

WATER BY-LAW

Approved by Council : 31 May 2006
C 32/05/06

Promulgated 1 September 2006
PG 6378; LA 18366

Provincial Gazette

Provinsiale Koerant

6378

6378

Friday, 1 September 2006

Vrydag, 1 September 2006

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

CONTENTS—(Continued)

INHOUD—(Vervolg)

	Page
City of Cape Town (Oostenberg Region): Rezoning and environmental assessment	1460
City of Cape Town (Oostenberg Region): Rezoning and environmental assessment	1461
City of Cape Town (Oostenberg Region): Rezoning and environmental assessment	1462
City of Cape Town (Oostenberg Region): Rezoning and environmental assessment	1463
City of Cape Town (Oostenberg Region): Closure, rezoning and environmental assessment	1464
City of Cape Town (Oostenberg Region): Closure, rezoning and environmental assessment	1465
City of Cape Town (Oostenberg Region): Closure, rezoning and environmental assessment	1466
City of Cape Town (Oostenberg Region): Closure, rezoning and environmental assessment	1467
City of Cape Town: (South Peninsula Region): Rezoning and departure	1468
City of Cape Town: (Tygerberg Region): Rezoning and departure	1469
City of Cape Town: Water By-law	1495
City of Cape Town: Wastewater and industrial effluent by-law	1558
Drakenstein Municipality: Rezoning and subdivision	1470
George Municipality: Subdivision	1471
George Municipality: Closure	1460
George Municipality: Closure	1461
George Municipality: Rezoning and departure	1472
George Municipality: By-law relating to overgrown premises	1481
George Municipality: By-law relating to the impoundment of animals	1484
Hessequa Municipality: Rezoning, subdivision and consolidation	1473
Hessequa Municipality: Consent use	1462
Hessequa Municipality: Rezoning and subdivision	1474
Hessequa Municipality: Subdivision	1463
Knysna Municipality: Subdivision	1475
Matzikama Municipality: Rezoning	1476
Mossel Bay Municipality: Subdivision	1477
Mossel Bay Municipality: Rezoning	1478
Mossel Bay Municipality: Rezoning, subdivision and consolidation	1479
Overstrand Municipality: Subdivision	1471
Prince Albert Municipality: Subdivision	1472
Prince Albert Municipality: Subdivision	1473
Stellenbosch Municipality: Rezoning and subdivision	1474
Stellenbosch Municipality: Rezoning and subdivision	1475
Stellenbosch Municipality: Rezoning and subdivision	1480
Stellenbosch Municipality: Rezoning and subdivision	1480
Swartland Municipality: Subdivision	1476
Swartland Municipality: Subdivision	1477
Swartland Municipality: Subdivision and rezoning	1478
Swartland Municipality: Subdivision	1479



	Bladsy
Stad Kaapstad: (Oostenberg Streek): Hersonerig en omgewingsimpakbepaling	1460
Stad Kaapstad: (Oostenberg Streek): Hersonerig en omgewingsimpakbepaling	1461
Stad Kaapstad: (Oostenberg Streek): Hersonerig en omgewingsimpakbepaling	1462
Stad Kaapstad: (Oostenberg Streek): Hersonerig en omgewingsimpakbepaling	1463
Stad Kaapstad: (Oostenberg Streek): Sluiting, hersonerig en omgewingsimpakbepaling	1464
Stad Kaapstad: (Oostenberg Streek): Sluiting, hersonerig en omgewingsimpakbepaling	1465
Stad Kaapstad: (Oostenberg Streek): Sluiting, hersonerig en omgewingsimpakbepaling	1466
Stad Kaapstad: (Oostenberg Streek): Sluiting, hersonerig en omgewingsimpakbepaling	1467
Stad Kaapstad: (Suidkiereiland Streek): Hersonerig en afwyking	1468
Stad Kaapstad: (Tygerberg Streek): Hersonerig en afwyking	1469
Stad Kaapstad: Waterverordening	1515
Stad Kaapstad: Verordening of afvalwater en nywerheidsuitvloeiing	1564
Drakenstein Munisipaliteit: Hersonerig en onderverdeling	1470
George Munisipaliteit: Onderverdeling	1471
George Munisipaliteit: Sluiting	1460
George Munisipaliteit: Sluiting	1461
George Munisipaliteit: Hersonerig en afwyking	1472
George Munisipaliteit: Verordening: Oorgroeide persele	1482
George Munisipaliteit: Verordening: insake die skut van diere	1487
Hessequa Munisipaliteit: Hersonerig, onderverdeling en konsolidasie	1473
Hessequa Munisipaliteit: Vergunningsgebruik	1462
Hessequa Munisipaliteit: Hersonerig en onderverdeling	1474
Hessequa Munisipaliteit: Onderverdeling	1463
Knysna Munisipaliteit: Onderverdeling	1475
Matzikama Munisipaliteit: Hersonerig	1476
Mosselbaai Munisipaliteit: Onderverdeling	1477
Mosselbaai Munisipaliteit: Hersonerig	1478
Mosselbaai Munisipaliteit: Hersonerig, onderverdeling en konsolidasie	1479
Overstrand Munisipaliteit: Onderverdeling	1471
Prins Albert Munisipaliteit: Onderverdeling	1472
Prins Albert Munisipaliteit: Onderverdeling	1473
Stellenbosch Munisipaliteit: Hersonerig en onderverdeling	1474
Stellenbosch Munisipaliteit: Hersonerig en onderverdeling	1475
Stellenbosch Munisipaliteit: Hersonerig en onderverdeling	1480
Stellenbosch Munisipaliteit: Hersonerig en onderverdeling	1480
Swartland Munisipaliteit: Onderverdeling	1476
Swartland Munisipaliteit: Onderverdeling	1477
Swartland Munisipaliteit: Onderverdeling en hersonerig	1478
Swartland Munisipaliteit: Onderverdeling	1479

CITY OF CAPE TOWN

WATER BY-LAW*To control and regulate water services in the City***ARRANGEMENT OF SECTIONS****Chapter 1: Definitions and General Provisions**

1. Definitions
2. Application and purpose of this by-law
3. Transitional arrangements
4. Powers of the Director: Water
5. Service levels
6. Appointment of authorised officials
7. Delegation
8. Entry upon water services facilities
9. Imminent emergencies and situations that require immediate action
10. Duties of the public
11. Recovery of costs
12. Compliance notices
13. Responsibility for compliance with this by-law.
14. Offences and penalties
15. Exemption from liability
16. Repeal
17. Appeals

Chapter 2: Provisions Relating to the Supply of Water

18. Unauthorised use of water
19. Application for supply of water
20. Special agreements for supply of water
21. Pipes in streets or public places
22. Fees
23. Termination of agreements
24. Interference with the water supply system
25. Obstruction of access to the water supply system
26. Provision of communication pipe
27. Interconnection between premises
28. Provision and position of isolating valves
29. General conditions of supply
30. Restriction or cutting-off of supply
31. Interruption of supply at owner's request
32. Removal of water connection
33. Metering of water supplied
34. Quantity of water supplied

35. Water supplied from municipal hydrants
36. Resale of water
37. Defective meters
38. Estimation of quantity of water supplied to consumer through defective meter
39. Adjustment of quantity of water supplied if meter is defective
40. Special measurement

Chapter 3: Water Restrictions and Water Conservation

41. Water restrictions
42. Wastage of water
43. Water conservation and demand management

Chapter 4: Water Services Intermediaries

44. Registration
45. Provision of water services
46. Charges for water services provided

Chapter 5: Plans Approval

47. Plans approval procedure
48. Extension of period of approval
49. Drawings
50. Copies of drawings to be kept on site
51. Unauthorised work

Chapter 6: Installation by Plumbers

52. Persons permitted to do installation and other work
53. Responsibilities of a property owner

Chapter 7: Disinfection

54. Disinfection of water installations, including storage tanks

Chapter 8: General Water Installation Requirements

55. Provision and maintenance of water installations
56. Schedule of accepted pipes and water fittings
57. Design criteria for water installations
58. Storage tanks
59. Prevention of pollution of water

Chapter 9: Fire Installations

60. Fire installations

Chapter 10: Miscellaneous Provisions Regarding Non-Potable Water

61. Use of water from other sources than the municipal water supply
62. Wells, boreholes, wellpoints and excavations
63. Notice of the sinking or digging of boreholes, wells and wellpoints
64. Supply of non-potable water by the municipality
65. Disclaimer in respect of non-potable water quality
66. Warning notices

Schedules

1. Repeal of by-laws
2. Water demand management
3. Pipes used to convey potable water

CHAPTER 1

DEFINITIONS AND GENERAL PROVISIONS

1. Definitions

In this by-law, unless the context otherwise indicates—

“**authorised official**” means an official of the municipality authorised by the City Manager to enforce the provisions of the by-law;

“**basic water supply**” means the minimum standards of water supply services necessary for the reliable supply of water to households to support life and personal hygiene prescribed in terms of the Water Services Act, No 108 of 1997 and the regulations promulgated in terms thereof;

“**borehole**” means a hole sunk into the earth for the purpose of locating, abstracting or using subterranean water; and includes a spring, well and wellpoint;

“**City**” means the area of jurisdiction of the municipality, demarcated in terms of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998);

“**City Manager**” means the person appointed by the council in the capacity of municipal manager;

“**connection pipe**” means a pipe, the ownership of which is vested in the municipality and installed by it for the purpose of conveying water from a main to a water installation, and includes a “communication pipe” referred to in SANS 10252: 2004 Part 1;

“**consumer**” means any person using water from any installation connected to a connection pipe which is supplied with water from a main;

“**council**” means the council of the municipality or any of the municipality’s other political structures, political office bearers, councillors, or staff members, duly authorised by delegation;

“**Credit Control and Debt Management Policy By-Law**”, means the Credit Control and Debt Management Policy By-Law, adopted by the council and published in the *Provincial Gazette*;

“**domestic purposes**” in relation to the supply of water means water supplied for drinking, ablution and culinary purposes to premises used solely for residential purposes;

“**Director: Water**” means the employee of the municipality in charge of the Water and Sanitation Services of the municipality;

“**health nuisance**” means a situation, or state of affairs, that endangers life or health or adversely affects the well-being or mental well-being of a person or community, or creates an environmental risk, and “health hazard” has a similar meaning;

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

“**JASWIC**” means the Joint Acceptance Scheme for Water Installation Components, to which the municipality subscribes;

“**main**” means a pipe, other than a communication pipe, the ownership of which is vested in the municipality and used by it for the purpose of conveying water to consumers;

“**meter**” means a device which measures the quantity of water passing through it;

“**municipality**” means the Municipality of the City of Cape Town;

“**occupier**” means a person who occupies any premises or part thereof, without regard to the title under which he or she occupies;

“**owner**” means—

- (a) the person in whom from time to time is vested the legal title to premises;
- (b) in a case where the person in whom the legal title to premises is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration and control of such premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
- (c) in any case where the council is unable to determine the identity of such person, a person who is entitled to the benefit of the use of such premises or a building or buildings thereon;
- (d) in the case of premises for which a lease agreement of 30 years or longer has been entered into, the lessee thereof;
- (e) the person who has purchased immovable property from the municipality, in terms of a scheme that allows for the purchase price to be paid in installments and who has not received transfer from the municipality;
- (f) in relation to—

- (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act 95 of 1986), the developer or the body corporate in respect of the common property, or
- (ii) a section as defined in such Act, the person in whose name such section is registered under a sectional title deed; and includes the lawfully appointed agent of such a person;

“**person**” includes a juristic person;

“**pollution**” means the direct or indirect alteration of the physical, chemical or biological properties of a water resource so as to make it—

- (a) less fit for any beneficial purpose for which it may reasonably be expected to be used; or
- (b) harmful or potentially harmful—
 - (i) to the welfare, health or safety of human beings;
 - (ii) to any aquatic or nonaquatic organisms;
 - (iii) to the resource quality; or
 - (iv) to property;

“**public notice**” means a notice published in a newspaper in at least two of the official languages in general use within the Province of the Western Cape and, where possible, the notice, must be published in a newspaper appearing predominantly in the language utilised in the publication of the notice;

“**publish**” means:—

- (a) to publish a notice in the *Provincial Gazette*, and
- (b) to provide interested parties with copies of such publication, and
- (c) to post the notice so published on the notice boards of the municipality.

“**prescribed charge**” means a fee, charge or tariff determined and imposed by the council in terms of the Tariff Policy By-law;

“**SABS**” means the South African Bureau of Standards referred to in the Standards Act, No. 29 of 1993;

“**SANS**” means a standard which has been set and issued by the SABS in terms of the provisions of the Standards Act, No. 29 of 1993;

“**service pipe**” means a pipe which is part of a water installation and is installed between the communication pipe and the meter;

“**storage tank**” means a tank forming part of a water installation and used for the storage of water, other than a cistern serving a water-closet pan or a urinal and a tank used for the storage of hot water;

“**Tariff Policy By-law**” means the tariff policy by-law promulgated by the council in terms of section 75 of the Local Government: Municipal Systems Act, No 32 of 2000, or pending such promulgation, a decision by the council in terms of section 75A of that Act to levy and recover fees, charges or tariffs.

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

“**water**” means potable water unless otherwise stated;

“**water conservation**” means the act of saving or using water in an efficient manner;

“**water installation**” means the pipes and water fittings which are situated on any premises and vested in the owner thereof and used or intended to be used in connection with the use of water on such premises, and includes—

- (a) a pipe and water fitting situated outside the boundary of the premises, which either connects to the communication pipe relating to such premises or is otherwise laid with the permission of the municipality, and also includes,
- (b) a ‘consumer installation’ as contemplated by the Water Services Act, No 108 of 1997 and the regulations promulgated in terms thereof;

“**water services**” or any part thereof, means the abstraction, conveyance, treatment and distribution of potable water, water intended to be converted to potable water or water for commercial and industrial use and includes sanitation services;

“**water services facility**” means any land on which there is infrastructure, installed or used by the municipality, or a catchment area in connection with the supply of water;

“**water services intermediary**” means any person who is obliged to provide water services to another in terms of a contract where the obligation to provide water services is incidental to the main object of that contract;

“**water supply system**” means the structures, aqueducts, pipes, valves, pumps, meters or other apparatus relating thereto which are vested in the municipality and are used or intended to be used by it in connection with the supply of water, and includes any part of the system; and

“**well point**” means a small diameter pipe jetted into unconsolidated sandy or gravelly formations, with a pump situated at ground level to lift and distribute the water.

2. Application and purpose of this by-law

- (1) This by-law binds an organ of state.
- (2) Unless the contrary is proved, a breach of this by-law committed on premises in respect of—
 - (a) the water installation, other than a provision relating to the use of water in the installation, shall be deemed to be a breach by the owner of the premises, and
 - (b) the use of water from a water installation shall be deemed to be a breach by the consumer.
- (3) No owner shall be required to comply with this by-law by altering a water installation or part thereof which was installed in conformity with any law applicable immediately before the date of commencement of this by-law.
- (4) Water is supplied in terms of the provisions of this by-law, but where in the opinion of the Director: Water it is not reasonably possible or cost effective to supply water in the manner contemplated by this by-law to each consumer within a particular area, the Director: Water may, in consultation with the official in charge of health services of the municipality, determine an alternative manner of water supply.
- (5) Where the Director: Water has determined an alternative manner of water supply in terms of subsection (6), this by-law will, to the extent necessary, apply to the supply of water to such area, subject however to such conditions as the Director: Water may determine.
- (6) Where the municipality makes use of an external water services provider, this by-law remains applicable and the council remains the regulating authority.

3. Transitional arrangements

- (1) If authority was given before the date of commencement of this by-law for installation work to be done, or if authorised work is in progress on such date, such work shall comply with any laws governing such work which were in force in the City prior to such date.
- (2) The Director: Water may, for a period of 90 days after the commencement of this by-law, give authority for installation work to be done in accordance with any laws governing such work which were in force in the City prior to such date.
- (3) Any agreement for the supply of water, entered into between the municipality and a consumer, who is not the owner of the premises concerned, prior to the promulgation of this by-law, will remain in force, until such time as
 - (a) the consumer vacates the premises, or
 - (b) there is a change in the title of the owner of the premises,whereafter the municipality will only enter into an agreement with the owner of the premises.

4. Powers of the Director: Water

- (1) If, in the opinion of the Director: Water, the water installation or a part thereof on a premises is so defective or in such a condition or position as to cause, or be likely to cause, waste or undue consumption of water, pollution of the water supply, or a health or safety hazard, the Director: Water may by notice in writing require the owner to comply with the provisions of this by-law within a specified period.
- (2) The Director: Water must consult the official in charge of health services of the municipality in all matters where there is a likelihood of a health hazard or environmental pollution.
- (3) If the Director: Water has reason to believe that a water installation may be defective in a way that may pose or become a health or safety risk to the occupants of the premises, he or she may require that the water installation be tested or disinfected at the cost of the owner.

5. Service levels

- (1) The council may, from time to time, and in accordance with national policy, but subject to principles of sustainability and affordability, by public notice, determine the service levels it is able to provide to consumers.
- (2) The council may in determining service levels differentiate between types of consumers, geographical areas and socio-economic areas.
- (3) The following levels of service may, subject to subsection (1), be provided by the municipality on the promulgation of these by-laws—
 - (a) communal water supply services—
 - (i) constituting the minimum level of service provided by the municipality;
 - (ii) consisting of reticulated standpipes or stationary water tank serviced either through a network pipe or a water tanker located within a reasonable walking distance from any household;
 - (iii) installed free of charge;
 - (iv) provided free of any charge to consumers, and
 - (v) maintained by the municipality.
 - (b) yard connection not connected to any water installation—
 - (i) consisting of an un-metered standpipe on a premises not connected to any water installation;
 - (ii) installed free of charge, and

(iii) maintained by the municipality.

- (c) a metered pressured water connection—
- (i) installed against payment of the prescribed charges;
 - (ii) provided against payment of the prescribed charges, and
 - (iii) with the water installations maintained by the consumer.

6. Appointment of authorised officials

The City Manager may appoint authorised officials.

7. Delegation

- (1) The City Manager may delegate any of his or her powers and duties in terms of this by-law to any official of the municipality.
- (2) The Director: Water may delegate any of his or her powers and duties to any official of the municipality.

8. Entry upon water services facilities

- (1) Every person who enters upon a water services facility, must comply with the instructions of the Director: Water for use and conditions of entry to the site, displayed by means of a notice at the entrance.
- (2) A person who does not comply with the contents of a notice at the entrance of a water services facility is guilty of an offence.

9. Imminent emergencies and situations that require immediate action

- (1) The Director: Water may, in cases of imminent emergencies or situations that require immediate action take any reasonable measures to prevent or eradicate such imminent emergencies or situations.
- (2) When an imminent emergency or situation as contemplated by subsection (1) occurs on private property, the Director: Water may—
 - (a) by written notice direct the owner to take such measures as may be deemed necessary to prevent or eradicate the imminent emergency or the situation, or
 - (b) in the event that the owner cannot be found or the owner fails to immediately comply with the requirements of the Director: Water, take such measures as may be deemed necessary to prevent or eradicate the imminent emergency or the situation.
- (3) In the event where the emergency emanates from a water installation the owner of such water installation is liable for the costs incurred by the municipality.
- (4) In the case of action taken as contemplated by paragraph (b) of subsection (2), the Director: Water reports the matter to the City Manager without delay.
- (5) If in the opinion of the Director: Water such action is necessary as a matter of urgency to prevent wastage of water, damage to property, danger to life or pollution of water, he or she may—
 - (a) without prior notice, cut off the supply of water to any premises, and
 - (b) enter upon such premises and do such emergency work, at the owner's expense, as he or she may deem necessary, and in addition by written notice require the owner to do such further work as he or she may deem necessary within a specified period.

10. Duties of the public

- (1) Every member of the public must, on becoming aware of any emergency, imminent situation that requires immediate attention or a situation that may give rise to the wastage of water or pollution, immediately inform the Director: Water.
- (2) Any person acting in terms of subsection (1) who does not wish to be identified, may request that his or her name not be disclosed in any subsequent action.

11. Recovery of costs

- (1) Every person committing a breach of the provisions of this by-law is liable to compensate the municipality for any loss or damage suffered or sustained by it in consequence of such breach.
- (2) The municipality may recover any costs reasonably incurred in taking any measures in terms of this by-law from any person who was under a legal obligation to take those measures, including—
 - (a) a person on whom a compliance notice was served;
 - (b) the owner of the premises concerned, or
 - (c) the consumer.
- (3) The City Manager may issue a cost order requiring a person who is liable to pay costs incurred in terms of subsection (1) to pay those costs by a date specified in the order and such order constitutes *prima facie* evidence of the amount due.

12. Compliance notices

- (1) When an authorised official finds that a provision of this by-law is contravened or that a condition has arisen that has the potential to lead to a contravention of this by-law, such authorised official may issue a compliance notice to the consumer or owner concerned or person who is contravening the provisions of this by-law.
- (2) A notice issued in terms of subsection (1) must state—
 - (a) the provision of the by-law that is being contravened or will be contravened if the condition is allowed to continue;
 - (b) the measures that must be taken to rectify the condition, and
 - (c) the time period in which the notice must be complied with.
- (3) If a person on whom notice was served in terms of subsection (2), fails to comply with the requirements of the notice, the Director: Water may take such steps as may be necessary to rectify the condition at the cost of the person responsible, or take any other action deemed necessary to ensure compliance.

13. Responsibility for compliance with this by-law.

- (1) The owner is responsible for ensuring compliance with this by-law in respect of all or any matters relating to the water installation and the maintenance thereof.
- (2) The consumer is responsible for compliance with this by-law in respect of matters relating to the use of any water.

14. Offences and penalties

Any person who—

- (a) contravenes or fails to comply with any provisions of this by-law;
- (b) fails to comply with any notice issued in terms of this by-law;
- (c) fails to comply with any lawful instruction given in terms of this by-law, or
- (d) obstructs or hinders any authorised representative or employee of the municipality in the execution of his or her duties under this by-law,

is guilty of an offence and liable on conviction to a fine.

15. Exemption from liability

The municipality shall not be liable for damages or compensation arising from anything done by it in terms of this by-law.

16. Repeal

The by-laws previously adopted by the council or its constituent predecessors in respect of any portion of the City, are hereby repealed, to the extent set out in Schedule 1 hereto.

17. Appeals

A person whose rights are affected by a decision taken in terms of a power or duty delegated or sub-delegated in terms of this by-law, may appeal against that decision in accordance with section 62 of the Local Government: Municipal Systems Act, No 32 of 2000.

CHAPTER 2**PROVISIONS RELATING TO THE SUPPLY OF WATER****18. Unauthorised use of water**

No person may use water from the water supply system—

- (a) unless an agreement referred to in section 19 or 20 has been concluded, or
- (b) except through a communication pipe provided in terms of section 26 or from a hydrant in terms of section 35, or
- (c) except through a metered water supply point specifically installed by the municipality for the supply of water.

19. Application for supply of water

- (1) Water from the water supply system will not be supplied to any premises unless the owner has applied to the municipality for a supply and such application has been agreed to.
- (2) An application for the supply of water approved by the Director: Water constitutes an agreement between the municipality and the owner and takes effect on the date referred to in the application.
- (3) The owner is liable for all the fees in respect of the supply of water, determined in terms of the Tariff Policy By-law, until the supply has been interrupted at the request of the owner or the agreement has been terminated in accordance with this by-law, and is deemed to be the consumer for all purposes during the currency of the agreement.

- (4) An application must contain at least the following information—
 - (a) a declaration that the applicant is aware of and understands the contents of the agreement;
 - (b) acceptance by the applicant of the provisions of this by-law and acceptance of liability for the cost of the supply of water until the agreement is terminated;
 - (c) the name of the applicant and his or her identity number;
 - (d) the address or erf number of the premises to or on which water is to be supplied;
 - (e) the address where accounts must be sent;
 - (f) the purpose for which the water is to be used;
 - (g) the agreed date on which the supply of water will commence, and
 - (h) an undertaking by the applicant to inform the municipality of any change in regard to any of the above.
- (5) Water is supplied subject to the provisions of this by-law and the conditions imposed by the Director: Water.
- (6) Where the purpose for, or extent to which, the water applied for in subsection (4)(f) is changed, the owner must promptly in addition to advising the municipality of the change, enter into a new agreement with the municipality.

20. Special agreements for supply of water

- (1) The council may enter into a special agreement for the supply of water to an applicant outside the City.
- (2) If the council, in terms of a special agreement, agrees to supply water to an applicant outside the City it may permit him or her to sell such water to other persons, subject to such conditions as it may deem fit.

21. Pipes in streets or public places

No person may for the purpose of conveying water derived from whatever source, lay or construct a pipe or associated component on, in or under a street, public place or other land owned by or under the control of the municipality, except with the prior written permission of the Director: Water and subject to such conditions as he or she may impose.

22. Fees

All fees payable and related to the supply of water by the municipality must be in accordance with the Tariff Policy By-law.

23. Termination of agreements

- (1) An owner may terminate an agreement for the provision of water services by giving the municipality not less than seven days' notice in writing of his or her intention to do so.
- (2) The Director: Water may, by notice in writing of not less than fourteen days, advise an owner of the termination of his or her agreement for the supply of water if—
 - (a) he or she has not used water during the preceding six months and has not made arrangements to the satisfaction of the Director: Water for the continuation of the agreement, or
 - (b) he or she has failed to comply with the provisions of this by-law and has failed to rectify such failure to comply following the issue of a notice, or
 - (c) he or she has failed to pay any fees due and payable in terms of the Tariff Policy By-law.
- (3) The Director: Water may terminate an agreement for the supply of water if the premises to which such agreement relates have been vacated.

24. Interference with the water supply system

Unless authorised in terms of this by-law, no person other than the municipality may—

- (a) manage, operate or maintain infrastructure for the provision of water services, or
- (b) effect a connection to the water supply system.

25. Obstruction of access to the water supply system

No person may prevent or restrict the access of officials of the municipality to the water supply system.

26. Provision of communication pipe

- (1) No person may commence any development on any premises unless the Director: Water has installed a connection pipe and meter.
- (2) If an agreement for a supply of water in respect of premises has been concluded and no communication pipe (or appropriately sized communication pipe) exists in respect of the premises, the owner shall make application on the prescribed form and pay the prescribed charge as determined in terms of the Tariff Policy By-law for the installation of such a pipe.
- (3) The Director: Water may determine—

- (a) the diameter of the communication pipe on information provided by the applicant at the time of the application;
 - (b) the position of the communication pipe;
 - (c) the point of termination of the communication pipe within the boundary of the land owned by the municipality, or over which it has a servitude or other right;
 - (d) the type of joint which must be used to effect the connection, and
 - (e) the material of which that portion of the water installation between the communication pipe and the owner's isolating valve, referred to in section 56, must be made, and the method of installation of such portion.
- (4) If an application is made for a supply of water to premises which are so situated that it is necessary to extend the water supply system in order to supply water to the premises, the Director: Water may agree to the extension subject to such conditions as he or she may impose.
 - (5) Unless otherwise stipulated by the Director: Water, the owner must, at own expense, effect the connection between the water installation and the communication pipe or pipes serving the premises.
 - (6) The owner must secure the portion of the water installation referred to in subsection (3)(e) against movement.
 - (7) Unless otherwise agreed to by the Director: Water, only one communication pipe may be provided to any premises, irrespective of the number of accommodation units, business units or consumers located on such premises.
 - (8) The Director: Water may agree, subject to such conditions as may be imposed, to a connection to a main other than that which is readily available for the provision of water supply to the premises; provided that the owner is responsible for any extension of the water installation to the connecting point designated and agreed to by the Director: Water and for obtaining at his or her cost, such servitudes over other property as may be necessary.
 - (9) No water installation will be supplied with water through a communication pipe which was installed to provide water for building construction purposes until the certificate of compliance referred to in section 53 has been received by the municipality and if no such certificate has been received, the Director: Water may, at his or her discretion and without prejudice to the municipality, disconnect or restrict the water supply to that water installation.
 - (10) If the Director: Water considers that the size of an existing communication pipe is unsuitable by reason of the quantity of water supplied to a premises, he or she may by written notice require the owner to pay the prescribed charges for the removal of the existing communication pipe and the installation of a communication pipe of a suitable size.
 - (11) (a) The Director: Water may by written notice, require the owner of premises which are divided into separately occupied units, to at own expense and within the period specified in the notice—
 - (i) alter the water installation serving any one unit so that it is separate from, and independent of, the water installation serving any other unit;
 - (ii) make application for a communication pipe to serve each unit, and
 - (iii) connect the water installation referred to in paragraph (i) to the communication pipe referred to in paragraph (ii).(b) The Director: Water may give the owner of the unit referred to in paragraph (a)(i) notice in writing that he or she is required to make application in terms of section 19 for a supply of water.
 - (12) If the Director: Water intends to replace a communication pipe, the Director: Water must give the owner concerned not less than ten working days' notice in writing of the date by which he or she will effect a connection between the water installation and the replacement communication pipe.
 - (13) Where premises are supplied by a number of communication pipes, the Director: Water may require the owner to reduce the number of connection points and alter the water installation accordingly.

27. Interconnection between premises

An owner of premises must ensure that no interconnection exists between the water installation on the premises and the water installation on other premises, unless the owner has obtained the prior written consent of the Director: Water and has complied with any conditions imposed by the Director: Water.

28. Provision and position of isolating valves

- (1) The Director: Water must install an isolating valve between every meter and the main.
- (2) The owner must, at own expense, and for his or her exclusive use, provide and install an isolating valve—
 - (a) in the case of a meter installed on the premises, at a suitable point on his or her side of the meter;
 - (b) in the case of a meter installed outside the premises, at a suitable point immediately inside the boundary of his or her premises, provided that the Director: Water may, on failure of the owner and at the owner's expense, provide and so install an isolating valve.
- (3) No person may without the approval of the Director: Water tamper with the isolating valve on the communication pipe.

29. General conditions of supply

- (1) The supply of water by the municipality does not constitute an undertaking to maintain at any time or at any point in its water supply system—
 - (a) an uninterrupted supply;
 - (b) a specific pressure or rate of flow in such supply, or
 - (c) a specific standard of quality of the water,provided that if the water supply to a consumer is interrupted for more than 24 hours, the municipality will endeavour to provide an alternative basic water supply as soon as reasonably possible.
- (2) The Director: Water may specify the maximum height to which water will be supplied from the water supply system.
- (3) If an owner requires an uninterrupted supply, a specific pressure or rate of flow or a specific standard of quality of water on the premises, the owner must make his or her own arrangements for compliance with such requirements.
- (4) The municipality may interrupt the supply of water to any premises without prior notice.
- (5) If in the opinion of the Director: Water the consumption of water on a premises adversely affects the supply of water to another premises, the Director: Water may apply such restrictions as he or she may deem fit to the supply of water to the first-mentioned premises in order to ensure a reasonable supply of water to the other premises, and must inform the owner and/or consumer of the first mentioned premises of such restrictions.

30. Restriction or cutting-off of supply

- (1) Subject to any other right the municipality may have, the City Manager may, if an owner has failed to pay a sum due in terms of the Tariff Policy By-law, by written notice inform him or her of the intention to restrict or cut off the supply of water on a specified date and to restrict or cut off such supply on or after that date.
- (2) Subject to any other right the municipality may have, the Director: Water may, if an owner has contravened this by-law and has failed to rectify such contravention within the period specified in a written notice served on him or her requiring him or her to do so; by written notice inform him or her of the intention to restrict or cut off his supply of water on a specified date and to restrict or cut off such supply on or after that date.
- (3) The consumer/owner must pay the fees for the restriction or cutting-off of supply and restoration of the water supply in terms of the Tariff Policy By-law: provided that all such fees are paid prior to the restoration of the water supply.
- (4) A consumer whose access to water supply services has been restricted or disconnected, who intentionally reconnects it, will on written notice be disconnected.

31. Interruption of supply at owner's request

- (1) The Director: Water may, at the written request of the owner and on the dates requested, if a property is vacant or unoccupied—
 - (a) cut off or restrict the supply of water to the premises, and
 - (b) restore the supply.
- (2) The owner must on approval of the request contemplated in subsection (1), pay the prescribed charges.

32. Removal of water connection

The Director: Water may disconnect a water installation from the communication pipe and remove the communication pipe if—

- (a) the agreement for supply has been terminated in terms of section 23 and the Director: Water has not received an application for a subsequent supply of water to the premises served by the pipe within a period of 90 days of such termination, or
- (b) the building on the premises concerned has been demolished, or
- (c) the owner or occupier has unlawfully interfered with the water supply system serving the premises concerned.

33. Metering of water supplied

- (1) Water supplied to a premises must pass through a meter, installed between the communication pipe and water installation in a position determined by the Director: Water, provided that a meter may be dispensed with in the case of—
 - (a) an automatic sprinkler fire installation;
 - (b) a fire installation in respect of which steps have been taken to detect unauthorised draw-off of water for purposes other than fire-fighting, or
 - (c) circumstances determined by the Director: Water.
- (2) A meter and its associated apparatus is provided and installed by the municipality, remains its property, and may be replaced when deemed necessary by the Director: Water.
- (3) The municipality may install a meter and associated apparatus—

- (a) at any point in the water installation serving the premises, and
 - (b) at any point in the connection pipe serving the premises.
- (4) A meter, installed in terms of subsection (3)(a), remains the property of the municipality.
- (5) If the municipality installs a meter together with its associated apparatus in a water installation in terms of subsection (3)(a), the owner—
 - (a) must provide an installation point approved by the Director: Water;
 - (b) must ensure that unrestricted access is available to it at all times;
 - (c) is responsible for its protection and liable for the costs arising from damage thereto; excluding damages arising from normal fair wear and tear;
 - (d) must ensure that no connection is made to the pipe in which the meter is installed, between the meter and the communication pipe serving the water installation;
 - (e) must make provision for the drainage of water which may be discharged from the pipe in which the meter is installed, in the course of work done by the municipality on the meter, and
 - (f) may not use, nor permit to be used, on any water installation, any fitting, machine or appliance which causes damage or in the opinion of the Director: Water, is likely to cause damage to the water supply system inclusive of the meter.
- (6) Only the municipality may—
 - (a) disconnect a meter and its associated apparatus from the pipe in which they are installed;
 - (b) break a seal on a meter, or
 - (c) in any other way interfere with a meter and its associated apparatus.
- (7) Any person contravening subsection (6) must pay the municipality the cost of such quantity of water as in the opinion of the Director: Water was supplied.
- (8) If the municipality installs a meter together with its associated fittings in accordance with subsection (3)(b), the service pipe is dispensed with and the water installation is deemed to commence at the connection to the communication pipe, such connecting joint being 150 mm inside the boundary on the land vested in the municipality or over which it has a servitude or other right.
- (9) The Director: Water may at the owner's expense, install or require the installation, of a meter or volume controlling device to each section, business or dwelling unit on any premises for use in determining the quantity of water supplied to each section, business or dwelling unit.
- (10) Any maintenance necessary in any portion of a service pipe that extends from the connection pipe of the premises to a meter and its associated fittings, situated within such premises, must be carried out by the Director: Water, notwithstanding that this section of pipe forms part of the water installation, provided that the owner must allow the Director: Water free access to this pipe and/or meter and be responsible for reinstatement of surroundings upon completion of repairs.
- (11) An occupier of a premises must, immediately upon detection of a leak in a service pipe or from the body of the meter or its associated fittings, inform the municipality, where such meter has been installed in accordance with subsection (3)(a).
- (12) If access to a meter, installed in terms of subsection (3)(a), is denied for reading purposes, the Director: Water may—
 - (a) upon written notice to the owner of the premises, inform him or her of the intention to install at the owner's cost, another meter in the connection pipe;
 - (b) render an account for the quantity of water consumed at such premises as measured on the meter installed in the connection pipe, and
 - (c) recover from the owner the cost of the meter rendered inoperable.
- (13) If access to a meter, installed in terms of subsection (3)(a), is denied for reading purposes, the owner is, during the period of such denial, liable for the cost of the water wasted should a leak develop on such meter and its associated fittings or become visible on the section of the service pipe within such premises, and measured by a meter installed in accordance with subsection (12)(a).
- (14) If an owner submits a plan to the municipality, in terms of section 47, for the approval of the erection of a boundary structure, and where the existing meter has been installed in accordance with subsection (3)(a), such owner shall be required upon the approval of such plan, to apply for and pay the relevant tariff to have such meter removed from his or her premises and a new meter installed in the connection pipe.
- (15) If an owner submits a plan, in terms of section 47, for the approval of alterations or extensions to an existing un-metered fire installation, such owner shall after assessment of the revised installation, and upon approval of such plan, apply for and pay the relevant tariff to have a meter as specified in size and type by the Director: Water, installed by the municipality as part of the connection to such premises.
- (16) If an owner submits a plan, in terms of section 47, for the approval of alterations and additions to an existing metered water installation, he or she shall after the assessment of the revised installation, and upon approval of the plan apply for and pay the relevant tariff to have a meter as specified in size and type by the Director: Water installed by the municipality as part of a connection to such premises.
- (17) If the Director: Water determines that provision be made for separate water connections for a potable water installation and a fire installation on the same premises, standard water meters may be installed on such connections.
- (18) If the Director: Water determines that a combined domestic water and fire installation, which includes hydrants, must supply a premises, a combination meter or other similar meter to detect low flow rates must be installed on such a connection.

