



Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

**Provincial Gazette
Extraordinary**

8126

Monday, 15 July 2019

**Buitengewone
Provinsiale Koerant**

8126

Maandag, 15 Julie 2019

**Isongezelelo
kwiGazethi yePhondo**

8126

uMvulo, 15 kweyeKhala 2019

Registered at the Post Office as a Newspaper

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(Copies are obtainable at Room M21, Provincial Legislature Building, 7 Wale Street, Cape Town 8001.)

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As 'n Nuusblad by die Poskantoor Geregistreer

INHOUD

(Afskrifte is verkrygbaar by Kamer M21, Provinsiale Wetgewer-gebou, Waalstraat 7, Kaapstad 8001.)

Plaaslike Kennisgewing

Overberg Distriksmunisipaliteit: Verordening insake Munisipale Gesondheidsdienste 40

Ibhaliswe ePosini njengePhephandaba

IZIQULATHO

(Ushicilelo oLutsha lufumaneka kwigumbi M21, kwiSakhiwo seNdlu yoWiso Mthetho sePhondo, 7 Wale Street, eKapa 8001.)

IGunya loMmandla

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**OVERBERG DISTRICT MUNICIPALITY
MUNICIPAL HEALTH SERVICES BY-LAW**

To provide for Municipal Health Services and matters incidental thereto:

PREAMBLE

The Council of the OVERBERG DISTRICT MUNICIPALITY by virtue of the powers vested in Section 156(2) of the Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996), read with Section 13(a) of the Local Government Municipal Systems Act, 2000 (Act No. 32 of 2000), as amended, has made the Municipal Health By-law in the Schedule below –

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CHAPTER 1:**INTERPRETATION AND FUNDAMENTAL PRINCIPLES**

1. Definitions
2. Application of this By-Law
3. Purpose
4. Scope of Applicability
5. Principles

1. Definitions

In this By-law unless the context otherwise indicates: –

"accommodation establishment" means a place in which accommodation is provided for gain, with or without meals;

"Act" means the National Health Act, 2003 (Act No. 61 of 2003);

"adequate" means to the opinion of the Environmental Health Practitioner

"animal" means any equine, bovine, sheep, goat, pig, poultry, camel, dog, cat, or other domestic animal or any wild animal or reptile or any marine fauna or aquatic organism which is in captivity or under the control of a person;

"animal disease" means an impairment or disturbance of the normal function of any organ or the body of any animal that is caused by an organism or substance;

"animal waste" means the faeces, manure, droppings, shed hair, feathers, bones, horns, blood, skins and entrails or any other waste of an animal, reptile, bird or poultry and any marine or aquatic organism;

"approved" means approved by the municipality, in terms of the environmental health requirements of the particular case;

"approved building plan" refers to building plans approved by the local municipality

"aquatic fauna" means any aquatic living organism from aquatic resources, including any aquatic plant, whether piscine or not, and any mollusc, crustacean, reptile, aquatic mammal and bird and include their eggs, larvae and all juvenile stages;

"baby" means a child under the age of two years;

"beauty salon" means a premises where a person who carries on the business of barber, hairdresser, beautician, body piercer or tattooist in a salon or any other place as approved by the municipality, which business comprises any one or more, or a combination thereof, of the aforementioned which are applied to the male or female human body;

"biodegradable industrial wastewater" means wastewater that contains predominantly organic waste arising from industrial activities and premises including, but not limited to

- (a) milk processing;
- (b) processing of fruit and vegetable products;
- (c) manufacture and bottling of soft drinks;
- (d) water bottling;
- (e) production of alcohol and alcoholic beverages in breweries, wineries or malt houses;
- (f) manufacture of animal feed from plant or animal products;
- (g) abattoirs;
- (h) fish processing;
- (i) feedlots;
- (j) cheese making and processing;

- (k) composting plant; and
- (l) bio-diesel processing plant

"carcass" means the remains of any animal or poultry;

"cattery" means any establishment where cats are bred or boarded;

"cemetery" means any land containing one or more graves;

"child" means any person under the age of 18 years and "children" has a corresponding meaning;

"child care facility or institution" means any undertaking or institution, whether for profit or otherwise, involving the custody, care or tuition or any combination of these functions, during the whole or part of the day on all or any of the days of the week of children, or the building or the premises maintained or used for conducting such undertaking or institution thereon as the case may be;

"communicable disease" means an illness due to a specific infectious agent or its toxic products which arises through transmission of the agent or its products from an infected person, animal or inanimate reservoir to a susceptible host, either directly or indirectly through an intermediate plant or animal host, vector or inanimate environment;

"Council" means the Overberg District Municipal Council;

"crematorium" means a place used for cremating a corpse and includes every part of such premises;

"dog kennel" means an accommodation establishment which caters for the accommodation of dogs;

"detrimental to health" means any situation that may have a negative impact on the health of a person

"dry-cleaning or laundry business" means any business in which clothes or other fabrics are cleaned with water or other solvents, or clothes or fabrics are ironed;

"dry-cleaning or laundry receiving depot" means a premises used for the receipt, storage and dispatch of clothes or other fabrics in connection with a dry cleaning or laundry business;

"effluent" means waste water generated because of an activity;

"environment" means the surroundings within which humans exist made up of –

- (a) the land, water and atmosphere of the earth;
- (b) micro-organisms, plant and animal life;
- (c) any part or combination of (a) and (b) and the interrelationships among and between them; and
- (d) the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being;

"environmental health practitioner" means the person appointed by the Mayor under Section 80(1)(c) of the National Health Act, 2003 (Act No. 61 of 2003) and appointed by the Municipal Manager to render a Municipal Health Service within the Overberg District ;

"free space" means the space in a room which is not occupied by fixed furniture or other appliances;

"hazard" means an intrinsic potential or ability of an agent, equipment, material, activity or process to cause harm;

"hazardous substances" means any substance which may cause injury, ill-health to or death of human beings due to their toxic, corrosive, irritant, strongly sensitising or flammable nature or the generation of pressure thereby in certain circumstances during importation, manufacture, sale, use, operation, application, modification, disposal or dumping. Includes hazardous chemical substances and substances such as solid, liquid, gas, aerosol or combination thereof, but excludes hazardous electronic products and radioactive substances;

"hazardous waste" means any waste that contains organic or inorganic elements or compounds that may, owing to the inherent physical, chemical or toxicological characteristics of that waste, have a detrimental impact on health and the environment;

"health certificate" means a health certificate issued in terms of this By-laws;

"healthcare risk waste" refers to healthcare risk waste as by product of healthcare that includes sharps, non sharps, blood, body parts, chemicals, pharmaceuticals, medical devices

"healthcare facility" means a health establishment as defined in the Act;

"health nuisance" an occurrence specified in chapter 2 (6) (1) and (2)

"home for the aged" means an institution or other place of residence maintained mainly for the accommodation and care of aged or debilitated persons;

"irrigation" means the application of water to any land or grounds for any purpose and includes waste water or water containing waste generated through any activity;

"kennel" means any establishment that has as its business the breeding, training or boarding of dogs and includes pounds whether operated by the State or otherwise;

"Landfill site" means a waste disposal facility as defined in the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and includes transfer stations and drop off points

"local municipality" means a Category B municipality envisaged in Section 155(1)(b) of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);

"marine fauna" means any marine living resources from the sea and the seashore, including any aquatic plant, whether piscine or not, and any mollusc, crustacean, coral, sponge, holothurian or other echinoderm, reptile, marine mammal and seabird and include their eggs, larvae and all juvenile stages;

"municipality" means the Overberg District municipality established in terms of Section 12 of the Municipal Structures Act, 1998 (Act No. 117 of 1998) Provincial Notice 492 dated 22 September 2000 and includes any political structure, political office bearer, Councillor duly authorised agent thereof or any employee thereof acting in connection with this By-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

"objectionable material" means garden litter, rubbish, waste material, rubble, scrap metal, article or thing, disused machinery, motor cars or other vehicles, as well as the disused parts thereof, refuse from any building operations, or any refuse capable of being deposited on any land or premises, including new or used building materials not necessarily required in connection with bona fide building operations actually in progress on any land, and includes any, solid liquid or gas which is or may become a nuisance or which materially interferes with the ordinary comfort or convenience of the public;

"occupier" means any person who occupies any premises or part thereof without regard to the title under which he or she occupies, and includes –

- (a) any person in actual occupation of those premises;
- (b) any person legally entitled to occupy those premises;
- (c) in the case of those premises being subdivided and let to lodgers or various tenants, the person receiving the rent payable by such lodgers or tenants whether on the person's own account or as agent for any person entitled thereto or interested therein;
- (d) any person having the charge or management of those premises, and includes the agent of any such person when the person is absent from the Republic of South Africa or his or her whereabouts are unknown; and
- (e) the owner of those premises;

"owner", in relation to –

- (a) animals or things, conveyances and other movable property, means the person in whom ownership is vested and includes a person who is responsible for the control or management thereof or a person who has such animal or thing, conveyance or movable property in his or her possession, but in the case of game or animals that are not branded in terms of the Animal Identification Act, 2002 (Act No 6 of 2002), or of which the ownership cannot readily be established, the user of the land on which such game or animals are present is deemed to be the owner; and
- (b) land –
 - (i) means the person in whose name that land is registered;
 - (ii) that has been purchased by a person but has not yet been registered in his or her name, means such purchaser
 - (iii) of which the owner or purchaser is a minor, mentally disabled person, insolvent or is otherwise incompetent in law to administer his or her estate, or is deceased, or is a body corporate under judicial management or liquidation, means the agent or legal representative of such owner or purchaser or another person authorised by law to administer his or her affairs or, in the case of a body corporate, the judicial manager or liquidator concerned; and
 - (iv) a local municipality which is in control of land by virtue of the powers and functions allocated to it in terms of Schedules 4B and 5B of the Constitution;

"permit" means the written permission granted by the local municipality;

"person" includes any sphere of government; natural and juristic person includes any sphere of government; natural and juristic person;

"pest" means any animal, which includes insects and rodents that may transmit disease;

"pest control program" means a written program by the owner/manager that outlines activities to be conducted for the control of pests in a premises;

"pesticide" refers to any substance or mixture of substances of chemical or biological ingredients, intended for repelling, destroying or controlling any pest;

"pet parlour" means an establishment where pets are groomed;

"pet shop" means an establishment where pets are kept for trading purposes;

"places of care" means a premises where a person or institution who carries on the business of an Early Childhood Development Centre, Old Age Home, Nursing Home, Maternity Home, or which business comprises any one or more, or a combination thereof, as approved by the local municipality;

"pollution" means any change in the environment caused by – any activity, including the storage or treatment of waste or substances, construction and the provision of services, whether engaged in by any person or an organ of state, where that change has an adverse effect on human health or wellbeing or on the composition, resilience and productivity of natural or managed ecosystems, or on materials useful to people, or will have such an effect in the future;

"potable water" means water that complies with SANS 241;

"poultry" means any fowl, goose, ostrich, duck, pigeon, dove, turkey, muscovy, guinea-fowl, peacock and/or peahen or bird whether domesticated or wild;

"premises" means any building, tent or any other structure, together with the land on which the same is situated and the adjoining land used in connection therewith and any land without buildings or tents, and includes any vehicle, conveyance, ship or boat;

"public place" means any public –

- (a) land, square, swimming bath, resort, recreation site, zoological, botanical or other garden, park or hiking trail, including any portion thereof and any facility or apparatus therein or thereon, as well as any open space, road, road reserve, reserve street, lake, dam, or river;
- (b) any public building, structure, hall, room or office including any part thereof and any facility or apparatus therein, which is the property of, or possessed, controlled or leased by the Municipality and or local municipality to which the public has access, whether on payment of admission fees or not;

"public gathering places" refers to public places, such as shopping malls, airports, cinemas, sport fields, stadia, public events, halls, including government owned or occupied premises;

"publish" in respect of the provisions means –

- (a) to publish a notice in the Provincial Gazette and a local newspaper; and
- (b) to display the notice so published on the notice boards of the municipality;

"recreational water" refers to public and private swimming pools, spa baths, oceans, estuaries, rivers and dams;

"responsible authority" means the authority or municipality responsible for a (the execution of waste disposal) functions within the area of jurisdiction of Overberg District Municipality;

"salon" means a place where any one or more of the services or activities contemplated in the definition of barber, hairdresser, beautician, body piercer or tattooist are normally carried on;

"structure" means any stable, shed, pigsty, kraal, aviary, paddock, covering structure, poultry house, enclosure, run, loft or building used for the keeping, housing or enclosing of animals and poultry;

"swimming pool" means a swimming pool, spa bath, including a jacuzzi that is accessible to the public and includes swimming pools at schools or other tertiary institutions;

"user", in relation to land, means –

- (a) any person who has a personal or real right in respect of land in his or her capacity as fiduciary, commissary, servitude holder, possessor, lessee or occupier, irrespective of whether he or she resides thereon or not; and
- (b) any other person who is generally recognised as having a right of tenure on the land concerned;

"waste" means any substance, whether or not that substance can be reduced, re-used, recycled and recovered –

- (a) that is surplus, unwanted, rejected, discarded, abandoned or disposed of;
- (b) which the generator has no further use of for (the purposes of production;
- (c) that must be treated or disposed of; or
- (d) that is identified as a waste by the Minister by notice in the Gazette, and includes waste generated by the mining, medical or other sector, but
 - (i) a by-product is not considered waste; and
 - (ii) any portion of waste, once re-used, recycled and recovered, ceases to be waste;

waste includes any solid material or material that is suspended, dissolved or transported in water (including sediment) and which is spilled or deposited on land or into a water resource in such volume, composition or manner as to cause, or to be reasonably likely to cause, the water resource to be polluted;

"wastewater" means wastewater arising from domestic, commercial and agricultural activities and premises, and may contain any form of sewage;

"water resource" includes a watercourse, surface water; dam; estuary,

2. **Application of this By-Law**

The municipality, aware of the constitutional rights of every person to an environment that is not harmful to his or her health or well-being, and the principles of the National Health Act, 2003 (Act No. 61 of 2003) adopts this By-law with the aim of protecting and promoting the health and well-being of all people in the jurisdiction area of Overberg District municipality by providing, in conjunction with applicable laws, a legal and administrative framework within which the municipality can develop, manage and promote its municipal health obligations.

The provisions of this By-law take precedence over the provisions of any other By-law or zoning scheme applicable in the district, insofar as such other By-law or zoning scheme regulates any aspect of Municipal Health Services as defined in the Act.

Regardless of any provisions of this By-Law, it is and remains exclusively the responsibility of the owner, manager or person in charge, to ensure that his or her premises comply with the provisions of this By-law.

3. **Purpose**

The purpose of this Municipal Health Services By-law is to enable the Municipality to protect the long term health and well-being of people in the municipal area.

4. **Scope of Applicability**

This By-law is applicable to the municipal area where municipal health services are rendered.

5. **Principles**

The overarching principles of this By-law are those principles as contained in Chapter 2 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996).

CHAPTER 2

GENERAL PROVISIONS RELATING TO HEALTH NUISANCES

6. Behaviour and Conduct
7. Prohibition on creation, existence or occurrence of a health nuisance
8. Duty to eliminate or reduce a Health Nuisance

6. **Behaviour and Conduct**

- (1) A health nuisance exists or occurs if any of the following occurs on any land or premises –
 - (a) a swimming pool, water pool, ditch, gutter, dung pit or heap is so foul or in such a state or so situated or constructed to be detrimental to health;
 - (b) an accumulation of waste or other matter which is detrimental to health occurs;
 - (c) irrigation of any land with waste water or water containing waste that may be detrimental to health
 - (d) where water or water containing waste, that is detrimental to health, is discharged into a water source occurs;
 - (e) where sewage sludge is not disposed of in an approved sewage disposal system
 - (f) a building, structure and or adjacent land is —
 - (i) so constructed, situated, used or kept as to be detrimental to health;
 - (ii) infested with pests or vermin or in a state that is conducive to the breeding of pests or vermin;
 - (g) a dwelling or any other premises is occupied for which no proper and sufficient supply of potable water is available

- (h) organic matter or animal waste are being used or kept in a manner that attracts vermin or pests such as, but not limited to rats, mice, flies and mosquitoes;
 - (i) Unhygienic conditions that may be detrimental to health are present on any part of the land or premises;
 - (j) a carcass or the remains of an animal, poultry, bird or marine- or aquatic fauna, or any animal waste remains unburied or is not suitably disposed of after death.
- (2) A health nuisance exists if – any other activity, condition or thing declared to be a health nuisance by an Environmental Health Practitioner that exists or occurs on or emanates from land or premises.

7. Prohibition on creation, existence or occurrence of a Health Nuisance

- (1) No person may –
- (a) create a health nuisance;
 - (b) perform any act which may cause a health nuisance;
 - (c) organise, allow or permit an activity, event or function in or on land or premises, or use, cause, allow or permit to be used land or premises for a purpose which by its nature or otherwise or due to its consequences creates or is likely to create a health nuisance;
 - (d) unless he or she is authorised or permitted by law to do so or does so;
 - (i) in a public place activate, handle or use any material, object or thing which is likely to cause a health nuisance;
 - (ii) introduce into or handle in a public place any material, object or thing or any liquid or solid substance which by its nature or because of the manner of its introduction or handling creates a health nuisance;
 - (e) by an action directly or indirectly or by negligence allow that a health nuisance be created or continued;
- (2) A person who contravenes a provision of subsections (1) commits an offence.

8. Duty to eliminate or reduce a Health Nuisance

- (1) The owner, occupier or user of land or premises must –
- (a) ensure that a health nuisance does not exist or occur on his or her land or premises; and with mediate effect becoming aware of the existence of a health nuisance on the land or premises, eliminate the health nuisance
 - (b) take steps to the satisfaction of the municipality to reduce the risk to municipal health; and report the existence of the health nuisance to the municipality.
- (2) The owner, occupier or user of land or premises who contravenes a provision of subsection (1) commits an offence.

CHAPTER 3

STANDARDS APPLICABLE TO PREMISES

- 9. Standards applicable to Premises
- 10. Health Certification
- 11. Non-compliance

9. Standards applicable to Premises

All premises indicated in this Chapter are subject to Municipal Health Legislature requirements and the monitoring standards, as defined in Annexure A of this By-Law, **or in terms of an approved Council policy.**

10. Health Certification

- (a) The premises indicated in the table below may not be operated without a Health Certificate and must comply with the applicable sections within this By-Law.

TABLE 1: ANNEXURE A

Type of Premises	Validity Period of Health Certificate (From date of issue)	Comply with the Section within this By-Law
Child Care Centre & Early Childhood Development Centre	One year	Annexure A:1
Children's Homes	One year	Annexure A:2
Nursing Homes	One year	Annexure A:3
Healthcare Risk Waste Generators	One year	Annexure A:4
Old Age Homes	One year	Annexure A:5
School Premises	One year	Annexure A:6
Accommodation Establishments	One year	Annexure A:7
Beauty Salons	One year	Annexure A:8
Offensive trades	One year	Annexure A:9
Health Establishments	One year	Annexure A:10

- (b) A person who wishes to operate a business indicated in Table 1, must apply for a health certificate as prescribed by the municipality.
- (c) A Health Certificate issued will be valid for a period of one year from the date of issue.
- (d) An owner or person who carries on a business indicated in Table 1 must apply for the annual renewal of the Health Certificate, two months prior to the expiry of the existing Health Certificate.
- (e) Failing to do so in (d) above will implicate that such a business is not permitted to operate anymore and is automatically not a business as such.
- (f) This certificate, does not indemnify a person from compliance with any other legal requirements, authorisations and/or approvals applicable to the premises and/or business by any other department, municipality or authority. It is therefore unequivocally recorded that the approval and requirements set are not intended for any approval other than the purpose of applying for a Health Certificate to be granted in terms of this By-Law. The Overberg District Municipality does not accept any responsibility for costs incurred by a person in order to obtain aforementioned Health Certificate, if a person's application to the local Municipality or other relevant departments for any other authorisations and/or approvals applicable to the premises is unsuccessful.
- (g) A Health Certificate issued to a premise must include the following:
- The details of the Health Certificate holder, owner/person in charge of the premises;
 - The physical address of the premises;
 - The identity number of the certificate holder;
 - A certificate number;
 - If it is a Child Care Centre, the number of children and the minimum age groups permitted on the premises.
 - If it is a Nursing Home or Old Age Home, the maximum number of beds/patients that will be accommodated on the premises.

- vii) Services provided/offered on the premises and services prohibited;
 - viii) Date of issue; and
 - ix) The validity period.
- (h) The Health Certificates must be displayed in a conspicuous manner on the premises, to be clearly visible to everyone entering the premises.
- (i) A Health Certificate shall not be transferable from one owner to another, or from one premises to another.
- (j) A Health Certificate may be withdrawn by an Environmental Health Practitioner where conditions does not comply with this By-law.
- (k) The premises indicated in the table 2 below do not need a Health Certificate.

TABLE: 2 ANNEXURE B

Dry Cleaning & Laundry Establishments
Construction Sites and Industrial premises
Public Gathering Places
Premises for Keeping of Animals
Slaughtering of animals for religious, traditional, cultural ceremonial and own consumption purposes
Pet shops and pet parlours
Prisons and Police Holding Cells
Vacant Land
Office Accommodation

11. Non-compliance

Should an owner or person in charge of a premises listed in Table 1 and 2 fail to comply with the provisions or any conditions or requirements imposed in terms of this By-Law, the municipality may act in terms of Section 19 of this By-Law.

CHAPTER 4

WATER AND SANITATION

12. Duties and prohibitions

An owner, occupier or user of land or any premises must not constitute a health nuisance regarding water and sanitation.

CHAPTER 5

ENFORCEMENT

- 13. Notice of compliance and representations
- 14. Prohibition Notice
- 15. Withdrawal of prohibition notice
- 16. Municipal remedial work

- 17. Costs Recovery
- 18. Policies and Guidelines

13. **Notice of compliance and representations**

- (1) Where an Environmental Health Practitioner has reasonable grounds to believe that a person fails to comply with a requirement relating to a premises, he or she may serve a notice of compliance on the person, which notice must state –
 - (a) the name and residential or postal address of the person;
 - (b) the requirement which has not been complied with or the provision which has been contravened;
 - (c) that the person must within a specified period take measures to comply with the notice and to complete the measures before a specified date; and
 - (d) that the person may within 14 days make written representations in the form of a sworn statement or affirmation to the municipality at a specified place.
- (2) Where a person does not make representations in terms of subsection (1)(d), and the person fails to take the measures before the date contemplated in subsection (1)(c), he or she commits an offence.
- (3)
 - (a) Representations not lodged within the time contemplated in subsection (1)(d) will not be considered, except where the person has shown good cause and the Municipality condones the late lodging of the representations.
 - (b) The Municipality must consider the timely representations and any response thereto by the Environmental Health Practitioner.
 - (c) The Municipality may, on its own volition, conduct any further investigations to verify the facts if necessary, and the results of the investigation must be made available to the person making a submission, who must be given an opportunity of making a further response if he or she so wishes, and the Municipality must also consider the further response.
 - (d) The Municipality must, after consideration of the representations and any response and further response make an order in writing and serve a copy of it on the person, which order must confirm, in whole or in part, alter, or set aside the notice of compliance, and where the notice of compliance is confirmed, in whole or in part, or altered, the Municipality must inform the person that he or she must, within the period specified in the order, discharge the obligations set out in the order and that failure to do so constitutes an offence.
 - (e) Where a person fails to discharge, the obligations contemplated in subsection (4) (d), the Municipality may, irrespective of any fines which may be imposed under Section 21, act in terms of subsection (5).
- (4) The Municipality may, if non-conformances still prevail, exercise any remedial measures to remove the nuisance and recover the costs thereof from the polluter, person in charge or owner of the premises.

14. **Prohibition notice**

- (1) An Environmental Health Practitioner may, after inspecting a premises, serve a prohibition notice prohibiting the premises from being used for specified purposes and require measures to be taken to ensure that the prohibition notice is complied with, on one or more of the following persons:
 - (a) the owner or occupier of the premises if the Municipality reasonably believes that the premises are being used for a purpose or in a manner that is causing a health nuisance;
 - (b) any person who is carrying on an activity or using a premises for a purpose or in a manner that the Municipality reasonably believes is causing a health nuisance; or
 - (c) a person on whom a compliance notice was served if the Municipality reasonably believes that that person has not complied with the compliance notice.

- (2) The Municipality must give the person, on whom it intends serving a prohibition notice, a reasonable opportunity to make representations before serving the notice, unless the Municipality reasonably believes that the delay in doing so would significantly compromise environmental health, in which case the person on whom a prohibition notice is served must be given reasonable opportunity to make representations why it should be withdrawn.
- (3) A prohibition notice must state –
 - (a) the reasons for serving the notice;
 - (b) whether the Municipality will withdraw the notice if certain measures are taken, and if so, the measures that must be taken;
 - (c) the possible consequences of failing to comply with the notice; and
 - (d) how to appeal against the notice.
- (4) Unless a prohibition notice provides otherwise, it comes into effect when it is served under subsection (1) and remains in force until it is withdrawn.
- (5) The Environmental Health Practitioner must as soon as possible affix a copy of the notice in a conspicuous position on the premises.

15. Withdrawal of prohibition notice

- (1) The Municipality must, within 48 hours of receiving a written request for the withdrawal of a prohibition contained in a prohibition notice, carry out an investigation of the land or premises.
- (2) After completing the investigation, the Municipality must inform, in writing, the person on whom the prohibition notice was served or that person's agent whether the prohibition has been removed or the prohibition order has been withdrawn.
- (3) The Municipality may charge the owner or occupier of the land or premises where an investigation is carried out in terms of subsection (1), a prescribed fee for undertaking the investigation.

16. Municipal remedial work

- (1) The Municipality may enter and conduct inspections at any premises, in accordance with the National Health Act, 2003 (Act No. 61 of 2003) and do anything on the premises that the Municipality reasonably considers necessary to ensure compliance with this By-law or with a compliance notice or prohibition notice;
- (2) The Municipality may conduct inspections of premises —
 - (a) on a routine basis where the Environmental Health Practitioner reasonably believes that the premises are being used for a purpose contemplated in this By-law, and the purpose of the inspection is to determine whether the use complies with the provisions of this By-law;
 - (b) where a compliance notice, relating to the premises, has been issued in terms of Section 13 and the purpose of the inspection is to determine whether the notice has been complied with;
 - (c) where the owner or occupier of the premises fails to comply with a compliance notice that was issued in terms of Section 13, or a prohibition notice that was issued in terms of Section 13 directing that relevant measures be taken; or
 - (d) where the Environmental Health Practitioner has reasonable grounds to believe that a health nuisance, which is likely to be detrimental to health, exists on the premises.
- (3) In addition to any corrective measures that the municipality may undertake in terms hereof, the municipality may approach a court with jurisdiction to prevent any person with a continuance of any health nuisance.

17. **Policies and guidelines**

- (1) The Municipality may determine and publish policies and guidelines which prescribe appropriate measures that can be taken to eliminate the risk of any health nuisance occurring, continuing or recurring, or to reduce that risk to an acceptable level.
- (2) Any person who fails to comply with any of the policies and guidelines contemplated in subsection (1) or any conditions imposed in terms thereof, commits an offence.

CHAPTER 6 GENERAL PROVISIONS

18. Authentication and service of notices and other documents
19. Appeal
20. Offences and penalties
21. Co-operation between municipalities and application
22. Exemptions
23. Repeal of By-Laws
24. Short title and commencement

18. **Authentication and serving of notices and other documents**

- (1) A notice issued by the Municipality in terms of this By-law is deemed to be duly issued if it is signed by the Environmental Health Practitioner.
- (2) Any notice or other document that is served on a person in terms of this By-law is regarded as having been duly served –
 - (a) when it has been delivered to that person personally;
 - (b) when it has been left at that person's place of residence or business in the Republic with a person apparently over the age of sixteen years;
 - (c) when it has been posted by registered or certified mail to that person's last known residential or business address in the Republic, and an acknowledgement of the posting thereof from the postal service is obtained;
 - (d) if that person's address in the Republic is unknown, when it has been served on that person's agent or representative in the Republic in the manner specified by subsection (a), (b) or (c);
 - (e) if that person's address and agent or representative in the Republic is unknown, when it has been posted in a conspicuous place on the land or business premises to which it relates;
 - (f) in the event of a body corporate, when it has been delivered at the registered office of the business premises of the body corporate; or
 - (g) when it has been delivered, at the request of that person, to his or her e-mail address.
- (3) Serving of a copy is deemed to be serving of the original.
- (4) When any notice or other document is served on the owner, occupier, or holder of any property, or right in any property, it is sufficient if that person is described in the notice or other document as the owner, occupier, or holder of the property or right in question, and it is not necessary to name that person.

19. **Appeal**

A person whose rights are affected by a decision of the Municipality in terms of this By-law may appeal against that decision by giving written notice of the appeal and reasons, in terms of Section 62 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), within 21 days of the date of the notification of the decision to the Municipal Manager.

20. Offences and Penalties

- (1) Any person who contravenes or fails to comply with a provision of this By-law, a notice issued in terms of this By-law or a condition imposed under this By-law, irrespective of whether such contravention or failure has been declared as an offence elsewhere in this By-law, is guilty of an offence and liable upon conviction to –
 - (a) a fine or imprisonment, or both such fine and such imprisonment;
 - (b) in the case of a continuing offence, an additional fine or an additional period of imprisonment or both such additional fine and imprisonment for each day on which such offence is continued; and
 - (c) a further amount equal to any costs and expenses found by a court to have been incurred by the Municipality as result of such contravention.
- (2) All fees and fines recovered under this By-law shall accrue to the Council and shall be used expressly for the implementation and application of this By-law.

21. Co-operation between municipalities and application

- (1) To achieve optimal service delivery in terms of this By-law, the Municipality may enter into Memorandums of Agreement with local municipalities within its area of jurisdiction in respect of the following –
 - (a) the practical arrangements regarding the execution of the provisions of this By-law;
 - (b) recovery of costs and expenses related to any action in terms of this By-law;
 - (c) subject to the provisions of Section 86 of the Municipal Structures Act, 1998 (Act No. 117 of 1998), mechanisms for the settlement of disputes regarding the execution of powers or the matters on which there have been agreements;
 - (d) any other matter regarded necessary by the district and local municipalities to achieve optimal service delivery in terms of this By-law.

22. Exemptions

- (1) Any person may by means of a written application, in which the reasons are given in full, apply to the municipality for exemption from any provision of this By-law.
- (2) The Municipality may by its duly appointed Environmental Health Practitioner –
 - (a) grant an exemption in writing and the conditions in terms of which, if any, and the period for which such exemption is granted must be stipulated therein;
 - (b) alter or cancel any exemption or condition in an exemption; or
 - (c) refuse to grant an exemption.
- (3) To consider an application in terms of subsection (1), the Municipality may obtain the input or comments of the owners or occupants of surrounding premises.
- (4) An exemption does not take effect before the applicant has undertaken in writing to comply with all conditions imposed by the Municipality under subsection (2), however, if an activity is commenced before such undertaking has been submitted to the municipality, the exemption lapses.
- (5) If any condition of an exemption is not complied with, the exemption lapses immediately.
- (6) The Environmental Health Practitioners in the service of the Municipality, who is generally authorised by the Municipality to perform any function in terms of these By-laws, shall not be liable for anything done in good faith under these By-laws.
- (7) The provisions and / or requirements contained in this By-law may be amended and / or relaxed with a written notice from the Municipality if the relevant authority considers such relaxation and / or amendment not to or give rise to the emergence of a health nuisance.
- (8) Such authorisation and / or exemption may or can immediately be revoked with a written notice from the authority concerned, or within a period as determined by the authority, should circumstances deemed it necessary.
- (9) This By-law places the responsibility for the compliance of the stipulated requirements on the person and institution applicable and thus exempt the Municipality from any condition, conduct or negligence that may give rise to any claims regarding the application of this By-law by the Municipality.

23. Repeal of By-laws

- (1) This By-law repeals any By-law previously promulgated by the Municipality or any of the disestablished municipalities now incorporated into the Municipality, in so far as it relates to any matter provided for in this By-law.
- (2) Any By-law previously promulgated by the local municipalities within the jurisdictional area of Overberg District Municipality, or any of the dis-established municipalities now incorporated into the said municipalities, in so far as it has been made applicable to Overberg District Municipality by the authorisation for the execution of powers and functions in terms of Section 84(3) of the Municipal Structures Act, 1998 (Act No. 117 of 1998).

24. Short title and commencement

This By-law may be cited as the Overberg District Municipal Health By-law and shall come into operation on the date of publication thereof in the Provincial Gazette.

STANDARDS APPLICABLE TO PREMISES**Premises must comply with the following standards:****1. Structural facilities**

The building structure on a premises must comply with the requirements of an approved building plan by the applicable local municipality and in terms of meeting Municipal Health standards.

2. Water supply

- (a) Adequate supply of potable water must be available on the premises for all uses.
- (b) The quality of water supply supplied on the premises complies with the specifications of the SANS 241 for drinking water, with regards to microbiological, chemical and physical quality.
- (c) Stored drinking water must always be protected from contamination.
- (d) No cross-connection between a system providing potable water and a system providing non-potable water is allowed.
- (e) For premises without running water available, drinking water must be adequately stored and protected against contamination. Water storage containers must always be kept clean.
- (f) If temporary water storage tanks must be provided for drinking water, the water must be from an approved source.

3. Drainage systems

Suitable and effective means of drainage and sewage disposal shall be provided on all premises to the approval of the local authority. Drainage systems must be kept clean and maintained to prevent any blockages or any health nuisance.

4. Waste Management

Approved methods of solid waste collection, storage, and disposal shall be adopted on all premises to the approval of the Local Authority. Refuse bins and/or a designated refuse storage area must be available on the premises for the storage of all refuse.

5. Healthcare risk waste management

Where healthcare risk waste is generated:

- (a) An approved method of waste collection, storage, transportation and disposal must be adopted on the premises.
- (b) A designated waste storage area must be provided for the storage of healthcare risk waste pending removal by an approved service provider.
- (c) The healthcare risk waste storage area must be separate from any food preparation area or any area where patients are cared for.
- (d) An adequate number of purpose-manufactured, leak-proof, sealable containers must be available for the storage of healthcare risk waste. Containers used for the storage of healthcare risk waste must be clearly labelled in large, legible lettering.
- (e) Accurate and up to date records must be kept of all healthcare risk waste generated by the facility.

6. Meals served on a premises for business purposes

All facilities used in connection with the handling, preparation, storage and serving of foodstuffs must comply with the relevant Regulations, published in terms of the Foodstuffs, Cosmetic and Disinfectants Act 1972, (Act No. 54 of 1972), as amended.

7. Pest and rodent control

- (a) A rodent/pest control programme must be in place to minimise the risk of rodents and pests on the premises.
- (b) Rodent proofing must be maintained in good order or repair to be impervious to rodents.
- (c) To prevent the spreading of rodents or pests, rodents must be eliminated before demolition of any building or structure likely to be infested with rodents.
- (d) The premises yard must be kept clean from any condition that may result in the breeding of flies or mosquitoes, and other vermin.

PREMISES THAT MUST BE IN POSSESSION OF A HEALTH CERTIFICATE

ANNEXURE A: 1

STANDARDS FOR CHILD CARE CENTRES / ECDS

Child care centres must comply with the following standards

1. Application for a Health Certificate

Only applications via the Department Social Development will be accepted for further processing.

2. Location and design

- (1) The premises used for or in connection with child-care services should be located, designed, constructed, finished, and equipped and in such a condition that children -
 - (a) can be cared for hygienically; and
 - (b) can be adequately protected against any possible health nuisance.
- (2) The applicant must adhere to the requirements of a Health Certificate. (Chapter 3)
- (3) Comply with the relevant Regulations, published in terms of the Foodstuffs, Cosmetic and Disinfectants Act 1972, (Act No. 54 of 1972), as amended.
- (4) The building structure on a premises must comply with the requirements of an approved building plan by the applicable local municipality and in terms of meeting Municipal Health standards.

3. Indoor play area

- (1) An indoor play area for playing, eating and for sleeping purposes is provided.
- (2) An indoor play area with a minimum of 1.5m² free unobstructed floor space must be available for each child.
- (3) If no outdoor play area is provided on the premises, an indoor play area with a free unobstructed floor space of 3m² per child must be provided.
- (4) The play area must be kept clean.
- (5) Linen used for sleeping purposes must be kept clean and in a hygienic condition, especially for children under the age of 3 (three) years.

4. Outdoor play area

- (1) An outdoor play area of a minimum of at least 2m² must be provided for each child.
- (2) Separate outdoor play areas should be provided for different age groups.
- (3) The outdoor play area must be kept clean.

5. The use of artificial/synthetic grass surfaces

Where artificial grass surfaces are used in indoor and outdoor play areas, the following measures must be put in place:

- (1) The surfaces should be cleaned regularly with suitable cleaning material to prevent odours and the occurrence of other health nuisances.

6. Toilets / ablution and nappy changing facilities

- (1) Centres catering for toddlers:
 - (a) junior type toilets and washbasins should be provided where appropriate.
 - (b) Toilet and hand washing facilities must be accessible to the children.
- (2) For children 0-2 years:
 - (a) At least 1 (one) toilet is provided for every 20 children;
 - (b) Where there are no sewerage systems in place, potties are provided;
 - (c) At least 1 (one) potty is provided for every 5 (five) toddlers;
 - (d) Human excreta from potties to be disposed of hygienically;
 - (e) Potties are cleaned after every use and disinfected in a properly demarcated area;
 - (f) A clearly demarcated nappy changing area equipped with an easily cleanable surface and water-proof mattress is provided, and this area is located away from any food preparation area;
 - (g) Proper hygiene practices are employed during diaper changing, to prevent faecal contamination
- (3) For children 3-6 years:
 - (a) At least 1 (one) toilet and at least 1 (one) hand wash basin must be provided for every 20 children on the premises.
 - (b) A supply of potable water must be available at every hand wash basin.
 - (c) Where no waterborne toilets are available, an approved sanitation facility must be provided.
 - (d) The toilet facility must be available.
 - (e) All toilets must be maintained in good order and cleaned regularly.
 - (f) Toilet facilities must be properly illuminated and ventilated.
 - (g) Separate toilets and hand wash facilities should be provided for staff members on the premises.
 - (h) An adequate amount of toilet paper, soap and hand drying material should always be available in the toilet facilities.

7. Water supply requirements

- (1) Where no running water from a local municipality is available, a minimum of 10-25 litres per person per day must be made available and stored hygienically on the premises for all uses.

8. Designated milk preparation areas for children under 2 (two) years

- (1) An adequate supply of potable cold and hot water is available for washing of bottles and teats.
- (2) Cooling facilities are provided for the hygienic storage of prepared bottles of milk (< 5°C) and other food.
- (3) All bottles used for feeding of children must be washed and sterilised before use.
- (4) Comply with the relevant Regulations

9. Storage facilities

To minimise infections from viruses, bacteria and parasites and the risk of disease transmission, the following measures must be applied:

- (a) Provide adequate storage space and separate storage space for food and none food to be provided
- (b) Store cleaning material which may be toxic, dangerous or hazardous to children in an inaccessible area

10. Sick bay facilities

A sickbay area for the treatment and care of a child who falls ill, who is injured during day care or who may be suffering from an illness that is suspected to be infectious must be provided on the premises

11. General hygiene requirements

- (1) Play rooms are regularly cleaned to minimise dust and moulds.
- (2) Solid waste is removed from playrooms daily.
- (3) Waste water is disposed of safely.
- (4) Appropriate vector control measures must be in place
- (5) Personal cleansing material must be available and used hygienically.
- (6) The floor must be free from dirt, dampness or any liquid substances.
- (7) Individual sheets and covers are provided for each child.
- (8) Contact toys, for children under the age of 2 years, must be kept clean.
- (9) Waste is always kept out of reach of children.

12. Sand pits

- (1) The sand pit must be kept in a hygienic and clean state;
- (2) Covered at night to prevent contamination by animals, and other pests;
- (3) Covered when not in use;
- (4) Disinfected when obviously dirty and contaminated;
- (5) Disinfected by raking salt through the sand (10kg coarse salt every three months per 1 m²);
- (6) The sand must be changed at least annually.
- (7) If the sand is contaminated by animal or human faeces, blood or other bodily fluids:
 - (a) children must be removed from the sand pit;
 - (b) use a watering can filled with mild detergent or household disinfectant diluted in water, pored over the sand to kill germs;
 - (c) the sand must be completely replaced if contaminated extensively.

13. After-school facilities

- (1) If after-school care services are provided for children of school-going age on the same premises as the child-care services, the following must be provided:
 - (a) An indoor care area of at least 1,5 m² for each child;
 - (b) At least 1 (one) toilet facility and 1 (one) hand-wash basin must be provided for every twenty (20) children or part thereof.
 - (c) Comply with the relevant Regulations

ANNEXURE: A 2**REQUIREMENTS FOR CHILDREN'S HOMES**

Children's homes must comply with the following standards:

1. Enclosure of the premises

- (1) The building structure has an approved plan by the applicable local municipality.
- (2) Any activity on the premises should not constitute a health nuisance.

2. Indoor living areas

- (1) An indoor play space with sleeping accommodation of at least 2m² per child for children aged between 2-6 years, and 4m² for children between 7-13 years and children above 13 years is provided on the premises.
- (2) For children under the age of 2 (two) years, separate indoor activity area of 1.5m² per child should be provided.
- (3) Linen used for sleeping purposes must be provided for children and laundered at least weekly, especially for children under the age of 2 years.
- (4) For children on nappies, a nappy changing area, equipped with a nappy changing table, with a water-proof mattress must be provided.
- (5) Proper diaper changing procedures should be followed to prevent the transmission of faecal-oral infections.

3. Outdoor areas

- (1) An outdoor play area with a minimum of 2m² per child should be provided for use by the children on the premises.
- (2) Area must be kept clean.

4. Toilets and bathing facilities

- (1) An adequate toilet and wash up facilities should be provided on the premises for use by the children.
- (2) 1 (one) toilet facility should be provided for at least every 20 (twenty) children on the premises (ratio 1:20) and an adequate supply of toilet paper must always be supplied in the toilet facilities.
- (3) 1 (one) hand wash basin should be provided for at least every 20 (twenty) children on the premises (ratio 1:20).
- (4) The hand wash basin should be in or immediately adjacent to the toilets.
- (5) A supply of cold and hot running potable water should be made available at every wash-hand basin, or if no running water is available, a minimum of 25 litres of potable water per child per day, stored hygienically in a closed container must always be available on the premises for drinking, cooking, personal hygiene and laundry.
- (6) An adequate supply of soap and a clean towel should always be maintained.

- (7) For children under the age of 2 (two) years on potty training, 1(one) chamber pot should be provided for at least every 5 children (ratio 1:5).
- (8) The pots must be emptied properly after passing of every stool and urine, and always properly cleaned to prevent any other environmental health nuisance.
- (9) Pit toilets used by children should be designed for use by children (reduced pots size and height), doors open-able on the outside.
- (10) The pit toilets must be maintained in good order and cleaned regularly.
- (11) For children under the age of 2 (two) years, still on nappies, a separate changing area must be provided on the premises, equipped with adequate storage facilities for soiled nappies and hand wash facilities to clean the children.
- (12) Separate toilets and hand wash facilities should be provided for staff members on the premises, and an adequate amount of toilet paper, soap and towel must always be available in the staff toilet and hand wash facilities.
- (13) All toilet facilities on the premises should always be properly illuminated, ventilated, maintained in good repair, and kept clean.
- (14) Individual face cloths should be provided for each child and marked as such.

5. Cleaning, sterilisation of feeding equipment and preparation of infant formula

- (1) All equipment used to feed and prepare feeds for infants (cups, bottles, teats, lids, spoons) should be thoroughly cleaned and sterilised before use to remove harmful bacteria that could grow in the feed and make children ill.
- (2) Before sterilising, used bottles, teats and caps must be thoroughly washed with clean soapy water to remove all traces of milk, and rinsed in safe water.
- (3) Hands must be washed with soap and water, and dry well before handling sterilised equipment.
- (4) The use of sterilised forceps for handling sterilised equipment is recommended.
- (5) Comply with the relevant Regulations.

6. Storage facilities

Adequate storage space and facilities must be provided on the premises for storage of unsafe, toxic, dangerous or hazardous materials or substances must be separated from other materials and equipment.

ANNEXURE: A 3

REQUIREMENTS FOR NURSING HOMES

1. Nursing home must comply with the following standards:

- (1) The premises must operate under a valid Health Certificate issued by an Environmental Health Practitioner of the municipality.
- (2) The building structure has an approved plan by the applicable local municipality.

2. Ablution and wash-up facilities

- (1) Adequate and accessible toilet, bathing and washing facilities must be provided to meet the needs of patients.
- (2) At least one toilet and at least 1 (one) bath or shower must be provided for at least every 12 (twelve) patients (ratio 1:12) on the premises.
- (3) Every toilet facility should be equipped with an adequate flushing system and must be maintained in proper working condition.

- (4) Adequate and sufficient sluice-rooms are available in each ward.
- (5) Approved storage shelves should be provided in the sluice-room for the storage of bed-pans or other sanitary utensils.
- (6) At least 1 (one) toilet, bath/shower should be available for every 20 members of staff, (ratio 1:20) and designated by gender.

3. Storage facilities

- (1) Separate storage facilities must be provided for storage of hazardous chemicals.
- (2) All storerooms and store facilities must always be kept clean.

4. General requirements

A rodent/pest control programme must be in place on the premises to prevent any infestations of rodents and pests.

