UMTHETHO KAMASIPALA WOLAWULO LWENKUNKUMA - (V5)

Ukunikezela ngoluhlu lwemithetho olawula ukuphetshwa, ukuncitshiswa, ukuveliswa ukuqokelelwa, ukucocwa, nokulahlwa kwenkunkuma, kunye nemicimbi enxulumene noko.

INTSHAYELELO

Injongo yalo Mthetho kaMasipala kukulawula nokongamela ulawulo lwenkunkuma kwingingqi ephantsi kolawulo lweSixeko saseKapa, kunikwa ingqwalasela kwinto yokokuba:

ISixeko saseKapa (""Isixeko") sinoxanduva lokulawula nokongamela ukulawulwa kwenkunkuma ukulungiselela ukuqinisekisa ngokhuseleko, impilo nozinzo lokusingqongileyo nokuqinisekisa ngento yokuba amalungelo abantu akhuselekile; yaye

ISixeko sithanda ukunciphisa ukuveliswa kwenkunkuma kunye negalelo lenkunkuma kokusingqongileyo ukulungiselela into yokokuba uphuhliso loqoqosho lwentlalo, impilo yabantu abakwimida yeSixeko, kunye nokulunga kwezibonelelo zokusingqongileyo akuchatshazelwa ngokungafanelekanga yinkunkuma ; yaye

ISixeko sifuna ukuqinisekisa ngento yokokuba bonke abemi, imibutho, amashishini, abatyeleli kunye namasebe karhulumente afumana iinkonzo kuMnikezeli ngeNkonzo yoLawulo lweNkunkuma esemthethweni ; yaye

ISixeko sifuna ukulawula ukuveliswa kwenkunkuma, ukucoca, ulwahlulo, ukugcinwa, ukuqokelelwa, ukwenziwa ingonakali, ukunyangwa, ukulungiswa kwayo ibe nokusebenza kwakhona, ukusetyenziswa kwakhona nokulahlwa kwenkunkuma kubandakanywa ukungcolisa nokulahlwa kwenkunkuma okungekho mthethweni nokulawulwa kwamaziko asetyenziselwa ulawulo lwenkunkuma, sinenjongo yokugqibela yokuphepha ukuveliswa kwenkunkumo ze apho kungekho ukuphetshwa ibe nokuncitshiswa inkunkuma, kubandakanywa nolawulo lwayo yonke imisebenzi elungiselelwa iindidi ezahlukeneyo zeNkunkuma eqokelelwayo, yahlulwe, iphambukiswe, yenziwe ingonakali ukulungiswa ukwenzela ibe nokusebenza kwakhona

ze inyangwe yaye ilahlwe kumaziko amkelekileyo olawulo lwenkunkuma njengecebo lokugqibela.

Isalathiso

1. Inkcazelo

2. Impixwano kunye nomnye umthetho

3. Ukusetyenziswa kwalo mthetho kaMasipala

4. Ukwahlulwa ngokwendidi zenkunkuma

5. Uxanduva lwaBavelisi beNkunkuma

6. INkunkuma eyiNgozi

7. INkunkuma yesiganeko

8. INkunkuma engundoqo

9. Ithuba likaxakeka elifuna ulawulo lweNkunkuma

10. Ukusekwa kwengingqi ezisesikweni okanye amashishini

11. Ukuqeshwa kweGosa loLawulo lweNkunkuma

12. isiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma

13. Ukukhululwa ekubeni ungenise isiCwangciso soLawulo lweNkunkuma

14. Ukugcinwa nokuHanjiswa kweNkunkuma

15. Ukuqokelwa kweNkunkuma

16. Ukulungiselelwa ukusetyenziswa kwakhona, ukusetyenziswa kwakhona ukufunyanwa kwakhona kweNkunkuma

17. Ukuthintelwa kokuLahlwa okungekho mthethweni kweNkunkuma

18. Ukungcolisa nokuLahla

19. Amaphepha-mvume

20. Abanikezeli ngeNkonzo yoLawulo lweNkunkuma abaseLungelweni kunye noBhaliso lwabantu abasebenzisa iinkonzo zokuhanjiswa kwenkunkuma.

21. Ilungelo lokungena kumaziko angasese

22. Amaziko angangenekiyo ukulungiselela ukuqokelelwa kwenkunkuma

23. Izaziso zokuthobela nokufezekisa kukaMasipala izigunyaziso zaBavelisi beNkunkuma

24. Ukuthunyelwa kwamaxwebhu nokuhanjiswa

25. Ukusilela ukuthobela uMthetho kaMasipala nokunyanzeliswa

26. Amatyala

27. Izohlwayo

28. Izigunyaziso nomsebenzi wokuNyanzeliswa koMthetho

29. Izilungiso kwiinkonzo zokuthuthwa kweNkunkuma

30. Izibonelelo zethutyana

31. Ukuguzulwa koMthetho kaMasipala wangaphambili

32. Inkcazelo

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1. **INKCAZELO**

Kulo Mthetho kaMasipala, ngaphandle kokuba ubume bubonisa enye into;

1.1 "**Iziko lokuLahlela iNkunkuma elamkelweyo**" – Lithetha isiza, okanye iziko elamkelweyo liPhondo leNtshona Koloni okanye uRhulumente weSizwe yaye lisetyenziselwa ukuqokelela iNkunkuma eLahlwayo;

1.2 "**INkunkuma yoLwakhiwo**" – Ithetha iNkunkuma evela kulwakhiwo, kulungiso lwendlu, ukulungisa okanye ukudiliza nasiphi na isakhiwo esakhiweyo nesizivelele ngokwendalo, yaye kubandakanywa amaqhekeza amatye, umhlaba, imithi kunye namatye athe asuswa ngexesha lolwakhiwo, lolungiso okanye lokudiliza kodwa kungabandakanywa iNkunkuma yaseGadini;

1.3 "**INnkunkuma yeShishini**" – Ithetha iNkunkuma ephuma kumaziko athi asetyenziswe, nokokuba ngokusemthethweni okanye ngokungekho mthethweni ikakhulu, ukulungiselela urhwebo, ukuthengisa, ihoseyile, ukuyolisa okanye iinjongo zolawulo lukarhulumente, ze ngokunjalo libhekiselele kwiNkunkuma eveliswa ngabathengisi abangekho sikweni kwenye neendawo ekulahlwa kuzo apho imisebenzi yorhwebo iqhutywa khona;

1.4 "**UMlawuli**" – Uthetha umqeshwa kaMasipala ophethe umsebenzi woLawulo lweNkunkuma.

1.5 **"Ukulahla"** – Kuthetha ukulahla inkunkuma nangayiphi na enye indlela engeyiyo leyo ivunyelwe ngumthetho kwaye kubandakanya, kungakhange kuthotywe kuninzi olungaphambili, ukushiya, ukuthula, ukuchitha okanye ukukhululwa kwenkunkuma, nokokuba iNkunkuma ikumgqomo omkulu okanye ayikho kuwo okanye kwisitya esikhulu phakathi okanye nakuyiphi na indawo nokokuba ikwindawo kawonke wonke okanye kwindawo yangasese enomniniyo, kubandakanywa kodwa kungaphelelwanga apho kumhlaba ongena nto, kwimilambo, kwindleala-manzi, kwingingqi ekuqokelelwa kuzo amanzi emvula, kunye nemibhobho ethwala amanzi amadala kunye nezixokelelwano zamanzi esichotho. Umsebenzi “wobuxelegu” ohlala ubambe intsingiselo yawo yokuqala, awubandakanywa kule “nkcazelo yokulahla”;

1.6 "**INkunkuma yaseGadini**"- Ithetha iNkunkuma yezinto eziphilileyo ezithi zivele egadini okanye kwimisebenzi yemifanekiso yembonakalo-mhlaba eyenziwa ezindlwini, kumashishini okanye

kwimizi mveliso yorhwebo kubandakanywa kodwa kungaphelelwanga apho, umhlaba, ukuchetywa kwengca, amagqabi kunye namasebe, yaye kubandakanywa nezinto ezinokuboliswa ziintsholongwane ze kubandakanywe nenkunkuma evela kumakhaya kushishino okanye urhwebo. Le nkcazelo ayiyibandakanyi imveliso yenkunkuma evela kwizilwanyana;

1.7 "**INkukuma eyingozi**" – Ithetha iNkunkuma eyiNgozi yoLolongo lweMpilo kunye nayiphi na, inkunkuma enokuthi, ngeemeko zemveliso, isebenzise, ibe nobungakanani, ibe namandla okanye amandla omzimba, ibe yeyamachiza okanye ibe neempawu zobuhlungu, zibe nefuthe eliyingozi kakhulu kokusingqongileyo, okanye kwimpilo yomntu okanye nasiphi na isilwanyana esiphilayo;

1.8 "**INkunkuma yololongo lwempilo**" – ithetha :

(1) Nayiphi na inkunkuma-

(a) Eveliswa lulolongo lwezonyango okanye uphando; okanye

(b) ethe yahlangana negazi, ulwelo lomzimba okanye inyama ethile emzimbeni womntu, okanye izilwanyana ezinezifo ezivela kwimisebenzi yemfuyo.;

(2) Nayiphi na inkunkuma ephantsi kwecandelo lomhlathi (a) kubandakanywa kodwa kungaphelelwanga, kula macandelo alandelayo enkunkuma;:

Inkunkuma eyasulelayo: Inkunkuma erhaneleka ukuba iqulathe iipathogen enamandla awomeleleyo okanye ubungakanani obunokubangela isifo kuninzi lwabantu abanobuntuntunu. Eli candelo libandakanya iintsholongwane kunye noninzi lwezinto ezasulelayo ezivela kumsebenzi waselebhu. Inkunkuma evela kutyando notyando lwezidumbu ezinezifo ezasulelayo, inkunkuma evela kwizigulana ezasuleleke zizifo ezikumawodi awodwa; inkunkuma ethe yahlangana nezigulana ezasulelekileyo ezenza ihaemodialysis; izilwanyana

ezasulelekileyo ezivela kwiilebhu; inkunkuma yempahla esetyenziswa ngamabhinqa xa esexesheni kunye namalaphu (kubandakanywa ilaphu okanye uboya bokucoca inxeba) kunye naso nasiphi na isixhobo okanye impahla ethe yabe isetyenziswe kumntu owasulelekileyo okanye impahla.

Inkunkuma yezifo: Ibandakanya zonke izicwili zomntu, amalungu, amalungu omzimba, iimfambilini, igazi, kunye nolwelo lwegazi kunye nolo lwezilwanyana ezasuleleke zizifo.

