

CITY OF CAPE TOWN 2010 FIFA WORLD CUP BY-LAW

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CITY OF CAPE TOWN
2010 FIFA WORLD CUP SOUTH AFRICA BY-LAW

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PREAMBLE

WHEREAS:

Section 156(1) of the Constitution confers on the City power to make by-laws for the effective administration on matters which it has the right to administer;

The City of Cape Town, as a host City for the 2010 FIFA World Cup wishes to adopt a by-law for the efficient running of the Competition in Cape Town;

NOW THEREFORE, BE IT ENACTED by the City of Cape Town, as follows:—

CHAPTER 1—PRELIMINARY PROVISIONS

Definitions

1. In this By-law the following terms shall bear the following meanings, unless the context otherwise indicates -

“accreditation” means accreditation in terms of the Accreditation Systems and Procedure Annex;

“Accreditation Systems and Procedure Annex” means the accreditation systems and procedures of FIFA, that will be applicable to the Competition;

“Advertisement” means a visual representation including but not limited to a sign, illustration, object, mark, symbol or device of any kind which is in a public place or which is visible to the public from in a public place or which is visible to the public from any public place including but not limited to, any street or any public place or any other vantage point or which is under or over-hanging from any bridge, building or other structure, including sky writing, used for Advertising activity or any combination of such elements with the object of transferring information;

“advertising” means the act or process of notifying, warning, informing, displaying, making known or any other act of transferring information in a visual or oral manner;

“advertising structure” means any physical structure erected or positioned so as to display a sign or billboard, or to which a sign or billboard is attached;

“ambush marketing” means marketing, promotional, advertising or public relations activity in words, sound or any other form, directly or indirectly relating to the Competition, and which claims or implies an association with the Competition or capitalises or is intended to capitalise on an association with, or gains or is intended to gain a promotional benefit from it to the prejudice of any sponsor of, the Competition, but which is undertaken by a person which has not been granted the right to promote an association with the Competition by FIFA and whose aforesaid activity has not been authorised by FIFA Competition;

“air pollution” means, as defined by the National Environment Management: Air Quality Act, 2004 (Act No. 39 of 2004);

“approval” means approval by the City including by an authorised official, and **“approve”** has a corresponding meaning;

“authorised official” means a person authorised to implement the provisions of this By-law, including but not limited to—

- (a) peace officers as contemplated in section 334 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977);
- (b) members of the South African Police Services or Metropolitan Police Officers as contemplated in the South African Police Services Act, 1995 (Act No. 8 of 1995);
- (c) such employees, agents, delegated nominees, representatives or service providers of the City as are specifically authorised by the City in this regard;

“billboard” means any screen, board or sign supported by a freestanding structure which may be handwritten, hand drawn or hand painted, paper-posted, sign-written, pasted with vinyl or covered, pasted or written upon by a combination of such methods and which may feature special effects, which displays an advertisement;

“branded licensee” means any person, not being a FIFA partner, FIFA World Cup sponsor or national supporter, to which FIFA grants the right to place any of the competition marks on products and related product packaging and product advertising materials which also bear the corporate identification or trademark of such person;

“broadcast rights” means the right to broadcast, transmit, display, film and photograph the Competition, as well as all recordings thereof, or any part thereof, in any form and in all media now known or hereafter and the right to exploit the same;

“broadcast rights holders” shall mean a person, that has acquired from FIFA, directly or indirectly, any part of the broadcast rights;

“City” means the City of Cape Town established in terms of the Local Government: Municipal Structures Act 1998 (Act No. 117 of 1998);

“City Manager” means a person appointed as City Manager in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

“clear height” means the minimum vertical distance from the ground, road or surface level, whatever the case may be, to the underside of a sign;

“commercial affiliate” means any FIFA partner, FIFA World Cup sponsor, national supporter and branded licensee;

“Competition” means the 2010 FIFA World Cup South Africa TM which is scheduled to be contested from 11 June to 11 July in the year 2010 in the Republic of South Africa, under the governance of FIFA, including all matches and official events;

“Competition marks” means—

- (a) the official emblem;
- (b) any official Competition mascot;
- (c) any official Competition poster;
- (d) any official Competition ‘look’ designs;
- (e) two or three dimensional representations of the FIFA World Cup trophy; and
- (f) any Competition-related designations including trade marks and marks as defined in the Trade Marks Act, 1993 (Act No.194 of 1993);

“Controlled Access Site” means—

- (a) the locations of the matches including without limitation, the stadium;
- (b) the locations of the official events;
- (c) any other areas in respect of which admission is regulated by accreditation;
- (d) accreditation centres;
- (e) official training sites;
- (f) team hotels;
- (g) the official hotels for the FIFA delegation;
- (h) FIFA fan parks; and
- (i) any other area within the area of jurisdiction of the City, designated or demarcated by the City by notice in the press as a Controlled Access Site and shall include private property located therein;

“demarcated space” means a portion of a road or the road reserve which has been identified and demarcated as a place where a vehicle may be lawfully parked;

“Exclusion Zone” means the controlled zone situated immediately outside the outer perimeter of the stadium, as designated or demarcated by the City, including private property located therein;

“FIFA” means Fédération Internationale De Football Association;

“FIFA Delegation” means with respect to the Competition, the following persons—

- (a) FIFA staff and the staff of all FIFA subsidiary companies;
- (b) members of FIFA’s internal official committees;

(c) guests of FIFA; and

(d) all other individuals who are nominated by FIFA as being a member of the FIFA delegation;

“FIFA fan park” means a fan park to be established by the City under the auspices and guidance of FIFA;

“FIFA Member Association” means any national football association officially affiliated to FIFA;

“FIFA partner” means a person to which FIFA grants the most comprehensive package of available marketing rights;

“FIFA World Cup sponsor” means a person to which FIFA grants the second most comprehensive package of available marketing rights;

“final draw” means the official draw ceremony for the Competition, by means of which the Participating Member Associations are allocated to Competition groups;

“goods” means any items or stock displayed or kept by a street trader for the purpose of selling;

“intersection” means any intersection as defined in the regulations promulgated in terms of the National Road Traffic Act, 1996 (Act No. 93 of 1996);

“litter” includes any receptacle, container or other matter, which has been discarded or abandoned or left behind;

“LOC” means the 2010 World Cup Organising Committee, an association incorporated under Section 21 of the Companies Act, 1973 (Act No. 61 of 1973) (Registration No. 2005/029945/08);

“marketing rights” means all advertising, promotional, marketing, merchandising, licensing, franchising, sponsorship, hospitality, publishing, and any other rights or associated commercial opportunities other than the media rights related to or in connection with the Competition;

“match” means each and every football match in its entirety, including extra time and penalty kick phases, of the Competition, including training matches and any delayed or deferred matches and replays;

“media” means all members of the written press, photographers and electronic media entitled to media accreditation;

“media rights” means the right to broadcast, transmit, display, film and photograph the Competition, as well as all recordings thereof, or any part thereof, in any form and in all media now known or hereafter and the right to exploit such rights;

“Metropolitan Police Service” means the metropolitan police service as contemplated in the South African Police Services Act, 1995 (Act No.8 of 1995);

“national supporter” means a person to which FIFA grants a package of specified marketing rights, such rights to be exercisable only in the Republic of South Africa;

“notice in the press” means a notice published in the three official languages in newspapers circulating within the City;

“nuisance” means—

- (a) any stream, pool, marsh, ditch, gutter, watercourse, cistern, watercloset, earthcloset, urinal, cesspool, cesspit, drain, sewer, dung pit, slop tank, ash heap or dung heap so foul or in such a state or so situated or constructed as to be offensive or to be injurious or dangerous to health;
- (b) any stable, kraal, shed, run or premises used for the keeping of animals or birds and which is so constructed, situated, used or kept as to be offensive or to be injurious or dangerous to health;
- (c) any accumulation of refuse, offal, manure or other matter which is offensive or is injurious or dangerous to health;
- (d) any public building which is so situated, constructed, used or kept as to be unsafe or to be injurious or dangerous to health;
- (e) any occupied dwelling for which no proper and sufficient supply of pure water is available within a reasonable distance;
- (f) any factory or industrial or business premises not kept in a cleanly state and free from offensive smells arising from any drain, water closet, earth closet, urinal or any other source, or not ventilated so as to destroy or render harmless and inoffensive as far as practicable any gases, vapours, dust or other impurities generated, or so overcrowded or so badly lighted or ventilated as to be injurious or dangerous to the health of those employed therein or thereon;
- (g) any factory or industrial or business premises causing or giving rise to smells or effluvia which are offensive or which are injurious or dangerous to health;
- (h) any area of land kept or permitted to remain in such a state as to be offensive;
- (i) any other activity, condition or thing declared to be a nuisance by the Minister in terms of the provisions of the Health Act, 1977 (Act No. 63 of 1977);
- (j) any act or condition which interferes with—
 - (i) the health or well-being of a person or the general public;
 - (ii) the use and enjoyment by an owner or occupier of his or her property;
 - (iii) the use and enjoyment by a member of the public of a public place;

“official emblem” means any official logo or official device of the Competition;

“official events” means any organisational, social, cultural and other official functions, ceremonies and draws staged, hosted or organised by the LOC or FIFA in connection with the Competition;

“official training site” means a venue within the jurisdiction of the City selected to host any Competition-related training sessions for a team, including the surrounding and adjacent areas, parking facilities, media areas, concourses, fencing and entrances, under the control of the City;

“owner” in relation to a sign includes the owner of immovable property or a person who owns or leases the advertising structure applicable to a sign, or will own or lease such advertising structure once it has been erected, and any person who has a right to share in the ownership or lease of such advertising structure;

“Participating Member Association” means any FIFA Member Association whose representative Team has qualified to participate in the Competition;

“person” means a legal person which includes a natural person, partnership, firm, corporation, corporation trust, unincorporated association, joint venture, company and close corporation;

“premises” means an erf, stand, land, lot, plot, agricultural holding, farm portion or similar land entity, or any building or improvements thereon, registered in a deeds registry;

“prohibited area” in relation to street trading, means a place declared in terms of section 6A(2) of the Businesses Act, 1991 (Act No. 71 of 1991) to be an area in which street trading is prohibited;

“property” means in relation to a person carrying on the business of street trading any article, receptacle, vehicle or structure used or intended to be used in connection with such business;

“public advertising media” means such advertising media space including, without limitation, light and electricity posts, and advertising space on public buildings as is owned, leased, administered by or under the direct control of the City;

“public place” means—

- (a) any public land, square, public swimming bath, public resort, public recreation site, zoological, botanical or other public garden, park or hiking trail, including any portion thereof and any facility or apparatus therein or thereon, as well as any public open space, public road, road reserve, reserve street, lake, dam, or river;
- (b) any public building, structure, hall, room or office including any part thereof and any facility or apparatus therein, which is the property of, or possessed, controlled or leased by the City and to which the general public has access, whether on payment of admission fees or not;
- (c) any nature conservation area including—
 - (i) nature reserves;
 - (ii) protected natural areas;
 - (iii) nature conservation worthy areas;
 - (iv) natural open spaces;

“public road” means a square, public street, avenue, road, sidewalk, an island located within a street, avenue or road, subway, avenue, bridge, walkway, public passageway and any thoroughfare shown on the general plan of a township or in respect of which the public has acquired a prescriptive or other right of way and which is more fully described in the National Road Traffic Act, 1996 (Act No. 93 of 1996);

“recreation” or **“recreational”** means any leisure activity;

“restricted area” in relation to street trading, means any area declared in terms section 6A(2) of the Businesses Act, 1991 (Act No. 71 of 1991) to be an area in which street trading is restricted;

“SAFA” means South African Football Association;

“safety and security plan” means the safety and security plans to be implemented by the City during the Competition;

“services” includes any advantage or gain for consideration or reward;

“Sign” means—

- (a) any method of displaying writing, letters, numbers, figures, objects, Competition Marks, photographs, symbols or illustrations, and includes but is not limited to a non-physical sign projected onto a building or other structure or in the air with the aid of modern technology (e.g. laser beams), which device, article or non-physical sign is visible or distributed in any way whatsoever from a public place, or any place whatsoever, for the purpose of advertising, providing information, ambush marketing or attracting the public to any place, public display, article or merchandise for sale, and whether the surface of the sign is attached to or forms part of a building, or is fixed to the ground or to a pole, tree, screen or hoarding, Person, vehicle or other movable object; or
- (b) any method of displaying writing, letters, numbers, figures, objects, Competition Marks, photographs, symbols or illustrations which is displayed or distributed in any other way including but not limited to security signs, projecting signs, trailer signs, boundary wall signs, tourism signs, window signs, signs on buildings, sky signs, roof signs, flat signs, signs painted on walls and roofs of buildings, aerial signs, development signs, service facility signs, signs for sponsored road traffic projects, building wrap signs, construction site signs, tower and bridge signs, on-Premises business signs, signs at residential properties or community signs, forecourt signs, balcony, veranda, canopy and under-awning signs, functional signs by public bodies, real estate agent signs, electronic signs, signs for sale of goods or livestock, signs pulled or attached to or created by vehicles, hand held signs, banners, hand held signs, signs attached or incorporated into clothing, headgear, costumes, flags, spectator cheering articles or banners, and for the avoidance of doubt including any Billboard, but excluding City road traffic signs and City street name signs;

“special event” means a parade, procession, race, concert, show, exhibition, festival, ceremony, film shoot, photographic shoot or any other similar event of a sporting, cultural or recreational nature which requires, for that purpose, exclusive use of the whole or a part of a public place;

“stadium” means any stadium within the geographical area of jurisdiction of the City that will be used for purposes of the Competition, including the entire premises thereof inside the perimeter fence, the aerial space above such stadium premises, all parking facilities, hospitality areas, media zones, concession areas and commercial display areas;

“street furniture” means any furniture installed by, or on behalf of the City on a public place;

“street trader” means a person selling goods and includes a seller, peddler or hawker and also—

- (a) a person who as principal, agent, assistant, subcontractor, employer or employee carries on the business of street trading or on behalf of whom or for whose benefit the business of street trading is carried on; and
- (b) a person to whom a stand has been leased or allocated by the City and for as long as such person is carrying on the business of street trading on it;

“street trading” means the selling of any goods in a public place;

“team” means any team which represents a Participating Member Association and which has qualified to participate in the Competition. References to **“team”** shall include all squad members and coaches as stipulated in the 2010 Regulations as well as medical personnel and other auxiliary staff;

“team hotel” means a hotel and any other location providing accommodation within the area of jurisdiction of the City, for a team;

“term” means the period as specified in the Schedule;

“ticket” means the evidential item representing that the ticket holder has the right to enter a stadium to attend a particular match or official event of the Competition and to obtain a particular seat allocated to the ticket for that purpose in accordance with the ticket terms and conditions and all applicable laws, and **“ticketing”** shall have a corresponding meaning;

“ticket holder” means a person who has the right in terms of a ticket to attend a particular match or official event and to obtain a particular seat allocated to the ticket for that purpose;

“traffic-free zone” means as defined in section 1 of the 2010 FIFA World Cup South Africa: Special Measures Act, 2006 (Act No. 11 of 2006);

“verge” means a verge as defined in the National Road Traffic Act, 1996 (Act No. 93 of 1996); and

“waste” means refuse and includes but not limited to any substance or article which a person wishes to dispose of because it is unwanted, superfluous, broken, worn out, contaminated or otherwise spoilt and that has been discarded or has been accumulated or stored so that it can be discarded, reused, reclaimed or recycled.

Application of the By-Law

2.(1) For the purpose of this By-law a reference to any legislation shall be a reference to that legislation and the regulations promulgated there under, as at the date of promulgation of this By-law and as amended or re-enacted from time to time.

(2) To the extent that conflicts may arise between the existing by-laws of the City and this By-law, the provisions of this By-law shall prevail.

Purpose of the By-Law

3. The purpose of this By-law is to enable the City, during the term, to—

- (a) regulate advertising;
- (b) administer Controlled Access Sites;
- (c) regulate special events and the administer, manage and maintain neatness of public open spaces;
- (d) adopt appropriate traffic guidance, management and control measures, including the provision of public road users with all necessary information, such as, including but not limited to, information about actual and anticipated road closures, detours, parking areas, traffic-free zones, and where possible, directions and suitable routes to and from stadiums and official events to ensure the orderly and safe flow of traffic; and
- (e) regulate street trading.

CHAPTER 2—PRINCIPAL PROVISIONS: ADVERTISING

Application and approval

4. For the purposes of this Chapter approval shall mean approval in terms the City of Cape Town: Outdoor Advertising and Signage By-law published in Provincial Gazette Extra-Ordinary 5801 dated 5 December 2001 or any subsequent by-law replacing that By-law.

Ambush marketing and unlawful advertising

5.(1) A member of the Metropolitan Police Service may enforce the provisions of the Merchandise Marks Act, 1941 (Act No.17 of 1941), in so far as it relates to the powers of an inspector to combat ambush marketing—

- (a) during the final draw and for a period of one week immediately prior to and one week immediately following the final draw;
- (b) during the period of the Competition and for a period of two weeks immediately prior to the first match and two weeks immediately following the final match;
- (c) in the following areas—
 - (i) at any Controlled Access Site, or
 - (ii) within a one kilometre radius of the venue of the final draw, or of a stadium or as demarcated by the City Manager;
 - (iii) within a 100 meter radius of a FIFA fan park or as demarcated by the City Manager; and
 - (iv) at any place visible from a public road, as designated by the City Manager by means of appropriate signage, leading to the venue of the final draw or to a stadium, and within two kilometres from the perimeter of the final draw venue or stadium, as the case may be or as demarcated by the City Manager.

(2) Notwithstanding paragraphs (a), (b) and (c) of subsection (1), nothing contained in this By-law shall derogate from the powers granted to a member of the Metropolitan Police Service under the Merchandise Marks Act, 1941 (Act No. 17 of 1941).

(3) No person shall, except with the prior approval of the City Manager, and to the extent applicable and within the area of jurisdiction of the City, conduct any advertising activity on any public advertising media—

- (a) during the final draw and for a period of two weeks immediately prior to the final draw;
- (b) during the period of the Competition and for a period of 15 working days immediately prior to the first match and 5 working days immediately following the final match;
- (c) in the following areas—
 - (i) immediately outside or surrounding airports;
 - (ii) in or immediately outside or surrounding main train stations;
 - (iii) within a radius of the central business district of the area of jurisdiction of the City demarcated by the City Manager in consultation with FIFA; and
 - (iv) to the extent the City has jurisdiction, on the principal routes from the airport and main train stations to the central business district of the area of jurisdiction of the City and to the stadium.

(4) No person shall, during the term erect, maintain, distribute or display a sign or a billboard at a Controlled Access Site or within an Exclusion Zone, without the prior written approval of the City Manager granted specifically with regard to the Competition.

Safety

6. No person shall erect, maintain, distribute or display a sign, a billboard or an advertising structure in a Controlled Access Site or an Exclusion Zone which—

- (a) constitutes a danger to any person or property;
- (b) is so placed or contains an element which distracts the attention of drivers in a manner likely to lead to unsafe driving conditions;
- (c) is illuminated to the extent that it causes discomfort to or inhibits the vision of approaching pedestrians or drivers;
- (d) is attached to a road traffic sign or signal;
- (e) combined with a road traffic sign or signal obscures a road traffic sign or signal;
- (f) creates confusion with a road traffic sign or signal;
- (g) interferes with the functioning of a road traffic sign or signal or creates a road safety hazard;
- (h) obscures a pedestrian's or driver's view of pedestrians, road or rail vehicles and features of the road, railway or pavement such as junctions, bends and changes in width;
- (i) projects over a pedestrian or cycle circulation route, unless the clear height of such sign is approved by the City Manager;
- (j) obstructs a fire escape or fire fighting equipment; or
- (k) is placed closer than the minimum clearance prescribed by the City Manager with regard to overhead power lines.

Design and construction

7.(1) Advertising structures in a Controlled Access Site or an Exclusion Zone shall be designed and constructed according to applicable South African Bureau of Standards ("SABS") approved standards.

(2) Every sign in a Controlled Access Site or an Exclusion Zone in which electricity is used, including electronic and illuminated signs, must -

- (a) have power cables and conduits containing electrical conductors positioned and fixed in such a manner that they are not unsightly;
- (b) be designed in such a manner that the sign is not a fire risk;
- (c) be provided with an external switch in an accessible position and at a height of at least three metres from the ground by means of which the electricity supply to the sign may be switched off;
- (d) be wired and constructed in accordance with and subject to the provisions of all applicable laws and regulations; and
- (e) be installed and erected by a qualified electrician.

(4) No person shall erect, maintain or display a sign, billboard or an advertising structure in a Controlled Access Site or an Exclusion Zone which interferes or is detrimental with the functioning of the natural environment.

Maintenance

8. All signs in Controlled Access Sites and Exclusion Zones shall be maintained by their owners on proper regular basis, and the owner shall ensure that such signs are kept in a safe, neat and tidy manner.

Removal and impoundment of signs

9.(1) Subject to section 5, the City Manager shall, in relation to any sign, billboard, advertising structure or advertisement erected, positioned, distributed or displayed in a Controlled Access Site, an Exclusion Zone or on any public advertising media in the areas referred to in sections 5(1)(c)(i) and (ii) be entitled to do the following:

- (a) to direct the owner of a sign, billboard, advertising structure or advertisement that wholly or partially projects over or encroaches on any boundary of a premises, whether public or private, by notice to remove the projecting or encroaching part or the whole of the sign immediately, provided that the provisions of this paragraph shall not apply to encroachments and projections approved by the City Manager in terms of the By-law Relating to the Management and Administration of the City of Cape Town's Immovable Property;
- (b) to serve a notice on the responsible person to remove or cease such sign, billboard or advertisement if it is displayed in contravention of the City of Cape Town: Outdoor Advertising and Signage By-law;

(2) In event of failure to comply with a notice to remove a sign, billboard, advertising structure or advertisement, the City may endeavour to obtain a court order for the removal or cessation thereof.

CHAPTER 3—PRINCIPAL PROVISIONS: CONTROLLED ACCESS SITES

Designation of Controlled Access Sites and Exclusion Zones

10.(1) The City Manager may, by notice in the press, designate an area, as a Controlled Access Site.

(2) The City Manager may, by notice in the press, designate an area as an Exclusion Zone.

General prohibition applicable to Controlled Access Sites

11. No person shall—

- (a) smoke, eat, drink or sleep in any Controlled Access Site where these activities are forbidden;
- (b) interfere with any works being carried out, including but not limited to, installation of equipment, plant or infrastructure located within or upon a Controlled Access Site;
- (c) remove any object or part thereof or any fixture, fitting or equipment from a Controlled Access Site;
- (d) bring any animal except guide dogs or animals assisting authorised officials in the execution of their duties into any Controlled Access Site;

- (e) use abusive or otherwise objectionable language or behave in an abusive, objectionable or disorderly manner in a Controlled Access Site;
- (f) hamper, disturb, obstruct or harass any person using or entering any Controlled Access Site;
- (g) damage or indirectly cause damage to any part of a Controlled Access Site or its contents or equipment;
- (h) spill or drop any substance that may cause danger or harm to any user of a Controlled Access Site;
- (i) commit any act of vandalism including but not limited to painting, defacing or marking any part of any Controlled Access Site;
- (j) lie, sit, stand, congregate or walk, in a manner that otherwise causes an obstruction of any nature whatsoever, within any Controlled Access Site;
- (k) tout or solicit a driver of a motor vehicle who parks a motor vehicle at a Controlled Access Site for the purpose of or under pretext of looking after or watching over the motor vehicle;
- (l) urinate, excrete or commit an act of public indecency within any Controlled Access Site;
- (m) deposit or leave or cause to be left any object which may endanger or cause harm to or be a nuisance to any user of a Controlled Access Site;
- (n) carry, brandish or otherwise display or use within a Controlled Access Site any weapon, traditional weapon or any other object that may cause harm; or
- (o) throw any object, of any nature whatsoever, within or onto a Controlled Access Site.

Exclusion Zone

12. Subject to section 5, no person shall conduct business activities on a match day in the Exclusion Zone except with the approval of the City Manager granted specifically with regard to the Competition, provided that this prohibition shall not apply to persons who, in respect of their normal business activities, may lawfully conduct a business located on private property at the date of commencement of this By-law.

CHAPTER 4—PRINCIPAL PROVISIONS: PUBLIC PLACE AND CITY BEAUTIFICATION

City beautification for Competition

13.(1) The City Manager will appeal to all persons engaged in major construction during the term which is visible to the public view and close to, major or concentrated transport centres or entertainment areas which will or may be used for the Competition, Controlled Access Sites and the Exclusion Zone, to take all necessary measures at their own cost to cover or conceal such construction sites from public view.

(2) The City Manager shall have the right, to request any holder of any existing licence, permit, Approval or other authorisation to undertake any major public or major private construction works at, any concentrated transport centres or entertainment areas which will or may be used for the Competition, Controlled Access Sites and the Exclusion Zone which is in progress at the start of the Competition, to suspend any such construction works for the whole or any part of the term.

(3) No person shall deface any wall, structure or building in a any street or public place or visible from such street or public place by writing, painting, or placing any symbols, pictures or sign thereon, during the Competition.

