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# Government Printing Works

## Notice submission deadlines

Government Printing Works has over the last few months implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submit your notice request.

In line with these business rules, GPW has revised the notice submission deadlines for all gazettes. Please refer to the GPW website [www.gpwonline.co.za](http://www.gpwonline.co.za) to familiarise yourself with the new deadlines.

### CANCELLATIONS

Don't forget!

Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above.

Non-compliance to these deadlines will result in your request being failed. **Please pay special attention to the different deadlines for each gazette.**

**Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.**

Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

### AMENDMENTS TO NOTICES

take note!

With effect from **01 October**, GPW will not longer accept amendments to notices. The cancellation process will need to be followed and a new notice submitted thereafter for the next available publication date.

### CUSTOMER INQUIRIES



Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While GPW deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a **2-working day turnaround time for processing notices** received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

### PROOF OF PAYMENTS



GPW reminds you that all notice submissions **MUST** be submitted with an accompanying proof of payment (PoP) or purchase order (PO). If any PoP's or PO's are received without a notice submission, it will be failed and your notice will not be processed.

When submitting your notice request to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za), please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email.

A reminder that documents must be attached separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment/purchase order – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment).

### REMINDER OF THE GPW BUSINESS RULES

- ☐ Single notice, single email – with proof of payment or purchase order.
- ☐ All documents must be attached separately in your email to GPW.
- ☐ 1 notice = 1 form, i.e. each notice must be on a separate form
- ☐ Please submit your notice **ONLY ONCE**.
- ☐ Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- ☐ The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.

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National, Provincial, Road Carrier Permits and Tender notices will pay the price as published in the Government Gazettes.

For any information, please contact the eGazette Contact Centre on 012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

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*Gazette*    *Page*  
*No.*        *No.*

**MUNICIPAL NOTICES • MUNISIPALE KENNISGEWINGS**

194	Local Government: Municipal Systems Act, 32/2000: Street Trading By-laws.....	1521	4
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MUNICIPAL NOTICES • MUNISIPALE KENNISGEWINGS

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MUNICIPAL NOTICE 194 OF 2015



THE MSUNDUZI MUNICIPALITY

# STREET TRADING BY-LAWS

## **MSUNDUZI MUNICIPALITY STREET TRADING BY-LAWS**

The Msunduzi Municipality, acting in terms of section 98 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), read with section 13 of the said Act, hereby publishes the By-laws set forth hereafter, as made by the Municipality, which By-laws shall come into effect on the date of publication thereof.

### **ARRANGEMENT OF BY-LAWS**

1. Preamble
2. Definitions
3. Powers of the Msunduzi Municipality
4. Prohibitions
5. Restrictions
6. Identification of unlawful Street Traders
7. Cleanliness of place of business and protection of public health
8. Trading in Parks and Gardens
9. Objections used for display of goods
10. Removal & Impoundment
11. Representations regarding impoundments
12. General Offences and Penalties
13. Application of other laws.
14. Repeals

## 1. Preamble

The Msunduzi Municipality, acting in terms of section 11 read with section 98 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), hereby publishes its Street Trading Bylaws.

The Msunduzi Municipality recognizes the objectives of the Constitution, which include the promotion of social and economic development whilst ensuring a safe and healthy environment.

The Msunduzi Municipality therefore recognizes the need to adopt a developmental approach to enable access to job and entrepreneurial opportunities within the informal trading sector, to harmonize the relationship between the informal trading sector and the formal trading sector and to facilitate the migration of informal trading into the formal trading sector.

The purpose of these Bylaws is to regulate street trading within the jurisdictional area of the Msunduzi Municipality in a manner that recognizes and enhances the Municipality's constitutional and other statutory obligations.

## 2. Definitions.

2(1) In these By-laws, except as otherwise expressly provided or unless the context otherwise requires -

- (a) "approval" means approval by the authorised official and "approve" has a corresponding meaning;
- (b) "authorised official" means an official of the Council to whom it has delegated a duty, function or power under these By-laws, in relation to the exercise or performance of that duty, function or power and includes any employee acting under the control and direction of such official;
- (c) "Chief Financial Officer" means the person designated as such in terms of section 80 of the Local Government: Municipal Finance Management Act, 56 of 2003;
- (d) "City" means the City of Pietermaritzburg;
- (e) "Council" means the City Council of the City and includes, in relation to a duty, function or power under these By-laws, a committee or official of the Council to whom it has delegated that duty, function or power;
- (f) "designated official" means the council official designated by the Municipal Manager For the purpose of considering representations made in terms of bylaw".
- (g) "Environmental Health Officer" shall mean an official appointed as such by the Council or another municipality having jurisdiction over environmental health matters in the City;

