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**THE GOVERNMENT PRINTING WORKS****PUBLICATIONS DIVISION**

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**MASADA BUILDING at 196 PROES STREET, PRETORIA
(i.e. CORNER OF PAUL KRUGER AND PROES STREETS)**
with effect from **3 May 2005**.

For enquiries and information:

Mr M Z Montjane
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GENERAL NOTICE

NOTICE 1856 OF 2005

MINISTRY FOR PROVINCIAL AND LOCAL GOVERNMENT

LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES ACT, 2004

GAZETTE FOR PUBLIC COMMENT

1. I, Fholisani Sydney Mufamadi, Minister for Provincial and Local Government, acting in terms of section 84(b) of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), hereby publish for public comment the draft regulations contained in schedules 1 to 11 to this notice.
2. Comments must be submitted in writing to –

The Director- General
Attention: Mr Mizilikazi Manyike
Department of Provincial and Local Government
Private Bag X804
PRETORIA
0001
3. Comments may be faxed to (012) 334 4878 at the above address, or e-mailed to mpira@dplg.gov.za.
4. No comments, which are received after 14 November 2005, will be considered.

SCHEDULE 1

REGULATIONS ON THE INTEREST TO BE CHARGED ON THE AMOUNT DUE FOR RATES PAYABLE BY OR TO BE REFUNDED TO THE RATEPAYER

Definitions

1. In these regulations, unless the context indicate otherwise, a word or expression to which a meaning has been assigned in the Act, has the same meaning, and -

“**Act**” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

Application of regulations

2. These regulations apply to all municipalities regardless of whether their rating and valuation is in terms of the Provincial Ordinance or the Act.

Interest rate to be applied

3.
 - (1) The interest rate referred to in section 55(2)(b) of the Act is the prime rate plus 1%. The prime rate of the bank where the primary account of the municipality is kept will apply.
 - (2) The municipal manager must determine the monthly interest rate by dividing the “prime rate plus 1% by 12 to get the monthly interest rate to be applied to the amount due for rates payable by or to be refunded to the ratepayer.

Commencement

4. These regulations take effect on 1 July 2006.

Short title

5. These regulations are called the Municipal Property Rates Act Regulations on the Interest to be Charged by Municipalities.

SCHEDULE 2

REGULATIONS REGARDING THE CONDITIONS OF APPOINTMENT OF MEMBERS OF VALUATION APPEAL BOARDS AND COMMITTEE MEMBERS OF VALUATION APPEAL BOARDS

Definitions

1. In these regulations, unless the context indicate otherwise, a word or expression to which a meaning has been assigned in the Act, has the same meaning, and -

“Act” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

Application of regulations

2. These regulations apply to all municipalities whose rating and valuation is in terms of the Act.

The following are the conditions of appointment of members of valuation appeal board and committee members of valuation appeal boards:

3. (1) Qualification and experience
 - a) The chairperson of the valuation appeal board must be a person with a legal qualification and sufficient experience in the administration of justice, at least ten years practical experience in the administration of justice and has recognised legal qualifications in terms of the South African Qualifications Authority (SAQA).

- b) At least one of the members of the valuation appeal board must be a professional valuer registered in terms of the Property Valuers Profession Act, 2000 (Act No. 47 of 2000) with at least five years working experience in the valuation of property.
 - c) The other members must have at least three years sufficient knowledge of/or experience in the valuation of property.
- (2) A person who is not a South African citizen is not eligible for appointment as a member of a valuation appeal board.
- (3) Remuneration of appointed members of Valuation Appeal Board and Committee Members of Valuation Appeal Board:
- a) The payments determinations should not exceed the upper limits on 'Remuneration of chairperson and members of a Committee of Enquiry' set out by the Minister of Finance annually in the "National Treasury Regulations: Commissions and Committees of Enquiry: Remuneration Tariffs of Non-Official Members".
 - b) Payments will be per day and the chairperson must be remunerated higher than the other members. The other members must be remunerated uniformly. A day means eight working hours. Payments determinations must be revised annually.
 - c) Travel allowance should be based on national tariffs (of the Department of Transport).

- d) Accommodation should be provided for members of a valuation appeal board executing functions/duties far from their homes such that they cannot be reasonably expected to travel to and fro daily if the appeal board seats for more than one day consecutively.
- e) Payments to be made by a municipality concerned within 30 days of submission of a claim by a valuation appeal board member.
- f) Payments claim to the municipality must be accompanied by a copy of a signed register of attendance by members and a completed traveling claim form. The chairperson of the valuation appeal board must ensure that the attendance register and traveling form are filled and signed by all members present at each meeting and are kept safe in the office of the municipality whose property valuation roll is under consideration by the valuation appeal board. The register must include the name of the relevant municipality against whose valuation roll appeal(s) is being made, and the duration taken to consider such appeal(s).

Consultation process regarding appointment of members of valuation appeal boards and their committees

- 4. (1) The MEC responsible for local government in a province must consult with the relevant municipal mayors before final appointment of members of a valuation appeal boards.
- (2) The chairperson of the valuation appeal board after obtaining authorisation from the MEC responsible for local government in a

province to establish valuation appeal board committee(s) must consult with the relevant municipal mayors before final appointment of committee members.

5. In appointing members of the valuation appeal board and/or its committee(s), due care should be given to distances members will travel to and from their homes to hear appeal cases.

(1) The general norm must be that members of valuation appeal board should be from within the jurisdiction of the metropolitan or district municipality to which the valuation appeal board will serve.

(2) Second preference should go to applicants from neighbouring metropolitan and/or district municipalities (provincial boundaries are not a determinant).

(3) Where a deviation to subregulations 5(1) and (2) is seen as a 'must', the MEC should provide the relevant municipal Mayor(s) with a full written motivation prior to such appointments. The relevant Mayor(s) should respond to the MEC's motivation within 30 days of receipt thereof, and the MEC must take all comments made into account in making the final decision.

(4) Subregulations 5(1), (2) and (3) similarly apply to the appointment of members of committee(s) of valuation appeal boards by valuation appeal boards. In this context the word 'MEC' must be replaced with the word 'chairperson of valuation appeal board'.

Commencement

6. These regulations take effect on 1 December 2005.

Short title

7. These regulations are called the Municipal Property Rates Act Regulations on Conditions for Appointing Members of Valuation Appeal Boards and their Committees.

SCHEDULE 3

REGULATIONS ON THE INTERNAL PROCEDURES OF THE VALUATION APPEAL BOARD TO DISPOSE OF APPEALS AND REVIEWS

Definitions

1. In these regulations, unless the context indicate otherwise, a word or expression to which a meaning has been assigned in the Act, has the same meaning, and -

“Act” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

Application of regulations

2. These regulations apply to all valuation appeal boards established in terms of the Act.

The internal procedures the valuation appeal board must follow to dispose of appeals and reviews are as follows:

3. (1) Among the support staff that each municipality is mandated to provide in terms of section 66 of the Act to the valuation appeal board, one of these support staff with requisite skills must be designated to perform the secretariat functions of the valuation appeal board.
- (2) The chairperson of the valuation appeal board shall inform members of the valuation appeal board of any issue that shall serve before the valuation appeal board and the date thereof.

- (3) The chairperson of the valuation appeal board must inform the appellant of the date of a hearing for the valuation appeal board, at least 21 days prior the sitting of the board.
- (4) The proceedings of the valuation appeal board meetings must be recorded and kept safe in the office of the municipality whose property valuation roll is under consideration by the valuation appeal board.
- (5) The outcome of the valuation appeal board considering an appeal/review must be conveyed, within 30 days of finalisation of the appeal, by the chairperson of the valuation appeal board to the complainant through the municipal manager.
- (6) If the complainant seeks reasons for the decision, reasons must be furnished at no cost to the complainant.
- (7) Any documents pertaining to the appeal lodged before the valuation appeal board including the decision thereof may be archived or be disposed off by the municipality.
- (8) In a case where a municipality chooses to dispose off the documents, this must be done in terms of the National Archivists' Standing Disposal Authority No. C3-S1NA, such disposal may only be done at least after 4 years from the date of finalisation of the appeal by the relevant municipality.
- (9) When a municipality intends to destroy documents pertaining to the appeal, a municipality must complete the Destruction Certificate prescribed below. The disposal authority number: C3-S1NA must be cited in the cover letter when posting the Destruction Certificate to the address listed in the Certificate.

Destruction Certificate

4. The Destruction Certificate mentioned in regulation 3(9) of these regulations is prescribed as follows:

Destruction Certificate

This certificate must be completed by the municipal manager in an event that the municipality is intending to destroy any material that was used by the Valuation Appeal Board after four years from the date of finalisation of the case by the Valuation Appeal Board.

The completed Certificate must be posted to the: National Archives and Record Service of South Africa, Private Bag X236, Pretoria, 0001. Telephone number: (012) 323 5300, fax number: (012) 323 5287.

I hereby certify that the records listed below which occupied _____ linear metres of shelving/storage space were destroyed today in terms of disposal authority number: C3-S1NA

Name of the municipality: _____

Telephone number: _____

Fax number: _____

e-mail address: _____

Province: _____

Records details:

CASE NUMBER	DESCRIPTION	PERIOD
	Appeals and Reviews of the Valuation Appeal Board: the case of _____ vs _____	Date of finalisation to date of destruction of case records

Name of the Municipal Manager: _____

Signature of the Municipal Manager _____

Date _____

Stamp of the Municipality: _____

Commencement

5. These regulations take effect on the date in which a valuation appeal board established in terms of this Act starts operating.

Short title

6. These regulations are called the Municipal Property Rates Act Regulations on the Internal Procedures of the Valuation Appeal Board.

SCHEDULE 4

REGULATIONS ON THE DECLARATION BY MUNICIPAL VALUER OR ASSISTANT MUNICIPAL VALUER OR SPECIAL VALUER OR A MEMBER OF A VALAUTION APPEAL BOARD OR ITS COMMITTEE BEFORE THE COMMISSIONER OF OATHS REGARDING PERFORMANCE OF OFFICE

Definitions

1. In these regulations, unless the context indicate otherwise, a word or expression to which a meaning has been assigned in the Act, has the same meaning, and -

“**Act**” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

“**Special Valuer**” means a person designated as a special valuer in terms of section 43(5) of the Act.

Application of regulations

2. These regulations apply to all municipal valuers, assistant municipal valuers, special valuers and members of a valuation appeal board or its committees who perform their duties in terms of the Act.

Timeframe for submission of the declaration

3. (1) The declaration by a municipal valuer or an assistant municipal valuer or special valuer must be submitted to the municipal manager within 30 days of appointment, but before assumption of duty.

- (2) The declaration by a member of a valuation appeal board or its committee must be submitted within 30 days of appointment, but before assumption of duty.

The minimum information to be captured in the declaration form is as follows:

4. (1) Name of valuer of a municipality/member of valuation appeal board or its Committee
- (2) Identity number of valuer of a municipality/member of valuation appeal board or its Committee
- (3) Designation
- (4) Name of municipality/valuation appeal board
- (5) Period of validity of authorisation
- (6) Signature of valuer of municipality/member of valuation appeal board or its Committee and date
- (7) Commissioner of Oaths (full names)
- (8) Signature of Commissioner of Oaths and date

The format of declaration to be completed by the valuer of a municipality or an assistant municipal valuer or a member of valuation appeal board or its committee before the commissioner of oaths must be in the following format:

5. (1) DECLARATION BY MUNICIPAL VALUER OR ASSISTANT MUNICIPAL VALUER OR A SPECIAL VALUER

I, _____, Identity Number _____ do declare that I will, in accordance with the provisions of the Local Government: Municipal Property Rates Act, 2004 (Act No.6 of 2004), hereinafter referred to as the "Act", to the best of my skills and knowledge and without fear, favour or prejudice truly and impartially value properties and diligently perform all valuation-related functions, including the processing of objections and appeals regarding all properties I shall have valued within _____ municipal area of jurisdiction in terms of the provisions of the Act. In the discharge of my duties as a municipal valuer/assistant municipal valuer/special valuer*, I will comply with sections 43 and 44 of the Act.

Declared at _____ this _____ day of _____ 20____ (year)

Professional Registration Number with the South African Council for the Property Valuers Profession _____

Category of Professional Registration _____

Designation _____

Signature of Municipal Valuer/ Assistant Municipal Valuer/Special Valuer*

** Delete whichever is not applicable*

Commissioner of Oaths (Full Names)

Signature

(2) DECLARATION BY A MEMBER OF THE VALAUTION APPEAL BOARD OR ITS COMMITTEE

I, _____, Identity Number _____ do declare that I will, in accordance with the provisions of the Local Government: Municipal Property Rates Act, 2004 (Act No.6 of 2004), hereinafter referred to as the "Act", to the best of my skills and knowledge and without fear, favour or prejudice truly and impartially discharge the duties of the valuation appeal board established for the _____ area.

Declared at _____ this _____ day of _____ 20____ (year)

Professional Registration Number with the South African Council for the Property Valuers Profession** _____

Category of Professional Registration ** _____

**In the case of a professional valuer

Designation _____

Signature of a member of the valuation appeal board

Commissioner of Oaths (Full Names)

Signature

Commencement

6. These regulations take effect on 1 December 2005.

Short title

7. These regulations are called the Municipal Property Rates Act Regulations on the Declaration by Valuers of a Municipality and Members of a Valuation Appeal Board and its Committee.

SCHEDULE 5**REGULATIONS ON THE CONTENTS AND FORMAT OF THE IDENTITY CARD FOR ENTERING INTO PROPERTIES AND INSPECTION THEREOF REGARDING VALUATION-RELATED ISSUES****Definitions**

1. In these regulations, unless the context indicate otherwise, a word or expression to which a meaning has been assigned in the Act, has the same meaning, and -

“Act” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

Application of regulations

2. These regulations apply to all municipalities and valuation appeal boards and their committees that perform their valuation-related activities in terms of the Act.

Identity card

3. (1) Identity card must contain the minimum information detailed in subregulation (2) and be displayed when persons' properties are visited for purposes of valuation-related issues.

(2) The minimum information to be captured in the Identity Card is as follows:

- a) Name of person authorised
- b) Identity number of the person authorized
- c) Designation
- d) Period of validity of authorisation
- e) Photograph of person authorized
- f) Signature of authorised person
- g) Signature of issuing authority within the municipality /MEC of Local of Government
- h) Contact details of the issuing municipality/MEC's Office of Local Government

The identity card must be in the following format:

- (3) a) IDENTITY CARD FOR MUNICIPAL VALUER/ ASSISTANT MUNICIPAL VALUER/ DATA-COLLECTORS AND OTHER AUTHORISED PERSONS BY MUNICIPALITIES (AUTHORISATION TO ENTER PROPERTIES FOR VALUATION-RELATED PURPOSES)

Logo of
municipality

Photograph of
a person

(Name of authorising municipality)

Name of person _____
 Identity No _____
 Designation _____
 Professional Registration No _____
 Period of validity of authorisation _____
 Signature of authorised person _____
 Signature of Municipal Manager _____
 Date _____
 Telephone No _____ of the municipality

- b) IDENTITY CARD FOR A MEMBER OF VALUATION APPEAL BOARD/ ITS COMMITTEE AND OTHERS AUTHORISED BY A VALUATION APPEAL BOARD (AUTHORISATION TO ENTER PROPERTIES FOR VALUATION-RELATED PURPOSES)

Logo of
MEC's office

Photograph of
a person

(Name of authorising Province)

Name of person _____
 Identity No _____
 Designation _____
 Professional Registration No _____
 Period of validity of authorisation _____
 Signature of authorised person _____
 Signature of MEC _____
 Date _____
 Telephone No _____ of the MEC's office

Commencement

4. These regulations take effect on 1 December 2005.

Short title

5. These regulations are called the Municipal Property Rates Act
Regulations on the Format of the Identity Card.

SCHEDULE 6

REGULATIONS REGARDING THE PERIOD BY WHICH THE VALUER OF A MUNICIPALITY MUST SUBMIT THE VALUATION ROLL AND SUPPLEMENTARY VALUATION ROLL TO THE MUNICIPAL MANAGER.

