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# Provinsiale Koerant

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**CITY OF CAPE TOWN:**

The Council of the Municipality of Cape Town published the sub-joined by-law relating to the management and administration of the City of Cape Town's immovable property for general notice.

**BY-LAW RELATING TO THE MANAGEMENT AND ADMINISTRATION OF THE CITY OF CAPE TOWN'S  
IMMOVABLE PROPERTY****PREAMBLE**

**WHEREAS** the municipality of the City of Cape Town is vested with legislative authority in terms of the Constitution of the Republic of South Africa, 1996, (Act 108 of 1996);

**AND WHEREAS** the municipality in the exercise of its functions has the right to acquire, lease, manage, let and alienate immovable property and rights in immovable property,

Be it therefore enacted by the City of Cape Town as follows:

**I N D E X**

1. DEFINITIONS
2. OWNERSHIP OF PUBLIC PLACES AND PUBLIC STREETS
3. ACQUISITION OF IMMOVABLE PROPERTY AND RIGHTS IN IMMOVABLE PROPERTY
4. ALIENATION AND LETTING
5. SERVITUDES AND ENCROACHMENTS
6. CLOSURE OF PUBLIC PLACES AND PUBLIC STREETS

**7. PRESCRIPTIVE CLAIMS****8. DATE OF COMMENCEMENT****1. DEFINITIONS** — In this by-law, unless inconsistent with the context—

**“advertise”** means the giving of adequate notice of the nature and purpose including the material substance of the proposed administrative actions, by publishing a notice in the press, and where deemed necessary by the Council, any additional form of notice, which may include—

- (a) serving of a notice, or
- (b) displaying on a notice board, or
- (c) holding a public meeting;

**“alienate”** means to part with ownership of immovable property in favour of another person with the intention of transferring the ownership of the immovable property to the acquirer thereof;

**“close”** in relation to a public street or public place, means to close for all purposes or to vehicular or pedestrian traffic only;

**“Council”** means the council of the municipality and includes any sub-council, committee, functionary, councillor, or official, acting under delegated authority;

**“municipal immovable property”** means

- (a) immovable property and real rights registered in the name of the municipality;
- (b) immovable property and real rights the municipality is entitled to have registered in its name; and
- (c) any other immovable property which, by law vests in municipality;

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

**“municipal area”** means the area under the jurisdiction and control of the municipality;

**“prescribe”** means a policy approved by council and published in the Provincial Gazette;

**“public place”** means any land or portion thereof indicated on an approved plan, diagram or map as a public place of which ownership as such vests in the municipality, and

**“public street”** means

- (a) any street which has at any time been—
  - (i) used without interruption by the public for a period of at least thirty years;
  - (ii) declared or rendered such by the Council or other competent authority;
  - (iii) constructed by the municipality, or
  - (iv) constructed by someone other than the municipality and which vests in the municipality;
- (b) any land, with or without buildings or structures thereon, which is shown as a street on—
  - (i) any plan of subdivision or diagram approved by the Council or other competent authority and acted upon, or
  - (ii) any plan or diagram as defined in section 15 of the Land Survey Act, 1997 (Act 8 of 1997), registered or filed in the office of the Registrar of Deeds or the Surveyor-General’s office,unless such land is on such plan or diagram described as a private street.

**2. OWNERSHIP OF PUBLIC PLACES AND PUBLIC STREETS**

The ownership of immovable property to which the community of the municipal area has or may acquire a common right and all public places and public streets and the land comprised in such places and streets vest in the municipality.

**3. ACQUISITION OF IMMOVABLE PROPERTY AND RIGHTS IN IMMOVABLE PROPERTY**

- (1) The Council may acquire immovable property and rights in immovable property within or outside its municipal area by purchase, expropriation, exchange, donation, gift, lease or otherwise.
- (2) The Council may expropriate immovable property in terms of the Expropriation Act (Act 63 of 1975), or any other applicable legislation, provided that such expropriation shall be for public purposes or in the interest of the public.