- (h) "litter" includes any receptacle, container or other object or matter discarded or abandoned by a trader or his customers or left behind by him or them;
- (i) "local authority service" means any system conducted by or on behalf of a local authority for the collection, conveyance, treatment or disposal of refuse, sewage or stormwater or for the generation, impounding, storage, purification or supply of water, gas or electricity;
- (j) "local authority service works" means all property or works of whatsoever nature necessary or desirable for or incidental to any local authority service;
- (k) "Municipal Manager" means the person appointed as by the Council in terms of section 82 of the Local Government: Municipal Structures Act, 117 of 1998, or another person delegated in writing by the Municipal Manager.
- (l) "Nonprofit Organisation" means an organization registered as such in terms of the Nonprofit Organisations Act, 71 of 1997;
- (m) "nuisance" bears the meaning given to it by the Ordinance;
- (n) "Ordinance" means the Local Authorities Ordinance, 1974 (Ordinance 25 of 1974);
- (o) "Perishable goods" means any goods liable to rapid deterioration, rot or decay and shall include foodstuff such as fish, fruit, vegetables, plants, bread, meat and dairy products;
- (p) "prescribed" means prescribed by the Council by resolution;
- (q) "property" in relation to a street trader, means any goods, receptacle, vehicle or movable structure used or intended to be used in connection with the carrying on of his business as such;
- (r) "public place" means a public place as defined in section 1 of the Ordinance;
- (s) "public road" means a public road as defined in section 1 of the Road Traffic Act, 1996 (Act No. 93 of 1996);
- (t) "roadway" means a roadway as defined in section 1 of the Road Traffic Act, 1996;
- (u) "sell" includes—
  - (i) barter, exchange or hire out;
  - (ii) display, expose, offer or prepare for sale;
  - (iii) store with a view to sell; or
  - (iv) provide a service for reward,and "sale" has a corresponding meaning;
- (v) "sidewalk" means a sidewalk as defined in section 1 of the Road Traffic Act, 1996;
- (w) "street trader" means a person who carries on the business of street trading;

(x) "street trading" means the selling of any goods (including a living thing) or the supplying or offering to supply any service for reward, as a street vendor, peddler or hawker in a public road or public place but does not include the sale of newspapers only;

(y) "the Act" means the Businesses Act, 1991 (Act No. 71 of 1991) and includes the regulations made thereunder;

(z) "vehicle" includes—

(i) a self-propelled vehicle;

(ii) a trailer;

(iii) a hand-drawn or propelled vehicle.

2(2) In these By-laws, unless the context otherwise indicates, any word or expression defined in the Act shall bear the meaning so given to it and a "verge" shall mean a verge as defined in section 1 of the Road Traffic Act, 1996.

2(3) For the purpose of these By-laws a single act of offering for sale or of selling goods or services from a public road or public place constitutes the carrying on of the business of a street trader.

2(4) For the purpose of these By-laws a reference to a person carrying on the business of street trader shall include any employee of any such person.

### **3. Powers of the Msunduzi Municipality**

3(1) The Municipality may, subject to the provisions of bylaw 3(2) up to and including bylaw 3(10), by resolution declare any place in its area of jurisdiction to be an area which the carrying on of the business of street vendors, pedlar or hawker may be restricted or prohibited.

3(2) A motion that steps be taken to declare an area under this subsection shall be dealt with at a meeting of the Full Council of the Municipality.

3(3) Before such a motion is adopted, the Full Council of the Municipality shall have regard to the effect of the presence of a large number of street vendors, pedlars or hawkers in that area and shall consider whether -

(a) more effective supervision or control in that area, including negotiations with any person carrying on in that area the business of street vendor, pedlar or hawker or their representatives, will make such declaration unnecessary; and