Definitions

1. In these regulations, unless the context indicate otherwise, a word or expression to which a meaning has been assigned in the Act, has the same meaning, and -

"Act" means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

Application of regulations

2. These regulations apply to all municipalities whose rating and valuation is in terms of the Act.

Period of submission of the valuation roll or supplementary valuation roll

3. (1) The period referred to in section 34(d) of the Act is at least five months before the effective date of such a valuation roll. This means that the valuer of a municipality must submit a certified valuation roll to the municipal manager at least five months before the start of the municipal financial year in which the valuation roll will be implemented.

(2) A supplementary valuation roll must be submitted at least two months before the effective date of such a supplementary valuation roll. This means that the valuer of a municipality must submit a certified

supplementary valuation roll to the municipal manager at least two months before the effective date of such a supplementary valuation roll.

Commencement

4. These regulations take effect on 1 December 2005.

Short title

5. These regulations are called the Municipal Property Rates Act Regulations on the Period for Submission of the Valuation Roll and Supplementary Valuation Roll.

SCHEDULE 7**REGULATIONS ON THE FORMAT OF A VALUATION ROLL AND
SUPPLEMENTARY VALUATION ROLL****Definitions**

1. In these regulations, unless the context indicate otherwise, a word or expression to which a meaning has been assigned in the Act, has the same meaning, and -

“**Act**” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

Application of regulations

2. These regulations apply to all municipalities whose rating and valuation is in terms of the Act.

The minimum information to be captured in the valuation roll and supplementary valuation roll is as follows:

3.
 - (1) Registered or other description of the property
 - (2) Category determined in terms of section 8 of the Act in which the property
 - (3) Physical address of the property
 - (4) Extent of the property
 - (5) Market value of the property if the property was valued
 - (6) Name of owner

Format of the a valuation roll and supplementary valuation roll

4. (1) The format outlined in subregulations (2) and (3) must be used by the valuer of a municipality in compiling the valuation roll/supplementary valuation roll.

(2) NAME OF MUNICIPALITY

Page number _____

Valuation roll/Supplementary valuation roll* for the period _____
to _____ for the _____ Municipality.

** Delete whichever is not applicable.*

Name of Geographical Area:

Particulars in respect of each property must be in the following order						
A	b	c	d	e	f	g
Registered or other description of the property	Category determined in terms of section 8 of the Act in which the property falls	Physical address of the property	Extent of the property	Market value of the property <u>if the property was valued</u>	Name of owner	Any other prescribed particular

The following minimum information must be on the last page of the valuation roll and supplementary valuation roll:

CERTIFICATION BY VALUER OF MUNICIPALITY AS
CONTEMPLATED IN SECTION 34(c) OF THE ACT

I, _____, Identity Number _____ do
certify that I had, in accordance with the provisions of the Local
Government: Municipal Property Rates Act, 2004 (Act No.6 of 2004),
hereinafter referred to as the "Act", to the best of my skills and
knowledge and without fear, favour or prejudice prepared the
valuation roll/supplementary valuation roll* for _____
Municipality in terms of the provisions of the Act. In the discharge of
my duties as municipal valuer I have complied with sections 43 and
44 of the Act.

** Delete whichever is not applicable.*

Certified at _____ this _____ day of _____ 20____ (year)

Professional Registration number with the South African Council for
the Property Valuers Profession: _____

Category of Professional Registration: _____

Signature of Valuer of Municipality

Date

Commencement

5. These regulations take effect on 1 December 2005.

Short title

6. These regulations are called the Municipal Property Rates Act
Regulations on the Format of the Valuation Roll and Supplementary
Valuation Roll.

SCHEDULE 8

REGULATIONS ON THE CONTENT AND FORMAT OF A PUBLIC NOTICE CALLING FOR INSPECTION OF A VALUATION ROLL AND SUPPLEMENTARY VALUATION ROLL

Definitions

1. In these regulations, unless the context indicate otherwise, a word or expression to which a meaning has been assigned in the Act, has the same meaning, and -

“Act” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

Application of regulations

2. These regulations apply to all municipalities whose rating and valuation is in terms of the Act.

The minimum information to be included in the public notice calling for inspection of the valuation roll or supplementary valuation roll must include the following information:

3.
 - (1) Name of a municipality
 - (2) Location where the valuation roll/supplementary valuations roll may be inspected
 - (3) Duration for inspection of the valuation roll/supplementary valuation roll and raising of objections thereof if necessary
 - (4) Location where objection forms can be obtained from and submitted to after completion
 - (5) Name of the Municipal Manager

(6) Contact details for making enquiries.

The format of the public notice calling for inspection of the valuation roll or supplementary valuation roll must be as follows:

4. NAME OF MUNICIPALITY

**PUBLIC NOTICE CALLING FOR INSPECTION OF VALUATION ROLL
AND/OR SUPPLEMENTARY VALUATION ROLL***

Notice is hereby given in terms of Section 49 (1) (a) (i)/78(2)* of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), hereinafter referred to as the "Act", that the valuation roll/supplementary valuation roll for the financial years/year* _____ is open for public inspection at the _____ municipal offices or at website www _____ from _____ to _____.

An invitation is hereby made in terms of section 49(1)(a)(ii)/78(2)* of the Act that any owner of property or other person who so desires should lodge an objection with the municipal manager in respect of any matter reflected in, or omitted from, the valuation/supplementary valuation roll* within the above-mentioned period.

Attention is specifically drawn to the fact that an objection must be in relation to a specific individual property and not against the valuation roll/supplementary valuation roll* as such.

The form for the lodging of an objection is obtainable at the following address _____ or website _____.

The completed forms must be returned to the following address _____

For enquiries please telephone _____ or email _____

Municipal Manager

Signature

Date

** Delete whichever is not applicable*

Commencement

5. These regulations take effect on 1 December 2005.

Short title

6. These regulations are called the Municipal Property Rates Act Regulations on the Public Notice for Inspection of Valuation Roll and Supplementary Valuation Roll.

SCHEDULE 9**REGULATIONS ON THE CONTENT AND FORMAT OF THE FORM FOR
LODGING AN OBJECTION(S) REGARDING MATTERS PERTAINING TO A
SPECIFIC PROPERTY IN A VALUATION ROLL OR SUPPLEMENTARY
VALUATION ROLL****Definitions**

1. In these regulations, unless the context indicate otherwise, a word or expression to which a meaning has been assigned in the Act, has the same meaning, and -

“Act” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

Application of regulations

2. These regulations apply to all municipalities whose rating and valuation is in terms of the Act.

The minimum information to be captured in the form to be used for lodging an objection(s) regarding matters pertaining to a specific property in a valuation roll or supplementary valuation roll is as follows:

- 3.**
- (1) (a) Name of a municipality
 - (b) Name of the objector
 - (c) Identity Number of the objector
 - (d) Physical, postal and email address of the objector
 - (e) Contact details of the objector (telephone number and fax number)
 - (f) Status of the objector:
 - i. The owner
 - ii. The authorized representative of the owner (proof of authorization must be attached)
 - iii. Not the owner and not authorised by the owner
 - iv. The Mayor on behalf of the municipal council
 - (g) Information on which the person object with regarding to the entry as recorded in or omitted from the valuation roll/supplementary valuation roll as well as the correct information to replace incorrectly recoded or omitted information.
 - (h) Reasons for objections
 - (i) Signature of an objector and date
- (2) For office use only
- (a) Objection reference number to be supplied by municipality
 - (b) Decision of the valuer of municipality
 - (c) Name of the valuer of municipality
 - (d) Signature of the valuer of municipality and date

Notification of the owner of property regarding objections lodged against matters pertaining to the property

4. The municipal manager must in writing inform the owner of property in a case where any other person has lodged objections against any matter pertaining to that owner's property.

The following format must be used when a person other than the council of a municipality concerned lodges an objection(s) regarding matters pertaining to a specific property in the valuation roll or supplementary valuation roll of a municipality

-
5. (1) Name of municipality

The Municipal Manager

**LODGING OF AN OBJECTION(S) AGAINST A MATTER(S)
REFLECTED IN , OR OMITTED FROM THE VALUATION
ROLL/SUPPLEMENTARY VALUATION ROLL* REGARDING A
SPECIFIC PROPERTY BY THE MUNICIPALITY**

** Delete whichever is not applicable*

Name of objector: _____

Identity number of objector: _____

Physical Address: _____

Postal Address: _____

Telephone number: _____ (w) _____ (h) _____

(cell) _____ E-mail _____ (fax no) _____

Status of objector:

The Owner

☐

Not the owner and not authorised by the owner

☐

The authorised representative of the owner**

☐

**Proof of authorization must be attached

I object to the following entry as reflected in or omitted from the valuation roll/supplementary valuation roll* in terms of section 50(1)(c)/78(2)* of the Act:

- a) The registered or other description of the property (for example, erf or stand number) _____
- b) The category in which the property falls (for example, residential property) _____
- c) The physical address of the property _____
- d) The extent of the property (size in square metres) _____
- e) The market value of the property (for example, R50 000) _____
- f) Name of the owner of the property _____

I request that information pertaining to the above-mentioned entry or omission from the valuation roll/supplementary valuation roll* be substituted or reflected as follows:

- a) The registered or other description of the property (for example, erf or stand number) _____
- b) The category in which the property falls (for example, residential property) _____
- c) The physical address of the property _____
- d) The extent of the property (size in square metres) _____
- e) The market value of the property (for example, R50 000) _____
- f) Name of the owner of the property _____

My objection is based on the following grounds (detailed reasons must be given in support of the objection(s) and an annexure(s) may be used): _____

Signature of Objector

Date

(To be filled by the Municipal Valuer)

Objection reference No: _____

Decision of the Municipal Valuer _____

Name of a Municipal Valuer

Signature

Date

The following format must be used by the council of a municipality concerned when lodging an objection(s) regarding matters pertaining to a specific property in the valuation roll or supplementary valuation of a municipality:

(2) Name of municipality: _____

The Municipal Manager

LODGING OF AN OBJECTION(S) AGAINST A MATTER(S) REFLECTED IN , OR OMITTED FROM THE VALUATION ROLL/SUPPLEMENTARY VALUATION ROLL* REGARDING A SPECIFIC PROPERTY BY THE MUNICIPALITY

** Delete whichever is not applicable*

I _____ in my official capacity as mayor of _____ municipality object to the following entry as reflected in or omitted from the valuation roll/ supplementary valuation roll in terms of section 50(4)/78(2)* of the Municipal Property Rates Act, 2004 (Act No. 6 of 2004).

- a) The registered or other description of the property (for example, erf or stand number) _____
- b) The category in which the property falls (for example, residential property) _____
- c) The physical address of the property _____
- d) The extent of the property (size in square metres) _____
- e) The market value of the property (for example, R50 000) _____
- f) Name of the owner of the property _____

I request that information pertaining to the above-mentioned entry or omission from the valuation roll/supplementary valuation roll* be substituted or reflected as follows:

- a) The registered or other description of the property (for example, erf or stand number) _____
- b) The category in which the property falls (for example, residential property) _____
- c) The physical address of the property _____
- d) The extent of the property (size in square metres) _____
- e) The market value of the property (for example, R50 000) _____
- f) Name of the owner of the property _____

My objection is based on the following grounds (detailed reasons must be given in support of the objection(s) and an annexure(s) may be used):

Signature of Objector

Date

(To be filled by the Municipal Valuer)

Objection Reference No. : _____

Decision of the Municipal Valuer _____

Name of a Municipal Valuer

Signature

Date

Commencement

6. These regulations take effect on 1 December 2005.

Short title

7. These regulations are called the Municipal Property Rates Act Regulations for Lodging an Objection(s) in a Prescribed Manner.

SCHEDULE 10**REGULATIONS ON THE CONTENT AND FORMAT OF THE FORM FOR
LODGING AN APPEAL TO THE VALUATION APPEAL BOARD AGAINST
THE DECISION OF A MUNICIPAL VALUER REGARDING MATTERS
PERTAINING TO A SPECIFIC PROPERTY IN A VALUATION ROLL OR
SUPPLEMENTARY VALUATION ROLL****Definitions**

1. In these regulations, unless the context indicate otherwise, a word or expression to which a meaning has been assigned in the Act, has the same meaning, and -

“**Act**” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

Application of regulations

2. These regulations apply to all municipalities whose rating and valuation is in terms of the Act.

The minimum information to be captured in the form to be used for lodging an appeal to the valuation appeal board against the decision of a municipal valuer regarding matters pertaining to a specific property in the valuation roll or supplementary valuation roll is as follows:

3. (1) (a) Name of the municipality
 - (b) Name of appellant (in the case of the council of a municipality, the official designation of that person should also be provided).
 - (c) Identity Number of the appellant
 - (d) Physical, postal and email address of the appellant
 - (e) Contact details of the appellant (telephone number and fax number)
 - (f) Status of the appellant:
 - i. The owner
 - ii. The authorised representative of the owner (proof of authorization must be attached)
 - iii. Not the owner and not authorized by the owner
 - iv. The Mayor on behalf of the municipal council
 - (g) Information on which the person appeals against with regard to the entry as recorded in or omitted from the property valuation roll/supplementary valuation roll as well as the correct information to replace incorrectly recoded or omitted information.
 - (h) Reasons for making an appeal against the decision of the municipal valuer.
 - (i) Signature of appellant and date
- (2) For office use only
 - (a) Appeal reference number to be supplied by Valuation Appeal Board
 - (b) Decision of the Valuation Appeal Board
 - (c) Name of the chairperson of the Valuation Appeal Board
 - (d) Signature of the chairperson of the Valuation Appeal Board and date

Notification of the owner of property regarding appeals lodged against matters pertaining to the property

4. The chairperson of the valuation appeal board must in writing inform the owner of property in a case where any other person has lodged an appeal against any matter pertaining to that owner's property.

