

UMTHETHO KAMASIPALA WASETHEKWINI WOKUL AHLWA KWENDLE, 2015



Wemukelwe uMkhandlu mhla ka:

Ushaywe mhla ka:

UMTHETHO KAMASIPALA WOKUL AHLWA KWENDLE, 2015

Wokuhlinzekela ukutholakala kalula kwezinhlelo zokuhlwa kwendle ezifanele, ezikhonekayo nezinokonga; wokuhlinzekela izinhlelo ezahlukene zokuhlwa kwendle; wokuhlinzekela ukuphathwa nokulawulwa kwemisebenzi yokuthuthwa kwendle; wokuhlinzekela ukusizwa kwalabo abangenawo amandla okukhokhela imisebenzi yokuthuthwa kwendle; wokuhlinzekela amacala nezigwebo; wokuhlinzekela imithetho echithwayo negcinwayo nokuhlinzekela okunye okuphathelene nalokho.

ISENDLALELO

NJENGOBA uMkhandlu kaMasipala waseThekwini ukuhlonipha ukuthi ukuhlinzekwa kwemisebenzi yokuthuthwa kwendle efanele nelindelekile kubalulekile empilweni yomphakathi, emabhizinisini nasemvelweni;

NJENGOBA uMthetho waManzi ugunyaza uMasipala ukuba ngumhlinzeki wamanzi futhi unikeza uMnyango kaMasipala wezaManzi nokuThuthwa kweNdle igunya lokuhlinzeka umphakathi ngamanzi endaweni engaphansi kukaMasipala;

NJENGOBA uMkhandlu kaMasipala waseThekwini ukwemukela ukuthi, njengoba unegunya lokuhlinzeka amanzi, unejoka futhi lokuqinisekisa ukuthi wonke amakhasimende nalabo abangaba ngamakhasimende endaweni engaphansi kwakhe bathola izidingo ngendlela efanelekile, ekhonekayo nelindelekile baphinde bahlomule kwimisebenzi yokuthuthwa kwendle;

NJENGOBA uMkhandlu kaMasipala waseThekwini unamandla ngokweNgxenywe B kaSheduli 4 woMthethosisekelo weRiphabhliki yaseNingizimu Afrika, 1996 okulawula ngezindaba eziphathelene nemisebenzi yokuthuthwa kwendle;

NJENGOBA uMkhandlu kaMasipala waseThekwini unejoka, ngokwesigaba 156(2) soMthethosisekelo waseRephabhliki yaseNingizimu Afrika, 1996 lokushaya nokulawula imithetho kaMasipala yokulawula ngendlela izindaba onegunya lokuzilawula;

FUTHI NJENGOBA uMasipala waseThekwini enejojoka lokwenza imithetho kaMasipala yokuhlinzeka amanzi ngokwesigaba 21 soMthetho waManzi;

NGAKHO KE, uMkhandlu kaMasipala waseThekwini ngokwesigaba 156 esifundwa neNgxenywe B kaSheduli 5 woMthethosisekelo waseRephabhliki yaseNingizimu Afrika, 1996 futhi sifundwa nesigaba 11 soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No.32 ka 2000), ushaya lo Mthetho kaMasipala olandelayo:

OKUQUKETHWE
ISAHLUKO 1
UKUHUNYUSHWA

1. Izincazelo
2. Ukuhunyushwa koMthetho kaMasipala
3. Izinhloso zoMthetho kaMasipala
4. Ukusebenza koMthetho kaMasipala

ISAHLUKO 2
OKWEJWAYELEKILE

5. Ukuhlinzeka ngamasevisi ezakhiweni zokuhwebela
6. Ukuchithwa kwendle okungavumelekile

ISAHLUKO 3
UKUSETSHENZISWA KWEZINHLELO ZOKUL AHLWA KWENDLE

7. Isivumelwano sokuhlinzeka imisebenzi
8. Isicelo sokusebenzisa uhlelo lokulahlwa kwendle
9. Izivumelwano ezikhethekile zokulahlwa kwendle
10. Ukunqanyulwa kwesivumelwano
11. Ukuhlinzekela ukuxhunywa kwamapayipi endle
12. Ukwemukelwa kwendle ethuthwa ngezimoto

ISAHLUKO 4
AMAZINGA OKUHLINZEKA: IMIZI NEMIJONDOLO

13. Amazinga okuhlinzeka ukulahlwa kwendle emizini yabantu
14. Ukulahlwa kwendle emijondolo

ISAHLUKO 5
UKUXHUNYWA KWAMAPAYIPI ENDLE

15. Amapayipi emigwaqweni noma ezindaweni zomphakathi
16. Ukwakha kukaMasipala ezindaweni ezinabanikazi

17. Ukugcinwa kahle kwamapayipi endle
18. Ukufakwa kwesakhiwo sokuphehla
19. Ukuvikela ukungena kwamanzi emvula emapayipini

ISAPHLUKO 6

EZAKHIWENI

20. Ukulahlwa kwendle ezakhiweni ezinetayitela elihlanganyele
21. Ukulahlwa kwendle ezakhiweni zesilungu

ISAPHLUKO 7

IZINHLELO ZOKULAHLWA KWENDLE EZINABANIKAZI

22. Izitamukoko
23. Amathange agcina indle
24. Isiphehli samanzi angcolile sangasese

ISAPHLUKO 8

UKUNGCOLA KWEZIMBONI

25. Igunya lokuchitha ukungcola kwezimbongi

ISAPHLUKO 9

UKUKHOKHELA AMASEVISI

26. Izimali ezikhokhelwa ukusebenzisa uhlelo lokuthutha indle
27. Izimali zokungcola kwezimbongi ezibizwa ezindlekweni zokulahlwa kwendle
28. Imali ekhokhelwa ukungcola kwezimbongi
29. Imali ekhokhelwa ukulahlwa kwendle kumatharifu
30. Imali ekhokhelwa ukungcola kwezimbongi kumatharifu
31. Umthamo wokungcola okwejwayelekile kwasendlini okukhokhelwayo
32. Umthamo wokungcola kwezimbongi olukhokhelwayo
33. Ezinye izimali ezikhokhwayo
34. Imali yediphozi
35. Ukwehliswa kwemali uma ngabe kumosheke amanzi noma ukuvuza kungabonakalanga
36. Izichibiyelo ezimalini ekhokhwayo
37. Izichibiyelo ezimalini ezinqunyiwe

ISAPHLUKO 10**UKUVIKELWA KOHLELO LOKULAPHLWA KWENDLE**

38. Ukungena ngokungemthetho ohlelweni lokulahlwa kwendle
39. Ukuphazamisa uhlelo lokulahlwa kwendle
40. Ukulimaza uhlelo lokulahlwa kwendle
41. Ukulungiswa okuyimpoqo kwepayipi lokuthutha indle
42. Ukuvimba ukutholakala kohlelo kokuthuthwa kwendle
43. Umsebenzi womuntu ozimele

ISAPHLUKO 11**UKUSEBENZA KOMTHETHO**

44. Ukungena komsebenzi ogunyaziwe
45. Amandla abasebenzi abagunyaziwe
46. Ukukhishwa kwezaziso
47. Ukuzihlangula
48. Imiyalelo esemthethweni
49. Ukuqoqwa kwezindleko
50. Amacala
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ISAPHLUKO 12**IZIHLINZEKO EZINGXUBEVANGE**

52. Ukudluliselwa kwamandla
53. Ukudluliswa kwamacala
54. Imithetho echithwayo negcinwayo
55. Isihloko esifingqiwe nokuqala kokusebenza komthetho

USHEDULI A:**UKWEMUKELEKA KOKUNGCOLA KWEZIMBONI OKUCHITHEKELA OHLELWENI
LOKULAPHLWA KWENDLE****USHEDULI B:****UKWEMUKELEKA KOKUNGCOLA KWEZIMBONI OKUCHITHELWA NGQO NOMA
NGANDLELA THILE OLWANDLE****USHEDULI C:****IMITHETHO KAMASIPALA ECHITHWAYO**

ISAHLUKO 1 UKUHUNYUSHWA

Izincazelo

1. Kulo Mthetho kaMasipala, ngaphandle uma ingqikithi isho okwehlukile, igama noma isisho esisentshensisiwe sinencazelo efanayo naleyo etholakala kuMthetho wamaZinga oKwakha neMithethonqubo yoKwakha kaZwelonke, 1977 (uMthetho No.103 ka 1977), futhi, –

“**okugunyaziwe**” kushiwo lokho okugunyazwe umsebenzi ogunyaziwe;

“**umsebenzi ogunyaziwe**” kushiwo umuntu ogunyazwe ukulandela izimiso zalo mthetho okufaka phakathi kokunye –

(a) umsebenzi womthetho ochazwe esigabeni 334 soMthetho weNqubo yamaCala obuGebengu, 1977 (uMthetho No. 51 ka 1977);

(b) amaphoyisa kaMasipala njengoba echazwe eMthethweni wamaPhoyisa aseNingizimu Afrika, 1995 (uMthetho No. 68 ka 1995); kanye

(c) nalabo basebenzi, ama-ejenti, abadluliselwe amandla, izithunywa nabahlinzeka uMasipala ngomsebenzi: Kuncike ekutheni ngokwezinhloso zokusesha nokushaqa impahla, uma lowo muntu engesiyena umuntu womthetho, kufanele aphekezelwe umuntu womthetho;

“**indlela engcono engasetshenziswa kwezemvelo**” kushiwo indlela ehlinzeka ngenzuzo enkulu noma edala umonakalo omncane emvelweni yonkana, ngenani elamukelekile emphakathini nguMasipala, esikhathini eside nasesikhathini esifushane;

“**ipitsi**” kushiwo umgodini osemhlabathini ngenhloso yokufaka, ukukhipha noma ukusebenzisa amanzi angaphansi komhlaba;

“**indlu yangasese yamakhemikhali**” kushiwo indlu yangasese esebenzisa amakhemikhali ukuhlamba indle esikhundleni sokuyigcina emgodini noma ukuyihambisa ngepayipi iyiswe endaweni lapho kulahlwa khona indle nokuyilapho khona indle isuke ifakwa uketshezi bese ithuthelwa endaweni yokulahlwa indle kaMasipala ngezinsinza ezisethenziswa uma kulahlwa indle;

“indawo yokuxhuma” kushiwo lapho kuhlanganiswa khona ipayipi lendle nengqalasizinda yendle;

“ipayipi elikhulu” kushiwo ipayipi likaMasipala elixhunywe nguye ngenhloso yokuthutha indle isuka emapayipini asendlini iye epayipini elikhulu –

- (a) elingaphandle kwemingcele yakuleyo ndawo;
- (b) elisendaweni eshiyelwe imisebenzi kaMasipala; noma
- (c) endaweni engenalutho noma okuvunyelwene ngayo;

“ithange lokugcina indle” kushiwo ithange elimumatha futhi ligcine indle evela ezakhiweni futhi okufanele lichithwe njalo nje;

“uMthethosisekelo” kushiwo uMthethosisekelo weRiphabhliki yaseNingizimu Afrika, 1996;

“umkhandlu” kushiwo uMkhandlu kaMasipala waseThekwini, umkhandlu kamasipala ohlongozwe esigabeni 157(1) soMthethosisekelo;

“ikhasimende” kushiwo –

- (a) umuntu ohlinzekwa ngamanzi nguMasipala; futhi
- (b) lapho khona amanzi ahlinzekwe ngemitha eyodwa kubantu abahlukene, lowo muntu ovumelene noMasipala ukuba amnikeze amanzi;

“ipayipi” kushiwo leyo ngxenye yepayipi lendle elahla indle kunoma isiphi isakhiwo;

“ipayipi lendle” kushiwo uhlelo olusetshenziselwa, noma oluhloswe ukusetshenziselwa, ukwamukela, ukugcina, ukuphehla noma ukudluliswa kwendle isuka kunoma isiphi isakhiwo lapho lixhunywe khona futhi kufaka –

- (a) amapayipi;
- (b) okuxhunyiwe;
- (c) izinto ezisebenza ngogesi;
- (d) izitamukoko;
- (e) Amathange agcina indle;
- (f) izindawo zokulahla indle; kanye
- (g) namaphampu angasese ayingxenye noma ahambisana nalezo zinhlelo;

“umsebenzi wamapayipi endle” kufaka noma imuphi umsebenzi othinta amapayipi endle, ukuxhunywa, amathuluzi okuhlinzekwa kwamanzi, imfucuza noma iliphi elinye

ipayipi noma umsebenzi ophathelene nokuthuthwa kukadoti owuketshezi noma oqinile epayipini lendle noma okuxhunywe epayipini lanoma isiphi isakhiwo;

“umthathi wamasampuli oqeqeshiwe” kushiwo umuntu oqinisekisiwe ngumsebenzi ofanelekile kaMasipala ukuba athathe amasampuli ukuze ayocwaningwa ohlelweni lwamapayipi endle, emapayipini okuhambisa amanzi emvula namanzi omphakathi;