General Prohibition relating to public places and city beautification

14. No person shall at a special event—

- (a) cause or commit a nuisance;
- (b) use abusive or otherwise objectionable language or behave in an abusive, objectionable or disorderly manner towards any other user;
- (c) hamper, disturb, obstruct or harass any other person;
- (d) damage or indirectly cause damage to any infrastructure, plant, equipment, fixtures, fittings, buildings or structures;
- (e) smoke, eat, drink or sleep where these activities are forbidden;
- (f) spill or drop any substance that may cause danger or harm to persons;
- (g) interfere with any works being performed or the installation of any equipment, plant or infrastructure;
- (h) remove or damage any object or part of any fixture, fitting, equipment, plant or infrastructure;
- (i) commit any act of vandalism including but not limited to painting, defacing or marking any infrastructure, plant, equipment, fixtures, fittings, buildings or structures;
- (j) lie, sit, stand, congregate or walk so as to cause a wilful obstruction, or otherwise cause any obstruction, of any nature whatsoever;
- (k) tout or solicit a driver of a motor vehicle who parks a motor vehicle for the purpose of or under pretext of looking after or watching over the motor vehicle;
- (l) urinate, spit or excrete except in a facility specifically designed for and provided for that purpose or otherwise commit an act of indecency;
- (m) beg or solicit money;
- (n) deposit or leave or cause to be left any object which may endanger or cause harm;
- (o) carry, brandish or otherwise display or use any weapon, traditional weapon or any other object that may cause harm;
- (p) throw any object, of any nature whatsoever;
- (q) enter any area to which access has been restricted or prohibited;
- (r) bathe, wade or swim in or wash himself, an animal or any object, including clothing, in any water or body;
- (s) make, light or otherwise start a fire except in a facility specifically designed for and provided for that purpose;
- (t) camp or reside; and
- (u) perform any action prohibited in terms of any notice or sign erected by the City.

Access Restriction

15. The City Manager may restrict the general access to and use of any public open space in order to—

- (a) protect a public open space;
- (b) reduce vandalism or the destruction of City property at any public open space;
- (c) develop or undertake any activity which it reasonably considers necessary or appropriate to achieve the purposes of this By-law in preparation for the Competition.

Waste

16. No person shall in a public open space—

- (a) deposit, dump, discard or dispose of any waste, other than in a receptacle provided by the City for that purpose; or
- (b) deposit or dispose of any waste or pollute in a manner which may detrimentally impact on any water body.

Vehicles

17. No person shall in a public open space—

- (a) except at times specified and on roads or pathways provided by the City Manager, drive, draw or propel any vehicle other than a bicycle or a vehicular device used by a person with disability;
- (b) drive, draw or propel any vehicle of whatsoever nature in excess of 40 (forty) kilometres per hour; or
- (c) park any vehicle of whatsoever nature, except in designated area or other area where parking is otherwise permitted by the City Manager.

Vegetation and animals

18. No person shall without the express authorisation of the City Manager, within a public open space—

- (a) disturb, damage, destroy or remove any tree, shrub or other vegetation;
- (b) affix, place, arrange or create any advertisement of whatever nature anywhere within a public open space;
- (c) plant any vegetation;
- (d) alter the slope or drainage pattern so as to interfere with the access of water, air or nutrients to any tree or other plant;
- (e) capture or attempt to capture, chase, shoot at, injure, throw objects at, tease, molest or in any other way disturb any animal, fish, or bird or its nest or egg;
- (f) ride a horse, except—
 - (i) in an area designated by the City Manager for that purpose; and
 - (ii) a person who in the performance of his or her official duties, patrols such public open spaces on horseback;
- (g) walk, carry, ride or bring an animal other than a horse or dog provided that the presence of such horse or dog is not prohibited within such public open space;
- (h) walk any dog where—
 - (i) walking a dog in such a public open space is prohibited by the City Manager by notice or sign; or
 - (ii) such dog, while walking within a public open space is not at all times under the control of a person walking such dog.

Use of public open spaces

19.(1) No person shall, within a public open space—

- (a) use the public open space in a way that unfairly restricts or prevents other users of the public open space from enjoying that public open space; or
- (b) except within a public open space or part thereof, which has been let to a person by the City Manager for that purpose, sell, hawk, offer or display any goods or articles for sale or hire;

(2) No person may undertake any event or a special event which will or may be used for the purposes of the Competition unless specifically authorised by the City Manager.

CHAPTER 5—PRINCIPAL PROVISIONS: PUBLIC ROADS AND TRAFFIC GUIDANCE**General prohibition in respect of public roads**

20.(1) No person shall during the Competition—

- (a) erect or cause, or permit to be erected, or place any object including any banner, rope, wire, cord, pole, barbed-wire fence, railing, paling, wall or any other barrier or obstruction of any nature whatsoever upon, under, over or across any public road without the approval of the City Manager, provided that the prohibition shall not apply to the South African Police Services or the Metro Police in execution of their duties;
- (b) use any material or goods that are likely to cause any damage or harm to any part of a public road or to harm any of its users including but not limited to pedestrians, cyclists, motorcyclists and motorists;
- (c) spill or drop any substance on or over or across a public road including but not limited to discharging any water, chemical or oil substance, that may in any way endanger or harm any road users including but not limited to pedestrians, cyclists, motorcyclists and motorists;
- (d) interfere with any works being carried out by the City or any authorised service provider or third party on a public road or in relation to any City services including digging holes, trenches, pits or tunnels on or under any public road; or painting, defacing or marking any public road;

- (e) commit any act of vandalism including but not limited to painting, defacing or marking any part of a public road;
- (f) hamper, disturb, obstruct or harass any public road user including but not limited to any pedestrian, cyclist, motorcyclist or motorist using or entering any public road;
- (g) cause any animal to stray or walk onto a public road, excluding guide dogs and animals assisting an authorised official in law enforcement duties;
- (h) tout or solicit a driver of a motor vehicle who parks a motor vehicle in a public road at or near a place of entertainment for the purpose of or under pretext of looking after or watching over the motor vehicle;
- (i) urinate, excrete or behave in a manner that may be considered an act of public indecency on a public road or within any Controlled Access Site;
- (j) beg on a public road.

(2) No person shall during the Competition, except with the approval of the City Manager—

- (a) push or otherwise convey any trolley on a public road within an Exclusion Zone or at a Controlled Access Site;
- (b) deposit or leave or cause to be left any sand, stone, earth, bricks, timber, lime, cement or other building or excavated material of whatsoever nature on any portion of a public road; or
- (c) park or leave any vehicle of any nature whatsoever including but not limited to any car, bus, minivan, truck, bicycle, pedal-cycle, coaster, sled, motor cycle, caravan, trailer, cart, tractor or earth moving equipment, whether or not unattended, on any public road other than in a demarcated space.

General prohibitions in respect of road traffic control

21.(1) No person, other than an authorised official, shall direct any form of traffic by means of any visible or audible signal.

(2) No person may drive or park a vehicle or in a traffic-free zone unless a token authorising the presence of the vehicle in that traffic-free zone has been validly issued and obtained and is visibly displayed on the vehicle.

(3) No person travelling upon any pedal cycle, motor cycle, coaster, sled, roller-skates, or any other similar device may cling to or attach himself or herself or such pedal cycle, coaster, sled, roller-skates or device to any other moving vehicle, upon a public road.

(4) No person shall except with the approval of the City Manager, park or cause to be parked any vehicle of whatsoever nature in a demarcated space without paying, where applicable, the appropriate amount or inserting the appropriate token or card in the applicable parking meter for the required parking period.

General prohibitions in respect of parking

22. The City Manager shall be entitled to restrict public access to demarcated spaces and other parking areas in or around a stadium or other Controlled Access Site on match days or on the occurrence of official events, and in this regard shall be entitled to—

- (a) restrict the right to use certain demarcated spaces and other parking areas inside the stadium and immediately outside the entrances thereof, to the following persons—
 - (i) VIPs;
 - (ii) teams; and
 - (iii) match officials, including referees;
- (b) restrict the right to use certain demarcated spaces and other parking areas inside the stadium as close as possible to the stadium building, and where required for service providers, to the following persons:
 - (i) the FIFA delegation;
 - (ii) members of the LOC delegation;
 - (iii) commercial affiliates;
 - (iv) broadcast rights holders;
 - (v) FIFA guests; and
 - (vi) service providers;
- (c) restrict the right to use certain demarcated spaces and other parking areas inside the stadium to representatives of the media and the media shuttle service.

Instructions by authorised officials

23. An authorised official may, for purposes of implementing or giving effect to the safety and security plan where the circumstances necessitate, and in the interests of ensuring or promoting traffic control or safety on a match day -

- (a) instruct any person to refrain from using a public road; and
- (b) instruct any person to remove his or her vehicle whether parked, stationary or in transit, from a public road.

Road closure action by City Manager

24. The City Manager may, after giving appropriate notices in the press, close temporarily any public road, street or thoroughfare vested in the City for purposes of traffic control, management or guidance or for purposes of implementing or giving effect to the safety and security plan whether or not in the vicinity of any stadium, official event, FIFA fan park, official training site, Exclusion Zone or Controlled Access Site.

CHAPTER 6—PRINCIPAL PROVISIONS: STREET TRADING

Approval for street trading

25. For the purposes of this Chapter approval shall mean approval in terms of by-laws adopted by the City in terms of the Businesses Act, 1991 (Act No. 71 of 1991), or any legislation or law replacing such by-law or legislation.

Conduct of street traders in general and during the course of trading

26.(1) A street trader shall not, for the term—

- (a) occupy any part of a public place with his or her property or goods, except to the extent approved by the City Manager;
- (b) on conclusion of his or her daily business activities, leave any or all of his or her property and goods in public place;
- (c) place his or her property or goods on a public place except for the purposes of setting up a stand prior to commencing trade or for the purposes of conducting street trading;
- (d) place or stack his or her property and goods in such a manner that they do or may constitute a nuisance or danger to any person or property, or are likely to injure any person or cause damage to property;
- (e) attach any object by any means to any public place, verge, tree, parking meter, lamp-pole, electricity pole, telephone pole, telephone booth, post box, traffic sign, bench or any other street furniture in or on a public place;
- (f) make a fire in any place or in circumstances where it could cause injury or loss to a person, building, vehicle, or street furniture, unless authorized to prepare foodstuffs by utilizing open-flame fire or gas-fired implements;
- (g) stay overnight at the place of his or her street trading business;
- (h) erect any structure for the purpose of providing shelter at the place of his or her street trading business except to the extent approved by the City Manager;
- (i) interfere with the ability of a person using a verge to view the goods displayed behind a shop display window, or obscure such goods from view;
- (j) carry on business, or take up a position, or place his or her property on a portion of a public place, in contravention of a sign or notice erected or displayed by the City Manager for the purpose of this By-law;
- (k) store his or her property or goods in a manhole, storm water drain or a public toilet, bus or taxi shelter or under a publicly accessible tree;
- (l) carry on street trading in such a manner as to—
 - (i) create a nuisance;
 - (ii) damage or deface the surface of a public place or any public or private property;
- (m) create a traffic obstruction or obstruct access to pedestrian crossings, parking or loading bays or other facilities for vehicular traffic or pedestrians ignore, disobey or refuse a request by an authorised official to remove his or her property and goods so as to permit the carrying out of any work or service in relation to a public place;
- (n) display his or her goods or property on or in a public place except with the approval of the City Manager; or
- (o) trade in foodstuffs without a valid certificate of acceptability issued in terms of the Regulations Governing General Hygiene Requirements for Food Premises and the Transport of Food (GNR.918 of 30 July 1999).

(2) A street trader shall ensure that when liquefied petroleum gas is used during its activities of street trading that it shall comply with appropriate standards and requirements applicable in the use of such gas.

Conduct of a street trader with regard to ensuring place of trading is kept clean

27. A street trader shall, for the term—

- (a) dispose of litter generated by his or her business in whatever receptacle is provided or approved by the City Manager for the public or at a dumping site of the City;
- (b) not dispose of litter in a manhole, storm water drain or other place not intended for the disposal of litter;
- (c) on request by an authorised official, move his or her property and goods so as to permit the cleansing of the area or site where he or she is trading, or the effecting of municipal services or for any other lawful reason;
- (d) ensure that no smoke, fumes or other substance causes air pollution;
- (e) ensure that no odour, or noise emanating from his or her activities causes a nuisance of any kind;
- (f) keep the area or site occupied by him or her for the purposes of such business in a clean and sanitary condition;
- (g) keep his or her property in a clean, sanitary and well maintained condition;
- (h) to the satisfaction of the City Manager, take such precautions in the course of conducting his or her business as may be necessary to prevent the spilling onto a public place, or into a storm water drain, of any fat, oil or grease or any other substance that may be harmful to the general public and users of the public place; and
- (i) ensure that on conclusion of his or her business for the day, the area or site occupied by him or her for the purposes of trade is free of litter and must do so within the parameters of certain prescribed specific periods of time.

Regulation of street trading

28.(1) No person shall, except with the prior approval of the City Manager granted specifically with regard to the Competition—

- (a) carry on the business of street trading at any Controlled Access Site or Exclusion Zone during the term;
- (b) carry on the business of street trading in a restricted area;

(c) carry on the business of street trading in a garden or park to which the public has a right of access.

(2) No person shall carry on the business of street trading—

- (a) in a prohibited area;
- (b) on a verge contiguous to an auto teller bank machine;
- (c) on a verge contiguous to—
 - (i) a building declared to be a heritage resource in terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999), except where special permission has been granted in terms of the same legislation;
 - (ii) a building belonging to or occupied solely by the state or the City;
 - (iii) a church or other place of worship;
 - (iv) a public place, except to the extent that the carrying on of such business is permitted by a sign erected or displayed by the City Manager and in compliance therewith;
 - (v) at a place where—
 - (aa) it causes obstruction of the entrance or exit from a building; and
 - (bb) it causes an obstruction of a fire hydrant or other municipal service;
 - (vi) on that half of a public road contiguous to a building used for residential purposes if the owner or person in control or any occupier of the building objects to it;
 - (vii) on that half of a public road contiguous to a shop or that part of a building in which business is being carried on by a person who sells goods of the same nature as, or of a similar nature to, goods being sold by the street trader if that person objects to it;
 - (viii) on a stand or in any area demarcated by City Manager in terms of section 6A(3)(b) of the Businesses Act, 1991 (Act No. 71 of 1991), if he or she is not in possession of written proof that he or she has rented such stand or area from the City or that such stand has been allocated to him; nor shall he or she trade in contravention of the terms and conditions of such lease, permit or allocation; and
 - (ix) within a reasonable distance from any Controlled Access Site, such distance as determined by the City Manager.

Restricted and prohibited trading areas

29. The City may identify and demarcate restricted areas or prohibited areas in accordance with the Businesses Act, 1991 (Act No. 71 of 1991), or any by-law regulating informal trading.

Prohibition on persons under the age of sixteen

30.(1) No person under the age of sixteen years shall engage in the business of street trading in or near a public place.

(2) Any person who or which employs or engages or requests a person referred to in subsection (1) to conduct the business of street trading or to assist therewith shall be guilty of an offence.

CHAPTER 7—MISCELLANEOUS PROVISIONS

Powers of entry to request and inspect approvals

31.(1) An authorised official shall be entitled to request or inspect any approval granted in terms of this By-law.

(2) Failure to furnish such approval by the owner or other holder thereof shall constitute an offence under these By-laws.

Access rights and restrictions on Controlled Access Sites

32.(1) The right of access to and use of a Controlled Access Site shall be regulated through accreditation and ticketing.

(2) Depending on the nature of the Controlled Access Site and the nature of the event being held at such Controlled Access Site, no person other than—

- (a) an accredited person;
 - (b) a ticket holder; or
 - (c) any other person duly authorised or permitted to enter a Controlled Access Site,
- shall be permitted access to a Controlled Access Site.

Instructions by authorised officials in respect of public open spaces

33. An authorised official may instruct any person to leave a public open space if—

- (a) the authorised official reasonably believes that the person is contravening any provision of this By-law; and
- (b) such person fails to immediately terminate such contravention upon the instruction of that authorised official.

Search and seizure powers of the City on public roads and in respect of contraventions on street trading

34.(1) Subject to section 5, an authorised official may in terms of the Criminal Procedure Act, 1977 (Act No. 51 of 1977) and subject to any other applicable legislation, search, remove or impound any goods, property, container, structure, materials, substance, shelter, tent vehicle of any nature whatsoever, whether or not unattended, which—

- (a) he or she reasonably suspects of being used or are intended to be used or have already been used in or in connection with the business of street trading or a contravention of this By-law;
- (b) is left or parked at any unauthorised parking area;

- (c) he or she finds in park or on a public place and which in their opinion constitutes an infringement of this By-law, whether or not such goods, property, container, structure, materials, substance, shelter, tent or vehicle which is in the possession of or under the control of any person at the time of such impoundment or removal.
- (2) An authorised official shall issue a receipt from an approved receipt book to the person who appears to be in control of the goods, property, structure, materials, substance, container, shelter, tent or vehicle concerned.
- (3) Any goods, property container, structure, materials, substance, shelter, tent or vehicle as contemplated in subsection (1) shall be marked in a suitable manner and kept in safe custody.
- (4) The street trader whose goods, property, container, structure, material, substance, shelter or tent is impounded in terms of this By-law shall, before such goods, property, materials, substance, container, shelter, tent or vehicle is returned to him or her pay to the City the storage costs as determined by City Manager from time to time.
- (5) The owner thereof may claim any impounded goods, property, container, structure, materials, substance, shelter, tent or vehicle, on production of proof of ownership to the satisfaction of the City Manager.
- (6) Any goods, property, structure, materials, substance, container, shelter, tent or vehicle which has not been claimed within a period of three months from the date of impoundment, may be destroyed if of no commercial value, or sold by public auction and the proceeds thereof shall be retained by the City to defray its costs and expenses with regard to the contravention, impoundment and storage.
- (7) The City shall not be liable for compensation to any person for damages arising out of the damage to or the loss of any goods, property, container, structure, materials, substance, shelter, tent or vehicle removed in terms of subsection (1) or sale thereof by public auction, and the owner of such goods, property, materials, substance, container, tent or vehicle shall have no claim or right of redress against the City, should such goods, property, materials, substance, container, tent or vehicle be handed over in good faith to a person other than the owner thereof.
- (8) Any goods of a perishable nature will only be kept for 24 hours from impoundment and will be disposed of at the discretion of the City Manager.

Right to make representations

35. Notices referred to in sections 9(1) (a) and (b), and 10(1) and (2) must—

- (a) state the date on which compliance is required;
- (b) afford the persons affected by such notice an opportunity to make representations not later than a date specified in the notice; and
- (c) the date of commencement of the notice.

Offences and penalties

36. Any person who—

- (a) contravenes or fails to comply with any provision of this By-law;
- (b) does, or causes to be done, or permits or suffers to be done, or is concerned in doing, anything whatsoever contrary to or otherwise than as provided by this Bylaw; or
- (c) omits, or neglects to do, or permits or suffers to remain undone, anything which according to the true intent and meaning of this Bylaw ought to be done at the time and in the manner therein provided; or
- (d) knowingly permits or allows any condition of things to exist or continue to exist contrary to this Bylaw; or
- (e) does not cease any action which that person is required to cease under this Bylaw; or
- (f) fails or refuses, neglects to comply or continuously fails, refuses, neglects to comply even after notices of breach or lawful institutions have been issued in terms of this By-law; or
- (g) fails to comply with any notice, direction or conditions contained in any licence granted by the City Manager; or
- (h) obstructs an authorised official in the execution or performance or attempted execution or performance of any duty to be discharged by such authorised official in the exercise of any power conferred by this By-law,

is guilty of an offence and liable on conviction to a fine not exceeding Ten Thousand Rand (R10 000, 00) or in default of payment to imprisonment for a period not exceeding six (6) months, or both, and in the case of a continuing offence, to a further fine, or in default of payment to a further period of imprisonment, for every day during the continuance of such offence after a written notice has been issued by the City Manager and served on the person concerned requiring the discontinuance of such offence.

Delegations

37.(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 City.

- (2) Any reference to the City Manager in this By-law shall be construed as reference to the official so delegated.

CHAPTER 8—FINAL PROVISIONS

Short title

38. This By-law is called the City of Cape Town: 2010 FIFA World Cup South Africa By-law, and shall operate for the term.

SCHEDULE

TERM

1. Final Draw—13 November 2009 to 12 December 2009; and
2. World Cup— 21 April 2010 to 19 July 2010.

STAD KAAPSTAD
VERORDENINGE OP DIE 2010 FIFA WERELDBEKER SUID-AFRIKA

INHOUDSOPGAWE**Hoofstuknommer en—beskrywing**

1. HOOFSTUK 1—INLEIDENDE BEPALINGS
2. HOOFSTUK 2—HOOFBEPALINGS: REKLAME
3. HOOFSTUK 3—HOOFBEPALINGS: BEHEERDETOEGANGSTERREINE
4. HOOFSTUK 4—HOOFBEPALINGS: VERFRAAIING VAN OPENBARE RUIMTES EN DIE STAD
5. HOOFSTUK 5—HOOFBEPALINGS: OPENBARE PAAIE EN VERKEERSREELING
6. HOOFSTUK 6—HOOFBEPALINGS: STRAATHANDEL
7. HOOFSTUK 7—DIVERSE BEPALINGS
8. HOOFSTUK 8—SLOTBEPALINGS
9. BYLAE—TERMYN

AANHEF**NADEMAAL:**

Artikel 156(1) van die Grondwet aan die Stad die bevoegdheid verleen om verordeninge uit te vaardig vir die doeltreffende bestuur van sake wat binne sy regsgebied val; en

Die Stad Kaapstad as 'n gasheerstad van die 2010 FIFA Wêreldbeker sekere verordeninge vir die doeltreffende aanbied van die kompetisie in Kaapstad wil aanvaar;

DERHALWE VERORDEN die Stad Kaapstad soos volg:

HOOFSTUK 1—INLEIDENDE BEPALINGS

Woordomskrywing

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

“aangewese (parkeer)ruimte” 'n gedeelte van 'n pad of die padreserwe wat aangewys en afgebaken is as 'n plek waar 'n voertuig wettig geparkeer kan word;

“advertensie” 'n visuele voorstelling vir reklamedoeleindes, wat insluit, maar nie beperk is nie tot, 'n teken, illustrasie, voorwerp, simbool, merkteken of enige soort ontwerp in 'n openbare plek, of wat vir die publiek sigbaar is uit enige openbare plek, wat insluit, maar nie beperk is nie tot, enige straat of enige openbare plek of enige ander uitkykpunt, of wat onder of bo-oor enige brug, gebou of ander struktuur hang, wat rook-/lugskrif insluit, of enige kombinasie van sodanige elemente met die doel om inligting oor te dra;

“afval” vullis, wat insluit, maar nie beperk is nie tot, enige stof of artikel waarmee 'n persoon wil wegdoen aangesien dit ongewens, oorbodig, gebreek, afgeleef, verslete, besmet of andersins bederf is, en wat weggegooi is of opgehoop of geberg is om weggegooi, hergebruik of herwin te word;

“akkreditasie” akkreditasie ingevolge die bylae oor akkreditasiestelsels en—prosedure;

“amptelike embleem” enige amptelike logo of amptelike ontwerp van die kompetisie;

“amptelike geleentheid” enige organisatoriese, sosiale, kulturele en ander amptelike funksies, plegtighede en trekkings wat met betrekking tot die kompetisie deur die PRK of FIFA op tou gesit, aangebied of gereël word;

“amptelike oefenterrein” 'n plek binne die regsgebied van die Stad wat vir enige kompetisieverwante oefensessie vir 'n span gekies word, wat die om- en aanliggende gebiede, parkeergeriewe, mediagebiede, wandelhal, omheining en ingange onder beheer van die Stad insluit;

“beheerdetoegangsterrein”:

- (a) die plekke waar wedstryde gespeel sal word, wat insluit, maar nie beperk is nie tot, die stadion;
- (b) die plekke waar die amptelike geleentheid sal plaasvind;
- (c) enige ander gebiede met betrekking waartoe toegang deur akkreditasie toegestaan word;
- (d) akkreditasiesentra;
- (e) amptelike oefenterreine;
- (f) spanhotelle;
- (g) die amptelike hotelle vir die FIFA-afvaardiging;
- (h) FIFA-ondersteunersparke; en
- (i) enige ander gebied binne die regsgebied van die Stad wat by wyse van 'n kennisgewing in die media deur die Stad as 'n beheerdetoegangsterrein aangewys of afgebaken word, wat privaat eiendom sal insluit wat binne sodanige grense val;

“bemarkingsregte” alle reklame, produkbevordering, bemarking, artikelverkope, lisensiëring, verspreiding, borgskap, gasvryheid, publisiteit en enige ander regte of verwante kommersiële geleentheid buiten die mediaregte met betrekking tot of in verband met die kompetisie;

“beperkte gebied”, met betrekking tot straathandel, enige gebied wat ingevolge artikel 6A(2) van die Wet op Besighede, 1991 (nr. 71 van 1991) tot 'n beperkte gebied vir straathandel verklaar is;