The following format must be used when a person other than the council of a municipality concerned lodges an appeal to the valuation appeal board against the decision of the municipal valuer pertaining to a specific property in the valuation roll or supplementary valuation roll:

5. (1) The Chairperson
Valuation Appeal Board

Name of a municipality _____

**LODGING OF AN APPEAL AGAINST A DECISION OF THE
MUNICIPAL VALUER REGARDING MATTERS PERTAINING TO
A SPECIFIC PROPERTY IN A VALUATION
ROLL/SUPPLEMENTARY VALUATION***

* Delete whichever is not applicable

Name of the appellant _____

Identity Number of appellant _____

Physical Address _____

Postal Address _____

Telephone _____ (w) _____ (h) _____ (cell) _____

E-mail: _____ Fax No _____

Status of objector:

The Owner

☐

Not the owner and not authorised by the owner

☐

The authorised representative of the owner**

☐

****Proof of authorization must be attached**

I, being an objector who is not satisfied with the decision of the municipal valuer/owner of a property who is affected by such a decision*, hereby lodge an appeal to the valuation appeal board in terms of section 54(1)(a) or (b) of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004) against the decision of a municipal valuer in respect of the following matter reflected in or omitted from the valuation roll/supplementary valuation roll*:

- a) The registered or other description of the property (for example, erf or stand number) _____
- b) The category in which the property falls (for example, residential property) _____
- c) The physical address of the property _____
- d) The extent of the property (size in square metres) _____
- e) The market value of the property (for example, R50 000) _____
- f) Name of the owner of the property _____

I request that for the above-mentioned entry the following be substituted

- a) The registered or other description of the property (for example, erf or stand number) _____
- b) The category in which the property falls (for example, residential property) _____

- c) The physical address of the property _____
- d) The extent of the property (size in square metres) _____
- e) The market value of the property (for example, R50 000) _____
- f) Name of the owner of the property _____

My appeal is based on the following grounds (detailed reasons must be given in support of an appeal(s) and an annexure(s) may be used if necessary) _____

Signature of Appellant

Date

(To be filled by the Valuation Appeal Board)

Appeal Reference No.: _____

Decision of the Valuation Appeal Board _____

Name of the chairperson of the Valuation Appeal Board

Signature of the chairperson of Valuation Appeal Board

Date: _____

The following format must be used when a council of a municipality concerned lodges an appeal to the valuation appeal board against the decision of the municipal valuer pertaining to a specific property in a valuation roll or supplementary valuation board:

(2) The Chairperson

Valuation Appeal Board

Name of a municipality _____

LODGING OF AN APPEAL AGAINST A DECISION OF THE MUNICIPAL VALUER REGARDING MATTERS PERTAINING TO A SPECIFIC PROPERTY IN THE VALUATION ROLL/ SUPPLEMENTARY VALUATION*

* Delete whichever is not applicable

I _____ in my official capacity as mayor of _____ municipality, which lodged an objection with the municipal manager and which is not satisfied with the decision(s) of the municipal valuer/whose interests are affected by the municipal valuer's decision regarding the objection lodged by others*, hereby lodge an appeal to the Valuation Appeal Board in terms of section 54(1) of the Local Government: Municipal Property Rates Act, 2004 (Act No.6 of 2004) against the decision of the municipal valuer in respect of the following matter reflected in or omitted from the valuation roll/supplementary valuation roll*:

- a) The registered or other description of the property (for example, erf or stand number) _____
- b) The category in which the property falls (for example, residential property) _____

- c) The physical address of the property _____
- d) The extent of the property (size in square metres) _____
- e) The market value of the property (for example, R50 000) _____
- f) Name of the owner of the property _____

I request that for the above-mentioned entry the following be substituted

- a) The registered or other description of the property (for example, erf or stand number) _____
- b) The category in which the property falls (for example, residential property) _____
- c) The physical address of the property _____
- d) The extent of the property (size in square metres) _____
- e) The market value of the property (for example, R50 000) _____
- f) Name of the owner of the property _____

My appeal is based on the following grounds (detailed reasons must be given in support of an appeal(s) and an annexure(s) may be used if necessary) _____

Signature of Appellant

Date

(To be filled by the Valuation Appeal Board)

Appeal Reference No: _____

Decision of the Valuation Appeal Board

Name of the chairperson of the Valuation Appeal Board

Signature of the chairperson of Valuation Appeal Board

Date: _____

Commencement

6. These regulations take effect on 1 December 2005.

Short title

7. These regulations are called the Municipal Property Rates Act Regulations on Lodging an Appeal in a Prescribed Manner.

SCHEDULE 11

REGULATIONS ON TRANSITIONAL ARRANGEMENTS PERTAINING TO THE IMPLEMENTATION OF THE ACT

Definitions

1. In these regulations, unless the context indicate otherwise, a word or expression to which a meaning has been assigned in the Act, has the same meaning, and -

“**Act**” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

Application of regulations

2. (1) Subject to sections 88, 89, 90, 91, 92 and 93 of the Act, these regulations, to an extent that there is no inconsistency between its provisions and those of the repealed Provincial Ordinances, apply to all municipalities whose rating and valuation is in terms of the repealed Provincial Ordinances.
- (2) In a case of inconsistency between any provision of these regulations and those of the repealed Provincial Ordinances, the particular provisions of the repealed Provincial Ordinance take precedence.

3. Provisions of the Act that must be implemented immediately on the commencement date of the Act by municipalities, which are still rating, based on the repealed Provincial Ordinances are as follows:

- (a) **Section 3(3) and 90:** Any review of the existing rates policy following the commencement date of the Act must take into account the aims of section 3(3) of the Act.
- (b) **Section 4:** Community participation process to be followed before a municipality adopts its rates policy.
- (c) **Section 14:** Promulgation of resolutions for levying rates. A resolution on the levying of rates in a municipality must be promulgated by publishing the resolution in the Provincial Gazette.
- (d) **Section 15:** Granting of exemptions, reductions and rebates by a municipality and what the municipality has to take into account when giving such relief measures.
- (e) **Section 16:** Constitutionally impermissible rates. A municipality may not exercise its power to levy rates on property in a way that would materially and unreasonably prejudice national economic policies; economic activities across its boundaries; or the national mobility of goods, services, capital or labour.
- (f) **Section 17:** Other impermissible rates. Section 17 prohibits rating of certain kinds of properties.

- (i) **Sections 17(1)(a) and (h)** apply to those municipalities whose property valuation rolls are based on market value of land and buildings.

Section 17(1)(a) deals with the 30% exclusion from rating of public service infrastructure while section 17(1)(h) deals with the R15 000 residential property exclusion from rating.

- (ii) **Sections 17(1)(b) and (c)**

Section 17(1)(b) deals with exclusion from rating on any part of the seashore while section 17(1)(c) deals with exclusion from rating on any part of the territorial waters of the Republic of South Africa.

- (iii) **Sections 17(1)(d), (e), (f), (g) and (i)**

Section 17(1)(d) refers to non-rating of islands of which the state is the owner. Section 17(1)(e) refers to non-rating of protected areas. Section 17(1)(f) refers to non-rating of mineral rights. Section 17(1)(g) refers to the exclusion from rating of the land reform beneficiary or his/her heirs. Section 17(1)(i) refers to exclusion from rating of property used primarily for religious worshipping purposes, including an official residence of the officiating office bearer.

- (g) **Section 19:** Impermissible differentiation of rating of properties within the residential property category, and residential vis-à-vis non-residential properties as well as the ratio between non-residential property and residential property.

- (h) **Section 21 and 91:** Compulsory phasing-in of newly rateable property. Newly rateable property means those property categories in any area in which property rates were not levied by 30 June 2005.
- (i) **Section 22 and 93:** Special rating areas: municipalities which did not have special rating areas prior the commencement date of the Act, should fully comply with section 22 of the Act in establishing special rating areas. Special rating areas that were in existence prior the commencement date of the Act are catered for in section 93 of the Act.
- (j) **Section 26:** Method and time of payment of rates. This section specifies the time duration in which a municipality may recover a rate due by the owner of the property. Payment of rates may be deferred but only in special circumstances.
- (k) **Section 28:** Recovery of rates in arrears from tenants and occupiers. The municipality may recover the rates in arrears from the tenants and occupiers if the owner is not paying rates for his/her property.
- (l) **Section 29:** Recovery of rates from agents of property owners. The municipality may recover the rates in arrears from the agents if the owner is not paying rates for his or her property.
- (m) **Section 41 and 72:** Times and days for entering properties for valuation or appeal or review related inspections.
- (n) **Section 42 and 73:** Access to information from owners, tenants, occupiers and agents of property by valuers of municipalities and

members of valuation appeal board or any other person authorised by them.

- (o) **Section 55(2)(b):** Interest rate to be used to recover from, or repay to, the person liable for payments of rates.
- (p) **Section 81:** provincial monitoring of the provisions of the Act by MECs responsible for local government.
- (q) **Section 88:** Valuation and rating under the repealed Provincial Ordinances

A municipality may continue conducting municipal valuations and property rating in terms of a repealed law (provincial Ordinance), but only in respect of those areas of the municipal jurisdiction where it was previously done.

This section does not allow a municipality to use a repealed law in areas of the municipal jurisdiction where it did not conduct municipal valuations and rating before 2 July 2005. It cannot therefore use this section to bring new areas into the rates net in terms of a repealed law after 2 July 2005.

The only way properties in areas that were not rated before 2 July 2005 can be rated after 2 July 2005 is only through the development and compilation of a comprehensive general valuation roll covering the entire municipal jurisdiction in terms of the Act.

- (r) **Section 89:** Use of existing valuation rolls and supplementary valuation rolls

This section of the Act only allows a municipality to continue using a valuation roll and supplementary valuation roll that was actually in force in its area before 2 July 2005.

This section does not provide for the preparation of a new valuation roll or supplementary valuation roll in terms of a repealed law in areas of the municipality that were not covered by a valuation roll and a supplementary valuation roll before 2 July 2005.

Valuation boards and appeal boards established in terms of the repealed Provincial Ordinances remain active for a period of four years from 2 July 2005. After this four year period any outstanding matter with regard to appeals must be referred to the Valuation Appeal Boards established in terms of the Act.

Valuation Appeal Board established in terms of the Act will co-exist with the existing Valuation Boards and Appeal Boards established in terms of the repealed Provincial Ordinances for a four year period from 2 July 2005. .

(s) **Section 92: Liabilities of body corporates of sectional title schemes**

Body corporates of a sectional title scheme are liable for rates to a municipality until a municipality prepares a comprehensive general valuation roll in terms of the Act.

Commencement

4. These regulations take effect on 1 December 2005.

Short title

5. These regulations are called the Municipal Property Rates Act Regulations on Transitional Arrangements, 2005.

**UMNYANGO KANGQONQOSHE WOHULUMENI BEZIFUNDAZWE KANYE
NOHULUMENI BASEKHAYA**

**UMTHETHO WOHULUMENI BASEKHAYA: WOKUKHOKHWA KWENTELA
YENDAWO YABOMASIPALA, KA 2004
USHICILELO UKUZE UMPHAKATHI UBEKE IMIBONO**

1. Mina, Fholisani Sydney Mufamadi, uNgqonqoshe woHulumeni Wezifundazwe kanye noHulumeni basekhaya, ngigunyazwa isigaba 84(b) soMthetho woHulumeni Basekhaya: Wokukhokhwa kweNtela Yendawo Yabomasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004), ngishicilela lemithethomgomo ukuze umphakathi ubeke imibono ngokuqukethwe iMithethomgomo ebhaliwe kusheduli 1 kuya kusheduli 11 yalesishicilelo.
2. Imibono ebhaliwe ayithunyelwe ku-

Mqondisi-Jikelele

Ku: Mnumzana Mizilikazi Manyike

Department of Provincial and Local Government

Private Bag X804

PRETORIA

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3. Imibono ingathunyelwa ngesikhahramezi kule nombolo (012) 334 4878 ehambisana nale likheli elibhalwe ngenhla, noma ingathunyelwa kule i mayili engu mpira@dplg.gov.za.
4. Ayikho imibono eyothi ibhekwe eyotholakala sekudlule umhla ka 14 kuLwezi 2005.

ISHEDULI 1**UMTHETHOMGOMO OMAYELANA NENZALO OKUFANELE IFAKWE
NGAPHEZU KWENANINI LEMALI EYINTELA OKUFANELE IKHOKHELWE
UMASIPALA NGUMKHOKHINTELA NOMA OKUMELE IBUYISELWE
KUMKHOKHINTELA****Izincazelo**

1. Kule mithethomgomo, ngaphandle uma ingqikithi ichaza ngenye indlela, igama noma incazelo ebekwe ngayo eMthethweni, isanikeza incazelo efanayo, nanokuthi

Igama “uMthetho” lichaza uMthetho woHulumeni Basemakhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004)

Ukusetshenziswa kwemithethomgomo

2. Le mithethomgomo isebenza kubo bonke oMasipala akukhathalekile noma ngabe ukuhlelwa kwabo ngokwezentela kanye nokulinganiswa kwabo ngokwezilinganisomanani kuhambisana noMthethosifundazwe noma noMthetho jikelele.

Inzalo yentela ezosetshenziswa

3. (1) Inzalo yentela okubhekiswe kuyo esigabeni 55(2)(b) soMthetho inzalo yentela esebenza ngaleso sikhathi kuhlanganisa nephesenti elilodwa (1%). Kuyosetshenziswa inzalo yentela

yebhange esebenza ngaleso sikhathi lapho i-akhawunti kamasipala enkulu ikhona.

- (2) Umphathi kamasipala kumele athole inzalo yentela yanyanga zonke ngokuthi yehlukanise "inzalo yentela yebhange esebenza ngaleso sikhathi kuhlenganisa nephesenti elilodwa ngo 12 ukuze kutholakale inzalo yentela yanyanga okufanele ifakwe enanini lemali okufanele ikhokhelwe izintela ngumkhokhintela noma ibuyiselwe kumkhokhintela.

Ukuqala kokusebenza komthethomgomo

4. Le mithethomgomo iqala ukusebenza mhla ka 1 kuNtulikazi 2006.

Isihloko esifushane

5. Le mithethomgomo ibizwa NgoMthetho Wokukhokhwa kweNtela Yendawo yaboMasipala emayelana nenZalo okufanele iFakwe ngoMasipala..

ISHEDULI 2

UMTHETHOMGOMO OMayelana Nemibandela Yokuqokwa Kwamalungu Emikhandlu Yezokwedluliswa Kwezikhalo Zezilinganiso Zamanani Kanye Namalungu Ekomidi Lemikhandlu Yezokwedluliswa Kwezikhalo Zezilinganiso Zamanani

Izincazelo

1. Kule mithethomgomo, ngaphandle uma ingqikithi ichaza ngenye indlela, igama noma incazelo ebekwe ngayo eMthethweni, isanikeza incazelo efanayo, nanokuthi-

Igama “**uMthetho**” lichaza uMthetho woHulumeni Basemakhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004)

Ukusetshenziswa kwemithethomgomo

2. Le mithethomgomo isebenza kubo bonke oMasipala ukuhlelwa kwabo ngokwezentela kanye nokulinganiswa kwabo ngokwezilinganisomanani kuhambisana noMthetho.

Lena imibandela yokuqokwa kwamalungu omkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani kanye namalungu ekomidi lemikhandlu yezokwedluliswa kwezikhalo zezilinganisomanani:

3. (1) Izinga lemfundo kanye nolwazi lomsebenzi

- a) Usihlalo womkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani kumele kube umuntu onemfundo yezomthetho kanye nolwazi olwanele ekuphatheni kwezobulungiswa, okungenani iminyaka eyishumi esebenza umsebenzi ophathelene nezobulungiswa futhi abe nemfundo kwezomthetho evunywe yisiGungu esicubungula imikhakha yezifundo eyehlukene I-South African Qualifications Authority (SAQA).
- b) Okungenani ilungu elilodwa lomkhandlu wokwedluliswa kwezikhalo zezilinganisomanani kumele kube umlinganisimanani okufundele lokho futhi obhalise ngokusemthethweni ngokoMthetho waBalinganisimanani Bemihlaba abakuqeqeshelwe lokho, i-Property Valuers Profession Act, 2000 (uMthetho ongunombolo 47 we-2000), oneminyaka yokusebenza okungenani emihlanu enza umsebenzi wokulinganisa amanani ezindawo.
- c) Amanye amalungu kumele okungenani abe nolwazi noma ulwazi lomsebenzi lweminyaka emithathu enza umsebenzi wokulinganisa amanani ezindawo.
- (2) Umuntu ongesiyena owaseNingizimu Afrika akakulungele ukuqokwa njengelungu lomkhandlu wokwedluliswa kwezikhalo zezilinganisomanani.
- (3) Ukukhokhelwa kwamalungu aqokiwe omkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani kanye namalungu ekomidi lomkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani:

- a) Ukuklanywa kwenkokhelo akumele kweqe esikalweni esiphezulu 'sokukhokhelwa kukasihlalo kanye namalungu ekomidi lezokuphenya' njengalokhu kunqunywa nguNgqongqoshe weZezimali minyaka yonke ku "National Treasury Regulations: Commissions and Committees of Enquiry: Remuneration Tarrifs of Non-Official Members".
- b) Inkokhelo iyoba ngosuku kanti usihlalo kumele akhokhelwe ngaphezu kwamanye amalungu. Amanye amalungu kumele akhokhelwe ngokulinganayo. Ngosuku kusho amahora ayisishiyagalombili okusebenza. Ukuklanywa kwenkokhelo kumele kubuyekwezwe minyaka yonke.
- c) Izindleko zokuhamba kufanele ziklanywe ngokwenqubo yokuklanywa kwezimali zokuhamba kaZwelonke (yoMnyango wezokuThutha).
- d) Amalungu omkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani aqhuba imisebenzi kude namakhaya awo ngendlela yokuthi akuthola kulukhuni ukuya aphinde abuyele emakhaya uma umkhandlu ahlala izinsuku ezingaphezu kolulodwa zilandelana kumele ahlinzekwe ngendawo yokulala.
- e) Inkokhelo iyokwenziwa umasipala oqondene zingakapheli izinsuku ezingamashumi amathathu emva kokuba ilungu lomkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani lenze isicelo sokukhokhelwa.
- f) Isicelo sokukhokhelwa esiqondiswe kumasipala kumele sihambisane nekhophi yerejista enohlu lwamagama

amalungu olusayinwe yilungu ngalinye kwayethamele umhlangano kanye nefomu lesicelo sokukhokhelwa izindleko zokuhamba. Usihlalo womkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani kumele aqinisekise ukuthi irejista enohlu lwamagama amalungu ayethamele umhlangano kanye nefomu yesicelo sokukhokhelwa izindleko zokuhamba kugcwalisiwe kwaphinde kwasayinwa yiwo wonke amalungu ayethamele umhlangano ngamunye nanokuthi konke kugcinwe kahle ehhovisini likamasipala lapho kucutsungulwa khona uhlu lwezilinganisomanani ezindawo wumkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani. Irejista kumele ifake negama likamasipala okunguyena okubhekiswe kuye uhlu lwezikhalo zezilinganisomanani, kanye nobude besikhathi esidlekile kudingidwa lezo zikhalo.