“indlu yokuhlala” kushiwo indawo yokuhlala engumuzi womuntu –

- (a) enemitha yayo kagesi;
- (b) enesango layo; kanye
- (c) nekhishi elisetshenziswa kuphela abahlala kuwo;

“izindleko zezemvelo” kushiwo zonke izindleko zokukhokhela ukulungiswa kwemvelo ukuze ibuyele esimweni ebikuso ngaphambi kokuthi ilinyazwe;

“ucwaningo lomthelela wemvelo” kushiwo uhlelo lokuhlolisa nokuhlola umthelela izicelo zokwakha ezizoba nawo kwimvelo ngaphambi kokuthathwa kwezinqumo nezibopho ngaleyo ntuthuko;

“i-French drain” kushiwo ipayipi elifakwe okuthile elisetshenziselwa ukulahlwa –

- (a) kokungcola kwezimboni esitamukokweni; noma
- (b) amanzi angcolile;

“iMenenja kaMasipala” kushiwo umuntu oqokwe ngokwesigaba 54A soMthetho weziNhlelo zoMasipala;

“ipayipi lendle lomthamo omkhulu” kushiwo ipayipi elinamandla okumumatha umthamo ongaphezu kwamapayipi asendlini;

“isikhathi semitha” kushiwo izikhathi zokufundwa kwamamitha ezilandelanayo;

“uMasipala” kushiwo uMasipala weTheku, uMasipala okumkhakha A obalulwe esigabeni 155(1) soMthethosisekelo owasungulwa ngokweSaziso sesiFundazwe No. 43 sika 2000 (KZN);

"IMithethonqubo yoKwakha kaZwelonke" kushiwo iMithethonqubo yoKwakha kaZwelonke eyasungulwa ngokoMthetho wamaZinga oKwakha neNqubomgomo yoKwakha kaZwelonke, 1977 (uMthetho No. 103 ka 1977);

"UMthetho waManzi kaZwelonke" kushiwo uMthetho waManzi kaZwelonke, 1998 (uMthetho 36 ka 1998);

"umhlali" kushiwo –

- (a) noma ubani, kubandakanya umnikazi, ohlala esakhiweni ngale kokuthi uhlala ngasiphi isizathu kuleso sakhiwo, uma ekhona; futhi
- (b) uma kuqashe umuntu ongaphezu koyedwa, umuntu omukela irenti ekhokhwa abaqashi, eya kwi-akhawunti yakhe noma oyi-ejenti yalowo muntu omukela irenti;

"uhlelo lokulahlwa kwendle lwangasese olusesakhiweni" kushiwo phakathi kokunye isitamukoko, ithange eligcina indle noma indawo yokuphehla indle yomthamo omncane yomnikazi wesakhiwo lapho ikhona;

"umnikazi" kushiwo –

- (a) umuntu ongumnikazi obhaliswe wesakhiwo ehhovisi lamatayitela;
- (b) uma umnikazi obhalisiwe wesakhiwo ecwile ezikweletini noma eshonile noma evinjelwe umthetho ngandlela thile, umuntu okunguyela olawula izindaba zesakhiwo njengondlalifa, umphatheli, umlawuli, umdayisi noma omunye umuntu womthetho;
- (c) uma uMasipala ehluleka ukuthola lowo muntu, umuntu onegunya lokuzuza ekusebenzeni kwesakhiwo noma ibhilidi noma amabhilidi asesakhiweni;
- (d) uma isakhiwo okukhulunywa ngaso siqashiswe isikhathi esiyizinyanga ezingama -30 (amashumi amathathu) noma ngaphezulu, lowo oqashile kuleyo ndawo, kanti
- (e) mayelana –
 - (i) nesiqephu somhlaba esikwipulani yezakhiwo ezihlangene esibhalisiwe ngokoMthetho wamaTayitela eZakhiwo eziHlangene, 1986 (uMthetho No.95 ka 1986) umhlaba ohlangene, umakhi noma abaphathi abengamele isakhiwo; noma
 - (ii) ingxenye njengoba ichaziwe kuMthetho wamaTayitela eZakhiwo eziHlangene, 1986 (uMthetho No.95 ka 1986) igama lomuntu okubhaliswe ngaye ilungelo ngaphansi kwetayitela laleso sakhiwo, futhi okufaka ne-ejenti eqokwe ngokusemthethweni yilowo muntu;

"umuntu" kushiwo umuntu qobo noma ngokomthetho, inhlango ezimele noma abanikazi banoma iyiphi ithrasti;

"izakhiwo" kushiwo isiqephu somhlaba esinesakhiwo noma esingenaso lapho –

(a), kunemingcele yangaphandle evelayo –

(i) kwipulani noma umdwebo obhaliswe ngokoMthetho wokuCwaningwa koMhlaba, 1927 (uMthetho No. 9 ka 1927), noma uMthetho wokuBhaliswa kwamaTayitela, 1937 (uMthetho. 47 ka 1937; noma

(ii) ipulani yezakhiwo ezihlangene ebhaliswe ngokoMthetho wamaTayitela eZakhiwo eziHlangene, 1986 (uMthetho No. 95 ka 1986); noma

(b) kunombhalo osemthethweni oqondene nomhlaba wasemakhaya noma weNgonyama Trust, osendaweni engaphansi kukaMasipala;

(c) amasevisi kamasipala enziwa emhlabeni ongacacisiwe epulani; futhi ingxenye yalowo mhlaba ingachezile kodwa ixhunyiwe ohlelweni lokulahlwa kwendle noma ingakwazi ukuxhunywa.

"okunqunyiwe" kushiwo okunqunywe ngesivumelwano soMkhandlu esithathwa izikhathi ngezikhathi;

"isaziso somphakathi" kushiwo isaziso –

(a) esisephephandabeni okungenani ngezilimi ezimbili ezisemthethweni ezisetshenziswayo kuleyo ndawo okukhulunywa ngayo; futhi

(b) uma kwenzeka, sikhishwe ephephandabeni ngolimi olusentshenziswa kakhulu ukukhangisa isaziso;

"amanzi omphakathi" kushiwo umfula, ichibi, ichweba, umfula omkhulu, ulwandle kanye nanoma imaphi amanzi omphakathi onelungelo lokuwathola nokuwasebenzisa;

"isitamukoko" kushiwo ithange elakhelwe ukwamukela futhi ligcine indle isikhathi esithile futhi ngaleyo ndlela nokuqinisekisa ukuthi iyaboliswa;

"indle" kushiwo amanzi angcolile, ukungcola kwezimbini, indle yasendlini ejwayelekile kanye nanoma iluphi uketshezi olungcolile, ngisho luhlukene noma luhlangene, kodwa akuwafaki amanzi emvula;

"uMthetho kaMasipala WOKUL AHLWA kweNdle" kushiwo uMthetho woMkhandludolobha weTheku wesiKhashana WOKUL AHLWA kweNdle, MN No. 27 ka 1999;

"uhlelo lokulahlwa kwendle" kusho izinhloko, amapayipi, amavalvu, amaphampu, amamitha nezinye izinto ezisetshenziselwa –

- (a) ukuthutha indle ngamapayipi okuthutha indle;
- (b) ukuphehla indle ezindaweni zikaMasipala zokuphehla indle; kanye
- (c) nokulahlwa kwendle,

kubalwa nasolwandle;

"ipayipi lendle" kushiwo noma iliphi ipayipi noma uhlelo oluyimpahla kaMasipala olungasetshenziselwa ukuthutha indle esuka kungqalasizinda yendle, kodwa akufaki noma iliphi ipayipi lendle lasendlini;

"ukungcola kwasendlini ejwayelekile" kushiwo udoti wasendlini ohlangabezana nezimpawu eziphathelene nodoti ongcolile nendle eqinile njengoba kunganquma uMasipala izikhathi ngezikhathi njengokufanelekile ukuthi kuthuthwe njengendle yasendlini kodwa akufaki ukungcola kwezimboni kwamakhemikhali;

"amanzi emvula" kushiwo amanzi avela emvelweni njengamanzi emvula, amanzi asemhlabathini noma omthombo;

"ukungcola kwezimboni" kushiwo noma ikuphi ukungcola kwezimboni okungamanzi noma okuqinile, ukuphuma ngesikhathi kwakhiwa, kukhiqizwa noma kwakhiwa amakhemikhali ezohwebo nezimboni noma alabhorethri noma kwezolimo futhi kufaka noma iluphi uketshezi ngaphandle kokungcola kwasendlini noma amanzi emvula;

"izakhiwo zohwebo" kushiwo izindawo ezikhiqiza ukungcola kwezimboni;

"indlu yangasese ehlukanisa umchamo" kushiwo indlu yangasese ekwazi–

- (a) ukuhlukanisa umchamo nokunye ukungcola ngokusebenzisa izindlela ezikhethekile zokuhlukanisa umchamo ukuze kuhlukaniseke umchamo nokunye ukungcola bese ungena emgodini; futhi
- (b) owakhiwe –
 - (i) imigodi emibili;
 - (ii) isilebhu;

- (iii) isakhiwo esiyindlu; kanye
- (iv) nepayipi lomoya emgodini ngamunye;

"I-VIP" kushiwo indlu yangasese ewumgodi engenisa umoya;

"uMthetho waManzi" kushiwo uMthetho waManzi, 1997 (uMthetho108 ka 1997);

"imboni yokusamanzi" kushiwo imboni ekhiqiza ukungcola kwezimboni;

"usuku lokusebenza" kushiwo noma iluphi olunye usuku olungewona uMgqibelo, iSonto noma iHolidi.

"izikhukhula ezifika kanye eminyakeni engu-50" kushiwo izinga okufinyelela kulona izikhukhula zemvula kanye eminyakeni engu-50; futhi

"ithafa lezikhukhula ezifika kanye eminyakeni engu-50" kushiwo indawo eqondile eyadalwa izikhukhula zemvula ezifika kanye eminyakeni engu-50;

Ukahunyushwa koMthetho kaMasipala

2. Uma kunokushayisana phakathi kwalo Mthetho kaMasipala obhalwe ngesiNgisi nohunyushiwe, kuyolandelwa owesiNgisi.

Izinhloso zoMthetho kaMasipala

3. Izinhloso zalo Mthetho kaMasipala ukulawula ukulahlwa kwendle ngendlela —

- (a) ezoqinisekisa ukutholakala kalula kwezihlelo zokulahlwa kwendle ezanele, ezikhonekayo, ezinokonga nezamukelekile;
- (b) ezolawula ijoka lamakhasimende lokukhokhela amasevisi okuthuthwa kwendle;
- (c) ezohlinzekela izindlela ezahlukene zokusiza labo abangenamandla okukhokha izimali ezinqunyiwe zamasevisi; kanye
- (d) nokuhlonipha uMthetho waManzi.

Ukusebenza kwalo Mthetho kaMasipala

4. Lo Mthetho kaMasipala usebenza kuzo zonke izindawo ezingaphansi kukaMasipala waseThekwini futhi ubophezela wonke umuntu kukho konke ukusebenza kwawo.

ISAHLUKO 2
IZIHLINZEKO EZEJWAYELEKILE

Ukuhlinzekwa kwamasevisi ezindaweni zokudayisela

5. Umuntu ohlose ukwakha, ukuba kwakhiwe isakhiwo kumele, uma esehlola isimo sendawo, aqinisekise ukuthi unendawo ehlinzekiwe yokulahla indle yasendlini, ukungcola kwezimboni namanzi emvula.

Izindlela ezingavumelekile zokulahla indle

6.(1) Akekho umuntu ovumelekile ukuba adale noma avumele, ngabomu noma ngobudedengu, nanoma yimuphi udoti oqinile, owuketshezi noma osamafutha ngaphandle kwamanzi emvula ukuba ungene –

- (a) kwidreyini yamanzi emvula, epayipini lamanzi emvula noma emseleni ombiwe noma owakhiwe wamanzi;
- (b) emfuleni, emhosheni noma endaweni yomphakathi yokukha amanzi, yomile noma inamanzi, ngaphandle uma kuhambisana nezihlinzeko zoMthetho waManzi kaZwelonke, 1998 (uMthetho No. 36 ka 1998);
- (c) emgwaqeni; noma
- (d) esakhiweni.

(2) UMasipala anganquma amazinga nenqubo okumele ilandelwe yokulahlwa kwendle kanye nanoma yini elahlwa ohlelweni lokulahlwa kwendle.

