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YESIFUNDAZWE
saKwaZulu-Natali

Ishicilelwe ngegunya
(Irejistiwe njengephephandaba eposilhovisi)

No. 6523 ULWESINE, 16 KULWEZI 2006

Ukuze uthole iGazethi yesiFundazwe kwi-INITHANETHI ngaphandle kokukhokha, iya ku: <http://www.lawsoc.co.za/kznprovince/index.htm>

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ONDERSTAANDE kennisgewings word vir algemene inligting gepubliseer.

PROFESSOR M. A. MCHUNU
Direkteur-generaal

300 Langalibalele Straat
Pietermaritzburg
16 November 2006

IZAZISO ezilandelayo zikhishelwe ulwazi lukwonkewonke.

USOLWAZI M. A. MCHUNU
uMqondisi-Jikelele

300 Langalibalele Street
Pietermaritzburg
16 kuLwezi 2006

THE following notices are published for general information.

PROFESSOR M. A. MCHUNU
Director-General

300 Langalibalele Street
Pietermaritzburg
16 November 2006

No. 2012, 2006

16 November 2006

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE**KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDE; ERF 224 TRAFALGAR, HIBISCUS COAST MUNISIPALITEIT**

IN my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Kusstreek Implementeringskantoor) in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid, uitgereik deur die KwaZulu-Natal lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering en behuising ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdhede, 1994 (Wet No. 8 van 1994), verwyder ek hiermee van Transportakte T 13601/1984, Erf 224 Trafalgar, Registrasie Afdeling ET, Hibiscus Coast Munisipaliteit, Provinsie van KwaZulu-Natal —

- (a) voorwaarde C.(c) wat die gebruik van sekere tipes boumateriaal beperk en wat die indiening van bouplanne vereis; en
- (b) voorwaarde D.(ii) wat die gebruik van die eiendom tot 'n woonhuis beperk.

Gegee onder my hand te Durban op hierdie 25ste dag van Oktober, Tweeduisend-en-ses.

T. A. BHENGU
Bestuurder: Ontwikkelingsbeplanning
Kusstreek Implementeringskantoor
Lêerverwysing: 2006/59

No. 2012, 2006

16 kuLwezi 2006

UMNYANGO NOHULUMENI BASEKHAYA KANYE NEZENDABUKO**ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEZITHIBELO, 1967: UKUSUSWA KWESIMISO SETAYITELA; ISIZA 224 ESISE-TRAFALGAR, KUMASIPALA WASE-HIBISCUS COAST**

ESIKHUNDLENI sami njengoMphathi: wokuHlelwa kweNtuthuko (eHhovisi lokuQaliswa kweziNhlelo elingasogwini) eMnyangweni woHulumeni baseKhaya kanye nezeNdabuko waKwaZulu-Natali, ngaphansi kwamandla engiwanikezwe yisigaba 2(1) soMthetho wokuSuswa kweziThibelo, 1967 (uMthetho No. 84 ka 1967), sifundwa negunya lokudluliselwa kwamandla 2 leNgxenywe VIII yeSahluko B seGunya lokuDluliselwa kwaMandla okuVamile, elikhishwe yiLunga loMkhandlu oPhethe elibhekele ohulumeni basekhaya nezezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla waKwaZulu-Natali, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngisusa umshwana wokuDluliselwa kweTayitela elingu-T 13601/1984, eliphathelene neSiza 224 esise-Trafalgar, isiGaba sokuBhalisa ngu-ET, kuMasipala wase-Hibiscus Coast, esiFundazweni saKwaZulu-Natali —

- (a) isimiso C.(c) esithibela ukusetshenziswa kohlobo lwezimpahla zokwakha futhi esidinga ukulethwa kwamapulani esakhiwo; kanye
- (b) nesimiso D.(ii) esinquma ukusetshenziswa komhlaba njengendawo yokuhlala.

Sinikezwe ngaphansi kweSandla sami eThekwini ngalolu suku lwama-25 kuMfumfu, oNyakeni weziNkuluwane eziMbili nesiThupha.

T. A. BHENGU
uMphathi: wokuHlelwa kweNtuthuko
iHhovisi lokuQaliswa kweziNhlelo elingasogwini
iNkomba yefayela: 2006/59

No. 2012, 2006

16 November 2006

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967: REMOVAL OF CONDITION OF TITLE; ERF 224 TRAFALGAR, HIBISCUS COAST MUNICIPALITY**

IN my capacity as Manager: Development Planning (Coastal Implementation Office) in the KwaZulu-Natal Department Local Government and Traditional Affairs, under powers vested in me by section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority, issued by the KwaZulu-Natal Member of the Executive Council responsible for local government and housing in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), I hereby remove from Deed of Transfer T 13601/1984, pertaining to Erf 224 Trafalgar, Registration Division ET, Hibiscus Coast Municipality, Province of KwaZulu-Natal —

- (a) condition C.(c) restricts the use of certain types of building material and requires the submission of building plans; and

(b) condition D.(ii) restricts the use of the property to a dwelling house.

Given under my hand at Durban this 25th day of October, Two Thousand and Six.

T. A. BHENGU

Manager: Development Planning

Coastal Implementation Office

File reference: 2006/59

No. 2013, 2006

16 November 2006

KWAZULU-NATAL DOBBELRAAD

KENNISGEWING VAN OPENBARE AANHORINGS VIR AANSOEKE ONTVANG VIR TIPE "A" PERSEELOPERATEURSLISENSIES: DURBAN GEBIED

INGEVOLGE regulasie 22 van die regulasies gepubliseer kragtens die KwaZulu-Natal Dobbelwet, 1996 (Wet No. 10 of 1996), word hierby kennis gegee dat 'n openbare aanhoring vir die volgende aansoekers om Tipe "A" perseeloperateurslisensies om 14:00 op 23 November by die Edward Protea Hotel, Marine Parade 149, Noordkus, Durban gehou sal word.

Luck @ It KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Harjen Investments CC T/A Horse 'n Hound Tavern 2. Umbilo Congella Sports Club 3. Nico At Chill CC T/A Chill Action Bar 4. Heritage Lanes (Pty) Ltd T/A Dolphin Bowl 5. Carole Gore Enterprises CC T/A Cockle Jacks Tavern 6. Comfort Zone Pub and Restaurant T/A Comfort Zone 7. Get Lost Pool and Action Bar (Pty) Ltd T/A Get Lost 8. Lezmin 1635 CC T/A Amakhosi Entertainment 9. Sohig Investment CC T/A Four Seasons Hotel 10. Three Kings of Groom Street Tavern T/A Three Kings Tavern 	<p>Shop 17 D Northway Mall Durban North</p> <p>645 Umbilo Road Durban</p> <p>Shop 8 and 23 Belmont 95 Marine Parade Durban</p> <p>19 Beach Road Amanzimtoti</p> <p>8 Wolseley Road Morningside Durban</p> <p>1st Floor Mona Mansions 191/193 Smith Street Durban</p> <p>Shop E 1(c) Fantasy Forest Gateway Shoppertainment World Umhlanga Rocks</p> <p>Shop 1 575/577 West Street Durban</p> <p>81/85 Gillespie Street Durban</p> <p>12 Groom Street Verulam</p>
Vukani Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Club Nessa 2. White House Tattersalls & Tab 3. Chelsea Sports Bar 4. Marineco 101 CC T/A JD's Bar 5. Tuffsan Trading 214 (Pty) Ltd T/A Porky's Restaurant 6. The Sugar Shack Tavern CC T/A The Sugar Shack Tavern 7. JR's Palace CC 8. Longy's Bottle Store & Action Bar CC T/A Longy's Tavern 9. Maqandofudu Tavern 10. Hollywood Park 	<p>4 Pardy Road Isipingo Rail</p> <p>Shop 300 A/B Whitehouse Shopping Centre 3341 Old North Coast Road Phoenix</p> <p>24/28 Chelsea Avenue New Germany</p> <p>Shop 2, 197 Brighton Road Bluff</p> <p>15 Lagoon Drive Umhlanga Rocks</p> <p>Shop 22-28 Old Well Arcade, 384 Smith Street Durban</p> <p>Shop 5 12 Tranquil Street Chatsworth</p> <p>1 Milton Road Durban</p> <p>5 Swinton Road c/o CJ Smith Hostel Merebank</p> <p>126 Intersite Avenue Umngeni Bussiness Park Durban</p>

Thuo Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Neelavin Govender T/A Richards Sports Bar 2. Durban Wanderers Club 3. Sip and Nap Lodge CC 4. Myshan Investment CC T/A Asoka Hotel 5. Jennifer Lorraine Robinson T/A Circle of Friends 6. Martin Coterie (Pty) Ltd T/A Mount Edgecombe Hotel 7. Jennifer Alice Seager T/A Merseyside Pub & Tavern 8. Avril Trading (Pty) Ltd T/A Hops – Durban North 9. Bela Vista Hotel 10. Silverglen Hotel (Pty) Ltd T/A Sol Namara Hotel 	<p>Shop 18 Southgate Mall Stonebridge Drive Phoenix</p> <p>42 Benson Road Montclair Durban</p> <p>St Bells Hotel 956 Sarnia Road Bellair</p> <p>175 Dunkeld Road Reservoir Hills</p> <p>Shop 4A, Coronation Walk 15 Coronation Road Malvern Queensburgh</p> <p>107 Marshall Drive Mount Edgecombe</p> <p>Shop 34, Queensmead Mall 95 Teignmouth Road Umbilo</p> <p>Shop 11 Riverside Riverside Hotel 10 Northway Durban</p> <p>75 Kingsway Warner Beach</p> <p>106 Silverglen Drive Silverglen</p>
Gold Circle KZN Slots (Pty) Ltd	<ol style="list-style-type: none"> 1. Gold Circle Bayview Agency T/A Tab Gold Bayview Agency 2. Gold Circle Tab 191 Smith Street Agency 3. Britannia Hotel 4. Gold Circle Westcliff Agency 5. Gold Circle Overport Branch 6. Gold Circle Starwood Agency 7. Gold Circle Stonebridge 8. Gold Circle Chatsworth Town Centre Branch 9. Gold Circle Pinetown Tatts Branch 10. Gold Circle Umbilo Branch 	<p>Shop 1 294 Pelican Drive Bayview Chatsworth 191 Smith Street Durban</p> <p>1299 Umgeni Road Durban</p> <p>1B G's Centre 201 Florence Nightingale Drive Westcliff, Chatsworth</p> <p>Shop 301 430 Ridge Road Overport City Durban</p> <p>Shop 301 430 Ridge Road Overport City Durban</p> <p>Suite 201 2nd Floor 80 Parthenon Street Phoenix Town Centre</p> <p>Shop 1 Stonebridge Place Stonebridge Phoenix</p> <p>13 Joyhurst Street Chatsworth</p> <p>45 Union Lane Pinetown</p> <p>Shop 3 Queensmead Mall 95 Teignmouth Road Umbilo Durban</p>

ISAZISO ESIPHUMA KWIBHODI YOKUGEMBULA YESIFUNDAZWE SAKWAZULU-NATALI

IZINKUNDLA ZOMPHAKATHI ZOKUFAKA IZICELO ZOHLOBO "A" LWAMALAYISENSI OKUQHUBA IBHIZINISI LEMISHINI YAMAKHASINO

NGALOKHU kunikezwa isaziso ngokuhambisana nomthethonqubo 22 weMithethonqubo eshicilelwe ngaphansi koMthetho wezokuGembula waKwaZulu-Natali, 1996 (uMithetho No. 10 ka 1996) ngesigcawu esivulelekile somphakathi sokulalela izicelo zendawo engu "A" yohlobo lwama layisensi okuqhuba imishini yasekhasino ezifakwe yizinkampani ezibalwe kuhlu olungezansi zaseThekwini namaphethelo Ukulethwa kwalezi zicelo kuyokwenziwa mhla zinga-23 kuLwezi 2006 ngehora lesibili ntambama (14:00) ehhotele Ilase-Edward Protea ku 149 Marine Parade, North Beach eThekwini.

Luck @ It KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Harjen Investments CC T/A Horse 'n Hound Tavern 2. Umbilo Congella Sports Club 3. Nico At Chili CC T/A Chili Action Bar 4. Heritage Lanes (Pty) Ltd T/A Dolphin Bowl 5. Carole Gore Enterprises CC T/A Cockle Jacks Tavern 6. Comfort Zone Pub and Restaurant T/A Comfort Zone 7. Get Lost Pool and Action Bar (Pty) Ltd T/A Get Lost 8. Lezmin 1635 CC T/A Amakhosi Entertainment 9. Sohig Investment CC T/A Four Seasons Hotel 10. Three Kings of Groom Street Tavern T/A Three Kings Tavern 	<p>Shop 17 D Northway Mall Durban North</p> <p>645 Umbilo Road Durban</p> <p>Shop 8 and 23 Belmont 95 Marine Parade Durban</p> <p>19 Beach Road Amanzimtoti</p> <p>8 Wolseley Road Morningside Durban</p> <p>1st Floor Mona Mansions 191/193 Smith Street Durban</p> <p>Shop E 1(c) Fantasy Forest Gateway Shoppertainment World Umhlanga Rocks</p> <p>Shop 1 575/577 West Street Durban</p> <p>81/85 Gillespie Street Durban</p> <p>12 Groom Street Verulam</p>
Vukani Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Club Nessa 2. White House Tattersalls & Tab 3. Chelsea Sports Bar 4. Marineco 101 CC T/A JD's Bar 5. Tuffsan Trading 214 (Pty) Ltd T/A Porky's Restaurant 6. The Sugar Shack Tavern CC T/A The Sugar Shack Tavern 7. JR's Palace CC 8. Longy's Bottle Store & Action Bar CC T/A Longy's Tavern 9. Maqandofudu Tavern 10. Hollywood Park 	<p>4 Pardy Road Isipingo Rail</p> <p>Shop 300 A/B Whitehouse Shopping Centre 3341 Old North Coast Road Phoenix</p> <p>24/28 Chelsea Avenue New Germany</p> <p>Shop 2, 197 Brighton Road Bluff</p> <p>15 Lagoon Drive Umhlanga Rocks</p> <p>Shop 22-28 Old Well Arcade, 384 Smith Street Durban</p> <p>Shop 5 12 Tranquil Street Chatsworth</p> <p>1 Milton Road Durban</p> <p>5 Swinton Road c/o CJ Smith Hostel Merebank</p> <p>126 Intersite Avenue Umngeni Bussiness Park Durban</p>
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	<p>3. Sip and Nap Lodge CC</p> <p>4. Myshan Investment CC T/A Asoka Hotel</p> <p>5. Jennifer Lorraine Robinson T/A Circle of Friends</p> <p>6. Martin Coterie (Pty) Ltd T/A Mount Edgecombe Hotel</p> <p>7. Jennifer Alice Seager T/A Merseyside Pub & Tavern</p> <p>8. Avril Trading (Pty) Ltd T/A Hops – Durban North</p> <p>9. Bela Vista Hotel</p> <p>10. Silverglen Hotel (Pty) Ltd T/A Sol Namara Hotel</p>	<p>St Bells Hotel 956 Sarnia Road Bellair</p> <p>175 Dunkeld Road Reservoir Hills</p> <p>Shop 4A, Coronation Walk 15 Coronation Road Malvern Queensburgh</p> <p>107 Marshall Drive Mount Edgecombe</p> <p>Shop 34, Queensmead Mall 95 Teignmouth Road Umbilo</p> <p>Shop 11 Riverside Riverside Hotel 10 Northway Durban</p> <p>75 Kingsway Warner Beach</p> <p>106 Silverglen Drive Silverglen</p>
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KWAZULU-NATAL GAMBLING BOARD: NOTICE

PUBLIC HEARINGS FOR THE APPLICATIONS FOR TYPE "A" SITE OPERATOR LICENCES

IN terms of regulation 22 of the regulations under the KwaZulu-Natal Gambling Act, 1996, notice is hereby given that a public hearing for the following applicants for Type "A" Site Operator Licence will be held on 23 November 2006 at Edward Protea Hotel, 149 Marine Parade, North Beach, Durban, commencing at 14:00.

Luck @ It KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Harjen Investments CC T/A Horse 'n Hound Tavern 2. Umbilo Congella Sports Club 3. Nico At Chill CC T/A Chill Action Bar 4. Heritage Lanes (Pty) Ltd T/A Dolphin Bowl 5. Carole Gore Enterprises CC T/A Cockle Jacks Tavern 6. Comfort Zone Pub and Restaurant T/A Comfort Zone 7. Get Lost Pool and Action Bar (Pty) Ltd T/A Get Lost 8. Lezmin 1635 CC T/A Amakhosi Entertainment 9. Sohig Investment CC T/A Four Seasons Hotel 10. Three Kings of Groom Street Tavern T/A Three Kings Tavern 	<p>Shop 17 D Northway Mall Durban North</p> <p>645 Umbilo Road Durban</p> <p>Shop 8 and 23 Belmont 95 Marine Parade Durban</p> <p>19 Beach Road Amanzimtoti</p> <p>8 Wolseley Road Morningside Durban</p> <p>1st Floor Mona Mansions 191/193 Smith Street Durban</p> <p>Shop E 1(c) Fantasy Forest Gateway Shoppertainment World Umhlanga Rocks</p> <p>Shop 1 575/577 West Street Durban</p> <p>81/85 Gillespie Street Durban</p> <p>12 Groom Street Verulam</p>
Vukani Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Club Nessa 2. White House Tattersalls & Tab 3. Chelsea Sports Bar 4. Marineco 101 CC T/A JD's Bar 5. Tuffsan Trading 214 (Pty) Ltd T/A Porky's Restaurant 6. The Sugar Shack Tavern CC T/A The Sugar Shack Tavern 7. JR's Palace CC 8. Longy's Bottle Store & Action Bar CC T/A Longy's Tavern 9. Maqandofudu Tavern 10. Hollywood Park 	<p>4 Pardy Road Isipingo Rail</p> <p>Shop 300 A/B Whitehouse Shopping Centre 3341 Old North Coast Road Phoenix</p> <p>24/28 Chelsea Avenue New Germany</p> <p>Shop 2, 197 Brighton Road Bluff</p> <p>15 Lagoon Drive Umhlanga Rocks</p> <p>Shop 22-28 Old Well Arcade, 384 Smith Street Durban</p> <p>Shop 5 12 Tranquil Street Chatsworth</p> <p>1 Milton Road Durban</p> <p>5 Swinton Road c/o CJ Smith Hostel Merebank</p> <p>126 Intersite Avenue Umngeni Bussiness Park Durban</p>
Thuo Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Neelavin Govender T/A Richards Sports Bar 2. Durban Wanderers Club 3. Sip and Nap Lodge CC 	<p>Shop 18 Southgate Mall Stonebridge Drive Phoenix</p> <p>42 Benson Road Montclair Durban</p> <p>St Bells Hotel 956 Sarnia Road Bellair</p>

	<p>4. Myshan Investment CC T/A Asoka Hotel</p> <p>5. Jennifer Lorraine Robinson T/A Circle of Friends</p> <p>6. Martin Coterie (Pty) Ltd T/A Mount Edgecombe Hotel</p> <p>7. Jennifer Alice Seager T/A Merseyside Pub & Tavern</p> <p>8. Avril Trading (Pty) Ltd T/A Hops – Durban North</p> <p>9. Bela Vista Hotel</p> <p>10. Silverglen Hotel (Pty) Ltd T/A Sol Namara Hotel</p>	<p>175 Dunkeld Road Reservoir Hills</p> <p>Shop 4A, Coronation Walk 15 Coronation Road Malvern Queensburgh</p> <p>107 Marshall Drive Mount Edgecombe</p> <p>Shop 34, Queensmead Mall 95 Teignmouth Road Umbilo</p> <p>Shop 11 Riverside Riverside Hotel 10 Northway Durban</p> <p>75 Kingsway Warner Beach</p> <p>106 Silverglen Drive Silverglen</p>
Gold Circle KZN Slots (Pty) Ltd	<p>1. Gold Circle Bayview Agency T/A Tab Gold</p> <p>Bayview Agency</p> <p>2. Gold Circle Tab 191 Smith Street Agency</p> <p>3. Britannia Hotel</p> <p>4. Gold Circle Westcliff Agency</p> <p>5. Gold Circle Overport Branch</p> <p>6. Gold Circle Starwood Agency</p> <p>7. Gold Circle Stonebridge</p> <p>8. Gold Circle Chatsworth Town Centre Branch</p> <p>9. Gold Circle Pinetown Tatts Branch</p> <p>10. Gold Circle Umbilo Branch</p>	<p>Shop 1 294 Pelican Drive Bayview Chatsworth 191 Smith Street Durban</p> <p>1299 Umgeni Road Durban</p> <p>IB G's Centre 201 Florence Nightingale Drive Westcliff, Chatsworth</p> <p>Shop 301 430 Ridge Road Overport City Durban</p> <p>Shop 301 430 Ridge Road Overport City Durban</p> <p>Suite 201 2nd Floor 80 Parthenon Street Phoenix Town Centre</p> <p>Shop 1 Stonebridge Place Stonebridge Phoenix</p> <p>13 Joyhurst Street Chatsworth</p> <p>45 Union Lane Pinetown</p> <p>Shop 3 Queensmead Mall 95 Teignmouth Road Umbilo Durban</p>

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 2(1) VAN DIE WET OP OPHEFFING VAN BEPERKINGS, 1967: OPHEFFING VAN TITELVOORWAARDES; ERF 593 SOUTHBROOM, HIBISCUS COAST MUNISIPALITEIT

In my hoedanigheid as Bestuurder: Ontwikkelingsbeplanning (Kusstreek Implementeringskantoor) in die KwaZulu-Natal Departement van Plaaslike Regering en Tradisionele Sake, kragtens die bevoegdheid aan my verleen by artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), saamgelees met delegasie 2 van deel VIII van hoofstuk B van die Algemene Delegasies van Bevoegdheid, uitgereik deur die KwaZulu-Natal lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering en behuising ingevolge artikel 2 van die KwaZulu-Natal Wet op die Delegering van Bevoegdheide, 1994 (Wet No. 8 van 1994), verwyder ek hiermee van Transportakte T 16759/03, betreffende Erf 593 Southbroom, Registrasie Afdeling ET, in die Hibiscus Coast Munisipaliteit, Provinsie van KwaZulu-Natal —

- (a) voorwaarde C.(5) wat die gebruik van die eiendom as koshuis of vir besigheidsdoeleindes verbied;
- (b) voorwaarde C.(11) wat boulyne voorskryf, die indiening van bouplanne vercis en die gebruike van sekere tipes boumateriaal beperk;
- (c) voorwaarde D.1. wat die gebruik van die eiendom tot een woonhuis beperk; en
- (d) voorwaarde D.3. wat boulyne voorskryf.

Gegee onder my hand te Durban op hierdie 20ste dag van September, Tweeduisend-en-ses.

T. A. BHENGU

Bestuurder: Ontwikkelingsbeplanning
Kusstreek Implementeringskantoor
Lêerwerf: 2006/402

No. 2014, 2006

16 kuLwezi 2006

UMNYANGO WEZOHULUMENI BASEKHAYA KANYE NEZENDABUKO

ISAZISO NGOKWESIGABA 2(1) SOMTHETHO WOKUSUSWA KWEZITHIBELO, 1967: UKUSUSWA KWEZIMISO ZETAYITELA; ISIZA 593 ESISE-SOUTHBROOM, KUMASIPALA WASE-HIBISCUS COAST

ESIKHUNDLENI sami njengoMphathi: wokuHlelwa kweNtuthuko (iHhovisi lokuQaliswa kweziNhlelo elingasoGwini) eMnyangweni wezeNdabuko kanye noHulumeni baseKhaya waKwaZulu-Natali, ngaphansi kwamandla engiwanikezwe yisigaba 2(1) soMthetho wokuSuswa kweziThibelo, 1967 (uMthetho No. 84 ka 1967), sifundwa negunya 2 leNgxenye VIII yeSahluko B seGunya lokuDluliselwa kwaMandla okuVamile, elikhishwe yiLungu loMkhandlu oPhethe elibhekele ohulumeni basekhaya kanye nezezindlu ngokwesigaba 2 soMthetho wokuDluliselwa kwaMandla waKwaZulu-Natali, 1994 (uMthetho No. 8 ka 1994), ngalokhu ngisusa umshwana wokuDluliselwa kweTayitela T 16759/03, eliphathelene neSiza 593 esise-Southbroom, isiGaba sokuBhalisa ngu-ET, kuMasipala wase-Hibiscus Coast, esiFundazweni saKwaZulu-Natali —

- (a) isimiso C.(5) esithibela ukusetshenziswa komhlaba njengendawo yokuhlala noma njengebhizinisi;
- (c) isimiso C.(11) esinquma imingcele yokwakha, esidinga ukuthi kulethwe amapulani okwakha kanye nokuthibela ukusetshenziswa kwezinhlobo zithile zezimpahla zokwakha;
- (c) isimiso D.1. esinquma ukuthi kube nedlu yokuhlala eyodwa kuphela; kanye
- (d) nesimiso D.3. esinquma imingcele yokwakha.

Sinikezwe ngaphansi kweSandla sami eThekwini ngalolu suku lwama-20 kuMandulo, oNyakeni weziNkulungwane eziMbili nesiThupha.

T. A. BHENGU

uMphathi: wokuHlelwa kweNtuthuko
iHhovisi lokuQaliswa kweziNhlelo elingasoGwini
iNkomba yefayela: 2006/402

No. 2014, 2006

16 November 2006

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 2(1) OF THE REMOVAL OF RESTRICTIONS ACT, 1967: REMOVAL OF CONDITIONS OF TITLE; ERF 593 SOUTHBROOM, HIBISCUS COAST MUNICIPALITY

IN my capacity as Manager: Development Planning (Coastal Implementation Office) in the KwaZulu-Natal Department of Local Government and Traditional Affairs, under powers vested in me by section 2(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), read with delegation 2 of Part VIII of Chapter B of the General Delegations of Authority, issued by the KwaZulu-Natal Member of the Executive Council responsible for local government and housing in terms of section 2 of the KwaZulu-Natal Delegation of Powers Act, 1994 (Act No. 8 of 1994), I hereby remove from Deed of Transfer T 16759/03, pertaining to Erf 593 Southbroom, Registration Division ET, in the Hibiscus Coast Municipality, Province of KwaZulu-Natal —

- (a) condition C.(5) that prohibits the use of the property as a boarding house or business;
- (b) condition C.(11) that imposes building lines; requires the submission of specifications and building plans and restricts the use of certain types of building materials;
- (c) condition D.1. that restricts the use of the property to one dwelling house; and
- (d) condition D.3. that imposes building lines.

Given under my hand at Durban this 20th day of September, Two Thousand and Six.

T. A. BHENGU

Manager: Development Planning
Coastal Implementation Office
File reference: 2006/402

No. 2015, 2006

16 November 2006

KWAZULU-NATAL DOBBELRAAD: KENNISGEWING

Openbare verhoor rakende 'n aansoek vir geskiktheidsertifikaat

KENNIS word hierby ingevolge regulasie 22 van die regulasies kragtens die KwaZulu-Natal Dobbhelwet, 1996 (Wet No. 10 van 1996) gegee dat 'n openbare verhoor vir die volgende aansoek rakende die verkryging vir 'n geskiktheidsertifikaat gehou word by die Edward Protea Hotel, Marine Parade 149, Noordstrand, Durban om 14:00 op 23 November 2006.

1. Zonke Monitoring Systems (Edms) Bpk

No. 2015, 2006

16 kuLwezi 2006

ISAZISO SEBHODI YEZOKUGEMBULA YAKWAZULU-NATALI**Izigawu zomphakathi zabafake izicelo zokuthola isiTifiketi sokuFaneleka**

NGOKOMTHETHONQUBO 22 wemithethonqubo engaphansi koMthetho wezokuGembula waKwaZulu-Natali, 1996 (uMthetho No. 10 ka 1996) kukhishwa isaziso ngezicawu czivulelekile zomphakathi zabafakizicelo abalandelayo besiTifiketi sokuFaneleka ziyobanjwa mhla zingama-23 kuLwezi 2006 e-The Edward Protea Hotel, kunombolo 149 e-Marine Parade, North Beach, eThekweni, kusukela ngehora lesibili ntamama.

1. Zonke Monitoring Systems (Pty) Ltd

No. 2015, 2006

16 November 2006

KWAZULU-NATAL GAMBLING BOARD: NOTICE**Public Hearings for the applicants for Certificate of Suitability**

IN terms of regulation 22 of the regulations under the KwaZulu-Natal Gambling Act, (Act No. 10 of 1996), notice is hereby given that a public hearing for the following applicant for a Certificate of Suitability will be held on 23 November 2006 at The Edward Protea Hotel, 149 Marine Parade, North Beach, Durban commencing at 14:00.

1. Zonke Monitoring Systems (Pty) Ltd

No. 2016, 2006

16 November 2006

SKUTKENNISGEWING

ONDERSTAANDE beskrywing van diere in ondervermelde skut word hierby ingevolge artikel 33(1) van die Skutordonnansie, 1947 (Ordonnansie No.32 van 1947), gepubliseer en hierby word bekend gemaak dat genoemde diere by genoemde skut deur die skutmeester daarvan of deur iemand namens hom om 10:00 op Woensdag 29 November 2006 verkoop sal word, tensy eerder gelos.

Bangeni, distrik, Louwsburg

- 1x grys en bruin koei met grys en bruin vers
- 1x Rooi koei
- 1x Rooi en wit bul
- 1x Bruin en swart vers
- 1x Swart koei met swart bulkalf
- 1x Rooi koei met rooi bulkalf
- 1x Swart koei met rooi verskalf
- 1x Geelbont Brahmaan vers
- 1x Wit bulletjie
- 1x Briekwa koei met briekwa bulletjie
- 1x Rooi bulletjie
- 1x Swart koei
- 1x Geel en rooi koei
- 1x Donkerbruin bulletjie
- 6x Bokooie gemeng

J. P. W. MAREE

Skutmeester

No. 2016, 2006

16 kuLwezi 2006

ISAZISO SESIKIDI

INCAZELO elandelayo yezilwane kulesi sikidi esishiwo ngezansi ngalokhu iyakhishwa ngokuhambisana nesigaba 33(1) se-Odinensi yezikidi (i-Odinensi yeziKidi No. 32 ka 1947), futhi ngalokhu kuyaziswa ukuthi izilwane ezishiwo ziyothengiswa esikidi esishiwo ngumgcinisikidi noma ombambele ngo 10:00 ngoLwesithathu, 29 kuLwezi 2006, ngaphandle uma zidedelwe ngaphambi kwalokho.

Bangeni, isiFunda sase-Louwsburg

- Inkomo eyodwa ethunqu nokumbondwe kanye nesithole esithunqu
- Inkomo eyodwa embovu
- Inkunzi eyodwa ebhanqule
- Isithole esisodwa esimatshehlathi
- Inkomo eyodwa esitile kanye nethole lenkunzi elitile
- Inkomo eyodwa embovu kanye nethole lenkunzi elimbovu
- Inkomo eyodwa esitile kanye nesithole esimbovu
- Isithole esisodwa sebhulamane esimavukuthu
- Inkunzi eyodwa esencane embungu
- Inkomo eyodwa ehunqu kanye nenkunzi esencane chunqu
- Inkunzi eyodwa esencane embovu
- Inkomo eyodwa esitile
- Inkomo eyodwa emvubumabele
- Inkunzi eyodwa esencane embokwe
- Izimbuzi eziyizinsikazi eziyisithupha

J.P.W. MAREE

Umgcinisikidi

POUND NOTICE

THE following description of animals in under-mentioned pound is hereby published in terms of section 33(1) of the Pound Ordinance, 1947 (Ordinance No. 32 of 1947), and it is hereby notified that the said animals will be sold at the said pound by the pound keeper thereof or by someone acting on his behalf at 10:00 on Wednesday 29 November 2006, unless previously released.

Bangeni, Louwsburg district

1x Grey and brown cow with grey and brown heifer

1x Red cow

1x Red and white bull

1x Brown and black heifer

1x Black cow with black bull-calf

1x Red cow with red bull-calf

1x Black cow with red heifer calf

1x Yellow and white Brahman heifer

1x White young bull

1x Brindle cow with brindle young bull

1x Red young bull

1x Black cow

1x Yellow and red cow

1x Dark brown young bull

6x She-goats mixed

J. P. W.

Poundkeeper

No. 2017, 2006

16 November 2006

DEPARTMENT OF HEALTH

EDENDALE HOSPITAL

Award of quotations

SUPPLY: 1 x Colposcope – including optional video accessories
 Quotation number: ZNB 44/09/06
 Contractor: Tecmec

SUPPLY: Defibrillator monitor portable unit with built in recorder
 Quotation number: ZNB 50/09/06
 Contractor: SSEM

Withdrawal of quotation

SUPPLY: Ophthalmic A scan – ultrasound
 Quotation number: ZNB 61/10/06

No. 2018, 2006

16 November 2006

DEPARTMENT OF HEALTH

HILLCREST HOSPITAL

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

- (i) Quotations must be submitted on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Hillcrest Hospital, Quotation Evaluation Committee together with the quotation number and the 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 Hillcrest Provincial Hospital, Stores Department, 50 Hospital Road, Hillcrest, Telephone: (031) 7651316, Ext. 226, Fax: (031) 7658837.

SUPPLY: Autoclave machine
 Quotation number: ZNQ 356/06-07
 Closing date: 2006-12-01
 Closing time: 11:00
 Enquiries regarding specification: Mr Y. Naidoo, Telephone: (031) 7651316, Ext. 227

No. 2019, 2006

16 November 2006

DEPARTMENT OF HEALTH

UMGENI HOSPITAL

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

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

SERVICE: Cleaning of hospital buildings
 Quotation number: ZNQ 271/06
 Closing date: 2006-12-08
 Closing time: 11:00
 Compulsory site meeting: Yes
 Date: 2006-12-01

Time: 10:00
 Venue: Main Admin Building
 Contact person: Mrs A. Bekker
 Enquiries regarding specification: Mrs Mavis Khumalo

No. 2020, 2006

16 November 2006

DEPARTMENT OF HEALTH

AMAJUBA DISTRICT OFFICE

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Amajuba District Office, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Amajuba District Office, Procurement Department, 38 Voortrekker Street, Private Bag X6661, Newcastle, Telephone: (034) 3287000, Fax: (034) 3123122.
- (vii) For quotations exceeding R30 000,00 an original ZNT 30 (application for preference points) form must be submitted to the Amajuba District Office, an original Tax Clearance Certificate must also be submitted regardless of price.

SUPPLY: 1 x Vaginal probe for eccocce unit (Ultrasound machine)
 Quotation number: ZNQ 587/2006
 Closing date: 2006-11-30
 Closing time: 11:00
 Contact person: Mr M. M. Zwane, Telephone: (034) 3287024, Fax: (034) 3123122
 Enquiries regarding specification: Mr M. M. Zwane

SUPPLY: 1 x Black and white ultrasound machine
 Quotation number: ZNQ 588/2006
 Closing date: 2006-11-30
 Closing time: 11:00
 Contact person: Mr M. M. Zwane, Telephone: (034) 3287024, Fax: (034) 3123122
 Enquiries regarding specification: Mr M. M. Zwane

No. 2021, 2006

16 November 2006

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 quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes/faxed.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to Catherine Booth Hospital for attention Mr A. K. Mkhwanzi/V. S. Zulu, reflecting the quotation number.
- (v) The name and address of the quoting company must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Please complete original ZNT 30 documents when submitting quotations above R30 000 together with an original Tax Clearance Certificate.
- (viii) Quotation documents are available from the Supplies Division on request.

SUPPLY: Bedside lockers with push drawers
 Quotation number: ZNQ 2033/06
 Closing date: 2006-11-27
 Closing time: 11:00
 Contact person: Mr A. K. Mkhwanzi/V. S. Zulu, Telephone: (035) 4748402/07/09

SERVICE: Pest control
 Quotation number: ZNQ 2034/06
 Closing date: 2006-11-27
 Closing time: 11:00
 Compulsory site inspection meeting:
 Date: 2006-11-21
 Time: 11:00
 Contact person: Mr A. K. Mkhwanzi
 Enquiries regarding specification: V. S. Zulu, Telephone: (035) 4748402/0708/09

DEPARTMENT OF HEALTH

MONTEBELLO HOSPITAL

Award of quotations

SUPPLY:	Single cardiocograph
Quotation number:	ZNQ 78-2006/07
Contractor:	KwaDube Medical cc
SUPPLY:	Spygmomanometer electronic NIBP monitor
Quotation number:	ZNQ 79-2006/07
Contractor:	KwaDube Medical cc
SUPPLY:	Incubator infant-air temperature and skin temp control
Quotation Number:	ZNQ 85-2006/07
Contractor:	Mediotronics KZN (Pty) Ltd
SUPPLY:	Ventilator-inter Hospital adult/paediatric
Quotation number:	ZNQ 87-2006/07
Contractor:	Dlamini Medical Supplies
SUPPLY:	Phototherapy Unit, visible light
Quotation number:	ZNQ 88-2006/07
Contractor:	Drager Medical South Africa (Pty) Ltd
SUPPLY:	Pulse oximeters-stand alone non-invasive
Quotation number:	ZNQ 89-2006/07
Contractor:	Palmed Medical & Surgical Supplies
SUPPLY:	Headbox-oxygen-neonates
Quotation number:	ZNQ 91-2006/07
Contractor:	KwaDube Medical cc

Cancellation of quotations

SUPPLY:	Demartome hanging motor with drive cable
Quotation number:	ZNQ 80-2006/07
SUPPLY:	Anaesthesia workstation – complete
Quotation number:	ZNQ 81-2006/07
SUPPLY:	Ophthalmic Tonometers
Quotation number:	ZNQ 82-2006/07
SUPPLY:	Detectors blood flow, ultrasonic
Quotation number:	ZNQ 84-2006/07
SUPPLY:	Ventilator neonatal-ICU
Quotation number:	ZNQ 86-2006/07

DEPARTMENT OF HEALTH

TRANSPORT AND OFFICE SERVICES

Award of quotations

SUPPLY:	Toiletry bag with zip
Quotation number:	ZNQ 2924/06/07
Contractor:	Freestyle Promotion
SUPPLY:	Specialised wallets for women
Quotation number:	ZNQ 2923/06-07
Contractor:	Proplast
SERVICE:	Printing of PMTCT manuals
Quotation number:	ZNQ 221T/6-7
Contractor:	Ngalondze Investment
SUPPLY:	Hand held lactometer kits
Quotation number:	ZNQ 2118/06/07
Contractor:	Roche Products Pty Ltd
SUPPLY:	Art pill boxes
Quotation number:	ZNQ 216T/6-7
Contractor:	Ari-Tek Sound & Security

SUPPLY: VCT booklets
 Quotation number: ZNQ 218T/6-7
 Contractor: Sebenzani Trading 108CC

SUPPLY: Art manuals
 Quotation number: ZNQ 175T/6-7
 Contractor: Impress Investment

SUPPLY: Art adult site manuals
 Quotation number: ZNQ 217T/6-7
 Contractor: Impress Investment

No. 2024, 2006

16 November 2006

DEPARTMENT OF WORKS**SOUTHERN REGION OFFICE****Award of bids**

SERVICE: Alterations and additions to Harding S.A.P.S. Mortuary
 Bid number: ZNT 2129 W
 Contractor: JJS Construction

SERVICE: Alterations and additions to New Hanover S.A.P.S. Mortuary
 Bid number: ZNT 2128 W
 Contractor: Sharpe Building and Plumbers Services cc

No. 2025, 2006

16 November 2006

DEPARTMENT OF HEALTH**INFRASTRUCTURE DEVELOPMENT SUB-DIRECTORATE (CAPSO)****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes/faxed.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to Infrastructure Development for attention Ms Z. Mkuzo, reflecting the quotation number.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope. All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Please complete original ZNT 30 documents when submitting quotations above R30 000 (Thirty Thousand Rand) together with an original Tax Clearance Certificate and CIDB Certificate. Submitted quotations without CIDB registration number/ acknowledgement letter from CIDB will not be accepted.
- (vii) Quotation documents are available from the Infrastructure Development on the 5th Floor – Room 5, 191 Peter Kerchhoff (Chapel) Street, Pietermaritzburg.

SERVICE: Cleaning Service at Infrastructure Development – Derby Downs Office Park
 Quotation number: ZNB 170,06/07 -H
 Closing date: 2006-12-07
 Time: 11:00
 Contact person: Ms Z. Mkuzo, Telephone: (033) 3417051
 Enquiries regarding specification: Mr L. Singh, Telephone: (031) 2665410

No. 2026, 2006

16 November 2006

DEPARTMENT OF HEALTH**PROVINCIAL MEDICAL SUPPLY CENTRE****Award of quotation**

SUPPLY: Ice packs
 Quotation number: ZNQ 02/10/2006
 Contractor: A.I. Building Blocks & Precast Products

DEPARTMENT OF HEALTH

G. J. CROOKES PROVINCIAL HOSPITAL

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to G. J. Crookes Provincial Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Please complete original ZNT 30 documents when submitting quotations above R30 000,00 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.
- (vii) Specifications are available from the Stores Department, G. J. Crookes Hospital, Scottburgh.

SUPPLY:

Dental surgery package as per attached specification
Provide accessories to a dental surgery package as per attached specification
Please ensure that installation and plumbing are inclusive of package
ZNQ 660/2006/07
2006-11-29
11:00
Miss R. E. Weldon, Telephone: (039) 9787048
Mrs T. Masinga, Telephone: (039) 9787042

Quotation number:

Closing date:

Closing time:

Contact person:

Enquiries regarding specification:

No. 2028, 2006

16 November 2006

DEPARTMENT OF HEALTH

GREYTOWN HOSPITAL

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes/faxed.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Greytown Hospital, Private Bag X5562, Greytown, 3250 together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Please complete original ZNT 30 documents when submitting quotations above R30 000 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.
- (viii) Quotation documents are available from the Greytown Hospital, Bell Street, Greytown, Telephone: (033) 4139400, Fax: (033) 4132809.

SERVICE:

Cleaning services for the entire hospital (Month to month basis)
ZNQ 405/11/06
2006-11-28
11:00
Mr M. Mzila, Telephone: (033) 4139400
Mr M. Mzila, Telephone: (033) 4139400

Quotation number:

Closing date:

Time:

Contact person:

Enquiries regarding specification:

SUPPLY:

1 x Double doors for Gateway Clinic (760 mm x 2010 mm)
ZNQ 406/11/06
2006-11-28
11:00
Mr A. Kanye, Telephone: (033) 4139400
Mr A. Kanye, Telephone: (033) 4139400

Quotation number:

Closing date:

Time:

Contact person:

Enquiries regarding specification:

SUPPLY:

34 x 50 kg Super maize meal
ZNQ 407/11/06
2006-11-28
11:00
Mr M. Mzila, Telephone: (033) 4139400
Mr M. Mzila, Telephone: (033) 4139400

Quotation number:

Closing date:

Time:

Contact person:

Enquiries regarding specification:

SUPPLY:

20 x 50 kg Rice
ZNQ 408/11/06

Quotation number:

Closing date: 2006-11-28
 Time: 11:00
 Contact person: Mr M. Mzila, Telephone: (033) 4139400
 Enquiries regarding specification: Mr M. Mzila, Telephone: (033) 4139400

SUPPLY: 60 x 3,75 kg Mixed fruit jam
 Quotation number: ZNQ 409/11/06
 Closing date: 2006-11-28
 Time: 11:00
 Contact person: Mr M. Mzila, Telephone: (033) 4139400
 Enquiries regarding specification: Mr M. Mzila, Telephone: (033) 4139400

SUPPLY: 120 x 410 g Tins of fish in tomato sauce
 Quotation number: ZNQ 410/11/06
 Closing date: 2006-11-28
 Time: 11:00
 Contact person: Mr M. Mzila, Telephone: (033) 4139400
 Enquiries regarding specification: Mr M. Mzila, Telephone: (033) 4139400

No. 2029, 2006

16 November 2006

DEPARTMENT OF HEALTH**THULASIZWE TB HOSPITAL****Withdrawal of quotation**

SERVICE: Renovation of X-ray Department
 Quotation number: ZNQ 167-2006/2007
 Reason: All quotations received underquoted as per specification.

No. 2030, 2006

16 November 2006

DEPARTMENT OF HEALTH**PHOENIX COMMUNITY CENTRE****Cancellation of quotation**

SERVICE/SUPPLY: Supply and fitting of 7x74 cm flat screen TV and DVD combo
 Quotation number: ZNQ 289/2006

No. 2031, 2006

16 November 2006

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 all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelopes must be addressed to Ilembe Health District Office, Quotation Evaluation Committee together with the quotation number and closing date and must be deposited into the tender box, which is next to the entrance of the office.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All 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 Ilembe Health District Office – 36/40 Chief Albert Luthuli Street, 1st Floor, OK Mall, KwaDukuza, Telephone: (032) 4373500, Fax: (032) 5511590 or (032) 5511425.
- (viii) For quotations exceeding R30 000 an original ZNT 30 (application for preference points) form must be submitted to Ilembe Health District Office, an original Tax Clearance Certificate must be submitted regardless of price.

SERVICE: Hire of 12 buses to transport people to Imbizo at Kranskop
 Quotation number: ZNQ 891/06/07
 Closing date: 2006-11-28
 Closing time: 11:00
 Contact person: Sizwe Mabaso, Telephone: (032) 4373500
 Enquiries regarding specification: Sizwe Mabaso, Telephone: (032) 4373500

SERVICE: Hire of a 5000-seater Marquee for Imbizo at Kranskop
 Quotation number: ZNQ 890/06/07
 Closing date: 2006-11-28
 Closing time: 11:00
 Contact person: Sizwe Mabaso, Telephone: (032) 4373500
 Enquiries regarding specification: Sizwe Mabaso, Telephone: (032) 4373500

SERVICE:	Catering for 5 000 people attending Imbizo at Kranskop
Quotation number:	ZNQ 892/06/07
Closing date:	2006-11-28
Closing time:	11:00
Contact person:	Sizwe Mabaso, Telephone: (032) 4373500
Enquiries regarding specification:	Sizwe Mabaso, Telephone: (032) 4373500
SERVICE:	Event organiser to provide PA System, stage with roof, live performance artists, security and co-ordinate the event
Quotation number:	ZNQ 909/06/07
Closing date:	2006-11-28
Closing time:	11:00
Contact person:	Sizwe Mabaso, Telephone: (032) 4373500
Enquiries regarding specification:	Sizwe Mabaso, Telephone: (032) 4373500
SUPPLY/SERVICE:	Supply and installation of UPS and examination lights as per specification for Isithundu Clinic
Quotation number:	ZNQ 922/06/07
Closing date:	2006-11-28
Closing time:	11:00
Contact person:	Sizwe Mabaso, Telephone: (032) 4373500
Enquiries regarding specification:	Mr J. Ramsing, Telephone: (032) 4373500
SUPPLY/SERVICE:	Supply and installation of UPS and examination lights as per specification for Mbhekaphansi Clinic
Quotation number:	ZNQ 923/06/07
Closing date:	2006-11-28
Closing time:	11:00
Contact person:	Sizwe Mabaso, Telephone: (032) 4373500
Enquiries regarding specification:	Mr J. Ramsing, Telephone: (032) 4373500
SUPPLY/SERVICE:	Supply and installation of UPS and examination lights as per specification for Mthandeni Clinic
Quotation number:	ZNQ 924/06/07
Closing date:	2006-11-28
Closing time:	11:00
Contact person:	Sizwe Mabaso, Telephone: (032) 4373500
Enquiries regarding specification:	Mr J. Ramsing, Telephone: (032) 4373500
SUPPLY/SERVICE:	Supply and installation of UPS and examination lights as per specification for Oqaqeni Clinic
Quotation number:	ZNQ 925/06/07
Closing date:	2006-11-28
Closing time:	11:00
Contact person:	Sizwe Mabaso, Telephone: (032) 4373500
Enquiries regarding specification:	Mr J. Ramsing, Telephone: (032) 4373500
SUPPLY/SERVICE:	Supply and installation of UPS and examination lights as per specification for Mphise Clinic
Quotation number:	ZNQ 926/06/07
Closing date:	2006-11-28
Closing time:	11:00
Contact person:	Sizwe Mabaso, Telephone: (032) 4373500
Enquiries regarding specification:	Mr J. Ramsing, Telephone: (032) 4373500
SUPPLY/SERVICE:	Supply and installation of UPS and examination lights as per specification for KwaDukuza Clinic
Quotation number:	ZNQ 927/06/07
Closing date:	2006-11-28
Closing time:	11:00
Contact person:	Sizwe Mabaso, Telephone: (032) 4373500
Enquiries regarding specification:	Mr J. Ramsing, Telephone: (032) 4373500
SUPPLY/SERVICE:	Supply and installation of UPS and examination lights as per specification for Maqumbi Clinic
Quotation number:	ZNQ 928/06/07
Closing date:	2006-11-28
Closing time:	11:00
Contact person:	Sizwe Mabaso, Telephone: (032) 4373500
Enquiries regarding specification:	Mr J. Ramsing, Telephone: (032) 4373500
SUPPLY/SERVICE:	Supply and installation of UPS and examination lights as per specification for Groutville Clinic
Quotation number:	ZNQ 929/06/07
Closing date:	2006-11-28
Closing time:	11:00
Contact person:	Sizwe Mabaso, Telephone: (032) 4373500
Enquiries regarding specification:	Mr J. Ramsing, Telephone: (032) 4373500
SUPPLY/SERVICE:	Supply and installation of UPS and examination lights as per specification for Mpumelelo Clinic

Quotation number: ZNQ 930/06/07
 Closing date: 2006-11-28
 Closing time: 11:00
 Contact person: Sizwe Mabaso, Telephone: (032) 4373500
 Enquiries regarding specification: Mr J. Ramsing, Telephone: (032) 4373500

SUPPLY/SERVICE: Supply and installation of UPS and examination lights as per specification for Kearsney Clinic
 Quotation number: ZNQ 931/06/07
 Closing date: 2006-11-28
 Closing time: 11:00
 Contact person: Sizwe Mabaso, Telephone: (032) 4373500
 Enquiries regarding specification: Mr J. Ramsing, Telephone: (032) 4373500

NB: For the UPS quotations, Service Providers should submit a copy of CIDB certificate (electrical works) with their quotations.

No. 2032, 2006

16 November 2006

DEPARTMENT OF HEALTH

VRYHEID HOSPITAL

Award of quotations

SUPPLY: Incubator (transport)
 Quotation number: ZNQ 341/2006/07
 Contractor: Palmed Medical and Surgical

SUPPLY: Multiparameter monitor including stand
 Quotation number: ZNQ 429/2006/07
 Contractor: Duomed cc

SUPPLY: Coloscope including optional video accessories
 Quotation number: ZNQ 456/2006/07
 Contractor: Mars Optical

Cancellation of quotation

SUPPLY: Anaesthesia unit Julian complete
 Quotation number: ZNQ 319/2006/07

No. 2033, 2006

16 November 2006

DEPARTMENT OF HEALTH

CHARLES JOHNSON MEMORIAL HOSPITAL

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Charles Johnson Memorial Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contract must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and a letter of acceptance being issued.
- (vi) Quotation documents are available from Charles Johnson Memorial Hospital, Stores Department, 92 Hlubi Street, Nqutu, Telephone: (034) 2710234.
- (vii) For quotations exceeding R30 000 an original ZNT 30 (application for preference points) form must be submitted to the Charles Johnson Memorial Hospital, an original Tax Clearance Certificate must also be submitted regardless of price.

SUPPLY/SERVICE: Installation of new bath mixers and tray mixers
 Quotation number: ZNQ 0603-2006/2007
 Closing date: 2006-11-28
 Closing time: 11:00
 Site inspection: 2006-11-23
 Time: 10:00
 Venue: Large Conference Room
 Contact person: Mrs Sheryl Ragubeer, Telephone: (034) 2711900

SUPPLY/SERVICE: Installation of new kitchen sink cupboards in wards
 Quotation number: ZNQ 0604-2006/2007
 Closing date: 2006-11-28
 Closing time: 11:00
 Site inspection: 2006-11-23

Time:	10:00
Venue:	Large Conference Room
Contact person:	Mrs Sheryl Ragubeer, Telephone: (034) 2711900
SUPPLY/SERVICE:	Installation of new capping at the childrens's wards
Quotation number:	ZNQ 0605-2006/2007
Closing date:	2006-11-28
Closing time:	11:00
Site inspection:	2006-11-23
Time:	10:00
Venue:	Large Conference Room
Contact person:	Mrs Sheryl Ragubeer, Telephone: (034) 2711900

No. 2034, 2006

16 November 2006

DEPARTMENT OF HEALTH**FORENSIC PATHOLOGY SERVICES****QUOTATIONS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes/faxed.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to Forensic Pathology Services reflecting the quotation number. Quotation documents to be dropped off in quotation box, Department of Health, Forensic and Pathology Services, 2nd Floor, Block 7, Derby Downs Office Park, University Drive, Westville.
- (v) The name and address of the quoting company must be endorsed on the back of the envelope. All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Please complete original ZNT 30 documents when submitting quotations above R30 000 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.
- (vii) Quotation documents are available from Department of Health, Forensic and Pathology Services, 2nd Floor, Block 7, Derby Downs Office Park, University Drive, Westville, Telephone: (033) 3410800.

No telephone calls will be accepted to obtain quotation forms. Quotation forms must be picked up, as no documents will be faxed due to the amount of pages per document.

SUPPLY:	Dayglo rain suits
Quotation number:	ZNQ 128 to 131
Closing date:	2006-12-08
Closing time:	11:00
Contact person:	Ivan Govender, Telephone: (033) 3410800

SUPPLY:	Various furniture – to be delivered at Sisonke District
Quotation number:	ZNQ 133 to 138
Closing date:	2006-12-08
Closing time:	11:00
Contact person:	Anita Govender, Telephone: (033) 3410800

No. 2035, 2006

16 November 2006

DEPARTMENT OF HEALTH**R. K. KHAN HOSPITAL****BIDS ARE INVITED FOR THE UNDERMENTIONED REQUIREMENTS OF THE PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL**

- (i) Bids must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the bid document.
- (ii) Bids must be submitted in sealed envelopes/faxed.
- (iii) Separate envelopes must be used for each bid.
- (iv) The envelope must be addressed to R. K. Khan Hospital for attention Mr D. Naidoo reflecting the bid number.
- (v) The name and address of the bidding company must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Please complete original ZNT 30 documents when submitting quotations above R30 000 (Thirty Thousand Rand) together with an original Tax Clearance Certificate.
- (viii) Bid documents are available from the Supplies Division on the 1st Floor – Room S17, R. K. Khan Hospital, Road 336 Chatsworth Circle, Westcliff, Chatsworth, Telephone: (031) 4596300, Fax: (031) 4030217.

SUPPLY:	125 x Plain Pascoe chairs
Bid number:	ZNQ 1842/ 2006

Closing date: 2006-12-01
 Time: 11:00
 Contact person: D. Naidoo, Telephone: (031) 4596300
 Enquiries regarding specification: D. Naidoo, Telephone: (031) 4596300

Award of bid

SERVICE: Armed Banking Services
 Bid number: ZNQ 1646/2006
 Contractor: Khuselani Security

No. 2036, 2006

16 November 2006

DEPARTMENT OF HEALTH**ITSHELEJUBA HOSPITAL****Award of quotations**

SERVICE:	Pest control
Quotation number:	ZNQ 1078/2006
Contractor:	Goratswamang Projects
SUPPLY:	Metro life line emergency trollies
Quotation number:	ZNQ 1079/2006
Contractor:	Healthware cc
SUPPLY:	Adjustable cardiac table x 58
Quotation number:	ZNQ 1081/2006
Contractor:	New Horizon Metals
SUPPLY:	Adult diapers
Quotation number:	ZNQ 1126/2006
Contractor:	Sklaz Construction
Contract period:	6 months
SUPPLY:	Non-sterile gloves, small, medium and large
Quotation number:	ZNQ 1127/2006
Contractor:	Infinity Industrial Supplies
Contract period:	6 months
SUPPLY:	Single base sets x 20
Quotation number:	ZNQ 1128/2006
Contractor:	Blue Sands
SUPPLY:	Groceries
Quotation number:	ZNQ 1129/2006
Contractor:	CCW Catering
Contract period:	6 months
SERVICE:	Construction of official vehicles parking
Quotation number:	ZNQ 1130/2006
Contractor:	Siyengeza General Construction
SERVICE:	Construction of official vehicle wash bay
Quotation number:	ZNQ 1131/2006
Contractor:	Match Mates Business Enterprise
SUPPLY:	Fruits and vegetables
Quotation number:	ZNQ 1032/2006
Contractor:	Chinuyeke Construction
Contract period:	6 months
SUPPLY:	Meat and other meat products
Quotation number:	ZNQ 1178/2006
Contractor:	LN Butchery
Contract period:	6 months
SUPPLY:	Milk, maas and other dairy products
Quotation number:	ZNQ 1177/2006
Contractor:	P.T. Marketing
Contract period:	6 months
SERVICE/SUPPLY:	Supply and installation nurse call system
Quotation number:	ZNQ 1172/2006
Contractor:	Uthukela TV & Audio

No. 2037, 2006

16 November 2006

DEPARTMENT OF HEALTH

ADDINGTON HOSPITAL

Award of quotation

SUPPLY:
Quotation number:
Contractor:

Surveillance camera
ZNQ 419 A
PSI Phenelani

No. 2038, 2006

16 November 2006

DEPARTMENT OF HEALTH

CENTRAL SUPPLY CHAIN MANAGEMENT DIRECTORATE

Award of bids

SERVICE:

Appointment of a Project manager for minor renovations for Targeted Enterprises Development Unit

Bid number:

ZNB 7669/2006-H

Contractor:

Mpiloh Trading cc
Silver Solutions t/a K2S Consulting

SUPPLY:

6 x Ventilators inter-hospital transport for Ngwelezana Hospital: Health Technology Unit

Bid number:

ZNT 7556/2006-H

Contractor:

Dlamini Medical Supplies cc

SUPPLY:

2 x Ventilator, Neonatal: ICU for Lower Umfolozi War Memorial Hospital: Health Technology Unit

Bid number:

ZNB 7557/2006-H

Contractor:

Respiratory Care Africa

SUPPLY:

41 x Ventilators ICU, Paediatric and Adult: Health Technology Unit

Bid number:

ZNB 7558/2006-H

Contractor:

Respiratory Care Africa
Phambili Hospital Products (Pty) Ltd

SERVICE:

Conversion of 4 x 4 Isuzu Bakkies

Bid number:

ZNB 7626/2006-H

Contractor:

Ambucare Industries (Pty) Ltd
Ambuclin Industries (Pty) Ltd

SUPPLY:

Professional Service Providers to register on the roster within the following discipline: Maintenance, servicing, repair, upgrading, replacement and minor work for structural work at all KwaZulu-Natal Provincial Health Facilities

Bid number:

ZNB 7198/2006-H

Contractor:

Various - list available on request

SERVICE:

Finalisation of job description and evaluation of District Office structure posts: Head Office: Health Services Planning, Monitoring and Evaluation

Bid number:

ZNB 7668/2006-H

Contractor:

Pedal Trading 175 (Pty) Ltd t/a Sisa Consulting

SERVICE:

Transformation and decentralisation of the Departmental Organisation Development function and Persal Management - Head Office

Bid number:

ZNB 7622/2006-H

Contractor:

Pedal Trading 175 (Pty) Ltd t/a Sisa Consulting

Cancellation of bids

SERVICE:

Conversion of hot water to electric at Christ the King Hospital

Bid number:

ZNT 55G.05/06-H

SUPPLY:

16 x Dialysis Machines including 8 x water treatment systems

Bid number:

ZNT 7566/06-H

SUPPLY:

Photocopier paper for Logistics Management

Bid number:

ZNB 5180/2006-H

DEPARTMENT OF HEALTH

MAHATMA GANDHI MEMORIAL HOSPITAL

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

- (i) Bids must be on the official tender form, which shall be completed in all respects and all information must be supplied as stipulated in the bid documents.
- (ii) Each bid must be in a sealed envelope.
- (iii) The envelope must be addressed to Mahatma Gandhi Memorial Hospital, Bid Evaluation Committee together with the bid number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All contractors must duly complete and sign new ZNT 30 documents for Preferential Point Calculation.
- (vi) No faxed copies of bid documents will be accepted.
- (vii) All Department of Health contractors awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (viii) Bid documents are available from the Department of Health (Mahatma Gandhi Memorial Hospital), Telephone: (031) 5021719, Fax: (031) 5021867.

SUPPLY:

Quotation number: 1 x Portable tablet counter as per specification
 Closing date: ZNQ 1469/06
 Closing time: 2006-11-24
 Contact person: 11:00
 Enquiries regarding specification: Mr M. Pillay, Telephone: (031) 5021719, Ext. 2225
 Mrs T. D. Khwela, Telephone: (031) 5021719, Ext. 2095

SUPPLY:

Quotation number: 2 x Electro-cardiograph multichannel with interpretation as per specification
 Closing date: ZNQ 1470/06
 Closing time: 2006-11-24
 Contact person: 11:00
 Enquiries regarding specification: Mr M. Pillay, Telephone: (031) 5021719, Ext. 2225
 Mrs T. D. Khwela, Telephone: (031) 5021719, Ext. 2095

SUPPLY:

Quotation number: 6 x Diagnostic set battery operated (ophthalmoscopes/auroscope) as per specification
 Closing date: ZNQ 1471/06
 Closing time: 2006-11-24
 Contact person: 11:00
 Enquiries regarding specification: Mr M. Pillay, Telephone: (031) 5021719, Ext. 2225
 Mrs T. D. Khwela, Telephone: (031) 5021719, Ext. 2095

SUPPLY:

Quotation number: 1 x High volume digital duplicator on 36 months rental, escalation fixed rental costs
 Closing date: ZNQ 1472/06
 Closing time: 2006-11-24
 Contact person: 11:00
 Enquiries regarding specification: Mr M. Pillay, Telephone: (031) 5021719, Ext. 2225
 Mrs T. D. Khwela, Telephone: (031) 5021719, Ext. 2095

Award of quotations

SUPPLY:

Quotation number: 20 x Diagnostics sets
 Contractor: ZNQ 1038/06
 Welch Allyn S.A.

SUPPLY:

Quotation number: 2 x Dynamap sphygmomanometers
 Contractor: ZNQ 1217/06
 Duomed cc

DEPARTMENT OF HEALTH

LADYSMITH PROVINCIAL HOSPITAL

Award of quotations

SUPPLY/SERVICE:

Quotation number: Supply and installation of four (4) air conditioners for the Finance Office and
 Contractor: Transport Office
 ZNQ 25/2006/07
 Northern Natal Electrical

SERVICE:	Resurfacing of the drive way to the Hospital Manager's house
Quotation number:	ZNQ 26/2006/07
Contractor:	J.J. Maintenance
SUPPLY:	5 x Mattress – Ripple
Quotation number:	ZNQ 57/2006/07
Contractor:	Palmed Medical
SUPPLY/SERVICE:	Supply and installation of mobile shelving in the Out-patient's Department
Quotation number:	ZNQ 63/2006/07
Contractor:	Tidy Files
SUPPLY:	1 x Infant incubator – Standard air temperature control
Quotation number:	ZNQ 64/2006/07
Contractor:	Mediotronics KZN
SUPPLY:	1 x Colposcope (Incl. optional video accessories)
Quotation number:	ZNQ 65/2006/07
Contractor:	Carl Zeiss (Pty) Ltd
SUPPLY:	2 x Diagnostic set – Battery operated
Quotation number:	ZNQ 66/2006/07
Contractor:	KwaDube Medical cc
SUPPLY:	7 x Infusion pumps – Peristaltic volumetric
Quotation number:	ZNQ 68/2006/07
Contractor:	Erie Medical cc
SUPPLY:	1 x Electrocardiograph – Multi channel with interpretation
Quotation number:	ZNQ 69/2006/07
Contractor:	Glenmed
SUPPLY:	5 x Sphygmomanometer NIBP, pulse oximeter and temp
Quotation number:	ZNQ 70/2006/07
Contractor:	Duromed cc
SUPPLY:	8 x Sphygmomanometer – electronic
Quotation number:	ZNQ 71/2006/07
Contractor:	Duromed cc
SUPPLY:	2 x Blood warmers solution
Quotation number:	ZNQ 73/2006/07
Contractor:	Alpha Healthcare & Equipment
SUPPLY:	1 x Defibrillator monitor – Portable, built in recorder
Quotation number:	ZNQ 72/2006/07
Contractor:	SSEM
SUPPLY:	2 x Foetal heart detectors
Quotation number:	ZNQ 74/2006/07
Contractor:	Tiakeni Medical
SUPPLY:	1 x Multiparameter monitor – Anaesthesia use with ECG, NIBP, TEMP, 2 x IBP, SPO2, Co2, N2O, anaesthesia agents O2
Quotation number:	ZNQ 75/2006/07
Contractor:	SSEM (Pty) Ltd
SUPPLY:	1 x Multiparameter monitor – Anaesthesia use with ECG, NIBP, TEMP, 2 x IBP, SPO2, neuromuscular transmission monitoring, Co2, N2O, anaesthesia agents O2 and compatible plain paper printer
Quotation number:	ZNQ 76/2006/07
Contractor:	Medhold Gems

Cancellation of quotations

SERVICE:	Gardens and grounds for Gate Clinic
Quotation number:	ZNQ 27/2006/07
SERVICE:	Gardens and grounds for Primary Health Care
Quotation number:	ZNQ 28/2006/07
SERVICE:	Gardens and grounds for Matiwaneskop Clinic
Quotation number:	ZNQ 29/2006/07
SERVICE:	Gardens and grounds for Ezakheni C Clinic
Quotation number:	ZNQ 30/2006/07
SERVICE:	Gardens and grounds for Ezakheni E Clinic
Quotation number:	ZNQ 31/2006/07

SERVICE: Quotation number:	Gardens and grounds for Ekuvukeni Clinic ZNQ 32/2006/07
SERVICE: Quotation number:	Gardens and grounds for Limehill Clinic ZNQ 33/2006/07
SERVICE: Quotation number:	Gardens and grounds for Rockcliff Clinic ZNQ 34/2006/07
SERVICE: Quotation number:	Gardens and grounds for KwaMteyi Clinic ZNQ 35/2006/07
SERVICE: Quotation number:	Gardens and grounds for Gcinalishone Clinic ZNQ 36/2006/07
SERVICE: Quotation number:	Gardens and grounds for Kleinfontein Clinic ZNQ 37/2006/07
SERVICE: Quotation number:	Gardens and grounds for Driefontein Clinic ZNQ 38/2006/07
SERVICE: Quotation number:	Gardens and grounds for Watersmeet Clinic ZNQ 39/2006/07
SUPPLY: Quotation number:	Battery operated haemoglobin meter ZNQ 59/2006/07
SUPPLY: Quotation number:	Movable steel shelves ZNQ 67/2006/07

No. 2041, 2006

16 November 2006

DEPARTMENT OF HEALTH

STANGER HOSPITAL

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

- (i) Bids must be on the official bid form, which shall be completed in all respects, and all information must be supplied as stipulated in the bid document.
- (ii) Bids must be submitted in a sealed envelope.
- (iii) Separate envelopes must be used for each bid.
- (iv) The envelope must be addressed to the Department of Health, Stanger Hospital, Private Bag X10609, Stanger, 4450, together with the bid 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 bid.
- (viii) Bid documents are available from The Department of Health, Stanger Hospital, Corner King Shaka and Patterson Street, Stanger, Telephone: (032) 4376000, Fax: (032) 5512479.

SUPPLY: Curtains
 Bid number: ZNB 128/06-07
 Closing date: 2006-11-27
 Closing time: 11:00
 Contact person: Mr T. Ganasan, Telephone: (032) 4376204
 Enquiries regarding specification: Mrs M. Venter, Telephone: (032) 4376204

SUPPLY: Disposable laryngeal mask
 Bid number: ZNB 129/06-07
 Closing date: 2006-11-27
 Closing time: 11:00
 Contact person: Mr T. Ganasan, Telephone: (032) 4376204
 Enquiries regarding specification: Mrs M. Venter, Telephone: (032) 4376204

SUPPLY: Soda lime canisters for Julians machine
 Bid number: ZNB 130/06-07
 Closing date: 2006-11-27
 Closing time: 11:00
 Contact person: Mr T. Ganasan, Telephone: (032) 4376204
 Enquiries regarding specification: Mrs M. Venter, Telephone: (032) 4376204

SUPPLY: Disposable warming blanket
 Bid number: ZNB 131/06-07
 Closing date: 2006-11-27
 Closing time: 11:00

Contact person:
Enquiries regarding specification:

Mr T. Ganasan, Telephone: (032) 4376204
Mrs M. Venter, Telephone: (032) 4376204

Award of quotations

SUPPLY:
Quotation number:
Contractor:

Pneumatic tourniquet
ZNB 28/06-07
Surgimed Hospital Supplies

SUPPLY:
Quotation number:
Contractor:

Office furniture
ZNB 92/06-07
Alert Stationers

No. 2042, 2006

16 November 2006

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 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 must submit a ZNT 30 to claim preference points for items over R30 000 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) Quotations documents are available from the Department of Health, Health Technology Unit: Assets Management, c/o Wentworth Hospital, Boston Road off Quality Street, Jacobs, Durban. Telephone: (031) 4614531, Fax: (031) 4613336, between 07:00 and 15:00.

SERVICE:

Condition project and assets register and technical report for King Edward VIII Regional Hospital

Quotation number:

ZNQ 704 of 2006/2007

Closing date:

2006-12-07

Closing time:

11:00

Contact person:

Mr D. Pillay, Telephone: (031) 4614531

SERVICE:

Condition project and assets register and technical report for Madadeni Regional Hospital

Quotation number:

ZNQ 705 of 2006/2007

Closing date:

2006-12-07

Closing time:

11:00

Contact person:

Mr D. Pillay, Telephone: (031) 4614531

No. 2043, 2006

16 November 2006

DEPARTMENT OF HEALTH

PRINCE MSHIYENI MEMORIAL HOSPITAL

Award of quotations

SERVICE:

Replacement of carpet tiles with floor vinyl sheeting 2,5 mm

Quotation number:

ZNQ 720/2006

Contractor:

Akale Project

SERVICE:

Erection of carports for Nurses College ±39 bay meters x 5 meters

Quotation number:

ZNQ 468/2006

Contractor:

Nevendra Appanah cc

SERVICE:

Replacement of floor vinyl sheeting (2,5 mm) in Nurses Home

Quotation number:

ZNQ 382/2006

Contractor:

Simunye Plumbers

SERVICE:

Installation of window latches

Quotation number:

ZNQ 2086/2006

Contractor:

Nevendra Appanah

SERVICE:

Renovation of main gate at Security Office

Quotation number:

ZNQ 716/2006

Contractor:

Siyasebenza Contracts

SERVICE:	Renovation of toilets
Quotation number:	ZNQ 380/2006
Contractor:	4 AM Business Ent
SERVICE:	Renovation and painting of Block A
Quotation number:	ZNQ 719/2006
Contractor:	Inkosi Yokuthula Construction
SERVICE:	Repair of leaking concrete drain and maintenance
Quotation number:	ZNQ 379/2006
Contractor:	Simunye Plumbers
SERVICE:	Repair of sluice machine room (Casualty)
Quotation number:	ZNQ 717/2006
Contractor:	Mzilikazi Construction
SERVICE:	Upgrading of generator
Quotation number:	ZNQ 1006/2006
Contractor:	P&S Diesel Services (Pty) Ltd

No. 2044, 2006

16 November 2006

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 all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelopes must be addressed to Ilembe Health District Office, Quotation Evaluation Committee together with the quotation number and closing date and must be deposited into the quotation box, which is next to the entrance of the office.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All 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 Ilembe Health District Office – 36/40 Chief Albert Luthuli Street, 1st Floor OK Mall, KwaDukuza, Telephone: (032) 4373500, Fax: (032) 5511590 or 5511425.
- (viii) For quotations exceeding R30 000 an original ZNT 30 (application for preference points) form must be submitted to Ilembe Health District Office, an original Tax Clearance Certificate must also be submitted regardless of price.

SERVICE: Event organizer to provide media coverage, PA system, stage with roof for World Aids day at Macambini sportsgrounds
 Quotation number: ZNQ 932/06/07
 Closing date: 2006-11-28
 Time: 11:00
 Contact person: Sizwe Mabaso, Telephone: (032) 4373500
 Enquiries regarding specification: Sizwe Mabaso, Telephone: (032) 4373500

SERVICE: Hire of 9 buses to transport people to the World Aids day at Macambini sports-grounds
 Quotation number: ZNQ 933/06/07
 Closing date: 2006-11-28
 Time: 11:00
 Contact person: Sizwe Mabaso, Telephone: (032) 4373500
 Enquiries regarding specification: Sizwe Mabaso, Telephone: (032) 4373500

SUPPLY: 3 000 x Half caps for World Aids day
 Quotation number: ZNQ 934/06/07
 Closing date: 2006-11-28
 Time: 11:00
 Contact person: Sizwe Mabaso, Telephone: (032) 4373500
 Enquiries regarding specification: Sizwe Mabaso, Telephone: (032) 4373500

SERVICE: Hire of 3 500 seater marquee for World Aids day at Macambini sportsgrounds
 Quotation number: ZNQ 935/06/07
 Closing date: 2006-11-28
 Time: 11:00
 Contact person: Sizwe Mabaso, Telephone: (032) 4373500
 Enquiries regarding specification: Sizwe Mabaso, Telephone: (032) 4373500

SERVICE: Catering for 3 500 people attending the World Aids day at Macambini sports-grounds
 Quotation number: ZNQ 936/06/07
 Closing date: 2006-11-28
 Time: 11:00

Contact person:
Enquiries regarding specification:

Sizwe Mabaso, Telephone: (032) 4373500
Sizwe Mabaso, Telephone: (032) 4373500

No. 2045, 2006

16 November 2006

DEPARTMENT OF TRANSPORT

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

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

SERVICE:

Employment of emerging contractors, stage 4, for the construction of earthworks and a selected subgrade layer from KM 18.10 to KM 21.04 on Main Road P230

Contract period:

6 Months

Bid number:

ZNT 373T/A/P230/1281

Closing date:

2006-12-14

Time:

11:00

Compulsory site inspection:

Date:

2006-11-22

Time:

10:00

Venue:

Sklebheni Community Hall on P230

Contact person for documents:

Mr Ricardo Francis, Telephone: (033) 3558975

Enquiries regarding specifications:

Mr B. Rubuluza, Telephone: (033) 3450502

Bid documents available from:

Department of Transport: Head Office, Bid Closing Section, B Block, 172 Burger Street, Pietermaritzburg and at the compulsory site meeting

SERVICE:

Employment of emerging contractors, stage 4, for the construction of earthworks from KM 21.04 to KM 23.00 and selected subgrade layers from KM 21.04 to KM 25.00 on Main Road P230

Contract period:

6 Months

Bid number:

ZNT 373T/A/P230/1282

Closing date:

2006-12-14

Time:

11:00

Compulsory site inspection:

Date:

2006-11-22

Time:

10:00

Venue:

Sklebheni Community Hall on P230

Contact person for documents:

Mr Ricardo Francis, Telephone: (033) 3558975

Enquiries regarding specifications:

Mr B. Rubuluza, Telephone: (033) 3450502

Bid documents available from:

Department of Transport: Head Office, Bid Closing Section, B Block, 172 Burger Street, Pietermaritzburg and at the compulsory site meeting

No. 2046, 2006

16 November 2006

DEPARTMENT OF TRANSPORT

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

- (i) Please note that bid requests can be made via facsimile viz. (033) 3558091 for all documents.
- (ii) Bids must be on the official bid/quotation form which shall be completed in all respect and all information must be supplied as stipulated in the bid documents.
- (iii) Bids must be submitted in separate sealed envelopes.
- (iv) Separate envelopes must be used for each bid invitation.
- (v) The address, bid number and closing date must be endorsed on the back of the envelope.
- (vi) The name and address of the bidders must be endorsed on the back of the envelope.
- (vii) All bid contract awards are subject to appeals being lodged (if any) and letters of acceptance being issued.
- (viii) To obtain the following bid documents, contact the telephone and facsimile numbers stipulated.
- (ix) Contractors will be required to produce a copy of a valid Tax Clearance Certificate before being issued with tender documents.
- (x) Bids are Established Contractors, experienced in major bridge and earthworks construction in Join Venture with two or more Emerging Contractors.

- (xi) The established Contractor Partner(s) to the Joint Venture shall be registered in the CIDB contractor grading designation 9CE, or alternatively the Joint Venture shall have a combined contractor grading designation of 9CE calculated in accordance with the CIDB regulations.
- (xii) The Emerging Contractor partners to the Joint Venture shall be registered in CIDB contractor grading designation 4CE minimum.
- (xiii) As a prerequisite to the issue of the documents, bidders will be required to submit a copy of their CIDB certificate of contractor registration confirming their registration in the CIDB contractor grading designation 9CE or 8CE.
- (ix) Please note: The bid box is situated in the foyer, Department of Transport, 172 Burger Street, Pietermaritzburg.

SERVICE:	Construction of the Mgeni Viaduct No. 2908 on Main Road P577 and adjacent earthworks
Contract period:	26 Months
Bid number:	ZNT 2214T
Closing date:	2007-02-01
Time:	11:00
<i>Compulsory site inspection:</i>	
Date:	2006-11-30
Time:	9:00
Venue:	The P577 Site Office, corner of Newlands East Drive and Inanda Road, Newlands East
Contact person for documents:	Mr Ricardo Francis, Telephone: (033) 3558975
Cost of documents:	R200,00
Enquiries regarding specifications:	Mr B. P. Durow, Telephone: (033) 3453211
Bid documents available from:	Department of Transport: Head Office, Bid Closing Section, B Block, 172 Burger Street, Pietermaritzburg

No. 2047, 2006

16 November 2006

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

- (i) Please note that bid requests can be made via facsimile viz. (033) 3558091 for all documents.
- (ii) Bids must be on the official bid/quotation form which shall be completed in all respect and all information must be supplied as stipulated in the bid documents.
- (iii) Bids must be submitted in separate sealed envelopes.
- (iv) Separate envelopes must be used for each bid invitation.
- (v) The address, bid number and closing date must be endorsed on the back of the envelope.
- (vi) The name and address of the bidders must be endorsed on the back of the envelope.
- (vii) All bid contract awards are subject to appeals being lodged (if any) and letters of acceptance being issued.
- (viii) To obtain the following bid documents, contact the telephone and facsimile numbers stipulated.
- (ix) Contractors will be required to produce a copy of a valid Tax Clearance Certificate before being issued with tender documents.
- (x) Bids are invited from Established Contractors, experienced in major bridge and earthworks construction in Join Venture with two or more Emerging Contractors.
- (xi) The established Contractor Partner(s) to the Joint Venture shall be registered in the CIDB contractor grading designation 9CE, or alternatively the Joint Venture shall have a combined contractor grading designation of 9CE calculated in accordance with the CIDB regulations.
- (xii) Emerging Contractor partners to the Joint Venture shall be registered in CIDB contractor grading designation 4CE minimum.
- (xiii) As a prerequisite to the issue of the documents, bidders will be required to submit a copy of their CIDB certificate of contractor registration confirming their registration in the CIDB contractor grading designation 9CE or 8CE.
- (ix) Please note: The bid box is situated in the foyer, Department of Transport, 172 Burger Street, Pietermaritzburg.