Inqubo yezokuxoxisana mayelana nokuqokwa kwamalungu emikhandlu yezokwedluliswa kwezikhalo zezilinganisomanani kanye namakomidi ayo

4. (1) UNgqongqoshe oqondene noHulumeni baseKhaya esiFundazweni kumele axoxisane neziMeya eziqondene nalabo masipala ngaphambi kokuqokwa okophelele kwamalungu emikhandlu yezokwedluliswa kwezikhalo zezilinganisomanani.
- (2) Usihlalo womkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani emva kokugunyazwa nguNgqongqoshe oqondene nohulumeni basemakhaya esifundazweni ukubumba i(ama)komidi lomkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani kumele axhumane nalezo zimeya eziqondene nalabo masipala ngaphambi kokuqokwa okuphelele kwamalungu ekomidi.

5. Ngesikhathi kuqokwa amalungu omkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani noma amakomidi awo, kufanele kuqashelwe amabanga ayohanjwa amalungu esuka noma ebuyela emakhaya awo eyolalela amacala ezikhalo.

(1) Inqubo ejwayelekile kumele kube ukuthi amalungu omkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani kube asuka ngaphakathi endaweni engaphansi kumasipala lowo okungaba umasipala wedolobha noma umasipala wesifunda umkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani uzosebenzela khona.

(2) Ithuba lesibili kufanele linikwe abafake izicelo abakomasipala abangamadolobha noma bezifunda abangomakhelwane (imingcele yezifundazwe ayisetshenziswa njengomklamo).

(3) Uma kubonakala ukuthi "ngempela" kukhona ukwehluka kwisigaba somthethomgomo 5(1) no (2) ngenhla uNgqongqoshe wesifundazwe oqondene kufanele anikeze izimeya zalabo masipala abaqondene ngokumele kwenziwe ngendlela ebhalwe phansi ngokugcwele ngaphambi kokuthi kuqokwe. Lezo zimeya kufanele ziphendule emibonweni kaNgqongqoshe wesifundazwe) zingakapheli izinsuku ezingamashumi amathathu (30) kusukela ziwutholile lowo mbono kaNgqongqoshe wesiFundazwe, bese kuthi uNgqongqoshe acubungule yonke leyo mibono ekwenzeni isinqumo sokugcina.

(4) Izigatshana zomthethomgomo 5(1), (2) no (3) ngokufanayo isebenza ukuqoka amalungu e(ama)komidi lemikhandlu yezokwedluliswa kwezikhalo zezilinganisomanani eqokwa

yimikhandlu yezokwedluliswa kwezikhalo zezilinganisomanani. Kule ngqikithi igama "Ungqongqoshe wesiFundazwe" kumele esikhundleni salo kungene igama elithi 'usihlalo womkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani'.

Ukuqala kokusebenza komthetho

6. *Le mithethomgomo iqala ukusebenza mhla ka 1 kuZibandlela 2005.*

Isihloko esifushane

7. Le mithethomgomo ibizwa NgoMthetho Wokukhokhwa kweNtela Yendawo yaboMasipala emayelana neMithethomgomo ePhathelene nemiBandela yokuQoka amaLungu emiKhandlu yezoKwedluliswa Kwezikhalo Zezilinganisomanani kanye namaKomidi Ayo.

ISHEDULI 3**UMTHETHOMGOMO OMAYELANA NENQUBO YANGAPHAKATHI
YOMKHANDLU WEZOKWEDLULISWA KWEZIKHALO ZEZILINGANISO
ZAMANANI YOKUSHABALALISA KWEZIKHALO KANYE NEZIBUYEKEZO****Izincazelo**

1. Kule mithethomgomo, ngaphandle uma ingqikithi ichaza ngenye indlela, igama noma incazelo ebekwe ngayo eMthethweni, isanikeza incazelo efanayo, nanokuthi-

Igama "uMthetho" lichaza uMthetho woHulumeni Basemakhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004)

Ukusetshenziswa kwemithethomgomo

2. Le mithethomgomo isebenza kuyo yonke imikhandlu yezokwedluliswa kwezikhalo zezilinganisomanani ebunjwe ngokoMthetho.

Inqubo yangaphakathi kumkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani okumele uyilandele ukushabalalisa izikhalo kanye nezibuyekezo yilena elandelayo:

3. (1) Phakathi kwabasebenzi abalekelelayo umasipala ngamunye okumele abahlinzeke, ngokwesigaba 66 soMthetho, umkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani, omunye walabo basebenzi abalekelelayo onamakhono adingekayo kumele anikwe kwezokwedluliswa imisebenzi ehlobene neyokuba

- unobhala womkhandlu wezokwedluliswa kwezikhalo
ngezilinganisomanani
- (2) Usihlalo womkhandlu wezokwedluliswa kwezikhalo
ngezilinganisomanani uyokwazisa amalungu omkhandlu
kwezikhalo zezilinganisimanani nganoma yiluphi udaba
oluzodingidwa umkhandlu wezokwedluliswa kwezikhalo
zezilinganisimanani ngokunjalo nosuku oluyodingidwa ngalo.
- (3) Usihlalo womkhandlu wezokwedluliswa kwezikhalo
zezilinganisomanani kumele azise owedlulisa isikhalo ngosuku
lokulalelwa kodaba lwakhe ngumkhandlu wezokwedluliswa
kwezikhalo zezilinganisomanani, okungenani ezinsukwini ezingu-
21 ngaphambi kokuhlala komkhandlu.
- (4) Konke okuqhubeka emhlanganweni womkhandlu
wezokwedluliswa kwezikhalo zezilinganisomanani kumele
kuqoshwe futhi kugcinwe ngendlela ephephile ehhovisini
likamasipala lapho kudingidwa khona uhlu lwezilinganisomanani
zendawo womkhandlu wezokwedluliswa kwezikhalo
zezilinganisomanani.
- (5) Umphumela womkhandlu wozokwedluliswa kwezikhalo
zezilinganisimanani /wesibuyekezo obudingida
isikhalo/isibuyekezo kumele wedluliselwe kulowo obefake
isikhalo, esikhathini esiyizinsuku ezingu-30 kusukela kuqediwe
ukucutshungulwa kwesikhalo, ngusihlalo womkhandlu
wezokwedluliswa kwezikhalo zezilinganisomanani
ngokusebenzisa ihhovisi lomphathi kamasipala.

- (6) Uma lowo obefake isikhalo efuna izizathu ngesinqumo, izizathu kumele azinikezwe ngaphandle kokumkhokhisa.
- (7) Noma yimiphi imibhalo ephathelene nesikhalo esifakwe emkhandlwini wezokwedluliswa kwezikhalo zezilinganisimanani kuhlenganisa nesenqumo ingalondolozwa lapho kugcinwa khona imibhalo engamafa omlando noma ishatshalaliswe ngumasipala.
- (8) Esimeni lapho umasipala ekhetha ukuyishabalalisa imibhalo, lokhu kumele kwenzeke ngokwe-National Archivists' Standing Disposal Authority engunombolo C3-S1NA, nanokuthi lokho ukushatshalaliswa kuyokwenziwa kuphela emva kwesikhathi esiyiminyaka emine kusukela osukwini okwaphothulwa ngalo ukulalelwa kwesikhalo yilowo masipala oqondene.
- (9) Uma umasipala ehlongoza ukushabalalisa imibhalo ephathelene nokwedluliswa kwezikhalo, umasipala kumele agcwalise isitifiketi sokushabalalisa esibekwe ngokusemthethweni ngezansi. Inombolo esemthethweni yokushabalalisa engu: C3-S1NA kumele icashunwe encwadini ehambisana nesitifiketi uma sekuposwa isitifiketi sokushabalalisa ekhelini elibhalwe esitifiketini.

Isitifiketi Sokushabalalisa

4. Isitifiketi Sokushabalalisa okukhulunywe ngaso emthethweningomo 3(9) sale mithethomgomo sibekwe ngokusemthethweni ngale ndlela elandelayo:

Isitifiketi Sokushabalalisa

Lesi sitifiketi kumele sigcwaliswe umphathi kamasipala uma umasipala ehlongoza ukushabalalisa noma yini eyasetshenziswa ngumkhandlu wezokwedluliswa kwezikhalo zezilinganisimanani emva kweminyaka emini kusukela kwaphothulwa ukulalelwa kwaleso sikhalo ngumkhandlu wezokwedluliswa kwezikhalo zezilinganisimanani.

Isitifiketi esigcwalisiwe kumele siposelwe ku: National Archives' and Record Service of South Africa, Private Bag X236, Pretoria, 0001. Inombolo yocingo: (012) 323 5300, inombolo yefeksi: (012) 323 5287.

Ngiyaqinisekisa ukuthi imininingwane eqoshiwe esohlwini olungezansi ithathe indawo engamashalofu/yokulondoloza engamamitha ayizikwele ezi_____ ishatshalalisiwe namuhla ngokwegunya lokushabalalisa elingunombolo: C3-S1NA

Igama likamasipala: _____

Inombolo yocingo: _____

Inombolo yefeksi: _____

Ikheli le-imeyli: _____

IsiFundazwe: _____

Imininingwane mayelana neminingwane egciniwe:

INOMBOLO YECALA	INCAZELO	UBUDE BESIKHATHI
	Izikhalo ezedlulisiwe kanye nezibuyekezo zomkhandlu wezokwedluliswa kwezikhalo zezilinganisimanani: icala lika_____ ebhekene nomasipala_____	Usuku okwaphothulwa ngalo kuya osukwini okushatshalalisiwe ngalo imininingwane yecala egciniwei

Igama lomphathi kaMasipala: _____

Isiginesha yomphathi kaMasipala _____

Usuku _____

Isitembu sikaMasipala:

Ukuqala kokusebenza komthetho

5. Le mithethomgomo iqala ukusebenza ngosuku umkhandlu wezokwedluliswa kwezikhalo zezilinganisimanani osubunjiwe ngokwalo Mthetho uqala ukusebenza.

Isihloko esifushane

6. Le mithethomgomo ibizwa NgoMthetho Wokukhokhwa kweNtela Yendawo yaboMasipala mayelana neMithethomgomo ePhathelene neNqubo yaNgaphakathi yoMkhandlu weZokwedluliswa kwezikhalo zezilinganisimanani.

ISHEDULI 4**UMTHETHOMGOMO OMayelana Nokufunga Komlinganisimanani Kamasipala Noma Ilungu Lomkhandlu Wezokwedluliswa Kwezikhalo Zezilinganisomanani Noma Ikomidi Lawo Ngaphambi Komfungisi Ogunyaziwe Mayelana Nokusebenza Kwehhovisi****Izincazelo**

1. Kule mithethomgomo, ngaphandle uma ingqikithi ichaza ngenye indlela, igama noma incazelo ebekwe ngayo eMthethweni, isanikeza incazelo efanayo, nanokuthi-

Igama “uMthetho” lichaza uMthetho woHulumeni Basemakhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004)

“Umlinganisimanani Oyisipesheli” kubhekiswe kumuntu obizwa ngomlinganisimaani oyisipesheli ngokwesigaba 43(5) soMthetho.

Ukusetshenziswa komthethomgomo

2. Le mithethomgomo isebenza kubo bonke abalinganisimanani bakamasipala, abasizi babalinganisimanani bakamasipala, abalinganisimanani abayisipesheli kanye nakumalungu omkhandlu wezokwedluliswa kwezikhalo zezilinganisimanani noma amakomidi awo enza imisebenzi yawo ngokoMthetho.

Isikhathi esimisiwe sokuletha isifungo

3. (1) Isifungo esenziwa ngumlinganisimanani kamasipala noma umsizi kamlinganisimanani noma umlinganisimanani oyisipesheli kumele sethulwe kumphathi kamasipala esikhathini esiyizinsuku ezingu-30 eqokiwe, kodwa ngaphambi kokuba aqale umsebenzi.
- (2) Isifungo esenziwe yilungu lomkhandlu wezokwedluliswa kwezikhalo zezilinganisimanani noma ikomidi lawo kumele sethulwe esikhathini esiyizinsuku ezingu-30 eqokiwe, kodwa ngaphambi kokuqala umsebenzi.

Okungenani imininingwane okufanele ifakwe efomini lesifungo yilena elandelayo:

4. (1) Igama lomlinganisimanani kamasipala/lelungu lomkhandlu wezokwedluliswa kwezikhalo zezilinganisimanani noma ikomidi lawo;
- (2) Inombolo kamazisi yomlinganisimanani kamasipala/yelungu lomkhandlu wezokwedluliswa kwezikhalo zezilinganisimanani noma ikomidi lawo;
- (3) Isikhundla ngokomsebenzi;
- (4) Igama likamasipala/lomkhandlu wezokwedluliswa kwezikhalo zezilinganisimanani;
- (5) Ubude besikhathi esinikeza isiqinisekiso sokugunyazwa;
- (6) Isiginesha yomlinganisimanani kamasipala/yelungu lomkhandlu wezokwedluliswa kwezikhalo zezilinganisimanani noma ikomidi lawo kanye nosuku;
- (7) Umfungisi osemthethweni (amagama akhe aphelele);
- (8) Isiginesha Yomfungisi osemthethweni kanye nosuku.

Indlela yesifungo okufanele sigcwaliswe umlinganisimanani kamasipala noma umsimi womlinganisimanani kamasipala noma ilungu lomkhandlu wezokwedluliswa kwezikhalo zezilinganisimanani noma ikomidi lawo phambi komfungisi osemthethweni kumele ibe ngale ndlela elandelayo:

**5. (1) ISIFUNGO ESENZIWA NGUMLINGANISIMANANI KAMASIPALA
NOMA UMSIZI KAMLINGANISIMANANI KAMASIPALA NOMA
UMLINGANISIMANANI OYISIPESELI**

Mina, _____, Inombolo yami kaMazisi _____ ngiyavuma ukuthi, ngokwezinhlinzeko zoMthetho woHulumeni Basekhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004), obuye waziwa ngoMthetho, ngokwamakhono ami kanye nolwazi enginalo nangaphandle kokwesaba, ukwenzelela noma ukubandlulula ngiyokwenza izilinganisimanani zendawo ngeqiniso nangaphandle kokukhetha iphela emasini futhi ngenze yonke imisebenzi ehlobene nokulinganisa amanani ngendlela enenkuthalo, kuhlenganisa ukusetshenzwa kwezikhalo eziphikisayo kanye nokwedluliswa kwezikhalo ezimayelana nomhlaba konke engiyobe ngikunike izilinganiso zamanani endaweni engaphansi kukamasipala _____ ngokwezinhlinzeko zoMthetho. Ekwenzeni umsebenzi wami njengomlinganisimanani/umsimi kamlinganisimanani/umlinganisimanani oyisipesheli*, ngiyosebenza njengalokhu kulawula izigaba 43 kanye no 44 zoMthetho.