**4. ALIENATION AND LETTING**

- (1) The Council may alienate or let municipal immovable property under such conditions, terms and circumstances as it may prescribe.
- (2) Unless permitted or prescribed otherwise, the Council shall not alienate or let municipal immovable property below market value.

- (3) (a) The Council shall advertise its intention to alienate or let municipal immovable property and shall invite the public to lodge written comments.
- (b) The provisions of paragraph (a) shall not apply when municipal immovable property is let for a period not exceeding 12 (twelve) months without a renewal option.
- (c) Where:
  - (i) no comments were lodged, the municipal immovable property may be alienated or let, or
  - (ii) comments were lodged, the council shall consider every comment and decide whether or not to alienate or let the municipal property.
- (4) The council shall record its reasons for the alienation or letting of municipal immovable property in terms of this by-law.
- (5) No lessee of municipal immovable property shall without the prior consent in writing of the council, sublet such property or any portion thereof or assign any right acquired by him in respect thereof and any such subletting or assignment without such consent shall, as against the council, be null and void.

## 5. SERVITUDES AND ENCROACHMENTS

The council may grant servitudes and permit projections, projecting structures and encroachments in, on, over or under municipal immovable property at a tariff determined by the Council and on such terms and conditions as it may prescribe.

## 6. CLOSURE OF PUBLIC PLACES AND PUBLIC STREETS

- (1) The council may close public places and public streets or any portion of such places or streets only after it has—
  - (a) advertised its intention to do so, and
  - (b) considered and rejected any objection lodged, if any, in accordance with such advertisement and recorded in writing its reasons therefor.
- (2) Notwithstanding the provisions of paragraph (a), the council may temporarily close a public place or public street.

## 7. PRESCRIPTIVE CLAIMS

The council may, if written proof to its satisfaction is submitted that any person has, prior to the expiration of the period of ten years contemplated by section 1 of the Prescription (Local Authorities) Ordinance, 1964 (Ordinance 16 of 1964), by prescription acquired the ownership of immovable property owned by the municipality or of any right in or over such property, admit or concede any claim to that effect by such person.

## 8. DATE OF COMMENCEMENT

This by-law shall commence on the date of publication.

12783

### STAD KAAPSTAD:

Die Raad van die Munisipaliteit van die Stad Kaapstad publiseer onderstaande verordening, met betrekking tot die bestuur en administrasie van die Stad Kaapstad se onroerende eiendom, vir algemene kennisname.

### VERORDENING MET BETREKKING TOT DIE BESTUUR EN ADMINISTRASIE VAN DIE STAD KAAPSTAD SE ONROERENDE EIENDOM

#### INLEIDING

**AANGESIEN** die Stad Kaapstad ingevolge die Grondwet van die Republiek van Suid-Afrika (Wet 108 van 1996) wetgewende bevoegdheid het;

**EN AANGESIEN** die munisipaliteit in die uitvoering van sy funksie die reg het om onroerende eiendom en regte ten opsigte van onroerende eiendom te verkry, huur, bestuur, verhuur en vervreem,

Verorden die Stad Kaapstad soos volg:

#### INDEKS

- 1. DEFINISIE
- 2. EIENDOMSREG VAN OPENBARE PLEKKE EN OPENBARE STRATE
- 3. VERKRYGING VAN ONROERENDE EIENDOM EN REGTE IN ONROERENDE EIENDOM
- 4. VERVREEMDING EN VERHURING
- 5. SERWITUTE EN OORSKRYDINGS
- 6. SLUITING VAN OPENBARE PLEKKE EN OPENBARE STRATE
- 7. VERJARINGSEISE
- 8. DATUM VAN INWERKINGTREDING

**1. DEFINISIES** — In hierdie verordening, tensy stryding met die sinsverband het onderstaande woorde en uitdrukkings die aangeduide betekenis—