SERVICE:	Construction of the Nseleni Floodplain Link and Nsezi River Bridge on Main Road 496
Contract period:	26 Months
Bid number:	ZNT 2222T
Closing date:	2007-01-25
Time:	11:00
<i>Compulsory site inspection:</i>	
Date:	2006-12-05
Time:	10:00
Venue:	The Civic Centre, Richards Bay
Contact person for documents:	Mr Ricardo Francis, Telephone: (033) 3558975
Cost of documents:	R200,00
Enquiries regarding specifications:	Mr B. P. Durow, Telephone: (033) 3453211
Bid documents available from:	Department of Transport: Head Office, Bid Closing Section, B Block, 172 Burger Street, Pietermaritzburg

SERVICE:	Employment of emerging contractors stage 4 for the construction of two box culverts STC 1135 and STC 3148 on Main Road 496
Contract period:	7 Months
Bid number:	ZNT 373T/P496/20
Closing date:	2006-12-14
Time:	11:00
<i>Compulsory site inspection:</i>	
Date:	2006-11-28

Time: 10:00
 Venue: Area Office, Department of Transport, North Road, off Logan Road, off Biyela Road, Empangeni
 Contact person for documents: Mr Ricardo Francis, Telephone: (033) 3558975
 Cost of documents: R200,00
 Enquiries regarding specifications: Mr K. Sparks, Telephone: (033) 3940621
 Bid documents available from: Department of Transport: Head Office, Bid Closing Section, B Block, 172 Burger Street, Pietermaritzburg and at the compulsory site inspection meeting

No. 2048, 2006

16 November 2006

DEPARTMENT OF HEALTH

CEZA HOSPITAL

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to Ceza Hospital, Quotation Evaluation Committee together with the quotation number and closing date.
- (iv) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (v) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and a letter of acceptance being issued.
- (vi) Quotation documents are available from Ceza Hospital, Telephone: (035) 8320006, Fax: (035) 8320022.
- (vii) For quotations exceeding R30 000 an original ZNT 30 (application for preference points) form must be submitted to the Ceza Hospital. An original Tax Clearance Certificate must also be submitted regardless of price.

SUPPLY: 50 x Bags of LSD super
 50 x Bags of LSD 64
 Quotation number: ZNQ 326/2006-2007
 Closing date: 2006-11-27
 Closing time: 11:00
 Contact person: Mr K. B. Khumalo, Telephone: (035) 8320001/6, Fax: (035) 8320022/7

SUPPLY: 100 x Feeding tubes, FG 16
 100 x Feeding tubes, FG 18
 240 x Digital thermometers
 5 x Boxes of umbilical cord clamps
 200 x Tape autoclave
 100 x Boxes of white disposable face mask
 100 x Boxes of jelonet
 200 x 20G IV cannula
 200 x Rolls of cotton wool
 Quotation number: ZNQ 327/2006-2007
 Closing date: 2006-11-27
 Closing time: 11:00
 Contact person: Mr K. B. Khumalo, Telephone: (035) 8320001/6, Fax: (035) 8320022/7

SUPPLY: 200 x CTG flat graph paper
 200 x Catheter suction, FG8
 200 x Catheter suction, FG 10
 200 x Catheter foley, FG 14
 100 x Buretrol, AFC 2421
 50 x Boxes of identity bonds for adults
 Quotation number: ZNQ 328/2006-2007
 Closing date: 2006-11-27
 Closing time: 11:00
 Contact person: Mr K. B. Khumalo, Telephone: (035) 8320001/6, Fax: (035) 8320022/7

SUPPLY: 20 x Dozens of bandage adhesive porous, 75 mm
 500 x Packets of infusion set 10 drop
 500 x Packets of infusion set 20 drop
 20 x Dozens of bandage crepe, 50 mm
 20 x Dozens of bandage crepe, 75 mm
 20 x Dozens of bandage POP crepe, 100 mm
 20 x Dozens of bandage crepe 150, mm
 Quotation number: ZNQ 329/2006-2007
 Closing date: 2006-11-27
 Closing time: 11:00
 Contact person: Mr K. B. Khumalo, Telephone: (035) 8320001/6, Fax: (035) 8320022/7

SUPPLY: 480 x Packets of abdominal swabs, boxes of 48 packet
 200 x Packets of sterile gauze swabs, boxes of 10 packet
 200 x Packets of urinary bags for adult
 200 x Packets of urinary bags for paedcs
 50 x Pairs of gloves yellow elbow length

Quotation number: 50 x Dust face masks
 Closing date: ZNQ 330/2006-2007
 Closing time: 2006-11-27
 Closing time: 11:00
 Contact person: Mr K. B. Khumalo, Telephone: (035) 8320001/6, Fax: (035) 8320022/7

SUPPLY: 50 x Boxes of adult diapers, large
 50 x Boxes of adult diapers, x-large
 5 000 x Green plastic bags, 100 micron
 5 000 x Grey plastic bags, 100 micron
 20 x Boxes of Kleenex paper towel
 Quotation number: ZNQ 331/2006-2007
 Closing date: 2006-11-27
 Closing time: 11:00
 Contact person: Mr K. B. Khumalo, Telephone: (035) 8320001/6, Fax: (035) 8320022/7

SERVICE: Installation of CCTV in hospital parking
 Quotation number: ZNQ 110/2006-2007
 Closing date: 2006-12-01
 Closing time: 11:00
 Site inspection:
 Date: 2006-11-24
 Time: 11:00
 Venue: Dining Hall (Ceza Hospital)
 Contact person: Mr K. B. Khumalo, Telephone: (035) 8320001/6
 Enquiries regarding specification: Mr Jabu Mdluli, Telephone: (035) 8320001/6

SERVICE: Pest control at Idlebe, Clinic Esidakeni Clinic, Ezimfabeni Clinic, Stedham Clinic, Sizana Clinic
 Quotation number: ZNQ 311/2006-2007
 Closing date: 2006-12-08
 Closing time: 11:00
 Site inspection:
 Date: 2006-11-28
 Time: 10:00
 Venue: Dining Hall (Ceza Hospital)
 Contact person: Mr K. B. Khumalo, Telephone: (035) 8320001/6

SERVICE: 1 x Copy printer for hire for 3 years
 Model 4416 multifunctional or aficio 2051/2060
 Quotation number: ZNQ 350/2006-2007
 Closing date: 2006-11-27
 Closing time: 11:00
 Contact person: Mr K. B. Khumalo, Telephone: (035) 8320001/6, Fax: (035) 8320022/7

Re-advertisement of quotation

SUPPLY: 4 x Food warmer delivery charts for tray services
 36 x 46 cm: colours granite grey, granite green, granite red, granite sand
 Quotation number: ZNQ 251/2006-2007
 Closing date: 2006-11-27
 Closing time: 11:00
 Contact person: Mr K. B. Khumalo, Telephone: (035) 8320001/6, Fax: (035) 8320022/7

SUPPLY: 50 x Boxes of alione adhesive, 10 x 10 cm
 50 x Boxes of alione adhesive, 15 x 15 cm
 50 x Boxes of alione adhesive, 12.5 x 12.5
 200 x Boxes of comfeel purilion gel, 15 g
 200 x Boxes of comfeel purilion gel, 25 g
 Quotation number: ZNQ 10/2006-2007
 Closing date: 2006-11-27
 Closing time: 11:00
 Contact person: Mr K. B. Khumalo, Telephone: (035) 8320001/6, Fax: (035) 8320022/7

Cancellation of quotations

SERVICE: Construction of carports
 Quotation number: ZNQ 303/2006-2007

SERVICE: Renovation of Dining Hall
 Quotation number: ZNQ 202/2006-2007

SERVICE: Eradication of trees
 Quotation number: ZNQ 203/2006-2007

SERVICE: Installation of ceramic tiles in offices
 Quotation number: ZNQ 85/2006-2007

DEPARTMENT OF HEALTH

TAYLER BEQUEST HOSPITAL

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Tayler Bequest Hospital, Private Bag X836, Matatiele, 4730, together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Department of Health, Tayler Bequest Hospital, Buying Section, Main Street, Matatiele, Telephone: (039) 7373107, Fax: (039) 7374865/4134.
- (viii) For quotations exceeding R30 000 an original ZNT 30 (application for preference points) form and an original Tax Clearance Certificate must be submitted.

SUPPLY:

Quotation number:

2 x Units of plaster saw with vacuum medicon oscillo compact electric powered
ZNQ 673/2006/2007

Closing date:

2006-12-04

Closing time:

11:00

Contact person:

S. S. Maphumulo or Nosimo, Telephone: (039) 7373107

SUPPLY:

Quotation number:

13 x Units of reenamelling of baths, all white, different wards
ZNQ 674/2006/2007

Closing date:

2006-12-04

Closing time:

11:00

Contact person:

S. S. Maphumulo or Nosimo, Telephone: (039) 7373107

SUPPLY:

Quotation number:

20 x Units of vac-gard (external shut off valve/filter)
ZNQ 604/2006/2007

Closing date:

2006-12-04

Closing time:

11:00

Contact person:

S. S. Maphumulo or Nosimo, Telephone: (039) 7373107

SUPPLY:

Quotation number:

200 x Units of cable monopolar for monopolar forceps hand controlled to be
used with excell 350, diathermy machine
ZNQ 291/2006/2007

Closing date:

2006-12-04

Closing time:

11:00

Contact person:

S. S. Maphumulo or Nosimo, Telephone: (039) 7373107

SUPPLY:

Quotation number:

4 x Units of multi deck BMD 450, size 1185 x 580 x 450 mm
ZNQ 614/2006/2007

Closing date:

2006-12-04

Closing time:

11:00

Contact person:

S. S. Maphumulo or Nosimo, Telephone: (039) 7373107

DEPARTMENT OF HEALTH

MOSVOLD HOSPITAL

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

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

SUPPLY:

Quotation number:

374 x Disposable napkins for adults: large, packaging 250 per box
ZNQ 558/06/07/Mos/Aid/Mbadaids/Tb/Ndum

Closing date:

2006-11-24

Closing time:	11:00
Contact person:	Miss B. Mkhwanazi, Telephone: (035) 5910145, Ext. 127
Enquiries regarding specification:	Miss B. Mkhwanazi
SUPPLY:	350 x Cases of examination gloves natural rubber latex long cuff ambidextrous single use, non sterile for general use except for domestic pre-powdered length from tip of middle finger to edge of cuff 290 mm minimum, 10 boxes per carton, 100 pieces per box, large
Quotation number:	ZNQ 559/06/07/mos
Closing date:	2006-11-24
Closing time:	11:00
Contact person:	Miss B. Mkhwanazi, Telephone: (035) 5910145, Ext. 127
Enquiries regarding specification:	Miss B. Mkhwanazi
SUPPLY:	700 x School bags
Quotation number:	ZNQ 560/06/07/mos
Closing date:	2006-11-24
Closing time:	11:00
Contact person:	Miss B. Mkhwanazi, Telephone: (035) 5910145, Ext. 127
Enquiries regarding specification:	Miss B. Mkhwanazi

No. 2051, 2006

16 November 2006

DEPARTMENT OF HEALTH

MONTEBELLO 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 respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The address, quotation number and closing date must be endorsed at the front of the envelope.
- (iv) The name and address of the quoting contractor must be endorsed at the back of the envelope.
- (v) All Department of Health contract awards are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vi) Quotation documents are available from Montebello Hospital, Stores, R614 Noordsberg Road, Telephone: (033) 5067000, Fax: (033) 5060058.
- (vii) For quotations exceeding R30,000.00 an original ZNT 30 (application for preference points) and an original Tax Clearance Certificate must be submitted to the abovementioned address.

SUPPLY: Examination gloves, natural rubber latex, single use
Non sterile for general use except domestic:
Small x 200 cases (50 pairs per box of 10 boxes per case)
Medium x 300 cases (50 pairs per box of 10 boxes per case)
Large x 300 cases (50 pairs per box of 10 boxes per case)
Quotation number: ZNQ 235-2006/07
Closing date: 2006-11-24
Closing time: 11:00
Contact person: Mrs S. J. Gumede, Telephone: (033) 5067033

SUPPLY: Surgical gloves, sterile natural rubber latex
Size 6 x 30 cases – 50 pairs per box of 8 boxes per case
Size 6.5 x 50 cases – 50 pairs per box of 8 boxes per case
Size 7 x 50 cases – 50 pairs per box of 8 boxes per case
Size 7.5 x 50 cases – 50 pairs per box of 8 boxes per case
Size 8 x 05 cases – 50 pairs per box of 8 boxes per case
Quotation number: ZNQ 236-2006/07
Closing date: 2006-11-24
Closing time: 11:00
Contact person: Mrs S. J. Gumede, Telephone: (033) 5067033

SERVICE: Repairs and renovations to Nurses, Residence No. 1
Quotation number: ZNQ 232-2006/07
Closing date: 2006-11-30
Closing time: 11:00
Site inspection:
Date: 2006-11-24
Time: 11:00
Contact person: Mrs S. J. Gumede, Telephone: (033) 5067033
Enquiries regarding specification: Mr M. I. Gwala, Telephone: (033) 5067033

DEPARTMENT OF HEALTH

KING EDWARD VIII HOSPITAL

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

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

SUPPLY:

Quotation number:

Closing date:

Time:

Contact person:

Enquiries regarding specification:

24 x Units of lockable double door meal carts with inserts

ZNQ LS 956 gaz

2006-12-04

11:00

Louise Steyn, Telephone: (031) 3603448

Louise Steyn, Telephone: (031) 3603448

SUPPLY/SERVICE:

Quotation number:

Closing date:

Time:

Contact person:

Enquiries regarding specification:

Supply and installation of combi steamer with inserts and lids

ZNQ LS 957 gaz

2006-12-04

11:00

Louise Steyn, Telephone: (031) 3603448

Louise Steyn, Telephone: (031) 3603448

SUPPLY/SERVICE:

Quotation number:

Closing date:

Time:

Contact person:

Enquiries regarding specification:

Supply and installation of boiling pans – steam jacketed 225 litres

ZNQ LS 958 gaz

2006-12-04

11:00

Louise Steyn, Telephone: (031) 3603448

Louise Steyn, Telephone: (031) 3603448

SUPPLY:

Quotation number:

Closing date:

Time:

Contact person:

Enquiries regarding specification:

1 x Unit of sphygmomanometers electronic NIBP monitor

ZNQ LS 959 gaz

2006-12-04

11:00

Louise Steyn, Telephone: (031) 3603448

Louise Steyn, Telephone: (031) 3603448

SUPPLY:

Quotation number:

Closing date:

Time:

Contact person:

Enquiries regarding specification:

1 x Unit of multiparameter – ECG; NIBP; TEMP and SPO2

ZNQ LS 960 gaz

2006-12-04

11:00

Louise Steyn, Telephone: (031) 3603448

Louise Steyn, Telephone: (031) 3603448

SUPPLY:

Quotation number:

Closing date:

Time:

Contact person:

Enquiries regarding specification:

30 x Units of adjustable overbed tables

ZNQ LS 961 gaz

2006-12-04

11:00

Louise Steyn, Telephone: (031) 3603448

Louise Steyn, Telephone: (031) 3603448

SUPPLY:

Quotation number:

Closing date:

Time:

Contact person:

Enquiries regarding specification:

1 x Unit of liquid filling machine – semi automatic

ZNQ LS 962 gaz

2006-12-04

11:00

Louise Steyn, Telephone: (031) 3603448

Louise Steyn, Telephone: (031) 3603448

SUPPLY/SERVICE:

Quotation number:

Closing date:

Time:

Contact person:

Enquiries regarding specification:

Supply and installation of cell routers

ZNQ LS 963 gaz

2006-12-04

11:00

Louise Steyn, Telephone: (031) 3603448

Louise Steyn, Telephone: (031) 3603448

NB: Kindly supply new ZNT 30 with quotation over R30 000 including Tax Clearance Certificate

Award of quotations

SUPPLY:	220 x Boxes of sutures
Quotation number:	ZNQ LS 478 gaz
Contractor:	Clinisut
SUPPLY:	4 x Units of intensive care crib infant
Quotation number:	ZNQ LS 328 gaz
Contractor:	Brittan Healthcare
SUPPLY:	600 x Units of catheter single lumen, 20 cm
Quotation number:	ZNQ LS 664 gaz
Contractor:	Arrow Africa
SUPPLY:	250 x Boxes of wound dressing granuflex, 100 x 100 mm
Quotation number:	ZNQ LS 688 gaz
Contractor:	Adcok Ingram
SUPPLY:	1 000 x Units of filters, tpm 1
Quotation number:	ZNQ LS 694 gaz
Contractor:	Pall S.A.
SUPPLY:	300 x Units of manometer line, 200 cm
Quotation number:	ZNQ LS 695 gaz
Contractor:	Smiths Medical
SUPPLY:	6 x Boxes of mesh vicryl, 30 x 30 cm
Quotation number:	ZNQ LS 780 gaz
Contractor:	Dinaledi Medical
SUPPLY:	560 x Boxes of wound dressing tegaderm, 10 x 14 cm
Quotation number:	ZNQ LS 795 gaz
Contractor:	3 M S A
SUPPLY:	400 x Units of catheter double lumen 7fr
Quotation number:	ZNQ LS 799 gaz
Contractor:	Arrow Africa
SUPPLY:	500 x Rolls of jumbo rolls
Quotation number:	ZNQ LS 802 gaz
Contractor:	Top Draw Healthcare
SUPPLY:	1 500 x Boxes of disposable baby napkins, small/medium/large
Quotation number:	ZNQ LS 803 gaz
Contractor:	Hygiene Medical
SUPPLY:	2 000 x Units of spinal needles, 26 g
Quotation number:	ZNQ LS 808 gaz
Contractor:	Smiths Medical
SUPPLY:	120 000 x Units of disposable aprons, red/blue/white
Quotation number:	ZNQ LS 811 gaz
Contractor:	Sista's Projects
SUPPLY:	80 x Boxes of labels 3 to view, 95 x 36 mm
Quotation number:	ZNQ LS 844 gaz
Contractor:	Forms – Elite
SUPPLY:	1 020 x Boxes of sutures
Quotation number:	ZNQ LS 845/LS 848/LS 851 gaz
Contractor:	Clinisut
SUPPLY:	220 x Boxes of sutures
Quotation number:	ZNQ LS 849 gaz
Contractor:	Dinaledi Medical
SUPPLY:	50 x Boxes of wound dressing 19 x 10,5 cm
Quotation number:	ZNQ LS 879 gaz
Contractor:	Johnson & Johnson
SUPPLY:	260 x Boxes of clotless connectors
Quotation number:	ZNQ LS 882 gaz
Contractor:	Pro Distributors
SUPPLY:	6 000 x Units of syringes heparinized
Quotation number:	ZNQ LS 663 gaz
Contractor:	S.A. Medical Development
SUPPLY:	40 x Units of mesh marlex
Quotation number:	ZNQ LS 698 gaz
Contractor:	S. A. Biomedical

SUPPLY:	1 950 x Boxes of syringes, 10/20 ml
Quotation number:	ZNQ LS 798 gaz
Contractor:	Evergreen Latex
SUPPLY:	870 x Boxes of sterile surgical gloves
Quotation number:	ZNQ LS 686 gaz
Contractor:	Union Drug
SUPPLY:	1 000 x Units of sets cyp, 15 drops/ml
Quotation number:	ZNQ LS 806 gaz
Contractor:	Adcock Ingram
SUPPLY:	50 x Boxes of wound dressing, 15 g
Quotation number:	ZNQ LS 692 gaz
Contractor:	Adcock Ingram
SUPPLY:	30 x Boxes of wound dressing, 90 x 25 mm
Quotation number:	ZNQ LS 690 gaz
Contractor:	Icembe Medical
SUPPLY:	100 x Boxes of wound dressing, 175 x 175 mm
Quotation number:	ZNQ LS 691 gaz
Contractor:	Dinaledi Medical
SUPPLY:	400 x Boxes of wound dressing, 180 x 250 mm
Quotation number:	ZNQ LS 687 gaz
Contractor:	Icembe Medical
SUPPLY:	100 x Units of closed suction catheters, 5/6fr
Quotation number:	ZNQ LS 787 gaz
Contractor:	Johnson & Johnson
SUPPLY:	170 x Boxes of wound dressing
Quotation number:	ZNQ LS 796 gaz
Contractor:	Icembe Medical
SUPPLY:	1 800 x Boxes of 2.5/5 ml syringes
Quotation number:	ZNQ LS 797 gaz
Contractor:	Unitrade
SUPPLY:	75 x Packets of clear plastic bags, 50 x 30 x 32 micron
Quotation number:	ZNQ LS 878 gaz
Contractor:	Consort Plastic
SUPPLY:	400 x Units of floor pads, red/black
Quotation number:	ZNQ LS 810 gaz
Contractor:	A1 Building Blocks & Precast Products
SUPPLY:	1 160 x Boxes of gloves exam sterile, small/large/medium
Quotation number:	ZNQ LS 665/LS 801 gaz
Contractor:	Union Drug (Pty) Ltd
SUPPLY:	1 732 x Units of arterial dialysis
Quotation number:	ZNQ LS 788 gaz
Contractor:	Adcock Ingram
SUPPLY:	65 000 x Units of brown paper bags
Quotation number:	ZNQ LS 781 gaz
Contractor:	Logan Medical
SUPPLY:	15 x Units of paediatric giving sets
Quotation number:	ZNQ LS 883 gaz
Contractor:	Arrow Africa
SUPPLY:	12 000 x Boxes of gloves exam non-sterile, small/large
Quotation number:	ZNQ LS 800 gaz
Contractor:	Union Drug
SUPPLY:	20 x Boxes of wound dressing, 100 mm
Quotation number:	ZNQ LS 689 gaz
Contractor:	Icembe Medical
SUPPLY:	9 820 x Units of admin sets admin/paediatric needle free
Quotation number:	ZNQ LS 779 gaz
Contractor:	Pro Distributors
SUPPLY:	300 x Bags of auto detergent washing powder, 25 kg
Quotation number:	ZNQ LS 675 gaz
Contractor:	Tekweni Cleaning

SUPPLY:	47 x Boxes of nasal cannula
Quotation number:	ZNQ LS 881 gaz
Contractor:	Hiline Medical
SUPPLY:	2 720 x Units of feeding bottles, 250/125 ml
Quotation number:	ZNQ LS 794 gaz
Contractor:	B & L Steripak
SUPPLY:	160 x Boxes of wound dressing charcoal
Quotation number:	ZNQ LS 880 gaz
Contractor:	Imphilo Medical
SUPPLY:	3 032 x Units of dialysis lines
Quotation number:	ZNQ LS 789 gaz
Contractor:	Fresenius Medical
SUPPLY:	4 000 x Units of nebulizer kits for adult/paed
Quotation number:	ZNQ LS 809 gaz
Contractor:	Palmed Medical
SUPPLY:	400 x Units of close suction catheters, 14fr
Quotation number:	ZNQ LS 907 gaz
Contractor:	Perryhill International
SUPPLY:	Office furniture for Medical Manager
Quotation number:	ZNQ LS 630 gaz
Contractor:	Mavura Trading

Cancellation of quotations

SUPPLY:	Fixation set for subcondyles and ramus
Quotation number:	ZNQ LS 509 gaz
SUPPLY:	4 x Units of paper shredder
Quotation number:	ZNQ LS 445 gaz
SUPPLY:	50 x Units of mopping units
Quotation number:	ZNQ LS 812 gaz

No. 2053, 2006

16 November 2006

DEPARTMENT OF WORKS**HEAD OFFICE: PIETERMARITZBURG****Invitation to tender**

SUPPLY:	Office furniture for the Department of Works
Tender number:	ZNT 09 H/O W
Closing date:	2006-12-14
Closing time:	11:00
Enquiries regarding specification:	Mr M. M. Ntombela, Telephone: (033) 3555556, Fax: (033) 3555680
Documents available from:	Ms Gugu Ncanana, Telephone: (033) 3555477, Fax: (033) 3555680 Department of Works, Head Office, 191 Prince Alfred Street, Ground Floor Boardroom, Main Foyer, Pietermaritzburg

No. 2054, 2006

16 November 2006

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

- (i) Quotations must be on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document.
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) Separate envelopes must be used for each quotation.
- (iv) The envelope must be addressed to the Department of Health, Christ the King Hospital together with the quotation number and closing date.
- (v) The name and address of the quoting contractor must be endorsed on the back of the envelope.
- (vi) All Department of Health contracts awarded are subject to appeals being timeously lodged (if any) and letters of acceptance being issued.
- (vii) Quotation documents are available from the Christ the King Hospital, 1 Peter Hauff Drive, Ixopo, Telephone: (039) 8342067, Fax: (039) 8342828.

SERVICE:	Painting of Nurses' Home inside and outside and 2 residential houses
Quotation number:	ZNQ 488-06/07

Closing date:	2006-11-30
Closing time:	11:00
<i>Site inspection:</i>	
Date:	2006-11-28
Time:	11:00
Contact person:	Mr M. Ngcobo, Telephone: (039) 8342067, Ext. 222
SUPPLY:	Fire fighting equipment for the Hospital (once off)
Quotation number:	ZNQ 489-06/07
Closing date:	2006-11-30
Closing time:	11:00
<i>Site inspection:</i>	
Date:	2006-11-27
Time:	11:00
Contact person:	Mr M. Ngcobo, Telephone: (039) 8342067, Ext. 222
SUPPLY:	Ophthalmic operating microscope, floor mounted
Quotation number:	ZNQ 490-06/07
Closing date:	2006-11-30
Closing time:	11:00
Contact person:	Mrs C. M. Silwane, Telephone: (039) 8342067, Ext. 262
SUPPLY:	Auto refractor with K reading facilities
Quotation number:	ZNQ 491-06/07
Closing date:	2006-11-30
Closing time:	11:00
Contact person:	Mrs C. M. Silwane, Telephone: (039) 8342067, Ext. 262
SUPPLY:	A-Scan for intra ocular power measurement
Quotation number:	ZNQ 492-06/07
Closing date:	2006-11-30
Closing time:	11:00
Contact person:	Mrs C. M. Silwane, Telephone: (039) 8342067, Ext. 262
SUPPLY:	Takagi slit lamp with chair and stand and applanation tonometer
Quotation number:	ZNQ 493-06/07
Closing date:	2006-11-30
Closing time:	11:00
Contact person:	Mrs C. M. Silwane, Telephone: (039) 8342067, Ext. 262
SUPPLY:	Direct and indirect ophthalmoscope
Quotation number:	ZNQ 494-06/07
Closing date:	2006-11-30
Closing time:	11:00
Contact person:	Mrs C. M. Silwane, Telephone: (039) 8342067, Ext. 262
SUPPLY:	90 and 20 Diopter lens
Quotation number:	ZNQ 495-06/07
Closing date:	2006-11-30
Closing time:	11:00
Contact person:	Mrs C. M. Silwane, Telephone: (039) 8342067, Ext. 262
SUPPLY:	Snellen visual acuity chart or projector chart for visual acuities
Quotation number:	ZNQ 496-06/07
Closing date:	2006-11-30
Closing time:	11:00
Contact person:	Mrs C. M. Silwane, Telephone: (039) 8342067, Ext. 262
SUPPLY:	Dedicated ophthalmic instrument sterilizer
Quotation number:	ZNQ 497-06/07
Closing date:	2006-11-30
Closing time:	11:00
Contact person:	Mrs C. M. Silwane, Telephone: (039) 8342067, Ext. 262
SUPPLY:	Extracapsular cataract set
Quotation number:	ZNQ 498-06/07
Closing date:	2006-11-30
Closing time:	11:00
Contact person:	Mrs C. M. Silwane, Telephone: (039) 8342067, Ext. 262
SERVICE:	Fitting of 2 new theatre operating lamps
	Fitting of 4 light handles
Quotation number:	ZNQ 499-06/07
Closing date:	2006-11-24
Closing time:	11:00
Contact person:	Mr S. A. Ngcobo, Telephone: (039) 8342067, Ext. 243
SUPPLY:	50 x Surgeon gloves: size 6
	50 x Surgeon gloves: size 6.5
	50 x Surgeon gloves: size 7

Quotation number:
Closing date:
Closing time:
Contact person:

50 x Surgeon gloves: size 7.5
50 x Surgeon gloves: size 8
50 x Surgeon gloves: size 8.5
ZNQ 500-06/07
2006-11-24
11:00
Mr S. A. Ngubo, Telephone: (039) 8342067, Ext. 243

SUPPLY:
Quotation number:
Closing date:
Closing time:
Site inspection:
Date:
Time:
Contact person:

Installation of P.A. system
ZNQ 501-06/07
2006-11-30
11:00
2006-11-24
14:00
Mr Caluza, Telephone: (039) 8342067, Ext. 238

Award of quotation

SUPPLY:
Quotation number:
Contractor:

Food warmers and trolleys
ZNQ 151-06/07
Lotus Catering Equipment Supplies

Cancellation of quotations

SUPPLY:
Quotation number:

Fire fighting equipment (once off)
ZNQ 153-06/07

SUPPLY:
Quotation number:

Ophthalmic items
ZNQ 110-06/07

No. 2055 2006

16 November 2006

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

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

- (i) Bids must be on the official bid form which shall be completed in all respects and all information must be supplied as stipulated in the bid document.
- (ii) Bids must be submitted in separate sealed envelopes.
- (iii) Separate envelopes must be used for each bid invitation.
- (iv) The address, bid number and closing date must be endorsed on the front of the envelope.
- (v) The name and address of the bidder must be endorsed on the back of the envelope.

SERVICE:

Appointment of a Service Provider: Management support to the Provincial Mobile Water Purification Plant Project

Bid number:
Closing date:
Time:
Documents available:

ZNT 1419/2006 LG
2006-11-30
11:00
Bid Office, Office 13 – 08, 13th Floor, Natalia Building, 330 Langalibalele Street, Pietermaritzburg
Mrs T. P. Ndlovu, Telephone: (033) 3953187

Contact person:

Compulsory briefing session:

Date: 2006-11-23
Time: 11:00
Venue: 7th Floor Boardroom, Southern Life Plaza, 271 Church Street, Pietermaritzburg

SERVICE:

Appointment of a Project Manager to manage the upgrading of sports facilities

Bid number:
Closing date:
Time:
Documents available:

ZNT 1452/2006 LG
2006-11-30
11:00
Bid Office, Office 13 – 08 13th Floor, Natalia Building, 330 Langalibalele Street, Pietermaritzburg
Mrs T. P. Ndlovu, Telephone: (033) 3953187

Contact person:

Compulsory Briefing Session:

Date: 2006-11-23
Time: 09:00
Venue: 7th Floor Boardroom, Southern Life Plaza, 271 Church Street, Pietermaritzburg

No. 2056, 2006

16 November 2006

DEPARTMENT OF TRANSPORT**Award of tender**

SERVICE:
Tender number:
Contractor:

Construction of layerworks, surfacing and sidedrains on Main Road P15/2
ZNT 1466/P15/2 T
Klus Civils/Robert Construction JV

No. 2057, 2006

16 November 2006

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

- (i) Quotations must be submitted on the official quotation form, which shall be completed in all respects, and all information must be supplied as stipulated in the quotation document
- (ii) Quotations must be submitted in sealed envelopes.
- (iii) The envelope must be addressed to the Hillcrest Hospital, Quotation Evaluation Committee together with the quotation number and the 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 Don McKenzie Hospital, 10 Zulu Reserve Road, Bothas Hill, Telephone: (031) 7771155, Ext. 210, Fax: (031) 7771717.

SERVICE:
Quotation number:
Closing date:
Closing time:
Site meeting:
Enquiries regarding specification:

Cleaning services for 12 months
ZNQ 230-06/07
2006-12-01
11:00
2006-11-27
Mr M. I. Mbatha, Telephone: (031) 7771155

SERVICE:
Quotation number:
Closing date:
Closing time:
Site meeting:
Enquiries regarding specification:

Security services
ZNQ 231-06/07
2006-12-01
11:00
2006-11-24
Mr M. I. Mbatha, Telephone: (031) 7771155, Ext. 210

MUNISIPALE KENNISGEWINGS — IZAZISO ZIKAMASIPALA — MUNICIPAL NOTICES**No. 26, 2006**

16 November 2006

UMKHANYAKUDE DISTRICT MUNICIPALITY**WATER SERVICES BYLAWS**

TO provide for the regulation of water services within uMkhanyakude District Municipality; and matters connected thereto.

WATER BYLAWS

Be it enacted by the Council of the uMkhanyakude District Municipality, in terms of section 156 of the Constitution of the Republic of South Africa Act, 1996, and approval of the Member of the Executive Council responsible for Local Government in terms of section 11 of the Local Government: Municipal Systems Act, 2000, as follows:

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CHAPTER 1: INTRODUCTORY PROVISIONS

Definitions

(1) In these bylaws and the Schedules thereto, unless the context otherwise indicates —

“**accommodation unit**” in relation to any premises, means a building or section of a building occupied or used or intended for residential occupation or use by any person;

“**account holder**” means any person over 16 years of age who is responsible for the family unit and/or for the payment of any services accounts;

“**Act**” means the Water Services Act, 1997 (Act 108 of 1997) as amended, and includes any regulations made under the Act;

“**approved**” means approved by the Council;

“**authorised official**” means any official of the Council who has been authorised by it to administer, implement and enforce the provisions of these bylaws;

“**authorised provider**” means any water services provider appointed by the Authority to provide water services within the Authority's area of jurisdiction or any water services intermediary registered with the Authority;

“**Authority**” means the uMkhanyakude District Municipality in its capacity as water services authority as contemplated in the Water Services Act, 1997;

“**backflow**” means the flow of water in any pipe or fitting in a direction opposite to the normal direction of flow;

“**back siphonage**” means the backflow resulting from pressures lower than atmospheric pressure in the water installation;

"basic sanitation" means the minimum standard of safe and hygienic sanitation services and sewage disposal rendered to households, prescribed in terms of the Act, under regulation 2 of Government Notice R509 of 8 June 2001, as amended from time to time, or any substitution for that regulation;

"basic water supply" means the minimum standard of water supply services necessary for supply of water to households to support life and personal hygiene, prescribed in terms of the Act under regulation 3 of Government Notice R509 of 8 June 2001, as amended from time to time, or any substitution for that regulation;

"borehole" means a hole sunk into the earth for the purpose of locating, abstracting or using subterranean water, and includes a spring;

"building regulations" means the National Building Regulations made in terms of the National Building Regulations and Building Standards Act, 1997 (Act No. 103 of 1977);

"business unit" in relation to any premises means any building or section of a building occupied or used, or intended to be used for purposes other than residential occupation;

"combined installation" in relation to water supply means a water installation used for fire-fighting and domestic, commercial or industrial purposes;

"commercial activity" means any activity for profit or gain;

"commercial effluent" means effluent emanating from an enterprise having a commercial purpose where the effluent is neither industrial effluent nor standard domestic effluent;

"commercial purpose" in relation to the supply of water, means water supplied to premises to be used in the carrying out of a trade or business;

"communal water connection" means a consumer connection through which water services are supplied to more than one consumer;

"connecting point" means the point at which a drainage installation joins the connecting sewer;

"connecting sewer" means a pipe owned by the Council and installed by it for the purpose of conveying sewage from a drainage installation on any premises, to a sewer beyond the boundary of those premises, or within a servitude area, or within an area covered by a way-leave document or other type of agreement;

"connection pipe" means a pipe, the ownership of which is vested in the Council and installed by it for the purpose of conveying water from a main to a water installation, and includes a "communication pipe" referred to in SABS Code 0252 Part I;

"consumer" means —

- (a) any person who occupies premises to whom, and in respect of which premises, the Council —
 - (i) has agreed to provide water services;
 - (ii) is actually providing water services;
 - (iii) has entered into an agreement with the Council for the provision of water services to or on any premises;
- (b) the owner of any premises to which the Council is providing water services;
- (c) where water services are provided through a single connection to a number of accommodation units or consumers or occupiers, means the person to whom the Council agreed to provide such water services; and
- (d) any end-user who receives water services from the Council or other water services institution;

"Council" means the elected council for uMkhanyakude District Municipality;

"day" means a 24 hour period commencing and ending at 24:00;

"designated officer" means a person in the employ of the Council;

"domestic purposes" in relation to the supply of water means the general use of water supplied for personal and residential uses, including health and hygiene, drinking, ablution, culinary, household and garden maintenance;

"drain" means that portion of the drainage installation that conveys sewage within any premises;

"drainage installation" means a system situated on any premises and vested in the owner of such premises that is used for or intended to be used for or in connection with the reception, storage, treatment or conveyance of sewage or other form of wastewater on those premises to the connecting point, and includes a drain, a fitting, an appliance, a septic tank, a conservancy tank, a pit latrine and a private pumping installation, forming part of or being ancillary to such system;

"drainage work" includes any drain, sanitary fitting, water supplying apparatus, waste or other pipe or any work connected with the discharge of liquid or solid matter into any drain or sewer or, otherwise connected with the drainage of any premises;

"dwelling unit" means an interconnected suite of rooms designed for residential purposes and occupation by a single household, regardless of how many persons comprise the household;

"effluent" means any liquid, whether or not containing matter in solution or suspension, which is discharged from any premises directly or indirectly into a drainage work;

"emergency" means any situation that poses a risk or potential risk to life, health, the environment, or property, or declared to be an emergency under any law;

"enforcement notice" means any notice issued by a designated officer under these bylaws, which instructs the person to whom it is issued to comply with the terms of the notice, this includes a "compliance notice";

"environmental cost" means the full cost of all measures necessary to restore the environment to its condition prior to an incident which causes damage to it, and in the event of this not being possible the value of the cost benefit that has been lost through the damage to or destruction of the environment;

"financial year" means the financial year of the municipality that runs from July to June;

"fire installation" means a potable water installation that conveys water intended for fire-fighting purposes only;

"fixed quantity water delivery system" means a water installation, which delivers a fixed quantity of water to a consumer in any single day;

"free basic sanitation" means the additional volume of water that is subsidised by the municipality and supplied free to indigent households connected to a waterborne sanitation systems;

"free basic water" means the volume of water that is subsidised by the municipality and supplied free to indigent households.

"household" means the family unit of persons, or individuals, in occupation of a building or part of a building, designed for residential occupation by such family unit, or individuals;

"indigent" means a household earning a combined total monthly income of R 800 or less;

"Indigent Register" means the register of successful applicants for indigent status within the municipality for the current financial year;

"industrial activity" means any activity that involves the manufacturing or production of a product;

"industrial effluent" means any liquid, whether or not containing matter in solution or suspension, which is given off in the course of or as a result of any trade, manufacturing, mining, chemical or other industrial process or in any laboratory, or in the course of research, or agricultural activity, and includes any liquid or effluent emanating from the use of water, other than standard domestic effluent or storm water, and "trade effluent" bears the same meaning;

"installation work" means work in respect of the construction of, or carried out on, a water installation;

"law" means any law, including the common law;

"main" means a pipe, other than a connection pipe, vesting in the Council and used by it for the purpose of conveying water to any number of consumers;

"measuring device" means any method, procedure, process, device, apparatus, or installation that enables the quantity and/or quality of water services provided to be quantified or evaluated;

"meter" means a water meter as defined by Regulation 81(a) Government Notice R 2362 dated 18 November 1977, published in terms of the Trade Metrology Act, 1973 (Act No. 77 of 1973) or any superseding legislation or, in the case of a water meter of a size greater than 100 mm, a device which measures the quantity of water passing through it;

"municipality" means the uMkhanyakude District Municipality;

"nuisance" means any condition, thing, act or omission which is offensive or injurious or which tends to prejudice the safety, good order, peace or health of one or more of the residents in any particular locality within the area of the Council, or the rights, or reasonable comfort, convenience, peace, or quiet, of the occupants of any area within the Council's jurisdiction;

"occupier" means a person who occupies any premises or part thereof;

"owner" includes —

- (a) the person in whom from time to time is vested the legal title to premises, including, but not limited to, the registered owner according to the title deed;
- (b) where the owner of the premises concerned is insolvent, deceased, has assigned his estate for the benefit of his creditors, has been placed under curatorship in terms of an order of court, is a closed corporation being wound up, or is a company being wound up or under judicial management, includes the person in whom the administration of such premises is vested as executor, administrator, trustee, assignee, curator, liquidator or judicial manager as the case may be;
- (c) in any case where the Council is unable to determine the identity of such person, a person who is entitled to the benefit of the use of such premises; and
- (d) the lessee under any registered lease of land which is entered into for a period of not less than ten years or for the natural life of the lessee or any other person mentioned in such lease or which is renewable from time to time at the will of the lessee indefinitely or for period which together with the first period of such lease amount in all to not less than ten years, whether or not such renewal is dependent on the periodical consent or permission of, or the periodical renewal of a license by the State or any statutory licensing body;
- (e) in relation to —
 - (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act No. 95 of 1986), the developer or the body corporate in respect of the common property; and
 - (ii) a section as defined in such Act, the person in whose name the relevant unit is registered under a sectional title deed, and includes the lawfully appointed representative of such a person;

"person" means any natural or juristic person, an unincorporated body, and includes a voluntary association or trust, an organ of state as defined in section 239 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);

"pollution" means the introduction of any substance into the water supply system, a water installation or a water resource, that may make the water harmful to health or the environment, or impair its quality for the use for which it is intended;

"premises" means any piece of land, with or without improvements, the external surface boundaries of which are delineated on —

- (a) a general plan or diagram registered in terms of the Land Survey Act, 1927 (Act No. 9 of 1927), or in terms of the Deeds Registries Act, 1937 (Act No. 47 of 1937); or
- (b) a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act No. 95 of 1986); or
- (c) any land given to a person or family unit by the traditional authority who has jurisdiction over the area;

"prepayment meter" means a meter that can be programmed to limit the flow of water into a water installation to the amount which has been previously purchased;

"prescribed" means, determined by resolution of the Council from time to time;

"prescribed tariff" means a charge prescribed by the municipality;

"professional engineer" means a person registered as a professional engineer in terms of the Engineering Profession Act, 2000 (Act No. 46 of 2000);

"qualified plumber" means a person who has passed the plumbing trade test of the Department of Labour, and received a certificate therefore;

"reticulated water supply" means all water supplied to an area by means of a pipe that includes communal, yard and full connections, but excludes rudimentary supply;

"resident" means a person or family unit that ordinarily resides within the area of jurisdiction of uMkhanyakude District Municipality either within their own or leased accommodation;

"residential consumer" means a person or family unit that ordinarily resides within the area of jurisdiction of uMkhanyakude District Municipality either within their own or leased accommodation, who is provided with water services within the municipality;

"sanitation services" means the collection, removal and disposal or purification of human excreta, sewage and any other effluent including domestic and industrial effluent resulting from the use of water;

"SABS" means South African Bureau of Standards;

"service pipe" means a pipe which is part of a water installation provided and installed on any premises by the owner or occupier, and which is connected, or to be connected, to a connection pipe to serve the water installation on the premises;

"sewage" means wastewater, industrial and commercial effluent, standard domestic effluent and other liquid waste, either separately or in combination, but does not include storm water;

"sewage disposal system" means a structure, pipe, valve, pump, meter or other appurtenance used in the conveyance of sewage through the sewer reticulation system, and the treatment thereof at a sewage treatment plant under the control of the Council and which may be used by it in connection with the disposal of sewage;

"sewer" means any pipe or conduit which is the property of or is vested in the Council and which may be used or is intended for the conveyance of sewage from the connecting sewer but does not include a drain; and "municipal sewer" has a corresponding inclusive meaning;

“standard domestic effluent” means domestic effluent with prescribed strength characteristics in respect of chemical oxygen demand, total nitrogen, total phosphates and settleable solids as being appropriate to a sewage discharge from domestic premises within the jurisdiction of the Council, but does not include industrial effluent;

“storm water” means water resulting from natural precipitation or accumulation and includes rainwater, subsoil water or spring water;

“terminal water fitting” means a water fitting at an outlet of a water installation that controls the discharge of water;

“trade premises” means premises upon which any form of industrial effluent is produced;

“waterborne sanitation system” means a sanitation system that utilises water for sewerage disposal including septic tanks and systems linked directly to the wastewater treatment works;

“water fitting” means a component of a water installation, other than a pipe, through which water passes or in which it is stored;

“water installation” means the pipes and water fittings which are situated on any premises and vested in the owner thereof, and used, or intended to be used in connection with the use of water on such premises, and includes a pipe and water fitting situated outside the boundary of the premises, which either connects to the connection pipe relating to such premises, or is otherwise laid with the permission of the Council;

“water services” means water supply services and sanitation services, as defined in these bylaws and includes the collection and disposal of industrial effluent;

“water services development plan” means the strategic plan to provide water services the communities within the municipality's jurisdiction in terms of section 12 of the Water Service Act, 1997 (Act No. 108 of 1997);

“water services work” means a reservoir, dam, well pump-house, borehole, pumping installation, water treatment works, wastewater treatment works, access road, electricity transmission line, pipeline, meter, fitting or apparatus built, installed or used by a water services institution to provide water services;

“water supply services” means the abstraction, conveyance, treatment and distribution by the Council or their authorised provider, of water for domestic, industrial and commercial purposes;

“water supply system” means a structure, aqueduct, pipe, valve, pump, meter or other apparatus relating thereto which is vested in the Council, and is used or intended to be used in connection with the supply of water.

Application of bylaws

(3) These bylaws shall —

- (a) apply to the provision of all water services by the Authority or any other authorised provider in the area of jurisdiction of the Authority; and
- (b) be interpreted in conformity with any standards or norms prescribed by the Minister from time to time in terms of the Act.

CHAPTER 2: ACCESS TO WATER SERVICES

Levels of water service

- (4) Planning and the implementation of any water services within the municipality will be in accordance with the municipality's Water Services Development Plan and aligned with the Integrated Development Plan that is based on the following:
 - (a) firstly, the provision of a basic level of service to its entire constituency before upgrading areas to a higher level of service;
 - (b) before upgrading to higher levels of water services within an area, an economic analysis of the area must indicate that there is at least a 60% consumer ability- and willingness-to-pay for the services;
 - (c) a range of water services levels will be supplied from which the consumer may choose the option that is best suited to their socio-economic circumstances.
- (5) All water supplied to consumers will be potable water that complies with the SABS drinking water standards.
- (6) The levels of service that the municipality aims to provide for water supply are as follows:
 - (a) *Rudimentary potable water supply*: a minimum of 5 litres per person per day at a maximum walking distance of 800 m and not more than 50 families per source that can be upgraded;
 - (a) *Communal water supply*: a minimum of 25 litres per person per day at a maximum walking distance of 200 m that can be upgraded;
 - (b) *Yard tap connections*: a minimum of 60 litres per person per day from a single tap within the consumer's property; and
 - (c) *Full connections*: restricted or unrestricted volume per person per day from multiple outlets within the consumer's house, property or premises.
- (7) The levels of service that the municipality aims to provide for sanitation are as follows:
 - (a) *Basic sanitation*: a ventilated improved pit (VIP) latrine per household that includes approved sub and top structures located within 50 m of the homestead;
 - (b) *Wet installations*: septic tanks with on-site disposal for households with full connections for water supply and having individual properties of at least 2,000 m²; and
 - (c) *Waterborne sanitation*: conservancy tanks or full connections to a registered wastewater treatment works for households with full connections for water supply.
- (8) Households will not be upgraded to higher levels of service if they are unable to afford or make payment for such level of service.

Application for water service

- (9) No person, other than a consumer on a rudimentary water service or basic sanitation service, may consume, abstract or be supplied with water from the water supply system, or utilise the sewage disposal system or any other sanitation services, unless he or she has applied to the Council or their authorised provider on the prescribed form for such services, and such application has been agreed to.
- (10) No municipal service may be provided to any applicant, unless and until —
 - (a) application for the service has been made in writing on a form substantially similar to the form prescribed;
 - (b) any information and documentation required by the Council or their authorised provider have been furnished;
 - (c) a service agreement, in the form substantially similar to the form of agreement prescribed, has been entered into between the customer and the Council or their authorised provider; and
 - (d) an amount equal to the amount prescribed, in cash or a bank cheque, has been deposited as security or other acceptable security, as prescribed, has been furnished.
- (11) An application form must contain at least the following minimum information —

- (a) a statement by the applicant that he or she is aware of and understands the contents of the form;
 - (b) acceptance by the applicant of the provisions of these bylaws, and acceptance of liability for the cost of water services rendered until the agreement is terminated;
 - (c) the name of the proposed consumer, and his or her identity or registration number, where applicable;
 - (d) the address or stand number of the premises to or on which, water services are to be rendered, or a communal water connection operates;
 - (e) the address to which accounts must be sent;
 - (f) if water is to be supplied, the purpose for which the water is to be used;
 - (g) the agreed date on which the provision of water services will commence; and
 - (h) a copy of any applicable lease agreement or written confirmation from the owner or the owners agent, stating the date of occupation.
- (12) If an applicant for a municipal service is an existing customer of the Council in respect of any other municipal service in respect of which the account is in arrears —
- (i) such arrears must be paid; or
 - (ii) an agreement for payment of the arrears in terms of these bylaws must have been entered into and payment in terms thereof must not be in arrears, before an application for a new service may be considered.
- (13) Any existing customer, or the trustee, liquidator, judicial manager or curator of such customer, may be required by the Council to enter into a new service agreement to replace an existing agreement of the customer concerned, and to pay a deposit or furnish security contemplated in section 10, notwithstanding the fact that a service agreement was previously entered into in respect of the municipal service concerned and the provisions of section 17 apply in respect of such new agreement.
- (14) An approved or successful application for the use of water services constitutes an agreement between the Council or their authorised provider and the applicant, and takes effect on the date referred to in the application; such applicant is thereafter regarded as a consumer for all purposes during the currency of the agreement.
- (15) The consumer will be liable for all the prescribed fees in respect of water services rendered to him or her until the agreement has been terminated in accordance with these bylaws.
- (16) The Council or their authorised provider, may, if it deems it necessary, require a third party to be bound jointly and severally as surety and co-principal debtor with the consumer, for the payment of any prescribed fees under these bylaws.
- (17) The Council or their authorised provider may at any time require a customer to increase a deposit paid or security furnished in terms of subsection 10(d).
- (18) No interest is payable on any amount deposited in terms of section 10(d) or 17.
- (19) The applicant must be informed if the Council or their authorised provider refuses an application for the provision of water services, or is unable to render such water services on the date requested for such provision of water services to commence, or is unable to render the water services, and the Council or their authorised provider must furnish the applicant with the reasons therefore and, if applicable, the date when the Council or the authorised provider will be able to provide such water services.

General terms and conditions for the provision of municipal services

- (20) The general terms and conditions for the provision of any municipal service set out in a service agreement are deemed to be incorporated in these Bylaws and apply to the provision of such service to any customer.

Estimated consumption

- (21) The Council or their authorised provider may have an estimate made of the consumption of water or electricity for any relevant period if —
- (a) no meter reading could be obtained in respect of the period concerned; or
 - (b) no meter has been installed to measure the consumption on the premises concerned, and the customer concerned is liable for payment of the prescribed fee in respect of such estimated consumption.

Measuring devices

- (22) If it is alleged in a query, complaint or appeal that a measuring device is inaccurate, the device must be subjected to a standard industry test to establish its accuracy. The consumer must be informed of the possible costs implications including the estimated amount of such test prior to such test being undertaken.
- (23) If the outcome of any test shows that measuring device is —
- (a) within a prescribe range of accuracy, the consumer will be liable for the costs of such test and any other amount outstanding. Such costs will be debited against the consumer's account;
 - (b) outside the accuracy prescribe range of accuracy, the municipality or its authorised provider will be liable for the costs of such test and the consumer must be informed of the amount of any credit to which he, she or it is entitled.
- (24) A measuring device shall be deemed to be defective if, when tested in accordance with the standard industry test or if the measuring device is subject to the regulations published under section 9 of the Act, it does not meet generally accepted specifications as set out in the regulations.
- (25) In addition to section 24, the municipality or its authorised provider must if the measuring device is found to be defective —
- (a) repair the measuring device or install another device which is in good working order, without charge to the consumer, unless the costs thereof are recoverable from a contravention of any provision of the Act; and
 - (b) determine the quantity of water services for which the consumer will be charged in lieu of the quantity measured by the defective measuring device by talking as basis for such determination, and as the municipality or its authorised provider may decide —
 - (i) the quantity representing the average monthly consumption of the consumer during the three month in respect of which the measurement is disputed and adjusting such quantity in accordance with the degree of error found in the reading of the defective meter;
 - (ii) the average consumption of the consumer during the succeeding three periods after the defective meter has been repaired or replaced; or
 - (iii) the consumption of water on the premises recorded for the corresponding period in the previous year.

Use of water from source other than the water supply system

- (26) Except with the prior permission of the Council, no person may use or permit the use of water obtained from a source other than the water supply system, other than rain water tanks which are not connected to the water installation, and in accordance with such conditions as the Council may impose, for domestic, commercial or industrial purposes, and except with the approval of any other authority required by any law.
- (27) Any person requiring the permission referred to in section 26 must, at his or her own cost, provide the Council with proof to its satisfaction that the

water referred to in that section complies or will comply with the requirements of SABS Code 241:1999 (Fourth Edition): Drinking Water, and any other requirement contained in these bylaws or any other law applicable to the consumption of water, or that the use of such water does not, or will not, constitute a danger to health.

- (28) Any permission given in terms of section 26 may be withdrawn if, in the opinion of the Council —
- (a) a condition imposed in terms of that section is breached; or
 - (b) the water no longer conforms to the requirements referred to in section 27.
- (29) If water obtained from a borehole or other source of supply on any premises is used for a purpose which gives rise to the discharge of such water or a portion thereof into the sewage disposal system, the Council or their authorised provider must install a meter and any necessary monitoring equipment in the pipe leading from such borehole or other source of supply to the point or points where it is so used.

Special agreements for water services

- (30) The Council may enter into a special agreement for the provision of water services —
- (a) inside its area of jurisdiction, if the service applied for necessitates the imposition of conditions not contained in the prescribed form or in these bylaws; and
 - (b) outside its area of jurisdiction, if such application has been approved by the Council having jurisdiction in the area in which the premises to be supplied are situated.

Termination of agreements

- (31) Termination of the contract for the supply of water services may occur under the following conditions —
- (a) A consumer may terminate an agreement for the provision of water services by giving to the Council or their authorised provider not less than seven days' notice (from date of receipt) in writing of his or her intention to do so;
 - (b) the Council or their authorised provider may, by notice in writing of not less than 30 days, advise a consumer of the termination of his or her agreement for the provision of water services if —
 - (i) he or she has not used the water services during the preceding six months and has not made arrangements to the satisfaction of the Council or their authorised provider for the continuation of the agreement; or
 - (ii) he or she has failed to comply with the provisions of these bylaws and has failed to rectify such failure to comply following the issue of a compliance notice or has failed to pay the prescribed fees due and payable; Provided that the provisions of the Act, these bylaws and any other applicable law must be followed before the agreement is terminated;
 - (iii) has failed to pay any prescribed fee, collection charge or interest due and payable in respect of the municipal service concerned; or
 - (iv) has made an arrangement with another services provider to provide the municipal service concerned to the customer; or
 - (v) has vacated the premises to which the agreement concerned relates.
- (32) (a) If it is determined by a body legally empowered to do so, other than the Council that an existing water service on private property, or emanating from private property, is creating environmental damage, or pollution, or water wastage, and the owner of the property, or the consumer, whichever is applicable, is directed to carry out such measures as are required under any Act or law to rectify the situation, the Council or their authorised provider is not liable for any damages arising as a result of the measures required to be taken or in respect of damages suffered as a result of a permanent or temporary termination of the services.
- (b) Should the consumer fail to carry out such measures, the municipality or its authorised agents may, undertake the measures required, and any expenditure incurred may be recovered from the owner of the premises or the consumer as the case may be.

Limitation and/or discontinuation of water services

- (33) The municipality or its authorised agents may limit or discontinue water services, including the disconnection of a water installation from a connection pipe and removal of the connection pipe provided in terms of these bylaws —
- (a) at the written request of a consumer;
 - (b) if the agreement for the provision of services has been terminated and the Council or its authorised provider has not received an application for subsequent services to the premises, within a period of ninety (90) days of such termination;
 - (c) if the building on premises to which services were provided has been demolished;
 - (d) if the consumer has unlawfully interfered with the water installation or service in any way;
 - (e) in an emergency;
 - (f) If there has been material abuse of the water services by the consumer or an occupier of the premises;
 - (g) if the use of the water services is creating significant environmental damage or pollution; or
 - (h) if any of the clauses in section 60 are violated.
- (34) The municipality or its authorised agents will not be liable for any damages or claims that may arise from the limitation or discontinuation of water services provided.

CHAPTER 3: ACCOUNT ADMINISTRATION

Accounts

- (35) Accounts must be rendered and administered in accordance with the Policy, other prescribed requirements and any other law.
- (36) Failure by the Council or their authorised provider to render an account does not relieve a customer of the obligation to pay any amount that is due and payable in terms of these Bylaws.
- (37) The Council may, in accordance with the provisions of section 102 of the Act —
- (a) consolidate any separate accounts of a customer liable for payments in terms of these Bylaws to the Council;
 - (b) credit any payment by such customer against any account of that customer; and
 - (c) implement any of the debt collection and credit control measures provided for in these Bylaws in relation to any arrears on any of the accounts of a customer.
- (38) The amount due and payable by a customer constitutes a consolidated debt, and any payment made by a customer of an amount less than the total amount due, will, subject to the provisions of section 67, be allocated in reduction of the consolidated debt in the order prescribed.
- (39) (a) Any amount paid by a customer in excess of an existing debt may be held in credit for the customer in anticipation of future rates and fees for municipal services.

- (b) No interest is payable on any amount contemplated in paragraph (a).

Account information

- (40) Accounts must contain the following —
- (a) the consumption or estimated consumption as determined for the measuring or consumption period;
 - (b) the measuring or consumption period;
 - (c) the applicable prescribed fee;
 - (d) the amount due based on the estimated consumption;
 - (e) the amount due and payable for any other municipal service;
 - (f) the amount in arrears, if any;
 - (g) the interest payable on any arrears, if any;
 - (h) collection charges insofar as they may be relevant;
 - (i) the final date for payment; and
 - (j) the methods, places and approved agents where payment may be made.

Account administration

- (41) The Council or their authorised provider must, subject to the provisions of these bylaws, endeavour to ensure —
- (a) accurate metering of consumption at fixed intervals with the minimum delay between service connection and first and subsequent rendering of accounts;
 - (b) accurate and up-to-date information in accounts;
 - (c) accurate monthly accounts with the application of the appropriate and correct prescribed fees, rates and other related amounts due and payable;
 - (d) the timely dispatch of accounts;
 - (e) adequate provision and the efficient operation of facilities for payment throughout the municipal area;
 - (f) the appointment of agents to accept payments on behalf of the Council; and
 - (g) appropriate hours of business in order to facilitate account payments.

Queries or complaints in respect of accounts

- (42) A customer may lodge a query or complaint in respect of the accuracy of any amount due and payable in terms of an account rendered to him or her in terms of these Bylaws.
- (43) A query or complaint must be lodged with the Council or their authorised provider before or on the due date for payment specified in the account concerned, or as soon as reasonably possible thereafter.
- (44) If a query or complaint is lodged after the due date for payment specified in the account concerned, such query or complaint must be accompanied by the payment of at least an amount equal to the average amount per month that was due and payable in respect of the service concerned during the preceding three months.
- (45) An authorised official must register the query or complaint and provide the customer with a reference number.
- (46) The Council or their authorised provider must —
- (a) investigate or cause the query or complaint to be investigated within 14 days, or as soon as possible after the query or complaint was received; and
 - (b) inform the customer, in writing, of its finding as soon as possible after conclusion of the investigation, instructing that any amount found to be due and payable must, subject to the provisions of these bylaws, be paid within 21 days from the date on which the customer is notified thereof, unless an appeal is lodged within that period in terms of these bylaws.
- (47) A customer may, subject to the provisions of these bylaws, lodge an appeal with the Municipal Manager in terms of section 62 of the Act against a decision referred to in section 46, within 21 days of the date of the notification of the decision.
- (48) The Council or their authorised provider must inform the customer concerned in writing of the decision on the appeal, instructing that any amount found to be due and payable, must be paid within seven days from the date on which the customer is notified thereof.

Appeals against decision by service providers on queries and complaints

- (49) If a decision contemplated in section 46 has been made in respect of a municipal service provided by a service provider, a customer may lodge an appeal against that decision by giving written notice of the appeal and reasons to the chief executive officer of the service provider concerned, within 21 days of the date of the notification of the decision.
- (50) The chief executive officer must promptly submit the appeal to the appropriate appeal authority specified in section 52.
- (51) The appeal authority must consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation may detract from any rights that may have accrued as a result of the decision.
- (52) If an appeal is against a decision taken by —
- (a) a staff member, other than the chief executive officer, the chief executive officer is the appeal authority;
 - (b) the chief executive officer or any committee of the service provider —
 - (i) the board of directors of the service provider; or
 - (ii) a committee of directors who were not involved in the decision concerned and appointed by the board of directors for this purpose, is the appeal authority.
- (53) An appeal authority contemplated in section 52, must commence with an appeal within 42 days and decide the appeal within a reasonable period.
- (54) A service provider must comply with the provisions of section 48.

Arrear accounts

- (55) If a customer fails to pay an amount due and payable for any municipal service or rates on or before the due date for payment specified in the account concerned, a final demand notice may be sent to the customer.
- (56) Failure by the Council or their authorised provider to send a final demand notice does not relieve a customer from paying the arrears concerned.

(57) A final demand notice referred to in section 55, must contain the following —

- (a) the amount in arrears and any interest payable, and a statement that payment must be made within 14 days of the date of the final demand notice;
- (b) that the customer may in terms of these bylaws, conclude a written agreement with the Council or their authorised provider for payment of the amount in arrears in installments within the period contemplated in paragraph (a);
- (c) that if no such agreement is entered into within the period stipulated in paragraph (b), that the water or electricity services may be terminated or restricted and that legal action may be instituted for the recovery of any amount in arrear without further notice;
- (d) that the customer's name may be made public, and may be listed with a credit bureau in terms of section 69(a);
- (e) that the account may be handed over to a debt collector or attorney for collection;
- (f) that proof of registration as an indigent person in terms of these bylaws and the current indigent policy and any other documentation required by the Council must be furnished to the Council on or before the date for payment contemplated in paragraph (a);
- (g) that an indigent person referred to in paragraph (f) is only entitled to benefits relating to municipal services as stipulated in the Council's policy relating to the supply of municipal services to indigent persons; and
- (h) that the customer has an opportunity to make representations in writing on any matter referred to in a final demand notice within the period of 14 days contemplated in paragraph (a).

Action to secure payment

(58) The Council may, in addition to the normal civil legal steps to secure payment of any in arrear amount of accounts, take the following action to secure payment of such amount:

- (a) the termination or restriction of the provision of any municipal service in terms of section 59; and
- (b) the allocation of the whole or a portion of a payment of an account, or the whole or a portion of a pre-payment for future accounts as contemplated in section 39(a), as payment for arrear municipal service fees or rates, in terms of section 67 and 68.

Power to terminate or restrict provision of municipal services

(59) For the purposes of section 60, a final demand notice means a notice contemplated in sections 46(b), 48 and 55.

(60) Subject to the provisions of section 62, the Council or their authorised provider may terminate or restrict the provision of water or electricity, or both, whichever service is relevant, in terms of the prescribed termination and restriction procedures, to any premises if the customer in respect of the municipal service concerned —

- (a) fails to make full payment of arrears specified in a final demand notice sent to the customer concerned, before or on the date for payment contemplated in sections 43(b), 45, 13(6) and 52 whichever is applicable, and no circumstances have arisen which requires the Council or their authorised provider to send a further final demand notice to that customer in terms of any of those sections, and the customer —
 - (i) fails to enter into an agreement in terms of these bylaws, in respect of the arrears concerned before termination or restriction of the service concerned; or
 - (ii) fails to submit written proof of registration as an indigent person in terms of these bylaws, before such termination or restriction;
- (b) fails to pay any installment payable in terms of an agreement referred to in paragraph (a)(i) before or on the due date;
- (c) fails to comply with any condition of provision in respect of electricity or water, as the case may be, imposed by the Council;
- (d) obstructs the efficient provision of electricity or water to another customer;
- (e) provides electricity or water to a person who is not entitled thereto or permits such provision to continue;
- (f) causes a situation relating to electricity or water which, in the opinion of the Council, is dangerous or constitutes a contravention of any applicable law, including the common law; in any way reinstates the provision of a previously terminated or restricted electricity or water service;
- (g) is placed under provisional sequestration, liquidation or judicial management, or commits an act of insolvency in terms of the Insolvency Act, 1936 (Act No. 24 of 1936) or is subject to an administration order granted in terms of section 74 of the Magistrates Court Act, 1944 (Act No. 32 of 1944), and there is a failure to enter into a new service agreement within 14 days of the Council requiring such service agreement in terms of section 13.

(61) The Council or their authorised provider may send a termination notice to a consumer informing him or her —

- (a) that the provision of the service concerned will be, or has been terminated on the date specified in such notice; and
- (b) of the steps which can be taken to have the service reinstated.

(62) Any action taken in terms of sections 59 and 60 is subject to compliance with —

- (a) sections 3 and 4 of the Water Services Act, 1997 (Act No. 108 of 1997), if the provision of water is involved;
- (b) the relevant provisions of the Electricity Act, 1987 (Act No. 41 of 1987), if the provision of electricity is involved;
- (c) the relevant provisions of the Health Act, 1977, (Act No. 63 of 1977), and any regulations made in terms of that Act; and
- (d) the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), in so far as it is applicable.

Reinstatement of municipal services

(63) The Council or their authorised provider must reinstate full levels of provision of any electricity or water service terminated or restricted in terms of section 59 after —

- (a) the full amount of arrears, including interest and collection charges, if any, have been paid; or
- (b) an agreement for payment of the arrears contemplated in paragraph (a) has been entered into in terms of these bylaws; or
- (c) the full amount of arrears in respect of any agreement referred to in paragraph (b), including interest and collection charges if any, and any increase deposit, have been paid, or any additional security required has been provided, and any other condition of the Policy that the Council may consider appropriate, has been complied with.

(64) Any reinstatement in terms of section 63 may only be done after an authorised official has issued a written certificate of authorisation to the effect that every applicable condition contemplated in section 63 has been complied with and that the municipal service concerned may be reinstated.

Interest charges

(65) All arrears in respect of accounts for rates and municipal services bear interest at a rate prescribed.

Collection charges

- (66) A prescribed collection charge may be levied against the account of a customer, in respect of any relevant action taken in terms of, or for the purposes of, these Bylaws.

Full and final settlement of an amount

- (67) The Council may appropriate monies received in respect of any debt contemplated in these Bylaws at its sole discretion, unless the customer otherwise instructs in writing.
- (68) If any amount due and payable to the Council in terms of these Bylaws has not been paid in full, any lesser amount tendered to and accepted by any municipal employee, does not constitute payment in full and final settlement of the full amount, unless the lesser amount was accepted in full and final settlement in writing, under a power delegated or sub-delegated to such employee in terms of section 59 of the Act.

Accounts outstanding after the due date

- (69) If an account for assessment rates or any municipal service is rendered to a customer remains unpaid, wholly or in part, after the due date for payment stipulated in the account concerned —
- (a) the defaulting customer's name may be made public, and may be listed with a credit bureau; and
 - (b) may be handed over to a debt collector or an attorney for collection.
- (70) A customer is liable for any interest and collection charges and in addition payment of a higher deposit or the provision of additional security, if required by the Council.
- (71) No action taken in terms of sections 69 and 70 may be suspended or withdrawn, unless the arrears, any interest thereon, collection charges, and higher deposit, if required by the Council, have been paid in full or, instead of a higher deposit, additional security has been provided, if so required.

Agreements for the payment of arrears in installments

- (72) A customer with positive proof of identity or a person authorised, in writing, by such customer, may, subject to the approval of the Council, enter into an agreement in a form substantially similar to a form prescribed, for the payment of arrears in installments.
- (73) The amount due and payable by a customer in terms of an agreement contemplated in section 72, constitutes a consolidated debt and any payment made by a customer of an amount less than the total amount due, must be allocated in reduction of the consolidated debt in the order prescribed, unless the customer otherwise instructs in writing.
- (74) A customer may be required to arrange a debit order for the payment of arrears in respect of which an agreement, contemplated in section 72, has been entered into.
- (75) Subject to the provisions of section 76, no agreement for the payment of arrears may allow for a period of payment of longer than 24 months.
- (76) The Council may allow a period of payment in excess of 24 months for the payment of arrears, but not exceeding a period of 60 months, if special circumstances which the customer could not reasonably have prevented or avoided, prevail and which, in the opinion of the Council, warrant a longer period of payment.
- (77) Documentary proof of any special circumstances as contemplated in paragraph (a), must be furnished by a customer on request by the Council.
- (78) The Council must, in exercising its discretion in terms of section 76, have regard to a customer's —
- (a) credit record;
 - (b) consumption;
 - (c) ability to afford the proposed installments, taking into account the customer's financial situation;
 - (d) level of service;
 - (e) previous breaches of agreements for the payment of arrears in installments; and
 - (f) any other relevant factor.
- (79) A copy of an agreement contemplated in section 72, must, on request, be furnished to the customer concerned.
- (80) If a customer fails to comply with an agreement contemplated in section 72, the total outstanding amount, including the arrears, any interest thereon, any collection charges, and payment of a higher deposit if required by the Council, will immediately become due and payable, and additional security, if so required, must be provided, without further notice.
- (81) If a customer fails to comply with an agreement contemplated in section 72, entered into after receipt of a termination notice for water or electricity services, or both, as the case may be, the municipal service concerned may be terminated without further notice, in addition to any other action taken against or which may be taken against the customer concerned.
- (82) No agreement is permitted to enter into an agreement contemplated in section 72, if that customer has failed to honour a previous agreement for the payment of arrears in installments, unless the Council otherwise decides.
- (83) Once an agreement contemplated in section 72, has been concluded, the amount in arrears must be reflected as a current amount, and no further interest may be added.

Disputes as to amounts owing

- (84) If any dispute arises as to any amount owing by a customer, the customer must, pending resolution of that dispute, continue to make regular monthly payments in respect of rates, if applicable, and in respect of any municipal service concerned based on the average monthly fees for the preceding three months prior to the dispute arising, plus interest if applicable, until the resolution of that dispute.

Dishonoured cheques

- (85) If any payment is made to the Council by a negotiable instrument, and such negotiable instrument is dishonoured, the Council may levy costs and administration fees against the account of the defaulting customer at a prescribed rate.

CHAPTER 4: TARIFFS AND CHARGES**Tariff structure**

- (86) The municipal tariff charges currently vary across municipality and these charges will be equalised over the next six years using a combination of fixed and variable charges in the tariff structure.
- (87) Fixed charges will be levied on all consumers for both reticulated water supply and for waterborne sanitation systems connected to a wastewater treatment works.

- (88) Fixed charges will be made up as follows:
- (a) an infrastructure maintenance levy for all consumers;
 - (b) the cost of the supply of a free basic water volume for all non-indigent consumers; and
 - (c) an average consumption charge for all unmetered connections.
- (89) Variable charges will be levied on all consumers for reticulated water supply.
- (90) Variable charges for prepaid meters will be a single rate per kilolitre of water that takes into account the average cost of water services provision and a portion of the fixed charges where applicable.
- (91) Variable charges for metered connections will be made up as follows:
- (a) A five-step integrated rising and decreasing block tariff will be used;
 - (b) The first step will represent the free basic water volume;
 - (c) The second step will represent the average domestic or residential consumer water volume;
 - (d) The third step will target excessive domestic or residential consumption;
 - (e) The fourth step will provide reduced consumption charges for large-scale commercial and industrial consumers; and
 - (f) The fifth step will provide a further reduction in consumption charges for large volume water consumers that provide an economic benefit to the region.
- (92) The municipality will levy a connection fee for all consumers applying for a new connection to their premises for water supply and/or sanitation disposal.
- (93) The municipality will levy a charge for the hire of a water tanker for the supply of water to a specific area or for a specific event outside the scope of their normal water supply function. The tanker hire charges will be made up as follows:
- (a) a water charge per kilolitre of water required to a maximum of the tanker capacity based on the average cost of water production; and
 - (b) a tanker charge based on the staff cost and the average proportional operations and maintenance cost.
- (94) The municipality will levy a charge for the hire of portable toilets for a specific event. The hire charges will be made up as follows:
- (a) a charge per toilet based on the average operations and maintenance cost; and
 - (b) a delivery charge.

Indigent support

- (95) Indigent support will be given to those households who comply with the criteria and process set out in the municipality's Indigent Policy.
- (96) The applicant must be a resident of the municipality not conducting commercial or industrial activity of any nature on the premises and who do not own more than one property.
- (97) An applicant must be informed that he or she will automatically be disqualified from receiving any assistance contemplated in section 95, and be liable to -
- (a) refund the amount of any such assistance received from the Council, if the application or information contemplated in section 98, contains any false information; and
 - (b) prosecution if any false information as contemplated in paragraph (a) is furnished by the applicant.
- (98) Application shall be made to the municipality annually by the last day of May each year with the subsidy taking effective from the 1 July following the application.
- (99) Indigent support will cease after twelve months unless successful reapplication to the municipality is made. The responsibility is on the account holder/consumer to re-apply for support on an annual basis.
- (100) Households that find themselves indigent during the financial year may apply to the municipality for Special Indigent Support as per the criteria and process set out in the municipality's Indigent Policy.
- (101) No retrospective applications will be permitted.

Free basic water

- (102) All households that have successfully applied for indigent status in terms of the municipality's Indigent Policy and are listed on the Indigent Register will be entitled to the supply of a predetermined volume of water free per month.
- (103) The free basic water subsidy is a volume of water that will be allocated to each indigent household administratively. The monetary value of this subsidy will not be paid out in cash.
- (104) Free basic water is set at a specific volume for the period of one calendar month and cannot be accumulated or carried over if the household consumption is below that volume for a specific month.
- (105) The specific volume is as stated in the municipality's current Free Basic Water Policy.
- (106) Where water consumption for an indigent household exceeds the free basic water allocation, such excessive consumption will be billed at the normal tariff as determined by the Council from time to time.
- (107) An indigent household may request the Council to install a variable flow-restricting device to water supply to the beneficiary property in order to ensure that consumption does not exceed the free basic water allocation.
- (108) There shall be no charge for the installation of a variable flow-restricting device in terms of section 107.
- (109) In the event that a beneficiary fails to pay any account by due date, notwithstanding that the beneficiary may qualify for free basic services, the Council may ---
- (i) restrict the supply of water to the beneficiary property;
 - (ii) disconnect the electricity supply to the beneficiary property; or
 - (iii) take any other action permitted in terms of the Council's credit control bylaws.
- (110) The volume of water provided as free basic water will be reviewed annually.
- (111) Any increase in the free basic water volume will be affected through a Council Resolution approving the tariff charges for the financial year in question.
- (112) Free basic water is not limited to a specific service level, however new applicants for a level of service above communal standpipes will have to prove the ability to pay for such level of service.
- (113) No retrospective application of free basic water will be permitted.

Free basic sanitation

- (114) All households that have successfully applied for indigent status in terms of the municipality's Indigent Policy, are listed on the Indigent Register, and have a waterborne sanitation system will be entitled to the additional supply of a predetermined volume of water free per month.
- (115) The free basic sanitation subsidy is a volume of water that will be allocated to each indigent household administratively. The monetary value of this subsidy will not be paid out in cash.
- (116) Free basic sanitation allows a specific volume of water for the period of one calendar month and this volume cannot be accumulated or carried over to the following month.
- (117) The specific volume is as stated in the municipality's current Free Basic Water Policy.
- (118) No retrospective application of free basic sanitation will be permitted.

Exemptions

- (119) The municipality may subsidise or waive the fixed charges for indigent consumers.
- (120) The municipality may exempt certain levels of service from consumption charges.
- (121) The exemptions will be published with the tariff charges for each financial year.

CHAPTER 5: WATER SUPPLY SERVICES**CONNECTIONS****Provision of connection pipe**

- (122) If an agreement for water supply services in respect of premises has been concluded and no connection pipe exists in respect of the premises, the owner must make application on the prescribed form and pay the prescribed fees for the installation of such a pipe.
- (123) If application is made for water supply services which are of such an extent or so situated that it is necessary to extend, modify or upgrade the water supply system in order to supply water to the premises, the municipality or its authorised provider may agree to the extension, subject to such conditions as it may impose.

Location of connection pipe

- (124) A connection pipe provided and installed by the Council must —
- (a) be located in a position agreed to between the owner and the municipality or its authorised agent and be of a suitable size as determined by the municipality or its authorised agent;
 - (b) terminate at the boundary between the land owned by or vested in the Council, or over which either of them has a servitude or other right, and the owner's premises.
- (125) If there is land between the boundary of land owned by or vested in the Council and the land of an owner who has made an application and the intervening land is not subject to a servitude or other right to carry a connection pipe, such pipe must terminate at the boundary of the land owned by the Council, or vested in it.
- (126) The Council shall be liable for the maintenance of any meter and associated valve that may be situated on the consumer's premises.
- (127) The Council may, at the request of any person, agree, subject to such conditions as it may impose, to a connection to a main other than that which is most readily available for the provision of water supply to the premises if the applicant agrees to be responsible for any extension of the water installation to the connecting point designated and agreed to by the Council and for obtaining at his or her cost, such servitude over other property as may be necessary.

Provision of single water connection for supply to several consumers on same premises

- (128) Only one connection pipe to the water supply system may be provided for the supply of water to any premises, irrespective of the number of accommodation units, business units or consumers located on such premises.
- (129) Where the owner, or the person having the charge or management of any premises on which several accommodation units, business units, or consumers are situated, requires the supply of water to such premises for the purpose of separate supply to the different units or consumers, the Council or their authorised provider may, in its discretion, provide and install either —
- (a) a single measuring device in respect of the premises as a whole or a number of such units or consumers; or
 - (b) a separate measuring device for each such unit or consumer or any number thereof.
- (130) Where the Council or their authorised provider has installed a single measuring device as contemplated in section 124(a), the owner or the person having the charge or management of the premises, as the case may be —
- (a) must, if the Council or their authorised provider so requires, install and maintain on each branch pipe extending from the connection pipe to the different units or consumers—
 - (i) a separate measuring device; and
 - (ii) an isolating valve; and
 - (b) is liable to the Council or their authorised provider for the prescribed fees for all water supplied to the premises through such single measuring device, irrespective of the different quantities consumed by the different consumers served by such measuring device.
- (131) Notwithstanding the provisions of these bylaws, the Council may permit more than one connection pipe to be provided on the water supply system for the supply of water to any premises comprising sectional title units or if, in the opinion of the Council, undue hardship or inconvenience would be caused to any consumer on such premises by the provision of only one connection pipe.
- (132) Where the provision of more than one connection pipe is authorised by the Council in terms of these bylaws, the prescribed fees for the provision of a connection pipe are payable in respect of each water connection so provided.
- (133) Where premises are supplied with water by a number of connection pipes, the Council may require the owner to reduce the number of connection points and alter his or her water installation accordingly at the owner's expense.

Interconnection between premises or water installations

- (134) An owner of premises must ensure that no interconnection exists between —
- (a) the water installation on his or her premises and the water installation on any other premises; or
 - (b) where several dwelling or business units are situated on the same premises, the water installations of such units;
- unless he or she has obtained the prior written consent of the Council and complies with any conditions that may have been imposed.

Water supplied from a hydrant

- (135) The Council or their authorised provider may authorise a temporary supply of water to be taken from one or more fire hydrants specified, subject to such conditions and for such period as may be generally prescribed or specifically imposed by it in respect of such supply.
- (136) Except in an emergency, a person who requires a temporary supply of water referred to in section 135 must apply therefore.
- (137) The Council or their authorised provider may, for the purpose of supplying water from a hydrant, provide a portable meter to be returned to the Council or the authorised provider on termination of the temporary supply, which portable meter and all other fittings and apparatus used for the connection of the portable meter to a hydrant remains the property of the Council and will be provided subject to any conditions imposed by the Council or the authorised provider.