Inkunkuma ebukhali: Ibandakanya izinto ezinokuthi zibe nokubangela amanxeba okanye izilonda zokuhlatywa yaye kubandakanywa kodwa kungaphelelwanga koku, iinaliti, iinaliti ezihlaba phantsi kwesikhumba, iingadla zooGqirha kunye nezinye incakula, iimela, izixhobo zokutsala, iisarha, iiglasi eyaphukileyo kunye nezikhonkwane yaye igama “Ubukhali” linentsingiselo engqinelanayo.

Inkunkuma yamayeza: Ibandakanya imveliso zamayeza eziphelelwe lixesha, ezingasetyenziswanga, ezichithekileyo nezisulelekileyo, amayeza akhusela umntu angasuleleki kunye nezitofu ezingasadingekiyo yaye ekufuneka zilahlwe ngendlela efanelekileyo.

Inkunkuma yeGenotoxic: Yinkunkuma eyingozi kakhulu enokuthi ibe nokukhuthaza inguquko, ungemi kakuhle kwesihluma sembewu okanye umntwana osakhula esizalweni okanye ivelise umhlaza. Olu hlobo lwenkunkuma lubandakanya amayeza athile esinyi ngokunjalo nokugabha okanye ilindle elivela kwizigulane ezinyangwa ngamayeza esinyi, amachiza kunye nezinto ezibangelwa yimitha ebangelwa kukuqhekeka kweathom.

Inkunkuma yamachiza: Kubandakanywa amachiza aqinileyo alahliweyo, alulwelo kunye nanegesi.

Inkunkuma enesinyithi esinzima: Ibandakanya, kodwa ingaphelelanga koku, inkunkuma yemekyuri evela kwiithemometha, isilinganiso soxinzelelo lwegazi, intsalela kumsebenzi wamazinyo, inkunkuma yesiqalelo esithile esithambileyo nesimhlophe evela kwiibhetri

ezilahliweyo, amacandelo omthi omeleziweyo osetyenziswa kukhuselo lokukhupha imitha kunye namayeaza aqulathe iarseniki. .

Inkunkuma kwinkonxa enoxinzelelo olulinganisiweyo: Ibandakanya iisilinda ezinoxinzelelo kunye neembumbulu eziliphanga ezisetyenziswa kwizibonelelo zololongo lwempilo ukugcina iigesi.

Inkunkuma yemitha ebangwa kukuqhekezwa kweeathomi: Ibandakanya impahla eqinileyo, elulwelo neyigesi esuleleke yimitha ebangwa kukuqhekeka kweathom eneeprotoni neenyutroni, kubandakanywa inkunkuma evele ngenxa yenkqubo enjengohlahlelo lwenkqubo yenyama yomzimba kunye nolwelo oluqhutywa kwityhubhu, iinkqubo eziqhutywa kumalungu aphilileyo, kunye nokunqandwa kwethumba lingangdi, kunye nohlobo olwahlukeneyo kunye neendlela zonyango.

Inkunkuma ngokubanzi: Ligama lohlobo oluthile lwenkunkuma ethi, ngenxa yendlela equlunqwe ngayo kunye neempawu zayo, ibe ayidali ngozi ibonakalayo kwimpilo yoluntu okanye kokusingqongileyo ukuba ilawulwa kakuhle. Olu hlobo lwenkunkuma luqulathe iiplastiki, amaphepha, ukutya kunye nolwelo oluthathwa njengolungasuleliyo okanye olungasulelekanga ngamachiza ayingozi okanye imitha ebangwa kukuqhekeka kweathomi.

1.9 "**Inkunkuma eyingozi kulolongo lwempilo**" – Ithetha into yokokuba inxalenye yenkunkuma yololongo lwempilo ethi ibe yingozi yaye ibandakanya inkunkuma esulelayo, inkunkuma yezifo, inkunkuma ebukhali, inkunkuma yamayeza, inkunkuma yegenotoxic, inkunkuma yamachiza, inkunkuma enentsimbi enzima, inkunkuma yemitha ebangwa kukuqhekeka kweathomi, kunye nayiphi na enye inkunkuma yololongo lwempilo ethi ichazwe njengengozi ngokubhekisele kuluhlu lolawulo lwenkunkuma: Uxwebhu loku-1: *Ubuncinane beeMfuno / okanye ukuphatha uHlelo nokuLahlwa kweNkunkuma eyiNgozi,* njengoko ipapashwe liSebe leMicimbi yaManzi naMahlathi okanye nawo nawuphi na omnye umthetho

osebenzayo;

1.10 "**Abagcini beNkunkuma**" – Bathetha nawuphi na umntu ongenisa, ovelisa, ogcina, oqokelela, ohambisa, owenza ingonakali, onyanga, othumela okanye olahla inkunkuma yaye kubandakanywa nabayenza isebenze ngokutsha kunye nabashishina ngezinto ezilahliweyo;

1.11 "**INkunkuma yamashishini**"– Ithetha iNkunkuma ethi ivele kumaziko athi asetyenziswe ngokupheleleyo okanye ngokumandla esetyenziselwa iinjongo zoshishino ze avelise inkunkuma ngenkqubo zokwenziwa, zoshishino okanye zokubumba, kubandakanywa iindawo ezisetyenziselwa imisebenzi yezolimo, imisebenzi yezimbiwa okanye ukusebenza kwezitishi zamandla;

1.12 "**IsiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma** " – Sithetha isiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma esithi sifunwe nguMasipala ngokwemiqathango yalo Mthetho kaMasipala okanye sithi sifunwe ngokwemiqathango yawo nawuphi na omnye umthetho osebenzayo

1.13 **"Ubuxelegu"** – Ligcina intsingiselo yalo

1.14 "**UMasipala**" – Uthetha iSixeko saseKapa okanye abalandelayo abathatha isikhundla ngesihlonipho

1.15 "**Umnini**" – Uya kubandakanya, kodwa kungaphelelwa apho, uMnini obhalisiweyo, umqeshi okanye umhlali kwindawo leyo, okanye umntu ophetheyo kunye/okanye olawulayo kuyo nayiphi na indlu okanye inxalenye yoko ongaphezulu kweminyaka eli -16 ubudala, kunye naye nawuphi na na umntu ofumana isibonelelo kwezi zindlu okanye onelungelo kuzo;

1.16 "**Umntu**" – Ubandakanya nawuphi na umntu wendalo okanye osemthethweni kunye nawuphi na umbutho karhulumente;

1.17 "**INkunkuma enguNdoqo**" – Ithetha iNkunkuma ebhengezwe

njengaleyo nguMlawuli ngokwemiqathango yalo Mthetho kaMasipala okanye ngokwemiqathango yomthetho wesizwe okanye wephondo;

1.18 "**Izinto ezinakho ukwenziwa ziphinde zisebenze**" – Zithetha nayiphi na impahla enakho ukuguqulwa kwisimo ebe ikuso ize ibe nokuphinda isetyenziswe ukwenza iimveliso ezintsha okanye izibonelelo;

1.19 **"INkunkuma yaseziNdlwini**" – ithetha inkunkuma ethi ivele kwizindlu ezisetyenziselwa ukuhlala ezemfundo, ezemidlalo okanye ezenjongo yezemidlalo yaye kunakho ukubandakanywa impahla enokusetyenziswa khakhona kunye nempahla engenakho ukwenziwa isetyenziswe kwakhona kodwa kungabandakanywa inkunkuma eyingozi;

1.20 "**Umnikezeli ngenkonzo**" – Uthetha umntu okanye izinto ezamkelweyo nguMasipali ngokuhambelana nezikhokelo ezipapashwa ngamathuba athile yaye ezinikezela ngenkonzo yolawulo lwenkunkuma kuluntu yaye zinakho ukubandakanya, kodwa kungaphelelanga apho, ishishini elikhulu nelisakhulayo abarhwebi, ookopolotyeni boluntu, kunye nemisebenzi owufunda umsebenzi;

1.21 "**IRhafu yoMgaqo-nkqubo neRhafu yoMthetho kaMasipala** " – Ithetha iRhafu kaMasipala neRhafu yoMgaqo-nkqubo eyamkelwe libhunga likaMasipala yapapashwa kwiGazethi yePhondo ngamathuba athile;

1.22 "**INkunkuma**" – Ithetha nayiphi na into, nokuba yigesi, ilulwelo okanye iqinile okanye nawuphi na umxube woku, othe wachongwa nguMphathiswa weSizwe wemiCimbi yeNdalo kunye noKhenketho ngesaziso esikwiGazethi yePhondo okanye lilungu leBhunga leSigqeba esiLawulayo lePhondo leNtshona Koloni elinoxanduva lolawulo lwenkunkuma kwiPhondo leNtshona Koloni, njengesiveliso esilisolotya esingamkelekanga okanye esigqithisileyo,

esikhutshiweyo esiyintsalela okanye intshiyekelelo yayo nayiphi na inkqubo okanye umsebenzi njengoko uchaziwe kuMthetho woLondolozo lweNdalo waze walungiswa kwiSaziso sikaRhulumente sama -292 somhla wama – 28 kuFebruwari 2003.

1.23 "**Umvelisi weNkunkuma**" – Uthetha ikhaya, umbutho okanye ishishini, abemi, abahlali okanye abaqeshwa abavelisa inkunkuma yaye kubandakanywa abahleli benkunkuma abafana nabaguquli bezinto ebezisetyenzisiwe zibe nokusetyenziswa kwakhona okanye amaqela anciphisa inkunkuma, abashishina ngezinto ezilahliweyo kunye namaziko azithengayo kwakhona;

1.24 "**IGosa loLawulo lweNkunkuma**" – Lithetha igosa eliqeshiweyo ngokwemiqathango yalo Mthetho kaMasipala, okanye njengoko lifuneka ngokomthetho wesizwe okanye iphondo

2. **<u>Impixwano kunye nomnye umthetho</u>**

Kwimeko apho kukho impixwano phakathi kwalo naliphi na icandelo lalo Mthetho kaMasipala kunye noMthetho wesizwe nowePhondo, kwimigangatho, kwimigaqo-nkqubo okanye izikhokelo, umthetho wesizwe kunye nowePhondo, imigangatho, imigaqo–nkqubo okanye izikhokhelo ziya kuba zezisetyenziswayo.

3. **<u>Umthetho kaMasipala</u>**

Umthetho kaMasipala uya kusebenza kuzo zonke iindwendwe, abatyeleli naye nawuphi na omnye umntu, ohlala, usebenza okanye oqhuba ishishini phantsi kolawulo lukaMasipala.