**“adverteer”** beteken die gee van voldoende kennis van die aard en doel, insluitende die wesenlike omvang van die voorgename administratiewe optrede deur die publikasie van ’n kennisgewing in die pers, en waar nodig geag deur die raad, enige bykomende wyse van kennisgewing, wat mag insluit—

- (a) die dien van ’n kennisgewing, of
- (b) die vertoning daarvan op ’n kennisgewingbord, of
- (c) die hou van ’n openbare vergadering;

**“munisipaliteit”** beteken die Munisipaliteit van die Stad Kaapstad;

**“munisipale gebied”** beteken die gebied onder die jurisdiksie en beheer van die munisipaliteit;

**“munisipale onroerende eiendom”** beteken

- (a) onroerende eiendom en saaklike regte geregistreer in die naam van die munisipaliteit;
- (b) onroerende eiendom en saaklike regte wat die munisipaliteit geregtig is om in sy naam geregistreer te hê; en
- (c) enige ander onroerende eiendom wat ingevolge die reg by die munisipaliteit berus;

**“openbare plek”** beteken enige grond of gedeelte daarvan aangetoon op ’n goedgekeurde plan, diagram of kaart as ’n openbare plek waarvan die eiendomsreg by die munisipaliteit berus;

**“openbare straat”** beteken

- (a) enige straat wat te eniger tyd:
  - (i) sonder onderbreking deur die publiek gebruik is vir ’n tydperk van minstens dertig jaar;
  - (ii) deur die raad of enige ander bevoegde gesag tot sodanig verklaar of gemaak is;
  - (iii) deur die munisipaliteit aangelê is; of
  - (iv) deur iemand anders as die munisipaliteit aangelê is en wat by die munisipaliteit berus,
- (b) enige grond met of sonder geboue of strukture daarop wat as ’n straat aangetoon word op:
  - (i) enige onderverdelingsplan of diagram goedgekeur deur die raad of ’n ander bevoegde gesag en waarvolgens gehandel is, of
  - (ii) enige plan of diagram soos gedefinieer in Artikel 15 van die Wet op Landmeting 1997 (Wet 8 van 1997) geregistreer by, of geliasseer is in die kantoor van die Registrateur van Aktes of die kantoor van die Landmeter-Generaal,

tensy sodanige grond op sodanige plan of diagram beskryf word as ’n private straat;

**“raad”** beteken die raad van die munisipaliteit en sluit enige sub-raad, komitee, funksionaris, raadslid of amptenaar in wat ingevolge gedelegeerde gesag optree;

**“sluit”** ten opsigte van ’n openbare straat of ’n openbare plek, beteken om te sluit vir alle doeleindes, of net vir voertuig- of voetgangerverkeer;

**“vervreemding”** beteken om afstand te doen van eiendomsreg in onroerende eiendom ten gunste van ’n ander persoon met die doel om eiendomsreg in die onroerende eiendom oor te dra na die verkryger daarvan; en

**“voorgeskrif”** beteken ’n beleid goedgekeur deur die raad en gepubliseer in die Provinsiale Koerant.

**2. EIENDOMSREG VAN OPENBARE PLEKKE EN OPENBARE STRATE**

Die eiendomsreg van onroerende eiendom waarop die gemeenskap van die munisipale gebied ’n gemeenskaplike reg het of mag verkry en alle openbare plekke en openbare strate en die grond wat sodanige plekke en strate beslaan, berus by die munisipaliteit.

**3. VERKRYGING VAN ONROERENDE EIENDOM EN REGTE IN ONROERENDE EIENDOM**

- (1) Die raad mag onroerende eiendom en regte in onroerende eiendom binne of buite die munisipale gebied verkry deur middel van aankoop, onteining, ruil, donasie, skenking, huur of andersins.
- (2) Die raad mag onroerende eiendom ingevolge die Wet op Onteining (Wet 63 van 1975) of enige ander toepaslike wetgewing onteien, met dien verstande dat sodanige onteining vir openbare doeleindes of in die belang van die publiek sal wees.