STANDARD OF SERVICE SUPPLIED**Standards and conditions of supply**

- (138) Water supply services provided by the Council or their authorised provider must comply with the minimum standards set for the provision of water supply services in terms of section 9 of the Act.
- (139) Subject to the provisions of the Act, the supply of water by the Council or their authorised provider does not constitute an undertaking by it to maintain at any time or any point in its water supply system —
- (a) an uninterrupted supply;
 - (b) a specific pressure or rate of flow in such supply; or
 - (c) a specific standard of quality of water;
- Provided that if the water supply to a consumer is interrupted for more than 24 hours, the Council or their authorised provider must provide an alternative basic water supply as soon as reasonably practicable.
- (140) The Council or their authorised provider may specify the maximum height above ground level or mean sea level to which water is supplied from the water supply system.
- (141) If an owner requires that any of the standards contemplated in section 9 of the Act, be maintained on his or her premises, he or she must make provision in the water installation for such maintenance.
- (142) The Council or their authorised provider, may, in an emergency, interrupt the supply of water to any premises without prior notice.
- (143) If the consumption of water by a consumer adversely affects the supply of water to any other consumer, the Council may apply such restrictions as are necessary, to the supply of water to the first mentioned consumer, in order to ensure a reasonable supply of water to the other consumer or consumers concerned, and must inform the first mentioned consumer of such restrictions.
- (144) The Council or their authorised provider will not be liable for any damage to property caused by water flowing from fittings left open when the water supply is re-instated, following an interruption in supply for any reason.
- (145) Every steam boiler and any premises which require, for the purpose of the work undertaken on the premises, a continuous supply of water, must have a cistern fitted and in working order and holding a water supply deemed adequate by the occupier of the premises.
- (146) No consumer may resell water supplied to him by the Council or their authorised provider except with the written permission of the Council, which may stipulate the maximum price at which the water may be resold, and may impose such other conditions, as the Council may deem necessary.
- (147) The Council or their authorised provider do not undertake to maintain sufficient pressure in the water supply system to ensure the operation of manually actuated toilet-flushing valves that require a specified minimum pressure to operate.

Sampling of water

- (148) The Council or their authorised provider must ensure —
- (a) that the quality of the water supplied to the consumer complies with the requirements of SABS Code 241:1999 (Fourth Edition): Drinking Water, and any other requirement contained in these bylaws or any other law applicable to the consumption of water; and
 - (b) take samples of water within the water supply system at such locations and within such periods determined by any regulations set in terms of Section 9 of the Act to ensure the requisite water quality is maintained.
- (149) The Council or their authorised provider may take samples of water obtained from a source other than the water supply system, and cause the samples to be tested for compliance with the requirements referred to in these bylaws.
- (150) The prescribed fees for the taking and testing of the samples referred to in section 149 must be paid by the person to whom approval to use the water for potable water was granted in terms of that section.

Measuring of quantity of water supplied

- (151) The Council or their authorised provider must measure the quantity of water supplied at such regular intervals as the Council may determine, but which must not exceed 180 days.
- (152) Any measuring device through which water is supplied to a consumer by the Council or their authorised provider, and its associated apparatus, must be provided and installed by the Council or their authorised provider, and remains the property of the Council, and may be changed and maintained by the Council or their authorised provider when deemed necessary by it.
- (153) The Council or their authorised provider may install a measuring device, and its associated apparatus, at any point on the service pipe.
- (154) If the Council or their authorised provider installs a measuring device on a service pipe, it may install a section of pipe and associated fittings between the end of its connection pipe and the meter, and such section is deemed to form part of the water installation.
- (155) If the Council or their authorised provider installs a measuring device together with its associated apparatus on a service pipe, the owner must —
- (a) provide a place satisfactory to the Council or their authorised provider in which to install it;
 - (b) ensure that unrestricted access is available to it at all times;
 - (c) be responsible for its protection and be liable for the costs arising from damage thereto, excluding damage arising from normal fair wear and tear;
 - (d) ensure that no connection is made to the pipe in which the measuring device is installed, between the measuring device and the connection pipe or water main serving the installation;
 - (e) make provision for the drainage of water which may be discharged, from the pipe in which the measuring device is installed, in the course of work done by the Council or their authorised provider on the measuring device;
 - (f) not use nor permit to be used on any water installation, any fitting, machine or appliance which causes damage or, in the opinion of the Council or their authorised provider, is likely to cause damage to any meter.

- (156) No person other than an authorised official may —
- (a) disconnect a measuring device and its associated apparatus from the pipe in or to which they are installed or connected;
 - (b) break a seal which the Council or their authorised provider has placed on any meter; or
 - (c) in any other way interfere with a measuring device and its associated apparatus.
- (157) If the Council or their authorised provider considers that, in the event of the measuring device being a meter, the size of the meter is unsuitable by reason of the quantity of water supplied to premises, it may install a meter of such size as it may deem necessary, and may recover from the owner of the premises concerned the prescribed fees for the installation of the replacement meter.
- (158) The Council or their authorised provider may, at the owner's expense, install or require the installation, of a measuring device to each business or dwelling unit on any premises, if such units are in separate occupancy, for use in determining the quantity of water supplied to each such unit: Provided that where a fixed quantity water delivery system is used, a single measuring device may be used to supply more than one unit.
- (159) Failure by the Council or their authorised provider to comply with the period of 180 days referred to in section 151, will not disentitle the Council or their authorised provider from recovering any monies due to it by a consumer.

Quantity of water supplied to consumer

- (160) For purposes of assessing the quantity of water supplied to a consumer during any period and measured by a measuring device installed by the Council or their authorised provider, it will be deemed that, other than in the case of prepayment meters —
- (a) the quantity is represented by the difference between measurements taken at the beginning and end of such period;
 - (b) the measuring device was accurate during such period; and
 - (c) the entries in the records of the Council or their authorised provider were correctly made.
- (161) Where water supplied by the Council or their authorised provider to any premises is in any way taken by the consumer without such water passing through any measuring device as provided by the Council or their authorised provider, the Council or their authorised provider may for the purpose of rendering an account, make an estimate of the quantity of water supplied to the consumer during the period that water is so taken by the consumer: and such quantity will be deemed to be correct.
- (162) For the purposes of section 161, an estimate of the quantity of water supplied to a consumer must be based on —
- (a) the average monthly consumption of water at the premises registered over three succeeding measuring periods taken over not more than 180 days in total, after the date on which the irregularity referred to in section 161 was discovered and rectified; and/or
 - (b) the period preceding the date on which the irregularity referred to in section 161 was discovered but not exceeding 36 months.
- (163) Nothing in these bylaws may be construed as imposing on the Council or their authorised provider an obligation to cause any measuring device installed on any premises to be measured at the end of any fixed period, and the Council or their authorised provider may estimate the quantity of water supplied over any period during the interval between successive measurements of the measuring device, which may not be more than 180 days apart, and render an account to a consumer for the quantity of water so estimated.
- (164) The Council or their authorised provider must, on receipt from the consumer of written notice of not less than seven days and subject to payment of the prescribed fees, measure the quantity of water supplied to such consumer at a time or on a day other than that upon which it would normally be measured.
- (165) Until such time as a measuring device has been installed in respect of water supplied to a consumer, the estimated consumption of that consumer must be based on the average consumption of water supplied to the specific zone within which the consumer's premises are situated, during a specific period.
- (166) Where in the opinion of the Council or their authorised provider it is not reasonably possible or cost effective to measure water supplied to each consumer within a particular zone, the Council or their authorised provider may determine the fees to be paid by each consumer within that zone based on the estimated average consumption of water supplied to that zone irrespective of actual consumption by each consumer.
- (167) For the purposes of these bylaws, a zone is that local area of land, of which the premises occupied by the consumer is a part, which is zoned in terms of a town planning scheme or an integrated development plan for homogeneous usage.
- (168) Where water supply services are provided through a communal water connection, the amount due and payable by consumers gaining access to water supply services through that communal water connection, will be based on the estimated average consumption of water supplied to that water connection, and the decision of the Council or their authorised provider in arriving at that amount is final and binding on each consumer affected thereby, unless legally set aside.
- (169) Failure by the Council or their authorised provider to comply with the period stipulate in sections 162 and 163, will not disentitle the Council or their authorised provider from recovering any monies due to it by a consumer.
- (170) A consumer is not entitled to a reduction of the amount payable in respect of water wasted or water losses in a water installation.

Adjustment of quantity of water supplied through defective measuring device

- (171) If a measuring device is found to be defective, the Council or their authorised provider may estimate the quantity of water supplied to the consumer concerned during the period in which, in its opinion, such measuring device was defective, on the basis of the average daily quantity of water supplied to him or her over —
- (a) a period between two successive measurements subsequent to the replacement of the measuring device or, if this is not possible;
 - (b) the period in the previous year, corresponding to the period in which the measuring device was defective; or, if this is not possible;
 - (c) the period between three successive measurements prior to the measuring device becoming defective.
- (172) (a) If the quantity of water supplied to a consumer during the period when his or her measuring device was defective cannot be estimated in terms of section 172, the Council or their authorised provider may estimate the quantity; and
- (b) the consumer must be informed of the method used by the Council or their authorised provider to estimate the quantity of water supplied to him or her, and the consumer must be given an opportunity to make representations to the Council or their authorised provider before a final estimate is arrived at.

INSTALLATION WORK

Approval of installation work

- (173) If an owner wishes to have installation work done, he or she must first obtain the written permission of the Council or their authorised provider: Provided that permission is not required in the case of water installations in dwelling units or installations where no fire installation is required in terms of SABS Code 0400 or in terms of any bylaws, or for the repair or replacement of an existing pipe or water fitting, other than a fixed water heater and its associated protective devices.

- (174) If any of the installation work is governed by the Environmental Impact Assessment Regulations in terms of the Environment Conservation Act, 1989 or the National Environment Management Act, 1998, then the owner must ensure compliance and obtain the relevant authorisation in respect thereof.
- (175) Application for the permission referred to in section 173 must be made on the prescribed form and must be accompanied by —
- (a) the prescribed fees;
 - (b) copies of the drawings as prescribed by the Council, reflecting the information and in the form required by Clause 4.1.1 of SABS Code 0252: Part I; or
 - (c) a certificate from a professional engineer or qualified plumber certifying that the installation has been designed in accordance with SABS Code 0252: Part I or, has been designed on a rational basis.
- (176) The provisions of sections 173, 174 and 175 do not apply to a qualified plumber who replaces a fixed water heater or its associated protective devices.
- (177) Any authority given in terms of section 173 lapses at the expiry of a period of twenty-four months after the first day of the month succeeding the month in which the authority is given.
- (178) A complete set of approved drawings of installation work must be available at the site of the work at all times until such work has been completed, where permission is required in terms of section 173.
- (179) If installation work has been done in contravention of sections 173, 174 or 175, a designated officer may, subject to the provisions of these bylaws, issue a compliance notice requiring the owner of the premises concerned —
- (a) to comply with the relevant section, within a specified period;
 - (b) if the work is still in progress, to cease the work; and
 - (c) to remove all such work as does not comply with these bylaws.

Provision and maintenance of water installation

- (180) An owner must provide and maintain his or her water installation at his or her own cost and, except where permitted in terms of these bylaws, must ensure that the installation is situated within the boundary of his or her premises.
- (181) Before doing work in connection with the maintenance of a portion of his or her water installation which is situated outside the boundary of his premises, an owner must obtain the written consent of the Council or the owner of the land on which such portion is situated, as the case may be.

Use of pipes and water fittings to be authorized

- (182) No person may, without the prior written permission of the Council or their authorised provider, install or use a pipe or water fitting in a water installation within the Council's or their authorised provider's area of jurisdiction unless it is of a type that is included in the schedule of approved pipes and fittings as compiled by the Council or their authorised provider.
- (183) Application for the inclusion of a type of pipe or water fitting in the schedule referred to in section 182, must be made on the form prescribed by the Council or their authorised provider and be accompanied by the prescribed fees.
- (184) A type of pipe or water fitting may be included in the schedule referred to in section 182 if —
- (a) it bears the standardisation mark of the South African Bureau of Standards (SABS) in respect of the relevant SABS specification issued by the Bureau; or
 - (b) it bears a certification mark issued by the SABS to certify that the type of pipe or water fitting complies with an SABS mark, specification or a provisional specification issued by the SABS: Provided that no certification marks shall be regarded as valid if issued more than two years previously.
- (185) The Council may, in respect of any type of pipe or water fitting included in the schedule, impose such additional conditions as it may deem necessary in respect of the use or method of installation thereof.
- (186) A type of pipe or water fitting may be removed from the schedule if it —
- (a) no longer complies with the criteria upon which its inclusion was based; or
 - (b) is no longer suitable for the purpose for which its use was accepted.
- (187) The current schedule referred to in section 182 must be available for inspection at the office of the Council at any time during working hours.
- (188) The municipality or its authorised agent may sell copies of the current schedule at the prescribed charge.

Labeling of terminal water fittings and appliances

- (189) A terminal water fitting and appliance using or discharging water must be marked, or have included within the packaging of the item, the following information:
- (a) the range of pressure in kPa over which the water fitting or appliance is designed to operate; and
 - (b) the flow rates, in litres per minute, related to the design pressure range, including at least the following water pressures —
 - (i) 20 kPa;
 - (ii) 100 kPa; and
 - (iii) 400 kPa.

RESTRICTIONS AND WASTEFUL USE OF WATER

Water restrictions

- (190) Whenever there is a scarcity of water available for distribution and supply to consumers, the Council or their authorised provider may prohibit or restrict the use of water under its control or management, as contemplated in section 83A of the Local Government Ordinance, 1939.
- (191) Whenever it acts in terms of section 190, the Council or their authorised provider must cause a notice of the resolution taken in terms of section 83A(1) of the Local Government Ordinance, 1939, to be published in one or more local newspapers, in two of the official languages.
- (192) Notwithstanding the provisions of sections 190 and 191, should an emergency arise in relation to the availability of water for distribution and supply to its consumers, and immediate steps are necessary to avert or remedy any actual or potential consequences of such emergency, the Council may take any steps contemplated in section 83A of the Local Government Ordinance, 1939, without taking the resolution contemplated in that section.

Waste of water unlawful

(193) No consumer shall permit —

- (a) the purposeless or wasteful discharge of water from terminal water fittings;
- (b) pipes or water fittings forming part of a water installation to leak;
- (c) the use of maladjusted or defective water fittings in a water installation;
- (d) an overflow of water from a water installation to persist; or
- (e) a wasteful use of water to persist.

(194) An owner must repair or replace any part of his or her water installation that is in such a state of disrepair that it is either causing or is likely to cause an event referred to in section 193.

(195) If an owner fails to take measures as contemplated in section 193, a designated officer may issue an enforcement notice in connection therewith.

(196) Every consumer must ensure that any equipment or plant connected to his or her water installation uses water in an efficient manner.

Prohibition of use of certain equipment in a water installation

(197) A designated officer may, by compliance notice, prohibit the use by a consumer of any equipment in a water installation if, in his or her opinion, its use of water is wasteful, and such equipment must not be returned to use until its efficiency has been restored, and a written application to do so has been approved.

Pollution prevention

(198) An owner must provide and maintain effective measures to prevent the entry of any substance or matter, which may be a danger to health or may adversely affect the potability of water or affect its fitness for use, in —

- (a) the water supply system or water treatment works; and
- (b) any part of the water installation on his or her premises.

(199) The owner of any premises must prevent the back siphonage into his or her water installation of a substance which is likely to cause a danger to health or affect the portability of water, in the case of —

- (a) a terminal water fitting which is so designed that a hose or other flexible pipe is or can be attached to it, which shall include a hose Babcock, a laboratory tap, and a movable shower unit;
- (b) a fire hose reel in a combined installation;
- (c) an underground irrigation system; or
- (d) any other fitting which may provide contact between polluted water and the water installation.

Testing of pressure in water supply system

(200) The Council or their authorised provider must, on application by an owner and on payment of the prescribed fees, determine and furnish the owner with the value of the pressure in the water supply system relating to his or her premises, over such period as the owner may request.

Pipe in street or public place

(201) No person may, for the purpose of conveying water derived from whatever source, lay or construct a pipe or associated component on, in or under a street, public place or other land owned by, vested in, or under the control of the Council, except with the prior written permission of the Council, and subject to such conditions as may be imposed by it on granting permission.

Special provisions for fire services

(202) Any water installation for the provision of water for fire fighting purposes, must comply with the provisions of SABS Code 0252-1:1994 or any revision or substitution thereof.

(203) Notwithstanding the provisions of these bylaws, any other special provisions contained in this Act applies insofar as they are applicable to the supply of water for fire fighting purposes.

Payment for fire services

(204) The consumer and the owner of the premises are jointly and severally liable to pay the fees determined by the Council, in respect of any fire extinguishing installation or appliance used or installed upon such premises.

Dual and combined installations

(205) Any new building erected after the adoption of these bylaws must comply with the following requirements in relation to the provision of fire extinguishing services —

- (a) If, in the opinion of any officer or employee of the Council charged with the approval of plans, boosting of the system is required, either in terms of ensuring adequate pressure or supply of water for the purposes which the system is intended to meet, a dual pipe system must be used, one for fire extinguishing purposes and the other for general domestic purposes;
- (b) Combined installations, in which the same pipes and fittings are used for fire extinguishing and general domestic purposes, are only permitted where no booster pumping connection is provided on the water installation;
- (c) In the circumstances contemplated in paragraph (b), a fire hydrant must be provided by the Council, at the consumer's expense, within 90 meters of the property to provide a source of water for the use of the crew of any fire tender sent to extinguish a fire; and
- (d) All pipes and fittings must be capable of handling pressures in excess of 1015 kPa, which could be expected when boosting takes place and must be designed to maintain their integrity when exposed to fire conditions.

Connection pipes for fire extinguishing services

(206) A single connection to the water supply system, to serve a connection pipe for a fire installation, excluding a sprinkler system, may be provided by the Council or their authorised provider.

(207) The Council or their authorised provider may provide and install at its cost a meter on the connection pipe referred to in section 154.

(208) Where, there is an existing connection pipe for the sole purpose of fire extinguishing services, such connection pipe may only be used for that purpose.

(209) No take-off of any kind from any connection pipe referred to in section 208 may be made, nor may any water thereof be used except in connection with an automatic sprinkler and drenched, a hydrant connection or a hose-reel connection, or for any pressure tank connection therewith, and such tank must be controlled by an approved fitting.

(210) A separate connection pipe must be laid and used for every fire sprinkler extinguishing system, unless otherwise approved.

(211) Every connection pipe must be fitted with a proper gate valve, which must be —

- (a) supplied by the Council or their authorised provider at the expense of the consumer;
- (b) installed between the consumer's property and the main;
- (c) of the same diameter as the connection pipe; and
- (d) installed in such position as may be specified by the Council or their authorised provider.

Inspection and approval of fire extinguishing installation

(212) No water may be supplied to any fire extinguishing installation until —

- (a) it has been inspected and tested by the Council or their authorised provider;
- (b) the Council or their authorised provider has certified in writing that such water installation is complete and complies with the requirements of these bylaws; and
- (c) the fees determined by the Council for such inspection and testing have been paid.

(213) The Council, in its absolute discretion, to grant or refuse an application for the connection of a fire extinguishing installation to its main.

(214) If in its opinion a fire extinguishing installation which it has allowed to be connected to its main is not being kept in proper working order or is otherwise not being properly maintained, or is being used in contravention of any provision in these bylaws the Council is entitled either to require the installation to be disconnected from the main, or itself to carry out the work of disconnecting it at the expense of the owner or consumer, as the case may be.

Meter in fire extinguishing connection pipe

(215) The Council or their authorised provider is entitled to install a meter in any connection pipe used solely for fire extinguishing purposes, and the owner of the premises will be liable for the whole of the cost of so doing if it appears to the Council or their authorised provider that water has been drawn from the pipe otherwise than for the purpose of extinguishing a fire.

Sealing of private fire hydrants

(216) (a) Except in the case of a fire installation supplied through a connection pipe fitted with a meter, a private hydrant and hose-reel must be sealed by the Council or their authorised provider and such seal may not be broken by any person other than the Council or their authorised provider in the course of servicing and testing, except for the purpose of opening the hydrant in the case of fire.

(b) Every owner or consumer must give the Council or their authorised provider at least 48 hours' notice of his or her intention to cause a fire extinguishing installation to be serviced and tested.

(217) The cost of resealing a hydrant and hose-reel referred to in section 216(a) must be borne by the consumer except when such seal is broken by the Council's or their authorised provider's employee for testing purposes.

(218) Any water consumed after the breaking of the seal referred to in section 217, other than in the course of testing by the Council or their authorised provider or in the course of fighting a fire, must be paid for by the consumer at the fees determined by the Council or their authorised provider for domestic purposes.

(219) The quantity of water consumed as contemplated in section 219, must be determined by the Council or their authorised provider.

CHAPTER 6: SANITATION SERVICES

Objectionable discharge to sewage disposal system

(220) No person may discharge, or cause or permit the discharge or entry into any sewer of any sewage, industrial effluent or other liquid or substance —

- (a) which may be offensive to, or may cause a nuisance to the public;
- (b) which is in the form of steam or vapour or has a temperature exceeding 44 degrees Celsius at the point where it enters the sewer;
- (c) which has a pH value less than 4.0;
- (d) which contains any substance of whatsoever nature likely to produce or give off explosive, flammable, poisonous or offensive gases or vapours in any sewer;
- (e) which contains any substance having an open flashpoint of less than 93 degrees Celsius or which gives off a poisonous vapour at a temperature below 93 degrees Celsius;
- (f) which contains any material of whatsoever nature, including oil, grease, fat or detergents capable of causing an obstruction to the flow in a sewer, to a drain or interference with the proper operation of a sewage treatment plant;
- (g) which may inhibit the unrestricted conveyance of sewage through the sewage disposal system;
- (h) which contains any substance in such concentration as is likely in the final treated effluent from any sewage treatment plant to produce an undesirable taste after chlorination, or an undesirable odour or colour, or excessive foam;
- (i) which contains any substance —
 - (i) in amounts higher than those specified therein;
 - (ii) which may harm or damage any sewer, mechanical appliance, sewage treatment plant or equipment;
 - (iii) which may prejudice the use of sewage effluent for re-use; or
 - (iv) which may adversely affect any water into which treated sewage effluent is discharged, or any land or crop irrigated with the sewage effluent;
- (j) which contains any substance of whatsoever nature which —
 - (i) which is not amenable to treatment at the sewage treatment plant, or
 - (ii) causes or may cause a breakdown or inhibition of the normal sewage treatment processes; or
 - (iii) is of such nature as is or may be amenable to treatment only to such degree as to result in the final treated effluent from the sewage treatment plant not complying in all respects with any requirements imposed in terms of the National Water Act, 1998; and
- (k) whether listed in Schedule B of these bylaws or not, either alone or in combination with other matter may —
 - (i) generate or constitute a toxic substance dangerous to the health of a person employed at the sewage treatment plant, or entering a Council sewer or manhole in the course of his or her duty; or
 - (ii) adversely affect the equipment of the sewage treatment plant or the land used for the disposal of treated sewage effluent; or

(iii) adversely affect any process whereby sewage is treated or wherein any re-use of sewage effluent is permitted.

(221) No person may cause or permit any solid, liquid or gaseous substance, other than storm water to enter —

- (a) any storm water drain, storm water sewer or excavated or constructed water course;
- (b) any river, stream, or natural water course or any public water, whether ordinarily dry or otherwise, except in accordance with the provisions of the National Water Act, 1998; or
- (c) any street or premises.

(222) An authorised official may require any owner of premises from which there is a discharge of any sewage, industrial effluent, or any substance referred to in section 220, to conduct at his or her cost periodic expert inspections of the premises, in order to identify precautionary measures which would ensure compliance with these bylaws, and report such findings to the Council.

(223) If any contravention of any provision of section 220 takes place on any premises, or elsewhere, the owner of such premises, or any person aware of the contravention must as soon as possible notify the Council of the details of the contravention and the reason for it.

Disposal of sludge, compost and manure

(224) Except when prohibited by any law, the Council or their authorised provider may sell or dispose of sewage sludge, compost or animal manure resulting from the operation of any sewage treatment plant operated by the Council or their authorised provider or sewage farm associated therewith, on such conditions regarding the loading and conveyance thereof, the place to which it is conveyed and the manner in which it is to be used, applied or processed, as the Council may impose or as may be required in terms of any law.

(225) Except in the case of long-term contracts entered into for the purpose of the removal thereof, such sludge, compost or manure must be sold or disposed of at a price determined from time to time by the Council.

Application for infrastructure

(226) If an agreement for on-site sanitation and associated services in accordance with these bylaws has been concluded, and no infrastructure in connection therewith exists on the premises, the owner must immediately make application for the installation thereof on the prescribed form and —

- (a) pay the prescribed fees for the installation of the necessary infrastructure; or
- (b) with the approval of the Council install on-site sanitation services in accordance with the specifications of the Council.

(227) In approving an application for the installation of infrastructure, the Council may specify the type of on-site sanitation services to be installed.

Septic tank and treatment plant

(228) No person may construct, install, maintain or operate any septic tank or other plant for the treatment, disposal or storage of sewage, without the prior written permission of the Council.

(229) The permission referred to in section 228 is subject to the provisions of these bylaws, any other relevant bylaws of the Council, or any other law.

French drain

(230) The Council may, at its discretion and on such conditions as it may prescribe, having regard to the quantity and nature of the effluent and the nature and permeability of the soil, permit the disposal of wastewater or other effluent by means of a french drain, soakage pit or other approved work.

Services associated with on-site sanitation services

(231) The removal or collection of conservancy tank contents, night soil or the emptying of pits will be undertaken by the Council or their authorised provider in accordance with a removal and collection schedule determined from time to time by the Council.

Fees in respect of services associated with on-site sanitation services

(232) Prescribed fees in respect of the removal or collection of conservancy tank contents, night soil or the emptying of a pit or septic tank will be based on the quantity removed by vacuum tank or on the number of pails, in the case of a night soil removal service, and must be in accordance with the Tariff policy determined from time to time by the Council.

(233) Regular night soil, conservancy tank and pit content removal services rendered in terms of these bylaws, will be discontinued on receipt by the Council or their authorised provider of not less than 48 hours notice in writing from the owner or occupier of the property or premises to discontinue the service.

(234) The fees for the services contemplated in section 233 will continue to be payable until the Council or their authorised provider has received such notice and until the notice has expired.

(235) Where notice to discontinue the service referred to in section 233 is received by the Council or their authorised provider after the date when the services were to have been discontinued, the fee must cease as from the date and time of receipt of the written notice.

Disused conservancy and septic tanks

(236) If an existing conservancy tank or septic tank is no longer required for the storage or treatment of sewage, or if permission for such use is withdrawn, the owner must either cause it to be completely recovered, or to be completely filled with earth or other suitable material, and the land involved to be rehabilitated.

(237) The Council may require the tank referred to in section 236 to be otherwise dealt with or it may permit it to be used for some other purpose, subject to such conditions as may be considered necessary, regard being had to all the circumstances of the case.

Provision of a connecting sewer

(238) If an agreement for the use of a sewage disposal system in accordance with these bylaws has been concluded, the Council or their authorised provider may, subject to the provisions of section 258 and as soon as practicable after being notified by the owner that the drainage installation on his premises is ready for connection to the sewage disposal system, at the Council's own expense, connect the drainage installation to the sewage disposal system.

(239) Any connection required by the owner subsequent to the initial connection provided by the Council is subject to the approval of the Council and must be installed at the owner's expense.

(240) The discharge of any substance whatsoever other than clean water for testing purposes may not be permitted to enter any drainage installation until the drainage installation has been connected to the sewage disposal system.

(241) If an application is made for the connection of the sewage disposal system to premises that are so situated that it is necessary to extend the sewer in order to connect the sewage disposal system to the premises, the Council may agree to the extension subject to such conditions as it may impose.

Location of connecting sewer

- (242) A connecting sewer provided and installed shall be located in a position either agreed to between the owner and the Council, or if no agreement can be reached, determined by the Council, and be of a size determined by an authorised official.
- (243) The Council may at the request of any person agree, subject to such conditions as it may impose, to a connection to a sewer other than that which is most readily available for the drainage of the premises.
- (244) The applicant is responsible for any extension of the drainage installation to the connecting point so agreed, and for obtaining at his or her cost, such servitude over other premises as may be necessary.

Interconnection between premises

- (245) Every owner of premises must ensure that no interconnection exists between the drainage installation on his or her premises and any drainage installation on other premises, unless he or she has obtained the prior written permission of the Council and complies with any conditions that may have been imposed in granting such permission.

Disconnection of drainage installation from connecting sewer

- (246) The Council or their authorised provider may disconnect a drainage installation from the connecting sewer and seal the opening to the sewer so made and recover from the owner the fees determined by the Council, if —
- (a) notified in writing by the owner when a drainage installation is to be disconnected from a connecting sewer; or
 - (b) the building on the premises concerned has been demolished.

Acceptance of sewage delivered by road haulage

- (247) The Council may, at its discretion, and subject to such conditions as it may specify, accept sewage for disposal delivered to the any wastewater treatment works by road haulage.

Written permission for delivery of sewage by road haulage

- (248) No person may discharge sewage into any Council sewage treatment plant by road haulage except with the written permission of the Council, and subject to such terms and conditions as may be imposed in terms of the written permission.
- (249) The fees for any sewage delivered for disposal to a Council sewage treatment plant must be assessed by the Council in accordance with the prescribed fees applicable.

Conditions for delivery of sewage by road haulage

- (250) When sewage is delivered by road haulage —
- (a) the time of delivery must be arranged with the Council or their authorised provider;
 - (b) the nature and composition of the sewage must be established to the satisfaction of the Council or their authorised provider prior to the discharge thereof from the container in which it is delivered, and no person may deliver sewage that does not comply with the standards laid down in or in terms of these Bylaws; and
 - (c) all other requirements in terms of SABS Codes 0231 and 0232 and any other applicable law must be complied with.

Withdrawal of permission for delivery of sewage by road haulage

- (251) The Council may subject to the provisions of the Promotion of Administrative Justice Act, 2000, withdraw any permission, after giving at least 14 days written notice of its intention to do so, to any person who has been granted permission to discharge sewage by road haulage if that person —
- (a) fails on more than two occasions to ensure that the sewage so delivered conforms to the standards prescribed in these bylaws;
 - (b) fails or refuses to comply with any notice lawfully served on him or her in terms of these Bylaws, or contravenes any provisions of these bylaws or any condition imposed on him or her in terms of any permission granted to him or her; and
 - (c) fails to pay the assessed fees in respect of any sewage delivered within the period allowed for payment.

Application for disposal of industrial effluent

- (252) Every person desiring to dispose of industrial effluent must apply in writing and in duplicate on the form prescribed in Schedule B for that purpose, for written permission to discharge industrial effluent into the sewage disposal system of the Council or their authorised provider, and must thereafter provide such additional information and submit such sample as the Council or their authorised provider may require.
- (253) The Council or their authorised provider may, if in its opinion the capacity of the relevant sewage disposal system is sufficient to permit the conveyance and effective treatment and lawful disposal of such industrial effluent for such period and subject to such conditions it may determine and impose, grant an application.
- (254) Any person to whom permission has been granted in terms of section 252 must, before doing or causing or permitting to be done anything that results in a change in the quantity of discharge or nature of effluent permitted, notify the Council or their authorised provider in writing of the date on which it is proposed that such change is intended to take place and of the nature of the proposed change.
- (255) Upon receipt of the notification referred to in section 220, the Council or their authorised provider may grant permission for such change, and in so doing may amend the conditions applicable to the discharge permit of the party concerned, or it may refuse permission for the change.
- (256) Any person who wishes to construct or cause to be constructed a building which is to be used as trade premises must, at the time of lodging his or her building plan in terms of section 4 of the National Building Regulations and Building Standards Act 1977, also lodge applications for the provision of sanitation services and for permission to discharge industrial effluent in terms of section 252.
- (257) Subject to the provisions of the Promotion of Administrative Justice Act, 2000, the Council may from time to time or at any time as a result of a change in the method of sewage treatment, or the introduction of new or revised or stricter or other standards by the Council, or in terms of the National Water Act, or as a result of any amendment to these Bylaws or for any other reason, review, amend, modify or revoke any permission given or any conditions attached to such permission, and/or impose new conditions, either generally or specifically, for the acceptance of any industrial effluent into the sewer, or prohibit the discharge of any or all of such effluent to the sewer, on giving adequate written notice in advance of its intention to do so, and on the expiration of such period of notice, the previous permission or conditions, as the case may be, must be regarded as having fallen away and the new or amended conditions, if any, as the case may be, forthwith apply.

Unauthorised discharge of industrial effluent

- (258) Any person who discharges or causes or permits to be discharged any industrial effluent into the sewer without having first obtained permission in terms of these bylaws, shall be guilty of an offence and liable.

Construction or installation of drainage installation

(259) Any drainage installation must comply with SABS Code 0400-1990 Part P, Drainage and any amendments thereto.

Drain in street or public place

(260) No person may, for the purpose of conveying sewage derived from whatever source, lay or construct a drain on, in or under a street, public place or the land owned by, vested in, rounder the control of the Council, except with the prior written permission of the Council and subject to such conditions as it may impose.

Construction by Council of drainage work

(261) The Council may agree with the owner of any premises that any drainage work which such owner desires or is required to construct in terms of these Bylaws or the building regulations, will be constructed by the Council or their authorised provider against payment, in advance, of all costs associated with such construction, and such agreement does not absolve the owner from complying with the requirements of any other law in respect of such construction work.

Maintenance of drainage installation

(262) The owner or occupier of any premises must maintain any drainage installation and any sewer connection on such premise.

(263) The Council or their authorised provider itself is entitled, whether or not it has been requested by the owner to do so, at its own discretion to remove a blockage from a drainage installation and may charge the owner therefore in accordance with the prescribed fees determined by the Council.

(264) Should the clearing by the Council or their authorised provider of any blockage in a drainage installation necessitate the removal or disturbance of any paving, lawn or other artificial surfacing on any premises, the Council or their authorised provider shall not be liable for the reinstatement thereof.

(265) Should any drainage installation on any premises overflow as a result of an obstruction in the connecting sewer, and the Council or their authorised provider be reasonably satisfied that such obstruction was caused by objects emanating from the drainage installation, the owner of the premises served by the drainage installation is liable for the cost of clearing the blockage in accordance with the prescribed fee determined by the Council.

(266) Where a blockage has been removed from a drain or portion of a drain which serves two or more pieces of land, the charges for clearing of such blockage are recoverable in the first place in equal portions from each of the owners thereof, who are, however, ultimately jointly and severally liable for the whole charge.

(267) The Council or their authorised provider may, on the written application of the owner or occupier of any premises, inspect and test the drainage installation of such premises or any section thereof, and recover from the owner or occupier the cost of such inspection and test, calculated at the rate specified in the prescribed tariff of charges.

CHAPTER 7: WATER SERVICE PROVIDER RESPONSIBILITIES

(268) The Council may appoint a water service provider to conduct water services on their behalf.

(269) These bylaws, and the authority to enforce them, are applicable to the water service provider as detailed in their service agreement with the Council.

(270) ... (clauses reserved for future additions as required)

(271) ... (clauses reserved for future additions as required)

(272) ... (clauses reserved for future additions as required)

(273) ... (clauses reserved for future additions as required)

(274) ... (clauses reserved for future additions as required)

CHAPTER 8: ENFORCEMENT OF THE BYLAWS AND LEGAL MATTERS**Responsibility for compliance with these Bylaws**

(275) The owner of the premises is responsible for ensuring compliance with these bylaws in respect of all or any matter relating to any installation.

(276) The consumer is responsible for compliance with these bylaws in respect of matters relating to the use of installation.

Unauthorised use of water services

(277) No person may gain access to water services from the water supply system, sewage disposal system or any other sanitation services unless an agreement has been entered into with the Council or their authorised provider for the rendering of those services.

(278) A designated officer may issue a compliance notice to ensure compliance with section 277 by, inter alia, ordering a person making unauthorised use of water services to —

(d) apply for such services in terms of these bylaws; and

(e) undertake and complete, to the reasonable satisfaction of the designated officer, such plans as may be necessary to ensure that the consumer installation through which access was gained complies with the provisions of these bylaws, and to make application in the prescribed manner for such services.

Purpose of water services

(279) Where the purpose or extent for which water services are used is changed, the consumer must inform the Council or their authorised provider, and must enter into a new agreement with the Council or their authorised provider, expressed to be effective from the date on which such change of use took or will take effect.

Interference with water supply system or any sanitation services

(280) No person may —

(f) operate or maintain any part of the water supply system;

(g) operate any sewage disposal system;

(h) effect a connection or reconnecting to the water supply system or sewage disposal system; or

(i) render any other sanitation services, unless in any such case he or she has been authorised to do so by the Council in writing.

(281) No person may interfere with, or wilfully or negligently damage, or permit damage to or interference with any part of the water supply system or sewage disposal system belonging to the Council.

Obstruction of access to water supply system or any sanitation service

(282) No person may prevent or restrict physical access to the water supply system or sewage disposal system by any employee of the Council or their authorised provider.

(283) If a person contravenes section 282, the municipality or its authorised agents may —

- (a) by written notice require such person to restore access at his or her or its own expense within specified period; or
- (b) if it is of the opinion that the situation is a matter of urgency, without prior notice resort access and record the cost from such person.

Pipes in the street or public places

(284) No person shall for the purpose of conveying water derived from whatever source or the disposal of sewerage or effluent, lay or construct a pipe or associated component on, in or under a street, public place or other land owned by, vested in or under a street, public place or other land owned by, vested in, or under the control of any municipality or its authorised agent, except with the prior written permission of that municipality or its authorised agent and subject to such conditions as may impose.

Recovery of costs and fees

(285) Any costs which the Council or their authorised provider is entitled to recover from a consumer, owner or other person in terms of these bylaws include, where applicable, any prescribed fees, expenses incurred in any exploratory investigation, survey, plan, specification, or schedule of quantities compilation, supervision, administration or authorization charges, including the cost of any ancillary work associated therewith, wear and tear on plant and equipment utilized in any of these activities, the provision of labour and the costs, including environmental costs, involved in the disturbing and making good of any part of any street, ground or water services work.

Offences

(286) It is an offence for any person to —

- (a) unlawfully and intentionally or negligently interfere with any water services works of the municipality or its authorised provider;
- (b) fails to provide information or provide false information reasonable requested by the municipality or its authorised agents;
- (c) obstructs or hinders a municipality or its authorised provider in the exercise of his or her powers or performance of his or her functions of duties under these bylaws;
- (d) contravenes or fails to comply with any provision of these bylaws;
- (e) contravenes or fails to comply with a condition or prohibition imposed in terms of these bylaws;
- (f) fail to comply with any notice issued, or any lawful instruction given in terms of these bylaws;
- (g) refuse to grant a designated officer access to premises to which that designated officer is duly authorized to have access;
- (h) obstruct, interfere or hinder a designated officer who is exercising a power or carrying out a duty under these bylaws;
- (i) fail or refuse to provide a designated officer with a document or information that the person is required to provide under these bylaws;
- (j) give false or misleading information to a designated officer;
- (k) unlawfully prevent the owner of any premises, or a person working for that owner, from entering the premises in order to comply with a requirement of these bylaws;
- (l) pretend to be a designated officer;
- (m) falsely alter an authorisation to a designated officer or written authorisation, compliance notice or compliance certificate issued in terms of this Chapter;
- (n) enter any premises without a written authorisation in circumstances requiring such authorisation;
- (o) act contrary to a written authorisation issued in terms these bylaws;
- (p) disclose any information relating to the financial or business affairs of any person which was acquired in the performance of any function or exercise of any power in terms of these bylaws, except —
 - (i) to a person who requires that information in order to perform a function or exercise a power in terms of these bylaws;
 - (ii) if the disclosure is ordered by a court of law; or
 - (iii) if the disclosure is in compliance with the provisions of any law.

Short title and commencement

(287) These bylaws shall be called the uMkhanyakude District Municipality Water Services Bylaws, 2006, and shall come into operations from the date of publication in the *Provincial Gazette*.

Schedule A

Schedule A will be...

Application form for the disposal of industrial effluent**Schedule B**

Schedule B will be...

List of substances that may not be disposed of into the sewage system

UMASIPALA WASOKHAHLAMBA

IMITHETHODOLOBHA YOKULAWULWA NOKUQOQWA KWEZIKWELETU

ISANDULELO

Njengoba enye yezinhloso zomthethosisekelo wohulumeni basekhaya kungukuhlinzeka uhulumeni wentandoyeningi emiphakathini yethu:

Nanjengoba isigaba 96(a) soMthetho weziNhlelo zoMasipala boHulumeni baseKhaya, 2000 sidinga ukuthi oMasipala kumele baqoqe yonke imali okumele ikhokhwe, kweyame kulo Mthetho nakunoma yimuphi omunye umthetho osetshenziswayo nangokwale nhloso, kumele usebenzise, ugcine futhi uqalise inqubo-mgomo yokulawulwa nokuqoqwa kwezikweletu chambisana nenqubo-mgomo yezintela zawo futhi chambisana nezinhlinzeko zalo Mthetho;

Nanjengoba kunesidingo sokuthi kube nemithethodolobha yezimali ezohlablindlela yezenzo zezinhloso zepolitiki, abaphathizikhundla bezepolitiki kanye neziphathimandla zikaMasipala nabahlinzeki bemisebenzi ezingeni lohulumeni basekhaya ukuqinisekisa ukusebenza ngokungenamfihlo, ukuzibophezela kanye nokuphathwa okuhle kwezimali, izimpahla kanye nezikweletu zikaMasipala.

Ngakho ke makumiswe umthetho nguMkhandlu kaMasipala wasoKhahlamba naphansi kwegunya lesigaba 11, sifundwa nesigaba 98 soMthetho woHulumeni baseKhaya weziNhlelo zoMasipala, 2000 (uMthetho No. 32 ka 2000), ngokushicilela le mithethodolobha elandelayo:

OKUQUKETHWE

ISIAHLUKO 1: IZINCAZELO

1. Izincazelo

ISIAHLUKO 2: IMISEBENZI YOMKHANDLU, YOMPHATHI KAMASIPALA, YABAKHOKHI-NTELA KANYE NEYAZAKHAMIZI KANYE NEYAMAKHANSELA AMAWODI NAMAQEMBU EZOMBUSAZWE

2. Imisebenzi yoMkhandlu kaMasipala
3. Imisebenzi yeKomidi eliPhethe
4. Imisebenzi yoMphathi kaMasipala
5. Imisebenzi yomphakathi, yabakhokhi-ntela kanye neyazakhamizi
6. Imisebenzi yamakhansela amawodi kanye neyamaqembu ezombusazwe

ISIAHLUKO 3: UKUHLINZEKWA KWEMISEBENZI KUMAKHASIMENDENGAPHANDLE KWAMAKHASIMENDE AMPOFU

INGXENYE 1: UKUFAKA ISICELO SEMISEBENZI KAMASIPALA

7. Ukufaka isicelo semisebenzi
8. Izivumelwano eziyisipesheli zemisebenzi kaMasipala
9. Ukushintshwa kwenhloso imisebenzi kaMasipala esetshenzisela yona

INGXENYE 2: IZIMALI EZIKHOKHWAYO

10. Izimali ezikhokhwayo
11. Izimali ezikhona zemisebenzi kaMasipala
12. Imisebenzi exhasiwe
13. Igunya lokuthola izindleko ezengeziwe kanye nezimali

INGXENYE 3: UKUKHOKHA

14. Ukukhokha idiphozi
15. Izindlela zokunquma izimali okumele zikhokhwe ngazo
16. Ukukhokhela imisebenzi kaMasipala ehlinzekiwe
17. Ukukhokhwa kokucina nangokugcwele kwe-akhawunti
18. Umthwalo wemali okumele ikhokhwe
19. Izimali ezingakhokhiwe
20. Izinhlelo zokuklomelisa
21. Izindawo zokukhokha nabagunyaziwe okukhokhwa kubo

INGXENYE 4: AMA-AKHAWUNTI

22. Amakhawunti
23. Izikweletu ezihlanganisiwe

INGXENYE 5: IMIBUZO KANYE NEZIKHALO

24. Imibuzo noma izikhalo maqondana ne-akhawunti
25. Izikhalo ngokutholwe ngumasipala noma ngogunyazwe yiwo maqondana nemibuzo nezikhalo nge-akhawunti

INGXENYE 6: IZIMALI EZISILELE

26. Inzalo
27. Ama-akhawunti asilele ngezinsuku ezingama-45

INGXENYE 7: ISIVUMELWANO SOKUKHOKHA IMALI ESILELE KANCANE KANCANE

28. Izivumelwano
29. Ikhophi yesivumelwano sekhasimende
30. Ukwehluleka ukugcina isivumelwano
31. Ukuxhuywa kabusha komsebenzi

ISAHLUKO 4: IZIMALI ZOKUHLOLA

32. Imali okumele ikhokhwe yezimali zokuhlola

ISAHLUKO 5: UKUHLINZEKWA KWEMISEBENZI KAMASIPALA KUMAKHASIMENDE AMPOFU

33. Ukufaneleka ukubhalisa njengekhasimende elimpofu
34. Ukufaka isicelo sokubhalisa
35. Ukuvunywa kwesicelo
36. Imibandela
37. Ukufakwa kwesicelo njalo ezinyangeni eziyishumi nambili
38. Imisebenzi exhasiwe yamakhasimende ampofu
39. Ukukhokhelwa kwemisebenzi exhasiwe
40. Izimali ezisilele ngemuva zamakhasimende ampofu ekuvunyweni kwesicelo
41. Ucwangingo
42. Ukwesulwa

ISAHLUKO 6: AMABHIZINISI ANAMATHENDA KAMASIPALA

43. Inqubo-mgomo yokuthengwa kwempahla kanye nemibandela yamathenda

ISAHLUKO 7: IMISEBENZI ENGAGUNYAZIWE

44. Imisebenzi engagunyaziwe
45. Ukuxakaziswa kwengqalasizinda yokuhlazeka imisebenzi kaMasipala
46. Ukuthikameza ukufinyelela kwengqalasizinda yokuhlazeka imisebenzi kaMasipala
47. Ukuxhuma kabusha okungekho emthethweni
48. Ukunqanyulwa ngokushesha

ISAHLUKO 8: AMACALA

49. Amacala

ISAHLUKO 9: IMIBHALO

50. Ukusayinwa kwesaziso nemibhalo
51. Izaziso kanye nemibhalo
52. Ukuqinisekiswa kwemibhalo
53. Ubufakazi obungaba yiqiniso

ISAHLUKO 10: IZINHLINZEKO EZIJWAYELEKILE

54. Amandla okungena kanye nawokuhlola
55. Ukukhululwa
56. Ukutholakala kwemithethodolobha
57. Ukuphikisana komthetho
58. Ukuchithwa kwemithethodolobha yokulawulwa nokuqoqwa kwezikweletu ekhona
59. Isihloko esifingqiwe nosuku lokuqalisa

ISITHASISELO A: ISICELO SOKUHLINZEKWA NGEMISEBENZI KAMASIPALA

ISITHASISELO B: ISICELO SOKUBHALISA NJENGEKHASIMENDE ELIMPOFU

ISAHLUKO 1

1. Izincazelo

Ngokwezinhloso zale mithethodolobha, noma yiliphi igama noma isisho okunikezwe incazelo kulo Mthetho kuyoba nencazelo efanayo kule mithethodolobha ngaphandle uma ingqikithi ikhomba okunye —

“i-akhawunti” kusho noma iyiphi i-akhawunti esetshenziselwa imisebenzi kaMasipala ehlinzekiwe;

“uMthetho” kusho uMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000), njengoba uchtshiyelwe ngezikhathi ngezikhathi;

“ukusetshenziswa kwempela” kusho ukusetshenziswa okukaliwe kwanoma yiliphi ikhasimende;

“izintela ezifanele” kusho isilinganiso, imali, intela, isilinganiso esimile noma uxhaso okunqunywe nguMkhandlu kaMasipala;

“ukusetshenziswa okulingene” kusho ukusetshenziswa okulingene ngikhasimende kwemisebenzi kaMasipala ngesikhathi esithile, lokho kusetshenziswa okubalwa ngokuhlukanisa kathathu konke okusetshenziswe yikhasimende kwalowo msebenzi kaMasipala esikhathini esiyizinyanga ezintathu ezilandelayo;

“isivumelwano” kusho ubudlelwano obunesivumelwano phakathi kukaMasipala noma kogunyaziwe yiwo kanye nekhasimende noma ngabe sibhaliwe noma asibhaliwe;

“imali esilele ngemuva” kusho isamba okumele sikhokhwe, esikweletwayo noma esinokukhokhwa yikhasimende maqondana nemisebenzi

kaMasipala engakhokhelwanga ngosuku olufanele;

“umuntu ogunyaziwe” kusho —

- (a) noma yimuphi umuntu ngogunyazwe nguMkhandlu kaMasipala ukuba enze noma yimiphi imisebenzi ngokwale mithethodolobha noma asebenzise amandla ngaphansi kwale mithethodolobha; kanye
- (b) nanoma yimuphi umuntu uMkhandlu kaMasipala omnikenze amandla okusebenzisa amalungelo, imisebenzi kanye nezibopho ezithile maqondana nokuhlinzeka imisebenzi yemali etholwa ngezindlela zonke; kanye
- (c) nanoma yimuphi umuntu oqokwe nguMkhandlu kaMasipala ngokwesivumelwano esibhaliwe njengomhlinzeki wemisebenzi ukuba ahlinzeka imisebenzi yemali etholwa ngezindlela zonke kumakhasimende egameni lawo, kangangokugunyazwe kuleso sivumelwano;

“ikhasimende lezohwebo” kusho noma yiliphi ikhasimende ngaphandle kwawasekhaya noma ampofu, kubandakanya ngaphandle kwezingqinamba, ibhizinisi, uhulumeni kanye namakhasimende bezinhlangano;

“ukuxhumana” kusho indawo lapho ikhasimende elihlinzekwa ngemisebenzi kaMasipala likwazi khona ukufinyelela kuleyo misebenzi;

“ikhasimende” kusho umuntu uMasipala noma ogunyazwe nguwo osengene esivumelwaneni sokuhlinzekwa ngemisebenzi kaMasipala;

“ophuthayo” kusho ikhasimende okweleta imali esilele ngemuva;

“usuku lokugcina” kusho usuku okumele kukhokhe ngalo imali ekweletwayo maqondana ne-akhawunti esizodlulelwa yisikhathi, ekweletwayo futhi okumele ikhokhe yikhasimende;

“isimo esiphuthumayo” kusho noma yisiphi isimo okuthi uma sivunyelwe ukuba siqhubeke esingaba yingozi esimeni sezemali zikaMasipala noma zomsebenzi othile kaMasipala;

“ukusetshenziswa okuhlawumbiselwe” kusho ukusetshenziswa okucatshangelwe yikhasimende elikusebenzisa kwalo akulinganiselwe ngesikhathi esithize, okungokusebenzisa okuhlawumbiselwe okunqunywa ngokucabangela, kubhekelwa okungenani ukusetshenziswa kwemisebenzi kaMasipala ezingeni elithize lomsebenzi ngesikhathi esithize endaweni yokufakela kaMasipala noma yogunyazwe yiwo;

“ikhasimende lasekhaya” kusho ikhasimende elisebenzisa indlu, isakhiwo noma indawo ngezinhloso zokuhlala;

“ikhaya” kusho indlu ejwayelekile yomndeni ehlala abantu abayisishiyagalombili (okuyinhlanganisela yabantu abane abaneminyaka engaphezu kweyishumi nesishiyagalombili kanye nabantu abane abaneminyaka eyishumi nesishiyagalombili noma ngaphansi);

“ukuxhuma okungekho semthethweni” kusho ukuxhunywa kunoma yiluphi uhlelo kulona okuhlinzekwa imisebenzi kaMasipala okungagunyaziwe noma okungavunyiwe nguMasipala noma ngogunyazwe yiwo;

“ikhasimende elimpofu” kusho ikhasimende lasekhaya elifanelekile futhi elibhaliswe nguMasipala njengekhasimende elimpofu ngokuhambisana nale mithethodolobha;

“uMasipala” kusho —

- (a) uMasipala wasoKahlamba noma abawulandelayo esikhundleni; noma
- (b) uMphathi kaMasipala wasoKahlamba maqondana nokwenza noma nokusebenzisa noma yiliphi ilungelo, umsebenzi, isibopho ngokulandela le mithethodolobha;

“uMkhandlu kaMasipala” kusho uMkhandlu kaMasipala okukhulunywe ngawo esigabeni 157(1) soMthethosisekelo, 1996 (uMthetho 108 1996);

“uMphathi kaMasipala” kusho umuntu oqokwe nguMkhandlu kaMasipala njengoMphathi kaMasipala ngokulandela isigaba 82 soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998) futhi kubandakanya nanoma yimuphi umuntu —

- (a) obambile kuleso sikhundla; futhi

- (b) onikezwe amandla noma umsebenzi ngumphathi kaMasipala maqondana nalokho kunikezwa mamandla nomsebenzi;

“umhlali” kusho noma yimuphi umuntu ohlala emhlabeni noma ezakhiweni ngaphandle kokunaka itayitela ahlala kulo, futhi, lapho izakhiwo zehlukanisiwe ziqashiselwe abahlali noma iziqashi, uyobandakanya umuntu othola intela ekhokha yiziqashi noma ngabe ingena kwi-akhawunti yakhe noma njengomele noma yimuphi umuntu ofanele ukuyithola;

“umnikazi” kusho —

- (a) umuntu njalo emva kwesikhathi onikezwa igunya lokuba netayitela elisemthethweni lezakhiwo;
- (b) lapho umuntu onikezwe igunya lokuba neteyitela elisemthethweni engene shi ezikweletini noma eseshonile, noma ekhubazeke noma yingayiphi indlela, umuntu ukuphathwa nokulawulwa kwezakhiwo kunikezelwe kuye njengomphathi, umabi wefa, umphathi wasemajajini, okhokhisa izikweletu noma omunye ongummeli;
- (c) kunoma yisiphi isimo lapho uMasipala noma ogunyazwe yiwo ungakwazi ukunquma ukuthi nguye impela lowo muntu, umuntu unelungelo lokusebenzisa lezo zakhiwo;
- (d) esimweni lapho izakhiwo okwakungenwe esivumelwaneni sokuthi ziqashiswe isikhathi esiyiminyaka engama-30, oqashile lapho;
- (e) maqondana —
 - (i) nesigephu sendawo esidwetshwe esigabeni esisodwa sepulani ebhaliswe ngokwe-Sectional Titles Act, 1986 (uMthetho No. 95 ka 1986), umthuthukisi noma umgwamanda owengamele maqondana nendawo ajwayelekile; noma
 - (ii) isigaba njengoba kuchazwe kwi-Sectional Titles Act, 1986 (uMthetho No. 95 ka 1986), umuntu okubhaliswe ngegama lakhe leso sigaba ngaphansi kwetayitela eliyisigaba esisodwa kubandakanya nomele lowo oqokwe ngokusemthethweni; noma
- (f) umuntu ohlala endaweni ebhaliswe kwirejista likamaziphathe wesizwe;

“umuntu” kusho noma yimuphi umuntu, umgwamanda kahulumeni wasekhaya noma njengomaziphathe, inkampani noma inhlangano esemthethweni ngaphansi kwanoma yimuphi umthetho, umgwamanda wanoma yibaphi abantu abayingxenywe noma abangeyona ingxenywe, umgwamanda ophathelene nomthetho, umgwamanda osiza umphakathi, usosesheni noma inkampani yamavolontiya;

“isaziso somphakathi” kusho ukushicilela emithonjeni yezindaba efanele ongabandakanya okukodwa noma ngaphezulu kokulandelayo:

- (a) ukushicilela isaziso, ngezilimi ezisemthethweni ezinqunye nguMkhandlu kaMasipala —
 - (i) ephephandabeni lendawo noma emaphephandabeni asendaweni kaMasipala; noma
 - (ii) ephephandabeni noma emaphephandabeni azungeza endaweni kaMasipala aqunywe nguMasipala njengamaphephandaba anohloneze;
 - (iii) ngokumemezela emsakazweni endaweni yonke kaMasipala; noma
- (b) ngokukhangisa isaziso emahhovisi afanele kanye nasezindaweni zokuholela zikaMasipala noma zogunyazwe yiwo; noma
- (c) ukuxhumana namakhasimende ngemihlangano yomphakathi kanye nemihlangano yamakomidi amawodi;

“ukusetshenziswa ngokuhlanganyela” kusho ukusetshenziswa kwemisebenzi kamasipala yikhasimende ngesikhathi esithile, lokho kusetshenziswa okubalwa ngokuhlukanisa isamba sokusetshenziswa kwalowo msebenzi kamasipala endaweni ethile ephakelwayo lapho ikhasimende lakhe khona isikhathi esilingana nesabanye abahlala kuleyo ndawo ephakelwayo, ngesikhathi esisodwa;

“umsebenzi oxhasiwe” kusho umsebenzi kaMasipala ohlinzekelwa ikhasimende ngenani elikhona elingaphansi kwalelo lokuhlinzeka umsebenzi kubandakanya nemisebenzi ehlinzekelwe amakhasimende mahhala;

“indawo ephakelwayo” kusho indawo, enqunywe nguMasipala noma ngogunyazwe yiwo, bonke amakhasimende abahlizekwa kuyo ngemisebenzi esuka endaweni eyodwa okuphakwa kuyo;

“imisebenzi engagunyaziwe” kusho ukuthola, ukusebenzisa noma ukusetshenziswa kwanoma yimuphi umsebenzi kaMasipala okungekho sesivumelwaneni, noma engagunyaziwe noma ongavunyiwe nguMasipala noma ngogunyazwe yiwo.

ISAHLUKO 2

IMISEBENZI YOMKHANDLU, UMPHATHI KAMASIPALA, ABAKHOKHI-NTELA KANYE NEZAKHAMIZI NAMAKHANSELA AMAWODI NAMAQEMBU EZOMBUSAZWE

2. IMISEBENZI YOMKHANDLU KAMASIPALA

Imisebenzi yoMkhandlu kaMasipala:

- (1) Ukuvuma isabelo sezimali esihambisana nezidingo zomphakathi, zabakhokhi-ntela kanye nezakhamizi.
- (2) Ukubeka izintela nokunquma izimali nezinhlawulo zemisebenzi zokukhokhela isabelo sezimali.
- (3) Ukuhlinzeka izimali ezanele zokuhlinzeka abampofu ngemisebenzi eyizidingo-ngqangi.
- (4) Ukuhlinzekela ukukhokha kabi, okuhambisana nerekhodi lokukhokha lomphakathi, labakhokhi-ntela kanye nezakhamizi, njengoba kukhonjiswe ezitatimendeni zezimali zikaMasipala.
- (5) Ukubeka umgomo wokuphucula ukuqoqwa kwezimali, okuhambisana nezibalo zama-akhawunti ezamukelekile kanye namandla omphathi kaMasipala.
- (6) Ukuvuma uhlaka lokubika lokulawulwa kwezikweletu nokuqoqwa kwezimali.
- (7) Ukubheka nokuvuma imithethodolobha nokuqalisa inqubo-mgomo yomkhandlu.
- (8) Ukuqapha ukusebenza kweKomidi eliPhethe kanye nokoMphathi kaMasipala maqondana nokulawulwa kwezikweletu nokuqoqwa kwezimali.
- (9) Ukubuyekeza isabelo sezimali uma kungafinyelelwanga emgomeni woMkhandlu kaMasipala wokulawulwa kwezikweletu nokuqoqwa kwezimali.
- (10) Ukuthathela izinyathelo zokuqondisa izigwegwe lezo ziphathimandla ezingasebenzisi inqubo-mgomo nemithethodolobha koMkhandlu.
- (11) Ukuvuma uhlu lwabameli abazosebenzela uMkhandlu kaMasipala kuzo zonke izindaba zomthetho eziphathelene nokuqoqwa kwezikweletu.
- (12) Ukunikeza amandla afanelekile okuqapha nokusebenzisa inqubo-mgomo yokulawulwa nokuqoqwa kwezikweletu eKomidini eliPhethe nakumphathi kaMasipala.
- (13) Ukuvuma uhlaka lwabasebenzi abazolawula baqoqe izikweletu.
- (14) Ukuqoka abazomela uMkhandlu kaMasipala ekuqoqeni izikweletu abazosiza umphathi kaMasipala ekwenzeni imisebenzi yakhe, uma kuncidingo.

3. IMISEBENZI YEKOMIDI ELIPHETHE

Imisebenzi yeKomidi eliPhethe:

- (1) Ukuqinisekisa ukuthi isabelo sezimali soMkhandlu, ukusetshenziswa kwemali kanye nokumele kwenziwe mayelana nokuqoqwa kwezikweletu kuyenziwa ngokuhambisana nenqubo-mgomo kanye nemithethodolobha efanele.
- (2) Ukuqapha ukusebenza koMphathi kaMasipala ekuqaliseni inqubomgomo kanye neMithethodolobha.
- (3) Ukubukeza nokuhlola inqubomgomo kanye neMithethodolobha ukuze kuphuculwe indlela, izinqubo kanye nokunye okwenziwayo kokulawula nokuqoqwa izikweletu zoMkhandlu.
- (4) Ukubika eMkhandlwini.

4. IMISEBENZI YOMPHATHI KAMASIPALA

Imisebenzi yoMphathi kaMasipala:

- (1) Ukuqalisa uhlelo lokuphathwa kahle kwamakhasimende.
- (2) Ukuqalisa inqubo-mgomo yokulawulwa nokuqoqwa kwezikweletu.
- (3) Ukufaka nokucina uhlelo lwama-akhawunti olufanele.
- (4) Ukukhokhisa amakhasimende.
- (5) Ukufuna imali ngezinsuku zokukhokha zokucina.
- (6) Ukukhuphula izinhlawulo kwabangakhokhi kahle.
- (7) Kwahlukanisa izimali ezitholakele.
- (8) Ukuqoqa izikweletu ezisilele.
- (9) Ukuqalisa “iziNhlelo zokuSebenza eziNhle”.
- (10) Ukuhlinzeka izindlela ezehlukene zokukhokha.
- (11) Ukunquma izindlela zokulawula izikweletu.
- (12) Ukunquma izindlela zokusebenza zokuxhumana nomphakathi, ukulungisa, ukunqanyulwa kwemisebenzi, amasamanisi, ukudliwa kwezimpahla, ukuthengiswa kwempahla, ukubhalwa kwezikweletu, izikweletu ezinhlobonhlobo kanye nezinyathelo zomthetho.
- (13) Ukuqoka izinkampani zabameli ukuqedela izinyathelo zomthetho (ukudliwa nokuthengiswa kwezimpahla njll.).
- (14) Ukubeka imigomo yokusebenza yabasebenzi.
- (15) Ukuqoka abasebenzi abazosebenzisa inqubo-mgomo nemithethodolobha komkhandlu ngokuhambisana nenqubo-mgomo yabasebenzi boMkhandlu.
- (16) Ukunikeza amandla emisebenzi ethile kwiziNhloko zeMinyango.
- (17) Ukunquma izindlela zokulawula.
- (18) Ukubika eMkhandlwini kaMasipala.

5. IMISEBENZI YOMPHAKATHI, ABAKHOKHI-NTELA KANYE NEZAKHAMIZI

Imisebenzi yomphakathi, abakhokhi-ntela kanye nezakhamizi:

- (1) Ukugcina izibopho ezithile, njengoba zingavezwa igunya lokusebenzisa izinsiza zomphakathi kanye nemisebenzi kaMasipala.
- (2) Ukukhokha izimali, izintela zomhlaba kanye nezinye izintela kanye nemisebenzi ebekwe nguMasipala.
- (3) Ukubhaka izindlela nezinhlelo zikaMasipala ekusebenziseni amalungelo abo.
- (4) Ukuvumela iziphathimandla zikaMasipala ukuba zingene ezakhiweni zabo ukwenza imisebenzi yazo.
- (5) Ukuhambisana nemithethodolobha kanye neminye imithetho kaMasipala.
- (6) Ukuvimbela ukuthikanyezwa kwemisebenzi kaMasipala nokuxakaziswa kwempahla.

6. IMISEBENZI YAMAKHANSELA AMAWODI KANYE NEYAMAQEMBU EZOMBUSAZWE

Imisebenzi yamakhansela amawodi kanye neyamaqembu ezombusazwe:

- (1) Ukubamba imihlangano yamawodi ngokuvamile.
- (2) Ukuhambisana nokudlulisa izinqubo-mgomo zomkhandlu kwizakhamizi nakubakhokhi-ntela.
- (3) Ukuhambisana nendlela yokuziphatha yamaKansela oMkhandlu.

ISAPHLUKO 3**UKUHLINZEKWA KWEMISEBENZI KAMASIPALA
KUMAKHASIMENDE NGAPHANDLE KWAMAKHASIMENDE AMPOFU****7. UKUFAKA ISICELO SOKUHLINZEKWA NGEMISEBENZI**

- (1) Ikhasimende elifuna ukuthathwa njengekhasimende elimpofu kumele lifake isicelo semisebenzi njengoba kubekiwe eSahlukweni 5 ngezansi.
- (2) Akukho muntu oyoba negunya lokuthola imisebenzi kaMasipala ngaphandle kokufaka isicelo, futhi samukelwa nguMasipala noma ngogunyazwe yiwo efomini elinqunyiwe elifakwe njengeSithasiselo A kule mithethodolobha.
- (3) Uma, ckuqaleni kokusebenza kwale mithethodolobha nanoma yingasiphi esinye isikhathi, imisebenzi kaMasipala ihlinzekwa noma itholwa kube kungokho sivumelwano esibhaliwe maqondana naleyo misebenzi, kuyothathwa ngokuthi —
 - (a) kukhona isivumelwano ngokwesigatshana (7); futhi
 - (b) izinga lokusebenza ehlinzekwayo kulelo khasimende lisezingeni eloqokiwe lemisebenzi, kuze kube ikhasimende lingena esivumelwaneni ngokwesigatshana (2).
- (4) UMasipala noma ogunyazwe yiwo kumele ekufakeni isicelo sokuhlinzekwa ngemisebenzi kaMasipala wazise umfakisicelo ngamazanga akhona ngeleso sikhathi kanye nezintela kanye/noma nezimali ezihambisana nalelo zinga lemisebenzi.
- (5) UMasipala noma ogunyazwe yiwo unesibopho sokuhlinzeka izinga elithile lomsebenzi eliceliwe uma umsebenzi ngaleso sikhathi lihlinzekwa futhi uma uMasipala noma ogunyazwe yiwo enezinto noma enamandla okuhlinzeka lelo zinga lo msebenzi.
- (6) Ikhasimende noma yingasiphi isikhathi lingashintsha izinga lokusebenza elilqokile ngokwesivumelwano elingene kuso, inqobo nje uma lelo sezinga lomsebenzi eliceliwe likhona futhi noma yiziphi izindleko ezihambisana nalokho kushintsha izinga lokusebenza kukhokhwa yikhasimende.
- (7) Isicelo semisebenzi esilethwe yikhasimende futhi samukelwa nguMasipala noma ngogunyazwe yiwo siyoba yisivumelwano phakathi kukaMasipala noma kogunyazwe yiwo kanye nekhasimende, futhi leso sivumelwano siyoqala ukusebenza ngosuku olubekwe kuleso sivumelwano.
- (8) Ekugcwaliseni ifomu lesicelo sokuhlinzekwa ngemisebenzi kaMasipala, uMasipala noma ogunyazwe yiwo uyoqinisekisa ukuthi umbhalo kanye nengxoxo nomnikazi, ikhasimende nanoma yimuphi umuntu ofaka leso sicelo kuyaqondwa ngumnikazi, ikhasimende nanoma yimuphi omunye umuntu futhi umeluleke ngokuthi angakhetha ukubhalisa njengekhasimende elimpofu.
- (9) Esimweni sabantu abangafundile noma abanekinga efana naleyo, uMasipala noma ogunyazwe yiwo kumele uthathe izinyathelo ezifanele zokuqinisekisa ukuthi lowo muntu uyakwazi futhi uyakuqonda okuquketiwe efomini lokufaka isicelo futhi uyomisa ekugcwaliseni lelo fom.
- (10) Imisebenzi kaMasipala enikezwa ikhasimende yeyame kwizihlinzeko zale mithethodolobha, noma yimiphi imithethodolobha esebenzayo kanye nemibandela equkethwe kulesi sivumelwano.
- (11) Uma uMasipala noma ogunyazwe yiwo —
 - (a) wenqaba isicelo sokuhlinzeka imisebenzi kaMasipala noma imisebenzi ethile noma izinga lokusebenza;
 - (b) ungakwazi ukunikeza leyo misebenzi kaMasipala noma umsebenzi othile noma izinga lomsebenzi ngosuku oluceliwe lokuhlinzekwa ngalokho;
 - (c) ungakwazi ukunikeza umsebenzi kaMasipala noma umsebenzi othile noma izinga lomsebenzi.
 uMasipala noma ogunyazwe yiwo kumele, esikhathini esanele, wazise ikhasimende ngalokho kwenqaba kanye/noma ngokuphumeleli, izizathu zalokho kanye, uma kufanele, nokuthi uMasipala noma ogunyazwe yiwo ungakwazi nini ukuhlinzeka leyo misebenzi kaMasipala noma imisebenzi ethile noma izinga lokusebenza.

8. IZIVUMELWANO EZIKHETHEKILE ZEMISEBENZI KAMASIPALA

UMasipala noma ogunyaziwe ungangena esivumelwaneni esikhethekile sokuhlinzekwa kwemisebenzi kaMasipala nomfakisicelo —

- (a) endaweni ephakelwayo, uma imisebenzi efakelwe isicelo idinga ukwelekwa ngemibandela engekho efomini elinqunyiwe noma kule mithethodolobha;
- (b) othola imisebenzi exhasiwe; futhi
- (c) uma izakhiwo okumele zithole leyo misebenzi zakhiwe ngaphandle kwendawo ephakelwayo, inqobo nje uma uMasipala owengamele lezo zakhiwo ungenankinga ngaleso sivumelwano sekhethele. Isibopho sekhasimende ukuhlinzeka uMasipala owengamele ngaleso sivumelwano sekhethele.

9. UKUSHINTSHA KWENHLOSO IMISEBENZI KAMASIPALA ESETSHENZISELWA YONA

Lapho inhloso noma izinga noma yimuphi umsebenzi kaMasipala osetshenziswayo ushintshwa, kungumsebenzi wekhasimende ukwazisa uMasipala noma ogunyazwe yiwo ngalolo shintsho kanye nokungena esivumelwaneni esisha noMasipala noma ogunyazwe yiwo.

INGXENYE 2: IZIMALI EZIKHOKHWAYO**10. IZIMALI EZIKHOKHWAYO ZEMISEBENZI YOMASIPALA**

- (1) Zonke izimali ezikhokhwayo ezinokukhokhelwa imisebenzi yoMasipala, kubandakanya kodwa kungagcini nje ngokukhokhwa kwezimali zokuxhuma, izimali ezimile nanoma yiziphi izimali ezengeziwe noma inzuzo ziyobekwa uMkhandlu kaMasipala ngokuhambisana —
 - (a) nenqubo-mgomo yawo yezintela;
 - (b) nenqubo-mgomo yawo yokulawulwa kanye neyokuqoqwa kwezikweletu;
 - (c) nanoma yimiphi imithethodolobha ephathelene nalokho; kanye
 - (d) nanoma yimiphi imithethodolobha ngokomthetho kazwelonke nowesifundazwe.
- (2) Izimali ezisetshenziswayo zingahluka phakathi kwamaqozo amakhasimende, asebenzisa imisebenzi, izinhlobo namazinga emisebenzi, ubuningi bemisebenzi, izidingo zezingqalasizinda kanye nesimo sezindawo emhlabeni.
- (3) Imisebenzi iyomiswa ngenxa yokungakhokhi ngokwesivumelwano nemibandela njengoba kubekiwe emgomeni wokulawulwa kanye nokuqoqwa kwezikweletu.
- (4) Ukubhalelwa kwesikhathi sokukhokha ama-akhawunti emisebenzi kungenzelwa amakhasimende ngokwamandla kanye nemibandela ekhishwe nguMkhandlu kaMasipala evunyiwe emgomeni wokuLawulwa kanye nokuQoqwa kweziKweletu.
- (5) UMasipala ungahtanganisa noma yimaphi ama-akhawunti abantu okumele bakhokhele uMasipala futhi ungathatha zonke izimali ezikhokhwe yilabo bantu zanoma yimuphi umisebenzi kanye nendlela abathanda yenziwe ngayo njengoba kunqume uMkhandlu kaMasipala njalo emva kwesikhathi kwinqubo-mgomo yawo yokuLawulwa kanye nokuQoqwa kweziKweletu.

11. IZIMALI EZIKHONA ZEMISEBENZI KAMASIPALA

UMkhandlu kaMasipala, ngaphezu kwezintela ezinqunyelwe imisebenzi kaMasipala ehlinzekwayo, ungablawulisa imali emile ngenyanga, imali emile ngonyaka noma imali emile ekhokhwa kanye lapho kukhona imisebenzi kaMasipala, noma ngabe leyo misebenzi isetshenzisiwe noma ingasetshenziswanga.

12. IMISEBENZI EXHASIWE

- (1) UMkhandlu kaMasipala, ngezikhathi ngezikhathi, nangokuhambisana nenqubo-mgomo kazwelonke, kodwa kweyame ezimisweni zokusekela nokuba namandla, ngesaziso somphakathi, ungaqalisa uxhaso emisebenzini kaMasipala esezingeni eliphansi.
- (2) UMkhandlu kaMasipala, ekuqaliseni uxhaso, ungaghlukanisa izinhlobo zamakhasimende asekhaya, izinhlobo namazinga emisebenzi, ubuningi bemisebenzi, isimo somhlaba kanye nesimo senhlalo nesomnotho ezindaweni.
- (3) Isaziso somphakathi ngokwesigatshana (1) kumele siqukathe okungenani le mininingwane elandelayo oxhasweni oluthile —
 - (a) amakhasimende asekhaya ayozuza oxhasweni;
 - (b) uhlobo, izinga kanye nobuningi bemisebenzi kaMasipala ezoxhaswa;
 - (c) indawo lapho uxhaso luzosebenza kuyo;
 - (d) intela (ekhombisa izinga loxhaso);
 - (e) indlela yokuqalisa uxhaso; kanye
 - (f) nanoma yimiphi imibandela ekhethekile eyosetshenziswa oxhasweni.
- (4) Uma ukusetshenziswa kwemisebenzi kaMasipala yikhasimende lasekhaya —
 - (a) kungaphansi komsebenzi oxhasiwe, ingxenye engasetshenziswanga ingaqongelelwa yikhasimende kodwa angeke inikeze ikhasimende ilungelo lokuthola imali engukheshi noma isaphulelo maqondana nengxenye engasetshenziswanga; futhi
 - (b) kungaphezu komsebenzi oxhasiwe, ikhasimende liyophoqeleka ukukhokhela ukusetshenziswa okweqile ngentela efanele.
- (5) Uxhaso oluqaliswe ngokwesigatshana (1) noma yingasiphi isikhathi, lungahoxiswa noma lushintshwe ngokubona koMkhandlu kaMasipala.
- (6) Amakhasimende ezohwebo angengafameleki ukuthola imisebenzi exhasiwe.
- (7) Imisebenzi exhasiwe iyokhokhelwa engxenyeni yemali eqoqiwe etholakele kuzwelonke eyabelwe uMasipala futhi uma leyo mali ingenele imisebenzi ingakhokhelwa emalini eqoqiwe etholakala kwintela kanye nezimali eziphathelene nemisebenzi kaMasipala.

13. IGUNYA LOKUTHOLA IZINDLEKO NEZIMALI EZENGEZIWE

UMasipala noma ogunyazwe yiwo ungunya, naphezu kwezihlinzeko zanoma yiziphi ezinye izigaba eziqukethwe kule mithethodolobha, ungathola noma yiziphi izindleko ezengeziwe ezidaleke maqondana nokuqaliswa kwale mithethodolobha kwi-akhawunti yesakhasimende, kubandakanya kodwa kungagcini nje —

- (a) ngazo zonke izindleko zomthetho, kubandakanya nommeli kanye nezindleko zomelwe ezidaleke ngesikhathi kufunwa isamba esikweletwayo ziyothathwa kwi-akhawunti yekhasimende; kanye/noma
- (b) isilinganiso sezindleko ezidalekile eziphathelene nanoma yiziphi izinyathelo ezathathwa kufunwa imali ikhasimende noma kukhunjuzwa ikhasimende, ngocingo, ngefeksi, nge-imeyili, ngencwadi noma ngenye indlela.

INGXENYE 3: UKUKHOKHA**14. UKUKHOKHWA KWEDIPHOZI**

- (1) UMkhandlu kaMasipala, njalo emva kwesikhathi, ungancuma amadiphozi ahlukene ezigaba ezahlukene zamakhasimende, zabasebenzisa imisebenzi, abanezikweletu, imisebenzi kanye namazinga emisebenzi, inqobo nje uma idiphozi yaba ngaphezulu ngokuphindwe kabili nengxenye ngokwenani kunokusetshenziswe ngenyanga ezakhiwe ezifakelwa isicelo.
- (2) Ikhasimende kumele ekufakeni isicelo sokuhlizekwa ngemisebenzi kaMasipala nangaphambi kokuba uMasipala noma ogunyazwe yiwo uhlizeke leyo misebenzi, likhokhe idiphozi, uma uMkhandlu kaMasipala sewuyinqumile idiphozi.
- (3) UMasipala noma ogunyazwe yiwo njalo ngonyaka ungabuyekeza idiphozi ekhokhwa ngokwesigatshana (2) nangokuhambisana nalokho kubeyekcwazwa —
 - (a) ungadinga ukuba ikhasimende likhokhe isamba esithe xaxa lapho idiphozi ingaphansi kwaleyo esinqunywe nguMkhandlu kaMasipala ngaleso sikhathi.
- (4) Uma ikhasimende lisemuva ngokukhokha, uMasipala noma ogunyazwe yiwo ungadinga ukuthi ikhasimende —
 - (a) likhokhe idiphozi uma ikhasimende kwakungadingekanga ukuba likhokhe idiphozi, uma uMkhandlu kaMasipala sewunqume idiphozi; futhi

- (b) likhokhe idiphozi ethe xaxa lapho idiphozi eyayikhokhwe yikhasimende ingaphansi kwaleyo esinqunywe nguMkhandlu kaMasipala ngaleso sikhathi.
- (5) Kweyame kwisigatshana (7), idiphozi iyothathwa njengekhokha ingxenye ye-akhawunti.
- (6) Akukho nzalo eyokhokhwa nguMasipala noma ngogunyazwe yiwo kwidiphozi ebanjiwe.
- (7) Idiphozi, uma ikhona, iyobuyiselwa kwikhasimende ekupheleni kwesivumelwano. Idiphozi iyodliwa nguMasipala uma ingalandwanga yikhasimende esikhathini esiyizinyanga ezi-12 kuphele isivumelwano.