(3) Akuvumelekile ukuba umuntu achithe noma avumele ukuba kuchithwe noma kufakwe ohlelweni lokulahlwa kwendle indle nanoma yini –

- (a) engahambisani namazinga nenqubo ebekwe uMasipala;
- (b) engaba –
 - (i) eyonakalisayo;
 - (ii) enephunga elibi;
 - (iii) enamafutha;
 - (iv) enegwebu; noma
 - (v) enodayi wombala,

Futhi engabangela ukuvimbeka kweyipipi noma izinkinga kwezempilo emphakathini nasekusebenzeni kwamapayipi;

(c) equkethe nanoma yiluphi uketshezi olungadala ukuba konakale, kube nephunga elibi, umbala, iphunga noma ukuphazamiseka noma igwebu emanzini angcolile aphehlwayo –

- (i) kwisiphehli samanzi;
- (ii) olwandle lapho kuchithekela khona amanzi angcolile;
- (iii) nanoma ikumaphi amanzi omphakathi;

(d) engaphazamisa umsebenzi wokuhlanzwa kwamanzi angcolile noma uhlelo lokuwahlanza ukuze aphinde asetshenziswe futhi;

(e) equkethe nanoma yini –

- (i) engahambisani nokuhlanzwa kwendle ngokwezinga elanelisayo kwisiphehli samanzi angcolile; noma
- (ii) engabangela noma okungenzeka ibangele ukuphuka, ukuputshuka noma ukuxoveka kohlelo lokuphehla uma sekwenziwa lowo msebenzi ngaphandle uma kwenziwa umsebenzi kagesi ongaphansi kuka 95mS/m endaweni yokuphehla;

(f) equkethe nanoma iyiphi i C.O.D., noma okusaluketshazana oluqinile ngokwesimo, noma okungahambisani nohlelo lokuphehla ngandlela thile, futhi okungabangela ukuthi amanzi angcolile afakwa kwisiphehli noma achithelwa olwandle angabe esahlangabezana nezimfuno zoMthetho waManzi kaZwelonke;

(g) engabangela –

- (i) ubungozi empilweni nasekuphepheni kwanoma imuphi umuntu;
- (ii) kulimaze ingqalasizinda noma uhlelo lokulahlwa kwendle; noma
- (iii) iphazamise ukusebenza kwendawo esetshenziswa nguMasipala eyisebenzisela ukuhlanzwa kwendle;

ngaphandle uma kulandelwa imvume ekhiswe ngokwalo Mthetho kaMasipala; noma

(h) engavimbela ukusebenza ngokukhululeka kohlelo lokulahlwa kwendle.

(4) Akukho kungcola kwezimboni okuyovunyelwa ukungena esitamukokweni noma kwi-French drain.

(5) Akekho umuntu ovumelekile ukuba adale noma avumele amanzi emvula ukuba angene ohlelweni lokulahlwa kwendle.

(6) Umsebenzi kaMasipala ogunyaziwe, ngesaziso esibhalwe phansi, angayalela umnini wesakhiwo nanoma ngubani osebenzisa isakhiwo ukuba, ngezindleko zakhe, aqhube uhlelo lokuhlolwa kwesakhiwo asisebenzisayo esebenzisa ochwepheshe balomkhakha izikhathi ngezikhathi ukuze kutholakale izindlela ezifanele zokugwema ubungozi ezizoqinisekisa

ukulandelwa kwalo Mthetho kaMasipala futhi abayobika kumsebenzi kaMasipala ogunyaziwe ngemiphumela yalokhu kuhlolwa.

(7) Umsebenzi kaMasipala ogunyaziwe, ngesaziso esibhalwe phansi, angayalela umnikazi wesakhiwo nanoma ngubani osebenzisa isakhiwo ukuba, ngezindleko zakhe, aqhube uhlelo lokuhlolwa kwendawo ayisebenzisayo ngochwepheshe balomkhakha izikhathi ngezikhathi ukuze kutholakale izindlela ezifanele zokugwema ukuphulwa kwemiyalelo yalo Mthetho kaMasipala.

(8) Umsebenzi kaMasipala ogunyaziwe, ngokwesaziso esibhalwe phansi, angayalela umuntu ophula lo Mthetho kaMasipala noma imibandela ebekwe ngokwalo Mthetho kaMasipala ukuba alungise lokho ngesikhathi esibekwe kwisaziso ngezindleko ezizokhokhelwa nguyena.

(9) Noma ngubani ophula okushiwo isigatshana (1) noma (3), kumele aqinisekise ukuthi emahoreni angu 12 wazisa umsebenzi ogunyaziwe kaMasipala ngemininingwane yokuphula kwakhe lo myalelo kanjalo futhi nezizathu zalokho.

ISAPHLUKO 3

UKUSETSHENZISWA KOHLELO LOKULAHLWA KWENDLE

Isivumelwano sokuhlinzekwa kwamasevisi

7. Kuncike kwimithetho esebenzayo umsebenzi kaMasipala ogunyaziwe angangena esivumelwaneni nanoma ubani egameni likaMasipala ukuhlinzeka amasevisi okuthuthwa kwendle.

Isecelo sokusetshenziswa kohlelo lokulahlwa kwendle

8. (1) Umuntu ofisa ukusebenzisa uhlelo lokulahlwa kwendle kumele agcwalise ifomu elifanele alithumelele, elihambisana nemininingwane edingwa uMasipala ezoyidinga isikhathi ngesikhathi.

(2) Isicelo sokusetshenziswa kohlelo lokulahlwa kwendle esigunyazwe nguMasipala sisho isivumelwano phakathi kukaMasipala nekhasimende.

(3) Umfakisicelo nguyena oyothwala izindleko ezibekiwe zokusetshenziswa kohlelo lokulahlwa kwendle kuze kube ukuphela kwesivumelwano phakathi kukaMasipala nekhasimende.

(4) Uma isakhiwo sesixhunyiwe ohlelweni lokulahlwa kwendle, noma sasingaxhumeka kumele kuthathwe ngokuthi ngokwezinhloso zalo Mthetho kaMasipala sesikhona isivumelwano esibalulwe kwisigatshana (1).

Izivumelwano eziyisipesheli zokulahlwa kwendle

9. (1) UMasipala angangena esivumelwaneni esikhethekile sokuthuthwa kwendle nomuntu –
 (a) osendaweni engaphansi kukaMasipala, uma ukulahlwa kwendle kuphoqa ukuba kube nemibandela engale kwalena equkethwe kulo Mthetho kaMasipala; noma
 (b) engale kwemingcele kaMasipala.

(2) Lesi sivumelwano esikhethekile sixhomeleke ekugunyazweni okumele kwenziwe ngumsebenzi kaMasipala ugunyaziwe.

(3) Uma uMasipala, ngokwesivumelwano esikhethekile, ehlinzeka ngohlelo lokulahlwa kwendle kumuntu ongale kwemingcele kaMasipala, angagunyazwa ukuba amukele ukuthuthelwa indle ngabanye abantu abangaphandle kukaMasipala, kuncike kwimibandela ethile uMasipala angayibeka.

Ukunqanyulwa kwesivumelwano

10. Umuntu anganqamula isivumelwano okukhulunywe ngaso esigabeni 8 noma 9 ngokunikeza uMasipala isaziso esibhalwe phansi esingekho ngaphansi kwezinsuku ezinhlanu zokusebenza futhi esicacisa ngalokho ahlose ukukwenza: Kuncike ekutheni umsebenzi kaMasipala ogunyaziwe wenelisekile ngendlela indle ezothuthwa ngayo uma inkontileka yalesi sivumelwano isinqamukile.

Ukuhlinzekelwa kokuxhunywa kwamapayipi endle

11. (1) Esimweni lapho –
 (a) kunesivumelwano zokusetshenziswa kohlelo lokulahlwa kwendle ngokwesigaba 8 noma 9; futhi
 (b) kungekho mapayipi endle axhunyiwe emagcekeni aleso sakhiwo,

Umnikazi wesakhiwo noma i-ejenti yakhe kudingeka ngokushesha afake isicelo ngokugcwalisa ifomu futhi ikhokhe inani elibekiwe lokuxhunywa kwamapayipi endle.

(2) Uma kufakwa isicelo sokusebenzisa uhlelo lokulahlwa kwendle emagcekeni esakhiwo esiqhelile kangangokuthi kudingeka kwelulwe amapayipi endle ukuze axhunywe ohlelweni lokulahlwa kwendle, umsebenzi kaMasipala osemthemthweni angagunyaza ukuba kwenziwe lokhu kwelulwa kepha ngaphansi kwemibandela ethile angayibeka.

(3) Umsebenzi kaMasipala ogunyaziwe angavuma, uma kucela umfakisisicelo futhi kuncike kwimibandela eyobekwa yilo msebenzi, ukuba kuxhunywe amapayipi endle kolunye uhlelo lokulahlwa kwendle ngale kwalolo oluvele lukhona: Kuncike ekutheni umfakisisicelo kunguyena onejoka –

- (a) lokwelula uhlelo lwamapayipi asendlini kuze kuyofika lapho exhumana khona nohlelo lokulahlwa kwendle njengokukhomba komsebenzi ogunyaziwe; futhi
- (b) ngemali yakhe, oyokhokhela indawo enqamula kwezinye izakhiwo uma kunesidingo.

(4) Ipayipi okuyoxhunywa kulo elihlinzekwe nelixhunywe uMasipala –

- (a) liyoba sendaweni ezonqunywa ngumsebenzi kaMasipala ogunyaziwe;
- (b) liphelele –
 - (i) lapho lixhunywe khona ebangeni cishe eliyimitha elilodwa ngaphakathi kwamagceke esakhiwo kusuka emngceleni womhlaba kaMasipala noma lapho uMasipala enelungelo khona lokusebenzisa indawo; noma
 - (ii) uma kusebenza isigatshana (3), endaweni yokuxhumana eyalelwe ngokwalesi sigatshana; futhi
- (c) ibe yisikalo esigunyazwe ngumsebenzi kaMasipala.

(5) Umnikazi wesakhiwo noma i-ejenti yakhe kumele akhokhe izimali ezinqunyiwe zokuxhunyelwa nguMasipala.

(6) Uma umnikazi wesakhiwo noma i-ejenti yakhe elindelekile ukuba achithe amanzi angcolile emapayipini endle ngezikhawu njengokuyalela kweMithethonqubo yoKwakha kaZwelonke, umthamo kanye nesikhathi sokuchitha amanzi angcolile emapayipini endle siyogunyazwa umsebenzi ogunyaziwe kaMasipala.

Ukwemukelwa kwendle ethuthwa ngezingqola

12.(1) Umsebenzi kaMasipala ogunyaziwe, kuncike kwimibandela angayibeka, angemukela indle ethuthwa ngezingqola zomgwaqo esakhiweni sokuphehla indle esithile sikaMasipala.

(2)(a) Akekho umuntu ovumelekile ukuthuthela indle ngezingqola esakhiweni sikaMasipala ngaphandle kwemvume ebhalwe phansi ngumsebenzi kaMasipala;

(b) Izindleko ezikhokhelwa ukulethwa kwendle esakhiweni sikaMasipala kumele zinqunywe ngumsebenzi kaMasipala ogunyaziwe ngokuhambisana nezimali ezinqunywa izikhathi ngezikhathi ngokwesigaba 28.

(3) Uma indle ithuthwa ngezingqola –

(a) isikhathi sokulethwa kwendle kumele sihlwele nomsebenzi kaMasipala ogunyaziwe; futhi

(b) uhlobo kanye nesimo sendle kumele sazeke futhi nomsebenzi ogunyaziwe aneliseke ngaphambi kokuba ayemukelwe:

Kuncike ekutheni umuntu akavumelekile ukuletha indle engahambisani namazinga anqunywe ngokweMithetho kaMasipala.

(4) Umsebenzi ogunyaziwe angahoxisa imvume yokulahla imdle elethiwe: Kuncike ekutheni umnikazi wemvume unikezwe isaziso sezinsuku ezingama -14 esibhalwe phansi, noma umnikazi wemvume –

(a) ehluleka ukuqinisekisa ukuthi indle elethiwe iyahambisana namazinga abalulwe kuSheduli “A” noma u “B”, asebenzayo noma njengokusho kwemvume;

(b) ehluleka noma enqaba ukulandela nanoma yisiphi isaziso esisemthethweni anikezwe sona ngokuyalela kwalo Mthetho kaMasipala noma ephula izihlinzeko zalo Mthetho kaMasipala nanoma yimiphi imibandela abekelwe yona noma imvume ayitholile; noma

(c) ehluleka ukukhokha imali esemthethweni yokulethwa kwendle.

ISAHLUKO 4

AMAZINGA OKUHLINZEKA: IMIZI NEMIJONDOLO

Amazinga okuhlinzekwa kokuthuthwa kwendle emizini

13.(1) Uhlobo lokulahlwa kwendle oluhlinzekwa emakhaya kumele kube ngolunye lwalezi ezilandelayo:

- (a) izindlu zangasese ezihlukanisa umchamo;
- (b) uma kukhona uhlelo olusebenzisa amanzi lukaMasipala lokulahlwa kwendle, baxhunywe kulolo hlelo; noma
- (c) uma lungekho uhlelo olusebenzisa amanzi kaMasipala lokulahlwa kwendle, babe nohlelo lwabo lwangasese egcekeni lokulahlwa kwendle.

(2)(a) ukulahlwa kwendle kumele kuhambisane namazinga okuhlinzekwa kwamanzi aleso sakhiwo esithintekayo.