“borg van die FIFA Wêreldbeker” ’n persoon aan wie FIFA die tweede omvattendste pakket beskikbare bemarkingsregte verleen;

“bylae oor akkreditasiestelsels en—prosedure” FIFA se akkreditasiestelsels en—prosedure wat op die kompetisie betrekking het;

“deelnemende lidvereniging” enige FIFA-lidvereniging wie se verteenwoordigende span in aanmerking kom vir deelname aan die kompetisie;

“dienste” enige voordeel of gewin in ruil vir vergoeding of beloning;

“eienaar”, met betrekking tot ’n teken, die eienaar van vaste eiendom, of ’n persoon wat die reklamestruktuur van toepassing op ’n teken besit of huur, of wat sodanige reklamestruktuur sal besit of huur sodra dit opgerig word, en enige persoon wat ’n reg het om in die eienaarskap of huur van sodanige reklamestruktuur te deel;

“eiendom”, met betrekking tot ’n persoon wat straathandel beoefen, enige artikel, bak/houer, voertuig of struktuur wat met betrekking tot sodanige werksaamhede gebruik word of veronderstel is om daarvoor gebruik te word;

“FIFA” Fédération Internationale De Football Association;

“FIFA-afvaardiging”, met betrekking tot die kompetisie—

- (a) FIFA-personeel sowel as die personeel van alle FIFA-filiaalmaatskappye;
- (b) lede van FIFA se interne amptelike komitees;
- (c) gaste van FIFA; en
- (d) alle ander individue wat deur FIFA as lid van die FIFA-afvaardiging benoem is;

“FIFA-lidvereniging” enige nasionale sokkervereniging wat amptelik by FIFA geaffilieer is;

“FIFA-ondersteunerspark” ’n ondersteunerspark wat, onder die vaandel en leiding van FIFA, deur die Stad ingestel word;

“FIFA-vennoot” ’n persoon aan wie FIFA die omvattendste pakket beskikbare bemarkingsregte verleen;

“finale trekking” die amptelike trekkingsplegtigheid vir die kompetisie waardeur die deelnemende lidverenigings aan kompetisiegroep toegeewys word;

“gemagtigde amptenaar” ’n persoon met die nodige magtiging om die bepalinge van hierdie verordening toe te pas, wat insluit, maar nie beperk is nie tot:

- (a) vredesbeamptes soos in artikel 334 van die Strafproseswet, 1977 (nr. 51 van 1977) bedoel;
- (b) lede van die Suid-Afrikaanse Polisiediens of metropolitaanse polisiebeamptes soos in die Wet op die Suid-Afrikaanse Polisiediens, 1995 (nr. 8 van 1995) bedoel; of
- (c) sodanige werknemers, agente, gedelegeerde benoemdes, verteenwoordigers of diensverskaffers van die Stad soos bepaald vir hierdie doeleinde deur die Stad gemagtig;

“goedere” enige items of voorraad wat vir verhandelingsdoeleindes deur ’n straathandelaar uitgestal of gehou word;

“goedkeuring” goedkeuring deur die Stad, wat ook goedkeuring deur ’n gemagtigde amptenaar insluit, terwyl **“goedkeur”** dieselfde betekenis het;

“handelsmerk-gelisensieerde” enige persoon buiten ’n FIFA-vennoot, of borg of nasionale ondersteuner van die FIFA Wêreldbeker, aan wie FIFA die reg verleen om enige van die kompetisiemerktokens op produkte en verwante produkverpakking en produkreklamemateriaal aan te bring wat ook die korporatiewe merkbeeld of handelsmerk van sodanige persoon dra;

“kaartjie” die bewysstuk wat toon dat die kaartjiehouer die reg het om ’n stadion te betree om ’n bepaalde wedstryd of amptelike geleentheid van die kompetisie by te woon en vir daardie doeleinde met sodanige kaartjie ’n bepaalde sitplek te bekom ooreenkomstig die kaartjiebepalinge en—voorwaardes en alle toepaslike wette;

“kaartjiehouer” ’n persoon met die reg ingevolge ’n kaartjie om ’n bepaalde wedstryd of amptelike geleentheid by te woon en vir daardie doeleinde met sodanige kaartjie ’n bepaalde sitplek te bekom;

“kennisgewing in die media” ’n kennisgewing in die drie amptelike tale, in koerante wat binne die Stad se grense verskyn;

“kleefbemarking” (*ambush marketing*) bemarkings-, produkbevorderings-, reklame- of openbare-betrekkingebedrywighede in woorde, klank of enige ander vorm, hetsy regstreeks of nieregstreeks gekoppel aan die kompetisie, en wat aanspraak maak of dui op ’n verbintenis met die kompetisie en/of kapitaliseer of bedoel is om te kapitaliseer op ’n verbintenis met die kompetisie, of daaruit voordeel trek of bedoel is om daaruit voordeel te trek ten koste van enige borg van die kompetisie, maar wat onderneem word deur ’n persoon wat nie deur FIFA gemagtig is om ’n verbintenis met die kompetisie te hê of voormelde aktiwiteit te beoefen nie;

“kommersiële geaffilieerde” enige FIFA-vennoot, of borg, nasionale ondersteuner en handelsmerk-gelisensieerde van die FIFA Wêreldbeker;

“kompetisie” die 2010 FIFA Wêreldbeker Suid-Afrika_ wat van 11 Junie tot 11 Julie in die jaar 2010 onder die bestuur van FIFA in die Republiek van Suid-Afrika sal plaasvind, wat alle wedstryde en amptelike geleenthede insluit;

“kompetisiemerktokens”:

- (a) die amptelike embleem;
- (b) enige amptelike kompetisiemaskot;
- (c) enige amptelike kompetisieplakkaat;
- (d) enige amptelike kompetisiebeeld-ontwerpe;
- (e) twee- of driedimensionele voorstellings van die FIFA Wêreldbekertrofee; en
- (f) enige kompetisieverwante ontwerpe en benamings, wat insluit handelsmerke en merktokens soos in die Handelsmerkwet, 1993 (nr. 194 van 1993) omskryf;

“kruising” enige kruising soos omskryf in die regulasies wat ingevolge die Nasionale Padverkeerswet, 1996 (nr. 93 van 1996) uitgevaardig is;

“lugbesoedeling” dieselfde as in die Wet op Nasionale Omgewingsbestuur: Luggehalte, 2004 (nr. 39 van 2004);

“media” alle lede van die gedrukte media, fotografe en elektroniese media wat op media-akkreditasie geregtig is;

“mediaregte” die reg om die kompetisie of enige deel daarvan, sowel as alle opnames daarvan, uit te saai, oor te sein, te vertoon, te verfilm en te fotografeer, in enige vorm en via alle bekende en toekomstige media, asook die reg om genoemde ten volle te benut en te ontgin;

“nasionale ondersteuner” ’n persoon aan wie FIFA ’n pakket gespesifiseerde bemarkingsregte verleen, welke regte slegs in die Republiek van Suid-Afrika uitgeoefen mag word;

“ontspanning” enige aktiwiteit wat deel uitmaak van vryetydsbesteding;

“openbare pad” ’n plein; openbare straat; laan; pad; sypaadjie; verkeerseiland in ’n straat, laan of pad; duikweg; brug; looplys; openbare deurloop, en enige deurgang wat op ’n algemene dorpsplan aangedui word of met betrekking waartoe die publiek ’n voorskriftelike of ander deurgangsreg bekom het en wat meer uitvoerig in die Nasionale Padverkeerswet, 1996 (nr. 93 van 1996) omskryf word;

“openbare plek”:

- (a) enige openbare grond; plein; openbare swembad; openbare oord; openbare ontspanningsterrein; dierkundige, plantkundige of ander openbare tuin; park of staproete, wat enige gedeelte daarvan en enige gerief of apparaat daarin of daarop insluit, asook enige openbare oop ruimte, openbare pad, padreserwe, reserwestraat, meer, dam of rivier;
- (b) enige openbare gebou, struktuur, saal, vertrek of kantoor, wat enige gedeelte daarvan en enige gerief of apparaat daarin insluit, wat die eiendom is van, in besit is van, of beheer of gehuur word deur die Stad, en waartoe die algemene publiek toegang het, hetsy deur die betaling van toegangsgeld of nie;
- (c) enige natuurbewaringsgebied, wat insluit:
 - (i) natuurreserve;
 - (ii) beskermde natuurgebiede;
 - (iii) bewaringswaardige natuurgebiede;
 - (iv) oop natuurruimtes;

“openbare reklamemedia” reklamemedia wat insluit, maar nie beperk is nie tot, lamp- en elektrisiteitspale en reklameruimte op openbare geboue wat deur die Stad besit, gehuur of bestuur word of onder die regstreekse beheer van die Stad is;

“padrand” ’n (pad)rand soos omskryf in die Nasionale Padverkeerswet, 1996 (nr. 93 van 1996); en

“perseel” ’n erf, standplaas, stuk grond, kleinhoewe, landbouhoewe, plaasgedeelte of soortgelyke entiteit, of enige gebou of aanbouings daarby, wat in ’n aktesregister geregistreer is;

“persoon” ’n regspersoon, wat ’n natuurlike persoon, vennootskap, firma, korporasie, korporasietrust, oningelyfde vereniging, gesamentlike onderneming, maatskappy of beslote korporasie insluit;

“plaaslike gemeenskap” ook persone wat die Stad se regsgebied besoek, wat besoekers aan die kompetisie insluit;

“PRK” die 2010 Wêreldbeker-reëlingskomitee, ’n vereniging wat ingevolge artikel 21 van die Maatskappyywet, 1973 (nr. 61 van 1973) tot stand gebring is (registrasiennr. 2005/029945/08);

“reklame” die handeling of proses van kennisgewing, waarskuwing, tentoonstelling, bekendmaking of enige ander handeling van inligtingsoordrag op ’n visuele of mondelinge wyse;

“reklamebord” enige skerm, bord of teken vir reklamedoeleindes wat deur ’n losstaande struktuur ondersteun word en hetsy met die hand op geskryf, geteken of geverf; met papier beplak; met sierverfwerk bedek; met viniel beplak, of met ’n kombinasie van sodanige metodes bedek, beplak of beskryf is en spesiale effekte kan insluit;

“reklamestruktuur” enige fisiese struktuur wat opgerig of geplaas is om ’n teken of reklamebord te vertoon, of waaraan ’n teken of reklamebord geheg is;

“rommel” enige bak, houer of ander materiaal wat weggegooi of agtergelaat is;

“SASV” Suid-Afrikaanse Sokkervereniging;

“span” enige span wat ’n deelnemende lidvereniging verteenwoordig en wat vir deelname aan die kompetisie in aanmerking kom; verwysings na **“span”** sal alle lede van oefengroepe en afrigters insluit soos neergelê in die 2010-regulasies, asook mediese en ander hulp personeel;

“spanhotel” ’n hotel of enige ander plek wat binne die regsgebied van die Stad aan ’n span verblyf bied;

“spesiale geleentheid” ’n parade, optog, resies, konsert, vertoning, uitstalling, fees, plegtigheid, verfilming, fotosessie of enige ander soortgelyke geleentheid van ’n sport-, kulturele of ontspanningsaard wat die alleengebruik van ’n openbare plek, hetsy in sy geheel of gedeeltelik, vereis;

“Stad” die Stad Kaapstad ingestel ingevolge die Wet op Plaaslike Regering: Munisipale Strukture (nr. 117 van 1998);

“stadion” enige stadion binne die geografiese regsgebied van die Stad wat vir doeleindes van die kompetisie gebruik sal word, wat die hele perseel daarvan binne die grensheining, die lugruimte bo sodanige stadionperseel, alle parkeerfasiliteite, gasvryheidsgebiede, mediasones, konsessiegebiede en kommersiële uitstalgebiede insluit;

“stadsbestuurder” ’n persoon wat ingevolge artikel 82 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (nr. 117 van 1998) as stadsbestuurder aangestel is;

“steurnis”:

- (a) enige stroom, poel, moeras, voor, sloot, waterloop, waterbak, watersekreet, droë toilet, urinaal, sinkput, vuilput, drein, rioolpyp, riooltenk, ashoop of mishoop wat so morsig of in so ’n toestand of so geleë of opgerig is dat dit aanstootlik, of skadelik of gevaarlik vir menslike gesondheid is;
- (b) enige stal, kraal, skuur, kamp of perseel wat gebruik word vir die aanhouding van diere of voëls, en wat so opgerig of geleë is en gebruik of gehou word dat dit aanstootlik, of skadelik of gevaarlik vir menslike gesondheid is;

- (c) enige opgehoopde vullis, afval, mis of ander materiaal wat aanstootlik, of skadelik of gevaarlik vir menslike gesondheid is;
- (d) enige openbare gebou wat so geleë of opgerig is en gebruik of gehou word dat dit onveilig, of skadelik of gevaarlik vir menslike gesondheid is;
- (e) enige bewoonde blyplek wat nie binne 'n redelike afstand toegang tot behoorlike en voldoende suiwervatervorsiening het nie;
- (f) enige fabriek of nywerheids- of sakeperseel wat nie in 'n higiëniese toestand en vry van aanstootlike reuke uit enige drein, watersekreet, droë toilet, urinaal of enige ander bron gehou word nie; of wat nie oor genoeg ventilasie beskik om so ver prakties moontlik enige gasse, dampe, stof of ander onsuiverhede wat ontstaan, uit die weg te ruim of onskadelik te maak nie; of wat so oorvol of swak verlig of geventileer is dat dit skadelik of gevaarlik is vir die gesondheid van diegene wat daarin of—op werk;
- (g) enige fabriek of nywerheids- of sakeperseel wat reuke of onwelriekende walms veroorsaak of laat ontstaan wat aanstootlik, of skadelik of gevaarlik vir menslike gesondheid is;
- (h) enige stuk grond wat in 'n aanstootlike toestand gehou of gelaat word;
- (i) enige ander aktiwiteit, toestand of ding wat ingevolge die bepalings van die Gesondheidswet, 1977 (nr. 63 van 1977) deur die minister tot steurnis verklaar is;
- (j) enige handeling of toestand met 'n nadelige invloed op:
 - (i) die gesondheid of welstand van 'n persoon of die algemene publiek;
 - (ii) 'n eienaar of bewoner se gebruik en genieting van sy/haar eiendom;
 - (iii) 'n lid van die publiek se gebruik en genieting van 'n openbare plek;

“straathandel” die verkoop van enige goedere in 'n openbare plek;

“straathandelaar” 'n persoon wat goedere verkoop, wat insluit 'n verkoper, smous of venter, asook:

- (a) 'n persoon wat as hoof, agent, assistent, subkontraakteur, werkgewer of werknemer straathandel beoefen, of namens wie of ten gunste van wie straathandel beoefen word; en
- (b) 'n persoon aan wie die Stad 'n staanplek verhuur of toewys vir solank as wat sodanige persoon daarop straathandel beoefen;

“straatmeubels” enige meubels wat deur of namens die Stad by 'n openbare plek geïnstalleer word;

“teken”:

- (a) enige metode waardeur skrif, letters, nommers, syfers, voorwerpe, kompetisiemerktekens, foto's, simbole of illustrasies vertoon word, wat insluit, maar nie beperk is nie tot, 'n niefisiese teken wat op 'n gebou of 'n ander struktuur of in die lug met behulp van moderne tegnologie (bv. laserstrale) geprojekter word, welke ontwerp, artikel of niefisiese teken op enige manier hoegenaamd vanaf 'n openbare, of enige, plek sigbaar is of versprei word vir die doel van reklame, die bied van inligting, kleefbemarking of die lok van die publiek na enige plek, openbare vertoning, of artikel of items te koop, ongeag of die oppervlak van die teken geheg is aan of deel uitmaak van 'n gebou, of vasmag is aan die grond of 'n paal, boom, skerm of reklamebord, persoon, voertuig of enige ander beweeglike voorwerp; of
- (b) enige metode waardeur skrif, letters, nommers, syfers, voorwerpe, kompetisiemerktekens, foto's, simbole of illustrasies op enige ander manier vertoon of versprei word, wat insluit, maar nie beperk is nie tot, sekuriteitstekens; projeksietekens; sleepwatekens; grensmuurtekens; toerismetekens; venstertekens; tekens op geboue; rookskrif; daktekens; plat tekens; geverfde tekens op mure en dakke van geboue; vlieërttekens; ontwikkelingstekens; diensfasiliteittekens; tekens vir geborgde padverkeersprojekte; geboutoevoutekens (*building wrap signs*); bouperseeltekens; toring- en brugtekens; perseelsaketekens; tekens by residensiële eiendomme of gemeenskapstekens; voorhoftekens; balkon-, stoep-, afdak- en sonkaptekens; funksionele tekens van openbare liggame; eiendomsagenttekens; elektroniese tekens; tekens vir die verkoop van goedere of vee; tekens wat deur voertuie getrek, geskep of daaraan geheg word; handtekens; baniere, en tekens op of as deel van klere, hoofbedekkings, kostuums, vlase, toeskouer-artikels of—baniere, en wat duidelikheidshalwe enige reklamebord insluit, maar Stad-padverkeerstekens en—straatnaamtekens uitsluit;

“termyn” die tydperk soos in aangehegte bylae bepaal;

“uitsaaiereghouers” persone wat enige deel van die uitsaaieregte regstreeks of nieregstreeks van FIFA bekom het;

“uitsaaieregte” die reg om die kompetisie of enige deel daarvan, sowel as alle opnames daarvan, uit te saai, oor te sein, te vertoon, te verfilm en te fotografeer, in enige vorm en via alle bekende en toekomstige media, sowel as die reg om genoemde ten volle te benut en te ontgin;

“uitsluitingsone” die beheerde sone net buite die buitengrens van die stadion, soos deur die Stad aangewys of afgebaken, wat privaat eiendom binne sodanige grens insluit;

“veiligheid-en-sekuriteitsplan” die veiligheid-en-sekuriteitsplan wat ten tyde van die kompetisie deur die Stad in werking gestel word;

“verbode gebied”, met betrekking tot straathandel, 'n plek wat ingevolge artikel 6A(2) van die Wet op Besighede, 1991 (nr. 71 van 1991) tot verbode gebied vir straathandel verklaar is;

“verkeersvrye sone” dieselfde as in artikel 1 van die Wet op die 2010 FIFA Wêreldbeker Suid-Afrika: Spesiale Maatreëls, 2006 (nr. 11 van 2006);

“vryhoogte” die minimum vertikale afstand vanaf die grond, pad of oppervlak, na gelang van omstandighede, tot by die onderkant van 'n teken; en

“wedstryd” elke sokkerwedstryd in sy geheel, ekstra tyd en strafskopfasies ingereken, van die kompetisie, wat oefenwedstryde en enige vertraagde of uitgestelde wedstryde en herhaalwedstryde insluit.

Toepassing van die verordening

2(1) Vir die doeleindes van hierdie verordening, sal 'n verwysing na enige wetgewing 'n verwysing na daardie wetgewing sowel as die regulasies daaronder uitgevaardig verteenwoordig, soos op die datum van uitvaardiging van hierdie verordening, en soos van tyd tot tyd gewysig of herverorden.

(2) In soverre die bestaande verordening van die Stad en hierdie verordening in stryd is met mekaar, sal die bepalings van hierdie verordening geld.

Doel van die verordening

3. Die doel van hierdie verordening is om die Stad gedurende die termyn daartoe in staat te stel om:

- (a) reklame te reguleer;
- (b) beheerdetoegangsterreine te bestuur;
- (c) spesiale geleenthede te reguleer en openbare oop ruimtes te bestuur en netjies te hou;
- (d) toepaslike verkeersreëlings-,—bestuurs- en—beheermaatreëls te aanvaar, wat insluit om openbare-padgebruikers van alle nodige inligting te voorsien, wat insluit, maar nie beperk is nie tot, inligting oor werklike en verwagte padsluitings, ompaaie, parkeergebiede, verkeersvrye sones en, waar moontlik, aanwysings en geskikte roetes na en van stadia en amptelike geleenthede ten einde die ordelike en veilige vloei van verkeer te verseker; en
- (e) straathandel te reguleer.

HOOFSTUK 2— HOOFBEPALINGS: REKLAME

Aansoek en goedkeuring

4. Vir die doeleinde van hierdie hoofstuk, sal “goedkeuring” beteken goedkeuring ingevolge die Stad Kaapstad: Verordening op Buitereklame en Advertensietekens gepubliseer in Buitengewone Provinsiale Koerant 5801 van 5 Desember 2001, of enige daaropvolgende verordening wat daardie verordening vervang.

Kleefbemarking en onwettige reklame

5.(1) 'n Lid van die metropolitaanse polisie diens kan die bepalings van die Handelswaremerke-wet, 1941 (Wet no.17 van 1941) toepas sover dit betrekking het op die magte van 'n inspekteur om kleefbemarking te bekamp—

- (a) ten tyde van die finale trekking en vir 'n tydperk van een week onmiddellik voor en een week onmiddellik ná die finale trekking;
- (b) gedurende die tydperk van die kompetisie en vir 'n tydperk van twee weke onmiddellik voor die eerste wedstryd en twee weke onmiddellik ná die laaste wedstryd;
- (c) in onderstaande gebiede:
 - (i) by enige beheerdetoegangsterrein;
 - (ii) binne 'n radius van een kilometer van die plek van die finale trekking, of van 'n stadion, of soos deur die stadsbestuurder afgebaken;
 - (iii) binne 'n radius van 100 m van 'n FIFA-ondersteunerspark, of soos deur die stadsbestuurder afgebaken; en
 - (iv) by enige plek sigbaar van 'n openbare pad af, soos deur die stadsbestuurder met behulp van toepaslike tekenborde afgebaken, op pad na die plek van die finale trekking of 'n stadion, en binne twee kilometer van die buitengrens van die plek van die finale trekking of stadion, na gelang van omstandighede of soos deur die stadsbestuurder afgebaken.

(2) Nieteenstaande paragraaf (a), (b) en (c) van subartikel (1), maak niks wat in hierdie verordening vervat is, inbreuk op die magte wat ingevolge die Handelswaremerke-wet, 1941 (Wet no.17 van 1941) aan 'n lid van die metropolitaanse polisie diens verleen is nie.

(3) In soverre dit van toepassing en binne die regsgebied van die Stad is, sal geen persoon sonder die vooraftoestemming van die stadsbestuurder enige reklamebedrywighede via enige openbare reklamemedia van stapel stuur nie:

- (a) ten tyde van die finale trekking en vir 'n tydperk van twee weke onmiddellik voor die finale trekking;
- (b) gedurende die tydperk van die kompetisie en vir 'n tydperk van 15 werkdade onmiddellik voor die eerste wedstryd en 5 werkdade onmiddellik ná die laaste wedstryd;
- (c) in onderstaande gebiede:
 - (i) net buite of om lughawens;
 - (ii) in, net buite of om hooftreinstasies;
 - (iii) binne 'n radius vanaf die sentrale sakekern van die regsgebied van die Stad, soos deur die stadsbestuurder afgebaken;
 - (iv) in soverre dit binne die Stad se regsgebied val, op die hoofroetes tussen die lughawe en hooftreinstasies en die sentrale sakekern van die regsgebied van die Stad en die stadion.

(4) Geen persoon sal gedurende die termyn sonder die skriftelike vooraftoestemming van die stadsbestuurder wat bepaald vir die doeleindes van die kompetisie bekom is, 'n teken of reklamebord by 'n beheerdetoegangsterrein of 'n uitsluitingsone oprig, in stand hou, versprei of vertoon nie.

Veiligheid

6. Geen persoon sal 'n teken, reklamebord of reklamestruktuur op 'n beheerdetoegangsterrein of in 'n uitsluitingsone oprig, in stand hou, versprei of vertoon nie wat:

- (a) 'n gevaar vir enige persoon of eiendom inhou;
- (b) so geplaas is dat dit, of wat 'n element bevat wat die aandag van bestuurders in so 'n mate aflei dat dit waarskynlik tot onveilige padtoestande sal aanleiding gee;
- (c) dermate verlig is dat dit ongemak veroorsaak of belemmerend is vir die sig van aankomende voetgangers of bestuurders;
- (d) aan 'n padverkeersteken of—sein geheg is;
- (e) saam met 'n padverkeersteken of—sein 'n padverkeersteken of—sein verberg;
- (f) verwarring skep met 'n padverkeersteken of—sein;
- (g) die werking van 'n padverkeersteken of—sein belemmer, of 'n padgevaar skep;
- (h) 'n voetganger of bestuurder se sig van voetgangers, pad- of spoorvoertuie, en kenmerke van die pad, spoorlyn of sypaadje, soos kruisings, draaie en breedteveranderinge, belemmer;

- (i) oor 'n voetganger- of fietsroete uitsteek, tensy die vryhoogte van sodanige teken deur die stadsbestuurder goedgekeur is;
- (j) 'n nooduitgang of brandweertoerusting verberg; of
- (k) nader is as die minimum vryruimte van oorhoofse kragkabels, soos deur die stadsbestuur voorgeskryf.

Ontwerp en bou

7.(1) Reklamestrukture op 'n beheerdetoegangsterrein of in 'n uitsluitingsone sal ontwerp en gebou word ingevolge toepaslike standaarde soos deur die Suid-Afrikaanse Buro vir Standaarde (SABS) goedgekeur.