15. IZINDLELA ZOKUNQUMA IZAMBA OKUMELE ZIKHOKHWE

- (1) UMasipala noma ogunyazwe yiwo kumele maqondana nemisebenzi kaMasipala engakalwa, uzame, ngezimali nangabantu abakhona, baxhume amamitha futhi bafunde wonke amamitha amakhasimende, njalo, kweyame kwisigatshana (2).
- (2) Uma umsebenzi ungakaliwe, uMasipala noma ogunyazwe yiwo, naphezu kwesigatshana (1), unganquma isamba okumele sikhokhwe yikhasimende, ngemisebenzi kaMasipala aphakelwa yona, ngokubala —
 - (a) ukusetshenziswa ngokuhlanganyela; noma uma kungenzeki; kanye
 - (b) nokusetshenziswa okukanekeziwe.
- (3) Uma umsebenzi ukaliwe, kodwa ungafundeki ngenxa yezinkinga zezimali noma yabantu noma izimo zingenakulawulwa nguMasipala noma ngogunyazwe yiwo, futhi ikhasimende likhokhiselwa ukusetshenziswa okulingene i-akhawunti ihambisana nokufundwe kwimitha kumele ikhombise umchuluko phakathi kokusetshenzisiwe okulingene, kanye nesikweletu esidalekile noma ukuhlolwa kwesikweletu.
- (4) Lapho kuhlinzekwa khona ukuphakwa kwamanzi ngomphambo wompompi emphakathini, imali ekweletwa ngamakhasimende abasebenzisa lawo manzi aphakwa ngomphambo wompompi emphakathini, kumele incike ekusetshenzisweni ngokuhlanganyela noma okunqunywe kwamanzi aphakelwa umphakathi ngomphambo wompompi.
- (5) Lapho ngokubona kukaMasipala noma kogunyazwe yiwo kungenakwenzeka noma kungukuchitha imali ukufakela bonke amakhasimende amamitha noma ukufunda wonke amamitha endaweni enqunywe, uMkhandlu kaMasipala, ngezinkomo zikaMasipala noma zogunyazwe yiwo, unganquma intela emile okumele ikhokhwe yiwo wonke amakhasimende kuleyo ndawo, noma ngabe kusetshenziswe okungakanani.
- (6) UMasipala noma ogunyazwe yiwo kumele wazise amakhasimende ngendlela yokunquma izamba ezikweletwayo maqondana nemisebenzi kaMasipala ehlizwayo eziyosebenza maqondana nokusetshenziswa kwayo noma nezindawo ezophakelwayo.

16. UKUKHOKHELWA KWEMISEBENZI KAMASIPALA EHLINZEKWAYO

- (1) Ikhasimende liyoba nesibopho sokukhokhela imisebenzi eliyisebenzisile kusukela ngosuku lwesivumelwano kuze kube i-akhawunti seyikhokhwe ngokugcwele futhi uMasipala noma ogunyazwe yiwo kumele ufune zonke izimali okumele zikhokhelwe uMasipala.
- (2) Uma ikhasimende elisebenzisa imisebenzi kaMasipala ngenye indlela ngale kwale mithethodolobha uMasipala noma ogunyazwe yiwo ayihlinzekela kona ngokwesivumelwano noma ngenxa yalokho, likhokhiswa kancane kunalokho okumele likhokhwe uMasipala noma ogunyazwe yiwo ungalinganisa isamba elisikhokhiswayo futhi ufune imali esele kulelo khasimende.
- (3) Uma izichibiyelo ziqala ukusebenza ngosuku lokukala ngezinhloso zokuchasisa i-akhawunti maqondana nezimali ezifunekayo kanye nosuku lokukhokha —
 - (a) kuyothathwa ngokuthi isamba esifanayo semisebenzi kaMasipala sahlinzekwa ngesikhathi esingamahora angama-24 ngasinye ngesikhathi esiphakathi kokukala; futhi
 - (b) noma iyiphi imali emile iyobalwa ngokulinganisa ngokuhambisana nemali eyasetshenziswa ngaphambi kwalokho kuchibiyela kanye naleyo mali echitshiyelwe.

17. UKUKHOKHWA NGOKUGCWELE NOKUQEDA KOKUKHOKHWA KWE-AKHAWUNTI

- (1) Lapho i-akhawunti ingakhokhiwe ngokugcwele, noma yisiphi isamba esincane esilethwayo noma esamukelwayo angeke sithathwe njen-
gokuqedwa kokukhokhela kwaleyo akhawunti.
- (2) Isigatshana (1) siyosebenza naphezu kokuba kwakukhokhwe kancane ngokugcwele noma kuqedwa isikweletu, ngaphandle uma uMphathi kaMasipala noma umphathi wogunyazwe nguMasipala amukele lokho ngokubhaliwe.

18. UMTHWALO WEZIMALI OKUMELE ZIKHOKHWE

Naphezu kwezihlinzeko zanoma yiziphi ezinye izigaba zale mithethodolobha, umnikazi wezakhiwo uyoba nomthwalo wokukhokha noma yiziphi izimali ezikweletwa uMasipala noma ogunyazwe yiwo maqondana neminyaka emibili elandelayo, lapho umnikazi engelona ikhasimende futhi emva kokuba uMasipala noma ogunyazwe yiwo esethathe izinyathelo ezifanele zokuthola noma yiziphi izimali okumele zikhokhwe yikhasimende kuMasipala, chulekile ukuzithola.

19. IZIKWELETU EZINQATSHELWE

Lapho ukukhokha kuMasipala noma kogunyazwe yiwo ngesivumelwano okuxoxiswane ngaso okuthi kamuva kwenqathswa yibhange, uMasipala noma ogunyazwe yiwo —

- (a) ungabuyisa izindleko zebhange ezijwayelekile ezidaleke mayelana nezivumelwano okuxoxiswane ngazo ezinqatshelwe, kwi-akhawunti yekhasimende; futhi
- (b) uyothatha lesi sehlakalo njengokwenqaba ukukhokha.

20. IZINHLELO ZOKUKHUTHAZA

UMkhandlu kaMasipala ungaqalisa izinhlelo zokukhuthaza ukugqagqazela ukukhokha ngesikhathi esifanele kanye nokuklomelisa amakhasimende akhokha njalo nangesikhathi esifanele.

21. IZINDAWO OKUKHOKHWA KUZO KANYE NABAGUNYAZWE NGOKOMTHETHO

- (1) Ikhasimende lingakhokha i-akhawunti yalo ezindaweni okukhokhwa kuzo, ezinqunywe nguMasipala noma ngogunyazwe yiwo ngezikhathi ngezikhathi, noma kwabagunyazwe ngokomthetho nguMasipala noma ngogunyazwe yiwo.
- (2) UMasipala noma ogunyazwe yiwo kumele wazise ikhasimende ngendawo okukhokhwa kuyo kanye nabagunyazwe ngokomthetho okukhokhwa kubo ama-akhawunti.

INGXENYE 4: AMA-AKHAWUNTI

22. AMA-AKHAWUNTI

- (1) Ama-akhawunti ayothunyelwa kanye ngenyanga kwikhasimende ekheleni elibhaliswe kuMasipala noma kogunyazwe yiwo. Ikhasimende lin-

gathola i-akhawunti engaphezu kweyodwa yemisebenzi ehlukene yaMasipala uma ibalwe ngokwehlukana.

- (2) Ukungatholi noma ukunganukeli i-akhawunti akalikhululi ikhasimende esibophweni sokukhokha noma iyiphi imali okumele iyikhokhe.
- (3) UMasipala noma ogunyazwe yiwo kumele, uma kunokwenzeka ekuphatheni, ungakhiphela ikhasimende ikhophi ye-akhawunti uma liyicela ngesikhathi lizokhokha imali yezintela zoMkhandlu.
- (4) Ama-akhawunti kumele akhokhwe lungashayi usuku lokugcina lokukhokha olubalulwe kuleyo akhawunti.
- (5) Ama-akhawunti —
 - (a) ayokhombisa okungenani —
 - (i) imisebenzi ehlinzekiwe;
 - (ii) ukusetsheziswa kwemisebenzi ecalwayo noma okusetshenzise ngokuhlanganyela noma okulinganisiwe;
 - (iii) isikhathi esibekwe kwi-akhawunti;
 - (iv) izintela ezifanele;
 - (v) noma yiluphi uxhaso;
 - (vi) imali okumele ikhokhwe;
 - (vii) isilinganiso, uma sikhona, kokusetshenzisiwe okukaliwe okwakulinganisiwe phambilini;
 - (viii) intela yentengo eyengeziwe;
 - (ix) izimali ezisilele, uma zikhona;
 - (x) inzuzo okumele sikhokhwe ezimalini ezisilele; uma zikhona
 - (xi) usuku lokugcina lokukhokha;
 - (xii) izindlela, indawo kanye nabagunyazwe ngokomthetho okungakhokhwa kubo; futhi
 - (b) kubalukwe ukuthi —
 - (i) ikhasimende lingenza isivumelwano noMasipala noma nogunyazwe yiwo zokukhokha izimali ezisilele kancane kancane, emahhovisi kaMasipala noma ogunyazwe yiwo ngaphambi kosuku lokugcina lokukhokha, uma ikhasimende lingakwazi ukukhokha imali egewele okumele liyikhokhe;
 - (ii) uma kungangenwanga esivumelwaneni esinjalo uMasipala noma ogunyazwe yiwo unganciphisa imisebenzi emva kokuthumela isaziso sokugcina kwikhasimende;
 - (iii) izinyathelo zomthetho zingathathelwa noma yiliphi ikhasimende ukuthola noma iyiphi imali esilele ngezinsuku ezingama-45;
 - (iv) i-akhawunti ingadluliselwa koqoqa izikweletu ukuze ikhokhwe; futhi
 - (v) ubufakazi bokubhalisa njengomthengi ompofu, ngokomgomo wabampofu kaMasipala noma wogunyazwe yiwo, kumele buhanjise emahhovisi kaMasipala noma ogunyazwe yiwo ngaphambi kosuku lokugcina lokukhokha.

23. ISIKWELETU ESIHLANGANISIWE

- (1) Uma i-akhawunti ikhishelwe umsebenzi ongaphezu kowodwa ohlinzekwa nguMasipala, imali okumele ikhokhwe yikhasimende yenza isikweletu esihlanganisiwe, futhi noma iyiphi imali ekhokhwe yikhasimende engaphansi kwesamba okumele sikhokhwe, iyokwabiwa ngokubona kukaMasipala phakathi kwezikweletu zemisebenzi.
- (2) Uma i-akhawunti ikhishelwe umsebenzi owodwa kamasipala ohlinzekiwe, noma iyiphi imali ekhokhwa yikhasimende engaphansi kwesamba okumele sikhokhwe, iyokwabiwa ngokubona kukaMasipala.
- (3) Ikhasimende lingeqoke ukuthi i-akhawunti izikhokhwa iqedwe kanjani uma ingezikhokha iqedwe noma uma kunemali esilele.

INGXENYE: 5

IMIBUZO, IZIKHALO KANYE NOKUZIHALELA

24. IMIBUZO NOMA IZIKHALO MAQONDANA NE-AKHAWUNTI

- (1) Ikhasimende lingabuzwa noma abeke isikhalo maqondana nokubalwa kahle kwemali okumele ayikhokhe maqondana nemisebenzi ethile kaMasipala ekhonjiswe kwi-akhawunti ayinikeziwe.
- (2) Noma yimuphi umbuzo noma isikhalo kumele sibekwe kuMasipala noma kogunyazwe yiwo ngaphambi kosuku lokugcina lokukhokha i-akhawunti.
- (3) Noma yimuphi umbuzo noma isikhalo kumele sihambisane nemali elinganisiwe yezinyanga ezintathu lapho umlando we-akhawunti ukhona noma wemali elinganisiwe ehlinzekwe nguMasipala ngaphambi kosuku lokukhokha kuze kube udaba luyaxazululwa.
- (4) UMasipala noma ogunyazwe yiwo uyobhalisa umbuzo noma isikhalo futhi uhlinzeke ikhasimende ngenombelo eyinkomba.
- (5) UMasipala noma ogunyazwe yiwo —
 - (a) uyophenya noma udale ukuthi imibuzo noma isikhalo siphenywe; futhi
 - (b) kumele wazise ikhasimende, ngokubhaliwe, ngokutholile esikhathi esingangenyanga emva kokubhaliswa kombuzo noma kwesikhalo.
- (6) Ukwehluleka ukukhokha lezo zimali okuvunyelwene ngazo okwesikhashana kuyofaka ikhasimende enkingeni yokungahlinzekwa ngemisebenzi.

25. UKUZIHALELA NGOKUTHOLWE NGUMASIPALA NOMA NGOGUNYAZWE YIWO MAQONDANA NEMIBUZO NOMA NEZIKHALO

- (1) Ikhasimende lingakhalaza ngokubhaliwe ngokutholwe nguMasipala noma nogunyazwe yiwo ngokwesigaba 24 ngokubhaliwe.
- (2) Ukukhalaza kanye nesicelo ngokwesigatshana (1) kumele kwenziwe ngokubhaliwe futhi kwethulwe kuMasipala czinsukwini ezingama-21 emva kokuba ikhasimende lazile ngokutholakele okukhulunywe ngakho esigabeni 19 futhi kumele —
 - (a) libeke izizathu zokukhalaza; futhi
 - (b) liphelezwe yinoma yimuphi unogada onqume ukuyohlola isikali, uma kukhona.

INGXENYE 6: IZIMALI EZISILELE

26. INZALO

- (1) Inzalo siyohlawuliswa ezimalini ezisilele ngesilinganiso senzalo esisebenzayo ngaleso sikhathi noma ngesilinganiso esinqunye nguMkhandlu kaMasipala ngezikhathi ngezikhathi.

- (2) Izindleko ezihambisana nokuncishiswa noma nokumiswa kwemisebenzi kaMasipala kuyoba yizindleko zekhasimende futhi ziyobandakanywa kwi-akhawunti elandelwa ukuxhunywa kabusha.

27. AMA-AKHAWUNTI ASILELE NGEZINSUKU EZINGAMA-45

- (1) Lapho i-akhawunti ekhishelwe ikhasimende ingakhokhwa kuze kuphele izinsuku ezingama-45 (amashumi amane nanhlano) uMasipala noma ogunyazwe yiwo —
- ungathathela izinyathelo ikhasimende ukuze kutholakale izimali ezisilele; futhi
 - ungadlulisela i-akhawunti yekhasimende koqoqa izikweletu noma kummeli ukuze ikhokhwe.
- (2) Ikhasimende liyoba nomthwalo wokukhokha izimali zokubhaliswa, izindleko ezidaleke ngokuthatha izinyathelo zokuthola izimali ezisilele kanye nanoma yiziphi izinhlawulo, kubandakanya nokukhokhwa kwediphozi ethe xaxa, njengoba kunganqunywa nguMkhandlu kaMasipala ngezikhathi ngezikhathi.

INGXENYE 7: Isivumelwano sokukhokha izimali ezisilele

28. IZIVUMELWANO

- (1) Izivumelwano ezilandelayo zokukhokhwa kwezimali ezisilele kancane kancane zingafakwa —
- ohlwini lokuvunywa kwesikweletu;
 - ohlwini lwenvume yokwahlulela;
 - ohlwini lokubanjwa kwenzuzo.
- (2) Ikhasimende liyovuma ukuthi inzuzo ikhokhiswe ngesilinganiso esinqunyiwe.
- (3) Amakhasimende anezikweletu ezisilele zikagesi kumele bavume ukuthi uguqulwe ube ngowekhadi futhi uma sekwenzeka, izindleko zalokho, kanye nemali esilele, kuyokhokhwa —
- ngokwengeza imali esilele kwi-akhawunti nangokuyikhokha ngesikhathi okuvunyelwe ngaso; noma
 - ngokuyengeza njengenhlawulo ezindlekweni zikagesi wekhadi, nangokuyikhokha njalo uma kuthengwa ikhadi likagesi kuze kube isikweletu siyaphela.
- (4) UMasipala noma ogunyazwe yiwo kumele ucele ikhasimende ukuba likhokhe okungenani isikweletu sawo esikhona ngalesi sikhathi ekungeneni esivumelwaneni sokukhokha imali esilele kancane kancane.
- (5) UMasipala uzibambela igunya lokukhuphula idiphozi eyisibambiso edingwa ngabaqoqa izikweletu abafuna ukuhlela.

29. IKHOPHI YESIVUMELWANO EYA KWIKHASIMENDE

Ikhophi yesivumelwano iyonikezwa ikhasimende.

30. UKWEHLULEKA UKUGCINA IZIVUMELWANO

- (1) Uma ikhasimende lehluleka ukugcina isivumelwano sokukhokha imali esilele ngemuva kancane kancane, isamba sazo zonke izimali ezisele, kubandakanya imali esilele, nanoma yisiphi inzuzo sayo, izimali zokubhalisa, izindleko ezidaleke ngokuthatha izinyathelo ezifanele kanye nezinhlawulo, kubandakanya nokukhokha inhlawulo ethe xaxa, kuyokhokhwa ngokushesha, ngaphandle kwesinye isaziso noma okunye ukubalelwa futhi uMasipala noma ogunyazwe yiwo —
- ungamisa imisebenzi kagesi chlinzekwa yikhasimende;
 - lapho kungekho misebenzi kagesi ehlinzekwa nguMasipala noma ngogunyazwe yiwo, ungamisa imisebenzi yokuphakwa kwamanzi chlinzekwa ikhasimende;
 - ungathathela ikhasimende izinyathetho zomthetho ukuze kutholakale imali esilele; futhi
 - ungadlulisela i-akhawunti yekhasimende koqoqa izikweletu noma ummeli ukuze zikhokhwe.

31. UKUXHUNYWA KABUSHA KWEMISEBENZI

- (1) Isivumelwano sokukhokha imali esilele kancane kancane, okungenwe kuso emva kokuba imisebenzi kagesi imisiwe kanye/noma yamanzi incishisiwe, angeke kwenze ukuthi imisebenzi iqhubeke kuze kube —
- imali esilele, nanoma yisiphi inzuzo sayo, izimali zokubhalisa, izindleko ezidaleke kuthathwa izinyathelo kanye nanoma yiziphi izinhlawulo, kubandakanya ukukhokha idiphozi ethe xaxa, sekukhokhwe ngokugcwele.
- (2) Ngaphezu kwanoma yikuphi ukukhokha okukhulunywe ngakho esigatshaneni (1) ikhasimende liyokhokha imali ejwayelekile yokuxhuma kabusha njengoba inqunywe nguMkhandlu kaMasipala ngezikhathi ngezikhathi, ngaphambi kokuxhunywa kabusha kwemisebenzi kaMasipala nguMasipala noma ogunyazwe yiwo.

ISAHLUKO 4

IZINTELA ZOKUTHELA

32. IZINTELA OKUMELE ZIKHOKHWE

- (1) Izihlinzeko zeSahluko 3 ziyosebenza maqondana nokuthola inkokhelo kwezimali zokuthela.
- (2) Zonke izimali zokuthela okumele zikhokhwe ngabanikazi zingakhokhwa ngosuku olunqunyiwe njengoba kunqume uMasipala emgomeni wawo wolulawulwa kanye nokuqoqa kwezikweletu.
- (3) Abanikazi abahlanganyele bendawo koyomele bakhokhe ngokuhlanganyela nagokwehlukana izimali zokuthela.
- (4) Izimali zokuthela ziyohlawuliswa kancane kancane ngokulinganayo njalo ngenyanga. Uma zihlawulise kancane kancane ngokulinganayo njalo ngenyanga imali okumele ikhokhwe iyofakwa kwi-akhawunti kaMasipala.
- (5) Umnikazi wendawo kuhlala kunguye okumele akhokhe izimali zokuthela ezifakwa kuma-akhawunti kaMasipala, naphezu kokuba —
- engahlali kuleyo ndawo; kanye/noma
 - i-akhawunti kaMasipala ibhaliswe egameni lomunye umuntu ongcyena umnikazi wendawo.

ISIAHLUKO 5

UKUHLINZEKWA KWEMISEBENZI KAMASIPALA KUMAKHASIMENDE AMPOFU

33. UKUFANELEKA UKUBHALISA NJENGEKHASIMENDE ELIMPOFU

Wonke amakhaya lapho imali ehlanganiwe etholwa yiwo wonke amalungu ekhaya aneminyaka engaphezu kweyi-19 ingaphansi kwemali enqunywe nguMkhandlu kaMasipala, ayafaneleka ukubhaliswa njengamakhasisimende ampofo.

34. UKUFAKA ISICELO SOKUBHALISA

- (1) Ikhaya elifanelekayo njengamakhasisimende ampofo kumele ligcwalise ifomu lokufaka isicelo elibhalwe ukuthi: *"Isicelo sokubhalisa njengomthengi ompofo"* elifakwe njengeSithasiselo B kule mithethodolobha.
- (2) Noma yisiphi isicelo ngokwesigatshana (1) kumele sibe –
 - (a) nombhalo ongubufakazi bemali etholakalayo, njengencwadi ephuma kumqashi wekhasimende, incwadi yokuhola, ikhadi lempesheni, ikhadi lesikhwama sabangaqashiwe; noma
 - (b) incwadi efungelwe ekhombisa ukungaqashwa noma incwadi yokuhola; kanye
 - (c) nencwadi ye-akhawunti yakwaMasipala yekhasimende; kanye
 - (d) nekhophi kamazisi (ID) eqinisekisiwe yekhasimende; kanye
 - (e) namagama kanye nezinombolelo zomazisi babo bonke abahlali abaneminyaka engaphezu kweyi-18 abahlala kuleyo ndawo.
- (3) Ikhasimende elifaka isicelo sokubhalisa njengekhasimende elimpofo kuyodingeka ukuba liqinisekise ukuthi yonke imininingwane ehlinzekwe kwifomu lokufaka isicelo kanye neminye imibhalo kanye nemininingwane ehlinzekwe maqondana nesicelo iyiqiniso futhi ilungile.
- (4) UMasipala noma ogunyazwe yiwo uyosayina okwesibili ifomu lesicelo futhi uqinisekise ukuthi imiphumela nemibandela yaleso sicelo somthengi kwakuchazelwe ikhasimende kanye nokuthi ikhasimende lakhombisa ukuthi okuqukethwe kwisivumelwano kwezwakala.

35. UKWAMUKELWA KWESICELO

- (1) UMasipala noma ogunyazwe yiwo ungathumela abantu abagunyaziwe ezakhiweni noma emakhaya afake izicelo zokubhaliswa njengamakhasisimende ampofo ukwenza ucwaningo lwemininingwane ehlinzekiwe kulezo zindawo ngaphambi kokwamukela isicelo.
- (2) Isicelo siyokwamukelwa isikhathi esiyizinyanga eziyi-12. Uxhaso luyohoxiswa uma umfakisicelo ehluleka ukwethula ubufakazi bemali ayitholayo noma efaka kabusha isicelo sokoxhaswa.

36. IMIBANDELA

UMasipala noma ogunyazwe yiwo ekwamukelweni kwesicelo nanoma yingasiphi isikhathi emva kwalokho –

- (a) angafakela ikhasimende elimpofo imitha kagesi wekhadi lapho ugesi ohlinzekwa nguMasipala noma ngogunyazwe yiwo uma sewuqalisiwe; futhi
- (b) ungehlisa imisebenzi yokuphakelwa amanzi yekhasimende elimpofo iphakwe ngokusezingeni elingengaphansi kwamakhilolitha ayisithupha (6) ngenyanga.

37. UKUFAKA ISICELO NJALO EZINYANGENI EZIYISHUMI NAMBILI

- (1) Ikhasimende elimpofo kumele lifake isicelo kabusha sokuxhaswa kwabampofo njalo ezinyangeni eziyithupha, uma lehluleke ukwenze njalo usizo luyovele lunqamuke.
- (2) Izihlinzeko zesigaba 38 kanye no 39 ziyosetshenziswa kunoma yisiphi isicelo ngokwesigatshana (1).
- (3) UMasipala noma ogunyazwe yiwo angeke uqinisekise ukuvuselelwa kokuxhaswa kwabampofo.

38. IMISEBENZI EXHASIWE YABASEBENZI ABAMPOFU

- (1) UMkhandlu kaMasipala minyaka yonke, njengexenye yohlelo lokwaba izimali, unganquma imisebenzi kaMasipala maqondana namakhasisimende ampofo ngokuhambisana nomgomo kazwelonke, kodwa kweyame emigomeni yokuba namandla.
- (2) UMkhandlu kaMasipala ekunqunyweni kwemisebenzi kaMasipala eyoxhaswa yamakhasisimende ampofo uyocabangela ukuxhaswa okungenani kwemisebenzi elandelayo:
 - (a) imisebenzi yokuphakwa kwamanzi angamakhilolitha ayisithupha ikhaya ngalinye njalo ngenyanga;
 - (b) imisebenzi yokuthuthwa kwendle njalo kusihlwa noma yokuphucula izindlu zangasese zomgodi ikhaya ngalinye njalo ngenyanga noma yingayiphi indlela ebiza kahle kuMasipala noma kogunyazwe yiwo; kanye
 - (c) nemisebenzi yokuthutha udoti kanye ngesinto ikhaya ngalinye;
 - (d) zonke izintela ezihlawuliselwa izindawo ezibiza ngaphansi kwama-R20 000 ngokwezilinganiselo zikaMasipala, kunoma iyiphi indawo noma esigabeni sezindawo, lapho noma iyiphi indawo noma isigaba sezindawo, uma kungenzeke ukulinganisa noma ukukala leyo ndawo, indlela okuyonqunywa ngayo izintela zayo, iyoba njengoba kunqume uMkhandlu kaMasipala.
- (3) UMasipala kumele, uma kunqunywa ngokwesigatshana (1) ukhiphe isaziso somphakathi ngalokho kunquma.
- (4) Isaziso somphakathi ngokwesigatshana (3) kumele siqukathe okungenani okulandelayo –
 - (a) izinga noma isibalo semisebenzi kaMasipala exoxhaswa;
 - (a) izinga lokuxhaso;
 - (b) indlela yokubala uxhaso;
 - (c) noma yimiphi imibandela eyosetshenziswa oxhasweni, engahlinzekiwe kule mithethodolobha.
- (5) Noma yimiphi eminye imisebenzi kaMasipala ehlinzekwa nguMasipala noma imisebenzi kaMasipala esetshenzisiwe ngokweqile okunqunywe esigatshaneni (1) iyokhokhelwa futhi ikhasimende elimpofo kuyomele likhokhe lezo zimali ezihlawuliselwa ukusebenzisa imisebenzi ngokweqile.
- (6) Izihlinzeko zeSahluko 3 ziyosebenza ngokugquguquka ezimalini okumele zikhokhe ngokwesigatshana (5).

39. UKUKHOKHELWA KWEMISEBENZI EXHASIWE

- (1) Imisebenzi exhasiwe okukhulunywe ngayo esigabeni 38 iyokhokhelwa engxenyeni yemali eqoqwe kuzwelonke eyabelwe uMasipala futhi uma leyo mali ingeneli imisebenzi ingakhokhelwa emalini eqoqwe ngezintela nangezimali maqondana nemisebenzi kaMasipala.
- (2) Imali yoxhaso okumele ikhokhe ngemali eqoqwe kuzwelonke eyabelwe uMasipala iyobalwa ngokwehlukana imali eyabiwe ngesibalo samakhasisimende abafaneleka ukubhalisa njengamakhasisimende abampofo.

40. IZIMALI EZISILELE EZIQONGELELWE ZAMAKHASIMENDE AMPOFU

Izimali ezisilele eziqongelelwe maqondana nama-akhawunti kaMasipala zamakhasimende ngaphambi kokubhalisa njengamakhasimende ampofo —

- ziyokwesulwa;
- ziyofakwa njengenhlawulo emakhuphonini kagesi wekhadi; noma
- kuyozanywa ukuba zitholakale ngezinqubo zomthetho noma ngezinye izindlela.

41. UCWANINGO

UMasipala ungenza ucwaningo ngokuvama olwenziwa nguMasipala noma ngogunyazwe yiwo —

- ukuqinisekisa imininingwane ehlinzekwe ngamakhasimende ampofo;
- ukuqopha noma yiluphi ushintsho ezimeni zamakhasimende ampofo;
- ukwenza izincomo ngokwesulwa kwamakhasimende ampofo.

42. UKWESULWA

- Noma yiliphi ikhasimende elihlinzeka noma elahlinzeka imininingwane engamanga kwifomu lokufaka isicelo kanye nanoma yimuphi omunye umbhalo noma imininingwane maqondana nesicelo, ngaphandle kwesaziso, uyovele asulwe njengomthengi ompofo kusukela ngosuku uMasipala noma ogunyazwe yiwo owaze ngalo ukuthi leyo mininingwane ingamanga.
- Ikhasimende elimpofo kumele ngokushesha acele ukusulwa nguMasipala noma ngogunyazwe yiwo uma isimo sakhe sesishintshe kangangoba akasafaneleki ukuba yikhasimende elimpofo njengoba kubekiwe esigabeni 33.
- Ikhasimende elimpofo liyovele lesulwe uma isicelo ngokuhambisana nesigaba 34 singenziwanga noma uma lesi sicelo singemukelwanga.
- Ikhasimende elimpofo liyovele lesulwe uma ucwaningo noma ukuqinisekisa kukhombisa ukuthi isimo sezimali somthengi ompofo sesishintshile kangangoba kasafaneleki ukuba yikhasimende elimpofo njengoba kubekiwe esigabeni 33.
- Ikhasimende elimpofo noma yingasiphi isikhathi lingacela ukwesulwa.

ISIAHLUKO 6**AMABHIZINISI ANAMATHENDA KAMASIPALA****43. INQUBO-MGOMO YOKUTHENGWA KWEZIMPAHLA ZIKAHULUMENI KANYE NEMIBANDELA YAMATHENDA**

Umgomo wokuthengwa kwezimpahla zikahulumeni kanye nemibandela yamathenda kungahlinzekela okulandelayo:

- Uma kukhishwa isimemo samathenda sokuhlinzeka imisebenzi noma okuhanjiswa kwezimpahla, izinkontilaka ezinokugashwa zingaletha amathenda kweyame kwimibandela yokuthi ukuthathwa kwesinqumo ngalokho kuyodinga ukuthi othole ithenda athole kuMasipala isitifiketi esikhombisa ukuthi wonke ama-akhawunti awakweletayo noma akweletwa ngabaqondisi bakhe, abanikazi noma abalingani asekhokhiwe noma sekwenziwe amalungiselelo (okubandakanya ilungelo lokususa lesi senzo sokungahambisani) okukhokha kwanoma yiziphi izimali ezisilele.
- I-akhawunti kaMasipala ekhombisa noma yiziphi izimali zemisebenzi kaMasipala, intela noma ezinye izimali, izinhlawulo, okumele zikhokhe ngokwesivumelwano noma ngesilinganiselo esivumelekile. eyasilela emva kosuku lokugcina ukukhokha ngokwejoywayelekile evela kwi-akhawunti ehlanganisiwe noma esidlulelwe yisikhathi ngokwesivumelwano nanoma yiluphi olunye usuku lokugcina ukukhokha oselwedlule.
- Imibandela yamathenda ibe nombandela ovumela uMasipala ukuthi uthathe izimali ezikweletwa nguMasipala esivumelwaneni sokukhokha ngendlela eyamukelekayo nokweletayo.

ISIAHLUKO 7**IMISEBENZI ENGAGUNYAZIWE****44. IMISEBENZI ENGAGUNYAZIWE**

- Akukho muntu ongasebenzisa imisebenzi kaMasipala ngaphandle uma kungenwe esivumelwaneni noMasipala noma nogunyazwe yiwo ukuhlinzeka leyo misebenzi.
- UMasipala noma ogunyazwe yiwo, ngaphandle kokubheka noma yisiphi esinye isinyathelo ongasithathela lowo muntu ngokwale mithethodolobha ngesaziso esibhaliwe unganxusa umuntu osebenzisa imisebenzi engagunyazwe ukuba —
 - afake isicelo saleyo misebenzi ngokweSahluko 3 seNgxenywe 1;
 - enze lowo msebenzi njengoba kungadingeka ukuqinisekisa ukuthi ukufakelwa kwekhasimende okutholakala ngakho igunya lokusebenzisa imisebenzi kuhambisana nezihlinzeko zale mithethodolobha nanoma yimiphi eminye efanele.

45. UKUPHAZANYISWA KWENGQALASIZINDA NGENHLOSO YOKUHLINZKA IMISEBENZI KAMASIPALA

- Akukho muntu ngaphandle kukaMasipala noma kogunyazwe yiwo oyophatha, asebenzise noma agcine ingqalasizinda okuhlinzekwa ngayo imisebenzi kaMasipala.
- Akukho muntu ngaphandle kukaMasipala noma kogunyazwe yiwo ongathinta okuxhunywe kwingqalasizinda okuhlinzekwa ngayo imisebenzi kaMasipala.

46. UKUTHIKAMEZA UKUFINELELA KWINGQALASIZINDA NGENHLOSO YOKUHLINZKA IMISEBENZI KAMASIPALA

- Akukho muntu oyovimbela noma oyothikameza ukufinelela kwingqalasizinda okuhlinzekwa ngayo imisebenzi kaMasipala.
- Uma umuntu ephula isigatshana (1), uMasipala noma ogunyazwe yiwo —
 - ngesaziso esibhaliwe, ungadinga ukuthi lowo muntu angenza ukuba kufineleleke ngezindleko zakhe ngesikhathi esibekiwe; noma
 - uma ngokubona isimo sokuthi siyaphuthuma, ngaphandle kokuqala ngokwazisa lowo muntu ungalungisa bese ufuna izindleko kulowo muntu.

47. UKUXHUMA KABUSHA OKUNGEKHO SEMTHETHWENI

- Umuntu ozixhumela kabusha imisebenzi ngokungekho semthethweni nangenhlalo noma ngobudedengu noma ophazamisa ngokungekho semthethweni nangenhlalo noma ngobudedengu negqalasizinda okuhlinzekwa ngayo imisebenzi kaMasipala, emva kokuba ukuhlinzekwa ngemisebenzi kaMasipala kwalelo khasimende sekunqanyuliwe noma sekumisiwe, iyomiswa ngokushesha.
- Umuntu oxhuma kabusha imisebenzi kaMasipala ezimweni okukhulunywe ngazo kwisigatshana (1) kuyomele akhokhe izindleko maqondana

nanoma yikuphi ukusetshenziswa, naphezu kwanoma yiziphi izinyathelo angathathelwa zona.

48. UKUNQANYULWA NGOKUSHESHA

Ukuhlinzeka kwemisebenzi kaMasipala kunganqanyulwa ngokushesha uma noma yimuphi umuntu —

- (a) ephazanisela ngokungekho semthethweni nangenhlalo noma ngobudedengu ingqalasizinda uMasipala noma ogunyazwe yiwo ohlinzeka ngayo imisebenzi kaMasipala;
- (b) ehluleka ukuhlinzeka imininingwane noma ehlinzeka imininingwane engamanga ecelwe kahle nguMasipala noma ogunyazwe yiwo.

ISAHLUKO 8

AMACALA

48. AMACALA

(1) Noma yimuphi umuntu —

- (a) owehluleka ukunikeza intuba edingwa nguMasipala noma ogunyazwe yiwo ngokwale mithethodolobha;
- (b) osiza umuntu ekuhlinzekeni imininingwane engamanga noma imininingwane engubugebengu noma osiza ekugodleni ulwazi ngenhlalo;
- (c) osebenzisa, othikameza noma ophazamisa impahla kaMasipala, impahla yokuphakwa kwemisebenzi noma ukusetshenziswa kwemisebenzi okuhlinzekwayo;
- (d) owehluleka noma owengqaba ukunikeza uMasipala noma ogunyazwe yiwo leyo mininingwane njengoba kungadingeka ngenhlalo yokusebenzisa amandla noma imisebenzi ngaphansi kwale mithethodolobha noma onikeza lowo Masipala noma ogunyazwe yiwo imininingwane engamanga noma edukisayo, ebe azi ukuthi ingamanga noma iyedukisa;
- (e) owephula noma owehluleka ukuhambisana nezihlinzeko zale mithetho nqubo;
- (f) owehluleka ukuhambisana nemibandela yesaziso asinikeziwe ngokwale mithethodolobha, uyothweswa icala futhi uma etholakale enecala uyoboshwa isikhathi esingeqile ezinyangeni eziyisithupha noma asebenze emphakathini noma akhoke inhlawulo, noma enze konke lokhu okubalulwe ngenhla.

ISAHLUKO 9

IMIBHALO

50. UKUSAYINWA KWEZAZISO KANYE NEMIBHALO

Isaziso noma umbhalo okukhishwe nguMasipala ngokwale mithethodolobha futhi okusayinwe ngumsebenzi kaMasipala noma wogunyazwe yiwo kuyothathwa ngokuthi zikhishwe ngokufanelekile futhi ekwethulweni kwazo zamukelwe yinkantolo yomthetho okungubufakazi kwalokho.

51. IZAZISO NEMIBHALO

- (1) Isaziso noma umbhalo okhishwe nguMasipala noma ogunyazwe yiwo ngokwale mithethodolobha iyothatha njengegunyazwe ngokufanelekile uma umuntu ogunyaziwe ekusayina.
- (2) Noma yisiphi isaziso nanoma yimuphi omunye umbhalo enikezwa umnikazi, ikhasimende nanoma yimuphi omunye umuntu ngokwale mithethodolobha kuthathwa ngokuthi inikezwe umuntu —
 - (a) ihanjise kulowo muntu ngqo;
 - (b) uma ishiywe, endaweni ehlala lowo muntu, ebhizinisini noma emsebenzini wakhe kwiRiphabhuliki yaseNingizimu Afrika, kumuntu oneminyaka engaphezu kweyishumi nesithupha;
 - (c) uma iposwe ngeposi eliqinisekisiwe ekhelini lowo muntu okwaziwa ukuthi uhlala kuyo noma ekhelini lebhizinisi elikwiRiphabhuliki yaseNingizimu Afrika kanye nokukhombisa ukuthi kuposiwe;
 - (d) uma ikheli lalowo muntu kwiRiphabhuliki yaseNingizimu Afrika lingaziwa, uma sekuthunyelwe komele lowo muntu kwiRiphabhuliki ngendlela ehlinzekwe ezigatshaneni (a) kuya ku (c); noma
 - (e) uma ikheli lalowo muntu kanye nelomele kwiRiphabhuliki lingaziwa, uma sekuposelwe endaweni noma noma okusobala, uma zikhona, okuhambisana nakhona.
- (3) Uma noma yisiphi isaziso noma umbhalo kumele ogunyazwe noma unikezwe umnikazi, umhlali noma ophethe noma iyiphi indawo kwanele uma lowo muntu echazwe kwisaziso njengomnikazi, umhlali noma ophethe indawo, noma ilungelo okukhulunywe ngalo, futhi engabizwa ngegama lalowo muntu.
- (4) Lapho ukuhambisana nesaziso kudingeka ezinsukwini ezibaliwe zokusebenza, leso sikhathi kuyothathwa ngokuthi siqale ngosuku lokuhanjiswa noma lokuthunyelwa kwesaziso.

52. UKUQINISEKISWA KWEMIBHALO

Yonke imiyalo, izaziso nanoma yimuphi omunye umbhalo odinga ukuqinisekiwa nguMasipala uyoqiniswa ngokugwele, uma usayinwe ngumphathi kaMasipala noma yisiphathimandla esigunyaziwe sikaMasipala noma ogunyazwe nguMasipala, lokho kugunyazwa kube kwenziwa ngesixazululo sikaMasipala, ngesivumelwano esibhaliwe noma ngomthethodolobha.

53. UBUNYAKAZI OBUNGABA YIQINISO

Ezinqutsheni zomthetho egameni likaMasipala noma ogunyazwe yiwo, isitifiketi esikhombisa imali okumele ikhokhwe nenokukhokhwa kuMasipala noma ogunyazwe yiwo, ngaphansi kwesandla somphathi kaMasipala noma somphathi wogunyazwe yiwo, ekwethulweni kwawo uyokwamukelwa yinkantolo yomthetho njengobufakazi obungaba yiqiniso besikweletu.

ISAHLUKO 10

IZIHLENGEKO EZIJWAYELEKILE

54. AMANDLA OKUGENA KANYE NOKUHLOLA

- (1) UMasipala noma ogunyazwe yiwo ungagena futhi uhlale noma iziphi izakhiwo nganoma yiziphi izinhloso ezihambisana nokuqalisa noma nokuqhutshwa kwale mithethodolobha, ngazo zonke izikhathi ezifanele, emva kokuba kunikezwe isaziso esibhaliwe kohlala ezakhiweni ngenhlalo yokwenza lokho.

55. UKUKHULULWA EMTHETHWENI

- (1) UMasipala, ngokubhaliwe, ungakhulula umnikazi, ikhasimende, nanoma yimuphi omunye umuntu noma isigaba sabanikazi, amakhasimende, abakhokhi bentela, abasebenzisi bemisebenzi ekuhambisaneni nezihlinzeko zale mithethodolobha, kweyame kunoma yimiphi imibandela angayinquma, uma obona ukuthi ukusetshenziswa kwalowo mhlizeko kuyoba ngokungamukeleki, inqobo nje uma uMasipala noma ogunyazwe yiwo engeke akhulule emthethweni wanoma yisiphi isigaba sale mithethodolobha okungadala —
- (a) ukumosa noma ukusetshenziswa ngokweqile kwemisebenzi kaMasipala;
- (b) ukuxwaya imithetho yokuthibela yamanzi;
- (c) imiphumela egqamile emibi kwezempilo yomphakathi, ezikuphepha nkanye nezemvelo;
- (d) ukungakhokhelwa kwemisebenzi;
- (e) uMthetho, nanoma yimiphi imithethonqubo eyenziwe ngaphansi kwawo, okungabanjiswa nawo.
- (2) UMasipala noma yingasiphi isikhathi emva kokunikeza isaziso esibhaliwe okungenani sezinsuku ezingamashumi amathathu, uhoxisa noma yikuphi ukukhululwa okunikezwe ngokwesigatshana (1).

56. UKUTHOLAKALA KWEMITHETHODOLOBHA

- (1) Ikhophi yale mithethodolobha iyofakwa eMgomweni woMasipala kaMasipala njengoba kudingeka ngokomthetho.
- (2) UMasipala noma ogunyazwe yiwo uyothatha izinyathelo ezifanele ukwazisa amakhasimende ngokuqokethwe kwimithethodolobha yokulawulwa nokuqoqwa kwezikweletu.
- (3) Ikhophi yale mithethodolobha iyotholakala ukuze ihlolwe emahhovisi kaMasipala noma emahhovisi ogunyazwe yiwo ngazo zonke izikhathi ezifanele.
- (4) Ikhophi yemithethodolobha ingatholakala ngokukhokha imali njengoba kunqunywe ezinteleni zoMkhandlu kaMasipala noma kogunyazwe yiwo.

57. UKUSHAYISANA KOMTHETHO

- (1) Uma kuhunyushwa umhlizeko wale mithethodolobha, noma yikuphi ukuhunyushwa okufanele okuhambisana nenhloso yomthetho njengoba kubekiwe eSahlukweni 9 ngokuLawulwa nokuQoqwa kweziKweletu, kumele kukhethwe kona phezu kwanoma yikuphi okunye ukhumusha okuhambisana naleyo nhloso.
- (2) Uma kukhona ukushayisana phakathi kwale mithethodolobha kanye nanoma yimiphi eminye imithethodolobha yoMkhandlu kaMasipala, le mithethodolobha iyoyehlula.

58. UKUCHITHWA KWEMITHETHODOLOBHA YOKULAWULWA NOKUQOQWA KWEZIKWELETU ZIKAMASIPALA

Izihlinzeko zanoma yimiphi imithethodolobha eziphathelene nokulawulwa nokuqoqwa kwezikweletu zikaMasipala ngalokhu ziyachithwa njengoba zihambisana nalezo zindaba ezihlinzekelwe kule mithethodolobha; inqobo nje uma lezo zihlinzeko kuyothathwa ngokuthi azichithwanga maqondana nanoma yimuphi umthethodolobha ongakachithwa futhi ongaphikisani nale mithethodolobha njengoba kunqume imithethodolobha efanele.

59. ISIHLOKO ESIFINGQIWE KANYE NOKUQALISWA

- (1) Le mithethodolobha ibizwa ngeMithethodolobha yokuLawulwa nokuQoqwa kweziKweletu zikaMasipala wasoKhahlamba futhi iyoqala ukusebenza ngosuku lokumenyezela kwale mithethodolobha.
- (2) UMasipala, ngesaziso kwiGazethi yesiFundazwe, unganquma ukuthi le mithethodolobha, ebhalwe kwisaziso, ayisebenzi kwezinye izindawo endaweni oyengamele kusukela ngosuku olubalulwe kwisaziso.
- (3) Kuze kube kukhishwa esinye isaziso esihlongozwe kwisigatshana (2), le mithethodolobha iyabophezela.

"ISITHASISELO A"

**UMASIPALA WASOKHAHLAMBA
ISICELO SEMISEBENZI KAMASIPALA**

Isigaba ACDE - ezasekhaya	Isigaba BDCE - Inhlango	Isigaba BDCE — Ibhizinisi
Isigaba A		
Ezasekhaya		
1. Isibongo sekhasimende		
2. Amagama aphelele		
3. Inombolo kamazisi		
4. Umsebenzi		
5. Umqashi/ibhizinisi		
6. Ushadile/Awushadile		
Awushadile	Ushadile	Umshado ohlanganisa amafa
		Umshado ongahlanganisi amafa
		Umshado wesintu
7. Amagama aphelele oshade naye		
8. Umsebenzi		
9. Umqashi woshade naye		
10. Igama nekheli lelungu lomndeni noma lomngani		
11.		

12.
13. Inombolo yocingo yasekhaya
14. Inombolo yocingo yasemsebenzini
15. Inombolo kamakhalekhukhwini
16. Ikheli le-imeyili
Isigaba B: Imininingwane yenkampani
1. Igama lebhizinisi
2. Inombolo ibhizinisi ebhaliswe ngayo
3. Inombolo kamazisi – Yomnikazi – Yomlingani
4. Igama lomuntu
5. Inombolo yocingo yebhizinisi
6. Inombolo kamakhalekhukhwini
7. Inombolo yefeksi
8. Ikheli le-imeyili
Isigaba C: Okwejwayelekile
1. Ikheli laseposini
Ikhodi:
2. Uhlu lwamanye ama-akhawunti onawo
(i) Igama: Inombolo ye-akhawunti:
(ii) Igama: Inombolo ye-akhawunti:
(iii) Igama: Inombolo ye-akhawunti:
3. Igama lebhange
4. Inombolo yegatsha
5. Inombolo ye-akhawunti
6. Ikheli lalapho wawuhlala khona nenombolo ye-akhawunti
7. Uma uqashile, lapho ukhokha khona intela
8. Isibalo sabantu abahlala endaweni
9. Abantu abahlala esitendini ngaphandle komndeni (endlini eqashisayo, ngemuva, esitolo esisegekeni, amatekisi njll.)
Isigaba D: Imininingwane yemisebenzi
1. Ikheli lemisebenzi edingekayo
2. Inombolo yesitendi
3. Usuku imisebenzi edingeka ngalo
4. Imisebenzi oyifakele isicelo

Amanzi

Umpompi womphakathi	Umpompi osegcekeni	Umpompi osendlini

Izindlu zangasese

I-VIP	Indlu yangasese enamanzi
Ugesi	
Ugesi wekhadi	Ugesi onemitha
Ukuchithwa kwadoti – Umsebenzi ophoqelekile	

5. Uhlobo lokuphakwa

ezaseKhaya	ezoHwebo	ezeziMboni	ezeMfundo	ezeMbuso	ezeLimo

6. Cacisa ukuthi kungaqhutshwa ibhizinisi endaweni yokuhlala:

YEBO CHA

7. Indlela yokukhokha:

Ikhasimende/Umfakisicelo: Usuku:

Isigaba E:	Isifungo
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1. Ngiyafunga ukuthi ngiyavumelana nemibandela yokuphakwa kwemisebenzi ebaluliwe njengoba kubekiwe kwimithethodolobha kaMasipala kanye nanoma yimiphi eminye imithetho ekhona.
2. Ngiyavuma ukuthi ikheli lesitaladi/inombolo yesitendi ebalulwe ngenhla ngekhele lami elisemthethweni engiyothola kulo noma yisiphi isaziso esikhishiwe.
3. Ngifaka idiphozi yama – R nokuthi lesi samba noma ingxenye yaso ingasetshenziswa ukukhokhela ama-akhawunti noma ingxenye yawo nokuthi imali esele uma ikhona ingabuyiselwa kimina.
4. Ngiyokhokhela uMasipala nganoma yikuphi ukulahlekelwa, okungenzeka ngenxa yokuhamba kwagesi noma ukumiswa kwemisebenzi.
5. Ngamukela umthwalo wokukhokhela ummeli kanye nezindleko uma kudingeka ukuthi uMasipala adlulisele imali engiyikwelctayo kuma-akhawunti luthi ngiwunika imvume lokungifaka ohlwini lwabangakhokhi kahle.
6. Ngamukela ikhophi yaleli fomu lokufaka isicelo.
7. Ngiyafunga ukuthi imininingwane engiyihlinzekile iyiqiniso.
8. Ngiyafunga ukuthi zonke izimali okumele ngizikhokhe maqondana nalesi sicelo ngiyozikhokha okumele zikhokhwe ngalo.

Isignesha:

Usuku:

Igama:

Isikhundla:

“ISITHASISELO B”

**UMASIPALA WASOKHAHLAMBA
ISICelo SOKUBHALISA NJENGEKHASIMENDE ELIMPOFU**

Qaphela: Isicelo semisebenzi kaMasipala kumele sigwaliswe ekulethweni kwalesi sicelo.

Imininingwane yomfakisicelo	
Isibongo	Amaletha okuqala amagama
Inombolo kamazisi	
Ushadile/Awushadile	
Uma ushadile — ushade unshado ohlanganisa amafa	
Umsebenzi	
Inombolo yocingo	
Inombolo kamakhalekhwini	
Ikheli lomfakisicelo	
Ikheli lasekhaya	Ikheli laseposini
Isibalo sezindlu zomfakisicelo kanye nawo wonke amalungu ekhaya Imininingwane yezindawo, uma ikhona	
Indawo yokuqala (1)	Ikheli (lalapho ikhona)
	Igama lomnikazi
	Igama lomnikazi webhondi
	Inombolo ye-akhawunti
	Inombolo okubhaliswe ngayo itayitela
	Uhlobo lwesakhiwo
Indawo yesibili (2)	Ikheli (lalapho ikhona)
	Igama lomnikazi
	Igama lomnikazi webhondi
	Inombolo ye-akhawunti
	Inombolo okubhaliswe ngayo itayitela

Uhlobo lwesakhiwo	
Kungabe isakhiwo/izakhiwo noma ingxenye yazo iqashiselwe umuntu wesithathu?	
YEBO	CHA
Uma impendulo kungu "yebo", kungabe intela iyatholakala?	
Isibalo sawo wonke amalungu ekhaya	
Isamba semali etholakalayo sawo wonke amalungu ekhaya ngenyanga	
Imininingwane yawo wonke amalungu ekhaya aneminyaka engaphezu kweyi-18 ahlala kuleyo ndawo	

1. Isibongo	2. Isibongo
Amagama aphelele	Amagama aphelele
Inombolo kamazisi	Inombolo kamazisi
Uyasebenza (yebo/cha)	Uyasebenza (yebo/cha)
Iholo kubandakanya nezibonelelo, uma kufanele	Iholo kubandakanya nezibonelelo, uma kufanele
3. Isibongo	4. Isibongo
Amagama aphelele	Amagama aphelele
Inombolo kamazisi	Inombolo kamazisi
Uyasebenza (yebo/cha)	Uyasebenza (yebo/cha)
Iholo kubandakanya nezibonelelo, uma kufanele	Iholo kubandakanya nezibonelelo, uma kufanele
5. Isibongo	6. Isibongo
Amagama aphelele	Amagama aphelele
Inombolo kamazisi	Inombolo kamazisi
Uyasebenza (yebo/cha)	Uyasebenza (yebo/cha)
Iholo kubandakanya nezibonelelo, uma kufanele	Iholo kubandakanya nezibonelelo, uma kufanele

Imininingwane yenye imali etholakalayo ekhaya: (isib. impesheni yabudala, eyokukhubazeka noma imali yesondlo, njll.)	
1. Uhlobo lwemali etholakalayo	2. Uhlobo lwemali etholakalayo
Isikhungo	Isikhungo
Isamba	Isamba
Inombolo eyinkomba	Inombolo eyinkomba
3. Uhlobo lwemali etholakalayo	4. Uhlobo lwemali etholakalayo
Isikhungo	Isikhungo
Isamba	Isamba
Inombolo eyinkomba	Inombolo eyinkomba
5. Uhlobo lwemali etholakalayo	6. Uhlobo lwemali etholakalayo
Isikhungo	Isikhungo
Isamba	Isamba
Inombolo eyinkomba	Inombolo eyinkomba
Imininingwane yezindleko zenyanga zekhaya:	
1. Ukudla	2. Imali yesikole
3. Okokugqoka	4. Intela
5.	6.
7.	8.
9.	10.
Imininingwane yezikweletu zekhaya: (kubandakanya imishwalense kanye nokuthengwe ngesikweletu)	

1. Isikhungo	2. Isikhungo
Inombolo ye-akhawunti	Inombolo ye-akhawunti
Imali ekweletwayo	Imali ekweletayo
3. Isikhungo	4. Isikhungo
Inombolo ye-akhawunti	Inombolo ye-akhawunti
Imali ekweletwayo	Imali ekweletayo
5. Isikhungo	6. Isikhungo
Inombolo ye-akhawunti	Inombolo ye-akhawunti
Imali ekweletwayo	Imali ekweletayo

Imininingwane maqondana nokuthathelwa kwami izinyathelo maqondana nezindleko/nezikweletu zekhaya: (noma yiziphi izinyathelo zasenkantolo, ezibhaliswe ne-Credit Agency)

1. Isikhungo	2. Isikhungo
Uhlobo lwesinyathelo	Uhlobo lwesinyathelo
Inombolo yecala	Inombolo yecala
Imali ekweletwayo	Imali ekweletwayo
3. Isikhungo	4. Isikhungo
Uhlobo lwesinyathelo	Uhlobo lwesinyathelo
Inombolo yecala	Inombolo yecala
Imali ekweletwayo	Imali ekweletwayo
5. Isikhungo	6. Isikhungo
Uhlobo lwesinyathelo	Uhlobo lwesinyathelo
Inombolo yecala	Inombolo yecala
Imali ekweletwayo	Imali ekweletwayo

Le mibhalo elandelayo kumele ifakwe —

1. umbhalo owubufakazi beholo (njengencwadi evela kumqashi wekhasimende, ipheshana lomholo, ikhadi lempesheni, ikhadi lesikhawama sabangasebenzi njll.); noma
2. incwadi efungelwe efakaza ukungaqashwa noma iholo; kanye
3. ne-akhawunti yokugcina kaMasipala ekwikhasimende; kanye
4. nekhophi eqinisekisiwe kamazisi womfakisicelo.

A. Ngalokhu —

1. ngifaka isicelo sokubhaliswa njengekhasimende elimpofu isikhathi esingangonyaka;
2. ngamukela imibandela esetshenziswayo kulesi sicelo njengoba kubekiwe kwinqubo-mgomo, kwimithethodolobha kanye nakwiMibandela yokuPhakwa kwanoma yimuphi umhlinzeki wemisebenzi kaMasipala;
3. ngiyafunga ukuthi ngaziswa ukuthi imibhalo okukhulunywe ngayo ku 2 ngenhla ikhona iyatholakala ukuze ihlolwe emahhovisi kaMasipala ngezikhathi zokusebenza;
4. ngiyafunga ukuthi leli fomu lesicelo kanye nemicikilisho yalo ngichazelwe ngayo;
5. ngiyafunga ukuthi zonke izimali ziyokhokhwa yimi maqondana nalesi sicelo ngosuku oluqunyiwe; futhi
6. ngiyafunga ukuthi imininingwane ehlinzekwe lapha kuleli fomu lesicelo iyiqiniso.

B. Ngiyafunga futhi ngamukela ukuthi lemibandela ekhethekile iyosebenza kulesi sicelo:

1. UMasipala noma ogunyazwe yiwo ungathumela abantu abagunyazwe yiwo ezakhiweni noma emakhaya afake izicelo zokubhalisa njengekhasimende ampofu ukuzokwenza ucwaningo ngemininingwane ehlinzekwe ngaphambi kokwamukela isicelo nanoma yinini emva kwalokho.
2. Isicelo siyokwamukelwa isikhathi esiyizinyanga eziyi-12 kuphela.
3. UMasipala noma ogunyazwe yiwo ekwamukelweni kwesicelo nanoma yinini emva kwalokho —
 - 3.1 ungafakela ikhasimende elimpofu imitha kagesi wekhadi lapho ugesi uhlinzekwa nguMasipala noma ngogunyazwe yiwo;
 - 3.2 ungehlisa imisebenzi yokuphakwa kwamanzi yekhasimende elimpofu aphakwe ngokulingene angabi ngaphansi kwamakhilolutha ayisithupha (6) ngenyanga.
4. Ikhasimende elimpofu kumele njalo ngonyaka lifake isicelo sokubhalisa njengekhasimende elimpofu, uma lehluleka ukwenze njalo usizo luyovele lumswe.
5. UMasipala noma ogunyazwe yiwo awunikezi ziqinisekiso zokuvuselela.
6. UMkhandlu kaMasipala njalo ngonyaka njengengxenywe yohlelo yawo wokwaba izimali unganquma imisebenzi kaMasipala kanye namazinga ayoxhaswa maqondana namakhasimende ampofu ngokuhambisana nenqubo-mgomo kazwelonke. kodwa kweyame engomeni wokuba namandla okwenza lokho.
7. Noma yimiphi eminye imisebenzi kaMasipala ehlinzekwa nguMasipala noma ngogunyazwe yiwo noma imisebenzi kaMasipala esetshenziswa ngokweqile iyokhokhwa yikhasimende elimpofu futhi ukukhokhelwa kwayo kuyohlawuliswa njengokusetshenziswa okweqile.
8. Noma yiliphi ikhasimende elihlinzeka noma elihlinzeke imininingwane engamanga efomini lokufaka isicelo nakunoma yimuphi omunye umbhalo kanye nemininingwane emaqondana nesicelo —
 - 8.1 liyovele, ngaphandle kwesaziso lesutwe njengekhasimende elimpofu kusukela ngosuku uMasipala noma ogunyazwe yiwo othole ngalo ukuthi leyo mininingwane ingamanga; futhi

- 8.2 kuyomele likhokhele yonke imisebenzi eliyihlinzekiwe.
9. Ikhasimende elimpofu kumele ngokushesha licele ukwesulwa nguMasipala noma ngogunyazwe yiwo uma isimo salo seseshintshile kangangoba alisafaneleki njengoba kubekwe kule mithethodolobha.
10. Ikhasimende elimpofu liyovele lesulwe uma lingazange lifake isicelo saminyaka yonke noma uma leso sicelo singamukelwanga.
11. Ikhasimende elimpofu liyovele lesulwe uma uwaningo lukhombisa ukuthi isimo sezimali sekhasimende elimpofu sesishintshile kangangoba alisafaneleki njengoba kubekwe kule mithethodolobha.
12. Ikhasimende elimpofu noma yingasiphi isikhathi lingacela ukwesulwa.

Umfakisicelo

uMasipala/ogunyazwe yiwo

Usuku

Usuku

ISIQINISEKISO SIKAMASIPALA

Imiphumela yesiqinisekiso esingenhla esenziwe ngumfakisicelo ichaziwe kuyena futhi ukhombise ukuthi uyakuqonda okuqukethwe kulesi sicelo.

UMasipala/ogunyazwe yiwo

Usuku
No. 27, 2006

16 November 2006

OKHAHLAMBA LOCAL MUNICIPALITY
CREDIT CONTROL AND DEBT COLLECTION BYLAWS
PREAMBLE

Whereas one of the constitutional objectives of local government is to provide democratic and accountable government for local communities;

AND Whereas section 96(a) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) requires that a municipality must collect all money that is due and payable to it, subject to this Act and any other applicable legislation and for this purpose, must adopt, maintain and implement a credit control and debt collection policy which is consistent with its rates and tariffs policies and complies with the provisions of this Act.

AND Whereas there is a need to have financial Bylaws to guide the actions of political structures, political office bearers and municipal officials and service providers at local government level to secure transparency, accountability and sound management of the revenue, expenditure, assets and liabilities of the municipality.

Be it therefore enacted by the municipal council of the Municipality of Okhahlamba acting under the authority of section 11, read in conjunction with section 98 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), hereby publishes the following Bylaws:

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CHAPTER 1

1. DEFINITIONS

For the purpose of these Bylaws, any word or expression to which a meaning has been assigned in the Act shall bear the same meaning in these Bylaws and unless the context indicates otherwise —

“account” means any account rendered for municipal services provided;

“Act” means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), as amended from time to time;

“actual consumption” means the measured consumption of any customer;

“applicable charges” means the rate, charge, tariff, flat rate, or subsidy determined by the municipal council;

“average consumption” means the average consumption of a customer of a municipal service during a specific period, which consumption is calculated by dividing that customer's total measured consumption of that municipal service over the preceding three months by three;

“agreement” means the contractual relationship between the municipality or its authorised agent and customer, whether written or deemed;

“area of supply” means any area within the area of jurisdiction of the municipality to which a municipal service or municipal service or municipal services are provided;

“arrears” means any amount due, owing and payable by a customer in respect of municipal services not paid on the due date;

“authorised agent” means —

- (a) any person authorised by the municipal council to perform any act, function or duty in terms of, or exercise any power under these Bylaws; and/or
- (b) any person to whom the municipal council has delegated the performance of certain rights, duties and obligations in respect of providing revenue services; and/or
- (c) any person appointed by the municipal council in terms of a written contract as a service provider to provide revenue services to customers on its behalf, to the extent authorised in such contract;

“commercial customer” means a customer other than household and indigent customers, including without limitation, business, government and institutional customers;

“connection” means the point at which a customer gains access to municipal services;

“customer” means a person with whom the municipality or its authorised agent has concluded an agreement for the provision of municipal services;

“defaulter” means a customer who owes arrears;

“due date” means the date on which the amount payable in respect of an account becomes due, owing and payable by the customer, which date shall be not less than 14 days after the date of the account;

“emergency situation” means any situation that if allowed to continue poses a risk or potential risk to the financial viability or sustainability of the municipality or a specific municipal service;

“estimated consumption” means the deemed consumption by a customer whose consumption is not measured during a specific period, which estimated consumption is rationally determined taking into account at least the consumption of municipal services for a specific level of service during a specific period in the area of supply of the municipality or its authorised agent;

“household customer” means a customer that occupies a dwelling, structure or property primarily for residential purposes;

“household” means a traditional family unit consisting of a maximum of eight persons (being a combination of four persons over the age of eighteen and four persons eighteen years and younger);

“Illegal connection” means a connection to any system through which services are provided that is not authorised or approved by the municipality or its authorised agent;

“indigent customer” means a household customer qualifying and registered with the municipality as an indigent in accordance with these Bylaws;

“Municipality” means —

- (a) the Okhahlamba Local Municipality or its successors-in-title; or
- (b) the municipal manager of the Okhahlamba Local Council in respect of the performance of any, or exercise of any right, duty, obligation or function in terms of these Bylaws;

“Municipal Council” means the municipal council as referred to in section 157(1) of the Constitution, 1996 (Act No. 108 of 1996);

“Municipal Manager” means the person appointed by the municipal council as the municipal manager of the municipality in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and includes any person —

- (a) acting in such position; and
- (b) to whom the municipal manager has delegated a power, function or duty in respect of such a delegated power, function or duty;

“municipal services” means for purposes of these Bylaws, services provided by the municipality or its authorised agent, including refuse removal, water supply, sanitation, electricity services and rates or any one of the above;

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

“owner” means —

- (a) the person in who from time to time is vested the legal title to premises;
- (b) in case where the person in whom the legal title to premises is vested is insolvent or deceased, or is under any form of legal disability whatsoever, the person in whom the administration and control of such premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
- (c) in any case where the municipality or its authorised agent is unable to determine the identity of such person, a person who is entitled to the

- benefit of the use of such premises or a building or buildings thereon;
- (d) in the premises for which a lease agreement of 30 years or longer has been entered into, the lessee thereof;
 - (e) in relation to —
 - (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act No. 95 of 1986), the developer or the body corporate in respect of the common property; or
 - (ii) a section as defined in the Sectional Titles Act, 1986 (Act No. 95 of 1986), the person in whose name such section is registered under a sectional title deed and includes the lawfully appointed agent of such a person; or
 - (f) a person occupying land under a register held by a tribal authority;

“person” means any natural person, local government body or like authority, a company or close corporation incorporated under any law, a body of persons whether incorporated or not, a statutory body, public utility body, voluntary association or trust;

“public notice” means publication in an appropriate medium that may include one or more of the following:

- (a) publication of a notice, in the official languages determined by the municipal council, —
 - (i) in the local newspaper or newspapers in the area of the municipality; or
 - (ii) in the newspaper or newspapers circulating in the area of the municipality determined by the municipal council as a newspaper of record; or
 - (iii) by means of radio broadcasts covering the area of the municipality; or
 - (iv) displaying a notice at appropriate offices and pay-points of the municipality or its authorised agent; or
- (b) communication with customers through public meetings and ward committee meetings;

“shared consumption” means the consumption of a customer of a municipal service during a specific period, which consumption is calculated by dividing the total metered consumption of that municipal service within the supply zone within which a customer's premises is situated for the same period by the number of customers within that supply zone, during the same period;

“subsidised service” means a municipal service which is provided to a customer as an applicable rate which is less than the cost of actually providing the service including services provided to customers at no cost;

“supply zone” means an area, determined by the municipality or its authorised agent, within which all customers are provided with services with services from the same bulk supply connection; and

“unauthorised services” means receipt, use or consumption of any municipal service which is not in terms of an agreement, or authorised or approved by the municipality or its authorised agent.

CHAPTER 2

DUTIES AND FUNCTIONS OF COUNCIL, EXECUTIVE COMMITTEE, MUNICIPAL MANAGER, COMMUNITIES, RATEPAYERS AND RESIDENTS AND WARD COUNCILLORS AND POLITICAL PARTIES

2. DUTIES AND FUNCTIONS OF THE MUNICIPAL COUNCIL

The duties and functions of the Municipal Council are to —

- (1) approve a budget consistent with the needs of communities, ratepayers and residents;
- (2) impose rates and taxes and to determine service charges, fees and penalties to finance the budget;
- (3) provide sufficient funds to give access to basic services for the poor;
- (4) provide for bad debt, in line with the payment record of the community, ratepayers and residents, as reflected in the financial statements of the municipality;
- (5) set an improvement target for debt collection, in line with acceptable accounting ratios and the abilities of the Municipal Manager;
- (6) approve a reporting framework for credit control and debt collection;
- (7) consider and approve Bylaws to give effect to the Council's policy;
- (8) monitor the performance of the Executive Committee and the Municipal Manager regarding credit control and debt collection;
- (9) revise the budget should Council's targets for credit control and debt collection not be met;
- (10) take disciplinary action against officials who do not execute Council policies and Bylaws;
- (11) approve a list of attorneys that will act for Council in all legal matters relating to debt collection;
- (12) delegate the required authorities to monitor and execute the credit control and debt collection policy to the Executive Committee and the Municipal Manager, respectively;
- (13) approve an appropriate staff structure for credit control and debt collection; and
- (14) appoint debt collection agents to assist the Municipal Manager in the execution of his/her duties, if required.

3. DUTIES AND FUNCTIONS OF THE EXECUTIVE COMMITTEE

The duties and functions of the Executive Committee are to —

- (1) ensure that the Council's budget, cash flow and targets for the debt collection are met and executed in terms of the policy and relevant Bylaws;
- (2) monitor the performance of the Municipal Manager in implementing the policy and Bylaws;
- (3) review and evaluate the policy and Bylaws in order to improve the efficiency of the Council's credit control and debt collection procedures, mechanisms and processes; and
- (4) report to the Council.

4. DUTIES AND FUNCTIONS OF THE MUNICIPAL MANAGER

Duties and functions of the Municipal Manager are to —

- (1) implement good customer care management;
- (2) implement the Council's credit control and debt collection policy;
- (3) install and maintain an appropriate accounting system;
- (4) bill consumers;

- (5) demand payment on due dates;
- (6) raise penalties for defaults;
- (7) appropriate payments received;
- (8) collect outstanding debt;
- (9) implement "Best Practices";
- (10) provide different payment methods;
- (11) determine credit control measures;
- (12) determine work procedures for public relations, arrangements, disconnections of services, summonses, attachments of assets, sales in execution, writing of debts, sundry debtors and legal processes;
- (13) appoint firm/s of attorneys to complete the legal process (i.e. attachment and sale in execution of assets, emolument attachment orders etc.);
- (14) set performance targets for staff;
- (15) appoint staff to execute the Council's policy and Bylaws in accordance with the Council's staff policy;
- (16) delegate certain functions to heads of departments;
- (17) determine control procedures; and
- (18) report to the Executive Committee.

5. DUTIES AND FUNCTIONS OF COMMUNITIES, RATE PAYERS AND RESIDENTS

Duties and functions of communities, rate payers and residents are to —

- (1) fulfil certain responsibilities, as brought about by the privilege to use and enjoy public facilities and municipal services;
- (2) pay service fees, rates on property and other taxes, levies and duties imposed by the municipality;
- (3) observe the mechanisms and processes of the municipality in exercising their rights;
- (4) allow municipal officials reasonable access to their property to execute municipal functions;
- (5) comply with the Bylaws and other legislation of the municipality; and
- (6) refrain from tampering with municipal services and property.

6. DUTIES AND FUNCTIONS OF WARD COUNCILLORS AND POLITICAL PARTIES

The duties and functions of ward councillors and political parties are to —

- (1) hold regular ward meetings;
- (2) adhere to and convey the Council's policies to residents and rate payers; and
- (3) adhere to Council's Code of Conduct for Councillors.

CHAPTER 3

PROVISION OF MUNICIPAL SERVICES TO CUSTOMERS OTHER THAN INDIGENT CUSTOMERS

PART 1: APPLICATION FOR MUNICIPAL SERVICES

7. APPLICATION FOR SERVICES

- (1) A customer who qualifies as an indigent customer must apply for services as set out in Chapter 5 below.
- (2) No person shall be entitled to access to municipal services unless application has been made to, and approved by the municipality or its authorised agent on the prescribed form attached as Annexure "A" to these Bylaws.
- (3) If, at the commencement of these Bylaws or at any other time, municipal services are provided and received and no written agreement exists in respect of such services, it shall be deemed that —
 - (a) an agreement in terms of subsection (7) exists; and
 - (b) the level of services provided to that customer are the level of services elected, until such time as the customer enters into an agreement in terms of subsection (2).
- (4) The municipality or its authorised agent must on application for the provision of municipal services inform the applicant of the then available levels of services and then applicable tariffs and/or charges associated with each level of service.
- (5) The municipality or its authorised agent is only obliged to provide a specific level of service requested if the service is currently being provided and if the municipality or authorised agent has the resources and capacity to provide such level of service.
- (6) A customer may at any time apply to alter the level of services elected in terms of the agreement entered into, provided that such requested level of service is available and that any costs and expenditure associated with altering the level of services is paid by the customer.
- (7) An application for services submitted by a customer and approved by the municipality or its authorised agent shall constitute an agreement between the municipality or its authorised agent and the customer, and such agreement shall take effect on the date referred to or stipulated in such agreement.
- (8) In completing an application form for municipal services the municipality or its authorised agent will ensure that the document and the process of interaction with the owner, customer or any other person making such an application are understood by that owner, customer or other person and advise him or her of the option to register as an indigent customer.
- (9) In the case of illiterate or similarly disadvantaged persons, the municipality or its authorised agent must take reasonable steps to ensure that the person is aware of and understands the contents of the application form and shall assist him or her in completing such form.
- (10) Municipal services rendered to a customer are subject to the provisions of these Bylaws, any applicable Bylaws and the conditions contained in the agreement.
- (11) If the municipality or its authorised agent —
 - (a) refuses an application for the provision of municipal services or a specific service or level of service;
 - (b) is unable to render such municipal services or a specific service or level of service on the date requested for such provision to commence; or
 - (c) is unable to render the municipal services or a specific service or level of service,
 the municipality or its authorised agent must, within a reasonable time, inform the customer of such refusal and/or inability, the reason there-

for and, if applicable, when the municipality or its authorised agent will be able to provide such municipal services or a specific service or level of service.

8. SPECIAL AGREEMENTS FOR MUNICIPAL SERVICES

The municipality or its authorised agent may enter into a special agreement for the provision of municipal services with an applicant —

- (a) within the area of supply, if the services applied for necessitated the imposition of conditions not contained in the prescribed form or these Bylaws;
- (b) receiving subsidised services; and
- (c) if the premises to receive such service is situated outside the area of supply, provided that the municipality having jurisdiction over the premises has no objection to such special agreement. The obligation is on the customer to advise the municipality having jurisdiction of such special agreement.

9. CHANGE IN PURPOSE FOR WHICH MUNICIPAL SERVICES ARE USED

Where the purpose or extent to which any municipal service used is changed, the onus and obligation is on the customer to advise the municipality or its authorised agent of such change and to enter into a new agreement with the municipality or its authorised agent.

PART 2: APPLICABLE CHARGES

10. APPLICABLE CHARGES FOR MUNICIPAL SERVICES

- (1) All applicable charges payable in respect of municipal services, including but not limited to the payment of connection charges, fixed charges or any additional charges or interest will be set by the municipal council in accordance with —
 - (a) its rates and tariff policy;
 - (b) its credit control and debt collection policy;
 - (c) any Bylaws in respect thereof; and
 - (d) any regulations in terms of national or provincial legislation.
- (2) Applicable charges may differ between different categories of customers, users of services, types and levels of services, quantities of services, infrastructure requirement and geographic areas.
- (3) Services will be terminated due to non-payment on the terms and conditions as stipulated in the credit control and debt collection policy.
- (4) Deferment for payment of service accounts can be granted to customers in terms of council's delegated powers and conditions approved in its credit control and debt collection policy.
- (5) The municipality may consolidate any separate account of persons who are liable for payment to the municipality and may credit all payments received from such a person to any service and order of performance as determined by council from time to time in its credit control and debt collection policy.

11. AVAILABILITY CHARGES FOR MUNICIPAL SERVICES

The municipal council, in addition to the tariffs or charges prescribed for municipal services actually provided, may levy a monthly fixed charge, annual fixed charge or once-off fixed charge where municipal services are available, whether or not such services are consumed or not.

12. SUBSIDISED SERVICES

- (1) The municipal council may, from time to time, and in accordance with national policy, but subject to principles of sustainability and affordability, by public notice, implement subsidies for a basic level of municipal service.
- (2) The municipal council may, in implementing subsidies, differentiate between types of household customers, types and levels of services, quantities of services, geographical areas and socio-economic areas.
- (3) Public notice in terms of subsection (1) must contain at least the following details applicable to a specific subsidy:
 - (a) The household customers who will benefit from the subsidy.
 - (b) The type, level and quantity of municipal service that will be subsidised.
 - (c) The area within which the subsidy will apply.
 - (d) The rate (indicating the level of subsidy).
 - (e) The method of implementing the subsidy.
 - (f) Any special terms and conditions which will apply to the subsidy.
- (4) If a household customer's consumption or use of municipal services is —
 - (a) less than the subsidised service, the unused portion may not be accrued by the customer and will not entitle the customer to cash or a rebate in respect of the unused portion; and
 - (b) in excess of the subsidised service, the customer will be obliged to pay for such excess consumption at the applicable rate.
- (5) A subsidy implemented in terms of subsection (1) may at any time, be withdrawn or altered in the sole discretion of the municipal council, after —
 - (a) service of notice as contemplated in section 115 of the Act on the person affected by the council's intention to consider such withdrawal or alteration; and
 - (b) consideration by the Council of any comments or request received from the person affected.
- (6) Commercial customers may not qualify for subsidised services.
- (7) Subsidised services shall be funded from the portion of revenue raised nationally which is allocated to the municipality and if such funding is insufficient the services may be funded from revenue raised through rates, fees and charges in respect of municipal services.

13. AUTHORITY TO RECOVER ADDITIONAL COSTS AND FEES

- (1) The municipality or its authorised agent has the authority to, notwithstanding the provisions of any other sections contained in these Bylaws, recover any additional costs incurred in respect of implementing these Bylaws against the account of the customer, including but not limited to —
 - (a) all legal costs, including attorney and client costs incurred in the recovery of amounts in arrears shall be against the arrears account of the customer; and/or
 - (b) the average costs incurred relating to any action taken in demanding payment from the customer or reminding the customer, by means of

telephone, fax, e-mail, letter or otherwise.

PART 3: PAYMENTS

14. PAYMENT OF DEPOSIT

- (1) The municipal council may, from time to time, determine different deposits for different categories of customers, users of services, debtors, services and service standards, provided that the deposit will not be more than two and a half times the monetary value of the most recent measured monthly consumption of the premises for which an application is made.
- (2) A customer must on application for the provision of municipal services and before the municipality or its authorised agent will provide such services, pay a deposit, if the municipal council has determined a deposit.
- (3) The municipality or its authorised agent may annually review a deposit paid in terms of subsection (2) and in accordance with such review require that an additional amount be deposited by the customer where the deposit is less than the most recent deposit determined by the municipal council.
- (4) If a customer is in arrears, the municipality or its authorised agent may require that the customer —
 - (a) pay a deposit if that customer was not previously required to pay a deposit, if the municipal council has determined a deposit; and
 - (b) pay an additional deposit where the deposit paid by that customer is less than the most recent deposit determined by the municipal council.
- (5) Subject to subsection (7), the deposit shall not be regarded as being in payment of an account.
- (6) No interest shall be payable by the municipality or its authorised agent on any deposit held.
- (7) The deposit, if any, is refundable to the customer on termination of the agreement. A deposit shall be forfeited to the municipality if it has not been claimed by the customer within 12 months of termination of the agreement.

15. METHODS FOR DETERMINING AMOUNTS DUE AND PAYABLE

- (1) The municipality or its authorised agent must in respect of municipal services that can be metered, endeavour to, within available financial and human resources, meter all customer connections and/or read all metered customer connections, on a regular basis, subject to subsection (2).
- (2) If a service is not measured, a municipality or its authorised agent may, notwithstanding subsection (1), determine the amount due and payable by a customer, for municipal services supplied to him, her or it, by calculating —
 - (a) the shared consumption; or if not possible; and
 - (b) the estimated consumption.
- (3) If a service is metered, but it cannot be read due to financial and human resource constraints or circumstances out of the control of the municipality or its authorised agent, and the customer is charged for an average consumption the account following the reading of the metered consumption must articulate the difference between the actual consumption and the average consumption, and the resulting credit or debit adjustment.
- (4) Where water supply services are provided through a communal water services network (standpipe), the amount due and payable by customers gaining access to water supply services through that communal water services network, must be based on the shared or estimated consumption of water supplied to that water services network.
- (5) Where in the opinion of the municipality or its authorised agent it is not reasonably possible or cost-effective to meter all customer connections and/or read all metered customer connections within a determined area, the municipal council may, on the recommendation of the municipality or its authorised agent, determine a basic tariff (flat rate) to be paid by all the customers within that area, irrespective of actual consumption.
- (6) The municipality or its authorised agent must inform customers of the method for determining amounts due and payable in respect of municipal services provided which will apply in respect of their consumption or supply zones.

16. PAYMENT FOR MUNICIPAL SERVICES PROVIDED

- (1) A customer shall be responsible for payment of all municipal services consumed by him/her or it from the commencement date of the agreement until his/her or its account has been settled in full and the municipality or its authorised agent must recover all applicable charges due to the municipality.
- (2) If a customer uses municipal services for a use other than which it is provided by the municipality or its authorised agent in terms of an agreement and as a consequence is charged at a lower than the applicable charge the municipality or its authorised agent may make an adjustment of the amount charged and recover the balance from the customer.
- (3) If amendments to the applicable charge become operative on a date between measurements for the purpose of rendering an account in respect of the applicable charges and the date of payment —
 - (a) it shall be deemed that the same quantity of municipal services was provided in each period of twenty-four hours during the interval between the measurements; and
 - (b) any fixed charge shall be calculated on a pro rata basis in accordance with the charge that applied immediately before such amendment and such amended applicable charge.