4. **<u>Ukuhlelwa ngamacandelo kweNkunkuma</u>**

Inkunkuma iya kuhlelwa ngokuhambelana nenkcazelo zeendidi ezahlukeneyo zenkunkuma ezikulo Mthetho kaMasipala kunye noMgaqo-nkqubo weRhafu kunye noMthetho kaMasipala weMpilo yezeNdalo (njengoko uchaza inkunkuma yaMayeza) yaye uya kutsho kwinto yokuba akucacanga ukuba olu

hlobo lwenkunkuma luwela phantsi kwaliphi icandelo, isigqibo soMlawuli siya kuba sesokugqibela yaye siya kuba sesibophelelayo.

5. **Uxanduva lwabaVelisi beNkunkuma**

Abavelisi benkunkuma banoxanduva:

5.1 Lokuthintele ukuveliswa kwenkunkuma okanye apho ingenakho ukuthintelwa ukuba kuncitshiswe ubungozi kunye nobungakanani beNkunkuma obuvelisiweyo.

5.2 Lokwahlula inkunkuma ngeenjongo zokunciphisa inkunkuma kunye nempembelelo yalo nokugcina inkunkuma enakho ukwenziwa isebenze kwakhona yodwa kuleyo ingenakho ukuguqulwa ize isebenze kwakhona. Kwimeko yenkunkuma yezoshishino kufuneka kuqinisekiswe ngento yokuba inkunkuma yahlulwe ngokolwelo, ngamacandelo kunye nempahla enakho ukusetyenzwa ukulungiselela ukuba ibe nokusetyenziswa kwakhona.

5.3 Lokuyisebenzisa kwakhona, ukuyiguqula ibe nokusetyenziswa okanye ukuvuselela inkunkuma apho kunakho. Umnini okanye uMvelisi weNkunkuma uya kulahla inkunkuma enakho ukuba ingaguqulwa ibe nokusetyenziswa kwakhona ngokuthi (1) abe nesivumelwano noMasipala yaye umnini uya kuhlawuliswa ngerhafu esemgangathweni kaMasipala ngokomqathango woMthetho weRhafu kaMasipala, okanye apho uMasipala angenaso isibonelelo senkonzo enjalo (2) abe nesivumelwano kunye noMnikezeli ngeNkonzo owamkelekileyo okanye (3) ngokunikezela ngokunjalo kwiziko elamkelekileyo lokulahlwa kwenkunkuma. **[Amagqabantshintshi: Ivumela ukuthatyathwa kwamanyathelo ukuba ngaba umqeshi uyasilela ukuthobela (ihambelana noMgaqo-siseko weTyala leBhunga]**

5.4 Lokuqinisekisa ngento yokuba iphathwa okanye ilahlwa ngendlela ethathela ingqalelo indalo kwiZiko lokuLahla inkunkuma elamkelekileyo apho inkunkuma kufuneka itshatyalaliswe.

5.5 Lokulawula inkunkuma ukulungiselela into yokokuba ingabi nabungozi

empilweni okanye kwindalo okanye udale ingxaki .

5.6 Lokugcina ucoceko olufanelekileyo kunye nemigangatho yempilo kwindawo ezo zabo.

5.7 Lokusebenzisa iinkonzo zokushenxisa inkunkuma ezinikezelwa nguMasipala kunye / okanye umnikezeli ngenkonzo wakhe, ngaphandle kokuba uMasipala akaboneleli ngenkonzo yothutho lwenkunkuma ukulungiselela olu didi lwenkunkuma ukuze lulahlwe, kuloo meko injalo kuya kufuneka basebenzise uMnikezeli ngeNkonzo owamkelekileyo. Owamkelekileyo.

5.8 Lokuqukumbela isivumelwano noMasipala, umnikezeli ngenkonzi owamkelekileyo, njengoko kuse nokuba njalo, ukulungiselela ukugcina nokuqokelela inkunkuma. Ukuba ngaba unesivumelwano noMasipala umvelisi wenkunkuma kufuneka azalise yaye anikezele kuMasipala ngefomu yesicelo esayiniweyo yenkonzo kunye nawo onke amaxwebhu anxulumene noko.

5.9 Lokugcina inkunkuma kwimigqomo enikezelwa nguMasipala yaye/okanye ngumnikezeli ngenkonzo owamkelekileyo phambi kokuqokelelwa okanye apho umgqomo unganikezelwanga, mayigcinwe inkunkuma kwiingxowa zeplastiki ezimnyama oya kuthi umgqomo lowo kunye/okanye iingxowa eziya kuqokelelwa ngumnikezeli wenkonzo mhlawumbi kube kanye ngeveki ngokuhambelana neendlela njengoko zipapashwe ngumasipala okanye umnikezeli wenkonzo amathuba ngamathuba. **[Amagqabantshintshi: Yonke inkunkuma]**

5.10 Ukuhlawula irhafu ezihlawuliswa nguMasipala ukulungiselela iinkonzo zokuthuthwa okunjalo kwenkunkuma ngokuhambelana noMthetho kaMasipala weRhafu kunye noMgaqo-nkqubo weRhafu yaye ukuba ngaba iirhafu ezinjalo azihlawulwa, uMasipala unokuyitshitshisa le nkonzo. Inkonzo inakho ukubuyiselwa xa kuthe kwahlawulwa iakhawunti engahlawulwanga. Imali esemva iya kuqwalaselwa ngokwemiqathango yolawulo lwetyala looMasipala kunye nomgaqo-nkqubo wokuqokelelwa kwetyala.

5.11 Ukuba ngaba kukho umgqomo owangezelweyo ofunekayo, uMvelisi wenkunkuma unakho ukwenza isicelo kwiGosa loLawulo leNkunkuma ukulungiselela ukubonelela ngawo yaye uya kuba noxanduva lokuhlawula iindleko ezongezelelweyo ngokomthetho kaMasipala weRhafu kunye noMgaqo-nkqubo weRhafu. IGosa loLawulo lweNkunkuma linakho ukufuna ukuba umntu onjalo angenise isiCwangiso esiHlanganisiweyo soLawulo lweNkunkuma phambi kokuvunyelwa ukuba anikezele ngomgqomo wolwangazelelo. Umnini kunye noMvelisi wenkunkuma kufuneka ahambelane nemiqathango esekwe lelo Gosa loLawulo lweNkunkuma ukulungiselela ukuvelisa, ukunciphisa, ukugcina nokuqokelela nokulahla inkunkuma leyo eyongezelweyo..

5.12 Ukuba ngaba inkunkuma eveliswe nguMvelisi weNkunkuma iwudlule umthamo onakho ukuba ungagcinwa kwimigqomo enikezelweyo okanye iingxowa, umnini kufuneka enze amalungiselelo okuqokelelwa kwale nkunkuma ingaphezulu nguMnikezeli wenkonzo awamkelekileyo. Ukuba ngaba loo malungiselelo awenziwa umnini kunye /okanye uMvelisi wenkunkuma kufuneka kamsinyane athwale uxanduva aze ahambise loo nkunkuma yangezelweyo ze ayise kwiziko lokuLahla iNkunkuma elamkelekileyo ngendleko zakhe.

5.13 Abanini bezindlu ezisesikweni abanezinye izindlu kwiziza zabo ekukho iintsapho ezihlala kwezi zakhiwo zizimeleyo nazo ziya kwabelwa umgqomo ube mnye kwisakhiwo ngasinye esongezelelweyo nguMasipala yaye siya kuba selungelweni lokuqokelelelwa wona ngemiqathango eminye nale yendlu enkulu. Umnini wesiza kufuneka asayine isivumelwano esangezelelweyo noMasipala ukulungiselela ukugcina, ukuqokelelwa nokulahlwa kwaloo nkunkuma yaye uya kuba noxanduva lokuhlawula iirhafu ezifunwa nguMasipala ngokunxulumene noko.

5.14 Abantu abangamahlwempu abaselungelweni ngokwemiqathango yoMgaqo-nkqubo weRhafu yenkunkuma eQinileyo kaMasipala njengoko ulungiswa ngamathuba ngamathuba, yaye babhaliswe njengamahlwempu baya kufumana inkonzo esimahla okanye enesaphulelo semali sokuqokelelwa kwenkunkuma ukulungiselela

inkunkuma yeendawo zokuhlala kube kanye ngeveki evela kuMasipala. Zonke ezinye izibonelolo zalo Mthetho kaMasipala ziya kusebenza kubantu abangamahlwempu..

5.15 Naliphi na ishishini kunye /okanye iarhente elahla inkunkuma egameni laloo mashishini kufuneka inike ingxelo kuMasipala yokulahlwa kwenkunkuma ngamathuba alungeleleneyo njengoko emiselwe nguMlawuli kumaxesha ngamaxesha.

5.16 Bonke abanini kunye nabavelisi benkunkuma banoxanduva lokugcina ucoceko olufanelekileyo kunye nemigangatho yezempilo kwindawo zabo.

5.17 UMvelisi weNkunkuma ovelisa inkunkuma kumashishini kufuneka abe nesivumelwano nabanikezeli benkonzo abamkelekileyo ukulungiselela ukuqokelelwa nokulahlwa kwenkunkuma kwiziko lokulahlwa kwenkunkuma elamkelekileyo ukulungiselela ukulahlwa kwenkunkuma yamashishini. Umnini kufuneka xa kwenziwe ibango abonise kwiGosa loLawulo lwenkunkuma into yokokuba uthe wangena kwisivumelwano esifanelekileyo kunye nalo mnikezeli wenkonzo owamkelekileyo ukulungiselela ukuqokelelwa, ukuhlelwa, ukunyangwa kunye / okanye ukulahlwa kwenkunkuma enjalo mhlawumbi kube kanye ngeveki okanye njengoko kumiselwe liGosa loLawulo leNkunkuma.

5.18 Ukuba loo Nkunkuma yamashishini ithe yaba yingozi njengoko kuchaziwe yiSANS 10228 kunye ne-10229 uMnikezeli weNkonzo wecandelo langasese owamkelekileyo kuya kufuneka ngokunjalo ahambelane nayo yonke imithetho enxulumene nokuphathwa, ukuthunyelwa, nokugcinwa, nokusetyenziswa, ukunyangwa nokuthuthwa kwempahla eyingozi nokulahlwa kwayo ngokunjalo okanye isiza esizaliswe ngumhlaba esivunyelwe nguRhulumente weSizwe okanye wePhondo.

5.19 UMvelisi weNkunkuma ovelisa inkunkuma yoshishino kuya kufuneka angenise isiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma kuMasipala ze ahambelane nemiqathango ethiwe thaca nguMasipala ukulungiselela ukuveliswa, ukuncitshiswa, ukugcinwa ukulungiselela, ukuphinda ukusetyenziswa kwakhona, ukuqokelelwa kunye nokulahlwa

kwenkunkuma ngokunjalo.