(2) Elke teken op 'n beheerdetoegangsterrein of in 'n uitsluitingsone waarvoor elektrisiteit gebruik word, wat elektroniese tekens en ligreklame insluit, moet:

- (a) oor kragkabels en leipype beskik met elektriese geleiers wat op so 'n wyse geplaas en vasgemaak is dat dit nie onooglik is nie;
- (b) sodanig ontwerp wees dat die teken nie 'n brandgevaar inhou nie;
- (c) oor 'n eksterne skakelaar in 'n toeganklike posisie en minstens drie meter van die grond af beskik met behulp waarvan die elektrisiteitstoevoer na die teken afgesluit kan word;
- (d) ooreenkomstig en onderworpe aan die bepalings van alle toepaslike wette en regulasies bedraad en gebou word; en
- (e) deur 'n gekwalifiseerde elektrisiën geïnstalleer en opgerig word.

(3) Geen persoon sal 'n teken, reklamebord of reklamestruktuur op 'n beheerdetoegangsterrein of in 'n uitsluitingsone oprig, in stand hou of vertoon wat inbreuk maak of 'n nadelige uitwerking het op die werking van die natuuumgewing nie.

Instandhouding

8. Alle tekens op beheerdetoegangsterreine of in uitsluitingsones sal behoorlik en op 'n gereelde grondslag deur die eienaars daarvan in stand gehou word, en eienaars sal verseker dat sodanige tekens veilig, netjies en skoon gehou word.

Verwydering van en beslaglegging op tekens

9.(1) Onderworpe aan artikel 5, sal die stadsbestuurder by magte wees om met betrekking tot enige teken, reklamebord, reklamestruktuur of advertensie wat op 'n beheerdetoegangsterrein, in 'n uitsluitingsone of via enige openbare reklamemedia in die gebiede in artikel 5(1)(c)(i) en (ii) na verwys, opgerig, geplaas, versprei of vertoon word:

- (a) die eienaar van sodanige teken, reklamebord, reklamestruktuur of advertensie wat in sy geheel of gedeeltelik oor enige grens van 'n perseel, hetsy openbaar of privaat, uitsteek of dit oorskry, kennis te gee om die teken in sy geheel, of die deel daarvan wat uitsteek of oorskry, onmiddellik te verwyder, met dien verstande dat die bepalings van hierdie paragraaf nie van toepassing is nie op oorskrydings of uitsteeksels wat ingevolge die Verordening op die Bestuur en Administrasie van die Stad Kaapstad se Vaste Eiendom deur die stadsbestuurder goedgekeur is; en
 - (b) 'n kennisgewing aan die verantwoordelike persoon te beteken om sodanige teken, reklamebord of advertensie te verwyder of te staak indien dit in stryd met die Stad Kaapstad: Verordening op Buitereklame en Advertensietekens vertoon word.
- (2) In geval van versuim om aan 'n kennisgewing vir die verwydering van 'n teken, reklamebord, reklamestruktuur of advertensie te voldoen, kan die Stad poog om 'n hofbevel vir die verwydering of staking daarvan te bekom.

HOOFSTUK 3— HOOFBEPALINGS: BEHEERDETOEGANGSTERREINE

Aanwysing van beheerdetoegangsterreine en uitsluitingsones

10(1) Die stadsbestuurder kan deur 'n kennisgewing in die media 'n gebied as 'n beheerdetoegangsterrein aanwys.

(2) Die stadsbestuurder kan deur 'n kennisgewing in die media 'n gebied as 'n uitsluitingsone aanwys.

Algemene verbod van toepassing op beheerdetoegangsterreine

11. Geen persoon sal:

- (a) rook, eet, drink of slaap op enige beheerdetoegangsterrein waar hierdie aktiwiteite verbode is nie;
- (b) enige werk belemmer wat binne die grense van of op 'n beheerdetoegangsterrein uitgevoer word nie, wat insluit, maar nie beperk is nie tot, die installering van toerusting, aanlegte of infrastruktuur;
- (c) enige voorwerp of deel daarvan, of enige vaste toebehoorsel, montering of toerusting van 'n beheerdetoegangsterrein verwyder nie;
- (d) enige dier, buiten gidshonde of diere wat gemagtigde amptenare in die uitvoering van hulle pligte bystaan, op enige beheerdetoegangsterrein bring nie;
- (e) op 'n beheerdetoegangsterrein skel- of andersins aanstootlike taal gebruik of op 'n beledigende, aanstootlike of wanordelike manier optree nie;
- (f) enigeen wat enige beheerdetoegangsterrein gebruik of betree hinder, steur, belemmer of teister nie;
- (g) enige deel van 'n beheerdetoegangsterrein of die inhoud of toerusting daarvan hetsy regstreeks of nieregstreeks beskadig nie;
- (h) enige stof wat gevaar of skade vir enige gebruiker van 'n beheerdetoegangsterrein kan inhou of veroorsaak, mors of stort nie;
- (i) enige vernielagtige daad pleeg nie, wat insluit, maar nie beperk is nie tot, die verf, skending of merk van enige deel van enige beheerdetoegangsterrein;
- (j) op enige beheerdetoegangsterrein lê, sit, byeenkom of loop op 'n wyse wat 'n belemmering van enige aard veroorsaak nie;
- (k) hom/haar aan die bestuurder van 'n motorvoertuig wat sodanige voertuig by 'n beheerdetoegangsterrein parkeer, opdring of aan hom/haar voorstelle maak vir die doeleinde of onder die voorwendsel daarvan om na die motorvoertuig te kyk of daaroor te waak nie;
- (l) op enige beheerdetoegangsterrein urineer, ontas of enige daad van openbare onwettigheid pleeg nie;
- (m) enige voorwerp wat vir enige gebruiker van 'n beheerdetoegangsterrein gevaar kan inhou, skade kan veroorsaak of hinderlik kan wees, neersit of agterlaat of laat agterlaat nie;

- (n) enige wapen, tradisionele wapen of enige ander voorwerp wat skade kan veroorsaak, op 'n beheerdetoegangsterrein dra, rondswaai of op enige ander wyse vertoon of gebruik nie; of
- (o) enige voorwerp, van watter aard ook al, op of na 'n beheerdetoegangsterrein gooi nie.

Uitsluitingsone

12. Onderworpe aan artikel 5 mag geen persoon op 'n wedstryddag in die uitsluitingsone sake doen nie, buiten met die goedkeuring van die stadsbestuurder wat bepaald vir die doeleinde van die kompetisie bekom is, met dien verstande dat hierdie verbod nie sal geld vir persone wat met betrekking tot hulle gewone sakebedrywighede by die inwerkingtrede van hierdie verordening geoorloof is om 'n onderneming op privaat eiendom te bedryf nie.

HOOFSTUK 4—HOOFBEPALINGS: VERFRAAIING VAN OPENBARE PLEKKE EN DIE STAD

Stadverfraaiing vir die kompetisie

13.(1) Die stadsbestuurder sal 'n beroep doen op alle persone wat gedurende die termyn besig is met groot bouwerk in die openbare oog en na aan groot of gekonsentreerde vervoersentra of vermaakgebiede wat vir die kompetisie gebruik sal of kan word, sowel as na aan beheerdetoegangsterreine en uitsluitingsones, om op eie onkoste alle nodige maatreëls te tref om sodanige boupersone vir die openbare oog te bedek of te verberg.

(2) Die stadsbestuurder sal by magte wees om enige houder van enige bestaande lisensie, permit, goedkeuring of ander magtiging om enige groot openbare of privaat bouwerk by enige gekonsentreerde vervoersentra of vermaakgebiede wat vir die kompetisie gebruik sal of kan word, sowel as by beheerdetoegangsterreine en uitsluitingsones te onderneem, welke werk reeds by die aanvang van die kompetisie aan die gang is, te versoek om sodanige bouwerk vir die hele termyn of 'n deel daarvan op te skort.

(3) Geen persoon sal enige muur, struktuur of gebou in enige straat of openbare plek, of wat sigbaar is van sodanige straat of openbare plek af, ontsier deur ten tyde van die kompetisie daarop te skryf, verf of enige simbole, prente of tekens daarop aan te bring nie.

Algemene verbod met betrekking tot die verfraaiing van openbare plekke en die stad

14. Geen persoon sal by 'n spesiale geleentheid:

- (a) 'n steurnis veroorsaak of 'n steurende daad pleeg nie;
- (b) teenoor enige ander persoon skel- of andersins aanstootlike taal gebruik of op 'n beledigende, aanstootlike of wanordelike manier optree nie;
- (c) enige ander persoon hinder, steur, belemmer of teister nie;
- (d) enige infrastruktuur, aanleg, toerusting, vaste toebehoorsels, monterings, geboue of strukture regstreeks of nieregstreeks beskadig nie;
- (e) rook, eet, drink of slaap waar hierdie aktiwiteite verbode is nie;
- (f) enige stof wat gevaar of skade vir ander persone kan inhou of veroorsaak, mors of stort nie;
- (g) enige werk wat uitgevoer word of die installering van enige toerusting, aanlegte of infrastruktuur belemmer nie;
- (h) enige voorwerp of deel van enige vaste toebehoorsel, montering, toerusting, aanleg of infrastruktuur verwyder of beskadig nie;
- (i) enige vernielagtige daad pleeg nie, wat insluit, maar nie beperk is nie tot, die verf, skending of merk van enige infrastruktuur, aanleg, toerusting, vaste toebehoorsels, monterings, geboue of strukture;
- (j) lê, sit, staan, byeenkom of loop op 'n wyse wat 'n opsetlike belemmering, of andersins enige belemmering van enige aard, veroorsaak nie;
- (k) hom/haar aan die bestuurder van 'n motorvoertuig wat sodanige voertuig parkeer, opdring of aan hom/haar voorstelle maak vir die doeleinde of onder die voorwendsel daarvan om na die motorvoertuig te kyk of daaroor te waak nie;
- (l) urineer of ontlast buiten in 'n fasiliteit wat bepaald vir daardie doeleinde ontwerp en voorsien is, of andersins enige daad van openbare onwettigheid pleeg nie;
- (m) geld bedel of vra nie;
- (n) enige voorwerp wat gevaar kan inhou of skade kan veroorsaak, neersit of agterlaat of laat agterlaat nie;
- (o) enige wapen, tradisionele wapen of enige ander voorwerp wat skade kan veroorsaak, dra, rondswaai of op enige ander wyse vertoon of gebruik nie;
- (p) enige voorwerp, van watter aard ook al, gooi nie;
- (q) enige gebied betree waartoe toegang beperk of verbode is nie;
- (r) in enige waterliggaam bad, inloop, swem of hom/haar, 'n dier of enige voorwerp, wat klere insluit, was nie;
- (s) 'n vuur maak, aansteek of andersins veroorsaak nie, buiten in 'n fasiliteit wat bepaald vir daardie doeleinde ontwerp en voorsien is;
- (t) kampeer of bly nie; of
- (u) enige handeling uitvoer wat ingevolge enige kennisgewing of teken, soos deur die Stad opgerig, verbied word nie.

Toegangsbeperking

15. Die stadsbestuurder kan algemene toegang tot en die gebruik van enige openbare oop ruimte beperk ten einde:

- (a) 'n openbare oop ruimte te beskerm;
- (b) vernieling of die vernietiging van Stad-eiendom in enige openbare oop ruimte te verminder; en
- (c) enige aktiwiteit te ontwikkel of te onderneem wat hy/sy binne redelike perke as nodig of toepaslik sou ag om die doelwitte van hierdie verordening in die aanloop tot die kompetisie te behaal.

Afval

16. Geen persoon sal in 'n openbare oop ruimte:

- (a) enige afval neersit, stort, weggooi of mee wegdoen, buiten in 'n houer wat vir daardie doeleinde deur die Stad voorsien word nie; of

(b) enige afval neersit of mee wegdoen, of enige besoedeling veroorsaak wat 'n nadelige uitwerking op enige waterliggaam kan hê nie.

Voertuie

17. Geen persoon sal in 'n openbare oop ruimte:

- (a) (a)enige voertuig, buiten 'n fiets of rytoestel vir 'n persoon met 'n gestremdheid, bestuur, trek of aandryf nie, buiten op tye en paaie of roetes wat deur die stadsbestuurder gespesifiseer en bepaal is;
- (b) enige voertuig van watter aard ook al teen 'n snelheid vinniger as veertig (40) kilometer per uur bestuur, trek of aandryf nie; of
- (c) enige voertuig van watter aard ook al parkeer nie, buiten in 'n aangewese of ander gebied waar parkering andersins deur die stadsbestuurder toegelaat word.

Plantegroei en diere

18. Geen persoon sal sonder die uitdruklike toestemming van die stadsbestuurder, in 'n openbare oop ruimte:

- (a) enige boom, struik of ander plantegroei versteur, beskadig, vernietig of verwyder nie;
- (b) enige advertensie van watter aard ook al op enige plek in sodanige ruimte opsit, plaas, opstel of skep nie;
- (c) enige plantegroei plant nie;
- (d) die helling of dreineringspatroon wysig ten einde die toegang van water, lug of voedingstowwe tot enige boom of ander plant te beïnvloed nie;
- (e) enige dier, vis, voël (of voëlne of—eiers) vang of probeer vang, jaag, na skiet, beseer, met voorwerpe gooi, terg, teister of op enige ander manier versteur nie;
- (f) perdry nie, buiten:
 - (i) in 'n gebied wat vir daardie doeleinde deur die stadsbestuurder aangewys is; en
 - (ii) 'n persoon wat in die uitvoering van sy/haar amptelike pligte sodanige openbare oop ruimtes te perd patrolleer;
- (g) met enige dier buiten 'n perd of hond stap, enige dier dra, op sodanige dier ry, of sodanige dier in die openbare oop ruimte inbring nie, met dien verstande dat die teenwoordigheid van 'n perd of hond nie ook in sodanige openbare oop ruimte verbied word nie;
- (h) met enige hond stap nie waar:
 - (i) die stadsbestuurder deur middel van 'n kennisgewing of teken stap met honde in sodanige openbare oop ruimte verbied; of
 - (ii) sodanige hond nie te alle tye in die openbare oop ruimte onder die beheer is van die persoon wat met die hond stap nie.

Gebruik van openbare oop ruimtes

19.(1) Geen persoon sal in 'n openbare oop ruimte:

- (a) die ruimte op 'n manier gebruik wat ander gebruikers van die openbare oop ruimte op 'n onbillike wyse verhinder of verhoed om die openbare oop ruimte te geniet nie; of
- (b) enige goedere of artikels, hetsy te koop of te huur, verkoop, smous, aanbied of uitstal nie, buiten in 'n openbare oop ruimte of deel daarvan wat vir daardie doel deur die stadsbestuurder aan 'n persoon verhuur word.

(2) Geen persoon mag enige geleentheid of spesiale geleentheid onderneem wat vir die doeleindes van die kompetisie gebruik sal of kan word nie, tensy bepaalde toestemming daarvoor van die stadsbestuurder verkry word.

HOOFSTUK 5—HOOFBEPALINGS: OPENBARE PAAIE EN VERKEERSREËLING

Algemene verbod met betrekking tot openbare paaie

20. Geen persoon sal gedurende die kompetisie:

- (a) sonder die toestemming van die stadsbestuurder enige voorwerp, wat enige banier, tou, draad, koord, paal, doringdraadheining, reling, spitspaalheining, muur of enige ander versperring of obstruksie van watter aard ook al insluit, op, onder, oor of bo-oor enige openbare pad oprig, of veroorsaak of toelaat dat dit opgerig word, of plaas nie, met dien verstande dat die verbod nie vir die Suid-Afrikaanse Polisiediens of die metropolisie in die uitvoering van hulle pligte sal geld nie;
- (b) enige materiaal of goedere gebruik wat waarskynlik skade aan enige deel van 'n openbare pad sal veroorsaak, of enige openbare-padgebruiker leed sal aandoen nie, welke gebruikers insluit, maar nie beperk is nie tot, voetgangers, fietsryers, motorfietsryers en motoriste;
- (c) enige stof op of oor of bo-oor 'n openbare pad mors of stort nie, wat insluit, maar nie beperk is nie tot, die uitstorting van enige water, chemikalie of olie wat enige padgebruikers, wat insluit, maar nie beperk is nie tot, voetgangers, fietsryers, motorfietsryers en motoriste, op enige manier in gevaar kan stel of benadeel;
- (d) enige werk belemmer wat deur die Stad of enige gemagtigde diensverskaffer of derde party op 'n openbare pad of met betrekking tot enige Staddienste uitgevoer word nie, wat insluit, maar nie beperk is nie tot, die grawe van gate, slote, putte of tunnels op of onder enige openbare pad;
- (e) enige vernielsugtige daad pleeg nie, wat insluit, maar nie beperk is nie tot, die verf, skending of merk van enige deel van 'n openbare pad;
- (f) enige openbare-padgebruiker, wat insluit, maar nie beperk is nie tot, enige voetganger, fietsryer, motorfietsryer of motoris, wat enige openbare pad gebruik of begaan, hinder, steur, belemmer of teister nie;
- (g) enige dier na 'n openbare pad laat afdwaal of daarop laat loop nie, met uitsondering van gidshonde en diere wat 'n gemagtigde amptenaar in sy/haar wetsdoelpligte bystaan;
- (h) hom/haar aan die bestuurder van 'n motorvoertuig wat sodanige voertuig in 'n openbare pad of naby 'n plek van vermaak parkeer, opdring of aan hom/haar voorstelle maak vir die doeleinde of onder die voorwendsel daarvan om na die motorvoertuig te kyk of daaroor te waak nie;
- (i) op 'n openbare pad of enige beheerdetoegangsterrein urineer, ontas of enige optrede toon wat as 'n handeling van openbare onwettigheid beskou kan word nie; en

(j) op/langs 'n openbare pad bedel nie.

(2) Buiten met die toestemming van die stadsbestuurder, sal geen persoon gedurende die kompetisie:

- (a) enige trollie op 'n openbare pad, in 'n uitsluitingsone of op 'n beheerdetoegangsterrein stoot of op enige ander manier laat voortbeweeg nie;
- (b) enige sand, klip, grond, bakstene, hout, kalk, sement of ander bou- of uitgegraafde materiaal van watter aard ook al op enige gedeelte van 'n openbare pad neersit, agterlaat of laat agterlaat nie; of
- (c) enige voertuig van watter aard ook al, wat insluit, maar nie beperk is nie tot, enige motor, bus, minibus, vragmotor, fiets, trapfiets, rodelstee, slee, motorfiets, karavaan, sleepwa, kar, trekker of grondverskuiwingstoerusting, hetsy beman of nie, op enige openbare pad buiten 'n aangewese parkeerruimte parkeer of laat nie.

Algemene verbodende met betrekking tot padverkeersbeheer

21.(1) Geen persoon, buiten 'n gemagtigde amptenaar, sal enige vorm van verkeer met behulp van enige sigbare of hoorbare sein reël nie.

(2) Geen persoon mag 'n voertuig in 'n verkeersvrye sone bestuur of parkeer nie, tensy 'n permit wat die teenwoordigheid van die voertuig in daardie verkeersvrye sone magtig, op 'n geldige wyse uitgereik en bekom is, en sigbaar op die voertuig vertoon word.

(3) Geen persoon op enige trapfiets, motorfiets, rodelstee, slee, rolskaatse of enige ander soortgelyke toestel sal hom/haar of sodanige trapfiets, rodelstee, slee, rolskaatse of toestel aan enige ander bewegende voertuig op 'n openbare pad vasmaak of daaraan vashou nie.

(4) Geen persoon sal sonder die toestemming van die stadsbestuurder enige voertuig van watter aard ook al in 'n aangewese parkeerruimte parkeer of laat parkeer sonder die betaling, waar van toepassing, van die toepaslike bedrag, of sonder om die toepaslike bewys of kaart in die toepaslike parkeermeter vir die vereiste parkeertydperk te plaas nie.

Algemene verbodende met betrekking tot parkering

22. Die stadsbestuurder sal by magte wees om op wedstryddae of met amptelike geleenthede openbare toegang tot aangewese parkeerruimtes en ander parkeergebiede in of om 'n stadion of ander beheerdetoegangsterrein te beperk, en sal in hierdie verband daarop geregtig wees om:

- (a) die reg op gebruik van sekere aangewese parkeerruimtes en ander parkeergebiede binne die stadion en net buite die ingange daarvan tot onderstaande persone te beperk:
 - (i) baie belangrike persone (BBP's);
 - (ii) spanne; en
 - (iii) wedstrydbeamptes, wat skeidsregters insluit;
- (b) die reg op die gebruik van sekere aangewese parkeerruimtes en ander parkeergebiede binne die stadion en so na as moontlik aan die stadiongebou, en waar ook al deur diensverskaffers vereis, tot onderstaande persone te beperk:
 - (i) die FIFA-afvaardiging;
 - (ii) lede van die PRK-afvaardiging;
 - (iii) kommersiële geaffilieerdes;
 - (iv) uitsaaireghouers;
 - (v) FIFA-gaste; en
 - (vi) diensverskaffers;
- (c) die reg op die gebruik van sekere aangewese parkeerruimtes en ander parkeergebiede binne die stadion tot verteenwoordigers van die media en die mediapendeldiens te beperk.

Opdragte deur gemagtigde amptenare

23. Vir die doeleindes van die toepassing of uitvoering van die veiligheid-en-sekureiteitsplan, kan 'n gemagtigde amptenaar, waar omstandighede dit so vereis, en ter versekering of bevordering van verkeersbeheer of—veiligheid op 'n wedstryddag:

- (a) enige persoon opdrag gee om nie 'n openbare pad te gebruik nie; en
- (b) enige persoon opdrag gee om sy/haar voertuig, hetsy geparkeer, stilstaande of in beweging, van 'n openbare pad te verwyder.

Padsluitings deur stadsbestuurder

24. Ná toepaslike kennisgewing in die media, kan die stadsbestuurder enige openbare pad, straat of deurgang wat onder die Stad se beheer is, tydelik vir die doeleindes van verkeersbeheer, -bestuur of -reëling, of vir die toepassing of uitvoering van die veiligheid-en-sekureiteitsplan sluit, hetsy in die omgewing van enige stadion, amptelike geleentheid, FIFA-ondersteunerspark, amptelike oefenterrein, uitsluitingsone of beheerdetoegangsterrein, of nie.

HOOFSTUK 6— HOOFBEPALINGS: STRAATHANDEL

Goedkeuring vir straathandel

25. Vir die doeleindes van hierdie hoofstuk, sal “goedkeuring” beteken goedkeuring ingevolge verordeninge wat die Stad kragtens die Wet op Besighede, 1991 (nr. 71 van 1991) aanvaar het, of enige wetgewing of wet wat sodanige verordening of wetgewing vervang.

Gedrag van straathandelaars in die algemeen sowel as ten tyde van handel

26.(1) 'n Straathandelaar sal nie gedurende die termyn:

- (a) enige deel van 'n openbare plek met sy/haar eiendom of goedere beset nie, buiten in soverre dit deur die stadsbestuurder goedgekeur is;
- (b) by afhandeling van sy/haar daaglikse sakebedrywighede enige van of al sy/haar eiendom en goedere in 'n openbare plek agterlaat nie;
- (c) sy/haar eiendom of goedere in 'n openbare plek plaas nie, buiten om 'n staanplek op te stel voor die aanvang van sake, of vir die doeleindes van straathandel;

- (d) sy/haar eiendom en goedere op so 'n wyse plaas of opstapel dat dit 'n steurnis of gevaar vir enige persoon of eiendom is of kan wees, of waarskynlik enige persoon sal beseer of eiendom sal beskadig nie;
- (e) enige voorwerp op enige manier aan enige openbare plek, padrand, boom, parkeermeter, lamppaal, elektrisiteitspaal, telefoonpaal, telefoonhokkie, posbus, verkeersteken, bank of enige ander straatmeubels in of op 'n openbare plek vasmaak nie;
- (f) in enige plek of onder enige omstandighede 'n vuur maak waar dit skade of verlies met betrekking tot 'n persoon, gebou of straatmeubels kan meebring nie, tensy daar toestemming daarvoor verkry is om voedsel met behulp van oopvlam- of gasvlamtoestelle te berei;
- (g) by die plek van sy/haar straathandelsaak oornag nie;
- (h) enige struktuur vir die bied van skuiling by die plek van sy/haar straathandelsaak oprig nie, buiten in soverre dit deur die stadsbestuurder goedgekeur is;
- (i) 'n persoon se vermoë belemmer om 'n padrand te gebruik om goedere in 'n winkelluikvenster te besigtig, of sodanige goedere verberg nie;
- (j) sake doen, stelling inneem of sy/haar eiendom op 'n gedeelte van 'n openbare plek plaas in stryd met 'n teken of kennisgewing wat vir die doeleinde van hierdie verordening deur die stadsbestuurder opgerig is nie;
- (k) sy/haar eiendom of goedere in 'n luikgat, stormwaterdrein of 'n openbare toilet, bus- of taxihalte of onder 'n openbaar toeganklike boom berg nie;
- (l) straathandel beoefen nie op 'n manier wat:
 - (i) 'n steurnis veroorsaak; of
 - (ii) die oppervlak van 'n openbare plek of enige openbare of privaat eiendom beskadig of skend;
- (m) verkeer belemmer; toegang tot voetgangeroorange, parkeer- of laaiesones of ander fasiliteite vir voertuigverkeer of voetgangers versper, of 'n versoek deur 'n gemagtigde amptenaar om sy/haar eiendom en goedere te verwyder om enige werk of diens met betrekking tot 'n openbare plek moontlik te maak, ignoreer, verontagsaam of weier nie;
- (n) sy/haar goedere of eiendom op of in 'n openbare plek uitstal nie, buiten met die goedkeuring van die stadsbestuurder; en
- (o) kleefbemarking doen nie.