17. FULL AND FINAL SETTLEMENT OF AN ACCOUNT

- (1) Where an account is not settled in full, any lesser amount tendered and accepted shall not be deemed to be in final settlement of such an account.
- (2) Subsection (1) shall prevail notwithstanding the fact that such lesser payment was tendered and/or accepted in full and final settlement, unless the municipal manager or the manager of the municipality's authorised agent made such acceptance in writing.

18. RESPONSIBILITY FOR AMOUNTS DUE AND PAYABLE

Notwithstanding the provisions of any other section of these Bylaws, the owner of premises shall be liable for the payment of any amounts due and payable to the municipality or its authorised representative in respect of the preceding two years, where the owner is not the customer and the municipality or its authorised agent after taking reasonable measures to recover any amounts due and payable by the customer from the latter, could not recover such amounts.

19. DISHONoured PAYMENTS

Where any payment made to the municipality or its authorised agent by negotiable instrument is later dishonoured by the bank, the municipality or its authorised agent —

- (1) may recover the average bank charges incurred relating to dishonoured negotiable instruments against the account of the customer; and
- (2) shall regard such an event as default on payment.

20. INCENTIVE SCHEMES

The municipal council may institute incentive schemes to encourage payment and to reward customers that pay accounts on a regular and timeous basis.

21. PAY-POINTS AND APPROVED AGENTS

- (1) A customer must pay his/her or its account at pay-points, specified by the municipality or its authorised agent from time to time, or at approved agents of the municipality or its authorised agent.
- (2) The municipality or its authorised agent must inform a customer of the location of specified pay-points and approved agents for payment of accounts.

PART 4: ACCOUNTS

22. ACCOUNTS

- (1) Accounts will be rendered monthly to customers at the address last recorded with the municipality or its authorised agent. The customer may receive more than one account for different municipal services if they are accounted for separately.
- (2) Failure to receive or accept an account does not relieve a customer of the obligation to pay any amount due and payable.
- (3) The municipality or its authorised agent must, if administratively possible, issue a duplicate account to a customer on request upon payment of a fee as prescribed in the Councils tariff of charges.
- (4) Accounts must be paid not later than the last date for payment specified in such account, which date will be at least 14 days after the date of the account.
- (5) Accounts will reflect —
 - (a) at least —
 - (i) the services rendered;
 - (ii) the consumption of metered services or average, shared or estimated consumption;
 - (iii) the period stipulated in the account;
 - (iv) the applicable charges;
 - (v) any subsidies;
 - (vi) the amount due (excluding value added tax);
 - (vii) value added tax;
 - (viii) the adjustment, if any, to metered consumption which has been previously estimated;
 - (ix) the arrears, if any;
 - (x) the interest payable on arrears, if any;
 - (xi) the final date of payment;
 - (xii) the methods, places and approved agents where payment may be made;
 - (b) and state that —
 - (i) the customer may conclude an agreement with the municipality or its authorised agent for payment of the arrears amount in instalments, at the municipality or its authorised agent's offices before the final date for payment if a customer is unable to pay the full amount due and payable;
 - (ii) if no such agreement is entered into, the municipality or its authorised agent will limit the services after sending a final demand notice to the customer;
 - (iii) legal action may be instituted against any customer for recovery of any amount 45 days in arrears;
 - (iv) the account may be handed over to a debt collector for collection; and
 - (v) proof of registration as an indigent customer, in terms of the municipality or its authorised agent's indigent policy, must be handed in at the office of the municipality or its authorised agent before the final date for payment.

23. CONSOLIDATED DEBT

- (1) If one account is rendered for more than one municipal service provided, the amount due and payable by a customer constitutes a consolidated debt, and any payment made by a customer of an amount less than the total amount due, will be allocated at the discretion of the municipality between service debt.
- (2) If an account is rendered for only one municipal service provided, any payment made by a customer of an amount less than the total amount due, will be allocated at the discretion of the municipality.
- (3) A customer may not elect how an account is to be settled if it is not settled in full or if there are arrears.

PART 5: QUERIES, COMPLAINTS AND APPEALS

24. QUERIES OR COMPLAINTS IN RESPECT OF ACCOUNT

- (1) A customer may lodge a query or complaint in respect of an accuracy of an amount due and payable in respect of a specific municipal service as reflected on the account rendered.
- (2) A query or complaint must be lodged with the municipality or its authorised agent before the due date for payment of the account.
- (3) A query or complaint must be accompanied by the payment of the average of the last three month's accounts where history of the account is available or an estimated amount provided by the municipality before payment due date until the matter is resolved.
- (4) The municipality or its authorised agent will register the query or complaint and provide the customer with a reference number.
- (5) The municipality or its authorised agent —
 - (a) shall investigate or cause the query or complaint to be investigated; and
 - (b) must inform the customer, in writing, of its finding within one month after the query or complaint was registered.

- (6) Failure to make such agreed interim payment or payments will render the customer liable for disconnection.

25. APPEALS AGAINST FINDING OF MUNICIPALITY OR ITS AUTHORISED AGENT IN RESPECT OF QUERIES OR COMPLAINTS

- (1) A customer may appeal in writing against a finding of the municipality or its authorised agent in terms of section 24.
- (2) An appeal and request in terms of subsection (1) must be made in writing and lodged with the municipality within 21 days after the customer became aware of the finding referred to in section 24 and must —
 - (a) set out the reason for the appeal; and
 - (b) be accompanied by any security determined for the testing of a measuring device, if applicable.

PART 6: ARREARS

26. INTEREST

- (1) Interest will be levied on arrears at the prevailing prime interest rate prescribed by the municipal council from time to time.
- (2) The cost associated with the limitation or disconnection of municipal services shall be for the cost of the customer and shall be included in the account following the re-connection.

27. ACCOUNTS 45 DAYS IN ARREARS

- (1) Where an account rendered to a customer remains outstanding for more than 45 (forty-five) days the municipality or its authorised agent may —
 - (a) institute legal action against a customer for the recovery of the arrears; and
 - (b) hand the customer's account over to a debt collector or an attorney for collection.
- (2) A customer will be liable for any administration fees, cost incurred in taking action for the recovery of arrears and penalties, including the payment of a higher deposit, as may be determined by the municipal council from time to time.

PART 7: AGREEMENT FOR THE PAYMENT OF ARREARS IN INSTALMENTS

28. AGREEMENTS

- (1) The following agreement for the payment of arrears in instalments may be entered into:
 - (a) An acknowledgement of debt.
 - (b) A consent to judgement.
 - (c) An emolument attachment order.
- (2) The customer shall acknowledge that interest will be charged at the prescribed rate.
- (3) Customers with electricity arrears must agree to the conversion to a prepayment meter if and when implementable, the cost of which, and the arrears total, will be paid off either by —
 - (a) Adding to the arrears account and repaying it over the agreed period; or
 - (b) Adding it as a surcharge to the pre paid electricity cost, and repaying it with each purchase of electricity until the debt is settled.
- (4) The municipality or its authorised agent must require a customer to pay at least its current account on entering into an agreement for the payment of arrears in instalments.
- (5) The municipality reserves the right to raise the security deposit requirement of debtors who seek agreements.

29. COPY OF AGREEMENT TO CUSTOMER

A copy of the agreement shall be made available to the customer.

30. FAILURE TO HONOUR AGREEMENTS

- (1) If a customer fails to comply with an agreement for the payment of arrears in instalments, the total of all outstanding amounts, including the arrears, any interest thereon, administration fees, costs incurred in taking relevant action, and penalties, including payment of a higher deposit, will be immediately due and payable, without further notice or correspondence and the municipality or its authorised agent may —
 - (a) disconnect the electricity service provided to the customer;
 - (b) in the event that no electricity services are provided by the municipality or its authorised agent, disconnect the water supply services provided to the customer;
 - (c) institute legal action for the recovery of the arrears; and
 - (d) hand the customer's account over to a debt collector or an attorney for collection.

31. RECONNECTION OF SERVICES

- (1) An agreement for payment of the arrear amount in instalments, entered into after the electricity services was discontinued and/or the water services was limited or disconnected, will not result in the services being restored until —
 - (a) the arrears, any interest thereon, administration fees, cost incurred in taking relevant action and penalties, including payment of a higher deposit, are paid in full; or
 - (b) in addition to payments referred to in subsection (1) the customer shall pay the standard re-connection fee as determined by the municipality from time to time, prior to the re-connection of municipal services by the municipality or its authorised agent.

CHAPTER 4

ASSESSMENT RATES

32. AMOUNT DUE FOR ASSESSMENT RATES

- (1) The provisions of Chapter 3 shall apply in respect of the recovery of assessment rates.
- (2) All assessment rates due by owners are payable by a fixed date as determined by the municipality in its credit control and debt collection policy.
- (3) Joint owners of property shall be jointly and severally liable for payment of assessment rates.
- (4) Assessment rates will be levied in equal monthly instalments. When levied in equal monthly instalments the amount payable will be included in the municipal account.

- (5) A property owner remains liable for the payment of assessment rates included in municipal accounts, notwithstanding the fact that —
- (a) the property is not occupied by the owner thereof; and/or
 - (b) the municipal account is registered in the name of a person other than the owner of the property.

CHAPTER 5

PROVISION OF MUNICIPAL SERVICES TO INDIGENT CUSTOMERS

33. QUALIFICATION FOR REGISTRATION AS INDIGENT CUSTOMER

All households where the combined gross income of all the members of the household over the age of 18 years old is less than the amount to be determined by the Council, qualify for registration as indigent customers.

34. APPLICATION FOR REGISTRATION

- (1) A household who qualifies as an indigent customer must complete the application form entitled "Application for Registration as Indigent Customer" attached as Annexure "B" to these Bylaws.
- (2) Any application in terms of subsection (1) must be accompanied by —
 - (a) documentary proof of income, such as a letter from the customer's employer, a salary advice, a pension card, unemployment fund card; or
 - (b) an affidavit declaring unemployment or income; and
 - (c) the customer's latest municipal account in his/her possession; and
 - (d) a certified copy of the customer's identity document; and
 - (e) the names and identity numbers of all occupants over the age of 18 years who are resident at the property.
- (3) A customer applying for registration as an indigent customer shall be required to declare that all information provided in the application form and other documentation and information provided in connection with the application is true and correct.
- (4) The municipality or its authorised agent shall counter-sign the application form and certify that the consequences and conditions of such an application for the customer were explained to the customer and that the customer indicated that the content of the declaration was understood.

35. APPROVAL OF APPLICATION

- (1) The municipality or its authorised agent may send authorised representatives to premises or households applying for registration as indigent customers to conduct an on site audit of information provided prior to approval of an application.
- (2) An application shall be approved for a period of 12 months only. Subsidies will be forfeited if the applicant fails to submit proof of income or to re-apply for the subsidy.

36. CONDITIONS

The municipality or its authorised agent may upon approval of an application or any time thereafter —

- (1) install a pre-payment electricity meter for the indigent customer where electricity is provided by the municipality or its authorised agents when implemented; and
- (2) limit the water supply services of an indigent customer to a basic supply of not less than 6 (six) kiloliters per month.

37. APPLICATION EVERY 12 MONTHS

- (1) An indigent customer must re-apply for indigent support every 12 months, failing which the assistance will cease automatically.
- (2) The provisions of sections 38 and 39 shall apply to any application in terms of subsection (1).
- (3) The municipality or its authorised agent cannot guarantee a renewal for indigent support.

38. SUBSIDISED SERVICES FOR INDIGENT CUSTOMERS

- (1) The municipal council may annually, as part of its budgetary process, determine the municipal services and levels thereof which will be subsidised in respect of indigent customers in accordance with national policy, but subject to principles of sustainability and affordability.
- (2) The municipal council will in the determination of municipal services which will be subsidised for indigent customers give preference to subsidising at least the following services:
 - (a) Water supply services of 6 kiloliters per household per month.
 - (b) Sanitation services of daily night soil removal or an improved ventilated pit latrine per household per month whichever is the most affordable to the municipality or its authorised agent; and
 - (c) Refuse removal services to a maximum of one removal per household per week.
 - (d) All rates levied on properties of which the municipal value is less than R20 000: Provided that if, in the case of any property or category of properties, it is not feasible to value or measure such property, the basis on which the property rates thereof shall be determined, shall be as prescribed by the Council.
- (3) The municipality must, when making a determination in terms of subsection (1) give public notice of such determination.
- (4) Public notice in terms of subsection (3) must contain at least the following:
 - (a) The level or quantity of municipal service which will be subsidised.
 - (b) The level of subsidy.
 - (c) The method of calculating the subsidy.
 - (d) Any special terms and conditions which will apply to the subsidy, not provided for in these Bylaws.
- (5) Any other municipal services rendered by the municipality or municipal services consumed in excess of the levels or quantities determined in subsection (1) shall be charged for and the indigent customer shall be liable for the payment of such charges levied on the excess consumption.
- (6) The provisions of Chapter 3 shall *mutatis mutandis* apply to the amounts due and payable in terms of subsection (5).

39. FUNDING OF SUBSIDISED SERVICES

- (1) The subsidised services referred to in section 38 shall be funded from the portion of revenue raised nationally which is allocated to the municipality and if such funding is insufficient the services may be funded from revenue raised through rates, fees and charges in respect of municipal services.

- (2) The subsidy amount to be funded from revenue raised nationally which is allocated to the municipality shall be calculated by dividing the amount allocated by the estimated number of customers which may qualify for registration as indigent customers.

40. EXISTING ARREARS OF INDIGENT CUSTOMERS ON APPROVAL OF APPLICATION

- (1) Arrears accumulated in respect of the municipal accounts of customers prior to registration as indigent customers will be either —
- (a) written off;
 - (b) applied as a surcharge to prepaid electricity coupons; or
 - (c) be attempted to be recovered through legal proceedings and/or extended arrangements.

41. AUDITS

- (1) The municipality may undertake regular random audits carried out by the municipality or its authorised agent to —
- (a) verify the information provided by indigent customers;
 - (b) record any changes in the circumstances of indigent customers; and
 - (c) make recommendations on the de-registration of the indigent customer.

42. DE-REGISTRATION

- (1) Any customer who provides or provided false information in the application form and/or any other documentation and information in connection with the application shall automatically, without notice, be de-registered as an indigent customer from the date on which the municipality or its authorised agent become aware that such information is false.
- (2) An indigent customer must immediately request de-registration by the municipality or its authorised agent if his/her circumstances has changed to the extent that he/she no longer meet the qualifications set out in section 33.
- (3) An indigent customer shall automatically be de-registered if an application in accordance with section 34 is not made or if such application is not approved.
- (4) An indigent customer shall automatically be de-registered if an audit or verification concludes that the financial circumstances of the indigent customer has changed to the extent that he/she no longer meet the qualifications set out in section 33.
- (5) An indigent customer may at any time request de-registration.

CHAPTER 6

BUSINESSES WHO BID TO THE MUNICIPALITY

43. PROCUREMENT POLICY AND BID CONDITIONS

The procurement policy and bid conditions may provide that —

- (1) when inviting bids for the provision of services or delivery of goods, potential contractors may submit bids subject to a condition that consideration and evaluation thereof will necessitate the bidder obtain from the municipality a certificate stating that all relevant municipal accounts owing by the bidder or its directors, owners or partners have been paid or that suitable arrangements (which include the right to set off in the event of non-compliance) have been made for payment of any arrears;
- (2) a municipal account to mean any municipal service charge, tax or other fees fines and penalties, due in terms of a contract or approved tariff or rate, which is outstanding after the due date normally appearing on the consolidated account or overdue in terms of the contract or any other due date that has passed; and
- (3) bid conditions contain a condition allowing the municipality to deduct moneys owing to the municipality from contract payments in terms of a reasonable arrangement with the debtor.

CHAPTER 7

UNAUTHORISED SERVICES

44. UNAUTHORISED SERVICES

- (1) No person may gain access to municipal services unless it is in terms of an agreement entered into with the municipality or its authorised agent for the rendering of those services.
- (2) The municipality or its authorised agent may, irrespective of any other action it may take against such person in terms of these Bylaws by written notice order a person who is using an unauthorised service to —
 - (a) apply for such services in terms of Chapter 3 part 1;
 - (b) undertake such work as may be necessary to ensure that the customer installation through which access was gained complies with the provisions of these or any other relevant Bylaws.

45. INTERFERENCE WITH INFRASTRUCTURE FOR THE PROVISION OF MUNICIPAL SERVICES

- (1) No person other than the municipality or its authorised agent shall manage, operate or maintain infrastructure through which municipal services are provided.
- (2) No person other than the municipality or its authorised agent shall effect a connection to infrastructure through which municipal services are provided.

46. OBSTRUCTION OF ACCESS TO INFRASTRUCTURE FOR THE PROVISION OF MUNICIPAL SERVICES

- (1) No person shall prevent or restrict physical access to infrastructure through which municipal services are provided.
- (2) If a person contravenes subsection (1), the municipality or its authorised agent may —
 - (a) by written notice require such person to restore access at his/her own expense within a specified period; or
 - (b) if it is of the opinion that the situation is a matter of urgency, without prior notice restore access and recover the cost from such person.

47. ILLEGAL RECONNECTION

- (1) A person who unlawfully and intentionally or negligently reconnects to services or unlawfully and intentionally or negligently interferes with infrastructure through which municipal services are provided, after such customers access to municipal services have been limited or discon-

nected, shall immediately be disconnected.

- (2) A person who reconnects to municipal services in the circumstances referred to in subsection (1) shall be liable for the cost associated with any consumption, notwithstanding any other actions which may be taken against such a person.

48. IMMEDIATE DISCONNECTION

- (1) The provision of municipal services may immediately be disconnected if any person —
- (a) unlawfully and intentionally or negligently interferes with infrastructure through which the municipality or its authorised agent provides municipal services;
 - (b) fails to provide information or provides false information reasonably requested by the municipality or its authorised agent.

CHAPTER 8

OFFENCES

49. OFFENCES

- (1) Any person who —
- (a) fails to give access required by the municipality or its authorised agent in terms of these Bylaws;
 - (b) assists any person in providing false or fraudulent information or assists in wilfully concealing information;
 - (c) uses, tampers or interferes with municipal equipment, service supply equipment, reticulation network or consumption of services rendered;
 - (d) fails or refuses to give the municipality or its authorised agent such information as may reasonably be required for the purpose of exercising the powers or functions under these Bylaws or gives such false or misleading information to the municipality or its authorised agent, knowing it to be false or misleading;
 - (e) contravenes or fails to comply with a provision of these Bylaws;
 - (f) fails to comply with the terms of a notice served upon him/her in terms of these Bylaws.

shall be guilty of an offence and liable upon conviction to a period not exceeding six months imprisonment or community service or a fine not exceeding R6 000-00 (Six Thousand Rand), or a combination of the aforementioned.

CHAPTER 9

DOCUMENTATION

50. SIGNING OF NOTICES AND DOCUMENTS

A notice or document issued by the municipality in terms of these Bylaws and signed by a staff member of the municipality or its authorised agent shall be deemed to be duly issued and must on its mere production be accepted by a court of law as evidence of that fact.

51. NOTICES AND DOCUMENTS

- (1) A notice or document issued by the municipality or its authorised agent in terms of these Bylaws shall be deemed to be duly authorised if an authorised agent signs it.
- (2) Any notice or other document that is served on an owner, customer or any other person in terms of these Bylaws is regarded as having been served —
- (a) if it has been delivered to that person personally;
 - (b) when it has been left at that person's place of residence, business or employment in the Republic with a person over the age of sixteen years;
 - (c) when it has been posted by registered or certified mail to that person's last known address or business address in the Republic and an acknowledgement of posting thereof from the postal service is obtained;
 - (d) if that person's address in the Republic is known, when it has been served on the person's agent or representative in the Republic in the manner provided in subsection (a) — (c); or
 - (e) if that person's address and agent or representative in the Republic is known, when it has been in a conspicuous place on the property or premises, if any, to which it relates.
- (3) When any notice or other document must be authorised or served on the owner, occupier or holder of any property it is sufficient if that person is described in the notice or other document as the owner, occupier or holder of the property or right in question, and is not necessarily the name of the person.
- (4) In the case where compliance with a notice is required within a specified number of working days, such period shall be deemed to commence on the date of delivery or sending of such notice.

52. AUTHENTICATION OF DOCUMENTS

- (1) Every order, notice or other document requiring authentication by the municipality shall be sufficiently authenticated, if signed by the municipal manager or by a duly authorised officer of the municipality or the authorised agent of the municipality; such authority being conferred by resolution of the municipality, written agreement or by a Bylaw.

53. PRIMA FACIE EVIDENCE

- (1) In legal proceedings by or on behalf of the municipality or its authorised agent, a certificate reflecting the amount due and payable to the municipality or its authorised agent, under the hand of the municipal manager, or suitably qualified municipal staff member authorised by the municipal manager or the manager of the municipality's authorised agent, shall upon mere production thereof be accepted by any court of law as prima facie evidence of the indebtedness.

CHAPTER 10

GENERAL PROVISIONS

54. POWER OF ENTRY AND INSPECTION

- (1) The municipality or its authorised agent may enter and inspect any premises for any purpose connected with the implementation or enforce-

ment of these Bylaws, at all reasonable times, after having given reasonable written notice to the occupier of the premises of the intention to do so.

55. EXEMPTION

- (1) The municipality may, in writing, exempt an owner, customer, any other person or category of owner, customers, rate payers, users of services from complying with a provision of these Bylaws, subject to any conditions it may impose, if it is of the opinion that application or operation of that provision would be unreasonable, provided that the municipality or its authorised agent shall not grant exemption from any section of these Bylaws that may result in —
 - (a) the wastage or excessive consumption of municipal services;
 - (b) the evasion or avoidance of water restrictions;
 - (c) significant negative effects on public health, safety or the environment;
 - (d) the non-payment for services;
 - (e) the Act or any regulations made in terms thereof, is not complied with.
- (2) The municipality at any time after given written notice of at least 30 days, withdraws any exemption given in terms of subsection (1).

56. AVAILABILITY OF BYLAWS

- (1) A copy of these Bylaws shall be included in the municipality's Municipal Code as required in terms of legislation.
- (2) The municipality or its authorised agent shall take reasonable steps to inform customers of the contents of the credit control and debt collection Bylaws.
- (3) A copy of these Bylaws shall be available for inspection at the municipal offices or at the offices of its authorised agent at all reasonable times.
- (4) A copy of the Bylaws may be obtained against payment of a fee as prescribed in the Council's tariff of charges from the municipality or its authorised agent.

57. CONFLICT OF LAW

- (1) When interpreting a provision of these Bylaws, any reasonable interpretation which is consistent with the purpose of the Act as set out in Chapter 9 on Credit Control on Debt Collection, must be preferred over any alternative interpretation which is consistent with that purpose.
- (2) If there is any conflict between these Bylaws and any other Bylaws of the Council, these Bylaws will prevail.

58. REPEAL OF EXISTING MUNICIPAL CREDIT CONTROL BYLAWS

- (1) The provisions of any Bylaws relating to the control of credit by the municipality are hereby repealed insofar as they relate to matters provided for in these Bylaws; provided that such provisions shall be deemed not to have been repealed in respect of any such Bylaw which has not been repealed and which is not repugnant to these Bylaws on the basis as determined by the relevant Bylaws.

59. SHORT TITLE AND COMMENCEMENT

- (1) These Bylaws are called the Credit Control and Debt Collection Bylaws of the Okhahlamba Local Municipality and takes effect on the date of promulgation of these Bylaws.
- (2) The municipality may, by notice in the *Provincial Gazette*, determine that provisions of these Bylaws, listed in the notice, does not apply in certain areas within its area of jurisdiction from a date specified in the notice.
- (3) Until any notice contemplated in subsection (2) is issued, these Bylaws are binding.

ANNEXURE "A"

OKHAHLAMBA LOCAL MUNICIPALITY APPLICATION FOR MUNICIPAL SERVICES

Section ACDE — Domestic	Section BCDE — Closed Corporation	Section BCDE — Business
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Section A: Domestic

1. Consumer Surname
2. Full Names
3. ID Number
4. Occupation
5. Employer/Business
6. Marital Status

Single	Married	In community of Property
		Out community of Property
		Customary marriage

7. Full Names Spouse
8. Occupation

9. Employer Spouse
10. Name and Address of Member of Family or Friend
11.
12.
13. Home Telephone Number
14. Work Telephone Number
15. Cell Number

Section B:	Company Details
-------------------	------------------------

1. Business Name
2. Business registration No.
3. ID Number — Owner (Natural Person) — partner
4. Name of Natural Person
5. Business Telephone Number
6. Cell Number
7. Fax/e-mail

Section C:	General
-------------------	----------------

1. Postal Address	
Code:	
2. List of Other Accounts Held	
(i) Name	Account Number
(ii) Name	Account Number
(iii) Name	Account Number
3. Name of Bank	
4. Branch Code	
5. Account Number	
6. Previous Address and Account Number	
7. If tenant, where is rent paid	
8. Number of people residing on property	
9. Occupiers of stand other than family (rental, backyard, lodges, spaza shops, taxis etc.)	

Section D:	Service Particulars
-------------------	----------------------------

1. Address where service is required
2. Lot/stand Number
3. Date when service is required
4. Services Applied for
Water

Communal Standpipe	Yard Tap	House Connection

Sewerage	
VIP	Water Borne

Electricity	
Prepaid	Credit meter

Refuse Removal — Mandatory Service

5. Type of supply:

Domestic	Commercial	Industrial	Educational	State	Agricultural

6. State whether any type of business activities to be conducted from residential address:

Yes No

7. Method of Payment _____

Consumer/applicant _____

Date _____

Section E:**Declaration**

1. I hereby declare that I/we agree to the conditions of supply of the mentioned services as laid down in the Bylaws of the municipality and any other laws that are applicable.
2. I/we hereby accept the street address/stand number specified above as my own *domicilium citandi et executandi* address where I will accept any notice to be served.
3. I/we hereby tender a deposit/bank guarantee of R_____ and that this amount or any part thereof may be used to redeem unpaid accounts or any parts thereof and that the surplus if any be paid back to me/us.
4. I/we indemnify the municipality against any losses which may occur due to claims instituted against the municipality due to power failure, or justifiable discontinuation of services.
5. I/we accept the responsibility for the payment of attorney and client costs should it be necessary for Council to hand over outstanding amounts on the accounts as well as giving permission to be listed with the Credit Bureau.
6. I/we received a duplicate of this application form.
7. I/we hereby certify the information provided to be correct.
8. I/we declare that all payments due and payable by me in pursuance of this application shall promptly be paid by me on the due date.

Signature _____

Date _____

Name: _____

Status: _____

ANNEXURE "B"

OKHAHLAMBA LOCAL MUNICIPALITY
APPLICATION FOR REGISTRATION AS INDIGENT CUSTOMER

Note: An application for municipal services must be completed or updated on submission of this application.

Particulars of Applicant	
Surname	Initials
ID Number	
Marital Status	
If married — in/out of community of property/customary marriage	
Occupation	
Tel. Number	
Cell Number	
Address of Applicant	
Physical Address	Postal Address

Number of properties owned by applicant and all members of the household	
Details of properties	
Property 1	Physical address
	Name of owner
	Name of bondholder
	Account number

Deed Registration	
Number	
Type of structure	
Property 2	Physical address
Name of owner	
Name of bondholder	
Account number	
Deed Registration number	
Type of structure	
Is property/properties or a portion thereof leased to a third person? (Yes/No)	
If leased, rent received	
Number of all members in household	
Combined gross income of all members of the household per month	
Details of all members of the household over the age of 18 years resident at the property	
1. Surname	2. Surname
Full names	Full name
ID Number	ID Number
Employed (Yes/No)	Employed (Yes/No)
Salary including benefits, if relevant	Salary including benefits, if relevant
3. Surname	4. Surname
Full name	Full name
ID Number	ID Number
Employed (Yes/No)	Employed (Yes/No)
Salary including benefits, if relevant	Salary including benefits, if relevant
5. Surname	6. Surname
Full name Full name	
ID Number	ID Number
Employed (Yes/No)	Employed (Yes/No)
Salary including benefits, if relevant	Salary including benefits, if relevant
Details of the other income received by household: i.e. old age pension, disability pension, welfare, etc.	
1. Type of income	2. Type of income
Institution	Institution
Amount	Amount
Reference number	Reference number
3. Type of income	4. Type of income
Institution	Institution
Amount	Amount
Reference number	Reference number
5. Type of income	6. Type of income
Institution	Institution
Amount	Amount
Reference number	Reference number
Details of monthly expenses of household:	
1. Groceries	2. School fees
3. Clothes	4. Rent
5.	6.
7.	8.
9.	10.
Details of current debts of the household: (including insurance policies and credit purchases)	

1. Institution	2. Institution
Account number	Account number
Amount owing	Amount owing
3. Institution	4. Institution
Account number	Account number
Amount owing	Amount owing
5. Institution	6. Institution
Account number	Account number
Amount owing	Amount owing

Details in respect of legal or other actions taken against me in respect of current expenses/debt of the household: (i.e. Administration orders, sequestration, other court orders, listed with a credit Agency, etc.)	
1. Institution	2. Institution
Type of action	Type of action
Case number	Case number
Amount owing	Amount owing
3. Institution	4. Institution
Type of action	Type of action
Case number	Case number
Amount owing	Amount owing
5. Institution	6. Institution
Type of action	Type of action
Case number	Case number
Amount owing	Amount owing

The following documents must be attached —

1. Documentary proof of income (such as a letter from the customer's employer, a salary advice, a pension card, unemployment fund card, etc.); or
2. An affidavit declaring unemployment or income; and
3. Latest municipal account in the possession of customer; and
4. A certified copy of the applicant's identity document.

A. I hereby —

1. Apply for registration as an indigent customer for a period of one year;
2. Accept the conditions applicable to this application as set out in the municipality's policy, Bylaws and the Conditions of Supply of any service provider of the municipality;
3. Declare that I was informed that the document referred to in 2 above are for inspection at the offices of the municipality during office hours;
4. Declare that this application form and the implications thereof was explained to me;
5. Declare that all payments due and payable by me in pursuance of this application shall promptly be paid by me on the due date; and
6. Declare that the information provided in this application form is true and correct.

B. I further declare and accept that the following specific conditions shall apply to this application —

- (1) The municipality or its authorised agent may send authorised representatives to premises or households applying for registration as indigent customers to conduct an on-site audit of information provided prior to approval of an application or any time thereafter.
2. An application shall be approved for a period of 12 months only.
3. The municipality or its authorised agent may on approval of an application or any time thereafter —
 - 3.1 install a pre-payment electricity meter for the indigent customer where electricity is provided by the municipality or its authorised agent; and
 - 3.2 limit the water supply services of an indigent customer to a basic supply of not less than 6 kiloliters per month.
4. An indigent customer must annually re-apply for registration as an indigent customer, failing which the assistance will cease automatically.
5. The municipality or its authorised agent gives no guarantee of renewal.
6. The municipality council may annually as part of its budgetary process determine the municipal services and levels thereof that will be subsidised in respect of indigent customers in accordance with national policy, but subject to principles of sustainability and affordability.
7. Any other municipal services rendered by the municipality or its authorised agent or municipal services consumed in excess of the quantities specified in 6 above shall be charged for and the indigent customer shall be liable for the payment of such charges levied on the excess consumption. Normal credit control procedures shall apply in respect of such excess consumption.
8. Any customer who provides or provided false information in the application form and/or any other documentation and information in connection with the application —

- 8.1. Shall automatically, without notice, be de-registered as an indigent customer from the date on which the municipality or its authorised agent became aware that such information is false; and
- 8.2. Shall be held liable for the payment of all services received.
9. An indigent customer must immediately request de-registration by the municipality or its authorised agent if his or her circumstances has changed to the extent that he or she no longer meets the qualifications set out in the Bylaws.
10. An indigent customer shall automatically be de-registered if an annual application is not made or if such application is not approved.
11. An indigent customer shall automatically be de-registered if an audit or verification concludes that the financial circumstances of the indigent customer has changed to the extent that he or she no longer meet the qualifications set out in the Bylaws.
12. An indigent customer may at any time request de-registration.

**Applicant
Agent**

Municipality/Authorised

Date

Date

CERTIFICATION BY MUNICIPALITY

The consequences of the above declaration made by the applicant were explained to him/her and he/she indicated that the contents of the application were understood.

Municipality/Authorised Agent

Date

FOR OFFICE USE ONLY
Account Number
Date of receipt of application
First Verification
Date Site Visit (Yes/No)
Name of verifier
Indicate information not verified
Recommendation
APPLICATION APPROVED/ NOT APPROVED
Second verification
Date Site Visit (Yes/No)
Name of verifier
Designation of verifier

No. 28, 2006

16 kuLwezi 2006

UMKHANDLU waMasipala wasoKhahlamba ngokuhambisana nesigaba 156 soMthethosisekelo, 1996 (uMthetho 108 ka 1996) ufundwa nezigaba 11 kanye no 98 soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000. (uMthetho No. 32 ka 2000), wenze le Mithethodolobha elandelayo:

UMASIPALA WASOKHAHLAMBA

NgokoMthethosisekelo weRiphabhulikhi yaseNingizimu Afrika, 1996 (uMthetho 108 ka 1996) omasipala phakathi kwezinye izinto bayoba nalamalungelo alandelayo:

INHLOSO

Isigaba 151(3)

Umasipala unelungelo lokubusa, ngokuzakhela kwakhe, izindaba zikahulumeni wasekhaya zomphakathi wawo, ngokuhambisana nomthetho kazwelonke kanye neyesifundazwe, njengokuhlinzeka koMthethosisekelo.

Isigaba 156(2)

UMasipala angenza futhi aphaathe iMithethodolobha ukuze ziphatheke kahle lezo zindaba anelungelo lokuziphatha.

Isigaba 160(2)

UMkhandlu kaMasipala ungenza imithethodolobha enquma imithetho ibuye inike uhlu —

(a) lokuhleleka kwawo kwangaphakathi;

(b) lwemisebenzi yawo kanye nezinqubo.

Njengoba uMkhandlu kumele uphendule kubavoti bawo, ukholelwa ekutheni ngokuqondisa ukuphathwa kwezimali, uzoqinisekisa ukuphathwa kwezimali ngendlela efanele nokuthi uMkhandlu wenelisekile ngokuthi uyahambisana nomthetho wangalesosikhathi, ngakho-ke ukhipha leMithethodolobha, ngaphansi kwegunya lesigaba 11, sifundwa nesigaba 98 soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000).

IZIHLOKO**Isigaba**

1. IZINCAZELO
2. UKULINGANISA KANYE NOKUBOLEKA
3. IZINDLELA ZAMABHUKU EZIMALI KANYE NEZINDLEKO
4. IMALI ENGENAYO
5. UKUPHATHWA KOKUBHALWE PHANSI
6. UKUPHATHWA KWEZINKOKHELO
7. AMAREKHODI ABASEBENZI KANYE NOKUKHOKHELWA
8. UKUPHATHA KWANGAPHAKATHI
9. UCWANINGO MABHUKU
10. IZIMPAHLA EZIKHONA
11. UKUTSHALWA KWEZIMALI
12. UMUSHWALENSE
13. UKUNAKEKELWA KWABAFKIMPAHLA
14. IZIMPAHLA NEZINYE IZINTO
15. ULWAZI KANYE NEZINDLELA ZOKUXHUMANA
16. IZINTO EZINHLOBONHLOBO

1. IZINCAZELO

- (1) Kule Mithethodolobha, ngaphandle uma ingqikithi kusho okwahlukile —

“uMthetho” kusho uMthetho wokuPhathwa kweziMali zoMasipala woHulumeni waseKhaya, 2003 (uMthetho No. 56 ka 2003);

“uMphathimabhuku oMkhulu” kusho isikhulu sikamasipala esikhulu esibalulwe esigabeni 60 soMthetho wokuPhathwa kweziMali zoMasipala woHulumeni waseKhaya, 2003 (uMthetho No. 56 ka 2003);

“Isikhulu Esiphezulu Kwezezimali” kusho isisebenzi esibekiwe maqondana nesigaba 80(2)(a) soMthetho wokuPhathwa kweziMali zoMasipala woHulumeni waseKhaya, 2003 (uMthetho No. 56 ka 2003, noma yiluphi ushintso olukhona kukona, kanye noma yimuphi umuntu ogunyazwe uMkhandlu ukuba asebenze ngokuvunwa yiwo;

“ikomidi” kusho noma iliphi ikomidi elakhiwe ngokumaqondana nesigaba 79 noma 80 uMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998);

“uMkhandlu” kusho umkhandlu kamasipala obalulwe kwisigaba 157(1) soMthethosisekelo, 1996 (uMthetho 108 ka 1996);

“umnyango” kusho noma yimuphi umnyango, ingxenye noma igatsha loMkhandlu inhloko yawo ebika ngqo kuMphathi kaMasipala kuphela;

“GAMAP” kusho Imikhuba Eyamukelekile YoMasipala Yokubika Jikelele;

“GRAP” Imikhuba Esemthethweni Yokubika Jikelele;

“iNhlalo yoMnyango” kusho umuntu oqokwe noma osebenza njengenhloko yanoma yimuphi umnyango woMkhandlu;

“uMphathi kaMasipala” kusho umuntu oqokwe ngokwesigaba 82 soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998).

- (2) Noma yiliphi igama noma isisho esinikeziwe incazelo eMthethweni wokuPhathwa kweziMali zoMasipala woHulumeni baseKhaya, 2003, kanye noMthetho weziNhlalo zoMasipala woHulumeni baseKhaya, 2000, ngaphandle uma kungahambisani nokuqokwe, lapho uzothola ukuthi lelo gama noma isisho sivele kwiMithethodolobha, sinaleyo neazelo esiyinikezwe emthethweni okukhulunywe ngawo.
- (3) Amagama asetshenziswa kunoma yimuphi umuntu ayofaka lowo muntu, izinkampani, noma okopeletsheni, kanye nobulili besilisa buyobandakanya nobesifazane kanjalo nobesilisa, kanti ubunye buyobandakanya nobuningi ngokugquguquka.

2. IZILINGANISO KANYE NOKUBOLEKA**(1) UKUBOLEKA**

Isikhulu Esiphezulu Kwezezimali siyobhekeleka ukuba sithole izimali-mboleko ezidingekile ngenhloso yokukhokhela imali eyizindleko kwimithombo yangaphandle ngokumaqondana nokuhambisana nemigomo kanye nezimo futhi kuthi kulcayo mithombo egunyazwe uMkhandlu emuva kokubona umbiko weSikhulu eSiphezulu Kwezezimali.

(2) UKULUNGISWA KWESABELOMALI SONYAKA

- (a) Zonke iziNhlalo zoMnyango, maqondana nokwenzekayo eminyangweni yazo, nangokuxhumana neSikhulu Esiphezulu Kwezezimali, ziyolungisa —

(i) uhlaka lonyaka lwesabelo mali zilinganise imali ngokwezidingo zikamasipala;

(ii) uhlaka lonyaka lwesabelo mali lonyaka wezimali ofandelayo; kanye

(iii) uhlaka lohlelo lwezimali lweminyaka emibalwa yokuphathwa kwezimali njengokubalula koMkhandlu oHlelweni lweNtuthuko oluDidiyele.

- (b) (i) Isabelo mali sonyaka kufanele sibe sesimweni esichitshiyelwe futhi siyolungiswa siphinde siphothulwe ngalo losuku njengokubalula kweSikhulu Esiphezulu Kwezezimali ngokuxhumana nesoDolobha ngokuambisana nesigaba 21 soMthetho wokuPhathwa kweziMali zoMasipala woHulumeni baseKhaya, 2003.

(ii) uMphathimabhuku oMkhulu uma kunesidingo, ngokumayelana nesigaba 69(2) soMthetho, silungise uhlahlomali ngokulinganisa futhi sinike lokho kuSodolobha ukuze azicubungule aphiinde azethula kuMkhandlu.

- (c) Isikhulu Esiphezulu Kwezezimali siyokhipha imihlahlandlela, emva kokucubungula konke ukukhuphuka kwezezimali ngonyaka njen-gokubalula koMgcinimafa kaZwelonke womasipala jikelele ngokumayelana nokulungiswa kanye nokunganyelwa kwezilinganiso, futhi iziNhlalo zeMnyango ziyovumelana naleyo mihlahlandlela ekulungisweni kwalezo zilinganiso.

- (d) UMphathimabhuku oMkhulu ngokuhlanganyela noSodolobha ngokumayelana nesigaba 21 uMthetho wokuPhathwa kweziMali zoMasipala woHulumeni baseKhaya, 2003 bayothi ngokuqeda uhlaka lwesabelo mali, balandele umgudu wokubambisana nomphakathi ngokumaqondana neSahluko 4 soMthetho weziNhlalo zoMasipala, bese bethi emva kwalokho bedlulisa lolo hlaka, ndawonye kanye nezincwadi ezitholiwe, kuhlangene nombono wakhe mayelana nokunikwa lezo zimali, eMkhandlini ukuze ugunyazwe.

- (e) Lolu hlaka lwesabelo mali odlulisetwe eMkhandlwini ukuze ugonyazwe akumele lukhombise ukuntuleka kwemali. Uma kubonakala ukuthi imali elinganisiwe engenayo ingaphansi kwemali elinganisiwe ephumayo, lezo zilinganiso ziyokukatha imibono eshooyo ukuthi kuzo hlangabezana kanjani nalokho kwentuleka kwemali.
- (f) UMkhandlu kuyomele, ngaphambi kokuthi kuqale lowo nyaka wezimali oqokiwe, ugonyaze izilinganiso futhi ubonise izilinganiso zem-pahla, ihlelo lwemali yokutheliswa kwempahla nguHulumeni kanye nentela yeqashiwe ukuze kulunganiswe izilinganiso zokusebenza; Kuphela nje uma lezozimali eziphumayo noma ezingenayo ezilinganisiwe zingeki zikhushulwe noma zehliswe ngaphandle uma imi-phumela yalolo guku kukhulunywe ngakho ngokubambisana nomphakathi.
- (g) UMkhandlu ungazenza izinguquko kulezi zilinganiso zemali ezigunyaziwe ngonyaka wezimali; Lapho imali eziphuma edingekayo ingaphezulu kwesilinganiso esigunyaziwe, noma iyiphi enye invume eqhamuka ngaphandle iyogonyazwa.
- (h) USodolobha kumele njalo ngenyanga noma ngesikhathi lesi esichitshiyelwe, adlulise umbiko ngokwencwadi evumelekile ngok-wesichibiyelo ngokwesimo sesabelo mali koMasipala.

3. IMALI EPHUMAYO

- (a) Umbiko othunyelwe iNhlolo yoMnyango lapho invume idingeka khona ukuhlangabezana nezindleko, kwenziwe ngendlela yesigaba 19 soMthetho wokuPhathwa kweziMali zoMasipala woHulumeni baseKhaya, 2003, futhi kuyofaka lokhu okulandelayo:
 - (i) isamba semali eyizindleko elinganisiwe kanye nokubungulo eluphelele lwayo, kuhlangukise nayo yonke eminye imiphumela yalezo zindleko eziyoqhamuka ngenxa yomsebenzi owenziwe.
 - (ii) isilinganiso sesamba semali elindeleke ukusetsbenziswa ngonyaka maqondana nemisebenzi noma nobekumele kwenziwe.
 - (iii) isilinganiso sesamba semali sonyaka kumele sitholakale bese kuthi isilinganiso sezimali eziphuma kwanoma iyiphi indlela, kuhlanganise nezindleko zalabo basebenzi abengeziwe abayotholakala uma sekusetshenziswa noma lapho izethembiso sezisetshenziswa.
 - (iv) isikhathi esilindelekile sempilo yempahla kumele sakhiwe.
 - (v) kube nezinkomba zokuthi umsebenzi uzokwenziwa ngokweminyango, noma ngusonkontileka wangaphandle.
 - (vi) noma iluphi olunye ulwazi oludingwa woMphathimabhuku oMkhulu.
- (b) Ayikho imali eyizindleko okuyohlangabezana nayo ngaphandle —
 - (i) uma kwenziwe inhlinzoko esilinganisweni sezimali esigunyaziwe; noma
 - (ii) UMkhandlu uvumile ngombiko wokuthola izimali ezengeziwe zemiklamo emikhulu/izinto lezo ebezingahlelelwe phambilini.

Uma izimali ezanele zingatholakali ngaphakathi kwaleso sabelomali esigunyaziwe sanoma isiphi isamba semali okudingeka ukuba yengezwe, iNhlolo yoMnyango iyobonisa ukuthi imiphi eminye imiklamo/izinto ezingacishwa emnyangweni wayo ukuthola isabe-lo ezengeziwe sezindleko; noma uma lowo mthombo ungekho, isikhulu Esiphezulu Kwezezimali, siyothi ngemva kokuxhumana naleyoNhlolo yoMnyango, enze isincomo ukuthi lokho kwantuleka kungakhokhelwa kanjani;
 - (iii) uMkhandlu usugonyaze ngokubonakalayo lezo zindleko njengoba zibalulwe ku (i) noma (ii); futhi
 - (iv) zonke izigunyazo ezidingekile ngokusemthethweni lapho sezitholakele kanye nazo zonke ezinye izidingo sekuvunyelwene nazo.
- (c) Ayikho imali eyizindleko ezingaphansi kunoma imiphi imiklamo emikhulu eyosetshenziswa ukuthola imali ukuhlangabezana nezindleko ezengeziwe kunoma isiphi isabelomali esigunyaziwe ngaphandle kokugonyazwa uMkhandlu; Ngaphandle lapho isikhulu Esiphezulu Kwezezimali, ngezincwadi zeNhlolo yoMnyango, singadlulisela imali eyizinhlinzoko engaphezulu kwesamba semali ephhezulu njen-gokubalula koMkhandlu ngezinkathi zonke.
- (d) Uma ivoti lemali eyisigunyazo elinganisiwe lingaphansi, noma libhekwele ukuba ngaphansi, iNhlolo yalowo Mnyango, iyobe, ngoku-maqondana nezinhlinzoko zesigaba (3)(c), ithole ngokuphuthuma kwalelo thuba, ukwahlukanisele invume efanele yoMkhandlu ukukhipha imali eyengeziwe, futhi leyo Nhlolo yoMnyango iyobika izizathu —
 - (i) zokuthola isengezo kwizindleko; futhi
 - (ii) ukuthi kungani isigunyazo zangaleso sikhathi, lapho kufanele, singatholakalanga sezindleko ezengeziwe.
- (e) INhlolo yoMnyango iyokwaluleka iSikhulu Esiphezulu Kwezezimali ngokushesha emva kokubona kuncamba esengeziwe esilingan-isweni sezimali leyo engasadingwa umnyango wakhe, futhi iSikhulu Esiphezulu Kwezezimali siyobikela uMkhandlu maqondana nalokho konga.
- (f) Kulandela isigunyazo soMkhandlu, izindleko ezikwisabelomali ezifakwe kwimiklamo engaphelile yangonyaka ofile kuyohlangabezana nayo ngawo lowonyaka wezimali ophhezulu; Kuphela uma, lapho kunesidingo, eziqondile izindleko ezingaphansi zizosetshenziswa iNhlolo yoMnyango.

(4) ISILINGANISO SEMALI YOMSEBENZI

(a) Izindleko ezingaphezulu

Uma uSodolobha enezizathu ezenza akholwe ukuthi noma yisiphi isilinganiso sezinhlinzoko asenele noma singenganela, uyobe ngale-sosikhathi esebika leyo yinto kuMkhandlu; Ngaphandle lapho iSikhulu Esiphezulu Kwezezimali, ngokumaqondana ngenyengo migomo njen-goba kungabalula uMkhandlu, sigunyaze ukudluliswa kwesilinganiso-mali sezinhlinzoko zokusebenza, noma ingxenye yaso evotini noma emavotini abhekelelwe ukusetsbenziswa kwemali okungaphansi kwalesi silinganiso-mali sezinhlinzoko zokusebenza esibalulwe ngasenhla. Esimweni lapho kungekho ukusetshenziswa kwemali okungaphansi, izizathu zezindleko ezingaphezulu ziyoshicilelwa kanye nakho konke ukwehla kwezinye izindleko okungenzeka ukuze kuhlangabezane nalezo zindleko ezingaphezulu, kuyobalulwa. Udaba luyocutshungulwa uMkhandlu ngenhloso yokukhokhela lezo zindleko ezingaphezulu ngokwehla kwezindleko noma ngokwenyuka kwe-mali engenayo.

Lapho isamba esigwele esihlinzekiwe ngenhloso yokuthile esilinganisweni maqondana ne akhawunti yokusebeuza engasetshenzisel-wanga lowomsebenzi, imali esele ngeke, ngaphandle njengoba kubalulwe ngasenhla noma ngokuvuma koMkhandlu, isetshenziselwe noma imiphi eminye imisebenzi.

(b) Izinkinga emalini engenayo

Lapho isilinganiso semali engenayo kubonakala ingeki itholakale, iNhlolo yalowoMnyango mume, ngaphandle kokuchitha isikhathi iSikhulu somnyango ophathekayo, ngaphandle kokuchitha isikhathi, inike isilinganiso sesibalo ngezizathu eziphathelele nezinkinga ema-lini engenayo eSikhulwini Esiphezulu Kwezezimali. USodolobha uyobe esebikela uMkhandlu uma lokho kwehla kwemali kubukeka, ngokombono wakhe, kukukhulu futhi abalule ukuthi lokho kwehla kungahlangabezana kanjani nakho.

(5) IMIBIKO

- (a) Awukho umbiko oqukethe izinkomba zezimali oyobhekwa uMkhandlu ngaphandle uma umbiko, uhlangene nombiko wezimali weSikhulu Esiphezulu Kwezezimali maqondana nalokho, usubhekwe iKomodi eLikhulu. Ingqikithi yokuqukethwe embikweni wezimali weSikhulu Esiphezulu Kwezezimali ngeke uze uguqulwe.
- (b) Lapho kulindeleke noma yiziphi izindleko embikweni odluliselwe eMkhandlwini, iNhlolo yoMnyango iyobalula izinhlinzoko ezifanele ezimalini noma kwisithembiso esilinganiswe futhi ivoti eliphambene nezindleko kuyomele likhishwe.

- (c) Ngaphambi kokunika noma yimuphi umyalelo maqondana nazo zonke izimali zemiklamo, futhi ngaphambi kokuthola nanoma iziphi izindleko, iNhlolo yoMnyango lowo, isiqale ngokuthola isigunyazo soMkhandlu noma iKomidi Elikhulu, lapho kunesidingo, siyobhekela ukuthi izinhlinzeko zemali eyanele ziyenziwa kuieso silinganiso esiphathelene nalokho.

3. IZINHLELO ZOKUPHATHWA KWAMABHUKU KANYE NEZINDLEKO

- (1) ISikhulu Esiphezulu Kwezezimali, noma iNhlolo yoMnyango, noma eceliwe iSikhulu Esiphezulu Kwezezimali, siyogcina uhlelo lokuphathwa kwezimali olubhaliwe ngokumaqondana nemali yokusiza kwangaphakathi, imali yokusebenza kanye neyama-akhawunti futhi, ngaphandle uma lapho indlela yalawo ma-akhawunti ingachithshiyelwa ngokomthetho, lezo zinhlelo ziyogcinwa nganoma iyiphi indlela yeSikhulu Esiphezulu Kwezezimali noma umxhasi wezimali wangaphandle engabona kunesidingo.
- (2) Indlela esetshenziswa umnyango yokuqoqwa kwezimali eziqoqwayo, ukugcinwa kwamabhuku noma yimaphi amanye amarekhodi aphaathelene nezimali, izimpahla, izimpahla ezisazothengiswa, kanye namabhuku okuphathwa kwezimali ezibhaliwe, kuyokwenziwa ngokumaqondana nesigunyazo seSikhulu Esiphezulu Kwezezimali futhi ngeke kwakhiwe uhlelo olunjalo, luguqulwe noma kuphambukwe kulona ngaphandle kwesigunyazo seSikhulu Esiphezulu Kwezezimali.
- (3) ISikhulu Esiphezulu Kwezezimali siyogcina amarekhodi okusetshenziswa kwezimali zoMkhandlu esesimweni sangalesosikhathi, kanti uhlelo lokusebenza kwezimali lolo alwamukelile ekuvumelaneni nalawo marekhodi, ngaphandle kokuvumelana nanoma yimuphi umthetho ochithshiyelwe, luyohlangabezana nanoma imiphi imibhalandlela ebalulekile leyo uMgcinimafu kaZwelonke ayothi zikhathi zonke emva kokubonisana noMgcinimabhuku Jikelele awabalele.
- (4) ISikhulu Esiphezulu Kwezezimali siyolungisa ngokuhubekayo ukubukeza zonke izintela zikaHulumeni ngokumaqondana nalapho kuvele izindleko ezibhekwe kwezinye izindawo, ngokuhambisana neNhlolo yoMnyango.
- (5) ISikhulu Esiphezulu Kwezezimali siyolungisa isitatimende sezezimali kulowo nalowo nyaka wezimali ngokuhambisana ne-GAMAP noma/futhi iGRAP, sizisayinde ngokomthetho, ndawonye kanye noMgcinimabhuku oMkhulu, ukulungiswa kwalezo zititimende.
- (6) Ngaphandle kwaleyo misebenzi ejwayelekile lapho uMkhandlu unquma kanti izimali ezizobizwa, azikho izimpahla ekuzezoMkhandlu, noma lezo okumele zikhokhelwe intela, eziyodluliselwa, kanti awukho umsebenzi oyokwenziwa yiwona wanoma yimuphi umuntu ngaphandle kwesigunyazo soMkhandlu ngaphandle lapho uMkhandlu ugculesekile ukuthi ukudluliswa kwaleyo mpahla noma ukwenziwa kwalowo msebenzi kunobuhle kuwo.
- (7) Azikho izinto eziyokhishwa kanti awukho futhi umsebenzi oyokwenziwa womuntu oyedwa, inkampani, ifemu, inhlangano, uhulumeni noma inhlangano ebambisene nohulumeni, ngaphandle lapho iNhlolo yoMnyango lowo seyazisiwe yiSikhulu Esiphezulu Kwezezimali ukuthi leso samba sezindleko ezilinganisiwe noma ingxenyane yezindleko zomsebenzi lapho zesikhokhiwe noma zihlinzekelwe; Kuphela nje uma iSikhulu Esiphezulu Kwezezimali singathi ngokucabanga kwaso, esimweni sikahulumeni noma lezozinhlangano ezibambisene nohulumeni, ziphume endleleni yalezi zinhlinzeko. Uma ukukhokha sekwenziwe ngaphambi kwesikhathi ngokuhambisana nalesi sigaba, futhi kuthi nakuba kunjalo kubonakala kwiSikhulu Esiphezulu Kwezezimali noma iNhlolo yoMnyango eyenza umsebenzi noma othumela izinto zokusebenza, ukuthi lokho kukhokhelwa ngaphambi kwesikhathi kungenza noma kungeqiwa izindleko zomsebenzi noma ukukhishwa kwezinto zokusebenza ngaphandle kokuqala uvume koMgcinimabhuku oMkhulu, futhi ngaphandle emva kwalokho ukuvumelana nalezozindleko kanye nezimo njengoba uMgcinimabhuku oMkhulu engabalele.
- (8) Akukho umnyango oyoqhuba umsebenzi noma ulethe izinsiza komunye umnyango noma isigaba ngaphandle lomsebenzi noma lezo zinsiza zintulekile ngokomthetho womsebenzi odingekile womnyango woMkhandlu futhi usayindwe isikhulu esigunyaziwe somnyango. Usomqulu uyoqokatha incazelo yomsebenzi noma izinsiza, isilinganiso salezozinsiza, isigunyazo sokuthwala lezo zindleko, kanye nevoti noma into noma inombolo yomsebenzi leyo eyoqondanisa nokukhokha kwalezo zindleko.
- (9) Imali ebiziwe umnyango owodwa ngokumaqondana nomunye umnyango, yomsebenzi noma izinsiza ezibalulwe kwisigaba 3(8) iyodluliswa ngaphandle kokuchitha isikhathi kulomnyango wokugcina ukuze igunyazwe bese kuthi emva kwalokho idluliselwe kwiSikhulu Esiphezulu Kwezezimali ngenhloso yokubizwa. Noma ikuphi ukuphawula kuleyo mali ebiziwe kuqondiswe kwiSikhulu Esiphezulu Kwezezimali ukuthatha isinqumo esiwujiqu.
- (10) (a) Imisebenzi, leyo ehlinzekiwe ezilinganisiweni zokusebenza, kuhlenganise nokulondolozwa futhi nokuvuselelwa kwaleyo misebenzi, ezindleko lezo ezibonakele, ngokombono weNhlolo yoMnyango leyo, ingaphezulu kwesamba esichaziwe kwisigaba 15(5) ngokunjalo kanye nomunye nje umsebenzi njengoba kungabe kubalule uMkhandlu, ngeke iziqhushwe ngokweminyango ngaphandle lapho iSikhulu Esiphezulu Kwezezimali sinikezile umyalelo walowo msebenzi kwisicelo seNhlolo yoMnyango lowo.
- (b) ISikhulu Esiphezulu Kwezezimali singanqaba ukunikeza umyalelo womsebenzi njengoba kubalulwe kwisigatshana (a) njengokubona kwaso kubalulekile uma isicelo sawo singaphethe lololwazi olubhalelwe nezinto zokusebenza, umsebenzi, izithuthi kanye nezinye izindleko.
- (c) Isicelo sokunikezwa umyalelo womsebenzi siyodluliswa enwadini esemthethweni ngokuchithshiyelwa iSikhulu Esiphezulu Kwezezimali, kanye nevoti lelo elizolubaniswa nalezo zindleko zokubizwa kwemali liyocaciswa lapho.
- (11) Asikho isitokwe noma izinto zokusebenza eziyodluliswa emsebenzini owodwa ukuya komunye, ngaphandle kokuba kade kuvunyelwene nezinhlinzeko zesisigaba 13(10)(a).

4. IMALI ENGENAYO

- (1) UMgcinimabhuku oMkhulu uyobhekkelwa ukuba aqoqe zonke izimali ezingezoMkhandlu ngokumaqondana nokuNqandwa kweziKwelctu zoMkhandlu kanye neMithethodolobha yokuQoqwa kweziKwelctu.
- (2) Zonke izimali ezitholakele ziyolungiswa ziphinde zigcinwe zonke izinsuku, noma ngalezozikhathi eziywayelekile njengoba iSikhulu Esiphezulu Kwezezimali singanquma, emnyango weSikhulu Esiphezulu Kwezezimali noma kubagezini mali boMkhandlu. ISikhulu Esiphezulu Kwezezimali kumele sikhlinzekwe ngobufakazi obubalulekile bokuthi izimali zilinganisiwe zaphinda zagcinwa.
- (3) ISikhulu Esiphezulu Kwezezimali siyokwenza isiqiniseko ukuthi zonke izimali ezitholiwe yinoma yimuphi omunye umnyango zikhokhiwe ngezikhathi ezifanele emnyangweni waso noma kungenjalo ngokumaqondana nezinhlinzeko zesisigaba 4(1), futhi ngaleyo nhloso uyoshicilela uhlelo lokuqoqwa kwemali engenayo, futhi angeke lolo hlelo luguqulwe noma kuphambukwe kulona ngaphandle kwesigunyazo seSikhulu Esiphezulu Kwezezimali.
- (4) IziNhlolo zeMnyango ziyokwazisa iSikhulu Esiphezulu Kwezezimali ngokushesha nganoma iyiphi imali okufanele itholwe uMkhandlu, futhi leso saziso siyobalula izizathu zokuthi kungani leyo mali kufanele itholwe.
- (5) Akukho mali okufanele itholwe uMkhandlu eyosutwa njengengatholakali ngaphandle kwesigunyazo soMkhandlu, ngaphandle lapho iSikhulu Esiphezulu Kwezezimali siyobe sigunyaziwe ukwesula isamba esifanele kunoma yisiphi isimo ngasinye esingaphezulu kwesamba esibalulwe uMkhandlu, futhi irekhodi lazo zonke izimali eziqishwe liyogcinwa iSikhulu Esiphezulu Kwezezimali, kuleyo ncwadi esemthethweni njengokucabanga kwaso.
- (6) **AMALISIDI**
 - (a) (i) Zonke izimali ezitholiwe ziyobhalwa phansi ngokushesha ngendlela yelisi di elinenombolo elisemthethweni noma ingayiphi enye futhi indlela egunyazwe iSikhulu Esiphezulu Kwezezimali.

- (ii) Amalisidi angeke aguqulwe nanoma ingayiphi indlela kanti nokusetshenziswa kwayinki osulekayo, izinto ezincibikalisayo noma okunye okufuze lokhu ngeke kuvunyelwe futhi nanoma yiliphi elinye iphutha eliqhamukayo lapho liyoguqulwa ngokunika isaziso esisha selisidi kanye nokucishwa kwelisidi elinephutha.
- (b) Wonke amalisidi acishiwe noma abanye osomqulu abazisa ngalokhu kanye nokunye okufana nelisidi kwalokho kuyobekwa endaweni efanele ebhukwini lamalisidi, noma lapho ibhuku lamalisidi lingekho, kugcinwe ngokuhambisana nemiyalelo enikezwe iSikhulu Esiphezulu Kwezezimali.
- (c) Yonke imali eyeqile etholakalayo iyobe seyibalulwa ngokushesha ngokwalesosimo futhi igcinwe ngaphandle kokuchitha isikhathi kwi akhawunti efanele yezimali ezingenayo futhi konke ukushoda kwemali ewukheshi kuyokwenziwa ngokwesigaba 32 soMthetho wokuPhathwa kweziMali zeMasipala soHulumeni baseKhaya, 2003; Ngaphandle lapho uma uMkhandlu, uma ubhekela isimo, ugculisekile ukuthi isikhulu leso asinaphutha esingabekwa lona ngalokho okwenzekile, engacabanga ukuthi isikhulu leso esibalulwe angeke siphokeleke ukwenza leyompahla eshodayo noma ukuthi isamba sanoma ikuphi okushodayo leso esikwenze kwakuhle, siyobuyiselwa kusona.
- (7) Ukubalwa kwebanga kanye nokubhekelwa kwentela yonyaka, intela kahulumeni, izimali kanye nezinye izimali ezibiziwe kuyokwenziwa futhi nezincwadi ezifanele ziyokwenziwa eMkhandlini njengoba kuvunyelwe phakathi kweSikhulu Esiphezulu Kwezezimali kanye naleyo Nhloko yoMnyango ephathekayo.

5. UKUPHATHWA KWAMAREKHODI

- (1) Amabhuku amalisidi kanye nazo zonke izinto ezibhalwe ngomshini ezilethiwe ukuze zidayiswe, ngaphandle kosomqulu lapho noma imuphi umnyango ophethe kanye nodayisayo ngokwegunya elibonakalayo leSikhulu Esiphezulu Kwezezimali, kanye neSikhulu Esiphezulu Kwezezimali noma umnyango ogunyaziwe uyogcina irejista eneminingwane yesamba esitholiwe kubashicileli kanye nelezinto ezitholiwe, ndawonye nalapho kusayinde khona umamukeli.
- (2) Bonke osomqulu abaphethe irekhodi lokudayiselana lelo elinelisidi noma imali ekhokhiwe, lelo ezobhalwa ngesandla, liyogwaliswa ngoyinki, futhi nokusetshenziswa kwamapeni anoyinki osulekayo akuvunyelwe. Lapho ukubhalwa kulowo somqulu kufanele kucwaningwe, ngeke kuguqulwe nganoma iyiphi indlela.
- (3) Noma ikuphi ukwenziwa ngcono noma ukuguqulwa kwamanye amarekhodi kuyokwenziwa ngokubhala umugqa ocisha leso sibalo esingesona futhi nokufakwa kwesibalo esiyiso phezu, kuthi umuntu owenza lolo guqoko kofuneka ukuba akusayindele lokho.
- (4) Kuyoba umsebenzi wazo zonke iziNhloko zeMnyango ukuthatha izinyathelo eziqondile ukuqapha bonke osomqulu labo ababonakala bebalulekile ngokwezinqubo zomthetho futhi lawo angena ngaphansi kolawulo lomnyango wayo kanye nokugcina labosomqulu njengoba kungabe kubalulekile ngokumayelana noMthetho wamaLekhodi oMlando, 1962 (uMthetho onguNombolo 6 ka 1962), kanti uMqondisi: weMisebenzi eDidiyele, zikhathi zonke, enganikeza imihlahlandlela mayelana nalokho.
- (5) (a) Wonke amatayitela, izivumelwano kanye nabanye osomqulu bomthetho abanjengalaba, bayothi lapho sebeqediwe, babekwe endaweni ephaphile yoMqondisi: weMisebenzi eDidiyele oyonikeza imihlahlandlela ngalokho.
- (b) UMqondisi: weMisebenzi eDidiyele uyogcina irejista yabo bonke osomqulu abachazwe kwisigatshana (a) lapho inombolo, uhlobo, isikhathi sokusebenza kanye nalo lonke olunye ulwazi olubalulekile ngokuphathelele nosomqulu, kubhalwa khona.

6. UKUPHATHWA KWEMALI EKHOKHIWE

- (1) Yonke imali ekhokhiwe emalini yoMkhandlu, ngaphandle kwemali eyi imprest, kuyokwenziwa iSikhulu Esiphezulu Kwezezimali ngokusebenzisa abagcinimali yoMkhandlu.
- (2) Okungenani makube ngababili abazosayinda abagunyazwe uMkhandlu abazobonakala kuwona wonke amasheke akhishwe uMkhandlu.
- (3) Zonke iziNhloko zeMnyango ziyogcina irejista yabantu labo abanikwe isigunyazo sokusayinda osomqulu abasemthethweni, futhi leyorejista iyocacisa uhlobo lukasomqulu loyo okusayindwa kwawo kuncle kwenziwe, futhi uyofaka umfanekiso wokusayinda.
- (4) Umfanekiso werejista obalulwe kwisigaba 6(3) uyokwenziwa uholakale kwiSikhulu Esiphezulu Kwezezimali, yena oyokwaziswa ngokusebenza nganoma iluphi uguquko olwenziwe kuleyo rejista.
- (5) Zonke izincwadi zokufakaza ezinikeziwe ukuze kukhokhwe uyoba sesimweni esichibiyelwe yiSikhulu Esiphezulu Kwezezimali futhi kuyogwaliswa ngokusemthethweni isikhulu esigunyaziwe somnyango lowo ophathekayo futhi, lapho seyinikezwa kwiSikhulu Esiphezulu Kwezezimali, ziyophelelwa osomqulu abeseka lokho, lapho kudingekile, futhi kube nale mininingwane elandelayo:-
 - (a) Igama lomnyango lowo ozokhokhiswa lezo zimali.
 - (b) Ivoti, into noma inombolo ye akhawunti lapho izokhokhwa khona.
 - (c) Ukuthi inhlinzeko yesilinganiso esanele ikhona.
 - (d) Isigunyazo salezo zindleko.
 - (e) Ukuthi izimpahla zitholakele noma imisebenzi yenziwe.
 - (f) Isimo somthetho, lapho kuqondene nalokho.
 - (g) Ukuthi imali ebiziwe ifanele noma ihambisana nenkontileka.
 - (h) Noma iluphi olunye ulwazi njengokuyalela kweSikhulu Esiphezulu Kwezezimali.
 - (i) ISikhulu Esiphezulu Kwezezimali noma isikhulu esigunyazwe yiso ukwenza kanjalo siyogunyaza leyo ncwadi eyisifakaziso ngaphambi kokukhokhwa kwesikweletu.
 - (j) Inqubo yokukhokhelana ngokumaqondana nenkontileka iyogcina kwisamba esinqunyiwe ngomsebenzi kanye nempahla ethunyelwe, njengoba kufakaziwe mayelana kwezigatshana ezibalulwe, kukhishwe isamba semali ekhokhwe phambilini kanye nesamba sokugcinwa kwemali egodliwe ngokwesimo senkontileka.
- Esimweni lapho uMkhandlu usebenzisa imisebenzi sikanjinyela obonisayo, isazi sokwakha njll., isitifiketi sokukhokhelana kufanele sisayindwe ndawonye noMqondisi: weMisebenzi yoBuciko noma enye iNhloko yoMnyango ekufanele lokho njengoba kungabe kudingekile.
- (k) ISikhulu Esiphezulu Kwezezimali ngeke ngokumayelana nanoma iyiphi inkontileka senze ukuba kukhokhwe ngaphezulu kwemali eyisamba enqunyiwe uMkhandlu ngaphandle lapho uMkhandlu usunqume ngokuhlukile emva kokubheka umbiko obhaliwe yiNhloko yoMnyango othintekayo obeka izizathu ukuthi kungani izindleko ezeqile kufanele kuhlangezwane nazo.
- (6) Kanti izinhlinzeko zesigaba 6(5)(c) kanye no (d), ukukhokha kuyothi noma kunjalo kwenziwe lapho iSikhulu Esiphezulu Kwezezimali ngokubambisana noMqondisi: weMisebenzi eDidiyele enombono wokuthi uMkhandlu ubophezelekile ngokomthetho ukwenza kanjalo: Ngaphandle lapho lokho kukhokha kungokufakazelwe futhi: Ngaphandle kokuba ngaphezu kwalokho lokho kukhokha kuyobikwa ngaleso sikhathi eMkhandlini ukuze kugunyazwe.
- (7) **UKUKHOKHWA KWEZIMALI EZINCANE**
 - (a) Ama akhawunti ayi imprest okwenza ukukhokhwa kwezimali ezincane, ayokwakhiwa kuphela ngokugunyaza kweSikhulu Esiphezulu

Kwezezimali, esiyochibiyela isamba saleso sikweletu kanye nohlobo kanye nobungako baleyo nkokhelo okumele yenziwe lapho.

- (b) Zonke izinewadi ezifakazisayo ezidluliswe umnyango akuze kubuye izimali ezikhokhiwe zezimali ezincane ezikhokhiwe ziyophelekezwe osomqulu abaseka lokho ezamukelekile kwiSikhulu Esiphezulu Kwezezimali zayo yonke inkokhelo kanye nerekhodi elifanele liyogcinwa enewadini egunyazwe iSikhulu Esiphezulu Kwezezimali.
- (8) ISikhulu Esiphezulu Kwezezimali siyodlulisa umbiko wenyanga ngokumayelana nenyanga esandakudlula ikhombisa imali ekhona kanye nesele ebhanga ngalesosikhathi sokuqala kwenyanga, isamba semali yonke etholiwe kanye nekhokhiwe ngaleyo nyanga kanye nemali ekhona futhi nesele ebhanga ekupheleni kwaleyo nyanga ilumbanise nezikatimende zasebhanga.

7. AMAREKHODI ABASEBENZI KANYE NOKUKHOKHELWA

- (1) ISikhulu Esiphezulu Kwezezimali sinesibopho sokubala imiholo, izinkokhelo, izibonelelo kanye imali yokuphumula futhi siyogcina amarekhodi abalulekile ngokwalenhloso.
- (2) ISikhulu Esiphezulu Kwezezimali sinesibopho sokuqinisekisa ngezibalo ezibalulwe kwisigaba 7(1).
- (3) Ukukhokha kwayo yonke imiholo, izinkokhelo kanye nezibonelelo kuyokwenziwa iSikhulu Esiphezulu Kwezezimali futhi indlela eyosetshenziwa yalokho kukhokhelwa iyoba sekuboneni kwakhe.
- (4) ISikhulu Esiphezulu Kwezezimali siyokwaziwa imicimbi yokuhlangana, ukugxoshwa, ukwesula, ukushintsha, izikhathi zokuphumula zanoma iluphi uhlobo kanti nokunjalo nokuphutha singakafiki isikhathi sokuphumula komsebenzi kanye nazo zonke ezithinta izinzuzo zabasebenzi boMkhandlu. Ukudluliswa kwalololwazi kwiSikhulu Esiphezulu Kwezezimali kuyoba sesimweni futhi nangosuku kanye nesikhathi njengoba iSikhulu Esiphezulu Kwezezimali siyobalula zikhathi zonke.
- (5) INhloko yoMnyango iyodingeka ukuqinisekisa, maqondana nawo wonke umsebenzi njengokubonisa kweshidi lokukhokhelwa kwesikhathi somholo wosuku, ukuthi lowomsebenzi wayeqashwe uMkhandlu ngalesosikhathi.
- (6) Esimweni semiholo kanye nezinkokhelo okufanele zikhokhe ngokheshi ngenxa yezingqinamba ezithile ezingabonakali —
- (a) Umhloli noma isikhulu esinesibophezelo amagunya eNhloko yoMnyango, futhi oyoba khona, kanye noholelayo bayoqinisekisa ukuthi amanani esamba abonisiwe kwishidi lokukhokhelwa noma emathikithini okukhokhelwa kukhokheleke ngendlela kulowo muntu ngokuqondanisa nalapho esayinde khona noma naluphi uphawu lokubalula lokho; futhi
- (b) Umholeli noma esinye isikhulu esinesibophezelo salokho ngeSikhulu Esiphezulu Kwezezimali siyoqinisekisa ukuthi yonke imiholo kanye nezinkokhelo ezingalandwanga kukhokhiwe kuma akhawunti afanele, ngokumaqondana nanoma yimuphi umthetho oqondene nalokho, ngaphakathi kwesikhathi esibalulwe iSikhulu Esiphezulu Kwezezimali kanti futhi amarekhodi aqondile alezo zimali ezingalandwanga ayogcinwa.

8. UKUPHATHA KWANGAPHAKATHI

- (1) Lokhu okulandelayo kuyoba nesibophezelo kwiNhloko yoMnyango: —
- (a) Ukwakha kanye nokuqashwa kokuphathwa kohlelo lwangaphakathi ukuqinisekisa ukuthi imsebenzi yomnyango waso yenziwe ngendlela efanele futhi enokulandelayo kahle; nokuthi futhi izinhlelo zokuphatha zenziwe ngendlela leyo, uma kubalulekile, ezawusiza ukuhlangabezana nezinjongo okufanele zitholwe kwisigaba 9(6) kanye no 9(7).
- (b) Ukuqinisekisa ukuthi izindlela eziphelele zithathiwe ukuqapha izinto zekhompuyutha, izinhlelo kanye nawo wonke amarekhodi ahlobene nalokho.
- (c) Ukuqapha jikelele kanye nokugada yonke impahla, izinto zokusebenza kanye namarekhodi lawo umnyango onesibophezelo sawo.
- (d) Ukuthi izinhlelo lezo zokuphathwa kwemali kumele kugunyazwe iSikhulu Esiphezulu Kwezezimali kanti futhi ngokumaqondana naley-onhloso iNhloko yoMnyango ngayinye kumele ithumele lezozinhlelo zokuphatha kwiSikhulu Esiphezulu Kwezezimali. ISikhulu Esiphezulu Kwezezimali sinamandla ommeli ukwenza kusebenze lezo zinhlelo zokuphatha lapho iNhloko yoMnyango ikuyekelele lokho.

9. UCWANINGO LWAMA AKHAWUNTI

- (1) Umgcinimabhuku oMkhulu unesibophezelo sokuqinisekisa kwama akhawunti (kwisisekelo lesa asibona sifanele futhi esimayelana nanoma iziphi izichibiyelo zomthetho) wawo wonke amarekhodi, udayiselwano, izithwaliso noma izinto nje jikelele eziphathelele nezimali, isitokwe kanye nanye impahla yoMkhandlu. Uyokwakha iKomidi loCwaningo ngokwesigaba 79 soMthetho weziNhlaka zoMasipala soHulumeni baseKhaya, 1998 ufundwa nesigaba 166 soMthetho wokuPhatha kweziMali zoMasipala woHulumeni baseKhaya, 2003.
- (2) **Imisebenzi kanye nezibopho zeKomidi loCwaningo**
IKomidi loCwaningo kumele, ngokumayelana nanoma iluphi ucwaningo lwama akhawunti olwenziwe ngokohlangothi noma nguMgcinimabhuku jikelele —
- (a) ndawonye kanye noMgcinimabhuku oMkhulu, umcwaningimabhuku wangaphandle kanye nalabo basebenzi bambe boMkhandlu njengoba kungabonakala kudingekile, ukuhlolwa kwempulani kanye nobuzani kanye nendlela ezosetshenziwa kulolo cwaningo.
- (b) ukulinganiswa kophenyo lomcwaningimabhuku wangaphandle ikakhulukazi: —
- (i) umsebenzi omkhulu wokuvumelana lowo ongenzi ingxenye ngaphakathi kwesimo esijwayelekile sikamasipala;
- (ii) okukhulu ukuntuleka kokuphatha kwangaphakathi kanye nezinkokhelo zokukuthuthukisa;
- (iii) ukubika okuphusile, ukuveza kanye nokushicilelwa kolwazi kwizitatimende zemali zonyaka;
- (iv) ukuqonda kwendlela yokubuka elandelwayo ekubhalweni kwezitatimende zemali zonyaka;
- (v) ukuvumelana nenqubo eyamukelekile yokubuka kukamasipala jikelele;
- (vi) ukuvumelana nomthetho;
- (c) ukulinganiswa kwemibiko jikelele yomcubunguli wangaphandle kwizitatimende zemali;
- (d) ukulinganiswa okunzulu kwezinkinga ezingacazululwanga zokubuka noma zocwaningo okuhlangabezane nazo ngesikhathi salolo cwaningo;
- (e) ukulinganiswa kweziluleko ezinikeziwe ngumcubunguli wangaphandle noma yinoma imuphi umuntu mayelana nezinjongo zeKomidi labaCubunguli; kanye (f) ukunquma ukuxhumana kanye nokubambisana phakathi kwabacwaningi bangaphandle kanye nalabo bangaphakathi; uma kukhona
- (3) **IKomidi labaCubunguli kumele, ngokumayelana nocwaningo lwangaphakathi —**
- (a) ukuhlinzeka ngesidlangala sokubika ngqo mayelana nokutholwe uphenyo lwabacubunguli bangaphakathi, uma kukhona
- (b) ukulinganiswa kwekhono lokusebenza kanye nokuphumelela kwemisebenzi yocwaningo lwangaphakathi, uma kukhona
- (c) ukunquma ngezinto ezinokubaluleka okunzulu ezibikiwe ngabacubunguli bangaphakathi, uma kukhona;

(4) **IKomidi labaCubunguli kumele, ngokumayelana nokubika ngezezimali —**

- (a) ukulinganiswa kwekhono lokusebenza kwemigomo kanye nendlela yenqubo yokubika ngezezimali; kanye
- (b) ukubhekela indlela yokumeleka efanele yezitatimende zezimali.

(5) **IKomidi labaCubunguli kumele, ngokumayelana nokuphathwa kwangaphakathi —**

- (a) ukuhlolwa kwekhono lokusebenza lohlelo yokubuka kanye nokuphatha;
- (b) ukunquma nakho konke ukwentuleka kohlelo lokubuka kanye nokuphatha kwangaphakathi olutholakele mayelana nendima.....;
- (c) ukunquma izilinganiso asetshenziswayo ukukhuluma ngokwentuleka; futhi
- (d) ukunquma kanye nokuqiniseko kwemigomo kanye nendlela yonqubo ukubalula izindawo ezinenkinga kanye nezindlela ezisetshenziswayo ukuqinisekisa ukuphatha okwanele kanye nokuphepha ezindaweni lezo.

(6) **IKomidi labaCubunguli kumele —**

- (a) ukubuka kanye nokudluliswa kombiko ezintweni eziphawulwe kulona uMgcinimabhuku oMkhulu; kanye
- (b) ukwenza leyomsebenzi njengoba uMgcinimabhuku oMkhulu engababela zikhathi zonke.