5.20 Inkunkuma yaseGadini eveliswa kwizindlu ezisetyenziselwa ikakhulu iinjongo zokuhlala inokwenziwa isivundiso nakusiphi na isiza ngokuhambelana nemiqathango kunye nezikhokelo eziqulunqwe nguMasipala ngamathuba ngamathuba.

5.21 Inkunkuma yasegadini ayinakugcinwa kwimigqomo enikezelwa nguMasipala elungiselela ukugcina inkunkuma yendawo yokuhlala okanye ishishini.

5.22 Inkunkuma yaseGadini kufuneka igcinwe kwingqumba yesivundiso okanye kwiingxowa ezifanelekileyo ezithi mhlawumbi zigcinwe kwisiza eso de zibe ziqokelelwe, okanye zinokuthathwa zisiwe kwiziko lokulahla inkunkuma elamkelekileyo nguMvelisi weNkunkuma.

5.23 Ukuba ngaba umnini wenze amalungiselelo noMasipala ukulungiselela ukuthuthwa kwayo, unoxanduva lokuhlawula uMasipala ngale nkonzo ngokuhambelana nerhafu yawo ngokwemiqathango yoMthetho kaMasipala weRhafu kunye noMgaqo-nkqubo weRhafu.

5.24 Yonke inkunkuma yeGadi engathanga ivundiswe kufuneka ifakwe kwingxowa ezifanelekileyo okanye ibotshwe ibe yimiqulu. Ubude kunye nomfuziselo oya kuthi umiselwe ngokwemiqathango yezikhokhelo zikaMasipala kunye nemiqathango enyanzeliswayo ngamathuba athile.

5.25 Kwimeko yenkunkuma yeGadi elahlwe kwimfumba ethile, njengoko imiselwe nguMasipala ngokwemiqathango yezikhokhelo zayo kunye nemiqathango egunyaziswayo kumathuba ngamathuba, uMvelisi weNkunkuna unokuyalelwa ukuba avelise itikiti lesikali esikhulu esineqoga sokuweyisha njengobungqina bokulahla ngendlela eyiyo inkunkuma leyo.

5.26 Nawuphi na umntu ovelisa ngqo okanye ngokungathanga ngqo iNkunkuma yoKwakha kunye nomnini wesakhiwo apho inkunkuma yokwakha iveliswa khona uya kuyisusa aze ayilahle kwindawo

yokutyumza eyamkeliweyo okanye isiza esizaliswe ngumhlaba okanye naliphi na elinye Iziko lokulahla iNkunkuma yoKwakha elaMkelweyo.

5.27 Ukuba ngaba inkunkuma yokwakha okanye nayiphi na enye inkunkuma ibe isulelekile yaye into leyo isuleleke yiyo iyingozi, kufuneka ilahlwe kwiZiko elamkelweyo lokuLahla iNkunkuma elilungiselelwe ukunyanga nokulahla inkunkuma eyingozi. **[Amagqabantshintshi: Oku kubandakanya nayiphi na inkunkuma esulelekileyo kunye nenkqubo elungileyo /ekhethwayo]**

5.28 Umnini weziko apho inkunkuma yokwakha ilahlwa khona uya kunikezela ngengxelo qho ngenyanga kwiGosa loLawulo lenkunkuma lengqumba yenkunkuma leyo elahlwe kwiziko elo.

5.29 Zakuba izicwangciso zingenisiwe kuMasipala ukulungiselela ulwamkelo lwazo ngokwemiqathango neMimiselo yoKwakha yeSizwe kunye noMthetho weMigangatho yoKwakha ongu Nombolo 107 we – 1977, umntu ongenise ezi kufuneka angenise ngaxesha nye kunye nesiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma kuMasipala sisithi thaca izibonelelo ezenziweyo ezilungiselelwe ukuqokelelwa nokulahlwa kwenkunkuma yokwakha neyenye kunye nezibonelelo ezenziweyo zokugcina inkunkuma kwisiza sabo okanye sibonelele ngemvume yokugcina oko kumhlaba kaMasipala.

5.30 Ukuba ngaba iphepha-mvume alikho okanye alinakho ukuveliswa lokugcina inkunkuma leyo kumhlaba woomasipala yaye iphepha –mvume elo lifunekayo alikhange libe likhutshiwe yaye umrhumo awuhlawulwanga umvelisi wenkunkuma kunye/okanye umnini womhlaba unokohlwaywa ngokusilela ukuba nephepha-mvume aze anikwe isaziso sokususa inkunkuma.

5.31 Xa iGosa loLawulo lolwakhiwo lihlola umhlaba apho umsebenzi wolwakhiwo lihlola umhlaba apho umsebenzi wolwakhiwo uqhutywa khona ukukhangela ukuba ingaba yonke inkunkuma yolwakhiwo ilahliwe na. Umnini womhlaba uya kudinga ukuba anikezele kwiGosa elo lolwakhiwo ngobungqina bokuba ilahliwe ingqumba epheleleyo

yenkunkuma yokwakha kwiziko lokulahla inkunkuma elamkelweyo ukulungiselela eliya candela lenkunkuma phambi kokufumana isiqinisekiso sokuhlala okanye imvume yokugqibela ukuba inikezelwe-. **[Amagqabantshintshi: ununggina iya kuba sisiqinisekiso sesikali esikhulu esineqonga sokuweyisha]**

6. **Inkunkuma eyingozi**

6.1 UMvelisi weNkunkuma ovelisa inkunkuma eyingozi kunye nomnini womhlaba apho inkunkuma eyingozi iveliswa khona kufuneka benesivumelwano nomnikezeli ngenkonzo owamkelweyo sokuqokelela nokulahla inkunkuma enjalo kwiziko lokulahla inkunkuma eyingozi elamkelweyo elinephepha-mvume okanye elivunyelwe ngumthetho weSizwe okanye wePhondo.

6.2 Umntu ohambisa inkunkuma kufuneka aqinisekise ngento yokuba Iziko okanye Indawo ekuthuthelwa kuyo inkunkuma igunyazisiwe ukuba yamkelwe inkunkuma enjalo phambi kokuba ithulwe inkunkuma leyo kwisithuthi.

7. **Inkunkuma yesiganeko**

7.1 Nawuphi na umntu obandakanyeka ngqo okanye ongathanga ngqo nombutho, nolawulo lomdlalo, lolonwabo, inkcubeko okanye isiganeko senkonzo esithi siqhubeke, kumhlaba wangasese okanye woluntu kunye/okanye angumnini okanye ingumhlaba awulawulayo apho umdlalo, ulonwabo, inkcubeko okanye isiganeko senkonzo siza kuqhubeka khona, kubandakanwa iStediyam semidlalo kunye namaziko enkomfa, kufuneka angenise isiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma kuMasipala kwifomu yesiqhelo njengoko ipapashwa amathuba ngamathuba ngokubhekiselele kugcino, uqokelelo, ukulungiswa ukuba isebenze ngokutsha kunye nokulahlwa kwenkunkuma ngethuba lasemva kwesiganeko eso malunga nentsuku ezintlanu zomsebenzi phambi kwesiganeko eso sindululwayo nokuhambelana ngokwemiqathango ethiwe thaca nguMasipala. Oku ngokunjalo kufuneka kubandakanye

ingcaciso engamaxabiso kunye nomququzelieli, ulawulo okanye umnini uya kuthwala uxanduva nokuhlawula indleko zoko.

7.2 Nawuphi na umntu ozimisele ukuvelisa inkunkuma ngesiganeko uya kuba nesivumelwano kunye noMnikezeli ngeNkonzo owamkelekileyo ukulungiselela ukuqokelela nokuLahla iNkunkuma yeso siganeko kwiZiko lokuLahla iNkunkuma elaMkelekileyo ze linikezele ngobungqina boku kuMasipala njengenxalenye yesiCwangciso soLawulo esiHlanganisiweyo.

7.3 Ukuba ngaba umntu lowo uyasilela okanye akakuse so ukufumama iiNkonzo zoLawulo lweNkunkumo phambi kwesiganeko eso kuthethwa ngaso, okanye asilele ukunikezela kuMasipala mgesiCwangciso soLawulo lweNkunkuma esiHlanganisiweyo okanye ukuba ngaba kungakho inkunkuma eshiyweyo kwindawo leyo apho bekubanjelwe khona isiganeko, uMasipala unakho ukwenza amalungiselelo okuqokelela, okucoca, okulungisa ibe nokusetyenziswa kwakhona nokulahla inkunkuma yesiganeko, indleko zeenkonzo ezinjalo ziya kuhlawulwa ngumququzeleli wesiganeko

8. **<u>Inkunkuma eNgundoqo</u>**

Inkunkuma iya kuhlelwa njengenkunkuma engundoqo nguMlawuli ngokwemiqathango yalo Mthetho kaMasipala ukuba ngaba ukholelwa entweni yokokuba kufuneka imiqathango eyodwa ngokubhekisele kulawulo lwaloo Nkunkuma kuba ibanga ingozi enkulu kwimpilo kunye / okanye kwindalo kunye / okanye inakho ukuzingisa kwindalo kunye/okanye iqulathe okanye inakho ukukhuthaza ipathogen yezifo ezasulelayo okanye ibe ibhengeziwe njengeNkunkuma enguNdoqo ngokwemiqathango yeminye imithetho..

9. **<u>Ixesha likaxakeka elidinga ulawulo lweNkunkuma</u>**

Ukuba, ngokwembono yoMlawuli, kukho ingxakeko efuna ulawulo lwenkunkuma, uMasipala unakho ukuya kumnini womhlaba / umvelisi wenkunkuma ukuba ayilawule malunga nesithuba esichaziweyo ngolwaneliso lukaMasipala, okanye unakho ukwenza amalungiselelo olu lawulo, kubandakanywa ukususwa nokucocwa kobutyobo kunye nesiphumo songcoliseko lomoya, uthutho

nokulahlwa kwenkunkuma kwiZiko lokuLahla iNkunkuma elinephepha-mvume elilungiselelwe olu hlobo lokuveliswa kwenkunkuma. UMasipala unakho ngokunjalo ukwenza amalungiselelo, alawule yaye alungelelanise uvuselelo nokulungiswa kwaso nasiphi na isibonelelo, izakhiwo, izixhobo okanye indalo kule nkqubo. Indleko zolawulo olunjalo, zovuselelo ngokutsha kunye nokulungiswa, kubandakanywa iindleko ezenzeke ekusetyenzisweni kwezibonelelo zikaMasipala, izixhobo kunye nempahla iya kuba luxanduva lweakhawunti yomntu ongunobangela wale meko kaxakeka. Ukuba ngaba le meko kaxakeka yenziwe ngumsebenzi kaThixo yaye kukho ingxowa-mali elungiselelwe oko, uMasipala uya kujongana naloo meko kaxakeka ngendlela apha kuvuma imeko yaye kuxhonyekekwe kwingxowa-mali ekhoyo.