- (b) the intended restriction or prohibition will drive out of business a substantial number of street vendors, pedlars or hawkers.
- 3(4) If such a motion is adopted the municipality shall cause a plan to be prepared showing the position of the area concerned.
- 3(5) On completion of the said plan the municipality shall cause to be published in a newspaper circulating in the area of jurisdiction of the municipality, a notice setting out its intention to effect the restriction or prohibition concerned as well as its reasons therefor, stating that the said plan is open for inspection at a place and during the hours mentioned in the notice and calling upon any person who has any objection to the intended restriction or prohibition to submit in writing to the local authority within a period mentioned in the notice, which period shall not be shorter than 21 days following the day upon which the notice appeared in the newspaper, such objection or objections.
- 3(6) The municipality shall, at least 21 days before the last day on which objections may be submitted in terms of such notice, cause a copy of the said notice to be displayed at a suitable place in or near the area concerned.
- 3(7) The municipality shall consider every objection submitted in terms of bylaws 3(5) or 3(6) and may thereafter resolve on the declaration of the area concerned.
- 3(8) The municipality shall cause the declaration to be published in the Official Gazette, and such declaration shall take effect on the date of such publication.
- 3(9) The municipality shall forthwith after the publication referred to in bylaw 3(8) submit to the Member of the Executive Council a copy of the plan of the area, the notice published in the newspaper in terms of bylaw 3(5) the notice published in the Official Gazette in terms of bylaw 3(8) and all objections received, together with its comments thereon.
- 3(10) The Member of the Executive Council may within a period of 60 days after such submission and after consultation with the local authority concerned, by notice in the Official Gazette amend or revoke the declaration concerned.
- 3(11) Notwithstanding the provisions of section 17C (2) of the Promotion of Local Government Affairs Act, 1983 (Act No. 91 of 1983), the Municipality shall not authorize any committee of, or any officer or employee in the service of, the local authority to perform any duty assigned to the local authority by or under bylaws 3 (2), 3(3) or 3(7).

3(12) Notwithstanding the provisions of any other law, the Full Council of the Municipality may

- (a) by resolution, and after compliance mutatis mutandis with the provisions of bylaw 3(2) up to and including bylaw 3(8) lease any verge as defined in section 1 of the Road Traffic Act, 1989, or any portion thereof, to the owner or occupier of the contiguous land on the condition that such owner or occupier shall admit a specified number of street vendors, pedlars or hawkers in stands or places on such verge designated by such owner or occupier;
- (b) set apart by resolution and demarcate stands or areas for the purposes of the carrying on of the business of street vendor, pedlar or hawker on any public road the ownership or management of which is vested in the local authority or on any other property in the occupation and under the control of the local authority; and in like manner extend, reduce or disestablish any such stand or area;
- (c) by agreement let or otherwise allocate any stand or area demarcated under bylaw 3(12)(b) or otherwise established for such purposes.

3(13) The Municipality may determine the size and extent of any particular stand set apart, let or demarcated.

**4. Prohibitions.**—No person shall carry on the business of a street trader—

- (a) at a place or in an area declared under section 6A (2) (a) of the Act as a place or area in which the carrying on of street trading is prohibited;
- (b) on the verge, contiguous to—
  - (i) a building belonging to, or occupied solely by, the State or the Council;
  - (ii) a church or other place of worship; or
  - (iii) a building declared to be a national monument under the National Monuments Act, 1969 (Act No. 28 of 1969),except to the extent that the carrying on of such business is permitted by a notice or sign erected or displayed by the Council and in compliance therewith;
- (c) on a verge contiguous to a building in which business is being carried on by any person who solely or mainly sell goods of the same or similar nature as goods being sold by the street trader concerned, without the consent of that person;
- (d) on that half of a public road contiguous to a building used for residential purposes, if the owner or person in control or any occupier of the building objects thereto;
- (e) at a place where it substantially obstructs pedestrians in the use of a sidewalk or take up a position or deposit his property on a sidewalk so as to do so;

- (f) at a place where it causes an obstruction to vehicular traffic;
- (g) at a place where it causes an obstruction in front of—
  - (i) an entrance to or exit from a building;
  - (ii) a fire hydrant;
  - (iii) Closed Circuit Television Cameras
  - (iv) Automated Bank Teller machines.
- (h) on a stand or in any area contemplated in section 6A (3) (b) of the Act if he is not in possession of proof that he has hired such stand or area from the Council or that it has otherwise been allocated to him;
- (i) in contravention of the terms and conditions of the lease or allocation to him of a stand or area contemplated in section 6A (3) (b) and (c) of the Act.