ANNEXURE A: 4

Healthcare Risk Waste

1. Health Certification

- (1) All premises where healthcare waste are generated, must have a Health Certificate and may not be in operation without a Health Certificate and must comply with the applicable sections within this By-Law.
- (2) Compliance with the provisions of this Chapter is mandatory for all generators of healthcare waste and, where applicable, for all transporters and disposers of healthcare waste, and is mandatory at especially –
 - (a) all healthcare facilities such as places or sites where professional health services are dispensed to human patients, including hospitals, mobile and stationary clinics, sick bays such as, but not limited to old-age homes, day units, hospices, rehabilitation centres, consulting rooms of medical doctors, oral health practitioners, traditional healers, traditional surgeons, professional, nurses, facilities for rendering midwifery services, free-standing operating theatres, pharmacies and all similar sites;
 - (b) all pathological and microbiological laboratories or places where biological research is carried out, and the premises of blood transfusion services;
 - (c) the facilities of all manufacturers and distributors of pharmaceutical products or vaccines;
 - (d) all mortuaries and undertaker premises;
 - (e) all veterinary consulting rooms, animal hospitals, treatment-stations, dog kennels and catteries; and
 - (f) any private dwelling or household or any other premises where the environmental health risk constituted by the quantity and nature of healthcare waste generated is such that such healthcare waste should be handled in accordance with these regulations.

A person who contravenes a provision of subsection (1) commits an offence.

2. Duties of generators, transporters and disposers of healthcare waste

- (1) Every generator must register with the Municipality by completing and submitting the applicable application form.
- (2) Every transporter must register with the Municipality within 12 months of the coming into operation of this By-law.
- (3) Generators and transporters must advise the Municipality of any changes to the information provided in terms of subsection (1) and (2) as soon as such change takes place.

- (4) Every generator of healthcare waste and, where applicable, every transporter and disposer of healthcare waste must cause all such healthcare waste to be sorted, packed, contained, handled, stored, transported and disposed of in accordance with this Chapter.
- (5) The activities referred to in subsection (1) must be carried out in such way that the healthcare waste generated does not cause a health nuisance or safety hazard for any handler thereof or any other person or the environment in general.
- (6) A person who intends to engage on any premises, in an activity which may cause healthcare waste to be generated must, prior to the generation of the healthcare waste inform the responsible authority by written notice of his or her intention, and the notice must contain:
 - (a) the estimated quantity of healthcare waste to be generated;
 - (b) the method of storage of the healthcare waste;
 - (c) the proposed duration of storage of the healthcare waste;
 - (d) the manner in which the healthcare waste will be collected;
 - (e) the manner in which and the disposal site at which the healthcare waste will be disposed of;
 - (f) the identity of the licensee removing the healthcare waste; and
- (7) If so required by the Municipality, the notice must be substantiated by an analysis certified by an appropriately qualified industrial chemist of the composition of the healthcare waste, and must contain any other information required by the Municipality.
- (8) Upon receipt and evaluation of the notice, the Municipality shall by written notice to a person, require from that person, at his or her expense, to-
 - (a) store and dispose of the healthcare waste in refuse receptacles, using special containers or labelling as directed by the municipality;
 - (b) transport the healthcare waste to a disposal or processing facility as approved by the municipality, employing special containers and handling, and placing the healthcare waste in a specific area of the facility as directed by the facility operating plan;
 - (c) take any other measures relative to transportation and disposal of the healthcare waste as determined by the municipality to be required to protect human health and the environment; or
- (9) An owner or occupier of a premises where healthcare waste is generated must provide periodic training, on proper healthcare waste handling procedures, to all employees who may come into contact with healthcare waste.

A person who contravenes a provision of this section commits an offence.

3. Storage of healthcare waste

- (1) Any person engaging in an activity which may generate healthcare waste must ensure that the healthcare waste generated on the premises is kept and stored thereon until it is collected from the premises.
- (2) Perishable healthcare waste must be stored at a temperature not exceeding 4°C, and should preferably be frozen.
- (3) A healthcare waste storage area must –
 - (a) be vermin-proof, insect-proof, and rodent-proof;
 - (b) have an easily cleanable floor and wall finishing and general construction, connected to a gully in the floor and approved sewer;
 - (c) be totally enclosed;
 - (d) be adequately ventilated and lighted; and
 - (e) be lockable.
- (4) All healthcare waste must be stored in a healthcare waste storage area until it is loaded or removed for final disposal.
- (5) On-site spills must be cleaned up immediately.
- (6) All interior surfaces of storage areas must be meticulously disinfected and cleaned on a daily basis.
- (7) Provision must be made for unrefrigerated healthcare waste to be removed on weekends and public holidays.
- (8) No sterilisation of healthcare waste may be performed on any premises other than an approved facility.

- (9) Healthcare waste must, prior to disposal, be placed in a colour coded heavy duty plastic bag or other suitable colour coded container.
- (10) The above requirements for colour coded containers must be strictly adhered to for all movement and transportation of healthcare waste either on the premises of generation or in transit to an off-site sterilisation or disposal facility.

A person who contravenes a provision of this section commits an offence.

4. Transport of healthcare waste

- (1) Only approved transporters may transport healthcare waste and must do so in accordance with the requirements and provisions of the responsible local municipality.
- (2) (a) The loading compartments of transport vehicles for healthcare waste must be lockable and must comply with the following requirements:
 - (i) compartment must be thermally insulated and capable of maintaining a refrigerated transport temperature not exceeding 4°C;
 - (ii) interior panel construction must be so tightly joined as to ensure a removable liquid seal and airtight seal;
 - (iii) interior surfaces must be painted white with a durable duco or enamel paint or have a finish approved by the municipality;
 - (iv) there must be a threshold of at least 100 mm at the doors to prevent leakages spilling outside; and
 - (v) compartment must be equipped with approved Spill kits that are regularly checked and replenished.
- (b) The transport vehicle must be manned by a team adequately trained in the effective use of the Spill kits and clean-up procedures.
- (c) Every loading compartment must be meticulously disinfected and chemically cleaned on a daily basis.

A person who contravenes a provision of this section commits an offence.

5. Disposal facility and incineration

- (1) An approved transporter must dispose of the healthcare waste at an approved waste disposal facility for that purpose.
- (2) The incinerator and incineration process, ranging from highly volatile and high calorific-value plastics to high water-content material such as placentae, must comply with the prescriptions of all relevant legislation and the person in charge must supply certification in this regard.
- (3) Ashes from the incineration of healthcare waste may be disposed of without special containers or markings.
- (4) A person who contravenes subsection (1) or operates an incinerator or undertakes an incineration process in contravention of subsection (2) commits an offence.

ANNEXURE A: 5

1. Standards for old-age homes

Old-age homes must comply with the following standards:

- (1) Registration and Issue of Health Certificate for Old-Age Homes
- (2) The premises must be operated under a valid Health Certificate issued by an Environmental Health Practitioner.
- (3) The premises must promote the health of residents or older persons;
- (4) The applicant must adhere to the requirements of a Health Certificate. (Chapter 3)

- (5) Comply with the applicable regulation Governing General Hygiene Requirements for Food Premises, the Transport of Food and related matters.

2. Structural and physical facilities

- (1) Floors and walls should be constructed of a non-penetrable, easy washable material.
- (2) Ceilings must be constructed so as not to attract dust and in the case of operating theatres, labour wards, sterilising rooms and wash up rooms, the ceiling must have a hard, smooth and washable surface.
- (3) Rooms should be adequately and individually ventilated and illuminated.
- (4) All windows in the rooms should be adequately protected or guarded to ensure the safety of service users.

3. Accommodation requirements

The rooms and/wards must be cleaned daily and kept hygienic and free from offensive odours.

4. Toilet and ablution facilities

- (1) Adequate and accessible toilet, bathing and washing facilities must be provided.
- (2) At least 1 (one) toilet and one bath should be provided for at least every 8 (eight) service users on the premises (ratio 1:8). Where suitably adapted en-suite toilet and bathing/shower are provided in the user's rooms, these rooms can be excluded from the calculation. The toilet facilities should be designed for use by one person at a time.
- (3) Each service user must have access to toilet facility within proximity of his/her private accommodation or where they are cared for.
- (4) Additional toilet facilities must be provided, accessible and clearly marked next to the lounge and dining areas for use by service users.
- (5) Every toilet should be equipped with an adequate flushing system and all toilets, bathrooms or showers should be maintained in good working order.
- (6) All toilets must always be kept clean; floors scrubbed and bowl cleaned and disinfected daily.
- (7) Adequate and accessible toilet, wash-up and bath facilities should be provided for staff members employed on the premises.
- (8) All bathrooms must be fitted with porcelain, enamel or cast iron enamel baths with a constant supply of cold and hot running potable water.
- (9) Walls of the toilet facilities should be constructed of a smooth surface and be light coloured.
- (10) Toilet facilities must be adequately illuminated and ventilated.
- (11) Every toilet facility must be equipped with an adequate flushing system and should be maintained in proper working condition.
- (12) Bathrooms and toilets must all be designated for each gender.
- (13) The toilet areas should be adequately illuminated and ventilated.
- (14) The bathroom complex must be painted with a light coloured durable, washable paint.
- (15) Floors should be covered with a non-penetrable, easy washable surface.

5. Examination rooms

- (1) A hand wash basin with a supply of cold and hot running water should be available in all examination rooms.
- (2) Floors and walls must be constructed of a non-penetrable, easy washable surface.
- (3) Walls must be painted with a washable paint.

6. Sluice rooms

- (1) The sluice room must be well ventilated and illuminated.
- (2) The rooms must be equipped with impervious shelves.

- (3) The rooms must be equipped with hand wash basin for washing of hands by staff and hot and cold running water.
- (4) Floors must be constructed of an easy cleanable surface.

7. Storage facilities

Adequate storage facilities must be provided

8. General Requirements

- (1) Measures should be taken for infection control and to prevent spread of infection and communicable diseases.
- (2) A vector control program must be in place on the premises.
- (3) Laundry area should be available for laundering of linen or other soiled articles on the premises.
- (4) A separate linen room, containing adequate cupboards or shelves for the storage of linen must be provided on the premises.
- (5) If an outside contractor is utilised for laundry purposes, it must be done in an approved laundry.

ANNEXURE A: 6

STANDARDS FOR SCHOOL PREMISES

School premises must comply with the following:

1. Issue of a Health Certificate

- (1) The premises must be operated under a valid Health Certificate issued by an Environmental Health Practitioner.
- (2) The premises should promote the health of students/children.
- (3) The applicant must adhere to the requirements of a Health Certificate. (Chapter 3)

2. Structural facilities

- (1) Must comply to the approved building plan by the local municipality.
- (2) Floors and walls must be constructed of a non-penetrable, easy-washable surface.
- (3) The ceiling must have a hard, smooth and washable surface.
- (4) Classrooms must be adequately ventilated and illuminated in compliance to the approved building plan by the local municipality.
- (5) The school premises should be enclosed with an approved means of enclosure.
- (6) An outdoor play area/yard should be available for outdoor activities on the school premises.
- (7) Toilet and ablution facilities: Adequate toilet and wash up facilities that meet the needs of pupils and staff members should be available on the school premises:
 - (a) At least 1 (one) toilet facility should be available for every 25 children (ratio 1:25), and in addition at least 1 (one) urinal is available for every 50 boys' ratio 1:50.
 - (b) The school toilet facilities should be equipped with an adequate flushing system and running water.
 - (c) At least 1 (one) hand wash basin should be available for every 25 (twenty) children (ratio 1:25) on the school premises, equipped with a constant supply of running water.
 - (d) Hand wash basins should be in or immediately adjacent to the toilets.
 - (e) If non-waterborne toilets are utilised, Ventilated Improved Toilets are recommended.
 - (f) If pit toilets are used, the design of the pit toilets should be constructed in such a manner as not to cause an environmental health nuisance.
 - (g) Pit toilets should be so structured as to be able to be used by small children (reduced pots size and height), and doors should be open-able on the outside.

- (h) The pit toilets should be maintained in good order and cleaned regularly to prevent smells and flies going in and out of the toilet facilities.
- (i) Separate toilets and hand wash facilities must be provided for staff members on the premises.
- (j) Toilet and washing facilities for staff may also open for use by visitors. At least 1 (one) toilet facility and at least 1 (one) hand wash basin should be provided for every twenty staff members on the premises (ratio 1:20).
- (k) Staff toilets should be separated by gender.
- (l) Toilet facilities must be properly illuminated and ventilated in compliance with the approved building plan by the local municipality
- (m) Toilets should be easily accessible to all.
- (n) Toilets must be cleaned daily.
- (o) A cleaning and maintenance plan should be in place for cleaning and maintenance of all toilets.
- (p) An adequate supply of soap and toilet paper should always be maintained in the toilet facilities.

3. Water supply

- (1) Safe potable water, with soap or a suitable alternative, must be available at all the critical points within the school, particularly in toilets and kitchens.
- (2) Safe potable water access points should always be accessible.
- (3) If no piped potable water is available on the premises, a minimum of 5 litres per person per day for non-residential children and staff must be kept and stored hygienically on the premises for all purposes (drinking, personal hygiene/hand washing and cleaning). For boarding schools, a minimum of 20 litres per person per day for all residential school children and staff must be available on the premises for drinking, washing up, cleaning and food preparation purposes.

4. Accommodation for pupils and staff members at boarding schools

- (1) Adequate sleeping, living and accommodation facilities must be provided for boarders and should comply with the requirements of the National Building Regulations and the Building Standards Act, 1977 (Act No. 103 of 1977), with regards to ventilation and lighting.
- (2) Separate sleeping accommodation must be provided for residential male and female pupils.
- (3) Separate sleeping and living accommodation should be provided for staff on the premises.
- (4) For dormitories, a floor space of not less than 4.2 m² must be provided for each pupil with a distance of at least 0.9 m maintained between each bed.
- (5) For cubicles, a cubicle for a single pupil with its own window and a minimum floor area of 5.0 m²; must be provided.
- (6) Single bed bedroom for a single pupil must have a minimum floor area of 6.0 m².
- (7) Sleeping accommodation must be kept clean. A floor space of not less than 2.3 m² should be available in all living accommodation for each pupil and staff on the premises.

5. Sick Bay facilities

- (1) A sick room must be provided for isolation of sick pupils on the premises
- (2) The area must be provided/ equipped with a hand wash basin with a supply of running water.
- (3) An approved, lockable and adequately equipped first aid kit should be made available in the sick bay area for treatment of minor injuries or illnesses.

6. Medical care for pupils and students

- (1) Immediately notify relevant health practitioner in an event of the illness being suspected of being a communicable disease.

- (2) Pupils suspected of suffering from a communicable disease must be excluded from attending preschool if in the opinion of relevant health professional, the person poses a health risk to other pupils and can transmit the disease.
- (3) Adequate provision should be made for disposable gloves and disinfectants to protect staff and children and to disinfect contaminated areas and surfaces when dealing with blood related illnesses and injuries; all healthcare risk waste must be handled and disposed of safely.
- (4) All areas and surfaces where treatment of a child or caregiver for an illness or injury has taken place must be disinfected immediately.

7. General requirements

- (1) Medicines, detergents, pesticides and other harmful substances should be stored in lockable places and access be given to employees responsible for utilising such materials only.
- (2) The school premises must always be kept clean.
- (3) Waste water disposal systems should be in place on the premises, in compliance to the relevant By-Laws of the Local Authority concerned.

ANNEXURE A: 7

STANDARDS FOR ACCOMMODATION ESTABLISHMENTS

Accommodation establishments must comply with the following:

1. Issue of a Health Certificate

- (1) The premises operated under a valid Health Certificate issued by an Environmental Health Practitioner.
- (2) The applicant must adhere to the requirements of a Health Certificate. (Chapter 3)

2. Structural facilities and accommodation requirements

- (1) Ceilings and walls of rooms must be constructed of a dust-free material.
- (2) Walls must be brought to a smooth finish.
- (3) Floors surfaces of kitchens, scullery, laundry, bathrooms, showers, ablution rooms, and toilets, should be constructed of non-penetrable easy washable material.
- (4) All rooms, passages, staircases, bathrooms, kitchen and other areas should be adequately ventilated and illuminated as per the provisions of the National Building regulations and the Building Standards Act.
- (5) Each room must have artificial or natural ventilation
- (6) Disabled facilities must be provided on the premises, such as ramps to enable people with disabilities to move in and around the premises with ease.
- (7) Accommodation rooms must be kept clean
- (8) Residential employees must be provided with separate sleeping facilities on the premises.

3. Toilet and ablution facilities

- (1) Toilet facilities and hand wash basins should be equipped with a flushing system and an adequate supply of running potable water.
- (2) Bath and or showers should be provided.
- (3) Suitable and effective means of drainage and sewage disposal connected to an approved disposal system must be in place and approved by the Local Authority concerned.
- (4) A waterborne sewage system connected to the municipal sewer, a septic tank or other approved disposal system must be utilised for sewage disposal, in compliant with the local authority's relevant By-Laws.

- (5) Drainages and sewage disposal systems or private sewage disposal systems should be maintained in proper operating condition.
- (6) Sufficient toilet paper, soap and towels must be supplied in the ablution facilities.
- (7) All sanitary, ablution and water supply fittings must be kept clean.
- (8) Staff on the premises should be provided with separate and adequate toilet and wash-up facilities. At least 1 (one) toilet and hand wash basin, bath/shower is provided for every 12 (twelve) employees on the premises (ratio 1:12).

4. Swimming pools and hot tubs

If hot tubs/swimming pool facilities are provided on the premises for use by the guests:

- (1) Management must ensure the sampling of bath tub/pool is conducted regularly and provide sample results at request of the Environmental Health Practitioner.
- (2) The facilities must be kept clean and maintained in good working order.

5. General hygiene requirements

- (1) The premises and all equipment used during the operation of the facility must always be maintained in a clean and sanitary good condition.
- (2) A rodent/pest control program must be in place on the premises so that it does not constitute a health nuisance

ANNEXURE A: 8

STANDARDS FOR BEAUTY SALONS

Beauty salons must comply with the following requirements:

1. Issue of a Health Certificate

- (1) The premises must be operated under a health certificate issued by an Environmental Health Practitioner.
- (2) The applicant must adhere to the requirements of a Health Certificate. (Chapter 3)

2. Structural facilities

- (1) Internal walls must be constructed of an easily cleanable material and painted with a light coloured paint.
- (2) Floors should be constructed of an easily cleanable material brought to a smooth finish.
- (3) The ceiling must be constructed of a dust proof material.
- (4) The premises should be adequately ventilated and illuminated.
- (5) The clients and employees should be provided with toilet and ablution facilities on the premises. At least 1 (one) toilet and hand wash basin should be provided for every twenty employees (ratio 1:20) and at least one toilet and hand wash basin should be provided for every twenty clients on the premises (ratio 1:20), and should be equipped with a constant supply of running water. The toilet facilities must be equipped with a flushing system.
- (6) Adequate wash up facilities with a constant supply of hot and cold running potable water must be available on the premises for washing of hair.
- (7) An approved system for the disposal of waste water should be in place on the premises.
- (8) The change rooms provided should contain an individual locker for every employee and a hand wash basin provided with a supply of hot and cold running potable water and an adequate supply of soap and disposable towel.
- (9) All refuse must be disposed of in an environmentally acceptable manner and in line with relevant By-laws of the local authority concerned.

- (10) A central refuse storage area must be provided on the premises for the storage of waste pending removal for disposal.
- (11) Adequate number of refuse bags and/ or bins should be provided for the collection of waste the premises. The refuse bags must therefore be transferred to the central storage area.
- (12) The salon premises may not be used for food preparation or for sleeping, unless separate food preparation area is provided for such different purpose.
- (13) The premises and all equipment used in connection should always be maintained in good conditions and clean and sanitary.
- (14) Animals are not permitted on the premises, unless in the case of a guide dog.
- (15) Instruments used in the salon should be kept clean and disinfected after each use.
- (16) All instruments that come into contact with blood must be sterilised after each use.
- (17) Adequate numbers of towels should be provided for various uses associated with the running of the business and must be kept clean.
- (18) Laundry facilities for the washing of all linen and towels should be provided.
- (19) If beverages are provided on the premises, a separate area should be provided equipped with a facility for cleaning crockery and utensils for that purpose.

3. Waste management

- (1) All sharp instruments, bloodied instruments are regarded as infectious waste and must be disposed of accordingly, including razors, blades, needles and other sharp instruments. Approved methods of waste collection, storage, transportation and disposal should be adopted for the management of healthcare risk waste and must be in line with applicable health legislation.
- (2) Containers used for the storage of healthcare risk waste should be clearly labelled in large, legible lettering.
- (3) Employees should be adequately trained in the identification, separation, handling and storing of healthcare risk waste.
- (4) Healthcare risk waste may only be removed/collected, transported, treated and disposed by a registered service provider from the premises.
- (5) Accurate and up to date records of all healthcare risk waste generated by the facility must be kept.

4. The use of dyes, pigments and stencils and tattoo procedures

- (1) In preparing dyes or pigments, non-toxic materials should be used.
- (2) Single-use, sterile, individual containers for dyes or pigments must be used for each patron.
- (3) The stencil, unless composed of acetate, should be used for a single tattoo procedure only. Acetate stencils may be disinfected and re-used.
- (4) Tattooing must be conducted in such a manner to prevent the transmission of communicable diseases from client to client and from artist to client. The following minimum standards are maintained:
 - (a) A tattoo artist must always wear water proof and clean aprons during tattooing.
 - (b) Tattoo artists must always wash hands with soap and running water before working on each client.
 - (c) Equipment used for tattooing, body piercing, clippers etc. must be sterilised accordingly utilising approved sterilisers.
 - (d) Good sanitary and hygiene practices must always be adopted.

ANNEXURE A: 9

STANDARDS FOR OFFENSIVE TRADES

For the purpose of this document, Offensive Trades refers to any trade in which the substances dealt with are, or are likely to be hazardous or dangerous to health and likely to pose a health nuisance. These include but are not limited to the following trades:

- (a) Panel beating and spray painting
- (b) Operating of a hazardous waste recycling plant
- (c) Oil and petroleum product recycling
- (d) Scrap yard or scrap metal dealing; blood boiling, bone boiling, tallow, melting or fat extracting, soap boiling, tripe boiling or cleaning, skin storing, hide boiling, sin curing, blood drying, leather dressing, tanning or glue making
- (e) Brick burning, lime burning; manure making and storing or compost making
- (f) Cement works, coke-ovens or slat glazing works
- (g) Viscose works
- (h) Ore or mineral smelting, tempering, hardening
- (i) Slaughtering of animals
- (j) Fish mongering and fish frying
- (k) Animal bristle, hair or storing and sterilising
- (l) Storage of raga
- (m) Storing of wood saw-dust
- (n) Works to produce carbon bisulphite, cellulose lacquer, cyan or its compounds, hot pitch or bitumen, pulverised fuel, pyridine, liquid or gaseous sulphur dioxide or sulphur chlorides
- (o) Works to produce amyl acetate, aromatic ethers, butyric acid, caramel, enamelled wire, glass, hexamine, lampblack, resin products, salicylic acid, sulphated organic compounds, sulphurous paints, ultramarine, zinc chloride or zinc oxide
- (p) Food-processing factories; bacon factories and meat-processing factories; chemical works; Dye works; Breweries and distilleries
- (q) Malt and yeast manufacturing works
- (r) Sugar mills and sugar refineries
- (s) Works or premises used for the storing or mixing of manure, super phosphate or fertilisers
- (t) Fat-melting or tallow-melting works and any similar works or establishments for dealing with meat, bones, blood or offal, or with other organic matter derived from animals or poultry
- (u) Works or premises used for the manufacture, storage or mixing of meal derived from fish, crustacean, poultry, meat offal from animals or poultry, or other organic matter derived from animals or poultry
- (v) Works or premises used for storing, drying, preserving, or otherwise processing bones, horns, hoofs or other waste matter or excretions from animals or poultry
- (w) Premises used for storing, sorting or dealing with hides and skins, or for fell mongery
- (x) Tanning and leather-dressing works; and any other activity deemed to be an offensive trade by a specific Local Authority.

1. Premises used for offensive trades must comply with the following

The premises must be operated under a Valid Health Certificate issued by an Environmental Health Practitioner, to the effect that the premises comply with Environmental Health requirements and cause no Health Nuisance..

2. General requirements

- (1) The premises must always be maintained in a clean, hygienic and good condition.
- (2) All machinery, plant, apparatus, furniture, fittings, tools, implements, vessels, containers, receptacles and vehicles should always be maintained in a clean, hygienic and good condition.
- (3) Waste accumulating should be prevented on the premises.

ANNEXURE A: 10**STANDARDS FOR HEALTH ESTABLISHMENTS**

Health establishments must comply with the following:

1. Drinking water quality

- (1) Water must be continuously tested for fitness of consumption. Where on-site water storage facilities are utilised, the storage capacity should be sufficient for 24 hours.
- (2) Water storage facilities e.g. reservoirs and tanks should be adequately protected from contamination.
- (3) The water in the storage facilities must be tested for compliance and fitness for consumption.
- (4) Water source e.g. borehole, should be effectively protected from contamination.
- (5) If non-compliance is identified when testing of the water, the possible source of contamination must be traced. The possible source of contamination must then be monitored as part of a risk management approach to ensure effectiveness of interventions.
- (6) To prevent organisms that grow in temperatures between 25°C and 50°C (e.g. *Legionella* species), hot water temperatures especially must be kept above 50°C and cold water below 20°C.
- (7) Taps and pipes containing water not fit for human consumption are clearly marked as such.
- (8) Designated staff must be available for regular monitoring of the water system in the health facility. Water quality monitoring records must be kept and made available to an Environmental Health Practitioner on request.
- (9) If water is stored in a temporary water storage tank on the premises, must comply with SANS 241

2. Toilet and ablution facilities

- (1) Adequate toilet and wash up facilities should be provided for patients and staff on the premises. At least 1 (one) toilet is provided for every 12 (twelve) in-patients, and 1 (one) hand wash basin, and 1 (one) bath or shower is provided for every 12 (twelve) in-patients.
- (2) Separate toilet and hand washing facilities must be provided for staff on the premises.
- (3) Floors of walls of the toilet facilities must be constructed of a non-penetrable, easy washable surface.
- (4) All toilet facilities on the premises must always be kept clean and in good repair.
- (5) All hand wash facilities should be supplied with a constant supply of potable running water.
- (6) An adequate and constant supply of soap, toilet paper and towel must always be maintained in all toilet and hand wash facilities.

3. Storage facilities

- (1) Additional storage facilities should be provided for the storage of cleaning equipment, pesticides and other potentially dangerous hazardous substances.
- (2) All storerooms and store facilities must always be kept clean and cleaned routinely at least once every week.
- (3) Hazardous substances must be stored and disposed of in a safe manner, separate from other non-hazardous materials.
- (4) Food and non-food items should be stored separately from any other items; refrigerators used for storage of medicines are not at any time used for storage of any foodstuffs.
- (5) Separate storage facilities for dirty and clean linen and equipment, including sluice facilities for cleaning of soiled linen and equipment should be provided.
- (6) Refrigeration facilities used for storage of hazardous waste or infectious material must be marked as such, and should be used to store any other item except for the designed purpose.

4. Reception of dead bodies on the premises

- (1) All facilities used about the handling, preparation, storage and transportation of dead bodies on the premises and the requirements with regards to the operation of premises for the management of Human Remains must comply with the requirements of the Regulations relating to the Management of Human Remains.
- (2) Suitably trained staff should be available and responsible for duties in the mortuary and ensure that the Hygiene Standards are adhered to.
- (3) A cleaning program for the mortuary should be in place. A register and records must be kept and maintained of the information regarding the handling of corpses; including the record of refrigeration facilities and temperatures must be taken daily.
- (4) The infection control staff member should regularly monitor whether the policy regarding the handling of corpses is followed and whether the mortuary is operated in an acceptable manner.
- (5) Adequate protective clothing (comprising of waterproof aprons, light coloured overalls and protective gloves) should be provided and utilised for employees working in the mortuary.
- (6) Approved methods of waste collection, storage, transportation and disposal should be adopted for the handling of infectious waste in the mortuary, in compliance to the SANS 10248.

5. Laundry facilities

- (1) The health establishment facility must have access to a well manage laundry facilities for the effective laundering of linen, for controlling of infection; and avoiding contamination on the premises.
- (2) Internal walls, floors and ceiling must be constructed of a non- penetrable, easy washable surface
- (3) The laundry facility must be properly ventilated by cross ventilation and adequately illuminated.
- (4) Drainage systems should be available and not connected to storm water drainage.
- (5) Areas receiving soiled linen must be separated from areas handling clean linen.
- (6) Adequate ablution and toilet facilities must be provided.
- (7) Suitable and hazard-free storage facilities for storage of chemicals should be provided.
- (8) Vehicles, containers, trolleys or other manually operated equipment for the transporting of linen must conform to requirements to ensure contamination free conditions.
- (9) All dirty linen and hospital clothes regarded as infectious waste and must be stored only in the designated storage area and removed from wards, passages or any other place where patients are treated.

6. Operational requirements

- (1) A policy for the management of linen in a facility must be in place.
- (2) Work instructions and procedures;
- (3) Process control procedures;
- (4) Quality control procedures; and
- (5) Control of linen (clean /soiled) procedures.
- (6) A procedure specifically for infection/contamination control must be made available to staff handling linen.
- (7) A person designated as the laundry controller must ensure that the requirements regarding pollution, occupational and environmental hygiene are complied with, including appropriate action in respect of any risks associated with infection or other hazards.
- (8) Procedures for the use of protective clothing and personal hygiene where staff is in contact with high-risk areas or linen should be documented to include precautionary measures.
 - (a) carrying out their functions effectively;
 - (b) handling hazardous goods in the laundry service;
 - (c) following procedures (including first aid) about the prevention and control of infection;
 - (d) using protective clothing and follow procedures for decontamination; and
 - (e) operating laundry machines to ensure optimum results including general safety procedures.

7. General hygiene requirements

- (1) The premises must always be maintained clean, free from offensive odours, unsightly accumulation of debris, litter and miscellaneous waste.
- (2) Cleaning staff should be trained and competent on cleaning techniques and processes to be utilised for various areas in the health facility.
- (3) Cleaning material and detergent required to ensure a hygienic environment in the health facility must always be available and properly stored.
- (4) A cleaning schedule should be kept and maintained for cleaning of all areas in the facility.
- (5) Appropriate cleaning material and equipment should be available on the premises.

PREMISES THAT DO NOT NEED A HEALTH CERTIFICATE

ANNEXURE B: 1

STANDARDS FOR DRY CLEANING AND LAUNDRY ESTABLISHMENTS

Dry cleaning and laundry establishments must comply with the following Environmental Health standards:

1. Structural facilities

- (1) The layout of the laundry and plant in health facilities for controlling of infection; and avoiding contamination.
- (2) Drainage for laundry from health facilities should be and not connected to storm water drainage.

2. Water supply and sanitation facilities

- (1) Toilet facilities should be equipped with a flushing system and a constant supply of toilet running water, and provided with toilet paper, soap and disposable paper towel.
- (2) A supply of soap and disposable towels at every hand wash basin.
- (3) drainage and sewage disposal should be in place on the premises, approved by the local authority concerned.

ANNEXURE B: 2

STANDARDS FOR CONSTRUCTION SITES AND INDUSTRIAL PREMISES

Construction sites must comply with the following standards:

1. Water supply and sanitation facilities

- (1) Adequate toilet facilities should be provided for use by construction workers. At least 1 (one) toilet and one hand wash basin is provided for every 20 employees on the premises (ratio 1:20). In addition at least one urinal should be provided for every 40 males on site (ratio 1:40). If more than 200 employees are employed on the site, at least 1 (one) toilet and 1 (one) urinal must be provided for at least every 50 workers (ratio 1:50);
- (2) Wash-up facilities equipped with potable water should be provided for employees, especially employees engaged in the application of paints, coating, pesticides etc.
- (3) Toilet and washing facilities should always be maintained in a sanitary condition.

2. Physical facilities

Whenever food is prepared and served on the premises, the facilities used for the preparation, handling, storage and serving of foodstuffs must comply with the requirements of the applicable Regulations Governing General Hygiene Requirements and the Transport of Food.

3. Waste management and waste water

- (1) Private sewerage disposal works or refuse (landfill) disposal sites managed must be operated effectively in accordance with prescribed legislation and permit conditions for operation of landfills and sewerage works.
- (2) Evaluations/monitoring must be included in the waste/pollution management plans and must be implemented per plans.
- (3) Final effluent or sludge emanating from the sewerage disposal works should be utilised in accordance with prescribed national guidelines to prevent soil and water pollution.
- (4) The sewerage drainage system must be maintained effectively to prevent blockages and spills that could give rise to environmental pollution.
- (5) Staff responsible for the operation of waste water disposal works or facilities should be well trained to operate the facilities effectively and pollution free.
- (6) All necessary information concerning operations at these facilities as required by permit conditions and legislation should be recorded.
- (7) Results of final sewage effluent of sewerage disposal sites should be recorded.
- (8) Waste material and debris should be removed to a disposal area and re-usable material should be sorted and moved to a storage area at least once daily to prevent a hazardous condition arising.
- (9) Waste generated should be disposed of at an approved landfill site and in accordance with the relevant by-laws of a Local Authority concerned.
- (10) Rubbish, debris and other waste material from the demolition or construction of projects should be temporarily disposed of in a designated area on site and access to the area should be strictly controlled and disposed of at an approved waste facility.

ANNEXURE B: 3

STANDARDS FOR PUBLIC GATHERING PLACES

Public gathering places must comply with the following Environmental Health Standards:

1. Waste management

- (1) The management of waste on the premises should comply with the relevant by-laws of the applicable Local Authority and regulated by the local authority
- (2) Refuse bins should be provided at strategic points throughout the premises for collection of litter.
- (3) On-site management of waste should be available on the premises during events, for management of spillages and littering, to prevent a nuisance from occurring.
- (4) Arrangements should be in place between the event manager and the Local Authority, with regards to waste management during and after an event.

2. Drinking water supply

- (1) In the case of events, water points should be available at strategic points throughout the premises.
- (2) If water tankers are used during events, the water must comply with SANS 241 of 2015 as amended.

3. Sanitation facilities

- (1) Adequate toilet and hand washing facilities should be provided for staff and for the public.
- (2) Suitable, effective drainage and sewage disposal system should be in place on the premises

4. For short-term events

- (1) If chemical closet toilets are used, an on-site maintenance team should be available on the premises for the duration of the event to ensure the prevention of blockages and leakages from creating a nuisance and health hazard from occurring; and
- (2) A site plan detailing the location and type of sanitary facilities to be used during events should be submitted to the Environmental Health Practitioner

ANNEXURE B: 4**STANDARDS FOR KEEPING OF ANIMALS ON PREMISES**

Premises used for the keeping of animals must comply with the following: The premises may not constitute a health nuisance.

ANNEXURE B: 5**Slaughtering of animals for religious, traditional, cultural ceremonial and own consumption purposes**

- (1) No meat or animal product obtained from an animal slaughtered for cultural, traditional, religious purposes or own consumption, may be sold to any person.
- (2) In the case of religious or traditional slaughtering, the applicant must apply with the local municipality and they must notify the Environmental Health Practitioner to approve the event.
- (3) Blood and other waste products from the carcass must be disposed of in a manner which will not become a health nuisance.
- (4) Measures should be taken to ensure that no health nuisance is created or exist on the premises because of the slaughtering.

ANNEXURE B: 6**Pet shops and pet parlours**

The premises may not constitute a health nuisance.

ANNEXURE B: 7**STANDARDS FOR PRISONS, INCLUDING POLICE STATION HOLDING CELLS**

Prisons, including police station holding cells must comply with the following standards:

1. Structural facilities

Holding cells should always be kept clean, free from debris, litter and other miscellaneous rubbish and be maintained in good repair.

2. Toilet and ablution facilities

- (1) Adequate toilet, hand washing and shower facilities should be provided on the premises for use by service users/inmates.
- (2) Toilet facilities must always be kept clean.

ANNEXURE B: 8**STANDARDS FOR VACANT LAND**

Vacant land may not constitute a health nuisance.

ANNEXURE B: 9**STANDARDS FOR OFFICE ACCOMMODATION**

Office buildings and accommodation may not constitute a health nuisance.

OVERBERG DISTRIKSMUNISIPALITEIT VERORDENING INSAKE MUNISIPALE GESONDHEIDSDIENSTE

Om voorsiening te maak vir Munisipale Gesondheidsdienste en aangeleenthede wat daarmee gepaard gaan:

AANHEF

Die Raad van die OVERBERG DISTRIKSMUNISIPALITEIT het kragtens die bepalings vervat in artikel 156(2) van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996), saamgelees met artikel 13(a) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet No. 32 van 2000), soos gewysig, die Verordening insake Munisipale Gesondheid in die Aanhangsel hieronder ingestel –

INHOUDSOPGAWE**HOOFSTUK 1: INTERPRETASIE EN GRONDBEGINSELS**

1. Woordomskrywings
2. Toepassing van hierdie verordening
3. Oogmerk
4. Omvang van toepaslikheid
5. Beginsels

HOOFSTUK 2: ALGEMENE BEPALINGS WAT MET GESONDHEIDSOORLASTE**VERBAND HOU**

6. Optrede en gedrag
7. Verbod op die skepping, bestaan of voorkoms van 'n gesondheidsoorlas
8. Plig om 'n gesondheidsoorlas uit te skakel of verminder

HOOFSTUK 3: STANDAARDE VAN TOEPASSING OP ALLE PERSELE

9. Standaard van toepassing op persele
10. Gesondheidsertifisering
11. Nienakoming

HOOFSTUK 4: WATER EN SANITASIE

12. Pligte en verbodbepalings

HOOFSTUK 5: AFDWINGING

13. Nakomingskennisgewing en verhoë
14. Verbod-kennisgewing
15. Terugtrekking van verbod-kennisgewing
16. Munisipale remediërende werk
17. Beleide en riglyne

HOOFSTUK 6: ALGEMENE BEPALINGS

18. Bekragtiging en betekening van kennisgewings en ander dokumente
19. Appèl
20. Misdrywe en strawwe
21. Samewerking tussen munisipaliteite en toepassing
22. Vrystellings
23. Herroeping van verordening
24. Kort titel en aanvang

STANDAARDE VAN TOEPASSING OP PERSELE**PERSELE WAT OOR 'N GESONDHEIDCERTIFIKAAT MOET BESKIK****AANHANGSEL A:**

- A1. Standaard vir kindersorgsentrums / VKO's
- A2. Vereistes vir kinderhuise

- A3. Vereistes vir verpleeginrigtings
- A4. Vereistes vir gesondheidsorgisiko-afval
- A5. Standaarde vir ouetehuse
- A6. Standaarde vir skoolpersele
- A7. Standaarde vir verblyfondernemings
- A8. Standaarde vir skoonheidssalonne
- A9. Standaarde vir hinderlike bedrywe
- A10. Standaarde vir gesondheidsinrigtings

AANHANGSEL B:

Persele wat **NIE** 'n Gesondheidsertifikaat **BENODIG NIE**

- B1. Standaarde vir droogskoonmaak- en wassery-ondernemings
- B2. Standaarde vir bouterreine en industriële persele
- B3. Standaarde vir openbare bymekaarkomplekke
- B4. Standaarde vir die aanhou van diere op persele
- B5. Die slag van diere vir godsdienstige, seremoniële en eie verbruik
- B6. Troeteldierwinkels en -salonne
- B7. Standaarde vir gevangnisse, insluitende polisiestasie-aanhoudingselle
- B8. Standaarde vir onbeboude grond
- B9. Standaarde vir kantoorruimtes

HOOFSTUK 1:**INTERPRETASIE EN GRONDBEGINSELS**

1. Woordomsrywings
2. Toepassing van hierdie verordening
3. Oogmerk
4. Omvang van toepaslikheid
5. Beginsels

1. Woordomsrywings

In hierdie verordening, tensy uit die samehang anders blyk, beteken: –

“aanstootlike materiaal” tuinrommel, vullis, afvalmateriaal, rommel, skroot, weggooi-artikel of -ding, uitgediende masjinerie, motor- of ander voertuie, asook die uitgediende dele daarvan, afval van enige boubedrywighede, of enige afval wat op enige grond of perseel gestort kan word, insluitend nuwe of gebruikte boumateriaal wat nie eintlik nodig is ten opsigte van bona fide boubedrywighede wat werklik op enige grond plaasvind nie, en sluit in enige vaste stof, vloeistof of gas wat ’n oorlas is of kan word of wat wesenlik met die algemene gerief of gemak van die publiek inmeng;

“afval” enige stof, hetsy daardie stof verminder, hergebruik, herwin en herstel kan word al dan nie –

- (a) wat surplus, ongewens, verwerp, weggegooi, verlaat of mee weggedoen is;
- (b) wat die voortbringer geen nut meer voor het nie (vir die doel van produksie);
- (c) wat behandel of verwyder moet word; of
- (d) wat deur die Minister deur middel van kennisgewing in die Staatskoerant as afval geïdentifiseer word, en sluit afval in wat deur die mynbou-, mediese of ander sektor voortgebring word, maar
 - (i) ’n neweproduk word nie as afval beskou nie; en
 - (ii) enige deel van afval, sodra dit herbruik, herwin en herstel is, is nie langer afval nie;

Afval sluit enige soliede materiaal

of materiaal in wat in water dryf, opgelos of vervoer word (insluitend sediment) en wat op grond of in ’n waterbron gestort of gedeponeer word in hoeveelhede, samestelling of op ’n wyse wat veroorsaak of redelikerwys moontlik kan veroorsaak dat die waterbron besoedel word;

“afvalwater” die afvalwater wat voortspruit uit huishoudelike, kommersiële en landbou-aktiwiteite en -persele, en enige vorm van riool kan bevat;

“akwatiese fauna” enige akwatiese lewendige organisme van akwatiese bronne, insluitend enige akwatiese plant, hetsy visagtig of nie, en enige weekdier, skaaldier, reptiel, akwatiese soogdier en voël, en sluit dit hulle eiers, larwes en alle jeugdige stadiums in;

“baba” ’n kind wat jonger as twee jaar oud is;

“begraafplaas” enige grond wat een of meer grafte bevat;

“besoedeling” enige verandering in die omgewing wat veroorsaak word deur – enige aktiwiteit, insluitend die berging of behandeling van afval of stowwe, bouwerke en die verskaffing van dienste, hetsy uitgevoer deur enige persoon of ’n staatsorgaan, waar daardie verandering ’n nadelige uitwerking het op menslike gesondheid of welstand of op die samestelling, veerkragtigheid en produktiwiteit van natuurlike of bestuurde ekosisteme, of op materiaal wat nuttig is vir mense, of wat in die toekoms so ’n uitwerking sal hê;

“besproeiing” die aanwending van water op enige gronde of terrein vir enige doel, en sluit in afvalwater of water wat afval bevat wat deur enige aktiwiteit voortgebring is;

“bewoner” enige persoon wat enige perseel of deel daarvan bewoon sonder inagneming van die titel waaronder hy of sy dit bewoon, insluitende –

- (a) enige persoon wat werklik die perseel bewoon;
- (b) enige persoon wat wettig geregtig is om die perseel te bewoon;
- (c) in die geval waar die perseel onderverdeel is en aan loseerders of verskeie huurders verhuur word, die persoon wat die huurgeld betaalbaar deur sulke loseerders of huurders ontvang, hetsy vir die persoon se eie onthalwe of as ’n agent vir enige persoon daarop geregtig is of wat ’n belang daarby het;
- (d) enige persoon belas met die beheer of bestuur van die perseel, en dit sluit in die agent van enige sodanige persoon wanneer die persoon nie in die Republiek van Suid-Afrika teenwoordig is nie of wanneer sy of haar doen en late onbekend is; en
- (e) die eienaar van daardie perseel;

“bioafbreekbare industriële afvalwater” afvalwater wat hoofsaaklik organiese afval bevat wat voortspruit industriële aktiwiteite en persele, insluitende maar nie beperk nie tot:

- (a) melkverwerking;
- (b) verwerking an groente- en vrugteprodukte;
- (c) vervaardiging en bottelering van koeldrank;
- (d) bottelering van water;
- (e) produksie van alkohol en alkoholiese drank in brouerye, wynmakerye of moutery;
- (f) vervaardiging van dierevoedsel uit plant- of dierprodukte;
- (g) abattoirs;
- (h) visverwerking;
- (i) voerkrale;
- (j) kaasmakery en -verwerking;
- (k) komposaanleg; en
- (l) aanleg vir die verwerking van biodiesel;

“dier” enige soort perd, bees, skaap, bok, vark, pluimvee, kameel, hond, kat of enige ander huisdier, of enige wilde dier of reptiel of enige seedier of akwatiese organisme wat in aanhouding of onder die beheer van ’n persoon is;

“diere-afval” die ontlasting, mis, keutels, verharing, vere, bene, horings, bloed, velle en ingewande of enige ander afval van ’n dier, reptiel, voël of pluimvee en enige see- of akwatiese organisme;

“dieresiekte” ’n aantasting of versteuring van die normale funksie van ’n orgaan of die liggaam van enige dier wat deur ’n organisme of stof veroorsaak word;

“drinkwater” water wat aan SANS 241 voldoen;

“droogskoonmakery of wassery” enige onderneming waar klere of ander tekstiele met water of ander oplosmiddels skoongemaak word, of waar klere of tekstiele gestryk word;