10. **Ukusekwa kwemibutho esesikweni kuluntu nakumashishini yokuNciphisa**

Uphuhliso lwamaqela abahlali okanye oshishino kunye nendawo zokuhlala eziziflethi anakho ukuseka amaqela okunciphisa inkunkuma xa athe angenisa ubungqina ngokuhambelana neemfuno ezimiselwa kumathuba ngamathuba lokokuba ayayinciphisa yaye beyiphungula inkunkuma yaye afuna inkonzo engaphantsi. Anakho ukwenza isicelo solawulo lolwazelelo olulodwa njengenkonzo eyandisiweyo kuMlawuli njengoko kuchaziwe kuMthetho kaMasipala weRhafu kunye noMgaqo-nkqubo weRhafu. UMlawuli uya kuthi ngokubona kwakhe agqibe ngokuba asamkele na isicelo solawulo solwazelelo samaqela okunciphisa inkunkuma. Kufuneka angenise isiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma kuMlawuli yaye ukuba samkelwe ngoko nguMlawuli kufuneka sihambelane nemigaqo kunye nemiqathango ethiwe thaca nguMlawuli ukulungiselela ukuveliswa, ukuncitshiswa, ukugcinwa, ukuqokelelwa nokulahlwa kwenkunkuma enjalo.

11. **Ukuqeshawa kwe Gosa loLawulo lweNkunkuma**

UMlawuli uya kuqeshwa njengeGosa loLawulo lweNkunkuma leBhuga yaye uya kunyula libe linye okanye ngaphezulu kumaGosa oLawulo lweNkunkuma ukulungelelanisa imiba ebhekiselele kuLawulo lwenkunkuma kuMasipala.

AmaGosa oLawulo lweNkunkuma aya kuba namagunya kunye nemisebenzi njengoko ithiwe thaca kulo Mthetho kaMasipala yaye ngokuhambelana nenkqubo kamasipala okonyula njengoko eqinisekiswe kumathuba ngamathuba nguMthetho wePhondo okanye weSizwe..

12. **IsiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma**

IsiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma kufuneka singeniswe ngaBavelisi beNkunkuma abadweliswe kumhlathi 15.9.1 ukuya ku-15.9.10 ngasezantsi, kwiGosa loLawulo lweNkunkuma ukuba samkelwe ngembalelwano, phambi kokuveliswa kwenkunkuma eya kuqwalaselwa ngokuhambelana nesicwangciso esixeliweyo

IsiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma kufuneka sibandakanye:

12.1 Uhlelo lobungakanani kwaye nohlobo lwenkunkuma eya kuveliswa;

12.2 Inkcazelo yeenkonzo ezifunekayo ukugcina, ukuqokelela, ukuthutha, nokulahla inkunkuma leyo;

12.3 Inkcazelo ngendlela abazimisele ukuyahlula ngayo efuna ukulungiswa ukuze isebenze kwakhona naleyo ingenakulungiswa ukuze isebenze kwakhona kule ndawo ikuyo;

12.4 UkuNcitshiswa kweNkunkuma nezicwangciso zothintelo longcoliseko lomoya zoMvelisi weNkunkuma;

12.5 Ifuthe okanye ifuthe elingakho kwimeko yenkunkuma eyilwe ngabo;

12.6 Uhlobo okanye iimpawu zenkunkuma eveliswayo enobuntununtunu kubume bendalo, kunye/okanye ubungakanani bezibonelelo zendalo ezithi zigqitywe ekwenzeni okanye inkqubo yokuvelisa ethi ibe nesiphumo esiyinkunkuma;

12.7 Izinto ezilungiselelwe imveliso yenkunkuma ngokusetyenziswa kwakhona, ukulungiswa obekusetyenzisiwe ze kusetyenziswe kwakhona, kunye nemiqathango okanye inkqubo zovuselelo

ezinokuthi zinciphise ukusetyenziswa kwezibonelelo zendalo kunye nendlela yokuLahlwa kweNkunkuma.

12.8 Amaziko oshishino aya kubandakanya kwisicwangciso esinjalo imiqathango okanye intshukumo emazithathwe ukulawula inkunkuma, ukutshitshiswa kokusetyenziswa kwezinto ezithile, amathuba ukulungiselela ukuncitshiswa kokuveliswa kwenkunkuma ngokusebenzisa utshintsho kuyilo lwemveliso, ukuveliswa kwemveliso okanye umqulu ukunciphisa ukusetyenziswa kwezibonelelo;

12.9 Amaziko orhwebo noshishino kufuneka abonelele ukulungiselela ukuthengisa ishishini ukuthengisa izinto ezithengiweyo ezivelayo ukuphempbelela ingqiqo yomthengi kunye nokuphatha nokwamkela iimveliso ezivela ekulungisweni kobekusebenza ngaphambili ze kuphinde kusebenze kwakhona;

Xa ecelwa ukuba angenise isiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma ngokuhambelana nalo Mthetho kaMasipala, uMvelisi weNkunkuma uya kwenza njalo kwixesha elimiselwe nguMasipala ze ahambelane nayo ngokwemiqathango ethiwe thaca liGosa elo loLawulo lweNkunkuma ukulungiselela ukuvelisa, ukunciphisa, ukugcina, ukuqokelela nokulahla inkunkuma leyo.

I Gosa loLawulo lweNkunkuma kufuneka linike ingqwalasela kwisicwangciso lize mhlawumbi:

1. Lisamkele kunye nemiqathango ze linike izikhokhelo ukulungiselela ukumiliselwa ngoko; kunye /okanye

2. Licele ingcangciso engaphezulu ukuba lingeniswe kunye / okanye isicwangciso esihlaziyweyo singenisiwe ukulungiselela ulwamkelo; kunye/ okanye.

3. Lifune izilungiso emazenziwe kwixesha eliqingqiweyo elichazwe ngabo;

okanye

4. Lisale isicwangciso; kunye

5. Xa lisamkela isicwangciso eso iGosa loLawulo lweNkunkuma sinakho ukuchaza imiqathango enxulumene nolwamkelo olo..

Ukuba ngaba isicwangciso saliwe okanye singenisiwe; iGosa loLawulo lweNkunkuma liya kunika imigaqo yokuba yiyiphi imiqathango uLawulo lweNkunkuma emayithathe nguMvelisi weNkunkuma ze uMvelisi wenkunkuma asilele ukuthatha loo miqathango ngexesha elimiselweyo nelichaziweyo liGosa loLawulo lwenkunkuma, uMasipala unakho ukumilisela imiqathango enjalo yaye uMvelisi weNkunkuma uyakuthwala indleko zoko.

UMasipala unakho ukubhala isaziso efuna ukuba nawuphi na umntu anikezele ngengcaciso enjalo njengoko ifuneka ukulungiselela isiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma sikaMasipala. Ukuba ngaba umntu uthe wasilela ukunikezela ngaso, uMasipala unakho ukuqesha umphengululi-zincwadi ukulungiselela ukufumana ingcaciso leyo ngendleko zoMvelisi weNkunkuma.

AbaVelisi beNkunkuma bala mahlelo alandelayo enkunkuma kufuneka angenise isiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma:

12.9.1 Inkunkuma yoshishino, ukuba ngaba umthamo uyawudlula umgqomo omnye okanye inkunkuma eyingozi ivelisiwe, yaye iGosa loLawulo lwenkunkuma lidinga okunjalo

12.9.2 Inkunkuma yorhwebo

12.9.3 Inkunkuma yolwakhiwo

12.9.4 Inkunkuma yesiganeko

12.9.5 Inkunkuma engundoqo

12.9.6 Inkunkuma eyingozi

12.9.7 Abo benze isicelo belungiselela ulawulo lolwazelelo olulodwa

ngokwemiqathango yegatya le – 13;

12.9.8 Abo bahlela inkunkuma okanye baqalise ngokulungisa oko bekusetyenzisiwe ukuze kusetyenziswe kwakhona, ukusetyenziswa kwakhona okanye umsebenzi wovuselelo lwenkunkuma kubandakanywa kodwa kungaphelelwanga kubathengi bezinto ezilahliweyo, amaqela avuselela izinto ebezisetyenzisiwe zibe nokusebenza kwakhona kunye namaziko aphinda azithenge kwakhona;

12.9.9 Nawuphi na omnye umntu onikwe isaziso sokwenza njalo liGosa loLawulo lweNkunkuma.

12.9.10 Abo bantu abaqhuba imisebenzi edweliswe kumhlathi we-19.

Nawuphi na uMvelisi weNkunkuma kufuneka enze njalo ngokuhambelana nalo Mthetho kaMasipala, othe wasilela ukungenisa okanye ukuhambelana nesiCwangciso soLawulo lweNkunkuma uya kufunyaniswa enetyala aze ohlwaywe.

13. **<u>Ukukhululwa ekubeni ungenise isiCwangciso soLawulo lweNkunkuma</u>**

13.1 Ukuba ngaba omnye wabavelisi benkunkuma elungiselela la macandelo enkunkuma ekubhekiselelwa kuwo kumhlathi we -15 ngasentla ufuna ukuba akhululwe ekubeni angenise isicwangciso solawulo lwenkunkuma, isicelo kufuneka senziwe ngembalelwano kwiGosa loLawulo lweNkunkuma, echaza izizathu zesicelo.

13.2 IGosa loLawulo lweNkunkuma linakho ngokunjalo ukubhengeza iindidi ezithile zenkunkuma okanye abavelisi benkunkuma kunye / okanye ubunzima obuthile okanye umthamo wenkunkuma onokukhululwa ekubeni kungeniswe isicwangciso solawulo lwenkunkuma. Abo bantu bathe bengenisa eso sicwangciso kwamanye amacandelo oburhulumente ngokuhambelana nomthetho wawo osebenzayo.

14. **Ukugcinwa nokuthuthwa kwenkunkuma**

Nawuphi na umgcini wenkunkuma othi agcine okanye athuthe inkunkuma kufuneka aqinisekise ngento yokuba:

14.1 Imigqomo apho kugcinwa khona nayiphi na inkunkuma ayonakalanga yaye ayidlekanga okanye ayikho indlela engabonakala ingafanelekanga ukuba ingagcina inkunkuma ngokukhuselekileyo ukuba ngaba inkunkuma ayikho kumgqomo onikezelwe nguMasipala.