- (19) A separate communication pipe must be laid and used for every automatic sprinkler system.
- (20) Where the owner, or person having the charge or management of any premises on which several accommodation units are situated, requires the supply of water to such premises for the purpose of supply to the different accommodation units, the Director: Water may, at his/her discretion, provide and install either—
- (a) a single meter in respect of the premises as a whole or any number of such accommodation units; or
 - (b) a separate meter, situated at the property boundary on the land vested in the municipality, for each accommodation unit or any number thereof.
- (21) Where the Director: Water has installed a single meter as contemplated in subsection (20)(a), the owner or the person having the charge or management of the premises, as the case may be, must install and maintain on each branch pipe extending from the communication pipe to the different accommodation units—
- (a) a separate meter; and/or
 - (b) an isolating valve, and
 - (c) will be liable to the municipality for payment of the prescribed charges for all water supplied to the premises through such a single meter, irrespective of the different quantities consumed by the different consumers served by such meter.

34. Quantity of water supplied

For the purpose of assessing the quantity of water supplied through a meter over a specific period, it must be deemed, unless the contrary can be proved, that—

- (a) the quantity is represented by the difference between readings of the meter taken at the beginning and end of such period;
- (b) the meter was registering correctly during such period, and
- (c) the entries in the records of the municipality were correctly made;

provided that if water is supplied or taken without its passing through a meter, the estimate by the Director: Water of the quantity of such water shall be deemed to be correct.

35. Water supplied from municipal hydrants

- (1) The Director: Water may permit a temporary supply of water to be taken from a fire hydrant, subject to such terms and conditions as he or she may prescribe.
- (2) A person who desires a temporary supply of water referred to in subsection (1) shall make application in the manner prescribed in section 19.

36. Resale of water

- (1) No person who is supplied with water in terms of this by-law may sell such water unless—
 - (a) provision has been made therefore in a special agreement referred to in section 20, or
 - (b) has obtained the prior written permission of the Director: Water.
- (2) If the Director: Water grants the permission referred to in subsection (1)(b), he or she may stipulate the maximum price, determined by council, at which the water may be sold and impose such other conditions as he or she may deem fit.
- (3) Permission referred to in subsection (1)(b) may be withdrawn at any time.

37. Defective meters

- (1) If a consumer has reason to believe that a meter is defective he or she may, against payment of the prescribed charges, make application for the meter to be tested.
- (2) The prescribed charge referred to in subsection (1) will be—
 - (a) retained by the municipality if the meter is found in terms of subsection (3) or (4) not to be defective, or
 - (b) refunded to the applicant if the meter is found to be defective.
- (3) A meter to which the regulations relating to water meters published under the Trade Metrology Act, 1973 (Act 77 of 1973) are applicable shall be deemed to be defective if, when tested in accordance with such regulations, it is found to have a percentage error in over-registration or under-registration greater than that permitted for a meter in use in terms of those regulations.
- (4) A meter to which the regulations referred to in subsection (3) are not applicable shall be deemed to be defective if it is found to have a percentage error in over-registration or under-registration greater than that allowed in SABS 1529:1999 Part 4 and SANS 1525:1999 Part 1, or its amendments.

38. Estimation of quantity of water supplied to consumer through defective meter

- (1) If a meter is found to be defective in terms of subsection 37(3) or (4), the Director: Water may estimate the quantity of water supplied to the

consumer concerned during the period in which, in his or her opinion, such meter was defective, on the basis of the average daily quantity of water supplied over—

- (a) a period between two successive meter readings subsequent to the replacement of the meter, or
- (b) a period in the previous year corresponding to the period in which the meter was defective, or
- (c) the period between three successive meter readings prior to the meter becoming defective,

whichever the Director: Water considers the most appropriate.

- (2) If the quantity of water supplied to a consumer during the period when the meter was defective cannot be estimated in terms of subsection (1), the Director: Water may estimate the quantity on any basis that is available.
- (3) The consumer must be informed of the method used by the Director: Water to estimate the quantity of water supplied to him or her, as contemplated in subsection (1) and (2) and given an opportunity to make representations to the Director: Water before a final estimate is arrived at.

39. Adjustment of quantity of water supplied if meter is defective

- (1) The adjustment of the quantity of water supplied through a defective meter shall be made for the period determined in terms of section 38.
- (2) For the purpose of adjusting the quantity of water in terms of subsection (1) it shall be deemed that the same quantity of water was supplied in each interval of twenty-four hours during the period referred to in subsection (1).
- (3) An owner shall not be entitled to a reduction of the amount payable for water wasted or lost in a water installation, due to visible leaks.

40. Special Measurement

- (1) If the Director: Water requires, for purposes other than charging for water consumed, to ascertain the quantity of water which is used in a part of a water installation, may, by written notice, advise the owner concerned of his or her intention to install a measuring device at any point in the water installation that he or she may specify.
- (2) The installation of a measuring device referred to in subsection (1), its removal, and the restoration of the water installation after such a removal will be carried out at the expense of the municipality.
- (3) The provisions of sections 33(5)(b) and 34(6) apply, insofar as they may be applicable, in respect of a measuring device that has been installed in terms of subsection (1).
- (4) The municipality may on receipt of a written notice from the owner and subject to arrangement of payment of the relevant prescribed charge, read the meter to ascertain the quantity of water supplied at a time, or on a day, other than upon which the meter would normally be read.

CHAPTER 3

WATER RESTRICTIONS AND WATER CONSERVATION

41. Water Restrictions

- (1) The council may by public notice, whenever there is a scarcity of water available to it for distribution and supply to consumers, or for any other good cause—
 - (a) prohibit or restrict the consumption of water in the whole or part of the City
 - (i) in general or for specified purposes;
 - (ii) during specified hours of the day or on specified days, and
 - (iii) in a specified manner, and
 - (b) determine and impose limits on the quantity of water that may be consumed over a specified period;
 - (c) impose restrictions or prohibitions on the use or manner of use or disposition of an appliance by means of which water is used or consumed, or on the connection of such appliances to the water installation, and
 - (d) invoke the special tariffs in respect of water restrictions, determined in terms of the Tariff Policy By-law .
- (2) The council may limit the application of the provisions of a notice contemplated in subsection (1) to specified areas and/or categories of consumer, premises and activities, and may permit deviations and exemptions from, and the relaxation of, any of such provisions on reasonable grounds, provided that there will be no deviation from the tariffs referred to in subsection (1)(d).
- (3) The Director: Water may order a consumer to, at the consumers own expense, take such measures, including the installation of meters and devices for restricting the flow of water, as may in his or her opinion be necessary to ensure compliance with a notice published in terms of subsection (1).
- (4) The Director: Water—
 - (a) may discontinue or, for such period as he or she may deem fit, limit the supply of water to any premises in the event of a failure to comply with the terms of a notice referred to in subsection (1), and

- (b) must, where the supply has been discontinued in terms of paragraph (a), restore it only when the fee for discontinuation and reconnecting the supply has been paid.
- (5) The provisions of this section shall also apply in respect of water supplied directly by the municipality to consumers outside the City, notwithstanding anything to the contrary in the conditions governing such supply, unless otherwise specified in the notice published in terms of subsection (1).
- (6) Any person contravening the provisions of a notice published in terms of subsection (1) is guilty of an offence.

42. Wastage of Water

- (1) No person may, in the opinion of the Director: Water, negligently, purposefully or wastefully—
 - (a) discharge water from terminal water fittings or permit such discharge;
 - (b) permit pipes or water fittings to leak;
 - (c) use water fittings that are incorrectly adjusted or defective or permit such use;
 - (d) permit an overflow of water to persist, or
 - (e) inefficiently use water or allow an inefficient use of water to persist.
- (2) An owner must repair or replace any part of the water installation which is in such a state of disrepair that, in the opinion of the Director: Water, it is either causing or is likely to cause an occurrence listed in subsection (1).
- (3) If an owner fails to comply with subsection (2), the Director: Water may take such measures as he or she may deem fit and recover the cost from the owner.
- (4)
 - (a) A consumer must ensure that any equipment or plant connected to the water installation uses water in an efficient manner.
 - (b) If in the opinion of the Director: Water, the use of water by any equipment in a water installation is inefficient or wasteful, the Director: Water may, by written notice, prohibit the use of such equipment.
- (5) When the use of equipment has been prohibited in terms of subsection (4)(b), such equipment shall not be returned to use until its efficiency has been restored and a written application to do so has been approved by the Director: Water.

43. Water Conservation and Demand Management

Any owner or consumer must comply with the good water conservation and demand management practices as set out in Schedule 2 of this by-law.

CHAPTER 4

WATER SERVICES INTERMEDIARIES

44. Registration

The council may by public notice require water services intermediaries or classes of water services intermediaries to register with the municipality in a manner specified in the public notice.

45. Provision of water services

- (1) Water services intermediaries must ensure that water services, including basic services as determined by the council, are provided to such persons it is obliged to provide with water services.
- (2) The quality, quantity and sustainability of water services provided by a water services intermediary must at least be of the same standards as provided by the municipality to consumers.

46. Charges for water services provided

- (1) A water services intermediary may not charge for water services at a price which does not comply with the norms and standards as may be set by the Director: Water.
- (2) A water services intermediary must provide subsidised water services, as determined by the council in terms of the Credit Control and Debt Management Policy By-Law and provided by the municipality to consumers at a price that is the same or less than the prescribed charges at which the municipality provides such services.

CHAPTER 5

PLANS APPROVAL

47. Plans approval procedure

- (1) If an owner wishes to install a new water installation, he or she must first obtain the written approval of the Director: Water on plans submitted for scrutiny; provided that approval shall not be required for the repair or replacement of an existing pipe or water fitting other than a fixed water heater and its associated protective devices, in which instance a notice of notification is required.
- (2) Application for the approval referred to in subsection (1) must be made on the prescribed form and be accompanied by—

- (a) the prescribed charge, and
 - (b) the prescribed number of copies of the drawings of the proposed work, as referred to in section 49.
- (3) The provisions of subsections (1) and (2) do not apply to a registered contractor who replaces a fixed water heater or its associated protective devices.
- (4) Authority given in terms of subsection (1) will, subject to section 48, lapse at the expiry of a period of 24 months after the first day of the month succeeding the month in which the authority was given.

48. Extension of period of approval

The Director: Water may, on written application by the owner, prior to the expiry of the original period concerned and subject to payment of the prescribed charge, from time to time extend the period of validity of approval given in terms of section 47 for a period not exceeding 12 months at a time and subject to such conditions as he or she may deem fit.

49. Drawings

- (1) Unless the Director: Water has in writing determined otherwise, drawings must be on sheets of a size not smaller than A4 and must provide information in the form required by Clause 4.1.1 of SANS 10252: 2004 Part 1, a copy of which may be obtained from the Director: Water.
- (2) If the details of the water installation on more than one floor of a building are identical, such details may be drawn for one floor only.
- (3) If more than one water installation is to be installed in a building, such installations may be shown on the same drawing, provided they are clearly differentiated.
- (4) A schedule must be provided with each drawing or set of drawings, indicating the number of each type of terminal water fitting and its nominal size.

50. Copies of drawings to be kept on site

Until receipt by the Director: Water of the certificate of compliance submitted in terms of section 53, a complete set of approved drawings of the installation work must at all times be available at the site of the work.

51. Unauthorised work

If installation work has been done in contravention of section 47, the Director: Water may by written notice require the owner of the premises concerned to comply with that section within a specified period, and if work is in progress, to cease the work, and may further require the owner to remove all such work which does not comply with this by-law.

CHAPTER 6

INSTALLATION BY PLUMBERS

52. Persons permitted to do installation and other work

- (1) No person, who is not qualified and accredited in terms of the South African Qualifications Authority Act, No. 58 of 1995, may—
 - (a) do installation work for which approval is required in terms of section 47;
 - (b) replace a fixed water heater or its associated protective devices;
 - (c) inspect, disinfect and test a water installation, fire installation or storage tank, or
 - (d) service, repair or replace a backflow preventer in terms of section 59.
- (2) The Director: Water may maintain a register of such qualified plumbers.

53. Responsibilities of a property owner

- (1) A property owner must ensure that the installation work done on his or her premises is carried out by a qualified plumber and complies with this by-law.
- (2) If installation work is being done in contravention of section 52, the Director: Water may by written notice require the owner of the premises concerned to cease such work until he or she has employed a qualified plumber to—
 - (a) inspect such work and rectify any part of it which does not comply with this by-law;
 - (b) test and disinfect the work in terms of section 54, and
 - (c) ensure that a certificate of compliance, stating that the work carried out complies with this by-law, is submitted to the Director: Water.

CHAPTER 7

DISINFECTION

54. Disinfection of water installations, including storage tanks.

- (1) An owner must cause a new water installation to be flushed with water from the water supply system until clear water discharges from every terminal water fitting.

- (2) If the pipe work of a water installation which is connected to a main becomes contaminated, it must be disinfected in accordance with SANS 10252:2004 Part 1.
- (3) The owner of a premises on which a storage tank is installed must, not less than once in every five years, cause such tank to be drained, inspected and disinfected, in accordance with SANS 10252:2004 Part1.
- (4) Notwithstanding the provisions of subsection (3)—
 - (a) the Director: Water may, if he or she is of the opinion that the water in the storage tank or in the water installation served by the tank is unsuitable for use, by written notice, require the owner to cause the tank to be drained forthwith and inspected, and
 - (b) if a tank has become submerged, or is in any way subjected to a condition which could cause the contents thereof to become polluted, the owner must forthwith cause the tank to be drained and inspected.
- (5) Before the tank or the water installation served by it referred to in subsection (3) is returned to use, it must be cleaned and disinfected in accordance with SANS10252: 2004 Part 1.

CHAPTER 8

GENERAL WATER INSTALLATION REQUIREMENTS

55. Provision and maintenance of water installations

- (1) An owner must provide and maintain the water installation at own cost and, except—
 - (a) in the case of a connection to a communication pipe, or
 - (b) where permitted in terms of section 21, and
 must ensure that the installation is within the boundary of the premises.
- (2) Before work is commenced in connection with the maintenance of a portion of the water installation which is situated outside the boundary of the premises, an owner must obtain the written consent of the Director: Water or the owner of the land on which such portion is situated, as the case may be.

56. Schedule of accepted pipes and water fittings

- (1) No person may install or use a pipe or water fitting in a water installation unless it is listed in the Schedule of Accepted Pipes and Water Fittings, and otherwise in accordance with conditions imposed in terms of Schedule 3.
- (2) Notwithstanding the provision of subsection (1) the Director: Water may for a specific use in a specific installation, permit the installation or use of a pipe or water fitting which is not included in the schedule.
- (3) The Director: Water may, in respect of any pipe or water fitting included in the schedule, impose such conditions as he or she may deem necessary in respect of the use or method of installation thereof.
- (4) The Director: Water may at any time remove a pipe or water fitting from the schedule if the pipe or water fitting-
 - (a) no longer complies with the criteria upon which its inclusion was based, or
 - (b) in his or her opinion, is no longer suitable for the purpose for which its use was accepted.
- (5) Copies of the current schedule are available at the office of the municipality during working hours.
- (6) A pipe or water fitting will not be included in the schedule referred to in subsection (1) unless it—
 - (a) bears the standardisation mark of the SABS in respect of the relevant SANS specification issued by the Bureau;
 - (b) bears a certification mark issued by the SABS to certify that the pipe or water fitting complies with an SABS Mark specification or a provisional specification issued by the SABS, provided that no certification marks shall be issued for a period exceeding two years;
 - (c) is included in the list of water fittings accepted by JASWIC, or
 - (d) is acceptable to the Director: Water.

57. Design criteria for water installations

- (1) An owner must ensure that—
 - (a) water installations comply with SANS 10252: 2004 Part 1 , or as it may be amended;
 - (b) hot water cylinder installations comply with SANS 10254: 2004 or as it may be amended;
 - (c) solar heated water installations comply with SANS 10106:1972 or as it may be amended;
 - (d) the storage of a minimum quantity of water, to be used for purposes other than fire-fighting or air-conditioning, is provided in accordance with Table 1;
 - (e) the storage of a minimum quantity of water to be used for flushing of water closets and urinals in commercial and industrial premises is provided in accordance with Table 2;

- (f) the design of storage tanks is in accordance with SANS 10252: 2004 Part 1 and with section 58;
 - (g) the use of pipes supplying water in any installation is in accordance with SANS 10252: 2004 Part 1 and with Annexure "3" or as it may be amended;
 - (h) immediately downstream of the isolating valve, referred to in section 28(2)(a) and (b), a non-return valve of similar size as the service pipe is installed, and
 - (i) where the efficiency of functional valves or terminal fittings may be compromised by the passing through of solid material that could block or damage the same, an in-line strainer is installed, in a position so as to allow easy maintenance.
- (2) The Director: Water may, on application by an owner and on payment of the prescribed charge determine and furnish the owner with the value of the pressure in the water supply system relating to his or her premises over such period as the owner may request.
- (3) If the Director: Water is of the opinion that a pipe or water fitting of a particular type is unsuitable for use in a particular situation, he or she may by written notice to the owner—
- (a) prohibit the use thereof, or
 - (b) require acceptable protective measures to be applied.
- (4) No person may connect to a water installation a water fitting or apparatus which causes or is likely to cause damage to the water supply system or another water installation as a result of pressure surges.

Type of Consumer	Storage Required
Hospitals, clinics, nursing homes, old-age homes and other buildings from which the occupants cannot readily be removed in the event of an interruption of the water supply.	250 litres for every bed which the building is designed to accommodate.
Educational institutions.	40 litres to 50 litres per capita
Multiple dwelling units exceeding height determined in terms of section 29(2), or exceeding three stories, whichever is the lower.	135 litres per dwelling unit.
Hotels, boarding houses and hostels.	90 litres for every person whom the building is designed to accommodate (including staff).
Restaurant kitchens (full meal preparation)	8 to 12 litres per meal prepared.
Hairdressers and dentist	4 hours demand per day.
Industry (storage for production purposes)	8 hours demand per day.

TABLE 2

Type of Consumer	Storage Required
Commercial premises (including shops and offices)	70 litres for every 100 sq metres of gross floor area.
Factories	5 litres per capita
Super stores (such as Hyper markets)	125 litres per WC Pan or 600mm of slab urinal
Educational Institutions	5 litre per capita

58. Storage Tanks

- (1) Any person who installs a storage tank must install it in such a position that its exterior and interior can readily be inspected, cleaned, and maintained, unless it is a concrete reservoir that is buried or partly sunk into the ground and has been designed, constructed and tested in accordance with SANS 10100-1 and SANS 1200-G where only the interior is accessible for inspection and cleaning.
- (2) No persons may without the written consent of the Director: Water cause or allow a tank, buried or placed in the ground, to be used for reception or storage of water supplied by the municipality.
- (3) Any person who uses a storage tank to store water of potable quality must ensure that—
- (a) it is of contamination proof design and in accordance with the requirements of the Director: Water;
 - (b) the overflow and vent of a contamination proof tank is screened to prevent the ingress of insects, animals, and other sources of pollution, and
 - (c) a contamination proof tank is totally enclosed with no other access to its interior, other than an access panel in its side to facilitate inspection and cleaning, which must be at a level where the tank cannot be used unless the access panel cover is in place.
- (4) Unless authorised in writing by the Director: Water, every boiler, steam kettle, or other apparatus for generating steam, gas producer, gas engine, or oil engine or any other apparatus in, or by which water supplied by the municipality is used must be supplied only through a cold water feed tank which utilizes an air gap to separate the incoming mains water from the contents of the tank.

59. Prevention of Pollution of Water

- (1) An owner must provide and maintain measures approved by the Director: Water to prevent the entry of a substance which may be a danger to health or adversely affect the potability of water into-

- (a) the water supply system, and
 - (b) any part of the water installation on his or her premises.
- (2) The Director: Water must approve the appropriate level of backflow prevention required in each instance.

CHAPTER 9

FIRE INSTALLATIONS

60. Fire Installations

- (1) An owner must ensure that—
 - (a) hose reel and hydrant installations comply with SANS 10252: 2004 Part 1, and
 - (b) automatic sprinkler systems comply with SANS 10287: 2000.
- (2) The Director: Water may grant or refuse an application for the connection of a fire extinguishing installation to the municipality's main.
- (3) No water will be supplied to any fire extinguishing installation without a certificate of approval issued in terms of section 53 and that the installation complies with the requirements of this by-law.
- (4) If the Director: Water is of the opinion that a fire extinguishing installation, which he has allowed to be connected to the municipality's main, is not being kept in proper working order, or is otherwise improperly maintained, or is being used for purposes other than fire fighting, he or she may either require the installation to be disconnected from the main or disconnect it, at the owner's expense.
- (5) Whenever it is necessary to boost the pressure of a fire installation, the owner must install a dual pipe system, one for fire extinguishing purposes and the other for general domestic purposes.
- (6) All pipes and fittings must be capable of handling pressures in excess of 1800 kPa, if that pressure could be expected when boosting takes place and must be capable of maintaining their integrity when exposed to fire conditions.
- (7) A separate connection pipe must be installed and used for every fire sprinkler extinguishing system.
- (8) The Director: Water determines whether automatic sprinkler systems must be metered.

CHAPTER 10

MISCELLANEOUS PROVISIONS REGARDING NON-POTABLE WATER

61. Use of water from other sources than the municipal water supply

- (1) No one may use, or permit to be used, any water obtained from a source other than the municipal water supply for domestic consumption, unless the water concerned has been approved by the Director: Water for that purpose and in accordance with the conditions determined by the Director: Water.
- (2) No person may connect a water supply obtained from any source other than the municipal water supply to any water distribution system without the prior written approval of the Director: Water, and then only in accordance with the conditions determined by the Director: Water.
- (3) Any owner of premises on which a water source is located, must within 14 days of being called upon to do so, provide the Director: Water with such particulars regarding the water source as may be required.
- (4) An owner of premises contemplated by subsection (3), must at own cost, on being called upon to do so, furnish the Director: Water with such certificates of analysis and bacteriological investigation in respect of water sources on those premises as may be required.
- (5) The Director: Water may withdraw any consent given in terms of subsection (1) if, in the opinion of the Director: Water—
 - (a) a condition imposed in terms of that subsection is breached, or
 - (b) the water no longer conforms to the requirements imposed by the Director : Water.
- (6) The provisions of this section do not exempt any person from complying with the applicable provisions of the National Water Act, 1998 (Act 36 of 1998) or any other relevant national legislation.

62. Wells, boreholes, wellpoints and excavations

Every owner of premises must ensure that any well, wellpoint, borehole or other excavation located on his or her premises—

- (a) is adequately safeguarded from creating a health nuisance, and
- (b) is not filled in a way, or with material, that may cause an adjacent well, borehole or underground source of water to become polluted or contaminated.

63. Notice of the sinking or digging of boreholes, wells and wellpoints

- (1) No one may sink or dig, or cause or permit to be sunk or dug, a well, wellpoint or borehole, unless the Director : Water is provided with at least 14 days' written notice of his or her intention to do so.
- (2) The notice contemplated in subsection (1) must state the proposed location and purpose for which the water is to be used.

- (3) If water obtained from a borehole or other source of supply on any premises is used for a purpose which gives rise to the discharge of such water or a portion thereof into the municipality's sewerage system, the owner must install a meter to the municipality's specification in the pipe leading from such borehole or other source of supply to the point or points where it is so used.
- (4) The council may, by public notice, require the owner of any premises within any area of the municipality upon which a borehole exists or, if the owner is not in occupation of such premises, the occupier to notify it of the existence of a borehole on such premises, and provide it with such information about the borehole that it may require.
- (5) The Director: Water, if he or she finds it necessary, may require that a study be undertaken at the cost of the owner in order to assess any impact the proposed well, wellpoint or borehole may have on the wellbeing of the community.

64. Supply of non-potable water by the municipality

- (1) The Director: Water may on application in terms of section 19 grant a supply of non-potable water to a consumer and at such conditions as he or she may deem fit.
- (2) Any supply of water granted in terms of subsection (1) may not be used for domestic or any other purposes which, in the opinion of the Director: Water, may give rise to a health hazard.

65. Disclaimer in respect of non-potable water quality

- (1) No warranty, expressed or implied, applies to the purity of any non-potable water supplied by the municipality or its suitability for the purpose for which the supply was granted.
- (2) The use of non-potable water is entirely at the risk of the consumer, and the municipality is not liable for any consequential damage or loss arising directly or indirectly therefrom.

66. Warning notices

- (1) An owner of premises, on which non-potable water is used, must ensure that every terminal water fitting and every appliance which supplies or uses the water is clearly marked with a weatherproof notice indicating that such water is unsuitable for domestic purposes.
- (2) In an area where treated sewage effluent is used, the consumer shall erect weatherproof notices in prominent positions warning that such water is not suitable for domestic purposes.
- (3) Every warning notice prescribed in terms of subsections (1) and (2) must be in the three official languages used in the province.

SCHEDULE 1

REPEAL OF BY-LAWS

Brackenfell Municipality	Water Supply By-law: PN 499/1970
Cape Town, City of	Water By-law: PN 30/1996
Cape Town, City of	Water Services By-law to Limit or Restrict the Use of Water, Provincial Gazette 5994 of 28 March 2003
Durbanville Municipality	Water By-law: PN 665/1968
Durbanville Municipality	Additional Water Supply By-law: PN 612/1994
Goodwood Municipality	Water By-law: PN 337/1991 as amended
Ikapa Town Council	Water Supply By-law: GN R1107/1984
Kraaifontein Municipality	Water By-law: PN 842/1960, as amended
Kraaifontein Municipality	Additional Water Supply By-law: PN 848/1979, as amended
Kuils River Municipality	Water By-law: PN 581/1962
Kuils River Municipality	Additional Water Supply By-law: PN 216/1978, as amended
Lingeletu-West Town Council	Water Supply By-law: GN R1107/1984
Llwandle Town Council	Water Supply By-law: GN R1107/1984
Mfuleni Town Council	Water Supply By-law: GN R1107/1984
Milnerton Municipality	Additional Water Supply By-law: PN 110/1982
Parow Municipality	Additional Water Supply By-law: PN 98/1930, as amended
Pinelands Municipality:	Water Supply By-law: PN 198/1924, as amended
Simon's Town Municipality	Water Supply By-law: PN 662/1954, as amended
Simon's Town Municipality	Additional Water Supply By-law: PN 663/1954
Simon's Town Municipality	Water Supply By-law: PN 1059/1975, as amended
Somerset West Municipality	Water Supply By-law: PN 310/1910, as amended
West Coast Peninsula Municipality	Water Supply By-law: PN 14/1997

SCHEDULE 2**WATER DEMAND MANAGEMENT**

1. No person may without prior written authority from the Director: Water, water a garden, sports field, park, or other grassed area using potable water, between the hours of 10:00 and 16:00.
2. Where a hosepipe is used to irrigate a garden, park, or sports field from a potable water source a controlling device such as a sprayer shall be attached to the hose end.
3. No person may without prior written authority from the Director: Water hose down a hard-surfaced or paved area using water from a potable source.
4. A hosepipe used for washing vehicles, boats, and caravans must be fitted with an automatic self-closing device.
5. Automatic top up systems using a float valve fed from a potable water source to supply swimming pools and garden ponds are not allowed.
6. Commercial car wash industries must recycle a minimum of 50% of the water used in operations.
7. Wash-hand basins provided in public facilities must be fitted with demand type taps.
8. Showers provided at public facilities must be fitted with demand type valves.
9. Potable water may not be used to dampen building sand and other building material to prevent it from being blown away.
10. Stand pipe draw-off taps must be at a height of at least 450 mm, measured above ground level.
11. The maximum flow rate from any tap installed in a wash hand basin may not exceed 6 litres per minute.
12. The maximum flow rate from any showerhead may not exceed 10 litres per minute.
13. Water closet cisterns may not exceed 9,5 litres in capacity.
14. No automatic cistern or tipping tank may be used for flushing a urinal
15. Within two years after the promulgation of this by-law all automatic flushing cisterns fitted to urinals, must be replaced with either manually operated systems or non-manual apparatus which causes the flushing device to operate after each use of such urinal.
16. Terminal water fittings installed outside any buildings other than a residential dwelling must—
 - (a) incorporate a self-closing device, or
 - (b) have a removable handle for operating purposes, or
 - (c) be capable of being locked to prevent unauthorized use, or
 - (d) be of a demand type that limits the quantity of water discharged in each operation.
17. Water Audit
 - (a) Major water users (those using more than 3 650 kilolitres per annum), excluding those comprising multiple dwelling units, must undertake an annual water audit. The audit must be carried out no later than two weeks after the end of each financial year of the municipality. The audit report must be available for inspection by officials from the Department of Water Affairs and Forestry, the Water Board (where applicable) and the municipality.
 - (b) The audit must detail the following—
 - (i) amount of water used during a financial year;
 - (ii) amount paid for water for the financial year;
 - (iii) number of people living on the stand or premises;
 - (iv) number of people permanently working on the stand or premises;
 - (v) comparison of the above factors with those reported in each of the previous three years (where available);
 - (vi) seasonal variation in demand (monthly consumption figures);
 - (vii) details of water pollution monitoring methods;
 - (viii) details of current initiatives to manage their demand for water;
 - (ix) details of plans to manage their water demand;
 - (x) comparison of the above factors with those reported in each of the previous three years (where available), and
 - (xi) estimate of consumption by various components in use.
18. No person may allow water, used as a heat-exchange medium in any equipment or plant and supplied from a water installation, to run continuously to waste except for maintaining a prescribed level of total dissolved solids in a recirculating plant.

SCHEDULE 3**PIPES USED TO CONVEY POTABLE WATER****Copper Pipes**

Class 0 and Class 1 copper pipes may not be used in underground applications unless suitably protected in a sleeve.

Class 0 copper pipes may not be bent, flared, or have their ends expanded and formed in to a sleeve for capillary-type soldering.

Copper pipes may not be bronzed, welded or silver brazed.

Plastic Pipes (Polyethylene, Polypropylene, Polyvinyl)

Plastic pipe may not be used in fire or combined fire/domestic installations in an above ground position.

Plastic pipes conveying potable water must be protected from sunlight.

Plastic pipes may not be used in a position where permeation of gas or other chemical substance may cause contamination of the water conveyed in it, unless it is suitably protected in an impervious sleeve.

Where plastic pipe is used to convey hot water from a fixed hot water cylinder installation, the first 1,5 metres of piping on the outlet side of the cylinder must be in copper.

Black Steel Pipes

Black mild steel pipe and its associated fittings may not be used to convey water in domestic installations, unless it is suitably treated and coated on the inside, and shall also not be installed in the fire installation section of a combined installation, in such a manner which could compromise the potability of the water in the domestic installation section of such a combined installation.

Galvanised mild steel pipes and water fittings may not be used in installations which are connected to the municipality's main, and are supplied with water from it.

Any pipe conveying water from a main may not be installed as an integral part of a concrete structure.