“eienaar” ten opsigte van –

- (a) diere of dinge, vervoermiddels of ander roerende eiendom, die persoon in wie eienaarskap berus en sluit in ’n persoon wat verantwoordelik is vir die beheer of bestuur daarvan of ’n persoon wat sodanige dier of ding, vervoermiddel of roerende eiendom in sy of haar besit het, maar in die geval van wild of diere wat nie geklassifiseer is kragtens die Wet op Identifisering van Diere, 2002 (Wet No. 6 van 2002) of waarvan die eienaarskap nie redelikerwys vasgestel kan word nie, word die gebruiker van die grond waarop sodanige wild of diere teenwoordig is, geag die eienaar te wees; en
- (b) grond –
 - (i) die persoon in wie se naam daardie grond geregistreer is;
 - (ii) wat gekoop is deur ’n persoon maar wat nog nie in sy of haar naam geregistreer is nie, sodanige koper;
 - (iii) waarvan die eienaar of koper ’n minderjarige, verstandelik gestremde, insolvente persoon is of andersins wetlik onbevoeg is om sy of haar boedel te administreer, of wat oorlede is, of wat ’n

regspersoon onder geregtelike bestuur of likwidasie is, beteken dit die agent of regsverteenwoordiger van sodanige eienaar of koper of 'n ander persoon wat wetlik gemagtig is om sy of haar sake te administreer, of in die geval van 'n regspersoon, die betrokke geregtelike bestuurder of likwidateur; en

- (iv) 'n plaaslike munisipaliteit wat in beheer is van grond uit hoofde van die bevoegdhede en funksies daaraan verleen kragtens Skedule 4B en 5B van die Grondwet;

“gebruiker” met betrekking tot grond –

- (a) enige persoon wat 'n persoonlike of saaklike reg het ten opsigte van grond in sy of haar hoedanigheid as beswaarde, afgevaardigde, serwituuthouer, besitter, huurder of bewoner, ongeag of hy of sy daarop woon of nie; en

- (b) enige ander persoon wat gewoonlik geag word as 'n persoon wat besitreg op die betrokke grond het;

“gesondheidsertifikaat” 'n gesondheidsertifikaat wat kragtens hierdie verordening uitgereik word;

“gesondheidsoorlas” 'n voorkoms soos in hoofstuk 2(6)(1) en (2) uiteengesit;

“gesondheidsorgfasiliteit” 'n gesondheidsinrigting soos in die Wet omskryf;

“gesondheidsorgrisiko-afval” 'n verwysing na gesondheidsorgafval as 'n neweproduk van gesondheidsorg wat skerp voorwerpe, stomp voorwerpe, bloed, liggaamsdele, chemikalieë, medikasie, mediese toestelle, ens. insluit;

“gevaar” die wesenlike moontlikheid of vermoë van 'n agens, toerusting, materiaal, aktiwiteit of proses om skade te veroorsaak;

“gevaarlike afval” enige afval wat organiese of anorganiese elemente of verbindinge bevat wat as gevolg van die inherente fisiese, chemiese of toksikologiese eienskappe van daardie afval 'n nadelige uitwerking op gesondheid en die omgewing mag hê;

“gevaarlike stowwe” enige stof wat die besering, swak gesondheid of dood van mense mag veroorsaak as gevolg van hul giftige, korroderende, prikkelende, sterk gevoelige of vlambare aard, of die opbouing van druk daarin onder sekere omstandighede tydens invoer, vervaardiging, verkoop, gebruik, bedryf, toepassing, wysiging, wegdoening of storting; dit sluit gevaarlike chemiese stowwe en stowwe soos 'n vaste stof, vloeistof, gas, aërosol of kombinasie daarvan in, maar sluit gevaarlike elektroniese produkte en radioaktiewe stowwe uit;

“goedgekeur” deur die munisipaliteit goedgekeur kragtens die omgewingsgesondheidsvereistes van die betrokke geval;

“goedgekeurde bouplan” 'n verwysing na bouplanne wat deur die plaaslike munisipaliteit goedgekeur is;

“grondopvulterrein” 'n fasiliteit vir afvalverwydering, soos omskryf in die Wet op Nasionale Omgewingsbestuur: Afval, 2008 (Wet No. 59 van 2008) en sluit oordragstasies en aflaaierreine in;

“hondehawe” enige inrigting waar bedrywighede met die teel, opleiding of huisvesting van honde te make het en sluit in skutte wat deur die staat of andersins bedryf word;

“hondeherberg” 'n verblyfonderneming wat vir die huisvesting van honde voorsiening maak;

“huis vir bejaardes” 'n inrigting of ander plek van huisvesting wat hoofsaaklik vir die verblyf en versorging van bejaarde of verswakte persone onderhou word;

“karkas” die oorblyfsels van enige dier of pluimvee;

“katherberg” enige onderneming waar katte geteel of gehuisves word;

“kind” enige persoon onder die ouderdom van 18 jaar en “kinders” het 'n gelykstaande betekenis;

“kindersorgfasiliteit of -inrigting” enige onderneming of inrigting, hetsy met ’n winsmotief of andersins, wat vir ’n volle dag of gedeelte van die dag op alle of enige dae van die week betrokke is by kinders se bewaring, versorging of onderrig, of die gebou of die perseel wat in stand gehou of gebruik word met die doel om so ’n onderneming of inrigting daarin of daarop te bedryf, na gelang van die geval;

“krematorium” ’n plek wat gebruik vir die verassing van ’n lyk en sluit elke deel van so ’n perseel in;

“munisipaliteit” die Overberg Distriksmunisipaliteit ingestel kragtens artikel 12 van die Wet op Munisipale Strukture, 1998 (Wet No. 117 van 1998) en uitgevaardig in Provinsiale Kennisgewing 492 gedateer 22 September 2000, en sluit enige politieke struktuur, politieke ampsdraer, Raadslid, behoorlik gemagtigde agent of enige werknemer daarvan in wat met betrekking tot hierdie verordening optree uit hoofde van ’n bevoegdheid van die munisipaliteit wat aan sodanige politieke struktuur, politieke ampsdraer, Raadslid, agent of werknemer gedelegeer of gesubdelegeer is;

“nadelig vir gesondheid” enige situasie wat ’n nadelige uitwerking op ’n persoon se gesondheid mag hê;

“omgewing” die omgewing waarbinne mense bestaan, bestaande uit –

- (a) die grond, water en atmosfeer van die aarde;
- (b) mikro-organismes, plant- en dierelewe;
- (c) enige deel of kombinasie van (a) en (b) en die onderlinge verwantskappe tussen hulle; en
- (d) die fisiese, chemiese, estetiese en kulturele eienskappe en toestande van die voorgaande wat menslike gesondheid en welsyn beïnvloed;

“omgewingsgesondheidpraktisyn” die persoon wat kragtens artikel 80(1)(c) van die Wet op Nasionale Gesondheid, 2003 (Wet No. 61 van 2003) deur die Burgemeester aangestel word en deur die Munisipale Bestuurder aangestel word om ’n munisipale gesondheidsdiens in die Overberg-distrik te lewer;

“ontvangsdepot vir droogskoonmakery of wassery” enige perseel wat gebruik word vir die ontvangs, berging en versending van klere en ander tekstiele wat op ’n droogskoonmakery of wassery betrekking het;

“oordraagbare siekte” ’n siekte wat as gevolg van ’n bepaalde aansteeklike agens of sy giftige produkte voortspruit uit die oordrag van die agens of sy produkte van ’n besmette persoon, dier of lewelose reservoir na ’n vatbare gasheer, eerder direk of indirek deur ’n intermediêre dier- of plantgasheer, draer of lewelose omgewing;

“openbare bymekaarkomplekke” openbare plekke soos winkelsentrums, lughawens, bioskope, sportvelde, stadions, openbare geleenthede, sale, insluitend persele wat deur die regering besit of beset word;

“openbare plek” enige openbare –

- (a) grond, plein, swembad, oord, ontspanningsterrein, diere-, botaniese of ander tuin, park of staproete, insluitend enige gedeelte daarvan en enige fasiliteit of apparaat daarin of daarop, asook enige oop ruimte, pad, padreserwe, reservaatpad, meer, dam of rivier;
- (b) gebou, struktuur, saal, vertrek of kantoor, insluitend enige gedeelte daarvan en enige fasiliteit of apparaat daarin, wat die eiendom is van, of besit, beheer of verhuur word deur die munisipaliteit en/of plaaslike munisipaliteit en waartoe die publiek toegang het, hetsy teen betaling van toelatingsgeld al dan nie;

“permit” die skriftelike toestemming wat deur die plaaslike munisipaliteit verleen word;

“persoon” sluit enige regeringsfeer in; natuurlike en regspersoon sluit enige regeringsfeer in; natuurlike en regspersoon;

“perseel” enige gebou, tent of enige ander struktuur, tesame met die grond waarop dit geleë is en die aangrensende grond wat in verband daarmee gebruik word en enige grond sonder geboue of tente, en sluit enige voertuig, vervoer, skip of boot in;

“plaag” enige dier wat insekte en knaagdiere insluit wat siekte kan oordra;

“plaagbeheerprogram” ’n program wat die eienaar/bestuurder op skrif gestel het en die aktiwiteite uiteensit wat vir die beheer van plaag op ’n perseel uitgevoer sal word;

“plaagdoder” enige stof of mengsel van stowwe van chemiese of biologiese bestanddele wat bedoel is om enige plaag af te weer, te vernietig of te beheer;

“plaaslike munisipaliteit” ’n Kategorie B-munisipaliteit soos beoog in artikel 155(1)(b) van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996);

“plek van versorging” ’n perseel waar ’n persoon of instelling die besigheid van ’n vroeëkindontwikkeling-sentrum, ouetehuis, verpleeginrigting, kraaminrigting bedryf, of welke besigheid uit een of meer of ’n kombinasie daarvan bestaan, soos deur die plaaslike munisipaliteit goedgekeur;

“pluimvee” enige hoender, gans, volstruis, eend, duif, kalkoen, muskus, tarentaal, pou of voël, hetsy makgemaak of wild;

“publiseer” ten opsigte van die bepalings –

- (a) om ’n kennisgewing in die Provinsiale Koerant en ’n plaaslike koerant te publiseer; en
- (b) om die kennisgewing wat as sodanig gepubliseer is, op die kennisgewingborde van die munisipaliteit te vertoon;

“Raad” die Raad van die Overberg Distriksmunisipaliteit;

“salon” ’n plek waar enige een of meer van die dienste of aktiwiteite bedoel in die omskrywing van barbier, haarkapper, skoonheidskundige, lyfpriemer of tatoeëerder normaalweg bedryf word;

“see-fauna” enige lewendige bronne uit die see en langs die kus, insluitend enige akwatiese plant, hetsy visagtig of nie, en enige weekdier, skaaldier, koraal, spons, seekomkommer of ander eginoderm, reptiel, see-soogdier en seevoël, en sluit hulle eiers, larwes en alle jeugdige stadiums in;

“skoonheidsalon” ’n perseel waar ’n persoon die besigheid van ’n barbier, haarkapper, skoonheidskundige, lyfpriemer of tatoeëerder bedryf in ’n salon of enige ander plek wat deur die munisipaliteit goedgekeur is, welke besighede uit een of meer, of ’n kombinasie daarvan, van voorgemelde bestaan en op die manlike of vroulike liggaam van ’n mens toegepas word;

“struktuur” enige stal, skuur, varkhok, kraal, voëlhuis, veekamp, bedekte struktuur, pluimveehok, omheinde gebied, loophok, duiwehok of gebou wat gebruik word vir die aanhou, huisvesting of inkamping van diere en pluimvee;

“swembad” ’n swembad, spa-bad, insluitend ’n jacuzzi, wat vir die publiek toeganklik is, en sluit swembaddens by skole of ander tersiêre instellings in;

“troeteldiersalon” ’n onderneming waar troeteldiere versorg word;

“troeteldierwinkel” ’n onderneming waar troeteldiere vir handelsdoeleindes aangehou word;

“uitvloeiisel” afvalwater wat as gevolg van ’n aktiwiteit gegenereer word;

“verantwoordelike gesag” die gesag of munisipaliteit wat vir die funksies (die uitvoering van afvalverwydering) in die regsgebied van Overberg Distriksmunisipaliteit verantwoordelik is;

“verblyfonderneming” ’n plek waar verblyf voorsien word met ’n winsmotief, met of sonder maaltye;

“voldoende” die mening van die Omgewingsgesondheidpraktisyn;

“vrye ruimte” die ruimte in ’n vertrek wat nie deur vasstaande meubels of ander apparaat beset word nie;

“water vir ontspanningsdoeleindes” openbare en privaat swembaddens, spa-baddens, oseane, riviermondings, riviere en damme;

“waterbron” onder meer ’n waterloop, oppervlakwater, dam, riviermonding in;

“Wet” die Wet op Nasionale Gesondheid, 2003 (Wet No. 61 van 2003).

2. Toepassing van hierdie verordening

Die munisipaliteit, bewus van die grondwetlike reg van elke persoon op ’n omgewing wat nie skadelik vir sy of haar gesondheid of welsyn is nie, en die beginsels van die Wet op Nasionale Gesondheid, 2003 (Wet No. 61 van 2003), aanvaar hierdie verordening met die doel om die gesondheid en welsyn van alle mense in die regsgebied van Overberg Distriksmunisipaliteit te beskerm en te bevorder deur ooreenstemmend toepaslike wetgewing ’n geregtelike en administratiewe raamwerk te voorsien waarvolgens die munisipaliteit sy munisipale gesondheidsverpligtinge kan ontwikkel, bestuur en bevorder.

Die bepalings van hierdie verordening het voorrang bo die bepalings van enige ander verordening of soneringskema van toepassing in die distrik, in soverre sodanige ander verordening enige aspek van Munisipale Gesondheidsdienste kragtens die bepalings van die Wet reguleer.

Ongeag enige bepalings van hierdie verordening, is dit en bly dit die eksklusiewe verantwoordelikheid van die eienaar, bestuurder of persoon in beheer om toe te sien dat sy of haar perseel aan die bepalings van hierdie verordening voldoen.

3. Oogmerk

Die doel van hierdie Verordening insake Munisipale Gesondheidsdienste is om die munisipaliteit in staat te stel om die gesondheid en welsyn van mense in die munisipale gebied oor die langtermyn te beskerm.

4. Omvang van toepaslikheid

Hierdie verordening is van toepassing op die munisipale gebied waar die munisipale gesondheidsdienste gelewer word.

5. Beginsels

Die oorkoepelende beginsels van hierdie verordening is daardie beginsels wat in Hoofstuk 2 van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996) vervat is.

HOOFSTUK 2

ALGEMENE BEPALINGS WAT MET GESONDHEIDSOORLASTE VERBAND HOU

6. Optrede en gedrag
7. Verbod op die skepping, bestaan of voorkoms van ’n gesondheidsoorlas
8. Plig om ’n gesondheidsoorlas uit te skakel of verminder

6. Optrede en gedrag

- (1) ’n Gesondheidsoorlas bestaan of kom voor wanneer enige van die volgende op enige grond of perseel voorkom –
 - (a) ’n swembad, waterpoel, sloot, geut, misput of -hoop wat so vuil of in so ’n toestand of so geleë of opgerig is dat dit nadelig vir gesondheid is;
 - (b) die opeenhoping van afval of ander stof wat nadelig vir gesondheid is;

- (c) besproeiing van enige grond met afvalwater of water wat afval bevat en nadelig vir gesondheid mag wees;
 - (d) waar water of water wat afval bevat wat nadelig vir gesondheid is, in 'n waterbron gestort word;
 - (e) waar rioolslyk nie deur middel van 'n goedgekeurde rioolverwyderingstelsel verwyder word nie;
 - (f) 'n gebou, struktuur en/of aanliggende grond –
 - (i) wat so opgerig of geleë is of gebruik of gehou word dat dit nadelig vir gesondheid is;
 - (ii) wat besmet is met plaë of ongediertes of in 'n toestand is wat bevorderlik vir die uitbroei van plaë of ongediertes is;
 - (g) 'n woning of enige ander perseel wat bewoon word en waarvoor daar geen behoorlike en voldoende voorsiening van drinkwater beskikbaar is nie;
 - (h) organiese materiaal of diere-afval wat gebruik of gehou word op 'n wyse wat ongediertes of plaë soos onder meer rotte, muisse, vlieë en muskiete lok;
 - (i) onhigiëniese toestande wat nadelig vir gesondheid mag wees, teenwoordig is op enige gedeelte van die grond of perseel;
 - (j) 'n karkas of die oorblyfsels van 'n dier, pluimvee, voël of see- of akwatiese fauna, of enige diere-afval word nie begrawe nie of word nie behoorlik mee weggedoen nie.
- (2) 'n Gesondheidsoorlas bestaan as – enige ander aktiwiteit, toestand of ding wat deur 'n Omgewings-gesondheidpraktisyn as 'n gesondheidsoorlas verklaar word, op grond of 'n perseel bestaan of plaasvind of daaruit voortspruit.

7. Verbod op die skepping, bestaan of voorkoms van 'n gesondheidsoorlas

- (1) Geen persoon mag –
- (a) 'n gesondheidsoorlas skep nie;
 - (b) enige daad uitvoer wat 'n gesondheidsoorlas kan veroorsaak nie;
 - (c) 'n aktiwiteit, byeenkoms of funksie op grond of in 'n perseel organiseer of toelaat, of grond of 'n perseel gebruik of veroorsaak of toelaat dat dit gebruik word vir 'n doel wat uit die aard daarvan of andersins of vanweë die gevolge daarvan 'n gesondheidsoorlas skep of moontlik kan skep nie;
 - (d) tensy hy of sy volgens wet gemagtig is of toegelaat word om dit te doen of dit doen;
 - (i) enige materiaal, voorwerp of ding wat moontlik 'n gesondheidsoorlas kan veroorsaak, in 'n openbare plek aktiveer, hanteer of gebruik nie;
 - (ii) enige materiaal, voorwerp of ding of enige vloeistof of vaste stof wat vanweë die aard daarvan of die wyse waarop dit in omloop gebring of hanteer word 'n gesondheidsoorlas skep, in 'n openbare plek inbring of hanteer nie;
 - (e) deur 'n direkte of indirekte handeling of deur nalatigheid toelaat dat 'n gesondheidsoorlas geskep of voortgesit word nie;
- (2) 'n Persoon wat strydig met 'n bepaling van subartikel (1) optree, pleeg 'n misdryf.

8. Plig om 'n gesondheidsoorlas uit te skakel of verminder

- (1) Die eienaar, bewoner of gebruiker van grond of 'n perseel moet –
- (a) verseker dat 'n gesondheidsoorlas nie op sy of haar grond of perseel bestaan of plaasvind nie; en moet onmiddellik ná hy of sy bewus word van 'n gesondheidsoorlas op die grond of perseel, die gesondheidsoorlas verwyder
 - (b) tot die bevrediging van die munisipaliteit stappe doen om die risiko vir munisipale gesondheid te verminder; en die bestaan van die gesondheidsoorlas by die munisipaliteit aanmeld.
- (2) Die eienaar, bewoner of gebruiker van grond of 'n perseel wat strydig met 'n bepaling van subartikel (1) optree, pleeg 'n misdryf.

HOOFSTUK 3

STANDAARDE VAN TOEPASSING OP ALLE PERSELE

9. Standaard van toepassing op persele
10. Gesondheidserfiserings
11. Nienakoming

9. Standaard van toepassing op persele

Alle persele wat in hierdie hoofstuk aangedui word, is onderworpe aan Munisipale Gesondheid- wetgewende vereistes en die moniteringstandaarde, soos omskryf in Aanhangel A van hierdie verordening, of kragtens 'n goedgekeurde Raadsbeleid.

10. Gesondheidserfiserings

- (a) Die persele wat in die tabel hieronder aangedui word, mag nie sonder 'n Gesondheidserfikaat bedryf word nie en moet aan die toepaslike artikels in hierdie verordening voldoen.

TABEL 1: AANHANGSEL A

Soort perseel	Geldigheidstydperk van Gesondheid-serfikaat (vanaf datum van uitreiking)	Voldoen aan die artikel in hierdie verordening
Kindersorgsentrum en vroeëkindontwikkelingsentrum	Een jaar	Aanhangel A:1
Kinderhuise	Een jaar	Aanhangel A:2
Verpleeginrigtings	Een jaar	Aanhangel A:3
Gesondheidsorgsrisiko-afval Genereerders	Een jaar	Aanhangel A:4
Ouetehuse	Een jaar	Aanhangel A:5
Skoolterreine	Een jaar	Aanhangel A:6
Verblyfondernemings	Een jaar	Aanhangel A:7
Skoonheidsalonne	Een jaar	Aanhangel A:8
Hinderlike bedrywe	Een jaar	Aanhangel A:9
Gesondheidsinrigtings	Een jaar	Aanhangel A:10

- (b) 'n Persoon wat 'n besigheid wil bedryf wat in Tabel 1 aangedui word, moet om 'n Gesondheidserfikaat aansoek doen, soos deur die munisipaliteit voorgeskryf.
- (c) 'n Uitgereikte Gesondheidserfikaat sal vir 'n tydperk van een jaar vanaf die datum van uitreiking geldig wees.
- (d) 'n Eienaar of persoon wat 'n besigheid bedryf wat in Tabel 1 aangedui word, moet twee maande voor die vervaldatum van die bestaande Gesondheidserfikaat om jaarlikse hernuwing van die Gesondheidserfikaat aansoek doen.
- (e) Versuim om die stap in (d) hierbo te volg, sal impliseer dat so 'n besigheid nie toegelaat word om langer in bedryf te wees nie en is as sodanig outomaties nie langer 'n besigheid nie.
- (f) Hierdie sertifikaat vrywaar nie 'n persoon van die nakoming van enige ander wetlike vereistes, magtigings en/of goedkeuring van toepassing op die perseel en/of besigheid deur enige ander departement, munisipaliteit of owerheid nie. Dit word dus onomwonde gestel dat die goedkeuring en gestelde vereistes nie bedoel is vir enige goedkeuring anders as om aansoek te doen om 'n Gesondheidserfikaat wat kragtens hierdie verordening uitgereik word nie. Die Overberg Distriksmunisipaliteit aanvaar nie enige

verantwoordelikheid vir koste wat deur 'n persoon aangegaan word om voorgemelde Gesondheidsertifikaat te bekom nie, sou 'n persoon se aansoek aan die plaaslike munisipaliteit of ander betrokke departemente om enige magtigings en/of goedkeuring van toepassing op die perseel onsuksesvol is nie.

- (g) 'n Gesondheidsertifikaat wat aan 'n perseel uitgereik word, moet die volgende insluit:
- i) Die besonderhede van die houer van die Gesondheidsertifikaat, eienaar/persoon in beheer van die perseel;
 - ii) Die straatadres van die perseel;
 - iii) Die identiteitsnommer van die houer van die sertifikaat;
 - iv) 'n Sertifikaatnommer;
 - v) As dit 'n kindersorgsentrum is, die aantal kinders en die minimum ouderdomsgroepe wat op die perseel toegelaat word.
 - vi) As dit 'n verpleeginrigting of ouetehuis is, die maksimum aantal beddens/pasiënte wat op die perseel geakkommodeer sal word.
 - vii) Dienste wat op die personeel voorsien/aangebied word en dienste wat verbied word;
 - viii) Datum van uitreiking; en
 - ix) Die geldigheids tydperk.
- (h) Die Gesondheidsertifikaat moet op 'n sigbare wyse op die perseel vertoon word sodat almal wat die perseel betree, dit duidelik kan sien.
- (i) 'n Gesondheidsertifikaat is nie oordraagbaar van een eienaar na 'n ander of van een perseel na 'n ander nie.
- (j) 'n Gesondheidsertifikaat kan deur 'n Omgewingsgesondheidpraktisyn teruggetrek word as toestande nie aan hierdie verordening voldoen nie.
- (k) Die persele wat in Tabel 2 hieronder aangedui word, benodig nie 'n Gesondheidsertifikaat nie.

TABEL: 2 AANHANGSEL B

Droogskoonmakerye en wasserye
Bouterreine en industriële persele
Openbare bymekaarkomplekke
Persele vir die aanhouding van diere
Die slag van diere vir godsdienstige, tradisionele, kulturele, seremoniële en eie verbruiksdoeleindes
Troeteldierwinkels en -salonne
Gevangnisse of polisie-aanhoudingselle
Onbeboude grond
Kantoorruimtes

11. Nie nakoming

Indien 'n eienaar of persoon in beheer van 'n perseel gelys in Tabel 1 en 2 versuim om te voldoen aan die bepalings of enige voorwaardes of vereistes wat kragtens hierdie verordening opgelê word, kan die munisipaliteit kragtens artikel 19 van hierdie verordening optree.

HOOFSTUK 4

WATER EN SANITASIE

12. Pligte en verbodbepalings

'n Eienaar, bewoner of gebruik van grond of enige perseel moet nie 'n gesondheidsoorlas met betrekking tot water en sanitasie uitmaak nie.

HOOFSTUK 5

AFDWINGING

13. Nakomingskennisgewing en vertoë
14. Verbodkennisgewing
15. Terugtrekking van verbodkennisgewing
16. Munisipale remediërende werk
17. Kosteverhaling
18. Beleide en riglyne

13. Nakomingskennisgewing en vertoë

- (1) Waar 'n Omgewingsgesondheidpraktisyn redelike gronde het om te glo dat 'n persoon in gebreke is om aan 'n vereiste met betrekking tot 'n perseel te voldoen, kan hy of sy 'n nakomingskennisgewing aan die persoon beteken, welke kennisgewing moet aandui –
 - (a) die naam en woon- of posadres van die persoon;
 - (b) watter vereiste nie nagekom is nie of watter bepaling oortree is;
 - (c) dat die persoon binne 'n bepaalde tydperk maatreëls moet instel om die kennisgewing na te kom en om die maatreëls voor 'n bepaalde datum te voltooi; en
 - (d) dat die persoon binne 14 dae op 'n gespesifiseerde plek skriftelike vertoë in die vorm van 'n beëdigde verklaring of bevestiging aan die munisipaliteit kan rig.
- (2) Waar 'n persoon nie vertoë rig kragtens subartikel (1)(d) nie, en die persoon versuim om die maatreëls in te stel voor die datum beoog in subartikel (1)(c), begaan hy of sy 'n misdryf.
- (3)
 - (a) Vertoë wat nie binne die tydperk beoog in subartikel (1)(d) ingedien word nie, sal nie oorweeg word nie, behalwe waar die persoon 'n goeie rede daarvoor het en die munisipaliteit die laat indiening van die vertoë kondoneer.
 - (b) Die munisipaliteit moet die tydigse vertoë en enige reaksie daarop deur die Omgewingsgesondheidpraktisyn oorweeg.
 - (c) Die munisipaliteit kan uit vrye wil enige verdere ondersoek instel om, indien nodig, die feite te verifieer, en die uitslag van die ondersoek moet beskikbaar gestel word aan die persoon wat die vertoë gerig het; die persoon moet die geleentheid gegun word om, indien dit sy of haar wens is, 'n verdere reaksie in te dien en die munisipaliteit moet ook die verdere reaksie oorweeg.
 - (d) Die munisipaliteit moet na oorweging van die vertoë en enige reaksie en verdere reaksie 'n skriftelike bevel opstel en 'n afskrif daarvan aan die persoon beteken, welke bevel in die geheel of gedeeltelik die nakomingskennisgewing moet bevestig, wysig of tersyde moet stel, en waar die nakomingskennisgewing in die geheel of gedeeltelik bevestig of gewysig word, moet die munisipaliteit die persoon in kennis stel dat hy of sy binne die tydperk aangedui in die bevel, die verpligtinge uiteengesit in die bevel moet nakom en dat versuim om dit te doen 'n misdryf uitmaak.
 - (e) Waar 'n persoon versuim om die verpligtinge beoog in subartikel (4)(d) na te kom, kan die munisipaliteit, ongeag enige boetes wat kragtens artikel 21 opgelê mag word, kragtens subartikel (5) optree.

- (4) Indien nienakoming steeds voorkom, kan die munisipaliteit enige regstellende maatreëls instel om die oorlas te verwyder en die koste daarvan van die besoedelaar, persoon in beheer of eienaar van die perseel te verhaal.

14. **Verbod-kennisgewing**

- (1) 'n Omgewingsgesondheidpraktisyn mag, nadat 'n perseel ondersoek is, 'n verbod-kennisgewing wat die gebruik van die perseel vir spesifieke doeleindes verbied en wat vereis dat maatreëls ingestel word om te verseker dat die verbod-kennisgewing nagekom word, aan een of meer van die volgende persone beteken:
- (a) die eienaar of bewoner van die perseel indien die munisipaliteit redelikerwys glo dat die perseel gebruik word vir 'n doel of op 'n wyse wat 'n gesondheidsoorlas veroorsaak;
 - (b) enige persoon wat 'n aktiwiteit bedryf of 'n perseel gebruik vir 'n doel of op 'n wyse wat die munisipaliteit redelikerwys laat glo dat dit 'n gesondheidsoorlas veroorsaak; of
 - (c) 'n persoon aan wie 'n nakomingskennisgewing beteken is indien die munisipaliteit redelikerwys glo dat die persoon nie aan die nakomingskennisgewing voldoen het nie.
- (2) Die munisipaliteit moet die persoon aan wie dit beoog om 'n verbod-kennisgewing te bestel, 'n redelike geleentheid gun om verhoë te rig voordat die kennisgewing beteken word, tensy die munisipaliteit redelikerwys glo dat die gevolglike vertraging omgewingsgesondheid beduidend in gevaar sal stel, in welke geval die persoon aan wie 'n verbod-kennisgewing beteken word, 'n redelike geleentheid gegee moet word om verhoë te rig waarom dit teruggetrek moet word.
- (3) 'n Verbod-kennisgewing moet aandui –
- (a) die redes vir die betekening van die kennisgewing;
 - (b) of die munisipaliteit die kennisgewing sal terugtrek as sekere maatreëls ingestel word en, indien wel, die maatreëls wat ingestel moet word;
 - (c) die moontlike gevolge van 'n versuim om aan die kennisgewing te voldoen; en
 - (d) hoe om teen die kennisgewing te appelleer.
- (4) Tensy 'n verbod-kennisgewing anders bepaal, tree dit in werking wanneer dit kragtens subartikel (1) beteken word en bly van krag totdat dit teruggetrek word.
- (5) Die Omgewingsgesondheidpraktisyn moet so gou doenlik 'n afskrif van die kennisgewing op 'n sigbare plek op die perseel aanbring.

15. **Terugtrekking van verbod-kennisgewing**

- (1) Die munisipaliteit moet binne 48 uur na ontvangs van 'n skriftelike versoek om die onttrekking van 'n verbod wat in 'n verbod-kennisgewing vervat is, die grond of perseel ondersoek.
- (2) Na voltooiing van die ondersoek moet die munisipaliteit die persoon aan wie die verbod-kennisgewing beteken is of daardie persoon se agent skriftelik in kennis stel of die verbod opgehef is en of die verbod-bevel teruggetrek is.
- (3) Die munisipaliteit kan die eienaar of bewoner van die grond of perseel waar 'n ondersoek kragtens subartikel (1) uitgevoer word, 'n voorgeskrewe fooi vir die uitvoer van die ondersoek vra.

16. **Munisipale remediërende werk**

- (1) Die munisipaliteit kan kragtens die Wet op Nasionale Gesondheid, 2003 (Wet No. 61 van 2003) die perseel betree en ondersoek uitvoer en enigiets op die perseel doen wat die munisipaliteit redelikerwys nodig ag om nakoming van hierdie verordening of van 'n nakomingskennisgewing of verbod-kennisgewing te verseker;

- (2) Die munisipaliteit kan ondersoek op die perseel uitvoer –
- (a) op 'n roetinebasis waar die Omgewingsgesondheidpraktisyn redelikerwys glo dat die perseel gebruik word vir 'n doel beoog in hierdie verordening, en dit die doel van die ondersoek is om te bepaal of die gebruik aan die bepalings van hierdie verordening voldoen;
 - (b) waar 'n nakomingskennisgewing van toepassing op die perseel kragtens artikel 13 uitgereik is en dit die doel van die ondersoek is om te bepaal of die kennisgewing nagekom is;
 - (c) waar die eienaar of bewoner van die perseel versuim om te voldoen aan 'n nakomingskennisgewing wat kragtens artikel 13 uitgereik is, of 'n verbod-kennisgewing, uitgereik kragtens artikel 13, beveel dat toepaslike maatreëls ingestel moet word; of
 - (d) waar die Omgewingsgesondheidpraktisyn op redelike gronde glo dat 'n gesondheidsoorlas wat moontlik nadelig vir gesondheid kan wees, op die perseel bestaan.
- (3) Benewens enige regstellende maatreëls wat die munisipaliteit hierkragtens mag instel, kan die munisipaliteit by 'n hof met jurisdiksie aansoek doen om te verhoed dat 'n persoon voortgaan om enige gesondheidsoorlas te veroorsaak.

17. **Beleide en riglyne**

- (1) Die munisipaliteit kan beleide en riglyne opstel en publiseer met geskikte maatreëls wat ingestel moet word om die risiko dat enige gesondheidsoorlas plaasvind, voortgaan of herhaal word, uit te skakel of om daardie risiko na 'n aanvaarbare vlak te verminder.
- (2) Enige persoon wat versuim om enige van die beleide of riglyne beoog in subartikel (1) of enige voorwaardes wat daarkragtens opgelê word, na te kom, begaan 'n misdryf.

HOOFSTUK 6

ALGEMENE BEPALINGS

- 18. Bekragtiging en betekening van kennisgewings en ander dokumente
- 19. Appèl
- 20. Samewerking tussen munisipaliteite en toepassing
- 21. Vrystellings
- 22. Herroeping van verordeninge
- 23. Kort titel en aanvang

18. **Bekragtiging en betekening van kennisgewings en ander dokumente**

- (1) 'n Kennisgewing wat kragtens hierdie verordening deur die munisipaliteit uitgereik word, word as behoorlik uitgereik geag as dit deur die Omgewingsgesondheidpraktisyn onderteken is.
- (2) Enige kennisgewing of ander dokument wat kragtens hierdie verordening aan 'n persoon beteken is, word geag as behoorlik beteken –
- (a) wanneer dit persoonlik by daardie persoon afgelewer is;
 - (b) wanneer dit by daardie persoon se woonplek of besigheid in die Republiek gelos is by 'n persoon wat klaarblyklik ouer as sestiën jaar is;
 - (c) wanneer dit per geregistreerde of gesertifiseerde pos na daardie persoon se laaste bekende woon- of sake-adres in die Republiek ge-pos is, en 'n erkenning van die posdiens ontvang word dat dit ge-pos is;
 - (d) indien daardie persoon se adres in die Republiek onbekend is, wanneer dit aan daardie persoon se agent of verteenwoordiger in die Republiek beteken is op die wyse bepaal in subartikel (a), (b) of (c);
 - (e) indien daardie persoon se adres en agent of verteenwoordiger in die Republiek onbekend is, wanneer dit geplaas is in 'n opsigtelike plek op die grond of sakeperseel waarmee dit verband hou;

- (f) in die geval van 'n regspersoon, wanneer dit by die geregistreerde kantoor of die sakeperseel van die regspersoon afgelewer is;
- (g) wanneer dit op versoek van daardie persoon by sy of haar e-posadres afgelewer is.
- (3) Die betekening van 'n afskrif word geag die betekening van die oorspronklike te wees.
- (4) Wanneer enige kennisgewing of dokument beteken word aan die eienaar, bewoner, of houer van enige eiendom, of reg in enige eiendom, is dit voldoende as daar persoon in die kennisgewing of ander dokument beskryf word as die eienaar, bewoner of houer van die eiendom of die reg ter sprake, en is dit nie nodig om daardie persoon by die naam te noem nie.

19. **Appèl**

'n Persoon wie se regte deur 'n besluit van die munisipaliteit kragtens hierdie verordening aangetas word, kan kragtens artikel 62 van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet No. 32 van 2000) appèl teen daardie besluit aanteken deur binne 21 dae na die datum van kennisname van die Munisipale Bestuurder se besluit, skriftelike kennisgewing van die appèl en die redes daarvoor te gee.

20. **Misdrywe en straf**

- (1) Enige persoon wat 'n bepaling van hierdie verordening, 'n kennisgewing uitgereik kragtens hierdie verordening of 'n voorwaarde opgelê kragtens hierdie verordening oortree of versuim om daaraan te voldoen, ongeag of so 'n oortreding of versuim elders in hierdie verordening as 'n misdryf verklaar word, is skuldig aan 'n misdryf en is by skuldigbevinding aanspreeklik vir –
 - (a) 'n boete of gevangenisstraf, of beide sodanige boete en gevangenisstraf;
 - (b) in die geval van 'n voortgesette misdryf, 'n bykomende boete of 'n bykomende tydperk van gevangenisstraf of beide sodanige boete en gevangenisstraf vir elke dag wat sodanige misdryf voortgesit word; en
 - (c) 'n verdere bedrag gelyk aan enige koste en uitgawes wat volgens 'n hof as gevolg van sodanige oortreding deur die munisipaliteit aangegaan is.
- (2) Alle gelde en boetes wat kragtens hierdie verordening verhaal word, sal die Raad toeval en sal net vir die implementering en toepassing van hierdie verordening gebruik word.

21. **Samewerking tussen munisipaliteite en toepassing**

- (1) Ten einde optimale dienslewering ten opsigte van hierdie verordening te verseker, kan die munisipaliteit memorandums van ooreenkoms met plaaslike munisipaliteite in sy regsgebied aangaan met betrekking tot die volgende –
 - (a) die praktiese reëlins wat met die uitvoering van die bepalings van hierdie verordening verband hou;
 - (b) verhaling van koste en uitgawes wat met enige handeling kragtens hierdie verordening verband hou;
 - (c) behoudens die bepalings van artikel 86 van die Wet op Munisipale Strukture, 1998 (Wet No. 117 van 1998), meganismes vir die beslegting van geskille insake die uitvoering van bevoegdhede of die aangeleenthede waaroor daar ooreenkomste bereik is;
 - (d) enige ander aangeleentheid wat deur die distriks- en plaaslike munisipaliteite nodig geag word om optimale dienslewering kragtens hierdie verordening te verseker.

22. **Vrystellings**

- (1) Enige persoon mag by wyse van 'n geskrewe aansoek, waarin volledige redes verskaf word, by die munisipaliteit aansoek doen om vrystelling van enige bepalings van hierdie verordening.
- (2) Die munisipaliteit kan deur sy behoorlik aangestelde Omgewingsgesondheidpraktisyn –
 - (a) vrystelling skriftelik toestaan, en die voorwaardes waarkragtens, indien enige, en die tydperk waarvoor die vrystelling toegestaan word, moet daarin gestipuleer word;

- (b) enige vrystelling of voorwaarde in 'n vrystelling wysig; of
- (c) weier om 'n vrystelling toe te staan.
- (3) Om 'n aansoek kragtens subartikel (1) te oorweeg, mag die munisipaliteit die insette of kommentaar van die eienaars of bewoners van omliggende persele verkry.
- (4) 'n Vrystelling tree nie in werking voor die aansoeker skriftelik onderneem het om alle voorwaardes wat kragtens subartikel (2) deur die munisipaliteit opgelê is, na te kom nie; indien 'n aktiwiteit egter begin voordat so 'n onderneming aan die munisipaliteit voorgelê is, verval die vrystelling.
- (5) Indien enige voorwaarde van 'n vrystelling nie nagekom word nie, verval die vrystelling onmiddellik.
- (6) Die Omgewingsgesondheidpraktisyns in diens van die munisipaliteit, wat oor die algemeen deur die munisipaliteit gemagtig is om enige funksie kragtens hierdie verordening uit te voer, sal nie aanspreeklik wees vir enigiets wat in goeder trou kragtens hierdie verordening gedoen word nie.
- (7) Die bepalings en/of vereistes vervat in hierdie verordening kan gewysig word en/of verslap word deur 'n skriftelike kennisgewing van die munisipaliteit, sou die betrokke owerheid van mening wees dat sodanige verslapping en/of wysiging nie tot die ontstaan van 'n gesondheidsoorlas aanleiding sal gee nie.
- (8) Sodanige magtiging en/of vrystelling mag of kan dadelik teruggetrek word deur skriftelike kennisgewing van die betrokke owerheid, of binne 'n tydperk deur die owerheid bepaal, sou die omstandighede dit nodig ag.
- (9) Hierdie verordening plaas die verantwoordelikheid vir die nakoming van die gestelde vereistes op die betrokke persoon en instelling, en vrywaar dus die munisipaliteit van enige toestand, gedrag of nalatigheid wat tot enige eise met betrekking tot die toepassing van hierdie verordening deur die munisipaliteit aanleiding mag gee.

23. Herroeping van verordening

- (1) Hierdie verordening herroep enige verordening wat voorheen deur die munisipaliteit of enige van die afgestelde munisipaliteite wat nou by die munisipaliteit geïnkorporeer is, uitgevaardig is in soverre dit betrekking het op enige aangeleentheid waarvoor daar in hierdie verordening voorsiening gemaak word.
- (2) Enige verordening wat voorheen uitgevaardig is deur die plaaslike munisipaliteite binne die regsgebied van Overberg Distriksmunisipaliteit of enige van die afgestelde munisipaliteite wat nou by die genoemde munisipaliteite geïnkorporeer is, in soverre dit betrekking het op Overberg Distriksmunisipaliteit deur die magtiging vir die uitvoering van bevoegdhede en pligte kragtens artikel 84(3) van die Wet op Munisipale Strukture, 1998 (Wet No. 117 van 1998).

24. Kort titel en aanvang

Hierdie verordening kan aangehaal word as die Overberg Distriksmunisipaliteit Verordening insake Munisipale Gesondheidsdienste en sal in werking tree op die datum waarop dit in die Provinsiale Koerant gepubliseer word.

STANDAARDE VAN TOEPASSING OP PERSELE

Persele moet aan die volgende standaarde voldoen:

1. Strukturele fasiliteite

Die geboustruktuur op 'n personeel moet voldoen aan die vereistes van 'n bouplan wat deur die betrokke plaaslike munisipaliteit goedgekeur is en moet die standaarde van Munisipale Gesondheid nakom.

2. Watervoorsiening

- (a) 'n Voldoende toevoer drinkwater moet vir alle gebruike op die perseel beskikbaar wees.
- (b) Die gehalte van water wat vir die perseel voorsien word, voldoen aan die spesifikasies van die SANS 241 vir drinkwater met betrekking tot mikrobiologiese, chemiese en fisiese gehalte.

- (c) Gebergde drinkwater moet altyd teen besmetting beskerm word.
- (d) Geen kruisverbinding tussen 'n stelsel wat drinkwater voorsien en 'n stelsel wat nedrinkbare water voorsien, word toegelaat nie.
- (e) Vir persele sonder beskikbare lopende water moet drinkwater behoorlik geberg en teen besmetting beskerm word. Houers vir waterberging moet altyd skoongehou word.
- (f) Waar tydelike bergingstenke vir drinkwater voorsien moet word, moet die water van 'n goedgekeurde bron afkomstig wees.

3. Dreineringsstelsels

Geskikte en doeltreffende stelsels vir dreinerings en rioolverwydering wat die plaaslike munisipaliteit se goedkeuring wegdra, moet op alle persele voorsien word. Dreineringsstelsels moet skoongehou en onderhou word om enige verstoppings of enige gesondheidsoorlas te voorkom.

4. Afvalbestuur

Goedgekeurde metodes vir die insameling, berging en verwydering van vaste afval wat die plaaslike munisipaliteit se goedkeuring wegdra, moet op alle persele gehandhaaf word. Vullishouers en/of 'n aangewese bergingsgebied vir vullis moet op die perseel vir die berging van alle vullis beskikbaar wees.

5. Gesondheidsorgrisiko-afvalbestuur

Waar gesondheidsorgrisiko-afval gegenereer word:

- (a) Moet 'n goedgekeurde metode vir die insameling, berging, vervoer en verwydering van afval op die perseel gehandhaaf word.
- (b) 'n Aangewese bergingsgebied vir die berging van gesondheidsorgrisiko-afval moet voorsien word, hangende die verwydering daarvan deur 'n goedgekeurde diensverskaffer.
- (c) Die bergingsgebied vir gesondheidsorgrisiko-afval moet afsonderlik wees van enige gebied vir voedselvoorbereiding of enige gebied waar pasiënte versorg word.
- (d) 'n Voldoende aantal doelgemaakte, lekvaste, verseëlbare houers moet vir die berging van gesondheidsorgrisiko-afval beskikbaar wees. Houers wat vir die berging van gesondheidsorgrisiko-afval gebruik word, moet duidelik in groot leesbare letters gemerk wees.
- (e) Akkurate en bygewerkte rekords moet gehou word van alle gesondheidsorgrisiko-afval wat deur die fasiliteit gegenereer word.

6. Maaltye wat vir besigheidsdoeleindes op 'n perseel bedien word

Alle fasiliteite wat in verband met die hantering, voorbereiding, berging en bediening van voedsel gebruik word, moet voldoen aan die toepaslike regulasies wat uitgevaardig is kragtens die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972), soos gewysig.

7. Plaag- en knaagdierbeheer

- (a) 'n Program vir knaagdier-/plaagbeheer moet in plek wees om die risiko van knaagdiere en plaeg op die perseel te verlaag.
- (b) Knaagdierdigting moet in 'n goeie toestand onderhou word sodat dit ondeurdringbaar vir knaagdiere is.
- (c) Om die verspreiding van knaagdiere of plaeg te voorkom, moet knaagdiere uitgewis word voor die sloping van enige gebou of struktuur wat moontlik met knaagdiere besmet is.
- (d) Die jaart van die perseel moet skoongehou word van enige toestand wat tot die uitbroei van vlieë of muskiete en ander ongediertes kan lei.