14.2 Imiqathango efanelekileyo ikho ukuthintela ukuchitheka ngengozi okanye ukuvuza;

14.3 Inkunkuma ayinakho ukuphetshethwa ngumoya;

14.4 Inkathazo enje ngemvula, impembelelo ebonakalayo yaye ukuveliswa kwabathwali bezifo akwenzeki;

14.5 Ungcoliseko lwendalo nobungozi kwimpilo kuyathintelwa;

14.6 Inkunkuma eyingozi ivalelwa kumgqomo ongenakungenwa nto yaye imiqathango efanelekileyo ukuthintela ukubhucabhucwa ikho;

14.7 Ukuqinisekisa ngento yokokuba naziphi na izinto zikhuselekile ukuba zingaphathwa, zingaqokelelwa kunye / okanye zilahlwe yaye azingeze zibe yingozi kubantu xa zithe zafunyanwa ngabantu abangagunyaziswanga okanye amalungu oluntu.

15. **Ukuqokelelwa kwenkunkuma**

Akukho mntu unakho ukususa inkunkuma ekufuneka iqokelelwe nguMasipala okanye nguMnikezeli ngeNkonzo owamkelweyo ngokuhambelana nalo Mthetho kaMasipala.

Umntu olahla inkunkuma egameni lomvelisi wenkunkuma ukwenza oko njengearhente yomvelisi wenkunkuma.

16. **<u>Ukulungiswa kobe kusetyenzisiwe kuze kusebenze kwakhona, ukusetyenziswa kwakhona, ukuhlelwa nokuvuselwa kwenkunkuma</u>**

16.1 Nawuphi na umntu oqalisa umsebenzi wokulungisa kokube kusetyenzisiwe ze kusebenze kwakhona, wokusetyenziswa kwakhona okanye wokuvuselela okanye ohlela inkunkuma, kubandakanywa kodwa kungaphelelwanga kubathengisi bezinto ezilahliweyo, amaziko athenga izinto kunye namaqela asesikweni alungisa obe kusetyenziswa ukuze kusebenze kwakhona, kufunela, phambi kokuba aqalise ngalo msebenzi aqinisekise ngokusebenzisa uvavanyo lwempembelelo yendalo okanye inkqubo eyelele apho efunwa ngugunyazizwe wePhondo, into yokokuba ukulungisa into esele isebenzile ize isetyenziswe kwakhona, ukusetyenziswa kwakhona okanye uvuselelo lwenkunkuma akuyiyo ingozi kakhulu kwindalo ngaphezulu kokuyilahla yaye kufuneka afumane iphepha-mvume kuMasipala ngokuhambelana nezikhokhelo zakhe njengoko zipapashiwe kumathuba ngamathuba. (Amagqabantshintshi : umba wephepha-mvume kungafuneka uphinde waqwalaselwa ukuba ngaba uMthetho weSizwe olawula lo mba) Abo bantu kufuneka ngokunjalo bangenise isiCwangciso esihlanganisiweyo soLawulo lweNkunkuma. Xa kusenziwa isigqibo sokokuba singanikezelwa na eso sigunyaziso, iGosa loLawulo lweNkunkuma liya kunika ingqwalasela yesiCwangciso esiHlanganisiweyo soLawulo lweNkunkuma.

16.2 Nawuphi na umntu oqalisa ngokulungisa obe kusebenza ukuze kusetyenziswe kwakhona, kusetyenziswa kwakhona.

16.3 Abantu kunye namaziko athi aphathe, athuthe, enze ingonakali, anyange yaye alahle inkunkuma ukulungiselela injongo zokulungisa obesele kusetyenzisiwe ukuze kusetyenziswe kwakhona aya kunikezela uMasipala ngengxelo ebhaliweyo kukumila nobukhulu bencwadi ukuba bamkelwe nguMlawuli ngomhla okanye ngaphambili komhla we -7 wenyanga nganye. IGosa loLawulo lweNkunkuma linakho ukukhumbula abaVelisi abathile benkunkuma, abaphathi, abathuthi okanye iiarhente zenkunkuma kwezo mfuno zinjalo,

17. **<u>Ukuthintelwa kokulahlwa kwenkunkuma okungagunyaziswanga</u>**

17.1 Akukho mntu unakho ukulahla inkunkuma ngendlela apha enokubangela ungcoliseko lwendalo okanye ibe yingozi kwimpilo yabantu.

17.2 Akukho mntu unakho ukulahla inkunkuma ngaphandle kokuba ihambelana nalo Mthetho kaMasipala kunye / okanye uMthetho weSizwe kunye nowePhondo.

17.3 Akukho nkunkuma iyingozi enakho ukulahlwa kumgqomo kamasipala oyilelwe ukugcina inkunkuma yezindlu okanye ushishino okanye iingxowa ekufuneka ziqokelelwe nguMasipala.

17.4 Akukho mntu unokutshisa inkunkuma ngakumbi inkunkuma eyingozi ngaphandle kwesitovu sokutshisa inkunkuma esamkelweyo esinephepha-mvume okanye ilayisensi yokwenza oko.

17.5 Akukho mntu unakho ukulahla inkunkuma eyingozi, ngaphandle kokuba uhambelana kunye nesiCwangciso esiHlanganisiweyo soLawulo

17.6 Akukho mntu unokufaka inkunkuma yasezindlwini, yoshishini, yorhwebo, yeGadi, yoLwakhiwo, yesiganeko okanye eyingozi kumgqomo woluntu.

17.7 Akukho mntu unokuphatha inkunkuma ngendlela apha enokuthi ibangele uthuli, ukuchitheka okanye ukungcolisa.

18. **<u>Ukungcolisa nokulahla</u>**

18.1 Akukho mntu unokulahla, unokugibisela, unokufaka, unokuchitha okanye nangayiphi na indlela ukulahla nayiphi na inkunkuma kwindawo kawonke kwidreyini kamasipala, kumhlaba, kwisiza esingenanto, kumfula, kumlambo, kwisitalato, kumgaqo, kunxweme okanye nakuyiphi na indawo apha uluntu lunelungelo lokungena, okanye ukulahla okanye ukuvumela umntu ophantsi kolawulo lwabo

ukuba enze njalo.

18.2 Umnini womhlaba wangasese apho uluntu lunelungelo lokungena kufuneka aqinisekise ngento yokuba imigqomo eyaneleyo okanye iindawo zibonelelwe ezingagcina inkunkuma ethe yalahlwa luluntu.

18.3 Ukuba ngaba izibonelelo zecandelwana (1) zihe zaphulwa, uMasipala unokuthumela ngesaziso esibhaliweyo kubantu abo ukuba baphelise ulwaphulo olo kwixesha elichaziweyo, bathintele olunye ulwaphulo olungenzeka okanye ukuqhubeka kolwaphulo, yaye uMasipala uya kuthabatha nawaphi na amanyathelo awabona elungile ukuphelisa oku okanye ukususa inkunkuma, ukuvuselela imbonakalo yendalo kubekho ifuthe kuyo nokuqinisekisa ngento yokokuba inkunkuma nayo nayiphi na enye into eyasulelekileyo enganakho ukuba ingacocwa okanye ivuselelwe iyalahlwa ngokusemthethweni. Isaziso esibhaliweyo siya kumnika umoni isithuba esingangentsuku ezi-5 zomsebenzi ukuba asuse inkunkuma kunye / okanye ukungcola okulahliweyo. UMasipala unakho ngokubona kwakhe ukunika imvume yeentsuku ezi-2 ngaphezulu xa kwenziwe isicelo ukulungiselela ukuba umoni asuse ukungcola/inkunkuma.

18.4 Umntu ongumnini womhlaba okanye wesakhiwo, okanye onolawulo lwaso okanye onelungelo lokusebenzisa umhlaba okanye isakhiwo, akanakho ukusebenzisa okanye avumele ukusetyenziswa komhlaba okanye kwesakhiwo ukulungiselela ukulahlwa kwenkunkuma okungekho mthethweni yaye kufuneka athabathe amanyathelo afanelekileyo ukuthintela ukusetyenziswa komhlaba okanye isakhiwo ngezo njongo.

18.5 Ukuba ngaba uMasipala ukhetha ukususa inkunkuma/ukungcola umoni uya kuthwala uxanduva lwendleko zalo msebenzi wokususa inkunkuma

18.6 Kwi meko yenkunkuma eyingozi uMasipala uya kuyisusa ngoko nangoko inkunkuma aze emva kwangoko akhuphe izaziso zokokuba umoni unoxanduva lokuhlawula isohlwayo esikhutshiweyo kunye nendleko zokususwa kunye nokuvuselelwa kwendawo leyo. Ngaphezulu inkundla yamatyala inakho kwiimeko ezinzima kunye nokuphinda kwaboni akhuphe iisohlwayo esiqatha okanye ayalele ithuba elide lokuvalelwa entolongweni aze anike umyalelo wokokuba umoni ahlawule iindleko zokususwa kunye neendleko zokuvuselela loo ndawo.

19. **Amaphepha-mvume**

Lonke uluntu okanye amaqumrhu afuna amaphepha-mvume ngokomthetho kazwelonke, wePhondo okanye uMasipala kuya kufuneka xa seceliwe liGosa lezoLawulo lweNkunkuma, ukuba babe sele benamaphepha-mvume afunekayo kwisithuba sentsuku ezingama -30 okanye njengoko kuchazwe ngokumalunga nexesha elibekiweyo ngumqeshi, ngokuchazwe liGosa..

20. **Umboneleli ovunyiweyo ngeeNkonzo zezoLawulo lwenkunkuma kunye nokubhaliswa kwabantu abasebenzisa ababoneleli ngenkonzo zokuthuthwa kwenkunkuma**

[Barry to provide further instructions to make the process clearer]

20.1 Nayiphi na ikontraka yabucala, umasipala okanye umboneleli ngenkonzo yolawulo lwenkunkuma wabucala, angabonelela kuphela ngenkonzo athe uMasipala wakhetha ukungaboneleli ngayo yaye oko kunokwenzeka kuphela xa lowo ethe wavunyelwa nguMasipala ngokwemiqathango nemigangatho ebekwe nguMasipala njengoko kuchazwe kwisikhokelo esipapashwe nguMasipala kumaxesha ngamaxesha..