1 September 2006

18366

STAD KAAPSTAD**WATERVERORDENING**

Om waterdienste in die Stad te beheer en reguleer

INDELING VAN ARTIKELS**Hoofstuk 1: Woordbepaling en Algemene Bepalings**

1. Woordbepaling
2. Toepassing van hierdie verordening
3. Oorgangsmatreëls
4. Magte van die Direkteur: Water
5. Diensvlakke
6. Aanstelling van gemagtigde beamptes
7. Delegasie
8. Betreding van 'n waterdienstefasiliteit
9. Dreigende noodgevalle en toestande wat dringende aandag verg
10. Plig van die publiek
11. Verhaal van koste
12. Voldoeningskennisgewings
13. Verantwoordelikheid om hierdie verordening na te kom
14. Misdrywe en strafbepaling
15. Nie-aanspreeklikheid
16. Herroeping
17. Appelle

Hoofstuk 2: Bepalings in verband met die voorsiening van water

18. Ongemagtigde gebruik van water

19. Aansoek vir die lewering van water
20. Spesiale ooreenkomste vir watervoorsiening
21. Pype in strate of openbare plekke
22. Fooie
23. Beëindiging van ooreenkomste
24. Inmenging met die watervoorsieningstelsel
25. Belemmering van toegang tot die watervoorsieningstelsel
26. Voorsiening van verbindingspyp
27. Aansluitings tussen persele
28. Voorsiening en plasing van afsluitkraan
29. Algemene voorsieningsvoorwaardes
30. Beperking of afsny van toevoer
31. Onderbreking van toevoer op versoek van eienaar
32. Verwydering van wateraansluiting
33. Meting van water wat voorsien word
34. Hoeveelheid water wat voorsien word
35. Watervoorsiening met 'n munisipale brandkraan
36. Herverkoop van water
37. Foutiewe meters
38. Beraming van hoeveelheid water gelewer met foutiewe meter
39. Aanpassing van hoeveelheid water gelewer met foutiewe meter
40. Spesiale meting

Hoofstuk 3: Waterbeperkings en Waterbewaring

41. Waterbeperkings
42. Vermorsing van water
43. Waterbesparing en wateraanvraagbestuur

Hoofstuk 4: Waterdienstetussengangers

44. Registrasie
45. Verskaffing van waterdienste
46. Fooie vir die verskaffing van waterdienste

Hoofstuk 5: Goedkeuring van Planne

47. Prosedure vir die goedkeuring van planne
48. Verlenging van tydperk van goedkeuring
49. Tekeninge
50. Afskrifte van tekeninge moet op die perseel beskikbaar wees
51. Ongemagtigde werk

Hoofstuk 6: Installasie deur Loodgieters

52. Persone wat toegelaat word om installasie- en ander werk te doen
53. Verantwoordelikhede van 'n eienaar

Hoofstuk 7: Ontsmetting

54. Ontsmetting van waterinstallasies, insluitende opgaartenke

Hoofstuk 8: Algemene Vereistes vir Waterinstallasies

55. Voorsiening en onderhoud van waterinstallasies
 56. Skedule van aanvaarbare pype en watertoebehore
 57. Ontwerpkriteria vir waterinstallasies
 58. Opgaartenke
 59. Voorkoming van waterbesoedeling

Hoofstuk 9: Brandinstallasies

60. Brandinstallasies

Hoofstuk 10: Verskeie Bepalings Insake Nie-Drinkbare Water

61. Gebruik van water uit ander bronne as die munisipale watervoorsiening
 62. Putte, boorgate, syfergate en uitgrawings
 63. Kennisgewing van sink of grawe van boorgate, putte en syfergate
 64. Voorsiening van nie-drinkbare water deur die munisipaliteit
 65. Vrywaring ten opsigte van die kwaliteit van nie-drinkbare water
 66. Waarskuwingskennisgewings

Bylaes

1. Herroeping van verordenige
 2. Wateraanvraagbestuur
 3. Pype wat gebruik word om drinkwater te gelei

HOOFSTUK 1**WOORDBEPALING EN ALGEMENE BEPALINGS****1. Woordbepaling**

In hierdie verordening, tensy dit uit die samehang blyk dat 'n ander betekenis bedoel word, beteken—

“**aansluitingspasstuk**” ’n waterpasstuk aan die uitlaat van ’n waterinstallasie wat die vrystelling van water daaruit beheer;

“**basiese watervoorsiening**” die minimum standaard van watervoorsieningsdienste wat nodig is vir die betroubare voorsiening van ’n toereikende hoeveelheid en gehalte water aan huishoudings, om lewe en persoonlike higiëne te verseker, voorgeskryf deur die Wet op Waterdienste, Nr. 108 van 1997 en die regulasies daarkragtens uitgevaardig;

“**besoedeling**” die direkte of indirekte verandering van die fisiese, chemiese of biologiese eienskappe van ’n waterhulpbron ten einde dit—

- (a) minder geskik te maak vir enige voordelige doel waarvoor dit redelikerwys verwag kan word om gebruik te word; of
 (b) skadelik of potensieel skadelik te maak—
 (i) vir die welsyn, gesondheid of veiligheid van mense;
 (ii) vir enige water- of nie-waterorganismes;
 (iii) vir die hulpbrongehalte; of
 (iv) vir eiendom;

“**boorgat**” ’n gat wat in die grond gesink is met die doel om water op te spoor, te onttrek of om onderaardse water te gebruik en omvat dit ook ’n fontein, put en ’n syfergat;

“**dienspyp**” ’n pyp wat deel uitmaak van ’n waterinstallasie en wat die kommunikasiepyp met die meter verbind;

“**Direkteur: Water**” ’n werknemer van die munisipaliteit wat aan die hoof staan van die Direkoraat Water en Reinigingsdienste van die munisipaliteit;

“eienaar”—

- (a) die persoon in wie die eiendomsreg ten opsigte van ’n perseel van tyd tot tyd setel;
- (b) in ’n geval waar die persoon, in wie die eiendomsreg van ’n perseel setel, insolvent of oorlede is, of wat vir welke rede ookal regsonbevoegd is, die persoon by wie die bevoegdheid as kurator, trustee, eksekuteur, administreerder, geregtelike bestuurder, likwidateur of ander regsverteenvoorder vir die administrasie en bestuur van die perseel berus;
- (c) in enige geval waar die munisipaliteit nie die identiteit van so ’n persoon kan vasstel nie, ’n persoon wie geregtig is op die voordeel van die gebruik van sodanige perseel of gebou of geboue daarop;
- (d) in die geval van ’n perseel ten opsigte waarvan ’n huurooreenkoms vir ’n tydperk van 30 jaar of langer aangegaan is, die huurder daarvan;
- (e) die persoon wie onroerende eiendom van die munisipaliteit gekoop het ingevolge ’n skema waar die koopprys in paaiemente betaal word, maar oordrag van eiendomsreg nog nie plaasgevind het nie;
- (f) ten opsigte van—
 - (i) ’n stuk grond afgebaken op ’n deelplan wat ingevolge die Wet op Deeltitels, Nr 95 van 1986, geregistreer is, die ontwikkelaar of die regspersoon ten opsigte van die gemeenskaplike eiendom, of
 - (ii) ’n gedeelte soos omskryf in die gemelde Wet, die persoon in wie se naam sodanige gedeelte ingevolge ’n deeltitelakte geregistreer is, en omvat dit die regmatig aangestelde verteenwoordiger van sodanige persoon;

“gemagtigde beampte” ’n amptenaar van die munisipaliteit wat deur die Munisipale bestuurder gemagtig is om die bepalings van hierdie verordening toe te pas;

“gesondheidsoorlas” ’n toestand of gebeurlikheid wat lewe of gesondheid bedreig of die welsyn of geesteswelsyn van ’n persoon of gemeenskap nadelig bedreig, of wat ’n omgewingsrisiko daarstel, en ’n gesondheidsgevaar het ’n soortgelyke betekenis;

“hoofwaterpyp” ’n pyp, uitgesluit ’n kommunikasiepyp, waarvan die eiendomsreg by die munisipaliteit berus en wat gebruik word om water aan verbruikers te voorsien;

“huishoudelike doeleindes” in verband met watervoorsiening, die voorsiening van water vir drink-, was- en kookdoeleindes aan ’n perseel wat uitsluitlik vir woondoeleindes gebruik word;

“installasiewerk” werk in verband met die konstruksie van of uitgevoer ten opsigte van ’n waterinstallasie;

“JASWIC” “Joint Acceptance Scheme for Water Installation Components” wat deur die munisipaliteit onderskryf word;

“Kredietbeheer en Skuldinvorderingsbeleidverordening” die Kredietbeheer en Skuldinvorderingsbeleidverordening, deur die raad aangeneem en afgekondig in die *Provinsiale Koerant*;

“meter” ’n toestel om die hoeveelheid water wat daardeur vloei te meet;

“munisipaliteit” die Munisipaliteit van die Stad Kaapstad;

“okkupeerder” ’n persoon wat ’n perseel of deel daarvan bewoon, ongeag die titel waaronder hy of sy dit okkupeer;

“openbare kennisgewing” ’n kennisgewing in ten minste twee van die amptelike tale van die Wes-Kaap Provinsie, gepubliseer in ’n koerant en waar moontlik gepubliseer in ’n koerant wat oorwegend verskyn in die taal waarin in die kennisgewing opgestel is;

“opgaartenk” die tenk wat deel uitmaak van ’n waterinstallasie en wat gebruik word vir die opgaar van water, maar omvat nie ’n spoelbak vir ’n toilet of urinaal of ’n warmwatersilinder nie;

“persoon” ook ’n regspersoon;

“publiseer”—

- (a) om ’n kennisgewing in die *Provinsiale Koerant* te plaas;
- (b) om kopieë van so ’n kennisgewing aan belange groepe te besorg; en
- (c) om ’n kennisgewing op kennisgewingborde van die munisipaliteit aan te bring;

“raad” die raad van die munisipaliteit of enige van die munisipaliteit se ander politieke strukture, politieke ampsbekleërs, raadslede, of personelede, behoorlik deur delegasie gemagtig;

“SABS” die Suid-Afrikaanse Buro vir Standaarde, waarna verwys word in die Wet op Standaarde, Nr 29 van 1993;

“SANS” ’n standaard wat gestel en uitgereik is deur die SABS, ingevolge die bepalings van die Wet op Standaarde, Nr 29 van 1993;

“Stad” die regsgebied van die munisipaliteit, afgebaken ingevolge die Wet op Plaaslike Regering: Munisipale Afbakening, 1998 (Wet Nr. 27 van 1998);

“Stadsbestuurder” die persoon wat deur die raad as munisipale bestuurder aangestel is;

“syfergat” ’n pyp met ’n klein omtrek wat in los sand- of gruisformasies ingespuut is en waaraan ’n pomp op grondvlak aangebring is vir die ontrekking en verspreiding van water;

“**Tariefbeleidverordening**”, die Tariefbeleidverordening wat deur die raad ingevolge artikel 75 van die Wet op Plaaslike Regering: Munisipale Stelsels, Nr 32 van 2000 afgekondig is, of in afwagting van sodanige afkondiging, ’n besluit van die raad om ingevolge artikel 75A van daardie wet gelde, kostes of tariewe te hef en in te vorder;

“**verbindingspyp**” ’n pyp, waarvan die eiendomsreg by die munisipaliteit berus en wat deur die munisipaliteit installeer is met die doel om water vanaf ’n hoofwaterpyp na ’n waterinstallasie te gelei en omvat dit ’n “kommunikasiestruktuur” waarna in SABS 0252, Deel 1 verwys word;

“**verbruiker**” enige persoon wat water van enige installasie gebruik, wat aan ’n verbindingspyp gekoppel is en wat deur water vanaf ’n hoofwaterpyp voorsien word;

“**voorgeskrewe fooi**” gelde, kostes of tariewe deur die raad bepaal en gehef ingevolge die Tariefbeleidverordening;

“**water**” drinkwater, tensy anders gemeld;

“**waterbesparing**” die handeling om water doeltreffend te gebruik en te bespaar;

“**waterdienste**” of enige gedeelte daarvan, die onttrekking, vervoer, behandeling en verspreiding van drinkbare water, water wat bedoel is om in drinkbare water omskep te word of water vir kommersiële en nywerheidsgebruik en sluit reinigingsdienste in;

“**waterdienstefasiliteit**” enige grond met infrastruktuur daarop, wat deur die munisipaliteit aangebring of gebruik word, of ’n opvangsgebied wat vir die voorsiening van water gebruik word;

“**waterdienstetussenganger**” ’n persoon wat ingevolge ’n kontrak verplig is om waterdienste aan ’n ander persoon te verskaf waar die verpligting om waterdienste te verskaf bykomend is by die hoofdoel van daardie kontrak;

“**waterinstallasie**” die pype en watertoebehore geleë op enige perseel, waarvan die eiendomsreg by die eienaar daarvan berus, wat gebruik word of bestem is om gebruik te word vir waterverbruik op sodanige perseel en omvat dit ’n pyp en watertoebehore geleë buite die grens van die perseel, wat of aansluit by ’n verbindingspyp ten opsigte van sodanige perseel of wat met die toestemming van die munisipaliteit gelê is en omvat dit ook ’n verbruikersinstallasie, soos bedoel in die Wet op Waterdienste, Nr 108 van 1997; en

“**watervoorsieningstelsel**” die strukture, waterleidings, pype, kleppe, pompe, meters en ander apparaat wat daarmee verband hou, waarvan die eiendomsreg by die munisipaliteit berus en wat gebruik word by die voorsiening van water en omvat dit enige deel van die stelsel;

2. Toepassing van hierdie verordening

- (1) Hierdie verordening is ook van toepassing op ’n staatsorgaan
- (2) Tensy die teendeel bewys word, word ’n oortreding van hierdie verordening wat op ’n perseel begaan word, geag ’n oortreding te wees deur die—
 - (a) eienaar van die perseel, indien die oortreding betrekking het op die waterinstallasie, uitgesluit die gebruik van water in die installasie, en
 - (b) verbruiker, indien die oortreding betrekking het op die gebruik van water in die waterinstallasie.
- (3) ’n Eienaar het nie nodig om ’n waterinstallasie of deel daarvan aan te pas om aan hierdie verordening te voldoen nie, indien sodanige installasie in ooreenstemming was met enige toepaslike wet wat van toepassing was, voor die inwerkingtreding van hierdie verordening.
- (4) Water word voorsien kragtens die bepalings van hierdie verordening, maar waar die Direkteur: Water van mening is dat dit nie redelik moontlik of koste effektief is om aan elke verbruiker in ’n besondere gebied water te voorsien, op die manier soos deur hierdie verordening beoog nie, kan die Direkteur: Water, in oorleg met die amptenaar in beheer van gesondheidsdienste van die munisipaliteit, ’n alternatiewe manier van watervoorsiening bepaal.
- (5) Indien die Direkteur: Water ingevolge subartikel (6) ’n alternatiewe manier van watervoorsiening bepaal het, sal hierdie verordening, sover nodig, van toepassing wees om water aan sodanige gebied te voorsien, onderworpe aan sodanige voorwaardes as wat die Direkteur: Water mag bepaal.
- (6) Indien die munisipaliteit besluit om gebruik te maak van ’n eksterne diensverskaffer vir die voorsiening van water, bly hierdie verordening van toepassing en bly die raad die regulerende owerheid.

3. Oorgangsmatreëls

- (1) Indien goedkeuring vir installasiewerk verleen is voor die datum waarop hierdie verordening in werking tree, of indien goedgekeurde werk op sodanige datum aan die gang is, moet sodanige werk voldoen aan die wette wat ten opsigte van sodanige werk in die Stad van krag was voor sodanige datum.
- (2) Die Direkteur: Water kan vir ’n tydperk van 90 dae na die datum waarop hierdie verordening in werking tree, goedkeuring verleen vir installasiewerk ooreenkomstig die wette wat ten opsigte van sodanige werk in die Stad van krag was voor sodanige datum.
- (3) Enige ooreenkoms vir die lewering van water, wat voor die inwerkingtreding van hierdie verordening aangegaan is tussen die munisipaliteit en ’n verbruiker, wat nie die eienaar van die betrokke perseel is nie, bly van krag totdat—
 - (a) die verbruiker die perseel ontruim, of
 - (b) daar ’n verandering in eiendomsreg van die perseel is,

waarna die munisipaliteit slegs ’n ooreenkoms met die eienaar van die perseel sal aangaan.

4. Magte van die Direkteur: Water

- (1) Indien die waterinstallasie op 'n perseel of gedeelte daarvan volgens die Direkteur: Water se mening so gebrekkig of in so 'n toestand is dat dit watervermorsing of onnodige watergebruik, besoedeling van die watertoevoer, of 'n gesondheids- of veiligheidsrisiko veroorsaak of waarskynlik sal veroorsaak, kan die Direkteur: Water die eienaar skriftelik gelas om binne 'n bepaalde tydperk aan die bepalings van hierdie verordening te voldoen.
- (2) Die Direkteur: Water moet met die amptenaar, wat aan die hoof van die munisipaliteit se gesondheidsdienste staan, oorleg pleeg in alle gevalle van 'n moontlike gesondheidsrisiko of besoedeling van die omgewing.
- (3) Indien die Direkteur: Water rede het om te glo dat 'n waterinstallasie in so 'n mate gebrekkig is dat dit 'n gesondheids- of veiligheidsrisiko vir okkuperders van die perseel kan skep of veroorsaak, kan hy of sy gelas dat die waterinstallasie op koste van die eienaar getoets of ontsmet word.

5. Diensvlakke

- (1) Die raad kan van tyd tot tyd en in ooreenstemming met nasionale beleid, maar onderworpe aan beginsels van volhoubaarheid en bekostigbaarheid, by openbare kennisgewing, die vlakke van dienslewering bepaal wat dit aan verbruikers kan voorsien.
- (2) Die raad kan by die bepaling van diensvlakke, tussen verskillende verbruikers, geografiese en sosio-ekonomiese gebiede onderskei.
- (3) Onderworpe aan die bepalings van subartikel (1) kan die munisipaliteit, by die inwerkingtreding van hierdie verordening, die volgende diensvlakke daarstel—
 - (a) gemeenskaplike watervoorsieningsdienste, wat—
 - (i) die minimum vlak van dienslewering is;
 - (ii) bestaan uit 'n netwerk van staankrane of 'n vaste watertenk, bedien deur 'n netwerkpyp of tenkwa, wat geplaas is binne redelike loopafstand vanaf enige huishouding;
 - (iii) gratis aangelê word;
 - (iv) gratis aan verbruikers gelewer word, en
 - (v) deur die munisipaliteit onderhou word.
 - (b) erfaansluitings wat nie aan enige waterinstallasie gekoppel is nie, wat—
 - (i) bestaan uit 'n ongemeterde staankraan op 'n perseel wat nie aan 'n waterinstallasie gekoppel is nie;
 - (ii) gratis aangelê word, en
 - (iii) deur die munisipaliteit onderhou word.
 - (c) 'n gemeterde waterdrukaansluiting—
 - (i) wat teen betaling van die voorgeskrewe fooie aangelê is;
 - (ii) wat teen betaling van die voorgeskrewe fooie gelewer word, en
 - (iii) waarvan die waterinstallasie deur die eienaar onderhou word.

6. Aanstelling van gemagtigde beamptes

Die Stadsbestuurder kan gemagtigde beamptes aanstel.

7. Delegasie

- (1) Die Stadsbestuurder kan enige van sy of haar bevoegdhede of pligte ingevolge hierdie verordening aan enige amptenaar van die munisipaliteit deleger.
- (2) Die Direkteur: Water kan enige van sy of haar bevoegdhede of pligte ingevolge hierdie verordening aan enige amptenaar van die munisipaliteit deleger.

8. Betreding van 'n waterdienstefasiliteit

- (1) Enige persoon wat 'n waterdienstefasiliteit betree moet die opdragte van die Direkteur: Water ten opsigte van die gebruik van en toegang tot die terrein, wat by die ingang daarvan aangebring is, nakom.
- (2) Enige persoon wat versuim om gehoor te gee aan die inhoud van 'n kennisgewing wat by die ingang van 'n waterdienstefasiliteit aangebring is, is skuldig aan 'n misdryf.

9. Dreigende noodgevalle en toestande wat dringende aandag verg

- (1) Die Direkteur: Water kan, in geval van dreigende noodgevalle of toestande wat dringende aandag verg, enige redelike maatreëls tref om sodanige dreigende noodgevalle of toestande te voorkom of uit te skakel.
- (2) Wanneer dreigende noodgevalle of toestande, bedoel in subartikel (1), op privaatgrond plaasvind, kan die Direkteur: Water—

- (a) die eienaar by skriftelike kennisgewing gelas om sodanige maatreëls te tref as wat nodig mag wees om sodanige dreigende noodgevalle of toestande te voorkom of uit te skakel, of
 - (b) indien die eienaar nie opgespoor kan word nie of die eienaar versuim om dadelik te voldoen aan die vereistes van die Direkteur: Water, sodanige maatreëls te tref as wat nodig mag wees om sodanige dreigende noodgevalle of toestande te voorkom of uit te skakel.
- (3) Indien 'n noodgeval in 'n waterinstallasie ontstaan is die eienaar aanspreeklik vir koste wat die munisipaliteit aangegaan het.
- (4) Die Direkteur: Water moet die Stadsbestuurder sonder versuim in kennis stel van enige handeling verrig ingevolge subartikel (2)(b).
- (5) Indien van oordeel dat sodanige handeling dringend nodig is om watervermorsing, skade aan eiendom, lewensgevaar of waterbesoedeling te voorkom, kan die Direkteur: Water—
- (a) sonder voorafgaande kennis die watertoevoer na enige perseel afsluit, en
 - (b) sodanige perseel betree en sodanige noodwerk op koste van die eienaar verrig as wat hy of sy nodig ag en ook by skriftelike kennisgewing die eienaar gelas om binne 'n vasgestelde tyd sodanige bykomende werk te verrig as wat hy of sy nodig ag.

10. Plig van die publiek

- (1) 'n Lid van die publiek, wat bewus word van enige dreigende noodgevalle of toestande wat dringende aandag verg of 'n toestand wat watervermorsing of -besoedeling tot gevolg kan hê, moet die Direkteur: Water onmiddellik daarvan inlig.
- (2) Enige persoon wat ingevolge subartikel (1) handel en wie anoniem wil bly, kan versoek dat sy of haar naam nie in enige toekomstige regsaksie openbaar word nie.

11. Verhaal van koste

- (1) Enige persoon wat 'n bepaling van hierdie verordening oortree is aanspreeklik om enige verlies of skade wat die munisipaliteit as gevolg van sodanige oortreding ly, te vergoed.
- (2) Die munisipaliteit kan enige koste, wat dit redelikerwys aangegaan het om enige maatreël ingevolge hierdie verordening te tref, van enige persoon verhaal op wie 'n regsplig gerus het om daardie maatreëls te tref, insluitend—
 - (a) die persoon aan wie 'n voldoeningskennisgewing beteken is;
 - (b) die eienaar van die betrokke perseel, of
 - (c) die verbruiker.
- (3) Die Stadsbestuurder kan 'n lasgewing uitreik wat vereis dat die persoon, wat aanspreeklik is vir die koste, aangegaan ingevolge subartikel (1), daardie koste betaal op 'n datum gemeld in sodanige lasgewing en sodanige lasgewing dien as *prima facie* bewys van verskuldigde bedrag.

12. Voldoeningskennisgewings

- (1) Indien 'n gemagtigde beampte bevind dat 'n bepaling van hierdie verordening oortree word, of dat 'n toestand ontstaan het wat moontlik kan lei tot 'n oortreding van hierdie verordening, kan sodanige gemagtigde beampte 'n voldoeningskennisgewing aan die verbruiker, die betrokke eienaar of die persoon wat die bepalings van hierdie verordening oortree, uitreik.
- (2) 'n Kennisgewing uitgereik ingevolge subartikel (1) moet die volgende meld—
 - (a) die bepaling van hierdie verordening wat oortree word of wat oortree sal word indien die toestand toegelaat word om voort te duur;
 - (b) die maatreëls wat getref moet word om die toestand te herstel, en
 - (c) die tydperk waarbinne aan die kennisgewing voldoen moet word.
- (3) Indien die persoon, aan wie 'n voldoeningskennisgewing ingevolge subartikel (2) beteken is, versuim om aan die vereistes van die kennisgewing te voldoen, kan die Direkteur: Water, op koste van die verantwoordelike persoon, sodanige stappe neem as wat nodig mag wees om die toestand te herstel of enige ander noodsaaklike handeling verrig om voldoening te verseker.

13. Verantwoordelikheid om hierdie verordening na te kom

- (1) Die eienaar is verantwoordelik vir nakoming van alle bepalings van hierdie verordening wat betrekking het op die waterinstallasie en die onderhoud daarvan.
- (2) Die verbruiker is verantwoordelik vir nakoming van alle bepalings van hierdie verordening wat betrekking het op die gebruik van water.

14. Misdrywe en strafbepaling

Enige persoon wat—

- (a) 'n bepaling van hierdie verordening oortree of versuim om daaraan te voldoen;
- (b) versuim om te voldoen aan 'n kennisgewing wat ingevolge hierdie verordening uitgereik is; of
- (c) versuim om te voldoen aan enige wettige opdrag wat ingevolge hierdie verordening gegee is; of

- (d) 'n gemagtigde verteenwoordiger of werknemer van die munisipaliteit in die uitvoering van sy of haar pligte ingevolge hierdie verordening, hinder of dwarsboom,

is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete.

15. Nie-aanspreeklikheid

Die munisipaliteit is nie aanspreeklik vir enige skade aan eiendom, veroorsaak deur water wat by 'n aansluitingspasstuk wat oopgelaat is, uitvloei nadat die toevoer herstel is nie.

16. Herroeping

Die verordeninge wat die raad of sy voorgangers ten opsigte van enige gedeelte van die Stad gemaak het word hiermee herroep in die mate uiteengesit in Bylae 1 hiertoe.

17. Appèlle

'n Persoon wie se regte geraak word deur 'n besluit wat geneem is ingevolge 'n bevoegdheid of plig wat ingevolge hierdie verordening gedelegeer of gesubdeleer is, kan teen daardie besluit appelleer, kragtens artikel 62 van die Wet op Plaaslike Regering, Nr 32 van 2000.

HOOFSTUK 2

BEPALINGS IN VERBAND MET DIE VOORSIENING VAN WATER

18. Ongemagtigde gebruik van water

Niemand mag water uit die watervoorsieningstelsel gebruik nie—

- (a) tensy 'n ooreenkoms, waarna in artikel 19 of 20 verwys word, aangegaan is, of
- (b) behalwe deur middel van 'n kommunikasiepyp, voorsien ingevolge artikel 26, of van 'n brandkraan voorsien ingevolge artikel 35, of
- (c) behalwe deur middel van 'n gemeterde watervoorsieningspunt, aangebring deur die munisipaliteit.

19. Aansoek vir die lewering van water

- (1) Geen water uit die watervoorsieningstelsel word aan enige perseel voorsien nie, tensy die eienaar by die munisipaliteit daarvoor aansoek gedoen het en sodanige aansoek goedgekeur is.
- (2) 'n Aansoek om watervoorsiening wat deur die Direkteur: Water goedgekeur is vorm 'n ooreenkoms tussen die munisipaliteit en die eienaar en neem 'n aanvang op die datum gemeld in die aansoek.
- (3) Die eienaar is aanspreeklik vir alle fooie in verband met die voorsiening van water, soos bepaal ingevolge die Tariefbeleidverordening, totdat die toevoer op versoek van die eienaar onderbreek word of die ooreenkoms beëindig is ingevolge hierdie verordening, en word vir alle doeleindes, gedurende die bestaan van die ooreenkoms, geag die verbruiker te wees.
- (4) 'n Aansoek moet ten minste die volgende inligting bevat—
 - (a) 'n verklaring dat die aansoeker bewus is van en vertrou is met die inhoud van die ooreenkoms;
 - (b) aanvaarding deur die aansoeker van die bepalings van hierdie verordening en aanvaarding van aanspreeklikheid vir die koste vir watervoorsiening totdat die ooreenkoms beëindig word;
 - (c) die naam van die aansoeker en sy of haar identiteitsnommer;
 - (d) die adres of erfnummer van die perseel waaraan en waarop water voorsien moet word;
 - (e) die adres waarheen rekeninge gestuur moet word;
 - (f) die doel waarvoor die water gebruik gaan word;
 - (g) die ooreengekome datum waarop watervoorsiening sal begin, en
 - (h) 'n onderneming deur die aansoeker om die munisipaliteit in kennis te stel van enige veranderinge aan bogenoemde inligting.
- (5) Water word voorsien kragtens die bepalings van hierdie verordening en die voorwaardes wat die Direkteur: Water mag stel.
- (6) Die eienaar moet, wanneer die doel of omvang van watergebruik waarvoor in subartikel (4)(f) aansoek gedoen is, verander, die munisipaliteit onverwyld van sodanige verandering in kennis stel en 'n nuwe ooreenkoms met die munisipaliteit sluit.

20. Spesiale ooreenkomste vir watervoorsiening

- (1) Die raad kan 'n spesiale ooreenkoms aangaan om water aan 'n aansoeker buite die Stad te voorsien.
- (2) Indien die raad ingevolge 'n spesiale ooreenkoms onderneem om water aan 'n aansoeker buite die Stad te voorsien, kan dit die ander party toelaat om sodanige water aan ander persone te verkoop, onderworpe aan sodanige voorwaardes wat dit goed ag.

21. Pype in strate of openbare plekke

Niemand mag sonder vooraf goedkeuring van die Direkteur: Water en onderworpe aan sodanige voorwaardes wat hy of sy bepaal, 'n pyp of

soortgelyke komponent op, in of onder 'n straat of openbare plek of enige grond wat by die munisipaliteit berus of onder die munisipaliteit se beheer staan, aanlê of bou met die doel om water afkomstig van welke bron ookal te gelei nie.

22. Fooie

Alle fooie wat betaalbaar is en in verband staan met watervoorsiening deur die munisipaliteit, moet in ooreenstemming wees met die Tariefbeleidverordening.

23. Beëindiging van ooreenkoms

- (1) 'n Eienaar kan 'n ooreenkoms vir watervoorsiening beëindig deur die munisipaliteit minstens sewe dae vooraf skriftelik kennis te gee van die voorneme om dit te doen.
- (2) Die Direkteur: Water kan, deur minstens veertien dae vooraf skriftelik kennis te gee, 'n eienaar inlig oor die beëindiging van sy of haar ooreenkoms vir watervoorsiening indien—
 - (a) hy of sy geen water gedurende die voorafgaande ses maande gebruik het nie en nie reëlings tot bevrediging van die Direkteur: Water getref het vir die voortsetting van die ooreenkoms nie, of
 - (b) hy of sy versuim het om die bepalings van hierdie verordening na te kom en, na uitreiking van 'n kennisgewing, in gebreke bly om sodanige versuim reg te stel, of
 - (c) hy of sy versuim het om enige fooie verskuldig en betaalbaar is, te betaal.
- (3) Die Direkteur: Water kan 'n ooreenkoms vir watervoorsiening opsê indien 'n verbruiker die perseel waarop die ooreenkoms betrekking het, ontruim het.

24. Inmenging met die watervoorsieningstelsel

Niemand behalwe die munisipaliteit mag, tensy ingevolge hierdie verordening gemagtig—

- (a) infrastruktuur vir die voorsiening van water bestuur, bedryf of onderhou nie; of
- (b) 'n aansluiting aan die watervoorsieningstelsel maak nie.

25. Belemmering van toegang tot die watervoorsieningstelsel

Niemand mag enige werknemer van die munisipaliteit verhinder om toegang tot die watervoorsieningstelsel te verkry of sy of haar toegang daartoe belemmer nie.

26. Voorsiening van verbindingspyp

- (1) Niemand mag met enige ontwikkeling op enige perseel begin tensy die Direkteur: Water 'n verbindingspyp en meter aangelê het nie.
- (2) Indien 'n ooreenkoms vir watervoorsiening gesluit is, maar geen kommunikasiepyp (of kommunikasiepyp van 'n toepaslike grootte) vir die perseel aangelê is nie, moet die eienaar op die voorgeskrewe vorm aansoek doen vir die installering van 'n verbindingspyp en die voorgeskrewe fooi betaal.
- (3) Die Direkteur: Water bepaal—
 - (a) die deursnit van die kommunikasiepyp aan die hand van die inligting wat die aansoeker ten tye van die aansoek verstrek het;
 - (b) die ligging van die kommunikasiepyp;
 - (c) die eindpunt van die kommunikasiepyp binne die grens van die grond waarvan die eiendomsreg by die raad berus of ten opsigte waarvan die munisipaliteit 'n servituut of ander reg het,
 - (d) die soort koppeling wat vir die aansluiting gebruik moet word, en
 - (e) die materiaal waarvan daardie gedeelte van die waterinstallasie, tussen die kommunikasiepyp en die eienaar se afsluitklep, waarna in artikel 36 verwys word, gemaak moet word en hoe sodanige gedeelte aangelê moet word.
- (4) Die Direkteur: Water kan, indien aansoek gedoen word vir die lewering van water aan 'n perseel, wat sodanig geleë is dat dit 'n uitbreiding van die watervoorsieningstelsel verg, alvorens water aan die perseel gelewer kan word, die uitbreiding magtig, onderworpe aan sodanige voorwaardes wat hy of sy bepaal.
- (5) Die eienaar moet op eie koste die koppeling tussen die waterinstallasie en die kommunikasiepyp of pype wat die perseel bedien, aanbring, tensy anders aangedui deur die Direkteur: Water.
- (6) Die eienaar moet die gedeelte van die waterinstallasie, waarna in subartikel (3)(e) verwys word, sodanig heg dat dit nie kan beweeg nie.
- (7) Tensy die Direkteur: Water andersins toestem mag slegs een kommunikasiepyp aan 'n perseel voorsien word, ongeag die getal wooneenhede, sake-eenhede of verbruikers op sodanige perseel.
- (8) Die Direkteur: Water mag, onderworpe aan sodanige voorwaardes wat hy of sy bepaal, toestem tot die aansluiting by 'n hoofwaterpyp, elders as wat gereedelik beskikbaar is vir die voorsiening van water aan die perseel; met dien verstande dat die eienaar verantwoordelik is vir enige uitbreiding van die waterinstallasie tot by aansluitingspunt wat die Direkteur: Water aangedui en goedgekeur het en dat die eienaar op sy of haar koste sodanige servitute oor ander eiendomsregte wat nodig mag wees, moet bekom.
- (9) Tensy die sertifikaat van voldoening, waarna in artikel 53 verwys word, deur die munisipaliteit ontvang is, sal water nie aan 'n

waterinstallasie deur middel van 'n kommunikasiepyp, wat vir doeleindes van bouwerk aangelê is, gelewer word nie, en indien so 'n sertifikaat nie ontvang is nie mag die Direkteur: Water sonder benadeling van die munisipaliteit, die watertoevoer aan die waterinstallasie afsny of inkort.

(10)

Indien die Direkteur: Water van mening is dat die grootte van die bestaande kommunikasiepyp 'n onvoldoende hoeveelheid water aan 'n perseel lewer, kan hy of sy by skriftelike kennisgewing die eienaar gelas om die voorgeskrewe fooie te betaal vir die verwydering van die bestaande kommunikasiepyp en die aanlê van 'n kommunikasiepyp van 'n toepaslike grootte.

- (11) (a) Die Direkteur: Water kan by skriftelike kennisgewing die eienaar van 'n perseel wat in verskillende wooneenhede verdeel is, gelas om op eie koste en binne die vermelde tydperk-
- (i) die waterinstallasie wat enige een eenheid bedien aan te pas sodat dit apart en onafhanklik is van die waterinstallasie wat enige ander eenheid bedien;
 - (ii) aansoek te doen vir 'n kommunikasiepyp wat elke eenheid bedien, en
 - (iii) die waterinstallasie, waarna in paragraaf (i) verwys word, te koppel aan die kommunikasiepyp waarna in paragraaf (ii) verwys word.
- (b) Die Direkteur: Water kan die eienaar van die eenheid, waarna in paragraaf (a)(i) verwys word, skriftelik kennis gee om ingevolge artikel 19 aansoek te doen vir die voorsiening van water.
- (12) Indien die Direkteur: Water van voorneme is om 'n kommunikasiepyp te vervang moet die eienaar nie minder nie as tien werksdae skriftelik kennis kry van die datum waarop die koppeling tussen die waterinstallasie en die nuwe kommunikasiepyp sal plaasvind.
- (13) Wanneer 'n perseel met 'n aantal kommunikasietype bedien word, kan die Direkteur: Water gelas dat die eienaar die getal aansluitingspunte verminder en die waterinstallasie dienooreenkomstig aanpas.

27. Aansluitings tussen persele

'n Eienaar moet verseker dat daar geen aansluitings is nie tussen die waterinstallasie op die perseel en die waterinstallasie op 'n ander perseel, tensy die eienaar vooraf skriftelik goedkeuring van die Direkteur: Water het en voldoen het aan alle vereistes wat die Direkteur: Water gestel het.

28. Voorsiening en plasing van afsluitkraan

- (1) Die Direkteur: Water moet 'n afsluitkraan tussen elke meter en hoofwaterpyp aanbring.
- (2) Die eienaar moet, op eie koste en vir sy of haar eie gebruik, 'n afsluitkraan aanbring—
- (a) in die geval van 'n meter wat op die perseel aangebring is, by 'n geskikte plek aan sy of haar kant van die meter;
 - (b) in die geval van 'n meter wat buite die perseel aangebring is, by 'n geskikte plek onmiddellik binne die grens van sy of haar perseel, met dien verstande dat, indien die eienaar sou versuim om dit te doen, die Direkteur: Water 'n afsluitkraan kan voorsien en aanbring op koste van die eienaar.
- (3) Niemand mag sonder die goedkeuring van die Direkteur: Water met die afsluitkraan aan die kommunikasiepyp, peuter nie.

29. Algemene voorsieningsvoorwaardes

- (1) Die voorsiening van water deur die munisipaliteit vorm nie 'n onderneming om te enige tyd of te enige punt in die watervoorsieningstelsel—
- (a) 'n ononderbroke toevoer;
 - (b) 'n spesifieke drukking of vloeitempo in die toevoer, of
 - (c) 'n spesifieke standaard van waterkwaliteit,
- te handhaaf nie, met dien verstande dat as die watertoevoer vir langer as 24 uur onderbreek word, die munisipaliteit sal poog om 'n alternatiewe watertoevoer so spoedig moontlik te verskaf.
- (2) Die Direkteur: Water kan bepaal op watter maksimum hoogte water vanuit die watervoorsieningstelsel voorsien sal word.
- (3) 'n Eienaar wat 'n ononderbroke toevoer, spesifieke drukking of vloeitempo of spesifieke standaard van waterkwaliteit op die perseel verlang, moet self reëlings daarvoor tref.
- (4) Die munisipaliteit kan sonder vooraf kennisgewing die watertoevoer na enige perseel onderbreek.
- (5) Indien die waterverbruik op 'n perseel, na die mening van die Direkteur: Water, die watervoorsiening aan 'n ander perseel nadelig raak, kan die Direkteur: Water sodanige beperkings as wat hy of sy nodig ag op die eersgenoemde perseel toepas om te verseker dat die ander perseel 'n redelike watertoevoer ontvang en moet hy of sy die eienaar en/of gebruiker van eersgenoemde erf van sodanige beperkings in kennis stel.

30. Beperking of afsny van toevoer

- (1) Behoudens enige ander reg wat die munisipaliteit mag hê, kan die Munisipale Bestuurder by versuim van die verbruiker om 'n fooi verskuldig, ingevolge die Tariefbeleidverordening, te betaal, die eienaar skriftelik in kennis stel van die voorneme om die watertoevoer op 'n bepaalde datum te beperk of af te sny en om die watertoevoer op of na die bepaalde datum te beperk of af te sny.
- (2) Behoudens enige ander reg wat die munisipaliteit mag hê, kan die Direkteur: Water 'n eienaar wat hierdie verordening oortree en wat

nagelaat het om sodanige oortreding te herstel, binne die tydperk gemeld in 'n skriftelike kennisgewing wat op hom of haar beteken is, skriftelik in kennis stel van die voorneme om sy of haar watervoorsiening op 'n spesifieke datum te beperk of af te sny.

- (3) Die verbruiker/eienaar moet die voorgeskrewe fooi vir die beperking of afsnyding en die heraansluiting van die watertoevoer betaal; met dien verstande dat die watertoevoer nie herstel sal word voor alle sodanige fooie betaal is nie.
- (4) 'n Verbruiker wie se toegang tot watervoorsieningsdienste ingekort of afgesny was en dit opsetlik heraansluit, sal na skriftelike kennisgewing afgesny word.