**5. Restrictions.**—No person carrying on the business of a street trader shall—

- (a) if such business is carried on any public road or public place—
  - (i) sleep overnight at the place of such business; or
  - (ii) erect any structure (other than a device which operates in the same manner as, and is shaped like an umbrella) for the purpose of providing shelter; without prior written approval of the Council;
- (b) carry on such business in such a manner as to—
  - (i) create a nuisance;
  - (ii) damage or deface the surface of any public road or public place or any public or private property; or
  - (iii) create a traffic hazard.
- (c) other than in a refuse receptacle approved or provided by the Council, accumulate, dump, store or deposit or cause or permit to be accumulated, dumped, stored or deposited any litter on any land or premises or on any public road or public place;
- (d) obstruct access to a service or to service works of the Council or of the State or any statutory body;
- (e) interfere with the ability of persons using a sidewalk to view the goods displayed behind a shop display window or obscure such goods from view;

- (f) obstruct access to a pedestrian arcade or mall;
- (g) carry on business or take up a position or place his property on a portion of a sidewalk or public place in contravention of a notice or sign erected or displayed by the Council for the purposes of these By-laws;
- (h) carry on such business in a place or area in contravention of any restriction imposed by Council resolution in terms of section 6A (2) (a) of the Act;
- (i) obstruct access to pedestrian crossings, parking or loading bays or other facilities for vehicular or pedestrian traffic;
- (j) obstruct access to or the use of street furniture such as bus passenger benches or shelters and queuing lines, refuse disposal bins, and other facilities designed for the use of the general public; or
- (k) obscure any road traffic sign displayed in terms of the Road Traffic Act, 1996, and regulations made thereunder or any markings, notice or sign displayed or made in terms of these By-laws.
- (l) make an open fire on a public road or public place;
- (m) store his or her property in a manhole, storm water drain, public toilet or tree,
- (n) unless authorised by the Chief Fire Officer, utilise any gas fired equipment irrespective of the nature of such equipment and then only in compliance with any written conditions imposed by the Chief Fire Officer;
- (o) sell or promote alcoholic products, pesticides, insecticides, poisonous and hazardous substances;
- (p) unless authorised by the Council, use any amplified equipment or similar devices which emit sound in order to attract customers and then only in compliance with any conditions imposed.
- (q) use any electrical supply or power generation unless expressly authorised by the Council and then only in compliance with any conditions imposed. .
- (r) sell any live-stock, pets, reptiles, birds, rabbits, wild animals and, or poultry unless expressly authorised by the Council and then only in compliance with any conditions imposed.
- (s) display his or her goods or other property on or in a building, without the written consent of the owner, lawful occupier, or person in control of such building or property.

## 6. Identification of lawful traders

- (a) The Municipality shall issue to every owner as contemplated in bylaw 3(12) above, to every person admitted in terms of bylaw 3(12), and to every street trader to whom the municipality has allocated a stand or with whom the municipality has concluded a lease agreement or who is otherwise authorised to conduct the business of pedlar or hawker, a Street Traders' Identification Permit which Identification Permit shall serve as confirmation of such owner's, admitted person's, street trader's, pedlar's or hawker's right to occupy a particular stand or area or otherwise conduct business as contemplated in these bylaws.
- (b) The Municipality shall be entitled, by virtue of a resolution as contemplated in section 75 A of the Local Government: Municipal Systems Act, to levy a fee for the issuing or reissuing of such a Street Trader's Identification Permit.
- (c) An owner contemplated in bylaw 3(12) above, all persons admitted in terms of bylaw 3(12), a pedlar or hawker and any other person otherwise authorised to conduct business in terms of these bylaws shall, retain and produce such Street Trading Permit on demand to an authorised official.
- (d) The Municipality may, at the written request of a street trader issue a Street Identification Permit to a bona fide employee of the Street Trader.
- (e) No person shall carry on any business on any stand or assist in the carrying on of such trading unless he or she is in possession of the aforesaid Identification Permit which permit shall serve as prima facie proof that he has hired a stand or area from the Municipality or that it has otherwise been allocated to him or her or that he or she is a bona fide employee of such a street trader.
- (f) No person shall without prior written permission of the Council, sell, donate, lease, sublet or in any other way transfer or alienate to another person any stand or area hired or otherwise allocated to him or her by the Council or otherwise permit such other person to trade from any stand or area hired or allocated to him,.