PERSELE WAT OOR 'N GESONDHEIDCERTIFIKAAT MOET BESKIK

AANHANGSEL A: 1

STANDAARDE VIR KINDERSORGSENTRUMS / VKO

Kindersorgsentrum moet aan die volgende standaarde voldoen

1. Aansoek om 'n Gesondheidsertifikaat

Slegs aansoeke wat via die Departement Maatskaplike Ontwikkeling ontvang word, sal vir verwerking aanvaar word.

2. Ligging en ontwerp

- (1) Die perseel wat vir of in verband met kindersorgdienste gebruik word, moet so geleë, ontwerp, opgerig, afgewerk en toegerus en in so 'n toestand wees dat kinders –
 - (a) higiënies versorg kan word; en
 - (b) voldoende teen enige moontlike gesondheidsoorlas beskerm kan word.
- (2) Die aansoeker moet voldoen aan die vereistes vir 'n Gesondheidsertifikaat. (Hoofstuk 3)
- (3) Voldoen aan die toepaslike regulasies wat uitgevaardig is kragtens die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972) soos gewysig.
- (4) Die geboustruktuur op 'n personeel moet voldoen aan die vereistes van 'n bouplan wat deur die betrokke plaaslike munisipaliteit goedgekeur is en moet die standaarde van Munisipale Gesondheid nakom.

3. Binnespeelplek

- (1) 'n Binnespeelplek is vir speel, eet en slaap voorsien.
- (2) 'n Binnespeelplek met 'n minimum van 1,5m² vry en onbelemmerde vloeroppervlak moet vir elke kind beskikbaar wees.
- (3) Indien daar geen buitespeelplek op die perseel beskikbaar is nie, moet 'n binnespeelplek met 'n vry en onbelemmerde vloeroppervlak van 3m² per kind voorsien word.
- (4) Die speelgebied moet skoongehou word.
- (5) Linne wat vir slaapdoeleindes gebruik word, moet skoon en in 'n higiëniese toestand gehou word, veral vir kinders onder die ouderdom van 3 (drie) jaar.

4. Buitespeelplek

- (1) 'n Buitespeelplek van minstens 2m² moet vir elke kind voorsien word.
- (2) Afsonderlike buitespeelplekke moet vir verskillende oudermsgroepe voorsien word.
- (3) Die buitespeelplek moet skoongehou word.

5. Die gebruik van kunsmatige/sintetiese grasoppervlakke

Waar kunsmatige grasoppervlakke in binne-en buitespeelplekke gebruik word, moet die volgende maatreëls ingestel word:

- (1) Die oppervlakke moet gereeld met geskikte skoonmaakmiddels skoongemaak word om reuke en die voorkoms van ander gesondheidsoorlaste te vermy.

6. Toilette/ablusie en fasiliteit vir doeke omruil

- (1) Sentrums wat vir kleuters voorsiening maak:
 - (a) junior-tipe toilette en handwasbakke moet voorsien word, waar toepaslik.
 - (b) Toilette en geriewe vir hande was moet vir die kinders toeganklik wees.

- (2) Vir kinders 0-2 jaar oud:
- (a) Ten minste 1 (een) toilet word vir elke 20 kinders voorsien;
 - (b) Waar geen rioolstelsels in plek is nie, word potjies voorsien;
 - (c) Ten minste 1 (een) potjie word vir elke 5 (vyf) kleuters voorsien;
 - (d) Menslike uitskeiding in potjies moet higiënies verwyder word;
 - (e) Potjies word na elke gebruik skoongemaak en in 'n behoorlik afgebakende gebied ontsmet;
 - (f) 'n Duidelik afgebakende gebied vir doeke omruil, toegerus met 'n oppervlak wat maklik skoongemaak kan word en 'n waterdigte matras, word voorsien en hierdie gebied is nie naby 'n gebied waar voedsel voorberei word nie.
 - (g) Behoorlike higiënepraktyke word tydens die ruil van doeke gebruik om fekale besmetting te voorkom.
- (3) Vir kinders 3-6 jaar oud:
- (a) Ten minste 1 (een) toilet en ten minste 1 (een) handwasbak moet vir elke 20 kinders op die perseel voorsien word.
 - (b) 'n Voorraad drinkwater moet by elke handwasbak beskikbaar wees.
 - (c) Waar geen spoeltoilette beskikbaar is nie, moet 'n goedgekeurde sanitasiestelsel voorsien word.
 - (d) Die toiletgerief moet beskikbaar wees.
 - (e) Alle toilette moet in 'n goeie toestand onderhou word en gereeld skoongemaak word.
 - (f) Toiletgeriewe moet behoorlik verlig en belug wees.
 - (g) Afsonderlike toilette en geriewe vir hande was moet vir personeel op die perseel voorsien word.
 - (h) 'n Voldoende hoeveelheid toilet papier, seep en materiaal vir hande afdroog moet altyd in alle toiletgeriewe beskikbaar wees.

7. Vereistes vir watervoorsiening

- (1) Waar geen lopende water van 'n plaaslike munisipaliteit beskikbaar is nie, moet minstens 10-25 liter water per persoon per dag beskikbaar gestel word en op 'n higiëniese wyse vir alle gebruike op die perseel geberg word.

8. Aangewese gebied vir voorbereiding van melk vir kinders jonger as 2 (twee) jaar

- (1) 'n Voldoende voorraad drinkwater, koud en warm is vir die was van bottels en tiete beskikbaar.
- (2) Verkoelingsgeriewe word voorsien vir die higiëniese berging van voorbereide bottels melk (< 5°C) en ander voedsel.
- (3) Alle bottels wat vir die voeding van kinders gebruik word, moet voor gebruik gewas en gesteriliseer word.
- (4) Voldoen aan die relevante regulasies

9. Bergingsgeriewe

Om besmetting met virusse, bakterieë en parasiete en die risiko van siekte-oordrag te verminder, moet die volgende maatreëls ingestel word:

- (a) Voldoende bergingsruimte en 'n afsonderlike bergingsruimte vir voedsel en nievoedsel moet voorsien word.
- (b) Skoonmaakmiddels wat giftig, gevaarlik of 'n risiko vir kinders mag wees, moet in 'n ontoeganklike gebied geberg word.

10. Siekeboegfasiliteite

'n Siekeboeg vir die behandeling en versorging van 'n kind wat siek word, wat tydens dagversorging beseer word of wat aan 'n siekte ly wat vermoedelik aansteeklik is, moet op die perseel voorsien word.

11. Algemene higiënevereistes

- (1) Speelkamers word gereeld skoongemaak om stof en skimmel te verminder.
- (2) Vaste afval word daagliks uit speelkamers verwyder.
- (3) Afvalwater word veilig verwyder.
- (4) Geskikte maatreëls vir die beheer van siekte-oordraers moet in plek wees.
- (5) Persoonlike reinigingsmateriaal moet beskikbaar wees en higiënies gebruik word.
- (6) Die vloer moet vry wees van vullis, klammigheid of enige vloeibare stowwe.
- (7) Individuele lakens en bedekkings word vir elke kind voorsien.
- (8) Kontakspeelgoed, vir kinders jonger as 2 jaar, moet skoongehou word.
- (9) Afval word altyd buite die bereik van kinders gehou.

12. Sandputte

- (1) Die sandput moet in 'n higiëniese en skoon toestand gehou word;
- (2) Dit moet snags bedek word nag om besmetting deur diere en ander plaë te voorkom;
- (3) Dit moet bedek wees wanneer dit nie gebruik word nie;
- (4) Dit moet ontsmet word as dit duidelik vuil en besmet is;
- (5) Ontsmetting deur sout deur die sand te hark (10kg growwe sout elke drie maande per 1m²);
- (6) Die sand moet ten minste een keer 'n jaar vervang word.
- (7) As die sand deur dierlike of menslike ontlasting, bloed of ander liggaamsvloeistowwe besmet is:
 - (a) moet kinders uit die sandput verwyder word;
 - (b) moet 'n waterkan met 'n ligte skoonmaakmiddel of huishoudelike ontsmettingsmiddel wat in water verdun word, oor die sand gegooi word om kieme dood te maak;
 - (c) moet die sand heeltemal vervang word as dit erg besmet is.

13. Naskoolse geriewe

- (1) Indien naskoolse sorgdienste vir kinders van skoolgaande ouderdom op dieselfde perseel as die kindersorgdienste voorsien word, moet die volgende beskikbaar wees:
 - (a) 'n Binneste versorgingsgebied van ten minste 1,5m² vir elke kind;
 - (b) Ten minste 1 (een) toiletgerief en 1 (een) handwasbak moet vir elke twintig (20) kinders of deel daarvan voorsien word.
 - (c) Voldoen aan die relevante Regulasies

AANHANGSEL: A 2**VEREISTES VIR KINDERHUISE**

Kinderhuise moet aan die volgende standaarde voldoen:

1. Omheining van die perseel

- (1) Die geboustruktuur het 'n plan wat deur die toepaslike plaaslike munisipaliteit goedgekeur is
- (2) Enige aktiwiteit op die perseel mag nie 'n gesondheidsoorlas uitmaak nie.

2. Binneleefruimtes

- (1) 'n Binnespeelplek met slaapplek van minstens 2m² per kind vir kinders tussen die ouderdomme van 2-6 jaar, en 4m² vir kinders tussen 7-13 jaar en kinders bo 13 jaar word op die perseel voorsien.
- (2) Vir kinders onder die ouderdom van 2 (twee) jaar moet 'n afsonderlike binne-aktiwiteitsarea van 1,5m² per kind voorsien word.

- (3) Linne wat vir slaapdoeleindes gebruik word, moet vir kinders voorsien word en minstens weekliks gewas word, veral vir kinders onder die ouderdom van 2 jaar.
- (4) Vir kinders op doeke moet 'n ruimte vir die omruil van doeke voorsien word, toegerus met 'n tafel en waterdigte matras.
- (5) Behoorlike prosedures vir die omruil van doeke moet gevolg word om die oordrag van fekale-mondelinge infeksies te voorkom.

3. Buitespeelplekke

- (1) 'n Buitespeelplek met 'n minimum van 2m² per kind moet vir gebruik deur die kinders op die perseel voorsien word.
- (2) Gebied moet skoongehou word.

4. Toilet- en badgeriewe

- (1) Voldoende toilet- en wasgeriewe vir gebruik deur kinders moet op die perseel voorsien word.
- (2) 1 (een) toiletgerief moet vir ten minste elke 20 (twintig) kinders op die perseel (verhouding 1:20) voorsien word en 'n voldoende voorraad toiletpapier moet altyd in die toiletgeriewe voorsien word.
- (3) 1 (een) handwasbak moet vir ten minste elke 20 (twintig) kinders op die perseel (verhouding 1:20) voorsien word.
- (4) Die handwasbak moet binne of onmiddellik langs die toilette wees.
- (5) 'n Toevoer koue en warm lopende drinkwater moet by elke handwasbak beskikbaar wees, of indien daar geen lopende water beskikbaar is nie, moet 'n minimum van 25 liter drinkwater per kind per dag, wat higiënies in 'n geslote houer geberg word, altyd op die perseel beskikbaar wees vir die doeleindes van drink, kook, persoonlike higiëne en wasgoed.
- (6) 'n Voldoende voorraad seep en 'n skoon handdoek moet altyd gehandhaaf word.
- (7) Vir kinders onder die ouderdom van 2 (twee) jaar wat potjiedisipline leer, moet 1 (een) potjie vir ten minste elke 5 kinders (verhouding 1: 5) voorsien word.
- (8) Die potjies moet behoorlik na elke stoelgang en urinering leeggemaak word en altyd behoorlik skoongemaak word om enige ander oorlas vir omgewingsgesondheid te voorkom.
- (9) Puttoilette wat deur kinders gebruik word, moet vir gebruik deur kinders (kleiner en laer) ontwerp wees met deure wat van buite oopgemaak kan word.
- (10) Die puttoilette moet in 'n goeie toestand onderhou en gereeld skoongemaak word.
- (11) Vir kinders onder die ouderdom van 2 (twee) jaar wat nog op doeke is, moet 'n afsonderlike ruimte vir doeke omruil op die perseel beskikbaar wees en toegerus wees met voldoende bergingsgeriewe vir vuil doeke en geriewe vir hande was om die kinders skoon te maak.
- (12) Afsonderlike toilette en geriewe vir hande was moet vir personeel op die perseel voorsien word, en 'n voldoende voorraad toiletpapier, seep en handdoeke moet altyd in die personeel se toilette en geriewe vir hande was beskikbaar wees.
- (13) Alle toiletgeriewe op die perseel moet altyd behoorlik verlig en belug wees, in 'n goeie toestand onderhou en skoongehou word.
- (14) Individuele waslappe moet vir elke kind voorsien word en as sodanig gemerk word.

5. Skoonmaak en sterilisering van voedingstoerusting en voorbereiding van melkformule vir babas

- (1) Alle toerusting wat gebruik word om babas te voer en hul voedsel voor te berei (koppies, bottels, tiete, deksels, lepels) moet voor gebruik deeglik skoongemaak en gesteriliseer word om skadelike bakterieë wat in die kos kan groei en kinders siek kan maak, te verwyder.
- (2) Voor sterilisering moet gebruikte bottels, tiete en deksels deeglik met skoon seepwater gewas word om alle spore van melk te verwyder, en daarna in veilige water afgespoel word.
- (3) Hande moet met seep en water gewas en heeltemal droog wees voordat toerusting vir sterilisering hanteer word.

- (4) Die gebruik van 'n gesteriliseerde tang vir die hantering van gesteriliseerde toerusting word aanbeveel.
- (5) Voldoen aan die relevante regulasies.

6. Bergingsgeriewe

Voldoende stoorplek en geriewe moet op die perseel voorsien word vir die berging van onveilige, giftige, gevaarlike of riskante materiaal of andersins moet stowwe van ander materiaal en toerusting geskei word.

AANHANGSEL: A 3

VEREIS VIR VERPLEEGINRIGTINGS

1. Verpleeginrigtings moet aan die volgende standaarde voldoen:

- (1) Die perseel moet bedryf word volgens 'n geldige Gesondheidsertifikaat wat deur 'n Omgewings-gesondheidpraktisyn van die munisipaliteit uitgereik is.
- (2) Die geboustruktuur het 'n plan wat deur die toepaslike plaaslike munisipaliteit goedgekeur is

2. Ablusie- en wasgeriewe

- (1) Voldoende en toeganklike toilette en geriewe vir bad en was moet voorsien word om in die behoeftes van pasiënte te voorsien.
- (2) Ten minste een toilet en ten minste 1 (een) bad of stort moet voorsien word vir ten minste elke 12 (twaalf) pasiënte (verhouding 1:12) op die perseel.
- (3) Elke toiletgerief moet toegerus wees met 'n behoorlike spoelstelsel en moet in 'n behoorlik werkende toestand onderhou word.
- (4) Behoorlike en voldoende spoelkamers is in elke saal beskikbaar.
- (5) Goedgekeurde rakke vir berging moet in die spoelkamer vir die berging van bedpanne of ander sanitêre toerusting voorsien word.
- (6) Ten minste 1 (een) toilet, bad/stort moet vir elke 20 personeellede (verhouding 1:20) beskikbaar wees en volgens geslag aangewys word.

3. Bergingsgeriewe

- (1) Afsonderlike bergingsgeriewe moet vir die berging van gevaarlike chemikalieë voorsien word.
- (2) Alle stoorkamers en bergingsgeriewe moet altyd skoongehou word.

4. Algemene vereistes

'n Program vir die beheer van knaagdiere/plae moet op die perseel in plek wees om enige besmetting met knaagdiere en plae te voorkom.

AANHANGSEL A: 4

Vereistes vir gesondheidsorgisiko-afval

1. Gesondheidertifisering

- (1) Alle persele waar gesondheidsorgafval gegenereer word, moet 'n Gesondheidsertifikaat hê en mag nie sonder 'n Gesondheidsertifikaat bedryf word nie, en moet aan die toepaslike artikels in hierdie verordening voldoen.

- 2) Voldoening aan die bepalings van hierdie hoofstuk is verpligtend vir alle genereerders van gesondheidsorgafval en, waar van toepassing, vir alle vervoerders en verwyderaars van gesondheidsorgafval en is veral verpligtend by –
- (a) alle gesondheidsorgfasiliteite soos plekke of terreine waar professionele gesondheidsdienste aan menslike pasiënte gelewer word, insluitend hospitale, mobiele en stilstaande klinieke, siekeboeë wat insluit maar nie daartoe beperk is nie, ouetehuse, dageenhede, hospiese, rehabilitasiesentrums, spreekkamers van mediese dokters, tandheelkundige praktisyns, tradisionele genesers, tradisionele chirurge, verpleegkundiges, fasiliteite vir die lewering van verloskundige dienste, vrystaande operasieteatres, apteke en alle soortgelyke persele;
 - (b) alle patologiese en mikrobiologiese laboratoriums of plekke waar biologiese navorsing onderneem word, en die persele van bloedoortappingsdienste;
 - (c) die fasiliteite van alle vervaardigers en verspreiders van farmaseutiese produkte of entstowwe;
 - (d) alle lykshuse en persele van begrafnisondernemers;
 - (e) alle veeartsenykundige spreekkamers, dierehospitale, behandelingstasies, hond- en katherberge; en
 - (f) enige private woning of huishouding of enige ander perseel waar die risiko vir omgewings-gesondheid voortspruitend uit die hoeveelheid en aard van gesondheidsorgafval wat gegenereer word, sodanig is dat die gesondheidsorgafval kragtens hierdie regulasies hanteer moet word.

'n Persoon wat strydig met 'n bepaling van subartikel (1) optree, pleeg 'n misdryf.

2. Pligte van genereerders, vervoerders en verwyderaars van gesondheidsorgafval

- (1) Elke genereerder moet by die munisipaliteit registreer deur die toepaslike aansoekvorm te voltooi en in te dien.
- (2) Elke vervoerder moet binne twaalf maande na die inwerkingtreding van hierdie verordening by die munisipaliteit registreer.
- (3) Genereerders en vervoerders moet die munisipaliteit van enige veranderinge in die inligting wat ingevolge subartikel (1) en (2) verskaf word, in kennis stel sodra sodanige verandering plaasvind.
- (4) Elke genereerder van gesondheidsorgafval en, waar van toepassing, elke vervoerder en verwyderaar van gesondheidsorgafval moet toesien dat alle sodanige gesondheidsorgafval ooreenkomstig hierdie hoofstuk gesorteer, verpak, omhul, hanteer, geberg, vervoer en mee weggedoen word.
- (5) Die aktiwiteite waarna in subartikel (1) verwys word, moet op so 'n wyse uitgevoer word dat die gegenereerde gesondheidsorgafval nie 'n gesondheidsoorlas of veiligheidsrisiko vir enige hanteerder daarvan of enige ander persoon of die omgewing in die algemeen veroorsaak nie.
- (6) 'n Persoon wat van voorneme is om op enige perseel betrokke te raak by 'n aktiwiteit wat tot die moontlike generering van gesondheidsorgafval kan lei, moet voor die generering van die gesondheidsorgafval die verantwoordelike owerheid skriftelik in kennis stel van sy of haar voorneme, en die kennisgewing moet die volgende bevat:
 - (a) die geskatte hoeveelheid gesondheidsorgafval wat gegenereer gaan word;
 - (b) die metode van berging van die gesondheidsorgafval;
 - (c) die beoogde duur van die berging van die gesondheidsorgafval;
 - (d) die wyse waarop die gesondheidsorgafval afgehaal sal word;
 - (e) die wyse waarop, en die stortingsterrein waar die gesondheidsorgafval mee weggedoen gaan word;
 - (f) die identiteit van die lisensiehouer wat die gesondheidsorgafval verwyder; en
- (7) Indien die munisipaliteit dit vereis, moet die kennisgewing gestaaf word deur 'n ontleding van die samestelling van die gesondheidsorgafval wat deur 'n toepaslik gekwalifiseerde industriële chemikus gesertifiseer is, en moet enige ander inligting bevat wat deur die munisipaliteit vereis word.
- (8) By ontvangs en evaluering van die kennisgewing sal die munisipaliteit deur skriftelike kennisgewing aan 'n persoon van daardie persoon vereis om op sy of haar koste –
 - (a) die gesondheidsorgafval te berg en verwyder in vullishouers en die munisipaliteit sal aandui watter spesiale houers of etikettering gebruik moet word;

- (b) die gesondheidsorgafval te vervoer na 'n verwydering- of verwerkingsfasiliteit soos goedgekeur deur die munisipaliteit, deur gebruik te maak van spesiale houters en hantering, en om die gesondheidsorgafval te plaas in 'n spesifieke area van die fasiliteit, soos aangedui deur die fasiliteit se operasionele plan;
 - (c) enige ander maatreëls in verband met die vervoer en wegdoening van die gesondheidsorgafval in te stel, soos deur die munisipaliteit bepaal as noodsaaklik om menslike gesondheid en die omgewing te beskerm; of
- (9) 'n Eienaar of okkupeerder van 'n perseel waar gesondheidsorgafval gegenereer word, moet aan alle werknemers wat met gesondheidsorgafval in aanraking kan kom, periodieke opleiding verskaf in die prosedures wat gevolg moet word vir die behoorlike hantering van gesondheidsorgafval.

'n Persoon wat strydig met 'n bepaling van hierdie artikel optree, pleeg 'n misdryf.

3. Berging van gesondheidsorgafval

- (1) Enige persoon wat betrokke is by 'n aktiwiteit wat gesondheidsorgafval kan genereer, moet toesien dat die gesondheidsorgafval wat op die perseel gegenereer word, op die perseel gehou en geberg word totdat dit daar afgehaal word.
- (2) Bederfbare gesondheidsorgafval moet geberg word teen 'n temperatuur van hoogstens 4°C en moet verkieslik gevries word.
- (3) 'n Bergingsgebied vir gesondheidsorgafval moet –
 - (a) bestand wees teen ongediertes, insekte en knaagdiere;
 - (b) 'n vloer en muurafwerking hê wat maklik skoongemaak kan word en algemene bouwerk moet aan 'n rioolput in die vloer en goedgekeurde rioolstelsel gekoppel wees;
 - (c) heeltemal afgesluit wees;
 - (d) voldoende belug en verlig wees; en
 - (e) sluitbaar wees.
- (4) Alle gesondheidsorgafval moet geberg word in 'n bergingsgebied vir gesondheidsorgafval totdat dit vir finale wegdoening gelaai of verwyder word.
- (5) Stortsels op die terrein moet onmiddellik skoongemaak word.
- (6) Alle binne-oppervlakke van bergingsgebiede moet daaglik baie deeglik ontsmet en skoongemaak word.
- (7) Daar moet voorsiening gemaak word dat onverkoelde gesondheidsorgafval oor naweke en op openbare vakansiedae verwyder word.
- (8) Geen sterilisasie van gesondheidsorgafval mag op enige ander perseel as 'n goedgekeurde fasiliteit uitgevoer word nie.
- (9) Gesondheidsorgafval moet, voordat dit verwyder word, in 'n kleurgekodeerde swaar-diens-plastieksak of ander geskikte kleurgekodeerde houer geplaas word.
- (10) Bogenoemde vereistes vir kleurgekodeerde houters moet streng nagekom word vir alle beweging en vervoer van gesondheidsorgafval, hetsy op die perseel waar dit gegenereer word of in transito na 'n sterilisasie- of verwyderingsfasiliteit weg van die perseel.

'n Persoon wat strydig met 'n bepaling van hierdie artikel optree, pleeg 'n misdryf.

4. Vervoer van gesondheidsorgafval

- (1) Slegs goedgekeurde vervoerders mag gesondheidsorgafval vervoer en moet dit doen ooreenkomstig die vereistes en bepalings van die verantwoordelike plaaslike munisipaliteit.
- (2) (a) Die laai-kompartemente van voertuie vir gesondheidsorgafval moet sluitbaar wees en aan die volgende vereistes voldoen:
 - (i) kompartement moet termies geïsoleer word en in staat wees om 'n in-transito verkoelings temperatuur van hoogstens 4°C te handhaaf;

- (ii) konstruksie van binnepaneel moet stewig gepas wees op 'n wyse wat 'n verwyderbare vloeistofseël en lugdigte seël verseker;
 - (iii) binne-oppervlakke moet wit geverf wees met 'n duursame Duco- of emaljeverf of 'n afwerking hê wat deur die munisipaliteit goedgekeur is;
 - (iv) daar moet 'n drumpel van minstens 100 mm by die deure wees om te verhoed dat lekkasies uitstort; en
 - (v) kompartement moet toegerus wees met goedgekeurde "Spill kits" wat gereeld nagegaan en aangevul word.
- (b) Die voertuig moet beman word deur 'n span wat deeglik opgelei is in die doeltreffende gebruik van die "Spill kits" en skoonmaakprosedures.
- (c) Elke laai-kompartement moet daagliks baie deeglik ontsmet en chemies skoongemaak word.

'n Persoon wat strydig met 'n bepaling van hierdie artikel optree, pleeg 'n misdryf.

5. Fasiliteit vir wegdoening en verbranding

- (1) 'n Goedgekeurde vervoerder moet die gesondheidsorgafval by 'n goedgekeurde fasiliteit vir die wegdoening van afval aflewer.
- (2) Die verbrandingsoond en proses van verbranding, wat wissel van hoogs vlugtige en hoë-verbrandingswaarde-plastiek tot hoë-waterinhoud-materiaal soos plasentas, moet aan die voorskrifte van alle toepaslike wetgewing voldoen en die persoon in beheer moet sertifisering in hierdie verband voorsien.
- (3) Die as voortspruitend uit die verbranding van gesondheidsorgafval kan sonder spesiale houers of etikettering mee weggedoen word.
- (4) 'n Persoon wat subartikel (1) oortree of 'n verbrandingsoond bedryf of 'n verbrandingsproses onderneem wat strydig met subartikel (2) is, begaan 'n misdryf.

AANHANGSEL A: 5

1. Standaarde vir ouetehuse

Ouetehuse moet aan die volgende standaarde voldoen:

- (1) Registrasie en uitreiking van Gesondheidsertifikaat vir ouetehuse
- (2) Die perseel moet bedryf word volgens 'n geldige Gesondheidsertifikaat wat deur 'n Omgewingsgesondheidspraktisyn uitgereik is.
- (3) Die perseel moet die gesondheid van inwoners of ouer persone bevorder;
- (4) Die aansoeker moet voldoen aan die vereistes vir 'n Gesondheidsertifikaat. (Hoofstuk 3)
- (5) Voldoen aan die toepaslike regulasie wat Algemene Higiënevereistes vir Voedselpersele, die Vervoer van Voedsel en verwante aangeleenthede bepaal.

2. Strukturele en fisiese fasiliteite

- (1) Vloere en mure moet gemaak word van 'n nie deurdringbare materiaal wat maklik is om te was.
- (2) Plafonne moet gebou word op 'n wyse wat nie stof aantrek nie, en in die geval van operasieteatres, kraamsale, sterilisasiekamers en opwaskamers moet die plafon 'n harde, gladde en wasbare oppervlak hê.
- (3) Kamers moet voldoende en individueel belug en verlig wees.
- (4) Alle vensters in die kamers moet voldoende beskerm of beskut wees om die veiligheid van die diensgebruikers te verseker.

3. Vereistes vir akkommodasie

Die kamers en/of sale moet daaglik skoongemaak word en higiënies en vry van aanstootlike reuke gehou word.

4. Toilet- en ablusiegeriewe

- (1) Voldoende en toeganklike toilet-, bad- en wasgeriewe moet voorsien word.
- (2) Daar moet ten minste 1 (een) toilet en een bad voorsien word vir ten minste elke 8 (agt) diensgebruikers op die perseel (verhouding 1: 8). Waar 'n geskikte, aangepaste en-suite toilet en bad/stort in die gebruikers se kamers voorsien word, kan hierdie kamers buite rekening gelaat word. Die toiletgeriewe moet ontwerp word vir gebruik deur een persoon op 'n slag.
- (3) Elke diensgebruiker moet toegang hê tot toiletgeriewe in die nabye omgewing van sy/haar privaat akkommodasie of waar hy of sy versorg word.
- (4) Bykomende toiletgeriewe moet voorsien word langs die sitkamer en eetkamer wat deur diensgebruikers benut word en moet toeganklik en duidelik gemerk wees.
- (5) Elke toilet moet toegerus wees met 'n voldoende spoelstelsel en alle toilette, badkamers of storte moet in goeie werkende toestand onderhou word.
- (6) Alle toilette moet altyd skoongehou word; vloere moet daaglik geskrop en die toiletbak moet daaglik skoongemaak en ontsmet word.
- (7) Voldoende en toeganklike toilet-, was- en badgeriewe moet voorsien word vir personeel wat op die perseel werksaam is.
- (8) Alle badkamers moet gepas wees met porselein-, emalje- of gietyster-emalje baddens met 'n konstante voorraad koue en warm lopende drinkwater.
- (9) Die mure van die toiletgeriewe moet gemaak word van 'n gladde oppervlak en moet lig van kleur wees.
- (10) Toiletgeriewe moet voldoende verlig en belug wees.
- (11) Elke toiletgerief moet toegerus wees met 'n behoorlike spoelstelsel en moet in 'n behoorlik werkende toestand onderhou word.
- (12) Badkamers en toilette moet vir elke geslag aangewys word.
- (13) Die toiletgebiede moet voldoende verlig en belug wees.
- (14) Die badkamerkompleks moet met 'n liggekleurde, duursame en wasbare verf bedek wees.
- (15) Vloere moet bedek wees met 'n nie deurdringbare oppervlak wat maklik is om te was.

5. Ondersoekkamers

- (1) 'n Handwasbak met 'n voorraad koue en warm lopende water moet in alle ondersoekkamers beskikbaar wees.
- (2) Vloere en mure moet gemaak word van 'n nie deurdringbare oppervlak wat maklik is om te was.
- (3) Mure moet met 'n wasbare verf bedek wees.

6. Spoelkamers

- (1) Die spoelkamers moet goed belug en verlig wees.
- (2) Die kamers moet met ondeurdringbare rakke toegerus wees.
- (3) Die kamers moet ook toegerus wees met 'n handwasbak sodat personeel hulle hande met warm en koue lopende water kan was.
- (4) Vloere moet gemaak wees van 'n oppervlak wat maklik skoongehou kan word.

7. Bergingsgeriewe

Voldoende bergingsgeriewe moet voorsien word.

8. Algemene vereistes

- (1) Maatreëls moet ingestel word vir infeksiebeheer en om die verspreiding van infeksie en oordraagbare siektes te voorkom.
- (2) 'n Program vir vektorbeheer moet op die perseel in plek wees.
- (3) 'n Gebied vir wasgoed moet op die perseel beskikbaar wees waar linne en ander vuil artikels gewas kan word.
- (4) 'n Afsonderlike linnekamer met voldoende kaste of rakke vir die berging van linne moet op die perseel voorsien word.
- (5) Indien 'n eksterne kontrakteur vir wasgoeddoeleindes gebruik word, moet dit in 'n goedgekeurde wassery plaasvind.

AANHANGSEL A: 6

STANDAARDE VIR SKOOLPERSELE

Skoolpersele moet aan die volgende voldoen:

1. Uitreiking van 'n Gesondheidsertifikaat

- (1) Die perseel moet bedryf word volgens 'n geldige Gesondheidsertifikaat wat deur 'n Omgewings-gesondheidpraktisyn uitgereik is.
- (2) Die perseel moet die gesondheid van studente/kinders bevorder.
- (3) Die aansoeker moet voldoen aan die vereistes vir 'n Gesondheidsertifikaat. (Hoofstuk 3)

2. Strukturele fasiliteite

- (1) Moet voldoen aan die goedgekeurde bouplan deur die plaaslike munisipaliteit.
- (2) Vloere en mure moet gemaak word van 'n nie deurdringbare oppervlak wat maklik is om te was.
- (3) Die plafon moet 'n harde, gladde en wasbare oppervlak hê.
- (4) Klaskamers moet voldoende belug en verlig wees en die goedgekeurde bouplan van die plaaslike munisipaliteit nakom.
- (5) Die skoolperseel moet met 'n goedgekeurde omheining beveilig wees.
- (6) 'n Buitespeelplek/gronde moet vir buitemuurse aktiwiteite op die skoolperseel beskikbaar wees.
- (7) Toilet- en ablusiegeriewe: Voldoende toilet- en wasgeriewe wat in die behoeftes van leerders en personeel voorsien, moet op die skoolperseel beskikbaar wees:
 - (a) Ten minste 1 (een) toiletgerief moet vir elke 25 kinders (verhouding 1:25) beskikbaar wees, en daarbenewens moet ten minste 1 (een) urinaal vir elke 50 seuns (verhouding 1:50) beskikbaar wees.
 - (b) Die skool se toiletgeriewe moet toegerus wees met 'n voldoende spoelstelsel en lopende water.
 - (c) Ten minste 1 (een) handwasbak moet vir elke (25) vyf-en-twintig kinders (verhouding 1:25) op die skoolperseel beskikbaar wees, toegerus met 'n konstante voorraad lopende water.
 - (d) Handwasbakke moet binne of onmiddellik langs die toilette wees.
 - (e) As toilette sonder spoelstelsels gebruik word, word belugting-verbeterde toilette aanbeveel.
 - (f) As puttoilette gebruik word, moet die ontwerp van die puttoilette op so 'n wyse gebou word dat dit nie 'n oorlas vir omgewingsgesondheid veroorsaak nie.
 - (g) Puttoilette moet so gestruktureer wees dat dit deur klein kinders gebruik kan word (kleiner en laer) en deure moet van buite oopgemaak kan word.
 - (h) Die puttoilette moet in goeie werkende toestand onderhou en gereeld skoongemaak word om reuke te voorkom en te verhoed dat vlieë die toiletgeriewe binnekom.
 - (i) Afsonderlike toilette en geriewe vir hande was moet vir personeel op die perseel voorsien word.
 - (j) Toilet- en wasgeriewe vir personeel kan ook vir gebruik deur besoekers oop wees. Ten minste 1 (een) toilet en ten minste 1 (een) handwasbak moet vir elke twintig personelede op die perseel voorsien word (verhouding 1:20).

- (k) Personeel se toilette moet volgens geslag geskei wees.
- (l) Toiletgeriewe moet behoorlik verlig en belug wees en voldoen aan die bouplan wat deur die plaaslike munisipaliteit goedgekeur is.
- (m) Toilette moet maklik vir almal toeganklik wees.
- (n) Toilette moet daaglik skoongemaak word.
- (o) 'n Skoonmaak- en instandhoudingsplan moet in plek wees vir die skoonmaak en onderhoud van alle toilette.
- (p) 'n Voldoende voorraad seep en toiletpapier moet altyd in die toiletgeriewe beskikbaar wees.

3. Watervoorsiening

- (1) Veilige drinkwater, met seep of 'n geskikte alternatief, moet by alle kritiese punte in die skool beskikbaar wees, veral in toiletgeriewe en kombuise.
- (2) Veilige toegangspunte vir drinkbare water moet altyd toeganklik wees.
- (3) Indien geen drinkwater op die perseel beskikbaar is nie, moet 'n minimum van 5 liter water per persoon per dag vir nie-inwonende kinders en personeel vir alle doeleindes (drink, persoonlike higiëne/hande was en skoonmaak) op die perseel gehou en higiënies geberg word. Vir koshuise moet 'n minimum van 20 liter water per persoon per dag vir alle inwonende skoolkinders en personeel vir die doeleindes van druk, was, skoonmaak en voedselvoorbereiding op die perseel beskikbaar wees.

4. Verblyf vir leerlinge en personeellede by koshuise

- (1) Voldoende slaap-, woon- en verblyfgeriewe moet vir kosgangers voorsien word moet aan die vereistes van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet No. 103 van 1977) ten opsigte van belugting en beligting voldoen.
- (2) Afsonderlike slaapplekke moet vir inwonende manlike en vroulike leerders voorsien word.
- (3) Afsonderlike slaap- en leefplekke moet vir personeel op die perseel voorsien word.
- (4) Vir slaapsale moet 'n vloerruimte van minstens 4.2 m² vir elke leerling voorsien word, met 'n afstand van minstens 0.9 m tussen elke bed.
- (5) 'n Afskorting vir een leerling met 'n eie venster en minimum vloeroppervlak van 5.0 m² moet voorsien word.
- (6) 'n Enkelkamer vir een leerling moet 'n minimum vloeroppervlak van 6.0 m² hê.
- (7) Slaapplekke moet skoongehou word. 'n Vloerruimte van nie minder nie as 2.3 m² moet in alle leefareas vir elke leerling en personeel op die perseel beskikbaar wees.

5. Siekeboegfasiliteite

- (1) 'n Siekeboeg moet vir die isolasie van siek leerlinge op die perseel voorsien word.
- (2) Die gebied moet van 'n handwasbak met 'n toevoer lopende water voorsien word.
- (3) 'n Goedgekeurde, sluitbare en voldoende toegeruste noodhulpkissie moet in die siekeboeg beskikbaar gestel word vir die behandeling van geringe beserings of siektes.

6. Mediese sorg vir leerders en studente

- (1) Stel onmiddellik die betrokke gesondheidspraktisyn in kennis indien daar vermoed word dat 'n siekte oordraagbaar is.
- (2) Leerders wat vermoedelik aan 'n oordraagbare siekte ly, moet verbied word om 'n skool by te woon as die persoon na die mening van die betrokke gesondheidswerker 'n gesondheidsrisiko vir ander leerders inhou en die siekte kan oordra.
- (3) Voldoende voorsiening moet gemaak word vir weggooibare handskoene en ontsmettingsmiddels om personeel en kinders te beskerm en om besmette gebiede en oppervlakke te ontsmet wanneer bloedverwante siektes en beserings hanteer word; alle gesondheidsorgsrisiko-afval moet veilig hanteer en mee weggedoen word.

- (4) Alle gebiede en oppervlakke waar die behandeling van 'n kind of versorger vir 'n siekte of 'n besering plaasgevind het, moet onmiddellik ontsmet word.

7. Algemene vereistes

- (1) Geneesmiddels, skoonmaakmiddels, plaagdoders en ander skadelike stowwe moet op sluitbare plekke geberg word en toegang moet slegs gegee word aan werknemers wat vir die gebruik van daardie items verantwoordelik is.
- (2) Die skoolterrein moet altyd skoongehou word.
- (3) Stelsels vir die verwydering van afvalwater moet op die perseel in plek wees en aan die toepaslike verordeninge van die betrokke plaaslike owerheid voldoen.

AANHANGSEL A: 7

STANDAARDE VIR VERBLYFONDERNEMINGS

Verblyfondernemings moet aan die volgende voldoen:

1. Uitreiking van 'n Gesondheidsertifikaat

- (1) Die perseel moet bedryf word volgens 'n geldige Gesondheidsertifikaat wat deur 'n Omgewingsgesondheidpraktisyn uitgereik is.
- (2) Die aansoeker moet voldoen aan die vereistes vir 'n Gesondheidsertifikaat. (Hoofstuk 3)

2. Vereistes vir strukturele fasiliteite en verblyf

- (1) Plafonne en mure van kamers moet van 'n stofvrye materiaal gemaak wees.
- (2) Mure moet glad afgewerk word.
- (3) Die vloeroppervlak van kombuise, opwaskamers, wasgoedkamers, badkamers, storte, ablusiegeriewe en toilette moet van nie deurdringbare, maklik wasbare materiaal gemaak word.
- (4) Alle kamers, gange, trappe, badkamers, kombuis en ander gebied moet voldoende belug en verlig wees kragtens die bepalings van die Nasionale Bouregulasies en die Wet op Boustandaarde.
- (5) Elke kamer moet kunsmatige of natuurlike belugting hê.
- (6) Fasiliteite vir gestremdes moet op die perseel voorsien word, soos opritte om mense met gestremdhede in staat te stel om gemaklik binne en om die perseel te beweeg.
- (7) Kamers vir verblyf moet skoongehou word.
- (8) Inwonende werknemers moet van afsonderlike slaapgeriewe op die perseel voorsien word.

3. Toilet- en ablusiegeriewe

- (1) Toiletgeriewe en handwasbakke moet toegerus wees met 'n spoelstelsel en voldoende voorraad lopende drinkwater.
- (2) Baddens en/of storte moet voorsien word.
- (3) Geskikte en doeltreffende metodes vir dreinerings en rioolverwydering wat verbind is aan 'n goedgekeurde wegdoeningstelsel, moet in plek wees en deur die betrokke plaaslike owerheid goedgekeur wees.
- (4) 'n Rioolstelsel wat water gebruik en aan die munisipale riool verbind is, 'n septiese tenk of ander goedgekeurde wegdoeningstelsel moet vir rioolverwydering gebruik word, in ooreenstemming met die plaaslike owerheid se toepaslike verordeninge.
- (5) Stelsels vir dreinerings en rioolverwydering moet in 'n behoorlik werkende toestand onderhou word.
- (6) Voldoende toiletpapier, seep en handdoeke moet in die ablusiegeriewe voorsien word.
- (7) Alle water-, ablusie- en sanitêre toebehore moet skoongehou word.

- (8) Personeel op die perseel moet voorsien word van afsonderlike en voldoende toilet- en wasgeriewe. Ten minste 1 (een) toilet en handwasbak, bad/stort moet vir elke 12 (twaalf) personeellede op die perseel voorsien word (verhouding 1:12).

4. Swem- en stoombaddens

Indien stoombad-/swembadgeriewe vir gebruik deur gaste op die perseel voorsien word:

- (1) Moet die bestuur toesien dat die monsterneming van die stoom-/swembad gereeld gedoen word en op versoek van die Omgewingsgesondheidpraktisyn die uitslae van die monsters verskaf.
- (2) Die fasiliteite moet skoon en in 'n goeie werkende toestand onderhou word.

5. Algemene higiënevereistes

- (1) Die perseel en alle toerusting wat tydens die gebruik van die geriewe gebruik word, moet altyd in 'n skoon, sanitêre en werkende toestand onderhou word.
- (2) 'n Program vir knaagdier-/plaagbeheer moet op die perseel in plek wees sodat dit nie 'n gesondheidsoorlas uitmaak nie.

AANHANGSEL A: 8

STANDAARDE VIR SKOONHEIDSALONNE

Skoonheidsalonne moet aan die volgende vereistes voldoen:

1. Uitreiking van 'n Gesondheidsertifikaat

- (1) Die perseel moet bedryf word volgens 'n Gesondheidsertifikaat wat deur 'n Omgewingsgesondheidpraktisyn uitgereik is.
- (2) Die aansoeker moet voldoen aan die vereistes vir 'n Gesondheidsertifikaat. (Hoofstuk 3)

2. Strukturele fasiliteite

- (1) Interne mure moet van 'n maklik wasbare materiaal gemaak word en moet met 'n ligkleurige verf bedek word.
- (2) Vloere moet van 'n maklik wasbare materiaal gemaak wees en gelyk afgewerk word.
- (3) Die plafon moet van 'n stofdigte materiaal gemaak word.
- (4) Die perseel moet voldoende belug en verlig wees.
- (5) Die kliënte en werknemers moet van toilet- en ablusiegeriewe op die perseel voorsien word. Ten minste 1 (een) toilet- en handwasbak moet op die perseel vir elke twintig werknemers (verhouding 1:20) voorsien word en ten minste een toilet- en handwasbak moet vir elke twintig kliënte (verhouding 1:20) voorsien word, en moet toegerus wees met 'n konstante voorraad lopende water. Die toiletgeriewe moet met 'n spoelstelsel toegerus wees.
- (6) Voldoende wasgeriewe met 'n konstante voorraad warm en koue lopende drinkwater moet op die perseel vir die was van hare beskikbaar wees.
- (7) 'n Goedgekeurde stelsel vir die wegdoening van afvalwater moet op die perseel teenwoordig wees.
- (8) Die kleedkamers moet 'n individuele sluitkas vir elke werknemer hê en 'n handwasbak met 'n voorraad warm en koue lopende drinkwater, asook 'n voldoende voorraad seep en weggooibare handdoeke moet voorsien word.

- (9) Alle vullis moet op 'n omgewingsvriendelike wyse en in ooreenstemming met toepaslike verordeninge van die betrokke plaaslike owerheid verwyder word.
- (10) 'n Sentrale bergingsgebied vir vullis moet op die perseel voorsien word vir die berging van afval in voordat dit vir wegdoening afgehaal word.
- (11) 'n Voldoende aantal vullissakke en/of -dromme moet op die perseel vir die versameling van afval voorsien word. Die vullissakke moet dus na die sentrale bergingsgebied oorgedra word.
- (12) Die salonperseel mag nie vir voedselvoorbereiding of slaap gebruik word nie, tensy 'n afsonderlike gebied vir voedselvoorbereiding vir so 'n ander doel voorsien word.
- (13) Die perseel en alle toerusting wat in verband daarmee gebruik word, moet altyd in 'n goeie toestand, skoon en sanitêr onderhou word.
- (14) Diere word nie op die perseel toegelaat nie, behalwe in die geval van 'n gidshond.
- (15) Instrumente wat in die salon gebruik word, moet na elke gebruik skoongemaak en ontsmet word.
- (16) Alle instrumente wat met bloed in aanraking kom, moet na elke gebruik gesteriliseer word.
- (17) 'n Voldoende aantal handdoeke moet voorsien word vir verskeie gebruike wat verband hou met die bedryf van die besigheid en moet skoongehou word.
- (18) Wasgeriewe vir die was van alle linnegoed en handdoeke moet voorsien word.
- (19) Indien drinkgoed op die perseel voorsien word, moet 'n afsonderlike gebied voorsien word met 'n fasiliteit wat vir die skoonmaak van breekware en eetgerei toegerus is.