(2) 'n Straathandelaar sal verseker dat wanneer vloeibare petroleumgas in straathandelbedrywighede gebruik word, dit aan toepaslike standaarde en vereistes met betrekking tot die gebruik van sodanige gas voldoen.

Gedrag van 'n straathandelaar om te verseker dat handelsruimte skoon gehou word

27. 'n Straathandelaar sal gedurende die termyn:

- (a) met rommel wegdoen wat deur sy/haar saak geskep word, in watter houer ook al vir die publiek deur die stadsbestuurder voorsien of goedgekeur is, of by 'n stortingsterrein van die Stad;
- (b) nie met rommel wegdoen in 'n luikgat, stormwaterdrein of enige ander plek wat nie vir daardie doeleinde bedoel is nie;
- (c) op versoek van 'n gemagtigde amptenaar sy/haar eiendom en goedere verskuif sodat die gebied of terrein waar hy/sy sake doen skoongemaak kan word, of sodat munisipale dienste gelewer kan word, of om enige ander wettige rede;
- (d) verseker dat geen rook, walms of ander stof die lug besoedel nie;
- (e) verseker dat geen reuk of geraas vanweë sy/haar bedrywighede enige soort steurnis veroorsaak nie;
- (f) die gebied of terrein wat hy/sy vir die doeleindes van sy/haar saak beset, in 'n skoon en higiëniese toestand hou;
- (g) sy/haar eiendom in 'n skoon, higiëniese en goed onderhoue toestand hou;
- (h) in die loop van sy/haar sake tot die bevrediging van die stadsbestuurder sodanige voorsorg tref as wat nodig kan wees om te voorkom dat enige vet, olie of ghries of enige ander potensieel skadelike stof vir die algemene publiek en gebruikers van 'n openbare plek, op sodanige openbare plek of in 'n stormwaterdrein gestort word; en
- (i) verseker dat die gebied of terrein wat hy/sy vir handelsdoeleindes beset, by afhandeling van elke sakedag rommelvry is, en wel binne sekere voorgeskrewe en bepaalde tydperke.

Regulering van straathandel

28.(1) Buiten met die vooraftoestemming van die stadsbestuurder wat bepaald met betrekking tot die kompetisie bekom is, sal geen persoon gedurende die termyn—

- (a) op enige beheerdetoegangsterrein of in enige uitsluitingsone straathandel beoefen nie;
- (b) in 'n beperkte gebied straathandel beoefen nie;
- (c) in 'n tuin of park waartoe die publiek toegangsreg het, straathandel beoefen nie.

(2) Geen persoon sal straathandel beoefen nie:

- (a) in 'n verbode gebied;
- (b) op 'n padrand wat aan 'n bankoutomaat grens;
- (c) op 'n padrand wat grens aan:
 - (i) 'n gebou wat ingevolge die Wet op Nasionale Erfenishulpbronne, 1999 (nr. 25 van 1999) tot erfenishulpbron verklaar is, buiten waar spesiale toestemming ingevolge voormelde wetgewing bekom is;
 - (ii) 'n gebou wat aan die Staat of die Stad behoort, of slegs deur die Staat of Stad beset word;
 - (iii) 'n kerk of ander plek van aanbidding;

- (iv) 'n openbare plek, buiten in soverre die bedryf van sodanige saak toegelaat word deur, en plaasvind ingevolge 'n teken wat deur die stadsbestuurder opgerig of vertoon word;
- (v) 'n plek waar:
 - (aa) dit 'n ingang of uitgang van 'n gebou versper;
 - (bb) dit 'n brandkraan of ander munisipale diens versper; en
- (vi) daardie helfte van 'n openbare pad wat grens aan 'n gebou wat vir residensiële doeleindes gebruik word, indien die eienaar of persoon in beheer of enige bewoner van die gebou daarteen beswaar maak;
- (vii) daardie helfte van 'n openbare pad wat grens aan 'n winkel of daardie deel van 'n gebou waarin daar sake gedoen word deur 'n persoon wat dieselfde soort goedere, of goedere van 'n soortgelyke aard, verkoop as die goedere wat deur die straathandelaar verkoop word, indien sodanige persoon daarteen beswaar maak;
- (viii) op 'n staanplek of enige gebied wat ingevolge artikel 6A(3)(b) van die Wet op Besighede, 1991 (nr. 71 van 1991) deur die stadsbestuurder afgebaken is, tensy hy/sy in besit is van 'n skriftelike bewys dat hy/sy sodanige staanplek of gebied van die Stad huur, of dat sodanige staanplek aan hom/haar toegeken is, terwyl hy/sy ook nie in stryd met die bepalings en voorwaardes van sodanige huurooreenkoms, permit of toekenning sal handel dryf nie; en
- (ix) binne 'n redelike afstand van enige beheerdetoegangsterrein, welke afstand deur die stadsbestuurder bepaal sal word.

Beperkte en verbode handelsgebiede

29. Die Stad kan ooreenkomstig die Wet op Besighede, 1991 (nr. 71 van 1991) of enige verordening wat informele handel reguleer, beperkte of verbode gebiede aanwys en afbaken.

Verbod op persone onder die ouderdom van sestien

30.(1) Geen persoon jonger as sestien jaar sal in of na aan 'n openbare plek straathandel beoefen nie.

(2) Enigeen wat 'n persoon na wie daar in subartikel (1) hier bo verwys word, in diens neem, nader of versoek om straathandel te beoefen of daarmee bystaan, sal hom/haar aan 'n oortreding skuldig maak.

HOOFSTUK 7— DIVERSE BEPALINGS

Reg op toegang om persele te inspekteer

31.(1) 'n Gemagtigde amptenaar sal by magte wees om enige goedkeuring wat ingevolge hierdie verordening toegestaan is, aan te vra of te inspekteer.

(2) Versuim deur die eienaar of ander houer van 'n goedkeuring, om die goedkeuring aan 'n gemagtigde amptenaar te voorsien, sal ingevolge hierdie verordeninge op 'n oortreding neerkom.

Toegangsregte en—beperkings met betrekking tot beheerdetoegangsterreine

32.(1) Die reg op toegang tot en gebruik van 'n beheerdetoegangsterrein sal deur akkreditasie en kaartjie-uitreiking gereguleer word.

(2) Na gelang van die aard van die beheerdetoegangsterrein en die aard van die geleentheid wat by sodanige beheerdetoegangsterrein gehou word, sal geen persoon buiten:

- (a) 'n geakkrediteerde persoon;
 - (b) 'n kaartjiehouer; of
 - (c) enige ander persoon wat behoorlik gemagtig of toegelaat is om 'n beheerdetoegangsterrein te betree,
- toegang tot 'n beheerdetoegangsterrein verkry nie.

Opdragte deur gemagtigde amptenare met betrekking tot openbare oop ruimtes

33. 'n Gemagtigde amptenaar kan enige persoon opdrag gee om 'n openbare oop ruimte te verlaat indien:

- (a) die gemagtigde amptenaar binne redelike perke glo dat die persoon enige bepaling van hierdie verordeninge oortree; en
- (b) sodanige persoon versuim om onmiddellik in opdrag van daardie gemagtigde amptenaar sodanige oortreding te staak.

Deursoekings- en beslagleggingsmagte van die Stad op openbare paaie en met betrekking tot straathandeloortredings

34.(1) Ingevolge die Strafproseswet, 1977 (nr. 51 van 1977) en onderworpe aan enige ander toepaslike wetgewing, kan 'n gemagtigde amptenaar enige goedere, eiendom, houer, struktuur, materiaal, stof, skuiling, tent of voertuig van watter aard ook al, hetsy beman of nie, deursoek, verwyder of op beslag lê wat:

- (a) hy/sy binne redelike perke vermoed gebruik word of bedoel is om gebruik te word of reeds gebruik is vir of met betrekking tot die saak van straathandel of 'n oortreding van hierdie verordening;
- (b) in enige ongemagtigde parkeergebied gelaat of geparkeer word; of
- (c) hy/sy geparkeer of op 'n openbare plek vind, en wat na sy/haar mening op 'n oortreding van hierdie verordening neerkom, ongeag of sodanige goedere, eiendom, struktuur, materiaal, stof, skuiling, tent of voertuig ten tyde van sodanige beslaglegging of verwydering in besit of onder beheer van enige persoon is.

(2) 'n Gemagtigde amptenaar sal 'n ontvangsbewys uit 'n goedgekeurde bewysboek aan die persoon oorhandig wat in beheer van die betrokke goedere, eiendom, struktuur, materiaal, stof, houer, skuiling, tent of voertuig blyk te wees.

(3) Enige goedere, eiendom, houer, struktuur, materiaal, stof, skuiling, tent of voertuig soos in subartikel (1) bedoel, sal op 'n toepaslike manier gemerk en in veilige bewaring gehou word.

(4) Die straathandelaar op wie se goedere, eiendom, houer, struktuur, materiaal, stof, skuiling of tent ingevolge hierdie verordeninge beslag gelê

word, sal eers die bergingskoste, soos van tyd tot tyd deur die stadsbestuurder bepaal, aan die Stad betaal voordat sodanige goedere, eiendom, materiaal, stof, houer, skuiling, tent of voertuig aan hom/haar teruggegee sal word.

(5) Die eienaar van enige goedere, eiendom, houer, struktuur, materiaal, stof, skuiling, tent of voertuig waarop daar beslag gelê is, kan sy/haar eiendom/besittings opeis nadat hy/sy tot bevrediging van die stadsbestuurder bewys van eienaarskap gelewer het.

(6) Enige goedere, eiendom, struktuur, materiaal, stof, houer, skuiling, tent of voertuig wat nie binne 'n tydperk van drie maande van die datum van beslaglegging opgeëis word nie, kan vernietig word indien dit geen kommersiële waarde het nie, of kan op 'n openbare veiling verkoop word, in welke geval die Stad die opbrengs sal gebruik om enige koste en uitgawes met betrekking tot die oortreding, beslaglegging en berging te dek.

(7) Die Stad sal nie aanspreeklik wees vir skadevergoeding aan enige persoon vanweë skade aan of verlies van enige goedere, eiendom, houer, struktuur, materiaal, stof, skuiling, tent of voertuig wat ingevolge subartikel (1) verwyder is of op 'n openbare veiling verkoop is nie, en die eienaar van sodanige goedere, eiendom, materiaal, stof, houer, tent of voertuig sal geen eis of reg van verhaal teen die Stad hê indien sodanige goedere, eiendom, materiaal, stof, houer, tent of voertuig te goeder trou aan 'n persoon buiten die eienaar daarvan oorhandig is nie.

(8) Enige goedere van 'n bederfbare aard sal vir slegs 24 uur ná beslaglegging gehou word en sal daarna na die goedgee van die stadsbestuurder mee weggedoen word.

Reg om vertoë te rig

35. Kennisgewings waarna in artikels 9(1) (a) en (b), en 10(1) en (2) verwys word, moet—

- (a) meld op watter datum nakoming vereis word;
- (b) die persone wat deur sodanige kennisgewing geraak word, 'n geleentheid bied om vertoë te rig nie later nie as 'n datum wat in die kennisgewing gespesifiseer word; en
- (c) die aanvangsdatum van die kennisgewing meld.

Oortredings en boetes

36. Enige persoon wat:

- (a) enige bepaling van hierdie verordeninge oortree of versuim om daaraan te voldoen;
- (b) enigiets hoegenaamd doen, laat doen, toelaat of duld wat in stryd is met of anders is as die bepalings van hierdie verordening; of
- (c) nalaat of versuim om enigiets te doen, of toelaat of duld dat enigiets ongedaan bly, wat volgens die ware bedoeling en betekenis van hierdie verordening ingevolge die tyd- en prosedurebepalings hierin vervat gedoen moet word; of
- (d) enige stand van sake in stryd met hierdie verordening wetens goedkeur of toelaat of laat voortduur; of
- (e) nie enige optrede staak wat hy/sy ingevolge hierdie verordening moet staak nie; of
- (f) versuim, weier of nalaat om te voldoen, of voortdurend versuim, weier of nalaat om te voldoen, selfs nadat oortredingskennisgewings of die nodige aanmanings ingevolge hierdie verordening uitgereik is; of
- (g) versuim om te voldoen aan enige kennisgewing, direk of voorwaardes vervat in enige lisensie wat deur die stadsbestuurder uitgereik is; of
- (h) 'n gemagtigde amptenaar dwarsboom in die uitvoering of verrigting, of poging tot uitvoering of verrigting, van enige plig van sodanige gemagtigde amptenaar as deel van die uitoefening van enige bevoegdheid wat ingevolge hierdie verordening verleen word,

is skuldig aan 'n oortreding, en by skuldigbevinding strafbaar met 'n maksimum boete van tienduiseend rand (R10 000,00) of, by niebetaling, tronkstraf vir 'n maksimum tydperk van ses (6) maande, of albei, en in die geval van 'n voortdurende oortreding, 'n verdere maksimum boete, by niebetaling, tronkstraf vir 'n verdere tydperk, vir elke dag wat sodanige oortreding voortduur nadat 'n skriftelike kennisgewing wat op die staking van sodanige oortreding aandring, deur die stadsbestuurder uitgereik en aan die betrokke persoon beteken is.

Delegasie van bevoegdhede

37.(1) Die stadsbestuurder kan enige van sy/haar magte en pligte ingevolge hierdie verordening aan enige amptenaar van die Stad deleger.

(2) Enige verwysing na die stadsbestuurder in hierdie verordening sal beskou word as 'n verwysing na die amptenaar aan wie die betrokke bevoegdheid deleger is.

HOOFSTUK 8—SLOTBEPALINGS

Kort titel

38. Hierdie verordening staan bekend as die Stad Kaapstad: Verordeninge op die 2010 FIFA Wêreldbeker Suid-Afrika, en sal vir die duur van die termyn van krag wees.

BYLAE

TERMYN

1. Finale Trekking—13 November 2009 tot 12 Desember 2009; en
2. Wêreldbeker—21 April 2010 tot 19 Julie 2010.

ISIXEKO SASEKAPA**UMTHETHO KAMASIPALA WEMIDLALO YENDEBE YEHLABATHI YEFIFA KA-2010****OKUQULATHIWEYO**

Inombolo yebinza nenkcazelo yalo

1. ISAHLUKO 1—AMALUNGISELELO OKUTSHAYELELA
2. ISAHLUKO 2—IMIQATHANGO ENGUNDOQO: IINTENGISO
3. ISAHLUKO 3—IMIQATHANGO ENGUNDOQO: IINDAWO EZIPHANTSI KOLAWULO OLUNGQONGQO
4. ISAHLUKO 4—IMIQATHANGO ENGUNDOQO: UKUHONJISWA KWAMABALA OLUNTU NESIXEKO
5. ISAHLUKO 5—IMIQATHANGO ENGUNDOQO: IINDLELA ZIKAWONKEWONKE NESIKHOKELO SEZENDLELA
6. ISAHLUKO 6—IMIQATHANGO ENGUNDOQO: URHWEBO ESITALATWENI
7. ISAHLUKO 7—AMALUNGISELELO ANGAMANYE
8. ISAHLUKO 8—IZIBONELELO ZOKUGQIBELA
9. ISHEDYULI

IMBULAMBETHE**NOXA:**

ICandelo 156(1) loMgaqo-siseko linika iSixeko amandla namagunya okwenza imithetho kamasipala ukufezekisa ulawulo kuloo mibandela sinamalungelo okuyilawula;

ISixeko saseKapa, nanjengokuba siza kuba sesinye sezixeko ekuza kubanjelwa kuso imidlalo yehlabathi ka-2010 sinqwenela ukwazisa ngokwamkelwa kwaso imithetho kamasipala ethile ukuqinisekisa ukuba inkqubo yemidlalo ngexesha lokhuphiswano eKapa iya kuqhuba ngempumelelo;

UKUSUSELA NGOKU UMISELWE siSixeko saseKapa ngolu hlobo lulandelayo:—

ISAHLUKO 1 – AMALUNGISELELO OKUTSHAYELELA**Inkcazelo yamagama**

1. Kulo Mthetho kaMasipala la magama alandelayo anezi ntsingiselo zilandelayo, ngaphandle kokuba kuchazwe ukuba akunjalo—

“uqinisekiso” oku kuthetha uqinisekiso ngokweNkqubo yoqinisekiso ebizwa ngokuba yiAccreditation Systems and Procedure Annex;

“iNkqubo yoqinisekiso iAccreditation Systems and Procedure Annex” ithetha iinkqubo zoqinisekiso zeFIFA eziza kusebenza ngexesha loKhuphiswano;

“Intengiso” ithetha imiboniso ngokusebenzisa iimpawu ezithile, imiqondiso, izinto, iimpawu, iisimboli okanye nayiphi into esendaweni kawonkewonke okanye ebonakalayo eluntwini jikelele, equka leyo isesitalatweni okanye ezindaweni ezingaphantsi okanye ezijinga ezibhulorhweni, ezakhiweni eziquka imibhalo esibhakabhakeni, esetyenziselwa ukuthengisa izinto okanye ukugqithisa ulwazi ngezinto ezithengiswayo;

“ukuthengisa” kuthetha inkqubo yokwazisa, ukulumkisa, ukwazisa, ukubonisa, ukunika ulwazi ngemiboniso okanye ngentetho yomlomo;

“isixhobo sentengiso” siso nasiphi isakhiwo esimiselwe emhlabeni okanye into ebekelwe ukubonisa uphawu okanye ibhodi enkulu yeentengiso okanye ekuqhagamshelwe kuyo uphawu okanye ibhodi enkulu yeentengiso;

“ukuthengisa ngokunqoloba” kuthetha ukuthengisa, ukunyusa, ukwazisa ngento okanye ngezinto ngamagama, ngesandi ngokuthe ngqo nangokungathanga ngqo ngokuphathelele noKhuphiswano, okanye iintshukumo ezizayamanisa noKhuphiswano ngenjongo yokwenza inzuzo okanye ukunyusa izinto zayo, nto ezo zisenziwa ngumntu ongafumenanga mvume yakunyusa mbutho kuFIFA;

“ungcoliseko lomoya” oku kuchaziwe kuMthetho ongomgangatho womoya weSizwe (uMthetho Nomb. 39 ka-2004) obizwa ngokuba yiNational Environment Management: Air Quality Act, 2004 (Act No. 39 of 2004);

“imvume” oku kuthetha imvume efunyenwe kwiSixeko kuquka igosa eligunyazisiweyo, yaye **“ukwamkela”** kunentsingiselo ehambelana nale;

“igosa elugunyazisiweyo” ngumntu ogunyaziswe ukuba afezekise amalungiselelo alo Mthetho kaMasipala, kuquka, kambe kungaphelelanga –

- (a) kumagosa oxolo njengoko kwandlalwe kwicandelo 334 loMthetho wotshutshiso loLwaphulo-mthetho (uMthetho Nomb. 51 ka-1977) obizwa ngokuba yiCriminal Procedure Act, 1977 (Act No. 51 of 1977);
- (b) kumalungu eNkonzo yaMapolisa oMzantsi Afrika okanye aMapolisa eSixeko njengoko kwandlalwe njalo kuMthetho weNkonzo yaMapolisa oMzantsi Afrika (uMthetho Nomb. 8 ka-1995) obizwa ngokuba yiSouth African Police Services Act, 1995 (Act No. 8 of 1995); okanye;
- (c) abasebenzi, iiarhente, abathunywa abathile, abameli abathile okanye ababoneleli ngeenkonzo beSixeko ngokokugunyaziswa kwabo siSixeko ngolu hlobo;

“ibhulorhodi” ngumfanekiso omkhulu, ibhodi okanye uphawu olume ngezixhaso ezisenokuba nemibhalo yesandla, imizobo yesandla okanye ipeyintwe ngesandla, incanyatheliswe amaphepha, isayiniwe, incanyatheliswe ngevinayili okanye ngeplastiki okanye igqunywe, encanyatheliswe okanye yabhalwa ngezi ndlela zikhankanyiweyo ngentla, nezinokuba nemiboniso yezinto ezithile ekundlela leyo yentengiso yezinto eluntwini;

“oosolayisensi abaneempawu ezizodwa” aba nguye namphi umntu, ongenandibaniselwano neFIFA, ongemxhasi weMidlalo yeHlabathi yeFIFA ngezimali okanye ongemxhasi kuzwelonke, onikwa ilungelo lokubeka iimpawu zolu Khuphiswano ezintweni ezimayela nalo zinophawu lorhwebo lomntu lowo;

“amalungelo okusasaza” kuthetha ilungelo lokusasaza, ukugqithisa ulwazi, ukubonisa imiboniso, ukwenza ifilimu nokufota ngexa kuqhuba uKhuphiswano, kwanokurekhodisha konke okuphathelele noKhuphiswano okanye inxalenye yalo, nangaluphi uhlobo nakuyo yonke amajelo nemithombo yeendaba;

“abanamalungelo okusasaza” abo ngabantu abafumene imvume naluphi uhlobo lwamalungelo okusasaza ngqo okanye ngokungathanga ngqo kwiFIFA;

“ISixeko” siSixeko saseKapa esasekwa ngokusesikweni ngokoMthetho weziseko zooMasipala kuRhulumente woMmandla (uMthetho Nomb. 117 ka-1998) obizwa ngokuba yiLocal Government: Municipal Structures Act 1998 (Act No. 117 of 1998);

“Umlawuli weSixeko” ngumntu obekwe njengoMlawuli weSixeko ngokwecandelo 82 loMthetho weziseko zooMasipala kuRhulumente woMmandla (uMthetho Nomb. 117 ka-1998) obizwa ngokuba yiLocal Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

“umphakamo ocacileyo” ngowona mphakamo usuka emhlabeni, endleleni, okanye loo nto iyiyo ngelo xesha, obekwe ngaphantsi kophawu olubekiweyo;

“umxhasi kwezorhwebo” ngulowo ukwindibaniselwano neFIFA, umxhasi ngezimali weFIFA, umxhasi wesizwe kunye nosolayisensi oluhlobo;

“Ukhuphiswano” yiMidlalo yeHlabathi yaseMzantsi Afrika ka-2010 emiselwe ukuba isungulwe ngomhla we-11 kuJuni iye kuphethwa ngomhla we-11 kuJulayi kunyaka ka-2010 kwiRipabhlkhi yoMzantsi Afrika, phantsi kolawulo lweFIFA, oluquka yonke imidlalo kunye nemicimbi eyodwa esesikweni;

“Iimpawu zokhuphiswano” zithetha oku—

- (a) iemblemu esesikweni;
- (b) naliphi ikhubalo elisesikweni loKhuphiswano;
- (c) nayiphi iposta esesikweni yoKhuphiswano;
- (d) naziphi iidizayini eziphathelele noKhuphiswano;
- (e) imiboniso yembasa okanye ikhaka leMidlalo yeHlabathi yeFIFA;
- (f) nayiphi imihombiso neempawu ezingokhuphiswano njengokuba zishicilelwe kuMthetho Nomb. 194 ka-1993 obizwa ngokuba yiTrade Marks Act, 1993 (Act No.194 of 1993);

“Iindawo ezinolawulo olungqongqo” zezinye zezi—

- (a) iindawo ekubanjelwa kuzo imidlalo, kubandakanya amabala;
- (b) iindawo ekubanjelwa kuzo imisitho esesikweni;
- (c) naziphi ezinye iindawo ekungenwa kuzo ezilawulwa ngoqinisekiso olungqongqo;
- (d) amaziko oqinisekiso;
- (e) iindawo zokuzilolongela;
- (f) iihotele zamaqela;
- (g) iihotele ezikhonjelwe abathunywa beFIFA;
- (h) iindawo zeFIFA ezilungiselelwe abaza kubukela; kunye
- (i) Nayiphi indawo esesixekweni saseKapa ecandelwe imidlalo nekhonjwe ukuba iyindawo ekungenwa ngolawulo kuyo ebandakanya zonke ezinye iindawo ezibekelwe bucala esixekweni;

“iindawo ezinemida” ezi ziindawo ezithile apha endleleni ezikhonjelwe ukuba kupakwe kuzo izithuthi ngokusemthethweni;

“Indawo ekhethekileyo” le yindawo elapha ngaphandle xa kanye uphuma ebaleni nesikwe njalo ngokwemiqathango yeSixeko ibandakanya nezinye ezizodwa;

“iFIFA” ithetha Fédération Internationale De Football Association engumbutho weHlabathi webhola ekhatywayo;

“Abathunywa beFIFA” ngexesha loKhuphiswano olu, abathunywa ngaba balandelayo—

- (a) abaqeshwa beFIFA nabaqeshwa beenkampani zonke eziphantsi kweFIFA;
- (b) amalungu eekomiti ezisesikweni zangaphakathi zeFIFA;
- (c) iindwendwe zeFIFA; kunye
- (d) nabo bonke abo bachongwe yiFIFA njengabathunywa bayo;