**4. VERVREEMDING EN VERHURING**

- (1) Die raad mag munisipale onroerende eiendom vervreem of verhuur onderworpe aan sodanige voorwaardes, bepalinge en omstandighede as wat die raad mag voorskryf.
- (2) Die raad sal nie munisipale onroerende eiendom onder die markprys vervreem of verhuur nie, tensy andersins voorgeskryf of toegelaat.
- (3) (a) Die raad sal sy voorneme om munisipale onroerende eiendom te vervreem of te verhuur adverteer en die publiek nooi om skriftelik kommentaar te lewer.
- (b) Die bepalinge van paragraaf (a) is nie van toepassing op munisipale onroerende eiendom wat vir ’n tydperk van nie langer as 12 (twaalf) maande nie, sonder ’n hernuwingsopsie verhuur word.

## (c) Indien—

(i) geen kommentaar ontvang is nie, mag die munisipale onroerende eiendom vervreem of verhuur word; of

(ii) kommentaar wel ontvang is, moet die raad elke kommentaar oorweeg en dan besluit of die munisipale onroerende eiendom vervreem of verhuur sal word.

(4) Die raad moet redes vir die vervreemding of verhuring van munisipale onroerende eiendom ingevolge hierdie verordening aanteken.

(5) Geen huurder van munisipale onroerende eiendom mag sonder die vooraf- verkreeë skriftelike toestemming van die raad sodanige onroerende eiendom of 'n gedeelte daarvan onderverhuur, of enige reg deur hom ten opsigte daarvan verkry, afstaan nie. Enige sodanige onderverhuur of afstand van regte sonder sodanige toestemming is teenoor die raad van nul en gener waarde.

**5. SERWITUTE EN OORSKRYDINGS**

Die raad mag toestem tot servitute, uitsteeksel, uitsteek strukture en oorskrydings toelaat in, op, oor of onder munisipale onroerende eiendom teen 'n tarief deur die raad bepaal en onderworpe aan bepalinge en voorwaardes as wat die raad mag voorskryf.

**6. SLUITING VAN OPENBARE PLEKKE EN OPENBARE STRATE**

(1) Die raad mag openbare plekke en openbare strate of enige gedeelte van sodanige plekke of strate net sluit nadat:

(a) die voorneme om dit te doen geadverteer is, en

(b) enige beswaar in ooreenstemming met sodanige advertensie ingedien, indien enige, oorweeg en verwerp is en die redes skriftelik aanteken het.

(2) Nieteenstaande die bepalinge van paragraaf (a), mag die raad 'n openbare plek of straat tydelik sluit.

**7. VERJARINGSEISE**

Die raad kan, indien skriftelike bewys ten genoë van hom voorgelê word dat enige persoon, voor die verstryking van die tydperk van tien jaar beoog by Artikel 1 van die Ordannansie op Verjaring (Plaaslike Owerhede), 1964 (Ordonnansie 16 van 1964), by verjaring die eiendomsreg verkry het op onroerende goed wat die eiendom van die munisipaliteit is of op enige reg in of oor sodanige onroerende goed, by spesiale besluit enige eis te dien effekte deur sodanige persoon erken of toegee.

**8. DATUM VAN INWERKINGTREDING**

Hierdie verordening tree in werking op die datum van publikasie hiervan.

12783

**LIKAMASIPALA WASEKAPA:**

IBhunga likaMasipala waseKapa lipapashe isongezelelo sokugqibela somthetho wedolophu obhekiselele kwimpatho nolawulo lwempahla engakwaziyo ukususwa yesixeko saseKapa ukulungiselela isaziso.