Sifungelwe e _____ zingu _____ enyangeni ka _____ 2 _____ (unyaka)

Inombolo Yokusebenza ebhaliswe ngokusemthethweni nabe-South
African Council for the Property Valuers
Profession _____

Uhlobo okubhaliswe ngalo olusemthethweni _____

Isikhundla ngokomsebenzi _____

Isiginesha yomlinganisimanani kamasipala/umsizi womlinganisimanani
kamasipala /umlinganisimanani oyisipesheli*

* Susa okungadingekile

Umfungisi (amagama aphelele)

Isiginesha

(2) ISIFUNGO SELUNGU LOMKHANDLU WEZOKWEDLULISWA
KWEZIKHALO ZEZILINGANISOMANANI NOMA IKOMIDI LAWU

Mina, _____, Inombolo
kaMazisi _____ ngiyavuma ukuthi,
ngokwezinhlinzeko zoMthetho woHulumeni Basekhaya: Wokukhokhwa
kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6
ka 2004), obuye waziwa ngoMthetho, ngokwamakhono ami kanye
nolwazi enginalo nangaphandle kokwesaba, ukwenzelela noma
ukubandlulula ngiyokwenza imisebenzi yomkhandlu wezokwedluliswa
kwezikhalo _____ zezilinganisomanani _____ obunjelwe
indawo _____ ngeqiniso nangaphandle
kokukhetha iphela emasini.

Sifungelwe e _____ zingu _____ enyangeni ka
_____ 2 _____ (unyaka)

Inombolo Yokusebenza ebhaliswe ngokusemthethweni nabe-South
African Council for the Property Valuers
Profession** _____

Uhlobo okubhaliswe ngalo olusemthethweni** _____

**Uma kungumlinganisimanani okufundele

Isikhundla ngokomsebenzi _____

Isiginesha yelungu lomkhandlu wezokwedluliswa kwezikhalo
zesilinganisomanani _____

Umfungisi (amagama aphelele)

Isiginesha

Ukuqala kokusebenza komthetho

6. Le mithethomgomo iqala ukusebenza ngomhla ka 1 kuZibandlela 2005.

Isihloko esifushane

7. Le mithethomgomo ibizwa NgoMthetho Wokukhokhwa kweNtela Yendawo yaboMasipala mayelana neMithethomgomo ePhathelene nokuFunga kwaBalinganisimanani bakaMasipala kanye namaLungu oMkhandlu weZokwedluliswa kweZikhalo kanye neKomidi Lawo.

ISHEDULI 5**UMTHETHOMGOMO OMAYELANA NOKUQUKETHWE KANYE NENDLELA
YESIGQEBHEZANA SOKUZAZISA UMA KUNGENWA EZAKHIWENI
KANYE NOKUHLOLWA OKUPHATHELENE NEZINDABA EZIHLOBENE
NEZILINGANISOMANANI****Izincazelo**

1. Kule mithethomgomo, ngaphandle uma ingqikithi ichaza ngenye indlela, igama noma incazelo ebekwe ngayo eMthethweni, isanikeza incazelo efanayo, nanokuthi-

Igama “uMthetho” lichaza uMthetho woHulumeni Basemakhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004)

Ukusebenza kwemithetho

2. Le mithethomgomo isebenza kubo bonke omasipala kanye nasemikhandlwini yezokwedluliswa kwezikhalo zezilinganisomanani kanye namakomidi ayo enza imisebenzi ephathelene nokulinganiswa kwamanani njengalokhu kulawula uMthetho. Isigqebhezana sokuzazisa
3. (1) Isigqebhezana sokuzazisa kumele sibe okungenani nale mininingwane equkethwe esigatshaneni somthethomgomo (2) futhi liphinde liboniswe uma indawo yomuntu ivakashelwa ngenhloso yezindaba ezihlobene nokulinganiswa kwamanani.
(2) Okungenani le mininingwane elandelayo kufanele ifakwe esigqebhezaneni sokuzazisa:

- a) Igama lomuntu ogunyaziwe;
- b) Inombolo kamazisi womuntu ogunyaziwe;
- c) Isikhundla ngokomsebenzi;
- d) Ubude besikhathi esinikeza isiqinisekiso sokugunyazwa;
- e) Isithombe somuntu ogunyaziwe
- f) Isiginesha yomuntu ogunyaziwe
- g) Isiginesha yomuntu ogunyazayo kumasipala/ uNgqongqoshe woHulumeni baseMakhaya esiFundazweni
- h) Imininingwane yokuxhumana kamasipala okhipha isigqebhezana/ /ihhovisi likaNgqongqoshe wezoHulumeni baseMakhaya.

Ikhadi lokuzazisa kumele libe ngale fomathi elandelayo:

- (3) a) ISIGQEBHEZANA SOKUZAZISA SOMLINGANISI MANANI
KAMASIPALA/LOMSIZI WOMLINGANISI MANANI/ LABAQOQI
MINININGWANE KANYE NABANYE ABANTU ABAGUNYAZWE
OMASIPALA (UKUGUNYAZWA UKUNGENA EMHLABENI
NGENHLOSO YOKUQHUBA UMSEBENZI OPHATHELENE
NOKULINGANISWA KWAMANANI ENDAWO)

Isiqubulo sika
masipala

Isithombe
somuntu

(Igama likamasipala ogunyazayo)

Igama lomuntu _____
Inombolo kamazisi _____
Isikhundla ngokomsebenzi _____
Inombolo yokusebenza _____
Ubude besikhathi esiqinisekisa ukugunyazwa _____
Isiginesha yomuntu ogunyaziwe _____
Isiginesha kamphathi kaMasipala _____
Usuku _____
Inombolo yocingo kamasipala _____

ISIGQEBHEZANA SOKUZAZISA SELUNGU LOMKHANDLU
WOKWEDLULISWA KWEZIKHALO ZEZILINGANISOMANANI/
IKOMIDI LAWO KANYE NABANYE ABAGUNYAZWE
UMKHANDLU WEZOKWEDLULISWA KWEZIKHALO
ZEZILINGANISOMANANI (UKUGUNYAZWA UKUNGENA
EMHLABENI/ENDAWENI NGENHLOSO YOKUQHUBA
UMSEBENZI OPHATHELENE NOKULINGANISWA
KWAMANANI ENDAWO)

Isiqubulo sehhovisi le-
MEC

Isithombe
somuntu

(Igama likamasipala ogunyazayo)

Igama lomuntu _____
Inombolo kamazisi _____
Isikhundla ngokomsebenzi _____
Inombolo Yokusebenza _____
Ubude besikhathi esiqinisekisa ukugunyazwa _____
Isiginesha yomuntu ogunyaziwe _____
Isiginesha Ka Ngqonqoshe wesifundazwe _____
Usuku _____

Inombolo yocingo lwehhovisi lika Ngqonqoshe wesifundazwe

Ukuqala kokusebenza komthetho

4. Le mithethomgomo iqala ukusebenza ngomhla ka 1 kuZibandlela 2005.

Isihloko esifushane

5. Le mithethomgomo ibizwa NgoMthetho Wokukhokhwa kweNtela Yendawo yaboMasipala omayelana neMithethomgomo ePhathelene neNdlela yesiGqebhezana sokuZazisa.

ISHEDULI 6**UMTHETHOMGOMO OMAYELANA NOBUDE BESIKHATHI OKUFANELE
UMLINGANISIMANANI KAMASIPALA ETHULE NGASO UHLU
LWEZILINGANISOMANANI KANYE NESICHIBIYELO SOHLU
LWESILINGANISOMANANI KUMPHATHI KAMASIPALA****Izincazelo**

1. Kule mithethomgomo, ngaphandle uma ingqikithi ichaza ngenye indlela, igama noma incazelo ebekwe ngayo eMthethweni, isanikeza incazelo efanayo, nanokuthi-

Igama "uMthetho" lichaza uMthetho woHulumeni Basemakhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004)

Ukusebenza kwemithetho

2. Le mithethomgomo isebenza kubo bonke omasipala ukulinganiswa kanye nokuhlelwa kwabo ngokwezilinganisomanani kuhambisana noMthetho.

Ubude besikhathi sokwethula uhlu lwezilinganisomanani/ isichibiyelo sohlulwezilinganisomanani

3. (1) Ubude besikhathi okukhulunywe ngaso esigabeni 34(d) soMthetho siyizinyanga okungenani ezinhlanu ngaphambi kosuku lokuqala kokusebenza kwalolo luhlu lwezilinganisomanani. Lokhu kusho ukuthi umlinganisimanani kamasipala kumele ethule uhlu lwezilinganisomanani oluqinisekisiwe kumphathi kamasipala

okungenani ezinyangeni ezinhlanu ngaphambi kokuqala konyaka wezimali kamasipala okuyoqaliswa ngawo uhlu lwezilinganisomanani.

- (2) Isichibiyelo sohlu lwezilinganisomanani kumele sethulwe okungenani esikhathini esiyizinyanga ezimbili ngaphambi kosuku lokuqala kohlu oluyisichibiyelo sezilinganisomanani. Lokhu kusho ukuthi umlinganisimanani kamasipala kumele ethule isichibiyelo sohlu lwezilinganisomanani esiqinisekisiwe kumphathi kamasipala okungenani esikhathini esiyizinyanga ezimbili ngaphambi kosuku okuyoqaliswa ngawo isichibiyelo sohlu lwezilinganisomanani.

Ukuqala kokusebenza komthetho

4. Le mithethomgomo iqala ukusebenza ngomhla ka 1 kuZibandlela 2005.

Isihloko esifushane

5. Le mithethomgomo ibizwa NgoMthetho Wokukhokhwa kweNtela Yendawo yaboMasipala omayelana neMithethomgomo ePhathelene noBude beSikhathi sokweThulwa koHlu lweZilinganisomanani kanye neSichibiyelo soHlu lweZilinganisomanani.

ISHEDULI 7

UMTHETHOMGOMO	OMAYELANA	NENDLELA	YOHLU
LWEZILINGANISOMANANI	KANYE	NESICHIBIYELO	SOHLU
LWEZILINGANISOMANANI			

Izincazelo

1. Kule mithethomgomo, ngaphandle uma ingqikithi ichaza ngenye indlela, igama noma incazelo ebekwe ngayo eMthethweni, isanikeza incazelo efanayo, nanokuthi-

Igama “uMthetho” lichaza uMthetho woHulumeni Basemakhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004)

Ukusebenza kwemithetho

2. Le mithethomgomo isebenza kubo bonke omasipala ukulinganiswa kanye nokuhlelwa kwabo ngokwezilinganisomanani kuhambisana noMthetho.

Okungenani imininingwane okufanele ifakwe ohlwini lwezilinganiso manani kanye nasesichibiyelweni sohlulwesiilinganiso manani yilena elandelayo:

3. (1) Indawo ebhaliswe ngokusemthethweni noma enye incazelo yomhlaba
(2) Uhlobo oluqagulwe ngokwesigaba 8 soMthetho lowo mhlaba owela ngaphansi kwalo
(3) Ikheli lendawo yomhlaba

(4) Ububanzi bendawo

(5) Inani lendawo ngokwezilinganiso zangaleso sikhathi uma kungukuthi indawo bese yenziwe isilinganisonani sawo

(6) Igama lomnikazi

Indlela yohlu lwezilinganiso manani kanye nesichibiyelo sohlu lwezilinganiso manani

4. (1) Indlela echazwe emtheshwaneni (2) no (3) kumele isetshenziswe ngumlinganisi manani kamasipala ngesikhathi ehlanganisa uhlu lwezilinganiso manani/nesichibiyelo sohlu lwezilinganiso manani.

(2) IGAMA LIKAMASIPALA

Inombolo yekhasi Uhlu lwezilinganisomanani/ lwesichibiyelo sohlu lwezilinganisomanani* lobude besikhathi kusukela _____ kuya _____ lukamasipala _____

*Susa okungadingekile
Igama lendawo

Ininingwane mayelana nendawo yinye kumele ihleleke ngale ndlela elandelayo						
Ukubhaliswa ngokusemthethweni noma enye indlela yokuchaza umhlaba	Uhlobo oluqagulwe ngokwesigaba 8 soMthetho	Ikheli lendawo yomhlaba	Ububanzi bendawo	Intengo yangaleso sikhathi yendawo uma indawo ilinganisiwe ngokwamanani	Igama lomnikazi	Noma yimiphi eminye imininingwane enikeziwe

Okungenani imininingwane elandelayo kumele ibe sekhasini lokugcina ohlwini lwezilinganiso manani kanye nasesichibiyelweni sohlu lwesilinganiso manani:

ISIQINISEKISO SOMLINGANISIMANANI KAMASIPALA NJENGALOKHU SIHLELWE KAHLE ESIGABENI 34(C) SOMTHETHO

Mina, _____, Inombolo kaMazisi _____ ngiyaqinisekisa ukuthi, ngokwezinhlinzeko zoMthetho woHulumeni Basekhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004), owaziwa njengoMthetho, ngokusemandleni amakhono kanye nolwazi enginalo kanye nangaphandle kokwesaba, ukwenzelela noma ukubandlulula ngenze uhlu lwezilinganisomanani/lwesichibiyelo sohlu lwezilinganisomanani* lukamasipala _____ ngokwezinhlinzeko zoMthetho. Ekwenzeni imisebenzi yami njengomlinganisimanani kamasipala ngihambisene nezigaba 43 no 44 zoMthetho.

* Susa okungadingekile.

Siqinisekiswa e _____ zingu _____ enyangeni ka _____ 2 _____ (unyaka)

Inombolo Yokusebenza ebhaliswe ngokusemthethweni nabe-South African Council for the Property Valuers Profession _____

Uhlobo okubhaliswe ngalo olusemthethweni _____

Isiginesha yomlinganisimanani kamasipala _____

Usuku _____

Ukuqala kokusebenza komthetho

5. Le mithethomgomo iqala ukusebenza ngomhla ka 1 kuZibandlela 2005.

Isihloko esifushane

6. Le mithethomgomo ibizwa NgoMthetho Wokukhokhwa kweNtela Yendawo yaboMasipala omayelana Nemithethomgomo ePhathelene neNdlela yohlu lweZilinganisomanani kanye neSichibiyelo soHlu lweZilinganisomanani.

ISHEDULI 8**UMTHETHOMGOMO OMAYELANA NOKUQUKETHWE KANYE NDLELA
YESAZISO ESIMEMA UMPHAKATHI UKUBA UZOHLOLA UHLU
LWEZILINGANISOMANANI KANYE NESICHIBIYELO SOHLU
LWEZILINGANISOMANANI****Izincazelo**

1. Kule mithethomgomo, ngaphandle uma ingqikithi ichaza ngenye indlela, igama noma incazelo ebekwe ngayo eMthethweni, isanikeza incazelo efanayo, nanokuthi-

Igama “uMthetho” lichaza uMthetho woHulumeni Basemakhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004)

Ukusebenza kwemithetho

2. Le mithethomgomo isebenza kubo bonke omasipala ukulinganiswa kanye nokuhlelwa kwabo ngokwezilinganisomanani kuhambisana noMthetho.

Okungenani imininingwane okufanele ifakwe esazisweni esimema umphakathi ukuba uzohlola uhlu lwezilinganisomanani kanye nesichibiyelo sohlu lwezilinganisomanani kumele imbandakanye lokhu okulandelayo:

3. (1) Igama likamasipala
(2) Indawo lapho uhlu lwezilinganisomanani/ isichibiyelo sohlu lwezilinganisomanani lungahlolwa khona;

- (3) Ubude besikhathi esibekiwe sokuhlola uhlu lwezilinganisomanani/isichibiyelo sohlu lwezilinganisomanani kanye nokuphikisa uma kudingekile;
- (4) Indawo lapho amafomu okufaka isiphikiso engatholakala khona kanye nalapho engahanjiswa khona uma esegcwalisiwe;
- (5) Igama lomphathi kaMasipala;
- (6) Imininingwane yokuxhumana uma kunemibuzo.