(7) **Amandla eKomidi labaCubunguli**

- (a) IKomidi labaCubunguli, ngangoba kubalulekile ngokwekhono lokusebenza kanye nokwenza umsebenzi wemigomo kanye nokuzuza izinjongo zalo —
 - (i) ukusondeza kanye nokuhlola noma yimaphi amarekhodi, osomqulu kanye nolwazi olutholiwe ngandlela yimbe umasipala noma umsebenzi kamasipala;
 - (ii) ukusondeza kanye nokuhlola noma iziphi izakhiwo lezo noma lapho imisebenzi kamasipala yenziwa khona.
 - (iii) ukwenza imisebenzi yokuhlangana noMkhandlu nanoma yiliphi ikomidi lawo kanye nokubiza noma imuphi umsebenzi kamasipala ukuvela ngaphambi kwawo ukuhlangana naye;
 - (iv) ukuphenya noma ukwenza ukuba kuphenywe yinoma yimuphi umsebenzi kamasipala, emva kokuxhumana noManenja kaMasipala, noma yini;
 - (v) ukuqinisekisa kokusetshenziswa kwezinqubo zokubuka, izinhlelo kanye nokubika ukuthi zisetshenziswa futhi zifakwe kahle; futhi
 - (vi) ukwenza-lula ukuthuthukiswa kwezinga lokubika ngezezimali.

(8) **Ukwenziwa kweKomidi labaCubunguli**

- (a) Imisebenzi kanye nemigomo yokwenziwa yeKomidi labaCubunguli
 - (i) Ukubuyekizwa kwemibiko yesigamu sonyaka edluliselwe kulo.
 - (ii) Ukubuyekizwa kwezinkomba ze PMS kwezomnotho, ikhono lokwenza, ukuphumelela kanye amandla okushayana kuyekufike kwi KPI's kwimigomo okufanele kuhlangezwane nayo njengoba ibekiwe umasipala futhi enze nezincwadi maqondana nalokhu eMkhandlwini ngokudlulisa kwiKomidi Elikhulu.
 - (iii) Okungenani kabili ngonyaka wezimali adlulise umbiko wocwaningo eMkhandlwini kaMasipala ngokudlulisa kwiKomidi Elikhulu.
- (b) Ukwenziwa kweKomidi labaCubunguli
 - (i) Kungabika ngqo eMkhandlwini, kuManenja kaMasipala noma kubacubunguli bangaphakathi nabangaphandle bakamasipala;
 - (ii) Ukuthola noma yimaphi amarekhodi kamasipala aqukethe ulwazi lolo oludingekayo ukwenza imigomo noma ukusebenzisa amandla.
 - (iii) Ukucela noma yimuphi umuntu oqondene ukuba khona kunoma imuphi umhlangano, futhi uma kubalulekile, ukunikeza ulwazi oluceliwe yikomidi kanye nokuphenya noma yini ayibona ibalulekile ukwenza imisebenzi eyimigomo kanye nokusetshenziswa kwamandla.

(9) **Ukulahleka kanye nokulimala**

- (a) Uma umuntu osebenzela umasipala enze ukuba umasipala ulahlekelwe noma ulinyalelwe ngoba —
 - (i) ehlulekile ukuqoqa imali ekweletwa kumasipala ukuze ziqoqwe lokho anesibophezelo ukuba kwenziwe;
 - (ii) enesibophezelo sokukhokhelwa imali kamasipala okungenzeki ngendlela noma ukukhokhelwa kwaleyo mali kamasipala;
 - (iii) yokuthi uyekile ukuthwala imigomo, noma enesibophezelo sezindleko ezingenasidingo kwemali kamasipala;
 - (iv) enesibophezelo sokwantuleka, noma ukubhidlizwa noma ukubulawa kwemali kamasipala, izitembu, nosomqulu kanye namaformu anesimo samandla, ukuphepha, izinto zokusebenza, indawo yokuqokelela impahla nanoma iyiphi futhi impahla kamasipala; noma
 - (v) eyekelelile ukwenza umsebenzi wakhe, noma enesibophezelo sesimangalelo kumasipala, lapho uMgcinimabhuku oMkhulu, noma uma uMgcinimabhuku oMkhulu enesibophezelo salokho kulahleka noma ukulimaza, uMkhandlu, uyobalula isamba salokho kulahleka noma ukulimaza futhi nokuthatha isinyathelo sesijeziso lapho kungenzeka kanye nasesimweni esifanele ukuthola lokho okulahlekile noma okulimele.
- (b) Noma yikuphi ukulahleka okutholwe umasipala futhi leyo uMgcinimabhuku oMkhulu, noma uma uMgcinimabhuku unesibophezelo, uMkhandlu, usola ukuthi kungenzeka ukuba kukhona inkohliso noma isenzo senkohlakalo noma isenzo sokugwazisa esenziwe inoma imuphi umuntu, kuyothi khona manjalo kubikwe uMgcinimabhuku oMkhulu noma uMkhandlu, njengoba isimo singabe siphoka, kuma Phoyisa aseMzansi Africa (SAPS) noma kuMwanimabhuku Jikelele.

(10) **Izindleko Ezingagunyaziwe**

Izindleko ezingagunyaziwe ngeke zivunyelwe futhi ngeke zenze ingxenye yecala uma zilumbaniswa nemali noma i-akhawunti ethile kuze kufike lapho kutholakala isigunyazo konesibophezelo samagunya, ngokuhambisana nezindlela zenqubo yohlahlo mali ejwayelekile esebenzayo kwizimali noma i-akhawunti leyo, futhi noma iyiphi indlela yezindleko ezingagunyaziwe noma ingxenye yayo njengoba kungabalula uNgqongqoshe noma uMkhandlu, njengoba isimo singabe sikhomba lokho, lezo ebingagunyaziwe, kuyotholakala Mgcinimabhuku oMkhulu uma engazimisele ukusithola isamba lesa kulowo ozuzile noma umuntu onesibophezelo sezindleko ezingagunyaziwe: Ngaphandle lapho izindleko ezingagunyaziwe sezenziwe —

- (a) emyalelweni obhaliweyo weKhansela ngaphandle kokuba yena engenawo amandla agunyaza lokho; noma
- (b) njengomphumela wesinqumo soMkhandlu ngokweseka lokho okuvotelwe yiKhansela, ngaphandle lapho kuqoshiwe ukuthi lelo Khansela livote ngokuphambana nalesosinqumo,

futhi emva kwaMgcinimabhuku oMkhulu eseqophile uvo lakhe ngokuphambana nalowo myalelo noma isinqumo, lezo zindleko ziyotholakala kulelo Khansela eliqondene nalokho: Ngaphandle futhi lapho zonke lezo zindleko ezingagunyaziwe ziyothi khona malapho zibikwe nguMgcinimabhuku oMkhulu kuNgqongqoshe weziNdaba zoHulumeni baseKhaya, uNgqongqoshe onesibophezelo sezoMnotho kanye noMwaniming Jikelele.

(11) UMbiko woCwaningo

UMcwaningimabhuku wangaPhakathi uyobika kuMgcinimabhuku oMkhulu ngesigamu sonyaka ngomsebenzi wocwaningo lomnyango wakhe.

10. IMPAHLA EKHONA

- (1) Zonke iziNhloko zeMnyango ziyiqinisekisa ukuqapha kanye nokunakekelwa kwempahla ekhona kuhlangukise nezinto eziqetheke amagama namanani empahla okungaphansi kolakhe ulawulo.
- (2) Izinto ngokwendlela yencazelo njengokubalula kweSikhulu Esiphezulu Kwezezimali ngokubona kwaso noma iliphi inani elingaphansi kwe-samba esibathuliwe zikhathi zonke yiSikhulu Esiphezulu Kwezezimali, ngeke size zithathwe njengempahla ekhona kodwa njengezinto eziqetheke amagama amanani empahla. Ngokumiswa kahle kwamanani noma isiyalelo, iSikhulu Esiphezulu Kwezezimali siyogunyazwa uku-cisha izimpahla ezikhona kwiyejista ebalulwe kwisigaba 10(3) ngalelo nani elingaphansi kwenani elisha noma imithetho eguquliwe kanye nokufuneka eNhlokweni yoMnyango lowo ukugcina amarekhodi alezo zinto ezicishiwe ohlwini lwezinto eziqetheke amagama amanani empahla okubalulwe kwisigaba 10(5).
- (3) ISikhulu Esiphezulu Kwezezimali siyogcina irekhodi lazo zonke izinto eziyimali ezingezoMkhandlu irekhodi lelo eliyophatha okungenani incazelo alezozimpahla ezikhona ndawonye kanye nemali yezinto ezithengwe kuqala noma okanye okubhekeleliwe maqondana nokutholwa kwempahla ekhona, ngokunjalo kanye nomthombo lapho lezizimpahla zikhokhelwe khona. iziNhloko zeMnyango ziyonikeza iSikhulu Esiphezulu Kwezezimali ngolunye ulwazi oluningi alubona ludingekile ekuqoqeni nasekugcineni irekhodi elinjengaleli.
- (4) Yonke iminyango iyokwazisa iSikhulu Esiphezulu Kwezezimali ngaphandle kokuchitha isikhathi ngokutholakala kwempahla, ukuchithwa, noma ukubhidliza noma iluphi olunye ushintsho esimweni ebiyiso isasetshenziswa ukwenza umsebenzi abewuphethe bese enikeza iSikhulu Esiphezulu Kwezezimali nganoma yiluphi ulwazi angaludinga noma yingasiphi isikhathi mayelana nezimpahla uMkhandlu onazo.
- (5) (a) Yonke iminyango iyobeka uhla lwesibalo kanye namanani ezimpahla, ngendlela egunyazwe iSikhulu Esiphezulu Kwezezimali, sazo zonke izilwane, indawo yokukhiqiza, izinsizakusebenza nenenisha, imininingwane leyo iSikhulu Esiphezulu Kwezezimali ebesingakayiceli ukuze iqoshwe njengokusho kwesigaba 10(3).
- (b) Ngosuku olunqunywa iSikhulu Esiphezulu Kwezezimali kunyaka wezimali, zonke iziNhloko zeMnyango kuyodingeka zizokhathanisa izinhla zempahla njengoba kubekiwe esigatshanani (a) kanye nezimpahla ezikhona ezyangweni wayo bese enza umbiko walokukhathanisa awuyise eSikhulwini Esiphezulu Kwezezimali ubhalwe phansi.
- (c) Uma kukhona impahla esohlwini okutholakala ukuthi ayikho emnyangweni, iNhloko yoMnyango iyobe isibhafa isitatimende sawo wonke amaqiniso mayelana nalokungapheli kwempahla embikweni okubhekiswe kuwo esigatshanani (b).
- (d) INhloko yoMnyango iyobe isiletha umbiko esigungwini esenza ucwaningo kanye noMkhandlu ucacise kahle ngokungabikho kwempahla leyo esibonakele ukuthi ayikho ngokuhambisana nesigatshana (c).
- (6) INhloko yoMnyango echintekile iyobe isihlela ukuthi kuzobhekwa kuhlolwe zonke izimpahla ezikhona (njengoba kuchaziwe esigabeni 10(3)) kukhoniwe kumarekhodi noma emabhukwini okungenani kanye ngonyaka wezimali noma njengoba kufuna iSikhulu Esiphezulu Kwezezimali, bese eletha iphepha eliqinisekisa ukuthi ikhona impahla (isitifiketi) noma sisbo okwehlukile mayelana nalempahla. INhloko yoMnyango iyobe isibika ngezinto ezidala izinkinga ekusebenzeni kwayo, kodwa ngokombono waso iSikhulu Esiphezulu Kwezezimali, azic-hazeki ngendlela egculisayo, kwiKomidi eliCwaningayo kanye noMkhandlu.
- (7) Lapho ngokombono woMkhandlu, kucaca ukuthi impahla sekumele ithathwe njengesindata osekumele iyolahlwa, isiningi kakhulu umseben-zi wayo uyancipha noma awusadingeki noma awusekho umsebenzi wayo leyompahla iyobekwa lapho iSikhulu Esiphezulu Kwezezimali sin-quma khona bese eyichitha lempahla ngokubona ukuthi lokhu kuzoba usizo eeMkhandlwini, ngokulandela imiyalelo eMkhandlwini uma imali yokuthenga leyompahla iqhamuka emalimbaleko engakabuyiselwa, iSikhulu Esiphethe Kwezezimali siyobe sesithola indlela lengxenyeyemali yemali ezokhokhwa ngayo.
- (8) ISikhulu Esiphezulu Kwezezimali siyohlangukisa izimpahla zokwenza umsebenzi kanye namabhuku ezezimali minyaka yonke.
- (9) Izimiso zesigaba 9(10) zisebenza kuzozonke izimpahla ngokulinganayo.

11. UKUTSHALWA KWEZIMALI

- (1) ISikhulu Esiphezulu Kwezezimali ngokusebenzisana noMgcinimabhuku oMkhulu umsebenzi waso kuzoba ilona wokutshalwa kwezimali zoMkhandlu kulandelwa izimiso nemibandela eshiwo umthetho kanye nokuhambisana nomgomo ozonqunywa uMkhandlu mayelana nokuthi ngokutshalwa uMkhandlu ukwazi ukuthenga noma udayise ngezibambiso bese njalo ngenyanga wenze umbiko eMkhandlwini wazo zonke izimali ezitshaliwe noma ezikhishwe kulenyanga esuke iqhubeka.
- (2) Indlela okumele kutshalwe ngayo izimali ezingasebenzanga kanye nazo zonke ezinye iphethe ngokomthetho ngokoMithetho wokuPhathwa kwezimali woHulumeni baseKhaya, 2003, imigomo esho ukuthi kumele zitshalwe kanjani izimali zomasipala.
- (3) Ukutshalwa kwezimali okungokwesikhashana kumele kwenziwe kulezozikhungo ezilinganiselwa ku B uma kuya ngobuncane (lapha u B usho izikhungo ezinobungozi obukhulu).

12. UMSHUWALENSE

- (1) ISikhulu Esiphezulu Kwezezimali siyobheka ukuthi ukhona umshwalense ngemvume yoMkhandlu zikhathi zonke. ISikhulu Esiphezulu Kwezezimali siyophinda sibe nomsebenzi wokubheka ukuphathwa komshwalense wawo uMkhandlu uqobo, uma usukhona, kanti ngokuphatha femali, siyokwazi ukuvula ingozi njengoba uMkhandlu unganquma izikhathi ngezikhathi wenze nesiqiniseko sokuthi kuthathwa imali efanele yilesikhwama minyaka yonke.
- (2) Isikhwama okungesawo uMkhandlu qobo siyovikelwa ukuthi kuphinde lemali ifakwe futhi kumshwalense njengoba uMkhandlu unganquma.
- (3) ISikhulu Esiphezulu Kwezezimali kungenzeka ngesinye isikhathi sicele iNhloko yoMnyango ukuthi yenze isitatimende esizochaza zonke izimpahla umnyango onazo, izingozi zivikelwe, kanye nanoma yiluphi ulwazi iSikhulu Esiphezulu Kwezezimali esingabona ludingekile.
- (4) INhloko yoMnyango, uma kudinga iSikhulu Esiphezulu Kwezezimali iyonika isaziso esiphuthumayo sayo yonke impahla abanayo, umhlaba, nezindlu ebolikiwe isikhathi esithile noma eqashisiwe, okufanele zivikelwe ezingozini ezingavela njengomlilo, ingozi noma ukulahleka kwanoma yiluphi uhlobo, noma uma kwenziwa ushintsho esakhiweni noma kukhona abangene ezakhiweni noma izimpahla ezingaphansi komshwalense.
- (5) INhloko yoMnyango iyokwazisa iSikhulu Esiphezulu Kwezezimali ukuthi yimalini okumele isetshenziselwe lemishwalense emisha, noma uma kunoshintsho kuleyo esikhona kuqikelwa ngaso sonke isikhathi ukuthi kunemali ekhokhwayo njalo uma kufakwa into entsha kukhishwa endala.
 - (a) INhloko yoMnyango iyokwazisa iSikhulu Esiphezulu Kwezezimali njalo uma kube nomlilo, konakala noma kwalahleka impahla yoMkhandlu bese ngokushesha singakapheli isikhathi esinqunyiwe kulandelwa izimiso zomshwalense, emva kwaleso sehlo, igcwalise amafomu okuthola isinxephezele isho ukuthi uma icabanga mhlawumbe ingalinganiselwa kumalini imali yokulungisa umonakalo.
 - (b) INhloko yoMnyango iyokwazisa ngokushesha iSikhulu Esiphezulu Kwezezimali kanye noMqondisi weMisebenzi eHlanganyelwe ngokushesha uma kukhona abasebenzi boMkhandlu abalimele.
 - (c) INhloko yoMnyango iyokwazisa ngokushesha iSikhulu Esiphezulu Kwezezimali ngolowo nalowo monakalo noma ukulimala okwenzeke

kwabanye abantu abangasebenzi emnyangweni kungakhathaleki ukuthi iNhloko yoMnyango iyabona yini noma cha ukuthi lokhu kungahlela ekutheni kube necala lombango elibhekiswe kuMkhandlu.

- (6) INhloko yoMnyango iyoshesha yazise iSikhulu Esiphezulu Kwezezimali uma kukhona izimpahla okumele zivikelwe umshwalense ngenxa yodlame lwezepolitiki nokuthi kumele uqale ukhokhe umshwalense, iSikhulu Esiphezulu Kwezezimali siyobika lesicelo somnyango eMkhandlwini.
- (7) Uma uMkhandlu ungenayo imali ozifakele wona yokuqapha zonke izingozi, iSikhulu Esiphezulu Kwezezimali siyobe, ngaphandle uma uMkhandlu uqhamuka nesinye isixazululo, kuyobe sekukhishwa isimemezelo samathenda ukuze kutholakale umuntu owenza lomsebenzi womshwalense ofanele, kanti uyokwenza isiqiniseko sokuthi zivikelwe zonke izingozi ebezingavikelele ngaphambili njengoba uMkhandlu unganquma ngezikhathi ezehlukene, kuhlenganisa nemali engafunwa ezinye izinhlangano eMkhandlwini.
- (8) ISikhulu Esiphezulu Kwezezimali siyogcina wonke amabhuku ezimali ezikhokhiwe kanye nemigomo yoMkhandlu bese umsebenzi waso kube ukukhokha kwemali yanyanga zonke inokwenza isiqiniseko sokuthi zonke izicelo zokukhokhelwa imali ezilethwa kuye yiminyango nokuthi izimangalo zemali eziqhamuka lapho ziyakhokhwa.
- (9) INhloko yoMnyango okuyiyona ephethe isivumelwano somsebenzi iyoletsa eSikhulwini Esiphezulu Kwezezimali, lonke ulwazi oludingekayo ukuze iSikhulu Esiphezulu Kwezezimali sithathe umshwalense ofanele inkontileka leyo ngaphambi kokuba kuqalwe umsebenzi. INhloko yoMnyango ethintekayo inika iSikhulu Esiphezulu Kwezezimali imininingwane yezinto ezibona zingaba yingozi nezidinga ukuvikelwa umshwalense ngokombono wayo iNhloko yoMnyango.

13. UKUPHATHWA KOKULETHWA KWEMPAHLA

- (1) UMkhandlu kuyomele wenze kubekhona umgomo wokunika imisebenzi ngokusho kwesigaba 111 somthetho esiyokwenza ukuthi lezinto ezishiwo kulezigaba 110, 112, 113, 114, 115, 116, 117, 118 kanye no 119 zomthetho zenzeke.
- (2) Umgomo omayelana nokuthola imisebenzi uyohambisana nomhlalandlela olawulayo onqunywe esahlukweni sesibili soMthetho wokuPhathwa kweziMali zoHulumeni baseKhaya, 2003, ngaphansi kwemigomo yokuphathwa kokulethwa kwezinto koMasipala.

14. IZIMPAHLA NEZINYE IZINTO EZIPHATHEKAYO

- (1) INhloko yoMnyango egunyazwe uMkhandlu, ngezincwadi zeSikhulu Esiphezulu Kwezezimali siyobheka ukuthi zonke izindawo ezigcina impahla eziphethe yiso ziphethe ngendlela efanelekile, ukuze izimpahla ziphephe nokunye okuphathekayo okukhona lapho phakathi, bese ebeka wonke amabhuku amayelana nokwamukelwa kwazo nokucishwa njengoba iSikhulu Esiphezulu Kwezezimali singabona kunesidingo ukuze sikwazi ukuphendula mayelana nalempahla.
- (2) Ubuningi nobuncane bempahla ezofunwa kuyonqunywa iSikhulu Esiphezulu Kwezezimali ngendlela azobona ngayo. Impahla ngeke idlule leyo ekufanele ngokujwayelekile ngabe ikhona, ngaphandle uma iSikhulu Esiphezulu Kwezezimali singakwazi ukuthenga nokukhipha iSikhulu Esiphezulu Kwezezimali sihlalane neNhloko yoMnyango bevumelana ngokuthi kukhona izimo ezithile ezibalulekile.
- (3) Isitokwe siyophuma kuphela uma kunephepha lesicelo elisayindwe isikhulu esigunyaziwe oyiNhloko yoMnyango othintekayo.
- (4) Ngeke kubekhona iphephano elivumela ukuthi kuyiwe lapho kugcinwampahla ngaphandle uma imininingwane yevoti mayelana nazo zonke izimpahla ezidingekayo, ibhalwe lapho.
- (5) Ngenxa yokusho kwesigaba 14(4) alikho i-oda noma isicelo sokukhishelwa impahla lapho ihlala khona esiyovunywa uma kungesomfaniswano noma impahla yokugqoka ngaphandle kokuthi kubhalwe igama lomuntu lowo lomfaniswano noma impahla egqokwayo ezonikwa oyidinga ngaphandle uma iNhloko yoMnyango ichazile lapho ukuthi lokunikezwa kuyahambisana nezimiso zoMkhandlu.
- (6) Ngaphandle kokukhishwa kwemali encane engukheshi, eyenziwe kwi-imprest akhawunti ngokusho kwesigaba 6(7) zonke izimpahla ziyothengwa iNhloko yoMnyango futhi akukho zimpahla ezithengiwe eziyokhishwa ngaphandle kwephepha lesicelo elisayindwe iNhloko yoMnyango noma lowo emthumele ukuthi alande lezozimpahla.
- (7) Ngaphandle uma iSikhulu Esiphezulu Kwezezimali sinombono wokuthi kunezimo ezikhona ezihlukile, ayikho impahla engaphezu kwaleyo edingekayo ngokujwayelekile eyogcinwa umnyango njengoba sekube nesiqiniseko ngokwedlule.
- (8) Ayikho impahla eyothengwa ngaphandle kwemvume yeNhloko yoMnyango ithengwa ngalezozimali ezincane ezingukheshi ezikhona emnyangweni.
- (9) Zonke iziNhloko zoMnyango kuyothi kanye ngonyaka noma njengoba kudinga iSikhulu Esiphezulu Kwezezimali zibale impahla zakulowo manyango eziwuphethe bese zibika eSikhulwini Esiphezulu Kwezezimali ubungako bempahla eyonakele nephukile okuzowezwa yilokubala. Ukwengeza, iSikhulu Esiphezulu Kwezezimali siyolokhu, ngezikhathi ezahlukene, nalapho sibona isidingo, sibheke ukuthi zikhona ngempela yini izimpahla lapho siphethe khona noma komunye umnyango esingawuphethe.
- (10) Okufuna ukushintsha emabhukwini empahla, uma kungeqi inani elishiwo esigabeni 16(5) kuyogunyazwa ngendlela eyoshiwo iSikhulu Esiphezulu Kwezezimali noma uMkhandlu kuye ngokuthi ikuphi okudingekayo, uma kubonakala ukuthi izinguquko ezenziwe neSikhulu Esiphezulu Kwezezimali zibalulekile, wonke amacala afaka phakathi ubudedengu, noma ukweba okungakhonjwa kuyobikwa eMkhandlwini uma kwenzeka kubhekwanakho njengoba kusho abanegunya abaphezulu nesigaba 4(6)(c).
 - (a) Sonke isitokwe emva kokuqedwa komsebenzi noma kugcwaliseke inhloso ebezikhishelwe yona noma zabuya ngezikhathi kwenzeka umsebenzi noma zikhona ngazizathu zimbe, kuyomele ngokushesha ngaphansi kophiko lwesaziso esichaza okufanayo, zibuyiselwe lapho zigcinwa khona noma lapho endaweni iNhloko yoMnyango inganquma khona. Leliphepha lokwazisa liyoba ngendlela ezonqunywa iSikhulu Esiphezulu Kwezezimali, lapho kwenzeka inani libekwe kulempahla ebuyile njengoba kuzosho iNhloko yoMnyango.
 - (b) Izimiso zesigaba 14(10)(a) ziyolandelwa kunoma iyiphi impahla njalondalo engumnikelo eMkhandlwini ukuthola noma ukuhlukana nalezimpahla kuyoncika emithethweni ejwayelekile njengaleyo ebekiwe kwiMithethodolobha.
- (11) Lapho, ngombono woMkhandlu, kubonakala ukuthi kunezimpahla esezindala okumele zilahlwe, noma ziningi ezingasasebenzi zonke zithathwe njengezingasawo umsebenzi umsebenzi iSikhulu Esiphezulu Kwezezimali noma iNhloko yoMnyango egunyaziwe ukwenza lokho iyobe isizichitha lezimpahla uma lokho kuzoba usizo eMkhandlwini kuhambisane nemiyalelo ekhishwe iSikhulu Esiphezulu Kwezezimali noma uMkhandlu, kuye ngokuthi yikuphi okwenzeka kulesi simo.

15. ULWAZI KANYE NEZINDLELA ZOKUXHUMANA EZISETSHENZISWAYO

- (1) Ulwazi lokuhlanganyela olumaphakathi kanye nezinhlelo zokuxhumana olunike iSikhulu Esiphezulu Kwezezimali luyogcinwa ngendlela eqikelela isithunzi nokuphepha kwendlela esetshenzisiwe kanye nalo qobo lolo lwazi.
- (2) ISikhulu Esiphezulu Kwezezimali siyokwenza konke okusemandleni ukuqikelela ukuthi ulwazi alulahleki ngokuthi kube khona ezinye izindlela zokubeka lona lolwazi oselukhona nokuthi luphinde lutholakale lona lwazi uma kwenzeka lulahleka.
- (3) Lonke ushintsho olwenziwe ezinhlelweni luyobhalwa phansi ngenhloso yokucwaningwa kwamabhuku kanti kuyogunyazwa iSikhulu Esiphezulu Kwezezimali noma labo abayizithunywa abazobe bemumele.
- (4) Kufanele kube nendlela efanele yokukwazi ukubuyelwa okulahlekile ezolungiswa bese igcinwa iSikhulu Esiphezulu Kwezezimali ukuze kukwazi ukuthi kutholakale zonke izinto ezibalulekile kulesi ikhathi samanje ezenza ukuthi ukuqhubeka kwebhizinisi kuqhubeka kube ngokusimeme nokuqhubekayo noma ngabe kukhona umonakalo ovelile.

- (5) IziNhloko zeMnyango ziyothatha izinyathelo ezifanele ukuvimba izingxenyi zemishini yokusebenza amakhompuyutha ekutheni angahlaselwa amagciwane. Zonke izindawo zokusebenza zizofakwa okuzonconywa okusizayo ekuletheni ukuvikeleka okudingekayo.
- (6) Izinhlelo ezikhona zokugcina ulwazi zanoma yiluphi uhlobo ezikwazi ukukhipha imiphumela emihle yezezimali ezisetsheziselwa ukusho amanani, noma zihlawumbisele ukuthi kungasetshenziswa imali engakanani ukwenza umsebenzi ukuze bakwazi ukulanda izimali kwabanye abantu noma ezisho izinhlawulo ukuthi zingaba ngakanani, izimali ezikhokhelwa izimpahla, nezinye izimali ezibizwayo, konke lokhu kumele kuqinisekise iSikhulu Esiphezulu Kwezezimali noma lowo osimele.

16. IZINTO EZINHLOBONHLOBO

- (1) Noma kukuphi lapho amandla enikwe isikhulu ngenxa yalemithethodolobha, izimo lapho lamandla enikwe khona kumele ichazwe ngokusemthethweni ngokuDluliselwa kwaMandla ngokoMthetho koMkhandlu, kuhlangukisa nombandela othi lesosikhulu kumele sibike eMkhandlwini ngezizathu lezo ezishiwo uMkhandlu.
- (2) **IMIHLANGANO YEKOMIDI, OKUZOXOXWA NGAKHO KANYE NAMAMINITHI OMHLNGANO**
Izaziso zayo yonke imihlangano ziyosiwa eSikhulwini Esiphezulu Kwezezimali kuhlangukisa nemibiko kanye nakho konke okuzokhulunywa ngakho.
- (3) **AMASEKHULA, IZINCWADI NOKUNYE KOKUXHUMANA OKUBHALIWE OKUQHAMUKA KUHULUMENI NEZINYE IZIKHUNGO**
UMqondisi : wemiSebenzi eHlanganyelwe kuyothi, ngokushesha uma ethola isekhula, incwadi noma enye indlela yokuxhumana ebhaliwe lapho okuqokethwe kuhambisana nokuphathwa kwezimali, izimpahla zoMkhandlu, abese edlulisela incwadi eyenziwe efanayo eSikhulwini Esiphezulu Kwezezimali ukuze sibheke loludaba.
- (4) **UKUQHUTSHWA KWEZOMNOTHO**
UMgcinimabhuku oMkhulu uyonikwa amandla okunquma izindlela ezizolandelwa ukubhekana nezezimali kufaka phakathi nempahla ngaphansi kwale Mithethodolobha.
- (5) **UKUBUYEKEZWA KWEMIKHAWULO YEZIMALI**
Imikhawulo yezimali ngaphansi kwale Mithethodolobha iyoshaya ngaphansi komgomo wokuphathwa kohla lwezimpahla ezilethwayo njengoba ihlale iguquguquka nokuyinto lena eyenziwa uMkhandlu.
- (6) **UKUCHITHWA KWEMITHETHODOLOBHA YEZEZIMALI EKHONA**
Izinhlinzeko zanoma yimuphi uMithethodolobha ohambisana nezezimali owawenziwe omasipala abangasekho noma ababekhona ngaphambili, iyachithwa njengamanje ngoba yayihambisana nezinto ezazibhekelelwe imithethodolobha yangaleso sikhathi.

No. 28, 2006

16 November 2006

THE Council of Okhahlamba 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 Bylaws:

OKHAHLAMBA LOCAL MUNICIPALITY

FINANCIAL BYLAWS

PURPOSE

In terms of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) municipalities shall have *inter alia* the following rights:

Section 151(3)

A municipality has the right to govern, on its own initiative, the local government affairs of its community, subject to national and provincial legislation, as provided for in the Constitution.

Section 156(2)

A municipality may make and administer Bylaws for the effective administration of the matters which it has the right to administer.

Section 160(2)

A Municipal Council may make Bylaws which prescribe rules and order for —

- (a) its internal arrangements;
- (b) its business and proceedings.

As the Council is accountable to its voters, it believes that in regularizing financial administration, it will ensure that sound administration prevails and that Council is satisfied that it complies with relevant legislation, and therefore issues these Bylaws, acting under the authority of section 11, read in conjunction with section 98 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

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1. DEFINITIONS

- (1) In these Bylaws, unless the context otherwise indicates —

“**Act**” means the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003);

“**Accounting Officer**” means the municipal official referred to in section 60 of the Local Government: Municipal Finance Management Act, (Act No. 56 of 2003);

“**Chief Financial Officer**” means the employee designated in terms of section 80(2)(a) of the Local Government: Municipal Finance Management Act, (Act No. 56 of 2003) or any amendment thereto, and any person duly authorised by the Council to act on its behalf;

“**committee**” means any committee established in terms of sections 79 or 80 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

“**Council**” means a municipal council referred to in section 157(1) of the Constitution, 1996 (Act 108 of 1996);

“**department**” means any department, section or branch of the Council of which the head reports directly to the Municipal Manager only;

“**GAMAP**” means Generally Accepted Municipal Accounting Practices;

“**GRAP**” means Generally Recognised Accounting Practices;

“**Head of Department**” means the person appointed or acting as head of any department of the Council;

“**Municipal Manager**” means a person appointed in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998).

- (2) Any other word or expression to which a meaning has been assigned in the Local Government: Municipal Finance Management Act, 2003, and the Local Government: Municipal Systems Act, 2000, unless inconsistent with the context shall, wherever such word or expression appears in the Bylaws, bear the same meaning as that assigned to it in the said legislation.
- (3) Words applying to any individual shall include persons, companies and corporations and the masculine shall include females as well as males and the singular shall include the plural and *vice versa*.

2. ESTIMATES AND BORROWING

(1) BORROWING

The Chief Financial Officer shall be responsible for the raising of such loans required for the purpose of financing capital expenditure from external sources in accordance with such terms and conditions and from such sources approved by the Council after considering the Chief Financial Officer's report.

(2) PREPARATION OF ANNUAL BUDGET

- (a) Every Head of a Department shall, in respect of the activities of his department, and in consultation with the Chief Financial Officer, prepare —
- (i) a draft annual budget to appropriate money for the requirements of the municipality;
 - (ii) a draft annual budget for an ensuing financial year; and
 - (iii) a draft capital programme for the following number of financial years as determined by Council's Integrated Development Plan.
- (b) (i) The annual budget must be in the prescribed format and shall be prepared and completed at such date as determined by the Chief Financial Officer in consultation with the Mayor in terms of section 21 of the Local Government: Municipal Finance Management Act, 2003.
- (ii) The Accounting Officer shall when necessary, in terms of section 69(2) of the Act, prepare an adjustments budget and submit it to the Mayor for consideration and tabling in the Council.
- (c) The Chief Financial Officer shall issue guidelines, after considering any growth factor determined annually by the National Treasury for municipalities generally with regard to the preparation and administration of the estimates, and Heads of Departments shall comply with such guidelines in the preparation of their estimates.
- (d) The Accounting Officer in conjunction with the Mayor in terms of section 21 of the Local Government: Municipal Finance Management Act, 2003 shall upon completion of the draft budget, follow a process of community participation in accordance with Chapter 4 of the Municipal Systems Act, and shall thereafter submit such draft, together with comments received, including his proposals for the funding thereof, to Council for approval.
- (e) The draft budget submitted to the Council for approval shall not reflect a deficit. If the aggregate operating income is less than the aggregate operating expenditure, the estimates shall contain proposals to cover such deficit.
- (f) The Council shall, prior to the beginning of a particular financial year, approve the estimates and determine the property rates, tariffs and rentals to be levied in order to balance the operating estimates: Provided that expenditure or income proposed shall not be increased or decreased unless the effects of such proposed changes have been discussed during the process of community participation.
- (g) The approved estimates may be amended by the Council during a financial year: Provided that the total estimates are not exceeded. Where expenditure is required in excess of the approved estimates, any necessary external approval shall be obtained.
- (h) The Mayor must on a monthly basis or as often as may be prescribed, submit reports in the prescribed format on the state of the municipality's budget.

(3) CAPITAL EXPENDITURE

- (a) A report submitted by a Head of a Department in which authority is sought to incur capital expenditure, shall be done in terms of section 19 of the Local Government: Municipal Finance Management Act, 2003, and shall include the following:
- (i) The total estimated costs with a complete analysis thereof, including any consequential expenditure which will arise as a result of the works or undertaking.
 - (ii) The estimated capital amount to be expended annually in respect of the works or undertaking.
 - (iii) The estimated annual income to be derived and the estimated annual expenditure of any kind, including expenditure on additional staff to be incurred when the works or undertaking are taken into use.

- (iv) The estimated duration of life of the asset to be created.
- (v) An indication whether the work shall be done departmentally, or by an external contractor.
- (vi) Any other information required by the Accounting Officer.
- (b) No capital expenditure shall be incurred unless —
 - (i) provision therefore has been made in the approved capital estimates; or
 - (ii) the Council has approved a report for additional funds for capital projects/items which were originally not budgeted for.

If sufficient funds are not available within the approved budgeted quota for any additional amounts required, the Head of a Department shall indicate which other project/item of his department can be cancelled to cover the additional expenditure; or if such source is not available, the Chief Financial Officer will, after consultation with the respective Head of Department, make a recommendation how the shortfall will be financed;

 - (iii) the Council has expressly approved such expenditure as mentioned in (i) or (ii); and
 - (iv) all approvals required by law have been obtained and all other requirements have been complied with.
- (c) No under-expenditure on any capital project shall be employed to cover additional expenditure on any other approved capital project without the approval of the Council: Provided that the Chief Financial Officer may, on recommendation of a Head of a Department, transfer a financial provision not exceeding the maximum amount as determined by Council from time to time.
- (d) If an approved capital estimate vote is exceeded, or is expected to be exceeded, the Head of a Department concerned, shall, subject to the provisions of section (3)(c), obtain at the first possible opportunity, appropriate authority from the Council for the additional expenditure, and such Head of a Department shall report the reasons —
 - (i) for the additional expenditure; and
 - (ii) why timeous authority, where applicable, was not obtained for the additional expenditure.
- (e) A Head of a Department shall advise the Chief Financial Officer as soon as he becomes aware of any amount on his capital estimates which is no longer required by his department, and the Chief Financial Officer shall report to the Council regarding such saving.
- (f) Subject to the approval of the Council, budgeted expenditure allocated to uncompleted projects from a previous financial year may be incurred during a current financial year: Provided that, if necessary, a corresponding under-expenditure must be effected by the Head of a Department.

(4) **OPERATING ESTIMATES**

(a) **Excess expenditure**

If the Mayor has reason to believe that any operating estimate provision is or will be insufficient, he shall forthwith report the matter to the Council: Provided that the Chief Financial Officer may, subject to such conditions as the Council may determine, authorise the transfer of an operating estimate provision, or part thereof from a vote or votes expected to be underspent to the abovementioned operating estimates provision. In the event where no under-expenditure is available, the reasons for the excess expenditure shall be stated and any decrease in other expenditure which may occur in order to meet the excess expenditure, shall be indicated. The matter shall be considered by the Council with a view to cover the excess expenditure by a decrease in expenditure or an increase in income.

When the full amount provided for a specific purpose in the estimates in respect of the operating account has not been spent for that purpose, the balance shall not, except as mentioned above or with the consent of the Council, be used for any other purpose.

(b) **Shortfall in income**

Where estimated income is unlikely to realise, the Head of the Department concerned shall, without delay, give an account for the reasons resulting to the shortfall in income to the Chief Financial Officer. The Mayor shall then report to the Council if the shortfall is, in his opinion, substantial and indicate how the shortfall will be met.

(5) **REPORTS**

- (a) No report containing financial implications shall be considered by the Council unless the report, including a financial report of the Chief Financial Officer in this regard, has been considered by the Executive Committee. The essence of the contents of the financial report of the Chief Financial Officer shall not be altered.
- (b) Where any expenditure is contemplated in a report submitted to the Council, the Head of the Department shall indicate the applicable provision on the capital or operating estimates and the vote against which the expenditure is to be charged.
- (c) Before instructions are given to a consultant with regard to any capital project, and before any expenditure is incurred, the Head of the Department concerned, having first obtained the approval of the Council or Executive Committee, where applicable, shall also see to it that adequate financial provision is made in the relevant estimates.

3. **ACCOUNTING SYSTEMS AND COSTING**

- (1) The Chief Financial Officer, or a Head of a Department, when so requested by the Chief Financial Officer, shall maintain proper cost accounting systems in respect of intergovernmental grants, capital and operating accounts and, except in so far as the form of such accounts may be prescribed by law, such systems shall be kept in whatever form the Chief Financial Officer or external grantor of funds should consider suitable.
- (2) The system used by a department for the collection of revenue, the keeping of books or any records relating to financial matters, assets, stocks, as well as cost accounting, shall be subject to the approval of the Chief Financial Officer and no such system shall be established, altered or deviated from without the Chief Financial Officer's approval.
- (3) The Chief Financial Officer shall keep the financial accounting records of the Council up to date, and the accounting systems which he has accepted in compiling such records shall, apart from complying with any prescribed law, adhere to any compulsory guidelines which National Treasury may from time to time after consultation with the Auditor-General determine.
- (4) The Chief Financial Officer shall continuously review all tariffs in respect whereof expenditure is taken into account elsewhere, in conjunction with a Head of a Department.
- (5) The Chief Financial Officer shall prepare financial statements in respect of each financial year in accordance with GAMAP and/or GRAP, and certify, together with the Accounting Officer, the correctness of such statements.
- (6) Except in respect of normal services for which the Council has determined tariffs, no goods of any kind belonging to the Council, or in respect of which it is taxable, shall be supplied to, and no work shall be carried out by it for any other person without the Council's approval and unless the Council is satisfied that the supplying of such goods or the executing of such work is to its advantage.
- (7) No material shall be supplied to and no work shall be carried out for a private individual, company, firm, organisation, state or parastatal body, unless the Head of the Department concerned has been notified by the Chief Financial Officer that the amount of the estimated cost or part of the cost of the work has been paid or otherwise been provided for: Provided that the Chief Financial Officer may in his discretion, in the case

of state or parastatal bodies, deviate from this provision. If a payment has been made in advance in compliance with this section, and it nevertheless becomes evident to the Chief Financial Officer or the Head of the Department performing the work or supplying the material, that such payment in advance is likely to or will be exceeded by the cost of the work or material, such Head of a Department shall not continue with the performance of such work or the supply of such material without the prior consent of the Accounting Officer, and without thereafter complying with such terms and conditions as the Accounting Officer may determine.

- (8) No department shall carry out work or render services to another department or section unless such work or services are requisitioned on the Council's official departmental works order and signed by a duly authorised official. The document shall contain a description of the work or services, the estimated cost thereof, the authority for incurring the expenditure, and the vote or item or job number against which such expenditure should be debited.
- (9) Charges levied by one department in respect of another department, for work or services referred to in section 3(8) shall be submitted without delay to the latter department for approval and thereafter be submitted to the Chief Financial Officer for recharge purposes. Any objection to such a charge shall be referred to the Chief Financial Officer for a final decision.
- (10) (a) Works, which have been provided for on the operating estimates, including the maintenance and repair of such works, of which the anticipated cost will, in the opinion of the Head of the Department concerned, exceed the amount mentioned in section 15(5) as well as such other work as may be determined by the Council, shall not be carried out departmentally unless the Chief Financial Officer has issued a work order for same on application by the Head of the Department concerned.
 - (b) The Chief Financial Officer may refuse to issue a work order as referred to in subsection (a) as he deems necessary if the application therefor is not supported by such information relating to material, labour, transport and other costs.
 - (c) An application for the issue of a work order shall be submitted on a form prescribed by the Chief Financial Officer, and the vote against which the relevant expenditure is to be charged shall be stated therein.
- (11) No stocks and materials shall be transferred from one job to another, unless there has been complied with the provisions of section 13(10)(a).

4. INCOME

- (1) The Accounting Officer shall be responsible for the collection of all monies due to the Council in terms of the Council's Credit Control and Debt Collection Bylaws.
- (2) All monies received shall be balanced and deposited daily, or at such regular intervals as the Chief Financial Officer may determine, at the department of the Chief Financial Officer or the Council's bankers. The Chief Financial Officer must be provided with the necessary proof that the monies have been balanced and deposited.
- (3) The Chief Financial Officer shall ensure that all monies received by any other department are paid over regularly to his department or otherwise in accordance with the provisions of section 4(1), and for that purpose he shall prescribe a system for the collection of income, and no such system shall be altered or deviated from without the Chief Financial Officer's approval.
- (4) Heads of Departments shall notify the Chief Financial Officer immediately of any monies becoming due to the Council, and such notification shall state the reasons why such monies are due.
- (5) No amount due to the Council shall be written off as irrecoverable without the approval of the Council, provided that the Chief Financial Officer shall be authorised to write off appropriate amounts in any one case not exceeding the amount as determined by Council, and a record of all amounts written off shall be kept by the Chief Financial Officer, in such form as he may decide.

(6) RECEIPTS

- (a) (i) All monies received shall be recorded immediately by means of a numbered official receipt or in any other manner approved by the Chief Financial Officer.
- (ii) Receipts shall not be altered in any way and the use of erasable ink, solvents or a similar device shall not be permitted and any error appearing thereon shall be rectified by the issue of a new acknowledgement of receipt and the cancellation of the erroneous receipt.
- (b) Every cancelled receipt form or other applicable acknowledgement document and all duplicates thereof shall be replaced in its proper place in the receipt book, or, in the absence of a receipt book, filed in accordance with instructions issued by the Chief Financial Officer.
- (c) Any surplus cash found shall immediately be declared as such and deposited without delay to the credit of the appropriate account and all cash shortages shall be dealt with in terms of section 32 of the Local Government: Municipal Finance Management Act, 2003: Provided that if the Council, considering the circumstances, is satisfied that the official was in no way to blame for the deficiency, he may decide that the mentioned official shall not be obliged to make the deficit good or that the amount of any deficit which he has made good, shall be refunded to him.
- (7) The determination and annual review of rentals, tariffs, fees and other charges shall be done and appropriate recommendations shall be made to the Council as agreed between the Chief Financial Officer and the applicable Head of the Department.

5. CONTROL OF RECORDS

- (1) Receipt books as well as all printed material offered for sale, except documents which any department controls and sells with the explicit authorisation of the Chief Financial Officer, shall be obtained only from the Chief Financial Officer, and the Chief Financial Officer or department so authorised shall keep a register with particulars of the quantities received from the printers and of the items issued, together with the signature of the recipient.
- (2) Every document containing a record of transactions which involves the receipt or payment of money, which is to be written up by hand, shall be completed in ink, and the use of pens with erasable ink is not allowed. Where an entry in such document has been audited, it shall not be altered in any way.
- (3) Any improvements or alterations to other records shall be made by crossing out the incorrect figures and inserting the correct figures at the top, and the person making the alteration shall affix his signature thereto.
- (4) It shall be the responsibility of every Head of Department to take the necessary steps to safeguard all documents of possible significance in legal proceedings and which fall under the control of his department and to store such documents as are necessary in terms of the Archives Act, 1962 (Act No. 6 of 1962), and the Director: Corporate Services may, from time to time, issue directives in this regard.
- (5) (a) All title deeds, agreements and similar legal documents, shall upon completion, be placed in the safe custody of the Director: Corporate Services who will issue directives in this regard.
- (b) The Director: Corporate Services shall maintain a register of all documents mentioned in subsection (a) in which the number, nature, period of validity and any other information of importance regarding each document, is recorded.

6. CONTROL OF PAYMENTS

- (1) Every payment from the funds of the Council, other than imprest money, shall be made by the Chief Financial Officer by means of the Council's bankers.
- (2) The signatures of at least two persons duly authorised by the Council shall appear on all cheques issued by the Council.

- (3) Every Head of a Department shall maintain a register of persons to whom authority has been delegated to sign official documents, and such register shall indicate the nature of the documents to which such signing authority applies, and shall include specimen signatures.
- (4) A copy of the register referred to in section 6(3) shall be made available to the Chief Financial Officer, who shall be notified immediately of any changes to such register.
- (5) Every voucher submitted for payment shall be in the form prescribed by the Chief Financial Officer and shall be certified by an authorised official from the department concerned and shall, when submitted to the Chief Financial Officer, be accompanied by supporting documents, where applicable, and have the following information thereon: —
 - (a) The name of the department against which it is to be charged.
 - (b) The vote, item or account number from which it is to be paid.
 - (c) That sufficient estimate provision exists.
 - (d) The authority for the expenditure.
 - (e) That the goods have been received or the services rendered.
 - (f) The statutory authority, where relevant.
 - (g) That the price charged is reasonable or according to contract.
 - (h) Such other information as the Chief Financial Officer may direct.
 - (i) The Chief Financial Officer or an official authorised by him to do so shall approve such voucher before settlement of the account.
 - (j) Progress payments in respect of a contract shall be limited to the value of the work and the material supplied, as certified in terms of the aforesaid subsections, less the amount of previous payments made and the amount of retention money withheld in terms of the contract.

In the case where the Council makes use of the service of consulting engineers, architects etc., the certificate for payment must be co-signed by the Director: Technical Services or other responsible Head of a Department as applicable.
- (k) The Chief Financial Officer shall not in respect of any contract make any payment in excess of the total amount authorised by the Council unless the Council has resolved otherwise after considering a written report by the Head of the Department concerned stating the reasons why the excess expenditure should be incurred.
- (6) Notwithstanding the provisions of sections 6(5)(c) and (d), payment shall nevertheless be made where the Chief Financial Officer in conjunction with the Director: Corporate Services is of the opinion that the Council is under a legal obligation to do so: Provided that such payment is so certified and: Provided further that such payment shall forthwith be reported to the Council for approval.

(7) PETTY DISBURSEMENTS

- (a) Imprest accounts for the making of petty disbursements, shall only be established with the approval of the Chief Financial Officer, who shall prescribe the amount of such accounts and the nature and extent of payments to be made therefrom.
- (b) Every voucher submitted by a department for the refund of petty disbursements shall be accompanied by supporting documents acceptable to the Chief Financial Officer for all such payments and a proper record shall be kept in a form approved by the Chief Financial Officer.
- (8) The Chief Financial Officer shall submit a monthly report in respect of the immediate preceding month reflecting the cash and bank balances as at the beginning of the month, the total amounts received and payments made during that month and the cash and bank balances as at the end of that month reconciled with the bank statements.

7. STAFF RECORDS AND PAYMENTS

- (1) The Chief Financial Officer is responsible for the calculation of salaries, wages, allowances and leave and shall keep the necessary records for this purpose.
- (2) The Chief Financial Officer shall be responsible for the verification of all calculations referred to in section 7(1).
- (3) The payment of all salaries, wages and allowances shall be made by the Chief Financial Officer and the method of such payment shall be at his discretion.
- (4) The Chief Financial Officer shall be notified of all appointments, promotions, dismissals, resignations, transfers, leave of any description as well as any absence without leave of an employee and all matters affecting the emoluments of employees of the Council. The submission of such information to the Chief Financial Officer shall be in such form and at such date and time as the Chief Financial Officer may from time to time determine.
- (5) A Head of a Department shall be required to certify that, in respect of every employee reflected on the paysheet for each pay period, such employee was employed by the Council during such period.
- (6) In the event of salaries and wages having to be paid in cash due to unforeseen circumstances —
 - (a) the supervisor or a responsible official designated by the Head of the Department, and who shall be present, and the paymaster shall certify that the amounts reflected on the paysheet or pay tickets have been duly paid to the respective persons against their signatures or other marks of identification; and
 - (b) the paymaster or other responsible official designated by the Chief Financial Officer shall certify that all unclaimed salaries or wages have been paid into the designated account, in accordance with any relevant legislation, within the period specified by the Chief Financial Officer and appropriate record of such unclaimed monies shall be kept.

8. INTERNAL CONTROL

- (1) The following shall be the responsibility of a Head of a Department:
 - (a) To establish and maintain internal control systems to ensure that the activities of his department are conducted in an efficient and well ordered manner; and that the control systems are as such that, where applicable, it will assist to reach the goals which must be obtained in sections 9(6) and 9(7).
 - (b) To ensure that adequate measures are taken to safeguard computer equipment, programs and all associated records.
 - (c) Generally to maintain and safeguard all assets, materials and records for which the department is responsible.
 - (d) Such financial control systems are subject to the approval of the Chief Financial Officer and for such purpose each Head of a Department must submit such control systems to the Chief Financial Officer. The Chief Financial Officer has the power of attorney to implement such control systems where the Head of the Department neglects to do so.

9. AUDIT

- (1) The Accounting Officer shall be responsible for the auditing (on such a basis as he considers appropriate and subject to any legal prescrip-

tions) of all records, transactions, undertakings or matters in general relating to the finance, stocks and assets of the Council. He shall establish an Audit Committee in terms of section 79 of the Local Government: Municipal Structures Act, 1998 read with section 166 of the Local Government: Municipal Finance Management Act, 2003.

(2) Functions and duties of the Audit Committee

The Audit Committee must, with regard to any audit performed by or on behalf of the Auditor-General —

- (a) together with the Accounting Officer, the external auditor and such other employees of the Council as it may deem appropriate, assess the planning and scope of and approach to such audit;
- (b) evaluate the findings of the external auditor especially: —
 - (i) significant transactions that do not fall within the normal activities of the municipality;
 - (ii) substantial deficiencies in internal control and the recommendations to improve them;
 - (iii) the reasonable reporting, presentation and publication of information in annual financial statements;
 - (iv) the relevance of the accounting policy followed in the compilation of annual financial statements;
 - (v) compliance with generally accepted municipal accounting practice;
 - (vi) compliance with the law;
- (c) generally evaluate the report of the external auditor on the financial statements;
- (d) evaluate substantial unsolved accounting or auditing problems experienced during such audit;
- (e) evaluate the advice provided by the external auditor or any other person with regard to the objects of the Audit Committee; and
- (f) assess the co-ordination and co-operation between the external auditors and the internal auditor, if any.

(3) The Audit Committee must, with respect to internal auditing —

- (a) provide a forum for direct reporting of the findings of the internal auditor, if any;
- (b) evaluate the efficiency and effectiveness of the internal audit function, if any;
- (c) assess matters of significant importance reported by the internal auditor, if any;

(4) The Audit Committee must, in respect of financial reporting —

- (a) assess the effectiveness of policies for and procedures of financial reporting; and
- (b) consider the way of fair presentation of the financial statements.

(5) The Audit Committee must, with respect to internal control —

- (a) review the effectiveness of the accounting and control system;
- (b) assess any deficiency in the accounting and internal control system discovered in terms of paragraph;
- (c) assess the measures implemented to address such deficiencies; and
- (d) assess and confirm the policies and procedures for identifying areas of risk and the measures implemented to ensure adequate control of and security at such areas.

(6) The Audit Committee must —

- (a) consider and submit a report on matters referred to it by the Accounting Officer; and
- (b) perform such functions as the Accounting Officer may assign to it from time to time.

(7) Powers of the Audit Committee

- (a) The Audit Committee may, to the extent necessary for the efficient and effective performance of its function and achievement of its objectives:
 - (i) access and inspect any records, documents and information held otherwise by the municipality or an employee of the municipality;
 - (ii) access and inspect any premises on which or from where the activities of the municipality are performed;
 - (iii) conduct interviews with the Council or any committee thereof and summons any employee of the municipality to appear before it and interview him or her;
 - (iv) investigate or cause to be investigated by any employee of the municipality, after consultation with the Municipal Manager, any matter;
 - (v) ensure that effective accounting policies, systems and reporting are implemented and applied; and
 - (vi) facilitate improvement of the standard of financial reporting.

(8) Performance Audit Committee

(a) Functions and duties of the Performance Audit Committee

- (i) Review the quarterly reports submitted to it.
- (ii) Review the PMS focussing on economy, efficiency, effectiveness and impact in so far as the KPI's and performance targets as set by the municipality are concerned and make recommendations in this regard to the Council via the Executive Committee.
- (iii) At least twice during a financial year submit an audit report to the Municipal Council via the Executive Committee.

(b) The Performance Audit Committee may —

- (i) communicate directly with the Council, Municipal Manager or the internal and external auditors of the municipality;
- (ii) access any municipal records containing information that is needed to perform its duties or exercise its powers;
- (iii) request any relevant person to attend any of its meetings, and if necessary, to provide information requested by the committee and investigate any matter it deems necessary for the performance of its duties and the exercise of its powers.

(9) Loss and Damage

- (a) If a person who is in the employ of the municipality caused the municipality a loss or damage because he —
 - (i) failed to collect money owing to the municipality for the collection of which he was responsible;
 - (ii) is or was responsible for an irregular payment of money of the municipality or for a payment of such money not supported by a proper voucher;
 - (iii) due to an omission to carry out his duties, is or was responsible for fruitless expenditure of money of the municipality;
 - (iv) is or was responsible for a deficiency in, or for the destruction of or damage to money of the municipality, stamps, face value docu-

ments and forms having a potential value, securities, equipment, stores or any other property of the municipality; or
(v) due to an omission to carry out his duties, is or was responsible for a claim against the municipality.

then the Accounting Officer, or if the Accounting Officer was responsible for such loss or damage, the Council, shall determine the amount of such loss or damage and take disciplinary action where possible and in appropriate cases recover the loss or damage.

- (b) Any loss suffered by the municipality and which the Accounting Officer, or if the Accounting Officer is responsible, the Council, suspects to be due to any fraudulent or corrupt act or an act of bribery committed by any person, shall forthwith be reported by the Accounting Officer or the Council, as the case may be, to the South African Police Service and Auditor-General.

(10) **Unauthorised Expenditure**

Unauthorised expenditure shall be disallowed and shall not form a charge against a fund or account concerned until it has been approved by the responsible authority, in accordance with the normal budgetary procedure applicable to the fund or account concerned, and any unauthorised expenditure or part thereof as determined by the Minister, MEC or Council, as the case may be, which has not been authorised, shall be recovered from the Accounting Officer if he is unwilling to recover the amount concerned from the beneficiary or the person responsible for the unauthorised expenditure: Provided that where unauthorised expenditure has been effected —

- (a) on a written instruction of a Councillor notwithstanding the fact that he does not have the necessary authority; or
(b) as a result of a Council resolution in favour of which a Councillor voted, unless it is recorded that such Councillor voted against such resolution,

and after the Accounting Officer has recorded his objection against such instruction or resolution, such expenditure shall be recovered from the Councillor concerned: Provided further that all such unauthorised expenditure shall forthwith be reported by the Accounting Officer to the MEC for Local Government Affairs, the MEC responsible for Finance and the Auditor-General.

(11) **Audit Report**

The Internal Auditor shall report to the Accounting Officer quarterly on the audit activities of his section.

10. **ASSETS**

- (1) Every Head of a Department shall ensure the safeguarding and care of the assets including inventory items under his control.
- (2) Items according to description as determined by the Chief Financial Officer in his discretion or which value is less than the amount determined from time to time by the Chief Financial Officer, shall not be regarded as asset items but as inventory items. By the adaptation of such values or directions, the Chief Financial Officer shall be authorised to write off existing asset items in the register referred to in section 10(3) with a value less than the new value or the amended regulations and demand from the Head of the Department concerned to keep record of such written-off items on the inventory lists referred to in section 10(5).
- (3) The Chief Financial Officer shall maintain a record of all capital assets belonging to the Council which record shall contain at least a description of the asset concerned together with the original purchase price or other consideration relevant to the acquisition of the asset, as well as the source from which such acquisition was financed. Heads of Departments shall furnish the Chief Financial Officer with such further information which he considers necessary to compile and maintain such record.
- (4) A Head of a Department shall notify the Chief Financial Officer without delay of the acquisition, disposal, demolition or any other change in the status of any capital asset under his control and shall furnish the Chief Financial Officer with any information he may require from time to time regarding any assets of the Council.
- (5) (a) Every department shall keep inventories, in a form to be approved by the Chief Financial Officer, of all animals, plant, tools and furniture, details of which the Chief Financial Officer has not required to have recorded in the register referred to in section 10(3).
(b) At such a date during every financial year of the Council as the Chief Financial Officer may decide, every Head of a Department shall cause a comparison to be made between the inventories referred to in subsection (a) and the assets in the possession of his department and shall report the result of such comparison to the Chief Financial Officer in writing.
(c) If any asset referred to in the aforesaid inventories is found not to be in the department's possession, the Head of the Department shall include a statement of all the facts relating to the deficit in the report referred to in subsection (b).
(d) The Head of the Department shall submit a written report to the Audit Committee and Council setting out the relevant facts relating to the absence of any asset as identified in accordance with subsection (c).
- (6) The Head of the Department concerned shall arrange for a complete check of all assets (as referred to in section 10(3)) shown on such records at least once during each financial year or as demanded by the Chief Financial Officer, and shall thereafter submit to the Chief Financial Officer a certificate of the existence or otherwise of such assets. The Head of the Department shall report any discrepancies which cannot, in the opinion of the Chief Financial Officer, be satisfactorily accounted for, to the Audit Committee and the Council.
- (7) Where, in the opinion of the Council, any asset should be scrapped or declared redundant or obsolete, such asset shall be kept in such a place as the Chief Financial Officer may direct, and the Chief Financial Officer shall dispose of such asset to the best advantage of the Council, in accordance with directives issued by the Council, provided that where such asset has been financed from a loan that is not fully redeemed, the Chief Financial Officer shall determine the method by which the unredeemed portion of the loan shall be repaid.
- (8) The Chief Financial Officer shall reconcile the capital assets and accounting records in respect of each financial year.
- (9) The regulations of section 9(10) is *mutatis mutandi* applicable on assets.

11. **INVESTMENTS**

- (1) The Chief Financial Officer in consultation with the Accounting Officer shall be responsible for the investment of the funds of the Council on such terms and conditions as may be prescribed by law and in accordance with a policy determined by the Council and shall in connection with such investments be empowered to buy or sell any securities and shall report monthly to the Council on all investments bought and/or withdrawn during the foregoing month.
- (2) The way in which surplus funds and other municipal funds must be invested, is controlled in terms of the Local Government: Municipal Finance Management Act, 2003, Municipal Investment Regulations.
- (3) The short-term investments should be made with an institution of minimum B rating (where B refers to higher risk institutions).

12. **INSURANCE**

- (1) The Chief Financial Officer shall be responsible for the placing of insurance as approved by the Council from time to time. The Chief Financial Officer shall also be responsible for the management of the Council's self-insurance fund, if in operation, and shall in managing such fund, cover such risks as the Council may from time to time determine and ensure that adequate premiums are charged by the fund annually.
- (2) A self-insurance fund shall be protected by such reinsurance cover as the Council may determine.

- (3) The Chief Financial Officer may at any time require from a Head of a Department, a statement which he shall duly supply, reflecting the assets held by that department, the risks to be insured, and any other information which the Chief Financial Officer deems necessary.
- (4) A Head of a Department, where so required by the Chief Financial Officer, shall give prompt notice to the Chief Financial Officer of all property acquired, leased or rented, which should be insured against fire, accident or loss of any kind, and of any alterations in structure, or occupation of any buildings or items under insurance.
- (5) A Head of a Department shall advise the Chief Financial Officer of the amounts for which new insurance should be effected, or of any alterations in existing insurance's, having regard at all times to the replacement cost of assets.
 - (a) A Head of a Department shall give notice to the Chief Financial Officer immediately after the occurrence of any fire or damage to or loss of the assets of the Council and shall as soon as possible, within the prescribed period and subject to the requirements of the insurances, after such incident, complete the appropriate claim forms and furnish an estimate of the cost of making good such damage.
 - (b) A Head of a Department shall advise the Chief Financial Officer and the Director: Corporate Services immediately of any injuries to employees of the Council.
 - (c) A Head of a Department shall advise the Chief Financial Officer immediately of each case of any injuries or damage to third parties' property notwithstanding whether the Head of the Department is of the opinion that the case could give rise to a claim against the Council or not.
- (6) A Head of a Department shall promptly advise the Chief Financial Officer of any assets which in his opinion should be insured against political riot and insurance should be effected, and the Chief Financial Officer shall report such departmental requests to the Council.
- (7) Should the Council not operate a self-insurance fund to cover all risks, the Chief Financial Officer shall, unless the Council otherwise resolves, be responsible for the calling of tenders for the appointment of a suitable insurer, and shall ensure the placement of cover for such risks as the Council may from time to time determine, including cover for claims made against the Council by third parties.
- (8) The Chief Financial Officer shall keep a record of all insurance claims and policies of the Council, and be responsible for the payment of all premiums, and ensure that all claims which have been brought to his attention by the departments and which may arise under such policies, are settled.
- (9) The Head of the Department who is in charge of a contract of work shall supply the Chief Financial Officer with all the information needed in order to enable the Chief Financial Officer to take out the necessary contract insurance before execution of the contract activities begins. The Head of the Department concerned also provides the Chief Financial Officer with the particulars of all risks which in his opinion must be ensured.

13. SUPPLY CHAIN MANAGEMENT

- (1) The Council shall have and implement a Procurement Policy in terms of section 111 of the Act which will give effect to the provisions of sections 110, 112, 113, 114, 115, 116, 117, 118 and 119 of the Act.
- (2) The Procurement Policy shall also comply with the regulatory framework prescribed in Chapter 2 of the Local Government: Municipal Finance Management Act, 2003: Municipal Supply Chain Management Regulations.

14. STOCKS AND MATERIAL

- (1) The Head of a Department authorised by the Council, on recommendation of the Chief Financial Officer, shall be responsible for the proper management of all stores under his control, for the safe custody of all goods and material contained therein, and shall keep such records of receipts and issues as the Chief Financial Officer may deem necessary to account for such stocks and material.
- (2) Maximum and minimum stock and reorder levels shall be determined in the manner prescribed by the Chief Financial Officer. Stocks shall not be held in excess of normal requirements, except where the Chief Financial Officer, or where the Chief Financial Officer does not manage purchases and supplies, the Chief Financial Officer and the Head of the Department responsible for stocks, agree that special circumstances exist.
- (3) Stocks and material shall only be issued against a requisition signed by an official authorised by the Head of the Department concerned.
- (4) A stores requisition shall not be executed unless particulars of the vote to be debited in respect of the goods or material supplied, are indicated thereon.
- (5) Subject to the provisions of section 14(4), no stores requisition in respect of an uniform or other clothing shall be executed unless it states in the case of an issue to a specific person, the name and official designation of the person for whom such uniform or clothing is required and unless the Head of Department has indicated thereon that it complies with the requirements of the Council regarding such issue.
- (6) With the exception of petty cash disbursements made from an imprest account in terms of section 6(7) all goods and material shall be purchased by the Head of Department and no goods or material so purchased shall be issued other than against a requisition signed by the Head of the Department or his assignee who requires the goods or material.
- (7) Except where the Chief Financial Officer is of the opinion that special circumstances exist, more material than is normally required, as ascertained by experience, shall not be kept by any department.
- (8) No stock items shall without the approval of the Head of Department be purchased out of imprest monies held by departments.
- (9) Every Head of a Department shall at least once in every financial year or as required by the Chief Financial Officer, carry out a stocktaking covering all stocks and material under his control and shall report to the Chief Financial Officer the quantity and value of any discrepancies and breakages in stocks revealed by such stocktaking, together with the reasons for such discrepancies and breakages. In addition, the Chief Financial Officer shall from time to time, and on such basis as he considers adequate, verify the existence of all stocks, whether under his control or under the control of another department.
- (10) Any adjustments to stock records, if it does not exceed the amount stipulated in section 16(5), shall be authorised in the manner prescribed by the Chief Financial Officer or the Council, as the case may be, provided that any adjustments which the Chief Financial Officer deems to be substantial, and all cases involving negligence or identifiable theft shall be reported to the Council and, if applicable, dealt with as prescribed by a higher authority and section 4(6)(c).
 - (a) All stocks and material available after the completion of the work or on fulfilment of the purpose for which they were issued, or recovered in the course of carrying out work, or on hand for any reason whatsoever, shall immediately, under cover of an advice note which adequately describes same, be returned to the store or such place as the Head of Department may direct. The advice note shall be in such form as the Chief Financial Officer may prescribe and, where applicable, the value placed on returned stocks and material shall be determined by the Head of the Department.
 - (b) The provisions of subsection 14(10)(a) shall also be applicable to any stock, goods, materials, assets etc., donated to the Council. The application or alienation of such goods etc. is subject to the normal stipulations as set out in these Bylaws.
- (11) Where, in the opinion of the Council, any stocks and material should be scrapped or declared redundant or obsolete, the Chief Financial Officer or Head of a Department so authorised shall dispose of such stocks and material to the best advantage of the Council, in accordance

with directives issued by the Chief Financial Officer or the Council, as the case may be.

15. INFORMATION AND COMMUNICATION SYSTEMS

- (1) The centralised corporate information and communication systems allocated to the Chief Financial Officer shall be maintained in such a way as to ensure the integrity and security of the systems and data.
- (2) The Chief Financial Officer shall take all reasonable measures to ensure adequate backup of programmes and data for recovery purposes.
- (3) All programme changes shall be recorded for audit purposes and be authorised by the Chief Financial Officer or his delegated representative.
- (4) A suitable disaster recovery plan shall be prepared and maintained by the Chief Financial Officer to cover all relevant aspects to maintain business continuity in the event of a disaster.
- (5) Heads of Departments shall ensure that all reasonable steps are taken to prevent hardware and software from being infected by viruses. All workstations shall be supplied with the recommended software to assist in providing the necessary protection.
- (6) Information systems of any nature which generate financial results used to cost or estimate expenditure for recovery from third parties or which quantify levies, tariffs and other fees and charges must be certified by the Chief Financial Officer or his representative.

16. MISCELLANEOUS

- (1) Wherever powers are delegated to an official in terms of these Bylaws, the conditions whereunder such powers are delegated should be defined in the official Delegated Powers of Authority of the Council, including a condition that such official shall report to the Council at such intervals as the Council may determine.
- (2) **COMMITTEE MEETINGS, AGENDAS AND MINUTES**
Notices of all meetings of the Council shall be sent to the Chief Financial Officer, together with full agendas and reports.
- (3) **CIRCULARS, LETTERS AND OTHER WRITTEN COMMUNICATIONS FROM THE STATE AND OTHER INSTITUTIONS**
The Director: Corporate Services shall, immediately upon receipt of any circular, letter or other written communication, where the contents in any way relate to the financial administration, assets or stock of the Council, forward a copy of such communication to the Chief Financial Officer for attention.
- (4) **FINANCIAL PROCEDURES**
The Accounting Officer shall be empowered to prescribe procedures regarding financial matters including stocks and assets under these Bylaws.
- (5) **REVIEW OF MONETARY LIMITS**
The monetary limits in respect of these Bylaws shall be as stipulated by the Supply Chain Management Policy as amended from time to time by the Council.
- (6) **REPEAL OF EXISTING MUNICIPAL FINANCIAL BYLAWS**
The provisions of any Bylaws relating to financial matters by the disestablished municipal entities or predecessors, are hereby repealed insofar as they relate to matters provided for in these Bylaws.

ALGEMENE KENNISGEWING — ISAZISO KUWONKEWONKE — GENERAL NOTICE**No. 35, 2006**

16 November 2006

KWAZULU-NATAL**WETSONTWERP OP DIE UITSKAKELING EN VOORKOMING VAN DIE HERVERSKYNING VAN KROTBURTE, 2006****WETSONTWERP**

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

AANHEF

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

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

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

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

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

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

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

INDELING VAN ARTIKELS*Artikel***HOOFSTUK 1****OMSKRYWINGS, TOEPASSING EN OOGMERKE VAN WET**

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

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

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

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

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

HOOFSTUK 4**ROL VAN MUNISIPALITEITE**

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

HOOFSTUK 5

PLIGTE VAN EIENAARS EN PERSONE IN BEHEER VAN GROND OF GEBOU

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

HOOFSTUK 6

ALGEMENE AANGELEENTHEDE

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

HOOFSTUK 1

OMSKRYWINGS, TOEPASSING EN OOGMERKE VAN WET

Omskrywings

1. In hierdie Wet moet enige woord of uitdrukking waaraan 'n betekenis in die Wet op die Voorkoming van Onwettige Uitsetting en Onregmatige Besetting van Grond, 1998 (Wet No. 19 van 1998) toegeken is, tensy duidelik onvanpas, daardie betekenis hê, en tensy uit die samhang anders blyk, beteken —

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

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

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

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

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

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

“**grond**” ’n gedeelte van grond wat beset of moontlik deur persone beset kan word;

“**Grondwet**” die Grondwet van die Republiek van Suid-Afrika, 1996;

“**hierdie Wet**” ook die regulasies;

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

“**jaarverslag**” ’n verslag vermeld in artikel 11;

“**Koerant**” die amptelike *Provinsiale Koerant* van KwaZulu-Natal;

“**krotbuurt**” oorbevolkte of bemorste grond of geboue bewoon deur oorwegend hulpbehoewende of arm mense met onvoldoende of geen infrastruktuur of sanitasie nie, en “**krottoestande**” het dieselfde betekenis;

“**krotuitskakelingsprogram**” ’n program vervat in die status- en jaarverslag van ’n munisipaliteit ingedien ingevolge artikel 11;

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

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

“**persoon in beheer**” ’n persoon wat regsbevoegdheid het of op die betrokke tydstip regsbevoegdheid gehad het om toestemming aan ’n persoon te verleen om enige grond of gebou te betree of te bewoon;

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

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

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

“**Provinsiale Regering**” die Provinsiale regering van die provinsie KwaZulu-Natal;

“**Provinsiale Wetgewer**” die Wetgewer van die provinsie KwaZulu-Natal;

“**regulasies**” die regulasies ingevolge artikel 22 afgekondig;

“**statusverslag**” ’n verslag vermeld in artikel 11;

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

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

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

Toepassing van Wet

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

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

Oogmerke van Wet

3. Die oogmerke van hierdie Wet is om —

- (a) krotbuurte uit te skakel;
- (b) die herverskyning van krotbuurte te voorkom;
- (c) samewerking tussen die departement en munisipaliteite met betrekking tot die uitskakeling van krotbuurte te bevorder;
- (d) samewerking tussen die departement en munisipaliteite met betrekking tot die voorkoming van die herverskyning van krotbuurte te bevorder;
- (e) die prestasie van die departement en munisipaliteite te monitor met betrekking tot die uitskakeling en voorkoming van die herverskyning van krotbuurte; en
- (f) die lewensomstandighede van gemeenskappe te bevorder, in die Provinsie.

HOOFSTUK 2

VERBOD OP ONREGMATIGE BESETTING EN GEBRUIK VAN SUBSTANDAARD HUISVESTING

Verbod op onregmatige besetting

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

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

Verbod op gebruik van substandaard huisvesting vir finansiële voordeel

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

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

Verantwoordelikheid van munisipaliteit betreffende gebruik van substandaard huisvesting

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

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

HOOFSTUK 3

ROL VAN VERANTWOORDELIKE LID VAN UITVOERENDE RAAD

Verskaffing van geskikte en bekostigbare behuising

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

Bevoegdhede en funksies van die verantwoordelike Lid van die Uitvoerende Raad

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

- (a) verseker dat die krotbuurtuitskakelingsprogram wat deur 'n munisipaliteit aangeneem is in ooreenstemming is met —
 - (i) die oogmerke van die provinsiale beleid ten opsigte van behuisingsontwikkeling; en
 - (ii) die meerjarige plan vir die uitvoering van nasionale en provinsiale behuisingsprogramme in die Provinsie, soos bedoel in artikel 2B(3) van die KwaZulu-Natal Behuisingswet, 1998 (Wet No. 12 van 1998);
- (b) die vordering wat munisipaliteite maak met hulle programme vir die uitskakeling van krotbuurte in hulle onderskeie regsgebiede monitor;
- (c) krotbuurtuitskakeling en verbandhoudende werksaamhede in die Provinsie koördineer;
- (d) alle redelike en nodige stappe doen om munisipaliteite te ondersteun met hulle toenemende uitskakeling van krotbuurte; en
- (e) die provinsiale behuisingsprogram administreer en kan, vir hierdie doel, in ooreenstemming met daardie program en die voorskrifte vervat in die Provinsiale Behuisingskode —
 - (i) enige projek wat deur 'n munisipaliteit aanbeveel word vir die opgradering en verbetering van 'n krotbuurt of informele vestiging in sy regsgebied;

- (ii) enige projek wat deur 'n munisipaliteit aangeneem word om persone te hervestig wat in 'n krotbuurt of informele vestiging in sy regsgebied woon; of
- (iii) die finansiering van projekte vermeld in paragraaf (i) en (ii) uit fondse gedeponeer in die KwaZulu-Natal Behuisingfonds ingestel ingevolge artikel 11 van die KwaZulu-Natal Behuisingwet, 1998 (Wet No. 12 van 1998),

goedkeur.

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

HOOFSTUK 4 ROL VAN MUNISIPALITEITE

Toenemende verwesenliking van reg op geskikte en bekostigbare behuising

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

- (a) redelike maatreëls tref om vir sy inwoners die toenemende verwesenliking van die reg op toegang tot geskikte behuising vervat in artikel 26 van die Grondwet te bereik;
- (b) die instelling, ontwikkeling en handhawing van maatskaplik en ekonomies lewensvatbare gemeenskappe en van veilige en gesonde lewensomstandighede bevorder om die uitskakeling en voorkoming van krotbuurte en krotbuurttoestande te verseker;
- (c) behuising- en ekonomiese ontwikkeling in landelike gebiede in sy regsgebied aanmoedig en bevorder ten einde die onbehoorlike toestroming van persone na stedelike gebiede en die gevolglike ontwikkeling van krotbuurte te voorkom;
- (d) in die geval van 'n Kategorie B-munisipaliteit, met die Kategorie C-munisipaliteit saamwerk in wie se regsgebied dit val ten einde inisiatiewe moontlik te maak vir die verskaffing van behuisingsektorplanne gebaseer op 'n veilige en gesonde omgewing vir die gemeenskap wat op 'n distrikwye grondslag gekoördineer moet word; en
- (e) in die geval van grond wat in die gebied van 'n tradisionele raad val, met die betrokke tradisionele raad oorleg pleeg met die oog op die bereiking van 'n ooreenkoms ten opsigte van toepaslike maatreëls vir die uitskakeling van bestaande krotbuurttoestande in die gebied van sodanige tradisionele raad.

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

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

Uitsetting deur munisipaliteit

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

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

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

- (a) die aantal en ligging van bestaande krotbuurte in sy regsgebied vermeld, tesame met besonderhede van sy krotbuurtuitskakelingsprogram en sleutel prestasie-aanwysers om vordering te meet betreffende die implementering van sodanige programme;
- (b) ten opsigte van elke krotbuurt, die eiendom, beskrywing en die beraamde getal persone vermeld wat dit bewoon;
- (c) in die geval van persone wat onregmatige besetters van 'n krotbuurt is, aandi of —
 - (i) sodanige persone dit vir langer as ses maande bewoon;
 - (ii) grond of 'n gebou beskikbaar gestel kan word of redelikerwys beskikbaar gestel kan word deur die munisipaliteit of ander staatsorgaan of ander eienaar van grond of 'n gebou vir hulle hervestiging, veral waar hulle dit vir langer as ses maande bewoon; en
 - (iii) die beraamde koste, indien enige, vir die verkryging van die beskikbare grond of gebou vir die hervestiging van onregmatige besetters; en
- (d) aanbevelings deur die munisipaliteit bevat ten opsigte van welke krotbuurt, indien enige, geskik is vir opgradering en verbetering ten einde die behuisingstekort aan te spreek, asook die beraamde koste van sodanige opgradering en verbetering.

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

- (a) die stappe wat gedoen is om sy krotbuurtuitskakelingsprogramme in daardie boekjaar te verwesenlik, asook die verbetering in lewensomstandighede van die betrokke persone as gevolg daarvan;
- (b) 'n vergelyking van die vordering vermeld in paragraaf (a) met teikens gestel in die sleutel prestasie-aanwysers vermeld in subartikel (1)(a) en die prestasie in die vorige boekjaar; en
- (c) die maatreëls wat die munisipaliteit getref het om op die vordering wat gemaak is te verbeter ten einde dit in ooreenstemming te bring met die teikens wat in die sleutel prestasie-aanwysers gestel is.

Voorwaarde vir verskaffing van alternatiewe grond of geboue

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

Instelling van deurgangsgebied

- 13.(1) 'n Munisipaliteit kan grond of geboue in sy regsgebied identifiseer of verkry met die doel om 'n deurgangsgebied in te stel vir gebruik as tydelike

huisvesting van persone wat uit 'n krotbuurt gesit is in afwagting op die verkryging van grond of geboue vir hulle permanente huisvesting.

- (2) 'n Munisipaliteit moet, by die verkryging van grond of geboue vermeld in subartikel (1), verseker dat sodanige grond of gebou —
- (a) geskik is vir die huisvesting van persone; en
 - (b) toegerus is met die nodige basiese infrastruktuur en sanitasie,
- voor die bewoning daarvan deur die betrokke persone.