20.2 UMasipala uya kugcina irejista ehlaziyweyo yabo bonke aba velela ngeenkonzo

20.3 Amashishini ezrhwebo (kudibene abaqokeleli boshishino ngeentsimbi ezonakeleyo) abafuna iinkonzo zothutho lwenkunkuma,

iinkonzo ezo ekungabonelelwa ngazo nguMasipala kufuneka loo mashishini abhaliswe kuMasipala abe nemvumelwano naye ngobonelelo ngezo nkonzo

20.4 UMasipala kunye /okanye umboneleli ngenkonzo kunye /okanye umboneleli ngenkonzo ovunyiweyo okanye abanye abalahla inkunkuma egameni lomvelisi wenkunkuma ukwenza oko njengearhente yakhe.

21. **Ilungelo lokungena kwizakhiwo zabucala**

21.1 Nawuphi na umnini uya kuvumela iGosa lezoxolo okanye nawuphi na umqeshwa ogunyazisiweyo kaMasipala othe ayalelwe ukuya kuloo mzi womnini lowo ngenjongo yokuhlola ukuqinisekisa ukuthotyelwa komthetho kaMasipala okanye ukunyanzelisa ukuthotyelwa kwawo. Elo Gosa lezoxolo liya kumiselwa ngolo hlobo ngokwemiqathango yesaziso uR209 sikaRhulumente somhla we 19 kuFebruwari ka 2007..

21.2 Xa kungenwa kumhlaba wesakhiwo, umsebenzi ogunyazisiweyo kunyanzelekile, xa kuceliwe, azazise ngokukhupha abonise isingqinisiso esibhaliweyo esinika elo gunya.

21.3 Lo msebenzi usenokuphelekwa ngomnye umntu onokumncedisa ekuqhubeni uphando, naye ekunyanzelekileyo azazise.

22. **Izakhiwo ekungakwazeki ukungena kuqokelwe inkunkuma**

Xa athe uMasipala wathinteleka ekusebenziseni okanye ekuqokeleleni inkunkuma ngenxa yobume besakhiwo sikabani yaye ukuba ngokolawulo lwamaGosa oLawulo lwezeNkunkuma oko kuthintela kudala ingozi ebantwini okanye kwizixhobo zikaMasipala, uMasipala unokwenza ukuba kufuneke uMnini-sakhiwo enze inguqulelo okanye uhlenga-hlengiso okanye ulwandiso kweso sakhiwo njengoko kuyimfuneko, ngenjongo yokususa eso sithintelo, oko kusenziwa ngendleko zakhe.

23. **Isaziso sokuthobela yaye kwamkelwe uxanduva lokuphumeza umsebenzi wabayili benkunkuma**

23.1 IGosa loLawulo lweNkunkuma linokukhupha izaziso kuye nabani na otyeshela aphule izibonelelo zomthetho kaMasipala:

23.1.1 Kuchazwe izibonelo okanye imimiselo yolwaphulo mthetho

23.1.2 Kunikwe imiyalelo nezikhokelo

23.1.3 Kunyanzeliswa abantu ukuba kuthotyelwe imimiselo ephantsi koMthetho kaMasipala

23.1.4 Kuchazwe imiqathango emayithatyathwe ekulungiseni ulwaphulo mthetho nexesha elimisiweyo lokwenza oko;

23.1.5 Ngokwazo naziphi injongo phantsi kwalo Mthetho kaMasipala, yaye kusenokufuneka, kweso saziso kuchazwe kunikwe ithuba elifanelekileyo lokuthotyelwa kwemiyalelo ekwisaziso eso.

23.2 Ukongeza kumanyathelo achazwe kuMthetho kaMasipala kunye nesohlwayo esichaziweyo. Xa athe ubani wasilela ekuthobeleni imiyalelo enikwe kwisaziso liGosa loLawulo lweNkunkuma okanye nguMasipala, uMasipala ngokunokwakhe unakho ukuthobela nawaphi na amanyathelo acinga efanelekile ukucoca okanye ukuthutha inkunkuma, ukuphucula ezo zakhiwo okanye kubekwe kulungiswe loo mmandla kulahlwe kuwo inkunkuma okanye egcinwe ngokungekho mthethweni yaye ukuqinisekisa ukuba inkunkuma kunye nempahla nezinto ezingcolisekileyo nezingenakho ukususwa, ukucocwa okanye ukuphuculwa, zilahlwa ngokusemthethweni. UMasipala unokubuyisa iindleko zakhe zokuthatha la manyathelo kubo nabaphi na abantu.abamele ukuthabatha amanyathelo anjalo phantsi kwemimiselo ephantsi kwalo mthetho kaMasipala. Abo bantu baya kuchaphazeleka bebonke nangokobuninzi babo. Xa ithe loo nkunkuma kanti inengozi okanye yayiyinkunkuma engxamisekileyo, uMasipala unokufuna ukuba amashishini adala loo nkunkuma avalwe de kuthatyathwe amanyathelo okulahla loo nkunkuma

ngokusemthethweni xa kukho intsongelo ngenene yomonakalo okanye ingozi ebantwini okanye kwisakhiwo.

23.3 Iindleko ezifunwayo phantsi kweli candela zinokubandakanya kodwa kungaphelelwanga kuphela, kumsebenzi, kwezolawulo, kwizixhobo zokusebenza, kwindleko zothutho, kuphando kunye neendleko zokutshutshisa.

23.4 Aba bantu balandelayo banokuthunyelelwa isaziso

23.4.1 Nabani na owenze oku, okanye odale ukuba olo lwaphulo lwenzeke/ luvunyelwe;

23.4.2 Umenzi wenkunkuma, nokuba nguye ncakasana ochaphazelekayo nonoxanduva lolo lwaphulo mthetho;

23.4.3 Umnini-mhlaba okanye sakhiwo apho ulwaphulo mthetho lwenzeke khona, ukuba ngaba uthe umnikazi wasilela ekuthatheni amanyathelo njengoko kuchaziwe kuMthetho kaMasipala

23.4.4 Ubani olawulayo okanye nabani na othe ngelo xesha, ngethuba lokwaphulwa komthetho, onegunya lokusebenzisa umhlaba okanye izakhiwo apho ulwaphulo mthetho lwenzeke khona, ukuba ngaba uthe loo mntu wasilela ukuthatha amanyathelo njengoko kuchazwe kuMthetho kaMasipala ;

23.4.5 Nabani na othe wasilela ngaphandle kwenkathalo ukunqanda ukwenzeka kolwaphulo mthetho.

23.5

24. **<u>Ukuthunyelwa nokulungiswa kwamaxwebhu kunye nenkqubo</u>**

Xa kuthe kwagunyaziswa nasiphi na isaziso, umyalelo, ibango okanye olunye uxwebhu, okanye kufuneka luhanjiswe lunikezelwe kubani phantsi kommiselo woMthetho kaMasipala, oko kuya kuthatyathwa ngokwenzekileyo nokuhanjiswe ngempumelelo kuloo mntu.

(a) Xa luthe lwahanjiswa lwanikwa yena ubuqu;

(b) Xa luthe lwashiywa kwindawo ahlala kuyo okanye kwishishini kwiRiphabliki, lushiywa kumntu onokuba neminyaka engaphezulu kwe - 16 ubudala

(c) Xa luthe lwathunyelwa ngeposi yerejista okanye eqinisekisiweyo kwindawo yokugqibela eyaziwayo ahlala kuyo okanye idilesi yezoshishino kwiRiphabliki yaye isingqinisiso sokuba ngenene olo xwebhu beluthunyelwe ngeposi;

(d) Ukuba idilesi yakhe kwiRiphabliki ayaziwa, xa bekuthunyelwe kwi arhente okanye kwiRiphabliki ngendlela echazwe kumhlathi (a); (b) okanye (c); okanye

(e) Ukuba idilesi yakhe kunye nearhente kwiRiphabliki ayaziwa, xa ithe yaposwa ithunyelwa kwindawo ecacileyo esisakhiwo (xa sikho) nengqamene nalo.

25. **<u>Ukusilela ukuthobela uMthetho kaMasipala kunye nesigunyazisi</u>**

25.1 Ukuba iGosa lezoLawulo lwenkunkuma lithe lakhupha isaziso kuye nabani na esimalunga nokwaphulwa nasiphi na isibonelelo phantsi koMthetho kaMasipala aze loo mntu asilele ukuthobela eso saziso, yena uya kuba netyala lokwaphula umthetho.

25.2 IGosa lezoLawulo lweNkunkuma linokuthi ngokubhala, lifune nabani na athumele ingxelo kulo malunga nempembelelo yenkunkuma ngohlobo oluthile njengoko kuchazwe kwizikhokelo zikaMasipala njengoko kupapashiwe kumaxesha ngamaxesha.

25.3 Xa athe umntu wasilela ekuthumeleni loo ngxelo ngexesha elibekiweyo, iGosa lezoLawulo lweNkunkuma linakho ukumisela umntu oyedwa nozimeleyo ukuba aqulunqe ingxelo aze indleko zokuqulunqa loo ngxelo azifune kumntu obeyalelwe ukwenza ingxelo kuqala. Ukuba unorhano lokuba umntu lowo uthe kwithuba elinye okanye amaninzi waphula umthetho okanye wasilela

ukuthobela uMthetho kaMasipala okanye iphepha-mvume elikhutshwe ngumthetho wePhondo okanye kaZwelonke yaye oko kube nempembelelo embi kubume bemeko yendawo kubandakanya ezempilo, imeko zezentlalo, iimeko zezorhwebo, iimeko zeze-okholoji okanye okokwethu okwenkcubeko okanye okube negalelo kusengelo phantsi kolusingqongileyo, iGosa lezoLawulo lweNkunkuma linokuyalela ukuba loo ngxelo iqulunqwe ngumntu oyedwa nozimeleyo.

25.4 I Gosa lezoLawulo lweNkunkuma linokuyalela lowo mntu usileleyo ukuthobela uMthetho kaMasipala ukuba athathe inyathelo njengoko kuphakanyisiwe kwingxelo ukuze kuthi xa kungenzekanga oko, uMasipala ngokwakhe akwenze, ukuze lowo mntu waphule uMthetho kaMasipala ahlawule iindleko zalo msebenzi.

26. **Amatyala**

26.1 Umntu othe waphula nasiphi na kwezi zibonelelo zalo Mthetho kaMasipala uya kuba netyala

26.2 Xa athe umntu, esenza ngendlela ezingalunganga nezingekho mthethweni, wafaka umoya okanye wanyanzelisa umsebenzi kamasipala okanye omnye umntu ukuba aphule umthetho ophantsi kwemimiselo yalo Mthetho kaMasipala, loo mntu uya kuba netyala.