Indlela yesaziso esimema umphakathi ukuba uzohlola uhlu lwezilinganisomanani noma isichibiyelo sohlu lwezilinganisomanani kumele lume ngale ndlela elandelayo:

4. Igama likamasipala

ISAZISO ESIMEMA UMPHAKATHI UKUBA UZOHLOLA UHLU LWEZILINGANISOMANANI/NOMA ISICHIBIYELO SOHLU LWEZILINGANISOMANANI*

Kwaziswa umphakathi, ngokwesigaba 49 (1) (a) (i)/78(2)* soMthetho woHulumeni Basekhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004) , obuye ubizwe ngokuthi uMthetho, ukuthi uhlu lwezilinganisomanani/isichibiyelo sohlu lwezilinganisomanani lweminyaka/lonyaka wezimali* ye- _____ seluvulelekile ukuthi umphakathi uluhlale emahhovisi kamasipala _____ noma ekhelini lesizindalwazi

www _____ kusukela _____ kuya _____

Kumenywa, ngokwesigaba 49(1)(a)(ii)/78(2)* soMthetho, noma ngubani ongumnikazi wendawo noma omunye nje-ke umuntu onesifiso sokuba afake isicelo sokuphikisa kumphathi kamasipala nganoma yikuphi

okusohlwini lwezilinganisomanani noma okusalile ohlwini lwezilinganisomanani* phakathi kwesikhathi esibekwe ngenhla.

Uyaxwayiswa ukuthi ukuphikisa kumele kuqondane ngqo naleyo ndawo ofisa ukuphikisa ngawo kodwa kungabi uluhlu lwezilinganisomanani lonke/lwesichibiyelo sohlu lwezilinganisomanani sonke*

Ifomu lokufaka ukuphikisa kwakho litholakala kuleli kheli elilandelayo_____ noma ekhelini lesizindalwazi

www_____

Amafomu asegcwalisiwe kumele abuyiselwe kuleli kheli elilandelayo_____

Uma ufuna ukubuza sicela ushayele kulolu cingo_____ noma usebenzise le-imeyli_____

Umphathi kaMasipala

Isiginesha

Usuku

*Susa okungadingekile

Ukuqala kokusebenza komthetho

5. Le mithethomgomo iqala ukusebenza mhla ka 1 kuZibandlela 2005.

Isihloko esifushane

6. Le mithethomgomo ibizwa NgoMthetho Wokukhokhwa kweNtela Yendawo yaboMasipala omayelana nemithethomgomo ephathelene nesaziso somphakathi sokuhlola uhlu lwezilinganisomanani kanye nesichibiyelo sohlu lwezilinganisomanani.

ISHEDULI 9**UMTHETHOMGOMO OMAYELANA NOKUQUKETHWE KANYE NENDLELA
YEFOMU LOKUFAKA ISI(ZI)PHIKISO MAYELANA NEZINTO EZIQONDENE
NGQO NOMHLABA OHLWINI LWEZILINGANISOMANANI NOMA
ESICHIBIYELWENI SOHLU LWEZILINGANISOMANANI****Izincazelo**

1. Kule mithethomgomo, ngaphandle uma ingqikithi ichaza ngenye indlela, igama noma incazelo ebekwe ngayo eMthethweni, isanikeza incazelo efanayo, nanokuthi-

Igama "uMthetho" lichaza uMthetho woHulumeni Basemakhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004)

Ukusebenza kwemithetho

2. Le mithethomgomo isebenza kubo bonke omasipala ukulinganiswa kanye nokuhlelwa kwabo ngokwezilinganisomanani kuhambisana noMthetho.

Okungenani imininingwane okufanele ifakwe efomini eyosetshenziswa ukufaka isi(zi)phikiso ezindabeni ezithinta ngqo nendawo ethile ohlwini lwezilinganisomanani noma esichibiyelweni sohlu lwezilinganisomanani yilena elandelayo:

3. (1) (a) Igama likamasipala
(b) Igama lomuntu ophikisayo
(c) Inombolo kamazisi yomuntu ophikisayo

- (d) Ikheli lasekhaya, ikheli lokuposa kanye nekheli le-imeyili lomuntu ophikisayo
 - (e) Imininingwane yokuxhumana yomuntu ophikisayo (inombolo yocingo kanye neyefeksi)
 - (f) Isimo somuntu ophikisayo
 - i Umnikazi
 - ii Umuntu ogunyaziwe omele umnikazi (isiqinisekiso sokugunyazwa kumele sinanyathiselwe)
 - iii Ongeyena umnikazi kanti futhi ongagunyaziwe ngumnikazi
 - iv IMeya egameni lomkhandlu kamasipala
 - (g) Imininingwane yalowo muntu ophikisayo njengalokhu ifakwe noma ingafakangwa ohlwini lwezilinganisomanani/ esichibiyelweni sohlu lwezilinganisomanani ngokunjalo neminingwane eqondile okumele ifakwe esikhundleni saleyo mininingwane engalungile noma eshiwe ngaphandle.
 - (h) Izizathu zokuphikisa
 - (i) Isiginesha yophikisayo kanye nosuku
- (2) Lokhu kuqondene nehhovisi kuphela
- (a) Inombolo eyinkomba yokuphikisa okumele inikezwe ngumasipala
 - (b) Isinqumo somlinganisimanani kamasipala
 - (c) Igama lomlinganisimanani kamasipala
 - (d) Isiginesha yomlinganisimanani kamasipala kanye nosuku

Isaziso kumninimhlaba mayelana neziphikiso ezifakwe mayelana nezinto ezithinta umhlaba

4. Umphathi kamasipala kumele azise ngokubhalwe phansi umninindawo lapho noma yimuphi omunye umuntu ofake iziphikiso mayelana nanoma yiluphi udaba oluthinta indawo yalowo mnikazi.

Lendlela elandelayo kumele isetshenziswe uma umuntu, ngaphandle komkhandlu wamakhansela, efaka isi(zi)phikiso mayelana nezindaba ezithinta ngqo umhlaba ohlwini lwezilinganisomanani noma esichibiyelweni sohlu lwezilinganisomanani lukamasipala

5. (1) Igama likamasipala

Umphathi kaMasipala

UKUFAKWA KWESI(ZI)PHIKISO MAYELANA NE(ZI)NDABA E(ZI)VELA, NOMA E(ZI)SHIYEKE NGAPHANDLE KOHLU LWEZILINGANISOMANANI/ LWESICHIBIYELO SOHLU LWEZILINGANISOMANANI NGUMASIPALA* ESIMAYELANA NENDAWO ETHILE

*Susa okungadingekile

Igama lophikisayo: _____

Inombolo kamazisi yophikisayo: _____

Ikheli lalapho ehlala khona: _____

Ikheli lokuposa: _____

Inombolo yocingo: _____ (yomsebenzi) _____

(yasekhaya) _____ (iselula) _____

i-meyili _____ (inombolo yesikhahramezi) _____

Isimo sophikisayo:

Umnikazi

☐

Ongeyena umnikazi kanti futhi ongagunyaziwe

☐

ngumnikazi

Ogunyazwe ukumela umnikazi**

☐

**Isiqinisekiso sokugunyazwa kumele sinanyathiselwe

Ngiyaphikisana noshicilelo njengalokhu luvela noma lusale ngephutha ohlwini lwezilinganisomanani/ esichibiyelweni sohlu lwezilinganisomanani* ngokwesigaba 50(1)(c)/78(2)*soMthetho:

- a) Indawo ebhaliswe ngokusemthethweni noma enye incazelo yendawo (isibonelo, isiza noma inombolo yesitende) _____
- b) Uhlobo lwendawo (isibonelo, indawo yokuhlala) _____
- c) Ikheli lasekhaya lendawo _____
- d) Ububanzi bendawo (ubukhulu ngokwamamitha ezikwele) _____
- e) Inani lendawo ngokwezilinganiso zangaleso sikhathi (isibonelo, R50 000) _____
- f) Igama lomnikazi wendawo _____

Ngicela ukuthi imininingwane mayelana nalolu shicilelo oseluchazwe ngenhla noma engangenanga ohlwini lwezilinganisomanani /esichibiyelweni sohlu lwezilinganisomanani* ifakwe esikhundleni sokuvelayo noma okungangenanga noma kuvele ngale ndlela elandelayo:

- a) Indawo ebhaliswe ngokusemthethweni noma enye incazelo yendawo (isibonelo, isiza noma inombolo yesitende) _____
- b) Uhlobo lwendawo (isibonelo, indawo yokuhlala) _____
- c) Ikheli lasekhaya lendawo _____
- d) Ububanzi bendawo (ubukhulu ngokwamamitha ezikwele) _____
- e) Inani lendawo ngokwezilinganiso zangaleso sikhathi (isibonelo, R50 000) _____
- f) Igama lomnikazi wendawo _____

Ukuphikisa kwami kweyeme kule mibandela elandelayo (kumele kunikezwe imininingwane egcwele ukwesekela i(zi)mpikiso kanti nesi(zi)thasiselo singasetshenziswa): _____

Isiginesha yophikisayo _____

Usuku _____

(Kufanele kugcwaliswe umlinganisimanani kaMasipala)

Inombolo eyinkomba yokuphikisa: _____

Isinqumo somlinganisimanani kaMasipala: _____

Igama loMlinganisimanani kaMasipala _____

Isiginesha _____

Usuku _____

Le ndlela elandelayo kumele isetshenziswe yilowo mkhandlu kamasipala uma ufaka isi(zi)phikiso mayelana nezindaba eziphathelene nendawo ethile ohlwini lwezilinganisomanani noma esichibiyelweni sohlu lwezilinganisomanani lukamasipala:

(2) Igama likamasipala _____

Umpathi kaMasipala

**UKUFAKWA KWESI(ZI)PHIKISO NGUMASIPALA MAYELANA
NODABA(ZINDABA) OLUVELA, NOMA OLUSHIYEKE
NGEPHUTHA OHLWINI LWEZILINGANISOMANANI/
ESICHIBIYELWENI SOHLU LWEZILINGANISOMANANI*
MAYELANA NENDAWO ETHILE**

*Susa okungadingekile

Mina _____ ngokwesikhundla sami esisemthethweni sokuba yimeya kamasipala _____ ngiyaphkisana noshicilelo oluvela noma olungangenanga ohlwini lwezilinganisomanani/ esichibiyelweni sohlu lwezilinganisomanani ngokwesigaba 50(4)/78(2)* soMthetho woHulumeni Basekhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004)

- a) Indawo ebhaliswe ngokusemthethweni noma enye incazelo yendawo (isibonelo, isiza noma inombolo yesitende) _____
 - b) Uhlobo lwendawo (isibonelo, indawo yokuhlala) _____
-

- c) Ikheli lasekhaya lendawo _____
- d) Ububanzi bendawo (ubukhulu ngokwamamitha ezikwele)
- e) Inani lendawo ngokwezilinganiso zangaleso sikhathi (isibonelo, R50 000) _____
- f) Igama lomnikazi wendawo _____

Ngicela ukuthi imininingwane mayelana nalolu shicilelo oseluchazwe ngenhla noma engangenanga ohlwini lwezilinganisomanani/ esichibiyelweni sohlulwe lwezilinganisomanani* ifakwe esikhundleni sokuvelayo noma okungangenanga noma kuvele ngale ndlela elandelayo:

- a) Indawo ebhaliswe ngokusemthethweni noma enye incazelo yendawo (isibonelo, isiza noma inombolo yesitende) _____
- b) Uhlobo lwendawo (isibonelo, indawo yokuhlala) _____
- c) Ikheli lasekhaya lendawo _____
- d) Ububanzi bendawo (ubukhulu ngokwamamitha ezikwele) _____
- e) Inani lendawo ngokwezilinganiso zangaleso sikhathi (isibonelo, R50 000) _____
- f) Igama lomnikazi wendawo _____

Ukuphikisa kwami kweyeme kule mibandela elandelayo (kumele kunikezwe imininingwane egcwele ukwesekele i(zi)mpikiso kanti nesi(zi)thasiselo singasetshenziswa):

Isiginesha yophikisayo

Usuku

(Kufanele kugcwaliswe umlinganisimanani kaMasipala)

Inombolo eyinkomba yokuphikisa: _____

Isinqumo somlinganisimanani kaMasipala: _____

Igama loMlinganisimanani kaMasipala

Isiginesha

Usuku

Ukuqala kokusebenza komthetho

6. Le Mithethomgomo iqala ukusebenza mhla ka 1 kuZibandlela 2005.

Isihloko esifushane

7. Le Mithethomgomo ibizwa NgoMthetho Wokukhokhwa kweNtela Yendawo yaboMasipala emayelana neMithethomgomo yokuFakwa Kwesi(zi)phikiso ngeNdlela eseMthethweni.

ISHEDULI 10

**UMTHETHOMGOMO OMAYELANA NOKUQUKETHWE KANYE NENDLELA
YEFOMU LOKUFAKA ISIKHALO EMKHANDLWINI WOZOKULINGANISWA
KWAMANANI ENDAWO MAYELANA NESINQUMO
SIKAMLINGANISIMANANI KAMASIPALA ESIPHATHELENE NEZINDABA
EZIQONDENE NGQO NENDAWO ESOHLWINI LWEZILINGANISOMANANI
NOMA ESICHIBIYELWENI SOHLU LWEZILINGANISOMANANI**

Izincazelo

1. Kule mithethomgomo, ngaphandle uma ingqikithi ichaza nganye indlela, igama noma incazelo ebekwe ngayo eMthethweni, isanikeza incazelo efanayo, nanokuthi-

Igama “uMthetho” lichaza uMthetho woHulumeni Basemakhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004)

Ukusebenza kwemithethomgomo

2. Le mithethomgomo isebenza kubo bonke omasipala ukulinganiswa kanye nokuhlelwa kwabo kuhambisana noMthetho.

Okungenani imininingwane okufanele ifakwe efomini eliyosetshenziswa ukufaka isikhalo emkhandlwini wezokwedluliswa kwezikhalo zezilinganisomanani ezimayelana nesinqumo somlinganisimanani kamasipala esiphathelene nendawo ethile osohlwini lwezilinganisomanani noma esichibiyelweni sohlu lwezilinganisomanani yilena elandelayo:

3. (1) (a) Igama likamasipala

- (b) Igama lomuntu ofaka isikhalo (lapho kungumkhandlu kamasipala, isikhundla salowo muntu okhethiwe kufanele sinikezwe)
- (c) Inombolo kamazisi yomuntu ofaka isikhalo
- (d) Ikheli lasekhaya, ikheli lokuposa lomuntu ofaka isikhalo (inombolo yocingo, inombolo yefeksi kanye nekheli le-imeyili lomuntu ofaka isikhalo)
- (e) Imininingwane yokuxhumana yomuntu ofaka isikhalo (inombolo yocingo kanye nenombolo yefeksi)
- (f) Isimo somuntu ofaka isikhalo:
 - i. Umnikazi
 - ii. Umuntu ogunyaziwe omele umnikazi (isiqinisekiso sokugunyazwa kumele sinanyathiselwe)
 - iii. Okungesiyena umnikazi kanti futhi okungesiyena umuntu ogunyazwe ngumnikazi
 - iv. Imeya egameni lomkhandlu kamasipala
- (g) Imininingwane yento lowo muntu afaka isikhalo ngayo ephathelene nokufakwa noma engafakangwa ohlwini lwezilinganisomanani/ esichibiyelweni sohlu lwezilinganisomanani ngokunjalo nemininingwane eqondile okumele ifakwe esikhundleni saleyo mininingwane engalungile noma engafakwanga.

(h) Izizathu zokufaka isikhalo mayelana nesinqumo somlinganisimanani kamasipala.