31. Onderbreking van toevoer op versoek van eienaar

- (1) Die Direkteur: Water kan op skriftelike versoek van die eienaar van 'n perseel, wat vakant of onbewoon is, en op die verlangde datums—
 - (a) die watertoevoer na die perseel afsny of beperk, en
 - (b) die watertoevoer herstel.
- (2) Die eienaar moet by goedkeuring van die versoek, bedoel in subartikel (1), die voorgeskrewe fooie betaal.

32. Verwydering van wateraansluiting

Die Direkteur: Water kan 'n waterinstallasie by die verbindingspyp afsluit en die verbindingspyp verwyder indien—

- (a) die ooreenkoms vir watervoorsiening ingevolge artikel 23 beëindig is en die Direkteur: Water geen aansoek vir 'n verdere watertoevoer aan die perseel, wat deur die pyp bedien word, binne 'n tydperk van 90 dae na sodanige beëindiging, ontvang het nie, of
- (b) die gebou op die betrokke perseel gesloop is, of
- (c) die eienaar of okkupeerder onwettig ingemeng het met die watervoorsieningstelsel wat die betrokke perseel bedien.

33. Meting van water wat voorsien word

- (1) Water wat aan 'n perseel voorsien word moet deur 'n meter vloei, wat aangebring is tussen die kommunikasiepyp en waterinstallasie, en op 'n plek wat die Direkteur: Water bepaal, met dien verstande dat dit nie nodig is om 'n meter aan te bring nie in die geval van—
 - (a) 'n outomatiese sprinkel brandinstallasie;
 - (b) 'n brandinstallasie ten opsigte waarvan maatreëls getref is om ongemagtigde water-aftapping, vir ander doeleindes as brandbestryding, op te spoor, of
 - (c) omstandighede soos deur die Direkteur: Water bepaal.
- (2) 'n Meter en verwante toebehore, voorsien en aangebring deur die munisipaliteit, is en bly die eiendom van die munisipaliteit en mag vervang word wanneer die Direkteur: Water dit goedvind.
- (3) Die munisipaliteit kan 'n meter en verwante toebehore aanbring op enige plek in—
 - (a) die waterinstallasie wat die perseel bedien, en
 - (b) die verbindingspyp wat die perseel bedien.
- (4) 'n Meter wat ingevolge subartikel (3)(a) voorsien is, bly die eiendom van die munisipaliteit.
- (5) Indien die munisipaliteit 'n meter en verwante toebehore ingevolge subartikel (3)(a) in die waterinstallasie aanbring—
 - (a) moet die eienaar 'n plek vir die meter, wat die Direkteur: Water moet goedkeur, voorsien;
 - (b) moet die eienaar te alle tye onbeperkte toegang daartoe verseker;
 - (c) is die eienaar verantwoordelik vir die beskerming daarvan en aanspreeklik vir die koste van enige skade daaraan, uitgesluit skade as gevolg van normale verweer;
 - (d) moet die eienaar toesien dat geen aansluiting aan die pyp, tussen die meter en die kommunikasiepyp wat die perseel bedien, waarin die meter aangebring is, gemaak word nie;
 - (e) moet die eienaar voorsiening maak vir die dreinerings van water wat mag lek uit die pyp waarin die meter aangebring is, tydens werk aan die meter deur die munisipaliteit, en
 - (f) mag die eienaar nie enige koppelstuk, masjien of ander toerusting, wat na die mening van die Direkteur: Water skade aan die watervoorsieningstelsel en meter veroorsaak of waarskynlik sal aanrig, in die waterinstallasie gebruik of toelaat dat dit gebruik word nie.
- (6) Slegs die munisipaliteit mag—
 - (a) 'n meter en verwante toebehore ontkoppel van die pyp waaraan dit verbind was;
 - (b) 'n seël op 'n meter breek, of
 - (c) op enige ander wyse inmeng met 'n meter en verwante toebehore.

- (7) Enige persoon wat subartikel (6) oortree moet die munisipaliteit vergoed vir die koste van sodanige hoeveelheid water, wat na die oordeel van die Direkteur: Water voorsien is.
- (8) Indien die munisipaliteit 'n meter en verwante toebehore, ingevolge subartikel (3)(b) aanbring, is 'n dienspyp nie nodig nie en die waterinstallasie word dan geag te begin by die koppeling met die kommunikasiepyp, welke koppeling 150 mm binne die grens moet wees van die grond, waarvan die eiendomsreg by die munisipaliteit berus of ten opsigte waarvan dit 'n serwituuft of ander reg het.
- (9) Die Direkteur: Water kan op koste van die eienaar 'n meter of toestel wat volume beheer aanbring of laat aanbring vir elke deel, sake of wooneenheid op enige perseel, om die hoeveelheid water wat aan elke deel, sake of wooneenheid gelewer word, te bepaal.
- (10) Die Direkteur: Water moet onderhoud doen aan enige deel van 'n dienspyp, wat strek vanaf die verbindingspyp van die perseel na 'n meter en verwante toebehore geleë binne sodanige perseel, ongeag of daardie deel van die pyp deel uitmaak van die waterinstallasie, met dien verstande dat die eienaar die Direkteur: Water vrye toegang tot die pyp en/of meter moet gee en verantwoordelik is vir die herstel van die terrein na afhandeling van herstelwerk.
- (11) 'n Okkupeerder van 'n perseel moet in die geval waar 'n meter ingevolge subartikel (3)(a) aangebring is, onmiddellik wanneer 'n lek in die dienspyp of aan die meter en verwante toebehore bemerk word, die munisipaliteit aldus inlig.
- (12) Indien toegang tot 'n meter, wat ingevolge subartikel (3)(a) aangebring is, vir doeleindes van lesing geweier word, kan die Direkteur: Water—
- by skriftelike kennisgewing, die eienaar van die perseel inlig van die voorneme om 'n ander meter op die verbindingspyp op koste van die eienaar aan te bring;
 - 'n rekening lewer vir die hoeveelheid water wat op sodanige perseel verbruik is, soos gemeet deur die meter op die verbindingspyp, en
 - die koste van die meter wat in onbruik is van die eienaar verhaal.
- (13) Indien toegang tot 'n meter, wat ingevolge subartikel (3)(a) aangebring is, vir doeleindes van lesing geweier word, is die eienaar vir die duur van sodanige weiering aanspreeklik vir die koste van die water wat vermors word as 'n lek op die meter en verwante toebehore sou ontstaan of waarneembaar is op daardie deel van die dienspyp binne die perseel, soos gemeet deur 'n meter aangebring ingevolge subartikel (12)(a).
- (14) 'n Eienaar wat ingevolge artikel 47 by die munisipaliteit 'n plan indien vir goedkeuring van 'n struktuur op die grens van die perseel, en die bestaande meter ingevolge subartikel (3)(a) aangebring is, moet by goedkeuring van sodanige plan en teen betaling van die voorgeskrewe fooie aansoek doen vir die verwydering van die meter op sy of haar perseel en die aanbring van 'n nuwe meter op die verbindingspyp
- (15) 'n Eienaar wat ingevolge artikel 47 'n plan indien vir die goedkeuring van wysigings of uitbreidings aan 'n bestaande ongemeterde brandinstallasie, moet na oorweging van die aangepaste installasie en by goedkeuring van sodanige plan en teen betaling van die voorgeskrewe fooie aansoek doen dat die munisipaliteit 'n meter, volgens die grootte en tipe wat die Direkteur: Water voorskryf, aanbring as deel van die aansluiting tot die perseel.
- (16) 'n Eienaar wat ingevolge artikel 47 'n plan indien vir die goedkeuring van wysigings of uitbreidings aan 'n bestaande gemeterde waterinstallasie, moet na oorweging van die aangepaste installasie en by goedkeuring van sodanige plan en teen betaling van die voorgeskrewe fooie aansoek doen dat die munisipaliteit 'n meter, volgens die grootte en tipe wat die Direkteur: Water voorskryf, aanbring as deel van die aansluiting tot die perseel.
- (17) Indien die Direkteur: Water vereis dat voorsiening gemaak word vir aparte wateraansluitings vir 'n drinkwaterinstallasie en 'n brandinstallasie op dieselfde perseel, kan standaardwatermeters vir sodanige aansluitings gebruik word.
- (18) Indien die Direkteur: Water vereis dat 'n gesamentlike huishoudelike waterinstallasie en brandinstallasie, wat brandkrane insluit, 'n perseel bedien, moet 'n kombinasie meter of soortgelyke meter wat lae vloeiempo registreer op sodanige aansluiting aangebring word.
- (19) 'n Aparte kommunikasiepyp moet aangelê en gebruik word vir elke outomatiese sprinkelstelsel.
- (20) Wanneer die eienaar of die persoon in beheer van die bestuur van enige perseel waarop daar 'n aantal wooneenhede is, 'n watertoevoer na die perseel verlang sodat elke eenheid 'n afsonderlike watertoevoer kan kry, kan die Direkteur: Water na sy of haar mening—
- 'n enkel meter, vir die perseel as 'n geheel of enige getal sodanige wooneenhede, of
 - 'n afsonderlike meter, op die grens van die eiendom waarvan die eiendomsreg by die munisipaliteit berus, vir elke wooneenheid of enige getal wooneenhede,
- voorsien en aanbring.
- (21) Indien die Direkteur: Water 'n enkel meter aangebring het, soos bedoel in subartikel (20)(a), moet die eienaar of die persoon in beheer of bestuur van die perseel, na gelang van die geval, aan elke pypvertakking vanaf die kommunikasiepyp na die onderskeie wooneenhede—
- 'n afsonderlike meter aanbring; en/of
 - 'n afsluitkraan aanbring, en
 - sal teenoor die munisipaliteit aanspreeklik wees vir betaling van die voorgeskrewe fooie vir water voorsien aan die perseel, deur middel van sodanige enkel meter, ongeag die onderskeie hoeveelhede water wat die verskillende verbruikers, wat deur sodanige meter bedien word, verbruik het.

34. Hoeveelheid water wat voorsien word

Vir doeleindes van meting van die hoeveelheid water wat gedurende enige tydperk deur 'n meter voorsien word, word dit geag, tensy die teendeel bewys kan word, dat—

- (a) die hoeveelheid aangedui word deur die verskil tussen die metings wat aan die begin en einde van sodanige tydperk geneem is;
- (b) die meter tydens sodanige tydperk akkuraat was; en
- (c) die inskrywings in die boeke van die munisipaliteit korrek is,

met dien verstande dat indien water voorsien word aan, of geneem word sonder dat dit deur 'n meter vloei, die hoeveelheid sodanige water wat die Direkteur: Water beraam, geag word korrek te wees.

35. Watervoorsiening met 'n munisipale brandkraan

- (1) Die Direkteur: Water kan onderworpe aan sodanige voorwaardes as wat hy of sy mag voorskryf, 'n tydelike watertoevoer vanuit 'n brandkraan toelaat.
- (2) 'n Persoon wat 'n tydelike watertoevoer ingevolge subartikel (1) verlang, moet daarvoor aansoek doen op die wyse voorgeskryf in artikel 19.

36. Herverkoop van water

- (1) Geen persoon aan wie water ingevolge hierdie verordening voorsien word, mag sodanige water herverkoop nie, behalwe—
 - (a) waar dit toegelaat word ingevolge 'n spesiale ooreenkoms, waarna in artikel 20 verwys word, of
 - (b) met die voorafgaande skriftelike goedkeuring van die Direkteur: Water.
- (2) Indien die Direkteur: Water goedkeuring, waarna in subartikel (1)(b) verwys word, verleen het, kan hy of sy die maksimum prys waarteen water herverkoop mag word, soos bepaal deur die raad, aandui bykomend tot sodanige ander voorwaardes wat hy of sy goed ag.
- (3) Die goedkeuring, waarna in subartikel (1)(b) verwys word, kan te enige tyd ingetrek word.

37. Foutiewe meters

- (1) Indien 'n verbruiker rede het om te vermoed dat 'n meter foutief is, kan hy of sy teen betaling van die voorgeskrewe fooie aansoek doen dat die meter getoets word.
- (2) Die voorgeskrewe fooie waarna in subartikel (1) verwys word, word—
 - (a) deur die munisipaliteit behou, indien gevind word dat die meter kragtens subartikel (3) en (4) nie foutief is nie, of
 - (b) aan die aansoeker terugbetaal, indien gevind word dat die meter foutief is.
- (3) 'n Meter ten opsigte waarvan die regulasies betreffende watermeters, uitgevaardig ingevolge die Wet op Handelsmetrologie en Standaarde, Nr 77 van 1973, van toepassing is, sal geag word foutief te wees indien, by toetsing ingevolge die regulasies, bevind word dat die persentasie afwyking by 'n oor- of onder registrasie meer is as wat toelaatbaar is vir 'n meter in gebruik ingevolge gemelde regulasies.
- (4) 'n Meter ten opsigte waarvan die regulasies, gemeld in subartikel (3) nie van toepassing is nie, sal geag word foutief te wees indien bevind word dat die persentasie afwyking by 'n oor- of onder registrasie meer is as wat toelaatbaar is volgens SABS 1529:1999, Deel 4 en SANS 1525:1999, Deel 1, soos gewysig.

38. Beraming van hoeveelheid water gelewer met foutiewe meter

- (1) Wanneer gevind word dat 'n meter ingevolge artikel 37(3) of (4) foutief is, kan die Direkteur: Water die hoeveelheid water wat aan die verbruiker gelewer is, gedurende die tydperk waarin die meter na sy of haar oordeel foutief was, beraam volgens die gemiddelde daaglikse verbruik gedurende—
 - (a) die tydperk tussen twee opeenvolgende meterlesings nadat die meter vervang is, of
 - (b) 'n tydperk in die vorige jaar wat ooreenstem met die tydperk waartydens die meter foutief was, of
 - (c) die tydperk van drie opeenvolgende meterlesings voordat die meter foutief geword het,welke ookal die Direkteur: Water die mees toepaslike ag.
- (2) Indien die hoeveelheid water wat aan 'n verbruiker gelewer is, gedurende die tydperk waarin 'n meter foutief was, nie beraam kan word soos bedoel in subartikel (1) nie, kan die Direkteur: Water die hoeveelheid skat volgens enige beskikbare metode.
- (3) Die verbruiker moet ingelig word welke metode, soos bedoel in subartikel (1) en (2), die Direkteur: Water gaan gebruik om die hoeveelheid water te skat wat aan hom of haar gelewer is, en ook die geleentheid kry om 'n voorlegging aan die Direkteur: Water te maak voordat 'n finale skatting gemaak word.

39. Aanpassing van hoeveelheid water gelewer met foutiewe meter

- (1) Die hoeveelheid water wat met 'n foutiewe meter gelewer is, sal aangepas word in die tydperk, soos bedoel in artikel 38.
- (2) By die aanpassing van die hoeveelheid water volgens subartikel (1), word dit geag dat dieselfde hoeveelheid water tydens elke vier-en-twintig uur tussenpose, in die tydperk, soos bedoel in subartikel (1), gelewer is.
- (3) 'n Eienaar is nie geregtig op 'n vermindering van die fooie betaalbaar vir water wat in 'n waterinstallasie as gevolg van sigbare lekkes, vermors of verspil word nie.

40. Spesiale meting

- (1) Indien die Direkteur: Water, vir ander redes as om die fooie vir waterverbruik te beraam, die hoeveelheid water wat in 'n gedeelte van die waterinstallasie gebruik word wil meet, kan hy of sy die eienaar skriftelik in kennis stel van die voorneme om 'n meettoestel by 'n punt in die waterinstallasie aan te bring wat hy of sy mag aanwys.
- (2) Die aanbring van 'n meettoestel, waarna in subartikel (1) verwys word, die verwydering daarvan en die herstel van die waterinstallasie na sodanige verwydering sal op koste van die munisipaliteit uitgevoer word.
- (3) Die bepalings van artikels 33(5)(b) en 34(6), waar van toepassing, geld ten opsigte van die meettoestel wat ingevolge subartikel (1) aangebring is.
- (4) Die munisipaliteit kan na ontvangs van 'n skriftelike versoek van die eienaar en onderworpe aan 'n reëling vir die betaling van die voorgeskrewe fooie, die meter lees, op 'n tyd en dag wat verskil van die waarop dit normaalweg gelees word, om die hoeveelheid water wat gelewer is te bepaal.

HOOFSTUK 3**WATERBEPERKINGS EN WATERBEWARING****41. Waterbeperkings**

- (1) Die raad kan, wanneer daar 'n skaarste aan water vir verspreiding en voorsiening aan verbruikers is, of vir enige ander goeie rede, deur middel van openbare kennisgewing—
 - (a) waterverbruik in die Stad of 'n deel daarvan—
 - (i) in die algemeen of vir spesifieke doeleindes;
 - (ii) gedurende spesifieke tye van die dag of op spesifieke dae; en
 - (iii) op 'n spesifieke metode,
 verbied of beperk, en
 - (b) beperkings bepaal en oplê op die hoeveelheid water wat gedurende 'n gespesifiseerde tydperk verbruik mag word;
 - (c) beperkings instel, of 'n verbod plaas op die gebruik of wyse van gebruik of die aard van toerusting deur middel waarvan water gebruik of verbruik word, of op die aansluiting van sodanige toerusting by die waterinstallasie, en
 - (d) die spesiale tariewe ten opsigte van waterbeperkings, bepaal ingevolge die Tariefbeleidverordening, instel.
- (2) Die raad kan die toepassing van die bepalings van 'n kennisgewing bedoel in subartikel (1) tot 'n spesifieke gebied en/of kategorië van verbruikers, persele en aktiwiteite beperk en kan op redelike gronde afwykings, vrystellings en verslappings van enige van sodanige bepalings magtig, met dien verstande dat daar nie afgewyk mag word nie van die tariewe waarna in subartikel (1)(d) verwys word.
- (3) Die Direkteur: Water kan gelas dat 'n verbruiker op eie koste sodanige maatreëls tref, waaronder die aanbring van meters en toestelle vir die beperking van watervloei, wat volgens sy of haar oordeel nodig is om nakoming van die kennisgewing bedoel in subartikel (1) te verseker
- (4) Die Direkteur: Water—
 - (a) mag, by versuim om te voldoen aan die bepalings van 'n kennisgewing bedoel in subartikel (1), die watertoevoer na enige perseel inkort of, vir sodanige tydperk wat hy of sy dit wenslik ag, beperk, en
 - (b) moet die watertoevoer wat ingevolge paragraaf (a) opgeskort is herstel slegs nadat die fooie vir die afsluiting en heraansluiting betaal is.
- (5) Die bepalings van hierdie artikel geld ook ten opsigte van water wat die munisipaliteit direk aan verbruikers buite die Stad voorsien, ondanks enigiets tot die teendeel vervat in die voorwaardes van sodanige voorsiening, tensy anders bepaal in die kennisgewing bedoel in subartikel (1).
- (6) Enige persoon wat die bepalings van 'n kennisgewing, gepubliseer ingevolge subartikel (1) oortree, begaan 'n misdryf.

42. Vermorsing van water

- (1) Niemand mag, na die oordeel van die Direkteur: Water, opsetlik, nalatiglik of verkwisterig—
 - (a) water vanuit aansluitingspasstukke uitlaat of toelaat dat water so uitgelaat word nie;
 - (b) toelaat dat pype of watertoebehore lek nie;
 - (c) ongeskikte of foutiewe watertoebehore gebruik of toelaat dat dit gebruik word nie;
 - (d) die oorloop van water laat voortduur nie, of
 - (e) 'n onoordeelkundige gebruik van water laat voortduur nie.
- (2) 'n Eienaar moet enige deel van die waterinstallasie, wat in so'n toestand van verval is dat dit na die mening van die Direkteur: Water 'n gebeurlikheid gemeld in subartikel (1) tot gevolg het of sal hê, herstel of vervang.

- (3) Indien 'n eienaar nalaat om te voldoen aan die bepalings van subartikel (2), kan die Direkteur: Water sodanige maatreëls tref as wat hy of sy dienstig ag en die koste van die eienaar verhaal.
- (4) (a) Elke verbruiker moet verseker dat die toerusting of materiaal wat aan die waterinstallasie gekoppel is, water doeltreffend benut.
- (b) Die Direkteur: Water kan by skriftelike kennisgewing die gebruik van enige toerusting in 'n waterinstallasie, wat na sy of haar oordeel nie doeltreffend is nie of verkwistend is, verbied.
- (5) Wanneer die gebruik van toerusting ingevolge subartikel (4)(b) verbied is, mag sodanige toerusting nie weer in gebruik gestel word nie totdat die doeltreffendheid daarvan herstel is en die Direkteur: Water 'n skriftelike aansoek in die verband goedgekeur het.

43. Waterbesparing en wateraanvraagbestuur

Elke eienaar en verbruiker moet voldoen aan die goeie waterbesparings- en wateraanvraagbestuurspraktyke, uiteengesit in Bylae 2 van hierdie verordening.

HOOFSTUK 4

WATERDIENSTETUSSENGANGERS

44. Registrasie

Die raad kan by openbare kennisgewing, vereis dat waterdienstetussengangers of klasse tussengangers by die munisipaliteit registreer op 'n wyse in die kennisgewing gemeld.

45. Verskaffing van waterdienste

- (1) 'n Waterdienstetussenganger moet verseker dat waterdienste, ingesluit basiese waterdienste soos deur die raad bepaal, verskaf word aan diegene aan wie die tussenganger verplig is om dit te verskaf.
- (2) Die gehalte, hoeveelheid en volhoubaarheid van waterdienste verskaf deur 'n waterdienstetussenganger moet minstens dieselfde wees as die standaard wat die munisipaliteit aan verbruikers bied.

46. Fooie vir die verskaffing van waterdienste

- (1) 'n Waterdienstetussenganger mag nie vir waterdienste bedrae vorder teen 'n tarief wat nie aan enige norme en standaard wat die Direkteur: Water voorskryf, voldoen nie.
- (2) 'n Waterdienstetussenganger moet gesubsidieerde water, soos deur die raad ingevolge die Kredietbeheer en Skuldinvorderingsbeleidverordening bepaal en deur die munisipaliteit aan verbruikers gelewer, teen 'n tarief lewer wat dieselfde of minder is as die waarteen die munisipaliteit sodanige dienste lewer.

HOOFSTUK 5

GOEDKEURING VAN PLANNE

47. Prosedure vir die goedkeuring van planne

- (1) Indien 'n eienaar 'n nuwe waterinstallasie wil installeer, moet hy of sy eers die skriftelike goedkeuring van die Direkteur: Water daartoe verkry op planne wat vir ondersoek voorgelê moet word; met dien verstande dat goedkeuring nie nodig sal wees vir die herstel of vervanging van 'n bestaande pyp of watertoebehore, anders as 'n vasstaande warmwatersilinder en gepaardgaande beskermingsapparaat, in welke geval slegs 'n kennisgewing vereis word.
- (2) Aansoek om die goedkeuring gemeld in subartikel (1) moet op die voorgeskrewe vorm gedoen word en moet vergesel wees van—
 - (a) die voorgeskrewe fooi, en
 - (b) die voorgeskrewe aantal afskrifte van tekeninge van die voorgestelde werk, soos gemeld in artikel 49.
- (3) Die bepalings van subartikels (1) en (2) is nie van toepassing op 'n geregistreerde kontrakteur wat 'n vasstaande warmwatersilinder en die gepaardgaande beskermingsapparaat vervang nie.
- (4) Goedkeuring wat ingevolge die bepalings van subartikel (1) gegee is sal, onderhewig aan artikel 48, verval aan die einde van 'n tydperk van 24 maande na die eerste dag van die maand waarin die goedkeuring gegee is.

48. Verlenging van tydperk van goedkeuring

Die Direkteur: Water kan, op skriftelike aansoek van die eienaar, voordat die oorspronklike tydperk verval het en onderhewig aan die betaling van die voorgeskrewe fooi, van tyd tot tyd die geldigheid van die goedkeuring gegee ingevolge artikel 47 vir 'n tydperk wat nie 12 maande per geleentheid oorskry nie, verleng, onderhewig aan sodanige voorwaardes as wat hy of sy mag goeddink.

49. Tekeninge

- (1) Tensy die Direkteur: Water skriftelik anders bepaal het, moet tekeninge op velle wees wat nie kleiner is nie as A4 en moet inligting voorsien in die vorm wat vereis word deur Klousule 4.1.1 van die SANS 10252: 2004, Deel 1, 'n afskrif waarvan by die Direkteur: Water verkry kan word.
- (2) Indien die besonderhede van die waterinstallasie op meer as een verdieping dieselfde is, hoef sulke besonderhede slegs ten opsigte van een verdieping geteken te word.

- (3) Indien meer as een waterinstallasie in 'n gebou installeer moet word, kan sulke installasies op dieselfde tekening aangetoon word, met dien verstande dat hulle duidelik aangedui word.
- (4) 'n Skedule wat die getal van elke tipe aansluitingspasstuk en die grootte daarvan aandui, moet met elke tekening of stel tekeninge voorsien word.

50. Afskrifte van tekeninge moet op die perseel beskikbaar wees

Totdat die Direkteur: Water die sertifikaat van voldoening wat ingevolge die bepalings van artikel 53 ingedien moet word, ontvang het, moet 'n volledige stel goedgekeurde tekeninge te alle tye op die perseel beskikbaar wees.

51. Ongemagtigde werk

Indien ongemagtigde werk teenstrydig met die bepalings van artikel 47 gedoen is, kan die Direkteur: Water skriftelik vereis dat die eienaar van die perseel binne 'n bepaalde tydperk aan die bepalings van daardie artikel voldoen en, indien die werk nog nie voltooi is nie, om sodange werk te staak en kan voorts van die eienaar vereis om alle werk wat nie aan die bepalings van hierdie verordening voldoen nie, te verwyder.

HOOFSTUK 6

INSTALLASIE DEUR LOODGIETERS

52. Persone wat toegelaat word om installasie- en ander werk te doen

- (1) Niemand wat nie gekwalifiseer en geakkrediteer is nie ingevolge die bepalings van die Wet op die Suid-Afrikaanse Kwalifikasie-owerheid, Nr 58 van 1995, mag—
 - (a) installasiewerk waarvoor goedkeuring ingevolge artikel 47 benodig word, doen nie;
 - (b) 'n vasstaande warmwatersilinder of die gepaardgaande beskermingsapparaat vervang nie;
 - (c) 'n waterinstallasie, brandinstallasie of opgaartenk, inspekteer, ontsmet en toets nie, of
 - (d) 'n apparaat wat terugvloei verhoed, ingevolge die bepalings van artikel 59 diens, herstel of vervang nie.
- (2) Die Direkteur: Water kan 'n register van sodanige gekwalifiseerde loodgieters hou.

53. Verantwoordelikhede van 'n eienaar

- (1) 'n Eienaar moet verseker dat die installasiewerk wat op sy eiendom gedoen word, deur 'n gekwalifiseerde loodgieter uitgevoer word en aan die bepalings van hierdie verordening voldoen.
- (2) Indien installasiewerk teenstrydig met die bepalings van artikel 52 gedoen word, kan die Direkteur: Water by skriftelike kennisgewing van die eienaar van die betrokke perseel vereis dat sodanige werk gestaak word totdat hy of sy 'n gekwalifiseerde loodgieter aangestel het om—
 - (a) die werk te inspekteer en enige deel wat nie aan die bepalings van hierdie verordening voldoen nie, reg te stel;
 - (b) die werk te toets en te ontsmet ingevolge die bepalings van artikel 54, en
 - (c) te verseker dat 'n sertifikaat van voldoening, wat dit stel dat die werk wat gedoen is aan die bepalings van hierdie verordening voldoen, aan die Direkteur: Water voorgelê word.

HOOFSTUK 7

ONTSMETTING

54. Ontsmetting van waterinstallasies, insluitende opgaartenke

- (1) 'n Eienaar moet toesien dat 'n nuwe waterinstallasie met water van die watervoorsieningstelsel gespoel word tot helder water by alle aansluitingstoebehore uitloop.
- (2) Indien die pype van 'n waterinstallasie wat aan die hoofwaterpyp gekoppel is besmet raak, moet dit ontsmet word in ooreenstemming met SANS 10252:2004, Deel 1.
- (3) Die eienaar van 'n perseel waarop 'n opgaartenk installeer is moet, ten minste elke vyf jaar, toesien dat so 'n tenk dreineer, inspekteer en ontsmet word in ooreenstemming met SANS 10252: 2004, Deel 1.
- (4) Nieteenstaande die bepalings van subartikel (3)—
 - (a) kan die Direkteur: Water, indien hy of sy van mening is dat die water in die opgaartenk of in die waterinstallasie wat deur so 'n tenk bedien word, nie geskik is vir gebruik nie, by skriftelike kennisgewing van die eienaar vereis dat die tenk onverwyld dreineer en inspekteer word, en
 - (b) indien 'n tenk oorstroom, of op enige manier onderwerp is aan 'n toestand wat die inhoud daarvan kon besoedel, moet die eienaar onverwyld toesien dat die tenk dreineer en inspekteer word.
- (5) Voordat 'n tenk of die waterinstallasie wat dit bedien bedoel in subartikel (3), weer in werking gestel word, moet dit skoongemaak en ontsmet word in ooreenstemming met SANS 10252: 2004, Deel 1.

HOOFSTUK 8**ALGEMENE VEREISTES VIR WATERINSTALLASIES****55. Voorsiening en onderhoud van waterinstallasies**

- (1) 'n Eienaar moet die waterinstallasie op eie koste voorsien en onderhou en moet, behalwe—
 - (a) in die geval van 'n koppeling aan die kommunikasiestruktuur, of
 - (b) waar dit ingevolge die bepalings van artikel 21 toegelaat word, verseker dat die installasie binne die grense van die perseel geleë is.
- (2) Voordat werk in verband met die onderhoud van 'n gedeelte van die waterinstallasie wat buite die grense van die perseel geleë is, 'n aanvang mag neem, moet die eienaar die skriftelike goedkeuring van die Direkteur: Water of die eienaar van die grond waarop sodanige gedeelte geleë is, verkry.

56. Skedule van aanvaarbare pype en watertoehore

- (1) Niemand mag 'n pyp of watertoehore in 'n waterinstallasie installeer of gebruik nie, tensy dit gelys is in die Skedule van Aanvaarbare Pype en Watertoehore, of andersins as in ooreenstemming met die voorwaardes, soos vervat in Bylae 3.
- (2) Nieteenstaande die bepalings van subartikel (1), kan die Direkteur: Water vir 'n bepaalde gebruik in 'n spesifieke installasie, die installasie van 'n pyp of watertoehore wat nie by die skedule ingesluit is nie, toelaat.
- (3) Die Direkteur: Water kan, ten opsigte van 'n pyp of watertoehore wat by die skedule ingesluit is, sodanige voorwaardes as wat hy of sy mag goeioord, stel ten opsigte van die gebruik of die metode van installasie daarvan.
- (4) Die Direkteur: Water kan te eniger tyd 'n pyp of watertoehore uit die skedule verwyder indien die pyp of watertoehore—
 - (a) nie meer voldoen aan die kriteria waarop die insluiting daarvan baseer was nie, of
 - (b) na sy of haar mening, nie meer toepaslik is vir die doel waarvoor dit aanvaarbaar gevind is nie.
- (5) Afskrifte van die huidige skedule is beskikbaar by die kantoor van die munisipaliteit gedurende werksure.
- (6) 'n Pyp of watertoehore sal nie by die skedule waarna in subartikel (1) verwys word ingesluit word nie, tensy dit
 - (a) die standaarddisasiemerke van die SABS ten opsigte van die toepaslike SANS spesifikasie wat deur die Buro uitgereik is, dra;
 - (b) 'n sertifiseringsmerke, uitgereik deur die SABS, dra wat sertifiseer dat die pyp of watertoehore voldoen aan 'n SABS Merkspesifikasie of 'n voorlopige spesifikasie wat deur die SABS uitgereik is, op voorwaarde dat geen sertifiseringsmerke vir 'n tydperk wat twee jaar oorskry, uitgereik sal word nie;
 - (c) ingesluit is by die lys van watertoehore wat deur JASWIC aanvaar is, of
 - (d) vir die Direkteur: Water aanvaarbaar is.

57. Ontwerpkriteria vir waterinstallasies

- (1) 'n Eienaar moet verseker dat—
 - (a) waterinstallasies voldoen aan SANS 10252: 2004, Deel 1, of soos dit gewysig mag word;
 - (b) warmwatersilinder installasies voldoen aan SANS 10254: 2004, of soos dit gewysig mag word;
 - (c) sonverhittingstelsels voldoen aan SANS 10106: 1972, of soos dit gewysig mag word;
 - (d) die stoor van 'n minimum hoeveelheid water wat gebruik word vir doeleindes anders as brandbestryding of lugversorging, voorsien word in ooreenstemming met Tabel 1;
 - (e) die stoor van 'n minimum hoeveelheid water wat gebruik word om toilette en urinale op kommersiële en industriële persele te spoel, voorsien word in ooreenstemming met Tabel 2;
 - (f) die ontwerp van opgaartenke in ooreenstemming is met SANS 10252: 2004, Deel 1 en met artikel 58;
 - (g) die gebruik van pype wat water aan enige installasie voorsien in ooreenstemming is met SANS 10252: 2004, Deel 1 en met Bylae 3, of soos dit gewysig mag word;
 - (h) daar direk stroomaf van die isoleerklep waarna in artikel 28(2)(a) en (b) verwys word, 'n nie-terugkeerplep van 'n soortgelyke grootte as die dienspyp installeer word, en
 - (i) waar die doeltreffendheid van funksionele kleppe of aansluitingspasstukke benadeel kan word deur die deurgang van vaste stowwe wat dit kan verstop of beskadig, 'n aanlyn filtreerder aangebring word in 'n posisie wat onderhoud vergemaklik.
- (2) Die Direkteur: Water kan, op aansoek van die eienaar en by betaling van die voorgeskrewe fooi, die druk in die watervoorsieningstelsel met betrekking tot sy of haar perseel oor so 'n tydperk as wat die eienaar mag versoek, bepaal en die eienaar daarvan in kennis stel.
- (3) Indien die Direkteur: Water van mening is dat 'n pyp of watertoehore van 'n bepaalde tipe ontoepaslik is vir gebruik in sekere omstandighede, kan hy of sy by skriftelike kennisgewing aan die eienaar—
 - (a) die gebruik daarvan verbied, of

- (b) vereis dat aanvaarbare beskermingsmaatreels ingestel word.
- (4) Niemand mag watertoebehore of apparaat wat die watervoorsieningstelsel of 'n ander waterinstallasie beskadig of moontlik kan beskadig as gevolg van drukstuwings, by 'n waterinstallasie aansluit nie.