(b) Uma –

- (i) ukuhlinzekwa kwamanzi komuzi kugcina kumalitha angama -300 ngosuku ngethangi noma umpompi wasegcekeni, ukulahlwa kwendle kumele kube ngezindlu zangasese ezihlukanisa umchamo noma enye indlela egunyazwe umsebenzi ogunyaziwe; futhi
- (ii) amanzi ehlinzekwa uMasipala ngomfutho ongatheni noma ngomfutho omkhulu, ukulahlwa kwendle kumele kwenziwe ngohlelo lwamanzi lwamapayipi kaMasipala noma ngohlelo lwangasese lokulahlwa kwendle lwasegcekeni.

(3)(a) UMasipala angaqoka uhlobo oluthile lokulahlwa kwendle okumele lusetshenziswe endaweni ethile.

(b) Nanoma iluphi uhlobo lokulahlwa kwendle olunqunywe njengoba kubekwe endimeni (a) lungasetshenziswa kuphela ngemvume yomsebenzi ogunyaziwe: Kuncike ekutheni –

- (i) ukulahlwa kwendle kuyahambisana namazinga amanzi atholakalayo;
- (ii) indlela yokuthutha indle isetshenziswa ngumninimuzi; futhi
- (iii) umthamo wamanzi okhona kumele ukwazi ukuhlangabezana nesidingo samanzi.

(4) Lezi zindlela ezilandelayo zokuthutha indle ezisetshenziswa emakhaya azivumelekile ngaphandle kwemvume yomsebenzi kaMasipala ogunyaziwe, engakhishwa ngaphansi kwezimo ezithile:

- (a) ukugqiba ngenhlabathi;
- (b) imigodi eqondile engagunyaziwe; kanye
- (c) nemigodi yama-VIP engagunyaziwe noma izindlu zangasese zamakhemikhali.

Ukulahlwa kwendle emijondolo

14.(1) Ukulahlwa kwendle emijondolo kumele kwenziwe –

- (a) ngesakhiwo sezindlu zangasese esishaywayo esixhunywe emapayipini okuthuthwa kwendle kaMasipala; noma

(b) ngesakhiwo sezindlu zangasese esingaxhunyiwe emapayipini okuthuthwa kwendle kaMasipala: Kundcike ekutheni indlu yangasese ngayinye inomgodi we-VIP omncane okumele uhlanzwe njalo uma kunesidingo.

(2) Kumele okungenani ukutholakala kosizo lokulahlwa kwendle emijondolo kube yisakhiwo sezindlu zangasese esisebangeni elingamamitha angu 200 kumuzi ngamunye.

ISAHLUKO 5 UKUFAKWA KWAMAPAYIPI

Ukufakwa kwamapayipi emigaqweni nasezindaweni zomphakathi

15. Akekho umuntu ovumelekile, ukuthi ngenhloso yokuthutha indle, axhume amapayipi emgaqweni noma ngaphansi komgwaqo, endaweni yomphakathi noma emhlabeni olawulwa, noma ongaphansi kukaMasipala ngaphandle uma enemvume ebhalwe phansi emgunyazayo evela kumsebenzi ogunyaziwe, kuncike kwimibandela ayibona ifanele.

Ukufakwa kwamapayipi nguMasipala ezakhiweni ezinabaninizo

16. (1) UMasipala, ngokuvumelana nomnikazi wesakhiwo, angaxhuma amapayipi esakhiweni ngezindleko zomnikazi wesakhiwo.

(2) Uma kuvunyelwana nomnikazi wesakhiwo ukuba kufakwe amapayipi esakhiweni sakhe, isivumelwano kumele sithi umnikazi wesakhiwo nguyena ozothwala izindleko zalo msebenzi njengoba ugunyazwe ngumsebenzi ogunyaziwe, lezi zindleko zingakhokhowa lo msebenzi ungakaqalwa noma uma zidingeka.

Ukunakekelwa kwamapayipi axhunyiwe

17.(1) Uma kwenzeka umnikazi wesakhiwo noma ubani ohlala esakhiwe ehluleka –

(a) ukufaka amapayipi nokuxhuma uhlelo lokulahlwa kwendle; noma

(b) ukugcina uhlelo lwamapayipi olukuleso sakhiwo lusebenza ngendlela,

uMasipala angenza yena umsebenzi okumele wenziwe emagcekeni, bese kuthi izindleko zalo msebenzi uzifune kumnikazi wesakhiwo noma kohlala esakhiweni.

(2) Noma ngubani ofaka isicelo sokususelwa amapayipi nguMasipala nguyena ozobhekana nalezo zindleko.

(3) Umsebenzi ogunyaziwe, ngesicelo esibhalwe phansi esivela kumnikazi wesakhiwo noma ngubani kohlala esakhiweni, angahlola ukufakwa kwamapayipi kwaleyo ndawo noma nanoma kuyiphi ingxenye yawo bese ebiza izindleko zalokho kuhlolwa kumnikazi wesakhiwo noma kohlala khona, ezibalwa ngenani elibekwe ngokwamatharifu.

Ukuxhunywwa kwesiphehli esakhiweni

18. Umsebenzi ogunyaziwe, ngokubona kwakhe, anganxusa ukuba isakhiwo esisha sihlizekwe ngesiphehli esiwuhlobo olunganqunywa uyena ngaphambi kokuba lesa sakhiwo sixhunywwe ohlelweni lokulahlwa kwendle.

Ukuvikelwa kokungena kwamanzi emvula

19. Uma isakhiwo sisendaweni eke yaba nezikhukhula eminyakeni engu-50, ingxenye ephezulu yamapayipi, ama-*inspection chambers* nama-*gullies* kumele abekwe ngaphezu komugqa wokuhamba kwamanzi ezikhukhula eminyakeni engamashuni ayisihlanu, uma amapayipi amakhulu nama-*inspection chambers*, izivalo zakhona zivikelekile ngendlela evunyelwe umsebenzi kaMasipala ogunyaziwe.

ISAHLUKO 6

IZAKHIWO

Uhlelo lokulahlwa kwendle ezakhiweni ezinetayitela elihlanganyele

20.(1) Abakhi bezakhiwo ezinetayitela elihlanganyele kumele, ngezindleko zabo, bakhe uhlelo lokulahlwa kwendle, okubandakanya ama-pump stations, amapayipi amakhulu akhuphukayo anele ukubhekelela izidingo zomuzi nomuzi nezinye izindawo ezisetshenziswa abantu bonke njengoba kudingeka.

(2) Uma uhlelo lokulahlwa kwendle lwamanzi lukaMasipala lukhona kuleso sakhiwo, umakhi ngezindleko zakhe kumele axhume amapayipi angaphakathi okuthuthwa kwendle ohlelweni lukaMasipala lokulahlwa kwendle.

(3) Uma lungekho uhlelo lwamanzi lokulahlwa kwendle lukaMasipala kuleso sakhiwo, umakhi kumele axhume uhlelo lokulahlwa kwendle lwamanzi olufanele futhi oluzimele esakhiweni.

Uhlelo lokulahlwa kwendle kwizakhiwo ezincane

21.(1) Umakhi wezakhiwo ezincane ezintsha ulindeleke ukuba akhe, ngokwemiyalelo kaMasipala, uhlelo lokulahlwa kwendle, okubalwa kuko ama-pump stations namapayipi amakhulu akhuphukayo azohlinzeka isayithi ngayinye ezimele nezinye izindawo ezisetshenziswa uwonkewonke njengoba kudingeka.

(2) Uma uhlelo lwamanzi lwamapayipi endle lukhona kulezo zakhiwo, umakhi kumele ngezindleko zakhe axhume uhlelo lwangaphakathi lokulahla indle ohlelweni lokulahlwa kwendle lukaMasipala.

(3) UMasipala angenza umsebenzi wokufaka amapayipi kuze kufike lapho exhumana khona ngaphandle kokubiza imali kuMasipala uma –

- (a) uhlelo lokulahlwa seluphuthuliwe ngendlela eyanelisa uMasipala; futhi
- (b) isethi ephelele yemidwebo ibe isithunyelwe ngumakhi wesakhiwo.

(4) Uma uhlelo lukaMasipala lokulahlwa kwendle lwamanzi lungekho kulezo zakhiwo, umakhi angaphenya ngokufakwa kohlelo oluzimele lokulahlwa kwendle lwesakhiwo, kuncike ekutheni inhlangothi yabanikazi nemizi iyawenza umsebenzi wayo njengabahlinzeki bamanzi.

ISAHLUKO 7

IZNHLELO ZANGASESE ZOKULAHHLWA KWENDLE

Izitamukoko

22.(1) Isitamukoko kumele sibe nethange elibolisa indle lapho indle ibola idonswe umhlabathi noma yi-French drain.

(2) Kuvumeleke indle ewuketshezi yasezindlini kuphela ezitamukokweni.

(3) Izitamukoko kufanele zakhiwe ngumuntu oqeqeshiwe noma zilandele imikhombandlela kaMasipala waseThekwini yokwakhiwa nokugunyazwa kwezakhiwo zokulahla indle emakhaya.

Amathange okugcina indle

23. (1) Ithange lokugcina indle lingaxhunywama esakhiweni uma kunohlelo lokulahlwa kwendle lwamanzi lukamasipala, ngemvume kuqala yomsebenzi ogunyaziwe okuyimvume eyotholakala ezimweni ezikhethekile.

(2) Uma kutholakele imvume yethange lokugcina indle esakhiweni esinohlelo lokulahlwa kwendle lwamanzi lukamasipala, nansi imibandela esebenzayo:

(a) Ithange lokugcina indle kufanele –

(i) lihambisane nezidingo ezibekwe kwi-SABS 0400 Code of Practice, njengoba zichitshiyelwe ukuze kusetshenziswe iMithethonqubo yoKwakha kaZwelonke; futhi

(ii) lakhiwe ngunjiniyela okufundele lokho onolwazi lokuhlela nokwakha okokuthutha indle kwasegcekeni;

(b) ubungako bokwakha okuhlongozawyo kumele bube nemikhawulo;

(c) umsebenzi ogunyaziwe kufanele agculiseke ukuthi kwenziwe izinhlelo ezanele zokuthulula okudingekile; futhi

(d) –

(i) ezindaweni zokuhlala, ithange lokugcina indle kumele lingeqi ku-7000 wamalitha futhi likwazi ukuhlala izinsuku eziyisikhombisa; futhi

(ii) ezindaweni okungezona ezokuhlala, ithange lokugcina indle kumele likwazi ukumumatha izinsuku ezine okugelezela kulo.

Isiphehli samanzi angcolile sangasese

24. (1) –

(a) Isiphehli samanzi angcolile sangasese singafakwa kuphela esakhiweni; futhi

(b) isiphehli samanzi angcolile sangasese somthamo omncane singafakwa kuphela endaweni ehlala abantu,

ngemvume yomsebenzi ogunyaziwe okuyimvume eyotholakala ezimweni ezikhethekile kuphela.

(2) Uma kukhishwe imvume yesiphehli samanzi angcolile sangasese somthamo omncane endaweni ehlala abantu, kuyosebenza le mibandela elandelayo:

(a) isiphehli kumele silandele umqulu weMikhombandlela kaMasipala: *i-Package Plants for The Treatment of Domestic Wastewater*, njengoba washicilelwa futhi uchitshiyelwe izikhathi ngezikhathi;

(b) umakhi kufanele aqoke unjiniyela oqeqeshiwe ekuqaleni kwephrojekthi futhi lowo njiniyela oqeqeshiwe –

(i) unomthwalo wokudweba nokukhetha isiphehli;

(ii) kufanele aqaphe ukwakhiwa, ukuxhunywa nokugunyazwa nokusebenza kwesiphehli; futhi

(iii) unomthwalo wokulawula ukusebenza, wokuqapha nokukhanda isiphehli iminyaka emihlanu ngokwenkonteleka yesevisi ngendlela ezogculisa umsebenzi ogunyaziwe; futhi;

(c) umakhi kufanele afake isibambiso semali kwi-Akhawunti kaMasipala esilingana no-1,5 (okukodwa nengxenye) kwezindleko zesiphehli iminyaka emihlanu.

(3) UMasipala anganquma ezinye izidingo kwisiphehli samanzi angcolile sangasese somthamo omncane sezindawo zokuhlala abantu.

(4) Uma okuphuma kwisiphehli samanzi angcolile sangasese somthamo omncane kungawalandeli ama-General Limit Values abekwe kwizimvume ezejwayelekile zoMnyango wezaManzi namaHlathi ngokwesigaba 39 soMthetho wezaManzi kaZwelonke, umsebenzi ogunyaziwe angayalela umnikazi waleso siphehli ukuba asichithele endaweni egunyazwe ngumasipala ngaphansi kwemibandela ebekwe umsebenzi ogunyaziwe.

(5) Uma kusobala ukuthi isiphehli samanzi angcolile sangasese somthamo omncane asiwalandeli amaqophelo abekwe nguMnyango waManzi njengoba kubekwe esigatshaneni (4) ngenhla, umsebenzi ogunyaziwe angayalela umnikazi wesiphehli ukuba asisuse afake esinye ngezindleko zakhe.