“iipaki zababukeli zeFIFA” ziindawo zababukeli eziza kusekwa siSixeko phantsi kwemiqathango nezikhokelo zeFIFA;

“Umbutho olilungu leFIFA” nguwo nawuphi umbutho ozimanye neFIFA;

“ihlakani leFIFA” ngumntu onikwa owona mthamo mkhulu wamalungelo okuzithengisa yiFIFA;

“Umxhasi wezimali weMBasa yeHlabathi yeFIFA” ngumntu onikwa umthamo ongeneno wamalungelo okuzithengisa yiFIFA;

“utsalo lokugqibela lothelekiso” luthetha umsitho osesikweni wokutsalwa kwamaqela kuKhuphiswano olu nekuthi kuwo imibutho engamalungu yabelwe emaqeleni ayo;

“izinto/iimpahla” zizinto ezibonisiweyo okanye ezikumthengisi wasesitalatweni azigcinele ukushishina ngazo;

“indlela enqamlezayo” yilo ndlela ichazwe kumthetho weSizwe wezendlela (uMthetho Nomb. 83 ka-1996) obizwa ngokuba yiNational Road Traffic Act, 1996 (Act No. 93 of 1996);

“inkunkuma” yiyo nayiphi into okanye inkonkxa okanye itoti, nayiphi enye into elahlwe nje esithubeni okanye eshiywe endaweni ethile;

“i-LOC” yiKomiti yoQuquzelelo lweMidlalo yeHlabathi ka-2010, nengumbutho ophantsi kweCandelo 21 loMthetho weeNkampani (uMthetho Nomb. 61 ka-1973) obizwa ngokuba yiCompanies Act, 1973 (Act No. 61 of 1973) (inombolo yobhaliso ithi: 2005/029945/08);

“abahlali” ngabahlali abahambele yonke indawo ephantsi kolawulo lweSixeko, yaye baquka iindwendwe ezize kukhuphiswano olu;

“amalungelo okuzithengisa” ngawo nawaphi amalungelo eentengiso, ukuzibhengeza, ukubonisa ngempahla yokurhweba, ifrentshayizi, ukuxhasa ngezimali, ezabahambi, ezoshicilelo okanye amathuba orhwebo anxulumene noKhuphiswano olu ngaphandle kwalawo anikwe amajelo eendaba/osasazo;

“umdlalo” ngumdlalo webhola ekhatywayo oqhubayo ngelo xesha kuquka ixesha elongeziweyo, ukukhatywa kweepenalti kuquka nemidlalo yokuziqhelanisa ngokunjalo naloo midlalo ilibazisekileyo okanye iqale emva kwexesha ebelimisiwe, exhonyiweyo kunye nephindiwayo;

“amajelo osasazo” ngabo bonke abangamalungu emithombo yeendaba ezibhalwayo, abafoti ne-elektronikhi, yaye beqinisekisiwe ukuba banjalo;

“amalungelo amajelo eendaba” oku kuthetha ilungelo lokusasaza, ukugqithisa ulwazi, ukubonisa imiboniso, ukwenza ifilimu nokufota ngexa kuqhuba uKhuphiswano, kwanokurekhodisha konke okuphathelele noKhuphiswano okanye inxalenye yalo, nangaluphi uhlobo nakuwo onke amajelo nemithombo yeendaba;

“umxhasi kazwelonke” ngumntu onikwa iwonga eliqulthe amalungelo okuzithengisa, malungelo lawo asebenza kuphela eMzantsi Afrika;

“isaziso samaphephandaba” kuthetha isaziso esishicilelwe ngeelwimi ezintathu kumaphephandaba eSixeko;

“inkathazo” ibhekisa—

- (a) kumfula, ichibi, umgxobhozo, umsele, umjelo, umlanjana, itanki lamanzi asethoyilethi, umzi wangasese, idreyini, imibhobho ehambisa ilindle, uthuthu, ubulongwe okanye nayiphi into eyekwe yamdaka neyakiwe ngendlela eyenza ibe kwimo enganyamezelekiyo okanye enokuba yingozi empilweni yabantu;
- (b) isitali samahashe, ubuhlanti, ishedhi, isibaya okanye indawo egcina izilwanyana okanye iintaka eyakiwe kakubi, esetyenziswa okanye egcinwe kwimo engathandekiyo okanye engayingozi empilweni yabantu;
- (c) inkunkuma eyingqumba, amathumbu nobulongwe okanye nayiphi into engathandekiyo emdaka nengayingozi empilweni yabantu;
- (d) nasiphi isakhiwo esimi, esakhiwe, esisetyenziswa okanye esigcinwe ngendlela engayingozi empilweni yabantu;
- (e) nayiphi indawo yokuhlala engenasibonelelo samanzi saneleyo nacocekileyo ekufutshane;
- (f) nayiphi ifektri okanye mzimveliso okanye ndawo yoshishino engagcinwanga cocekileyo nengenamavumba aphuma ezidreyinini, thoyilethi okanye nakwiyiphi indawo engangeni moya nenokuthi ngolo hlobo ikhuphe iigesi, imiphunga, uthuli okanye ukungcola, okanye enokuthi ngenxa yokugcwala kakhulu, ukungabi nakukhanya ngokwaneleyo, okanye moya waneleyo ibe yingozi empilweni yabo baqeshwe kuyo;
- (g) nayiphi ifektri okanye umzimveliso okanye indawo ekushishinelwa kuyo ekhupha amavumba amabi okaye iigesi ezinukayo ezinokuba yingozi empilweni yoluntu;
- (h) nawuphi umhlaba ogcinwe okanye oyekwe wakwimo yokungathandeki;
- (i) nayiphi into eyenziwayo, imeko okanye into ebonwa njengenkathazo nguMphathiswa ngokwemiqathango nemimiselo ekuMthetho wezeMpilo (uMthetho Nomb.63 ka-1977) obizwa ngokuba yiHealth Act, 1977 (Act No. 63 of 1977);
- (j) nayiphi into okanye imeko ephazamisana—
 - (i) nempilo okanye ubume bomntu okanye uluntu jikelele;
 - (ii) nosetyenziso nokuzonwabisa komninindawo endaweni yakhe;
 - (iii) nosetyenziso nokuzonwabisa komhlali endaweni yoluntu lonke okanye kawonkewonke;

“iemblemu esesikweni” ithetha ilogo esesikweni okanye isixhobo esisemthethweni esimayela noKhuphiswano;

“imisitho esesikweni” ithetha imicimbi yombutho, eyenkubeko, imisitho kunye notsalo lwamaqela olubanjwe yi-LOC okanye iFIFA ephathelene noKhuphiswano;

“indawo esesikweni yokuzilolongela” ithetha indawo ephantsi kolawulo lweSixeko ekhethelwe ukubambela naluphi uqeqesho okanye ulolongelo oluphathelele noKhuphiswano lwamaqela kuquka iindawo ezikufutshane, iindawo zokupaka, iindawo zabeendaba, amabala, izibiyeli neentango, zonke eziphantsi kolawulo lweSixeko;

“umnini” ngokuphathelele nophawu luquka umninindawo okanye umntu oqeshise ngendawo yokubonisa iintengiso okanye oqeshisa ngendawo leyo xa sele ibekiwe kunye nawuphi omnye umntu onelungelo lokufumana isabelo sobunini okanye uqeshiso lwesixhobo eso kwenziwa ngaso intengiso;

“Umbutho othatha inxaxheba” uthetha nawuphi umbutho olilungu leFIFA oqela lawo linelungelo lokuthatha inxaxheba kuKhuphiswano;

“umntu” ngokwasemthethweni oquka umntu nje odaliweyo, indibaniselwano, ifemu, ishishini, itrasti, indibaniselwano yeenkampani, inkampani okanye iqumrhu loshishino;

“iindawo” sisiza, istendi, umhlaba iploti, indawo ekulinywa kuyo, indawo ethile, ifama okanye indawo efana naleyo okanye nasiphi isakhiwo nayiphi imisebenzi yokuyilungisa indawo leyo ebhaliswe encwadini yezemihlaba;

“indawo ekuthintelweyo ukungena kuyo” ngokuphathelele noshishino lwasesitalatweni, ithetha ukuba yindawo echazwe ngokwecandelo 6A(2) loMthetho wezamashishini (uMthetho Nomb. 71 ka-1991 obizwa ngokuba yiBusinesses Act, 1991 (Act No. 71 of 1991) ekungavunyelwanga kuyo ukuba kuthengiswe nto;

“ipropati” ngokubhekisele emntwini oqhuba orhwebela esitalatweni, nantoni na okanye nasiphi isithuthi okanye nantoni ayisebenzisela ukushishinela esitalatweni;

“intengiso yasesidlangalaleni” oku kuthetha ukusebenzisa izibane neepali zombane, umhlaba weentengiso ezakhiweni ezinabanini, eziqeshiweyo neziphantsi kolawulo ngqo lweSixeko;

“indawo kawonkewonke” ithetha—

- (a) nayiphi indawo kawonkewonke, isikwere, amachibi okuqubha kawonkewonke, iindawo zokuphumela nokuzonwabisa, ezinezilwanyana, ezinezityalo okanye iigadi zikarhulumente, iipaki, iindawo ezivulekileyo, iindlela, iindlela ezisikelwe bucala, izitalato ezibucala, amachweba, amadama okanye umlambo;
- (b) nasiphi isakhiwo sikarhulumente, iholo, igumbi okanye iofisi nayiphi enye indawo enxulumene nezi eyipropati okanye elawulwa okanye eqeshiswe siSixeko enokusetyenziswa luluntu jikelele, nokuba kuyahlawulelwa ukungena okanye kuyisebenzisa;

(c) nayiphi indawo yolondolozo lwendalo equka—

- (i) indawo yolondolozo lwendalo;
- (ii) iindawo ezikhuselweyo zendalo;
- (iii) iindawo ezifanelwe kukulondolozwa;
- (iv) iindawo ezivulekileyo nje;

“indlela kawonkewonke” ithetha isikwere, isitalato, iavenyu, indlela, indlela ebucala yeenyawo, indlela ehamba ngaphantsi, ibhulorho, umchankatho nayiphi indawo ekuhanjwa kuyo ekhoyo eplanini yelokishi okanye indawo yoluntu karhulumente enikwe imvume nechazwe ngokupheleleyo kuMthetho weSizwe wezeNdlela (uMthetho Nomb.93 ka-1996) obizwa ngokuba yiNational Road Traffic Act, 1996 (Act No. 93 of 1996);

“ulonwabo” okanye **“ukuzonwabisa”** kuthetha nayiphi into okanye indlela yokuzonwabisa;

“indawo ephantsi kolawulo” ngokuphathelelele norhwebo esitalatweni, ithetha indawo echazwe ngokwecandelo 6A(2) loMthetho wezoShishino (uMthetho Nomb. 71 ka-1991) obizwa ngokuba yiBusinesses Act, 1991(Act No. 71 of 1991) ukuba ibe yindawo ekungavunyelwanga ukuba kuthengiselwe kuyo;

“iSIFA” nguMbutho webhola ekhatywayo eMzantsi Afrika (South African Football Association);

“isicwangciso sokhuselo nokhuseleko” esi sisicwangciso sokhuselo sokhuseleko esiza kufezekiswa siSixeko ngexesha kuqhuba uKhuphiswano;

“iinkonzo” ziquka nantoni esetyenziselwa ukufumana inzuzo okanye umvuzo;

“Uphawu” luthetha oku—

- (a) nayiphi indlela yokubonisa imibhalo, iileta, amanani, imifanekiso, izinto, iimpawu ezingoKhuphiswano, amafoto, iisimboli nemiqondiso, kuquka kambe kungaphelelanga kwezo zinto zixhonywe ezakhiweni okanye eziboniswe emoyeni kusetyenziswa iteknoloji yale mihla, sixhobo eso esiza kubonwa luluntu okanye esiza kujinga endaweni ehamba abantu, ngenjongo yokwenza intengiso, ukunika ulwazi, ukunqoloba intengiso okanye ukutsala umdla wabantu ukuba baye endaweni ethile ukuya kuthenga kwanokuba uphawu olo luncanyathelise esakhiweni okanye luyinxalenye yesakhiwo okanye luxunyekwe emhlabeni, epalini, emthini, eskrinini, lubiyelwe ngamaplanga, emntwini, esithuthini okanye nakweyiphi enye into ethe zinzi okanye emileyo; okanye
- (b) nayiphi indlela yokubonisa imibhalo, iileta, amanani, imifanekiso, izinto, iimpawu ezingoKhuphiswano, amafoto, iisimboli nemiqondiso eboniswe okanye esasazwe ngenye indlela equka kambe ingaphelelanga kwiimpawu zokhuseleko, ezeetreyila, ezisezindongeni, ezingokhenketho, ezisezifestileni, ezisezakhiweni, ezisemoyeni, ezingolwakhiwo nophuhliso, ezingobonelelo lweenkonzo, ezingeeprojekthi zezendlela, ezingezibonelelo ezikwindawo ethile, ezingeebhulorho nezakhiwo eziphakamileyo, eziphakathi kwamasango endawo zamashishini, ezingeendawo zokuhlala ezithengiswayo, ezibhalkhoni, eziveranda, ezingamaqumrhu oluntu nakarhulumente, ezingabathengisi bomhlaba, ezinge-elatroniki, ezingothengiso lwezinto nezilwanyana, ezincanyathelise ezithuthini, eziphethe ngezandla, iibhena, ezisempahleni enxitywayo, eziseminqwazini, kwiikhostyumu, eziflegini, kwiibhena zababukeli nezikwiibhulbhodi, kodwa zonke ezi zingazibandakanyi iimpawu zeendlela nemiqondiso yendlela namagama ezitalato zeSixeko;

“umsitho owodwa” yipharedi, umngcelele, umdyarho, ikonsathi, umboniso, imbhiyozo, ifilimu, ukufota okanye nayiphi enye into efana neentshukumo zokuzonwabisa ngezemidlalo, inkcubeko, nto ezo ezidinga ukuba kusetyenziswe iindawo zoluntu ezijonge ngurhulumente okanye isisixeko;

“ibala” sithetha ibala esikumhlaba ophantsi kweSixeko esiza kusetyenziselwa iimfuno zoKhuphiswano, eziquba iindawo ezibiyelweyo, phezu (emoyeni) kwebaleni, zonke iindawo zokupaka, iindawo zokuhlalisa nokonwabisa abantu, iindawo zabeendaba, nezibonise ngezorhwebo noshishino;

“ifenitshala yesasitalatweni” naluphi uhlobo lwefenitshala ebekwe siSixeko okanye egameni leSixeko endaweni kawonkewonke;

“umthengisi esitalatweni” ngumntu othengisa izinto esitalatweni, ohambahambayo ethengisa esitalatweni—

- (a) umntu ozithengiselayo, oyarhente, umncedisi, oqeshiweyo, umqeshi oqhubela ishishini lakhe esitalatweni okanye owenza into eyayanyaniswa noko; kunye
- (b) nomntu oqeshe isitendi phantsi kweSixeko. Esaqhubela ushishino lwakhe esitalatweni apho;

“urhwebo esitalatweni” kuthetha ukuthengisa nantoni esithubeni;

“iqela” naliphi iqela elimele umbutho othatha inxaxheba (Participating Member Association) ophumeleleyo ugqatso lokuba yinxalenye yolu Khuphiswano. Xa kusetyenziswa igama elithi “iqela” kuya kube kubhekiswa kuwo onke amalungu eqela okanye eskwathi nabaqeqeshi ngokunjalo njengoko kubekiwe kumqulu weMimiselo ka-2010 kubandakanya nabezempilo kunye nabancedisi;

“ihotele yeqela” le yihotele okanye nayiphi indawo eyodwa yokuhlala elungiselelwe iqela ephantsi kolawulo lweSixeko;

“isithuba/ixesha” eli lixesha elichaziweyo kwishedyuli;

“itikiti” bubungqina obubonakalayo bokuba lowo othenge itikiti unelungelo lokungena ebaleni abukele umdlalo othile okanye azimase umsitho othile osesikweni woKhuphiswano ukuze ahlale nasesihlalweni esibhalwe etikitini ehamba ngokwemiyalelo nemiqathango nemithetho esebenzayo ngelo xesha, yaye **“utikito”** lunezi ntshintsho zilandelayo;

“umphathi-tikiti” ngumntu ophethe itikiti onelungelo lokungena ebaleni abukele umdlalo othile yaye ahlale esihlalweni esibhalwe etikitini;

“indawo engafuni tikiti” le yindawo echazwe kwicandelo 1 kuMthetho wamanyathelo awodwa ezemidlalo ka-2010 obizwa ngokuba yi2010 FIFA World Cup South Africa: Special Measures Act, 2006 (Act No. 11 of 2006);

“udini okanye umda” ngumda okanye udini olusikwe ngokoMthetho weSizwe wezendlela (uMthetho Nomb. 93 ka-1996) obizwa ngokuba yi National Road Traffic Act, 1996 (Act No. 93 of 1996); yaye

“inkunkuma” zizinto ezilahliweyo kambe zingaphelela kwezo zishiywe ngabantu, ezaphukileyo, eziphelelweyo, eziphelelelweyo, ezingcolileyo okanye ezigcinelwe ukuba zitshitshiswe, zibuye zisetyenziswe okanye zilandwe ngabantu bazo okanye zihlaziye ze zisetyenziswe ngokutsha.

Usetyenziso loMthetho kaMasipala

2. (1) Ukuba kulo Mthetho kaMasipala kuye kwabhekiswa kumthetho omiselweyo, kuya kusetyenziswa loo umthetho nemiqathango ephantsi kwawo ukususela kumhla wokwamkelwa nokusayinwa kwalo Mthetho kaMasipala njengoko ulungisiwe okanye usetyenzisiwe kumaxesha ngamaxesha.

(2) Ukuba kunokwenzeka ukuba kubekho ungquzulwano phakathi kwemimiselo yedolophu ekhoyo kunye nalo uMthetho kaMasipala, kuya kusetyenziswa wona lo.

Injongo yoMthetho kaMasipala

3. Injongo yalo Mthetho kaMasipala kukulungiselela ukuba iSixeko, ngexesha lemidlalo—

- (a) Sikwazi ukulawula intengiso;
- (b) Ukulawula iindawo eziphantsi kolawulo olulodwa ezibizwa ngokuba ziiControlled Access Sites;
- (c) Ukulawula imicimbi ethile yohlobo olulodwa kwanokulawula nokujongana nococeko lweendawo ezivulekileyo eluntwini okanye iindawo zikawonkewonke;
- (d) Lamkele izikhokelo zemigaqo okanye zezendlela, amanyathelo olawulo, oko kuquka nokulungiselelwa kwabasebenzisi beendlela ngalo lonke lwazi olubalulekileyo olufana, noluquka, kambe lungaphelelanga kulwazi malunga novalo okanye ukucingeleka kovalo lweendlela ezithile ngamaxesha athile, ezigwegwelezayo, iindawo zokupaka, iindawo ezikhululekileyo ezingenamiqathango, ze apho kukho indlela, izikhombisi zezindlela ezifanelekileyo ezisuka emabaleni nasemicimbini eyodwa esesikweni ukuqinisekisa ucwangco nokuhamba kakuhle kweemoto; kunye
- (e) Nolawulo loshishino ezitalatweni.

ISIAHLUKO 2—IMIQATHANGO ENGUNDOQO: IINTENGISO

Usetyenziso nolwamkelo

4. Kwesi Sahluko ulwamkelo luthetha ukwamkelwa ngokoMthetho kaMasipala weSixeko saseKapa: UMthetho kaMasipala wentengiso ngaphandle kwamasango nosetyenziso lweempawu kushicilelwe kwiPhepha likaRhulumente, iGazethi yePhondo ebizwa ngokuba yiProvincial Gazette Extra-Ordinary 5801 yangomhla wesihlanu (5) kuDisemba ka-2001 okanye nawuphi omnye uMthetho kaMasipala omiselweyo ukuthatha indawo yalowo.

Intengiso nezibhengezo-ntengiso ezingekho mthethweni (ngokunqoloba)

5.(1) Ilungu leNkonzo yamaPolisa eNqila linakho ukunyanzelisa imigaqo yoMthetho ojongene neeNtengiso iMerchandise Marks Act, 1941 (uMthetho onguNomb.17 ka-1941), ngokuphathelelene namagunya omhloli okulwa nentengiso yokunqoloba—

- (a) ngexesha lokutsalwa kwamaqela athelekiswayo kwityeli lokugqibela nakwiveki yokugqibela kanye phambi kothelekiso olo nakweyokuqala kanye emva kothelekiso okanye idro yokugqibela;
- (b) ngexesha loKhuphiswano nakwisithuba seeveki ezimbini phambi komdlalo wokuqala nakwiiveki ezimbini emva komdlalo wokugqibela;
- (c) kwezi ndawo zilandelayo—
 - (i) kwindawo eziphantsi kolawulo olungqongqo yaye ekungayi kungena nabani kuyo (Controlled Access Site);
 - (ii) kwisithuba sekhilomitha ukusuka kwindawo ekubanjelwe kuyo idro yokwaba amaqela okanye ebaleni okanye kuloo ndawo isikwe nguMlawuli weSixeko;
 - (iii) kwisithuba sekhulu leemitha (100m) lendawo elungiselelwe ababukeli yiFIFA (FIFA fan park) okanye leyo isikwe nguMlawuli weSixeko; kunye
 - (iv) nakweyiphi indawo ebonakalayo eluntwini esuka endleleni esikwe nguMlawuli weSixeko eyibonisa ngemiqondiso, iimpawu ezithile ezikhokelela endaweni ekuza kubanjelwa kuyo idro yokugqibela okanye ebaleni, naphakathi kweekhilomitha ezimbini ukusuka kwindawo yedro okanye ebaleni, konke oko ngokokumiselwa nguMlawuli weSixeko.

(2) Nangona kukho inkcaso kwimihlathi (a), (b) no-(c) yecandelwana (1), akukho nto iqulethwe kulo Mthetho kaMasipala iya kuthoba amagunya anikezelwe ilungu leNkonzo yamaPolisa eNqila phantsi koMthetho oyi-Merchandise Marks Act, 1941 (uMthetho onguNomb. 17 ka-1941).

(3) Akukho mntu uya kuthi engafumenanga mvume kuMlawuli weSixeko nangokomthetho wolawulo lweSixeko enze intengiso yezinto okanye ngemijelo yomoya—

- (a) Ngexesha ledro yokugqibela nakangangesithuba seeveki ezimbini ezandulela idro yokugqibela;
- (b) Ngexesha loKhuphiswano nakwisithuba seeveki ezi 15 ezandulela kanye umdlalo wokuqala kunye neeveki ezi 5 kanye emva komdlalo wokugqibela;
- (c) kwezi ndawo zilandelayo—
 - (i) kanye ngaphandle nakwiindawo ezingqongile izikhululo zeenqwelomoya;
 - (ii) phakathi nakufutshane nezikhululo zoololiwe nakwiindawo ezingqongileyo;
 - (iii) kumgama wombindi wesithili soshishino sommandla ophantsi kweSixeko okanye osikwe nguMlawuli weSixeko;
 - (iv) Nakwiindlela ezingundoqo ezisuka esikhululweni senqwelomoya nezikhululo zololiwe ukuya embindini wesithili soshishino esiphantsi kweSixeko nasebaleni.

(3) Akukho mntu uya kuthi kwesi sithuba semidlalo okhe, amise, asasaze okanye abonise isayini okanye ibhlabhodi kwindawo ephantsi kolawulo olungqongqo (Controlled Access Site) ngaphandle kwemvume ebhaliweyo yoMlawuli weSixeko namvume leyo enikelwe kuphela isizathu solu Khuphisano.

Ukhuselo

6. Akukho mntu uya kumisela, kuhambisa okanye kubonisa luphawu, bhilbhodi okanye nto yakwenza nentengiso kumhlaba oza kube usikelwe ukuba uphantsi kolawulo olulodwa lokungena—

- (a) neya kukhangeleka neza kwenza ingozi emntwini okanye epropatini;
- (b) nevalela okanye ephazamisa abaqhubi bezithuthi neya kwenza ukuba bangaqhubi ngokukhuselekileyo;
- (c) eya kukhanyiswa ngendlela eya kuphazamisa amehlo abantu abahamba ngeenyawo okanye abaqhubi;

- (d) eya kuncanyatheliswa ezimpawini nakwimiqondiso yendlela;
- (e) eya kuthi idibene nomqondiso wendlela okanye uphawu lwendlela isithe uphawu okanye umqondiso wendlela;
- (f) iya kwenza ukuba abantu baphazamiseke bangaziqondi iimpawu nemiqondiso yendlela;
- (g) iya kungenelela ekusebenzeni kweempawu zendlela okanye yenze ingozi endleleni;
- (h) iya kuphazamisa abahambi ngeenyawo ukubona okanye abaqhubi ukuba bangayiboni indlela okanye iitreyini, izinto ezisendleleni, iipavumente, iziphambuka, amagophe naluphi utshintsho olukhoyo endleleni;
- (i) iya kungenelela emchankathweni weebhayisikili okanye wabahambi ngeenyawo ngaphandle kokuba umphakamo ucacile yaye uvunyiwe nguMlawuli weSixeko;
- (j) iya kuthintela indlela yokwesaba xa kukho ingozi yomlilo okanye ukusebenzisa izixhobo zokucima umlilo;
- (k) iya kubekwa ingagunyaziswanga nguMlawuli weSixeko ngokuphathele neentambo ezijingayo zombane.