3. Afvalbestuur

- (1) Alle skerp instrumente en bebloede instrumente word as aansteeklike afval beskou en moet dienoreenkomstig mee weggedoen word, insluitend skeermesse, lemme, naalde en ander skerp instrumente. Goedgekeurde metodes vir die insameling, berging, vervoer en wegdoening van afval moet geïmplementeer word vir die bestuur van gesondheidsorgrisiko-afval, en moet aan die toepaslike gesondheidswetgewing voldoen.
- (2) Houers wat vir die berging van gesondheidsorgrisiko-afval gebruik word, moet duidelik in groot leesbare letters gemerk wees.
- (3) Werknemers moet voldoende opgelei wees in die identifisering, skeiding, hantering en berging van gesondheidsorgrisiko-afval.
- (4) Gesondheidsorgrisiko-afval mag slegs deur 'n geregistreerde diensverskaffer van die perseel verwyder/afgehaal, vervoer, behandel en mee weggedoen word.
- (5) Akkurate en bygewerkte rekords moet gehou word van alle gesondheidsorgrisiko-afval wat deur die fasiliteit gegenereer word.

4. Die gebruik van kleurstowwe, pigmente en stensils en prosedures met tatoeëring

- (1) Vir die voorbereiding van kleurstowwe of pigmente moet niegiftige materiale gebruik word.
- (2) Enkel-gebruik, steriele, individuele houers vir kleurstowwe of pigmente moet vir elke kliënt gebruik word.
- (3) Die stensil, tensy dit uit asetaat bestaan, moet slegs vir 'n enkele tatoeëring gebruik word. Stensils van asetaat kan ontsmet en hergebruik word.
- (4) Tatoeëring moet plaasvind op 'n wyse wat die oordrag van oordraagbare siektes van kliënt na kliënt en van kunstenaar na kliënt voorkom. Die volgende minimumstandaarde moet gehandhaaf word:
 - (a) 'n Tatoeëerder moet altyd 'n waterdigte en skoon voorskoot dra tydens tatoeëring dra.
 - (b) Tatoeëerders moet altyd hul hande met seep en lopende water was voordat hulle aan elke kliënt werk.
 - (c) Toerusting wat gebruik word vir tatoeëring, lyfprieming, skeer, ens. moet deur middel van goedgekeurde ontsmettingsmiddels gesteriliseer word.
 - (d) Goeie sanitasie- en higiënepraktyke moet altyd toegepas word.

AANHANGSEL A: 9**STANDAARDE VIR HINDERLIKE BEDRYWE**

Vir die doel van hierdie dokument verwys Hinderlike Bedrywe na enige bedryf waarin die stowwe wat hanteer word, gevaarlik of riskant vir die gesondheid is of moontlik kan wees, en wat moontlik 'n gesondheidsoorlas kan veroorsaak. Dit sluit in, maar is nie beperk nie tot die volgende bedrywe:

- (a) Duikklop- en spuitverfwerk
- (b) Bedryf van 'n herwinningsaanleg vir gevaarlike afval
- (c) Herwinning van olie- en petroleumprodukte
- (d) Skrootwerk of handel in skroot; die kook van bloed of bene, die smelt of uitbraai van vet of hardevet, die kook van seep, die kook of skoonmaak van afval, die opberging van velle, die kook van huide, die insouting van velle, die droogmaak van bloed, die looi en bewerking van leer of die maak van gom
- (e) Die verbranding van stene en kalk; die maak van mis en opberging of maak van kompos
- (f) Die vervaardiging van sement, kooksoonde of soutglasuurwerk
- (g) Die vervaardiging van viskosegoed
- (h) Die smelt, tempering of verharding van erts of minerale
- (i) Die slag van diere
- (j) Vishandel en die droogmaak van vis
- (k) Dierstekels, -hare of berging en sterilisering
- (l) Berging van raga
- (m) Berging van houtsaagsels
- (n) Die vervaardiging van koolstofbisulfied, selluloselakvernis, sianogeen of verbindings daarvan, warm pik of bitumen, poeierbrandstof, piridien, swaeldioksiedvloeistof of -gas of swaelchloried
- (o) Die vervaardiging van amielasetaat, aromatiese esters, bottersuur, karamelmaljedraad, glas, heksamien, jodoform lampswartsel, harsprodukte, salisielsuur, organiese sulfonaatverbindinge, swaelkleurstowwe, ultra-maryn, sinkchloried of sinkoksied
- (p) Fabrieke wat voedsel verwerk; fabrieke wat spek vervaardig en wat vleis verwerk; chemiese werke; vervaardiging van kleurstowwe; brouerye en distilleerderye
- (q) Vervaardiging van mout en gis
- (r) Suikermeulens en suikerraffinaderye
- (s) Werke of persele wat gebruik word vir die berging of vermenging van mis, superfosfaat of kunsmis
- (t) Werke wat vet of hardevet smelt en enige soortgelyke werke of instellings wat vleis, bene, bloed of afval of ander organiese materiaal afkomstig van diere of pluimvee hanteer
- (u) Werke of persele wat gebruik word vir die vervaardiging, berging of vermenging van meel wat verkry word uit vis, skaaldiere, pluimvee, vleisafval van diere of pluimvee, of ander organiese materiaal wat van diere of pluimvee afkomstig is
- (v) Werke of persele wat gebruik word om bene, horings, hoewe of ander afvalmateriaal of uitskeidings van diere of pluimvee te berg, droog, bewaar of andersins te verwerk
- (w) Persele wat gebruik word vir die berging, sortering of hantering van huide en velle, of velblotery
- (x) Werke wat leer looi of behandel; en enige ander aktiwiteit wat deur 'n spesifieke plaaslike owerheid as 'n hinderlike bedryf beskou word.

1. Persele wat vir hinderlike bedrywe gebruik word, moet aan die volgende vereistes voldoen:

Die perseel moet bedryf word ingevolge 'n geldige Gesondheidsertifikaat wat deur 'n Omgewings-gesondheidpraktisyn uitgereik is, ten effekte dat die perseel aan die vereistes vir Omgewingsgesondheid voldoen en geen gesondheidsoorlas veroorsaak nie.

2. Algemene vereistes

- (1) Die perseel moet altyd in 'n skoon, higiëniese en goeie toestand onderhou word.
- (2) Alle masjinerie, aanleg, apparaat, meubels, toebehore, gereedskap, implemente, vate, houters, bakke en voertuie moet altyd in 'n skoon, higiëniese en goeie toestand onderhou word.
- (3) Die ophoping van afval op die perseel moet voorkom word.

AANHANGSEL A: 10

STANDAARDE VIR GESONDHEIDSINRIGTINGS

Gesondheidsinrigtings moet aan die volgende voldoen:

1. Gehalte van drinkwater

- (1) Water moet deurlopend vir verbruikbaarheid getoets word. Waar bergingsgeriewe vir water op die perseel gebruik word, moet die bergingskapasiteit vir 24 uur voldoende wees.
- (2) Bergingsgeriewe vir water, bv. reservoirs en tenke moet voldoende teen besmetting beskerm word.
- (3) Die water in die bergingsgeriewe moet getoets word vir nakoming en verbruikbaarheid.
- (4) Waterbronne, bv. boorgate, moet doeltreffend teen besmetting beskerm word.
- (5) Indien nienakoming tydens die toetsing van water bevind vind, moet die moontlike bron van besmetting opgespoor word. Die moontlike bron van besmetting moet dan as deel van 'n risikobestuursbenadering gemonitor word om die doeltreffendheid van ingrypings te verseker.
- (6) Om organismes wat tussen 25°C en 50°C (bv. Legionella-spesies) groei, te voorkom, moet veral warmwatertemperature bo 50°C en koue water onder 20°C gehou word.
- (7) Krane en pype met water wat nie vir menslike verbruik geskik is nie, moet duidelik as sodanig gemerk wees.
- (8) Aangewese personeel moet beskikbaar wees vir die gereelde monitering van die waterstelsel in die gesondheidsfasiliteit. Rekords oor die monitering van watergehalte moet bygehou word en op versoek aan 'n Omgewingsgesondheidpraktisyn beskikbaar gestel word.
- (9) Indien water in 'n tydelike watertenk op die perseel geberg word, moet dit aan SANS 241 voldoen.

2. Toilet- en ablusiegeriewe

- (1) Voldoende toilet- en wasgeriewe moet vir pasiënte en personeel op die perseel voorsien word. Ten minste 1 (een) toilet word vir elke 12 (twaalf) binnepasiënte voorsien, en 1 (een) handwasbak en 1 (een) bad of stort word vir elke 12 (twaalf) binnepasiënte voorsien.
- (2) Afsonderlike toilette en geriewe vir hande was moet vir personeel op die perseel voorsien word.
- (3) Vloere en mure van die toiletgeriewe moet van 'n nie deurdringbare, maklik wasbare oppervlak gemaak word.
- (4) Alle toiletgeriewe op die perseel moet altyd skoon en in 'n goeie werkende toestand gehou word.
- (5) Alle handwasgeriewe moet voorsien wees van 'n konstante voorraad lopende drinkwater.
- (6) 'n Voldoende en konstante voorraad seep, toiletpapier en handdoeke moet altyd in alle toilet- en handwasgeriewe beskikbaar wees.

3. Bergingsgeriewe

- (1) Bykomende bergingsgeriewe moet voorsien word vir die berging van skoonmaakmiddels, plaagdoders en ander moontlik gevaarlike stowwe.
- (2) Alle stoorkamers en bergingsgeriewe moet altyd skoongehou word en as roetine minstens een keer 'n week gereinig word.
- (3) Gevaarlike stowwe moet op 'n veilige manier, afsonderlik van ander niegevaarlike materiale, geberg word.

- (4) Voedsel- en nievoedselprodukte moet afsonderlik van enige ander items geberg word; yskaste wat vir die berging van medisyne gebruik word, moet onder geen omstandighede vir die berging van voedselprodukte gebruik word nie.
- (5) Afsonderlike bergingsgeriewe vir vuil en skoon linne en toerusting, insluitend spoelkamergeriewe vir die reiniging van gebruikte linne en toerusting, moet voorsien word.
- (6) Verkoelingsgeriewe wat vir die berging van gevaarlike afval of aansteeklike materiaal gebruik word, moet as sodanig gemerk word, en mag nie vir die berging van enige item buiten dié waarvoor dit ontwerp is, gebruik word nie.

4. Ontvangs van lyke op die perseel

- (1) Alle fasiliteite wat gebruik word vir die hantering, voorbereiding, berging en vervoer van lyke op die perseel en die vereistes met betrekking tot die bedryf van persele vir die bestuur van menslike oorskot, moet aan die vereistes van die Regulasies met betrekking tot die Bestuur van Menslike Oorskot voldoen.
- (2) Toepaslik opgeleide personeel moet beskikbaar en verantwoordelik wees vir pligte in die lykshuis en moet verseker dat die higiënestandaarde nagekom word.
- (3) 'n Skoonmaakprogram moet vir die lykshuis geïmplementeer wees. 'n Register en rekords moet gehou en bygewerk word met inligting oor die hantering van lyke; en die rekord van verkoelingsgeriewe en temperature moet daaglik geneem word.
- (4) Die werknemer verantwoordelik vir infeksiebeheer moet gereeld monitor of die beleid oor die hantering van lyke gevolg word en of die lykshuis op 'n aanvaarbare wyse bedryf word.
- (5) Voldoende beskermende klere (wat bestaan uit waterdigte voorskote, liggekleurde oorpakke en beskermende handskoene) moet voorsien en gebruik word deur werknemers wat in die lykshuis werk.
- (6) Goedgekeurde metodes vir die versameling, berging, vervoer en verwydering van afval moet toegepas word vir die hantering van aansteeklike afval in die lykshuis, in ooreenstemming met die SANS 10248.

5. Wasseryfasiliteite:

- (1) Die gesondheidsorgfasiliteit moet toegang hê tot goedbestuurde wasgeriewe vir die doeltreffende skoonmaak van linnegoed, vir beheer oor infeksie en om besmetting op die perseel te vermy.
- (2) Interne mure, vloere en plafonne moet gemaak word van 'n nie deurdringbare, maklik wasbare oppervlak.
- (3) Die wasgeriewe moet behoorlik deur kruisventilasie belug wees en voldoende verlig wees.
- (4) Dreineringsstelsels moet beskikbaar wees en moet nie aan stormwaterdreinerings verbind wees nie.
- (5) Gebiede wat vuil linnegoed ontvang, moet geskei wees van gebiede wat skoon linnegoed hanteer.
- (6) Voldoende ablusie- en toiletgeriewe moet voorsien word.
- (7) Geskikte en risikovrye bergingsgeriewe moet vir die berging van chemikalieë voorsien word.
- (8) Voertuie, houe, trollies of ander handgedrewe toerusting vir die vervoer van linne moet aan vereistes voldoen om besmettingsvrye toestande te verseker.
- (9) Alle vuil linne en hospitaalklere word as aansteeklike afval beskou en moet slegs in die aangewese bergingsgebied gestoor word en uit sale, gange of enige ander plek waar pasiënte behandel word, verwyder word.

6. Operasionele vereistes

- (1) 'n Beleid vir die bestuur van linne in 'n fasiliteit moet in plek wees.
- (2) Werkopdragte en -prosedures;
- (3) Prosesbeheerprosedures;
- (4) Gehaltebeheerprosedures; en
- (5) Prosedures vir die beheer van linne (skoon/gebruik).
- (6) 'n Prosedure wat spesifiek oor infeksie-/ besmettingsbeheer handel, moet beskikbaar gestel word aan personeel wat linne hanteer.

- (7) 'n Persoon wat as die wasserykontroleur aangewys is, moet toesien dat die vereistes ten opsigte van besoedeling, beroeps- en omgewingshigiëne nagekom word, insluitend toepaslike optrede ten opsigte van enige risiko's met infeksie of ander gevare wat verband hou.
- (8) Prosedures vir die gebruik van beskermende klere en persoonlike higiëne waar personeel in aanraking met hoë-risiko-gebiede of linne kom, moet gedokumenteer word en voorsorgmaatreëls insluit.
 - (a) doeltreffende uitvoering van hul funksies;
 - (b) hantering van gevaarlike goedere in die wassery;
 - (c) nakoming van prosedures (insluitend noodhulp) met betrekking tot die voorkoming en beheer van infeksie;
 - (d) gebruik van beskermende klere en nakoming van prosedures vir ontsmetting; en
 - (e) die bedryf van wasserymasjiene om optimale resultate te verseker, insluitend algemene veiligheidsprosedures.

7. Algemene higiënevereistes

- (1) Die perseel moet altyd skoon gehou word en vry wees van aanstootlike reuke en die onooglike ophoping van puin, rommel en ander afval.
- (2) Skoonmaakpersoneel moet opgelei en bedrewe wees in skoonmaaktegnieke en -prosesse wat in verskillende gebiede in die gesondheidsorgfasiliteit toegepas word.
- (3) Skoonmaakmateriaal en -middels wat nodig is om 'n higiëniese omgewing in die gesondheidsorgfasiliteit te verseker, moet altyd beskikbaar wees en behoorlik geberg word.
- (4) 'n Skoonmaakskedule moet vir die skoonmaak van alle gebiede in die fasiliteit in plek wees en bygehou word.
- (5) Geskikte skoonmaakmateriaal en -toerusting moet op die perseel beskikbaar wees.

PERSELE WAT NIE 'N GESONDHEIDSERTIFIKAAT BENODIG NIE

AANHANGSEL B: 1

STANDAARDE VIR DROOGSKOONMAAK- EN WASSERY-ONDERNEMINGS

Droogskoonmakers en wasserye moet aan die volgende standaarde vir omgewingsgesondheid voldoen:

1. Strukturele fasiliteite

- (1) Die uitleg van die wassery en toerusting in gesondheidsorgfasiliteite vir die beheer van infeksie; en voorkoming van besmetting.
- (2) Dreinerings vir wasgoed van gesondheidsorgfasiliteite moet geïnstalleer wees en nie aan-storm-waterdreinerings verbind wees nie.

2. Watervoorsiening en sanitasiegeriewe

- (1) Toiletgeriewe moet toegerus wees met 'n spoelstelsel en 'n konstante voorraad lopende water, en moet van toilet papier, seep en weggooibare handdoeke voorsien word.
- (2) 'n Voorraad seep en weggooibare handdoeke by elke wasbak.
- (3) Dreinerings en rioolverwydering moet op die perseel geïnstalleer en deur die betrokke plaaslike owerheid goedgekeur wees.

AANHANGSEL B: 2**STANDAARDE VIR BOUTERREINE EN INDUSTRIËLE PERSELE**

Bouterreine moet aan die volgende standaarde voldoen:

1. Watervoorsiening en sanitasiegeriewe

- (1) Voldoende toiletgeriewe moet vir gebruik deur konstruksiewerke voorsien word. Ten minste 1 (een) toilet en een handwasbak is vir elke 20 personeellede op die perseel voorsien (verhouding 1:20). Daarbenewens moet ten minste een urinaal vir elke 40 mans op die perseel voorsien word (verhouding 1:40). Indien meer as 200 werknemers op die perseel werksaam is, moet ten minste 1 (een) toilet en 1 (een) urinaal vir ten minste elke 50 werkers voorsien word (verhouding 1:50);
- (2) Wasgeriewe, toegerus met drinkwater, moet vir werknemers voorsien word, veral werknemers betrokke by die aanwending van verf, deklae, plaagdoders, ens.
- (3) Toilet- en wasgeriewe moet altyd in 'n sanitêre toestand onderhou word.

2. Fisiese fasiliteite

Wanneer enige voedsel op die perseel voorberei en bedien word, moet die fasiliteite wat vir die voorbereiding, hantering, berging en bediening van voedsel gebruik word, aan die vereistes van die toepaslike Regulasies insake Algemene Higiënevereistes en die Vervoer van Voedsel voldoen.

3. Afvalbestuur en afvalwater

- (1) Privaat aanlegte wat bestuur word vir rioolverwydering of vullisverwydering (grondopvulterreine), moet doeltreffend bedryf word ingevolge voorgeskrewe wetgewing en permitvoorwaardes vir die bedryf van grondopvulterreine en rioolwerke.
- (2) Evaluering/monitering moet by die planne vir afval-/besoedelingbestuur ingesluit word en moet volgens die planne geïmplementeer word.
- (3) Finale uitvloeisel of slyk wat uit die rioolverwyderingsaanleg voortspruit, moet in ooreenstemming met voorgeskrewe nasionale riglyne gebruik word om grond- en waterbesoedeling te voorkom.
- (4) Die riooldreineringsstelsel moet doeltreffend onderhou word om verstoppings en stortings te voorkom wat aanleiding tot omgewingsbesoedeling kan gee.
- (5) Personeel wat verantwoordelik is vir die bedryf van aanlegte of fasiliteite vir afvalwaterverwydering, moet goed opgelei wees om die fasiliteite doeltreffend en vry van besoedeling te bestuur.
- (6) Alle nodige inligting met betrekking tot werksaamhede by hierdie fasiliteite, soos vereis deur permitvoorwaardes en wetgewing, moet opgeteken word.
- (7) Resultate van finale riooluitvloeisel van rioolverwyderingsterreine moet opgeteken word.
- (8) Afvalmateriaal en puin moet na 'n stortingsgebied verwyder word en herbruikbare materiaal moet gesorteer word en minstens een keer 'n dag na 'n bergingsgebied verskuif word om te voorkom dat 'n gevaarlike toestand ontstaan.
- (9) Gegenerende afval moet by 'n goedgekeurde grondopvulterrein mee weggedoen word en die toepaslike verordeninge van die betrokke plaaslike owerheid nakom.
- (10) Vullis, puin en ander afvalmateriaal voortspruitend uit die sloop of konstruksie van projekte moet tydelik in 'n aangewese gebied op die terrein geberg word en toegang tot die gebied moet streng beheer word, waarna dit by 'n goedgekeurde afvalfasiliteit mee weggedoen moet word.

AANHANGSEL B: 3**STANDAARDE VIR OPENBARE BYMEKAARKOMPLEKKE**

Openbare bymekaarkomplekke moet aan die volgende Omgewingsgesondheidstandaarde voldoen:

1. Afvalbestuur

- (1) Die bestuur van afval op die perseel moet voldoen aan die toepaslike verordeninge van die betrokke plaaslike owerheid en moet deur die plaaslike owerheid geregleer word.
- (2) Vullishouers moet op strategiese punte op die perseel vir die versameling van rommel voorsien word.
- (3) Ter-plaatse afvalbestuur moet tydens gebeure teenwoordig wees om stortings en rommelstrooiing te beheer om te voorkom dat 'n oorlas veroorsaak word.
- (4) Reëlins moet tussen die bestuurder van die gebeurtenis en die plaaslike owerheid getref word vir afvalbestuur tydens én na afloop van 'n gebeurtenis.

2. Voorsiening van drinkwater

- (1) Wanneer gebeurtenisse plaasvind, moet waterpunte by strategiese punte op die perseel beskikbaar wees.
- (2) As watertenkers tydens gebeurtenisse gebruik word, moet die water aan SANS 241 of 2015, soos gewysig, voldoen.

3. Sanitasiegeriewe

- (1) Voldoende toilette en geriewe vir hande was moet vir personeel en vir die publiek voorsien word.
- (2) 'n Geskikte, doeltreffende stelsel vir dreinerings en rioolverwydering moet op die perseel geïmplementeer wees.

4. Vir korttermyn-gebeurtenisse

- (1) As chemiese toilette gebruik word, moet 'n onderhoudspan ter plaatse vir die duur van die gebeurtenis beskikbaar wees om te sorg dat verstoppings en lekkasies nie 'n oorlas en gesondheidsgevaar veroorsaak nie; en
- (2) 'n Terreinplan wat die ligging en soort sanitêre geriewe wat tydens gebeure gebruik gaan word, moet aan die Omgewingsgesondheidpraktisyn voorgelê word.

AANHANGSEL B: 4**STANDAARDE VIR DIE AANHOU VAN DIERE OP PERSELE**

Persele wat vir die aanhou van diere gebruik word, moet aan die volgende voldoen: Die perseel mag nie 'n gesondheidsoorlas uitmaak nie.

AANHANGSEL B: 5**Die slag van diere vir godsdienstige, tradisionele, kulturele, seremoniële en eie verbruiksdoeleindes**

- (1) Geen vleis of dierlike produk wat verkry is van 'n dier wat vir kulturele, tradisionele of godsdienstige doeleindes of vir eie verbruik geslag is, mag aan enige persoon verkoop word nie.
- (2) In die geval van godsdienstige of tradisionele slagting, moet die aansoeker by die plaaslike munisipaliteit aansoek doen en die Omgewingsgesondheidpraktisyn in kennis stel om die geleentheid goed te keur.
- (3) Bloed en ander afvalprodukte van die karkas moet mee weggedoen word op 'n wyse wat nie 'n gesondheidsoorlas sal veroorsaak nie.

- (4) Maatreëls moet ingestel word om te verseker dat geen gesondheidsoorlas op die perseel geskep word of as gevolg van die slagting bestaan nie.

AANHANGSEL B: 6

Troeteldierwinkels en -salonne

Die perseel mag nie 'n gesondheidsoorlas uitmaak nie.

AANHANGSEL B: 7

STANDAARDE VIR GEVANGENISSE, INSLUITENDE POLISIESTASIE-AANHOUDINGSSELLE

Gevangenis, insluitende polisiestasie-aanhoudingselle moet aan die volgende standaarde voldoen:

1. Strukturele fasiliteite

Aanhoudingselle moet altyd skoon, vry van puin, rommel en ander velerlei vullis gehou word en in 'n goeie toestand onderhou word.

2. Toilet- en ablusiegeriewe

- (1) Voldoende toilet-, handewas- en stortgeriewe moet op die perseel vir gebruik deur diens-verbruikers/gevangenes voorsien word.
- (2) Toiletgeriewe moet altyd skoongehou word.

AANHANGSEL B: 8

STANDAARDE VIR ONBEOUDE GROND

Onbeboude grond mag nie 'n gesondheidsoorlas uitmaak nie.

AANHANGSEL B: 9

STANDAARDE VIR KANTOORRUIMTES

Kantoorgeboue en -akkommodasie mag nie 'n gesondheidsoorlas uitmaak nie.

UMASIPALA WESITHILI SASEOVERBERG UMTHETHO KAMASIPALA WEENKONZO ZEZEMPILO EZINIKWA NGUMASIPALA

Ukulungiselela ukunikwa kweeNkonzo zezeMpilo nguMasipala kunye nemiba ehamba nazo:

ISINDULULO

Ngokwamagunya anikwe kwiCandelo 156(2) loMthetho ka-1996 woMgaqo-siseko weRiphabliki yoMzantsi Afrika (uMthetho we-108 ka-1996), ufundwa kunye neCandelo 13(a) loMthetho ka-2000 weeNdlela zokuSebenza zoRhulumentho looMasipala (uMthetho wama-32 ka-2000), ohlaziyiweyo, iBhunga loMASIPALA WESITHILI SASEOVERBERG liqulunqe lo Mthetho kaMasipala umalunga nezeMpilo ezinikwa nguMasipala, ocaciswe kule Shedyuli ingezantsi –

ISIQULATHO**ISAPHLUKO 1: UKUCACISWA KAWO KUNYE NEMIMISELO ENGUNDOQO**

1. Iingcaciso
2. Ukusetyenziswa kwalo Mithetho kaMasipala
3. Injongo
4. Ubume bokuSetyenziswa kwawo
5. Imimiselo

ISAPHLUKO 2: IMIGAQO GABALALA MALUNGA NOKUPHAZANYISWA KWEZEMPILO

6. Isimilo neNdlela yokuziPhatha
7. Ukuthintelwa kokudaleka, ubukho okanye isehlo sokuphazanyiswa kwezempilo
8. Uxanduva lokuphelisa okanye ukunciphisa ukuPhazanyiswa kwezeMpilo

ISAPHLUKO 3: IMIGANGATHO EBELWE ZONKE IINDAWO

9. Imigangatho ebekelwe zonke iindawo
10. IziQinisekiso zezeMpilo
11. Ukungalandelwa kwemigaqo

ISAPHLUKO 4: AMANZI NOGUTYULO

12. Uxanduva nezithintelo

ISAPHLUKO 5: UKUNYANZELISWA

13. Isaziso sokulandelwa kwemigaqo nokuzithethelela
14. Isaziso esiThintelayo
15. Ukurhoxiswa kwesithintelo
16. Umsebenzi wokulungisa kaMasipala
17. Imigaqo-nkqubo neziKhokelo

ISAPHLUKO 6: IMIGAQO GABALALA

18. Ukungqinisiswa nokusetyenzelwa kokugqityezelwa komsebenzi kunye namanye amaxwebhu
19. Ukubhena
20. Amatyala nezohlelo
21. Intsebenziswano phakathi koomasipala nokufezekiswa kwayo
22. Uxolelo
23. Ukubhangiswa kwale Mithetho kaMasipala
24. Isihloko esifutshane kunye nokuqalisa kwale mithetho kamasipala

IMIGANGATHO EBELWE ZONKE IINDAWO**IINDAWO EKUFUNIKA ZIBE NEZIQINISEKISO ZEZEMPILO****ISIHLOMELO A:**

- A1. Imigangatho ebekelwe amaZiko okuGcina abantwana / iiECD
- A2. Iimfuno zamakhaya agcina abantwana
- A3. Iimfuno zeeNdawo zokuKhathalela abaGulayo
- A4. Iimfuno ezimalunga neNkukuma yamaziko ezeMpilo

A5. Imigangatho ebekelwe amaKhaya agcina abantu abadala

A6. Imigangatho ebekelwe izikolo

A7. Imigangatho ebekelwe iiNdawo zokuhlalisa abantu

A8. Imigangatho ebekelwe iiSaluni

A9. Imigangatho ebekelwe amashishini anobungozi

A10. Imigangatho ebekelwe amaziko ezeMpilo

ISIHLOMELO B:

Iindawo **EZINGADINGI** siQinisekiso sezeMpilo

B1. Imigangatho ebekelwe amashishini okuhlamba nokulungiselela iimpahla

B2. Imigangatho ebekelwe iziza zokwakha kunye neendawo zoshishino

B3. Imigangatho ebekelwe iindawo zeeNdibano zoluntu

B4. Imigangatho ebekelwe iindawo zokugcina izilwanyana eziyadini

B5. Izilwanyana ezixhelelwa ezenkolo, imicimbi nokuzityela

B6. Iivenkile ezithengisa izilwanyana ezifuyelwa ukuzonwabisa kunye neendawo zokulungisa ubuhle bezilwanyana ezifuyiweyo

B7. Imigangatho ebekelwe iintolongo kuquka nezisele zokulindela ezisezikhululweni zamapolisa

B8. Imigangatho ebekelwe umhlaba ongabelwanga mntu

B9. Imigangatho ebekelwe izakhiwo zeeofisi

ISAHLUKO SOKU-1

UKUCACISWA KWAWO KUNYE NEMIMISELO ENGUNDOQO

1. lingcaciso
2. Ukusetyenziswa kwalo mthetho kamasipala
3. Injongo
4. Ubume bokuSetyenziswa kwawo
5. Imimiselo

1. **lingcaciso**

Kulo mthetho kamasipala, ngaphandle kokuba oku kusetyenziswe komnye umxholo: –

"abasemagunyeni abanoxanduva" bathetha abasemagunyeni okanye umasipala onoxanduva lwemisebenzi (yokulahlwa kwenkukuma) kwindawo ethile engaphakathi kwemida yoMasipala weSithili saseOverberg;

"amangcwaba" athetha nawuphi umhlaba onengcwaba elinye nangaphezulu;

"amanzi amdaka" athetha amanzi amdaka avela ekusetyenzisweni ekhaya, kwizenzo zoshishino okanye zolimo kunye neendawo ezithile ezinokuba nalo naluphi uhlobo lwamanzi ogutyulo;

"amanzi amdaka" athetha amanzi amdaka asele esetyenzisiweyo;

"amanzi amdaka anezivundisi-mhlaba avela kumashini" amanzi amdaka anezivundisi ezisuka kwizenzo neendaba zamashishini, kuquka

- (a) ukulungiswa kobisi;
- (b) ukulungiswa kweemveliso zeziqhamo nemifuno;
- (c) ukuveliswa nokunkonkxwa kweziselo ezihwahlwazayo;
- (d) ukufakwa kwamanzi ezibhotileni;
- (e) ukuveliswa kweziselo ezinxilisayo nezinganxilisiyo eziveliswa kumashishini otywala, iindawo zokuvelisa iiwayini okanye iindawo zokuphehla ibranti;
- (f) ukuveliswa kokutya kwezilwanyana okwenziwa ngeemveliso zezityalo okanye zezilwanyana;
- (g) iindawo zokuxhela;
- (h) ukulungiswa kwentlanzi;
- (i) iindawo etyela kuzo imfuyo;
- (j) ukwenziwa nokulungiswa kwetshizi;
- (k) iziko lokuvundisa; kunye
- (l) nesiko lokulungisa idizili elungele indalo

"amanzi okudlalala" athetha amaqula okuqubha oluntu okanye awabucala, iibhafu zokuhlambela zeendawo zokuphulula umzimba, amaxweme, ukungenela kwemilambo elwandle, imilambo namadama;

"amanzi okusela" athetha amanzi alandela iSANS 241;

"enobungozi kwimpilo" ithetha nayiphi imeko enefuthe elibi kwimpilo yomntu;

"evunyiweyo" ithetha evunywe ngumasipala, ngokweemfuno zempilo yezendalo kwimeko ethile;

"iBhunga" lithetha iBhunga loMasipala weSithili saseOverberg;

"idepho yokuhlamba okanye ukwamkela iimpahla" ithetha indawo esetyenziselwa ukwamkela, ukugcina nokukhupha iimpahla okanye ezinye izinto zelaphu ezinxulumene neshishini lokuhlanjwa kweempahla;

"iGosa leMpilo yezeMvelo" lithetha umntu ochongwe nguSodolophu elandela iCandelo 80(2)(c) loMthetho kaZwelonke wezeMpilo, ka-2003 (uMthetho wama-61 ka-2003) waza waqeshwa nguMlawuli kaMasipala ukuba anike iNkonzo yezeMpilo kaMasipala kwiSithili saseOverberg;

"iindawo zokudibanela koluntu" zithetha iindawo zoluntu ezifana nezakhiwo zeevenkile, izikhululo zeenqwelo-moya, iisinema, amabala ezemidlalo, iziteyidiyam, imicimbi yoluntu, iiholo, kuquka ezo zikarhulumente okanye zinabaninizo;

"iindawo zokukhathalela" zithetha iindawo apho umntu okanye iziko eliqhuba ishishini leZiko lokuPhuhliswa kweMfundo yaBantwana abasaQalayo, iKhaya laBadala, iNdawo yokuKhathalela abaGulayo, iNdawo yokuBelekela, okanye ishishini elinenye nangaphezulu okanye indibanisela yezi zinto, ibe ivunywe ngumasipala wendawo;

"iintaka" zithetha nayiphi inkuku, irhanisi, inciniba, idada, ihobe, ikalkuni, ikewu, impangele, ipikoko okanye intaka nokuba ifuyiwe na okanye iziphilela endle;

"ikhaya labadala" lithetha iziko okanye enye indawo yokuhlala elungiselelwe ukuhlalisa nokukhathalela abantu abadala okanye ababuthathaka;

"indawo" ithetha nasiphi isakhiwo, intethe okanye nayiphi into eyakhiweyo, kunye nomhlaba ekuwo loo nto yakhiweyo kwakunye nomhlaba omelene nayo ube ngokunjalo nawo nawuphi umhlaba ongenazakhiwo okanye zintente, ukwaquka nezithuthi, ukuhanjiswa, inqanawe okanye isikhephe;

"indawo yokulalisa" ithetha indawo ekuhlaliswa kuyo abantu ngenjongo yokwenza inzuzo, nokuba bayaphekelwa na okanye hayi;

"indawo engqongileyo" ithetha iindawo engqonge ukuhlala kwabantu –

- (a) umhlaba, amanzi kunye nomoya wasemhlabeni;
- (b) izinto ezincinane ngokokude zingabonakali ngeliso lenyama, izityalo nezilwanyana eziphilayo;
- (c) nayiphi inxenye okanye indibanisela ka-(a) no-(b) kunye nokusebenzisana kwazo; kunye
- (d) neempawu ezibonwayo, zamachiza, ezinxulumene nobugcisa nenkcubeko kwakunye neemeko zezi zinto sele zixeliwe ezinefuthe kwimpilo nentlalo-ntle yabantu;

"indawo okanye iziko lokugcina abantwana" lithetha naliphi iziko elisesikweni eligcina, likhathalele okanye lifundise kungenjalo lenze nayiphi indibanisela yezi zinto, loo nto liyenza imini yonke okanye ngexesha elithile lemini, okanye ngeentsuku ezithile, kungenjalo isakhiwo okaye indawo egcinwa okanye isetyenziswe lelo ziko lisesikweni, nokuba elo ziko lenza inzuzo na okanye hayi;

"indawo yeekati" ithetha nayiphi indawo yokukhulisa okanye ukugcina iikati;

"indawo yokhathalelo lwezempilo" ithetha amaziko ezempilo ngokwale ndlela sicaciswe ngayo kuMthetho;

"indawo yokugcina izinja" ithetha indawo yokuhlala enendawo yokuhlalisa izinja;

"indawo yokugcina izinja" ithetha nayiphi indawo eshishina ngokukhulisa, ukuqeqesha okanye ukuhlalisa izinja yaye iquka izikithi, nokuba zezikaRhulumente na okanye hayi;

"indawo yokukhathalela izilwanyana" ithetha isakhiwo ekukhuliselwa kuso izilwanyana ezifuywa njengabahlobo emakhaya;

"indawo yoluntu" ithetha nawuphi –

- (a) umhlaba, indawo yokuphumla, iqula lokuqubha, indawo yokuchithela iiholide, indawo yolonwabo, igathi yezityalo okanye yolunye uhlobo, ipaka okanye indawo yokunyuka intaba, kuquka nayo nayiphi inxenye yendawo okanye isixhobo esilapho, kwanayo nayiphi indawo evulekileyo, indlela, indawo ebekelwe indlela, indawo ebekelwe isitalato, ichibi, idama, okanye umlambo;

- (b) nasiphi isakhiwo, iholo, igumbi okanye iofisi yoluntu kuquka nayiphi inxenye yayo naso nasiphi isakhiwo okanye isixhobo esilapho, ibe loo ndawo iyipropati, okanye inobunini, ilawulwa okanye irentiswa ngulo Masipala kunye/ okanye umasipala wendawo, lube ulwazi lukwazi ukufikelela kuyo, nokuba loo nto luyenza ngokukhulawulela oko okanye hayi;

"ingozi" ithetha isenzo okanye inkqubo enokusuka emzimbeni okanye ukukwazi kwento, isixhobo, imathiriyeli enokubangela ingozi;

"Inkqubo yokulwa izilwanyana ezincinane ezihluphayo" ithetha inkqubo eyenziwa ngumnini/umlawuli ibe icacisa izenzo eziza kwenziwa ukulwa izilwanyana ezincinane ezihluphayo ezikwindawo ethile;

"inkukuma" ithetha nayiphi into, nokuba loo onto ingancitshiswa, isetyenziswe ngokutsha okanye ilungiswe ngokutsha –

- (a) eseleyo, engafunwayo, eyaliweyo, elahliweyo;
- (b) nalapho umvelisi wayo angasenakh ukuphinda ayisebenzise (eyisebenzisela le nto yayiveliselwe yona;
- (c) ekufuneka icocwe okanye ilahlwe; okanye
- (d) ebalwe njengenkukuma nguMphathiswa oko ekwenza ngesaziso esifakwe kwiGazethi, ikwaquka inkukuma eyenziwe kwicandelo lezemigodi, elezonyango okanye elinye icandelo, kodwa
 - (i) imveliso ebingalindelekanga ayithathwa njengenkukuma; yaye
 - (ii) ayiseyonkukuma nayiphi inxenye yenkukuma efumaneka emva kokusetyenziswa kwakhona, ukusetyenziswa ngokutsha nelungiswe ngokutsha;

Inkukuma iquka izinto eziqinileyo okanye ezininzelweyo, ezinyityilikiswe okanye ezihanjiswe emanzini (kuquka nezingamagaqa) nezichithekileyo okanye zawela emhlabeni okanye kumthombo wamanzi ngomthamo okanye ngendlela ebangela ukuba ibe okubangela ukuba loo mthombo wamanzi ungcoliseke;

"inkukuma enobungozi" ithetha nayiphi inkukuma enezinto zendalo okanye ezingezozendalo kungenjalo ezidibeneyo ezinokuthi zibe nefuthe elibi kwimpilo nendalo ngenxa yeempawu zazo ezibonakalayo, ezamachiza okanye zobungozi;

"inkukuma enobungozi empilweni" ithetha inkukuma enobungozi kukhathalelo lwempilo ngenxa yemveliso yokhathalelo lwempilo olufana nezinto ezibukhali, ezingekho bukhali, igazi, amalungu omzimba, amachiza, amayeza, izixhobo zezonyango;

"inkukuma yesilwanyana" ithetha ilindle, isichumisi, uboya obuchetyiweyo, iintsiba, amathambo, iimpondo, igazi, isikhumba, inyama yangaphakathi okanye nayiphi inkukuma yesilwanyana, isirhubuluzi, intaka okanye inkukhu kunye naziphi izilwanyana zasendle;

"into engafunekiyo" ithetha inkukuma yasegadini, izinto ezingasetyenziswayo, inkukuma yokwakha, iintsimbi esele zisetyenzisiwe, indawo ethile yento, oomatshini abangasetyenziswayo, iimoto okanye ezinye izithuthi, ngokunjalo neendawo ezingasasebenziyo, inkukuma esuka ekwakhiweni kwaso nasiphi isakhiwo, okanye nayiphi inkukuma enokulahlwa kuwon nawuphi umhlaba okanye indawo, kuquka izinto zokwakha ezintsha nesele zisebenzile ezinokuba azidingeki ngokunxulumene nokwakhiwa kweso sakhiwo okusaqhubekayo kuwo nawuphi umhlaba, yaye ikwaquka nayiphi into engamanzi okanye engumoya enokuba sisiphazamiso okanye ephazamisana ngokubonakalayo nokuphatheka kakuhle okanye ukuba kwimo entle koluntu;

"into enobungozi" ithetha nayiphi into enokulimaza, igulise ngokokude ibulale okanye ibangele ukusweleka komntu okubangelwa bubungozi bayo, etyabula ulusu, evakaleliswa kakhulu okanye enokubamba umlilo kungenjalo ibangelela uxinzelelo kwiimeko ezithile ngethuba ihanjiswa, iveliswa, ithengiswa, isetyenziswa, iqhutywa, iqatywa, ilungiswa, ilahlwa okanye ilahlwa ngokungekho mthethweni. Iquka amachiza anobungozi kunye nezinto ezifana nezinto eziqinileyo, ezingamanzi, ezingumoya, izipreyi okanye indibanisela yazo, kodwa ayiziquki iimveliso zombane eziyingozi kunye nezinto zokutshisa kwemitha okusebenzayo;

"into ephilayo yasemanzini" ithetha into ephila emanzini ephuma kwimithombo yamanzi, kuquka nasiphi isityalo sasemanzini, nokuba yintlanzi okanye hayi, nasiphi isilwanyana esingenathambo lomqolo nentaka yaye iquka amaqanda ayo, iminyiki/imibungu nawo onke amanqanaba okukhula kwayo;

"iphemithi" ithetha imvume ebhaliweyo enikwa ngumasipala wendawo;

"iplani yokwakha evunyiweyo" ithetha iiplani zokwakha ezivunyiwe ngumasipala wendawo

"iqula lokuqubha" lithetha iqula lokuqubha, ibhafu yokuhlamba yendawo yokuphulula umzimba, kuquka ijakhuzi enokufikelelwa luluntu yaye iquka amaqula okuqubha asezikolweni okanye kwamanye amaziko emfundo ephakamileyo;

"isakhiwo" sithetha nasiphi isitali, ishedi, ihoko yeehagu, ubuhlanti, ihoko yeenkuku, idlelwana, uphahla, indlu yeenkuku, indawo evaliweyo, isakhiwo sokugcina, ukuvalela izilwanyana neentaka;

"isaluni" ithetha indawo apho kwenzelwa inkonzo okanye iinkonzo kungenjalo izenzo ezibekwe phantsi kwengcaciso yomchebi, umlungisi-zinwele, umntu owenza mhle abantu, umntu ogqobhozayo okanye ozoba umzimba;

"isaluni yobuhle" ithetha indawo apho umntu aqhubela khona ishishini lokucheba, ukwenza iinwele, umntu owenza mhle abantu, umntu ogqobhozayo okanye ozoba umzimba abe esesaluni okanye nayiphi enye indawo evunyiwe ngumasipala, nalapho ishishini elo linenye okanye ezinye, kungenjalo indibanisela yezi zinto zixelwe apha ngentla ezenziwa kumzimba wendoda okanye yebhinqa;

"ishishini lokuhlamba iimpahla" lithetha naliphi ishishini ekucocwa kulo iimpahla okanye ezinye izinto zelaphu kusetyenziswa amanzi okanye ezinye izinto ezingamanzi, kungenjalo eliyina iimpahla okanye izinto zelaphu;

"isibulala-zinambuzane" sithetha nayiphi into okanye umxube wezinto onezithako zamachiza okanye zendalo, mxube lowo wenzelwe ukugxotha, ukutshabalalisa kungenjalo ukulwa nazo naziphi izilwanyana ezincinane ezihluphayo;

"isidumbu" sithetha umzimba wesilwanyana okanye inkuku efileyo;

"isifo esosulelayo" sithetha isigulo esibangelwa bubukho bento ethile esulelayo okanye iimveliso zayo ezinobungozi ezivela ngenxa yokudluliselwa kwale nto okanye iimveliso zayo ezisuka kumntu, isilwanyana okanye umthombo ongaphiliyo owosulelayo zidluliselwa kwixhoba elisemngciphekwei, nokuba udluliselo olo lwenzeka ngokungqalileyo okanye okumayana okwenzeka ngokutya isityalo okanye isilwanyana esithwele loo nto inobungozi, isidalwa esisasaza izifo okanye indawo engaphiliyo enolo suleleko;

"isifo sesilwanyana" sithetha ukungasebenzi kakuhle okanye uphazamiseko lokusebenza kwelungu elithile lomzimba wesilwanyana lube lubangelwa yinto ethile esegazini;

"isilwanyana" sithetha ihashe, inkomo, igusha, ibhokhwe, ihagu, inkuku, inkamela,inja, ikati, okanye esinye isilwanyana sasekhaya okanye nasiphi isilwanyana sasendle okanye esirhubuluzayo kungenjalo esasemanzini esivalelweyo okanye esifuywe ngumntu;

"isilwanyana esincinane esihluphayo" sithetha nasiphi isilwanyana, esiquka izinambuzane, izilwanyana ezincinane ezikrekrethayo ezinokusasaza isifo;

"isiqinisekiso sezempilo" sithetha isiqinisekiso sezempilo esikhutshwe kulandelwa lo Mthetho kaMasipala;

"isithuba esingenanto" sithetha isithuba esisegumbini esingenafenitshala singenazo nezinye izinto zasendlwini;

"isityalo sasemanzini" sithetha imithombo ephila elwandle naselunxwemeni, kuquka nasiphi isityalo sasemanzini, nokuba yintlanzi okanye hayi, nasiphi isilwanyana esingenathambo lomqolo, uluhlu lweenkala, uqweqwe lwesityalo olukhutshwa zizilwanyana zolwandle, izilwanyana zaselwandle ezingenamqolo, izirhubuluzi zaselwandle,

izilwanyana ezanyisayo zaselwandle kunye neentaka zaselwandle kuquka namaqanda, imibungu kunye nawo onke amaqanaba okukhul akwazo;