ISAHLUKO 8

UKUNGCOLA KWEZIMBONI

Imvume yokulahla ukungcola kwezimbongi

25. (1) Umuntu kavunyelwe ukuchitha, ukubangela noma ukuvumela ukuchithwa kokungcola kwezimbongi ohlelweni lokulahlwa kwendle lukaMasipala, ngaphandle uma –

(a) kungemvume ebhaliwe yomsebenzi ogunyaziwe; futhi

(b) kungokwalo Mthetho kaMasipala.

(2) Noma isiphi isicelo semvume yokuchitha ukungcola kwezimboni ohlelweni lokulahlwa kwendle lukamasipala kumele senziwe ngokwezidingo ezibekwe umsebenzi ogunyaziwe futhi kukhokhwe imali enqunyiwe.

(3) Umsebenzi ogunyaziwe anganikeza ofake isicelo imvume yokuchitha ukungcola kwezimboni ohlelweni lokulahlwa kwendle lukamasipala uma ngokubona kwakhe isimo sohlelo lukamasipala lokulahlwa kwendle luzokwazi –

- (a) ukuhambisa;
- (b) ukuphehla ngendlela; kanye
- (c) nokuchitha ngendlela esemthethweni,

Ukungcola kwezimboni okwengeziwe.

(4) Umuntu onikwe imvume ngokwalesi sahluko kumele aqinisekise ukuthi akukho ukungcola kwezimboni okufakwa ohlelweni lokulahlwa kwendle ngaphandle uma kulandela amaqophelo nemibandela ebekwe kumaSheduli "A" no"B" alapha.

(5) Ekukhipheni imvume yokuchithela ukungcola kwezimboni ohlelweni lokulahlwa kwendle lukamasipala, umsebenzi ogunyaziwe –

- (a) anganquma isikhathi semvume;
- (b) angabeka imibandela ngaphezu kwaleyo ebekwa umsebenzi ogunyaziwe; futhi
- (c) angathambisa noma ashintshe amaqophelo abekwe kumaSheduli "A" noma "B" nanoma imiphi imibandela ebekwe umsebenzi ogunyaziwe uma anelisekile ukuthi ukuthanjiswa noma ukushintshwa kuzoba wusizo kwimvelo kubhekelelwa:
 - (i) ukuthi isiphehli somfakisicelo sisebenza futhi sigcinwa ngokuseqophelweni eliphezulu;
 - (ii) ukuthi ubuchwepheshe obusetshenziswa ngofake isicelo bungobungcono kunabo bonke yini obukhona imboni yofake isicelo engabusebenzisa futhi uma kungenjalo ukuthi ukufakwa kwalobo buchwepheshe kungafaka ofake isicelo ezindlekweni ezingafanele yini;
 - (iii) ukuthi ofake isicelo ulandela uhlelo lokukunciphisa ukungcola oluhambisana namazinga okunciphisa noma okulawula ukungcola njengoba ebekwe ngokomthetho osebenzayo;
 - (iv) izindleko kuMasipala zokuthambisa noma sokushintsha; kanye
 - (v) nomthelela emvelweni, noma umthelela ongenzeka uma kugunyazwa ukuthambisa noma ukushintshwa, futhi ngalokho kumele kubhekelelwe ubungozi futhi lokhu kwenziwe ngokuqikelela.

(6) Ukungcola kwezimboni kuyochithelwa ohlelweni lokulahlwa kwendle lukamasipala kuphela ngokwemvume ekhishwe –

- (a) ngokwalo Mthetho kaMasipala;
- (b) ngaphansi kwanoma imuphi umbandela oqondene nemvume ekhishiwe;
- (c) ngaphansi kwanoma iliphi iqophelo nemibandela ebekwe umsebenzi ogunyaziwe ngezikhathi ezithile.

(7) Umhloli wamasampuli oqeqeshiwe angahlola amasampuli ngezikhathi ezithile ukuqinisekisa ukuthi ukungcola kwezimboni kuyayilandela imibandela yalo Mthetho kaMasipala nanoma imuphi umbandela kumbe iqophelo elibekwe yimvume ngezikhathi ngezikhathi.

(8) Umsebenzi ogunyaziwe, ngemvume noma ngesaziso esibhaliwe, angayalela umnikazi wemvume ngezikhathi ezithile ukuba –

- (a) adlulise ukungcola kwezimboni ekuphehlweni kokuqala, ngokubona komsebenzi ogunyaziwe, okuzoqinisekisa ukuthi ukungcola kuyahambisana nalo Mthetho kaMasipala nanoma imaphi amanye amaqophelo noma umbandela onqunywe umsebenzi ogunyaziwe, futhi okumaSheduli “A” no“B” ngaphambi kokuthi kuchithwe ohlelweni lokulahlwa kwendle lukamasipala;
- (b) afake amathange okufanisa, amavalvu, amaphampu, okuxhunyiwe, amamitha nokunye ngokubona komsebenzi ogunyaziwe okudingekile ukulawula umfutho nesikhathi sokuchitha lapho kuchithwa khona ngokwemibandela ebekelwe umnikazi wemvume;
- (c) ukuze kufakwe ukungcola kwezimboni ohlelweni lokuthutha indle nganoma isiphi isikhathi, axhume amapayipi ahlukile kulawo okuthutha amanzi angcolile noma indle yasendlini futhi angenqabela umnikazi wemvume angachithi –
 - (i) ukungcola kwezimboni nomaphi kwenye indawo; kanye
 - (ii) namanzi angcolile nendle ejwayelekile yasendlini ngenye indlela ngale kohlelo lokulahlwa kwendle;
- (d) afake epayipini elithutha ukungcola kwezimboni isivalo noma ivalvu emi futhi eyakhiwe ngendlela egunyazwe umsebenzi ogunyaziwe;
- (e) anikeze ulwazi oludingwa umsebenzi ogunyaziwe ukuze akwazi ukuhlawumbisela izindleko okumele zikhokhelwe uMasipala ngokwalo Mthetho kaMasipala;
- (f) ahlinzeke izidingo ezanele zokuvimbela ukuchithekela kokungcola kwezimboni ohlelweni lokulahlwa kwendle okushayisanayo nemibandela yalo Mthetho kaMasipala okubandakanya phakathi kokunye okokuqapha ukugcwala ngokweqile, impahla emi ngomumo, imigodi yokuchichima nokunye okufanele;

(g) ahlelele ukuba noma iliphi imitha, okokukala nanoma ikuphi okunye okufakwe ngokwalesi sigaba kuqoshwe ngozimele ngezindleko zomnikazi wemvume ngezikhathi ezinqunywe umsebenzi ogunyaziwe, nokuthumela kuso amakhophi esitifiketi sokuqopha; futhi

(h) ahlelele ukuba ukungcola kwezimboni kuhlaziywe kaningi nangendlela enqunywe umsebenzi ogunyaziwe, nokunikeza uMasipala imiphumela yalokho kuhlolwa uma sekuphelile.

(9) Umnikazi noma ohlala esakhiweni ngezindleko zakhe kufanele afake izinhlelo zokuqapha nokugwema ukwep hulwa kwanoma imuphi umbandela walo Mthetho kaMasipala njengoba kuhlongozwe noma kuyiphi imikhombandlela ebekwe ngumasipala maqondana nokugunyazwa kwamapulani okwakha, okubandakanya phakathi kokunye:

(a) ukufaka isivalo esingawadedeli amanzi kukho konke okunamanzi okunomthamo ongengaphansi kowesitsha esinoketshezi esikhulu kunazo zonke; kanye

(b) nokuqiniseka ukuthi zonke izakhiwo zinogadasi ukuqinisekisa ukuthi amanzi emvula ahlanzekile ageleza ayongena emapayipini amanzi emvula.

(10) Umsebenzi ogunyaziwe angazixegisa izidingo ezibekwe esigatshaneni (9) uma umnikazi wemvume ebhale wafaka isicelo salokho futhi ekwazile –

(a) ukuveza ubufakazi bokuthi ngeke kube khona bungozi obengezekile emvelweni; futhi

(b) ekhombisa ukuthi yini enye azoyenza ukunciphisa ubungozi.

(11) Uma kwenzeka imitha nanoma yini enye ifa noma ingasebenzi kahle, ubungako kufanele bukalwe ngendlela enqunywe umsebenzi ogunyaziwe.

(12) Izindleko zokuphehla, zesiphehli, zomsebenzi noma ukuhlolwa okungadingeka kumnikazi wemvume ukuba akwenze, akwakhe noma akuxhume ngokwesigatshana (8) kufanele zibhekane nomnikazi wemvume.

(13) Umnikazi wemvume kufanele athole imvume ebhaliwe yomsebenzi ogunyaziwe yanoma iziphi izinguquko ezihlongozwayo kwimikhiqizo equkethwe ukungcola kwezimboni okuchithelwa ohlelweni lokulahlwa kwendle.

(14) Uma umnikazi wemvume echithela ohlelweni lokulahlwa kwendle noma ikuphi ukungcola kwezimboni okungahambisani nemvume leyo yakhe, yena uqobo noma lowo

amthumile kumele azise umsebenzi ogunyaziwe ngalokho asho nezizathu zalokho engakapheli amahora ali-12 kwenzekile.

(15) Umsebenzi ogunyaziwe angayihoxisa imvume yokuchithela ukungcola kwezimboni ohlelweni lokulahlwa kwendle uma umnikazi wemvume –

(a) engasilandeli noma enqaba ukulandela isaziso esisemthethweni asinikwe ngokwalo Mthetho kaMasipala noma ephula noma imiphi imibandela abekelwe yona ngokwemvume ayinikiwe; noma

(b) engazikhokhi izindleko ezibiziwe mayelana nokungcola kwezimboni okuchithwayo;

(c) engaqinisekisi ukuthi izinga lokungcola kwezimboni liyahambisana noSheduli “A” no“B”:

Kuncike ekutheni umnikazi wemvume unikwe isaziso esibhaliwe sezinsuku ezili-14.

(16) Uma umsebenzi ogunyaziwe eyihoxisa imvume yokuchitha ukungcola kwezimboni, –

(a) ngaphezu kwanoma iziphi izinyathelo ezinqunywe kulo Mthetho kaMasipala nasesazisweni sezinsuku ezingama -14 esinikezwe umnikazi wemvume, angagunyaza ukuvalwa noma ukuboshwa kwepayipi elixhuma amapayipi endle akuleso sakhiwo kwamanye amapayipi ngezindleko ezinganqunywa umsebenzi ogunyaziwe; futhi

(b) angaqhubeka nokwenqaba ukuqhubeka nokwamukela ukungcola kwezimboni okuvela kumnikazi wemvume aze aneliseke ukuthi usethathe izinyathelo ezanele ukuqiniseka ukuthi ukungcola kwezimboni okuzochithwa kulandela imibandela ebekwe kulo Mthetho kaMasipala.

(17) Uma umsebenzi ogunyaziwe egunyaza ukuphinda kuvulwe ipayipi noma ukuxhunywa obekuvuliwe, umnikazi wemvume kufanele athwale izindleko zalokho.

(18)(a) Uma umsebenzi ogunyaziwe ethola ukuthi umuntu ochitha ukungcola kwezimboni angase alimaze uhlelo lokulahlwa kwendle noma imvelo uma evunyelwa ukuba aqhubeke, umsebenzi ogunyaziwe angagunyaza ukuvalwa kwepayipi elixhumana nepayipi lokuthutha ukungcola kwezimboni.

(b) akukho muntu ongavumela ukuvulwa kwepayipi elishiwo esigatshaneni (a) kuze kwaneliseke umsebenzi ogunyaziwe ukuthi ukungcola kwezimboni kuyahambisana namaqophelo abekiwe.