Idizayini nolwakhiwo

7.(1) Izixhobo ezisetyenziswa ukwenza intengiso yezinto kule ndawo iphantsi kolawulo olungqongqo iya kudizayinwa ngendlela ehambelana nephunyezwe ngokwemiqathango yequmrhu iSouth African Bureau of Standards ("SABS").

(2) Zonke iimpawu ezikummandla okhuselweyo ekungangeni nabani kuwo (Controlled Access Site / Exclusion Zone) ekusetyenziswa kuyo umbane, kufuneka ukuba—

- (a) iintambo zombane nezihambisi-mbane zibekwe zizinze ukuze zingabi semehlweni, zigqumeke;
- (b) zinganiki mngcipheko wakuqala umlilo;
- (c) zibe neswitshi engaphandle eza kufumaneka lula nekumphakamo oziimitha ezintathu ukusuka emhlabeni ekunokuthi xa kuyimfuneko kucinywe yona;
- (d) iintambo zifakelwe ngendlela ehambelana nemithetho nemimiselo esebenzayo; yaye
- (e) iintambo mazifakelwe ngusombane okanye injineli yombane efanelekileyo.

(3) Akukho mntu uya kwacha, kumiliselwa okanye kubonisa luphawu, bhilbhodi okanye ssiseko santengiso kule ndawo iyodwa (Controlled Access Site/Exclusion Zone) neya kuba yingozi endalweni.

Ulonolozo

8. Zonke iimpawu ezikwindawo ebizwa ngokuba yiControlled Access Sites / Exclusion Zones ziza kujongwa ngabantu bazo rhoqo yaye umnini-nto uza kuqinisekisa ukua iimpawu ezo zigcinwe cocekileyo nangobunono.

Ushenxiso nothinjo lweesayini

9.(1) Ngokwemigaqo yecandelo 5, uMphathi weSixeko uya kuthi ngokuphathelele neesayini, iibhlabhodi kunye nezinye iziseko zentengiso ezimiselwe okanye ezakhelwe zabekwa kwindawo ebizwa ngokuba yiControlled Access Site ephantsi kolawulo olungqongqo okanye nayiphi ekuboniswe kuyo intengiso kwezo ndawo zichazwe kumacandelo 5(1)(c)(i) naku-(ii) zinikwe invume yokuba zenze oku kulandelayo:

- (a) Zikhombise umnini wesayini, webhlabhodi okanye wesiseko eso kuboniwe kuso intengiso ephazamisa okanye efikelela kwezo ndawo kubekwe imida kuzo nokuba zezoluntu nokuba zezabantu bucala, ukuba ayisuse isayini leyo okanye ayibhekise, ngaphandle kokuba amalungiselelo kulo avunye nguMlawuli weSixeko ngokoMthetho kaMasipala ophathelele nolawulo lwePropati yeSixeko, ethi Management and Administration of the City of Cape Town's Immovable Property;
- (b) Zinike umntu lowo uchaphazelekayo isaziso sokuba ashenxise isayini leyo okanye ibhlabhodi leyo ukuba iyaphikisana noMthetho kaMasipala ongengengiso yangaphandle obizwa ngokuba yiCity of Cape Town: Outdoor Advertising and Signage By-law;

(2) Ukuba uMthetho kaMasipala lo awuthotyelwa ngulowo unikwe isaziso sokuba ashenxise isayini okanye ibhlabhodi yakhe, iSixeko siya kubhenela enkundleni ukuze sifumane ilungelo lokuyishenxisa into leyo iphazamisana noMthetho kaMasipala.

ISAHLUKO 3— IMIQATHANGO ENGUNDOQO: IINDAWO EZIPHANTSI KOLAWULO OLUNGQONGQO

Ukusikwa kweendawo eziza kuba phantsi kolawulo olungqongqo

10.(1) Umlawuli weSixeko unokuthi, azise loo ndawo iza kuba phantsi kolawulo olungqongqo (Controlled Access Site) esebenzisa amajelo eendaba.

(2) Umlawuli weSixeko unokuthi anike indawo ethile njengendawo eyodwa (Exclusion Zone) ze ayazise loo ndawo ngokusebenzisa amajelo eendaba.

Uthintelo kwiindawo ezphantsi kolawulo olungqongqo

11. Akukho mntu uvumelekileyo ukuba—

- (a) atshaye, atye, asele okanye alale nakweyiphi indawo ephantsi kolawulo olulodwa ekungavumelekanga ukuba kwenzeke ezi zinto zikhankanyiweyo;
- (b) agxobheke nje emisebenzini eqhutywayo equka kambe ingaphelelanga kufakelo kwezixhobo zokusebenza kule ndawo enolawulo olulodwa lokungena (Controlled Access Site);
- (c) ashenxise okanye asuse nantoni kwizixhobo nezisetyenziswa ezibekiweyo kule ndawo iyodwa iphantsi kolawulo olungqongqo (Controlled Access Site);
- (d) eze nesilwanyana ngaphandle kwezinja ezisetyenziswa ngabangaboniyo okanye ezo zilwanyana zincedisa amagosa agunyazisiweyo ekufezekiseni umsebenzi wawo wokulondoloza le ndawo iyodwa;
- (e) asebenzise ulwimi oluthukayo, aziphathe ngokungafanelekanga nangokuphazamisana nabanye abantu kule ndawo isikiweyo (Controlled Access Site);
- (f) aphazamisane, agxobhagxobhe okanye ahluphane naye namphi umntu ohleli kule ndawo (Controlled Access Site);
- (g) onakalise nandawoni nantoni kulo mmandla uwodwa (Controlled Access Site) okanye izixhobo ezisetyenziswa kule ndawo;

- (h) Achithe okanye alahle zinto ezinokuba yingozi ebantwini abaza kube besebenzisa le ndawo;
- (i) onakalise, ophule ngabom, apeyinte, onakalise inkangeleko yale ndawo;
- (j) Alale, ahlale, eme, ame isiqhu nabanye, ahambahambe ngendlela eya kudala uphazamiseko nokuba lulolwaluphi uhlobo kule ndawo;
- (k) Uya kukhangela umqhubi wesithuthi opaka imoto yakhe kule ndawo kuba esithi ugade imoto leyo;
- (l) Uya kuchama, azithume okanye enze nayiphi into ehlasimlisa umzimba kule ndawo;
- (m) Uya kulahla okanye ashiye nantoni enokuba yingozi okanye ikhathaze abo basebenzisa le ndawo;
- (n) Uya kuphatha, aveze, aqhayise ngesixhobo esiyingozi; okanye
- (o) Ajule okanye aphose nantoni yaluphi uhlobo kule ndawo okanye malunga nale ndawo.

Indawo eyodwa

12. Ngokwemigaqo yecandelo 5, akukho mntu uya kushishina kwindawo ebhalwe Indawo eyodwa (Exclusion Zone) ngosuku lomdlalo ngaphandle kwemvume yoMlawuli weSixeko ayinike ngesizathu esisodwa sokuba kunxulumene nokhuphiswano, ngaphandle kokuba isithintelo asizi kubachaphazela oosomashishini besiqhelo nabo abaya kushishinela ezindaweni ezizezabo ekuqaleni kokusebenza kwalo Mthetho kaMasipala.

ISAHLUKO 4— IMIQATHANGO ENGUNDOQO: UKUHONJISWA KWAMABALA OLUNTU NESIXEKO

Ukuhonjiswa kweSixeko kulungiselelwa uKhuphiswano

13.(1) UMphathi weSixeko uya kubongoza bonke abantu ababandakanyeka kwimisebenzi yokwakha emikhulu ngeli xesha nesemehlweni oluntu nesondele kumaziko amakhulu ezothutho okanye kumaziko okuzonwabisa naza okanye anokusetyenziswa ngexesha lemidlalo yoKhuphiswano, iZiza seeNdawo zokuNgena eziLawulwayo neeZowuni eziKhethiweyo, ukuba kuthathwe amanyathelo ayimfuneko ngezabo iindleko ukuhlawula okanye ukufihla ezo ziza kwakhiwa kuzo ekubonweni luluntu.

(2) UMphathi weSixeko uya kuba nelungelo, lokucela nawuphi na umnini welayisenisi, iphepha-mvume elikhoyo, iphepha lolwamkelo okanye sigunyaziso sokwenza nayiphi na imisebenzi yokwakha kwiindawo emikhulu karhulumente okanye yabucala, kumaziko ezothutho anengxinano yoluntu okanye kumaziko olonwabo naya kusetyenziselwa imidlalo yoKhuphiswano, iZiza seeNdawo zokuNgena eziLawulwayo neeZowuni eziKhethiweyo nekuqhutywa imisebenzi yokwakha ngexesha lokuqalisa koKhuphiswano, ukuba bayimise lo misebenzi yokwakha ngalo lonke elo xesha okanye ngokuyinxalenye yexesha elo lemidlalo.

(3) Akukho banu uvumelekileyo ukuba onakalise inkangeleko yalo naluphi na udonga, isakheko okanye isakhiwo kuso nasiphi na isitalato okanye ibala loLuntu okanye imbonakalo ekufuphi nesitalato okanye nebala loLuntu ngokubhala, ngokupeyinta, okanye ngokubeka nayiphi na imizobo, imifanekiso nemiqondiso ngexesha loKhuphiswano.

ISithintelo Jikelele esiphathelele kumabala oluntu neendawo ezihonjisiweyo zeSixeko

14. Akukho mntu uvumelekile kwitheko elikhethekileyo—

- (a) ukuba adale okanye enze inkathazo;
- (b) asebenzise intetho enyelisayo okanye echasayo okanye aziphathe ngendlela eyenyelisayo, enenkcaso okanye engafanelekanga kuye nawuphi na omnye umntu ozimase elo theko;
- (c) athintele, aphazamise, asithe okanye aphaathe kakubi nawuphi na omnye umntu;
- (d) onakalise okanye abangele umonakalo ngqo kuzo naziphi na izixhobo zokusebenza, amaziko, izixhobo, izimakade, izinto ezifakelweyo, izakhiwo okanye izakheko;
- (e) atshaye, atye, asele okanye alale apho ezi zenzo zingavumelekanga khona;
- (f) aphalaze okanye awise nayiphi na into enokubangela umonakalo okanye yonzakalise abanye abantu;
- (g) aphazamise imisebenzi eyenziwayo okanye ukufakelwa kwezixhobo, ukumiswa kwamaziko okanye ukokhiwa kwezixhobo eziluncedo;
- (h) asuse okanye onakalise nayiphi na into okanye inxalenye yesimakase, yento efakelweyo, yezixhobo, yeziko elimisiweyo okanye izixhobo zokusebenza;
- (i) enze isenzo sokonakalisa ngabom kuqukwa kodwa kungalinganiselwanga ekupeyintweni, ekonakalisweni kwembonakalo okanye ukuphawula naziphi na izixhobo eziluncedo, amaziko amisiweyo, izixhobo zokusebenza, izimakade, izinto ezifakelweyo, izakhiwo nezakheko;
- (j) ukulala, ukuhlala, ukuma, ukungqungana okanye ukuhamba ngendlela ebangela uthintelo lwangabom, okanye olubangela naluphi na uphazamiseko, ngalo naluphi na uhlobo;
- (k) ukurhwebesha okanye ukubongoza imbuyekezo kumqhubi wesithuthi opake isithuthi sakhe ngenjongo okanye ngokuzenza ngathi usigadile okanye ukhusele eso sithuthi;
- (l) ukuchama okanye ukuzithuma ngaphandle kwakwindawo elungiselelwe oo neyenzelwe lo njongo okanye enze isenzo sokungaziphathi kakuhle;
- (m) acele okanye angqibe imali;
- (n) alahle okanye ashiye okanye abangele ukushiywa kwayo nayiphi na into enokuba yingozi okanye enokudala umonzakalo kwabanye;
- (o) ukuphatha, ukutshangatshangisa okanye ukuveza okanye ukusebenzisa nasiphi na isixhobo sokulwa, isixhobo senkcubeko okanye nayiphi na into enokubangela umonzakalo kwabanye;
- (p) ukugibisela nantoni na, nokuba yeyaluphi na uhlobo;
- (q) ukungena kuyo nayo nayiphi na indawo ekungavumelekanga ukuba ungene kuyo okanye ethintelekileyo;
- (r) ukuhlamba, ukuhamba emanzini okanye ukuqubha okanye ukuhlamba umzimba, isilwanyana okanye nantoni na, kuqukwa nempahla, nakuyiphi na indawo enamanzi;
- (s) ukwenza, ukulumeka okanye ukubasa umlilo ngaphandle kwakwindawo elungiselelwe kanye neyenzelwe kanye lo njongo; kunye
- (t) nokumisa intente okanye ukuhlala;

- (u) ukwenza nasiphi na isenzo esithintelweyo ngokungqinelana nalo nasiphi na isaziso okanye uphawu oluxhonywe siSixeko.

Uthintelo kwindlela yokungena

15. UMphathi weSixeko unelungelo lokuthintela indlela yokungena eqhelekileyo nokusetyenziswa kwalo naliphi na ibala elivulekileyo loLuntu nokusetyenziswa kwamabala oluntu ngeenjongo—

- (a) zokukhusela ibala elivulekileyo loluntu;
- (b) ukunciphisa ukonakaliswa okanye ukuphathwa kakubi kwepropati yeSixeko ekulo naliphi na ibala loluntu;
- (c) ukuphuhlisa okanye ukwenza nawuphi na umsebenzi obonwa njengoyimfuneko okanye njengofanelekileyo ukuze kuphunyezwe iinjongo zalo Mthetho kaMasipala kumalungiselelo oKhuphiswano.

Inkunkuma

16. Akukho mntu uvumelekileyo ukuba kwibala loLuntu elivulekileyo—

- (a) alahle, anyengeze ngobuxelelu, asasaze okanye alahle nayiphi na into eyinkunkuma, ngaphandle kwakwisiqulathi esinikezelwe siSixeko kulungiselwa lo msebenzi; okanye
- (b) alahle okanye asasaze nayiphi na ino eyinkunkuma okanye angcolise ngayo nayiphi na indlela enokuba nempembelelo eyonakalisayo kuyo nayiphi na indawo enamanzi.

Izithuthi

17. Akukho mntu uvumelekileyo kwibala elivulekileyo loLuntu —

- (a) ngaphandle kwangamaxesha achaziweyo nakwiindlela neendledlana ezibonelelwe nguMphathi weSixeko, ukuqhuba, ukurhuqa okanye ukuqhuba nasiphi na isithuthi ngaphandle kwebhayisikile okanye inqwelana ebusithuthirha nesetyenziswa ngabantu abakhubazekileyo;
- (b) ukuqhuba, ukurhuqa okanye ukuqhuba nasiphi na isithuthi nokuba sesaluphi na uhlobo nesihamba umgama ongaphezu kweekhilomitha ezingama-40 (amashumi amane) ngeyure; okanye
- (c) ukupaka nasiphi na isithuthi nokuba sesaluphi uhlobo, ngaphandle kwakwindawo elungiselelwe oko okanye kwenye indawo ekuvumelekileyo kuyo ukuba kumiswe izithuthi nguMphathi weSixeko.

Izityalo nezilwanyana

18. Akukho mntu uvumelekileyo ngaphandle kwegunya elicacisiweyo nguMphathi weSixeko, ukuba kwibala loLuntu elivulekileyo—

- (a) aphazamise, onakalise, atshabalalise okanye asuse nawuphi na umthi, ityholwana okanye ezinye izityalo;
- (b) afakele, abeke, alungelelanise okanye enze ubhengezo-ntengiso nokuba lolwaluphi na uhlobo naphi na kwibala loLuntu elivulekileyo;
- (c) ukutyala naziphi na izityalo;
- (d) ukuguqula ithambeka okanye imbonakalo yemijelo yogutyulo ngeenjongo yokuphazamisana nendlela yokufikelela emanzini, umoya nakwizondlo zawo nawuphi na umthi okanye nasiphi na isityalo;
- (e) ukubambisa okanye ukuzama ukubambisa, ukusukela, ukudubula, ukonzakalisa, ukugibisela izinto, ukukhathaza, ukuchisha nangayiphi na indlela nasiphi na isilwanyana, intlanzi, okanye intake okanye indlwana yayo okanye amaqanda ayo;
- (f) ukukhwela ihashe, ngaphandle -
 - (i) kwakwindawo emiselwe nguMphathi weSixeko njengelungele lo msebenzi; kunye
 - (ii) nabani na owenza umsebenzi wakhe osemthethweni, ogade amabala oluntu avulekileyo ekhwele ihashe;
- (g) ukuhamba, ukuthwala, ukukhwela okanye ukuza nesilwanyana ngaphandle kwehashe okanyeinja ukuba ukuza nenja okanye nehashe akuthintelwanga kwelo bala loLuntu elivulekileyo;
- (h) ukuhamba nenja kuyo nayiphi na indawo—
 - (i) ukuhamba nenja kwibala loLuntu elivulekileyo ekungavumelekanga ngokwesaziso okanye ngokomqondiso ogunyaziswe nguMphathi weSixeko; okanye
 - (ii) ukuba lo nja, ithi ngeli xesha ihamba-hamba kwibala loLuntu elivulekileyo ingajongwa ngalo lonke ixesha okanye ilawulwe ngulo mntu uhamba nalo nja.

Ukusetyenziswa kwamabala avulekileyo oluntu

19.(1) Akukho mntu uvumelekileyo, ukuba kwibala elivulekileyo loluntu—

- (a) asebenzise ibala elivulekileyo loLuntu ngendlela ethintela ngokungenabulungisa okanye ethintela abanye abasebenzisi bebala elivulekileyo loluntu ekuxhameleni ukusebenzisa elo bala elivulekileyo loluntu; okanye
- (b) ngaphandle kwakwibala elivulekileyo loLuntu okanye inxalenye yalo, eliqeshiselwe umntu othile nguMphathi weSixeko ngeenjongo ezithile, zokuthengisa, ukuhamba uthengisa, ukunikezela okanye ukubonisa nayiphi na impahla okanye izinto eziphathekayo ngeenjongo yokuzithengisa okanye ukuqeshisa ngazo;

(2) Akukho mntu uvumelekileyo ukuba asungule isiganeko okanye isiganeko esikhethekileyo esinokusetyenziselwa iinjongo zoKhuphiswano ngaphandle kokuba kugunyaziswe ngokukodwa nguMphathi weSixeko.

ISAPHLUKO 5—IMIQATHANGO ENGUNDOQO: ISIKHOKELO SEENDLELA ZOLUNTU NEZOTHUTHO

Izithintelo jikelele ngokuphathelele neendlela zoluntu

20. Akukho mntu uvumelekileyo ukuba ngexesha loKhuphiswano—

- (a) ukuba amise okanye abangele, okanye avumele ukuba kumiswe, okanye abeke nantoni kuqukwa ibhanile, intsontela, ucingo, intambo, ipali, ucingo olunameva, ubiyelo ngemivalo, ubiyelo olwenziwe ngepali ezitsolo, udonga okanye nasiphi na isithintelo okanye into enqandayo nokuba yeyaluphi uhlobo phezu, phantsi, okanye ngokunqamleze nayiphi na indlela yoluntu ngaphandle kokwamkelwa nguMphathi weSixeko,

ukuba eso sithintelo asizi kusetyenziswa ngabeeNkonzo zamaPolisa oMzantsi Afrika okanye ngamaPolisa eNqila xa esenza imisebenzi yawo;

- (b) ukusebenzisa impahla ezinokubangela nawuphi na umonzakalo okanye ingozi kuyo nayiphi na inxenye yendlela yoluntu okanye ukubangela umonzakalo kubasebenzisi bayo kuqukwa kodwa kungalinganiselwanga kubahambi ngeenyawo, abakhweli beebhayisikili, abakhweli bezithuthuthu nabakhweli beenqwelo mafutha;
- (c) ukuphalaza okanye ukuwisa nantoni na phezu okanye uyibeke ngokunqumleze indlela yoluntu kuqukwa kodwa kungalinganiselwanga ekuchitheni amanzi, imichiza okanye nantonina eyi-oli, nenokuthi ngayo nayiphi na indlela ibeke ebungozini okanye yonzakalise abasebenzisi bendlela kuqukwa kodwa kungalinganiselwanga kubahambi ngeenyawo, abakhweli beebhayisikili, abakhweli bezithuthuthu nabakhweli beenqwelo mafutha;
- (d) ukuphazamisana nomsebenzi owenziwa siSixeko okanye nguye nawuphi na umboneleli ngenkonzo ogunyazisiweyo okanye liqela elizimeleyo kwindlela yoluntu okanye ngokuphathelele neenkonzo zeSixeko kuqukwa ukombiwa kwemingxuma, imisele, imigodi eyimigibe okanye imijelo phantsi kwayo nayiphi na indlela yoluntu; okanye ukupeyinta, ukungcolisa ngokuzithuma okanye ukwenza iimpawu nakuyiphi na indlela yoluntu;
- (e) ukwenza nasiphi na isenzo zokonakalisa kuqukwa kodwa kungalinganiselwanga ekupeyinteni, ekungcoliseni ngokuzithuma okanye ukwenza iimpawu kuyo nayiphi na inxenye yendlela yoluntu;
- (f) ukuthintela, ukuphazamisa, ukubanga umqobo okanye ukunukuneza nawuphi na umsebenzisi wendlela kuqukwa kodwa kungalinganiselwanga kubahambi ngeenyawo, abakhweli beebhayisikili, abakhweli bezithuthuthu nabakhweli beenqwelo mafutha abasebenzisa okanye abangena kwiindlela zoluntu;
- (g) ukubangela ukuba nasiphi na isilwanyana sibhadule okanye sihambe kwindlela yoluntu, ngaphandle kwezinja ezikhokela abantu abangabaniyo nezilwanyana ezincedisa amagosa kwimisebenzi yawo yonyanzeliso-mthetho;
- (h) ukurhwebesha okanye ukubongoza imbuyekezo kumqhubi wesithuthi opake isithuthi sakhe kwindlela yoluntu ngenjongo okanye ngokuzenza ngathi usigadile okanye ukhusele eso sithuthi;
- (i) ukuchama okanye ukuzithuma ngaphandle kwakwindawo elungiselelwe oo neyenzelwe lo njongo okanye enze isenzo sokungaziphathi kakuhle kwindlela yoluntu okanye kuso nasiphi na iSiza ekungenwa kuso ngendlela eLawulwayo;
- (j) ukungqiba kwindlela yoluntu.

(2) Akukho mntu uvumelekileyo ngexesha loKhuphiswano, ngaphandle kokwamkelwa nguMphathi weSixeko—

- (a) ukuqhuba okanye ngaphandle koko ukuhambisa itroli kwindlela yoluntu kwiZowuni engaVumelekanga okanye kwiSiza ekungenwa kuso ngendlela eLawulwayo;
- (b) ukulahla okanye ukushiya okanye ukubangela ukuba kushiye intlabathi, amatye, umhlaba, izitena, amaplanga, ikalika, isimente okanye ezinye izinto zokwakha okanye indawo egrunjiweyo nokuba yeyaluphi na uhlobo okanye nayiphi na inxalenye kwindlela yoluntu; okanye
- (c) ukupaka okanye ukushiya nasiphi na isithuthi nokuba sesaluphi na uhlobo nangayiphi na indlela kuqukwa kodwa kungalinganiselwanga nayiphi na inqwelo mafutha, ibhasi, iveni, iloli, ibhayisikile, isithuthi esitshovwa ngesinyathelo, ibhayisekile engenasinyathelo, isileyi, isithuthuthu, ikharavani, isikhotshi, ikari, itelelele okanye isixhobo esishukumisa umhlaba, nokuba sijongiwe nokuba asijongwanga, kuyo nayiphi na indlela yoluntu ngaphandle ngaphandle kwakwindawo ephawulelwe oko.

Izithintelo jikelele ngokuphathelele kulawulo lwezithuthi ezindleleni

21.(1) Akukho mntu, ngaphandle kwegosa eligunyazisiweyo, elivumelekileyo ukuba likhokele naluphi na uhlobo lwesithuthi lisebenzisa umqondiso obonwayo okanye oviwayo.

(2) Akukho mntu uvumelekileyo ukuba aqhube apake isithuthi kwindawo ekungavumelekanga zithuthi kuyo ngaphandle kokuba unikwe istika esigunyazisa ubukho beso sithuthi kulo ndawo ekungavumelekanga kupakwa zithuthi kuyo ngokusemthethweni yaye sibe sifunyenwe yaye sibekwe ngokucacileyo kwisithuthi eso;

(3) Akukho mntu uvumelekileyo ukuba aqhube nayiphi na ibhayisikile enesinyathelo, isithuthuthu, ibhayisekile engenasinyathelo, isileyi, iplanga elitshibilizayo okanye nayiphi na enye into elolo hlobo anokuthi umntu axomekezele yena nalo nto ihambayo eyibhayisikili enesinyathelo, ibhayisikili engenasinyathelo, isileyi, iplanga elitshibilizayo okanye isixhobo esizihambelayo kwesinye isithuthi esihambayo, kwindlela yoluntu.