TABEL 1

Tipe verbruiker	Stoorruimte benodig
Hospitale, klinieke, verpleeginrigtings, ouetehuse en ander geboue waaruit okkupeerders nie gereedelik verwyder kan word in die geval van 'n onderbreking in watervoorsiening nie.	250 liters vir elke bed wat die gebou ontwerp is om te akkommodeer.
Onderwysinrigtings	40 liters tot 50 liters per persoon
Meervuldige wooneenhede wat die hoogte soos bepaal in artikel 29(2) oorskry, of wat meer as drie verdiepings het, watter ookal die laagste is.	135 liters per wooneenheid.
Hotels, losieshuise en hostelle.	90 liters per persoon wat die gebou ontwerp is om te akkommodeer (insluitende personeel).
Restaurantkombuise (volle maaltyd voorbereiding)	8 tot 12 liters per maaltyd wat voorberei word.
Haarkappers en tandartse	4 ure se behoefte per dag
Nywerhede (voorraad vir produksiedoeleindes)	8 ure se behoefte per dag

TABEL 2

Tipe verbruiker	Stoorruimte benodig
Kommersiële persele (ingesluit winkels en kantore)	70 liters vir elke 100 vierkante meters van die totale vloeroppervlakte
Fabrieke	5 liters per persoon
Superwinkels (soos hipermarkte)	125 liters per toiletpan of 600mm urinaal
Onderwysinstellings	5 liters per persoon

58. Opgaartenke

- (1) Enige persoon wat 'n opgaartenk installeer, moet dit in so 'n posisie installeer dat die binne- en buitekante daarvan gereedelik inspekteer, skoonmaak en onderhou kan word, behalwe as dit 'n betonreservoir is wat ondergronds is of gedeeltelik in die grond ingesink is en ontwerp, opgerig en getoets is in ooreenstemming met SANS 10100-1 en SANS 1200-G, en waar slegs die binnekant toeganklik is vir inspeksie- en skoonmaakdoeleindes.
- (2) Niemand mag sonder die skriftelike toestemming van die Direkteur: Water, 'n tenk wat begrawe of in die grond geplaas is, gebruik of toelaat dat dit gebruik word, vir die ontvangs van water wat deur die munisipaliteit voorsien word nie.
- (3) Enige persoon wat 'n opgaartenk gebruik om water van 'n drinkbare kwaliteit op te gaar, moet verseker dat—
- dit van 'n ontwerp is wat besmetting verhoed en in ooreenstemming is met die vereistes soos gestel deur die Direkteur: Water;
 - die oorloop- en ventilasiepype van 'n tenk wat besmetting verhoed, afgesper is om toegang van insekte, diere en ander bronne van besoedeling te verhoed, en
 - 'n tenk wat besmetting verhoed, in geheel omhul is met geen ander toegang na die binnekant nie, behalwe vir 'n toegangspaneel in die kant daarvan om inspeksie en skoonmaak toe te laat, en wat op so 'n hoogte is dat die tenk nie gebruik kan word tensy die inspeksiepaneel se deksel in plek is nie.
- (4) Tensy dit skriftelik deur die Direkteur: Water gemagtig is, moet elke kookketel, stoomketel of ander apparaat wat stoom opwek, gas produseer, gasenjin of olie enjin of enige ander apparaat waarmee of ten opsigte waarvan of waarin water wat deur die munisipaliteit voorsien word, gebruik word, deur middel van 'n koue water voertenk wat 'n lugslot gebruik om die inkomende hoofwaterpyp water vanaf die inhoud van die tenk af te sluit, voorsien word.

59. Voorkoming van waterbesoedeling

- (1) 'n Eienaar moet maatreels wat deur die Direkteur: Water goedgekeur is instel en onderhou om toegang te verhoed van 'n stof wat 'n gesondheidsgevaar mag skep of die drinkbaarheid van water nadelig mag beïnvloed, in
- die watervoorsieningstelsel, en
 - enige deel van die waterinstallasie op sy of haar perseel.
- (2) Die Direkteur: Water moet in elke geval die toepaslike mate waarvolgens terugvloeiing verhoed moet word, goedkeur.

HOOFSTUK 9**BRANDINSTALLASIES****60. Brandinstallasies**

- (1) 'n Eienaar moet verseker dat
 - (a) slangtolle en brandkraaninstallasies voldoen aan SANS 10252:2004, Deel 1, en
 - (b) outomatiese sprinkelstelsels voldoen aan SANS 10287: 2000
- (2) Die Direkteur: Water kan 'n aansoek om 'n brandbestrydingsinstallasie by die munisipaliteit se hoofwaterpyp aan te skakel, toestaan of weier.
- (3) Geen water sal aan 'n brandbestrydingsinstallasie voorsien word sonder 'n sertifikaat van goedkeuring wat ingevolge artikel 53 uitgereik is en die installasie aan die vereistes van hierdie verordening voldoen nie.
- (4) Indien die Direkteur: Water van mening is dat 'n brandbestrydingsinstallasie wat hy of sy toegelaat het om aan die munisipaliteit se hoofwaterpyp te laat koppel, nie in goeie werkende toestand gehou word of andersins nie behoorlik onderhou word nie, of gebruik word vir doeleindes anders as brandbestryding, kan hy of sy vereis dat die installasie van die hoofwaterpyp ontkoppel word of dit ontkoppel op koste van die eienaar.
- (5) Wanneer dit ookal nodig is om die druk in 'n brandbestrydingstelsel te verhoog, moet die eienaar 'n dubbele pypstelsel installeer; een vir brandbestrydingsdoeleindes en een vir algemene huishoudelike gebruik.
- (6) Alle pype en passtukke moet instaat wees om 'n druk wat 1800 kPa oorskry te hanteer, indien sodanige druk verwag kan word as die druk verhoog word en moet instaat wees om hulle integriteit te behou in brandtoestande.
- (7) 'n Aparte kommunikasiepyp moet installeer en gebruik word vir elke sprinkel brandblusstelsel.
- (8) Die Direkteur: Water bepaal of outomatiese sprinkelstelsels gemeter moet word.

HOOFSTUK 10**VERSKEIE BEPALINGS INSAKE NIE-DRINKBARE WATER****61. Gebruik van water uit ander bronne as die munisipale watervoorsiening**

- (1) Niemand mag water wat uit 'n ander bron as die munisipale watervoorsiening afkomstig is, vir huishoudelike doeleindes gebruik, of toelaat dat dit gebruik word nie, tensy die betrokke water deur die Direkteur: Water vir daardie doel goedgekeur is en daar aan die voorwaardes soos deur die Direkteur: Water bepaal, voldoen is nie.
- (2) Niemand mag water wat uit 'n ander bron as die munisipale watervoorsiening verkry is, aan enige waterspreidingsstelsel koppel tensy die vooraf skriftelike goedkeuring van die Direkteur: Water verkry is nie en dan slegs in ooreenstemming met die voorwaardes soos bepaal deur die Direkteur: Water.
- (3) Enige eienaar van 'n perseel waarop 'n waterbron geleë is, moet binne 14-dae nadat 'n versoek daartoe gerig is, die Direkteur: Water van sodanige besonderhede as wat verlang mag word, voorsien.
- (4) 'n Eienaar soos beoog by subartikel (3), moet op versoek, op eie koste die Direkteur: Water van sodanige sertifikate van wateranalise en bakteriologiese ondersoek as wat verlang mag word, voorsien.
- (5) Die Direkteur: Water kan enige toestemming wat ingevolge subartikel (1) verleen is, herroep indien die Direkteur: Water van mening is dat—
 - (a) 'n voorwaarde wat ingevolge daardie subartikel ingestel is, nie nagekom word nie, of
 - (b) die water nie meer aan die vereistes soos deur die Direkteur: Water gestel, voldoen nie.
- (6) Die bepalings van hierdie artikel stel nie 'n persoon vry van die nakoming van die toepaslike bepalings van die Nasionale Waterwet, 1998 (Wet 36 van 1998) of enige ander tersaaklike nasionale wetgewing nie.

62. Putte, boorgate, syfergate en uitgrawings

Elke eienaar van 'n perseel moet verseker dat enige put, boorgat, syfergat of uitgrawing wat op sy of haar perseel geleë is—

- (a) sodanig beveilig is dat dit nie 'n gesondheidsgevaar sal skep nie, en
- (b) nie op so 'n manier gevul, of met materiaal opgevol is, dat dit kan veroorsaak dat 'n aanliggende put, boorgat of ondergrondse waterbron besoedel of besmet word nie.

63. Kennisgewing van sink of grawe van boorgate, putte en syfergate

- (1) Niemand mag 'n boorgat, syfergat of 'n put sink of uitgrawe, of toelaat dat dit gesink of uitgegrawe word nie, tensy die Direkteur: Water ten minste 14 dae vooraf skriftelike kennis van die voorneme om dit te doen, gegee is.
- (2) Die kennisgewing bedoel in subartikel (1) moet die voorgestelde plek en doel waarvoor die water gebruik gaan word, stel.
- (3) Indien water wat verkry word van 'n boorgat, of ander bron, op enige perseel gebruik word vir 'n doel wat aanleiding daartoe gee dat

sodanige water of 'n gedeelte daarvan in die munisipaliteit se rioolstelsel gaan uitloop, moet die eienaar 'n meter wat aan die munisipaliteit se spesifikasie voldoen, in die pyp wat van sodanige boorgat of ander bron lei na die punt of punte waar dit in die riool inloop, installeer.

- (4) Die raad kan, by openbare kennisgewing, van die eienaar van enige perseel waarop 'n boorgat geleë is of, indien die eienaar nie so 'n perseel bewoon nie, die okkuperder, vereis dat kennis gegee word van die bestaan van 'n boorgat op sodanige perseel en om sulke inligting omtrent die boorgat wat die raad mag vereis, te voorsien.
- (5) Die Direkteur: Water kan, indien hy of sy dit nodig ag, vereis dat 'n studie op koste van die eienaar gedoen word ten einde vas te stel watter impak die voorgestelde put, boorgat of syfergat op die welstand van die gemeenskap mag hê.

64. Voorsiening van nie-drinkbare water deur die munisipaliteit

- (1) Die Direkteur: Water kan op aansoek ingevolge artikel 19, nie-drinkbare water aan 'n verbruiker voorsien teen sodanige voorwaardes as wat hy of sy mag bepaal.
- (2) Enige water wat ingevolge die bepalings van subartikel (1) voorsien word, mag nie vir huishoudelike doeleindes of enige ander doeleindes wat na die mening van die Direkteur: Water aanleiding mag gee tot 'n gesondheidsgevaar, gebruik word nie.

65. Vrywaring ten opsigte van die kwaliteit van nie-drinkbare water

- (1) Geen waarborg, hetsy uitdruklik of stilswygend, is van toepassing op die suiwerheid of die toepaslikheid vir die doel waarvoor die voorsiening toegestaan is op enige nie-drinkbare water wat deur die munisipaliteit voorsien word nie.
- (2) Die gebruik van nie-drinkbare water is uitsluitlik op die risiko van die verbruiker, en die munisipaliteit is nie verantwoordelik vir enige gevolglike skade of verlies wat direk of indirek mag voortspruit uit die gebruik daarvan nie.

66. Waarskuwingskennisgewings

- (1) 'n Eienaar van 'n perseel waarop nie-drinkbare water gebruik word, moet verseker dat alle aansluitingspasstukke en alle apparaat wat water voorsien of gebruik duidelik met 'n weerbestande kennisgewing gemerk is wat aandui dat sulke water nie vir huishoudelike doeleindes geskik is nie.
- (2) In 'n gebied waar behandelde riooluitvloei gebruik word, moet die verbruiker op opsigtelike plekke weerbestande kennisgewings aanbring wat aandui dat die water nie geskik is vir huishoudelike doeleindes nie.
- (3) Elke waarskuwingskennisgewing wat ingevolge subartikels (1) en (2) vereis word, moet in die drie amptelike tale van die Provinsie wees.

BYLAE 1

HERROEPING VAN VERORDENIGE

Brackenfell Munisipaliteit	Watervoorsieningsverordening: PK 499/1970
Stad Kaapstad	Waterverordening: PK 30/1996
Stad Kaapstad	Waterdiensteverordening om die gebruik van water te beperk of in te perk: Provinsiale Koerant 5994 van 28 Maart 2003
Durbanville Munisipaliteit	Waterverordening: PK 665/1968
Durbanville Munisipaliteit	Addisionele Watervoorsieningsverordening: PK 612/1994
Goodwood Munisipaliteit	Waterverordening: PK 337/1991 soos gewysig
Ikapa Dorpsraad	Watervoorsieningsverordening: GK R1107/1984
Kraaifontein Munisipaliteit	Waterverordening: PK 842/1960, soos gewysig
Kraaifontein Munisipaliteit	Addisionele Watervoorsieningsverordening: PK 848/1979, soos gewysig
Kuilsrivier Munisipaliteit	Waterverordening: PK 581/1962
Kuilsrivier Munisipaliteit	Addisionele Watervoorsieningsverordening: PK 216/1978, soos gewysig
Lingelethu-Wes Dorpsraad	Watervoorsieningsverordening: GK R1107/1984
Llwandle Dorpsraad	Watervoorsieningsverordening: GK R1107/1984
Mfuleni Dorpsraad	Watervoorsieningsverordening: GK R1107/1984
Milnerton Munisipaliteit	Addisionele watervoorsieningsverordening: PK 110/1982
Parow Munisipaliteit	Addisionele Watervoorsieningsverordening: PK 98/1930, soos gewysig
Pinelands Munisipaliteit	Watervoorsieningsverordening: PK198/1924, soos gewysig
Simonstad Munisipaliteit	Watervoorsieningsverordening: PK 662/1954, soos gewysig
Simonstad Munisipaliteit	Addisionele Watervoorsieningsverordening: PK 663/1954
Simonstad Munisipaliteit	Watervoorsieningsverordening: PK 1059/1975, soos gewysig
Somerset-Wes Munisipaliteit	Watervoorsieningsverordening: PK 310/1910, soos gewysig
Weskus Skiereiland Munisipaliteit	Watervoorsieningsverordening: PK 14/1997

BYLAE 2**WATERAANVRAAGBESTUUR**

1. Niemand mag sonder die vooraf skriftelike toestemming van die Direkteur: Water, met drinkwater 'n tuin, sportveld, park, of ander grasbedekte gebied tussen die ure 10:00 en 16:00 natmaak nie.
2. Waar 'n tuinslang gebruik word om 'n tuin, park of sportveld deur middel van 'n drinkbare waterbron nat te maak, moet 'n beheertoestel soos 'n sproeier aan die tuinslang gekoppel word.
3. Niemand mag sonder die vooraf skriftelike toestemming van die Direkteur: Water, drinkwater gebruik om 'n hardgemaakte oppervlak of plaveisel af te spuit nie.
4. 'n Tuinslang wat gebruik word vir die was van voertuie, bote en woonwaens moet met 'n outomatiese self-sluitende apparaat toegerus wees.
5. Outomatiese opvulstelsels met dobberkleppe wat van 'n drinkwaterbron gevoer word na swembaddens en tuinpoele is nie toelaatbaar nie.
6. Kommersiële motorwasserye moet 'n minimum van 50% van die water wat gebruik word met die bedryf van die stelsel, hergebruik.
7. Handewasbakke in openbare fasiliteite moet toegerus wees met aanvraag tipe krane.
8. Storte in openbare fasiliteite moet toegerus wees met aanvraag tipe kleppe.
9. Drinkwater mag nie gebruik word om bousand en ander boumateriaal te benat ten einde te verhoed dat dit wegwaai nie.
10. Aftapkrane op staanpype moet op 'n hoogte van ten minste 450mm, gemeet bokant grondvlak, wees.
11. Die maksimum stroomsnelheid van enige kraan wat in 'n handewasbak aangebring is, mag nie meer as 6 liters per sekonde wees nie.
12. Die maksimum stroomsnelheid van enige stortkop mag nie meer as 10 liters per minuut wees nie.
13. Toiletbakke mag nie 'n groter kapasiteit as 9,5 liters hê nie.
14. Geen outomatiese spoelbak of storttenk mag gebruik word om 'n urinaal te spoel nie.
15. Binne twee jaar na die afkondiging van hierdie verordening, moet alle outomatiese spoelbakke wat aan urinale gekoppel is, vervang word met hand geaktiveerde stelsels of apparate wat die spoelstelsel in werking stel slegs nadat die urinaal gebruik is.
16. Aansluitingspasstukke wat aan die buitekante van geboue, wat nie woonhuise is nie, installeer word, moet—
 - (a) 'n self-sluitende apparaat bevat, of
 - (b) toegerus wees met 'n verwyderbare handvat, of
 - (c) gesluit kan word om ongemagtigde gebruik te verhoed, of
 - (d) van 'n aanvraag tipe wees wat die hoeveelheid water by elke gebruik beperk.
17. Water Oudit
 - (a) Grootmaat waterverbruikers (daardie verbruikers wat meer as 3650 kilolters per jaar gebruik), uitgesluit die wat uit veelvuldige wooneenhede bestaan, moet jaarliks 'n wateroudit doen. Die oudit moet uitgevoer word nie later nie as twee weke na die einde van die munisipaliteit se finansiële jaar. Die ouditverslag moet beskikbaar wees vir inspeksie deur amptenare van die Departement van Waterwese en Bosbou, die Waterraad (waar van toepassing) en die munisipaliteit.
 - (b) Die oudit moet die volgende behels—
 - (i) die hoeveelheid water wat gedurende 'n finansiële jaar verbruik is;
 - (ii) die bedrag betaal vir water vir die finansiële jaar;
 - (iii) die getal persone wat op die perseel of standplaas woon;
 - (iv) die getal persone wat permanent op die perseel of standplaas werk;
 - (v) 'n vergelyking van die bogemelde faktore met daardie wat ten opsigte van die vorige drie jare rapporteer is (waar beskikbaar);
 - (vi) seisoensveranderinge in aanvraag (maandelikse verbruik);
 - (vii) besonderhede van besoedelingsmonitering metodes;
 - (viii) besonderhede van huidige maatreëls wat getref word om aanvraag van water te bestuur;
 - (ix) besonderhede van planne om wateraanvraag te bestuur;
 - (x) 'n vergelyking van die bogemelde faktore met daardie wat in elk van die vorige drie jare gerapporteer is (waar beskikbaar), en
 - (xi) 'n skatting van die waterverbruik van die verskillende komponente wat in gebruik is.
18. Niemand mag toelaat dat water wat in enige toerusting as 'n hitte-uitruilingsmedium gebruik word, voortdurend vermors word nie, behalwe as dit gebruik word om 'n voorgeskrewe vlak van opgeloste soliede dele in 'n hersirkuleringsapparaat te onderhou.

BYLAE 3**PYPE WAT GEBRUIK WORD OM DRINKWATER TE GELEI****Koperpype**

Klas 0 en Klas 1 koperpype mag nie vir ondergrondse doeleindes aangewend word nie, tensy dit beskerm word met 'n hulsel.

Klas 0 koperpype mag nie gebuig, oopgebuig of aan die ente verleng en tot 'n hulsel omvorm word vir kappilêre tipe soldering nie.

Koperpype mag nie met brons gesweis of met silwer soldeer word nie.

Plastiekpype (Politileen, Polipropoleen en Poliviniel)

Plastiekpype mag nie gebruik word in brandinstallasies of gekombineerde huishoudelike- en brandinstallasies bokant die grondoppervlak nie.

Plastiekpype wat drinkwater gelei, moet beskerm word teen sonlig.

Plastiekpype mag nie in 'n posisie gebruik word waar deursypeling van gas of ander chemiese stowwe die water wat daarin vervoer word, mag besmet nie, tensy dit doeltreffend met 'n ondeurdringbare hulsel beskerm word.

Waar plastiekpype gebruik word om warm water vanaf 'n vasstaande warmwatersilinder installasie te gelei, moet die eerste 1,5 meters van die pypleiding van koper vervaardig wees.

Swart Staalpype

Swart sagtetaalstyppe en sy gepaardgaande passtukke mag nie gebruik word om water in huishoudelike installasies te gelei nie, tensy dit toepaslik aan die binnekant behandel en bedek is nie, en mag ook nie in die brandinstallasie gedeelte van 'n gesamentlike installasie gebruik word op so 'n manier dat dit die drinkbaarheid van die water in die gedeelte wat vir huishoudelike gebruik bedoel is, nadelig affekteer nie.

Gegalvaniseerde sagtetaalstyppe en waterpasstukke mag nie gebruik word in installasies wat aan die munisipaliteit se hoofwaterpyp gekoppel is en met water daarvandaan voorsien word nie.

Enige pyp wat water vanaf die munisipaliteit se hoofwaterpyp gelei, mag nie as 'n integrale deel van 'n betonstruktuur installeer word nie.

1 September 2006

18366

ISIXEKO SASEKAPA**UMTHETHO KAMASIPALA WAMANZI**

Ulawulo nomiselo lweenkonzo zamanzi kwiSixeko

UCWAMGCISO LWAMACANDELO**Isahluko1: Iingcaciso kunye neziBonelelo ngokuBanzi**

1. Iinkcazelo
2. Ukusetyenziswa kunye nenjongo yalo mthetho kamasipala
3. Izicwangciso zethutyana
4. Amagunya oMlawuli: Amanzi
5. Imigangatho yeenkonzo
6. Ukuqeshwa kwamagosa agunyazisiweyo
7. Ulwabiwo-msebenzi
8. Ulungiso kwiinkonzo zezixhobo zamanzi
9. Amathuba okuxakeka afutshanisileyo kwakunye neemeko ezifuna ukuthathelwa amanyathelo ngokukhawuleza
10. Imisebenzi kawonke-wonke
11. Ukufunyanwa kwakhona kwamaxabiso
12. Izaziso zentsebenziswano
13. Uxanduva lokusebenzisana nalo mthetho kamasipala.
14. Amatyala nezigwebo
15. Ukukhululwa kwiimfanelo ezisemthethweni
16. Ukurhoxiswa
17. Izibheni

Isahluko 2: Izibonelelo ngokubhekiselele kuNikezelo lwaManzi

18. Ukusetyenziswa kwamanzi ngokungekho mthethweni
19. Isicelo sonikezelo lwamanzi
20. Izivumelwano ezikhethekileyo zonikezelo lwamanzi
21. Imibhobho ezitalatweni okanye kwiindawo zikawonke-wonke
22. Izimali
23. Ukupheliswa kwezivumelwano
24. Izibonelelo ngendlela yonikezelo lwamanzi
25. Uphazamiseko ekufikeleleni kwindlela yonikezelo lwamanzi
26. Ubonelelo lwemibhobho yonxibelelwano
27. Unxibelelwano olungaphakathi phakathi kwezakhiwo nomhlaba
28. Ubonelelo kunye nendawo yezivalo ezahlulayo/ezizimeleyo
29. Imiqathango ngokubanzi yonikezelo
30. Uthintelo okanye ukunqunyanyiswa konikezelo
31. Uphazamiseko lonikezelo ngesicelo somnini
32. Ususo lonxibelelwano lwamanzi
33. Ukulinganiswa kwamanzi anikezelweyo
34. Ubungakanani bamanzi anikezelweyo
35. Amanzi anikezelwe esuka kwimibhobho yamanzi kamasipala
36. Ukuthengiswa ngokutsha kwamanzi
37. Izilinganisi-manzi ezinesiphene
38. Uqikelelo lobungakanani bamanzi anikezewe umsebenzisi-nkonzo ngezilinganisi-manzi esineziphene
39. Ukulungiswa ngokutsha kobungakanani bamanzi anikezelwe xa isilinganisi-manzi besinesiphene
40. Imilinganiselo ekhethekileyo

Isahluko 3: Izithintelo kunye noGcino lwaManzi

41. Izithintelo zamanzi
42. Usetyenziso lwamanzi ngokungakhathali
43. Ugcino lwamanzi nolawulo olunyanzelekileyo

Isahluko 4: ABalamli beenNkonzo zaManzi

44. Ubhaliso
45. Unikezelo lweenkonzo zamanzi
46. Iintlawulo zeenkonzo zamanzi anikezelweyo

Isahluko 5: ULwamkelo lweziCwangciso

47. Umgaqo-nkqubo wolwamkelo lweziCwangciso
48. Unyenyiso lwesithuba solwamkelo
49. Imizobo
50. Iikopi zemizobo kufuneka zigcinwe kwisiza
51. Umsebenzi ongekho mthethweni

Isahluko 6: Ufakelo ngaBatywini bamanzi

52. Abantu abavumelekileyo ukwenza ufakelo neminye imisebenzi

53. Uxanduva lomnini sakhiwo nomhlaba

Isahluko 7: Ukubulawa kweentsholongwane

54. Ukubulawa kweentsholongwane kufakelo lwamanzi, kuquka namatanki okugcina amanzi

Isahluko 8: IiMfuno zoFakelo Manzi ngokuBanzi

55. Unikezelo kunye nokugcinwa kofakelo lwamanzi lusemgangathweni

56. Inkqubo yemibhobho eyamkelekileyo nokulinganiswa kwamanzi

57. Indlela eyiliweyo yofakelo lwamanzi

58. Amatanki ogcino/ okugcina

59. Ukhuseleko longcoliseko lwamanzi

Isahluko 9: UFakelo (Iwezixhobo) loMlilo

60. UFakelo loMlilo

Isahluko 10: IZibonelelo zeZinto ngezinto ngokuBhekiselele kuManzi aSelwayo

61. Ukusetyenziswa kwamanzi asuka kwezinye iindawo ngokungaphandle kwamanzi anikezelwa ngumasipala

62. Amaqula, imingxuma yezitsala-manzi, iindawo zamaqula

63. Isaziso sokwemba imingxuma yezitsala-manzi, imithombo, neendawo zemithombo

64. Unikezelo lwamanzi okusela ngumasipala

65. Ukuzibhekisa ngokubhekiselele kubunjani bamanzi okusela

66. Izaziso ezizilumkiso

Uluhlu lweeNkqubo

1. Ukurhoxiswa kwemithetho kamasipala

2. Ulawulo lwamanzi olunyanzelekileyo

3. Imibhobho esetyenziselwa ukugqithisa amanzi okusela

ISAHLUKO 1

INKCAZELO KUNYE NEZIBONELELO NGOKUBANZI

1. Inkcazelo

Kulo mthetho kamasipala, ngaphandle kokuba imeko leyo mhlawumbi ibonakalisiwe

“**amagosa agunyazisiweyo**” kuthetha amagosa kamasipala agunyazisiweyo nguMlawuli weSixeko ukunyanzelisa izibonelelo zomthetho kaMasipala;

“**unikezelo lwamanzi olusisiseko**” luthetha imilinganiselo esemgangathweni yonikezelo lweenkonzo zamanzi efanelekileyo yokunikezela amanzi ngokuthembekileyo kwimizi ukuxhasa ubomi kwakunye nococeko lomntu ngokuphantsi koMthetho weNkonzo zaManzi, Nombolo 108 ka 1997 ebekiweyo kwakunye nemiqathango eyabhengezwa ngokuphantsi kwawo;

“**isitsala-manzi**” sithetha umngxuma otshonileyo emhlabeni ngenjongo zokufumana, ukutsala okanye ukusebenzisa amanzi angaphantsi komhlaba; kunye nokuquka namanzi atsitsa phantsi komhlaba, umthombo, nendawo yomthombo;

“**ISixeko**” sithetha indawo yolawulo lukamasipala ngokusemthethweni, ecandwe ngokuphantsi koRhulumente weNgingqi: uMthetho woCando kaMasipala, 1998 (uMthetho Nombolo 27 ka 1998);

“**UMlawuli weSixeko**” uthetha umntu owonyulwe libhunga ngokwesikhundla somlawuli kamasipala;

“**umbhobho wokudibanisa**” uthetha umbhobho, onobunini obunikezelwe kumasipala waza wafakelwa nguye ngeenjongo zokugqithisa amanzi asuka kwindawo eyintloko ukuya kwindawo yofakelo, kunye nokuquka “umbhobho wonxibelelwano” obizwa nge-SANS 10252: 2004 iNdawo1;

“**umsebenzisi-nkonzo**” uthetha nawuphi umntu osebenzisa amanzi asuka nakuluphi ufakelo oludityanise kumbhobho wokudibanisa onikezelwa ngamanzi ngoyintloko;

“**ibhunga**” lithetha ibhunga likamasipala okanye nawuphi na amanye amasebe/ amaqela kamasipala opolitiko, amalungu e-ofisi yopolitiko, oceba, okanye amalungu abasebenzi, agunyazise ngokufanelekileyo ngabathunywa;

“**uLawulo lweNgeniso elityala kunye noLawulo lweNkqubo yoMthetho kaMasipala wamaTyala**”, kuthetha ukuba uLawulo lweNgeniso elityala kunye noLawulo lweNkqubo yoMthetho kaMasipala wamaTyala, owamkelwa libhunga waza wapapashwa kwi-kwiPhephandaba likarhulumente lePondo *I-Gazette yePhondo*;

“**ngeenjongo zasekhaya**” ngokubhekiselele kunikezelo lwamanzi kuthetha amanzi anikezelelwa ukusela, ukuhlamba kunye neenjongo zokupheka ngaphakathi kwizakhiwo esetyenziselwa kuphela iinjongo zokuhlala;

“**uMlawuli: Amanzi**” uthetha umsebenzi kamasipala ojongene nemicimbi yaManzi neyoCoceko kumasipala;

“**ukukhathazwa kwempilo**” kuthetha imeko, okanye isimo esithi sibeke emngciphekweni ubomi okanye impilo okanye echaphazela ngokungalinganga intlalontle yabantu nasekuhlaleni okanye intlalontle yabantu ngokwasengqondweni okanye ngokwasekuhlaleni, okanye eyenza umngcipheko kokusingqongileyo, kwaye ‘neengozi zempilo’ zikwanentsingiselo efanayo;

“**umsebenzi wofakelo**” uthetha ukusebenza ngokuphantsi kolwakhiwo lwe-, okanye lwenziwe kwi-, kufakelo lwamanzi;

“**I-JASWIC**” ithetha iNkqubo yeNdibaniselwano eyaMkelekileyo yeziXhobo zoFakelo lwaManzi, apho umasipala ayinxalenye yayo;

“**oyintloko**” uthetha umbhobho, ngaphandle kombhobho wonxibelelwano, ubunini obubobukamasipala ngokusemthethweni osetyenziswa nguye ngeenjongo zokugqithisela amanzi kubasebenzisi-nkonzo;

“**isixhobo sokulinganisa**” kuthetha isixhobo esilinganisa ubungakanani bamanzi agqitha ngaso;

“**umasipala**” uthetha uMasipala weSixeko saseKapa;

“**umhlali**” uthetha umntu ohlala kuzo naziphi na izakhiwo okanye kwisiqingatha sendawo ngoko, ngaphandle kokujonga ubunini bakhe lowo uhleliyo;

“**umnini**” uthetha—

- (a) umntu othi amaxesha amaninzi ubunini obusemthethweni bomhlaba nesakhiwo bube bobakhe;
- (b) kwimeko apho umntu onelungelo elisemthethweni lobunini besakhiwo nomhlaba engenakuhlalwala matyala okanye eswelekile, okanye ephantsi kwayo nayiphi na imeko yokukhubazeka ngokusemthethweni, umntu lowo ulawulo lwezo zakhiwo nemihlaba luphantsi kwelungelo lakhe ngokusemthethweni njengomgcini, umphathiswa, umsayini, umlawuli, umlawuli ongumgwebi, umsebenzisi-nkonzosi wempahla ukuze kuhlawulwe ityala okanye omnye ummeli womthetho;
- (c) nakuyiphi imeko apho ibhunga lingakwaziyo ukufumanisa ukuba ngubani lowo mntu, umntu ofanelekileyo kuxhamlo lokusebenzisa ezo zakhiwo okanye isakhiwo okanye izakhiwo ngoko;
- (d) kwimeko apho ngaphakathi kwizakhiwo kungenwe kwisivumelwano sokuqeshisa seminyaka engama-30 nangaphaya, umqeshi/oqeshileyo ngoko;
- (e) umntu othenge isakhiwo nomhlaba ongasukiyo kumasipala, ngokuphantsi kwenkqubo evumela ukuba ixabiso ekuthengwe ngalo lihlawulwe ngezavenge nongakhange afumane utshintsho kumasipala;
- (f) ngokubhekiselele kwi—
 - (i) isiqingatha somhlaba esicaciswe kwisicwangciso somhlathi obhalisiweyo ngokuphantsi koMthetho woMhlathi weeTayitile, 1986 (uMthetho 95 ka 1986), umphuhlisi okanye iqumrhu ngokubhekiselele kumhlaba nesakhiwo salo lonke, okanye
 - (ii) icandelo njengoko licacisiwe kuMthetho ololo hlobo, umntu ogama lakhe libhaliswe phantsi kwesahluko sobunini bomhlaba ngokusemthethweni; kuquka ne-arhente enyulwe ngokusemthethweni yomntu onjalo;

“**umntu**” uquka umntu ngokwasemthethweni;

“**Ungcoliseko**” luthetha uguqulo ngokubonakalayo, ngokwekhemikhali okanye ngokobugcisa obungqalileyo okanye obungangqalanga lwezixhobo zamanzi ukuze benziwe bu—

- (a) bungalungeli ngokwanelisayo iinjongo zokuxhasa nokunjani njengendlela ebebulindeleke ukuba busebenze ngayo; okanye
- (b) bubeyingozi okanye bubenokwenza ingozi—
 - (i) kwintlalontle, kwimpilo okanye kukhuseleko lwabantu;
 - (ii) kwizinto zendalo zamanzi nezasemhlabeni;
 - (iii) kubunjani bezixhobo; okanye
 - (iv) kwisakhiwo nomhlaba;

“**isaziso sikawonke-wonke**” sithetha isaziso esipapashwe kwiphephandaba ngekungenani ngeelwiimi ezimbini ezisemthethweni ezisetyenziswa ngokubanzi kwiPhondo leNtshona Koloni kwakunye, nalapho kufanelekileyo, isaziso, masipapashwe kwiphephandaba elivela kakhulu ngolwimi olusetyenziswa ekupapasheni isaziso;

“**upapasho**” luthetha:—

- (a) ukupapasha isaziso kwi-*Gazette yePhondo*, kunye
- (b) ukunikezela amaqela anomnqweno ngeekopi zopapasho olulolo hlobo, kunye
- (c) ukuxhoma isaziso ukupapasha kwiibhodi zezaziso zikamasipala.

“**intlawulo ebekiweyo**” ithetha imali, intlawulo okanye uluhlu lwamaxabiso olugqitywe nolubekwe libhunga ngokuphantsi koMthetho kaMasipala weNkqubo yoLuhlu lwamaXabiso;

“**I-SABS**” ithetha i-South African Bureau of Standards ebizwa ngokoMthetho weMingangatho, uNombolo. 29 ka 1993;

“**I-SANS**” ithetha umgangatho obekiweyo wakhutshwa yi-SABS ngokuphantsi kwezibonelelo zoMthetho weMingangatho, uNombolo. 29 ka 1993;

“**umbhobho wenkonzo**” uthetha umbhobho oyinxalenye yofakelo lwamanzi nofakelwe phakathi kombhobho wokunxibelelana nesilinganisi-manzi;

“**itanki yokugcina**” ithetha itanki eyenza inxalenye yofakelo lwamanzi esetyenziselwa ukugcina amanzi, nangaphandle kokuba yitanki yamanzi enceda amanzi kwipani evalekileyo okanye itanki yokuchamela kwakunye netanki esetyenziselwa ukugcina amanzi atshisayo;

“**Umthetho kaMasipala weNkqubo yoLuhlu lwamaXabiso**” uthetha umthetho kaMasipala woluhlu lwamaxabiso ophunyezwe libhunga ngokuphantsi kwecandelo 75 loMthetho weNkqubo zikaMasipala: woRhulumente weNgingqi, Nombolo 32 ka 2000, okanye ngokuxhomekeke kuphunyezo olo, lwesigqibo libhunga ngokuphantsi kwecandelo 75A laloo Mthetho ukurhafisa nokufumana kwakhona izimali, iintlawulo okanye uluhlu lwamaxabiso.

“**ixesha elimisiweyo lokulinganisa amanzi**” lithetha ulinganiso lwamanzi kwindawo yokuphuma yofakelo lwamanzi elawula ukukhutshwa kwamanzi kufakelo lwamanzi;

“**amanzi**” athetha amanzi alungele ukuselwa ngaphandle kokuba kuchaziwe;

“**Ugcino lwamanzi**” luthetha ukugcinwa kwamanzi okanye ukusetyenziswa kwamanzi ngendlela efanelekileyo;

“**ufakelo lwamanzi**” luthetha imibhobho nolungiselelo lwamanzi olukuzo naziphi izakhiwo noluselungelweni lomnini ngokusemthethweni ngoko nolusetyenziswe okanye olulindeleke ukusetyenziswa ngokunxulumene nokusetyenziswa kwamanzi kwezo zakhiwo, kunye nokuquka—

- (a) umbhobho nolinganiselo lwamanzi ngaphandle kwemida yezakhiwo nomhlaba okanye mhlawumbi ibekwe ngokwemvume kamasipala, kwaye ikwaquka, kwakunye
- (b) no 'fakelo lomsebenzisi-nkonzo' njengoko kucingelwe nguMthetho weNkonzo zaManzi, uNombolo 108 ka 1997 kwakunye nemiqathango ephunyezwe ngokuphantsi kwawo ngoko;

“**iinkonzo zamanzi**” okanye nayiphi inxenywe ngoko; zithetha ukuthatyathwa, ukugqithiswa, ukulungiswa nokuhanjiswa kwamanzi alungele ukuselwa, amanzi alindelwe ukutshintshelwa kumanzi okusela okanye amanzi asetyenziselwa ushishino nemveliso yaye oko kubandakanya neenkono zococeko;

“**ubuchule benkonzo zamanzi**” buthetha nawuphi umhlaba apho kukho isakhiwo senkonzo eziluncedo ebantwini, esifakelwe okanye esisetyenziswa ngumasipala, okanye indawo eqokelela amanzi emvula enxulumene nonikezelo lwamanzi.