(19) izihlinzeko zalesi sigaba zisebenza ngokufanayo ekungcoleni kwezimboni okuchithelwa olwandle ezindaweni zikaMasipala, kuncike kwimithetho esebenzayo, futhi kuncike kule mibandela elandelayo:

- (a) uma ukungcola kwezimboni kuvunywa ukuba kuchithelwe olwandle, kufanele kufike kuleyo ndawo evunywe umsebenzi ogunyaziwe ngepayipi elakhiwe futhi linakekelwa ngumnikazi wemvume ngezindleko zakhe;
- (b) akukho kungcola kwezimboni okuyovunyelwa ukuchithwa olwandle uma kungahambisani namaqophelo nenqubo ebekwe kuSheduli “B”;
- (c) ukungcola kwezimboni angeke kwavunyelwa ukuchithelwa olwandle ngaphandle uma kuvezwa ubufakazi obugculisa umsebenzi ogunyaziwe bokuthi akunabuthi obungabulala izilwane nezihlahla olwandle kukodwa noma esekuxutshwe nokunye kungenazo –
- (i) izinto ezifakiwe noma eziyingxube –
 - (aa) ezingaba luhlupho emabhishi noma olwandle noma zibe yingozi empilweni; noma
 - (bb) ezingaba nemiphumela engemihle ezindaweni zokubhukuda kumbe ezokuzithokozisa;
 - (ii) izinto ezintantayo;
 - (iii) izinto ezingaba yingozi ezindaweni zikaMasipala zokuchitha olwandle nakwamanye amasampu, amapayipi athutha ukungcola, imishini nempahla noma nakubasebenzi bakhe;
 - (iv) izinto ezingadala isidina ngamagwebu; kanye
 - (v) nokungcola okwejwayelekile kwasendlini;
- (d) kuncike kwimibandela yesigatshana (c), umsebenzi ogunyaziwe angabhala axegise amaqophelo emvume noma aguqule inqubo ebekwe kuSheduli “B”;
- (e) ipayipi elithumelayo lisuka ezakhiweni liya lapho kwemukelwa khona kumele lihlale lisesimweni esifanele lingavuzi;
- (f) ukuchithwa kokungcola kwezimboni kuyobuyezwa izikhathi ngezikhathi: Kuncike ekutheni lokho kubuyezwa kungenziwa noma inini uma ngokubona komsebenzi ogunyaziwe kunezimo eziphuthumayo ezibandakanya phakathi kokunye ukungcoliseka kolwandle noma amabhishi, ukufa kwezinhlanzi nezinye izigameko ezivele ngenxa yokuchithelwa kokungcola kwezimboni olwandle;
- (g) umnikazi wemvume kufanele ahlinzeke umsebenzi ogunyaziwe ngendawo efanele yokucaphuna amasampuli esakhiweni semboni;
- (h) indawo yokucaphuna isampuli ebalulwe ngenhla kufanele ikhonjiswe ngendlela egculisa umsebenzi ogunyaziwe;
- (i) kufanele kwaziswe umsebenzi ogunyaziwe ngezinguquko ezihlongozwayo ekukhiqizeni noma kwisamba noma uhlobo lwempahla esetshenziswayo okungenzeka kube nomthelela ohlobeni, ekwakhekeni nasemazingeni okungcola okukhiqizwa

yimboni: Kuncike ekutheni kutholakala imvume yomsebenzi ogunyaziwe yokuqhubeka nokuchitha lokho kungcola.

ISAHLUKO 9 UKUKHOKHELA AMASEVISI

Ukukhokhela ukusebenzisa uhlelo lokulahlwa kwendle

26.(1) Ukukhokhela ukusebenzisa uhlelo lokulahlwa kwendle kumele kwenziwe –

- (a) ngokohlu olunqunyiwe lwezimali ezikhokhwayo zokulahlwa kwendle; noma
- (b) ngokwesivumelwano esikhethekile phakathi kukaMasipala nomuntu ngokwesigaba 9; noma
- (c) ngenye indlela njengokunquma komsebenzi ogunyaziwe.

(2) Inkokhelo isuke isifanele ukukhokhwa ngosuku olubhalwe kwi-akhawunti.

Ukukhokhelwa kokungcola kwezimboni ngokwamareyithi okuthuthwa kwendle

27. Uma ukukhokhelwa kokusetshenziswa kohlelo lokulahlwa kwendle kungamareyithi okuthuthwa kwendle kanti uma umuntu onemvume yokuchitha ukungcola kwezimboni esedlulile emthamweni ongu 'T' *kilolitres* ngenyanga, umnikazi wemvume uyena oyokhokha ezinye izimali ezingaphezu kwemali ejwayelekile yamareyithi okuthuthwa kwendle, ebalwa ngendlela ebekwe esigabeni 28.

Izimali zokungcola kwezimboni

28. UMasipala anganquma izimali ezikhokhelwa ukulahlwa kokungcola kwezimboni futhi achibiyele lezo zimali ezikhokhwayo uma ebona kunesidingo.

Izindleko zokulahlwa kwendle uma zibalwa ngamatharifu

29. Uma izindleko zokusebenzisa uhlelo lokulahlwa kwendle zibalwa ngamatharifu, izindleko zokulahlwa kwendle ejwayelekile yasendlini zikhokhwa yikhasimende uma isakhiwo –

- (a) sixhumene nohlelo lokulahlwa kwendle noma singakwazi ukuxhunywa; noma
- (b) sithola amanzi kuMasipala.

Izindlelo zokulahlwa kokungcola kwezimboni uma zibalwa ngamatharifu

30.(1) Umuntu onemvume yokuchitha ukungcola kwezimboni okungaphezu komthamo onqunyiwe ongu 'T' kilolitres ngenyanga, uyokhokha isamba esincane nge-kilolitre lokungcola kwezimboni esilingana nemali ekhokhwa uma kuchithwa ukungcola okujwayelekile kwasendlini.

(2) Ngaphezu kwezinhlinzeko zesigaba (1), umnikazi wemvume ochitha ukungcola kwezimboni okungumthamo noma okunezinga elingaphezu kwalelo lokungcola kwasendlini okwejwayelekile uyokhokhiswa ezinye izimali ngomthamo wokungcola akuchithayo ngokuhambisana nezihlinzeko zesigaba 28.

Umthamo wokungcola okwejwayelekile kwasendlini okunqunywa ngezinhloso zokukhokha

31.(1) Umthamo wokungcola okwejwayelekile kwasendlini kumele unqunywe –

- (a) ngephesenti lamanzi athunyelwa nguMasipala ngokwanoma iyiphi inqubo ebekiwe;
- (b) ngokuhlola komsebenzi ogunyaziwe okususelwa emibandeleni enjengesibalo sabasebenzi esakhiweni, esama-shift asetshenziwe, esezikhathi zokudla nokunye okunjalo; noma;
- (c) uma indawo inamanzi asuka kwenye indawo ngaphandle kwawohlelo lwamanzi kaMasipala, ngokudonswa emfuleni noma emgodini kancanyana kumbe ngokuphelele, ngokuhlola okwenziwe umsebenzi ogunyaziwe okususelwa emibandeleni ayibona ifanele.

(2) Ngale kokulandela imibandela yesigatshana (1)(a), uma umsebenzi ogunyaziwe ebona ukuthi iphesenti elisetshenziswayo esakhiweni elithile ledlulele, lapho kubhekwa inhloso amanzi asetshenziselwa yona kuleyo ndawo, angalehlisa iphesenti elisebenza kuleso sakhiwo ngokubona komsebenzi ogunyaziwe nangokubheka ulwazi olukhona ngaleso sikhathi libe yisibalo esikuveza kangcono ukuvumelana phakathi kwenani elingalindeleka lokulahlwa kwendle esakhiweni nelamanzi athunyelwa khona.

Umthamo wokungcola kwezimboni onqunywa ngezinhloso zokukhokha

32. Umthamo wokungcola kwezimboni okuchithelwa ohlelweni lokulahlwa kwendle noma olwandle kufanele unqunywe ngalezi zindlela ezilandelayo:

- (a) uma kwenziwa khona izilinganiso eziqonde ngqo zomthamo wokungcola kwezimboni okuchithwayo okuphuma esakhiweni, lowo mthamo kumele usetshenziselwe ukubala isamba okumele sikhokhwe;
- (b) lapho kungekho silinganiso khona esiqonde ngqo somthamo wokungcola kwezimboni ochithwayo ophuma esakhiweni, ubungako kufanele bubalwe njengephesenti lamanzi athunyelwa nguMasipala ngokwenqubo ebekwe nguye;
- (c) uma indawo inamanzi asuka kwenye indawo ngaphandle kwawohlelo lwamanzi kaMasipala, adonswa emfuleni noma emgodini kancane kumbe ngokuphelele, ubungako bamanzi kumele bunqunywe ngokuhlola okwenziwe umsebenzi ogunyaziwe okususekwa emibandeleni esiyibona ifanele; futhi
- (d) uma ingxenye yamanzi anikezwa umnikazi wemvume iyingxenye yomkhiqizo ngenkathi kukhiqizwa noma ishabalala ngenkathi kukhiqizwa kumbe noma ngasizathu sini esinye, umsebenzi ogunyaziwe ngokubona kwakhe uma umnikazi wemvume efake isicelo, angawunciphisa umthamo wokuhlola kwakhe ukungcola kwezimboni.

Ezinye izindleko

33.(1) Ngale kokulandela noma yini ephambanayo equkethwe kulo Mthetho kaMasipala, umsebenzi ogunyaziwe anganquma futhi akhokhise lezi zimali ezilandelayo:

- (a) imali ekhokhwa noma ngubani mayelana nomthamo omncane wendle ethuthwayo;
- (b) imali ekhokhwa noma ngubani njengezindleko ezijwayelekile kwezinqunyiwe zokusebenzisa uhlelo lokulahlwa kwendle uma kwenzeka kuba nokwenqatshelwa noma imikhawulo ekusetshenzisweni kwamanzi;
- (c) imali ekhokhelwa ukubuyisa eyezindleko uMasipala angene kuzo ngokulawula ukungcola kwezimboni nokwalusa abanikazi bezimvume abachitha ukungcola kwezimboni umasipala echitha khona uhlelo lokulahlwa kwendle;
- (d) imali ekhokhwa umuntu ochitha okungafanele okushiwo esigabeni 6 ukuze kukhokhwe zonke izindleko uMasipala angene kuzo elandela umsuka walokho kuchitha okungafanele elungisa nomphumela wakho: Kuncike ekutheni lezo zindleko eziphelele zibandakanya umthelela wemvelo;
- (e) imali ekhokhwa ngumuntu –
 - (i) ngokwesinqumo esibekiwe ohlwini lwamatharifu; noma
 - (ii) uma lungekho uhlu lwamatharifu, izindleko eziphelele zomsebenzi owenziwe noma okudayisiwe;
- (f) UMasipala angabiza ezinye izimali maqondana nezinga lamanzi engakhokhiswa nguhulumeni omkhulu;

(g) imali kumele ikhokhwe noma ngubani oweqe emthamweni onqunyiwe wokuchitha obekwe emaShedulini "A" no"B"; futhi

(h) umnikazi wendawo lapho kutholakele khona ukuthi amanzi emvula angena emapayipini endle kufanele akhokhiselwe ubungako obuhlawumbiselwe bamanzi emvula angene epayipini lendle: Kuncike ekutheni umsebenzi ogunyaziwe kuphela oyoahlawumbisela ubungako bamanzi ezikhukhula angene epayipini lokuthutha indle.

(2) Akukho muntu ongasungula noma aqhube imboni noma ibhizinisi elikhiqiza ukungcola namanzi angcolile endaweni eklanyelwe ukuhlala.

Ukukhokhwa kwediphozi

34.(1) Umsebenzi ogunyaziwe angayalela noma ngubani ukuba akhokhe kuMasipala isamba semali esiyidiphozi emele izindleko zokulahlwa kwendle ngokubona kwakhe esizokweletwa yilowo muntu kuMasipala ngemuva kwesikhathi esithile.

(2) Idiphozi eshiwo esigatshaneni (1) kumele iphelekezelwe isicelo esilethwa ngokwesigaba 8 noma isigatshana (1).

(3) Idiphozi ekhokhwa ngokwesigaba (1) ingethathwe njengenkokhelo noma ingxenye yenkokhelo ye-akhawunti okumele ikhokhelwe ukulahlwa kwendle.

(4) Kuye ngoMthetho kaMasipala wokulawula izikweletu nokukhokhwa kwazo iCredit Control and Debt Collection By-law, ngesaziso esibhaliwe uMasipala angadinga ukuba umuntu ofanele akhuphule idiphozi ngesamba esikhonjwe kuleso saziso.

(5) Kuncike eMthethweni kaMasipala wokuLawula nokuKhokhwa kweziKweletu, uMasipala ngokubona kwakhe noma ngokucelwa yikhasimende angasehlisa isamba sediphozi noma isibambiso esidingekayo uma enelisekile ukuthi lokho kwehlisa kufanele ngenxa –

(a) yezindleko ezibizwa lelo khasimende zokulahla ngaleso sikhathi; noma

(b) yezinguquko esimweni esiqondene nokunqunywa kwesamba sasekuqaleni sediphozi noma sesibambiso.

Ukwehliswa kwemali uma kumosheke amanzi noma ukuvuza kungabonakalanga

35.(1) Umuntu unelungelo lokwehliselwa imali ekhokhelwa ukulahlwa kwendle uma ukufundwa kwemitha okuzonquma imali ezokhokhwa kubandakanya isikhathi lapho –

- (a) amanzi eke achitheka ngaso; noma
- (b) kube nokuvuza okungabonakalanga:

Kuncike ekutheni ikhasimende liveza ngendlela eyenelisa umsebenzi ogunyaziwe ukuthi amanzi kachithwanga ohlelweni lokulahlwa kwendle.

(2) Imali ekhokhelwa ukulahlwa kwendle ingehliswa ngesamba esisuselwa kubungako bokungcola okwejwayelekile kwasendlini ibalwe ngobungako bamanzi okuphuza achitheke ngenxa yokuvuza ngesikhathi obekuvuza ngaso.

(3)(a) Isikhathi sokuvuza kufanele kube ngesokufunda kwemitha ngaphambi kosuku noma sokulungiswa kokuvuza noma isikhathi sokufundwa kwemitha ukuvuza okulungiswe ngaso, kukhethwe okungayehlisa kakhulu imali ekhokhwayo.