**UMTHETHO KAMASIPALA WOLWAHLULO NGOKUTSHA LWEMPATHO KUNYE NOLAWULO LOMHLABA,  
IZAKHIWO OKANYE NENYE IMPAHLA ENGAKWAZIYO UKUSUSWA YESIXEKO SASEKAPA**

**INTSHAYELELO**

Nangona umasipala wesixeko saseKapa enikwe igunya ngokwasemthethweni lokuwisa umthetho ngokwemiqathango yomgaqo-siseko woMzantsi Afrika uMthetho — womnyaka . . .:

yaye nangona umasipala ekuqaliseni kokwenza imisebenzi yakhe unelungelo lokufumana, ukuqeshisa, ukulawula, ukurhafisa ngendawo yaye angabuhlutha ubunini bayo nawuphi na umhlaba, izakhiwo okanye nenye impahla engakwaziyo ukususwa.

Nangona ke ngoko uthe wawiswa umthetho sisixeko seKapa njengoku kulandelayo:

**ISALATHISO**

1. INKCAZELO
2. UBUNINI BEENDAWO ZOLUNTU KUNYE NEZITALATO ZOLUNTU
3. UKUFUNYANWA KOMHLABA NEZAKHIWO KUNYE NAMALUNGELO OMHLABA, IZAKHIWO NEMPAHLA ENGAKWAZIYO UKUSUSWA
4. UKUHLUTHWA KOBUNINI NOKUQESHISA UKUSETYENZISWA KOMHLABA
5. KUNYE NONGENELO
6. UKUVALWA KWEENDAWO ZOLUNTU KUNYE NEZITALATO ZOLUNTU
7. AMABANGO AMISELWEYO
8. UMHLA WOKUQALISA

**1. IINKCAZELO** — kulo mthetho kamasipala, ngaphandle kokuba awuhambiselani nemeko leyo—

“**upapasho**”“ luthetha ukunikezelwa kwesaziso esaneleyo ngobunjani kunye nenjongo kubandakanywa kondoko obalulekileyo weentshukumo zolawulo eziyilwayo, ngokuthi kupapashwe isaziso kumaphephandaba, nalapho kubonwa kuyimfuneko liBhunga, nalo naluphi na olunye udidi olongezelelweyo lwesaziso, olunokuthi lubandakanywe—

(a) ukunikezelwa kwesaziso, okanye

(b) ukuxhonywa kwibhodi yesaziso, okanye

(c) ukubanjwa kwentlanganiso yoluntu;

**“ukuhluthwa kobunini”** kuthetha ukwahlukana nobunini bomhlaba, izakhiwo nempahla engakwaziyo ukususwa kuba inikwe omnye umntu ngenjongo zokutshintshelwa kobunini bomhlaba, izakhiwo nempahla engenakususwa inikwe kumntu lowo uyinikezelwayo.

**“ukuvalwa”** ngokubhekiselele kwisitalato soluntu okanye indawo yoluntu, kuthetha kuvalwa kwazo zonke izinto ebezisenziwe okanye kokusetyenziswa kwenqwelo okanye isetyenziswa kuphela ngabahambi ngeenyawo kuphela;

**“iBhunga”** lithetha ibhunga likamasipala elibandakanya naliphi na icandelwana lebhunga, ikomiti, igosa likarhulumente, ilungu lebhunga, okanye igosa laseburhulumenteni, elisebenza phantsi kwegunya elithe lanikezelwa kulo;

**“impahla kamasipala engasuswayo”** ithetha

(a) umhlaba, izakhiwo nempahla engenakususwa kunye namalungelo angawo abhaliswe phantsi kwegama likamasipala;

(b) umhlaba, izakhiwo nempahla engenakususwa kunye namalungelo angawo kamasipala eselungelweni lokubhaliswa phantsi kwegama likamasipala, kunye

(c) nawuphi na umhlaba, izakhiwo nempahla engenakususwa enokuthi, ngokomthetho, inikezelwe kumasipala;