“**umlamli weenkono zamanzi**” uthetha nawuphi umntu onyanzelekileyo ukuba anike iinkono zamanzi komnye ngokuphantsi kwesivumelwano apho isibophelelo sokunikeza iinkono zamanzi sihambiselana nento/ nomba ongundoqo weso sivumelwano;

“**inkqubo yonikezelo lwamanzi**” ithetha amaziko, imisele ephezu komhlaba, imibhobho, izivalo, iimpompo, izilinganisi-manzi, okanye nezinye izixhobo ezinxulumene noko ezizezikamasipala ngokuselungelweni nezisetyenziswa okanye ezilindeleke ukusetyenziswa nguye ngokunxulumene nonikezelo lwamanzi, kunye nokuquka nayiphi inxalenye yenkqubo; kunye

“**indawo yomthombo**” ithetha umbhobho omncinci onqumlayo otsazisela kwisanti engadibananga okanye kulwakhiwo lwegrable, olunempompo eyakhelwe kumgangatho ophantsi ukuze yonyuse isasaze namanzi.

2. Ukusebenza kunye nenjongo yalo mthetho kamasipala

- (1) Lo mthetho kamasipala ubophelela ilungu likarhulumente.
- (2) Ngaphandle kokuba enye into ephikisa oku, ukophulwa kwalo mthetho kamasipala okwenzeke ngaphakathi kwizakhiwo ngokubhekiselele—
 - (a) kufakelo lwamanzi, ngaphandle kwesibonelelo esinxulumene nokusetyenziswa kwamanzi akufakelo, luya kufanela lwaphulwe ngumnini wezakhiwo, kunye
 - (b) nokusetyenziswa kwamanzi asuka kufakelo kuya kuthathwa njengolwaphulo ngumsebenzisi-nkonzo.
- (3) Akukho mnini uya kunyanzeleka ukuba azibophelele kulo mthetho kamasipala ngokuphazamisana nofakelo lwamanzi okanye inxalenye yalo olwalumiselwe ngokusebenzisana nawo nawuphi na umthetho ofanelekileyo ophambi komhla wokuqala kwalo mthetho kamasipala.
- (4) Amanzi ayanyikezelwa ngokwemiqathango yezibonelelo zalo mthetho kamasipala, kodwa xa kuyimbono yoMlawuli: Amanzi yokuba akuzi kuba lula ukunikezela amanzi ngendlela ebonelelwa ngulo mthetho kamasipala okanye kuza kuba ziindleko oko kuye ngamnye umsebenzisi-nkonzo kulo mmandla uthile, uMlawuli: Amanzi anganakho, ngokothethwano negosa elilawulayo leenkono zempilo zikamasipala, ukuqinisekisa enye indlela yokunikezela amanzi.
- (5) Apho uMlawuli: Amanzi aqinisekise enye indlela yokunikezela ngamanzi ngokwemiqathango yecandelo (6) elingezantsi, lo mthetho kamasipala, ngokwemfuno leyo, uya kusetyenziswa kunikezelo-mhlaba kwimimandla enjalo, kodwa ngokwemiqathango ebekwe nguMlawuli: Amanzi.
- (6) Apho umasipala asebenzisa unikezelo ngeenkono zamanzi zangaphandle, lo mthetho kaMasipala uhlala usebenza kwaye ibhunga luhlala lingumlawuli ongunya.

3. Izicwangciso zethutyana

- (1) Ukuba igunya lofakelo lalinikezelwe ngaphambi komhla wokuqala kwalo mthetho kaMasipala, okanye ukuba umsebenzi osemthethweni uyaqhubeka ngalo mhla, lowo msebenzi kuya kufuneka uthobele nayiphi imithetho elawula uhlobo lwalo msebenzi eyayinyanzelekile kwiSixeko ngaphambi kwalo mhla.

- (2) Umlawuli: Amanzi unakho, ngokwesithuba seentsuku ezingama-90 emva kokuqala kwalo mthetho kamasipala, anike igunya lokwenza umsebenzi wofakelo ngokuhambiselana nayo nayiphi imithetho elawula olo hlobo lomsebenzi owawunyanzelekile kwiSixeko ngaphambi kwalo mhla.
- (3) Nasiphi isivumelwano sonikezelo lwamanzi, phakathi komasipala nomsebenzisi-nkonzo ongengomnini wesakhiwo abangena kuso ngaphambi kophunyezo lwalo mthetho kamasipala, siya kuhlala sinyanzelekile, de kube lixesha apho
 - (a) umsebenzisi-nkonzo eshiya isakhiwo nomhlaba, okanye
 - (b) kukho utshintsho kubunini obusemthethweni bomnini wezakhiwo nomhlaba,
 kusemva koko apho umasipala aya kungena kwisivumelwano nomnini wesakhiwo.

4. Amagunya oMlawuli: Amanzi

- (1) Ukuba, ngokwembono yoMlawuli: Amanzi, ufakelo lwamanzi okanye inxalenye yalo kwizakhiwo nomhlaba lunophazamiseko okanye ngokwemeko enokuthi idale ukonakala okanye ukusebenziseka kwamanzi okugqithisileyo, ungcoliseko lwamanzi, okanye ubungozi kwimpilo nakukhuseleko, uMlawuli: Amanzi ngokwesaziso esibhaliweyo kuya kufuneka ukuba umnini athobele izibonelelo zalo mthetho kamasipala ngokwethuba elimiselweyo.
- (2) Umlawuli: Amanzi kufuneka athethane negosa elikulawulo leenkono zempilo zikamasipala kwimiba yonke apho kukho ukucingeleka kwengozi yempilo okanye ungcoliseko lwempilo.
- (3) Ukuba uMlawuli: Amanzi unesizathu sokukholelwa ukuba ufakelo lwamanzi lunokuba nesiphene esinokukhokelela okanye sibeke emngciphekweni impilo nokhuseleko kubahlali bezakhiwo nomhlaba, unokufuna ukuba ufakelo lwamanzi luhlolwe okanye lulungiswe isiphene ngendleko yomnini.

5. Imigangatho yenkonzo

- (1) Ibhunga linakho, kumaxesha ngumaxesha, nangokuhambiselana nomgaqo-nkqubo kazwelonke, kodwa ngaphantsi kwemiqathango yokugcina nokuba nakho, ngesaziso sikawonke-wonke, ligqibe imigangatho yeenkonzo enokuzinika abasebenzisi-nkonzo.
- (2) Ibhunga linokuthi ekugqibeni umgangatho wenkonzo lahlule phakathi kweendidi zabasebenzisi-nkonzo, imimandla ngokwemida kwakunye nemimandla ngokwentlalo noqoqosho.
- (3) Le mingangatho yenkonzo ilandelayo inakho, ngokuphantsi kwecandelo (1) elingezantsi inikezwe ngumasipala ngexa lokubhengezwa kwale mithetho kamasipala—
 - (a) iinkono zonikezelo lwamanzi zemizi—
 - (i) ziquka umlinganiselo womgangatho wenkonzo enikwa ngumasipala;
 - (ii) zinemibhobho elungisiweyo nemileyo okanye itanki yamanzi emileyo elungiswe nokuba kungombhobho oxananazileyo okanye itanki emiswe kumgama olingeneyo onokufikeleleka ngenyawo ukusuka nakuwuphi umzi;
 - (iii) zifakelwa simahla ngaphandle kwentlawulo;
 - (iv) inikezwa kubasebenzisi-nkonzo simahla ngaphandle kwayo nayiphi intlawulo, kwaye
 - (v) zigcinwa zisebenza ngumasipala.
 - (b) ukudityaniswa okungaphakathi kwenxiwa okungadibenanga nalo naluphi ufakelo lwamanzi—
 - (i) okunombhobho omileyo ongenasilinganisi-manzi ngaphakathi kwizakhiwo ezingadibenanga nofakelo lwamanzi;
 - (ii) kufakelwa simahla ngaphandle kwentlawulo; kwaye
 - (iii) kugcinwa kusebenza ngumasipala.
 - (c) ukudityaniswa kwesilinganisi-manzi samanzi ephuma ngamandla-
 - (i) kufakelwa ngokuhambelana neentlawulo ezimiselweyo;
 - (ii) kufakelwa ngokuchasene neentlawulo ezimiselweyo, kwaye
 - (iii) kwanofakelo lwamanzi olugcinwa lusebenza ngumsebenzisi-nkonzo.

6. Ukuqeshwa kwamagosa agunyazisiweyo

Umlawuli weSixeko angaqesha amagosa anegunya.

7. Ulwabiwo-msebenzi

- (1) Umlawuli weSixeko angabela nabani neliphi igosa likamasipala amagunya nemisebenzi yakhe ngokwemiqathango yalo mthetho kamasipala.
- (2) Umlawuli: Amanzi angabela neliphi igosa likamasipala amagunya nemisebenzi yakhe.

8. Ukungena kwiinkono zonedo lwamanzi

- (1) Wonke umntu ongena kwiinkono zonedo lwamanzi, makathobele imiqathango yoMlawuli: Amanzi esetyenziswa kunye nemiqathango yokungena kwisiza ebonakaliswe ngohlobo lwesaziso ekungeneni kwinxwiwa.

- (2) Umntu ongazithobeli ezi ziqulatho zesaziso ekungeneni kwiinkonzo zoncendo zamanzi unetyala.

9. Amaxesha kaxakeka afutshanisileyo kunye neemeko apho kufuneka kuthathwe amanyathelo ngokukhawuleza

- (1) UMlawuli: Amanzi unakho, kwimeko zamaxesha kaxakeka afutshanisileyo okanye kwimeko apho kufuneka kuthathwe amanyathelo ngokukhawuleza athathe nayiphi na imiqathango efanelekileyo ukukhusela okanye ukususa loo meko okanye oko kuxakeka kufutshanisileyo.
- (2) Xa ixesha okanye imeko yokuxakeka efutshanisileyo isenzeka kwisakhiwo nomhlaba ozimeleyo, njengoko kucingeleka kwicandelo (1) elingezantsi, uMlawuli: Amanzi unakho—
- (a) ngesaziso esibhaliweyo ukunika umgqaliselo kumnini ukuba athathe imiqathango enjalo nanjengoko kunokuba yimfuneko ukukhusela okanye ukususa imeko okanye ukuxakeka okufutshanisileyo, okanye
- (b) kwisithuba apho umnini engenakufumaneka okanye engakwazi ukuthobela kwangethuba iimfuno zoMlawuli: Amanzi, unokuthatha imiqathango elolo hlobo njengoko kuyimfuneko ukukhusela okanye ukususa loo meko okanye ukuxakeka okufutshanisileyo.
- (3) Kwisithuba apho ixesha lokuxakeka livela kufakelo lwamanzi umnini wolo fakelo lwamanzi unoxanduva ngokusemthethweni kwiintlawulo ezenziwe ngumasipala.
- (4) Kwisithuba apho inyathelo lithathwa ngokokucingela komhlathi (b) wecandelo (2) elingezantsi, uMlawuli: Amanzi unika ingxelo ngomba lowo kuMlawuli weSixeko ngaphandle kokulibazisa.
- (5) Ukuba ngokwembono zoMlawuli: Amanzi ubona ukuba elo nyathelo lifanelekile njengomba ongxamisekileyo ukukhusela ukonakaliswa kwamanzi, ukonakaliswa kwesakhiwo nomhlaba, ayingozi kubomi okanye kungcoliseko lwamanzi, unoku—
- (a) qumamisa unikezelo lwamanzi nakuziphi izakhiwo nomhlaba, ngaphandle kokwenza isaziso kuqala, kwaye
- (b) unokungena kwezo zakhiwo enze umsebenzi wexesha lokuxakeka, ngendleko zomnini, ukuba unokubona kuyimfanelo, kwaye ngaphezulu ngesaziso esibhaliweyo afune umnini enze lo msebenzi wongezelekileyo ngethuba elimiselweyo njengoko enokubona kufanelekile.

10. Imisebenzi kawonke-wonke

- (1) Ilungu ngalinye likawonke-wonke kufuneka, lazi ngexesha lokuxakeka nanini, nangemeko efutshanisileyo efuna umqwalasela okhawulezileyo okanye nayiphi imeko enokwenza ukuba konakaliswe amanzi okanye angcoliseke, ukuba kufuneka lazise uMlawuli ngokukhawuleza.
- (2) Naye nawuphi na umntu othathe amanyathelo ngokwemiqathango yecandelo (1) elingezantsi onganqweneli kwaziwa, unokucela ukuba igama lakhe lingaziswa nakwawaphi na amanyathelo athatyathwayo.

11. Ukufunyanwa ngokutsha kweendleko

- (1) Wonke umntu owaphula izibonelelo zalo mthetho kamasipala unoxanduva lokubuyekeza umasipala ngayo nayiphi ilahleko okanye umonakalo owenziwe ngenxa lesiphumo solo lwaphulo-mthetho.
- (2) Umasipala angafumana ngokutsha naziphi indleko ezenzeke ngokuthatha imiqathango ngokuphantsi komthetho kaMasipala kuye nawuphi na umntu owayephantsi kwesibophelelo ngokusemthethweni sokuba alandele loo miqathango, kuquka—
- (a) umntu owayenikezwe isaziso sokuthobela;
- (b) umnini wezakhiwo nomhlaba ochaphazelekayo, okanye
- (c) umsebenzisi-nkonzo.
- (3) UMlawuli weSixeko unokukhupha umqathango wendleko ofuna ukuba umntu onoxanduva lokuhlulwa indleko ezenzeke ngokuphantsi kwemiqathango yecandelo (1) elingezantsi ahlawule ezo ndleko ngomhla omiselweyo ukuze loo mqathango uthathwe njengomthetho wexabiso elifunekayo.

12. Izaziso zokuthobela

- (1) Xa ilungu elinegunya lifumanise ukuba isibonelelo saphulwe/sisetyenziswe ngokungekho mthethweni okanye imeko yenokubangela ukuba sibe kwizinga elinokukhokelela kulwaphulo lwalo mthetho kamasipala, elo gosa linegunya linokukhupha isaziso sokuthobela kumsebenzisi-nkonzo okanye kumnini owaphula izibonelelo zalo mthetho kamasipala.
- (2) Isaziso esikhutshwa ngokwemiqathango yecandelo (1) elingezantsi masibonise—
- (a) ukuba isibonelelo somthetho kaMasipala ukuba saphulwe okanye siza kophulwa ukuba imeko iyavunyelwa ukuba iqhubeka;
- (b) imiqathango emayithathwe ukulungisa imeko, kwakunye
- (c) nesithuba sexesha apho isaziso kufuneka sibe sesithontyelwe.
- (3) Ukuba umntu owayenikwe isaziso ngokwemiqathango yecandelo (2) elingezantsi, akathobeli imfuno zesaziso, uMlawuli: Amanzi unokuthatha lawo manyathelo njengemfuneko yokulungisa loo meko ngendleko zalowo mntu uchaphazelekayo, okanye athathe nawaphi amanyathelo afanelekileyo ukuqinisekisa ukuthobela.

13. Uxanduva lokuthobela lo mthetho kamasipala.

- (1) Umnini unoxanduva lokuqinisekisa ukuthobela lo mthetho kamasipala ngokubhekiselele kuyo yonke imiba enxulumene nofakelo lwamanzi nokugcinwa kwalo lusemgangathweni ngoko.

- (2) Umsebenzisi-nkonzo unoxanduva lokuthobela lo mthetho kamasipala ngokubhekiselele kwimiba nayiphi yokusetyenziswa kwamanzi.

14. Amatyala nezigwebo

Nawuphi na umntu—

- (a) owaphula okanye ongathobeli naziphi izibonelelo zalo mthetho kamasipala;
- (b) ongathobeli naso nasiphi isaziso esikhutshwe ngokwemiqathango yalo mthetho kamasipala;
- (c) ongathobeli nayo nayiphi imiqathango esemthethweni enikwe ngokwemiqathango yalo mthetho kamasipala, okanye
- (d) ophazamisa okanye ongumqobo kummeli okanye umqeshwa kamasipala ekwenzeni imisebenzi yakhe ngokuphantsi kwalo mthetho kamasipala,

abekwe ityala kwaye kuyimfanelo ngokusemthethweni ukuba anikwe isigwebo.

15. Ukukhululwa kwimfanelo ngokusemthethweni

Umasipala akanatyala ngokusemthethweni kuko nakuphi ukonakaliswa kwesakhiwo nomhlaba okwenziwe kukuphuma kwamanzi asuka kwincam yesilinganisi esishiywe sivulekile xa unikezelo lwamanzi belufakelwa kwakhona, obelulandela uphazamiseko ngenxa yaso nasiphi isizathu

16. Ukurhoxisa

Imithetho eyayivunye ngokusemthethweni libhunga okanye ngamalungu alo angaphambili ngokubhekiselele kwisiqingatha seSixeko, iyarhoxiswa, kangangendlela/ngokwemiqathango yeCandelo 1 ngokwalapha.

17. Izibheni

Umntu omalungelo akhe achatshazelwe linyathelo elithathwe ngokwemiqathango yegunya okanye ngokomsebenzi ogunyazisiweyo okanye ogunyaziswe ngezantsi ngokwemiqathango yalo mthetho kamasipala, angabhena ngokuchasene neso sigqibo ngokubhekiselele kwicandelo 62 loMthetho weNkqubo zikaMasipala, uNombolo 32 ka 2000 : woRhulumente weNgingqi.

ISAHLUKO 2

IZIBONELELO NGOKUBHEKISELELE KUNIKEZELO LWAMANZI

18. Ukusetyenziswa kwamanzi okungekho mthethweni

Akukho mntu onokusebenzisa amanzi asuka kwisixokelelwane sokunikezela ngamanzi—

- (a) ngaphandle kokuba isivumelwano ekubhekiselele kuso kwicandelo 19 okanye 20 sesigqityiwe, okanye
- (b) ngaphandle kuphela kungombobho wonxibelelwano onikezelwe ngokwemiqathango yecandelo 26 okanye ukusuka kumbobho wamanzi wokucima umlilo ngokwemiqathango yecandelo 35, okanye
- (c) ngaphandle kuphela kungendawo yesilinganisi-manzi sonikezelo manzi efakele ngokukhethekile ngumasipala ukunikezela amanzi.

19. Isicelo sokunikezelwa ngamanzi

- (1) Amanzi asuka kwinkqubo yonikezelo lwamanzi akayi kunikezelwa nakuziphi izakhiwo nomhlaba ngaphandle kokuba umnini wenze isicelo sonikezelo kumasipala kwaye nesicelo sivunyiwe.
- (2) Isicelo sonikezelo lwamanzi sivunye nguMlawuli: Amanzi esiyinxalenye yesivumelwano phakathi kukamasipala nomnini esiqala ukusebenza ngomhla isicelo esibhekiselele kuwo
- (3) Kuyimfanelo yomnini ngokusemthethweni ukuhlawula zonke izimali ngokubhekiselele kunikezelo lwamanzi, ngokugqitywe ngokwemiqathango yomthetho kaMasipala weNkqubo yoLuhlu lwaMaxabiso, de lube unikezelo luphazamisekile ngokwesicelo somnini okanye kube isivumelwano siphelisiwe ngokubhekiselele kulo mthetho kamasipala, kwaye uxhomekeke kumsebenzisi-nkonzo ngazo zonke iinjongo ngethuba lesivumelwano.
- (4) Isicelo masibe ubuncinane sinolu lwazi lulandelayo—
 - (a) isiqinisekiso sokuba umceli uyayazi yaye uyayiqonda imiba yesivumelwano;
 - (b) ulwamkelo lwezibonelelo zalo mthetho kamasipala nolwamkelo lwemfanelo ezisemthethweni zeendleko zofakelo lwamanzi ngumceli side isivumelwano sibe sinqunyanyisiwe;
 - (c) igama lomceli nenombolo yakhe yesazisi;
 - (d) idilesi okanye inombolo yesiza yesakhiwo nomhlaba okanye apho amanzi aza kunikezelwa khona;
 - (e) idilesi apho i-akhawunti iza kuthunyelwa khona;
 - (f) injongo ebonakalisa ukuba amanzi aza kusetyenziselwa ntoni;
 - (g) umhla ovunyiweyo wokuqala kokunikezelwa kwamanzi, kunye
 - (h) isibhambathiso ngumceli sokuba uza kumazisa umasipala ngazo naziphi iinguqu ngokumalunga noku kungasentla.

- (5) Amanzi anikezwa ngokuphantsi kwezibonelelo zalo mthetho kamasipala kunye nemiqathango ebekwe nguMlawuli: Amanzi.
- (6) Apho injongo iyeyo, okanye iyeye, amanzi enzelwe isicelo ngokwecandelo (4) (f) elingezantsi itshintshiwe, umnini makongeze ngokukuko ekucebiseni umasipala ngezo nguqu, atsho angene kwisivumelwano esitsha nomasipala.

20. Izivumelwano ezikhethekileyo zonikezelo lwamanzi

- (1) Ibhunga linokungena kwisivumelwano esikhethekileyo sokunikezwa kwamanzi komceli ongaphandle kweSixeko.
- (2) Ukuba ibhunga liyavuma ukunikezela amanzi kumceli ongaphandle kweSixeko, ngokubhekiselele kwisicelo esikhethekileyo linokumvumela ukuba awathengise lawo manzi kwabanye abantu, ngokuphantsi kwalo miqathango njengoko kunokufaneleka.

21. Imibhobho ezitalatweni nakwiindawo zikawonke-wonke

Akukho mntu ngayo nayiphi injongo unokugqithisa amanzi asuka nakweyiphi imvelaphi yamanzi, abeke okanye akhele umbhobho okanye isixhobo esiyeleleyo kwi-, e- okanye ngaphantsi kwesitalato, kwindawo kawonke-wonke okanye komnye umhlaba onomnini okanye ophantsi kolawulo lukamasipala, ngaphandle kokuba kubhalwe imvume kuqala eya kuMlawuli: Amanzi nangokuphantsi kwalo miqathango nanjengoko enokuyibeka.

22. Izimali

Zonke ezimali ezihlawulwa ngokubhekiselele kunikezelo lwamanzi ngumasipala mazihambiselana noMthetho kaMasipala woLuhlu lwaMaxabiso.

23. Ukupheliswa/ukunqunyanyiswa kwisivumelwano

- (1) Umnini unokusingqumamisa isivumelwano sesibonelelo senkonzo yokunikezelwa ngamanzi ngokunika umasipala isaziso esingaqithanga iintsuku zesaziso ezisixhenxe ngokobhala injongo zokwenza oko.
- (2) UMLawuli: Amanzi unakho, ukucebisa umnini ngokunqunyanyiswa kwisivumelwano sonikezelo lwamanzi ngesaziso esibhaliweyo zingadlulanga iintsuku ezingamashumi amane, xa—
 - (a) xa engawasebenzisanga amanzi iinyanga ezintathu zilandelelana kwaye engenzanga malungiselelo anelisayo noMlawuli: Amanzi okuqhubeka kwisivumelwano, okanye
 - (b) engakwazanga ukuthobela izibonelelo zalo mthetho kamasipala kwaye engakwazanga ukulungisa oko kungaphumelelanga ukuthobela lo mba wesaziso, okanye
 - (c) engakwazanga ukuhlawula naziphi izimali ezifanelekileyo nezihlawulwayo ngokwemiqathango yoMthetho kaMasipala weNkqubo yoLuhlu lwaMaxabiso.
- (3) UMLawuli: Amanzi unokunqumamisa isivumelwano sokunikezela ngamanzi ukuba eso sakhawo nomhlaba isivumelwano sibhekiselele kuso sashiywa/asihlalwa-mntu.

24. Ungenelelo kwinkqubo yonikezelo lwamanzi

Ngaphandle kokuba kugunyazisiwe ngokwemiqathango yalo mthetho kamasipala, akukho mntu ngaphandle kukamasipala onakho—

- (a) ukulawula, ukusebenzisa okanye ukugcina ngokusemgangathweni iziko loncedo lwabantu ngeenkonzo zesibonelelo samanzi, okanye
- (b) athathe inyathelo lokudibanisa kwinkqubo yonikezelo lwamanzi.

25. Uphazamiseko ekufikeleleni kwinkqubo yonikezelo lwamanzi

Akukho mntu unokuvalela okanye athintele ukufikelela kwamagosa kamasipala kwinkqubo yonikezelo lwamanzi.

26. Isibonelelo sombhobho wonxibelelwano

- (1) Akukho mntu unokuqala naluphi uphuhliso nakweziphi izakhiwo nemihlaba ngaphandle kokuba uMlawuli: Amanzi ufakele umbhobho wokudibanisa nesilinganisi-manzi.
- (2) Ukuba isivumelwano sokunikeza ngamanzi ngokubhekiselele kwizakhiwo nomhlaba sigqityiwe kwaye akukho mbhobho wonxibelelwano (okanye umbhobho wonxibelelwano olinganiswe ngokufanelekileyo) okhoyo ngokubhekiselele kwizakhiwo nemihlaba, umnini uza kwenza isicelo kwifomu emiselweyo aze ahlawule ixabiso elimiselweyo lofakelo lombhobho ololo hlobo ngokugqityiwe ngokwemiqathango yoMthetho kaMasipala weNkqubo yoLuhlu lwaMaxabiso.
- (3) UMLawuli: Amanzi unokugqiba—
 - (a) isinqumla-sangqa sombhobho wonxibelelwano ngokolwazi olunike ngumceli ngexesha lokwenza isicelo;
 - (b) indawo yombhobho wonxibelelwano;
 - (c) indawo yokuphelisa umbhobho wonxibelelwano ngaphakathi komda womhlaba onobunini obungumasipala, okanye obuphezu kobukhoboka okanye naliphi elinye ilungelo;
 - (d) uhlobo lokudibanisa olunokusetyenziswa ukwenzela ukudibanisa, kwakunye
 - (e) nesixhobo apho isiqingatha sofakelo lwamanzi phakathi kombhobho wonxibelelwano nesivalo esizimeleyo somnini, ekubhekiselelwe kuso kwicandelo 56, kufuneka senziwe, kwakunye nendlela yofakelo lweso siqingatha.

- (4) Ukuba isicelo senzelve unikezelo lwamanzi kwizakhiwo nomhlaba okwindawo apho kuza kufuneka ukuba inkqubo yonikezelo lwamanzi yandiswe ukuze kunikezwe amanzi kwezo zakhiwo nomhlaba, uMlawuli: Amanzi unokuvumela unyenyiso ngokuphantsi kwaloo miqathango nanjengoko enokufuna njalo.
- (5) Ngaphandle kokuba kubekwe nguMlawuli: Amanzi, umnini kufuneka, ngendleko zakhe, aqalise ukudibanisa phakathi kofakelo lwamanzi kunye nombhobho wonxibelelwano okanye umbhobho onceda izakhiwo nomhlaba.
- (6) Umnini makagcine isiqingatha sofakelo lwamanzi ekubhekiselelwe kuso kwicandelo (3) (e) elingezantsi ngokuchasene nokusuka.
- (7) Ngaphandle kokuba mhlawumbi kuvunyelwe nguMlawuli: Amanzi, ngumbhobho wonxibelelwano omnye kuphela onokunikezwa kuzo naziphi izakhiwo nomhlaba, kungajongwanga inani lamaqela ahlalayo, amaqela oshishino okanye abasebenzisi-nkonzo abahlala kwezo zakhiwo nomhlaba.
- (8) UMLawuli: Amanzi unokuvuma, ukudibanisa okungundoqo ngaphandle kwalowo uhleli ukhona wokunikeza amanzi kwizakhiwo nomhlaba; ngokuphantsi kwaloo miqathango inokubekwa, ngaphandle kokuba umnini unoxanduva lwalo naluphi unyenyiso lofakelo lwamanzi kwindawo yokudibanisa ebekwe bucala nangesivumelwano soMlawuli: Amanzi kwakunye nokuwafumana ngendleko yakhe, obo bukhoboka obuphezu kwesinye isakhiwo nomhlaba bunokufuneka.
- (9) Akukho fakelo lwamanzi luya kunikezwa namanzi ngombhobho wonxibelelwano owawufakelwe iinjongo zokwakha isakhiwo de sibe isiqinisekiso sokuthobela ekubhekiselelwe kuso kwicandelo 53 sifunyenwe ngumasipala, kwaye ukuba eso siqinisekiso esilolo hlobo asifumanekanga, uMlawuli: Amanzi unakho, ngokokucinga kwawo nangaphandle kokugweba kuqala, umasipala unakho ukuqhawula ukudibana okanye ukuthintela unikezelo lwamanzi kolo fakelo lwamanzi.
- (10) Ukuba uMlawuli: weZamanzi ubona ukuba umlinganiselo wombhobho wonxibelelwano awusifanelanga isizathu sobungakanani bamanzi anikiweyo kwizakhiwo nomhlaba, unakho ukufuna umnini ahlawule indleko ezimiselweyo zokususwa kombhobho okhoyo wonxibelelwano nokufakwa kombhobho wonxibelelwano onomlinganiselo ofanelekileyo ngesaziso esibhaliweyo.
- (11) (a) UMLawuli: weZamanzi unakho ngesaziso esibhaliweyo, ukufuna ukuba umnini wezakhiwo nomhlaba owahlulwe ngokwamaqela okuhlala, ukuba ngendleko zakhe ngaphakathi kwethuba elimiselweyo kwisaziso—
- (i) aguqule ufakelo lwamanzi olunceda naliphi iqela elinye ukuze lahluke kwi, kwaye luzimele, kolunye ufakelo lwamanzi olunceda naliphi elinye iqela;
- (ii) enze isicelo sombhobho wonxibelelwano ukuze uncede iqela ngalinye, kwaye
- (iii) udibanise ufakelo lwamanzi ekubhekiselelwe kulo kumhlathi (i) udibanise kumbhobho wokunxibelelanisa ekubhekiselelwe kuwo kumhlathi (ii).
- (b) UMLawuli: weZamanzi unokunika umnini weqela ekubhekiselelwe kulo kumhlathi (a)(i) isaziso esibhaliweyo sokuba ufanele enze isicelo ngokwemiqathango yecandelo 19 sonikezelo lomhlaba.
- (12) Ukuba uMlawuli: weZamanzi ujonge ukufaka umbhobho wonxibelelwano omtsha, uMlawuli: weZamanzi makanike umnini ochaphazelekayo kungabingaphantsi kweentsuku ezilishumi zokusebenza isaziso esibhaliweyo somhla apho aya kuqala ukudibanisa phakathi kofakelo lwamanzi kunye nokufakelwa kombhobho wokunxibelela ngokutsha.
- (13) Apho izakhiwo nomhlaba zinikezwe inani lemibhobho yokunxibelelana, uMlawuli: weZamanzi uya kufuna umnini anciphise inani leendawo zokudibanisa aze aguqule ufakelo lwamanzi ngokulinganayo.

27. Indibaniselwano phakathi kwezakhiwo nemihlaba

Umnini wezakhiwo nomhlaba makaqinisekise ukuba kukho indibaniselwano phakathi kofakelo lwamanzi kwizakhiwo nomhlaba naphakathi kofakelo lwamanzi kwezinye izakhiwo nomhlaba, ngaphandle kokuba umnini ufumene imvume yoMlawuli: weZamanzi naye athobele nayo nayiphi imiqathango ebekwe nguMlawuli: weZamanzi.

28. Isibonelelo nendawo yezivalo ezahlulayo

- (1) UMLawuli: weZamanzi makafakele isivalo esahlulayo phakathi kwesilinganisi-manzi ngasinye kunye nesingundoqo.
- (2) Umnini kufuneka, ngendleko yakhe, nangenjongo yokusebenzisa kwakhe okuzimeleyo, enze kubekho aze afakele izivalo sokohlala—
- (a) kwimeko apho isilinganisi-manzi sifakelweyo kwizakhiwo nomhlaba, kwindawo efanelekileyo kwicala lakhe lesilinganisi-manzi;
- (b) kwimeko apho isilinganisi-manzi sifakwe ngaphandle kwezakhiwo nomhlaba, kwindawo efanelekileyo kufutshane nangaphakathi komda wezakhiwo nomhlaba wakhe,
- ngaphandle kokuba uMlawuli: weZamanzi unakho, ekungaphumelelini komnini kwakunye nakwindleko yomnini, enze kubekho aze abe sele efakela isivalo sokwahlula.
- (3) Akukho mntu ngaphandle kwemvume yoMlawuli: weZamanzi oya kuphazamisana nesivalo sokwahlula kumbhobho wokunxibelelana.

29. Imiqathango ngokubanzi yonikezelo

- (1) Unikezelo lwamanzi ngumasipala aludibanisi isibhambathiso sokugcina inkqubo yonikezelo lwamanzi isemgangathweni nakweliphi na ixesha okanye nakweyiphi na indawo—
- (a) unikezelo olungenasiphazamiso;
- (b) amandla okanye izinga lokuhamba kolo nikezelo, okanye
- (c) umgangatho othile wobunjani bamanzi,

ngaphandle kokuba unikezelo lwamanzi oluya kumsebenzisi-nkonzo luphazamiseke ngaphezu kweeyure engama-24, ngoko umasipala uya kuzibophelela ukuba anike unikezelo olusisiseko samanzi ngokokukhawuleza anakho.

- (2) UMlawuli: weZamanzi angagxininisa kumphakamo womlinganiselo apho amanzi anokunikezwa asuka kwinkqubo yonikezelo lwamanzi.
- (3) Ukuba umnini ufuna unikezelo olungenasiphazamiso, amandla okanye izinga elithile lokuhamba okanye umgangatho othile wobunjani bamanzi kwizakhiwo nomhlaba, kuya kufuneka umnini enze awakhe amalungiselelo okuthobela kwiimfuno ezilolo hlobo.
- (4) UMasipala angaphazamisa unikezelo lwamanzi nakwezphi izakhiwo nomhlaba ngaphandle kokwenza isaziso kuqala.
- (5) Ukuba imbono yoMlawuli: weZamanzi yokusetyenziswa kwamanzi kwizakhiwo nomhlaba kuphazamisa ngokumandla unikezelo lwamanzi kwezinye izakhiwo nomhlaba, uMlawuli: Amanzi unokusebenzisa izithintelo ezilolo hlobo nanjengoko kunokufuneka nakanjani ekwimo yokunikezela ngamanzi kwizakhiwo nomhlaba wokuqala okhankanyiweyo ukuze aqinisekise unikezelo olufanelekileyo nakwezinye izakhiwo nomhlaba, aze azise umnini kunye/ okanye umsebenzisi-nkonzo ngezakhiwo nomhlaba okhankanywe kuqala ochatshazelwa zizithintelo ezilolo hlobo.

30. Uthintelo okanye ukuyekiswa konikezelo

- (1) Ngokuphantsi kwalo naliphi ilungelo umasipala anokuba nalo, uMlawuli weSixeko unakho, ukuba umnini akaphumelelanga ukuhlawula isambuku asityalayo/setyala ngokwemiqathango yoMthetho kaMasipala woLuhlu lwaMaxabiso, amazise ngesaziso esibhaliweyo ngenjongo yokuthintela okanye ukuyekisa unikezelo walmanzi ngomhla othile kunye nokuthintela okanye ukuyekisa unikezelo ngalo mhla okanye emva kwawo.
- (2) Ngokuphantsi kwalo naliphi ilungelo umasipala anokuba nalo, uMlawuli: Amanzi unakho, ukuba umnini waphule lo mthetho kamasipala waza akakwazi ukulungisa olo lwaphulo singadlulanga isithuba esimiselweyo kwisaziso esibhaliweyo asinikiweyo esifuna enze njalo; ngesaziso esibhaliweyo aziswe ngenjongo zesithintelo okanye sokuyekiswa konikezelo lwamanzi ngomhla omiselweyo kwakunye nokuthintela okanye ukuyekisa unikezelo ngomhla okanye emva komhla lowo.
- (3) Umsebenzisi-nkonzo/umnini makahlawule izimali zesithintelo okanye zokuyekiswa konikezelo nezokubuyiselwa kwakhona konikezelo lwamanzi ngokwemiqathango yoMthetho kaMasipala weNkqubo yoLuhlu lwaMaxabiso: ngaphandle kokuba zonke izimali ezilolo hlobo zihlawulwe ngaphambi kokubuyiselwa kwakhona konikezelo lwamanzi.
- (4) Umsebenzisi-nkonzo othe iinkonzo zonikezelo lwamanzi akakwazi ukufikelela kuzo ngenxa yokuthintelwa okanye ukuqhawulwa, azidibanisa ngenjongo, ziya kuqhawulwa ngohlobo lwesaziso esibhaliweyo.