(4)(a) Ubungako bamanzi achithekile kufanele bubalwe njengasebenzile ekuvuzeni kususwe ukusetshenziswa okwejwayelekile, kususelwe ezinyangeni ezintathu ezandulele ngesikhathi esifanayo ubude.

(b) Uma –

(i) kungekho mlendo wokusetshenziswa; noma

(ii) umsebenzi ogunyaziwe engakubheki njengenkomba ukusetshenziswa jikelele, ukusetshenziswa jikelele kwamanzi yisamba esikhonjwa umsebenzi ogunyaziwe ngemuva kokucubungula lonke ulwazi olufanele.

(c) Kungase kungabi nakwehliswa kwemali ekhokhwa ngenxa yokulahleka kwamanzi okudalwe –

(i) ukubhidlika komhlabathi noma ukucindezelwa yisisindo;

(ii) ukugcwaliswa kwamachibi okubhukuda kumbe amanye nje ngemuva kokuvuza noma kokunye nje;

(iii) amabomu omuntu olahlekelwe noma omunye umuntu egameni lakhe uma lokho kudale ukulahleka kwamanzi; noma

(iv) ukuxhunywa kwamanzi okungawulandeli umhlahlandlela wokuxhuma kaMasipala.

Izichibiyelo ezimalini okumele zikhokhwe

36. Uma noma ngasizathu sini ngokwalo Mthetho kaMasipala umuntu okufanele akhokhe –

(a) engakhokhiswa nhlobo; noma

(b) ekhokhiselwa ukulahlwa kwendle ngemali engaphansi kwaleyo okumele ayikhokhe, uyobe engaxolelwe ukuba akhokhe futhi uma eyalelwa ukuba akhokhe, kumele akhokhe yonke imali okumele kaMasipala ibalwa ngokwezihlinzeko zalo Mthetho kaMasipala.

Izichibiyelo ezimalini ezinqunyiwe

37. Lapho izichibiyelo ohlwini olubekiwe lwezimali ezikhokhwayo zokulahlwa kwendle ziqala ukusebenza ngosuku oluphakathi kokufundwa kwemitha, ikhasimende kufanele likhokhe imali ebalwe ngobungako bokungcola okuhanjiswa ngamanzi emapayipini obufana nobachithwa kumahora angu-24 phakathi kwezikhathi zokufundwa kwewashi lamanzi.

ISAHLUKO 10**UKUVIKELWA KOHLELO LOKULAHLWA KWENDLE****Ukungena ngokungemthetho ohlelweni lokulahlwa kwendle**

38. Ngaphandle uma kutholakele imvume yomsebenzi ogunyaziwe kuqala, umuntu angeze angena –

- (a) endaweni esetshenziselwa uhlelo lokulahlwa kwendle ebiyelwe noma enezaziso ezithi kakungenwa; noma
- (b) esakhiweni esisetshenziswa nguMasipala mayelana nohlelo lokulahlwa kwendle.

Ukuphazamisa uhlelo lokulahlwa kwendle

39. Ngaphandle uma kutholakele imvume yomsebenzi ogunyaziwe kuqala, umuntu angeze –

- (a) aphazamisa noma akokotela uhlelo lokulahlwa kwendle ngaphandle uma kungokwezihlinzeko zesigaba 43;
- (b) axhuma ohlelweni lokulahlwa kwendle ngaphandle uma kungemibandela yesigaba 11; noma
- (c) akhe isakhiwo kumbe alayishe noma ambe umhlabathi endaweni eshiyelwe ukunqamula ipayipi lokulahlwa kwendle.

Ukulimaza ipayipi lokulahlwa indle

40. (1) Umuntu angeze adala umonakalo noma afake engozini uhlelo lokulahlwa kwendle noma abangele noma avumele ukuba kudaleke umonakalo noma lufakeke engozini.

(2) Umuntu ohlose ukwenza umsebenzi ongase udale umonakalo ohlelweni lokulahlwa kwendle emhlabeni kaMasipala noma ongaphansi kwakhe noma anelungelo kuwo noma

elinye nje ilungelo kufanele aqale ngokuqinisekisa kuMasipala ukuthi akukho ngxenye yini yohlelo lokulahlwa kwendle kamasipala enqamula lapho ngaphambi kokuqala umsebenzi.

(3) Uma ngokubona komsebenzi ogunyaziwe ukuthi kuzokwenziwa noma kwenziwa umsebenzi ongase ulimaze noma ubeke engozini uhlelo lokulahlwa kwendle emhlabeni oshiwo esitshaneni (2), noma emhlabeni oncike kuwo, ngesaziso esibhaliwe angase anxuse ukuba lowo muntu angaqali, noma ame angaqhubeki nomsebenzi kuze kube useyilandelile imibandela ebekwe kuleso saziso.

Ukulungiswa okuyimpoqo kwamapayipi okuthuthwa kwendle

41. Noma nini uma uhlelo lokulahlwa kwendle lwephukile noma luvalokile noma ludinga ukulungiswa ngenxa yokwenza okuthile noma yokungenzi okuthile komuntu, ngenxa yokuyingalandeli imibandela yalo Mthetho kaMasipala noma ngokunye, umsebenzi ogunyaziwe –

- (a) angawenza yena lowo msebenzi, lokho kukhanda noma ukulungisa njengokubona kwakhe kufanele; noma
- (b) akhiphe okuvimbile,

ngezindleko zalowo muntu futhi lowo muntu kumele azikhokhe zonke.

Okuvimbele ukudlula kohlelo lokulahlwa kwendle

42. (1) umuntu angeze avimbela noma aphazamise ukusebenza kohlelo lokulahlwa kwendle.

(2) Uma umuntu ephula imibandela yesigatshana (1), umsebenzi ogunyaziwe –

- (a) angabhala isaziso efuna ukuba akulungise lokho ngezindleko zakhe singakapheli isikhathi esibekiwe; noma
- (b) uma ebona ukuthi kuyaphuthuma, akulungise ukuphazamiseka ngale kwesaziso kuqala umuntu bese ekhokhiswa zonke izindleko zokwenza lokho.

Umsebenzi wabantu abazimele

43.(1) Umuntu ogunyaziwe noma lowo amqokile kufanele afake wonke amapayipi okuthuthwa kwendle nawokuxhuma ngaphandle uma ekhetha ukungakwenzi lokho, uma kunjalo-ke umsebenzi kufanele wenziwe ngokwemibandela yenkontileka kaMasipala maqondana nomsebenzi nokushiwo esigatshani (2).

(2) Uma umsebenzi ogunyaziwe ekhetha ukuvumela omunye umuntu ukuba afake ipayipi lokulahlwa kwendle noma elokuxhuma, umsebenzi kufanele wenziwe ngokweqophelo nenqubo evunyiwe nguMasipala kulowo msebenzi kanye nalokhu okulandelayo:

(a) noma ubani owenza umsebenzi kufanele aqale athumele incwadi ebhaliwe esemthethweni kumsebenzi ogunyaziwe ehlangula uMasipala ekukhokhiselweni noma iyiphi ingozi noma ukulimala noma ukulahlekelwa kwabantu nomonakalo empahleni okungaba ngumphumela ngqo noma ngandlela thile wokwakha;

(b) lapho ukuxhuma kuzoxhunyw epayipini lokulahlwa kwendle, kumele kwenziwe lapho kukhombekhona umsebenzi ogunyaziwe;

(c) nanini uma kuphazamiseke ingaphezulu lomgwaqo ngenkathi kwakhiwa, ukulungiswa kwalo kumele kwenziwe nguMasipala kuphela ngezindleko zomuntu owenza lowo msebenzi; futhi

(d) ngaphambi kokuphazamisa ingaphezulu lomgwaqo kufanele kufakwe idiphozi kuMasipala ngokubona komsebenzi ogunyaziwe eyanele ukubhekana nezindleko zokulungisa ezihlawumbiselwe: Uma izindleko zangempela zingaphezulu noma zingaphansi kwesamba sediphozi –

(i) imali eyeqile kufanele ikhishwe yilowo muntu; noma

(ii) esele abuyiselwe yona.

(2) Wonke umsebenzi kufanele wenziwe ngokwezidingo zomsebenzi ogunyaziwe futhi agculiseke.

ISAHLUKO 11

UKUPHOQELELWA KOMTHETHO

Ukungena komsebenzi ogunyaziwe

44. (1) Ngezikhathi okungalindeleka ngazo kumbe noma nini uma kuphuthuma, umsebenzi ogunyaziwe –

(i) angangena;

(ii) angacela ulwazi;

(iii) angathatha amasampuli; futhi

(iv) angahlola aphenye enze umsebenzi njengokubona kwakhe ngalokho asebenze noma ikuphi ukuxhunyw epayipini lokumunca, ngenhloso ephathelene nokulandela noma ukuphoqelesa lo Mthetho kaMasipala.

(2) Uma umsebenzi ogunyaziwe ebona kufanele ukuba kwenziwe umsebenzi ukuze akwazi ukuwenza ngokuyikho nangempumelelo umsebenzi wakhe oshiwo esigatshaneni (1), –

(a) angabhala isaziso efuna ukuba umnikazi noma ohlala lapho enze lowo msebenzi okhonjiwe ngezindleko zakhe singakapheli isikhathi esinqunyiwe; noma

(b) uma ebona ukuthi kuyaphuthuma, awenze yena umsebenzi noma athumele wenziwe ngale kwesaziso kuqala bese kuthi umnikazi noma lowo ohlala khona akhokhiswe izindleko zokwenza lokho.

(3) Uma umsebenzi oshiwo esigatshaneni (2) wenziwa kuphela ngenhloso yokuthola ukuthi awephulwanga yini lo Mthetho kaMasipala kutholakale ukuthi ngempela kawephulwanga, uMasipala kufanele abhekane nezindleko eziphathelene nalokho kanye nezokulungisa isakhiwo sibuyele kwebesiyikho: Kukho konke okunye, ngumnikazi othwala lezo zindleko.

(4) Zonke izinqubomgomo nezinqubo zempilo nokuphepha nezokulawula ukungena ezisebenzayo endaweni kufanele zichitshiyelwe ukuvimbela ukulibaziseka ekuthwaleni umthwalo womuntu ngokwalo Mthetho kaMasipala.

(5) Umuntu angeze enqabela umsebenzi ogunyaziwe ukuba angene, angemphazamise, angemvimbe ekusebenziseni igunya lakhe ngokwemibandela yalo Mthetho kaMasipala.

(6) Uma umsebenzi ogunyaziwe engena esakhiweni, kufanele aveze incwadi esemthethweni ekhishwe nguMasipala echazayo ukuthi ungubani ayinike umnikazi noma ohlala lapho.

Amandla omsebenzi ogunyaziwe

45. Uma umsebenzi ogunyaziwe engena ebaleni –

(a) angahlola, aluse noma aphenye noma iyiphi ingxenye yebala maqondana nohlelo lwamanzi, uhlelo lokulahla ukungcola okuhanjiswa ngamapayipi nolunye uhlelo lokumunca kanye nanoma imaphi amakhemikhali asetshenziswayo, agciniwe kumbe alahlwayo;

(b) angabuza umnikazi noma ohlala lapho esakhiweni;

(c) angathatha izithombe zendawo;

(d) angacaphuna amasampuli;

(e) angashaqa ubufakazi obufanele obuqondene nezinga lamanzi; noma

(f) angenza noma yini efanele ukulandela imibandela yalo Mthetho kaMasipala.

Ukukhishwa kwezaziso

46.(1) Uma kudingeka ukuba kunikezwe umuntu isaziso sokulandela umthetho ngokwezihlinzeko zalo Mthetho kaMasipala, kuthathwa ngokuthi lowo muntu usitholile leso saziso uma –

- (a) enikezwe sona esandleni;
- (b) sishiywe lapho ehlala khona, esebenza khona noma enebhizinisi khona kwiRiphabhulikhi yaseNingizimu Afrika, ezandleni zomuntu oneminyaka engaphezu kwe -16;
- (c) siposelwe ekhelini elibhalisiwe noma elisemthethweni elaziwayo lalapho ehlala khona noma enebhizinisi khona kwiRiphabhulikhi yaseNingizimu Afrika futhi kunobufakazi bokuposwa kwaso;
- (d) uma lingaziwa ikheli lakhe kwiRiphabhulikhi yaseNingizimu Afrika, sithunyelwe kwi-ejenti noma kumuntu ommele kwiRiphabhulikhi yaseNingizimu Afrika ngendlela ebekwe ezindimeni (a), (b) noma (c); noma
- (e) uma ikheli lakhe noma le-ejenti yakhe lakwiRiphabhulikhi yaseNingizimu Afrika lingaziwa, uma sishiywe emnyango, esangweni nakunoma iyiphi enye indawo esobala esakhiweni.

(2) Uma isaziso sokuhlonishwa komthetho kudingeka ukuba sithunyelwe kumuntu ngenxa yokuthi ungumnikazi noma ubengumnikazi noma unelungelo elithile mayelana naleso sakhiwo esingenakususwa –

- (a) akudingeki ukuthi aze agagulwe ngegama; futhi
- (b) angachazwa njengomnikazi noma umlawuli waleso sakhiwo noma elinye ilungelo, njengoba kungaba njalo.