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

**“ummandla kamasipala”** uthetha ummandla ophantsi kolawulo kunye negunya likamasipala;

**“misela”** kuthetha umgaqo-nkqubo owamkelwe libhunga ze wapapashwa kwiGazethi yePhondo;

**“indawo yoluntu”** ithetha nawuphi na umhlaba okanye inxalenye yawo ngoko ethe yachongwa kucwangciso olwamkelweyo, kumzobo okanye imaphu njengendawo yoluntu apho ubunini bunikezelwe kumasipala, yaye

**“isitalato soluntu”** sithetha

(a) nasiphi na isitalato esithe nangaliphi na ixesha—

(i) sasetyenziswa ngaphandle kokuphazanyiswa luluntu kwisithuba esinokuba yiminyaka engamashumi amathathu;

(ii) esithe sapapashwa okanye sanikezelwa liBhunga okanye naliphi na igunya eliselungelweni;

(iii) sakhiwa ngumasipala, okanye

(iv) sakhiwa ngomnye umntu ongaphandle komasipala esithe sanikezelwa kumasipala;

(b) nawuphi na umhlaba nokuba unezakhiwo okanye awunazo kuwo, oboniswa njengesitalato—

(i) naluphi na ucwangciso lwecandelwana okanye umzobo owamkelwe liBhunga okanye naliphi na igunya elifanelekileyo ze kwasetyenzwa ngawo, okanye

(ii) naluphi na ucwangciso okanye umzobo njengoko uchazwe kwiCandelo le-15 loMthetho Wocando LoMhlaba, womnyaka we-1997 (uMthetho wesi-8 yomnyaka we-1997), obhalisiweyo okanye ogcinwe kwiofisi yoMbhalisi wamalungelo omhlaba okanye iofisi yoMcandi Jikelele woMhlaba,

ngaphandle kokuba umhlaba lowo ukucwangciso olo okanye ukumzobo ochazwe njengesitalato sangasese.

## 2. UBUNINI BEENDAWO ZOLUNTU KUNYE NEZITALATO ZOLUNTU

Ubunini bempahla nezibonelelo zomhlaba, izakhiwo nempahla engenakususwa ekunokuthi uluntu lwengingqi kamasipala luthe lwanelungelo okanye lunganakho ukufumana ilungelo elifanayo yaye zonke iindawo zoluntu kunye nezitalato zoluntu kunye nomhlaba obandakanywa kwindawo ezinjalo kunye nezitalato uthi ube lilungelo likamasipala.

## 3. UKUFUNYANWA KOMHLABA, IZAKHIWO NEMPAHLA ENGENAKUSUSWA KUNYE NAMALUNGELO OMHLABA, IZAKHIWO NEMPAHLA ENGENAKUSUSWA

(1) IBhunga linakho ukufumana umhlaba, izakhiwo nempahla engenakususwa kunye namalungelo empahla engenakususwa kwingingqi kamasipala okanye ngaphandle kwengingqi leyo ngokuthi liyithenge, ngokuthi ihluthwe, kwenziwe utshintshiselwano, ngokuthi ibe sisipho, iqeshiswe okanye nangayiphi na enye indlela.

(2) IBhunga linakho ukuhlutha impahla engenakususwa ngokwemiqathango yoMthetho Wokuhluthwa kwezinto (uMthetho wama-63 wonyaka we-1975), okanye nawuphi na omnye umthetho ofanelekileyo nonokusetyenziswa ngaphandle kokuba ulwahlutho olo luya kuba lulungiselelwa iinjongo zoluntu okanye lusemdleni woluntu.

## 4. UKUHLUTHWA KOBUNINI NOKUQESHISA

(1) IBhunga linakho ukuhlutha ubunini okanye ukuqeshisa ngempahla engenakususwa kamasipala phantsi kolawulo, imiqathango kunye neemeko elinokuthi lizimisele.