"isiza sokulahla inkukuma" sithetha iziko lokulahla inkukuma njengoko licaciswe kuMthetho kaZwelonke woLawulo lwezeNdalo, ka-2008 (uMthetho wama-59 ka-2008) yaye sikwaquka namaziko okudluliselwa kwenkukuma nawokuyamkela

"ivenkile yezezilwanyana" ithetha isakhiwo ekugcinwa kuso izilwanyana ezithengiswayo;

"iziko lokutshisela imizimba" lithetha indawo esetyenziselwa ukutshisela isidumbu ikwaquka nayo yonke inxalenye yaloo ndawo;

"ukungcolisa" kuthetha nakuphi ukutshintsha kwindalo okubangelwa – siso nasiphi isenzo, kuquka ukugcinwa okanye ukucocwa kokungcola okanye izinto ezingcolileyo, ukwakhiwa kunye nokunikwa kweenkonzo, nokuba senziwa kunye nomntu okanye iqumrhu likarhulumente, apho eso senzo sinefuthe elibi ngakwimpilo okanye intlalo-ntle yabantu okanye ukwenziwa, ukumelana nobunzima kunye ukunika imveliso yendalo okanye ukuhlalisana kwengqokelela yezinto zendalo, okanye izinto eziluncedo ebantwini, kungenjalo ifuthe laso libe liya kuba kwixa elizayo;

"ukupapasha" ngokunxulumene nale migaqo kuthetha –

- (a) ukupapasha isaziso kwiGazethi yePhondo kunye nephephandaba lendawo; kunye
- (b) nokuxhoma izaziso ezipapashwa kwiibhodi zikamasipala zezaziso;

"ukuphazanyiswa kwezempilo" sisenzo esicaciswe kwisahluko 2(6(1) no-(2);

"ukwanela" kuthetha ngokoluvo lweGosa leMpilo yezeMvelo

"umasipala" uthetha umasipala weSithili saseOverberg owasekwa ngokweSaziso sePhondo esinguNamba 492 somhla wama-22 kuSeptemba 2000 esisekelwe kwiCandelo le-12 loMthetho wamaCandelo kaMasipala, ka-1998 (uMthetho we-117 ka-1998) yaye uquka naliphi icandelo lezopolitiko, ilungu lesigqeba sezopolitiko, iarhente egunyaziswe nguCeba ogunyazisiweyo okanye nawuphi umsebenzi osebenza ngokunxulumene nalo Mthetho kaMasipala, kuba nje enamagunya awanikiweyo kumasipala waza wathunywa kwelo candelo lezopolitiko, walilungu lesigqeba sezopolitiko, uceba, iarhente okanye umsebenzi;

"umasipala wendawo" uthetha uMasipala okuHlelo B lomasipala olindeleke kwiCandelo 155(1)(b) loMgaqo-siseko weRiphabliki yoMzantsi Afrika, ka-1996 (uMthetho we-108 ka-1996);

"umnini" ngokunxulumene –

- (a) nezilwanyana okanye izinto, izinto kunye nezinye iipropati ezinokususwa, uthetha umntu ongumnini kuquka umntu onoxanduva lokulawula kungenjalo umntu oneso silwanyana okanye into, izinto kunye neepropati zakhe ezinokususwa, kodwa kwimeko yomyezo okanye izilwanyana ezingaphawulwanga ngokoMthetho wokuPhawulwa kweziLwanyana, ka-2002 (uMthetho wesi-6 ka-2002), okanye apho bungenakwaziwa ngoko nangoko ubunini bazo, uya kuthathwa njengomnini wazo umsebenzisi waloo mhlaba okuwo loo myezo okanye ezo zilwanyana; yaye
- (b) umhlaba –
 - (i) uthetha umntu obhaliswe ngaye loo mhlaba;
 - (ii) othengwe ngumntu ube ungekabhaliswa egameni lakhe, uthetha umthengi lowo
 - (iii) xa umnini okanye umthengi wawo esemncinane, engumntu ophazamisekileyo ngokwasengqondweni, obhengezwe yinkundla njengongakwazi kuphuma ematyaleni okanye ongakwaziyo ukuzilawulela ipropati yakhe, okanye oswelekileyo, okanye iqumrhu eliphantsi kolawulo lomthetho okanye elikwinkqubo yokuvala inkampani, uthetha iarhente okanye ummeli osemthethweni waloo mnini okanye umthengi kungenjalo omnye umntu ogunyaziswe ngumthetho ukuba aphaathe imicimbi yakhe, kwimeko yequmrhu, umlawuli umntu obekwe ngumthetho ukuba ancedise ukubuyisela ishishini kwimeko yesiqhelo okanye umntu onyulelwe ukugqibezela imicimbi yenkampani evalwayo; kunye

- (iv) nomasipala wendawo olawula loo mhlaba ngenxa yamagunya noxanduva alunikwe ngokweShedyuli 4B no-5B yoMgaqo-siseko;

"umntu" uquka naliphi inqanaba likarhulumente; umntu osisiqu nequmrhu elinokumangalela okanye limangalelwe liquka naliphi inqanaba likarhulumente; umntu osisiqu kunye nequmrhu elinokumangalela okanye limangalelwe

"umntwana" uthetha nawuphi umntu obudala bungaphantsi kweminyaka eli-18 baze "abantwana" babe nentsingiselo efanayo;

"umsebenzisi" uthetha nawuphi umntu osebenzisa nayiphi indawo okanye inxalenye yayo nokuba uyisebenzisa ngabuni na, yaye uquka –

- (a) nawuphi umntu ohlala kuloo ndawo;
- (b) nawuphi umntu ovumeleke ngokusemthethweni ukuba ahlale kuloo ndawo;
- (c) kwimeko apho loo ndawo yahlula-hluliweyo yaza yarentiselwa abantu abaziphekelayo okanye abarenti abahlukeneyo, umntu ofumana irenti ehlawulwa ngabo bantu bahlalayo okanye barentayo, nokuba uyazamkelela loo mali na okanye uyiarhente emele nawuphi umntu onelungelo okanye onomdla othile kuyo;
- (d) nawuphi umntu olawula loo ndawo, noquka iarhente yaloo mntu xa engekho kwiRiphabliki yoMzantsi Afrika okanye abe engaziwa ukuba uphi; kunye
- (e) nomnini waloo ndawo;

"umsebenzisi" ngokunxulumene nomhlaba uthetha –

- (a) nawuphi umntu onelungelo lakhe okanye ilungelo loqobo ngokunxulumene nemeko yakhe ngokobudlelwane phakathi kommeli womnini-propati nalowo uza kufumana, ubunini obubhalisiweyo bomnye umntu, umnini, umrenti okanye umntu ohlala kuyo, nokuba uhlala apho na okanye hayi; kunye
- (b) naye nawuphi omnye umntu othathwa njengokuba unelungelo lokushishina kuloo mhlaba;

"uMthetho" uthetha uMthetho kaZwelonke wezeMpilo ka-2003 (uMthetho wama-61 ka-2003);

"umthombo wamanzi" uquka umfula, amanzi ahamba phezu komhlaba; idama; umlambo ongenela elwandle.

"unkcenkceshelo" luthetha ukufaka amanzi kuwo nawuphi umhlaba usenzela nayiphi injongo yaye luthetha ukusetyenziswa kwamanzi amdaka okanye ukungcola okunamanzi afunyanwa ngale ndlela;

"usana" luthetha umntwana ongaphantsi kweminyaka emibini;

2. Ukusetyenziswa kwalo mthetho kamasipala

Lo masipala uvuma lo Mthetho kamasipala onjongo yawo ikukukhusela nokukhuthaza impilo nokuba sempilweni komntu wonke ophakathi kwemida yoMasipala weSithili saseOverberg ngokunika umgaqo-sikhokelo wezomthetho nokuphatha onokuncedisa umasipala ukuba uphuhlise, ulawule uze ukhuthaze izibophelelo zawozempilo zikamasipala, ulandela imithetho efanelekileyo, uthathela ingqalelo amalungelo omgaqo-siseko okuba umntu wonke akwazi ukuphila kwindawo engenabungozi kwimpilo okanye intlalo-ntle yakhe, kunye nemimiselo yoMthetho kaZwelonke wezeMpilo ka-2003 (uMthetho wama-61 ka-2003).

Imigaqo yalo Mthetho kamasipala iya kuba yiyo esebenzayo kunemigaqo yawo nawuphi omnye uMthetho kamasipala okanye uxwebhu olulawulwa ukusikwa komhlaba olusebenza kwesi sithili, xa kuthethwa ngemiba enxulumene nendlela le Mithetho kampasipala okanye amaxwebhu alawula ukusikwa komhlaba alawula ngayo nawuphi umba weeNkonzo zezeMpilo zikaMasipala njengoko zicacisiwe kuMthetho.

Nokuba ithini imigaqo yalo Mthetho kamasipala, kodwa umnini, umlawuli okanye umntu olawula indawo usenoxanduva olupheleleyo lokuqinisekisa ukuba indawo yakhe iyayilandela imigaqo yalo Mthetho kamasipala.

3. Injongo

Injongo yalo Mthetho kaMasipala weeNkonzo zezeMpilo zikaMasipala kukwenza ukuba uMasipala abe nakho ukukhusela impilo nentlalo-ntle yexesha elide yabantu abakule ndawo kamasipala.

4. Ubume bokuSetyenziswa kwawo

Lo Mthetho kaMasipala uchaphazela indawo kamasipala ekunikwa kuyo iinkonzo zezempilo zikamasipala.

5. Imimiselo

Owona mmiselo unabileyo walo Mthetho kaMasipala yiloo mimiselo ikwiSahluko sesi-2 soMgaqo-siseko weRiphabliki yoMzantsi Afrika, ka-1996 (uMthetho we-108 ka-1996).

ISAHLUKO SESI-2

IMIGAQO GABALALA MALUNGA NOKUPHAZANYISWA KWEZEMPILO

6. Isimilo neNdlela yokuziPhatha
7. Ukuthintelwa kokudaleka, ubukho okanye isehlo sokuphazanyiswa kwezempilo
8. Uxanduva lokuphelisa okanye ukunciphisa ukuPhazanyiswa kwezeMpilo

6. Isimilo neNdlela yokuziPhatha

- (1) Ukuphazanyiswa kwezempilo kuthi kubekho okanye kwenzeke xa kuthe kwenzeka nayiphi kwezi zilandelayo kuwo nawuphi umhlaba okanye indawo –
 - (a) iqula lokuqubha, iqula lamanzi, umsele, isureji, ipitsi okanye ithoyilethi eyakhiwe okanye esele igcwele kangokuba ibe kwimeko enokuba nobungozi empilweni;
 - (b) ukuqokelelana kwenkukuma okanye enye into ebangela ubungozi empilweni;
 - (c) ukunkcenkceshelwa kwawo nawuphi umhlaba kusetyenziswa amanzi amdaka okanye amanzi anokungcola okunokuba nobungozi empilweni
 - (d) apho amanzi okanye amanzi anokungcola anobungozi empilweni, athi avulelelwe kumthombo wamanzi;
 - (e) apho intlenge yesureji ingachithwa ngendlela yokuhambisa isureji
 - (f) isakhiwo okanye umhlaba omelene naso —
 - (i) esakhiwe, esibekwe, esisetyenziswe okanye sagcinwa ngendlela enobungozi empilweni;
 - (ii) esinezilwanyana ezincinane ezihluphayo, izinambuzane okanye esikwimeko enokufumba izilwanyana ezincinane ezihluphayo okanye izinambuzane;
 - (g) indawo yokuhlala okanye nayiphi na enye indawo ekuhlala kuyo abantu ibe ingenamanzi okusela
 - (h) izinto zendalo okanye ukungcola kwezilwanyana okusetyenziswa okanye okugcinwa ngendlela etsala izinambuzane okanye izilwanyana ezincinane ezihluphayo eziquka impuku, iimpukane neengcongconi;
 - (i) limeko ezingekho sempilweni ezinokuba nobungozi kwimpilo nezifumaneka kuyo nayiphi inxenye yomhlaba okanye yendawo ethile;
 - (j) isidumbu okanye umzimba wesilwanyana, inkuku, okanye isityalo saselwandle okanye sasendle, kungenjalo umzimba wesilwanyana ongangcwatywanga okanye olahlwe ngendlela engafanelekanga emva kokufa kwaso.
- (2) Ukuphazamiseka kwezempilo kubakho – kuso nasiphi isenzo, imeko okanye into iGosa leMpilo yezeMvelo eliyixele njengephazamisana nempilo ibe loo meko ikho okanye isenzeka kungenjalo ivela kumhlaba okanye indawo ethile.

7. **Ukuthintelwa kokudaleka, ubukho okanye isehlo sokuPhazanyiswa kwezeMpilo**

- (1) Akukho mntu unokuthi –
 - (a) adale ukuphazamiseka kwezempilo;
 - (b) enze nasiphi isenzo esinokubangela ukuphazamiseka kwezempilo;
 - (c) aququzelele, avumele isenzo, umcimbi kumhlaba okanye indawo ethile, kungenjalo asebenzise, abangele, avumele ukuba kusetyenziswe umhlaba okanye indawo leyo isetyenziselwa into enokuba nesiphumo sokubangela ukuphazamiseka kwezempilo;
 - (d) ngaphandle kokuba ugunyaziswe okanye uvunyelwe ngumthetho ukuba enze oko kungenjalo enze oko:
 - (i) avulele, asebenzisele nayiphi into enokubangela ukuphazamiseka kwezempilo kwindawo yoluntu;
 - (ii) eze kwindawo yoluntu ephethe nayiphi nto okanye into emanzi okanye eqinileyo edalelwe okanye enokuthi ukuphazamiseka kwezempilo ngendlela eziswe okanye yaphathwa ngayo;
 - (e) ngokwenza isenzo esivumela ukudalwa okanye ukuqhutywa kophazamiseko lwezempilo ngokungqalileyo okanye okumayana kungenjalo ngokungakhathali;
- (2) Umntu owaphula umgaqo wecandelwana (1) wenza ityala.

8. **Uxanduva lokuphelisa okanye ukunciphisa ukuPhazanyiswa kwezeMpilo**

- (1) Uminini, umhlali okanye umsebenzisi womhlaba okanye wendawo kufuneka –
 - (a) aqinisekise ukuba akukho okanye akwenzeki kuphazamiseka kwezempilo emhlabeni okanye endaweni yakhe; yaye akuphelise ngoko nangoko ukuphazamiseka kwezempilo xa ethe wakuqaphela emhlabeni okanye endaweni yakhe
 - (b) athathe amanyathelo okunciphisa umngcipheko kwimpilo kamasipala, manyathelo lawo kufuneka enziwe ngendlela eya kwanelisa umasipala; aze anike ingxelo kumasipala malunga noko kuphazamiseka kwezempilo.
- (2) Xa umnini, umhlali okanye umsebenzisi womhlaba okanye wendawo ethe waphula umgaqo weli candelwana (1) uya kuba wenze ityala.

ISAHLUKO SESI-3

IMIGANGATHO EFUNeka KUZO ZONKE IINDAWO

9. Imigangatho efuneka kuzo zonke iiNdawo
10. IziQinisekiso zezeMpilo
11. Ukungalandelwa kwemigaqo

9. **Imigangatho ebekelwe zonke iiNdawo**

Zonke iindawo ezixelwe kwesi Sahluko kufuneka zifezekise iimfuno zeMithetho yezeMpilo kaMasipala kunye nemigangatho yokubeka esweni ukulandelwa kwale mithetho, njengoko kucaciswe kwisiHlomelo A salo Mthetho kaMasipala, **okanye ngokomgaqo-nkqubo ovunyiweyo weBhunga.**

10. **IziQinisekiso zezeMpilo**

- (a) Ezi ndawo eziboniswe kule theyibhile ingezantsi azinakuqhutywa singekho isiQinisekiso sezeMpilo yaye kufuneka zilandele amacandelo athile alapha kulo Mthetho kaMasipala.

ITHEYIBHILE 1: ISIHLOMELO A

Uhlobo lweNdawo	Ithuba lokuSebenza kwesiQinisekiso sezeMpilo (ukususela ngomhla wokukhutshwa kwaso)	Ukulandelwa kweli Candelo lalo Mthetho kaMasipala
IZiko lokuKhathalela aBantwana neZiko lokuPhuhliswa lweMfundo yaBantwana abasaQalayo	Unyaka omnye	IsiHlomelo A:1
AmaKhaya okugcina abantwana	Unyaka omnye	IsiHlomelo A:2
AmaKhaya okuKhathalela abaGulayo	Unyaka omnye	IsiHlomelo A:3
INkukuma engumNgcipheko kuKhathalelo lwezeMpilo	Unyaka omnye	IsiHlomelo A:4
AmaKhaya abaDala	Unyaka omnye	IsiHlomelo A:5
Izikolo	Unyaka omnye	IsiHlomelo A:6
IiNdawo zokuHlalisa abantu	Unyaka omnye	IsiHlomelo A:7
IiSaluni zoKwenziwa Mhle	Unyaka omnye	IsiHlomelo A:8
Amashishini anobungozi	Unyaka omnye	IsiHlomelo A:9
AmaZiko ezemPilo	Unyaka omnye	IsiHlomelo A:10

- (b) Umntu ongathanda ukuqhuba ishishini elixelwe kwiTheyibhile 1 makafake isicelo sesiqinisekiso sezempilo ngokwendlela ebekwe ngumasipala.
- (c) Isiqinisekiso esikhutshiweyo siya kusebenza ithuba lonyaka omnye ukususela ngomhla wokukhutshwa kwaso.
- (d) Umnini okanye umntu oqhuba ishishini elibekwe kwiTheyibhile 1 makafake isicelo sokuhlaziywa kwesiQinisekiso sezeMpilo rhoqo ngonyaka, loo nto eyenza kwiinyanga ezimbini ngaphambi kokuphelelwa kwaso.
- (e) Ukungayenzi le nto iku-(d) apha ngentla kuya kuthetha ukuba elo shishini alisavumelekanga ukuba liqhube litsho ke ngoku liphelelwe kukuba lishishini.
- (f) Esi siqinisekiso asithethi ukuba umntu uya kuxolelwa ekulandeleni naziphi ezinye iimfuno zezomthetho, ugunyaziso kunye/okanye neemvume ezidingekayo ekufuneka ezicele kwelinye isebe, umasipala okanye abanye abasemagunyeni malunga naloo ndawo kunye/okanye nelo shishini. Ngoko ke kufuneka icace into yokuba ukuvunywa neemfuno ezibekiweyo azibekelwanga nayiphi na enye injongo ngaphandle kokufaka isicelo semvume yokukhutshelwa isiqinisekiso sezeMpilo ngokwalo Mthetho kaMasipala. UMasipala weSithili saseOverberg awuyi kuthatha naluphi uxanduva malunga neendleko ezichithwe ngumntu ukuze afumane esi siCwangciso sezeMpilo sixelwe apha ngentla, xa singaphumelelanga isicelo somntu obesifake kuMasipala wendawo okanye elinye isebe elifanelekileyo esifakela naluphi olunye ugunyaziso kunye/okanye iimvume ezifunekayo malunga naloo ndawo.
- (g) Kufuneka siquke oku kulandelayo isiqinisekiso sezeMpilo esikhutshelwe indawo:
- linkcukacha zomnini-siqinisekiso sezeMpilo, umnini/umntu ophetheyo kuloo ndawo;
 - Idilesi efumaneka kuyo loo ndawo;
 - Inombolo yesazisi somnini-siqinisekiso;
 - Inombolo yesiqinisekiso;
 - Ukuba liZiko lokuGcina abaNtwana, kufakwe inani labantwana kunye nobudala babona bantwana bancinane bavumelekileyo kuloo ndawo.
 - Ukuba liKhaya lokuKhathalela abaGulayo okanye iKhaya labaDala, elona nani lininzi leebhedi/izigulana ezinokuhlaliswa kuloo ndawo.
 - linkonzo ezinikwa kule ndawo kunye neenkonzo ezingavumelekanga;
 - Umhla wokukhutshwa kwaso; kunye
 - Nethuba esiza kusebenza ngalo.

- (h) IziQinisekiso zezeMpilo masixhonywe kwindawo ebonakalayo apho kuloo ndawo, ukuze singafihlakali kuye nabani na ongena kuyo.
- (i) isiQinisekiso sezeMpilo asinakudluliselwa komnye umnini, okanye zisuswe kwenye indawo ukuya kwenye.
- (j) IsiQinisekiso sezeMpilo sinokurhoxiswa liGosa leMpilo yezeMvelo xa iimeko zendawo leyo zingawulandeli lo Mthetho kaMasipala.
- (k) Ezi ndawo zixelwe apha kule theyibhile 2 ingezantsi azizidingi iziQinisekiso zezeMpilo.

ITHEYIBHILE: 2 ISIHLOMELO B

Amashishini okuhlamba iimpahla
IiNdawo ekwakhiwa kuzo kunye neendawo zoshishino
Iindawo zokudibanela koluntu
Iindawo zokuGcina iziLwanyaa
Izilwanyana ezixhelelwa imicimbi yezenkolo, ezenkcubeko kunye nokuzityela
Iivenkile ezithengisa izilwanyana ezifuyelwa ukuzonwabisa kunye neendawo zokulungisa ubuhle bezilwanyana ezifuyiweyo
Iintolongo kunye nezisele zokulindela ezisezikhululweni zamapolisa
Umhlaba ongekenziwa nto
Isakhiwo seeofisi

11. Ukungalandelwa kwemigaqo

Xa kunokwenzeka ukuba umnini okanye umntu ojongene naloo ndawo ixelwe kwiTheyibhile 1 no-2 angakwazi ukuyilandela le migaqo okanye nayo nayiphi imiqathango enyanzeliswa ngokwalo Mthetho kaMasipala, umasipala unokulandela iCandelo le-19 lalo Mthetho kaMasipala.

ISAHLUKO SESI-4

AMANZI NOGUTYULO

12. Uxanduva nezithintelo

Akufunekanga umnini, umhlali okanye umsebenzisi womhlaba okanye nayo nayiphi indawo abangele ukuphazamiseka kwezempilo ngokunxulumene namanzi nogutyulo.

ISAHLUKO SESI-5

UKUNYANZELISWA

- 13. Isaziso sokulandelwa kwemigaqo nokuzithethelela
- 14. Isaziso esiThintelayo
- 15. Ukurhoxiswa kwesithintelo
- 16. Umsebenzi wokulungisa kaMasipala
- 17. Ukubuyiswa kweendleko
- 18. Imigaqo-nkqubo neziKhokelo

13. Isaziso sokulandelwa kwemigaqo nokuzithethelela

- (1) Apho iGosa leMpilo yezeMvelo linezizathu ezivakalayo zokuba licingele ukuba umntu othile akazilandeli iimfuno ezinxulumene nendawo ethile, unokufakela loo mntu isaziso sokulandela umthetho, sibe sixela –
 - (a) igama lakhe nedilesi yendawo ahlala kuyo okanye eyeposi;
 - (b) iimfuno ezingekafezekiswa okanye umgaqo owaphuliweyo;
 - (c) loo mntu kufuneka athathe amanyathelo okulandela eso saziyo lingaphela ithuba elithile yaye kufuneka awagqibe loo manyathelo phambi komhla othile; yaye
 - (d) loo mntu kufuneka afake imbalelwano yokuzithethelela okanye isifungo kumasipala lowo ngohlobo, eyifaka kwindawo exeliweyo zingadlulanga iintsuku ezili-14.
- (2) Xa umntu engayifakanga imbalelwano yokuzithethelela ngokwecandelwana (1)(di), aze angawathathi amanyathelo ngaphambi komhla obekwe kwicandelwana (1)(c), loo mntu uya kuba wenze ityala.
- (3)
 - (a) Akuyi kuthathelwa ngqalelo ukuzithethelela okungafakwanga ngethuba elibekwe kwicandelwana (1)(d), ngaphandle kokuba loo mntu uye waveza izizathu esivakalayo waza noMasipala wakukhuthaza oko kufakwa kade kokuzithethelela.
 - (b) Kufuneka uMasipala athathele ingqalelo ukuzithethelela okufakwe kwangethuba kwakunye nayo nayiphi impendulo yako eyenziwe liGosa leMpilo yezeMvelo.
 - (c) UMasipala unokuthi, ngokuzithandela, aqhube olunye uphando lokuqinisekisa ubunyani bezo zinto zixeliweyo, xa ekubona kuyimfuneko oko, yaye kufuneka umphandwa lowo azifumane iziphumo zolo phando, anikwe nethuba lokuphinda afake impendulo, xa enokuthanda njalo; yaye kufuneka uMasipala ayithathele ingqalelo nempendulo leyo.
 - (d) Kufuneka, emva kokujonga ukuzithethelela komntu kunye nazo naziphi iimpendulo eziye zalandela, uMasipala akhuphe umyalelo obhaliweyo aze athumelele loo ikopi yawo, nalapho loo myalelo kufuneka uqinisekisa ngokupheleleyo okanye ngokuyinxenye, elungisa, kungenjalo ebekela bucala isaziso sokulandelwa komthetho, nalapho kuqinisekiswa khona isaziso sokulandelwa komthetho ngokupheleleyo okanye ngokuninene, kungenjalo ngokulungisiweyo. Kufuneka uMasipala azise loo mntu ukuba kufuneka aqalise ukulandela izibophelelo ezibekwe kuloo myalelo, lingaphelanga ithuba elibekwe kuloo myalelo, yaye kucaciswe ukuba ukungalandelwa kwezo zibophelelo kuya kuba kukwaphula umthetho.
 - (e) Xa umntu engakwazanga ukulandela ezi zibophelelo zixelwe kwicandelwana (4) (d), uMasipala unokulandela icandelwana (5), nangona loo mntu emkhuphele izohlwayo ezinokukhutshwa ezicaciswe phantsi kweCandelo lama-21.
- (4) Ukuba kusaqhutywa oku kungalandelwa kwemigaqo, uMasipala unokuthatha nawaphi amanyathelo okususa ukuphazama oko aze iindleko zoko azitsale kumngcolisi, umntu ojongene nendawo okanye umnini waloo ndawo.

14. Isaziso esiThintelayo

- (1) IGosa leMpilo yezeMvelo linokuthi, emva kokuhlola indawo, likhuphe isaziso esithintelayo, sithentela ukuba loo ndawo ingabi sasetyenziselwa injongo ethile kuze kufuneke ukuba kuthathwe amanyathelo okuqinisekisa ukuba siyalandelwa eso saziyo sithintelayo, nesinokukhutshelwa omnye okanye ngaphezu komntu omnye kwaba balandelayo:
 - (a) umnini okanye umntu ohlala kuloo ndawo, xa uMasipala enesizathu esiphathekayo sokukholelwa ukuba loo ndawo isetyenziselwa loo nto isetyenziselwa yona okanye isetyenziswa ngendlela ebangela ukuphazamiseka kwezempilo;
 - (b) nawuphi umntu oqhuba isenzo okanye osebenzisa indawo ngendlela engafanelekanga okanye ngendlela uMasipala abona ngathi ibangela ukuphazamiseka kwezempilo; okanye
 - (c) ukuba uMasipala unesizathu sokukholelwa ukuba umntu othunyelelwe isaziso sokulandelwa kwemigaqo akasilandeli eso saziyo.

- (2) Kufuneka uMasipala anike loo mntu acinga ukumthumelela isaziso esithintelayo ithuba elaneleyo lokuzithethelela ngaphambi kokuba kuthunyelwe isaziso eso, ngaphandle kokuba uMasipala unesizathu sokukholelwa ukuba ukulityaziswa kokuthunyelwa kwaso kungayichaphazela kakubi impilo yezendalo, nalapho kufuneka loo mntu athunyelelwa isaziso esithintelwayo anikwe ithuba elaneleyo lokuzithethelela esitsho ukuba kutheni kufuneka sirhoxiswe.
- (3) Kufuneka isaziso sixele –
 - (a) isizathu sokukhutshwa kweso saziso;
 - (b) ukuba eso saziso sinokurhoxiswa nguMasipala xa kuye kwathathwa amanyathelo athile, yaye ukuba kunjalo makuthathwe loo manyathelo;
 - (c) iziphumo ezinokubangelwa kukungalandelwa kwesaziso eso; kunye
 - (d) nendlela yokufaka isibheni malunga neso saziso.
- (4) Ngaphandle kokuba kukho enye into ethethwa seso saziso, siya kuqala ukusebenza xa sithe saziswa ngokwendlela ecaciswe kwicandelwana (1) yaye siya kuhlala sisebenza de sibe sirhoxisiwe.
- (5) Kufuneka iGosa leMpilo yezeMvelo lixhome ikopi yeso saziso kwindawo ebonakalayo apho kwindawo leyo sikhutshelwe yona, loo nto eyenza kwangoko kangangoko.

15. **Ukurhoxiswa kwesithintelo**

- (1) Kufuneka uMasipala acele ukurhoxiswa kothintelo olukwisaziso esithintelayo, aqhube uphando kuloo mhlaba okanye kuloo ndawo zingaphelanga iiyure ezingama-48 zokukhutshwa kwesicelo esibhaliweyo sokurhoxiswa kwesithintelo.
- (2) Emva kokugqitywa kophando, kufuneka uMasipala abhalele loo mntu ubekhutshelwe isaziso esithintelayo kungenjalo iarente yakhe, emazisa ukuba lususiwe na uthintelo olo okanye urhoxisiwe umyalelo wothintelo.
- (3) UMasipala unokubiza imali ebekiweyo yokwenza uphando kumnini okanye umhlali lowo womhlaba okanye indawo ebiphandwa ngokwecandelwana (1).

16. **Umsebenzi wokulungisa kaMasipala**

- (1) Xa uMasipala enesizathu esiphathekayo unokungena aze ahlole nayiphi indawo ayibona idinga ukujongwa ukuba iyawulandela na lo Mthetho kaMasipala okanye isaziso sokulandela imigaqo kungenjalo isaziso esithintelayo, loo nto eyenza elandela uMthetho kaZwelonke wezeMpilo, ka-2003 (uMthetho wama-61 ka-2003).
- (2) UMasipala unokuhlola indawo –
 - (a) ngokungahlelwanga, xa iGosa leMpilo yezeMvelo linesizathu sokukholelwa ukuba loo ndawo isetyenziselwa injongo ecaciswe kulo Mthetho kaMasipala, ibe injongo yoko kuhlola ikukujonga ukuba ukuseteynizwa kwaloo ndawo kuyahambelana na nemigaqo yalo Mthetho kaMasipala.
 - (b) apho kuthe kwakhutshwa isaziso sokungalandelwa kwemigaqo ngokunxulumene nendawo leyo, ngokweCandelo le-13 ibe injongo yoko kuhlola ikukujonga ukuba silandelwe na isaziso okanye hayi;
 - (c) xa umnini okanye umhlali waloo ndawo engasilandelanga isaziso sokulandela kwemigaqo ebesikhutshwe ngokweCandelo le-13, okanye isaziso esithintelayo esikhutshwe ngokweCandelo le-13, siyalela ukuba kulandelwe amanyathelo athile; kungenjalo
 - (d) xa iGosa leMpilo yezeMvelo linezizathu eziphathekayo zokukholelwa ukuba loo ndawo inokuphazamiseka kwezempilo okunokuba nobungozi kwimpilo.
- (3) Ngaphezu kwamanyathelo okulungisa anokwenziwa ngumasipala kule meko, umasipala unokucela inkundla elawula loo mmandla ukuba ingavumeli nabani na ukuba aqhube nesenzo esiphazamisana nezempilo.

17. Imigaqo-nkqubo neziKhokelo

- (1) UMasipala unokuqulunqa aze apapashe imigaqo-nkqubo nezikhokelo ezimisela amanyathelo afanelekileyo anokuthathwa ukwenzela ukuphelisa umngcipheko wakho nakuphi ukuphazamiseka kwezempilo okwenzekayo, okuqhubayo okanye okuphinde kwaqhutywa, okanye loo manyathelo ibe ngawokunciphisa loo mngcipheko ukuba ube kwizinga elamkelekileyo.
- (2) Nawuphi umntu ongayilandeliyo imigaqo-nkqubo nezikhokelo ekuthethwe ngayo kwicandelwana (1) okanye angayilandeli imiqathango ayibekelweyo, loo mntu uya kuba wenze ityala.

ISAHLUKO SESI-6 IMIGAQO GABALALA

18. Ukungqinisiswa nokusetyenzelwa kokugqityezelwa komsebenzi kunye namanye amaxwebhu
19. Ukubhena
20. Amatyala nezoHlwayo
21. Intsebenziswano phakathi koomasipala nokufezekiswa kwayo
22. Uxolelo
23. Ukubhangiswa kwale Mithetho kaMasipala
24. Isihloko esifutshane kunye nokuqalisa kwalo mthetho kamasipala

18. Ukungqinisiswa nokusetyenzelwa kokugqityezelwa komsebenzi kunye namanye amaxwebhu

- (1) Isaziso esikhuthwe nguMasipala ngokwalo Mthetho kaMasipala siya kuthathwa njengesikhutshwe ngokusemthethweni xa siye satyikitywa liGosa leMpilo yezeMvelo.
- (2) Nasiphi isaziso okanye olunye uxwebhu olunikwe umntu ngokwalo mthetho kaMasipala luya kuthathwa njengoluhanjiswe ngendlela eyiyo –
 - (a) lusiwe ngumntu kuloo mntu lubhalelwe yena;
 - (b) xa lushiywe endlwini ahlala kuyo okanye ishishini laloo mntu elilapha kwiRiphabliki yoMzantsi Afrika, abe loo mntu lushiywa kuye ebonakala engaphezu kweminyaka elishumi elinesithandathu;
 - (c) xa luthunyelwe ngerejista okanye iposi eqinisekisiweyo kwidilesi abegqityelwe ehlala kuyo okanye ethengisa kuyo loo mntu, apha kwiRiphabliki yoMzantsi Afrika, kuze kunikwe ubungqina boko kuposa;
 - (d) ukuba ayaziwa idilesi yaloo mntu yalapha kwiRiphabliki, xa lusiwe kwiarhente okanye ummeli waloo mntu apha eMzantsi Afrika ngendlela exelwe kwicandelwana (a), (b) okanye (c);
 - (e) ukuba ayaziwa idilesi yaloo mntu neyearhente okanye ummeli wakhe olapha kwiRiphabliki, xa ibekwe kwindawo ecacileyo kuloo mhlaba okanye kuloo ndawo yoshishino inxulumene nedilesi leyo;
 - (f) kwimeko yequmrhu, xa luye lwasiwa kwiofisi ebhalisiweyo okanye indawo yoshishino yelo qumru; okanye
 - (g) xa luthunyelwe kuloo dilesi ye-imeyile acele ukuba luthunyelwe kuyo.
- (3) Ukuthunyelwa kwekopi kuthathwa njengokuthunyelwa koxwebhu loqobo.
- (4) Xa isaziso okanye olunye uxwebhu luthe lwasiwa kumnini, umhlali, okanye umntu osebenzisa nayiphi ipropati, okanye onelungelo kuyo nayiphi ipropati, loo nto ithathwa njengeyanelelo ukuba loo mntu ucaciswe kwisaziso okanye olunye uxwebhu nguye umnini, umhlali okanye umntu osebenzisa loo propati okanye onelungelo kuyo uyifumene, nokuba loo mntu akadanga waba nguloo mntu.

19. Ukubhena

Umntu omalungelo akhe achatshazelwa sisizathu esithathwa nguMasipala ngokwalo Mthetho kaMasipala unokufaka isibheni malunga neso sigqibo enika isaziso esibhaliweyo seso sibheni nezizathu, elandela iCandelo lama-62 loRhulumente weNdawo: uMthetho weeNdlela zokuSebenza zikaMasipala, ka-2000 (uMthetho wama-32), zingaphelanga intsuku ezingama-21 zomhla wokukhutshwa kwesigqibo esithathwe nguMlawuli kaMasipala.

20. Amatyala nezohlwayo

- (1) Nawuphi umntu owaphula okanye ongawulandeliyo umgaqo walo Mthetho kaMasipaal, isaziso esikhutshwe ngokwalo Mthetho kaMasipala kungenjalo umqathango onyanzeliswa phantsi kwalo Mthetho kaMasipala, nokuba loo nto uyenze kwenye iNdawo yalo Mthetho kaMasipala, uya kuba netyala aze athi akufunyaniswa enetyala kufuneke ukuba –
 - (a) ahlawule intlawulo okanye avalelwe entolongweni kungenjalo azenze zombini, ukuhlawula nokuvalelwa entolongweni;
 - (b) xa eqhubeka nokwaphula umthetho, uya kunikwa esinye isohlwayo esongezelelweyo okanye elinye ithuba elongezelelweyo entolongweni kungenjalo ongezelelwe kwisohlwayo nethuba lasentolongweni ngokosuku ngalunye aqhubeke ngalo ukwaphula umthetho; aze
 - (c) abizwe elinye ixabiso elilingana nazo naziphi iindleko okanye inkcitho efunyaniswe njengechithwe nguMasipala njengxa yoko kwaphulwa kwemiqathango.
- (2) Zonke iimali neentlawulo zezohlwayo eziqokelelwe phantsi kwalo Mthetho kaMasipala ziya kungena kwiBhunga kuze kuqinisekiswa ukuba zisetyenziselwa ukufezekiswa kwanokusetyenziswa kwalo Mthetho kaMasipala.

21. Intsebenziswano phakathi koomasipala nokufezekiswa kwayo

- (1) Ukuze kufezekiswe ukuhanjiswa okufanelekileyo kweenkonzo ngokwalo Mthetho kaMasipala, uMasipala unokutyikitya amaZwebhu eziVumelwano zeNtsebenziswano kunye noomasipala bendawo abaphantsi kwendawo elawulwa ngulo masipala ngokunxulumene –
 - (a) namalungiselelo abonakalayo ngokuxulumene nokwenziwa kwemigaqo yalo Mthetho kaMasipala;
 - (b) ukubuyiswa kweendleko nenkcitho enxulumene naso nasiphi isenzo esenziwe ngokwalo Mthetho kaMasipala;
 - (c) iindlela zokusonjululwa kweengxabano ezinxulumene nokusetyenziswa kwamagunya kungenjalo imiba ebekuvunyelwe ngayo ngokwemigqalo yeCandelo lama-86 loMthetho wamaCandelo kaMasipala, ka-1998 (uMthetho we-117 we-1998);
 - (d) nawuphi na omnye umba othathwa ngumasipala wesithili kunye noomasipala bendawo njengoyimfuneko ukuze kufezekiseke ukuhanjiswa kweenkonzo ngendlela eyiyo ngokwalo Mthetho kaMasipala.

22. Uxolelo

- (1) Nawuphi umntu unokufaka isicelo esibhaliweyo apho acacisa khona izizathu ezipheleleyo zokucela ukuba umasipala amxolele kuwo nawuphi umgaqo walo Mthetho kaMasipala.
- (2) UMasipala unokusebenzisa iGosa lakhe leMpilo yezeNdalo eliqeshwe ngendlela eyiyo –
 - (a) ukunika uxolelo olubhaliweyo lube nemiqathango, ukuba iyadingeka, kwakuney nethuba olubekelwe lona olo xolelo;
 - (b) ukulungisa kungenjalo kurhoxiswe naluphi uxolelo okanye imiqathango ekuxolelo; okanye
 - (c) angavumi ukunika uxolelo.
- (3) Ukuze asithathele ingqalelo isicelo sakho ngokwecandelwana (1), uMasipala unokucela abanini okanye abantu abahlala kwiindawo ezingqonge loo ndawo ukuba bahlomle malunga naso.
- (4) Uxolelo aluqalisi umceli engekathembisi ngokubhaliweyo ukuba uza kuyilandela yonke imiqathango ebekwe nguMasipala phantsi kwecandelwana (2). Kodwa ke, ukuba kuqaliswe isenzo phambi kokuba kufakwe eso sithembiso kumasipala, uxolelo luyaphela.
- (5) Ukuba kukho nawuphi umqathango woxolelo ongalandelwanga, uxolelo luphela ngoko nangoko.
- (6) IGosa leMpilo yezeMvelo eliphangela kuloo Masipala, neligunyazisiweyo nguMasipala ukuba lenze nayiphi imisebenzi ngokwalo Mthetho kaMasipala, aliyo kuthathelwa manyathelo ngayo nantoni na eyenziwe ngemvano phantsi kwalo Mthetho kaMasipala.

- (7) Inokuhlaziywa yaye/okanye inyenysiswe nayiphi imigaqo kunye/okanye nazo naziphi iimfuno ezikulo Mthetho kaMasipala, oko kusenziwa ngokuba uMasipala akhuphe isaziso esibhaliweyo esazisa malunga noko kunyenysiswa kunye/okanye nolungiso xa abasemagunyeni bekubona njengokungayi kuza nakuphazamiseka kwezempilo.
- (8) Oko kugunyaziswa kunye/okanye nokuxolelwa kunokuyekiswa ngoko nangoko ngesaziso esibhaliweyo esivela kwabasemagunyeni abafanelekileyo, okanye lingaphelanga ithuba elibekwe ngabasemagunyeni, xa kunokuvela imeko edinga oko.
- (9) Lo Mthetho kaMasipala ubeka uxanduva lokulandelwa kwezi mfundo zibekiweyo kumntu okanye iziko elifanelekileyo, yaye uyamxolela uMasipala ekulandeleni nayiphi imiqathango, isenzo okanye ukungakhali okunokuvela kuwo nawaphi amabango anxulumene nokusetyenziswa kwalo Mthetho kaMasipala.

23. Ukubhangiswa kwale Mithetho kaMasipala

- (1) Lo Mthetho kaMasipala ubhangisa nayiphi iMithetho kaMasipala ebikhe yabhengezwa nguMasipala okanye nabaphi oomasipala ababesakubakho kodwa ngoku abasele bephantsi kwalo Masipala, iyabhangiswa ngokunxulumene nemiba ekulo Mthetho kaMasipala.
- (2) Nawuphi uMthetho kaMasipala obukhe wabhengezwa ngoomasipala bendawo abakwindawo ephantsi kolawulo loMasipala weSithili saseOverberg, okanye nawuphi umasipala owabhangiswayo osele uphantsi kwabo masipala ngoku, ngokunxulumene nokusetyenziswa kwawo kuMasipala weSithili saseOverberg usetyenziswa ngabasemagunyeni kuba befuna ukusebenzisa amagunya noxanduva lwabo ngokweCandelo 84(3) loMthetho wamaCandelo ooMasipala, ka-1998 (uMthetho we-117 ka-1998).

24. Isihloko esifutshane kunye nokuqalisa kwalo mthetho kamasipala

Lo Mthetho kaMasipala unokubizwa ngokuba nguMthetho kaMasipala weeNkonzo zezeMpilo zoMasipala weSithili saseOverberg yaye uya kuqala ukusebenza ngomhla wokupapashwa kwawo kwiGazethi yePhondo.

IMIGANGATHO EBELWELWE ZONKE IINDAWO

Kufuneka iindawo zilandele le migangatho ilandelayo:

1. Ukuma kwesakhiwo

Isakhiwo esikwindawo ethile kufuneka silandele iimfuno zeplani yokwakha evunye nguloo masipala wendawo ngokokuyilandela kwayo imigangatho kaMasipala yezeMpilo.

2. Ukunikwa kwamanzi

- (a) Kufuneka kubekho ukunikwa kwamanzi aselwayo anele wonke umsebenzisi waloo ndawo.
- (b) Kufuneka umgangatho wamanzi anikwa kuloo ndawo uhambelane noko kubekwe kwi-SANS 241 malunga namanzi aselwayo, ngokunxulumene nomgangatho wezinto zendalo zomzimba ezingenakubonwa ngeliso lenyama, amachiza nezinto ezibonakalayo.
- (c) Amanzi okusela agcinweyo makasoloko ekhuselwe ukuze angangcoli.
- (d) Aluvumelekanga unxibelelwano luphakathi kwemibhobho yamanzi aselwayo kunye nemibhobho ehambisa amanzi amdaka.
- (e) Kwiindawo ezingenawo amanzi eetephu, kufuneka amanzi aselwayo agcinwe akhuselwe ngokwaneleyo ukuze angangcoliseki. Makasoloko egcinwa ecocekile amatanki okugcina amanzi.
- (f) Ukuba kufuneka kunikwe amanzi aselwayo kusetyenziswa amatanki ethutyana, loo manzi makasuke kumthombo ovunyiweyo.

3. Imibhobho yokuhambisa amanzi amdaka

Zonke iindawo kufuneka zibeneendlela zokuhambisa amanzi amdaka eedreyini nawesureji, ndlela ezo kufuneka zivunywe ngabasemagunyeni bendawo. Kufuneka imibhobho yokuhambisa amanzi amdaka igcinwe icocekile yaye isoloko ilungiswa ukwenzela ukuba kugabikho zinto ziyivalayo okanye eziya kuphazamisana nezempilo.

4. ULawulo lweNkukuma

Kuya kusetyenziswa iindlela zokuqokelelwa, ukugcinwa nokulahlwa kwenkukuma eqinileyo kuzo zonke iindawo, ndlela ezo kufuneka zivunywe ngabasimagunyeni bendawo. Yonke inkukuma kufuneka ilahlwe kusetyenziswa imigqomo yenkukuma kunye/okanye nendawo ebekelwe ukulahlwa inkukuma.