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

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

- (a) in 'n onhigiëniese toestand is;
- (b) in 'n toestand van verval is; of
- (c) waarskynlik 'n krotbuurt kan word,

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

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

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

HOOFSTUK 5

PLIGTE VAN EIENAARS EN PERSONE IN BEHEER VAN GROND OF GEBOUE

Stappe om onregmatige besetting te voorkom

15.(1) 'n Eienaar of persoon in beheer van onbeboude grond of onbewoonde gebou moet, binne twaalf maande na die inwerkingtreding van hierdie Wet, redelike stappe doen, met inbegrip van maar nie beperk nie tot —

- (a) die oprigting van 'n grensdraad om die onbeboude grond of onbewoonde gebou;
- (b) die plasing van sekuriteitspersoneel; of
- (c) enige ander redelike voorkomende maatreël,

om die onregmatige besetting van sodanige onbeboude grond of onbewoonde gebou te voorkom.

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

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

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

Uitsetting van onregmatige okkupoërs

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

(2) In die geval waar die eienaar of persoon in beheer van grond of 'n gebou versuim om te voldoen aan die kennisgewing deur die lid van die Uitvoerende Raad uitgereik ingevolge subartikel (1), moet 'n munisipaliteit in wie se regsgebied die grond of gebou val, hom beroep op die bepalings van artikel 6 van die Wet op die Voorkoming van Onwettige Uitsetting en Onregmatige Besetting van Grond.

HOOFSTUK 6

ALGEMENE AANGELEENTHEDE

Verslag aan Provinsiale Wetgewer deur verantwoordelik lid van Uitvoerende Raad

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

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

- (a) die vordering deur munisipaliteite gemaak betreffende die uitkakeling van krotbuurte, asook die verbetering in lewensomstandighede van mense wat in die regsgebied van elke munisipaliteit woon;
- (b) die uitdagings, indien enige, wat die munisipaliteite ondervind het met betrekking tot die implementering van hulle krotbuurtuitskakelingsprogramme, asook die oplossings deur die verantwoordelike lid van die Uitvoerende Raad voorgestel om sodanige uitdagings die hoof te bied; en
- (c) enige ander inligting wat die verantwoordelike lid van die Uitvoerende Raad graag onder die aandag van die Provinsiale Wetgewer wil bring met betrekking tot die provinsiale program vir die uitkakeling van krotbuurte, vermeld.

Reg van munisipaliteite om grond te onteien

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

Munisipale verordeninge

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

Misdrywe

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

Strawwe

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

Regulasies

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

- (a) die opgradering van krotbuurte en informele vestigings in die Provinsie;
- (b) die inhoud van die status- en jaarverslae wat deur munisipaliteite by die verantwoordelike lid van die Uitvoerende Raad ingedien moet word ingevolge hierdie Wet;
- (c) die voorvereistes vir die finansiering van enige projekte wat deur munisipaliteite aangeneem is om krotbuurte of informele vestigings in die Provinsie op te gradeer of te hervestig;
- (d) die administrasie van enige fondse wat die Provinsiale Regering aan munisipaliteite mag voorskiet met die doel om hulle krotbuurtuitskakelingsprogramme te finansier;
- (e) die verkryging van enige geskikte grond of gebou wat deur 'n munisipaliteit geïdentifiseer is vir die hervestiging van persone wat in 'n krotbuurt of informele vestiging bly; en
- (f) enige administratiewe of prosedure-aangeleentheid wat nodig is om beslag te gee aan die bepalings van hierdie Wet.

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

Delegasies

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

- (a) die bevoegdheid om regulasies vermeld in artikel 22 uit te vaardig; en
- (b) die plig om 'n gekonsolideerde verslag in die Provinsiale Wetgewer ingevolge artikel 17 ter tafel te lê.

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

- (a) moet skriftelik geskied;
- (b) belet nie die verantwoordelike lid van die Uitvoerende Raad om daardie bevoegdheid uit te oefen of die plig na te kom nie; en
- (c) kan te eniger tyd skriftelik deur die verantwoordelike lid van die Uitvoerende Raad teruggetrek of gewysig word.

Kort titel

24. Hierdie Wet heet die KwaZulu-Natal Wet op die Uitskakeling en Voorkoming van die Herverskyning van Krotbuurte, 2006.

MEMORANDUM OOR DIE OOGMERKE VAN DIE KWAZULU-NATAL WETSONTWERP OP DIE UITSKAKELING EN VOORKOMING VAN DIE HERVERSKYNING VAN KROTBURTE, 2006

1. AGTERGROND

Daar is tans geen wetgewing, nasionaal of provinsiaal, wat die wyse reël waarop krotbuurte en krotbuurtomstandighede uitgeskakel kan word en voorkom word dat dit weer kop uitsteek nie. Hierdie situasie het 'n nadelige uitwerking op pogings om die lewensstandaarde van al die burgers van die land te verbeter.

Artikel 26 van die Grondwet van die Republiek van Suid-Afrika, 108 van 1996, maak voorsiening vir die reg tot geskikte behuising vir die burgers van die land, en lui soos volg:

“26 (1) *Elkeen het die reg op toegang tot geskikte behuising.*

- (2) *Die Staat moet redelike wetgewende en ander maatreëls tref om binne sy beskikbare middele hierdie reg in toenemende mate te verwesenlik.*
- (3) *Sonder 'n hofbevel wat na oorweging van al die tersaaklike omstandighede toegestaan is, mag niemand uit hulle woning gesit word en mag niemand se woning gesloop word nie. Geen wetgewing mag arbitrêre uitsettings veroorloof nie.*”

Ingevolge artikel 7 van die Behuisingwet, 107 van 1997, moet die Provinsiale Regering, deur die lid van die Uitvoerende Raad (LUR) verantwoordelik vir behuising, alles redelik moontlik doen om die verskaffing van geskikte behuising te bevorder en te bewerkstellig en die LUR is verplig om wetgewing te laat promulgeer ten einde doeltreffende behuisingsewering te verseker; artikel 7 lui soos volg:

- “7 (1) *Elke provinsiale regering moet, deur sy LUR, en na oorlegpleging met die provinsiale organisasies wat die munisipaliteite verteenwoordig soos beoog in artikel 163(a) van die Grondwet, alles in sy vermoë doen om die verskaffing van geskikte behuising in sy provinsie binne die raamwerk van nasionale behuisingsewering te bevorder en te fasiliteer.*
- (2) *Vir die doeleindes van subartikel (1) moet elke Provinsiale Regering, deur sy LUR*
 - (b) *die aanname van provinsiale wetgewing om doeltreffende behuisingsewering te verseker, bevorder.*”

Die Wetsontwerp verleen bevoegdhede aan munisipaliteite en grond- en perseleeienaars om stappe te doen ten einde krotbuurte en krotbuurtomstandighede uit te skakel, maak voorsiening vir prosedure wat gevolg moet word en vir strafbepalings in geval van verbreking.

2. KLOUSULE-VIR-KLOUSULE-VERDUIDELIKING

Opsommenderwys bepaal die Wetsontwerp soos volg:

KLOUSULE 1:

Klousule 1 omskryf terme wat in die Wet gebruik word met die oogmerk om die betekenis van daardie terme te beperk of uit te brei.

Klousule 2:

Klousule 2 maak voorsiening vir die toepassing van die Wet.

Klousule 3:

Klousule maak voorsiening vir die oogmerke van die Wet.

Klousule 4:

Klousule 4 maak voorsiening vir die verbod op onregmatige besetting van enige perseel of grond, hetsy in privaat of openbare besit.

Klousule 5:

Klousule 5 maak voorsiening vir die verbod op die oprigting van substandaard huisvesting met die doel om dit te gebruik om mense in ruil vir geld te huisves.

Klousule 6:

Klousule 6 maak voorsiening vir die verantwoordelikhede van munisipaliteite betreffende die gebruik van substandaard huisvesting.

Klousule 7:

Klousule 7 maak voorsiening vir die verantwoordelikheid van die provinsiale regering ten opsigte van die voorsiening van geskikte behuising.

Klousule 8:

Klousule 8 maak voorsiening vir die bevoegdhede en funksies van die verantwoordelike lid van die Uitvoerende Raad.

Klousule 9:

Klousule 9 maak voorsiening vir die rol van munisipaliteite ten opsigte van die toenemende verwesenliking van die reg op geskikte en bekostigbare behuising deur besonderhede oor die pligte van munisipaliteite te verskaf as deel van elke munisipaliteit se Geïntegreerde Ontwikkelingsplan (GOP).

Klousule 10:

Klousule 10 maak voorsiening vir die instelling van uitsettingsmaatreëls deur munisipaliteite.

Klousule 11:

Klousule 11 maak voorsiening vir die indiening van status- en jaarverslae deur die munisipaliteite by die verantwoordelike lid van die Uitvoerende Raad waarin, onder meer, die aantal en ligging van bestaande krotbuurte, besonderhede oor hulle program vir die verwydering van krotbuurte en sleutel prestasie-aanwysers om vordering te meet, gestipuleer word.

Klousule 12:

Klousule 12 maak voorsiening vir die voorwaarde wat deur 'n munisipaliteit oorweeg moet word in die geval waar daar besluit word om alternatiewe grond beskikbaar te stel.

Klousule 13:

Klousule 13 maak voorsiening vir die instelling van deurgangsgebiede deur munisipaliteite vir gebruik as tydelike huisvesting vir mense wat uit krotbuurte gesit is in afwagting op die verkryging van grond of gebou vir hulle permanente huisvesting.

Klousule 14:

Klousule 14 verleen aan munisipaliteite die bevoegdheid om aan die eienaar of persone in beheer kennis te gee om die grond of gebou binne 'n bepaalde tydperk op te knap of op te gradeer en versuim om daaraan te voldoen, maak 'n misdryf uit.

Klousule 15:

Klousule 15 maak voorsiening vir die plig van die eienaar of persoon in beheer om alle moontlike stappe te doen ten einde die besetting van onbeboude grond of onbewoonde gebou deur onregmatige okkupeerders te voorkom.

Klousule 16:

Klousule 16 maak voorsiening vir die instelling van regstappe vir uitsetting van onregmatige okkupeerders deur die eienaars van grond of gebou of persoon in beheer van grond of gebou.

Klousule 17:

Klousule 17 maak daarvoor voorsiening dat die verantwoordelike lid van die Uitvoerende Raad 'n gekonsolideerde verslag, gebaseer op vorderingsverslae deur die munisipaliteite ingedien, opstel en by die Provinsiale Wetgewer op 'n jaarlikse basis indien; die verslag moet die algemene vordering, probleme en voorgestelde oplossing vermeld.

Klousule 18:

Klousule 18 verleen aan munisipaliteite 'n reg om grond of 'n reg op grond te onteien indien sodanige grond nodig word vir die doeleindes van die instelling van 'n deurgangsgebied of vir 'n permanente vestiging, behoudens die bepalings van die Onteieningswet, Ordonnansie op Plaaslike Owerhede of enige ander reg.

Klousule 19:

Klousule 19 verleen aan munisipaliteite 'n reg om munisipale verordeninge uit te vaardig om beslag te gee aan elke munisipaliteit se krotbuurtverwyderingsprogram.

Klousule 20:

Klousule 20 maak voorsiening vir algemene misdrywe en bepaal uitdruklik die tipe optrede wat ingevolge hierdie Wet as 'n misdryf gereken word.

Klousule 21:

Klousule 21 maak voorsiening vir strawwe wat op die misdrywe van toepassing is in geval van skuldigbevinding.

Klousule 22:

Klousule 22 verleen aan die verantwoordelike lid van die Uitvoerende Raad bevoegdheid om regulasies uit te vaardig of riglyne neer te lê.

Klousule 23:

Klousule 23 verleen aan die verantwoordelike lid van die Uitvoerende Raad 'n bevoegdheid om sy bevoegdhede ingevolge hierdie Wet te delegeer en sy pligte aan enige beampte, werknemer of funksionaris in die departement oor te dra behoudens sekere uitsonderings.

Klousule 24:

Klousule 24 maak voorsiening vir die kort titel.

3. ORGANISATORIESE EN PERSONEELIMPLIKASIES VIR PROVINSIALE REGERING

Dit word in die vooruitsig gestel dat daar 'n behoefte kan ontstaan om die personeelkorps van die projekbestuurskomponent in die Departement uit te brei.

4. FINANSIËLE IMPLIKASIES VIR PROVINSIALE REGERING

Die verwagte finansiële implikasies vir die Provinsiale Regering vir die verwydering en voorkoming van die herverryding van al die krotbuurte in die provinsie is in die koers van R8,85 biljoen.

5. DEPARTEMENTE/ LIGGAME/ PERSONE GERAADPLEEG

Die verantwoordelike lid van die Uitvoerende Raad het —

- 5.1 die Suid-Afrikaanse Huiseienaarsvereniging;
- 5.2 die Federasie van Stedelike Armes en/of Krotbewoners Internasionaal; en
- 5.3 die Suid-Afrikaanse Plaaslike Regeringsvereniging (KwaZulu-Natal),

by die opstel van die Wetsontwerp geraadpleeg.

No. 35, 2006

16 kuLwezi 2006

UMTHETHOSIVIVINYO WOKUQEDA NOKUVIMBELA UKWAKHIWA KABUSHA KWEMIJONDOLO KWAZULU-NATALI, 2006

UMTHETHOSIVIVINYO

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

ISINGENISO

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

FUTHI NALAPHO wonke umuntu enelungelo ngokomthethosisekelo lokuthola indlu engambi eqolo;

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

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

FUTHI NALAPHO enye yezinjongo zayo yomibili leMithetho, oweZindlu; 1997 (uMthetho ongunombolo 107 ka-1997), kanye noMthetho wezeZindlu waKwaZulu-Natali, 1998 (uMthetho ongunombolo 12 ka-1998), wukukhuthaza ukuxoxisana nokwesekana phakathi kukahulumeni wesifundazwe kanye nowasekhaya ekunikezeleni ngezindlu ezingambi eqolo;

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

NGAKHO-KE KUMELE UMISWE yisiShayamthetho sesiFundazwe saKwaZulu-Natali, kanje:-

UKUHLLELWA KWEZINGXENYE

Isigaba

ISIAHLUKO 1

IZINCAZELO, UKUSETSHENZISWA KOMTHETHO, NEZINJONGO ZAWO

1. Izincazelo
2. Ukusebenza koMthetho
3. Izinjongo zoMthetho

ISIAHLUKO 2

UKUNGAVUNYELWA KOKUHLALA NGOKUNGEMTHETHO KANYE NOKUSETSHENZISWA KWENDAWO YOKUHLALA ESEZINGENI ELIPHANSI

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

ISIAHLUKO 3

IQHAZA LELUNGU LOMKHANDLU OPHETHE ELIQONDENE NALO MSEBENZI

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

ISIAHLUKO 4

IQHAZA LOMASIPALA

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

ISIAHLUKO 5

IMISEBENZI YABANIKAZI KANYE NABANTU ABABHEKELE UMHLABA NOMA ISAKHIWO

15. Izinyathelo zokuvimbela ukuhlala ngokungemthetho
16. Ukukhishwa kwabahlala ngokungemthetho

ISIAHLUKO 6

IZINDABA EZIVAMILE

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

ISIAHLUKO 1

IZINCAZELO, UKUSETSHENZISWA KOMTHETHO, NEZINJONGO ZAWO

Izincazelo

1. Kulo Mthetho noma yiliphi igama kumbe umusho ochaziwe eMthethweni wokuVimbela ukuXoshwa ngokungemthetho eNdaweni kanye nokuhlala

ngokungeMthetho eNdaweni, 1998 (uMthetho ongunombolo 19 ka-1998), kumele, ngaphandle uma kungasahambisani nesimo, ligcine incazelo yalo, ngaphandle uma lisetshenziselwe ukuchaza enye into —

“umbiko wonyaka” kusho umbiko njengokwesigaba 11;

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

“uMthethosisekelo” kusho uMthethosisekelo waseNingizimu Afrika, 1996;

“umnyango” umnyango kaHulumeni wesiFundazwe saKwaZulu-Natal obhekele ezezindlu;

“unyaka wezimali” kusho isikhathi kusukela mhla lu-1 kuMbasa kunoma yimuphi unyaka kuya kumhla zingama-31 kuNdasa wonyaka olandelayo;

“iGazethi” kusho iGazethi esemthethweni yesiFundazwe saKwaZulu-Natali;

“imijondolo” kusho indawo okwakhiwe kuyo izindlu eziminyene, engahlelekile futhi eyakhiwe ngokungemthetho ehlala abantu abahlwempu abangenayo ingqalasizinda nohlelo lokuthuthwa kwendle;

“ukuhlelela intuthuko okudidiyelwe” kusho ukuhlelela okwenziwa ngumasipala ngokuhambisana nohlelo olumiswe esigabeni 25 soMthetho WoHulumeni Basekhaya: Izinhlelo zikaMasipala ka-2000 (uMthetho ongunombolo 32 ka-2000), kanye “nohlelo lwentuthuko oludidiyelwe” kunencazelo chambisanayo;

“umhlaba” kusho ingxenye yomhlaba ehlala abantu kumbe esilungele ukuhlala abantu;

“imenenja kamasipala” kusho umuntu oqokwe ngokwesigaba 82 soMthetho woHulumeni baseKhaya: Izakhiwo zikaMasipala, ka-1998 (uMthetho ongunombolo 117 ka-1998);

“umasipala” kusho umasipala njengoba echaziwe esigabeni 155 soMthethosisekelo, ka-1996, futhi owakhiwe ngaphansi kwezigaba 11 no-12 zoMthetho woHulumeni baseKhaya: Izakhiwo zikaMasipala, ka-1998 (uMthetho ongunombolo 117 ka-1998), zifundwa nezigaba 3, 4 no-5 zoMthetho wokuChazwa kweziNhlolo zoMasipala waKwaZulu-Natali, 2000 (uMthetho ongunombolo 7 ka-2000);

“isikhulu” kusho isikhulu njengoba sichaziwe esigabeni 1 soMthetho wezeZindlu waKwaZulu-Natali, 1998 (uMthetho ongunombolo 12 ka-1998);

“uMthetho wokuVimbela ukuXoshwa ngokungeMthetho eNdaweni kanye nokuhlala ngokungeMthetho eNdaweni” kusho uMthetho wokuVimbela ukuXoshwa ngokungeMthetho eNdaweni kanye nokuhlala ngokungeMthetho eNdaweni, 1998 (uMthetho ongunombolo 19 ka-1998);

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

“isiFundazwe” kusho isiFundazwe saKwaZulu-Natali njengoba sichaziwe esigabeni 103 soMthethosisekelo, 1996;

“uHulumeni Wesifundazwe” kusho uHulumeni wesiFundazwe saKwaZulu-Natali;

“iNqubo yoHlelo lwezeZindlu esiFundazweni” kusho iNqubo yoHlelo lwezeZindlu esiFundazweni njengoba iveziwe esigabeni 34 soMthetho WezeZindlu KwaZulu-Natali, ka-1998 (uMthetho ongunombolo 12 ka-1998);

“isikhwama sokuthuthukiswa kwezindlu esiFundazweni” kusho isikhwama sesifundazwe sokuthuthukiswa kwezindlu njengoba kuchaziwe esigabeni 12(2) soMthetho wezeZindlu, 1997 (uMthetho ongunombolo 107 ka-1997);

“isiShayamthetho” kusho isiShayamthetho sesiFundazwe saKwaZulu-Natali;

“imithethonqubo” kusho imithethonqubo ngokwesigaba 22;

“iLungu loMkhandlu oPhethe, elibhekele” kusho iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali elibhekele ezezindlu;

“imijondolo” kusho indawo enezindlu eziminyene ehlala abantu abaningi abampofu abangenayo ingqalasizinda kumbe uhlelo lokuthuthwa kwendle, kanti “imibandela yemijondolo” kunencazelo ehambisanayo;

“uhlelo lokuqeda imijondolo” kusho uhlelo oluqukethwe yisimo kanye nombiko wonyaka kamasipala onikezelwa ngokwesigaba 11;

“umbiko ngesimo” kusho umbiko njengoba kubekiwe esigabeni 11;

“lo Mthetho” ufaka imithethonqubo;

“uMkhandlu wabaholi beNdabuko” kusho umkhandlu wobuholi bendabuko owasungulwa ngokwesigaba 6 soMthetho wobuholi beNdabuko Nokuphatha KwaZulu-Natali, ka-2005 (uMthetho ongunombolo 5 ka-2005);

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

Ukusebenza koMthetho

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

(2) Lapho lo Mthetho ungasho lutho ngokuthuthukisa nokuvimbela ukuhlala kwabantu ngokungemthetho, kusebenza izihlinzeko zoMthetho wokuVimbela ukuXoshwa ngokungeMthetho eNdaweni kanye nokuhlala ngokungeMthetho eNdaweni.

Izinjongo zoMthetho

3. Izinjongo zalo Mthetho yilezi —

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

ISIAHLUKO 2

UKUNGAVUNYELWA KOKUHLALA NGOKUNGEMTHETHO KANYE NOKUSETSHENZISWA KWENDAWO YOKUHLALA ESEZINGENI ELIPHANSI

Ukungavunyelwa kokuhlala ngokungemthetho endaweni

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

(2) Noma ngubani ophikisana nesigatshana (1) uyokhishwa kuleyo ndawo noma isakhiwo emva kokulandelwa kwenqubo ebekwe ezigabeni 4, 5 no-6 zoMthetho wokuVimbela ukuXoshwa ngokungemthetho eNdaweni kanye nokuHlala ngokungemthetho eNdaweni.

Ukungavunyelwa kokusetshenziswa kwendawo yokuhlala esezingeni eliphansi ukuze kutholakale inzuzo yemali

5. Umnikazi kumbe umuntu obhekele isakhiwo angeke avumele abantu ukuthi basebenzise leso sakhiwo njengendawo yokuhlala nokuthi basisebenzisele ukuzuza imali ngaso uma leso sakhiwo singaphasiswanga ngumasipala ngokwemithetho emiswe ngaphansi koMthetho kaZwelonke weMithethonqubo yeZakhiwo kanye namaqophelo eZakhiwo, 1977 (uMthetho ongunombolo 103 ka-1977), noma kucaca ukuthi leso sakhiwo asikho esimweni sokuhlala abantu ngenxa yokuthi leso sakhiwo —

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

Umtshwalo nemfanelo kamasipala ngokusetshenziswa kwendawo yokuhlala esezingeni eliphansi

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

(2) Uma umnikazi kumbe umuntu obhekele isakhiwo ehluleka ukuhambisana nesaziso okukhulunywe ngaso esigatshaneni 1, umasipala ungakhipha imiyalelo yokukhishwa kwabantu abahlala kuleso sakhiwo njengoba kuchaziwe esigabeni 6 soMthetho wokuVimbela ukuXoshwa ngokungemthetho eNdaweni kanye nokuHlala ngokungemthetho eNdaweni.

ISIAHLUKO 3

IQHAZA LELUNGU LOMKHANDLU OPHETHE, ELIBHEKELE

Ukunikezela ngezindlu ezanele futhi ezingambi eqolo

7. Ngokwezihlinzekelo zoMthetho wezeZindlu, ka-1997 (uMthetho ongunombolo 107 ka-1997), iLungu loMkhandlu oPhethe, elibhekele, kumele lithuthukise futhi lilawule ukunikezela kwezindlu ezanele esifundazweni sonke singakapheli isikhathi esinqunyiwe kwinqubomgomo kazwelonke yokuthuthukiswa kwezindlu.

Amandla nemisebenzi yeLungu loMkhandlu oPhethe, elibhekele

8. (1) Ngokwenhloso yesigaba 7, iLungu loMkhandlu oPhethe, elibhekele, kumele —

- (a) liqinisekise ukuthi uhlelo lokuqeda imijondolo olwamukelwa ngumasipala luyahambisana —
 - (i) nezinjongo zenqubomgomo yesifundazwe maqondana nokuthuthukiswa kwezindlu; kanye
 - (ii) nohlelo lwaminyaka yonke lokuqaliswa kwezinhlelo zezezindlu kuzwelonke nasesifundazweni, njengoba kuchaziwe esigabeni 2B(3) soMthetho wezeZindlu waKwaZulu-Natali, ka-1998 (uMthetho ongunombolo 12 ka-1998);
- (b) nokuqapha inqubekela phambili eyenziwa ngomasipala ezinhlelweni zabo zokuqeda imijondolo ezindaweni ezingaphansi kwabo;
- (c) nokulawula ukuqedwa kwemijondolo neminye imisebenzi ehambisana nakho esifundazweni;
- (d) nokuthathwa kwezinyathelo ezifanele ukwesekela omasipala emizamweni yabo eqhubekayo yokuqeda imijondolo; kanye
- (e) nokuphatha uhlelo lwezizindlu esifundazweni futhi ngokwale njongo, ngokuhambisana nalolo hlelo kanye nemitheshwana etholakala kwiNqubo yoHlelo lwezeZindlu esiFundazweni, kuphasisa —
 - (i) noma yimuphi umklamo ophakanyiswe ngumasipala ukuba uthuthukise futhi usimamise imijondolo esendaweni oyengamele;
 - (ii) noma yimuphi umklamo owemukelwe ngumasipala ukuba ufake ezindaweni ezintsha abantu abahlala emijondolo esendaweni oyengamele; kumbe
 - (iii) ukunikezela ngemali emiklamweni okukhulunywe ngakho ezindinyaneni (i) no-(ii) ethathwe emalini ekhishwa yisiKhwama sezeZindlu waKwaZulu-Natali esasungulwa ngokwesigaba 11 soMthetho wezeZindlu waKwaZulu-Natali, ka-1998 (uMthetho ongunombolo 12 ka-1998).

(2) ILungu loMkhandlu oPhethe, elibhekele, ngokuvamile lingenza konke okufanele ukufeza izinjongo zalo Mthetho njengoba zibekiwe esigabeni 3 futhi lenze yonke imisebenzi yalo njengoba ichaziwe esigatshaneni (1).

ISIAHLUKO 4

IQHAZA LOMASIPALA

Ukuqwashisa ngendlela eqhubekayo ngelungelo lokuthola izindlu ezanele futhi ezingambi eqolo

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

- (a) ungathatha izinyathelo eziqotho ukwenza abantu abawakhele babone ngokuphelele ukuthi banelungelo lokuthola izindlu ezanele njengoba kusho isigaba 26 soMthethosisekelo;
- (b) ungagququzela ukwakhiwa, ukuthuthukiswa kanye nokunakekelwa kwemiphakathi ngokwenhlalo nangokomnotho kanye nesimo senhlalo esiphaphile futhi csinempilo ukuqinisekisa ukuqedwa nokuvimbela kwemijondolo kanye nezimo ezinjalo;
- (c) ungakhuthaza agququzele ukuthuthukiswa kwezindlu nomnotho ezindaweni zasemakhaya ezingaphansi kwawo ukuze kunqandwe ukuthuthuleka kwabantu emadolobheni okugcina ngokuthi kube nemijondolo;

(d) komasipala abangena ngaphansi kweNgxenye B, bahlangana nabangaphansi kweNgxenye C kulezo zindawo abazcngamele, ukuqalisa uhlelo lokunikezela ngezindlu endaweni ephephile futhi enempilo ukuze abantu balawuleke ngokwesifunda; futhi
(e) ezindaweni ezcnganyelwe wumkhandlu wobuholi bendabuko, kumele umasipala axoxisane nomkhandlu wobuholi bendabuko othintekayo ngenhloso yokuthi kube nokuvumelana ngezindlela ezingasetshenziswa ukuqeda isimo semijondolo esivele sikhona endaweni.

(2) Kuzoya ngokwesigatshana (3), iLungu loMkhandlu oPhethe, eliqondene nalo msebenzi, lizothi ngokubhekela ukuphepha nempilo, emva kokuxoxisana nomasipala abathintekayo, lingacela umasipala osondele kumbe umasipala ongena ngaphansi kweNgxenye C ebe enendawo ayengamele engaphansi kweNgxenye B ukuba anikezele ngezidingo eziphathelele nempilo noma ezinye izidingo kubantu abahlala emijondolo kumbe ezindaweni zokugcina abantu okwesikhashana ezingaphansi kwalowo masipala ongena ngaphansi kweNgxenye B. Uma ngokubona kweLungu loMkhandlu oPhethe, umasipala osondele kumbe umasipala ongena ngaphansi kweNgxenye C othintekayo engakwazi ukunikezela ngalezo zidingo zempilo noma ezinye izidingo kubantu abahlala emijondolo noma endaweni egcina abantu okwesikhashana.

(3) Umasipala odingwa ngiLungu loMkhandlu oPhethe, elibhekele, ukuba unikezele ngezidingo zempilo kumbe ezinye izidingo ngokwesigatshana (2) kumele ubheke lapho ungathola khona imali ezikhaweni zengqalasizinda ezikhona ukuze ukwazi ukunikezela ngalezo zidingo.

Ukukhishwa ngumasipala

10. Umasipala, ngokwesigaba 6 soMthetho wokuVimbela ukuXoshwa ngokungeMthetho eNdaweni kanye nokuHlala ngokungeMthetho eNdaweni, uMthethosisekelo kanye neminye imithetho evikela amalungelo abantu maqondana nezezindlu, angalandela imigudu elandelwayo ukukhipha abangene ngokungemthetho endaweni kumbe esakhiweni esingaphansi kwendawo eyenganyelwe yilowo masipala uma lokho kuwuthinta umphakathi.

Isethulo ngesimo kanye nemibiko yonyaka kwiLungu loMkhandlu oPhethe, elibhekele

11.(1) Umasipala ngamunye kumele ezinyangeni eziyisithupha lo Mthetho uqalile ukusebenza, uzilungiselele ukuqetha kwiLungu loMkhandlu oPhethe, eliqondene nalo msebenzi, umbiko ngesimo —

- (a) ochaza kabanzi ngenani lemijondolo ekhona nokuthi yakhiwe kuphi endaweni lowo masipala oyengamele, kanye neminingwane ngohlelo onalo lokuqeda imijondolo kanye nezinkomba ezisemqoka zenqubekela phambili yokuqaliswa kwalolo hlelo;
- (b) ochaza kabanzi, ngomjondolo ngamunye ukuthi ngokabani, unjani futhi bangaki abantu abahlala kuwo;
- (c) oveza kabanzi ngabantu abahlala ngokungemthetho kuleyo mikhukhu, ukuthi —
 - (i) labo bantu sebhalele lapho isikhathi esingaphezu kwezinyanga eziyisithupha yini;
 - (ii) indawo kumbe isakhiwo kungatholakala yini noma kungenziwa ngumasipala kumbe noma iyiphi ingxenye kahulumeni noma umnikazi wendawo noma isakhiwo lapho bengayiswa khona, ikakhulu uma sebhalele isikhathi esingaphezu kwezinyanga eziyisithupha; futhi
 - (iii) isilinganiso sezindleko, uma sikhona, mayelana nokutholwa kwendawo kumbe isakhiwo lapho bezofakwa khona labo ababengene ngokungemthetho; futhi
- (d) umbiko ube nezincwadi ezenziwe ngumasipala maqondana nokuthi yimiphi imijondolo, uma ikhona, efanele ukuthuthukiswa nokusinyanyiswa ukubhekana nenkinga yokuntuleka kwezindlu, kanye nesilinganiso sezindleko zokuthuthukisa nokusimamisa.

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

- (a) izinyathelo ezithathiwe maqondana nokutholakala kohlelo lwawo lokuqeda imijondolo ngonyaka wawo wezimali, kanye nentuthuko eyenzekile ezimweni zempilo kubantu abathintekayo;
- (b) ukuqhatshiswa kwenqubekela phambili okukhulunywe ngayo endimeni (a) nezimiso ezenziwe ezinkombeni ezisemqoka okukhulunywe ngazo esigatshaneni (1)(a) kanye nokwenziwe onyakeni odlule wezimali; kanye
- (c) nezinyathelo ezithathiwe ngumasipala ukugqagqezela inqubekela phambili ekhona ukwenza ihambisane nezimiso ezenziwe ezinkombeni ezisemqoka zokusebenza.

Umbandela wokunikezela ngenye indawo noma isakhiwo

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

Ukusungulwa kwendawo yesikhashana

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

- (2) Umasipala kumele ngesikhathi esafuna indawo okukhulunywe ngayo esigatshaneni (1) aqinisekise ukuthi leyo ndawo kumbe isakhiwo —
 - (a) sikulungele ukuhlalisa abantu; futhi
 - (b) inazo zonke izidingongqangi zengqalasizinda kanye nezidingo zempilo, ngaphambi kokuthi kufakwe abantu abathintekayo.

Isaziso kumnikazi kumbe umuntu obhekele ukuthuthukiswa kwendawo noma isakhiwo

- 14.(1) Umasipala, uma kubonakala ukuthi leyo ndawo kumbe isakhiwo esingaphansi kwendawo oyengamele —
 - (a) sisessimweni esingahlanzekile;
 - (b) sisessimweni esingalungisiwe; noma
 - (c) esingahle sibe ngumjondolo.

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

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

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

ISAPHLUKO 5

IMISEBENZI YABANIKAZI KANYE NABANTU ABABHEKELE UMHLABA NOMA ISAKHIWO

Izinyathelo zokuvimbela ukuhlala ngokungemthetho

15.(1) Umnikazi kumbe umuntu obhekele umhlaba ongenalutho kumbe isakhiwo kumele, ezinyangeni eziyishumi nambili kuqale ukusebenza lo Mthetho, athathe izinyathelo ezingqala ezihlanganisa lokhu okulandelayo —

- (a) ukufakwa kothango oluzungeze leyo ndawo kumbe isakhiwo;
- (b) ukufakwa kwabaqaphi; kanye
- (c) nanoma yikuphi okunye okuqinisekisa ukuphepha,

Ukuvimbela ukungena kwabantu ngokungemthetho kuleyo ndawo kumbe isakhiwo.

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

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

(3) Ukuwehluleka kumnikazi kumbe umuntu obhekele leyo ndawo kumbe isakhiwo esingenamuntu ukuhambisana nokushiwo yisaziso esikhishwe ngokwesigatshana (2) kuyomenza abe necala.

Ukukhishwa kwabahlala ngokungemthetho

16.(1) Umnikazi kumbe umuntu obhekele indawo kumbe isakhiwo, okuthi ngokuqala kokusebenza kwalo Mthetho sabe sesivele sinabantu abahlala kuso ngokungemthetho, kumele esikhatshini esiyoshiwo yiLungu loMkhandlu oPhethe, elibhekelele, ngokwesaziso esiyokhishwa kwiGazethi, ngokulandela indlela ebekwe esigabeni 4 noma 5 soMthetho wokuVimbela ukuXoshwa ngokungeMthetho eNdaweni kanye nokuHlala ngokungeMthetho eNdaweni, athathe izinyathelo zokukhishwa kwalabo bantu abangena ngokungemthetho.

(2) Esimweni lapho umnikazi kumbe umuntu obhekele indawo kumbe isakhiwo ehluleka ukuhambisana nokushiwo yisaziso esikhishwe yiLungu loMkhandlu oPhethe ngokwesigatshana (1), umasipala owengamele leyo ndawo kumele alandele izihlinzeko zesigaba 6 soMthetho wokuVimbela ukuXoshwa ngokungeMthetho eNdaweni kanye nokuHlala ngokungeMthetho eNdaweni.

ISAPHLUKO 6

IZINDABA EZIVAMILE

Umbiko oya kwiSishayamthetho sesiFundazwe owenziwe yiLungu loMkhandlu oPhethe

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

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

- (a) inqubekela phambili eyenziwe ngomasipala ekuqedeni imijondolo, kanye nasezihlelweni zokuthuthukisa ezenziwe ezimweni zempilo yabantu abahlala ezindaweni abazengamele;
- (b) izinselelo, uma zikhona, ababhekane nazo omasipala ekusebenziseni izinhlelo zokuqeda imijondolo, kanye nezixazululo ezaphakanyiswa yiLungu loMkhandlu oPhethe, elibhekele, ukubhekana nalezi zinselelo; kanye
- (c) nayinoma yiluphi ulwazi iLungu loMkhandlu oPhethe, elibhekele, elingafisa ukulazisa kwisiShayamthetho SesiFundazwe maqondana nokuqeda kwemijondolo.

Ilungelo lomasipala lokudla umhlaba

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

Imithetho kamasipala

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

Amacala

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

Izinhlawulo

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

Imithethonqubo

22.(1) ILungu loMkhandlu oPhethe, elibhekele, lingathi ngokwesaziso esikwiGazethi, lenze imithethonqubo kumbe likhiphe imihlahlandlela ehambisana nalo Mthetho kumbe nanoma yimuphi umthetho kazwelonke maqondana —

- (a) nokuthuthukiswa kwemijondolo esifundazweni

- (b) nokuqokethwe yisimo kanye nemibiko yonyaka ezohanjiswa ngumasipala kwiLungu loMkhandlu oPhethe, elibhekele, ngokwalo Mthetho;
- (c) okudingekayo ngaphambi kokuthi kukhishwe imali ukuxhasa noma yimiphi imiklamo eyemkelwe ngomasipala ukuthuthukisa kumbe ukwakhiwa kwezindawo ezintsha zabahlala emijondolo esiFundazweni;
- (d) ukuphathwa kwanoma yiziphi izimali uHulumeni wesiFundazwe angazikhiphela omasipala ngaphambi kokuba kuqalwe umsebenzi ngenhloso yokuxhasa izinhlelo zokuqeda imijondolo;
- (e) inzuzo yanoma yiziphi indawo kumbe isakhiwo esihlonzwe ngumasipala ukuze kuhlaliswe abantu abakhishwe emijondolo; kanye
- (f) noma yikuphi ukuphathwa kumbe inqubo, edingekayo ukuze kuphumelele izihlinzeko ezikulo Mthetho.

(2) ILungu loMkhandlu oPhethe, elibhekele, lingathi ngokomthetho omiswe ngokokulawula kwesigatshana (1) limemezele ukungavumelani kumbe ukwehluleka ukuhambisana nomthethonqubo oqondene nalelo cala.

Ukudlulisela amandla okwenza umsebenzi

23.(1) ILungu oMkhandlu oPhethe, elibhekele, lingabela noma yisiphi isikhulu, umsebenzi noma ngubani osebenza emnyangweni amandla noma umsebenzi osuke unikwe iLungu oMkhandlu oPhethe, elibhekele, yilo Mthetho, ngaphandle —

- (a) kwamandla okwenza imithetho njengoba kubekiwe esigabeni 22; kanye
- (b) nomsebenzi wokwethula umbiko odidiyelwe phambi kwesiShayamthetho sesiFundazwe ngokwesigaba 17.

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

- (a) kumele kube ngokubhalwe phansi;
- (b) akuvimbeli iLungu oMkhandlu oPhethe, elibhekele, ekusebenziseni amandla alo kumbe ekwenzeni imisebenzi yalo; futhi
- (c) kungahoxiswa noma yinini kumbe kuchitshiyelwe ngokubhala phansi, yiLungu loMkhandlu oPhethe, elibhekele.

Isihloko Esifishane

24. Lo Mthetho waziwa ngokuthi uMthetho wokuQeda nokuVimbela ukwaKhiwa kaBusha kweMijondolo, ka-2006.

UMBIKO NGALOKHO OKUHLOSWE UMTHETHOSIVIVINYO WOKUQEDA NOKUVIMBELA UKWAKHIWA KABUSHA KWEMIJONDOLO, 2006

1. IMVELALPHI

Okwamanje, awukho umthetho esiFundazweni noma kuZwelonke, ophethe udaba lokuqedwa kwemijondolo, nokuvimbela kokughibuka kwayo kabusha kanye nezimo ezikuvunayo lokhu. Lesi simo sinomthelela omubi ekuthuthukisweni kwezimo zokuhlala nempilo yezakhamuzi zakuleli.

Isigaba sama-26 soMthethosisekelo waseNingizimu Afrika, okunguMthetho onguNombolo yama-108 we-1996, uhlinzekela ilungelo lazo zonke iza-khamuzi lokuthola indlu efanelekile, kanti lokhu kumunyelele kule mibandela elandelayo:

"26 (1) Wonke umuntu unelungelo lokukwazi ukuthola indlu efanelekile."

(2) Umbuso kufanele ukuba uthathe izinyathelo zomthetho ezifanele nezinye izinyathelo, ngokusemandleni ombuso ukwenza ukuba ukuphumelela kwaleli lungelo kughekele phambili.

(3) Akekho umuntu ongasuswa emzini wakhe noma kudilizwe indlu yakhe ngaphandle kwesinqumo senkantolo esenziwe ngemuva kokuba ibheke izimo ezithile ezifanele. Awukho umthetho oyovumela ukususwa kwabathintekayo bengakanikwa ithuba lokuziphendulela

Ngokulandisa kweSigaba sesi-7 soMthetho Wezezindlu, onguNombolo 107 ka - 1997, uHulumeni wesiFundazwe, ngokusebenzisa iLungu loMkhandlu oPhethe elibhekele ezeZindlu, kumele lenze konke okusemandleni ukuthuthukisa futhi lihlelele ukuhlinzekelwa kokuba kutholwe izindlu ezifanelekile, futhi-ke iLungu loMkhandlu oPhethe liphokekile ukuba lithuthukise umthetho oqinisekisa ukuthi izindlu ezifanelekile ziyatholakala. Lokhu-ke kumemthwe kule mibandela:

"7 (1) Lowo nalowo Hulumeni weSifundazwe, ngesandla seLungu loMkhandlu oPhethe, kuyothi esebonise nenhlango yeSifundazwe emele omasipala njengalokhu kuningwa kusigaba se-163(a) somthethosisekelo, uyokwenza konke okusemandleni ukuba athuthukise futhi ahlale kahle ukuhlinzekelwa ngezindlu ezifanelekile esiFundazweni sakhe, elandela uhlaka lwenqubomgomo yezezindlu kazwelonke."

(2) Ukuze ahlangebezane nalokho okukhunjwe esigatshaneni soku (1) lowo nalowo hulumeni weSifundazwe, ngesandla seLungu loMkhandlu oPhethe-
(b) uyothuthukisa akhuthaze ukwamkelwa komthetho weSifundazwe ukuze aqinisekise ukutholwa kwezindlu ngendlela efanele."

uMthethosivivinyo uzonikezela amandla komasipala nabanikazi bezindawo ukuba bathathe izinyathelo zokuqeda imijondolo kanye nezimo ezihambelana nayo, ubuye uhlinzeke nangenqubo okumele ilandele kanye nezijeziso eziyotholwa uma wephuliwe umthetho.

2. UKUCHAZWA KWEZIGABA NGEZIGABA

Ngamafuphi uMthethosivivinyo uhlinzekela kanje:

ISIGABA SOKU-1:

Isigaba soku-1 sisophe ukuchaza lelo gama elisetshenziswe kuMthethosivivinyo ngenjongo yokwenabisa kumbe unqinde ukusetshenziswa kwawo lawo magama.

Isigaba sesi- 2:

Isigaba sesi-2 sihlizekela ukusebenza koMthetho.

Isigaba sesi-3:

Isigaba sesi-3 sihlizekela ngalokho okuthintekayo ngalo Mthetho.

Isigaba sesi-4:

Isigaba sesi-4 sihlizekela ukunqabela ukuhlala ngokungemthetho endaweni, kungaba ngephethwe ngasese kumbe ephethwe umphakathi.

Isigaba sesi-5:

Isigaba sesi-5 sihlizekela ukunqatshelwa kokumiswa kwesakhiwo esingekho ezingeni ngenhloso yokuhlalisa abantu ukuze kuhlonyulwe ngemali.

Isigaba sesi-6:

Isigaba sesi-6 sihlizekela izibopho zomasipala maqondana nokusetshenziswa kwendawo yokuhlala engekho ezingeni.

Isigaba sesi-7:

Isigaba sesi-7 sihlizekela izibopho zikaHulumeni wesiFundazwe maqondana nokuhlizeka ngezindlu ezeneleyo.

Isigaba sesi-8:

Isigaba sesi-8 sihlizekela amandla nemisebenzi kaNgqongqoshe.

Isigaba sesi-9:

Isigaba sesi-9 sihlizekela iqhaza lomasipala maqondana nokufezwa ngendlela eqhubekayo kwelungelo lomuntu lokuba nendlu efanelekile, ngokuba sibalule imisebenzi yomasipala njengengxenywe yalolo nalolo Hlelo lweNtuthuko eDididiyelwe kuMasipala

Isigaba se-10:

Isigaba se-10 sihlizekela ukumiswa kohlelo lokususwa okuyokwenziwa omasipala.

Isigaba se-11:

Isigaba se-11 sihlizekela ukuhanjiswa kwemibiko yesimo kanye neyonyaka kwiLungu loMkhandlu oPhethe elibhekele. Le mibiko ibalula phakathi kokuningi, inani nendawo lapho kukhona imijondolo, imininingwane ngohlelo lokuqedwa kwemijondolo kanye nezinkomba ezibalulekile ezikhomba ukuphumelela kweso.

Isigaba se-12:

Isigaba se-12 sihlizekela isikhathi lapho umasipala kufanele abhekelele isimo lapho eyonquma khona ukuhlela enye indawo kumbe isakhiwo sokuhlala.

Isigaba se-13:

Isigaba se-13 sihlizekela ukumiswa kwezindawo zokugoba amadlangala ngomasipala, ukuze zisetshenziswe ukuhlalisa okwesikhashana labo abasuswe emijondolo, ngesikhathi kusahlwaywa indawo kumbe isakhiwo asebeyohlala kuso unomphela.

Isigaba se-14:

Isigaba se-14 sinika omasipala amandla okuba bazise umnikazi wendawo kumbe abaphathi bayo umyalelo wokuba bayivuselele kabusha esikhathini esithile esibekiwe futhi ukwehluleka ukuhambisana nalo mbandela sekungukwephula umthetho.

Isigaba se-15:

Isigaba se-15 sihlizekela umsebenzi obhekene nomnikazi wendawo kumbe lowo oyibhekile ukuba athathe izinyathelo ezibhekile ukuze avimbele ukwakha ngokungemthetho endaweni evulekile noma-ke ukwakhelwa kwayo ngabantu ngokungemthetho.

Isigaba se-16:

Isigaba se-16 sihlizekela ukumiswa kohlelo lwezomthetho oluqondene nokususwa kwabantu abahleli endaweni ngokungemthetho ngumnikazi womhlaba noma isakhiwo, kumbe-ke yilabo ababheke leyo ndawo noma isakhiwo leso.

Isigaba se-17:

Isigaba se-17 sihlizekela ukuba iLungu Lomkhandlu Ophethe elibhekene nalokhu lakhe futhi lihambise umbiko ohlangene, oweyanyiswe kulowo obika ngokuqhubeka komsebenzi oethwa ngomasipala eSishayamthethweni seSifundazwe njalo ngonyaka, ubalula ngokuqhubeka komsebenzi, izingqinamba kanye namasu okuzithombulula.

Isigaba se-18:

Isigaba se-18 sinika omasipala amandla okwemuka umhlaba kumbe ilungelo lomhlaba, uma leyo ndawo idingelwa ukuba kwakhiwe kuyo izizinda zokugoba amadlangala, noma ukuhlalisa abantu unomphela; ngokuhambisana nemibandela elawulwa uMthetho Wempango, uMthetho Womaziphathe Bendawo kumbe-ke omunye umthetho.

Isigaba se-19:

Isigaba se-19 sinika omasipala amandla okwamukela imithetho echibiyelayo ukuze sihambise kahle uhlelo lwalowo nalowo masipala lokuqeda imijondolo.

Isigaba sama-20:

Isigaba sama-20 sihlizekela ukwephulwa komthetho okujwayelekile futhi sicacisa kahle uhlobo lokuziphatha oseluyothathwa njengokweqa umthetho ngokulandisa koMthetho.

Isigaba sama-21:

Isigaba sama-21 sihlizekela izinhlawulo eziqondene nokulahlwa yicala lapho kwephulwe umthetho.

Isigaba sama-22:

Isigaba sama-22 sinika iLungu Lomkhandlu Ophethe elibhekene nalokhu amandla okwakha izimiso nokukhipha iziqondiso.

Isigaba sama-23:

Isigaba sama-23 sinika iLungu Lomkhandlu Ophethe eliqondene nalo msebenzi amandla okwedlulisela komunye igunya lokwenza umsebenzi oqondene nalo ngokuhambisana noMthetho; kanye nokwabela umsebenzi noma yisiphi esinye isikhulu, umsebenzi kumbe ingosi ethile eMnyangweni ngokulandela imibandela ethile.

Isigaba sama-24:

Isigaba sama-24 sihlizekela isihloko esifishane.

3. UMTHELELA WALOKHU ENHLANGANWENI KANYE NAKUBASEBENZI BAKAHULUMENI WESIFUNDAZWE

Kuqandelelwa ngokuthi kungahle kube nesidingo sokwengeza ithimba labasebenzi boMnyango ikakhulukazi oPhikweni Lokulawula Imiklamo.

4. UMTHELELA WALOKHU EZIMALINI ZIKAHULUMENI WESIFUNDAZWE

Umthelela oqandelelwe ezimalini zikahulumeni weSifundazwe oyodalwa yizindleko zokuqedwa nokujinjelwa kokuqhibuka kwemijondolo eSifundazweni ubalelwa kumabhiliyoni ayisi-R8.85.

5. IMINYANGO/ IMIKHANDLU/ NABANTU OKWAFAKANWA NABO IMILOMO

Ilungu Lomkhandlu Ophethe eliqondene nalo msebenzi lafakana imilomo —

5.1 neNhlango Yabanikazi Bempahla eNingizimu Afrika;

5.2 noMfelandawonye Wezimpahanga Zasemadolobheni kanye/noma Nabahlali Basemijondolo Bomhlaba Wonke; kanye

5.3 neNhlango Yohulumeni Basekhaya baseNingizimu Afrika – KwaZulu-Natali,

ukuze kwakhiwe uMthethosivivinyo.

No. 35, 2006

16 November 2006

KWAZULU-NATAL ELIMINATION AND PREVENTION OF RE-EMERGENCE OF SLUMS BILL, 2006**BILL**

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

PREAMBLE

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

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

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

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

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

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

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

ARRANGEMENT OF SECTIONS

Section

CHAPTER 1**DEFINITIONS, APPLICATION AND OBJECTS OF ACT**

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

CHAPTER 2**UNLAWFUL OCCUPATION AND SUBSTANDARD ACCOMMODATION**

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

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

7. Provision of adequate and affordable housing
8. Powers and functions of responsible Member of Executive Council

CHAPTER 4
ROLE OF MUNICIPALITIES

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

CHAPTER 5
DUTIES OF OWNERS AND PERSONS IN CHARGE OF LAND OR BUILDING

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

CHAPTER 6
GENERAL MATTERS

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

CHAPTER 1
DEFINITIONS, APPLICATION AND OBJECTS OF ACT

Definitions

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

“**annual report**” means a report referred to in section 11;

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

“**Constitution**” means the Constitution of the Republic of South Africa, 1996;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"slum" means overcrowded or squalid land or buildings occupied by predominantly indigent or poor persons with poor or non-existent infrastructure or sanitation, and **"slum conditions"** has a corresponding meaning;

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

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

"this Act" includes the regulations;

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

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

Application of Act

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

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

Objects of Act

3. The objects of this Act are —

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

CHAPTER 2

PROHIBITION OF UNLAWFUL OCCUPATION AND USE OF SUBSTANDARD ACCOMMODATION

Prohibition of unlawful occupation

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

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

Prohibition on use of substandard accommodation for financial benefit

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

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

Responsibility of municipality on use of substandard accommodation

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

(2) If the owner or person in charge of the building or structure fails to comply with the notice referred to in subsection 1, the municipality may institute proceedings for the eviction of the occupants of such building or structure as provided for in section 6 of the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act.

CHAPTER 3

ROLE OF RESPONSIBLE MEMBER OF EXECUTIVE COUNCIL

Provision of adequate and affordable housing

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

Powers and functions of the responsible Member of the Executive Council

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

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

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

CHAPTER 4 ROLE OF MUNICIPALITIES

Progressive realisation of right to adequate and affordable housing

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

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

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

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

Eviction by municipality

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

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

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

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

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

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

Condition for provision of alternative land or buildings

12. In the event of a municipality deciding to make available alternative land or buildings for the relocation of persons living in a slum, such municipali-

ty must take reasonable measures, within its available resources, to ensure that such alternative land or building is in reasonable proximity to one or more economic centres.

Establishment of transit area

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

- (2) A municipality must, in acquiring the land or buildings referred to in subsection (1), ensure that such land or building is —
- (a) suitable for the accommodation of persons; and
 - (b) equipped with the necessary basic infrastructure and sanitation,
- prior to the occupation thereof by the persons concerned.

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

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

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

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

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

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

CHAPTER 5

ROLE OF OWNERS AND PERSONS IN CHARGE OF LAND OR BUILDING

Steps to prevent unlawful occupation

15.(1) An owner or person in charge of vacant land or building must, within twelve months of the commencement of this Act, take reasonable steps, which include but are not limited to —

- (a) the erection of a perimeter fence around such vacant land or building;
- (b) the posting of security personnel; or
- (c) any other reasonable preventative measure,

to prevent the unlawful occupation of such vacant land or building.

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

- (a) comply with the provisions of subsection (1); or
- (b) give reasons for failure to comply.

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

Eviction of unlawful occupiers

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

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

CHAPTER 6

GENERAL MATTERS

Report to Provincial Legislature by responsible Member of Executive Council

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

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

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

Right of municipalities to expropriate land

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

Municipal by-laws

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

Offences

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

Penalties

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

Regulations

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

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

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

Delegations

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

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

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

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

Short title

24. This Act is called the KwaZulu-Natal Elimination and Prevention of Re-emergence of Slums Act, 2006.

MEMORANDUM ON THE OBJECTS OF THE ELIMINATION AND PREVENTION OF RE-EMERGENCE OF SLUMS BILL, 2006**1. BACKGROUND**

Currently, there is no legislation, national or provincial, which governs the manner in which slums and slum conditions can be eliminated and prevented to re-occur. This situation has an adverse effect in terms improving the living conditions of all the citizens of this country.

Section 26 of the Constitution of the Republic of South Africa, 108 of 1996, provides for the right to adequate housing for the citizens of the country, and it reads as follows:

“26 (1) *Everyone has a right to have access to adequate housing.*

(2) *The State must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.*

(3) *No-one may be evicted from their homes, or have their homes demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary evictions.”*

In terms of section 7 of the Housing Act, 107 of 1997, the Provincial Government, through the Member of Executive Council responsible for Housing, must do everything reasonably possible to promote and facilitate the provision of adequate housing and the MEC is obliged to promote legislation to ensure effective housing delivery, and it reads as follows:

“7 (1) *Every provincial government, through its MEC, must, after consultation with the provincial organisation representing the municipalities as contemplated in section 163(a) of the constitution, do everything in its power to promote and facilitate the provision of adequate housing in its province within the framework of national housing policy.*

- (2) *For the purposes of sub-section (1) every provincial government must through its MEC —*
(b) *promote the adoption of provincial legislation to ensure effective housing delivery."*

The Bill grants powers to the municipalities and owners of land and premises to take steps to eliminate slums and slum conditions, provides for procedure to be followed and for sanctions in the event of breach.

2. CLAUSE BY CLAUSE EXPLANATION

In summary the Bill provides as follows:

Clause 1:

Clause 1 seeks to define terms that are used in the Bill with the view to restrict or extend the meaning of those terms.

Clause 2:

Clause 2 provides for the application of the Act.

Clause 3:

Clause 3 provides for objects of the Act.

Clause 4:

Clause 4 provides for the prohibition of unlawful occupation of any premises or land, whether privately or publicly owned.

Clause 5:

Clause 5 provides for the prohibition of the erection of substandard accommodation with the purpose of using it to accommodate people in return for money.

Clause 6:

Clause 6 provides for the responsibilities of municipalities on the use of substandard accommodation.

Clause 7:

Clause 7 provides for the responsibility of the provincial government in respect of provision of adequate housing.

Clause 8:

Clause 8 provides for the powers and functions of the responsible Member of Executive Council.

Clause 9:

Clause 9 provides for the role of municipalities in respect of the progressive realization of right to adequate and affordable housing by detailing the duties of the municipalities, as part of each municipality's Integrated Development Plan.

Clause 10:

Clause 10 provides for the institution of eviction proceedings by the municipalities.

Clause 11:

Clause 11 provides for the submission of status and annual reports to responsible Member of Executive Council by the municipalities, stipulating, *inter alia*, the number and location of existing slums, details of their slum elimination programme and key performance indicators to measure progress.

Clause 12:

Clause 12 provides for the condition that must be considered by a municipality in the event that it decides to make alternative land or building available.

Clause 13:

Clause 13 provides for the establishment of transit areas by municipalities to be utilized for temporary accommodation of people evicted from a slum pending the acquisition of land or building for their permanent accommodation.

Clause 14:

Clause 14 gives the municipalities powers to give notice to the owner of persons in charge to refurbish and upgrade the land or building within a specified period and failure to comply with such notice constitutes an offence.

Clause 15:

Clause 15 provides for the duty of the owner or person in charge to take all reasonable steps to prevent occupation vacant land or building by unlawful occupiers.

Clause 16:

Clause 16 provides for the institution of legal proceedings for the eviction of unlawful occupiers by the owners of land or building or persons in charge of land or building.

Clause 17:

Clause 17 provides for the responsible Member of the Executive Council to compile and submit a consolidated report based on progress reports submitted by the municipalities to the Provincial Legislature on an annual basis setting out the general progress, the problems and proposed solutions.

Clause 18:

Clause 18 gives municipalities a right to expropriate land or right in land, when such land is required for the purposes of establishing a transit area or for permanent settlement, subject to the provisions of the Expropriation Act, Local Authorities Ordinance Act or any other law.

Clause 19:

Clause 19 gives municipalities a right to adopt bylaws to give effect to each municipality's slum elimination programme.

Clause 20:

Clause 20 provides for general offences and clearly spells out the type of conduct that is regarded as an offence in terms of the Act.

Clause 21:

Clause 21 provides for penalties applicable to the offences upon conviction.

Clause 22:

Clause 22 gives the responsible Member of the Executive Council power to make regulations or issue guidelines.

Clause 23:

Clause 23 gives the responsible Member of the Executive Council a power to delegate his powers in terms of the Act and a power to assign his duties to any officer, employee or functionary in the department, subject to exceptions.

Clause 24:

Clause 24 provides for the short title.

3. ORGANISATIONAL AND PERSONNEL IMPLICATIONS FOR PROVINCIAL GOVERNMENT

It is foreseen that there might be a need to increase the staff complement of the Department within the Project Management Component.

4. FINANCIAL IMPLICATIONS FOR PROVINCIAL GOVERNMENT

The foreseen financial implications for the Provincial Government for the elimination and prevention of re-emergence of all the slums in the Province are in the amount of R8,85 billion Rand.

5. DEPARTMENTS/ BODIES/ PERSONS CONSULTED

The responsible Member of the Executive Council consulted with —

5.1 the South African Property Owners Association;

5.2 the Federation for the Urban Poor and/or Slum Dwellers International; and

5.3 South African Local Government Association – KwaZulu-Natal,

in the drafting of the Bill.

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

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**DORPBEPLANNINGSKEMAS: WYSIGING/
TOWN PLANNING SCHEMES: AMENDMENT****NEWCASTLE MUNISIPALITEIT
Kennisgewing No. 215/2006
STADSBEPLANNINGSKEMA**

Hierby word ooreenkomstig artikel 47 bis B(2)(b) van Ordonnansie No. 27 van 1949, soos gewysig, bekend gemaak dat die Newcastle Munisipaliteit 'n aansoek ontvang het om sy Stadsbeplanningskema wat opgestel word te wysig soos uiteengesit in die ondergaande skedule.

'n Afskrif van die voorstel tesame met die plan lê ter insae in die kantoor van die Direkteur: Stadsbeplanning, westelike einde van Hospitaalstraat, Newcastle en enigeen met voldoende belang by vermelde voorstel mag skriftelike besware of vertoë in daardie verband voor of op 10 Desember 2006 by die ondergetekende indien.

SKEDULE

Die hersonering van erf 3/1/1101 Newcastle (Boundary Road 35) vanaf "Enkelwoon" na "Algemene Woon 3" soos aangedui op sketsplan W3/1/1101.

A.R. HOOSEN,
Munisipale Bestuurder.

Munisipale Kantore,
Privaatsak X6621,
Newcastle 2940.

D5—November 16, 2006.

**NEWCASTLE MUNICIPALITY
Notice No. 215/2006
TOWN PLANNING SCHEME**

Notice is hereby given in terms of section 47 bis B(2)(b) of Ordinance No. 27 of 1949, as amended, that the Newcastle Municipality received an application to amend its Town Planning Scheme in the course of preparation as indicated in the schedule below.

A copy of the proposal together with plans are lying open for inspection in the office of the Director: Town Planning situated at the western end of Hospital Street, Newcastle and any person who has a sufficient interest in the said proposal may lodge written representations or objections with the undersigned on or before 10 December 2006.

SCHEDULE

The rezoning of erf 3/1/1101 Newcastle (35 Boundary Road) from "Single Residential" to "General Residential 3" as depicted on sketch plan W3/1/1101.

A.R. HOOSEN,
Municipal Manager.

Municipal Offices,
Private Bag X6621,
Newcastle 2940.

D5—November 16, 2006.

**UMKHANDLU OMKHULU WETHEKU
ENTSHONALANGA ENGAPHANDLE
EHHOVISI LEZOKUPHATHA
IZIPHAKAMISO NGEZICHIBIYELO
KUSOMQULU WOKUHLELWA
KWEDOLOBHA
OSACUTSHUNGULWAYO**

Isaziso ngokwesigaba 47 bis B somthetho wezokuhlelwa kwamadolobha (Town Planning Ordinance No. 27 of 1949), njengokuchithiyelwa, niyaziswa ngesicelo esifakwe kuMkhandlu weTheku oseNtshonalanga engaphandle mayelana noguquko kuSomqulu wokuHlelwa kweDolobha osacutshungulwayo.

Kumayelana Nokuchibiyela imithetho emayelana nokusetshenziswa komhlaba owaziwa nge Special Zone 3 - Assagay Hotel (et al) ukuze kukwazi ukuvumela ukuba khona kwesiPaza (Convenience Shop) kanye nendawo lapho uthenga uhambe khona (take

away/Restaurant use), kumhlaba ongunombolo 1 ka 329 Assagay (Ptn 1 of Erf 329 Assagay).

Imibhalo neminingwano iyatholakala ngezikhathi zomsebenzi emahhovisi omkhandlu ase Hillcrest.

Iziphakamiso nemibono ingathunyelwa ngaphambi komhlaka 8 December 2006.

JA FORBES
MANAGER: PLANNING AND
DEVELOPMENT

Outer West Administrative Area
PO Box 36

KLOOF
3640
22 Delamore Road
HILLCREST
3610

Name and address of applicant
AF Planning (Tel : 032-9460151)
PO Box 234
Ballito, 4420

D6—kuLwezi 16, 2006.

**ETHEKWINI MUNICIPALITY
OUTER WEST ADMINISTRATIVE AREA
AMENDMENT TO THE CONSOLIDATED
OUTER WEST
PLANNING SCHEME IN COURSE OF
PREPARATION**

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance (No. 27 of 1949), as amended that an application has been lodged with the Outer West Administrative Area to amend the Consolidated Outer West Town Planning Scheme in course of preparation by amending the controls relating to Special Zone 3 Assagay Hotel (et al) to allow for a convenience shop (Woolworths) and Take-Away/Restaurant use on Portion 1 of Erf 329 Assagay.

The relevant documents are available for inspection during normal hours at the Civic Office, Hillcrest.

Interested persons may lodge written objections or representations with the undersigned by not later than close of business on **8 December 2006**.

JA FORBES
MANAGER: PLANNING AND
DEVELOPMENT

Outer West Administrative Area
PO Box 36
KLOOF

3640
22 Delamore Road
HILLCREST
3610

Name and address of applicant
AF Planning (Tel: 032-9460151)
PO Box 234
Ballito, 4420

D6—November 16, 2006.

**UMASIPALA WA KWADUKUZA
OLUNGUMHLAHLANDLELA
WEDOLOBHA LASE - UMHLALI-
ISICHIBIYELO ESIHLONGOZWAYO**

Lapha kukhishwa isaziso ngokwemigomo yoMthetho u-Section 47 bis B okuyiMthetho engumhlahlandlela yamadolobha oMasipala, onguNo. 27 ka 1949, njengokuchibiyelwa kwayo, ukuthi umkhandlu wakwaDukuza uhlongoza ukuchibiyela uhlelo olungumhlahlandlela wedolobha kubalulwa lapha ngezansi.

Proposed Zoning of Portion 577 of the Farm Lot 61 No. 1521, situated at the Northern most end of Colwyn Drive, Sheffield Beach to "Special Residential" and "Road" purposes.

bonke abafisa ukuphikisana nesicelo sokushintsha ukusethenziswa kwendawo bangaletha imibono yabo phambi kuka **8 December 2006** kulelikheli elilandelayo with The Municipal Manager, KwaDukuza Municipality, P.O. Box 72, Stanger, 4450.

Abaphikisayo kumelobasizise umphakathi wakwa Masipala bachaze kabanzi ukuthi ikhophi yesaziso sinikwe kulowo ofake isicelo kuleli kheli elingenzansi ngeposi noma ngokuyini-kezela ngesandla. Isikhalazo esifika sekudlule nogkuyinikezela ngesandla. Isikhalazo esifika sekudlule usuko olubhaliwe/noma isikhalazo esingafrikanga kulowo osifakile isicelo ngekesi-balwe.

Imidwebo ne mininingwane ebambisana nalesicelo ingabonakala kumahhovisi kaMasipala kusukela ngo msombuluko kuya kulwesihlanu (ngaphandle kwaMaholidi) kusukela ngo 08h00 ekuseni kuyaku 16h00 ntambama.

Igama Nekheli Lalowo Ofaka Isicelo

AF Planning
For Hentiq 3275 (Pty) Ltd
PO Box 234
Ballito, 4420
(Tel: 032-946 0151)

D7—kuLwezi 16, 2006.

**KWADUKUZA MUNICIPALITY
UMHLALI TOWN PLANNING SCHEME
(IN COURSE OF PREPARATION)
PROPOSED AMENDMENT**

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance, No. 27 of 1949, that the KwaDukuza Council intends to consider the following proposed amendment to the Umhlali Town Planning Scheme:

Proposed Zoning of Portion 577 of the Farm Lot 61 No. 1521, situated at the Northern most end of Colwyn Drive, Sheffield Beach to "Special Residential" and "Road" purposes.

Any person desiring to object to this proposal may do so by lodging a written notice setting out the grounds of his/her objection on or before **8 December 2006** with: The Municipal Manager, KwaDukuza Municipality, P.O. Box 72, Stanger, 4450.

Objectors must, in notifying the Municipal Manager, clarify that a copy of the notice has been served on the applicant at the address given

below by registered or certified post or by hand. Any objection received after the prescribed date and/or where a copy has not been served on the applicant is not valid.

Plans and particulars relating to this application may be inspected during normal office hours Monday to Friday (excluding public holidays) at The Secretary: Development and Planning Section, KwaDukuza Municipality, 10 Leonora Drive, Ballito. The application will lie for inspection from the **17 November 2006**.

Name and address of applicant

AF Planning
For Hentiq 3275 (Pty) Ltd
PO Box 234
Ballito, 4420
(Tel: 032-946 0151)

D7—November 16, 2006.

**STAD VAN UMHLATHUZE
PERMANENTE SLUITING EN
HERSONERING VAN ERF 7604,
RICHARDSBAAI - GU:**

Kennisgewing geskied hiermee ingevolge die Bepalings van Artikel 47 bis (1)(a) van die Dorpsbeplanningsordonnansie No 27 van 1949, soos gewysig, asook Artikels 211, 212 en 235 van die Ordonansie op Plaaslike Owerhede No. 25 van 1974, soos gewysig, van die Stad van uMhlathuze om 'n aansoek wat ontvang is vir die permanente sluiting en hersonerering van Erf 7604 (757 m² groot) "Openbare Oop Ruimte" na "Spesiaal Woon 1" soos aangedui op Plan No. 6/ 6/7604, te oorweeg.

Besonderhede van die voorgestelde hersonerering tesame met die toepaslike dokumente lê gedurende kantoorure te Kamer D329, Munisipale Kantore, Burgersentrum, Mark Strasse 5, Richardsbaai vir die publiek ter insae. ('n Afspraak met mnr W Mpofu (tel 035 907 5411/5428) in hierdie verband is noodsaaklik)

Skriftelike besware teen of vertoeë aangaande bogemelde aangeleentheid moet die Hoof Uitvoerende Beampte by bogemelde adres of Privaatsak X1004, Richardsbaai, 3900 binne 30 dae vanaf datum van hierdie advertensie bereik.

DR A W HEYNEKE,

HOOF UITVOERENDE BEAMPTÉ.

Stad van uMhlathuze
Privaatsak X1004
RICHARDSBAAI
3900

D8—November 16, 2006.

**CITY OF UMHLATHUZE
PERMANENT CLOSURE AND REZONING
OF ERF 7604: 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, as well as Sections 211, 212 and 235 of the Local Authorities Ordinance, No. 25 of 1974, as amended, that the uMhlathuze Municipality is about to consider an application received for the permanent closure and rezoning of Erf 7604 (757 m² in extent) from "Public Open Space" to "Special Residential 1", as indicated on Plan No. 6/6/7604.

Details of the proposed rezoning together with all the relevant documents are open for inspection by prior appointment with Mr W Mpofu at 035-9075411 (direct line) or 035-9075428 (Departmental Switchboard) in office No D329, Civic Centre, 5 Mark Strasse Richards Bay, during office hours.

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 30 days of date of this advertisement.

DR A W HEYNEKE,
CHIEF EXECUTIVE OFFICER.

City of uMhlathuze,
Private Bag X1004,
RICHARDS BAY,
3900.

D8—November 16, 2006.

**ETHEKWINI MUNICIPALITY
NORTH**

PUBLIC NOTICE NO.: 2006 - 19

ISAZISO MAYELAWA

**NOKUCHITSHIYELWA KOMQULU
WOTONATHI**

**TOWN PLANNING SCHEME IN THE
COURSE OF PREPARATION**

**SINETHULELA ISAZISO SESICELO
SESIKHASHANA ESIKHISHIWE SOKUBA
KUCHITSHIYELWA UMTHEHO WETON-
GATHI TOWN PLANNING SCHEME IN THE
COURSE OF PREPARATION, NGOKUKA
SECTION 47BIS OF THE TOWN PLANNING
ORDINANCE, 1949 (ORD. NO. 27 OF
1949)(NJENGOBA YASHICILELWA), YERE-
ZONING KA PORTION 22 (OF 15) OF THE
FARM LOT 83 NO. 1574, ISUKA KU SPE-
CIAL RESIDENTIAL IYA KU SPECIAL
ZONE.**

**AMAKHOPHI NAMAPULANI ESICHIBI-
YELO ESIPHAKANYISIWE ASEYATHO-
LAKALA EMAHHOVISIN KA MASIPALA
EMHLANGA, KUSUKA NGEHORA
LESISHIYAGALOMBILI EKUSENI KUYA
LIGAMENXE ELESUMI NAMBILI EMINI
PHAKATHI NEZINSUKU. ONOMBONO
NOMA IZIKHALAZO NGEZICHIBIYELO
EZIPHAKANYISIWE ANGATHUMELA
IZIKHALAZO ZAKHE EZIBHALWE PHANSI
KU 5 LAGOON DRIVE EMHLANGA NAKU
MFAKISICELO NGAPHAMBI KWEHORA
LESUMI NAMBILI NGOI.WESHLANU
ZIYISISHIYAGALOMBILI (08) ENYANGENI
KA ZIBANDLELA (DECEMBER) 2006.**

M O SUTCLIFFE,
CITY MANAGER.

**ETHEKWINI MUNICIPALITY,
5 LAGOON DRIVE,**

UMHLANGA,

4319,

BOX 680,

DURBAN,

4000.

D9—kuLwezi 2006.

**ETHEKWINI MUNICIPALITY
NORTH**

**PUBLIC NOTICE NO.: 2006 - 19
PROPOSED AMENDMENT OF THE
TONGAAT TOWN PLANNING
SCHEME IN THE COURSE OF
PREPARATION**

NOTICE is hereby given that application has been made for authority to amend the Draft Scheme Clauses of the Tongaat Town Planning Scheme in the course of preparation, in terms of Section 47bis B of the Town Planning Ordinance, 1949 (Ord. No. 27 of 1949)(as amended), by the rezoning of Portion 22 (of 15) of the Farm Lot 83 No. 1574, from Special Residential to Special Zone.

Copies of the proposed amendment and the relevant plans and documents are open for inspection at the Umhlanga offices of the Town Planning Control Branch, between 08:00 and 12:30 weekdays. Any person having sufficient interest in the proposed amendment may lodge written objections or representations relating thereto with the undersigned at 5 Lagoon Drive, Umhlanga, and the applicant before 12:00 Friday, 08 December 2006.

M O SUTCLIFFE,
CITY MANAGER.

**ETHEKWINI MUNICIPALITY,
5 LAGOON DRIVE,**

UMHLANGA,

4319,

BOX 680,

DURBAN,

4000.

D9—November 16, 2006.

**UMKHANDLU OMKHULU WETHEKU
ENTSHONALANGA ENGAPHANDLE
EHHOVISI LEZOKUPHATHA
IZIPHAKAMISO NGEZICHIBIYELO
KUSOMQULU WOKUHLULWA
KWEDOLOBHA OSACUTSHUNGULWAYO
Isaziso ngokwesigaba 47 bis B somthetho**

wezokuhlwa kwamadolobha (Town Planning Ordinance No. 27 of 1949), njengokuchithiyelwa, niyaziwa ngesicelo esifakwe kuMkhandlu weTheku oseNtshonalanga engaphandle mayelana nokuqoko kuSomqulu wokuHlelwa kweDolobha osacutshungulwayo.

Kumayelana Nokugqula ukusentshenziwa (Rezoning) komhlaba ongunombolo 627 ka 357 yePulazi I Albinia No. 957 (Portion 627 of 357), osengwaqeni ongunombolo 9 eMoyeni Road, Hillcrest uzobe uguqulwa ukusentshenziwa kwawo njengendawo yomuzi owodwa (SR1800) bese usentshenziwa njengendawo yezindlu eziningi (Intermediate Residential 2).

Imibhalo neminingwano iyatholakala ngezikhathi zomsebenzi emahhovisi omkhandlu aseHillcrest.

Iziphakamiso nemibono ingathunyelwa ngaphambi komhlaka 8 kuZibandlala 2006.

J.A. FORBES,

Manager Planning and Development.

Outer West Administrative Area,

P.O. Box 36,

Kloof 3640,

22 Delamore Road,

Hillcrest

3610.

D12—kuLwezi 16, 2006.

ETHEKWINI MUNICIPALITY OUTER WEST ADMINISTRATIVE AREA AMENDMENT TO THE CONSOLIDATED OUTER WEST PLANNING SCHEME IN COURSE OF PREPARATION

Notice is hereby given in terms of Section 47 bis B of the Town Planning Ordinance (No. 27 of 1949), as amended that an application has been lodged with the Outer West Administrative Area to amend the Consolidated Outer West Town Planning Scheme in course of preparation by rezoning Portion 627 (of 357) of the farm Albinia No. 957 and known as 9 Emoyeni Drive, Hillcrest from Special Residential 1800 to Intermediate Residential 2.

The relevant documents are available for inspection during normal hours at the Civic Office, Hillcrest.

Interested persons may lodge written objections or representations with the undersigned by not later than the close of business on 8 December 2006.

J.A. FORBES,

Manager: Planning and Development.

Outer West Administrative Area,

P.O. Box 36,

Kloof 3640,

22 Delamore Road,

Hillcrest 3610.

D12—November 16, 2006.

UMLALAZI MUNICIPALITY NOTICE 91/2006 AMENDMENT : MTUNZINI TOWN PLANNING SCHEME REZONING ERF 1047 MTUNZINI

Notice is hereby given in terms of Section 47 bis (B)(1) of the Town Planning Ordinance 27 of 1949, as amended, of the intention of the uMlalazi Municipality to amend the Mtunzini Town Planning Scheme, in course of preparation, to rezone Erf 1047 Mtunzini from "Agriculture" to "General Residential 1".

Details of the proposed scheme amendment are open for inspection at the uMlalazi Municipality offices at Hutchinson Street, Eshowe, Main Street Gingindlovu and Hely Hutchinson Street, Mtunzini during normal office hours.

Written objections against or representations concerning the proposed scheme amendment should reach the Municipal Manager, P O Box 37, Eshowe, 3815 on or before 08 December 2006.

CHRIS GERBER,
MUNICIPAL MANAGER.

uMlalazi Municipality,

P O Box 37,

Eshowe,

3815.

D13—November 16, 2006.

TOWNSHIPS AMENDMENT AND REMOVAL OF RESTRICTIONS DORPE: WYSIGING EN OPHEFFING VAN BEPERKINGS

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS NOTICE NO. 149

INVITATION FOR PUBLIC COMMENT: APPLICATIONS FOR REMOVAL OF RESTRICTIONS RELATING TO LAND

The Department invites the public to comment in writing on the applications for the removal of restrictions relating to land set out in the Schedule. Comments, which may be submitted by fax or mail, must be submitted to the Department by **18 December 2006**.

The Department may refuse to accept comments submitted after the closing date.

Kindly include your postal address and a contact telephone number in your correspondence.

MR G. K. SUZOR,

Deputy Manager:

Development Planning (Coastal Implementation Office)

Private Bag X54310

Durban

4000

SCHEDULE

PROPERTY DESCRIPTION ADDRESS, DEED AND CONDITION	SCOPE OF APPLICATION	CONTACT PERSON CONTACT DETAILS, AND FILE REFERENCE
Erf 229 Palm Beach Service Road T40030/03 B.(b) and B.(c).	Removal of condition of title that restricts the use of the property to one dwelling house restricts the use of certain types of building material.	MRS B. SIMAMANE, Tel: 031-204 1762 Fax: 031-204 1980 buyisile.simamane@kznlgta.gov.za Ref: 2006/580
Erf 806 Kloof 7 Umziki Place T8686/97 (K) 2. and (K) 6.	Removal of conditions of title that restricts the use of the property to one dwelling house and imposes building line.	MR A. BHYRODOYAL, Tel: 031-2041855 Fax: 031-2041980 ashok.bhyrodoyal@kznlgta.gov.za 2006/1151
Erf 38 Erin-go-Bragth 36 Carlton Avenue, Westville T 10986/1975 C. (i); C. (ii) and C. (vi)	Removal of conditions of title that restrict the use of the property to residential purposes; to one dwelling and for commercial business purposes.	Mr. G. Mathentamo, Tel: (031) 2041740 Fax: (031) 204 1980 godfrey.mathentamo@kznlgta.gov.za Ref: 2006/1108
Erf 166 Shelly Beach Maple Street T 78336/03 C. (j)	Removal of condition of title that restricts the use of building materials.	MRS B. SIMAMANE, Tel: 031-204 1762 Fax: 031-204 1980 buyisile.simamane@kznlgta.gov.za Ref: 2006/1157
Erf 1153 Kingsburgh 17 Hillside Road T6817/89 E.2.	Removal of condition of title that restricts the use of the property to a dwelling house.	MR A. BHYRODOYAL, Tel: 031-2041855 Fax: 031-2041980 ashok.bhyrodoyal@kznlgta.gov.za Ref: 2006/1241

Remainder of Erf 1632 Pinetown 43 Charles Mowat Avenue T3450/1982 (d)(2)	Removal of condition of title that restricts the use of the property to a dwelling house.	MR A. BHYRODOYAL. Tel: 031-2041855 Fax: 031-2041980 ashok.bhyrodoyal@kznlgta.gov.za Ref: 2006/1340
Erf 1326 Reservoir Hills 85 Drewstead Road T 8239/89 G.(b)	Removal of a condition of title that restricts the use of the property to one dwelling house.	MISS M. CHETTY, Tel: 031-204 1767 Fax: 031-204 1980 margie.chetty@kznlgta.gov.za Ref: 2006/1343
Remainder of Erf 774 Kloof 17 Winston Road T8594/2001 D) 3.	Removal of condition of title that restricts the use of certain types of building materials.	MR A BHYRODOYAL, Tel: 031-2041855 Fax: 031-2041980 ashok.bhyrodoyal@kznlgta.gov.za Ref: 2006/1344
Portion 5 of Erf 3483 Pinetown 11 Marwick Road T 25636/98 3.(d) 2.	Removal of a condition of title that restricts the use of the property to one dwelling house.	MISS M. CHETTY, Tel: 031-204 1767 Fax: 031-204 1980 margie.chetty@kznlgta.gov.za Ref: 2006/1345
Erf 500 Uvongo Broadway Street T 25880/88 C. (a).	Removal of a condition of title that restricts the use of the property to one dwelling.	MRS A. MURGATROYD, Tel: (031) 204 1919 Fax: (031) 204 1980 audrey.murgatroyd@kznlgta.gov.za Ref: 2006/1352

G1—November 16, 2006.