(2) Ngaphandle kokuba kuvunyelwe okanye kumiselwe ngenye indlela, iBhunga alinakho ukuhlutha okanye ukuqeshisa ngempahla engenakususwa kamasipala ngaphantsi kwexabiso elibekwe ziimarike zezimali.

(3) (a) IBhunga liya kupapasha iinjongo zalo zokuthengisa okanye ukuqeshisa ngesakhiwo sikamasipala yaye liya kumema uluntu ukuba luthumele amagqabantshintshi alo abhaliweyo.

(b) Izibonelelo ezikumhlathi (a) aziyi kusebenza ukuba ngaba isakhiwo eso sikamasipalathi siqeshiswa isithuba esingadlulanga kwi-12 (ishumi elinambini) leenyanga kungekho lungelo lakuyihlaziya.

(c) Apho:

(i) kungakhange kubekho amagqabantshintshi angeniswayo, isakhiwo sikamasipala singahluthwa okanye siqeshiswe, okanye

(ii) amagqabantshintshi athe angeniswa, ibhunga liya kuqwalasela onke amagqabantshintshi ze ligqibe ukuba linakho ukusihlutha okanye lisiqeshise okanye hayi na isakhiwo sikamasipala.

4. IBhunga liya kubhala izizathu zalo zokuhlutha okanye zokuqeshisa ngesakhiwo sikamapala ngokwemiqathango yalo mthetho kamasipala.
5. Akukho namnye umqeshi wesakhiwo sikamasipala oya kuthi engafumananga mvume ngaphambili ebhaliweyo yebhunga, aze aqeshise ngesakhiwo eso okanye inxalenye yaso okanye anikezele nangaliphi na ilungelo elithe lanikezelwa kuye ngokubhekiselele kwisakhiwo eso nakungqeshiso enjalo ngaphandle kwemvume le yaye, njengoko kunxamnye nebhunga, kuya kuthatyathwa njengokungekhoyo.

**5. UKUSETYENZISWA KOMHLABA**

IBhunga linakho ukunikezela ukusetyenziswa komhlaba kunye nokubonisa imvume enganikezelwa, ngezakhiwo ezingakho kunye nongenelo olungakho, eziphantsi kwezakhiwo zikamasipala ngexabiso eliqingqwe liBhunga phantsi kwemiqathango nemimiselo elinokuthi liyichaze.

**6. UKUVALWA KWEENDAWO ZOLUNTU KUNYE NEZITALATO ZOLUNTU**

- (1) IBhunga linakho ukuvala iindawo zoluntu kunye nezitalato zoluntu okanye naliphi na icandelo leendawo ezinjalo okanye izitalato emva kokuba lithe—
  - (a) lapapasha iinjongo zalo zokwenjenjalo, yaye
  - (b) Liqwalasele ze lingamkeli nayiphi na inkcaso ethe yathunyelwa, ukuba ngaba ikho, ngokwemiqathango yopapasho olo ze libhale zonke izizathu zalo.
- (2) Kungengaba ziyagatywa izibonelelo ezikumhlathi (a), ibhunga linakho ukuvala okwethutyana indawo yoluntu okanye isitalato soluntu.

**7. AMABANGO AMISELWEYO**

IBhunga linakho, ukuba ngaba ubungqina obuthe balanelisa buthe bangeniswa athe umntu lowo wanabo, phambi kokuphela kwesithuba seminyaka elishumi esiqulunqwe kwicandelo l woMthetho Wommiselo (Wamasipala), wonyaka we-1964 (uMthetho we-16 wonyaka we-1964), ngommiselo wokufunyanwa kobunini besakhiwo esiphantsi kwelungelo likamasipala okanye naliphi na ilungelo onalo kwisakhiwo eso, linokwamkela okanye livume naliphi na ibango elibhekiselele apho elenziwa ngumntu lowo.

**8. UMHLA WOKUQALISA**

Lo mthetho kamasipala uqalisa ukusebenza ngomhla wopapasho lwawo.

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