## 7. Cleanliness of place of business and protection of public health.—Every street trader shall—

- (a) unless prior written approval exempting him from the provisions of this section has been given by the Council, daily remove from any public road or public place at the end of each trading day or at the conclusion of trading all goods, movable structures, waste, packaging material, stock and equipment of whatsoever nature which are utilized in connection with such trading;
- (b) carry on his business in such a manner as not to be a danger or threat to public health or public safety;
- (a) at the request of an officer or an employee of the Council move or remove anything so that the place of business may be cleaned or to carry out any work in relation to a public road, public amenity or service;
- (b) keep the area or stand occupied by him for the purpose of his business as well as his property in a clean and sanitary condition and free of litter;

- (e) if his activities involve the cooking or other preparation of food, take steps to ensure that no fat, oil or other substance drops or overflows onto the surface of a sidewalk or splashes against a building or other structure.
- (f) ensure that he or she does not carry out any trading outside the stand or area demarcated or let to or allocated to him or her in any way;
- (g) ensure that a space of not less than 1,5 metres is left between the wall of the shop contiguous to which he or she conducts his or her business and himself or herself; and leave a space of not less than 0,5 metres from the kerb of the roadway.

**8. Trading in parks and gardens.—**

No street trader shall carry on business in a garden or park to which the public has the right of access except with the prior written approval of the Council and in compliance with any conditions imposed by him when granting such consent.

**9. Objections used for display of goods.—**

A street trader shall ensure that any structure, container, surface or other object used by him for the preparation, display, storage or transportation of goods—

- (a) is maintained in a good state of repair and in a clean and sanitary condition; and
- (b) is not so placed or stacked so as to constitute a danger to any person or so as to be likely to injure any person.

**10. Removal and impoundment.—**

(1) For the purpose of this By-law “goods” includes any perishable goods, receptacles, vehicles or movable structures.

(2) An authorised official may remove and impound any goods, without an order of Court—

- (a) which he reasonably suspects are being used or are intended to be used or have been used or in connection with the carrying on of any business of a street trader; and
- (b) which he finds at a place where the carrying on of such business is restricted in terms of these bylaws or prohibited in terms of these bylaws and which in his opinion constitutes an infringement of such provision,
- (c) whether or not such goods are in the possession or under the control of any person at the time of such removal or impoundment.

(3) Any authorised official acting in terms of by-law 10(2) shall:

- (a) except where goods have been left or abandoned or where a person refuses to receive such a receipt, issue to the person carrying on the business of a street trader or where such street trader is not present at the location where the business is being carried on, to any

other person so present and apparently over the age of eighteen years, a receipt for any property so removed and impounded, which receipt must-

- (i) contain the full names and physical address of the person carrying on the business of street trader, or where applicable, the full names of the other persons referred to in bylaw 10(3)(a);
- (i) contain an inventory which itemizes the property to be removed and impounded;
- (ii) provide the physical address where the impounded property will be kept,
- (iii) state the conditions for the release of the impounded property;
- (iv) reflect the provisions of bylaws 10 and 11,
- (v) provide the name and physical address of a designated official to whom representations may be made regarding such impoundment and the time period within which such representations may be made.
- (vi) a signed certificate by the authorised official certifying that the information contained in the receipt is correct;
- (vii) a signed certificate from the person carrying on the business of a street trader or where such street trader is not present at the location where the business is being carried on, the person referred to in bylaw 10(3) certifying that the information contained in the receipt is correct; provided where any of the aforesaid persons refuse to sign such certificate, the authorised official shall obtain such a certificate from another authorised official present at the location where business is being carried on and who shall append his full names, designation and signature to such certificate and which shall, unless proved to the contrary, be deemed to be true and correct in all respects.

(b ) forthwith convey such impounded goods to a facility approved by the Council for this purpose.

(C ) forthwith complete the register referred to in bylaw 10(5).

(4) Any authorised official acting in terms of by-law 10(2) may discard, destroy, sell for the benefit and income of the municipality or donate perishable goods to nonprofit organisations after the lapse of 48 hours after the impoundment of the aforesaid perishable goods, provided that such sale or donation shall only take place after written approval thereof by an Environmental Health Officer, provided further that an Environmental Health Officer may instruct in writing that perishable foods shall be discarded or destroyed prior to or after the expiry of the aforesaid 48 hours where health considerations so require, in which event an authorised official shall comply with such instruction.