26.3 Xa athe nabani na, esenza ngendlela ezingalunganga nezingekho mthethweni, wafaka omnye okanye wanyanzelisa umsebenzi kamasipala okanye omnye umntu ukuba aphule uMthetho kaMasipala okanye enze oko ngokwakhe ngokuthi aphembelele abasebenzi bakamasipala ukuba baqokelele ukuze bayithuthe ngaphandle kwentlawulo kwibhunga elifanelekileyo okanye kungasetyenziswanga indlela zokusebenza ezizizo.

27. **Isohlwayo**

27.1 Nabani na ofunyenwe enetyala lokulahla inkunkuma kwindawo

engafanelekanga phantsi komthetho kaMasipala kuya kuthi xa egwetyiwe kulindeleke :

27.1.1 Isohlwayo ubuncinane esingama-R500 ukuya kuthi ga ubuninzi kwi R1,000.00 ngenkunkuma engaphantsi kwe $1m^3$;

27.1.2 Isohlwayo ubuncinane esili- R1000 ukuya kuthi ga ubuninzi kwi R10,000.00 ukususela kwi$1m^3$ ukuya kwi $10m^3$;

27.1.3 Isohlwayo xa inkunkuma ingaphaya kwi $10m^3$ okanye ngokubona kwenkundla phantsi kwemiqathango yecandelo lama-300 oMthetho weNkqubo zoLwaphulo-mthetho inkundla inokuwisa isohlwayo kunye nesigwebo yaye iyalele ukuthuthwa kwaloo nkunkuma kunye nentlawulo zendleko malunga naloo msebenzi okanye naziphi na iindleko.

27.1.4 Isohlwayo sokulahla inkunkuma eyingozi yaye inkundla, phantsi kwecandelo lama-300 loMthetho weNkqubo yoLwaphulo-mthetho, inokuwisela isohlwayo esiyintlawulo ngemali kunye /okanye nesigwebo ize iqwalasele amanyathelo okuthatyathwa ngummangalelwa nakwintlawulo emayikhutshwe khona ukuze kuthuthwe loo nkunkuma nokuphuculwa kommandla;

27.1.5 Akusayi kwamkelwa imvumo-tyala malunga nolwaphulo mthetho olusoloko luphinda phindwa lokulahla inkunkuma kwindawo engafanelekanga, kodwa phantsi kwecandelo lama -300 loMthetho weNkqubo yoLwaphulo mthetho inkundla iya kuwisa isigwebo sentlawulo ngemali kunye nesigwebo yaye ichaze ekubeni kuyimfuneko na ukuba athuthe loo nkunkuma okanye ahlawule iindleko zeso senzo kwakhona alungise loo mmandla okanye ahlawule iindleko zokwenza oko.

27.1.6 Nabani na othutha umthwalo ongagqunywanga nothi ubangele ukuchithakala phantsi, kumele anikwe isohlwayo esingama–R500 kunye nendleko zokucoca loo nkunkuma ichIthakeleyo nokulungiswa kommandla.

27.1.7 Nabani na othutha umthwalo ongabotshwanga kakuhle ukuze uchithakale uya kunyanzeleka anikwe isohlwayo se-R1500 kwakhona neendleko zokucoca loo nto ichithakeleyo kunye nokucoca ummandla-

27.2 Nabani na ogwetyelwe naso nasiphi na isenzo setyala phantsi koMthetho kaMasipala, uya kuthi akuba efunyenwe abe netyala.:

27.2.1 Ahlawule imali yesigwebo ubuncinane engama–R500 kunye nesigwebo semali esingasayi kudlula kuma–R10 000 okanye ugwetyelwe intolongo ubuncinane isithuba senyanga eziyi-6 yaye ubuninzi ithuba elingadlulanga kwiminyaka emi-2 okanye isohlwayo esiyintlawulo kunye nesokugcinwa entolongweni njengoko kubonelelwe kumhlathi 27.2.2 okanye 27.2.3 **.**

27.2.2 Xa kuthe kanti isigwebo sokuqala saloo mntu kwakhona nempembelelo okanye okunokuba nempembelelo empilweni, ekuziphatheni, ukhuseleko kwaye nakusingqongileyo kukuhle nje, inkundla isenokuwisa isigwebo sokuba enze inkonzo yoluntu (asebenzele uluntu) endaweni yesigwebo esiyintlawulo okanye ukuvalelwa.

27.2.3 Xa ilityala elikhulu yaye linempembelelo okanye lingenampembelelo kwimpilo, intlalo-ntle, ukhuseleko kunye nokuchaphazela kakubi kokusingqongileyo inkundla inokuwisa isigwebo esiyintlawulo esikhulwana okanye ithuba elidana entolongweni.

27.2.4 Xa kuthe kwakho ukuphinda phindwa kwetyala kunye/okanye impembelelo okanye kusenokuba nempembelelo empilweni, intlalo-ntle, ukhuseleko kunye nemo eyingozi, inkundla inokuwisa isigwebo eside okanye isohlwayo semali eninzana

27.2.5 Xa ityala lithe lenziwa ngumzi wezorhwebo omkhulu ukuze isigwebo semali ntlawulo sibe sincinci kakhulu kuloo mzi

unetyala, inkundla inokuwisa isigwebo eside okanye isohlwayo semali ntlawulo esikhulu ngokufanele eso senzo.

Inkundla xa iphonononga isigwebo inokuthatha ingqalelo oku kulandelayo:

(1) Okokuba lowo mntu ugwetyiweyo ulibazisile ekuthobeleni okanye usilele ekuthobeleni imiqathango yezaziso okanye imiyalelo ayinikiweyo loo mntu phantsi koMthetho kaMasipala.

(2) Ukuba loo mntu uzuzile ngokwemali okanye wayeza kuzuza ngokwezimali ngenxa yokungeniswa kwetyala.

(3) Ubungozi nobunzulu betyala xa kukhangelwe impembelelo okanye okusenokuba nempembelelo kwimpilo, intlalo-ntle, ukhuseleko loluntu kunye nemo yokusingqongileyo

Abantu abagwetyiweyo phantsi koMthetho kaMasipala nabadale umonakalo okanye ilahleko yempahla kunye okanye into leyo ibe nempembelelo embi kwimo yokusingqongileyo, ukongeza kwisigwebo esisesinye, inkundla isenakho ukuthi

27.3 Ukuba isakhiwo sesomnye umntu, ukuze kwisicelo somntu owenzakeleyo /umtshutshisi esebenze ngokomyalelo walo mntu wenzakeleyo, uya kuyicela inkundla ukuba iyalele lowo mntu unetyala ahlawule iindleko zomonakalo okanye ilahleko ngokwemimiselo yecandelo 300 loMthetho weNkqubo yoLwaphulo-mthetho ongunombolo 51 ka 1977;

27.4 Ayalele loo mntu wetyala ukuba ngendleko zakhe yaye de uMasipala akholiseke, alungise umonakalo kunye/ okanye abuyisele ilahleko kwakhona abuyisele imo esiqhelweni.

27.5 Ukuba umntu ufunyenwe enetyala phantsi kwalo Mthetho kaMasipala, inkundla isenakho, ukwangeza phezu kwaso nasiphi na isohlwayo esimiselweyo, iyalele lowo ugwetyiweyo ukuba athobele isithuba esimiselweyo yinkundla kusetyenziswa izibonelelo ezichanekileyo zoMthetho lo kaMasipala okanye, apho kuyimfuneko,

ngemimiselo nezibonelelo zaso nasiphi na isaziso esikhutshiweyo phantsi kwalo Mthetho kaMasipala;

27.6 Ukuba uMlawuli, iarhente okanye umsebenzi weshishini uyasilele okanye usilele ukwenza umsebenzi wakhe, nto leyo ilulwaphulo mthetho ukungayenzi phantsi kwalo Mthetho kaMasipala, ukuze umqeshi asilele ekwenzeni ukuze eso senzo sokungenzi nto koMlawuli, iarhente okanye umqeshwa siya kwenzeka kuba umqeshi esilele ukuthabatha amanyathelo okunqanda ukungenziwa kwaloo nto, ngokwenza njalo umqeshi unetyala. Isingqinisiso sokusilela koMlawuli, iarhente okanye umqeshwa ubungqina obunokusetyenziswa ukubonisa ukuba umqeshwa unetyala phantsi kwemimiselo yecandelwana. Kuya kumiselwa isohlwayo sentlawulo kuphela, ukuba ukugwetywa kusekelwe kweli candelwana.

28. Ukuthumela / Ukugunyazisa noNyanzeliso loMthetho

28.1 UMlawuli kunye neGosa loLawulo lweNkunkuma baya kuba nelungelo/igunya lokugunyazisa naliphi na iGosa likamasipala okanye omnye ubani, ngalo naliphi na igunya/amandla okulawula anawo okanye uxanduva phantsi kwalo Mthetho kaMasipala.

28.2 Naliphi na iGosa lezoxolo okanye umqeshwa kaMasipala ogunyazisiweyo ukuba anyanzelise izibonelelo zoMthetho kaMasipala okanye othe ngethuba lokwenza umsebenzi wakhe, anyanzelise lo okanye eminye iMithetho kaMasipala, uya kuba enelungelo lokunyanzelisa nalo Mthetho kaMasipala.

29. Izilungiso kwinkonzo zokuthuthwa kwenkunkuma

UMasipala unakho ukwenza isilungiso/inguqulelo kuzo naziphi na iinkonzo zothutho lwenkunkuma okanye ukucoca nje ukuba inkqubo yokwaziswa koLuntu, uthatho nxaxheba kunye nokugqitywa kokwenziwa kothatho lwezimvo zoluntu - konke oku kwakube kugqityiwe isilungiso sinokwenziwa, nexabiso lokuyenza ingaxhomisi kwakhona injongo ikukunqanda ukwanda kwenkunkuma,

ukuchithwa kwenkunkuma kunye/okanye nokuncitshiswa komthamo wenkunkuma omawuthathwe.

30. **Izibonelelo zethutyana**

Nayiphi na imvumelwano enikiweyo phantsi kweMithetho kaMasipala ebinikwe nagaphambili iya kusebenza ngokuphathelele kwiindawo eyayamkelelwe zona kunye nokuphathelele kumntu lowo eyayenzelwe yena waze wavunyelwa, kodwa loo mvumelwano ayisayi kugqithiselwa komnye.

31. **Ukuguzulwa kwemiThetho kaMasipala emidala**

Imithetho kaMasipala ekwiShedyuli- A apha iyaguzulwa.

32. **Inkcazo**

Xa kuthe kwakho impixwano koluxwebu phakathi kolwimi lwesiNgesi, isiXhosa, nesiBhulu malunga nalo Mthetho kamasipala, inkcazelo yesiNgesi yiyo eyakuba yesetyenziswayo neyamkelekileyo

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