DORPE: WYSIGING EN OPHEFFING VAN BEPERKINGS TOWNSHIPS AMENDMENT AND REMOVAL OF RESTRICTIONS

AANSOEKE OOREENKOMSTIG DIE WET OP OPHEFFING VAN BEPERKINGS, NO. 84 VAN 1967 APPLICATIONS IN TERMS OF THE REMOVAL OF RESTRICTIONS ACT, NO. 84 OF 1967

KENNISGEWING No. 155

Aansoeke ooreenkomstig bostaande wet om die wysiging, opskorting of verpligtinge met betrekking tot die onderstaande eiendomme is ontvang.

Die redes vir die aansoeke word hieronder verstrek. (Die letters "DBS" dui aan dat die toekomstige gebruik van die grond ooreenkomstig 'n dorpbeplanningskema beheer sal word.)

Enige besware, verkieslik met volledige redes daarvoor, moet skriftelik voor of op die sluitingsdatum soos hieronder bepaal, aan die Waarneemende Hoof, Tradisionele en Plaaslike Regeringsake, Privaatsak X64, Ulundi, 3838, besorg word. Die voorgenome beswaar sal die volgende vervat:

- (1) die verwysingsnommer en eiendom wat deur die beswaar geraak word;
- (2) die naam, adres, eiendomsbeskrywing en telefoonnommer van die beswaarmaker; en
- (3) of sodanige beswaarmaker sal verkies om enige verhoor en inspeksie, wat uit die beswaar mag voorspruit, by te woon.

Die aansoek sal tot 20 Desember 2006 by die Kantoor van die Direkteur: Ontwikkelings Beplanning: Grond verdieping, Administratiewe Gebou in Ulundi, Koning Dinizulu Straat, (Mnr D Chetty, tel. 035- 874 2804) ter insluc lê.

Verw. en Eiendom
Ref. and Property

2006/1472 - Erf 150, 2006/1473 - Erf 300
2006/1474 - Erf 450, 2006/1475 - Erf 515
2006/1476 - Erf 770, 2006/896 - Erf 1998
2006/1477 - Erf 2020, 2006/1478 - Erf 2058
2006/1170 - Erf 2536, 2006/1479 - Erf 3674
2006/1480 - Erf 3836, 2006/1481 - Erf 3844
2006/1483 - Erf 4161, 2006/1482 - Erf 4173
2006/1484 - Erf 5470, 2006/1485 - Erf 5537
2006/2140 - Erf 1017
almaal van Richardsbaai/all of Richards Bay
and
2006/1471 - Erf 445 van/of Nseleni

NOTICE No. 155

Applications have been received in terms of the abovementioned Act for the alteration, suspension or removal of restrictions or obligations pertaining to the undermentioned properties.

The reasons for the applications are set out hereunder. (The letters "TPS" indicate that the future use of the land will be controlled in terms of a town planning scheme.)

Any objections, preferably with full reasons therefor, must be lodged in writing, with the Acting Head of Department Traditional and Local Government Affairs, Private Bag X64, Ulundi, 3838, so as to be received by him no later than the closing date specified below. A letter of objection must furthermore indicate the following:

- (1) the reference and the property to which the application pertains;
- (2) the name, address, erf number and telephone number of the objector; and
- (3) whether the objector wishes to attend any hearing and inspection which may result from the objection.

The application will be open for inspection in the Office of the Director: Development Planning: Northern Region, Ground Floor, Admin Building, Ulundi, King Dinizulu Street (Attention: Mr D K Chetty: 035-874 2804), until 20 December 2006

Rede
Reason

Om titelvoorwaardes op te hef wat:

1. Die oprigting van 'n skakelhuis, deelhuis, hotel of woonstelgebou en hoogstens een woonhuis tesame met sodanige buitegeboue verbied sodat 'n tweede wooneenheid op die erf opgerig kan word.
2. Die perseel vir doeleindes anders as slegs 'n residentieële eenheid aangewend word, teweete 'n besigheids of ander gebruik (tuis nywerheid of kantoor, ens.).
3. Toegang verleen oor die suid wes grens van die eiendom (Erf 770) en
4. Die aantal eienaars van 'n eiendom beperk (Erf 445 Nseleni)

To remove conditions of title that:

1. Prohibits the erection of a semi-detached house, tenement house, boarding house, hotel or block of flats so as to enable the erection of a second dwelling unit on the property.
2. Restricts the use of the property for residential purposes only in order to use the property for business or other purposes (home industry or office, etc.).
3. Facilitates access across the south western boundary of the property (Erf 770), and
4. Restricts the number of owners of a property (Erf 445 Nseleni)

G4—November 16, 2006.

DIVERSE/MISCELLANEOUS

NOTICE OF LAND DEVELOPMENT AREA APPLICATION

DYNASTY INVESTMENTS (PTY) LTD ufake isicelo ngokulandela uMthetho wokuKhuthaza iNtshukho mayelana nokumiswa kwendawo yokuthuthukiswa Portion 87 (of 2) of The Farm Stocklands and Oatlands No. 878.

Ukuthuthukisa kubabandakanya lokhu okulandelayo izindlu ezingamashumi amane eziminyene kancane endaweni esazohlelelwa ukwakhiwa yokuhlala.

Amapulani, izincwadi neminingwane edingekayo ukuze ihlolwe itholakala uMngeni Municipality Offices ekhomeni lemigwago uSomme no Dicks, Howick isikhathi esiyizinsuku ezingama-21 kusukela 16 kuLwezi 2006.

Isicela siyocutshungulwa eNkundleni yokuflelela izicelo eyohlala Council Chambers, uMngeni Municipal Offices, Howick mhla ka on 16 kuNhlolanja 2007 ngo 10:00 kanti umhlangano wokwendulela uyoba Council Chambers, uMngeni Municipal Offices, Howick mhla ka 13 kuZibandela 2006 ngo 12:00.

Ungaba khona kuhlolwa mathupa indawo ethuthukiswayo okuyokwenziwa yiNkundla yokulalela izicelo mhla ka 15 kuNhlolanja 2007 ngo 14:00.

Yimona yimuphi umuntu onentshiseketo mayelana nesicelo kumele aqaphele lokhu:

1. Ezinsukwini ezingu-21 lesi sazizo sokuqala simenyezwe, unganikeza isiphathi-mandla esiqokiwe isikhalo noma umbono wakho obhalwe phansi; noma
2. Uma umbono wakho kuyisikhalo esiqondene

nokuthile mayelana nesicelo sokuthuthukisa umhlaba, kumele ube khona mathupha noma umelwe ummeli eNkundleni ngosuku olubalulwe ngenhla.

Noma yisiphi isikhalo noma umbono obhalwe phansi kumele uthunyelwe kwisiphathi-mandla esiqokiwe Mr S. Simpson, uMngeni Municipality, Dick Street, Howick (P.O. Box 5, Howick, 3290) futhi ungathintana nesiphathi-mandla lapha (T) 033 239 9211 (F) 033 239 9213. Email – planning@umngeni.co.za

H2—kuLwezi 16, 23, 2006.

NOTICE OF LAND DEVELOPMENT AREA APPLICATION

Dynasty Investments (Pty) Limited has lodged an application in terms of the Development Facilitation Act, 1995, for the zoning and development of a land development area for 40 medium density housing units on Portion 87 (of 2) of The Farm Stocklands and Oatlands No. 878.

The development will consist of 40 medium density housing units on land to be zoned Intermediate Residential.

The relevant plans, documents and information are available for inspection at the uMngeni Municipality offices at the corner of Somme and Dicks Street, Howick, for a period of 21 days from 16 November 2006.

The application will be considered at a Tribunal hearing to be held at the uMngeni Municipality Council Chambers at the corner of Somme and Dicks Streets, Howick on 16 February 2007 at 10:00 and the prehearing conference will be held

at uMngeni Municipality Council Chambers, corner of Somme and Dicks Streets, Howick on 13 December 2006 at 12:00.

All interested and affected parties are hereby informed that they may attend an inspection *in loco* of the land development area, which will be conducted by the Tribunal on 15 February 2007 at 14:00.

Any person having an interest in the application should please note:

1. You may within 21 (twenty-one) days from the date of the first publication of this notice (16 November 2006), provide the Designated Officer with your written objections or representations; or
2. If your comments constitute an objection to any aspect of the land development application, you must appear in person, or through a representative, before the tribunal on the date mentioned above.

Any written objection or representation must be delivered to the Designated Officer at the uMngeni Municipal offices at the Corner of Somme and Dicks Streets, Howick and you may contact the Designated Officer, Mr Stephen Simpson, if you have any queries, at the following:

uMngeni Municipality,
Cnr Somme and Dicks Streets,
P.O. Box 5,
Howick 3290.
Telephone Number: (033) 239 9211
Fax Number: (033) 239 9213
Email: planning@umngeni.co.za
H2—November 16, 23, 2006.

UMASIPALA WASETHEKWINI
ISAZISO NGENHLOSO YOKUDLIWA NGOKOMTHETHO KOMHLABA

Sikhishwa nguMasipala waseThekwini ("uMasipala") ngaphansi kwesigaba 190 sikasomqulu wemithetho u-Local Authorities Ordinance 25 ka 1974 ("i-Odinensi") kanye nesigaba 7(5) somthetho olawula ukudliwa komhlaba/kwezakhiwo ngokomthetho (Expropriation Act) (Act No. 63 of 1975), njengoba uchitshiyelwe ("uMthetho").

SIYA: Kubanikazi (ngokwenzazelo yaleli gama kanjengoba lichazwe eSigabeni 1 soMthetho) bale mhlaba/izakhiwo ezichazwe kule sheduli eham-bisana nalesi saziso;

SIYA: Nakubo bonke abanye abantu abathi bananoma yimaphi amalungelo noma amagunya kule mhlaba/izakhiwo ezichazwe kule sheduli, ngenxa yokuba babhalisile noma ngenye indlela, futhi ikakhulukazi noma yisiphi isiqashi, umthengi noma umakhi ophathekayo ngokwemibandela yeSigaba 9(1)(d) soMthetho.

UKUDLIWA NGOKOMTHETHO KOMHLABA UKUZE KUHLINZEKELWE INDLELA YEZINTAMBO ZIKAGESI; SEALING END; INDLELA; IKHEBULI KAGESI NE-SUB-STATION; WATERLOO M.R. 96

Ukuze kukwazi ukuba kwenziwe imisebenzi ethile yentuthuko yomphakathi, kuzodingeka ukuba uMasipala uthole amalungelo omhlaba kanye/noma okusebenzisa umhlaba. Ukuze lokhu kwenzeke ngendlela efanele uMasipala kufanele adle ngokomthetho lo mhlaba/amalungelo okusebenzisa umhlaba.

Sixolisa kakhulu ngokuphazamiseka noma ngokukhathazeka okungase kuvele ngenxa yalezi zinyathelo, futhi ngenxa yalokhu sizokwenza konke okuse-mandleni ukukwelekelela kunoma iyiphi inkinga noma imibuzo ongase ube nayo.

Kodwa-ke ngaphambi kokuba uMasipala aqhubeke:

(a) ngalokhu uyaziswa ngaphansi kwesigaba 190 se-Odinensi 25 ka 1974 ukuthi esikhathini esizayo (kuncike ekuvumeni kukaNduna-nkulu waKwaZulu-Natal) uMasipala uhlose ukudla ngokomthetho lezi zindawo ezisohleni olukwisheduli ephelcelela lesi saziso, nokuthi

(b) uyamenywa ukuba uma unanoma yiziphi izikhazazo ngalo msebenzi ohlongozwayo uzibhale phansi uzilethe zingakapheli izinsuku ezingu 30 kusukela osukwini okuphume ngalo lesi saziso.

Qaphela isigaba 190(3) sale Odinensi ethintekayo esifundeka kanje:-

"..... emva kokuthola (lesi) isaziso noma ngubani onweba, odiliza, oququla noma nje ngayiphi indlela olimaza lesi sakhiwo uyolahlwa yicala."

Ukuqala kwezinyathelo zokudliwa ngokomthetho kwendawo yakho akumvimbi uMasipala ekwenzeni isivumelwano sangasese nawe, kanti uma ufisa ukwenza lokho, uyanxuswa ukuba uxhumane ne Property Acquisition Team kule nombolo: (031) 311 4405.

ISHEDULI

(Yesaziso ngenhloso yokudliwa komhlaba ngaphansi kwesigaba 190 se Odinensi 25 ka 1974)

INCAZELO	UBUBANZI BENDAWO	INOMBOLO YEPULANI	INKOMBA
Proposed Overhead Transmission Line Servitude over Rem of Portion 58 of the Farm CottonLands No. 1575	6.52 ha	SJ 4319/3	67/114/35/133
Proposed Overhead Transmission Line Servitude over Erf 3310 Waterloo (Ext No. 14)	7743 m ²	SJ 4318/3	67/114/35/123
Proposed Overhead Transmission Line Servitude over Erf 3410 Waterloo (Ext No. 14)	281 m ²	SJ 4494/1	67/114/35/145
Proposed Overhead Transmission Line Servitude over Erf 3411 Waterloo (Ext No. 14)	290 m ²	SJ 4494/2	67/114/35/146
Proposed Overhead Transmission Line Servitude over Erf 3412 Waterloo (Ext No. 14)	267 m ²	SJ 4494/3	67/114/35/147
Proposed Overhead Transmission Line Servitude over Erf 3413 Waterloo (Ext No. 14)	288 m ²	SJ 4318/2A	67/114/35/122
Proposed Overhead Transmission Line Servitude over Erf 3414 Waterloo (Ext No. 14)	312 m ²	SJ 4318/1A	67/114/35/121

Proposed Overhead Transmission Line Servitude over Erf 3415 Waterloo (Ext No. 14)	351 m ²	SJ 4317/10A	67/114/35/120
Proposed Overhead Transmission Line Servitude over Erf 3416 Waterloo (Ext No. 14)	350 m ²	SJ 4317/9A	67/114/35/119
Proposed Overhead Transmission Line Servitude over Erf 3417 Waterloo (Ext No. 14)	327 m ²	SJ 4317/8A	67/114/35/118
Proposed Overhead Transmission Line Servitude over Erf 3418 Waterloo (Ext No. 14)	196 m ²	SJ 4317/4	67/114/35/114
Proposed Overhead Transmission Line Servitude over Erf 3419 Waterloo (Ext No. 14)	359 m ²	SJ 4317/2	67/114/35/112
Proposed Overhead Transmission Line Servitude over Erf 3420 Waterloo (Ext No. 14)	251 m ²	SJ 4317/1	67/114/35/111
Proposed Overhead Transmission Line Servitude over Erf 3421 Waterloo (Ext No. 14)	259 m ²	SJ 4316/10	67/114/35/110
Proposed Overhead Transmission Line Servitude over Erf 3422 Waterloo (Ext No. 14)	258 m ²	SJ 4316/9A	67/114/35/109
Proposed Overhead Transmission Line Servitude over Erf 3423 Waterloo (Ext No. 14)	257 m ²	SJ 4316/8A	67/114/35/108
Proposed Overhead Transmission Line Servitude over Erf 3424 Waterloo (Ext No. 14)	257 m ²	SJ 4316/7A	67/114/35/107
Proposed Overhead Transmission Line Servitude over Erf 3425 Waterloo (Ext No. 14)	256 m ²	SJ 4316/6A	67/114/35/106
Proposed Overhead Transmission Line Servitude over Erf 3426 Waterloo (Ext No. 14)	11 m ²	SJ 4316/5A	67/114/35/105
Proposed Overhead Transmission Line Servitude over Erf 3437 Waterloo (Ext No. 14)	453 m ²	SJ 4317/3A	67/114/35/113
Proposed Overhead Transmission Line Servitude over Erf 3438 Waterloo (Ext No. 14)	255 m ²	SJ 4317/5A	67/114/35/115
Proposed Overhead Transmission Line Servitude over Erf 3439 Waterloo (Ext No. 14)	349 m ²	SJ 4317/6A	67/114/35/116
Proposed Overhead Transmission Line Servitude over Erf 3440 Waterloo (Ext No. 14)	8 m ²	SJ 4317/7	67/114/35/117
Proposed Overhead Transmission Line Servitude over Erf 3441 Waterloo (Ext No. 14)	315 m ²	SJ 4494/4	67/114/35/148
Proposed Overhead Transmission Line Servitude over Erf 3474 Waterloo (Ext No. 14)	7 m ²	SJ 4316/3A	67/114/35/103
Proposed Overhead Transmission Line Servitude over Erf 3475 Waterloo (Ext No. 14)	249 m ²	SJ 4316/2A	67/114/35/102
Proposed Overhead Transmission Line Servitude over Erf 3476 Waterloo (Ext No. 14)	214 m ²	SJ 4316/1A	67/114/35/101
Proposed Overhead Transmission Line Servitude over Erf 3477 Waterloo (Ext No. 14)	252 m ²	SJ 4315/10A	67/114/35/100
Proposed Overhead Transmission Line Servitude over Erf 3478 Waterloo (Ext No. 14)	266 m ²	SJ 4315/9A	67/114/35/99
Proposed Overhead Transmission Line Servitude over Erf 3479 Waterloo (Ext No. 14)	266 m ²	SJ 4315/8	67/114/35/98
Proposed Overhead Transmission Line Servitude over Erf 3480 Waterloo (Ext No. 14)	261 m ²	SJ 4315/7	67/114/35/97
Proposed Overhead Transmission Line Servitude over Erf 3481 Waterloo (Ext No. 14)	259 m ²	SJ 4315/6	67/114/35/96
Proposed Overhead Transmission Line Servitude over Erf 3482 Waterloo (Ext No. 14)	255 m ²	SJ 4315/5	67/114/35/95
Proposed Overhead Transmission Line Servitude over Erf 3483 Waterloo (Ext No. 14)	218 m ²	SJ 4315/4	67/114/35/94
Proposed Overhead Transmission Line Servitude over Erf 3484 Waterloo (Ext No. 14)	283 m ²	SJ 4315/3A	67/114/35/93
Proposed Overhead Transmission Line Servitude over Erf 3485 Waterloo (Ext No. 14)	330 m ²	SJ 4315/2A	67/114/35/92
Proposed Overhead Transmission Line Servitude over Erf 3486 Waterloo (Ext No. 14)	91 m ²	SJ 4315/1	67/114/35/91
Proposed Overhead Transmission Line Servitude over Erf 3487 Waterloo (Ext No. 14)	325 m ²	SJ 4314/10A	67/114/35/90
Proposed Overhead Transmission Line Servitude over Erf 3488 Waterloo (Ext No. 14)	307 m ²	SJ 4494/5	67/114/35/149
Proposed Overhead Transmission Line Servitude over Erf 3489 Waterloo (Ext No. 14)	268 m ²	SJ 4494/6	67/114/35/150
Proposed Overhead Transmission Line Servitude over Erf 3490 Waterloo (Ext No. 14)	255 m ²	SJ 4314/9A	67/114/35/89
Proposed Overhead Transmission Line Servitude over Erf 3491 Waterloo (Ext No. 14)	392 m ²	SJ 4314/8	67/114/35/88
Proposed Overhead Transmission Line Servitude over Erf 3492 Waterloo (Ext No. 14)	280 m ²	SJ 4314/7A	67/114/35/87
Proposed Overhead Transmission Line Servitude over Erf 3493 Waterloo (Ext No. 14)	329 m ²	SJ 4314/6A	67/114/35/86
Proposed Overhead Transmission Line Servitude over Erf 3497 Waterloo (Ext No. 14)	35 m ²	SJ 4314/2A	67/114/35/82
Proposed Overhead Transmission Line Servitude over Erf 3498 Waterloo (Ext No. 14)	2 m ²	SJ 4314/1A	67/114/35/81
Proposed Overhead Transmission Line Servitude over Erf 3502 Waterloo (Ext No. 14)	19 m ²	SJ 4313/7A	67/114/35/77
Proposed Overhead Transmission Line Servitude over Erf 3503 Waterloo (Ext No. 14)	74 m ²	SJ 4313/6A	67/114/35/76
Proposed Overhead Transmission Line Servitude over Erf 3494 Waterloo (Ext No. 14)	335 m ²	SJ 4314/5	67/114/35/85
Proposed Overhead Transmission Line Servitude over Erf 3495 Waterloo (Ext No. 14)	312 m ²	SJ 4314/4	67/114/35/84
Proposed Overhead Transmission Line Servitude over Erf 3496 Waterloo (Ext No. 14)	293 m ²	SJ 4314/3	67/114/35/83
Proposed Overhead Transmission Line Servitude over Erf 3504 Waterloo (Ext No. 14)	422 m ²	SJ 4313/5	67/114/35/75
Proposed Overhead Transmission Line Servitude over Erf 3510 Waterloo (Ext No. 14)	232 m ²	SJ 4313/2	67/114/35/72
Proposed Overhead Transmission Line Servitude over Erf 3511 Waterloo (Ext No. 14)	319 m ²	SJ 4313/1	67/114/35/71
Proposed Overhead Transmission Line Servitude over Erf 3512 Waterloo (Ext No. 14)	376 m ²	SJ 4312/10	67/114/35/70
Proposed Overhead Transmission Line Servitude over Erf 3513 Waterloo (Ext No. 14)	338 m ²	SJ 4312/9A	67/114/35/69
Proposed Overhead Transmission Line Servitude over Erf 3514 Waterloo (Ext No. 14)	689 m ²	SJ 4312/8A	67/114/35/68
Proposed Overhead Transmission Line Servitude over Erf 3515 Waterloo (Ext No. 15)	499 m ²	SJ 4312/5	67/114/35/65
Proposed Overhead Transmission Line Servitude over Erf 3516 Waterloo (Ext No. 15)	317 m ²	SJ 4312/4	67/114/35/64
Proposed Overhead Transmission Line Servitude over Erf 3517 Waterloo (Ext No. 15)	293 m ²	SJ 4312/3	67/114/35/63
Proposed Overhead Transmission Line Servitude over Erf 3518 Waterloo (Ext No. 15)	264 m ²	SJ 4312/2	67/114/35/62
Proposed Overhead Transmission Line Servitude over Erf 3519 Waterloo (Ext No. 15)	241 m ²	SJ 4312/1	67/114/35/61
Proposed Overhead Transmission Line Servitude over Erf 3520 Waterloo (Ext No. 15)	264 m ²	SJ 4311/10	67/114/35/60
Proposed Overhead Transmission Line Servitude over Erf 3521 Waterloo (Ext No. 15)	3154 m ²	SJ 4312/6	67/114/35/66
Proposed Overhead Transmission Line Servitude over Erf 3522 Waterloo (Ext No. 15)	1678 m ²	SJ 4312/7	67/114/35/67
Proposed Overhead Transmission Line Servitude over Erf 3523 Waterloo (Ext No. 15)	341 m ²	SJ 4311/9	67/114/35/59
Proposed Overhead Transmission Line Servitude over Erf 3524 Waterloo (Ext No. 15)	252 m ²	SJ 4311/8	67/114/35/58

Proposed Overhead Transmission Line Servitude over Erf 3525 Waterloo (Ext No. 15)	252 m ²	SJ 4311/7	67/114/35/57
Proposed Overhead Transmission Line Servitude over Erf 3526 Waterloo (Ext No. 15)	252 m ²	SJ 4311/6	67/114/35/56
Proposed Overhead Transmission Line Servitude over Erf 3527 Waterloo (Ext No. 15)	237 m ²	SJ 4311/5	67/114/35/55
Proposed Overhead Transmission Line Servitude over Erf 3528 Waterloo (Ext No. 15)	196 m ²	SJ 4311/4	67/114/35/54
Proposed Overhead Transmission Line Servitude over Erf 3529 Waterloo (Ext No. 15)	154 m ²	SJ 4311/3	67/114/35/53
Proposed Overhead Transmission Line Servitude over Erf 3530 Waterloo (Ext No. 15)	112 m ²	SJ 4311/2	67/114/35/52
Proposed Overhead Transmission Line Servitude over Erf 3531 Waterloo (Ext No. 15)	70 m ²	SJ 4311/1	67/114/35/51
Proposed Overhead Transmission Line Servitude over Erf 3539 Waterloo (Ext No. 15)	545 m ²	SJ 4306/9	67/114/35/9
Proposed Overhead Transmission Line Servitude over Erf 3532 Waterloo (Ext No. 15)	29 m ²	SJ 4310/10A	67/114/35/50
Proposed Overhead Transmission Line Servitude over Erf 3540 Waterloo (Ext No. 15)	1316 m ²	SJ 4306/8A	67/114/35/8
Proposed Overhead Transmission Line Servitude over Erf 3541 Waterloo (Ext No. 15)	185 m ²	SJ 4306/7A	67/114/35/7
Proposed Overhead Transmission Line Servitude over Erf 3542 Waterloo (Ext No. 15)	194 m ²	SJ 4306/6	67/114/35/6
Proposed Overhead Transmission Line Servitude over Erf 3543 Waterloo (Ext No. 15)	212 m ²	SJ 4306/5A	67/114/35/5
Proposed Overhead Transmission Line Servitude over Erf 3544 Waterloo (Ext No. 15)	289 m ²	SJ 4306/10	67/114/35/10
Proposed Overhead Transmission Line Servitude over Erf 3545 Waterloo (Ext No. 15)	239 m ²	SJ 4307/1	67/114/35/11
Proposed Overhead Transmission Line Servitude over Erf 3546 Waterloo (Ext No. 15)	250 m ²	SJ 4307/2	67/114/35/12
Proposed Overhead Transmission Line Servitude over Erf 3547 Waterloo (Ext No. 15)	234 m ²	SJ 4307/3	67/114/35/13
Proposed Overhead Transmission Line Servitude over Erf 3548 Waterloo (Ext No. 15)	309 m ²	SJ 4307/4	67/114/35/14
Proposed Overhead Transmission Line Servitude over Erf 3549 Waterloo (Ext No. 15)	315 m ²	SJ 4307/5	67/114/35/15
Proposed Overhead Transmission Line Servitude over Erf 3550 Waterloo (Ext No. 15)	94 m ²	SJ 4307/6	67/114/35/16
Proposed Overhead Transmission Line Servitude over Erf 3551 Waterloo (Ext No. 15)	1 m ²	SJ 4307/7	67/114/35/17
Proposed Overhead Transmission Line Servitude over Erf 3576 Waterloo (Ext No. 15)	300 m ²	SJ 4310/7A	67/114/35/47
Proposed Overhead Transmission Line Servitude over Erf 3577 Waterloo (Ext No. 15)	304 m ²	SJ 4310/6A	67/114/35/46
Proposed Overhead Transmission Line Servitude over Erf 3578 Waterloo (Ext No. 15)	153 m ²	SJ 4310/5	67/114/35/45
Proposed Overhead Transmission Line Servitude over Erf 3579 Waterloo (Ext No. 15)	287 m ²	SJ 4310/4A	67/114/35/44
Proposed Overhead Transmission Line Servitude over Erf 3580 Waterloo (Ext No. 15)	276 m ²	SJ 4310/3A	67/114/35/43
Proposed Overhead Transmission Line Servitude over Erf 3581 Waterloo (Ext No. 15)	270 m ²	SJ 4310/2A	67/114/35/42
Proposed Overhead Transmission Line Servitude over Erf 3582 Waterloo (Ext No. 15)	278 m ²	SJ 4310/1A	67/114/35/41
Proposed Overhead Transmission Line Servitude over Erf 3583 Waterloo (Ext No. 15)	282 m ²	SJ 4309/10A	67/114/35/40
Proposed Overhead Transmission Line Servitude over Erf 3584 Waterloo (Ext No. 15)	283 m ²	SJ 4309/7A	67/114/35/37
Proposed Overhead Transmission Line Servitude over Erf 3585 Waterloo (Ext No. 15)	279 m ²	SJ 4309/6A	67/114/35/36
Proposed Overhead Transmission Line Servitude over Erf 3586 Waterloo (Ext No. 15)	285 m ²	SJ 4309/5A	67/114/35/35
Proposed Overhead Transmission Line Servitude over Erf 3587 Waterloo (Ext No. 15)	297 m ²	SJ 4309/4A	67/114/35/34
Proposed Overhead Transmission Line Servitude over Erf 3588 Waterloo (Ext No. 15)	297 m ²	SJ 4309/3A	67/114/35/33
Proposed Overhead Transmission Line Servitude over Erf 3589 Waterloo (Ext No. 15)	298 m ²	SJ 4309/2	67/114/35/32
Proposed Overhead Transmission Line Servitude over Erf 3590 Waterloo (Ext No. 15)	298 m ²	SJ 4309/1	67/114/35/31
Proposed Overhead Transmission Line Servitude over Erf 3591 Waterloo (Ext No. 15)	376 m ²	SJ 4308/6	67/114/35/26
Proposed Overhead Transmission Line Servitude over Erf 3592 Waterloo (Ext No. 15)	313 m ²	SJ 4308/7	67/114/35/27
Proposed Overhead Transmission Line Servitude over Erf 3593 Waterloo (Ext No. 15)	635 m ²	SJ 4308/8	67/114/35/28
Proposed Overhead Transmission Line Servitude over Erf 3594 Waterloo (Ext No. 15)	81 m ²	SJ 4308/9	67/114/35/29
Proposed Overhead Transmission Line Servitude over Erf 3595 Waterloo (Ext No. 15)	379 m ²	SJ 4308/10	67/114/35/30
Proposed Overhead Transmission Line Servitude over Erf 3596 Waterloo (Ext No. 15)	1488 m ²	SJ 4309/8	67/114/35/38
Proposed Overhead Transmission Line Servitude over Erf 3597 Waterloo (Ext No. 15)	1951 m ²	SJ 4309/9	67/114/35/39
Proposed Overhead Transmission Line Servitude over Erf 3598 Waterloo (Ext No. 15)	351 m ²	SJ 4310/9A	67/114/35/49
Proposed Overhead Transmission Line Servitude over Erf 3599 Waterloo (Ext No. 15)	257 m ²	SJ 4310/8A	67/114/35/48
Proposed Overhead Transmission Line Servitude over Erf 3641 Waterloo (Ext No. 15)	10 m ²	SJ 4307/8A	67/114/35/18
Proposed Overhead Transmission Line Servitude over Erf 3642 Waterloo (Ext No. 15)	45 m ²	SJ 4307/9A	67/114/35/19
Proposed Overhead Transmission Line Servitude over Erf 3643 Waterloo (Ext No. 15)	72 m ²	SJ 4307/10A	67/114/35/20
Proposed Overhead Transmission Line Servitude over Erf 3644 Waterloo (Ext No. 15)	76 m ²	SJ 4308/1A	67/114/35/21
Proposed Overhead Transmission Line Servitude over Erf 3645 Waterloo (Ext No. 15)	76 m ²	SJ 4308/2A	67/114/35/22
Proposed Overhead Transmission Line Servitude over Erf 3646 Waterloo (Ext No. 15)	64 m ²	SJ 4308/3A	67/114/35/23
Proposed Overhead Transmission Line Servitude over Erf 3647 Waterloo (Ext No. 15)	34 m ²	SJ 4308/4A	67/114/35/24
Proposed Overhead Transmission Line Servitude over Erf 3648 Waterloo (Ext No. 15)	3 m ²	SJ 4308/5A	67/114/35/25
Proposed Overhead Transmission Line Servitude over Erf 4077 Waterloo (Ext No. 15)	348 m ²	SJ 4306/3A	67/114/35/3
Proposed Overhead Transmission Line Servitude over Erf 4078 Waterloo (Ext No. 15)	284 m ²	SJ 4306/4A	67/114/35/4
Proposed Overhead Transmission Line Servitude over Erf 4088 Waterloo (Ext No. 15)	6739 m ²	SJ 4306/2	67/114/35/2
Proposed Overhead Transmission Line Servitude over Erf 6759 Waterloo		SHS 7033A	67/114/35/152
Proposed Overhead Transmission Line Servitude over Erf 7149 Waterloo		SHS 7033A	67/114/35/151
Proposed 25.00m Overhead Transmission Line Servitude over Rem of Lot 20 No. 1557	2.56 ha	SJ 4306/1A	67/114/35/1
Proposed 30.00m Overhead Transmission Line Servitude over Rem of Lot 20 No. 1557	2800 m ²	SJ 4306/1A	67/114/35/1

INDLELA YEZINTAMBO ZIKAGESI: UMHLOT /LA MERCY AIRPORT

Proposed 35m OHTL Servitude over Remainder of Portion 2 Klipfontein No.922	5,0314 ha	SH 8853B	67/681/1/2
Proposed 35m OHTL Servitude over Portion 10 (of 2) Klipfontein No.922	1,2580 ha	SH 8853B	67/681/1/2
Proposed 35m OHTL Servitude over Portion 14 (of 10) Klipfontein No.922	3 899 m ²	SH 8853B	67/681/1/2
Proposed 35m OHTL Servitude over Remainder of Portion 6 of Buffels Kloof No 1267	169 m ²	SH 8853B	67/681/1/2
Proposed 35m OHTL Servitude over Remainder of Portion 13 of Buffels Kloof No 1267	3,8630 ha	SH 8853B	67/681/1/2
Proposed 35m OHTL Servitude over Remainder of Portion 130 of Buffels Kloof No 1267	5,1224 ha	SH 8853B	67/681/1/2
Proposed 25m OHTL Servitude over Remainder of Portion 216 Cotton Lands No. 1575	1,6747 ha	SJ 4415/7	67/681/1/3
Proposed 45m OHTL Servitude over Remainder of Portion 216 Cotton Lands No. 1575	1,2765 ha	SJ 4415/7	67/681/1/3
Proposed 25m OHTL Servitude over Remainder of Portion 321 Cotton Lands No. 1575	3,5291 ha	SJ 4415/6	67/681/1/2
Proposed 35m OHTL Servitude over Remainder of Portion 321 Cotton Lands No. 1575	2,3388 ha	SJ 4415/6	67/681/1/2
Proposed 45m OHTL Servitude over Remainder of Portion 321 Cotton Lands No. 1575	6,5868 ha	SJ 4415/6	67/681/1/2
Proposed 35m OHTL Servitude over Remainder of La Mercy Airport No. 15124	11,5290 ha	SJ 4415/5	67/681/1/1

INDAWO YE-SEALING END EHLONGOZWAYO

Proposed Sealing End Servitude over Remainder of 6 Buffels Kloof No. 1267	1162 m ²	SH 8853B	67/681/1/2
Proposed Sealing End Servitude over Remainder of 13 Buffels Kloof No. 1267	63 m ²	SH 8853B	67/681/1/2

INDAWO YE R.O.W. NEKHEBULI KAGESI

Proposed R.O.W. and Electric Cable Servitude over Remainder of 6 Buffels Kloof No. 1267	184 m ²	SH 8853B	67/681/1/2
Proposed R.O.W. and Electric Cable Servitude over Remainder of 13 Buffels Kloof No. 1267	179 m ²	SH 8853B	67/681/1/2

INDAWO YESITESHI SIKAGESI ESHLONGOZWAYO

Proposed Sub-Station Servitude over Remainder of La Mercy Airport No. 15124	6400 m ²	SJ 4415/5	67/681/1/1
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Amapulani angahlolwa ngezikhathi ezivamile zokusebenza emahhovisi ka Head: Real Estate, 15th Floor, 75 Winder Street, Durban.

Imibuzo ingabhekiswa kwi Property Acquisition Team kule nombolo yocingo (031) 311-4405 (J.N.).

Izitatimende ezibhalwe phansi ezinayo yonke imininingwane yezikhalazo kumele zifike zingakapheli izinsuku ezingu 30 kusukela ngosuku okukhishwe ngalo lesi saziso ku-City Manager, City Hall, Durban, 4001.

Dkt M.O. Sutcliffe
iMenenja yeDolobha

City Hall
West Street
Durban

H3—kuLwezi 16, 2006.

**ETHEKWINI MUNICIPALITY
NOTICE OF INTENTION TO EXPROPRIATE**

Issued by the eThekweni Municipality ("the Municipality") in terms of section 190 of the Local Authorities Ordinance 25 of 1974 ("the Ordinance") and section 7(5) of the Expropriation Act (Act No. 63 of 1975) as amended ("the Act").

TO: The Owner(s) (within the meaning of that term as defined in Section 1 of the Act) of the property described in the schedule hereto;

AND TO: All other persons claiming any right to or interest in the property described in the schedule hereto, whether by virtue of registration or otherwise, and particularly any lessee, buyer or builder contemplated in terms of Section 9(1)(d) of the Act.

EXPROPRIATION OF LAND FOR OVERHEAD TRANSMISSION LINE: SEALING END; RIGHT OF WAY; ELECTRIC CABLE AND SUB STATION SERVITUDES: WATERLOO M.R. 96

In order to carry out certain improvements for public purposes, it will be necessary for the eThekweni Municipality to acquire land and servitude rights. This the Municipality is obliged to achieve by means of expropriation in the interests of efficient administration.

Any inconvenience or anxiety that the expropriation procedure may cause is sincerely regretted, and accordingly every effort will be made to assist you with any problems or queries you may have.

However, before the Municipality proceeds any further you are:

- hereby given notice in terms of section 190 of Ordinance 25 of 1974 of the Municipality's future intention (subject to the approval of the Premier of KwaZulu-Natal) to expropriate the items listed in the schedule hereto, and
- invited to submit within 30 days of the date of this notice a written statement detailing any objections you may have to the proposed project.

Your attention is directed to section 190(3) of the said Ordinance, which reads as follows:-

"..... after the service of (this) notice any person who effects improvements to, demolishes, damages, alters or in any other manner impairs such immovable property shall be guilty of an offence."

The initiation of expropriation proceedings does not preclude the Municipality from entering into a private agreement, and if you would prefer to pursue this option please contact the Property Acquisition Team on (031) 311 4405 (J.N.).

SCHEDULE

(To notice of intention to expropriate in terms of section 190 of Ordinance 25 of 1974)

DESCRIPTION	APPROX. EXTENT	PLAN NO.	REFERENCE
Proposed Overhead Transmission Line Servitude over Rem of Portion 58 of the Farm Cotton Lands No. 1575	6,52 ha	SJ 4319/3	67/114/35/133
Proposed Overhead Transmission Line Servitude over Erf 3310 Waterloo (Ext No. 14)	7743 m ²	SJ 4318/3	67/114/35/123
Proposed Overhead Transmission Line Servitude over Erf 3410 Waterloo (Ext No. 14)	281 m ²	SJ 4494/1	67/114/35/145
Proposed Overhead Transmission Line Servitude over Erf 3411 Waterloo (Ext No. 14)	290 m ²	SJ 4494/2	67/114/35/146
Proposed Overhead Transmission Line Servitude over Erf 3412 Waterloo (Ext No. 14)	267 m ²	SJ 4494/3	67/114/35/147
Proposed Overhead Transmission Line Servitude over Erf 3413 Waterloo (Ext No. 14)	288 m ²	SJ 4318/2A	67/114/35/122
Proposed Overhead Transmission Line Servitude over Erf 3414 Waterloo (Ext No. 14)	312 m ²	SJ 4318/1A	67/114/35/121

Proposed Overhead Transmission Line Servitude over Erf 3415 Waterloo (Ext No. 14)	351 m ²	SJ 4317/10A	67/114/35/120
Proposed Overhead Transmission Line Servitude over Erf 3416 Waterloo (Ext No. 14)	350 m ²	SJ 4317/9A	67/114/35/119
Proposed Overhead Transmission Line Servitude over Erf 3417 Waterloo (Ext No. 14)	327 m ²	SJ 4317/8A	67/114/35/118
Proposed Overhead Transmission Line Servitude over Erf 3418 Waterloo (Ext No. 14)	196 m ²	SJ 4317/4	67/114/35/114
Proposed Overhead Transmission Line Servitude over Erf 3419 Waterloo (Ext No. 14)	359 m ²	SJ 4317/2	67/114/35/112
Proposed Overhead Transmission Line Servitude over Erf 3420 Waterloo (Ext No. 14)	251 m ²	SJ 4317/1	67/114/35/111
Proposed Overhead Transmission Line Servitude over Erf 3421 Waterloo (Ext No. 14)	259 m ²	SJ 4316/10	67/114/35/110
Proposed Overhead Transmission Line Servitude over Erf 3422 Waterloo (Ext No. 14)	258 m ²	SJ 4316/9A	67/114/35/109
Proposed Overhead Transmission Line Servitude over Erf 3423 Waterloo (Ext No. 14)	257 m ²	SJ 4316/8A	67/114/35/108
Proposed Overhead Transmission Line Servitude over Erf 3424 Waterloo (Ext No. 14)	257 m ²	SJ 4316/7A	67/114/35/107
Proposed Overhead Transmission Line Servitude over Erf 3425 Waterloo (Ext No. 14)	256 m ²	SJ 4316/6A	67/114/35/106
Proposed Overhead Transmission Line Servitude over Erf 3426 Waterloo (Ext No. 14)	11 m ²	SJ 4316/5A	67/114/35/105
Proposed Overhead Transmission Line Servitude over Erf 3437 Waterloo (Ext No. 14)	453 m ²	SJ 4317/3A	67/114/35/113
Proposed Overhead Transmission Line Servitude over Erf 3438 Waterloo (Ext No. 14)	255 m ²	SJ 4317/5A	67/114/35/115
Proposed Overhead Transmission Line Servitude over Erf 3439 Waterloo (Ext No. 14)	349 m ²	SJ 4317/6A	67/114/35/116
Proposed Overhead Transmission Line Servitude over Erf 3440 Waterloo (Ext No. 14)	8 m ²	SJ 4317/7	67/114/35/117
Proposed Overhead Transmission Line Servitude over Erf 3441 Waterloo (Ext No. 14)	315 m ²	SJ 4494/4	67/114/35/148
Proposed Overhead Transmission Line Servitude over Erf 3474 Waterloo (Ext No. 14)	7 m ²	SJ 4316/3A	67/114/35/103
Proposed Overhead Transmission Line Servitude over Erf 3475 Waterloo (Ext No. 14)	249 m ²	SJ 4316/2A	67/114/35/102
Proposed Overhead Transmission Line Servitude over Erf 3476 Waterloo (Ext No. 14)	214 m ²	SJ 4316/1A	67/114/35/101
Proposed Overhead Transmission Line Servitude over Erf 3477 Waterloo (Ext No. 14)	252 m ²	SJ 4315/10A	67/114/35/100
Proposed Overhead Transmission Line Servitude over Erf 3478 Waterloo (Ext No. 14)	266 m ²	SJ 4315/9A	67/114/35/99
Proposed Overhead Transmission Line Servitude over Erf 3479 Waterloo (Ext No. 14)	266 m ²	SJ 4315/8	67/114/35/98
Proposed Overhead Transmission Line Servitude over Erf 3480 Waterloo (Ext No. 14)	261 m ²	SJ 4315/7	67/114/35/97
Proposed Overhead Transmission Line Servitude over Erf 3481 Waterloo (Ext No. 14)	259 m ²	SJ 4315/6	67/114/35/96
Proposed Overhead Transmission Line Servitude over Erf 3482 Waterloo (Ext No. 14)	255 m ²	SJ 4315/5	67/114/35/95
Proposed Overhead Transmission Line Servitude over Erf 3483 Waterloo (Ext No. 14)	218 m ²	SJ 4315/4	67/114/35/94
Proposed Overhead Transmission Line Servitude over Erf 3484 Waterloo (Ext No. 14)	283 m ²	SJ 4315/3A	67/114/35/93
Proposed Overhead Transmission Line Servitude over Erf 3485 Waterloo (Ext No. 14)	330 m ²	SJ 4315/2A	67/114/35/92
Proposed Overhead Transmission Line Servitude over Erf 3486 Waterloo (Ext No. 14)	91 m ²	SJ 4315/1	67/114/35/91
Proposed Overhead Transmission Line Servitude over Erf 3487 Waterloo (Ext No. 14)	325 m ²	SJ 4314/10A	67/114/35/90
Proposed Overhead Transmission Line Servitude over Erf 3488 Waterloo (Ext No. 14)	307 m ²	SJ 4494/5	67/114/35/149
Proposed Overhead Transmission Line Servitude over Erf 3489 Waterloo (Ext No. 14)	268 m ²	SJ 4494/6	67/114/35/150
Proposed Overhead Transmission Line Servitude over Erf 3490 Waterloo (Ext No. 14)	255 m ²	SJ 4314/9A	67/114/35/89
Proposed Overhead Transmission Line Servitude over Erf 3491 Waterloo (Ext No. 14)	392 m ²	SJ 4314/8	67/114/35/88
Proposed Overhead Transmission Line Servitude over Erf 3492 Waterloo (Ext No. 14)	280 m ²	SJ 4314/7A	67/114/35/87
Proposed Overhead Transmission Line Servitude over Erf 3493 Waterloo (Ext No. 14)	329 m ²	SJ 4314/6A	67/114/35/86
Proposed Overhead Transmission Line Servitude over Erf 3497 Waterloo (Ext No. 14)	35 m ²	SJ 4314/2A	67/114/35/82
Proposed Overhead Transmission Line Servitude over Erf 3498 Waterloo (Ext No. 14)	2 m ²	SJ 4314/1A	67/114/35/81
Proposed Overhead Transmission Line Servitude over Erf 3502 Waterloo (Ext No. 14)	19 m ²	SJ 4313/7A	67/114/35/77
Proposed Overhead Transmission Line Servitude over Erf 3503 Waterloo (Ext No. 14)	74 m ²	SJ 4313/6A	67/114/35/76
Proposed Overhead Transmission Line Servitude over Erf 3494 Waterloo (Ext No. 14)	335 m ²	SJ 4314/5	67/114/35/85
Proposed Overhead Transmission Line Servitude over Erf 3495 Waterloo (Ext No. 14)	312 m ²	SJ 4314/4	67/114/35/84
Proposed Overhead Transmission Line Servitude over Erf 3496 Waterloo (Ext No. 14)	293 m ²	SJ 4314/3	67/114/35/83
Proposed Overhead Transmission Line Servitude over Erf 3504 Waterloo (Ext No. 14)	422 m ²	SJ 4313/5	67/114/35/75
Proposed Overhead Transmission Line Servitude over Erf 3510 Waterloo (Ext No. 14)	232 m ²	SJ 4313/2	67/114/35/72
Proposed Overhead Transmission Line Servitude over Erf 3511 Waterloo (Ext No. 14)	319 m ²	SJ 4313/1	67/114/35/71
Proposed Overhead Transmission Line Servitude over Erf 3512 Waterloo (Ext No. 14)	376 m ²	SJ 4312/10	67/114/35/70
Proposed Overhead Transmission Line Servitude over Erf 3513 Waterloo (Ext No. 14)	338 m ²	SJ 4312/9A	67/114/35/69
Proposed Overhead Transmission Line Servitude over Erf 3514 Waterloo (Ext No. 14)	689 m ²	SJ 4312/8A	67/114/35/68
Proposed Overhead Transmission Line Servitude over Erf 3515 Waterloo (Ext No. 15)	499 m ²	SJ 4312/5	67/114/35/65
Proposed Overhead Transmission Line Servitude over Erf 3516 Waterloo (Ext No. 15)	317 m ²	SJ 4312/4	67/114/35/64
Proposed Overhead Transmission Line Servitude over Erf 3517 Waterloo (Ext No. 15)	293 m ²	SJ 4312/3	67/114/35/63
Proposed Overhead Transmission Line Servitude over Erf 3518 Waterloo (Ext No. 15)	264 m ²	SJ 4312/2	67/114/35/62
Proposed Overhead Transmission Line Servitude over Erf 3519 Waterloo (Ext No. 15)	241 m ²	SJ 4312/1	67/114/35/61
Proposed Overhead Transmission Line Servitude over Erf 3520 Waterloo (Ext No. 15)	264 m ²	SJ 4311/10	67/114/35/60
Proposed Overhead Transmission Line Servitude over Erf 3521 Waterloo (Ext No. 15)	3154 m ²	SJ 4312/6	67/114/35/66
Proposed Overhead Transmission Line Servitude over Erf 3522 Waterloo (Ext No. 15)	1678 m ²	SJ 4312/7	67/114/35/67
Proposed Overhead Transmission Line Servitude over Erf 3523 Waterloo (Ext No. 15)	341 m ²	SJ 4311/9	67/114/35/59
Proposed Overhead Transmission Line Servitude over Erf 3524 Waterloo (Ext No. 15)	252 m ²	SJ 4311/8	67/114/35/58

Proposed Overhead Transmission Line Servitude over Erf 3525 Waterloo (Ext No. 15)	252 m ²	SJ 4311/7	67/114/35/57
Proposed Overhead Transmission Line Servitude over Erf 3526 Waterloo (Ext No. 15)	252 m ²	SJ 4311/6	67/114/35/56
Proposed Overhead Transmission Line Servitude over Erf 3527 Waterloo (Ext No. 15)	237 m ²	SJ 4311/5	67/114/35/55
Proposed Overhead Transmission Line Servitude over Erf 3528 Waterloo (Ext No. 15)	196 m ²	SJ 4311/4	67/114/35/54
Proposed Overhead Transmission Line Servitude over Erf 3529 Waterloo (Ext No. 15)	154 m ²	SJ 4311/3	67/114/35/53
Proposed Overhead Transmission Line Servitude over Erf 3530 Waterloo (Ext No. 15)	112 m ²	SJ 4311/2	67/114/35/52
Proposed Overhead Transmission Line Servitude over Erf 3531 Waterloo (Ext No. 15)	70 m ²	SJ 4311/1	67/114/35/51
Proposed Overhead Transmission Line Servitude over Erf 3539 Waterloo (Ext No. 15)	545 m ²	SJ 4306/9	67/114/35/9
Proposed Overhead Transmission Line Servitude over Erf 3532 Waterloo (Ext No. 15)	29 m ²	SJ 4310/10A	67/114/35/50
Proposed Overhead Transmission Line Servitude over Erf 3540 Waterloo (Ext No. 15)	1316 m ²	SJ 4306/8A	67/114/35/8
Proposed Overhead Transmission Line Servitude over Erf 3541 Waterloo (Ext No. 15)	185 m ²	SJ 4306/7A	67/114/35/7
Proposed Overhead Transmission Line Servitude over Erf 3542 Waterloo (Ext No. 15)	194 m ²	SJ 4306/6	67/114/35/6
Proposed Overhead Transmission Line Servitude over Erf 3543 Waterloo (Ext No. 15)	212 m ²	SJ 4306/5A	67/114/35/5
Proposed Overhead Transmission Line Servitude over Erf 3544 Waterloo (Ext No. 15)	289 m ²	SJ 4306/10	67/114/35/10
Proposed Overhead Transmission Line Servitude over Erf 3545 Waterloo (Ext No. 15)	239 m ²	SJ 4307/1	67/114/35/11
Proposed Overhead Transmission Line Servitude over Erf 3546 Waterloo (Ext No. 15)	250 m ²	SJ 4307/2	67/114/35/12
Proposed Overhead Transmission Line Servitude over Erf 3547 Waterloo (Ext No. 15)	234 m ²	SJ 4307/3	67/114/35/13
Proposed Overhead Transmission Line Servitude over Erf 3548 Waterloo (Ext No. 15)	309 m ²	SJ 4307/4	67/114/35/14
Proposed Overhead Transmission Line Servitude over Erf 3549 Waterloo (Ext No. 15)	315 m ²	SJ 4307/5	67/114/35/15
Proposed Overhead Transmission Line Servitude over Erf 3550 Waterloo (Ext No. 15)	94 m ²	SJ 4307/6	67/114/35/16
Proposed Overhead Transmission Line Servitude over Erf 3551 Waterloo (Ext No. 15)	1 m ²	SJ 4307/7	67/114/35/17
Proposed Overhead Transmission Line Servitude over Erf 3576 Waterloo (Ext No. 15)	300 m ²	SJ 4310/7A	67/114/35/47
Proposed Overhead Transmission Line Servitude over Erf 3577 Waterloo (Ext No. 15)	304 m ²	SJ 4310/6A	67/114/35/46
Proposed Overhead Transmission Line Servitude over Erf 3578 Waterloo (Ext No. 15)	153 m ²	SJ 4310/5	67/114/35/45
Proposed Overhead Transmission Line Servitude over Erf 3579 Waterloo (Ext No. 15)	287 m ²	SJ 4310/4A	67/114/35/44
Proposed Overhead Transmission Line Servitude over Erf 3580 Waterloo (Ext No. 15)	276 m ²	SJ 4310/3A	67/114/35/43
Proposed Overhead Transmission Line Servitude over Erf 3581 Waterloo (Ext No. 15)	270 m ²	SJ 4310/2A	67/114/35/42
Proposed Overhead Transmission Line Servitude over Erf 3582 Waterloo (Ext No. 15)	278 m ²	SJ 4310/1A	67/114/35/41
Proposed Overhead Transmission Line Servitude over Erf 3583 Waterloo (Ext No. 15)	282 m ²	SJ 4309/10A	67/114/35/40
Proposed Overhead Transmission Line Servitude over Erf 3584 Waterloo (Ext No. 15)	283 m ²	SJ 4309/7A	67/114/35/37
Proposed Overhead Transmission Line Servitude over Erf 3585 Waterloo (Ext No. 15)	279 m ²	SJ 4309/6A	67/114/35/36
Proposed Overhead Transmission Line Servitude over Erf 3586 Waterloo (Ext No. 15)	285 m ²	SJ 4309/5A	67/114/35/35
Proposed Overhead Transmission Line Servitude over Erf 3587 Waterloo (Ext No. 15)	297 m ²	SJ 4309/4A	67/114/35/34
Proposed Overhead Transmission Line Servitude over Erf 3588 Waterloo (Ext No. 15)	297 m ²	SJ 4309/3A	67/114/35/33
Proposed Overhead Transmission Line Servitude over Erf 3589 Waterloo (Ext No. 15)	298 m ²	SJ 4309/2	67/114/35/32
Proposed Overhead Transmission Line Servitude over Erf 3590 Waterloo (Ext No. 15)	298 m ²	SJ 4309/1	67/114/35/31
Proposed Overhead Transmission Line Servitude over Erf 3591 Waterloo (Ext No. 15)	376 m ²	SJ 4308/6	67/114/35/26
Proposed Overhead Transmission Line Servitude over Erf 3592 Waterloo (Ext No. 15)	313 m ²	SJ 4308/7	67/114/35/27
Proposed Overhead Transmission Line Servitude over Erf 3593 Waterloo (Ext No. 15)	635 m ²	SJ 4308/8	67/114/35/28
Proposed Overhead Transmission Line Servitude over Erf 3594 Waterloo (Ext No. 15)	81 m ²	SJ 4308/9	67/114/35/29
Proposed Overhead Transmission Line Servitude over Erf 3595 Waterloo (Ext No. 15)	379 m ²	SJ 4308/10	67/114/35/30
Proposed Overhead Transmission Line Servitude over Erf 3596 Waterloo (Ext No. 15)	1488 m ²	SJ 4309/8	67/114/35/38
Proposed Overhead Transmission Line Servitude over Erf 3597 Waterloo (Ext No. 15)	1951 m ²	SJ 4309/9	67/114/35/39
Proposed Overhead Transmission Line Servitude over Erf 3598 Waterloo (Ext No. 15)	351 m ²	SJ 4310/9A	67/114/35/49
Proposed Overhead Transmission Line Servitude over Erf 3599 Waterloo (Ext No. 15)	257 m ²	SJ 4310/8A	67/114/35/48
Proposed Overhead Transmission Line Servitude over Erf 3641 Waterloo (Ext No. 15)	10 m ²	SJ 4307/8A	67/114/35/18
Proposed Overhead Transmission Line Servitude over Erf 3642 Waterloo (Ext No. 15)	45 m ²	SJ 4307/9A	67/114/35/19
Proposed Overhead Transmission Line Servitude over Erf 3643 Waterloo (Ext No. 15)	72 m ²	SJ 4307/10A	67/114/35/20
Proposed Overhead Transmission Line Servitude over Erf 3644 Waterloo (Ext No. 15)	76 m ²	SJ 4308/1A	67/114/35/21
Proposed Overhead Transmission Line Servitude over Erf 3645 Waterloo (Ext No. 15)	76 m ²	SJ 4308/2A	67/114/35/22
Proposed Overhead Transmission Line Servitude over Erf 3646 Waterloo (Ext No. 15)	64 m ²	SJ 4308/3A	67/114/35/23
Proposed Overhead Transmission Line Servitude over Erf 3647 Waterloo (Ext No. 15)	34 m ²	SJ 4308/4A	67/114/35/24
Proposed Overhead Transmission Line Servitude over Erf 3648 Waterloo (Ext No. 15)	3 m ²	SJ 4308/5A	67/114/35/25
Proposed Overhead Transmission Line Servitude over Erf 4077 Waterloo (Ext No. 15)	348 m ²	SJ 4306/3A	67/114/35/3
Proposed Overhead Transmission Line Servitude over Erf 4078 Waterloo (Ext No. 15)	284 m ²	SJ 4306/4A	67/114/35/4
Proposed Overhead Transmission Line Servitude over Erf 4088 Waterloo (Ext No. 15)	6739 m ²	SJ 4306/2	67/114/35/2
Proposed Overhead Transmission Line Servitude over Erf 6759 Waterloo		SHS 7033A	67/114/35/152
Proposed Overhead Transmission Line Servitude over Erf 7149 Waterloo		SHS 7033A	67/114/35/151
Proposed 25.00m Overhead Transmission Line Servitude over Rem of Lot 20 No. 1557	2.56 ha	SJ 4306/1A	67/114/35/1
Proposed 30.00m Overhead Transmission Line Servitude over Rem of Lot 20 No. 1557	2800 m ²	SJ 4306/1A	67/114/35/1

OVERHEAD TRANSMISSION LINE SERVITUDE: UMHLOTI / LA MERCY AIRPORT

Proposed 35m OHTL Servitude over Remainder of Portion 2 Klipfontein No.922	5,0314 ha	SH 8853B	67/681/1/2
Proposed 35m OHTL Servitude over Portion 10 (of 2) Klipfontein No.922	1,2580 ha	SH 8853B	67/681/1/2
Proposed 35m OHTL Servitude over Portion 14 (of 10) Klipfontein No.922	3 899 m ²	SH 8853B	67/681/1/2
Proposed 35m OHTL Servitude over Remainder of Portion 6 of Buffels Kloof No 1267	169 m ²	SH 8853B	67/681/1/2
Proposed 35m OHTL Servitude over Remainder of Portion 13 of Buffels Kloof No 1267	3,8630 ha	SH 8853B	67/681/1/2
Proposed 35m OHTL Servitude over Remainder of Portion 130 of Buffels Kloof No 1267	5,1224 ha	SH 8853B	67/681/1/2
Proposed 25m OHTL Servitude over Remainder of Portion 216 Cotton Lands No. 1575	1,6747 ha	SJ 4415/7	67/681/1/3
Proposed 45m OHTL Servitude over Remainder of Portion 216 Cotton Lands No. 1575	1,2765 ha	SJ 4415/7	67/681/1/3
Proposed 25m OHTL Servitude over Remainder of Portion 321 Cotton Lands No. 1575	3,5291 ha	SJ 4415/6	67/681/1/2
Proposed 35m OHTL Servitude over Remainder of Portion 321 Cotton Lands No. 1575	2,3388 ha	SJ 4415/6	67/681/1/2
Proposed 45m OHTL Servitude over Remainder of Portion 321 Cotton Lands No. 1575	6,5868 ha	SJ 4415/6	67/681/1/2
Proposed 35m OHTL Servitude over Remainder of La Mercy Airport No. 15124	11,5290 ha	SJ 4415/5	67/681/1/1

PROPOSED SEALING END SERVITUDE

Proposed Sealing End Servitude over Remainder of 6 Buffels Kloof No. 1267	1162 m ²	SH 8853B	67/681/1/2
Proposed Sealing End Servitude over Remainder of 13 Buffels Kloof No. 1267	63 m ²	SH 8853B	67/681/1/2

PROPOSED R.O.W. AND ELECTRIC CABLE SERVITUDE

Proposed R.O.W. and Electric Cable Servitude over Remainder of 6 Buffels Kloof No. 1267	184 m ²	SH 8853B	67/681/1/2
Proposed R.O.W. and Electric Cable Servitude over Remainder of 13 Buffels Kloof No. 1267	179 m ²	SH 8853B	67/681/1/2

PROPOSED SUB-STATION SERVITUDE

Proposed Sub-Station Servitude over Remainder of La Mercy Airport No. 15124	6400 m ²	SJ 4415/5	67/681/1/1
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Plans may be inspected during weekday business hours at the offices of the Head: Real Estate, 15th Floor 75 Winder Street, Durban.

Enquiries can be directed to the Property Acquisition Team on (031) 311-4405 (J.N.).

Written statements detailing any objections should be sent within 30 days of the date of this notice to the City Manager, City Hall, Durban, 4001.

Dr M.O. Sutcliffe
City Manager

City Hall
West Street
Durban

H3—November 16, 2006.

ISAZISO OKUMELE SISHICILELWE EPHEPHANDABENI

Mnumzane uNtuli

uMasipala waseNtambanana ngokumelwa iSiyazama Consulting ufake isicelo sokuba kuthuthukiswe indawo ngokwesiHluko vi womthetho I Development Facilitation Act, Act 67 of 1995.

Lesisicelo simayelana nokuthuthukiswa kwendawo eyisabelo engu No 5 no No 15824.

Yonke imidwebho kanye neminye imininingwane ngalentshukho iyatholakala uma umuntu esafuna ukuyihlolisa kable emahhovisi kaMasipala waseNtambanana eduze nasesikhulweni samaphoyisa khona eNtambanana.

Isicelo siyokwethulwa emhlanganweni oyoba seNtambanana Council Chamber kuBhucanana Reserve Empangeni mhla zingu 19 kuMasingana 2007 ngehora leshumi ekuseni.

Bonke abathintekayo nabanentshisekelo ngalentshukho bayacelwa ukuba beze emhlanganweni wokubona indawo oyoba zingu 18 kuMasingana 2007 ngehora lesibili ntambana.

Umhlangano owandulela lowo woba seHholo likaMasipala uMhlathuze elisekhoneni lemgwazi uCommercial kanye no Union, Empangeni zingu 27 kuLwezi 2006 ngehora leshumi ekuseni.

Noma ubani onentshisekelo ngalesisicelo komele aqaphele lokhu okulandelayo:

1. Komele ukuba ufake izikhalazo zakho kumphathiswa omele lesisicelo phakathi kwezinsuku ezingu 21 ezimisiwe ezoqala mhla zingu 10 kuLwezi 2006 kumbe;
2. Uma ukuphawula kwakho kuyisikhalazo sanoma iluphi uhlobo ngesicelo salentshukho komele uzizele wena mathupha phambi kwe-sigungu esiyohlala eholo ledolobha mhla zingu 19 kuMasingana 2007.

Zonke izikhalazo ezibhaliwe noma ezithulwa

umuntu siqu sakhe komele zinikwe umphathiswa, uMnz. Mbatha kulelikheli:

**Ground Floor Zone 0
Ulundi Administrative Building
King Dinizulu Highway
Ulundi
3838**

or

**Private Bag X64
Ulundi
3838**

Futhi ungamthinta umphathiswa lona kulenombolo (035) 8743 265 kumbe kulesikhahlamezi (035) 8742 649.

H6—kuLwezi 9, 16, 2006.

PUBLIC NOTICE

[Regulation 21(8)(c) of the Development Facilitation Regulations in terms of the Development Facilitation Act, Act 67 of 1995]

Ntambanana Municipality, represented herein by Siyazama Consulting, has lodged an application for the establishment of a land development area in terms of Chapter VI of the Development Facilitation Act, Act 67 of 1995.

The application is for the establishment of a land development area to be situated on the remaining extent of Reserve No. 5, No 15824.

The relevant plan(s), document(s) and information are available for inspection at reception of the offices of the Ntambanana Municipality, Bhucanana Reserve, next to Ntambanana Police Station.

The application will be considered at a hearing to be held at Ntambanana Council Chambers, Bhucanana Reserve, Empangeni on 19 January 2007 at 10H00.

All interested and affected parties are hereby informed that they may attend an inspection *in loco* of the land development area, which will be

conducted by the Tribunal on 18 January 2007 at 14H00.

A Pre-hearing conference will be held at uMhlathuze Municipal Chambers, cnr Commercial & Union Streets, Empangeni on 27 November 2006 at 10H00.

Any person having an interest in the application should please note:

1. You may within a period of 21 days from 10 November 2006, provide the

Designated Officer with your written objections or representations; or

2. If your comments constitute an objection to any aspect of the land

Development application, you must appear in person or through a Representative before the Tribunal on the date mentioned above.

Any written objection or representation must be delivered to the Designated Officer, Mr Mbatha at:

**Ground Floor Zone 0
Ulundi Administrative Building
King Dinizulu Highway
Ulundi
3838**

or

**Private Bag X64
Ulundi
3838**

And you may contact the Designated Officer if you have any queries on telephone no. 035-8743265 and fax no. 035-8742649.

H6—November 9, 16, 2006.

DFA APPLICATION

Umthetho 21(10) wemithetho yokuKhuthaza iNtuthuko ngokulandela uMthethowokuKhuthaza iNtuthuko ka-1995 Pathen Estate (Pty) Ltd ufake isicelo ngokulan-

dela uMthetho wokuKhuthaza iNtuthuko mayelana nokumiswa kwendawo yokuthuthukiswa Portion 25 (of 8) of the farm Rosetta No. 2983

Ukuthuthukisa kubabandakanya lokhu okulandelayo 11 new residential subdivisions of approximately 2000m². Amapulani, izincwadi neminingwane edingekayo ukuze ihlolewe itholakala 12 Leonards Road, Hilton isikhathi esiyizinsuku ezingama-21 kusukela 16 November 2006.

Isicelo siyocutshungulwa eNkundleni yokulalela izicelo eyohlala Mooi River Country Club, Mooi River mhlaka ka 9 February 2007 ngo 10h00 kanti umhlango wokwendulela uyoba Mooi River Country Club, mhlaka ka 13 December 2006 ngo 10h00.

Ungaba khona lapho kuhlolwa mathupha indawo ethuthukiswayo okuyokwenziwa yiNkundla yokulalela izicelo mhlaka ka 8 February 2007 ngo 14h00.

Yinoma yimuphi umuntu onentshisekelo mayelana nesicelo kumele aqaphele lokhu:

1. Ezinsukwini ezingu-21 lesi saziso sokuqala simenyezwe, unganikeza isiphathi-mandla esiqokwe isikhala noma umbono wakho obhalwe phansi; noma
2. Uma umbono wakho kuyisikhala esiqondene nokuthile mayelana nesicelo sokuthuthukisa umhlaba, kumele ube khona mathupha noma umelwe ummeli eNkundleni ngosuku olubalulwe ngenhla.

Noma yisiphi isikhala noma umbono obhalwe phansi kumele uthunyelwe kwisiphathi-mandla esiqokwe Mrs S Makhathini, Umgungundlovu District, 242 Langalibalele Street, Pietermaritzburg futhi ungathintana nesiphathi-mandla lapha (T) 033 8976758 (F) 033 3945561.

H10—kul.wazi 16, 23, 2006.

DFA APPLICATION

Regulation 21(10) of the Development Facilitation Regulations in terms of the Development Facilitation Act, 1995

Pathen Estate (Pty) Ltd has lodged an application in terms of the Development Facilitation Act, 1995, for the establishment of a land development area on Portion 25 (of 8) of the farm Rosetta No.2983.

The development will consist of 11 new residential subdivisions of approximately 2000m² each. The relevant plans, documents and information are available for inspection at 12 Leonards Road, Hilton (T) 033 3433821, for a period of 21 days from 16 November 2006.

The application will be considered at a Tribunal hearing to be held at the Mooi River Country Club, Mooi River on 9 February 2007 at 10h00 and the prehearing conference will be held at Mooi River Country Club, on 13 December 2006 at 10h00.

You may attend an inspection in loco of the land development area which will be conducted by the Tribunal on 8 February 2007 at 14h00.

Any person having an interest in the application should please note:

1. You may within a period of 21 days from the date of the first publication of this notice, provide the designated officer with your written objections or representations; or
2. If your comments constitute an objection to any aspect of the land development application, you must appear in person or through a representative before the Tribunal at the pre-hearing conference, on the date mentioned above.

Any written objection or representation must be delivered to the designated officer, Mrs S Makhathini, Umgungundlovu District, 242 Langalibalele Street, Pietermaritzburg and you may contact the designated officer if you have any queries at the following: (T) 033 8976758 (F) 033 3945561.

H10—November 16, 23, 2006.

KENNISGEWING VAN STIGTING VAN 'N GRONDONTWIKKELINGSGBIED

PLANKONSULT het 'n aansoek ingevolge die Wet op Ontwikkelingsfasilitering 1995 (Wet 67 van 1995) ingedien vir die stigting van 'n grondontwikkelingsgebied op Gedeelte 13 van die plaas Marburg Commonage Nr. 2 Nr. 12224, Hibiscus Coast Munisipaliteit.

Die ontwikkeling sal bestaan uit die volgende:

'n Dorpsontwikkeling bestaande uit 53 Spesiale Residensiële erwe, 2 bestaande Gaste Verblyf erwe, 1 Privaat Bewaring sone erf en 3 Privaat Pad erwe.

Die betrokke planne, dokumente en inligting is ter insae beskikbaar by die Ugu Distriksmunisipaliteit, Bazleystraat, Port Shepstone vir 'n tydperk van 21 dae vanaf 9 November 2006.

Betrokkens word hiermee in kennis gestel dat 'n ter plaatse inspeksie van die grondontwikkelingsgebied bygewoon mag word op 6 Februarie 2007 om 14:00.

'n Voorverhoor konferensie is geskeduleer vir 15 Desember 2006 om 10:00 te Hibiscus Coast Raadskamer, hoek van Connor- en Reynoldstraat, Port Shepstone.

Die aansoek sal oorweeg word tydens die sitting van die tribunaal wat gehou sal word om 10:00 op 7 November 2007 te Hibiscus Coast Raadskamer, hoek van Connor- en Reynoldstraat, Port Shepstone.

Enige persoon wat 'n belang in die aansoek het moet daarop let dat:

1. Belanghebbendes mag die aangewese beempte van geskrewe besware of vertoe voorsien binne 'n tydperk van 21 dae vanaf die datum van die eerste publikasie van hierdie kennisgewing (9 November 2006); of
2. Indien enige kommentaar 'n beswaar teen enige aspek van die grondontwikkelingsaansoek daarstel, sodanige persoon of sy verteenwoordiger persoonlik voor die tribunaal kan verskyn op die datum hierbo vermeld, maar is nie verplig nie.

Enige geskrewe beswaar of vertoe moet by die aangewese beempte te Ugu Distriks Munisipaliteit afgelewer word en die aangewese beempte kan gekontak word by:

ME BUYISIWE JACA,
Aangewese Beempte.

Ugu Distriksmunisipaliteit.

Posbus 33,

Port Shepstone 4240.

Telefoonnommer: 039-688 5798

Faksnommer: 039-682 3352

H11—November 9, 16, 2006.

NOTICE OF ESTABLISHMENT OF A LAND DEVELOPMENT AREA

PLANKONSULT has lodged an application in terms of the Development Facilitation Act, 1995 (Act 67 of 1995) for the establishment of a land development area on Portion 13 of the farm Marburg Commonage No. 2 No. 12224, Hibiscus Coast Municipality.

The development will consist of the following:

A township development consisting of 53 Special Residential erven, 2 existing Guest Lodge erven, 1 Private Conservation Zone erf and 3 Private Road erven.

The relevant plan(s), document(s) and information are available for inspection at Ugu District Municipality offices, Bazley Street in Port Shepstone, for a period of 21 days from 9 November 2006.

All interested and affected parties are hereby informed that they may attend an inspection in loco of the land development area, which will be conducted by the Tribunal on 6 February 2007 at 14:00.

A Pre-hearing Conference has been scheduled for 15 December 2006 at 10:00 at Hibiscus Coast Council Chambers, corner of Connor Street and Reynold Street, Port Shepstone.

An application will be considered at a Tribunal

Hearing to be held on 7 February 2007 at 10:00 at Hibiscus Coast Council Chambers, corner of Connor Street and Reynold Street, Port Shepstone.

Any person having an interest in the application should please note:

1. You may within a period of 21 days from the date of the first publication of this notice (9 November 2006), provide the designated officer with your written objections or representations; or
2. If your comments constitute an objection to any aspect of the land development application, you may but you are not obliged to appear in person or through a representative before the Tribunal on the date mentioned above.

Any written objection or representation must be delivered to the Designated Officer at Ugu District Municipality, or you may contact the Designated Officer at the following:

MS B JACA,
Designated Officer.

Ugu District Municipality.

P.O. Box 33,

Port Shepstone 4240.

Telephone Number: 039-688 5798

Fax Number: 039-682 3352

H11—November 9, 16, 2006.

ISAZISO SOMPHAKATHI SOMTHETHO 21(10) WEMITHETHO YOKUKHUTHAZA INTUTHUKO NGOKULANDELA UMTHETHO WOKUKHUTHAZA INTUTHUKO KA 1995, UMTHETHO 67 KA 1995

U-BCP Engineers (Pty) Ltd, emele amalunga eFalls Downe cc njengomthuthukisi nomnini ndawo osemthethweni, ufake isicelo ngomthetho wokukhuthaza intuthuko yokuphakamisa neyokuthuthukiswa kwendawo eyisigaba 2 sefamu i-Stocklands neOatlands No. 878 Reg Div FT, eduze nomgwaqo uKarkloof oxhumana noMngeni Valley Nature Reserve maphakathi noMkhandlu waseMngeni, KwaZulu Natali.

Intuthuko ibhanganisa isiphasiso nesiphakamiso sendawo yokuhlala kanye nesiqwini sokongiwa kwemvelo ezokwaziwa njengeFalls Downe Residential Estate and Nature Reserve futhi izoba nalokhu okulandelayo:

- izindawo zokuhlala eziyizigaba ezingu 40, ezisukela kusayizi ongu-1106m² kuya ku-3750m² ezindaweni ezingamalunga amane okuhlala
- indawo yokungecheleka, neyokuphumula ezohlanganisa indawo yokudlela, indawo yodla ngomhlalaphansi noma inkantini, indawo yokwenza imicimbi, nezindawo ezingu-6 ezakhiwe ngohlobo lamaSwiss (chalets), nezindawo zomphakathi zokuhlala
- izibhe zihlangane nazononke izidingo ezixhumene naloluthuthukiso
- zonke zisendaweni efakwe isiphakamiso ezokwaziwa njengesiqwini sokongiwa kwezemvelo.

Amapulani, izincwadi kanye neminingwane edingekayo ukuze ihlolewe, ayatholakala emahhovisi oMkhandlu wesifunda saseMngeni, eHowick esikhathini esiyizinsuku ezingu-21 kusukela mhlaka 17 November 2006.

Isicelo siyocutshungulwa eNkundleni yokulalela izicelo eyohlala kwiKamelo lamaKhansela yoMkhandlu waseMngeni, ekhomeni lomgwaqo uDicks noSomme, eHowick mhlaka 2 March 2007 ngo 09h00 kanti umhlango wokwandulela uyoba kuMkhandlu waseMngeni kwiKamelo lamaKhansela ekhomeni lomgwaqo uDicks noSomme, eHowick mhlaka 16 January 2007 ngo 10h00.

Yinoma yimuphi umuntu onentshisekelo mayelana nesicelo kumele aqaphele lokhu:

1. Kumele ezinsukwini ezingu-21 kusukela osukwini lokuqala simenyezwe isaziso, unikeze isiphathamandla esiqokwe isikhala noma umbono wakho obhalwe phansi; noma
2. Uma umbono wakho unesikhala phakathi esiqondene nokuthile mayelana nesicelo

sokuthuthukiswa kwendawo, kumele uzi-fikele mathupha noma uthumele ozokumela ngaphambi kwenkundla ngosuku olubaluliwe ngenhla.

Bonke abanentshisekelo nabathintekayo bayaziswa ukuthi bayumelekile ukuba khona ekuhlolweni okuzobakhona kokuthuthukiswa kwendawo okuzokwenziwa yinkundla mhlaka 1 March 2007 ngo 14h00.

Noma yisiphi isikhalo esibhaliwe noma isiboniso kumele sithunyelwe kwisiphathimandla esiqokile soMkhandfu waseMngeni, P.O. Box 5, Howick, 3290 futhi ungathintana nesiphathimandla uma unemibuzo kulenombolo yocingo 033-239 9211, nenombolo yesikhahlezi mazwi 033-239 9213 noma kwimeyili: planning@umngeni.co.za

H11—kuLwezi 16, 23, 2006.

**PUBLIC NOTICE IN TERMS OF
REGULATION 21(10) OF THE
DEVELOPMENT FACILITATION
REGULATIONS IN TERMS OF THE
DEVELOPMENT FACILITATION
ACT, 1995, ACT NO. 67 OF 1995**

BCP Engineers (Pty) Ltd, acting on behalf of the members of Falls Downe cc, as registered land owner and developer, has lodged an application in terms of the Development Facilitation Act for the establishment of a land development area on

Portion 2 of the farm Stocklands and Oatlands No. 878 Reg Diy FT situated near the Karkloof Road and adjoining the Umgeni Valley Nature Reserve, within the uMngeni Municipality, KwaZulu-Natal.

The development comprises the approval and establishment of a proposed residential estate and private nature reserve to be known as the Falls Downe Residential Estate and Private Nature Reserve and includes:

- 40 residential subdivisions, ranging in size from 1106m² to 3750 m² in 4 residential nodes or clusters;
- a tourism and recreation facility comprising a restaurant, a lounge/pub, a functions/conference room, 6 self-catering chalets and public ablution facilities;
- together with supporting facilities and amenities and associated infrastructure;
- all situated within a proposed to be proclaimed private nature reserve.

The relevant plans, documents and information are available for inspection at the offices of uMngeni Municipality, Howick, for a period of 21 days from 17 November 2006.

The application will be considered at a Tribunal hearing to be held at the Council Chamber, uMngeni Municipality, corner of Dicks and Somme Streets, Howick, on 02 March 2007 at 09h00, and the pre-hearing conference will be

held at the uMngeni Municipality Council Chamber, corner of Dick and Somme Streets, Howick on 16 January 2007, at 10h00.

Any person having an interest in the application should please note:

1. You may within a period of 21 days from the date of the first publication of this notice, provide the Designated Officer with your written objections or representations; and
2. If your comments constitute an objection to any aspect of the land development application, you must appear in person or through a representative before the Tribunal on the date mentioned above.

All interested and affected parties are hereby informed that they may attend an inspection in loco of the land development area which will be conducted by the Tribunal on 1 March 2007 at 1400.

Any written objection or representation must be delivered to the Designated Officer at uMngeni Municipality, P O Box 5, Howick, 3290 and you may contact the Designated Officer if you have any queries on telephone no. 033 - 239 9211, fax no. 033 - 239 9213 and email: planning@umngeni.co.za.

H11—November 16, 23, 2006.