5. INkukuma engumngcipheko kukhathalelo lwezempilo

Xa kukho indawo evelisa inkukuma ebangela umngcipheko wezempilo:

- (a) Loo ndawo kufuneka ilandele indlela evunyiweyo yokuqokelelwa, ukugcinwa, ukuhanjiswa nokulahlwa kwenkukuma.
- (b) Kufuneka kubekho indawo ebekelwe bucala ukuba ibe yeyokugcina inkukuma enokubeka impilo emngciphekweni ngeli xesha isalinde ukuthuthwa yinkampani evunyiweyo yokuqokelela inkukuma.
- (c) Kufuneka indawo yokugcina inkukuma enokuba enokubeka impilo emngciphekweni yahlulwe kwindawo yokuphekela okanye nayiphi indawo yokukhathalela izigulane.
- (d) Kufuneka kubekho inani elaneleyo lemigqomo engavuziyo, engcitywayo neyenzelwe ukulahlwa inkukuma ethile, ukuze igcine inkukuma enokubeka impilo emngciphekweni. Kufuneka iphawulwe ngokucacileyo, ibhalwe ngokubonakalayo imigqomo esetyenziselwa ukugcina inkukuma enokubeka impilo emngciphekweni.
- (e) Kufuneka indawo leyo igcine iirekhodi ezichanekileyo nezingaphelelwanga zayo yonke inkukuma enokubeka impilo emngciphekweni.

6. Izidlo ezilungiselelwa kwindawo eshishina ngokutya

Zonke izakhiwo ezisetyenziselwa ukuphatha, ukulungisa, ukugcina nokuphakela ukutya kufuneka zilandele imiGaqo, epapashwe ngokoMthetho ka-1972 wezoKutya, izinto zokuThambisa neziBulala-zintsholongwane (uMthetho wama-54 ka-1972), ohlaziyiweyo.

7. Ulawulo lwezilwanyana ezincinane ezihluphayo kunye nezo zikrekrethayo

- (a) Kufuneka kubekho inkqubo yokulwa izilwanyana ezincinane ezihluphayo kunye nezo zikrekrethayo ukwenzela ukunciphisa ubukho bezi zilwanyana kuloo ndawo.
- (b) Kufuneka kuqinisekwe ukuba zisoloko zikwimeko elungileyo iindlela zokuvala ukungena kwezilwanyana ezikrekrethayo okanye zilungiswe ukuze inqande ukutyhoboza kwezi zilwanyana zikrekrethayo.
- (c) Kufuneka kunqandwe ukwanda kwezilwanyana ezincinane ezihluphayo okanye nezikrekrethayo phambi kokuba kutshatyalaliswe nasiphi isakhiwo esinokuba sinazo.
- (d) Loo ndawo kufuneka igcinwe icocekile yaye ikhuselwe kuyo nayiphi imeko enokubangela ukuqandusela kweempukane okanye iingcongconi, okanye ezinye izinambuzane.

IINDAWO EKUFUNeka ZIBE NEZIQINISEKISO ZEZEMPILO

ISIHLOMELO A: 1

IMIGANGATHO EBKELWE AMAZIKO OKUGCINA ABANTWANA / II-ECD

Kufuneka amaziko okugcina abantwana alandele le migangatho ilandelayo

1. Ukufakwa kwesicelo sesiQinisekiso sezeMpilo

Zizicelo ezifakwe ngeSebe loPhuhliso lwezeNtlalo kuphela eziya kwamkelelwa ukuba zilandelelwe

2. Indawo noyilo

- (1) Iindawo ezisetyenziselwa okanye ezinxulumene neenkonzo zokukhathalela abantwana kufuneka zikhangelelwe indawo, ziyilwe, zakhiwe, zigqitywe, zibe nezixhobo yaye zibe kwimeko eya kwenza ukuba abantwana –
 - (a) babe nakho ukukhathalelana ngokusempilweni; yaye
 - (b) zikwazi ukukhathaleleka ngokwaneleyo ukuba zingafikelelwa kuko nakuphi ukuphazamiseka kwezempilo okunokucela.
- (2) Lowo ufaka isicelo kufuneka alandele iimfuno zesiQinisekiso sezeMpilo. (ISahluko sesi-3)
- (3) Zilandele imiGaqo efanelekileyo, epapashwe ngokoMthetho ka-1972 wezoKutya, izinto zokuThambisa neziBulala-zintsholongwane (uMthetho wama-54 ka-1972), ohlaziyiweyo.
- (4) Isakhiwo esikwindawo ethile kufuneka silandele iimfuno zeplani yokwakha evunywe nguloo masipala wendawo ngokokuyilandela kwayo imigangatho kaMasipala yezeMpilo.

3. Indawo yokudlala umdlalo wangaphakathi endlwini

- (1) Indawo yemidlalo yangaphakathi yindawo elungiselelwe ukudlala, ukutyela kunye nokulala.
- (2) Kufuneka umntwana ngamnye abe nendawo yemidlalo yangaphakathi enobuncinane besithuba esingaphazanyiswa nto esiyi-1.5m².
- (3) Ukuba loo ndawo ayinandawo yokudlala yaphandle, kufuneka ibe nendawo yemidlalo yangaphakathi endlwini enesithuba esingaphazanyiswa nto esiyi-3m² ngomntwana ngamnye.
- (4) Loo ndawo yokudlala mayisoloko igcinwa icocekile.
- (5) Impahla yebhedi yokulalisa abantwana mayisoloko igcinwa icocekile yaye ikwimeko esempilweni, ngakumbi kubantwana abaminyaka ingaphantsi kwemithathu (3).

4. Indawo yokudlala phandle

- (1) Kufuneka umntwana ngamnye abe nendawo yemidlalo yaphandle enobuncinane besithuba esingaphazanyiswa nto esiyi-2m².
- (2) Kufuneka abantwana abanobudala ngabunye babe nendawo yabo yokudlala phandle.
- (3) Loo ndawo yokudlala phandle mayisoloko igcinwa icocekile.

5. Ukusetyenziswa kosinga-ngca owondlalwe phantsi

Apho kondlalwe usinga-ngca kwiindawo zokudlala ngaphakathi naphandle, kufuneka kulandelwe la manyathelo alandelayo:

- (1) Loo ndawo kufuneka isoloko icocwa ngezinto zokuyicoca ezifanelekileyo ukuze ingabi navumba yaye ingadali kuphazamiseka kwezempilo.

6. Amagumbi angasese neendawo zokutshintshela iintsana

- (1) Amaziko alungiselelwe iintsana:
 - (a) kufuneka kubekho iithoyilethi zabantwana, xa oko kukwazi ukwenzeka.
 - (b) Kufuneka kubekho iithoyilethi kunye nezinto zokuhlamba izandla ekufuneka akwazi ukufikelela kuzo umntwana.
- (2) Kubantwana ababudala buyiminyaka eyi-0-2:
 - (a) Makubekho ubuncinane bethoyilethi enye (1) ngeqela labantwana abangama-20;
 - (b) Apho kungekho mibhobho yogutyulo lwelindle, kubakho iitshemba;
 - (c) Makubekho ubuncinane betshemba enye (1) ngeqela leentsana ezintlanu (5);
 - (d) Ukungcola okusezitshembeni makuchithwe ngendlela esempilweni;
 - (e) Iitshemba mazihlanjwe kwindawo ethile zicocwe ngezibulala-zintsholongwane;
 - (f) Kufuneka kubekho indawo ebekelwe ukutshintsha iinapkeni yaye apha phantsi yondlalwe into ekulula ukuyicoca ibe nayo nematrasi eyogqunywe ngento engagqobhozi manzi, yaye le ndawo kufuneka ibe kude nendawo ekulungiselelwa kuyo ukutya;
 - (g) Kufuneka kwenziwe ngendlela esempilweni ukuze kungabikho zinto zingcoliswayo ngethuba kutshintshwa iinapkeni zabantwana.
- (3) Kubantwana ababudala buyiminyaka eyi-0-6:
 - (a) Makubekho ubuncinane bethoyilethi enye (1) kunye nesinki yokuhlambela izandla enye (1) ngeqela ngalinye labantwana abangama-20.
 - (b) Isinki nganye yokuhlambela izandla mayibe namanzi okusela.
 - (c) Apho zingekhoyo iithoyilethi ezigungxulwayo, kufuneka kubekho indlela yogutyulo eyamekelileyo.
 - (d) Makubekho amagumbi angasese.
 - (e) Onke amagumbi angasese makagcinwe ekwimeko elungileyo yaye asoloko egcinwa ecocekile.
 - (f) Amagumbi angasese makakhanyiswe angene umoya ngokwaneleyo.
 - (g) Kufuneka kubekho amagumbi angasese ami odwa kubekho neendawo zokuhlamba izandla zabantu abasebenza kweli ziko.
 - (h) Kufuneka kusoloko kukho iphepha langasese, isephu nendlela nento yokomisa izandla eyaneleyo kumagumbi angasese.

7. Iimfuno zokunikwa kwamanzi

- (1) Apho zingekhoyo iitephu zamanzi kamasipala kufuneka kubekho ubuncinane bamanzi aziilitha ezili-10-25 ngomntu ngamnye ngosuku aze loo manzi agcinwe ngokusempilweni ukuze asetyenziswe ngabo bonke abantu abakuloo ndawo.

8. Iindawo ezibekelwe ukwenza iibhotile zabantwana abangaphantsi kweminyaka emibini (2)

- (1) Kufuneka kubekho amanzi aneleyo abandayo nashushu aza kusetyenziswa ukuhlamba iibhotile neetiti.
- (2) Kufuneka kubekho iindawo zokupholisa nokugcina iibhotile zobisi nokunye ukutya ngokusempilweni ($< 5^{\circ}\text{C}$).
- (3) Zonke iibhotile ezisetyenzelwa ukuncancisa abantwana mazihlanjwe zicocwe phambi kokuba zisetyenziswe.
- (4) Makulandelwe yonke imiGaqo efanelekileyo.

9. Iindawo zokugcina zinto

Ukunciphisa izinga lokusulelwa ziivayirasi, iibhakthiriyi nezifunxi-gazi kwakunye nomngcipheko wokusasazwa kwezifo, kufuneka kulandelwe la manyathelo:

- (a) Ukunika isithuba esaneleyo kwanokwahlula isithuba sokubeka ukutya kwesokubeka izinto ezingekokutya.

- (b) Izinto zokucoca loo ndawo zisenokuba nobungozi ebantwaneni xa zikwindawo abakwaziyo ukufikelela kuyo.

10. Indawo yokukhathalela abantwana abagulayo

Kufuneka le ndawo yokugcina abantwana ibe nendawo yokukhathalela abantwana abagulayo elungiselelwe ukunyanga nokukhathalela umntwana onokuthi agule, onokulimala apha ekuhambeni kwemini okanye onokuba unesigulo esicingeleka ukuba siyosulela.

11. Iimfuno zempilo gabalala

- (1) Amagumbi okudlalela makasoloko ecocwa ukwenzela ukunciphisa uthuli nokungunda.
- (2) Inkukuma ekumagumbi okudlalela ichithwa yonke imihla.
- (3) Achithwa ngokukhuselekileyo amanzi amdaka.
- (4) Makubekho indlela efanelekileyo yokulwa izinambuzane.
- (5) Makubekho izinto zokuhlamba abantu zize zisetyenziswe ngokusempilweni.
- (6) Kufuneka kusoloko kucocekile phantsi kungekho bumdaka, kufuma okanye zinto zimanzi zichithekileyo.
- (7) Umntwana ngamnye uba neeshithi nengubo yakhe.
- (8) Mazisoloko zicocekile izinto zokudlala ezisetyenziswa ngabantwana abaminyaka ingaphantsi kwemibini (2), ababolekiswa ngazo xa bedlala.
- (9) Abantwana mabangafikeleli kuyo nayiphi inkukuma.

12. Imingxuma yesanti yokudlala

- (1) Kufuneka umngxuma wesanti yokudlala ugcinwe usempilweni yaye ucocekile;
- (2) Mawogqunywe ebusuku ukwenzela ukuba ungangcoliswa zizilwanyana kunye nezinye izilwanyana ezincinane ezihluphayo;
- (3) Mawogqunywe xa ungasetyenziswa;
- (4) Mawubulawe iintsholongwane xa ubonakala ngathi umdaka yaye ungcolisekile;
- (5) Mawubulawe iintsholongwane ngokugalelwa ityuwa ize ixutywe nesanti ngereyikhi (i-10kg yetyuwa erhabaxa rhoxo ngeenyanga ezintathu kwi-1 m²);
- (6) Kufuneka isanti itshintshwe ubucinane kanye ngonyaka.
- (7) Ukuba isanti ithe yangcoliswa bubulongwe bezilwanyana okanye bomntu, igazi okanye olunye uhlobo lobumanzi obusuka ebantwini;
 - (a) kufuneka abantwana basuswe kuloo mngxuma wesanti yokudlala;
 - (b) loo santi inokugalelwa iemere yokunkcenkceshela egcwaliswe ngamanzi anesicoci esibunono kulusu okanye isibulala-zintsholongwane esisetyenziwa endlwini, ukwenzela ukubulala iintsholongwane;
 - (c) ukuba loo santi ingcole kakhulu, kufuneka isuswe yonke kufakwe enye.

13. Ukugcinwa kwabantwana ukuphuma kwesikolo

- (1) Ukuba kuloo ndawo kunikwa inkonzo yokugcinwa kwabantwana abasafundayo ukuphuma kwesikolo njengenkonzo yokukhathalela abantwana, kufuneka kunikwe oku kulandelayo:
 - (a) indawo yokudlalela ngaphakathi enobuncinane besithuba esiyi-1,5 m² ngomntwana ngamnye;
 - (b) Makubekho ubuncinane bethoyilethi enye (1) kunye nesinki yokuhlambela izandla enye (1) ngeqela ngalinye labantwana abangama-20 okanye inxenye yalo.
 - (c) Makulandelwe yonke imiGaqo efanelekileyo.

ISIHLOMELO: A 2**IIMFUNO ZAMAKHAYA AGCINA ABANTWANA**

Kufuneka amakhaya okugcina abantwana alandele le migangatho ilandelayo:

1. Ukubiyelwa kwendawo

- (1) Isakhiwo kufuneka sibe neplani evunywe ngumasipala ofanelekileyo wendawo.
- (2) Akufunekanga kubekho phazamiseko lwezempilo ngenxa yaso nasiphi isenzo esenzelwa kuloo ndawo.

2. Indawo yokuhlala ngaphakathi

- (1) Kufuneka kubekho indawo yokuhlala ngaphakathi enendawo yokuhlala enobuncinane besithuba esiyi-2m² ngomntwana ngamnye obudala buminyaka mi-2-6, kunye nesiyi-4m² ngomntwana ngamnye okwiminyaka esi-7-13 kunye nabantwana abaminyaka ingaphezu kweli-13.
- (2) Makubekho indawo eyahlukileyo yokuhlala abantwana abangaphantsi kweminyaka emibini (2), ibe nesithuba esiyi-1.5m² ngomntwana ngamnye.
- (3) Makubekho impahla yebhedi yokulalisa abantwana nekufuneka ubuncinane ihlanjwe rhoqo ngeveki , ngakumbi kubantwana abaminyaka ingaphantsi kwemithathu (3).
- (4) Abantwana abasasebenzisa iinapkeni mabalungiselelwe ngokuba kubekho indawo yokubatshintshela, ibe netafile yokutshintshela inapkeni, enomatrasi ongatyhobozi manzi.
- (5) Makulandelwe iindlela zokutshintsha iinapkeni, ukwenzela ukuthintela ukusasazwa kosuleleko kukungcola kwelindle okuya emlonyeni.

3. Iindawo zokuhlala phandle

- (1) Indawo yokuhlala phandle enesithuba esibuncinane buyi-2m² ngomntwana ngamnye neya kusetyenziswa ngabantwana xa bedlala.
- (2) Le ndawo mayisoloko igcinwa icocekile.

4. Amagumbi angasese neendawo zokuhlambela

- (1) Kufuneka kubekho iithoyilethi neendlela zokuhlambela ezaneleyo eziya kusetyenziswa ngabantwana kuloo ndawo.
- (2) Kufuneka kubekho iithoyilethi enye (1) ngeqela ngaliye labantwana abangamashumi amabini (2) (umyinge othi: 1:20) yaye kusoloko kukho iphepha elaneleyo kwezo thoyilethi.
- (3) Kufuneka kubekho isinki yokuhlambela izandla enye (1) esilungiselelwe iqela ngalinye labantwana abangamashumi amabini (2) (umyinge othi: 1:20).
- (4) Indawo enesinki yokuhlambela izandla mayimelane ngqo neethoyilethi.
- (5) Zonke izitya zokuhlambela izandla mazibe neetephu zamanzi abandayo nashushu, okanye ukuba akukho tephu makusoloko kukho ubuncinane beelitha ezingama-25 zamanzi aselwayo ngomntwana ngamnye, loo manzi aginwe ngokusempilweni kwiphanga elivalwayo ukuze asetyenziselwe ukusela, ukupheka, ukuzicoca nokuhamba iimpahla.
- (6) Kufuneka kusoloko kukho isepha eyaneleyo kunye netawuli ecocekileyo.
- (7) Kubantwana abaminyaka ingaphantsi kweminyaka emibini (2) abasafundiswa itshemba, kufuneka kubekho itshemba enye (1) kwisihlanu (5) ngasinye sabantwana (umyinge othi: 1:5).
- (8) Kufuneka itshemba zichithwe rhoqo emva kokuzikhulula okanye ukuchama komntwana, yaye kufuneka zisoloko zihlanjwa zicocwe ngokufanelekileyo ukwenzela ukuthintela nayiphi into enokuphazamisana nempilo yezendalo.
- (9) Ukuba abantwana basebenzisa iithoyilethi ezembiwe phandle, kufuneka zibe zenzelwe ukusetyenziswa ngabantwana (zibe nethobhi elincinci nelifutshane) kube lula ukuvula ucango usuka ngaphandle.
- (10) Onke amagumbi angasese makagcinwe ekwimeko elungileyo yaye asoloko egcinwa ecocekile.

- (11) Abantwana abancinane abangaphantsi kweminyaka emibini (2) abasanxiba inapkeni mabalungiselelwe indawo yokubatsintsha eyahlukileyo, enendawo yokugcina iinapkeni ezimdaka kubekho neendawo abahlambela kuzo izandla abantwana.
- (12) Kufuneka abasebenzi babe neethoyilethi neendawo zokuhlamba izandla ezahlukileyo kwezo zabantwana, nazo zisoloko zinephepha langasese yaye kubekho isephu eyaneleyo netawuli kwindawo yokuhlamba izandla.
- (13) Iithoyilethi kufuneka zisoloko zikhanyiswe ngokwaneleyo, zingene umoya, yaye zisoloko zikwimeko elungileyo, zicocekile.
- (14) Umntwana ngamnye kufuneka abe netawuli yobuso ebhalwe igama lakhe.

5. Ukucocwa kwanokubulawa kweentsholongwane kwizinto zokulungiselela nokuncacisa iintsana

- (1) Kufuneka zonke izixhobo ezisetyenziswa ukulungisa nokuncacisa iintsana (iikomityi, iitispuni, iibhotile, iititi, iziciko) zicociswe yaye zibulawe iintsholongwane phambi kokusetyenziswa kwazo ukwenzela ukubusa iibhakthiriya eziyingozi ezinokukhula kuzo zitsho zigulise iintsana.
- (2) Phambi kokuba zibulawe iintsholongwane, kufuneka iibhotile, iititi neziciko ziqale zihlanjisiswe ngamanzi anesepha ukwenzela ukususa ubisi olunokuba lutshele kuzo, emva koko zipulwe ngamanzi acocekileyo.
- (3) Umntu oza kuphatha izixhobo zokuncacisa abantwana, kufuneka aqale ahlambe izandla ngamanzi nesepha, azosulisise.
- (4) Kucetyiswa ukuba ezo zinto zicociweyo zibanjwe ngexhayi elicocwe iintsholongwane.
- (5) Makulandelwe yonke imiGaqo efanelekileyo.

6. Iindawo zokugcina zinto

Kufuneka kubekho indawo yokugcina izinto nalapho kuya kugcinwa khona izinto ezingakhuselekanga nezinobungozi yahluke kweyokugcina ezinye izinto nezixhobo.

ISIHLOMELO: A 3

IIMFUNO ZEENDAWO ZOKUKHATHALELA ABAGULAYO

1. Kufuneka ezi ndawo zilandele le migangatho ilandelayo:

- (1) Le ndawo mayibe nesiQinisekiso sezeMpilo esisebenzayo esikhutshwe liGosa likamasipala leMpilo yezeNdalo.
- (2) Isakhiwo kufuneka sibe neplani evunywe ngumasipala ofanelekileyo wendawo.

2. Iindawo zokuzikhulula nezokuhlambela

- (1) Makubekho iithoyilethi, iindawo zokuhlambela nokuhlamba izandla ukwenzela ukujongana neemfuno zezigulane.
- (2) Makubekho ubuncinane bebhafu okanye ishawa enye (1) ngeqela ngalinye lezigulane ezili-12 (umyinge othi: 1:12).
- (3) Zonke iithoyilethi mazibe zezigungxulwayo kunjalo nje zibe kwimeko esebenzayo.
- (4) Iwadi nganye mayibe negumbi lezinto ezingcolileyo.
- (5) Kufuneka eli gumbi libe neeshelfu ezivunyiweyo zokugcina iitshemba kanye ezinye izixhobo zokucoca.
- (6) Makubekho ubuncinane bethoyilethi nebhafu/ishawa enye (1) elungiselelwe iqela ngalinye labasebenzi abangama-20 (umyinge othi: 1:20) zibe ezo thoyilethi zahlulwe ngokwezini.

3. Iindawo zokugcina zinto

- (1) Makubekho indawo eyahlukileyo yokugcina amachiza anobungozi.
- (2) Onke amagumbi okugcina izinto kunye neendawo zokugcina izinto mazisoloko zigcinwa zicocekile.

4. Iimfuno zempilo gabalala

Makubekho inkqubo yokulwa izilwanyana ezincinane ezihluphayo/ezikrekrethayo ukunqanda ubukho bezi zilwanyana kuloo ndawo.

ISIHLOMELO A: 4

Iimfuno ezimalunga neNkukuma yamaZiko ezeMpilo

1. IziQinisekiso zezeMpilo

- 1) Zonke iindawo ezidala ukungcola kwezempilo mazibe nesiQinisekiso sezeMpilo yaye azinakuqhuba zingenaso esi siqinisekiso, kananjalo kufuneka zilandele amacandelo abhekisa kuzo kulo Mthetho kaMasipala.
- 2) Onke amaziko akhupha ukungcola kwezempilo ayanyanzeleka ukuba alandele le migaqo ikwesi Sahluko, yaye, apho kunokwenzeka, oku kufuneka kwenzeke nakuzo zonke izithuthi ezithutha zize zilahle ukungcola kwezempilo ngakumbi kwezi ndawo –
 - (a) onke amaziko ezempilo afana neendawo okanye iziza zokunika iinkonzo zezempilo ezihleliweyo kwizigulane ezingabantu, kuquka izibhedlele, iiklinikhi ezisisigxina kunye nezijikelezayo, amagumbi okulalisa abagulayo, afana nawamakhaya okugcina abantu abadala, iindawo zokunceda izigulane emini, iindawo zokugcina abantu abanezigulo ezinganyangekiyo, amaziko okubuyisela kwimeko yesiqhelo abaneemeko ezithile, amagumbi okunyangela asetyenziswa ngoogqirha bomzimba, abamazinyo, amagqirha, iingcibi, amanesi, iindawo zokuqhubela iinkonzo zokukhathalelwa nokubelekwa kweentsana ezingekazalwa nesezizelwe, iithiyetha ezizimeleyo zokuhlinzela, iifamasi kunye nazo zonke iindawo ezifana nezi;
 - (b) zonke iilebhu zokufunda nzulu ngoonobangela neziphumo zezifo nezezinto zendalo zomzimba ezingenakubonwa ngeliso lenyama okanye iindawo zokuqhuba uphando malunga nezinto zasendalweni, kunye neendawo ezisetyenziselwa ukutha igazi kwizigulane;
 - (c) iindawo zabo bonke abavelisi nabahambisi beemveliso zezamachiza okanye oothintela;
 - (d) zonke iindawo zokugcina imizimba yabangasekhoyo kunye neendawo zabangcwabi;
 - (e) onke amagumbi okunyangela izilwanyana, izibhedlele zezilwanyana, iindawo zokunyangela, iindawo zokugcina izinja neekati; kunye
 - (f) nayiphi indawo yokuhlala yabucala okanye ikhaya kungenjalo enye indawo enokuza nomngcipheko wempilo yezendalo ethi ngenxa yobuninzi okanye uhlobo lwenkukuma yezempilo ekhutshwa apho kufuneke ukuba loo nkukuma iphathwe ngendlela elandela le migaqo.

Umntu owaphula umgaqo wecandelwana (1) wenza ityala.

2. Imisebenzi yabavelisi, abathuthi nabalahli benkukuma yezempilo

- (1) Umvelisi ngamnye wenkukuma yezempilo kufuneka abhalise kuMasipala ngokugcwalisa aze afake ifomu efanelekileyo yokufaka isicelo.
- (2) Umthuthi ngamnye wale nkukuma makabhalise kuMasipala zingaphelanga iinyanga ezili-12 uqalile ukusebenza lo Mthetho kaMasipala.

- (3) Abavelisi nabathuthi bale nkukuma kufuneka bazise uMasipala malunga nako nakuphi ukutshintsha kweenkcukacha ezinikwe ngokwecandelwana (1) no-(2), kwangethuba zisanda kutshintsha.
- (4) Wonke umvelisi wenkukuma yezempilo kunye, apho kuyimfuneko, naye wonke umthuthi nomlahli wenkukuma yezempilo kufuneka aqiniseke ukuba loo nkukuma yezempilo iyasotwa, ipakishwe, ilawulwe, iphathwe, igcinwe ithuthwe ize ilahlwe ngokwemigaqo ebekwe kwesi Sahluko.
- (5) Izenzo ekuthethwe ngazo kwicandelwana (1) maziqhutywe ngendlela eyenza ukuba inkukuma yezempilo evelisiweyo ingabangeli luphazamiso lwezempilo okanye ubungozi bokhuseleko kuye nawuphi umntu oyiphathayo okanye nawuphi na omnye umntu okanye indalo gabalala.
- (6) Umntu ozimisele ukusebenzisa nayiphi indawo, eyisebenzisela isenzo esinokudala inkukuma yezempilo, kufuneka aqale azise abasemagunyeni ngokubhaliweyo malunga nenjongo yakhe engekaqalisi ukuyivelisa loo nkukuma yezempilo, yaye eso saziso kufuneka sibe noku kulandelayo:
 - (a) ubungakananani obuqikelelwayo benkukuma yezempilo eza kuveliswa;
 - (b) indlela yokugcina loo nkukuma yezempilo;
 - (c) ithuba elicetywayo lokugcinwa kwaloo nkukuma yezempilo;
 - (d) indlela eza kuqokelelwa ngayo loo nkukuma yezempilo;
 - (e) indlela ekuza kulahlwa ngayo kweso siza sokulahlwa inkukuma yezempilo;
 - (f) ukuvezwa kwalowo unelayisenisi yokuthutha loo nkukuma yezempilo; kunye
- (7) Ukuba uMasipala ufuna njalo, kufuneka eso saziso sikhathshwe bubungqina bohlahutyo obuqinisekise liziko eliphanda malunga namachiza malunga nokuqulethwe yiloo nkukuma yezempilo, yaye kufuneka eze nazo naziphi iinkcukacha ezifunwa nguMasipala lowo.
- (8) Emva kokufumana aze aphonononge eso saziso, uMasipala uya kubhalela loo mntu, acele ukuba loo mntu asebenzise iindleko zakhe ukwenza oku kulandelayo –
 - (a) ukugcina nokulahlwa inkukuma yezempilo kumaphanga akhethekileyo okugcina ukungcola okungamanzi okanye amaphanga lawo aphawulwe ngendlela exelwe nguMasipala;
 - (b) loo onkukuma yezempilo ithuuthelwe kwindawo yokulahlwa nokulungisa inkukuma, ndawo leyo ivunywe ngumasipala; inkukuma yona ihanjise kusetyenziswa amaphanga neendlela zokuyiphatha ezikhethekileyo, yaye loo nkukuma ibekwe kwindawo ekhethekileyo yenkukuma yezempilo ecaciswe kwisicwangciso sokusebenza saloo nkampani;
 - (c) kuthathwe nawuphi amanye amanyathelo abekwe ngumasipala ngokunxulumene nokuthuthwa kunye nokulahlwa kwenkukuma yezempilo, ukwenzela ukukhusela impilo yabantu neyendalo; okanye
- (9) Nawuphi umntu okanye umhlali wendawo ekhupha inkukuma yezempilo kufuneka anike uqeqesho kubo bonke abasebenzi abanokuthi baphathe le nkukuma yezempilo, qeqesho olo kufuneka lithathe ithuba elithile, beqeqeshwa malunga neendlela ezifanelekileyo zokuphatha inkukuma yezempilo.

Umntu owaphula umgaqo okweli candelo wenza ityala.

3. Ukugcinwa kwenkukuma yezempilo

- (1) Nawuphi umntu owenza isenzo esinokukhupha inkukuma yezempilo makaqinisekise ukuba loo nkukuma yezempilo ayivelisa kuloo ndawo igcinwa apho de ize kulandwa kuloo ndawo.
- (2) Inkukuma yezempilo enokubola mayigcinwe kumaqondo obushushu angedluliyo ku-4°C, yaye kungcono xa loo nkukuma igcinwa ingumkhenkce.
- (3) Indawo yokugcina inkukuma yezempilo kufuneka –
 - (a) ikhuselwe ukuze ingafikelelwa zizinambuzane ezibhabhayo nezingabhabhiyo, kunye nezilwanyana ezincinane ezihluphayo;
 - (b) icokeke lula apha phansi yaye nodonga lwayo lucokeke lula yaye ulwakhiwo lwayo gabala lube luqhagamshelwe kumanzi aqukuqelayo kunye nesureji evunyiweyo;
 - (c) ivalwe ingangenwa;
 - (d) ibe neendawo zokungena umoya ibe nakho nokukhanya; yaye
 - (e) kukwazeke ukuba itshixwe.

- (4) Yonke inkukuma yezempilo mayigcinwe kwindawo yokugcina inkukuma yezempilo de ipakishwe okanye ithuthelwe ukuya kulahlwa kwindawo efanelekileyo.
- (5) Kufuneka icocwe ngoko nangoko nantoni na ethe yachitheka kuloo ndawo.
- (6) Zonke iindawo ezigcina le nkukuma mazicocisiswe, zibulawe iintsholongwane yonke imihla.
- (7) Kufuneka kwenziwe iindlela zokugsusa yonke inkukuma yezempilo engafakwa frijini, ukuze ilahlwe ngeempelaveki okanye ngeeholde zikawonke-wonke.
- (8) Akufuneka inkukuma yezempilo icocwe kuyo nayiphi na indawo engeyiyo evunyiweyo.
- (9) Phambi kokuba ilahlwe inkukuma yezempilo kufuneka iqale ifakwe kumqomo wenkukuma onombala othile okanye iphanga elifanelekileyo elinombala othile.
- (10) Ezi mfundo zingasentla zamaphanga anemibala ethile makalandelwe kangangoko ngalo lonke ixesha kususwa kukwathuthwa inkukuma yezempilo, nokuba loo nto yenziwa kuloo ndawo iveliswa kuyo okanye xa ithuthwa isiya kucocwa okanye ilahlwe kwindawo engaphandle.

Umntu owaphula umgaqo okweli candelo wenza ityala.

4. Ukuthuthwa kwenkukuma yezempilo

- (1) Nasiphi isithuthi esithutha inkukuma yezempilo masikwenze oko ngokuhambelana neemfuno nemigaqo yaloo masipala wendawo.
- (2) (a) Iishelfu zesithuthi esithutha le nkukuma yezempilo mazibe nokutshixwa kunjalo nje zifezekise ezi mfundo zilandelayo:
 - (i) ezi shelfu mazogqunywe ngemathiriyeli enqanda ukuphulukana nobushushu yaye zikwazi ukugcina iqondo lobushushu lesithuthi esikhenkcisayo elingedluliyo kwi-4°C;
 - (ii) iiphaneli zangaphakathi mazakhiwe ngendlela yokuba zidityaniswe kangangoko ukwenzela ukuqinisekisa ukuba zinesogqumi esinqanda ukuphuma kwamanzi nomoya;
 - (iii) apha phantsi ngaphakathi masipeyintwe ngepeyinti emhlophe ehlala ixesha elide kungenjalo ibe yiipeyinti yokupeyinta izinto zenkcenkce yaye yenziwe ngendlela evunyiwe ngumasipala lowo;
 - (iv) kufuneka amazantsi ocango abe nobuncinane bobudeki obuyi-100 mm ukwenzela ukunqanda ukuchitheka ngaphandle kwezinto ezivuzayo; yaye
 - (v) izahluli mazibe nezinto ezijongana nezinto ezichithekayo ezisoloko zijongwa zilungiswa.
- (b) Isithuthi esithutha le nkukuma masilwulwe liqela labasebenzi abanoqeqesho olwaneleyo ekusebenziseni iikiti zokujongana nezinto ezichithekayo kunye neendlela zokuzicoca ezo zinto zichithekileyo.
- (c) Isahluli ngasinye esithwala umthwalo masibulawe iintsholongwane ngenyameko size sicocwe ngamachiza yonke imihla.

Umntu owaphula umgaqo okweli candelo wenza ityala.

5. Indawo ekulahlwa kuyo kunye nokutshabalalisa ngokutshisa

- (1) Kufuneka inkampani evumelekileyo ethutha inkukuma iye kulahlwa inkukuma yezempilo kwindawo evunyiweyo yulahlwa inkukuma yezempilo.
- (2) Umtshisi kunye nenkqubo yokutshiswa kukadoti, osukela kwezo zinto zitsha lula kakhulu neeplastiki ezinamafutha kakhulu ukuya kwizinto ezinamanzi amaninzi zingxobo zezibeleko zeentsana, ezo zinto mazitshiswe ngendlela elandela imigaqo yayo yonke imithetho echaphazelekayo yaye loo mntu ujongene noko kutshiswa kwazo makulandele makanike isiqinisekiso esimbonisa njengomntu ofanelekileyo ukwenza le nto.
- (3) Uthuthu loko kutshiswa kwenkukuma yezembilo lunokulahlwa lungekho kumaphanga akhethekileyo okanye aphawulwe ngokukhethekileyo.
- (4) Umntu owaphula icandelwana (1) okanye otshisa inkukuma okanye inkqubo yokutshiswa kwenkukuma ngendlela eyaphula icandelwana (2) wenza ityala.

ISIHLOMELO A: 5**1. Imigangatho ebekelwe amaKhaya agcina abantu abadala**

Kufuneka amakhaya okugcina abantu abadala alandele le migangatho ilandelayo:

- (1) Ukubhaliselwa nokuKhutshelwa isiQinisekiso sezeMpilo sokuqhuba iKhaya laBantu abadala
- (2) Le ndawo mayibe nesiQinisekiso sezeMpilo esisebenzayo esikhutshwe liGosa leMpilo yezeMvelo.
- (3) Kufuneka le ndawo ikhuthaze impilo yabahlali okanye abantu abadala;
- (4) Lowo ufaka iscelo kufuneka alandele iimfuno zesiQinisekiso sezeMpilo. (ISahluko sesi-3)
- (5) Mayilandele imigaqo efanelekileyo eLawula iimfuno zeMpilo Gabalala yeeNdawo ezisebenza ngoKutya, eziThutha uKutya kunye nemiba enxulumene noko.

2. Ukuma kwesakhiwo ngaphakathi

- (1) Kufuneka apha phantsi nasemadongeni kusetyenziswe into ehlambeka lula nengadlulwa manzi.
- (2) Isilingi mayenziwe ngendlela yokuba ingalugcini uthuli kuze kumagumbi okuqhuba uhlinzo, awokubelekela, amagumbi okucoca ngokusempilweni namagumbi okuhlamba izigulane, isilingi iqine, igude yaye ikwazi ukuhlambeka.
- (3) Kufuneka amagumbi angene umoya yaye akhanyiswe ngokwaneleyo.
- (4) Zonke iifestile ezisemagumbini mazisoloko zikhuselwe okanye zigadiwe ukuqinisekisa ukhuseleko lwabo bahlala apha.

3. Iimfuno zendawo yokuhlala

Kufuneka amagumbi kunye/okanye neewadi zicocwe yonke imihla zize zigcinwe zisempilweni zingenamavumba atsarhayo.

4. Amagumbi angasese neendawo zokuhlambela

- (1) Makubekho iithoyilethi, iindawo zokuhlambela nokuhlamba izandla.
- (2) Makubekho ubuncinane bethoyilethi enye (1) ngeqela ngalinye labantu abasibhozo (8) abahlala apho (umyinge othi: 1:8). Apho kukho amagumbi aneethoyilethi neebhafu/iishawa ngaphakathi, loo magumba akabalwa kolu balo lungentla. Iithoyilethi kufuneka zakhelwe ukuba isetyenziswe ngumntu omnye ngexesha.
- (3) Umntu ngamnye makabe nethoyilethi ekufutshane nendawo ahlaliswa okanye akhathalelwa kuyo.
- (4) Makuphinde kubekho enye ithoyilethi ephawulwe ngokucacileyo ekufutshane nendawo yokutyla neyokuhlala esetyenziswa ngabantu abahlala apha.
- (5) Zonke iithoyilethi mazibe zezigungxulwayo kunjalo nje zibe kwimeko esebenzayo yaye zonke iithoyilethi, amagumbi okuhlambela aneebhafu okanye iishawa nawo ahlale egcinwe ekwimeko esebenzayo.
- (6) Zonke iithoyilethi mazisoloko zigcinwa zicocekile; apha phantsi kukorjwe zize neethobhi zicocwe zibulawe iintsholongwane yonke iimihla.
- (7) Abasebenzi abaphangela kule ndawo mababe neethoyilethi, iindawo zokuhlambela nokushawa.
- (8) Onke amagumbi okuhlambela makabe neebhafu ezenziwe ngodongwe olutshisiweyo, okanye intsimbi etshisiweyo yaye zibe neetephu zamanzi aselwayo ashushu nabandayo.
- (9) Iindonga zeethoyilethi mazakhiwe zibe nodonga lwangaphakathi olugudileyo nolupeyintwe ngepeyinti embala ukhanyayo.
- (10) Amagumbi angasese makakhanyiswe angene umoya ngokwaneleyo.
- (11) Zonke iithoyilethi mazibe zezigungxulwayo kunjalo nje zibe kwimeko esebenzayo.
- (12) Amagumbi okuhlambela neethoyilethi mazilungiselelwe isini ngasinye.
- (13) Amagumbi angasese makakhanyiswe angene umoya ngokwaneleyo.
- (14) Isakhiwo esinamagumbi okuhlambela masipeyintwe ngepeyinti ehlambeka lula nengagcini kufuma.
- (15) Apha phantsi makugudiswe ngento ehlambeka lula nengagqobhozi manzi.

5. Amagumbi okuxilongela

- (1) Onke amagumbi okuxilongela makabe nesitya sokuhlamba izandla esinetepu yamanzi ashushu nabandayo
- (2) Kufuneka apha phantsi nasemadongeni kusetyenziswe into ehlambeka lula nengadlulwa manzi.
- (3) Amadonga makapeyintwe ngepeyinti ehlambekayo.

6. Amagumbi okugcina izinto ezingcolileyo

- (1) Amagumbi okugcina izinto ezingcolileyo makangenwe ngumoya yaye akhanyiswe ngokwaneleyo.
- (2) Amagumbi makabe neeshelfu ezingangenwa manzi.
- (3) Amagumbi makabe nezityana eziza kusetyenziswa ngabasebenzi ukuhlambela izandla, zibe neetephu zamanzi ashushu nabandayo.
- (4) Apha phantsi amagumbi makakhiwe ngendlela eza kuwenza acocwe lula.

7. Iindawo zokugcina zinto

Makubekho indawo eyaneleyo yokubeka izinto

8. Iimfuno zempilo gabalala

- (1) Kufuneka kwenziwe iindlela zokulwa ubukho bezifo ezosulelayo nokuthintela ukusasazeka kwezifo ezosulelayo.
- (2) Makubekho indlela yokulwa izinambuzane ezibhabhayo kuloo ndawo.
- (3) Makubekho indawo yokuhlambela izinto zebhedi nezinye izinto ezimdaka ezikuloo ndawo.
- (4) Makubekho igumbi elikhethekileyo lezinto zebhedi, libe nekhlabathi okanye iishelfu zokugcina izinto zebhedi.
- (5) Ukuba kusetyenziswa inkampani yangaphandle ukuhlamba ezo mpahla, kufuneka oko ikwenze ngokusebenzisa indawo evunyiweyo yokuhlamba iimpahla.

ISIHLOMELO A: 6**1. Imigangatho ebekelwe izikolo**

Kufuneka iiyadi zezikolo zilandele le migangatho ilandelayo:

- (1) Umba wesiQinisekiso sezeMpilo
- (2) Le ndawo mayibe nesiQinisekiso sezeMpilo esisebenzayo esikhutshwe liGosa leMpilo yezeMvelo.
- (3) Le ndawo mayikhuthaze impilo lwabafundi/abantwana.
- (4) Lowo ufaka iscelo kufuneka alandele iimfuno zesiQinisekiso sezeMpilo. (ISahluko sesi-3)

2. Ukuma kwesakhiwo

- (1) Makulandele iplani yokwakha evunyiwe ngumasipala wendawo.
- (2) Kufuneka apha phantsi nasemadongeni kusetyenziswe into ehlambeka lula nengadlulwa manzi.
- (3) Kufuneka isilingi ibe yindawo eqinileyo, egudileyo nehlambekayo.
- (4) Kufuneka iiklasi zingene umoya zikhanyiswe ngokwaneleyo, ngokuhambelana neplani yokwakha evunyiwe ngumasipala wendawo.
- (5) Iyadi yesikolo kufuneka ibiyelwe ngendlela evunyiweyo.
- (6) Kufuneka isikolo sibe nendawo yokudlala phandle, ukulungiselela imidlalo yaphandle eyenzelwa eyadini yesikolo.
- (7) Amagumbi angasese neendawo zokuhlambela: Kufuneka kubekho iithoyilethi neendawo zokuhlambela ezaneleyo ezifezekisa iimfuno zabafundi nabasebenzi:

- (a) Kufuneka kubekho ubuncinane bethoyilethi enye (1) yeqela ngalinye labantwana abangama-25 (umyinge othi: 1:25), ngaphezulu, kubekho ubuncinane bendawo yokuchama yamadoda enye ngeqela ngalinye lamakhwenkwe angama-50, ngomyinge othi: 1:50.
- (b) Iithoyilethi zasesikolweni kufuneka zibe zezigungxulwayo kubekho neetephu zamanzi.
- (c) Makubekho ubuncinane besinki yokuhlambela izandla enye (1) ngeqela ngalinye labantwana abangamashumi amabini anesihlanu (25) (umyinge othi: 1: 25), yaye zisoloko zinamanzi iitephu ezo.
- (d) Indawo enesinki yokuhlambela izandla mayibe sezithoyilethi okanye mayimelane ngqo neethoyilethi.
- (e) Ukuba kusetyenziswa amagumbi angasese angagungxulwayo, kucetyiswa ukuba kusetyenziswe iithoyilethi ezinokungena komoya okuphuculweyo (iiVentilated Improved Toilets).
- (f) Ukuba kusetyenziswa iithoyilethi ezembiweyo, kufuneka zenziwe ngendlela engayi kubangela luphazamiseko lwezempilo yendalo.
- (g) Iithoyilethi ezembiweyo mazakhiwe ngendlela eya kwenza ukuba zikwazi ukusetyenziswa nangabantwana abancinane (zibe neethobhi nomphakamo oncitshisiweyo), yaye kufuneka amacango akwazi ukuvulwa ngumntu ongaphandle.
- (h) Kufuneka iithoyilethi ezembiweyo zigcinwe zikwimeko esebenzayo yaye zisoloko zicocwa ukwenzela ukunciphisa ivumba neempukane eziza kungena ziphuma kwezo thoyilethi.
- (i) Kufuneka kubekho amagumbi angasese ami odwa kubekho neendawo zokuhlamba izandla zabasebenzi besikolo.
- (j) Iithoyilethi neendawo zokuhlamba izandla zinokusetyenziswa naziindwendwe. Makubekho ubuncinane bethoyilethi enye (1) kunye nesinki yokuhlambela izandla enye (1) ngeqela ngalinye labasebenzi abangama-20 (umyinge othi: 1:20).
- (k) Iithoyilethi zabasebenzi mazahlulwe ngokwezini.
- (l) Kufuneka iiklasi zingene umoya zikhanyiswe ngokwaneleyo, ngokuhambelana neplani yokwakha evunye ngumasipala wendawo.
- (m) Kufuneka wonke umntu akwazi ukufikelela kwezi thoyilethi.
- (n) Iithoyilethi mazicocwe yonke imihla.
- (o) Makubekho isicwangciso sokucoca nokulungisa iithoyilethi ukuze zihlale zicocekile yaye zikwimeko elungele ukusetyenziswa.
- (p) Iithoyilethi kufuneka zibe nesephu nephepha lasethoyilethi elaneleyo ngalo lonke ixesha.