(i) Isiginesha yofaka isikhalo kanye nosuku

(2) Lokhu kuqondene nehhovisi kuphela

(a) Inombolo eyinkomba yokuphikisa okumeleinikezwe ngumkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani.

(b) Isinqumo somkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani

(c) Igama likasihlalo womkhandu wezokwedluliswa kwezikhalo zezilinganisomanani

(d) Isiginesha kasihlalo wezokwedluliswa kwezikhalo zezilinganisomanani kanye nosuku.

Isaziso kumninindawo mayelana nezikhalo ezifakwe maqondana nezindaba ezithinta izindawo

4. Usihlalo womkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani kumele asize ngencwadi ebhalwe phansi umninindawo esimeni lapho noma yimuphi omunye umuntu efake isikhalo mayelana nodaba lwaleyo ndawo womnikazi.

Le ndlela elandelayo kumele isetshenziswe uma umuntu, ngaphandle komkhandlu kamasipala lowo, efaka isikhalo emkhandlwini wezokwedluliswa kwezikhalo zezilinganisomanani mayelana nesinqumo somlinganisimanani kamasipala esithinta izindawo ezithile ohlwini lwezilinganisomanani noma esichibiyelweni sohlu lwezilinganisomanani:

5. (1) Igama likaSihlalo

Umkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani

Igama likamasipala _____

**UKUFAKWA KWESIKHALO MAYELANA NESINQUMO
SOMLINGANISIMANANI KAMASIPALA ESIMAYELANA
NEZINDABA EZITHINTA IZINDAWO EZITHILE OSOHLWINI
LWEZILINGANISOMANANI/ LWESICHIBIYELO SOHLU
LWEZILINGANISOMANANI***

*Susa okungadingekile

Igama lofaka isikhalo: _____
Inombolo kamazisi yofaka isikhalo: _____
Ikheli lasekhaya: _____
Ikheli lokuposa: _____
Inombolo yocingo: _____ (yomsebenzi) _____
(yasekhaya) _____ (iselula) _____
I-imeyili _____ Inombolo yefeksi _____

Isimo sophikisayo:

Umnikazi

☐

Ongeyena umnikazi kanti futhi ongagunyaziwe

☐

ngumnikazi

☐

Ogunyazwe ukumela umnikazi**

**Isiqinisekiso sokugunyazwa kumele sinanyathiselwe

Mina, njengomuntu ophikisayo onganelisekile
ngesinqumo somlinganisimanani kamasipala/umnikazi womhlaba
othintekayo ngaleso sinqumo*, ngifaka isikhalo emkhandlwini
wezokwedluliswa kwezikhalo zezilinganisomanani ngokwesigaba
54(1)(a) noma (b) soMthetho woHulumeni Basekhaya:
Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004

(uMthetho ongunombolo 6 ka 2004) omayelana nokuphikisa isinqumo somlinganisimanani kamasipala esimayelana nodaba olufakwe noma elungafakiwe ohlwini lwezilinganisomanani /esichibiyelweni sohlu lwezilinganisomanani*:

- a) Indawo ebhaliswe ngokusemthethweni noma enye incazelo yendawo (isibonelo, isiza noma inombolo yesitende) _____
- b) Uhlobo lwendawo (isibonelo, indawo yokuhlala) _____
- c) Ikheli lasekhaya lendawo _____
- d) Ububanzi bendawo (ubukhulu ngokwamamitha ezikwele) _____
- e) Inani lendawo ngokwezilinganiso zangaleso sikhathi (isibonelo, R50 000) _____
- f) Igama lomnikazi wendawo _____

Ngicela ukuthi imininingwane mayelana nalolu shicilelo oseluchazwe ngenhla ichitshiyelwe ngalokhu okulandelayo:

- a) Indawo ebhaliswe ngokusemthethweni noma enye incazelo yendawo (isibonelo, isiza noma inombolo yesitende) _____
- b) Uhlobo lwendawo (isibonelo, indawo yokuhlala) _____
- c) Ikheli lasekhaya lendawo _____
- d) Ububanzi bendawo (ubukhulu ngokwamamitha ezikwele) _____
- e) Inani lendawo ngokwezilinganiso zangaleso sikhathi (isibonelo, R50 000) _____
- f) Igama lomnikazi wendawo _____

Isikhalo sami sincike kule mibandela elandelayo (kumele kunikezwe imininingwane egcwele ukwesekela isi(zi)khalo kanti nesi(zi)thasiselo singasetshenziswa uma kudingekile

Isiginesha yophikisayo

Usuku

(Kufanele kugcwaliswe umkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani)

Inombolo eyinkomba yokwedlulisa isikhalo:

Isinqumo somkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani: _____

Igama likasihlalo womkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani

Isiginesha kasihlalo womkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani

Usuku: _____

Lendlela elandelayo kumele isetshenziswe uma umkhandlu walowo masipala uma ufaka isikhalo emkhandlwini wezokwedluliswa kwezikhalo zezilinganisomanani mayelana nesinqumo somlinganisimanani kamasipala esiphathelene nozindawo ezithile ezisohlwini lwezilinganisomanani noma osesichibiyelweni sohlu lwezilinganisomanani:

(2) USihlalo

Umkhandlu wezokwedluliselwa kwezikhalo zezilinganisomanani

Igama likamasipala _____

**UKUFAKWA KWESIKHALO MAYELANA NESINQUMO
SOMLINGANISIMANANI KAMASIPALA ESIMAYELANA NENDAWO
ETHILE ESISOHLWINI LWEZILINGANISOMANANI/
SESICHIBIYELWENI SEZILINGANISOMANANI***

*Susa okungadingekile

Mina _____ ngokwesikhundla sami esisemthethweni njengemeya kamasipala _____, ofake isiphikiso kumphathi kamasipala futhi ongenelisekile ngesi(zi)nqumo somlinganisimanani kamasipala/salowo othintekayo yisinqumo somlinganisimanani kamasipala mayelana nokuphikisa okufakwe abanye*, ngifaka isikhalo emkhandlwini wezokwedluliswa kwezikhalo ngezilinganisomanani ngokwesigaba 54(1) so uMthetho woHulumeni Basekhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004) omayelana nokuphikisa isinqumo somlinganisimanani kamasipala esithinta lolu daba olulandelayo oluvele noma olungangenanga ohlwini lwezilinganisomanani/ esichibiyelweni sohlu lwezilinganisomanani*:

- a) Indawo ebhaliswe ngokusemthethweni noma enyeincazelo yendawo (isibonelo, isiza noma inombolo yesitende) _____
- b) Uhlobo lwendawo (isibonelo, indawo yokuhlala) _____
- c) Ikheli lasekhaya lendawo _____
- d) Ububanzi bendawo (ubukhulu ngokwamamitha ezikwele) _____
- e) Inani lendawo ngokwezilinganiso zangaleso sikhathi (isibonelo, R50 000) _____
- f) Igama lomnikazi wendawo _____

Ngicela ukuthi imininingwane mayelana nalolu shicilelo oseluchazwe ngenhla ichitshiyelwe ngalokhu okulandelayo:

- a) Indawo ebhaliswe ngokusemthethweni noma enye incazelo yendawo (isibonelo, isiza noma inombolo yesitende) _____
- b) Uhlobo lwendawo (isibonelo, indawo yokuhlala) _____
- c) Ikheli lasekhaya lendawo _____
- d) Ububanzi bendawo (ubukhulu ngokwamamitha ezikwele) _____
- e) Inani lendawo ngokwezilinganiso zangaleso sikhathi (isibonelo, R50 000) _____
- f) Igama lomnikazi wendawo _____

Ukuphikisa kwami kugxile kule mibandela elandelayo (kumele kunikezwe imininingwane egcwele ukwesekela isi(zi)khalo kanti nesi(zi)thasiselo singasetshenziswa uma kudingekile

Isiginesha yokhalazayo

Usuku

(Kufanele kugcwaliswe umkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani)

Inombolo eyinkomba yokwedlulisa isikhalo: _____

Isinqumo somkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani: _____

Igama likasihlalo womkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani

Isiginesha kasihlalo womkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani

Usuku: _____

Ukuqala kokusebenza komthetho

6. Le mithethomgomo iqala ukusebenza mhla ka 1 kuZibandlela 2005.

Isihloko esifushane

7. Le mithethomgomo ibizwa NgoMthetho Wokukhokhwa kweNtela Yendawo yaboMasipala okuyiMithethomgomo emayelana nokufakwa kweZikhalo ngeNdlela eseMthethweni.

ISHEDULI 11**UMTHETHOMGOMO OMAYELANA NEZINHLELO ZOGUQUKO MAYELANA
NOKUSETSHENZISWA KOMTHETHO WENTELA YENDAWO KUSUKELA
EMITHETHWENI WEZIFUNDAZWE KUYA EMTHETHWENI OMUSHA
WOKUKHOKHWA KWENTELA YENDAWO****Izincazelo**

1. Kule mithethomgomo, ngaphandle uma ingqikithi ichaza nganye indlela, igama noma incazelo ebekwe ngayo eMthethweni, isanikeza incazelo efanayo, nanokuthi-

Igama “uMthetho” lichaza uMthetho woHulumeni Basemakhaya: Wokukhokhwa kweNtela Yendawo yaboMasipala, ka 2004 (uMthetho ongunombolo 6 ka 2004)

Ukusebenza kwemithethomgomo

2. (1) Ngokwalezi zigaba 88, 89, 90, 91, 92, no 93 zoMthetho, le mithethomgomo, uma kubonakala ukuthi akukho ukulandeleka kahle phakathi kwezimiso zayo kanye naleyo Mithetho yoHulumeni beziFundazwe ecishiwe, iyosebenza kubo bonke omasipala ukuhlelwa kanye nokulinganiswa kwabo kuhambisana neMithetho yeziFundazwe ecishiwe.
- (2) Kuyo yonke indawo lapho kungekho khona ukuhambisana phakathi wanoma iziphi izinhlinzeko zale mithethomgomo kanye nezalezo zinhlinzeko zemithetho yezifundazwe ecishiwe, lowo Mthetho wesiFundazwe ocishiwe kumele kube yiwona osetshenziswe kuqala.

3. Izinhlinzeko zoMthetho okumele zisetshenziswe ngokushesha ngosuku oMasipala abaqala ngalo ukusebenza loMthetho, labo Masipala abasahlelayo, zigxile kule Mithetho yeziFundazwe ecishiwe elandelayo:

- (a) **Isigaba 3(3) kanye nesigaba 90:** Noma yikuphi ukuhlolwa kabusha kwenqubomgomo kwentela esasebenzayo kusukela emva kosuku lokuqala kokusebenza koMthetho kumele kuwashelwe izinhloso zesigaba 3(3) soMthetho.
- (b) **Isigaba 4:** kulandelwe inqubo yokuxoxisana nomphakathi ngaphambi kokuthi umasipala emukele ngokusemthethweni inqubomgomo yezintela.
- (c) **Isigaba 14:** Ukwaziswa kwezinqumo ngokumemezela ukufakwa kwentela yendawo yabomasipala. Isinqumo ngokufakwa kwezintela kumasipala kumele kwaziswe ngokushicilela leso sinqumo kuGazethi yeziFundazwe.
- (d) **Isigaba 15:** ukunika ushwele ezimalini okumele zikhokhwe, ukuncishiswa kwazo, ukubuyisela ingxenye yazo ngumasipala kanye nokufanele umasipala akwenze uma ethula lezo zinhlelo zokwethula umthwalo kubakhokhintela.
- (e) **Isigaba 16:** Izintela zendawo ezingavumelekile ngokomthethosisikelo. Umasipala akuyukusebenzisa amandla akhe ukufaka izintela zendawo ngendlela engase ilimaze futhi icekele phansi ngokungenamqondo inqubomgomo yezomnotho wezwe; izinhlelo zomnotho kuyo yonke imingcele yawo; noma ukuthuthwa kwezimpahla, izinsiza, imali yokuqhuba umsebenzi noma umsebenzi.

(f) **Isigaba 17:** Ezinye izintela zendawo ezingavunyiwe. Isigaba 17 sivimbela ukukhokhisa intela kwezinye izinhlobo zendawo.

i **Izigaba 17(1)(a) no (h)** zisebenza kulabo masipala uhlu lwabo lwezilinganisomanani endawo lugxile esilinganiswenimanani asezingeni lwemakethe yangaleso sikhathi yendawo nezakhiwo.

Isigaba 17(1)(a) sidingida ngokungafakwa kwamaphesenti angama-30 kungqalasizinda yezinsiza zomphakathi kanti isigaba 17(1)(h) sona sidingida ngokungafakwa kuka R15 000 ezintelene zomhlaba wezindawo zokuhlala.

ii. **Izigaba 17(1)(b) no (c)**

Isigaba 17 (1)(b) sidingida ukungakhokhiswa intela yendawo kwanoma iyiphi ingxenye yendawo esogwini lolwandle kanti isigaba 17(1)(c) sona sidingida ukungakhokhiswa intela yendawo kwanoma iyiphi ingxenye ephathelene namanzi ezweni laseNingizimu Afrika.

iii. **Izigaba 17(1)(d), (e), (f), (g) no (i)**

Isigaba 17(1)(d) sibhekise ekungakhokhisweni intela yendawo kweziqhingini lapho izwe lingumnikazi. Isigaba 17(1)(e) sibhekise ekungakhokhisweni kwentela kwezindawo ezivikelekileyo. Isigaba 17(1)(f) sibhekise ekungakhokhisweni kwezimbiwa. Isigaba 17(1)(g) kubhekiswe ekushiweni ngaphandle ekukhokhisweni intela kubantu abazuze indawo njengefa. Isigaba 17(1)(i) sibhekise ekushiweni ngaphandle ekukhokheni intela yendawo kumhlaba oyindawo esetshenziswa ngenhloso yokukhonza, kuhlanganisa

nendawo esemthethweni yokuhlala osesikhundleni sokuphatha.

- (g) **Isigaba 19:** Ukwehlukahluka okungavumelekile kokutheliswa kwezindawo eziwela ngaphansi kohlobo lwendawoosohlelweni lwendawo yokuhlala, uma luqhathaniswa nendawo ongekho ohlelweni lwezindawo zokuhlala ngokunjalo nobukhulu bokulinganiselwa phakathi kwendawo ekungeyona yezindawo zokuhlalo kanye nendawo ehlelelwe izindawo zokuhlala.
- (h) **Isigaba 21 no 91:** Ukufakwa ngempogo kwentela yendawo osanda kufakwa ohlelweni lokukhokhiswa kwentela yendawo. Indawo esanda kufakwa ohlelweni lokutheliswa kwentela yendawo, yilowo mhlaba owela ngaphansi kohlobo lwezindawo eyayingakaqali ukukhokhiswa intela yendawo ngo mhlaka 30 kuNhlangulana 2005.
- (i) **Isigaba 22 no 93:** Izindawo ezinentela yendawo eyisipesheli: omasipala abangabanga nazo izindawo ezinentela yendawo eyisipesheli ngaphambi ngosuku lokuqalisa kwalo Mthetho, kufanele bahambisane nezimiso zesigaba 22 soMthetho ekusunguleni izindawo ezinentela eyisipesheli. Lezo ndawo lapho intela eyisipesheli yayisivele ikhona ngaphambi kosuku lokuqa kokusebenza koMthetho zihlinzekelwe esigabeni 93 soMthetho.
- (j) **Isigaba 26:** Indlela kanye nesikhathi sokukhokhwa kwentela yendawo. Lesi sigaba sicacisa ngobude besikhathi umasipala angaqoqa ngaso intela okumele ikhokhwe umnikazi wendawo. Ukukhokhwa kwentela yendawo kungahleliswa okwesikhashana kodwa ezimeni ezithile eziyisipesheli kuphela.