31. Uphazamiseko lonikezelo ngesicelo somnini

- (1) UMlawuli: Amanzi unakho, ngesicelo esibhaliweyo somnini nangemihla eceliweyo, ukuba isakhiwo nomhlaba asinamntu okanye asihlali mntu—
 - (a) kuyekiswe okanye kuthintelwe unikezelo lwamanzi kwizakhiwo nomhlaba ezo, kuze
 - (b) kubuyiselwe unikezelo kwakhona.
- (2) Umnini uya kubanakho ngemvume yesicelo esicingelwe kwicandelo (1) elingezantsi, ahlawule intlawulo emiselweyo.

32. Ukususwa kokudityaniswa kwamanzi

UMlawuli: Amanzi unokususa ufakelo lwamanzi olusuka kumbhobho wokunxibelelanisa uze ususe umbhobho wokunxibelelanisa ukuba—

- (a) isivumelwano sonikezelo sinqunyanyisiwe ngokwemiqathango 23 nanguMlawuli: weZamanzi ukuba akafumani sicelo sonikezelo lwamanzi oluqhubekayo kwizakhiwo nomhlaba onikwa uncedo ngumbhobho zingadlulanga iintsuku ezingama-90 sokunqunyanyiswa, okanye
- (b) isakhiwo kwizakhiwo nomhlaba esichaphazelekayo sadilizwa , okanye
- (c) umnini okanye umhlali uphazamisene ngokungekho mthethweni nenkqubo yonikezelo lwamanzi enika uncedo kwizakhiwo nomhlaba ochaphazelekayo.

33. Ukufakelwa kwesilinganisi-manzi samanzi anikezweleyo

- (1) Amanzi aziswa kwizakhiwo nomhlaba makadlule ngesilinganisi-manzi, esifakelwe phakathi kombhobho wokunxibelelanisa nofakelo lwamanzi kwindawo egqitywe nguMlawuli: Amanzi, ngaphandle kokuba isilinganisi-manzi singasuswa—
 - (a) xa kukho ufakelo lwesicheli somlilo esizilawulayo;
 - (b) apho amanyathelo athathiweyo okukhangela ukutsalwa kwamanzi ngokungekho mthethweni ngenjongo yokulwa umlilo, okanye
 - (c) imeko ezigqitywe nguMlawuli: Amanzi.
- (2) Ukuba isilinganisi-manzi nezixhobo ezihamba naso sinikiwe safakelwa ngumasipala, sihlala isisixhobo sakhe, kwaye singafakwa ngokutsha xa imfuneko ikho ngokwesigqibo soMlawuli: Amanzi.
- (3) Umasipala angafaka isilinganisi-manzi nezixhobo ezihamba naso—
 - (a) nakweyiphi indawo kufakelo lwamanzi onceda izakhiwo nomhlaba, kunye
 - (b) nakweyiphi indawo kumbhobho wokudibanisa onceda izakhiwo nomhlaba.
- (4) Isilinganisi-manzi, esifakwe ngokwemiqathango yecandelo (3)(a) elingezantsi, sihlala isisixhobo sikamasipala.

- (5) Ukuba umasipala ufaka isilinganisi-manzi kunye nezixhobo ezihamba naso kufakelo lwamanzi ngokwemiqathango yecandelo (3)(a) elingezantsi, umnini—
- makanikeze indawo yofakelo eyamkelwe nguMlawuli: Amanzi;
 - makaqinisekise ukufikelela okungenasithintelo ngawo onke amaxesha;
 - unoxanduva lokhuseleko nemfanelo ngokusemthethweni yeendleko ezinokucela zokonakaliswa ngoko; ngaphandle komonakalo ovele ngendlela eqhelekileyo yobudala nokusikela;
 - makaqinisekise ukuba akukho kudityaniswa kwenziweyo kumbhobho apho isilinganisi-manzi senziweyo, phakathi kwesilinganisi-manzi nombhobho wonxibelelwano onceda ufakelo lwamanzi;
 - makenze amalungiselelo okufunxwa kwamanzi anokuchitheka kumbhobho apho isilinganisi-manzi sifakelwe khona, apho umsebenzi kwisilinganisi-manzi wenziwe ngumasipala, kwaye
 - akanakusebenzisa, avumele ukusetyenziswa, kufakelo lwamanzi, nasiphi isilinganisi, umatshini okanye isixhobo sombane esinokonakalisa okanye ngokwembono yoMlawuli: Amanzi, unokonakalisa kwinkqubo yonikezelo lwamanzi kuquka nesilinganisi-manzi.
- (6) Ngumasipala kuphela onoku—
- kususa isilinganisi-manzi nesixhobo esihamba naso kumbhobho apho zifakelwe khona;
 - onokususa isitywini kwisilinganisi-manzi, okanye
 - nangeyiphi indlela angenelele ngesilinganisi-manzi nezixhobo ezihamba naso.
- (7) Nawuphi umntu owaphula icandelo (6) elingezantsi makahlawule umasipala ixabiso lobungakanani bamanzi ngokwembono yoMlawuli: Amanzi.
- (8) Ukuba umasipala ufakela isilinganisi-manzi kunye nezilinganisi ezihamba naso ngokuhambelana necandelo (3)(b) elingezantsi, umbhobho oncedayo uyasuswa kwaye nofakelo lwamanzi lufaneke luqale kudityaniso lombhobho wonxibelelwano, olo dityaniso lube zii-150mm ngaphakathi komda kumhlaba ogcinelwe umasipala okanye ophezu kobukhoboka okanye elinye ilungelo.
- (9) UMlawuli: Amanzi unakho ngeendleko zomnini, afake okanye afune ufakelo, lwesilinganisi-manzi okanye isixhobo sokulawula umthamo kwicandelo ngalinye, kushishino okanye kwindawo yeqela yokuhlala kuzo naziphi izakhiwo nomhlaba ezisetyenziswa ukwenza isigqibo ngobungakanani bamanzi anikezelwe kwicandelo ngalinye, kushishino nakwindawo yeqela yokuhlala.
- (10) Naluphi ulungiso/ugcino ngokusemthethweni olufanelekileyo nakwesiphi isiqingatha sombhobho woncedo uwandiselwe kumbhobho wokudibanisa kwisilinganisi-manzi nezivalo ezihamba naso zesakhiwo nomhlaba, eziphakathi kwizakhiwo nomhlaba, mazenziwe nguMlawuli: Amanzi ukufikelela kulo mbhobho kwakunye/nakwisilinganisi-manzi kusimahla kwakunye noxanduva lokufakela kwakhona okuzingqongileyo xa kugqitywe ukulungiswa.
- (11) Umhlali wezakhiwo nomhlaba kufuneka, ngokukhawuleza xa ehumanise ukuvuza kombhobho woncedo okanye kwisiqu sesilinganisi-manzi okanye kwizilinganisi ezihamba naso, azise umasipala, apho isilinganisi-manzi esilolo hlobo ifakelwe ngokwemiqathango yecandelo (3)(a).
- (12) Ukuba imvume yokufikelela kwisilinganisi-manzi ngenjongo yokwenza ufundo lwesilinganisi esifakwe ngokwemiqathango yecandelo (3)(a) elingezantsi ayinikwa, uMlawuli: Amanzi unakho—
- ngesaziso esibhalelwe umnini wezakhiwo nomhlaba, ukumazisa ngenjongo yawo yokufakela esinye isilinganisi-manzi kumbhobho wokudibanisa, ngendleko zakhe;
 - ugqithise ityala lemali lamanzi asetyenzisiweyo kwezo zakhiwo nomhlaba njengoko kulinganisiwe ngesilinganisi-manzi esifakelwe kumbhobho wokudibanisa, kwaye
 - ufumane ngokutsha kumnini indleko zesilinganisi-manzi esingasebenziyo esinikiweyo.
- (13) Ukuba imvume yokufikelela kwisilinganisi-manzi ngenjongo yokwenza ufundo lwesilinganisi esifakwe ngokwemiqathango yecandelo (3)(a) elingezantsi ayinikwa, umnini, ngelo xesha lokwala unemfanelo ngokusemthethweni yendleko zamanzi onakalisiweyo ukuba kuye kwenzeka ukuvuza kwisilinganisi-manzi kunye nakwisilinganisi ezihamba naso okanye sibonakale kwindawo yombhobho oncedayo kwizakhiwo nomhlaba ololo hlobo, ize ilinganiswe sisilinganisi-manzi esifakelwe ngokuhambiselana necandelo (12)(a) elingezantsi.
- (14) Ukuba umnini ungenisa isicwangciso kumasipala, ngokwemiqathango yecandelo 47, ukuze kwamkelwe ukumiswa komda wesakhiwo, apho isilinganisi-manzi esikhoyo sifakelwe khona ngokuhambiselana necandelo (3)(a), lowo mnini uya kufuneka ngokuxhomekeka ukuba isicwangciso sakhe samkelwe, enze isicelo sokususwa kweso silinganisi-manzi aze ahlawule uluhlu lwamaxabiso afanelekileyo ngokususwa kweso silinganisi-manzi kwizakhiwo nomhlaba wakhe ukuze kufakelwe isilinganisi-manzi esitsha kumbhobho wokudibanisa.
- (15) Ukuba umnini ungenisa isicwangciso kumasipala, ngokwemiqathango yecandelo 47, ukuze kwamkelwe iinguqu okanye unyeniso kufakelo lomlilo olukhoyo olungenasilinganisi-manzi, lowo mnini umva kohlobo lofakelo oluguquliweyo, nasemva kokwamkelwa kwesicwangciso, enze isicelo sokuba nesilinganisi-manzi esinobukhulu nohlobo olukhethwe nguMlawuli aze ahlawule noluhlu lwendleko olufanelekileyo: Amanzi, afakelwe ngumasipala njengexalenye yokudibanisa kwezo zakhiwo nomhlaba.
- (16) Ukuba umnini ungenisa isicwangciso, ngokwemiqathango yecandelo 47, ukuze kwamkelwe iinguqu nolwandiso kufakelo lwesilinganisi-manzi olukhoyo, umva kohlobo lofakelo oluguquliweyo, nasemva kokwamkelwa kwesicwangciso, enze isicelo sokuba nesilinganisi-manzi esinobukhulu nohlobo olukhethwe nguMlawuli aze ahlawule noluhlu lwendleko olufanelekileyo: Amanzi, afakelwe ngumasipala njengexalenye yokudibanisa kwezo zakhiwo nomhlaba.
- (17) Ukuba uMlawuli: Amanzi ugqiba ekubeni kwenziwe isibonelelo sokudityaniswa kwamanzi okuzimeleyo lofakelo lwamanzi okusela kwakunye nofakelo lomlilo kwiskhiwo nomhlaba omnye, isilinganisi-manzi ezisemgangathweni snokufakelwa olo dityaniso.
- (18) Ukuba uMlawuli: Amanzi ugqiba ukuba ufakelo oludibeneyo lwamanzi asekhaya nolomlilo, oluquka imibhobho emikhulu yokucima

umlilo, mayinike izakhiwo nomhlaba, isilinganisi-manzi esidibeneyo okanye isilinganisi-manzi esikwafanayo neso sokuhlola amazinga okuhamba kwamanzi asezantsi masifakelwe kudibaniso olulolo hlobo.

- (19) Umbhobho wonxibelelwano ozimeleyo mawubekwe usetyenziswe kwinkqubo zonke zochelo oluzenzelayo.
- (20) Apho umnini, okanye umntu anelungelo okanye ulawulo lwazo naziphi izakhiwo nomhlaba apho indawo zokuhlala amaqela ezahlukeneyo zikhoyo, kufuneka unikezelo lwamanzi kwizakhiwo nomhlaba ezilolo hlobo zibe zezenjongo zonikezelo manzi lwamaqela okuhlala awohlukeneyo, uMlawuli: Amanzi unakho, ngokwemgqiqo yakhe, ukunika nokufakela nayiphi-
- (a) isilinganisi-manzi esinye esinceda izakhiwo nomhlaba zizonke okanye inani lawo maqela okuhlala; okanye
- (b) isilinganisi-manzi esizimeleyo esihleli kumda wesakhiwo nomhlaba kumhlaba ogcinelwe umasipala, seqela lokuhlala ngalinye okanye neliphi inani ngoko.
- (21) Apho uMlawuli: Amanzi afakele isilinganisi-manzi esinye njengokophulwa okuboniswe kwicandelo (20)(a) elingezantsi, umnini okanye umntu onegunya okanye ulawulo lwezakhiwo nomhlaba, ukuba imeko inganjalo, makafakele aze agcine ngokusemgangathweni umbhobho ngamnye ophuma ecaleni unyenya ukusuka kumbhobho wonxibelelwano ukuya kwindawo zokuhlala amaqela ezahlukeneyo—
- (a) isilinganisi-manzi esizimeleyo; kunye/okanye
- (b) isivalo esizimeleyo, kwaye
- (c) iya kuba yimfanelo yakhe ngokusemthethweni ukuhlawula iintlawulo ezimiselayo zawo onke amanzi anikezwe izakhiwo nomhlaba ngeso silinganisi-manzi, ngaphandle kokujonga ubuninzi obahluka-hlukeneyo obusetyenziswe ngabasebenzisi-nkonzo abohlukeneyo ngeso silinganisi-manzi.

34. Ubungakanani bamanzi anikezelweyo

Ngenjongo yokuhlola ubungakanani bamanzi anikezelweyo ngesilinganisi-manzi ngesithuba esithile, kunyanzelekile, ngaphandle kokuba ngokuchaseneyo ingabonakaliswa, ukuba—

- (a) ubuninzi bubonakaliswe ngokomahluko ophakathi kwofundo lwesilinganisi-manzi esithatyathwe ekuqaleni nasekugqibeleni kweso sithuba;
- (b) isilinganisi-manzi sasibhalisa ngokulungileyo ngeso sithuba, kwaye
- (c) imibhalo kwirekhodi/ ukubhalwa phantsi kwincwadi egciniweyo kamasipala zazenziwe ngokulungileyo;

ngaphandle kokuba amanzi anikwa okanye athathwa ngaphandle kokugqitha kwisilinganisi-manzi, ngoqikelelo nguMlawuli: Amanzi anobuninzi obulolo hlobo aya kunyanzeleka alungiswe.

35. Amanzi anikezelweyo asuka kombhobho omkhulu wokucima umlilo kamasipala

- (1) UMlawuli: Amanzi unokuvumela unikezelo lwamanzi ethutyana manzi lawo aza kuthathwa kumbhobho omkhulu wokucima umlilo, ngokuphantsi kwemiqathango nemigaqo nanjengoko inokimisela.
- (2) Umntu onqwenela unikezelo lwamanzi ethutyana ngokubhekiselele kwicandelo (1) elingezantsi makenze isicelo ngendlela emiselweyo kwicandelo 19.

36. Ukuthengiswa ngokutsha kwamanzi

- (1) Akukho mntu onikezelwa ngamanzi ngokwemiqathango yalo mthetho kamasipala onokuthengisa amanzi ngaphandle—
- (a) amalungiselelo enziwe ngoko ngesivumelwano esikhethekileyo ekubhekiselelwe kuso kwicandelo 20, okanye
- (b) wafumana ngaphambili imvume ebhaliweyo yoMlawuli: Amanzi
- (2) Ukuba uMlawuli: Amanzi unika imvume ngokubhekiselele kwicandelo (1)(b) elingezantsi, unokuqikelela ixabiso, eligqitywe libhunga, apho amanzi anokuthengiswa aze abeke eminye imiqathango elolo hlobo ngokwemfuneko.
- (3) Imvume ebhekiselele kwicandelo (1) (b) elingezantsi lingaswa nangeliphi na ixesha.

37. Izilinganisi-manzi ezineziphene

- (1) Ukuba umsebenzisi-nkonzo unezizathu zokukholelwa ukuba isilinganisi-manzi sinesiphene unakho, ngokuchasene nekuhlawula intlawulo emiselweyo, enze isicelo sokuhlolwa kwesilinganisi-manzi.
- (2) Intlawulo emiselweyo ekubhekiselelwe kuyo licandelo (1) elingezantsi iya kuba—
- (a) igcinwa ngumasipala ukuba isilinganisi-manzi sifumaniseke ngokwemiqathango yecandelo (3) okanye (4) elingezantsi lingenasiphene, okanye
- (b) ibuyiselwe kumceli ukuba isilinganisi-manzi sifumanike sinesiphene.
- (3) Isilinganisi-manzi apho imiqathango ebhekiselele kwizilinganisi-manzi ipapashwe phantsi koMthetho woRhwebo lweMetroloji, 1973 (uMthetho 77 ka 1973) iyakusetyenziswa xa kukho isiphene ukuba, kuhlolwe ngokubhekiselele kuloo miqathango, kwaza kufumaniseka ukuba kubekho ipesenti yempazamo kubhaliso okugqithisileyo okanye kubhaliso olungaphantsi kunolo luvumelekileyo lwesilinganisi-manzi esisetyenziswa ngokuphantsi kweyo miqathango.
- (4) Isilinganisi- manzi apho imiqathango ibhekiselele khona kwicandelo (3) ayinakusetyenziswa xa kufumaniseke kungekho siphene ukuba

kufumaniseke ipesenti yesiphene kubhaliso olugqithisileyo okanye kubhaliso olusezantsi olungaphezulu kunolo luvumelekileyo kwi-SABS 1529:1999 iNdawo 4 kunye ne- SANS 1525:1999 iNdawo 1, okanye kulungiso lwayo.

38. Uqikelelo lobungakanani bamanzi anikiwe umsebenzisi-nkonzo ngesilinganisi- manzi esinesiphene

- (1) Ukuba isilinganisi- manzi sifumaniseke sinesiphene ngokwemiqathango yecandelo 37 (3) okanye (4) elingezantsi, uMlawuli: Amanzi unokuqikelela ubungakanani bamanzi anikiwe umsebenzisi-nkonzo ochaphazelekayo ngethuba apho, ngokwembono yakhe, isilinganisi- manzi eso besinesiphene, ngokomyinge wobungakanani wonikezelo lwamanzi wemihla ngemihla—
 - (a) isithuba esiphakathi kofundo lwesilinganisi- manzi esilandelelanayo emva kokufakelwa ngokutsha kwesilinganisi- manzi, okanye
 - (b) isithuba kunyaka odlulileyo esilingana nesithuba apho isilinganisi- manzi sasinesiphene, okanye
 - (c) isithuba esiphakathi kofundo oluthatha olulandelelanayo lwesilinganisi- manzi phambi kokuba isilinganisi- manzi sibenesiphene, Nalapho uMlawuli: Amanzi ebona efanelekile.
- (2) Ukuba ubungakanani bamanzi obabunikwe umsebenzisi-nkonzo ngethuba isilinganisi- manzi sinesiphene abunakuqikelelwa ngokwemiqathango yecandelo (1) elingezantsi, uMlawuli: Amanzi unokuqikelela ubungakanani bawona manzi asetyenzisiweyo.
- (3) Umsebenzisi-nkonzo makaziswe ngendlela esetyenzisiweyo nguMlawuli: Amanzi ukuqikelela ubungakanani bamanzi anikeziweyo kuye njengoko kucingelwe kwicandelo (1) kunye (2) elingezantsi aze anikwe ithuba lokwenza intetho kuMlawuli: Amanzi ngaphambi kokuba kufikwe kuqikelelo lokugqibela.

39. Ukulungiswa kobungakanani bamanzi anikiweyo ukuxa isilinganisi- manzi sinesiphene

- (1) Ukulungiswa kobungakanani bamanzi anikiwe ngesilinganisi- manzi esinesiphene kuya kwenziwa ngesithuba esiya kugqitywa ngokwemiqathango yecandelo 38.
- (2) Ngenjongo yokulungisa ubungakanani bamanzi ngokwemiqathango yecandelo (1) elingezantsi kuya kufuneka ukuba ubungakanani bamanzi obubhaliweyo bube babunikeziwe phakathi kwisithuba seeyure ezilishumi elinambini ngasinye ngokwesithuba ekubhekiselelwe kuso kwicandelo (1) elingezantsi.
- (3) Umnini akayi kubanxaxheba kunciphiso lwexabiso elihlawulelwa amanzi onakalisiweyo okanye kufakelo lwamanzi, ngenxa yokuvuza okubonakalayo.

40. Imilinganiselo ekhethekileyo

- (1) Ukuba uMlawuli: Amanzi ufuna, ngeenjongo ezingezizo ezokutshintshela amanzi asetyenzisiweyo, ukuqinisekisa ubungakanani bamanzi asetyenziswe njengexalenye yofakelo lwamanzi, anakho, ngesaziso esibhaliweyo, acebise umnini ochaphazelekayo malunga neenjongo zakhe zokufakela isixhobo sokulinganisa nakweyiphi indawo anokuyikhethe kufakelo lwamanzi.
- (2) Ufakelo lwesixhobo sokulinganisa ekubhekiselelwe kuso kwicandelo (1) elingezantsi, ukususwa kwaso, kwakunye nokufakelwa kwakhona kofakelo lwamanzi emva kokuba lususiwe luya kwenziwa ngendleko zikamasipala.
- (3) Amalungiselelo amacandelo 33(5)(b) kunye no 34(6) asebenza, kangangokuba enokusebenza, ngokubhekiselele kwisixhobo sokulinganisa esifakwe ngokwemiqathango zecandelo (1) elingezantsi.
- (4) Umasipala unakho xa efumene isaziso esibhaliweyo kumnini ukucwangcisa malunga nokuhlawula intlawulo efanelekileyo emiselweyo, afunde isilinganisi- manzi ukuqinisekisa ubungakanani bamanzi anikiweyo ngexesha, okanye ngosuku, ngangaphezu kokuba isilinganisi- manzi sinokufundwa ngesiqhelo.

ISAHLUKO 3

IZITHINTELO ZAMANZI KUNYE NOGCINO LWAMANZI

41. Izithintelo zaManzi

- (1) Ibhunga linakho ngokwenza isaziso kuwonke-wonke, nanini xa kukho ukunqaba kwamanzi akusasazelwa nawokunikeza abasebenzisi-nkonzo, okanye nawesiphi isizathu esilungileyo—
 - (a) angavumeli okanye athintele usebenziso lwamanzi kuso sonke okanye kwisiqingatha seSixeko
 - (i) ngezizathu ezikhethekileyo okanye eziphangaleleyo;
 - (ii) ngethuba leeyure zemini ezicacisiweyo okanye ngeentsuku ezithile, kunye
 - (iii) ngendlela ekhethekileyo, kunye
 - (b) agqibe okanye abeke imilinganiselo kubungakanani bamanzi anokusetyenziswa ngesithuba esikhethekileyo;
 - (c) abeke izithintelo okanye ukungavumeleki ekusebenziseni okanye kwindlela yokusebenzisa okanye kukulahlwa kwayo neyiphi into /isixhobo esisebenzisa umbane, okanye ukudityaniswa kweso sixhobo kufakelo lwamanzi, kunye
 - (d) abize uluhlu lwamaxabiso akhethekileyo ngokubhekiselele kwizithintelo, ezigqitywe ngokwemiqathango yoMthetho kaMasipala woLuhlu lwaMaxabiso.
- (2) Ibhunga linokunciphisa isicelo sesaziso sezibonelelo ezicingelwa licandelo (1) elingezantsi kwimimandla ekhethekileyo kunye/ okanye kwindidi ezikhethekileyo zabasebenzisi-nkonzo, zezakhiwo nomhlaba kunye nemisebenzi, kunye nakukohlukana kwemvume nokupheliswa kwi, nakunyeniso, kwazo naziphi izibonelelo ngezizathu ezivakalayo, xa nagaba akuyi kubakho kohlu kuluhlu lwamaxabiso ekubhekiselelwe kuwo licandelo (1)(d) elingezantsi

- (3) Umlawuli: Amanzi unokuyalela umsebenzisi-nkonzo ukuba, ngendleko yakhe, athathe imiqathango, equka ufakelo lwezilinganisi-manzi kunye nezixhobo zokulawula ukuhamba kwamanzi, kwanjengoko imbono yakhe inokuba iyimfuneko yokuqinisekisa ukuthobela isaziso esipapashwe ngokwemiqathango yecandelo (1) elingezantsi.
- (4) Umlawuli: Amanzi—
 - (a) angayeka okanye, ngeso sithuba sifanelekileyo, anciphise unikezelo lwamanzi kuzo naziphi izakhiwo nomhlaba kwisithuba apho kungekho kuthotyelwa kwemiqathango yesaziso ekubhekiselelwe kuso kwicandelo (1) elingezantsi, kwakunye
 - (b) kufuneka, apho unikezelo lwamanzi luye lwayekiswa ngokwemiqathango yomhlathi (a), abuyiselwe kuphela xa imali yokuyekiswa neyokufakelwa kwakhona unikezelo lwamanzi ihlawulwe.
- (5) Izibonelelo zeli candelo ziya kusebenza nangokubhekiselele kumanzi anikwe abasebenzisi-nkonzo ngumasipala ngokwakhe ngaphandle kweSixeko, nangona ngokuchasene kwimiqathango elawula olu nikezelo, ngaphandle kokuba kuchazwe ngokukodwa kwisaziso esipapashwe ngokwemiqathango yecandelo (1) elingezantsi.
- (6) Naye nawuphi umntu owaphula izibonelelo zesaziso esipapashwe ngokwemiqathango yecandelo (1) elingezantsi unetyala.

42. Ukonakaliswa kwaManzi

- (1) Akukho mntu ngokwembono yoMlawuli: Amanzi, unokungahoyi, ngenjongo okanye ngokonakalisa —
 - (a) avulele amanzi kwisilinganisi esingundoqo okanye avumele oko kuvulelwa;
 - (b) avumele imibhobho okanye izilinganisi ukuba ivuze;
 - (c) asebenzise izilinganisi ezingalungiswa kakuhle okanye ezineziphene okanye avumele usetyenziso olulolo hlobo;
 - (d) avumele okuchitheka kwamanzi kuqhubeleke, okanye
 - (e) ukusetyenziswa kwamanzi okungafanelekanga okanye avumele ukusetyenziswa okungafanelekanga kwamanzi kuqhubeleke.
- (2) Umnini makalungise okanye afakele ngokutsha nayiphi indawo yofakelo lwamanzi ekuloo meko yokungalungi kangangoko, ngokwembono yoMlawuli; Amanzi, kangangokuba anokwenzeka okanye anokudala isenzeko esidweliswe kwicandelo (1) elingezantsi.
- (3) Ukuba umnini akaphumeleli ukuthobela icandelo (2) elingezantsi, uMlawuli: Amanzi unokuthatha lawo manyathelo ngokwemfuneko afumane ngokutsha intlawulo kumnini.
- (4)
 - (a) Umsebenzisi-nkonzo unokuqinisekisa ukuba nasiphi isixhobo okanye umashini odityanise kufakelo lwamanzi usebenzisa amanzi ngendlela efanelekileyo.
 - (b) Ukuba ngokwembono yoMlawuli: Amanzi, usetyenziso lwaso nasiphi isixhobo kufakelo lwamanzi alufanelekanga okanye luyonakalisa, uMlawuli: Amanzi unakho, ukungavumeli usetyenziso lweso sixhobo ngesaziso esibhaliweyo.
- (5) Ukusetyenziswa kwesixhobo kwevalwa/ ngokwemiqathango yecandelo(4)(b) elingezantsi, eso sixhobo asisayi kubuya sisetyenziswe de sibe silungisiwe kwakhona kwaye kwenziwa isicelo esibhaliweyo asiye samkelwa nguMlawuli: Amanzi.

43. UGcino lwaManzi noLawulo oluyiMfuneko

Naye nawuphi umnini makathobele ugcino olulungileyo lwamanzi neendlela zolawulo oluyimfuneko njengoko kubonisiwe kuludwe lweNkqubo 2 lwalo mthetho kamasipala.

ISAHLUKO 4

ABAMELI BEENKONZO ZAMANZI

44. UBhaliso

Ibhunga linokwazisa ngesaziso somntu wonke ukuba lifuna abameli beenkonzo zamanzi okanye imigangatho yabameli beenkonzo zamanzi ukuba babhalise kumasipala ngohlobo olubonakalisiweyo kwisaziso somntu wonke.

45. Isibonelelo seenkonzo zamanzi

- (1) Abameli beenkonzo zamanzi mabaqinisekise ukuba iinkonzo zamanzi, kuquka iinkonzo ezingundoqo zebhunga, ziyanikezwa kwabo bantu kunyanzelekileyo ukuba banikwe iinkonzo zamanzi.
- (2) Ubunjani, ubungakanani kunye nokugcinakala kwenkonzo ezinikiweyo zamanzi ngabameli beenkonzo zamanzi mabube kungenani kumgangatho ofanayo njengoko kwenziwe ngumasipala kubasebenzisi-nkonzo.

46. INtlawulo zeenkonzo zamanzi anikiweyo

- (1) Ummeli weenkonzo zamanzi akanakho ukubiza intlawulo yeenkonzo zamanzi engahambiselani nemithetho kwanemigangatho abekiweyo nguMlawuli: Amanzi.
- (2) Ummeli weenkonzo zamanzi makanike inkxaso yeenkonzo zamanzi, njengoko igqitywe libhunga ngokwemiqathango YoLawulo lweNgeniso elityala neyoMthetho kaMasipala weNkqubo yoLawulo lwamaTyala enikwe abasebenzisi-nkonzo ngumasipala ngexabiso elifanayo okanye elisezantsi kunelo limiselweyo lentlawulo umasipala anikezela ngalo iinkonzo.

ISAHLUKO 5**UKWAMKELWA KWEZICWANGCISO****47. Umgaqo wokwamkelwa kweziCwangciso**

- (1) Ukuba umnini unqwenela ukufakela ufakelo lwamanzi olutsha, makaqale afumane ulwamkelo olubhaliweyo nguMlawuli: Amanzi kwisicwangciso esingeniselwe ukuqwalaselwa, ngaphandle kokuba ulwamkelo alusayi kufuneka xa kulungiswa okanye kufakelwa ngokutsha umbhobho obuhleli ukho okanye isilinganisi samanzi nangaphandle kwesifudumezi samanzi esingasukiyo kwakunye nezinye izixhobo zokukhusela ezihamba naso, nalapho isaziso zokwazisa sifuneka.
- (2) Isicelo sokwamkela ekubhekiselelwe kuso kwicandelo (1) elingezantsi masenziwe kwifomu emiselweyo sikhathshwe yi—
 - (a) yintlawulo emiselweyo, kunye
 - (b) inani elimiselweyo leekopi zemizobo zomsebenzi ocelwayo, njengoko kubonisiwe kwicandelo 49.
- (3) Izibonelelo zecandelo (1) no (2) angezantsi azisebenzi kwikontrakta olungisa isifudumezi samanzi esingasukiyo okanye izixhobo zokukhusela ezihamba naso.
- (4) Igunya elinikezwe ngokwemiqathango (1) liya, kuba ngokuphantsi kwecandelo 48, liphelelwe ngesithuba seenyanga ezingama-24 sokuphelelwa emva kosuku lokuqala lenyanga olulandela inyanga apho igunya lalinikezwe ngayo.

48. Unyenyiso lwesithuba solwamkelo

UMlawuli: Amanzi unakho, ngesicelo esenziwe ngumnini, ngaphambi kwesithuba sentsusa esichaphazelekayo sokuphelelwa nesiphantsi kwentlawulo emiselweyo, kumaxesha ngamaxesha sinyenyise isithuba sokuqinisekisa ulwamkelo olunike ngokwemiqathango yecandelo 47 ngokwesithuba esingadluli iinyanga ezili-12 ngexesha nangokuphantsi kwemiqathango anokubona ifanelekile.

49. Imizobo

- (1) Ngaphandle kokuba uMlawuli: Amanzi agqibe ngokubhala ngolunye uhlobo, imizobo mayibe semaphepheni elimlinganiselo ongekho ngaphantsi ko-A4 kwaye kufuneka anikele ulwazi kwifomu efunekayo liBinzana 4.1.1 le- SANS 10252: 2004 iNdawo 1, ikopi enokufumaneka kuMlawuli: Amanzi.
- (2) Ukuba iinkcukacha zofakelo lwamanzi kumgangatho ongaphezulu komnye kwisakhiwo ziyafana, ezo nkcukacha zinokuzotyelwa umgangatho omnye kuphela.
- (3) Ukuba ufakelo lungaphezulu kolunye olufakelweyo kwisakhiwo, ofakelo olulolo hlobo lunokuboniswa kumzobo omnye, ngaphandle kokuba kubonisiwe umohluko ngokucacileyo.
- (4) Uluhlu lwenkqubo malinikwe kumzobo ngamnye okanye kwingqokolela yomzobo ngamnye, ibonakaliswe inombolo yohlobo lwesilinganisi sentsusa samanzi ngasinye kwakunye nobukhulu baso besiqhelo.

50. Iikopi zemizobo emazigcinwe kwixiwa

De sifunyanwe nguMlawuli: Amanzi isiqinisekiso sokuthobela esingeniswe ngokwemiqathango yecandelo 53, ingqokelela egqityiweyo yemizobo yomsebenzi wofakelo mayisoloko ikhona ngamaxesha onke kwixiwa lokusebenza.

51. Umsebenzi ongagunyaziswanga

Ukuba umsebenzi wofakelo wenziwe ngokwaphula icandelo 47, uMlawuli: Amanzi unakho ngesaziso esibhaliweyo ukufuna umnini wezakhiwo nomhlaba ochaphazelekayo athobele icandelo ngokwesithuba esimiselweyo, kwaye ukuba umsebenzi uyaqhubeleka, umiswe umsebenzi, kwaye ungafuna ukuba umnini awususe wonke umsebenzi ololo hlobo ongathobeli lo mthetho kamasipala.

ISAHLUKO 6**UFAKELO NGABATYWINI****52. Abantu abavumelekileyo ukwenza ufakelo neminye imisebenzi**

- (1) Akukho mntu, ongenazimfuno zemfuno nongaqinisekiswa ngokwemiqathango yoMthetho weGunya leMfuno zeMfuno zaseMzantsi Afrika, Nombolo 58 ka 1995, anga—
 - (a) enza umsebenzi wofakelo apho ulwamkelo lufunekayo ngokwemiqathango yecandelo 47;
 - (b) afakele ngokutsha isifudumezi samanzi esingasukiyo okanye izixhobo zokukhusela ezihamba naso;
 - (c) ahlole, abulale iintsholongwane aze avavanye ufakelo lwamanzi, ufakelo lomlilo okanye itanki yokucina, okanye
 - (d) ukulungiswa, ukulungiswa ngokutsha, okanye ukufakwa ngokutsha isikhuseleli sokuphuma samanzi ngokwemiqathango yecandelo 59.
- (2) UMLawuli: Amanzi unokugcina ubhaliso lwabatywini abaqinisekisiweyo abalolo hlobo.

53. Uxanduva lomnini sakhiwo nomhlaba

- (1) Umnini sakhiwo nomhlaba maqinisekise umsebenzi wofakelo wenziwe kwisakhiwo nomhlaba wakhe kwaye wenziwe ngumtywini onesiqinisekiso semfuno othobelana nalo mthetho kaMasipala.
- (2) Ukuba umsebenzi wofakelo wenziwe ngokophula icandelo 52, uMlawuli: Amanzi uya kufuna ukuba umnini wezakhiwo nomhlaba anqumamise umsebenzi ololo hlobo ngesaziso esibhaliweyo de abe uqeshe umtywini onesiqinisekiso so—

- (a) kuhlola umsebenzi ololo hlobo nokulungisa nayiphi indawo engathobelani nalo mthetho kamasipala;
- (b) kuhlola nokubulala intsholongwane ngokwemiqathango yecandelo 54, kunye
- (c) qinisekisa ukuba isiqinisekiso sokuthobela, esibonisa ukuba umsebenzi owenziweyo uthobelana nalo mthetho kamasipala, singeniswa kuMlawuli: Amanzi.