3. Ukunikwa kwamanzi

- (1) Zonke iindawo ezibalulekileyo apha esikolweni mazibe namanzi aselwayo akhuselekileyo, nesephu okanye into esebenza endaweni yayo, ngakumbi kwiithoyilethi nasemakhitshini.
- (2) Kufuneka asoloko efikeleleka amanzi okusela akhuselekileyo.
- (3) Ukuba akukho zitephu kuloo yadi, makubekho ubuncinane beelitha ezintlanu (5) ngosuku ngomfundi nomsebenzi ngamnye ongahlali esikolweni yaye kufuneka loo manzi abekwe ngokusempilweni aze asetyenziselwe zonke izinto (ukusela, ukuhlamba izandla nokucoca). Kwizikolo ezineehostele, kufuneka kubekho ubuncinane beelitha ezingama-20 ngomntwana ngamnye ngosuku kwabo bantwana nabasebenzi abahlala ngaphakathi, ukwenzela ukusela, ukuhlamba, ukucoca nokupheka.

4. Ukuhlaliswa kwabafundi nabasebenzi kwizikolo ezineehostele

- (1) Kufuneka kubekho indawo yokulala nokuhlala ukulungiselela abo bantu bahlala ehostele, yaye kufuneka ilandele iimfuno zoMthetho zemiGaqo kaZwelonke yoKwakha kunye nemiGangatho yoKwakha, ka-1977 (uMthetho we-103 ka-1977), ngokunxulumene nekungena komoya kunye nokukhanyisa.
- (2) Abafundi abangamakhwenkwe mababe neendawo zokulala ezahlukeneyo.
- (3) Kufuneka kubekho iindawo zokulala nezokuhlala zabasebenzi ezahlukeneyo.

- (4) Apha phantsi ezidomatri kufuneka isithuba singabi ngaphantsi kwe-4.2 m² ngomfundi ngamnye, kuze kubekho umgama we-0.9 m phakathi kweebhedi zabafundi.
- (5) Ukuba umfundi ngamnye unesahlulo sakhe segumbi, kufuneka sibe nefestile yaso nobuncinane besithuba saphantsi esiyi-5.0 m².
- (6) Umntwana ngamnye makabe nebhedi elala umntu omnye ize ibe nobuncinane obuyi-6.0 m².
- (7) Indawo yokulala mayigcinwe icocekile. Kwindawo yokuhlala kufuneka apha phantsi kubekho isithuba esiyi-2.3 m² ngomfundi nomsebenzi ngamnye.

5. Indawo yokukhathalela abagulayo

- (1) Kufuneka kubekho indawo yokukhathalela abafundi abathe bagula.
- (2) Le ndawo mayibe nesinki yokuhlamba izandla enetephu.
- (3) Le ndawo yokukhathalela abagulayo mayibe nekiti yoncedo lokuqala evunyiweyo, etshixekayo kunye nenezinto ezaneleyo neya kuthi ibekwe kwindawo yokunyanga umenzakalo ongephi okanye izigulo ezingephi.

6. Ukhathalelo lwezempilo lwabafundi abancinane nabadala

- (1) Kufuneka kwaziswe igosa lezempilo elifanelekileyo xa kucingeleka ukuba kukho isigulo esosulelayo.
- (2) Ukuba igosa lezempilo elifanelekileyo libona kufanelekile, abafundi abacingeleka ukuba banesigulo esosulelayo kufuneka bangadityaniswa nabanye abaya epriskuli, ukwenzela ukuba bangosuleli abanye.
- (3) Kufuneka kubekho iiglavu ezaneleyo ezisetyenziswa kanye zilahlwe, kubekho nezibulala-zintsholongwane zokukhusela abasebenzi nabantwana kwanokubulala iintsholongwane kwiindawo ezosulelekileyo naphantsi naxa kujongwene nezigulo okanye umenzakalo onxulumene negazi; yonke inkukuma enomngcipheko wezempilo mayiphathwe ilahlwe ngendlela ekhuselekileyo.
- (4) Kufuneka zibulawe iintsholongwane ngoko nangoko zonke iindawo ngomgangatho wendawo yalapho bekunyangelwa khona umntwana okanye umkhathaleli womntwana onesigulo okanye olimeleyo.

7. Iimfuno zempilo gabalala

- (1) Amayeza, izinto zokucoca, izibulala-zintsholongwane kunye nezinye izinto ezinokuba nobungozi ebantwaneni mazigcinwe kwindawo etshixwayo ize ibe ngabasebenzi abasebenza ngazo kuphela abaza kukwazi ukufikelela kuzo.
- (2) Masisoloko sigcinwa sicocekile isikolo.
- (3) Kufuneka kubekho indlela yokuchitha amanzi, yaye ihambelane noMthetho kaMasipala ofanelekileyo waloo Masipala weNdawo.

ISIHLOMELO A: 7

IMIGANGATHO EBEKELWE IINDAWO ZOKUHLALISA ABANTU

Kufuneka iindawo zokuhlalisa abantu zilandele le migangatho ilandelayo:

1. Umba wesiQinisekiso sezeMpilo

- (1) Le ndawo mayibe nesiQinisekiso sezeMpilo esisebenzayo esikhutshwe liGosa leMpilo yezeMvelo.
- (2) Lowo ufaka iscelo kufuneka alandele iimfuno zesiQinisekiso sezeMpilo. (ISahluko sesi-3)

2. Iimfuno zezakhiwo neendawo zokuhlala

- (1) Isilingi namadonga amagumbi makakhiwe ngemathiriyeli engahlali thuli.
- (2) Udonga malugqityezelwe ngepeyinti egudileyo.

- (3) Apha phantsi ekhitshini, indawo yokuhlamba izitya, eyokuhlambela iimpahla, amagumbi okuhlamba umzimba, iishawa, amagumbi angasese, zonke ezi ndawo apha phantsi mazibe nemathiriyeli engadluli manzi kodwa ehlambeka lula.
- (4) Onke amagumbi, iipaseji, izitepsi, iindawo zokuhlamba, amagumbi angasese, ikhitshi nezinye indawo mazingene umoya zikhanyiswe ngokwaneleyo, ngokwemigaqo yoMthetho kaZwelonke yoKwakha kunye nemiGangatho yoKwakha.
- (5) Igumbi malinye malibe nendlela yokungenisa umoya eyenziweyo okanye yendalo
- (6) Makubekho iindawo ezilungiselelwe abaphila nenkubazeko, ezifana neentsimbi zokubambelela eziza kunceda abantu abaphila nenkubazeko ukuba bahambe lula apho esikolweni.
- (7) Amagumbi okulala mawagcinwe ecocekile.
- (8) Abasebenzi abahlala apha esikolweni mabanikwe iindawo zokulala zangaphakathi ezahlukileyo kwezabantwana.

3. Amagumbi angasese neendawo zokuhlambela

- (1) lithoyilethi mazibe zezigungxulwayo kubekho neesinki zokuhlambela izandla ezineetephu ezaneleyo zamanzi.
- (2) Makubekho ibhafu kunye/okanye iishawa.
- (3) Makubekho iindlela ezifanelekileyo zokuhambisa amanzi amdaka ziqhagamshelwe kwisureji yaye zisebenze ngendlela evunye nguMasipala weNdawo.
- (4) Kufuneka kubekho imibhobho yesureji eqhagamshela kwisureji kamasipala, kungenjalo kusetyenziswe ipitsi okanye enye indlela eyamkelekileyo yogutyulo ehambelana neMithetho yoMasipala yaloo masipala wendawo.
- (5) Imibhobho yokuhambisa amanzi amdaka nesureji okanye imibhobho yesureji yabucala mayigcinwe ikwimeko esebenzayo.
- (6) Iindawo zokuhlamba neethoyilethi mazisoloko zinephepha lasethoyilethi nesephu eyaneleyo kwakunye neetawuli.
- (7) Zonke izinto ezakhelwe ukuzikhulula, ukuhlamba kunye nezamanzi mazisoloko zigcinwa zicocekile.
- (8) Abasebenzi abakwesi apha mabanikwe indawo eyahlukileyo yokuhlambela izandla kunye neethoyilethi ezahlukileyo kwezabantwana. Makubekho ubuncinane bethoyilethi enye (1) kunye nesinki yokuhlambela izandla, ibhafu/ishawa ngeqela ngalinye labasebenzi abalishumi elinambini (12) (umyinge othi: 1:12).

4. Amaqula okuqubha namaqula amanzi ashushu

Ukuba kukho amaqula amanzi ashushu/okuqubha alungiselelwe iindwendwe:

- (1) Abalawuli mabaqiniseke ukuba kusoloko kuthathwa isampule yelo qula, iziphumo zayo zisiwe kwiGosa leMpilo yezeMvelo.
- (2) Kufuneka eli qula ligcinwe licocekile likwimeko elungileyo maxa onke.

5. Iimfuno zempilo gabalala

- (1) Kufuneka indawo le kunye nazo zonke izixhobo ezisetyenziswa xa kusetyenzwa apha zisoloko zigcinwa zicocekile zisempilweni.
- (2) Kufuneka kubekho indlela yokulwa izilwanyana ezincinane ezihluphayo/ezikrethayo ukuze zingabangeli phazamiseko lwezempilo

ISIHLOMELO A: 8**Imigangatho ebekelwe iiSaluni**

Kufuneka iisaluni zilandele le migangatho ilandelayo:

1. Uмба wesiQinisekiso sezeMpilo

- (1) Le ndawo mayibe nesiQinisekiso sezeMpilo esisebenzayo esikhutshwe liGosa leMpilo yezeMvelo.
- (2) Lowo ufaka iscelo kufuneka alandele iifundo zesiQinisekiso sezeMpilo. (ISahluko sesi-3)

2. Ukuma kwesakhiwo

- (1) Udonga lwangaphakathi malwakhiwe lugqityezelwe ngemathiriyeli ecocekayo luze lupeyintwe ngepeyinti enombala okhanyayo.
- (2) Apha phantsi kufuneka kwakhiwe ngemathiriyeli ecoceka lula negudisiweyo.
- (3) Kufuneka isilingi yakhiwe ngemathiriyeli engagcini thuli.
- (4) Kufuneka indawo le ingene umoya yaye ikhanyiswe ngokwaneleyo.
- (5) Kufuneka kubekho ithoyilethi namagumbi okuhlambela eendwendwe kunye nabasebenzi. Kufuneka kubekho ubuncinane bethoyilethi enye (1) kunye nesinki yokuhlambela izandla, nekufuneka zilungiselelwe iqela ngalinye labasebenzi abangamashumi amabini (umyinge othi: 1:20) kuze kubekho ithoyilethi enye ehamba nesinki yokuhlambela izandla ngeqela ngalinye leeklayenti ezingamashumi amabini (20) (umyinge othi: 1:20), yaye kufuneka iisinki zibe namanzi etephu. Iithoyilethi kufuneka zibe zeziflashwayo.
- (6) Kufuneka kubekho indawo yokuhlambela eyaneleyo enetephu yamanzi abandayo nashushu, ukulungiselela ukuhlamba iinwele.
- (7) Kufuneka kubekho indlela evunyiweyo yokuchitha amanzi amdaka.
- (8) Iindawo zokutshintshela kufuneka zibe neelokhari zomsebenzi ngamnye kubekho nendawo yokuhlambela izandla enetephu yamanzi abandayo nashushu kwakunye nesepha eyaneleyo namaphetshana okusula izandla.
- (9) Yonke inkukuma mayilahlwe ngendlela ecingela imvelo yaye ilandele imiThetho kaMasipala yaloo masipala wendawo.
- (10) Kufuneka kubekho indawo ekudityaniswa kuyo yonke inkukuma yendawo ukuze ithathwe apho xa isiya kulahlwa kwindawo efanelekileyo.
- (11) Makunikwe amanani aneleyo eplastikhi zomgqomo kunye/okanye nemigqomo eyaneleyo ukwenzela ukuqokelela inkukuma. Imigqomo yenkukuma mayidluliselwe kwindawo ekugcinwa kuyo inkukuma eza kuthuthwa.
- (12) Akufunekanga ukuba indawo yesaluni isetyenziselwe ukupheka okanye ukulala, ngaphandle kokuba kukho indawo eyahlukileyo elungiselelwe ukupheka.
- (13) Le ndawo kunye nazo zonke izixhobo ezisetyenziswa kuyo mazigcinwe zikwimeko esebenzayo yaye zicoceke zibe sempilweni.
- (14) Azivumelekanga izilwanyana kule ndawo, ngaphandle kokuba zizinja ezikhokela abangaboniyo.
- (15) Izixhobo ezisetyenziswa esaluni mazigcinwe zicocekile yaye zibulawe iintsholongwane rhoqo zigqitywa kusetyenziswa.
- (16) Zonke izixhobo ezidibana negazi mazicocwe ngokusempilweni rhoqo zigqitywa kusetyenziswa.
- (17) Makubekho inani leetawuli ezaneleyo eziza kusetyenziswa imisebenzi eyahlukeneyo enxulumene nokuqhutywa kweli shishini, yaye zigcinwe zicocekile.
- (18) Kufuneka kubekho indawo yokuhlamba zonke izinto zokulala neetaweli.
- (19) Ukuba kuloo ndawo kukho iziselo ezifumanekayo, kufuneka zibe nendawo yazo evunyiweyo yaye kusetyenziswe izixhobo ezicocekileyo zokuzilungisa nokuzisela.

3. ULawulo lweNkukuma

- (1) Zonke izinto ezibukhali nezinegazi zithathwa njengenkukuma eyosulelayo, yaye kufuneka zilahlwe ngendlela efanelekileyo, kuquka iireyiza, iinaliti nezinye izixhobo ezibukhali. Kufuneka kusetyenziswe iindlela ezivunyiweyo zokuqokelela inkukuma, ukuyigcina, ukuyithutha, ukwenzela ukulawula inkukuma engumngcipheko wezempilo yaye kufuneka ezo ndlela zihambelane nemithetho efanelekileyo yezempilo.
- (2) Kufuneka iphawulwe ngokucacileyo, ibhalwe ngokubonakalayo imigqomo esetyenziselwa ukugcina inkukuma enokubeka impilo emngciphekweni.
- (3) Kufuneka abasebenzi baqeqeshwe ngokwaneleyo ukuba bakwazi ukuchonga, ukwahlula, ukuphatha nokugcina inkukuma engumngcipheko kwezempilo.
- (4) Inkukuma engumngcipheko wezempilo inokususwa/iqokelelwe, ithuthwe, ilungiswe ilahlwe yinkampani ebhalisileyo.
- (5) Kufuneka kubekho iirekhodi ezichaza yonke inkukuma engumngcipheko wezempilo ekutshwa yile ndawo.

4. Ukusetyenziswa kweedayi, izitshintshi-mbala, izitensili nokuzotywa komzimba

- (1) Akufunekanga kusetyenziswe izinto eziyingozi xa kulungiswa iidayi okanye izitshintshi-mbala.
- (2) Kufuneka kusetyenziswe amaphanga asetyenziswa kube kanye, acociweyo yaye ibe liphanga elinye ngomntu ngamnye xa kulungiselelwa ukudaya okanye ukutshintsha umbala weenwele.
- (3) Kufuneka kusetyenziswe isitensile esinye ukuzoba umzimba womntu ngamnye, ngaphandle kokuba sine-acetate. Izitensile ze-acetate zinokubulawa iintsholongwane ze ziphinde zisetyenziswe.
- (4) Ukuzotywa komzimba makwenziwe ngendlela eya kuthintela ukusasazwa kwezifo ezosulelayo ukusuka kwiiklayenti ukuya kwezinye nezisuka kumzobi ukuya kwiiklayenti. Kufuneka kulandelwe obu buncinane bemigangatho bulandelayo:
 - (a) Umzobi wemizimba kufuneka asoloko efake ifaskoti ecocekileyo engadluli manzi.
 - (b) Umzobi-mzimba makasoloko ehlamba izandla ngamanzi etephu nesephu phambi kokuba aqale ukusebenza iklayenti nganye.
 - (c) Izixhobo ezisetyenziswa ekuzobeni umzimba, ukugqobhoza umzimba, iiklipha, njalo njalo mazicocwe ngokufanelekileyo zibulawe iintsholongwane kusetyenziswa izicoci ezifanelekileyo.
 - (d) Makusoloko kulandelwa iindlela zokucoca okusempilweni.

ISIHLOMELO A: 9

IMIGANGATHO EBEKELWE AMASHISHINI ANOBUNGOZI

Kolu xwebhu, amashishini anobungozi athetha nawaphi amashishini asiphumo sawo sinokuba nobungozi kwimpilo kuthso kudaleke uphazamiseko lwezempilo. La mashishini aquka la mashishini alandelayo:

- (a) Ukulungiswa kwemiphandle yeemoto nokupeyintwa kwazo ngezipyeyi
- (b) Ukusebenza kwinkampani yenkukuma enobungozi nenokusetyenziswa ngokutsha
- (c) Ukusetyenziswa kweemveliso zeoyile nepetroliyam
- (d) Izikrephu-yadi okanye iindawo ezisebenza ngeentsimbi ezithathwe ezimotweni ezindala, ukubiliswa kwegazi; ukubiliswa kwamathambo, ukunyityilikiswa okanye ukukhutshwa kwamafutha kwinto yokwenza amakhandlela, ukubiliswa kwesephu, ukuhlanjwa nokuphekwa kolusu okanye isisu sezilwanyana, ukugcinwa kwezikhumba zezilwanyana, ukubiliswa kwezikhumba, ukulungiswa kwezikhumba, ukomiswa kwegazi, ukulungiswa kwesikhumba ukuze silungiselelwe ukwenza iimpahla, ukwenziwa kweglu
- (e) Ukutshiswa kwezitena, ukutshiswa kwekalika, ukwenziwa komanyola nokwenziwa nokugcinwa kwesichumiso
- (f) Imisebenzi enento yokwenza nesamente, iioveni zezitena okanye ukutshiswa kwetyiwa
- (g) Ukwenziwa kwamalaphu
- (h) Ukunyityilikiswa kwentsimbi, ukulungiswa nokuqiniswa kwayo

- (i) Ukuxhelwa kwezilwanyana
- (j) ukuthengiswa kwentlanzi eluhlaza okanye ukugcadwa kwayo
- (k) Ukugcinwa nokucocwa koboya okanye iinwele zezilwanyana
- (l) Ukugcinwa kwezinto zokudaya
- (m) Ukugcinwa komgubo wokusarha iinkuni
- (n) Imisebenzi yokuvelisa ikhabhoni-bayisalfeyidi, i-cellulose lacquer, i-cyan okanye izinto eziyenzayo, ibhitumen okanye amalahle atshisayo, amalahle acoliweyo, amafutha anuka kakubi, isalfa-dayoksayidi kungenjalo iisalfa-klorayidi ezingamanzi okanye ezingumoya
- (o) Imisebenzi evelisa i-amyl acetate, ii-ether ezinuka kamnandi, iasidi yebhuthayirikhi, ikharamel, ucingo lwenameli, iglasi, iheksamayini, umsizi wesibane, iimveliso zeresini, iasidi yesalisayilikhi, iindibaniselo zezinto ezivundayo ezinesalfeyithi, iipeyinti ezikhupha umphunga wesalfa, umgubo ozuba waselwandle (i-ultramarine), iklorayidi yezinki okanye izinki-oksayidi
- (p) Imizi-mveliso yokuguqu-guqula imeko yokutya; imizi-mveliso yebheyikhoni kunye nemizi-mveliso guqu-guqula imo yenyama; iinkampani zeekhemikhali; iinkampani zedayi; imizi-mveliso yotywala kunye neenkampani ezididiyela utywala.
- (q) iinkampani ezivelisa utywala obenziwe ngemolthi neyisti
- (r) iinkampani ezivelisa iswekile kunye nezo ziyicolayo
- (s) iinkampani okanye iindawo ezisetyenziselwa ukugcina okanye ukuxuba umanyola, i-super fosfeyithi okanye izichumisi
- (t) Ukunyityilikiswa kwamafutha okanye iinkampani zonyityilikiso-mafutha okwenza amakhandela kunye/okanye neenkampani ezimsebenzi ukumila kunjalo ezisebenza ngenyama, amathambo, igazi okanye ulusu/unqweme (isisu), okanye ezinye izinto ezivundayo ezivela kwizilwanyana okanye iinkuku
- (u) iinkampani okanye iindawo ezisetyenziselwa ukuvelisa, ukubeka okanye ukuxuba isidlo esivela kwintlanzi, uluhlu lweenkala, inyama yenkukhu, ulusu/unqweme (isisu) sesilwanyana okanye amathumbu enkuku, ezinye iindawo ezivundayo ezithathwa kwizilwanyana okanye ezinkukwini.
- (v) iinkampani okanye iindawo ezisetyenziselwa ukubeka, ukomisa, ukugcina, okanye ezinye iindlela zokulungisa amathambo, iimpondo, iimpuphu okanye ezinye izinto ezilahlwayo okanye ezikukungcola okusuka kwizilwanyana okanye iinkuku.
- (w) iindawo ezisetyenziselwa ukugcina, ukusota okanye ukusebenza ngezikhumba, okanye ukusetyenzwa kwezikhumba
- (x) iinkampani zokugqatsa nokusuka izikhumba; kunye nayo nayiphi eminye imisebenzi ethathwa nguMasipala weNdawo njengemisebenzi enobungozi.

1. Kufuneka iindawo ezisetyenziselwa amashishini anobungozi zilandele oku kulandelayo

Kufuneka loo ndawo isebenze ngokulawulwa sisiQinisekiso sezeMpilo esiSebenzayo esikhutshwa liGosa leMpilo yezeMvelo, sibonisa ukuba loo ndawo iyazilandela iimfuno zeMpilo yezeMvelo yaye ayinaluPhazamiso lwezeMpilo..

2. Iimfuno zempilo gabalala

- (1) Kufuneka le ndawo isoloko ikwimeko ecocekileyo, esempilweni ibe kwimeko elungileyo.
- (2) Zonke iimatshini, ishishinana, izixhobo, ifenitshala, izinto ezifakiweyo, izixhobo zokusebenza, izinto zokufaka, amaphanga, izikhongozeli nezithuthi kufuneka zisoloko zigcinwa zicocekile, zikwimeko esempilweni nesebenzayo.
- (3) Kufuneka kunqandwe ukwanda kwenkukuma apha kule ndawo.

ISIHLOMELO A: 10

IMIGANGATHO EBEKELWE IINDAWO ZEZEMPILO

Kufuneka iindawo zezempilo zilandele le migangatho ilandelayo:

1. Umgangatho ophucukileyo wamanzi okusela

- (1) Kufuneka amanzi asoloko emana evavanyelwa ukulungela kwawo ukusetyenziswa. Apho kusetyenziswa khona indlela ethile yokugcina amanzi, kufuneka loo mthombo wanele iiyure ezingama-24.
- (2) Indlela yokugcina amanzi, umz. iirezevo namatanki mazikhuselwe ngokwaneleyo ukuze zingangcoliseki.
- (3) Amanzi akule ndawo yokugcina amanzi makavavanyelwe ukulungela kwawo ukusebenza kwanokulandela kwawo imigaqo yemithetho.
- (4) Umthombo wamanzi, ofana nequla lamanzi, mawukhuselwe kangangoko ukuze ungangcoliseki.
- (5) Ukuba kuthe xa kuvavanywa amanzi kwafumaniseka ukuba kukho imithetho ethile engalandelwanga, kufuneka kukhangelwe ukuba angcoliswe yintoni. Loo nto kucingeleka ukuba yiyo ebangele olo ngcoliseko mayibekwe esweni njengexalenye yendlela yokulwa imingcipheko kwanokuqinisekisa ukuba kunikwa ungenelelo oluyimpumelelo.
- (6) Ukwenzela ukuthintela ukukhula kwezinto ezingcolisayo ezikhuliswa kukuba kumaqondo obushuku aphakathi kwe-25°C ne-50°C (umz. iibhaktheriya ezibangela inyumoniya), kufuneka amaqondo obushushu asoloko egcinwa engaphezu kwe-50°C aze abandayo abe ngaphantsi kwe-20°C.
- (7) Iitephu nemibhobho enamanzi angafanelanga kusetyenziswa ngabantu kufuneka ziphawulwe ngokucacileyo, kuboniswe oko.
- (8) Kufuneka kubekho abasebenzi ababekelwe ukusoloko bebeka esweni amanzi akwiziko lezempilo. Kufuneka iirekhodi zokuqwalaselwa komgangatho wamanzi zigcinwe zize ziboniswe iGosa leMpilo yezeMvelo xa linokuzicela.
- (9) Ukuba amanzi agcinwa kwitanki lamanzi lethutyana elikuloo ndawo, kufuneka lilandele imigaqo yeSANS 241

2. Amagumbi angasese neendawo zokuhlambela

- (1) Kufuneka kubekho iithoyilethi neendlela zokuhlambela ezaneleyo eziya kusetyenziswa zizigulane kunye nabasebenzi kuloo ndawo. Kufuneka kubekho ubuncinane bethoyilethi enye (1) ngeqela ngalinye lezigulane ezilalisiweyo ezilishumi elinambini (12), kunye nesinki yokuhlambela izandla enye (1), ngokunjalo nebhafu okanye ishawa enye (1) yeqela ngalinye lezigulane ezilalisiweyo ezilishumi elinambini (12).
- (2) Kufuneka kubekho amagumbi angasese ami odwa kubekho neendawo zokuhlamba izandla zabantu abasebenza kweli ziko.
- (3) Kufuneka apha phantsi nasemadongeni eethoyilethi kusetyenziswe into ehlambeka lula nengadlulwa manzi.
- (4) Zonke iithoyilethi ezikule ndawo masisoloko zigcinwa zicocekile yaye zikwimo elungileyo.
- (5) Zonke iisinki zokuhlambela izandla mazibe netephu yamanzi aselwayo.
- (6) Kufuneka kusoloko kukho isepu nephepha lasethoyilethi elaneleyo kwanetawuli kuzo zonke iithoyilethi neesinki zokuhlambela izandla.

3. Iindawo zokugcina zinto

- (1) Kufuneka kunikwe enye indawo yokugcina eyongezelelweyo eza kugcina izixhobo zokucoca, izibulala-zinambuzane kunye nezinye izinto ezinokuba nobungozi.
- (2) Onke amagumbi neendawo zokugcina izinto makasoloko ecocekile yaye ecocwa rhoqo ubuncinane kanye ngeveki.
- (3) Izinto ezinokuba nobungozi mazigcinwe zize zilahlwe ngendlela ekhuselekileyo, yaye zahlulwe kwezinye izinto ezingenabungozi.
- (4) Ukutya makugcinwe kwindawo eyahlukileyo kuleyo yokugcina ezinye izinto ezingekokutya; yaye iifriji zokugcina amayeza mazingaze zisetyenziselwe ukugcina ukutya.

- (5) Izinto zebhedi nezixhobo ezicocekileyo mazigcinwe ngokwahlukileyo kwezo zimdaka, kubekho nendawo yokuhlambela izinto zebhedi ezingcolisekileyo kwanezixhobo ezo.
- (6) Iifriji ezisetyenziselwa ukugcina inkukuma enobungozi okanye izinto ezosulelayo maziphawulwe ngendlela ebonisa oko, yaye kufuneka zisetyenziselwe umsebenzi wazo kuphela.

4. Indlela yokwamkela imizimba yabangasekhoyo eyamkelwa apha kweli ziko

- (1) Zonke iindawo ezisetyenziselwa ukwamkela, ukulungisa, ukugcina nokuthutha imizimba yabantu abangasekhoyo abamkelwa kweli ziko kwakunye neemfuno ezinxulumene nokusebenza kwaloo ndawo ekulawuleni indlela egcinwa ngayo imiZimba yabaNgasekhoyo mazilandele okubekwe kwimiGaqo enxulumene nokuLawulwa kwemiba enxulumene nemiZimba engaseKhoyo.
- (2) Makubekho abasebenzi abafanelekileyo abaqeqeshiweyo nabajongene noxanduva lwendawo ecina imizimba yabangasekhoyo yaye kuqinisekwe ukuba iyalandelwa imiGangatho yoCoceko lweMpilo.
- (3) Makubekho inkqubo yokucoca indawo yokugcina imizimba yabangasekhoyo. Kufuneka kubekho irejista kunye nerekhodi ekufuneka igcinwe yaye ihlale igcwaliswa iinkcukacha ezinxulumene nezidumbu; yaye kufuneka kubhalwe irekhodi zeefriji kunye namaqondo azo athathwa yonke imihla.
- (4) Kufuneka abasebenzi abajongene nokulawula izigulo ezisulelayo basoloko beqwalasela ukuba uyalandelwa na umgaqo-nkqubo onxulumene nokuphathwa kwemizimba yabangasekhoyo kwanokuba indawo leyo yokugcina imizimba yabangasekhoyo iqhutywa ngendlela eyamkelekileyo.
- (5) Kufuneka abasebenzi banikwe iimpahla zokuzikhusela (ezifana neefaskoti ezingangeni manzi, iiovaroli ezinemibala egqamileyo kunye neeglavu zokuzikhusela) yaye kufuneka bayisebenzise xa bekwindawo yokugcina imizimba yabangasekhoyo.
- (6) Kufuneka kusetyenziswe iindlela ezivunyiweyo zokuqokelela inkukuma, ukuyigcina, ukuyithutha nokuyilahla, ukwenzela ukuphatha inkukuma engumngcipheko wosuleleko, yaye loo nto yenziwe ngendlela ehambelane nemigaqo yeSANS 10248.

5. Iindawo zokuhlambela iimpahla

- (1) Kufuneka elo ziko lezempilo likwazi ukufikelela kwindawo yokuhlambela iimpahla elawulwa ngokukuko ukwenzela ukuba ukuhlanjwa nokulungiswa kwezinto zebhedi, ukulwa nosuleleko; nokunqanda ukungcoliseka kwaloo ndawo zizigulo ezosulelayo.
- (2) Kufuneka isilingi, apha phantsi nasemadongeni kusetyenziswe into ehlambeka lula nengadlulwa manzi.
- (3) Indawo yokuhlambela iimpahla mayingene umoya ohlangabezanayo yaye ikhanyiswe ngokwaneleyo.
- (4) Kufuneka kubekho indlela yokuhanjiswa kwamanzi amdaka yaye ingaqhagamshelwa kwimibhobho yamanzi ezikhukula.
- (5) Iindawo ezifumana impahla yebhedi engcolisiweyo mazahlulwe kwiindawo ezisebenza ngempahla yebhedi ecocekileyo.
- (6) Makubekho iindawo zokuhlamba neethoyilethi ezaneleyo.
- (7) Kufuneka kubekho indawo efanelekileyo yokugcina iikhemikhali, yaye ingabi nabungozi.
- (8) Kufuneka izithuthi, amaphanga, iitroli okanye ezinye izinto eziqhutywayo zokuhambisa izinto zebhedi zilandele iimfuno ezifunekayo, ukwenzela ukuqinisekisa ukuba akukho kungcola kunokuba nosulelo kwelo ziko.
- (9) Yonke impahla yebhedi kunye neempahla ezimdaka zasesibhedlele zithathwa njengokungcola okosulelayo, ngoko ke mazingcinwe kwindawo ebekelwe oko kuphela yaye zisuswe eziwadini, ezipasejini nakuyo nayiphi enye indawo ekunyangelwa kuyo izigulane.

6. Iimfuno zomsebenzi

- (1) Kufuneka kubekho umgaqo-nkqubo wokulawulwa kwempahla yebhedi.
- (2) Imiyalelo yomsebenzi kunye neenkqubo ezilandelwayo;
- (3) Iindlela ezilandelwayo ukulawula iinkqubo zeziko;
- (4) Iinkqubo ezilawula umgangatho; kunye

- (5) Neenkqubo ezilandelwayo ukulawula impahla yebhedi (ecocekileyo/emdaka).
- (6) Kufuneka kubekho inkqubo ethile elandelwayo ejonge ngokukodwa ukulwa ngongcoliseko olusulelayo, yaye loo nkqubo inikwe abasebenzi abasebenza ngempahla yebhedi.
- (7) Umntu othathwa njengomlawuli wokuhlunjwa kweempahla makaqinisekise ukuba ziyalandelwa iimfuno ezinxulumene nokungcolisa, ucoceko olusempilweni lwasemsebenzini nakwimvelo, kubekho nesenzo esiya kuthathela amanyathelo nawuphi umngcipheko onxulumene nosuleleko okanye obunye ubungozi.
- (8) Kufuneka zibhalwe phantsi iinkqubo ezilandelwayo ngabasebenzi abathi badibane neendawo okanye impahla yebhedi esemngciphekweni omkhulu ukuze bakwazi ukusebenzisa iimpahla zokuzikhusela kunye nococeko olusempilweni lomntu ngamnye, yaye loo maxwebhu kufuneka abonise namanyathelo ekufuneka ethathwe ngaba basebenzi ukuzikhusela ukuba bangosuleleki.
 - (a) ukweza kwabo umsebenzi wabo ngokukoko;
 - (b) ukusebenza ngezinto ezinobungozi kwinkonzo yokuhlamba iimpahla;
 - (c) ukulandela iinkqubo ezilandelwayo (kuquka noncedo lokuqala) ezimalunga nokuthintela kwanokulawula usuleleko;
 - (d) ukusetyenziswa kweempahla zokuzikhusela kwanokulandela inkqubo ezilandelwayo ekulweni ungcoliseko olusulelayo; kunye
 - (e) nokusetyenziswa koomatshini bokuhlamba iimpahla, kuquka neendlela ezilandelwayo ekuqinisekiseni ukhuseleko gabalala.

7. Iimfuno zempilo gabalala

- (1) Eli ziko malisoloko ligcinwa licocekile, lingenamavumba mabi, nakuqokelelana kwenkukuma ethe saa, inkukuma elahlwa nje kwaneentlobo zonke zenkukuma.
- (2) Abasebenzi abacocayo mabaqeqeshwe yaye babe nolwazi olwaneleyo lweendlela zokucoca ezisetyenziswa kwiindawo ezahlukeneyo zelo ziko lezempilo.
- (3) Mazisoloko zikhona yaye zigcinwa kakuhle izinto zokucoca kunye neesephu zokuhlamba ezingamanzi ukwenzela ukuqinisekisa ngempilo yezemvelo kwelo ziko lezempilo.
- (4) Makubekho ishedyuli yokucoca egcinwayo yaye isoloko ilungiswa ngokunxulumene nokucocwa kwazo zonke iindawo ezicocwayo kwelo ziko.
- (5) Makubekho izinto zokucoca nezixhobo ezifanelekileyo zokucoca apho kwelo ziko.

IINDAWO EZINGADINGI SIQINISEKISO SEZEMPILO

ISIHLOMELO B: 1

IMIGANGATHO EBEKELWE AMASHISHINI OKUHLAMBA NOKULUNGISELELA IIMPAHLA

Izakhiwo zokuhlamba nokulungisa iimpahla mazilandele le migangatho yeMpilo yezeMvelo:

1. Ukuma kwesakhiwo

- (1) Ukuma kwendawo yokuhlamba iimpahla kunye nenkampani yezempilo ejongene nokulwa usuleleko; kwanokungcoliseka okusulelayo.
- (2) Akufunekanga imibhobho yamanzi amdaka aphuma kwindawo yokuhlamba iimpahla zeziko lezempilo iqhagamshelwe kwimibhobho yamanzi ezikhukula.

2. Izixhobo zokunika amanzi nogutyulo

- (1) Kufuneka iithoyilethi zibe zezigunxulwayo yaye zibe namanzi eetephu kunjalo nje zisoloko zinephepha lasethoyilethi, isephu nephepha lokusula izandla.

- (2) Zonke iisinki zokuhlambela izandla mazibe nesephu kunye nephepha lokusula izandla.
- (3) Kufuneka kubekho imibhobho yokuchitha amanzi amdaka kuye neyogutyulo, yaye ivunye ngumasipala waloo ndawo.

ISIHLOMELO B: 2.

IMIGANGATHO EBEKELWE IZIZA ZOKWAKHA KUNYE NEENDAWO ZOSHISHINO

Kufuneka iindawo zokwakha zilandele le migangatho ilandelayo:

1. Izixhobo zokunika amanzi nogutyulo

- (1) kUfuneka kubekho iithoyilethi ezaneleyo eziza kusetyenziswa ngabasebenzi abakhayo. Makubekho ubuncinane bethoyilethi enye (1) kunye nesinki yokuhlambela izandla ngeqela ngalinye labasebenzi abangamashumi amabini (20) (umyinge othi: 01:20). Ngaphezu koko, kufuneka kubekho ubuncinane bendawo yokuchama yamadoda ngeqela ngalinye labantu abangama-40 abangamadoda abakuloo ndawo (umyinge othi: 1:40). Ukuba kuqeshwe abasebenzi abangaphezu kwama-200 kuloo ndawo, makubekho ubuncinane bethoyilethi enye kunye nendawo yokuchama yamadoda enye (1), ukulungiselela iqela labantu abangama-50 ngalinye (umyinge othi: 1: 50);
- (2) Makubekho iindawo zokuhlamba ezinamanzi etephu, ezilungiselelwe abasebenzi, ngakumbi abasebenzi abasebenza ngepeyinti, izibulala-zinambuzane, njalo njalo.
- (3) Kufuneka iithoyilethi neendawo zokuhlambela zisoloko zigcinwa zicocekile.

2. Izakhiwo

Nanini na kulungiswa okanye kuphakwa ukutya kweli ziko, kufuneka izixhobo ezisetyenziselwe ukupheka, ukulungisa, ukugcina nokuhambisa ukutya zihambisane neemfuno ezifanelekileyo zeeMfuno zemiGaqo eLawula uCoceko oluseMpilweni kunye nokuThuthwa koKutya.

3. Ukulawulwa kwenkukuma namanzi amdaka

- (1) Kufuneka iinkampani zabucala zokuchithwa kwenkukuma (iindawo zokulahla inkukuma) okanye ugutyulo lwelindle zilawulwe ngendlela eyiyo kulandelwa imithetho ebekiweyo kunye nenemiqathango yeephemithi zokuqhuba iindawo zokulahla inkukuma kunye nogutyulo lwelindle.
- (2) Kufuneka izicwangciso zokulwa ungcoliso/inkukuma kufuneka ziquke uphononogo/uqwalaselo yaye kufuneka zifezekiswe ngokwendlela ezicwangciswe ngayo.
- (3) Kufuneka amanzi acwenge kugutyulo lwelindle okanye intlenge yogutyulo isetyenziswe ngokwezikhokelo zikazwelonke ezibekelwe ukunqanda ungcoliseko lomhlaba nolwamanzi.
- (4) Imibhobho yogutyulo lwelindle mayisoloko ilungiswa ukwenzela ukunqanda ukuxinga nokuchitheka okunokudala ungcoliso lwemvelo.
- (5) Abasebenzi abajongene neendawo zokuqhutywa kwemisebenzi yokucithwa kwamanzi amdaka mabaqeqeshelwe ukusebenza kwezo ndawo ngokukuko nangendlela engadali ngcoliseko.
- (6) Zonke iinkcukacha malunga nemisebenzi eyenzeka kwezi ndawo mazibhalwe phantsi, njengoko kubekiwe kwimiqathango yephemithi kunye nemithetho elawula oku.
- (7) Kufuneka zibhalwe phantsi iziphumo zeendawo zokuchitha amanzi acwengileyo aphuma kugutyulo lwelindle.
- (8) Izinto ezimdaka kunye nenkukuma ethe saa kufuneka kususwe kwindawo yokuchitha amanzi amdaka yaye izinto ezinokuphinda zisetyenziswe mazisotwe zize zisiwe kwindawo yokugcinwa nokuba kukanye ngemini, ukwenzela ukuthintela ukuvela kwemeko enobuzaza empilweni.
- (9) Inkukuma eyenziweyo mayilahlwe kwindawo yokulahla inkukuma yaye oko kwenziwe ngendlela elandela imithetho kamasipala yaloo masipala wendawo.

- (10) Udoti, intlenge kunye nenye inkukuma ethe saa kunye nenye inkukuma evela ekudilizweni okanye ekwakhiweni kweeprojekthi kufuneka zilahlwe kwindawo ethile apho kuloo ndawo yakhiwayo, oko kusenziwa nje okwethutyana, yaye loo ndawo kufuneka ilawulwe ngokuluqilima ize igqibele ngokulahlwa kwindawo yokulahlwa inkukuma.

ISIHLOMELO B: 3

IMIGANGATHO EBEKELWE IINDAWO ZEENDIBANO ZOLUNTU

Iindawo zeendibano zoluntu mazihambelane nemiGangatho yeMpilo yezeMvelo:

1. ULawulo lweNkukuma

- (1) Ulawulo lwenkukuma esendaweni maluhambelane nemithetho kamasipala yaloo Masipala weNdawo yaye kulawulwe nguloo masipala wendawo
- (2) Kufuneka kubekho imigqomo yenkukuma kwiindawo ezibalulekileyo kuyo yonke loo yadi ukwenzela ukuqokelela inkukuma.
- (3) Kufuneka kubekho indlela yokulawula inkukuma kuloo ndawo ngamathuba emicimbi, ukwenzela ukulawula izinto ezichithekileyo nezilahliweyo, ukwenzela ukunqanda uphazamiseko olunokuza noku.
- (4) Kufuneka kubekho amalungiselelo aza kubandakanya umlawuli womcimbi kunye noMasipala weNdawo, ngokunxulumene nendlela eza kulawulwa ngayo inkukuma ngethuba kuqhuba umcimbi, nasemva kwawo.

2. Ukunikwa kwamanzi okusela

- (1) Xa kukho umcimbi, kufuneka kubekwe amanzi kwiindawo ezibalulekileyo kuyo yonke loo ndawo inomcimbi.
- (2) Ukuba kusetyenziswa iitrakhi zamanzi ngethuba lomcimbi, kufuneka loo manzi anikwe ngokweSANS241 ka-2015, ehlaziyiweyo.

3. Ezogutyulo

- (1) Kufuneka kubekho amagumbi angasese kubekho neendawo zokuhlamba izandla zabantu ezaneleyo ezilungiselelwe abasebenzi kunye nezo zilungiselelwe uluntu ngokubanzi.
- (2) Kufuneka kuloo ndawo kubekho indlela efanelekileyo, esebenzayo yokuhambisa amanzi kunye nogutyulo lwelindle.

4. Kwimicimbi yethutyana

- (1) Ukuba kusetyenziswa iithoyilethi ezingembelwanga zethutyana, kufuneka kubekho indlela yokuzilungisa ngalo lonke eli thuba lomcimbi, ukwenzela ukuthinitela ukuxinga nokuvuza kwazo okunokubangela uphazamiseko kunye nobuzaza bezempilo obunokuvula; yaye
- (2) Kufuneka isayithi yesiza eso kuza kubanjelwa kuso umcimbi kwanohlobo logutyulo oluza kusetyenziswa ngethuba kuqhuba umcimbi kufuneka zifakwe kwiGosa leMpilo yezeMvelo

ISIHLOMELO B: 4

IMIGANGATHO EBEKELWE IINDAWO YOKUGCINA IZILWANYANA EZIYADINI

Iindawo ebekelwe ukugcina izilwanyana mayilandele oku kulandelayo: Loo ndawo akufunekanga idale luphazamiseko lwezempilo.

ISIHLOMELO B: 5**Izilwanyana ezixhelelwa ezenkolo, imicimbi nokuzityela**

- (1) Akufunekanga kubekho nyama okanye imveliso yesilwanyana efumaneka kwindawo yokuxhelela imicimbi yezenkubeko, ezamasiko, ezenkolo okanye ukuzityela eya kuthi ithengiselwe nabani na.
- (2) Kwimeko yokuxhelelal imicimbi yenkolo okanye yamasiko, kufuneka lowo ufaka isicelo asifake kumasipala wendawo, yaye kufuneka azise neGosa leMpilo yezeMvelo ukuze uvunywe lilo loo mcimbi.
- (3) Kufueka igazi kunye nezinye izinto ezilahlwayo eziphuma kuloo nto ixheliweyo zilahlwe ngendlela engayi kudala uphazamiseko kwezempilo.
- (4) Kufuneka kuthathwe amanyathelo okuqinisekisa ukuba akukho phazamiseko lwezempilo ludalwayo okanye lwenzekayo kuloo ndawo ngenxa yoko kuxhela.

ISIHLOMELO B: 6.**Iivenkile ezithengisa izilwanyana ezifuyelwa ukuzonwabisa kunye neendawo zokulungisa ubuhle bezilwanyana ezifuyiweyo**

Loo ndawo akufunekanga idale luphazamiseko lwezempilo.

ISIHLOMELO B: 7**IMIGANGATHO EBELWE IINTOLONGO, KUQUKA NEZISELE ZOKULINDELA EZISEZIKHULULWENI ZAMAPOLISA**

Iintolongo, kuquka nezisele zokulindela ezisezikhululweni zamapolisa, kufuneka zilandele le migangatho ilandelayo:

1. Ukuma kwesakhiwo

Izisele zokulindela kufuneka zigcinwe zicocekile, zingenankukuma ithe saa, zingenazinto zilahlwe phantsi kunye nomnye nje udoti yaye zigcinwe zikwimeko elungileyo.

2. Amagumbi angasese neendawo zokuhlambela

- (1) Kufuneka kubekho iithoyilethi ezaneleyo, iisinki zokuhlambela izandla kunye neeshawa ezaneleyo eziza kusetyenziswa ngabasebenzisi/ngamabanjwa.
- (2) Iithoyilethi mazisoloko zigcinwa zicocekile.

ISIHLOMELO B: 8**IMIGAQO EBELWE UMHLABA ONGABELWANGA MNTU**

Umhlaba ongabelwanga mntu akufunekanga udale luphazamiseko lwezempilo.

ISIHLOMELO B: 9**IMIGAQO EBELWE IZAKHIWO ZEEOFISI**

Akufunekanga izakhiwo zeeofisi kunye nezeendawo zokuhlala zidale uphazamiseko lwezempilo.