- (k) **Isigaba 28:** Ukuqoqwa kwentela yendawo esilele kubaqashi kanye nabahlali. Umasipala angaqoqa intela yendawo engakhokhiwe kubaqashi nakubahlali uma umnikazi engakhokhi intela yesakhiwo sakhe esisemhlabeni kamasipala.
- (l) **Isigaba 29:** Ukuqoqwa kwentela yendawo kwababhekele abanikazi bezakhiwo ezisendaweni ethelelelwayo. Umasipala angaqoqa intela yendawo engakhokhiwe kwababhekele abaqashi uma umnikazi engakhokhi intela yesakhiwo sakhe esisemhlabeni kamasipala.
- (m) **Isigaba 41 no 72:** Izikhathi kanye nezinsuku zokufaka izindawo okumele zifakwe ohlelweni olumayelana nokuhlolwa okuphathelele nolinganisomanani noma lwezikhalo noma lokubuyekezwa.
- (n) **Isigaba 42 no 73:** Ukutholakala kwegunya lokuthola ulwazi kubanikazi, abaqashi, abahlali kanye nababambele abanikazi bezindawo ngabalinganisimanani bomasipala kanye namalungu omkhandlu wezokwedluliswa kwezikhalo zezilinganisomanani noma yimuphi omunye umuntu ogunyazwe yibona.
- (o) **Isigaba 55(2)(b):** Inzalo yentela yendawo okumele isetshenziswe ukuqoqa, ukubuye kukhokhwe, kumuntu okufanele akhokhe intela yendawo.
- (p) **Isigaba 81:** Ukulandelela esifundazweni ukusebenza kwezinhlinzeko zoMthetho nguNgqongqoshe wesifundazwe owengamele oHulumeni Basemakhaya.

(q) **Isigaba 88:** Ukulinganiswa kwamanani kanye nokuhlela izinhlelo zokukhokwa kwentela yendawo ngaphansi kweMithetho yeziFundazwe ecishiwe.

Umasipala angaqhubeka nokwenza izilinganiso zamanani kanye nokwenza izinhlelo zokukhokhisa intela yobuninimhlaba ngokomthetho ocishiwe (uMthetho wesiFundazwe), kodwa lokhu kwenziwe kuphela kulezo zindawo ezingaphansi kukamasipala lapho lokhu kwakwenzeka khona ngaphambilini.

Lesi sigaba asimvumeli umasipala ukuthi asebenzise umthetho ocishiwe ezindaweni ezingaphansi kukamasipala ongazange azenze izilinganiso zamanani futhi ongazange azenze izinhlelo zokukhokhisa intela yendawo ngaphambi komhla ka 2 kuNtulikazi 2005. Ngakho-ke umasipala akakwazi ukusebenzisa lesi sigaba ukufaka izindawo ezintsha ngaphansi kohlelo lwentela yendawo ngokomthetho ocishiwe ngale komhla ka 2 Ntulikazi 2005.

Indlela okuyiyona kuphela yokufaka ezinhlelweni zokuthelisa izindawo ezazingekho ezinhlelweni zokuthela ngaphambi komhla ka 2 kuNtulikazi 2005 yileyo yokwakha kanye nokuhlanganisa uhlu oludidiyelwe lwezilinganisomanani oluhlanganisa yonke indawo engaphansi kukamasipala ngokoMthetho.

(r) **Isigaba 89:** Ukusetshenziswa kwezinhlu zezilinganisomanani kanye nezesichibiyelo sezilinganisomanani ezikhona.

Lesi sigaba soMthetho sivumela kuphela ukuthi umasipala aqhubeke nokusebenzisa uhlu lwezilinganisomanani kanye nohlu oluyisichibiyelo lwezilinganisomanani olwaluverse lusebenza ezindaweni zakhe ngaphambi komhla ka 2 kuNtulikazi 2005.

Lesi sigaba asihlinzeki ngokuthi kwenziwe uhlu lwezilinganisomanani olusha noma isichibiyelo sohlu lwezilinganisomanani ngokomthetho ocishiwe ezindaweni zikamasipala ezazingafakiwe ohlwili lwezilinganisomanani kanye nasesichibiyelweni sohlu lwezilinganisomanani ngaphambi komhla ka 2 kuNtulikazi 2005.

Imikhandlu yezokulinganiswa kwamanani kanye nemikhandlu yezokwedluliswa kwezikhalo ebunjwe ngokwemithetho esicishiwe yoHulumeni beziFundazwe iyohlala isebenza isikhathi esingangeminyaka emine kusukela mhla ka 2 kuNtulikazi 2005. Emva kwalesi sikhathi esiyiminyaka emine noma yiluphi udaba oluyobe lusasilele olumayelana nokwedluliswa kwezikhalo kumele lwedluliselwe emkhandlwini wezokwedluliswa kwezikhalo zezilinganisomanani obunjwe ngokoMthetho.

Imikhandlu yezokulinganiswa kwezikhalo zezilinganisomanani ngokoMthetho iyohlala isebenza kanye kanye nemikhandlu yezezilinganisomanani kanye nemikhandlu yezokwedluliswa kwezikhalo esungulwe ngokwemithetho yezifundazwe ecishiwe isikhathi esiyiminyaka emine kusukela ngomhla ka 2 kuNtulikazi 2005.

(s) Isigaba 92: Indawo zesigungu sezinhlangano zezikimu ezinamalungelo kuzo asemthethweni

Izigungu zezinhlangano zezikimu ezinamalungelo kuzo asemthethweni kumele zikhokhe intela yendawo kumasipala kuze kube umasipala wenza uhlu lwezilinganisomanani oludidiyelwe lukawonkewonke ngokoMthetho.

Ukuqala kokusebenza komthetho

4. Le mithethomgomo iqala ukusebenza mhla ka 1 kuZibandlela 2005.

Isihloko esifushane

5. Le mithethomgomo ibizwa NgoMthetho Wokukhokhwa kweNtela Yendawo yaboMasipala omayelana neZinhlelo zeMithethomgomo yeZinhlelo zoGuquko, ka-2005.
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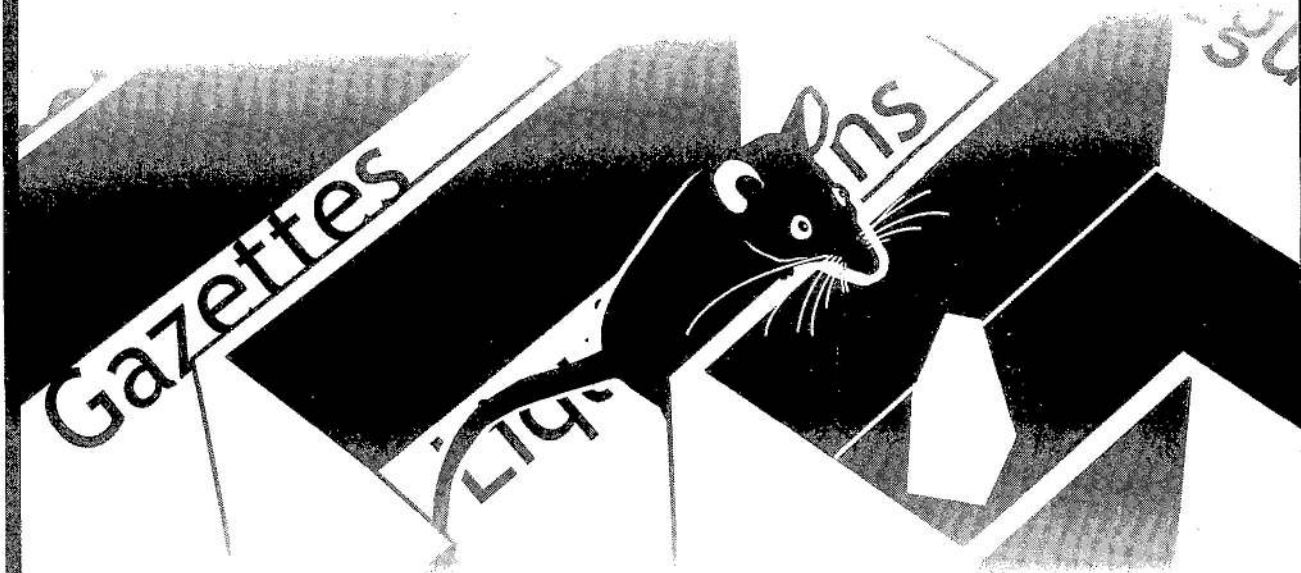
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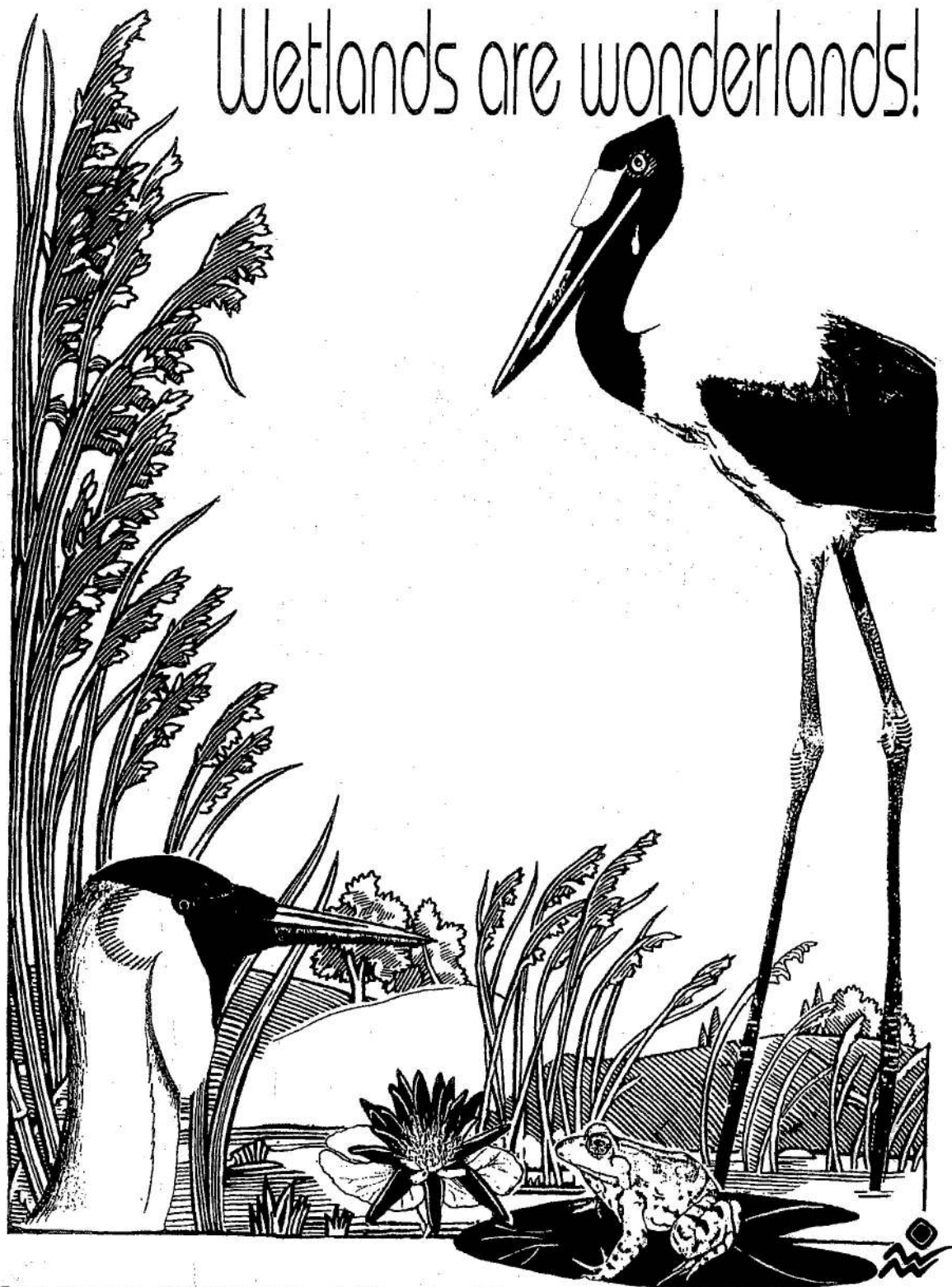
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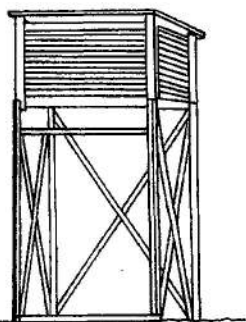
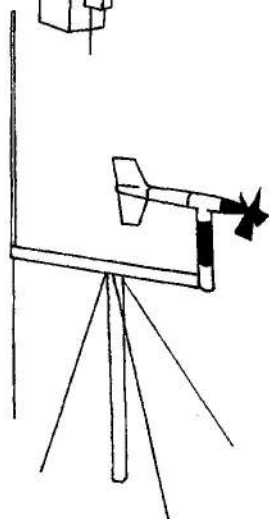


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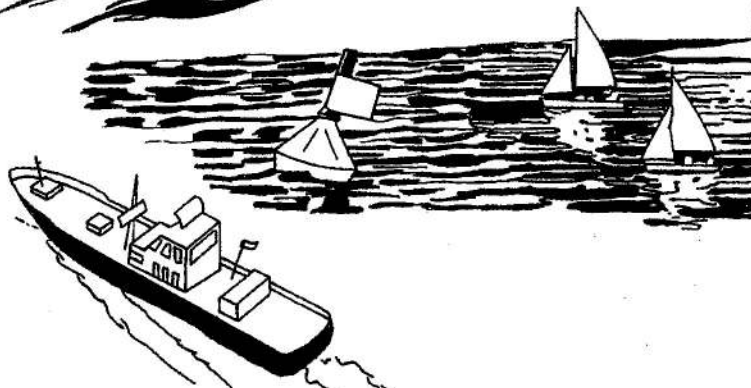
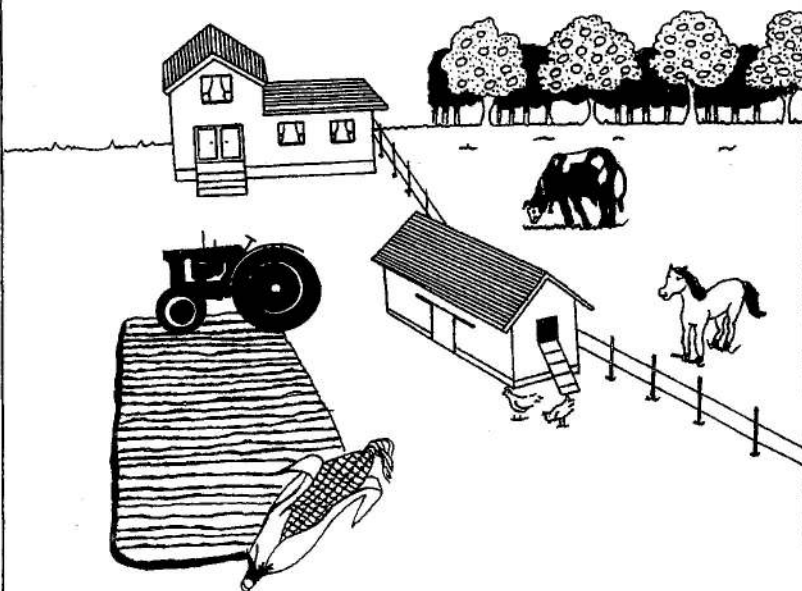
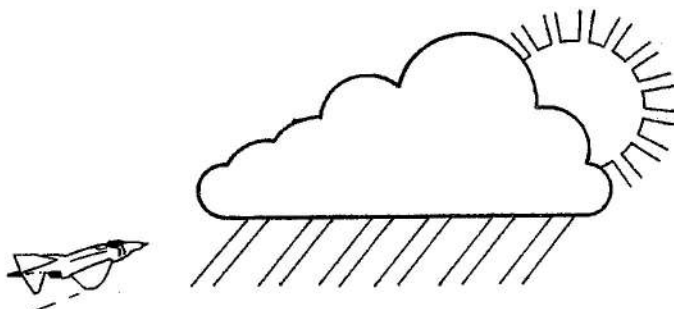


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