ISAHLUKO 7

UKUBULAWA KWEENTSHOLONGWANE

54. Ukubulawa kweentsholongwane kufakelo lwamanzi, kuquka neetanki zokugcina.

- (1) Umnini makadale ufakelo lwamanzi olutsha oluthotywa ngamanzi asuka kwinkqubo yonikezelo lwamanzi de abe amanzi acocekileyo aphume kwisilinganisi samanzi ngasinye esingundoqo.
- (2) Ukuba umsebenzi wombhobho wofakelo lwamanzi oludityaniswe koyintloko uyosuleleka, kufuneka ubulawe iintsholongwane ngokuhambiselana ne-SANS 10252:2004 iNdawo 1.
- (3) Umnini zakhiwo nomhlaba walapho itanki yogcino ifakelwe khona kufuneka, kungabikho kanye kwiminyaka emihlanu rhoqo, enze ukuba itanki ifunxwe, ihlolwe ize kubulawe iintsholongwane, ngokuhambiselana ne-SANS 10252:2004 iNdawo 1.
- (4) Nangona izibonelelo zecandelo (3)—
 - (a) uMlawuli: Amanzi unakho, ukuba umntu unembono yokuba amanzi kwitanki yogcino okanye kufakelo lwamanzi oluncedwa yitanki alulungelanga ukusetyenziswa, kufuneka umnini enze itanki ifunxwe ize ihlolwe ngesaziso esibhaliweyo, kwaye
 - (b) Ukuba itanki iye yatshona/yantwila, okanye iye yakwimeko enokwenza ukuba izinto ezingaphakathi zingcoliseke, umnini makenze ukuba itanki ifunxwe ize ihlolwe.
- (5) Phambi kokuba itanki okanye ufakelo lwamanzi oluziswa ngokubhekiselele kwicandelo (3) elingezantsi luphindiselwe kwimo yokusebenza, kufuneka luqale lucocwe lubulawe iintsholongwane ngokuhambiselana ne-SANS10252: 2004 iNdawo 1.

ISAHLUKO 8

IMFUNO ZOFAKELO LWAMANZI NGOKUBANZI

55. Ubonelelo kunye nogcino ngokusemgangathweni ufakelo lwamanzi

- (1) Umnini makazibonelele/azifunele aze azigcinele ngokusemgangathweni ufakelo lwamanzi ngendleko yakhe, ngaphandle—
 - (a) kwimeko yokudityaniswa kumbhobho wokunxibelelana, okanye
 - (b) apho kuvumelekileyo ngokwemiqathango yecandelo 21, kwaye
 aqinisekise ukuba ufakelo lungaphakathi kwemida yezakhiwo nomhlaba.
- (2) Phambi kokuba kuqalwe umsebenzi ngokubhekiselele kugcino lwesiqingatha sofakelo lwamanzi, umnini makafumane imvume ebhaliweyo kuMlawuli: Amanzi okanye kumnini womhlaba lowo isiqingatha sikuwo, nanjengoko kunokuba njalo.

56. Uluhlu lwenkqubo yemibhobho nezilinganisi zamanzi ezamkelekileyo

- (1) Akukho mntu unokufakela okanye asebenzise umbhobho okanye isilinganisi samanzi kufakelo lwamanzi ngaphandle kokuba oko kudwelisiwe kuLuhlu lweNkqubo yeMibhobho neZilinganisi zaManzi oLwamkelekileyo, kwaye okanye kungokuhambiselana nemiqathango ebekwe ngokwemiqathango yeCandelo 3.
- (2) Nangona isibonelelo secandelo (1) elingezantsi uMlawuli: Amanzi unakho ngosebenziso olukhethekileyo kufakelo olukhethekileyo, ukuvumela ufakelo okanye usebenziso lombhobho okanye isilinganisi samanzi esingaqukwanga kuluhlu lwenkqubo.
- (3) Umlawuli: Amanzi unakho, ngokubhekiselele kuwo nawuphi umbhobho okanye kwisinganisi samanzi esiqukwe kuluhlu lwenkqubo, lubeke leyo miqathango nanjengoko kunokuba yimfuneko ngokubhekiselele kusetyenziso okanye kwindlela yofakelo ngoko.
- (4) Umlawuli: Amanzi unakho nangeliphi ixesha ukususa umbhobho okanye isilinganisi samanzi kuluhlu lwenkqubo ukuba umbhobho okanye umbhobho okanye isilinganisi samanzi—
 - (a) asisathobeli imigaqo apho uquko lwalusekwe khona, okanye
 - (b) ngokwembono yakhe, ayisalungelanga injongo apho usetyenziso lwayo lwalamkelelwe yona.
- (5) Iikopi zoluhlu lwenkqubo olusebenzayo ziyafumaneka kwi-ofisi kamasipala ngeeyure zomsebenzi.
- (6) Umbhobho okanye isilinganisi samanzi asizukuqukwa kuluhlu lwenkqubo ekubhekiselelwe kulo licandelo (1) elingezantsi ngaphandle kokuba si—
 - (a) inophawu lokubeka emgangathweni lwe-SABS ngokubhekiselele kwinkcukacha ezifanelekileyo ze-SANS luLawulo;
 - (c) inophawu lwesiqinisekiso esikhutshwe yi-SABS sokuqinisekisa ukuba umbhobho okanye isilinganisi samanzi sithobela inkcukacha zoPhawu lwe-SABS, ngaphandle kokuba akukho zimpawu zesiqinisekiso ziya kukhutshwa de kube sisithuba esigqitha iminyaka emibini/ de kuphele iminyaka emibini;

- (c) iqukiwe kuluhlu lwezilinganisi zamanzi olwamkelwe ngu-JASWIC, okanye
 (d) yamkelwe nguMlawuli: Amanzi.

57. Umgaqo/Indlela eyiliweyo yofakelo lwamanzi

- (1) Umnini makaqinisekise—
- (a) ukuba ufakelo lwamanzi luthobelana ne-SANS 10252: 2004 iNdawo 1, okanye njengoko lunokulungiswa;
- (b) ukuba ufakelo lwesilinda yamanzi ashushu luthobelana ne-SANS 10254: 2004 okanye njengoko lunokulungiswa;
- (c) ukuba ufakelo lwamanzi afudunyezwa ngombane luthobelane ne-SANS 10106:1972 okanye njengoko lunokulungiswa;
- (d) umyinge wogcino wobungakanani bamanzi, usetyenziswe ngeenjongo ezingaphandle kokulwa umlilo okanye umoya onokufudunyezwa okanye onokupholiswa, uze unikezwe ngokuhambiselana neTafle 1;
- (e) umyinge wogcino wobungakanani bamanzi, usetyenziselwe ukuthoba ngamanzi kumagunjana kunye nemichamo kwizakhiwo nomhlaba zorhwebo noshishino unikwe ngokuhambiselana neTafle 2;
- (f) uyilo lweetanki zokugcina luhambiselane ne-SANS 10252: 2004 iNdawo 1 kunye necandelo 58;
- (g) ukusetyenziswa kwemibhobho enikezela amanzi nakuluphi ufakelo luhambiselane neSANS 10252: 2004 iNdawo 1 kunye neSihlomelo "3" okanye njengoko lunokulungiswa;
- (h) ukuqukuqela/ukuqengqeleka kwezivalo okuya ezantsi okukhawulezileyo, ekubhekiselelwe kuko kwicandelo 28(2)(a) kunye (b), kunye nokufakwa kwesivalo esingajjekiyi esinobukhulu obufanayo nombhobho woncedo.
- (i) apho ukusebenza okufanelekileyo kwezivalo okanye izilinganisi zamanzi ezingundoqo zingaba sengozini ngenxa yokugqitha kwezinto eziqinileyo ezinokuthintela/ezinokuvalela okanye onakalise ngokufanayo, kufakelwe isihluzo, kwindawo ukuze sivumele ukugcinwa usemgangathweni ngokulula.
- (2) Umlawuli: Amanzi unakho, ukugqiba nokwazisa, ngesicelo somnini nokuhlululwa kwendleko ezimiseliweyo ngexabiso lamandla lendlela yonikezelo lwamanzi olubhekiselele kwizakhiwo nomhlaba wakhe kangangethuba anokwenza isicelo salo.
- (3) Ukuba uMlawuli: Amanzi unombono wokuba umbhobho okanye isilinganisi samanzi sohlobo oluthile asifanelekanga ukuba sisetyenziselwe imeko ethile, unakho umnini ngesaziso esibhaliweyo uku—
- (a) thintela ukusetyenziswa kwaso, okanye
 (b) afune kusetyenziswe imiqathango eyamkelekileyo yokhuselo.
- (4) Akukho mntu unokudibanisa kufakelo lwamanzi isilinganisi samanzi okanye isixhobo esidala okanye esinokudala ubungozi kwindlela yonikezelo lwamanzi okanye kufakelo lwamanzi ngenxa yokugaleleka ngamandla.

ITAFILE 1

Uhlobo loMsebenzisi-nkonzo	UGcino oluFunwayo
Izibhedlele, iikliniki, izindlu zabongikazi, amakhaya abantu abadala kunye nezinye izakhiwo apho abahlali bengenakususwa ngokulula kwimeko yophazamiseko lonikezelo lwamanzi.	Iilitha ezingama-250 zebhedi nganye isakhiwo esifaneleke ukuba nayo.
Amaziko emfundo.	Iilitha ezingama-40 ukuya kwezingama-50 i(capita) nganye
Iindawo zokuhlala abantu abaninzi ezidlula umphakamo ogqitywe licandelo 29(2), okanye ogqitha imigangatho emithathu yesakhiwo, engowona uphantsi.	Iilitha ezingama-135 kwiqela ngalinye.
Iihotele, izindlu zamabhoda kunye neehostele.	Iilitha ezingama-90 kumntu ngamnye isakhiwo esakhelwe ukubanaye (kuquka abasebenzi).
Amakhitshi okutyela (apho kulungiselelwa isidlo esizeleyo)	Iilitha ezi-8 ukuya kwezili- 12 kwisindlo ngasinye esilungisiweyo.
Indawo zokulungisa iinwele kunye neyamazinyo	iinyure ezi-4 eziyimfuneko ngosuku.
Ushishino (kugcino ngeenjongo zemveliso)	iinyure ezi-8 eziyimfuneko ngosuku.

ITAFILE 2

Uhlobo loMsebenzisi-nkonzo	UGcino oluFunwayo
Izakhiwo nemihlaba yoshishino (kuquka iivenkile nee-ofisi)	iilitha ezingama-70 kwii-100 sq zemitha nganye zendawo yobukhulu bomgangatho.
Amaziko eshishini	Iilitha ezi-5 kwi-capita nganye
Oobhaza-bhaza beevenkile (ezinje ngeemalike ezinkulu)	Iilitha ezingama-125 i-WC yeSitya okanye isixwexwe sokuchamela esizi-600mm
Amaziko emfundo.	Iilitha ezi-5 kwi-capita nganye

58. Amatanki okuGcina/oGcino

- (1) Nawuphi umntu ofakela itanki yogcino makayifake ngendlela ekwindawo eya kuthi umphandle nomphakathi uhlole ngokulula, uocwe, ugcinwe usemgangathweni, ngaphandle kokuba wenziwe ichibi elenziwe ngesamente efihlakeleyo okanye elinenxalenye yalo elitshone emhlabeni kwaye libe liyiliwe, lakhiwe laze lahlolwa ngokuhambiselana ne-SANS 10100-1 kunye ne-SANS 1200-G apho ingumphakathi kuphela ofikelekayo ukuze kwenziwe ucoco nohlolo.
- (2) Akukho mntu ngaphandle kwemvume ebhaliweyo yoMlawuli: Amanzi unokwenza okanye avumele itanki, eqhushekwe okanye ebekwe emhlabeni, ukuba isetyenziselwe ukwamkela/ukungenisa okanye ukugcina amanzi anikezwa ngumasipala.
- (3) Naye nawuphi na umntu osebenzisa itanki yogcino ukugcina amanzi asemgangathweni wokuselwa makaqinisekise ukuba—
 - (a) iyilwe ngohlobo olunokumelana/ olungenakuvumela usuleleko kwaye ngokuhambiselana neemfuno zoMlawuli; Amanzi;
 - (b) ukuphuphuma nentunja yetanki emelana nosuleleko yenzelwe umkhusane ukukhusela ukungena kwezinzambuzane, izilwanyana, nezinye imvelaphi zongcoliseko, kunye
 - (c) itanki enokumelana/engavumeli usuleleko ivalwe ngokupheleleyo ayinayo enye indawo yokufikelela kumphakathi, ngaphandle kokubakho kwesigqumathelo secandelo lodonga ecaleni ukulungiselela uhlobo nokucocwa, isigqumathelo sodonga masibe kumgangatho apho itanki ingenakusetyenziswa ngaphandle kokuba sendaweni kwesigqumathelo sodonga ekunokufikelelwa kuso.
- (4) Ngaphandle kokuba igunya linikwe nguMlawuli: Amanzi, isibilisi ngasinye, iketile ekhupha umphunga, okanye nezinye izixhobo zokukhupha umphunga, imveliso zerhasi, injini yerhasi okanye injini ye-oyile okanye nasiphi esinye isixhobo, okanye nakanjani apho amanzi anikezwa ngumasipala asetyenziswayo makanikezwe kuphela ngetanki ezalisa ngamanzi abandayo esebenzisa isithuba somoya ukohlula amanzi angundoqo angenayo kwizinto eziqulethwe yitanki.

59. Ukhuselo loNgcoliseko lwaManzi

- (1) Umnini makasebenzise aze agcine ngokusemgangathweni imiqathango eyamkelwe nguMlawuli: Amanzi ukukhusela ukungena kwento enokuba yingozi empilweni okanye ichaphazele ngokungalunganga ukuphathwa kwamanzi —
 - (a) kwisixokelelwane sonikezelo lwamanzi, kunye
 - (b) nayiphi indawo yofakelo lwamanzi kwizakhiwo nomhlaba wakhe.
- (2) Umlawuli: Amanzi makamkele umgangatho ofanelekileyo wokhuseleko lokubuyela umva (kwe-backflow) kwamanzi okufunekayo kwimeko nganye.

ISAHLUKO 9**UFakelo loMlilo****60. UFakelo loMlilo**

- (1) Umnini makaqinisekise ukuba—
 - (a) ibhobhili yethumbu lokunkcenceshela nofakelo lombhobho wokucima umlilo uthobelana ne-SANS 10252: 2004 iNdawo 1, kunye
 - (b) neenkqubo zokuchela ezizisebenzela ngokwazo zithobelana ne- SANS 10287: 2000.
- (2) Umlawuli: Amanzi anganika okanye ale isicelo sokudityaniswa kofakelo lwesicimi-mlilo kundoqo kamasipala.
- (3) Akukho manzi aya kunikwa nakuluphi ufakelo lwesicimi-mlilo ngaphandle kwesiqinisekiso esamkelwe ngokwemiqathango yecandelo 53 kwaye olo fakelo luthobelane neemfuno zalo mthetho kamasipala.
- (4) Ukuba uMlawuli: Amanzi unombono wokuba isicimi-mlilo sifakelwe, asivumeleyo ukuba sidityaniswe kwesikamasipala, asigcinwanga ngendlela yokusebenza eyiyo, okanye asigcinwa ngendlela efanelekileyo, okanye sisetyenziselwa iinjongo ezingezizo ezokulwa umlilo, unokufuna ufakelo olusuka kundoqo okanye alususe, ngendleko yomnini.
- (5) Nanini xa kufuneka kunyuswe amandla ofakelo lomlilo, umnini makafakele umbhobho osebenza kubini, osebenza ngeenjongo zokucima umlilo ize enye ibe yeeenjongo ngokubanzi zasekhaya.
- (6) Yonke imibhobho nezilinganisi mazibe nakho ukuthwala amandla angaphezulu kwee-1800 kPa, xa lawo mandla enokulindeleka xa ukonyuswa kusenzeka kwaye ibe nakho ukugcina imfezeko yayo xa isetyenziswe kwiimeko zomlilo.
- (7) Umbhobho wokudibanisa ozimeleyo mawufakwe uze usetyenziselwe zonke inqubo zokuchela nokuphelisa umlilo.
- (8) Umlawuli: amanzi angagqiba ukuba iinkqubo zokuchela ezizenzelayo zinokufakwa na isilinganisi-manzi.

ISAHLUKO 10**INGQOKOLELA YEZIBONELELO NGOKUBHEKISELELE KUMANZI ANGASELWAYO****61. Ukusetyenziswa kwamanzi amvelaphi zizezinye indawo ngaphandle kwamanzi anikezelwa ngumasipala**

- (1) Akukho namnye umntu onokusebenzisa, okanye avumele ukusetyenziswa kwamanzi avela kwezinye iimvelaphi ngaphandle kwamanzi anikezelwa ngumasipala esebenzisela izinto zasekhaya, ngaphandle kokuba amanzi ekubhekiselelwe kuwo amkelwe nguMlawuli: Amanzi ngezo njongo nangokuhambiselana nemiqathango eqqitywe nguMlawuli: Amanzi.
- (2) Akukho mntu unokudibanisa unikezelo lwamanzi asuka nakweyiphi indawo ngokwenkqubo yosasazo lwamanzi ngaphandle kwasuka

kunikezelo lwamanzi lukamasipala ngaphambi kolwamkelo olubhaliweyo loMlawuli: Amanzi, nangokuhambiselana nemiqathango egqitywe nguMlawuli: Amanzi.

- (3) Nawuphi umnini wezakhiwo nomhlaba apho imvelaphi yamanzi ikhoyo, makanikezele ngenkcukacha ngokubhekiselele kwimvelaphi yamanzi kuMlawuli: Amanzi njengoko kunokufuneka.
- (4) Umnini wezakhiwo nomhlaba owaphule icandelo (3) elingezantsi, makaxhobise ngeziqinisekilo zohlalutyo nophando lweentsholongwane (bacteriological) ngokubhekiselele kwimvelaphi yamanzi kwezo zakhiwo nomhlaba njengoko kunokufuneka kuMlawuli: Amanzi ngeendleko zakhe xa exelelwe ukuba enze njalo.
- (5) U-Mlawuli: Amanzi unokurhoxisa nasiphi isivumelwano ngokubhekiselele kwicandelo (1) elingezantsi ukuba, ngokwembomo yoMlawuli: Amanzi—
 - (a) imeko ebekwe ngokwemiqathango yelo ecandelo elizezantsi yophulwe, okanye
 - (b) amanzi akasathobeli iimfuno ezibekwe nguMlawuli: Amanzi.
- (6) Izibonelelo zeli candelo azisusi nawuphi umntu ukuba angathobeli nezibonelelo ezikhoyo zoMthetho waManzi kaZwelonke, 1998 (uMthetho 36 ka 1998) okanye naliphi iqumrhu likazwelonke lowiso-mthetho elifanelekileyo.

62. Imithombo, Izitsala-manzi ngaphantsi komhlaba, indawo zemithombo, kunye neendawo ezigrunjiweyo

Wonke umnini zakhiwo nomhlaba makaqinisekise ukuba nawuphi umthombo, indawo yomthombo, isitsala-manzi ngaphantsi komhlaba, kunye nendawo egrunjiweyo kwizakhiwo nomhlaba wakhe—

- (a) ikhuseleke ngokufanelekileyo ekudaleni ingxaki kwimpilo, kwaye
- (b) ayizaliswanga nangayiphi indlela, zizinto ezinokudala umthombo osecaleni, isitsala-manzi ngaphantsi komhlaba okanye ukuba imvelaphi yamanzi esuka ngaphantsi komhlaba angcoliseke okanye osuleleke.

63. Isaziso sezitsala-manzi ngaphantsi komhlaba, imithombo neendawo zemithombo ezimbiwayo

- (1) Akukho namnye ovumelekileyo ukumba/ukugrumba, okanye enze okanye avumele ukombiwa/ukugrunjwa, komthombo, indawo yomthombo okanye isitsali-manzi ngaphantsi komhlaba ngaphandle kokuba uMlawuli: Amanzi unikwe isaziso esibhaliweyo seentsuku ezi-14 ubuncinane senjongo yokwenza oko.
- (2) Isaziso esiphulwe ngokwecandelo (1) elingezantsi masazise indawo eceliweyo kunye nenjongo amanzi aza kusetyenziselwa yona.
- (3) Ukuba amanzi afumaneka kwisitsala-manzi ngaphantsi komhlaba okanye nakweyiphi imvelaphi yonikezelo lwamanzi nakweziphi izakhiwo nomhlaba asetyenziselwa iinjongo ezinokukhokelela ekuchithekeni kwalawo manzi okanye intsalela yawo kwisixokelelwane sogutyulo sikamasipala, umnini makafakele isilinganisi-manzi kwindawo ekhethwe ngumasipala ekumbhobho lowo ukhokelela kwisitsala-manzi sangaphantsi komhlaba okanye kwenye imvelaphi yonikezelo lwamanzi kwindawo okanye kwiindawo apho isetyenziswa njalo khona.
- (4) Ibhunga linakho, ngesaziso sikawonke-wonke, ukufuna ukuba umnini wezakhiwo nomhlaba ongaphakathi kommandla kamasipala apho isitsala-manzi sikhoyo, okanye ukuba umnini akahlali kwezo zakhiwo nomhlaba, umhlali azise ngokubakho kwesitsala-manzi sangaphantsi komhlaba esilolo hlobo kwezo zakhiwo nomhlaba, aze anikezele ngolwazi olubhekiselele kwisitsala-manzi phantsi komhlaba olunokufuneka.
- (5) Umlawuli: Amanzi, ukuba ubona kufanelekile, unokufuna ufundo lwenziwe ngendleko zomnini ukuze kuhlolwe nayiphi impembelelo enokuchaphazela umphakathi kumthombo, kwindawo yomthombo okanye kwisitsala-manzi esiceliweyo.

64. Unikezelo lwamanzi angaselwayo ngumasipala

- (1) Umlawuli: Amanzi angavuma unikezelo lwamanzi angaselwayo kumsebenzisi-nkonzo xa kwenziwe isicelo ngokwemiqathango yecandelo 19 nangaphantsi kokuba ezinokuyilungela loo miqathango.
- (2) Naluphi unikezelo lwamanzi ngokwemiqathango yecandelo (1) elingezantsi alunakuvumela ukusetyenziselwa nawuphi umsebenzi wasekhaya okanye naziphi ezinye iinjongo, ngokwembono yoMlawuli: Amanzi, olunokwenza ubungozi empilweni.

65. Ukuzibhekisa ngokubhekiselele kubunjani bamanzi angaselwayo

- (1) Akukho siqinisekiso, esichaziweyo okanye esibekiweyo kucoco lwawo nawuphi amanzi angaselwayo anikezwe ngumasipala okanye afanele injongo unikezelo lwamanzi olwalwenzelwe yona.
- (2) Ukusetyenziswa kwamanzi angaselwayo kungumngcipheko womsebenzisi-nkonzo wonke, kwaye umasipala akanamfanelo ngokusemthethweni yeziphumo eziyingozi okanye ilahleko evela ngokuthe ngqo okanye ngokungekho njalo ngoko.

66. Izaziso zezilumkiso

- (1) Umnini wezakhiwo nomhlaba, apho amanzi angaselwayo ayesityenzisiwe, makaqinisekise ukuba zonke izilinganisi ezingundoqo zamanzi nazo zonke izixhobo ezisebenzisa okanye ezinikeza ngamanzi zinophawu olucacileyo lwesaziso esimelana nemozulu ezibonisa ukuba lawo manzi akafanelekanga kusetyenziselwa iinjongo zasekhaya.
- (2) Kummandla apho umlanjana ocociweyo wamanzi amdaka usetyenziswa, umsebenzisi-nkonzo uya kumisa izaziso ezimelana nemozulu kwindawo ezibonakalayo elumkisa ukuba amanzi alolo hlobo akafanelanga kusetyenziselwa iinjongo zasekhaya.
- (3) Isaziso esilumkisa ngasinye esibekwe/ esenziwe ngokwemiqathango yecandelo (1) kunye no (2) elingezantsi masibe ngeelwimi ezintathu ezisetyenziswa kwiphondo.

ULUHLU LWE Nkqubo 1**UKURHOXISWA KWE Mithetho kamasipala**

UMasipala wase-Brackenfell	UMthetho kaMasipala woNikezelo lwaManzi: PN 499/1970
ISixeko saseKapa, iSixeko se	UMthetho kaMasipala waManzi: PN 30/1996
ISixeko saseKapa, iSixeko se	UMthetho kaMasipala weeNkonzo zaManzi wokuLinganisela okanye ukuThintela ukuSetyenziswa kwaManzi, i-Gazette yePhondo 5994 yama- 28 Matshi 2003
UMasipala wase-Durbanville	UMthetho kaMasipala waManzi: PN 665/1968
UMasipala wase-Durbanville	UMthetho kaMasipala waManzi oWongezelelekileyo: PN 612/1994
UMasipala wase-Goodwood	UMthetho kaMasipala waManzi: PN 337/1991 njengoko ulungisiwe
IBhunga leSixeko sase-Kapa Town Council	UMthetho kaMasipala woNikezelo lwaManzi: GN R1107/1984
UMasipala wase-Kraaifontein	UMthetho kaMasipala waManzi: PN 842/1960, njengoko ulungisiwe
UMasipala wase-Kraaifontein	UMthetho kaMasipala waManzi oWongezelelekileyo: PN 848/1979, njengoko ulungisiwe
UMasipala wase-Kuils River	UMthetho kaMasipala waManzi: PN 581/1962
UMasipala wase-Kuils River	UMthetho kaMasipala waManzi oWongezelelekileyo: PN 216/1978, njengoko ulungisiwe
IBhunga leDolophu lase-Lingelethu-West	UMthetho kaMasipala woNikezelo lwaManzi: GN R1107/1984
IBhunga leDolophu lase-Lwandle	UMthetho kaMasipala woNikezelo lwaManzi: GN R1107/1984
IBhunga leDolophu lase-Mfuleni	UMthetho kaMasipala woNikezelo lwaManzi: GN R1107/1984
UMasipala wase-Milnerton	UMthetho kaMasipala waManzi oWongezelelekileyo: PN 110/1982
UMasipala wase-Parow	UMthetho kaMasipala waManzi oWongezelelekileyo: PN 98/1930, njengoko ulungisiwe
UMasipala wase-Pinelands:	UMthetho kaMasipala woNikezelo lwaManzi: PN 198/1924, njengoko ulungisiwe
UMasipala wase-Simon's Town	UMthetho kaMasipala woNikezelo lwaManzi: PN 662/1954, njengoko ulungisiwe
UMasipala wase-Simon's Town	UMthetho kaMasipala waManzi oWongezelelekileyo: PN 663/1954
UMasipala wase-Simon's Town	UMthetho kaMasipala woNikezelo lwaManzi: PN 1059/1975, njengoko ulungisiwe
UMasipala wase-Somerset West	UMthetho kaMasipala woNikezelo lwaManzi: PN 310/1910, njengoko ulungisiwe
UMasipala wase-West Coast Peninsula	UMthetho kaMasipala woNikezelo lwaManzi: PN 14/1997

ULUHLU LWE Nkqubo 2**ULAWULO OLU NYANZELEKILEYO LWA MANZI**

1. Akukho mntu ngaphambi kwegunya elibhaliweyo elisuka kuMlawuli: Amanzi, uyakuncenkeshela igadi, amabala okudlala, ipaki, okanye nayiphi eminye imimandla enengca esebenzisa amanzi okusela, phakathi kweyure ye-10:00 neye-16:00.
2. Apho umbobho wokuncenkeshela usetyenzisiweyo ukuncenkeshela igadi, ipaki, okanye amabala okudlala amanzi esuka kwisiseko samanzi aselwayo isixhobo sokulawula esinje ngesitshizi sakuncanyathiselwa kwisiphelo sombhobho.
3. Akukho mntu ngaphandle kokuqala afumane igunya elibhaliweyo kuMlawuli: Amanzi oya kumanzisa umphantsi oqinileyo okanye indawo elungiselelwe ukuhamba esebenzisa amanzi okusela asuka kwisiseko samanzi okusela.
4. Umbobho wokuncenkeshela osetyenziselwa ukuhlamba imoto, isikhephe, ikharavani mawufakwe isixhobo esizilawulayo esizivala ngokwaso.
5. Iinkqubo zokuzalisa ezizenzelayo ezisebenzisa isivalo esijingayo esizaliswa kwindawo/kwintusa yamanzi aselwayo ukusa kumachibi okudada namachibi egadi ayivumelekanga.
6. Amashishini okuhlamba inqwelo zorhwebo makalungise ngokutsha umlinganiselo ongama-50% wamanzi asetyenziswe kwimisebenzi.
7. Izitya zokuhlamba izandla kumaziko/kwindawo zikawonke-wonkemazifakelwe uhlobo lwempompi ezizilinganiselayo.
8. Iishawari ezikwindawo zikawonke-wonke mazifakelwe uhlobo lwezivalo ezizilinganiselayo.
9. Amanzi okusela akanakusetyenziselwa ukumanzisa isanti yesakhiwo nezinyeizixhobo zokwakha ukuzikhusela ukuba zingaphatheki.
10. Imibhobho emileyo etsalwa kwiimpompo mayibe nomphakamo okungenani ozii- 450 mm, ngokomlinganiselo womphezulu womhlaba.

11. Obona bukhulu bomgama wokuhamba kwamanzi nakweyiphi impompo efakiweyo kwisitya sokuhlamba izandla ayinakodlula iilitha ezi-6 ngomzuzu.
12. Obona bukhulu bomgama wokuhamba kwamanzi nakweyiphi intloko yeshawari ayinakodlula iilitha ezili-10 ngomzuzu.
13. Amagunjana etanki yamanzi akanakodlula iilitha ezili-9,5 ngomthamo.
14. Akukho gunjana lizenzelayo okanye itanki echithayo inokusetyenziselwa ukuhlisa umchamo.
15. Ingadlulanga iminyaka emini emva kokubhengezwa kwalo mthetho kamasipala onke amagunjana azenzelayo afakwe ukuthoba imichamo, makasuswe kufakelwe nokuba ziinkqubo ezisetyenziswa ngezandla okanye isixhobo esingasetyenziswa ngasandla esidala ukuthotywa sisebenze emva komchamo/kokusetyenziswa ngakunye kwesixhobo kokuchama.
16. Izilinganisi zamanzi ezingundoqo zifakwe ngaphandle kwezakhiwo ngazinye ngaphandle kwendawo zokuhlala apho kufuneka—
 - (a) kudityanise isixhobo esizivallayo, okanye
 - (b) kubekho indawo yokubamba eshukumayo ngeenjongo zokuyisebenzisa, okanye
 - (c) ibenakho ukutshixwa ukukhusela ukusetyenziswa ongekho mthethweni, okanye
 - (d) ibe luhlobo olunyazelisa ukulawula ubungakanani bamanzi aphumayo ekusebenzeni kwayo ngakunye.
17. Uphicotho lwamanzi
 - (a) Abasebenzisi kakhulu bamanzi (abo basebenzisa ngaphezulu kwama- 3 650 kilolitres ngonyaka), ngaphandle kwabo benendawo zokuhlala amaqela abantu, kufuneka benze uphicotho lwamanzi rhoqo ngonyaka. Ingxelo yophicotho mayibekho ukuze ihlolwe ngamagosa asuka kwiSebe leMicimbi yaManzi namaHlathi, yiBhodi yaManzi (apho kukho imfuneko) kunye nomasipala.
 - (b) Uphicotho maluqulathe ezi nkukacha zilandelayo—
 - (i) ubuninzi bamanzi asetyenziswe ngethuba lonyaka-mali;
 - (ii) ixabiso elihlawulelwe amanzi lonyaka-mali;
 - (iii) inani labantu abahlala kwindawo yokuhlala engasiyoyabo okanye kwizakhiwo nomhlaba;
 - (iv) inani labantu abasebenza isigxina kwindawo yokuhlala engasiyoyabo okanye kwizakhiwo nomhlaba;
 - (v) uthelekiso lwale miba ingasentla naleyo bekunikwe ingxelo yayo kunyaka ngamnye kwemithathu edlulileyo (apho ikhoyo);
 - (vi) ukwahluka ngokwamaxesha onyaka ngokwemfuno (amanani osetyenziso enyanga nenyanga);
 - (vii) iinkukacha zendlela yokujongwa kongcoliseko lwamanzi;
 - (viii) iinkukacha zamanyathelo okuqala asetyenziswayo ukulawula imfuno zolawulo losetyenziso lwamanzi;
 - (ix) iinkukacha zezicwangciso zokulawula iimfuno zabo zamanzi;
 - (x) uthelekiso lwale miba ingasentla naleyo bekunikwe ingxelo yayo kunyaka ngamnye kwemithathu edlulileyo (apho ikhoyo); kunye
 - (xi) uqikelelo losetyenziso lwamanzi ngezixhobo ezahlukeneyo ezisetyenziswayo.
18. Akukho mntu unokuvumela amanzi, asetyenziswe njengendlela yokutshintshisa ubushushu nakwesiphi isixhobo okanye umatshini odityanisiweyo ize inikezele amanzi kufakelo lwamanzi, isebenze ngokuqhubelekayo ukonakalisa amanzi ngaphandle kokugcina umgangatho omiselweyo wamanzi aqinileyo ewonke kumatshini ojikelezayo.

ULUHLU LWE~~N~~KQUBO 3

IMIBHOBO E~~S~~ETENZISELWA UKU~~G~~QITHISA A~~M~~ANZI

Imibhobho yoBhedu

Umgangatho 0 kunye noMgangatho 1 wemibhobho yobhedu awunakusetyenziswa kusetyenziso lwaphantsi komhlaba ngaphandle kokuba ikhuselwe ngokufanelekileyo kwisingxobo.

Umgangatho 0 wemibhobho yobhedu ayinakugotywa, ivulwe ezantsi/idlabhuzwe, okanye iziphelo zayo zandiswe ize zenziwe izingxobo ukwenzela uhlobo olutywinwa ngelotha lomthanjana.

Imibhobho yoBhedu ayinakutywinwa ngombala wobhedu omthuqwa okanye ngesinyithi sesilivere.

Imibhobho yePlastiki (iplastiki yokusongela kungangeni manzi/i-Polyethylene, i-Polypropylene, i-Polyvinyl)

Imibhobho yeplastiki ayinakusetyenziswa kwimililo okanye idibanise ufakelo oludibeneyo lwemililo yasekhaya kwindawo ekumhlaba ongaphezulu.

Imibhobho egqithisa amanzi okusela mayikhuselwe elangeni.

Imibhobho yeplastiki ayinakusetyenziswa kwindawo apho irhasi inokungenelwa okanye nawaphi amachiza/ izinto zekhemikhali ezinokosulela amanzi agqithiswayo kuyo, ngaphandle kokuba ikhuselwe ngokufanelekileyo kwisingxomo esingenakuchukunyiswa/ kungenelwa.

Apho umbhobho weplastiki usetyenziselwe ukugqithisa amanzi kumgqomo wofakelo olungasukiyo wamanzi ashushu, iimitha zokuqala eziyi- 2,5 zombhobho kwicala lokuphuma lombhobho mazibe zezobhedu.

IMibhobho eMnyama yeNtsimbi

Umbhobho ophakathi omnyama wentsimbi kunye nezilinganisi ezihamba nawo awunakusetyenziselwa ukugqithisa amanzi kufakelo lwasekhaya, ngaphandle kokuba ucocwe ngokufanelekileyo walekiwe kumphakathi, kwaye awuzukufakelwa kufakelo lwecandelo lomlilo oludityanisiweyo, kangangendlela apho unokubeka engozini uthwalo lwamanzi kwicandelo lofakelo lwamanzi olu lolo hlobo lofakelo lomdibaniso/ lwendibaniselwano.

Imibhobho ephakathi yentsimbi exonxwe ngesinyithi kunye nezilinganisi zamanzi ayinakusetyenziswa kufakelo oludityaniswe nombhobho oyintloko kamasipala, nefumana amanzi avela kuyo.

Nawuphi umbhobho oqithisela amanzi asuka koyintloko awunakufakelwa njengowona mbhobho ungunoqo wesakhiwo.