT DURING DROP OFF POINTS PICK UP POINTS.

ROUTE DESCRIPTION.

USE NO. 9 SKILPAD STREET TO 07H45 IN THE MORNING DURING THE AFTERNOON 05 TO 14H45.

USE NO. 9 SKILPAD STREET, TURN LEFT INTO BUFFALO STREET, TURN LEFT INTO WILD STREET, TURN RIGHT TO BUFFALO STREET, TURN LEFT TO TURN RIGHT TO UMZIM, TURN LEFT TO TUGELA, TURN INTO DRAKENSBURG, TURN RIGHT TO UMFOLOZI, TURN TO UMWOTI, TURN INTO DRAKENSBURG, TURN LEFT TO LEOPARD STREET, TURN INTO DRAKENSBURG, TURN RIGHT TO GERIT MARITZ, TURN INTO PIET RETIEF STREET (BERTZOG) TURN LEFT TO SBURG, TURN RIGHT TO STREET, GO TO S.E. VAWDA SCHOOL AND TO SURYAVARARY SCHOOL TO LENNOX-BOURNE SCHOOL.

ON TRIP IS THE SAME AS ON TRIP EXCEPT THAT DURING DROP OFF POINTS PICK UP POINTS.

OP.1297824.

(2) SHEZI J ID No 5911095797083. District: KRANSKOP. Postal address: HLANGABEZA HIGH SCHOOL, PRIVATE BAG 336, KRANSKOP, 3268 c/o SINCLAIR & CO P O BOX 891, PINE-TOWN, 3600.

(4) NEW APPLICATION.  
(5) 1 x 90 passengers.  
(6) The conveyance of other.

(7) Authority as in last mentioned permit(s).

OP.1296004.

(2) MKHIZE M ID No 6702085375082. Postal address: P O BOX 436, NQUTHU, 3135.

(4) TRANSFER OF PERMIT, Permit No. 257907/3 from KUBEKA F (15 x passengers, district: NQUTU).

(7) Authority as in last mentioned permit(s).

OP.1296254.

(2) ESSACK MJ ID No 6703235153080. Postal address: 22 DAVID BAXTER ROAD, SCOTTSVILLE, PIETERMARITZBURG, 3201.

(4) TRANSFER OF PERMIT, Permit No. 252288/3 from MAHARAJ KJ (15 x passengers, district: PIETERMARTIZBURG).

(7) Authority as in last mentioned permit(s).

OP.1297693.

(2) NAIDOO R ID No 6401165219084.

(3) District: PIETERMARTIZBURG. Postal address: 760 BOMBAY ROAD, NORTHDALE, PIETERMARITZBURG, 3201.

(4) ADDITIONAL AUTHORITY, Permit No. 255908/5 from NAIDOO R (15 x passengers, district: PIETERMARTIZBURG) (4) ADDITIONAL AUTHORITY, Permit No. 1251553/3 from NAIDOO R (15 x passengers, district: PIETERMARTIZBURG).

(5) 3 x 15 passengers.

(6) The conveyance of taxi passengers.

(7) Authority:

Permit No. 255908/5

CHARTER SERVICE:

FROM POINTS WITHIN THE PROVINCE OF KWA ZULU/NATAL TO POINTS WITHIN THE REPUBLIC OF SOUTH AFRICA AND RETURN WITH THE SAME PASSENGERS. Permit No. 1251553/3

OP.1297719.

(2) MFEKA MP ID No 6010035329088.

(3) District: DURBAN. Postal address: P O BOX 40014, REDHILL, 4071.

(4) NEW APPLICATION.

(5) 1 x 26 passengers.

(6) The conveyance of tourists.

(7) Authority:

FROM 1165 NGOQOKAZI ROAD, INANDA TO PRE ARRANGED PICK UP POINTS WITHIN THE REPUBLIC OF SOUTH AFRICA AND FROM SUCH POINTS TO POINTS WITHIN THE REPUBLIC OF SOUTH AFRICA AND RETURN.

OP.1297808.

(2) NCANE ST ID No 5309190518084. Postal address: P O BOX 2019, MARGATE, 4275.

(4) TRANSFER OF PERMIT, Permit No. 1261567/0 from NCANE ZS (15 x passengers, district: DURBAN), Permit No. 1261568/0 from NCANE ZS (15 x passengers, district: DURBAN), Permit No. 1261566/0 from NCANE ZS (15 x passengers, district: DURBAN), Permit No. 1268475/0 from NCANE ZS (15 x passengers, district: DURBAN), Permit No. 1273540/0 from NCANE ZS (15 x passengers, district: DURBAN).

(7) Authority as in last mentioned permit(s).

(A) PERSONS AND THEIR PERSONAL EFFECTS:

INWARDS:

FROM CHIEFS COURT OSHIKISHINI ALONG UNNAMED ROAD PASSING MANDLALATHI CLINIC AND SHU-SHU TO ROAD P15 AT IWOSI, RIGHT INTO ROAD P15 PASSING NTUNJAMBILI HOSPITAL, INTO MAIN ROAD, KRANSKOP, RIGHT INTO BUS RANK AT KRANSKOP.

OUTWARDS:

FROM KRANSKOP BUS RANK LEFT INTO MAIN ROAD, INTO AND ALONG P15 PASSING NTUNJAMBILI HOSPITAL, LEFT INTO UNNAMED ROAD AT IWOSI ALONG UNNAMED ROAD PASSING SHU-SHU, MANDLALATHI CLINIC TO CHIEFS COURT AT OSHIKISHINI.

(B) ORGANISED PARTIES (PRO-FORMA):

FROM MAGISTERIAL DISTRICT OF KRANSKOP TO POINTS WITHIN THE PROVINCE OF KWA-ZULU/NATAL AND RETURN.

OP.1297882.

(2) VEZI ZZ ID No 7106075566081.

(3) District: UMZINTO. Postal address: PO BOX 334, UMZINTO, UMZINTO, 4200 c/o UMZINTO TAXI OWNERS ASSOCIATION P O BOX 10692, UMZINTO STATION, 4201.

(4) NEW (LATE RENEWAL).

(5) 1 x 14 passengers.

(6) The conveyance of taxi passengers.

(7) Authority:

ANNEXURE "A" UMZINTO TAXI OWNERS ASSOCIATION.

1. FROM UMZINTO TAXI RANK TO 290/299 WARWICK AVENUE WEST STREET TAXI RANK VIA ISPINGO STATION, OLD SOUTH COAST, REUNION DIRECT AND RETURN.

2. FROM UMZINTO TAXI RANK TO SCOTTSBURGH TAXI RANK VIA PARKRYNIE, SHAYAMOYA LOCATION DIRECT AND RETURN.

3. FROM UMZINTO TAXI RANK TO PORT SHEPSTONE TAXI RANK VIA IFABA MISSION, MALANGENI, N2 DIRECT AND RETURN.

4. FROM UMZINTO TAXI RANK TO KETSO TAXI RANK VIA PENNINGTON PARK, SEZELA, SELBOURNE DIRECT AND RETURN.

5. FROM UMZINTO TAXI RANK TO DUMISA TAXI RANK VIA N2 FREEWAY DIRECT AND RETURN.

H4—January 13, 2005.