(4) Akukho mntu uvumelekileyo ngaphandle kokwamkelwa nguMphathi weSixeko, ukuba apake okanye abangele ukuba kupakwe nasiphi na isithuthi nokuba sesaluphi na uhlobo kwindawo ephawulelwe oko ngaphandle kokuhlawula, xa kuyimfuneko, ixabiso elifanelekileyo okanye ukufaka istika okanye ikhadi elifanelekileyo kwisixhobo sibala ixesha opake isithuthi sakho ngexesha lokupaka eliyimfuneko.

Izithintelo jikelele ngokuphathelele nendawo yokupaka

22. UMphathi weSixeko uya kuba nelungelo lokuthintela indlela yokungena yoluntu kwiindawo eziphawulweyo nakwezinye iindawo zokupaka ezikummandla okanye ezingqonge isteydiyam okanye iSiza ekungenwa kuso ngendlela eLawulwayo ngeentsuku zemidlalo okanye xa kusingathwe iziganeko ezisemthethweni, yaye kule meko uya kuba nelungelo—

- (a) lokuthintela ilungelo lokusebenzisa iindawo ezithile eziphawulweyo ngaphakathi esteydiyam nangaphandle kufuphi nendawo yokungena, kwaba bantu balandelayo—
 - (i) abantu ababalulekileyo;
 - (ii) amaqela; kunye
 - (iii) namagosa ezemidlalo, kuqukwa noosompempe;
- (b) ukuthintela ilungelo lokusebenzisa iindawo ezithile eziphawulweyo nezinye iindawo zokupaka izithuthi ezingaphakathi kwesteydiyam kufuphi kakhulu nesakhiwo esisesteydiyam, naxa kuyimfuneko ukuba zisetyenziswe ngababoneleli ngeenkonzo, kwaba bantu balandelayo -
 - (i) igqiza labathunywa be-FIFA;
 - (ii) amalungu egqiza labathunywa be-LOC;
 - (iii) iimanyano zezorhwebo;
 - (iv) iinkampani ezinelungelo lokusasazo;
 - (v) iindwendwe ze-FIFA guests; kunye

- (vi) nababoneleli ngeenkonzo;
- (c) ukuthintela ilungelo lokusebenzisa iindawo ezithile eziphawulweyo nezinye iindawo zokupaka izithuthi ngaphathi esteydiyam kubameli beenkampani zosasazo nenkonzo yoquqa bosasazo.

Imiyalelo emiselwa ngamagosa asemthethweni

23. Igosa elisemthethweni livumelekile ukuba, ngeenjongo zokumisela okanye ukusebenzisa isicwangciso sezokhuselo nokhuseleko kwiimeko eziyimfuneko kuso, nangokwanelisa iimfuno zokuqinisekisa nokuxhasa ulawulo lwezithuthi okanye ukhuseleko ngosuku lomdlalo -

- (a) liyalele nabani na ukuba ayeke ukusebenzisa indlela yoluntu; yaye
- (b) liyalele nabani na ukuba asuse isithuthi sakhe nokuba sipakiwe, simile okanye siyahamba, kwindlela yoluntu.

Inyathelo lokuvalwa kwendlela nguMphathi weSixeko

24. UMphathi weSixeko unakho, emva kokukhupha izibhengezo ezifanelekileyo kumajelo osasazo, ukuvala okwethutyana nayiphi na indlela yoluntu, isitalato okanye indlela esemthethweni ecanda phakathi kwezindlu kwiSixeko ngeenjongo zokulawula izithuthi, ulawulo nokukhokela okanye ngeenjongo zokumisela okanye ukusebenzisa isicwangciso sokhuselo nokhuseleko nokuba kukwimida yestedyam okanye hayi, ngexesha lokusingathwa kwesiganeko esisemthethweni, ipaka yabalandeli be-FIFA, isiza sokuzilolonga ngokusemthethweni, iZowuni eThintelweyo okanye iSiza ekuNgenwa kuso ngendlela eLawulwayo.

ISAPHLUKO 6—IZIBONELELO EZIPHAMBILI: UKUTHENGISA EZITRATWENI

Ukwamkelwa kokuthengisa esitratweni

25. Ngokwakwesi Sahluko ukwamkelwa kuthetha ukwamkelwa ngokwemithetho kamasipala evunywe siSixeko ngokoMthetho wamaShishini, ka-1991 (UMthetho uNombolo 71 ka-1991) okanye nawuphi omnye umthetho othathe indawo yalo mthetho okanye mthetho kamasipala.

Indlela yokuziphatha kwabathengisi-zitratweni ngobubanzi naxa bethengisa

26.(1) Ngokwesi sivumelwano umthengisi-sitratweni akavumelekanga ukuba—

- (a) abeke izinto zakhe kuyo nayiphi na indawo kawonke-wonke ngaphandle kwezo ndawo zilungiselelwe oko nguMlawuli weSixeko;
- (b) xa egoduka loo mini ashiye nayiphi na into yakhe kwindawo kawonke-wonke;
- (c) abeke izinto zakhe kwindawo kawonke-wonke ngaphandle kokuba ulungiselela ukumisa iitafile zakhe phambi kokuqalisa ukuthengisa okanye elungiselela ukuthengisa;
- (d) afumbe okanye apakishe izinto zakhe ngendlela eza kuthi iphazamisane okanye ibe nobungozi eluntwini okanye kwimpahla, okanye zingonzakalisa umntu okanye zibangele umonakalo kwimpahla;
- (e) ayamise nantoni na nakwiyiphi indawo kawonke-wonke, umda, umthi, isixhobo sokubala ixesha elimiswe yimoto, ipali yombane, ipali yokukhanyisa, ipali yefowuni, indlwana yefowuni, ibhokisi yeposi, uphawu lwendlela, isitulo okanye nayiphi ifanitshala ekwindawo kawonke-wonke;
- (f) abase nakweyiphi na indawo okanye imeko enokuthi ibangele ingozi okanye ilahleko emntwini, kwisakhiwo, isithuthi okanye ifanitshala yesitalato okanye ukuba unikwe ilungelo lokuba apheke ukutya asebenzise umlilo weenkuni okanye isitovu segesi;
- (g) ahlale ubusuku bonke kwindawo athengisela kuyo;
- (h) akhe okanye amise nokuba yintoni elungiselela ukwenza ikhusi kwindawo athengisela kuyo esitratweni egqithayo kule ivunywe nguMlawuli weSixeko;
- (i) aphazamisane nomntu osebenzisa ungqameko ukuba abuke iimpahla eziboniswa efestile yevenkile okanye asithe ezo mpahla emehlweni;
- (j) aqhube ishishini lakhe okanye athathe indawo okanye abeke izinto zakhe kwindawo kawonke-wonke okanye angayihloniphi imithetho okanye izaziso ezibekiweyo okanye ezixhonywe nguMlawuli weSixeko kulungiselelwa lo mthetho kamasipala;
- (k) agcine izinto okanye iimpahla zakhe kwisikroba sokungena, kumbhobho wamanzi ezikhukhula okanye indlu yangasese kawonke-wonke, isikhululo sebhasi okanye iteksi okanye phantsi komthi kawonke-wonke;
- (l) aqhubeke athengise esitratweni ngendlela—
- (i) eza kuphazamisa;
- (ii) eza kwanakalisa okanye igxungule umhlaba wendawo kawonke-wonke okanye womntu;
- (m) eza kuphazamisana nokuhamba kwezithuthi okanye iphazamise indawo yokuwela abantu endleleni, iindawo zokumisa okanye zokulayisha okanye ezinye izixhobo zokuhambisa izithuthi okanye angabakhathaleli abahambi ngeenyawo okanye angathobeli okanye ale xa ecelwa ligosa elinegunya ukuba asuse iimpahla zakhe ukulungiselela ukuba kukwazi ukwenziwa nawuphi umsebenzi okanye inkonzo kulo ndawo kawonke-wonke;
- (n) abeke iimpahla okanye imithwalo yakhe kwindawo kawonke-wonke ngaphandle kwemvume yoMlawuli weSixeko;
- (o) ashishine ngokutya ngaphandle kwesiqinisekiso esikhutshwe ngokoMthetho olawula ezempilo jikelele ngokuphathelene nokutya kwindawo nokuthuthwa kokutya, obizwa ngokuba yi- Regulations Governing General Hygiene Requirements for Food Premises and the Transport of Food (GNR. 918 of 30 July 1999).

(2) Umthengisi-sitratweni kufuneka aqinisekise ukuba xa esebenzisa igesi engamanzi xa ezithengisela esitratweni iyahambelana nemiqathango kwakunye nemithetho efanelekileyo ekusetyenzisweni kwalo gesi.

Indlela yokuziphatha komthengisi-sitratweni ekuqinisekiseni ukuba le ndawo yokuthengisela igcinwa icecekile

27. Ngokwesi sivumelwano, umthengisi-sitratweni kufuneka—

- (a) alahle inkunkuma esuka kwishishini lakhe kuwo nawuphi na umgqomo okhoyo okanye into evunywe nguMlawuli weSixeko ukulungiselela uluntu okanye indawo yokulahla inkunkuma yeSixeko;
- (b) angalahli inkunkuma kwisikroba sokungena, kumbhobho wamanzi ezikhukhula okanye nakweyiphi na indawo engalungiselelwanga ukulahla nkunkuma;

- (c) ngokucelwa ligosa elinegunya, asuse iimpahla okanye imithwalo yakhe ukuze kube lula ukucoca indawo okanye isiza athengisela kuso okanye eminye imisebenzi enxulumene nokuhanjiswa kweenkonzo zikamasipala okanye nangasiphi na isizathu esisemthethweni;
- (d) aqinisekise ukuba akukho msi, akuqhumi okanye nayiphi na into eyenza ungcoliseko;
- (e) aqinisekise ukuba akukho vumba libi okanye ngxolo iphazamisayo isuka kwizinto azenzayo;
- (f) agcine indawo okanye isiza athengisela kuso sicocekile kwaye singenazintsholongwane;
- (g) agcine impahla yakhe icocekile, ingenazintsholongwane kwaye iphetheke kakuhle;
- (h) asebenze ngobulumko obanezisa uMlawuli weSixeko ngethuba ngethuba eqhuba ethengisa njengoko kunokwenzeka ukuba kuchithakalele kwindawo kawonke-wonke, okanye kumbhobho wamanzi ezikhukula amafutha, i-oli, igrisi okanye nayiphi na into enokuba nobungozi kuluntu ngobubanzi okanye abantu abasebenzisa iindawo zikawonke-wonke;
- (i) aqinisekise xa egqibile ukuthengisa ngalo mini ukuba indawo ebethengisela kuyo ayinankunkuma kwaye kufuneka akwenze oko ngokwamaxesha amiselweyo.

Ukulawula ukuthengisa esitratweni

28.(1) Ngaphandle kwemvume yoMlawuli weSixeko enikwa kanye ngokwezoKhuphiswano, akukho mntu uvumeleke ukuba—

- (a) aqhubeke athengise esitratweni kuyo nayiphi na iNdawo ekuNgenwa kuyo ngeMvume okanye iNdawo eKhuselweyo ngokwesi sivumelwano;
- (b) aqhubekeke athengise esitratweni kwindawo ekungavumelekanga kuyo;
- (c) aqhubekeke athengise kwisitiya okanye ipaki zikawonke-wonke.

(2) Akukho mntu kufuneka aqhubekeke ethengisa esitratweni—

- (a) kwindawo engavumelekanga;
- (b) kwidini elisitha umatshini webhanki;
- (c) kwidini eliphazamisana—
 - (i) nesakhiwo esiwongwe ngokuba sisakhiwo esililifa ngokoMthetho wamaFa eSizwe, ka-1999 (uMthetho uNombolo 25 ka-1999), ngaphandle kokuba kukho isivumelwano esisodwa esinikiweyo ngokwalo mthetho mnye;
 - (ii) nesakhiwo sikarhulumente okanye seSixeko;
 - (iii) necawa okanye enye indawo yokukhonza;
 - (iv) nendawo kawonke-wonke, ngaphandle kokuba ukuthengisa kuvumelekile ngokwesalathiso esimisiweyo okanye esixhonywe nguMlawuli weSixeko kwaye uyasithobela;
 - (v) nendawo—
 - (aa) evala umnyango wokungena okanye ukuphuma kwisakhiwo;
 - (bb) ephazamisa umbhobho wamanzi okucima umlilo okanye enye inkonzo kamasipala;
 - (vi) necala lendlela kawonke-wonke elisitha isakhiwo esisetyenziswa njengendawo yokuhlala ukuba umnikazi okanye umntu osilawulayo okanye nabani ohlala kuso uyaphikisana noko;
 - (vii) necala le ndlela kawonke-wonke elayamene nevenkile okanye lo ndawo yesakhiwo apho kuthengiselwa kuyo ngumntu othengisa iimpahla ezifanayo okanye eziyeleleneyo kwimpahla ezithengiswa ngumthengisi-sitratweni ukuba loo mntu uyaphikisana noko;
 - (viii) nesiza okanye nayiphi na indawo emiselweyo nguMlawuli weSixeko ngokwecandelo 6A(3)(b) kuMthetho wezaMashishini ka-1991 (uMthetho Nombolo 71 ka-1991), ukuba akanaso isiqinisekiso esibhaliweyo sokuba usiqashile eso siza okanye loo ndawo kwiSixeko okanye eso siza sinikwe yena; nokuba athengise esaphula imithetho nemiqathango yokuqasha, yemvume okanye yokwabelwa; kwaye
 - (ix) nomgama ofanelekileyo phakathi kweNdawo ekuNgenwa kuyo ngeMvume, loo mgama njengoko kumiselwe nguMlawuli weSixeko.

Iindawo zokuthengisela ezikhuselweyo nekungavumelekanga ukuthengisa kuzo

29. ISixeko singakhomba sicande iindawo ezikhuselweyo okanye ekungavumelekanga ukuba kuthengiselwe kuzo ngokoMthetho wezaMashishini ka-1991 (uMthetho uNombolo 71 ka-1991) okanye nawuphina umthetho kamasipala olawula ukuthengisa esitratweni.

Ukuthintelwa kwabantu abaneminyaka engaphantsi kweshumi elinesithandathu

30.(1) Akukho mntu ungaphantsi kwiminyaka elishumi elinesithandathu ubudala uvumelekileyo ukuthengisa esitratweni kwindawo kawonke-wonke.

(2) Naye nabani oqesha okanye othetha-thethana okanye ocela lo mntu kuthethwa ngaye kwicandelwana (1) ukuba athengise esitratweni okanye ancedise uya kuba netyala lokwaphula umthetho.

ISIAHLUKO 7— AMALUNGISELELO ANGAMANYE

Amagunya okungena kuhlolwe indawo yokusebenzela

31.(1) Igosa elinegunya linelungelo lokucela okanye lihlole nasiphi na isivumelwano esinikiweyo ngokwalo Mthetho kaMasipala.

(2) Ukungakwazi ukunikeza ngeso sivumelwano ngumnikazi-siza okanye omnye umntu onaso kuza kuthathwa njengokophula umthetho ngokwalo Mthetho kaMasipala

Ilungelo lokungena nokuthintelwa kwiNdawo ekuNgenwa kuyo ngeMvume

32.(1) Ilungelo lokungena nokusebenzisa iNdawo ekuNgenwa kuzo ngeMvume liza kulawulwa ngokunikezwa kwesiqinisekiso namatikiti.

(2) Kuxhomekeka kwimeko yalo Ndawo ekuNgenwa kuyo ngeMvume kwakunye nohlobo lwento eza kwenziwa kulo Ndawo ekuNgenwa kuyo ngeMvume, akukho mntu ngaphandle—

- (a) komntu onikwe isiqinisekiso;

- (b) komntu onetikiti; okanye
- (c) naye nabani na umntu onikwe igunya okanye ovumelekileyo ukuba angene kwiNdawo kwiNdawo ekuNgenwa kuyo ngeMvume, uza kuvunyelwa ukuba angene kwiNdawo ekuNgenwa kuyo ngeMvume.

Imiyalelo yamagosa anegunya ngokweendawo ezivulelekileyo zoluntu

33. Igosa elinegunya lingayalela nabani ukuba asuke kwindawo yoluntu evulelekileyo ukuba

- (a) igosa elinegunya linesizathu sokukholelwa ukuba lo mntu udelela nasiphina isibonelelo semiThetho kaMasipala, kwaye
- (b) loo mntu akayeki ngoko nangoko ukudelela umthetho ngokomyalelo welo gosa.

Amagunya ogqogqo nokuthimba eSixeko kwiindlela zikawonke-wonke nokophula umthetho kubathengisi-sitratweni

34. (1) Igosa elinegunya ngokoMthetho weNkqubo yoLwaphulo-mthetho, ka-1977 (uMthetho Nombolo 51 ka-1977) kwaye lilawulwa nayeminye imithetho enokulandelwa, lingagqogqa, lithathe okanye lithimbe naziphina iimpahla, imithwalo, imigqomo, iintsimbi, izixhobo, izinto, ikhusi, inqwelo yeentente nokuba iluhlobo luni na, nokuba kukho umntu okanye akekho, ukuba—

- (a) linesizathu sokuzikrokrela ukuba zisetyenziswa okanye kujongwe ukuba zisetyenziswe okanye sezisetyenzisiwe kwizinto eziphathelele nokuthengisa esitratweni okanye ukophulwa kwalo mthetho kaMasipala
- (b) ishiywe okanye imiswe endaweni engavumelekanga yokumisa;
- (c) lizifumana zikwindawo yokumisa okanye kawonke-wonke ngokokubona kwalo zaphula lo Mthetho kaMasipala, nokuba ezo mpahla, mithwalo, migqomo, zintsimbi, zixhobo, zinto, khushi, sithuthi okanye ntente zigadwe okanye ziphantsi kweliso laye nabani na ngexesha lokuthinjwa okanye ukuthathwa kwazo.

(2) Igosa elinegunya kufuneka linike irisithi ethathwe kwincwadi yerisithi esemthethweni umntu okhangeleka ngathi nguye ogade iimpahla, imithwalo, imigqomo, iintsimbi, izixhobo, izinto, ikhusi, inqwelo yeentente ekuthethwa ngazo.

(3) Naziphi na iimpahla, imithwalo, imigqomo, iintsimbi, izixhobo, izinto, ikhusi, intente okanye isithuthi njengoko kucacisiwe kwicandelwana (1) kufuneka ziphawulwe ngendlela efanelekileyo zibekwe elugcinweni.

(4) Umthengisi-sitratweni ompahla, mithwalo, migqomo, zintsimbi, zixhobo, zinto, khushi, ntente okanye sithuthi zakhe zithinjiweyo ngokwale mithetho kamasipala kufuneka, phambi kokuba ezi mpahla, mithwalo, migqomo, zintsimbi, zixhobo, zinto, khushi, ntente okanye sithuthi zakhe zibuyiselwe kuye ahlawule kwiSixeko iindleko zokugcina ezigqitywa nguMlawuli weSixeko ngamaxesha ngamaxesha.

(5) Umnikazi ke ngoko angayokufuna naziphi na iimpahla, imithwalo, imigqomo, iintsimbi, izixhobo, izinto, ikhusi, intente okanye isithuthi xa enokuza nobungqina bokuba ngumnikazi obuza kwanezisa uMlawuli weSixeko.

(6) Naziphina iimpahla, imithwalo, imigqomo, iintsimbi, izixhobo, izinto, ikhusi, intente okanye isithuthi ezingathathwayo kwisithuba esingangeenyanga ezintathu ukusukela ngomhla wokuthinjwa zingatshatyalaliswa ukuba azinaxabiso ngokwemali okanye zithengiswe kwifandesi kawonke-wonke ize ingeniso eyenziwe ngazo ithathwe siSixeko ukubuyisa iindleko zazo zokwaphula umthetho, zokuzithimba nokuzigcina.

(7) ISixeko asinaxanduva lakubuyeza nabani na ngomonakalo obangelwe kukulahlekelwa zizo naziphina iimpahla, imithwalo, imigqomo, iintsimbi, izixhobo, izinto, ikhusi, intente okanye isithuthi ezithathiweyo ngokwecandelwana (1) okanye ukuthengiswa kwazo kwifandesi kawonke-wonke, kwaye umnikazi wezo mpahla, mithwalo, migqomo, zintsimbi, zixhobo, zinto, khushi, ntente okanye sithuthi akanabango okanye lungelo lokubuyekenza siSixeko, ukuba ezo mpahla, mithwalo, migqomo, zintsimbi, zixhobo, zinto, khushi, ntente okanye sithuthi zinikwe omnye umntu ongenomnikazi wazo ngesihle.

(8) Naziphina iimpahla ezonakalayo zigcinwa iiyure ezingama-24 ukusukela ngexesha lokuthinjwa kwazo kwaye ziza kulahlwa ngokokubona kuMlawuli weSixeko.

Ilungelo lokwenza unikezelo-nkcaza

35. Izaziso ezichazwe kumacandelo 9(1) (a) no-(b), no-10(1) nese-(2) kufuneka—

- (a) zicacise umhla ekuza kufunwa ngawo ukuthobela umthetho;
- (b) zinike abantu abachatshazelwa seso saziso ithuba lokwenza unikezelo-nkcaza ungadlulanga umhla omiselwe kwesi saziso; kunye
- (c) nomhla wokuqaliswa kokumiselwa kwesi saziso.

Amatyala nezohlwayo

36. Naye nabani—

- (a) othe waphula okanye akazihlonela izibonelelo zalo Mthetho kaMasipala;
- (b) othe wenza, okanye wangunobangela, okanye wavumela okanye wanyamezela ukwenziwa, okanye osoleka ngokwenza, nokuba yintoni ekhabana okanye eyenza nantoni kunokuba kucacisiwe kulo Mthetho kaMasipala; okanye
- (c) oshiya, okanye angakhathaleli kwenza, okanye avumele okanye ayeke ingenziwanga, nantoni na ngokwenjongo zokwenene nentsingiselo yalo Mthetho kaMasipala ekufuneka zenziwe ngelo xesha ngendlela ecacisiweyo; okanye
- (d) avumele esazi okanye ayekele nayiphi na imeko engahambisaniyo nalo Mthetho kaMasipala iqhubeka; okanye
- (e) ongayekiyo ukwenza loo nto loo mntu kufuneka eyiyekile ngokwalo Mthetho kaMasipala; okanye
- (f) ongakwazi okanye ale, angakhathaleli ukuthobela okanye aqhubekeke engakwazi, esala, angakhathaleli kuthobela nasemva kokuba etyityimbiselwe umnwe okanye walunyukiswa ngamanyathelo omthetho ngokungathobeli ngokwalo Mthetho kaMasipala; okanye
- (g) othe akazithobela izilumkiso, imiqathango okanye imiyalelo ekwiphepha-mvume elikhutshwe nguMlawuli weSixeko; okanye
- (h) othe waphazamisana negosa elinegunya ekwenzeni umsebenzi okanye ekusebenzeni okanye ekuzameni ukwenza umsebenzi okanye ukusebenza kuwo nawuphi na umsebenzi ekufaneleke wenziwe lelo gosa linegunya ngokwamagunya alo eliwanike ngulo Mthetho kaMasipala,

unetyala lokwaphula umthetho kwaye angabanjwa agwetywe isigwebo esingadluliyo kuMawaka aliShumi eeRandi (R10 000, 00) okanye ukuba uthe akayihlawula imali abanjwe avaluelele isithuba esingadluliyo kwiinyanga ezintandathu (6) okanye zozibini ezi zigwebo, ukuba uyaqhubeleka

esaphula umthetho aphindwe ohlaywe isigwebo esongezelelweyo, okanye xa engayihlawuli imali abanjwe avelwe isithuba esongezelelweyo, usuku ngalunye eqhubeka esona emva kokubhalelwa isilumkiso nguMlawuli weSixeko sisiwe kuloo mntu simlunkisayo ukuba makayeke ukuqhubeka esaphula umthetho.

Ukuthumela

37. (1) UMlawuli weSixeko angathumela naliphina igosa leSixeko ngokwalo Mthetho kaMasipala ukuba lisebenzise amagunya akhe okanye lenze umsebenzi wakhe.

(2) Nayiphi na into ebhekisa kuMlawuli weSixeko kulo Mthetho kaMasipala ingathathwa njengento ebhekisa kwigosa elithunyiweyo.

ISAHLUKO 8—IZIBONELELO ZOKUGQIBELA**Isihloko esifutshane**

38. Lo Mthetho kaMasipala ubizwa ngokuba: UMthetho kaMasipala weSixeko saseKapa: weNdebe yeHlabathi yeFIFA ka-2010 kwaye uza kusebenza ngeli xesha letumente.

ISHEDYULI**IXESHA**

1. UTsalo lokuGqibela—13 Novemba 2009 ukuya kowe-12 Disemba 2009; kunye
2. NeNdebe yeHlabathi—21 Epreli 2010 ukuya kowe-19 Julayi 2010.