(5) Any authorised official acting in terms of bylaw 10(4) shall keep a register of the following:

- (i) full names of the owner whose goods were impounded;;
- (ii) the date and time of impoundment;
- (iii) the place of impoundment;
- (iv) a detailed and itemized description of the goods impounded,
- (v) the date and time of disposal, destruction, sale or donation;
- (vi) the proceeds gained from any sale and proof that such proceeds were credited in full to a bank account nominated by the Chief Financial Officer for this purpose,
- (vi) in the event of any sale or donation, the identity number, address and contact details of any such purchaser or recipient of any such donation,
- (vii) in the event of any disposal or destruction, the place where such disposal or destruction took place;



- (viii) the written approval granted or instruction issued by the Environmental Health Officer as contemplated in bylaw 10(4).
- (ix) the estimated market value of the goods impounded.

(6) The Council may, subject to these bylaws discard with, sell or donate to nonprofit organizations any goods other than perishable goods that have not been collected from the Council within 90 days of impoundment.

(7) Subject to and without detracting from the provisions of bylaw 10(4) and 10(6), goods shall be returned forthwith to a street trader after payment of any prescribed fees levied for any expenses incurred in respect of any transportation, impoundment or storage or where the designated official so directs, provided that nothing in these bylaws shall confer on the Council or its employees any duty to preserve any perishable goods.

(8) Neither the Council nor a councillor, official, officer, employee or agent of the Council shall be liable for any loss of or damage to any goods removed, impounded, discarded, destroyed, donated or sold in terms of this section.

(9) Bylaws 10 and 11 shall not detract from any other legal remedies the Council may have in law.

## **11. Representations regarding impoundments**

- (a) Any street trader may make written or oral representations regarding the impoundment of his or her goods to the designated official.
- (b) Such representations must be made within the time period stipulated by the authorised official in terms of bylaw 10(3)(a)(v).
- (c) The designated official may, after having considered the aforesaid representations and any submissions made by the authorised official:
  - (i) uphold and confirm the decision of the authorised official to impound the goods concerned; or
  - (ii) set aside the decision of the authorised official to impound the goods in which event the authorised officer shall return such goods forthwith to the street trader except where perishable goods had already been discarded or destroyed on the instruction of an Environmental Health Officer in terms of bylaw 10(4).

## **12. General offences and penalties.—**

(1) Any person who—

- (a) contravenes or fails to comply with any provision of these By-laws;



- (b) ignores, disregards or disobeys any notice, sign or marking displayed or erected for the purpose of these By-laws;
- (c) contravenes or fails to comply with any approval or condition granted or imposes in terms of these By-laws
- (d) for the purpose of these By-laws makes a false statement knowing it to be false in a material particular or deliberately furnishes false or misleading information to an authorized official or officer; or
- (c) threatens, resists, interferes with or obstructs an authorized official, officer or employee of the Council in the performance of his powers, duties or functions under these By-laws;

shall be guilty of an offence and on conviction be liable to a fine or imprisonment for a period not exceeding six months.

(2) When an employee of a street trader performs any act or is guilty of any omission which constitutes an offence under these By-laws the employer shall be deemed to have performed the act or to be guilty of the omission himself and he shall be liable on conviction to the penalties mentioned in sub-by-law (1) unless he proves to the satisfaction of the Court that—

- (a) in performing the act or being guilty of the omission the employee was acting without his knowledge or permission;
- (b) all reasonable steps were taken by him to prevent the act or omission in question; and
- (c) it was not within the scope of the authority or the course of the employment of the employee to perform an act of the kind in question.

(3) The fact that an employer issued instructions forbidding any act or omission referred to in sub-by-law (2) shall not of itself be accepted as sufficient proof that he took all steps referred to in paragraph (b) of that sub-by-law.

(4) When an employer is by virtue of the provisions of by-law 12(2) liable for anything done or omitted by his employee, then that employee shall also be liable to prosecution for the offence.

### **13. Application of other laws**

Subject to the provisions of the Act, compliance with these bylaws shall not absolve any person from complying with any other law and nothing herein shall detract from the provisions of any other law insofar and to the extent that such law applies to or otherwise regulates the activities of a street trader.

### **14. Repeals**

The Street Trading Bylaws published under notice no 5128 of 23 May 1996 are hereby repealed.





# IMPORTANT Information from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

## **GPW Business Rules**

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – [www.gpwonline.co.za](http://www.gpwonline.co.za))
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za))
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za).