Ukuzihlangula

47. UMasipala nanoma imuphi umsebenzi ogunyaziwe angeke athwale icala komunye umuntu wesithathu ngenxa yomonakalo obangelwe yinoma isiphi isenzo esenziwe noma esingenziwanga ngokusemthethweni uMasipala noma umsebenzi ogunyaziwe ngesikhathi enza imisebenzi yakhe ngokwalo Mthetho kaMasipala.

Imiyalelo esemthethweni

48. Ukwehlukela ukuhlonipha umyalelo osemthethweni owunikezwa umsebenzi ogunyaziwe kusho ukwephula lo Mthetho kaMasipala.

Ukuqoqwa kwezindleko

49. Uma umuntu –

- (a) ephula izihlinzeko zalo Mthetho kaMasipala nanoma imuphi omunye uMthetho kaMasipala; noma
- (b) ehluleka noma enqaba ukulandela isaziso esikhishwe ngokwalo Mthetho kaMasipala; noma
- (c) ehluleka ukulungisa indawo ayingcoilisile emva kokuba ecelwe ukuba enze njalo, lowo muntu uyothweswa icala kanti uMasipala angathatha noma iziphi ezinye izinyathelo ezidingekayo kwisaziso sokulandela umthetho futhi abize kulowo muntu zonke izindleko ezidalekile: Kuncike ekutheni lezo zindleko zingaphezu kwezindleko ezejwayelekile ezingabizwa kulowo muntu.

Amacala

50. Umuntu –

- (a) owephula izihlinzeko zalo Mthetho kaMasipala;
- (b) owehluleka noma owenqaba ukulandela isaziso sokulandela umthetho asitholile;
- (c) owehluleka ukulandela noma imuphi umyalelo osemthethweni okhishwe ngokuhambisana nalo Mthetho kaMasipala;
- (d) owephula noma imiphi imibandela ebekwe ngesikhathi kugunyazwa isicelo, kukhishwa imvume, igunya, isivumelwano, umyalelo, imvume noma amandla ngokwalo Mthetho kaMasipala;
- (e) owesabisa, onqaba, ogxambukela noma ophazamisa umsebenzi ogunyaziwe ngesikhathi enza umsebenzi wakhe noamajoma akhe ngokwalo Mthetho kaMasipala; noma
- (f) onikeza ngabomu ulwazi olungamanga noma oludukisayo kumsebenzi ogunyaziwe, Uyothwala icala.

Izinhlawulo

51. (1) Noma imuphi umuntu owephula loMthetho kaMasipala, uma elahlwa yicala, uyohlawuliswa –

- a) inhlawulo engafinyelela ku R10 000 ngecala lokuqala;
- b) inhlawulo engafinyelela ku-R50 000 uma engasaqali, noma ukubhadla ejele isikhathi esingaba unyaka, noma kokubili inhlawulo nejele.

(2) Uma umuntu eqhubeka nokwenza icala, kuyokwengezwa imali yenhlawulo ifike enanini elingekho ngaphezu kuka R10 000-00 noma abhadle ejele isikhathi esingekho ngaphezu kwezinsuku eziyi -10, ngosuku ngalunye aqhubeke ngalo nokwenza icala noma kokubili, inhlawulo nokubhadla ejele.

(3) Umuntu owenza icala elibekwe kwisigatshana (1) noma (2), ngaphezu kwezinhlawulo ezibekwe kulo Mthetho kaMasipala nakweminye imithetho, uyohlawuliswa ezinye izindleko ezinganqunywa umsebenzi ogunyaziwe uma esehlolile wathola ukuthi zingakanani ezinye izindleko ezidalekile ngokwezemvelo kuMasipala ngenxa yalelo cala.

ISAHLUKO 12

IZIHLINZEKO EZINGXUBEVANGE

Ukudluliselwa kwamandla

52.(1) Kuncike kuMthethosisekelo nakweminye imithetho kazwelonke neyesifundazwe esebenzayo, noma imaphi –

- (a) amandla, ngaphandle kwamandla okukhulunywe ngawo esigabeni 160(2) soMthethosisekelo;
- (b) imisebenzi; noma
- (c) amajoka,

ngokwalo Mthetho kaMasipala, athweswe uMkhandlu, uhlobo lukaMasipala lwezombusazwe, izikhulu zezombusazwe, amakhansela noma abasebenzi bomkhandlu, angadluliselwa yilolo hlobo lwezombusazwe, izikhulu zezombusazwe, ikhansela, noma umsebenzi woMkhandlu ohlakeni noma kumsebenzi oqashwe uMasipala.

(2) Ukudluliselwa kwamandla okuhambisana nesigatshana (1) kumele kwenzekwe ngokohlalo lokudluliselwa kwamandla olwemukelwa uMkhandlu ngokuhambisana nesigaba 59(1) soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000), kuncike kwinqubo ebekwe kwisigaba 59(2) salo Mthetho okukhunywa ngawo.

(3) Ukudluliselwa kwamandla okuhlongozwe kulesi sigaba kumele kuqoshwe kwiRejista yokuDluliselwa kwaMadla, okumele iqukathe ulwazi mayelana –

- (a) nohlaka noma umuntu odlulisela amandla;

- (b) okudluliselwa kuye amandla; kanye
- (c) nemibandela ehambisana nokudluliselwa kwamandla.

Ukudluliswa kwamacala

53.(1) Umuntu omalungelo akhe ayathikamezeka ngesinqumo esithathwe umsebenzi ogunyaziwe ngokwalo Mthetho kaMasipala angadlulisa lesi sinqumo ngokwezihlinzeko zokudluliswa kwamacala eziqukethwe isigaba 62 soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000) ngokuthumela isaziso esibhalwe phansi ngokudlulisa kwakhe icala kwiMenenja kaMasipala ezinsukwini ezingama -21 kusukela osukwini aziswe ngalo ngesinqumo.

(2) IMenenja kaMasipala kumele ithumele ngokushesha incwadi yokudluliswa kwecala ohlakeni olubhekele ukudluliswa kwamacala.

(3) Uhlaka lokudluliswa kwamacala kumele lucubungule icala elidlulisiwe emasontweni ayisithupha bese luthatha isinqumo ngecala elidlulisiwe ngesikhathi esifanele.

(4) Uhlaka lokudluliswa kwamacala kumele luqinisekise, lushintshe noma luchithe isinqumo, kodwa akukho kuchithwa kwesinqumo okuyogudluka kumalungelo avele ngenxa yaleso sinqumo.

(5) Uhlaka lokudluliswa kwamacala kumele lukhiphe izizathu ezibhalwe phansi ngezinqumo zalo ngamacala adlulisiwe.

(6) Wonke amacala adluliswayo adlulisa kokwesigaba 62 soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000) hhayi ngokwalo Mthetho kaMasipala.

Imithetho echithwayo negcinwayo

54.(1) Imithetho ebalulwe ohlwini lwesibili lukaSheduli C kulo Mthetho kaMasipala ngalokhu iyachithwa ubungako obubekwe ohlwini lwesithathu lwale Sheduli.

(2) Zonke izaziso ezishicilelwe ngaphansi koMthetho WOKULAHHLWA kweNdle ka 1999 ziyaqhubeka nokusebenza sengathi lowo Mthetho kaMasipala awuzange uchithwe ngokwesigatshana (1).

(3) Noma imaphi amalungelo atholakele, izibopho ezikhona ezibekwe imithetho okukhulunywe ngayo kwisigatshana (2) ziyaqhubeka nokusebenza sengathi le mithetho ayizange ichithwe.

Isihloko esifingqiwe nokuqala kokusebenza komthetho

55. Lo Mthetho kaMasipala ubizwa ngoMthetho kaMasipala WOKUL AHLWA kweNdle, 2014 kanti uqala ukusebenza ngosuku oyoshicilelwa ngalo kwiGazethi yesiFundazwe saKwaZulu-Natali.

USHEDULI A

UKWEMUKELEKA KOKUNGCOLA KWEZIMBONI OKUCHITHEKELA OHLELWENI LOKUL AHLWA KWENDLE

Akukho kungcola kwezimbongi okuyovunyelwa ukuba kuchithekele ohlelweni lokulahlwa kwendle ngaphandle uma kuhrangabezana nale mibandela elandelayo.

Konke ukuhlolwa kumele kwenziwe yilabhorethri egunyazwe ngendlela eyemukelwa uMasipala kusetshenziswa izindlela namasu anemiphumela edingekayo, ahlolekayo nafanelekile.

Ukungcola kwezimbongi akumele luhambisane nengxube yezinto ezingale kwalezi ezibekwe ngezansi —

Imikhawulo ejwayelekile yeMisebenzi eMikhulu iyosebenza uma ukungcola kwezimbongi okuchithekela ohlelweni lokulahlwa kwendle kungaphezu kuka 25 Mℓ/d. Imikhawulo yamazanga yeMisebenzi eMincane iyosebenza uma ukungcola kwezimbongi okuchithekela ohlelweni lokulahlwa kwendle kungaphansi kuka 25 Mℓ/d.

IMIKHAWULO YAMAZINGA EJWAYELEKILE		IMISEBENZI EMIKHULU > 25 Mℓ/d	IMISEBENZI EMINCANE < 25 Mℓ/d	ISIKALO
1.	Temperature (°C)	< 44°C	< 44°C	Degrees Celcius

2.	pH	6 < pH < 10	6,5 < pH < 10	pH units
3.	Oils, greases, waxes of mineral origin	50	50	mg/l
4.	Vegetable oils, greases, waxes	250	250	mg/l
5.	Total sugar and starch (as glucose)	1 000	500	mg/l
6.	Sulphates in solution (as SO_4^{2-})	250	250	mg/l
7.	Sulphides, hydrosulphides and polysulphides (as S^{2-})	1	1	mg/l
8.	Chlorides (as Cl^-)	1 000	500	mg/l
9.	Flouride (as F^-)	5	5	mg/l
10.	Phenols (as phenol)	10	5	mg/l
11.	Cyanides (as CN^-)	20	10	mg/l
12.	Settleable solids	Charge	Charge	mg/l
13.	Suspended solids	2 000	1 000	mg/l
14.	Electrical Conductivity	400	400	mS/m
15.	Anionic Surfactants	—	500	mg/l
16.	C.O.D.	Charge	Charge	mg/l
Imikhawulo yokusansimbi				
17.	Copper (as Cu)	50	5	mg/l
18.	Nickel (Ni)	50	5	mg/l
19.	Zinc (Zn)	50	5	mg/l
20.	Iron (Fe)	50	5	mg/l
21.	Boron (B)	50	5	mg/l
22.	Selenium (Se)	50	5	mg/l
23.	Manganese (Mn)	50	5	mg/l
24.	Lead (Pb)	20	5	mg/l
25.	Cadmium (Cd)	20	5	mg/l
26.	Mercury (Hg)	1	1	mg/l
27.	Total chrome (Cr)	20	5	mg/l
28.	Arsenic (As)	20	5	mg/l
29.	Titanium (Ti)	20	5	mg/l
30.	Cobalt (Co)	20	5	mg/l
31.	Colour as measured by	450	450	ADMI

	American Dye Manufacturer's Index			
32.	Benzene, Toluene, Ethyl Benzene and Xylene	4	4	mg/l

IMIKHAWULO EKHETHEKILE

- 1 Ayidingeki i-*calcium carbide*, nodoti one-*radiation*
- 2 Awufuneki udoti onoyisti, noketshezi olunamathelayo lusebenzile noma lungasebenzile
- 3 Awudingeki udoti one-*cyanides* noma okuthi makufane nayo okungaphehla igesi ye-HCN noma i-*cyanogen*
- 4 Aludingeki uketshezi lokususa amafutha, izipirithi, uketshenzi olokhelekayo nanoma ikuphi okungokheleka uma ukushisa kufika 21°C.
5. Akudingeki udoti ukuchithwa noma ukugeleza kwawo okuzophazamisa ukusebenza kwamapayipi okuthuthwa kwendle.

USHEDULI B

UKWEMUKELEKA KOKUNGCOLA KWEZIMBONI OKUCHITHELWA NGQO NOMA NGANDLELA THILE OLWANDLE

Akukho kungcola kwezimbongi okuyovumeleka ukuba kuchithelwe olwandle ngaphandle uma kulandelwe le mibandela elandelayo. Ukungcola kwezimbongi akumele kuhambisane nengxube yezinto ezingale kwalezi ezibekwe ngezansi —

IMIKHAWULO YOKUNGACHITHELWA OLWANDLE			ISIKALO
1.	Temperature	44	°C
2.	pH	5,5 < pH < 9,5	
3.	Settleable solids	2	mg/l
4.	Oils, greases and waxes of mineral origin	50	mg/l
5.	Arsenic (expressed as As)	5	mg/l
6.	Cadmium (expressed as Cd)	1,5	mg/l
7.	Total chromium (expressed as Cr)	3	mg/l
8.	Copper (expressed as Cu)	3	mg/l

9.	Lead (expressed as Pb)	5	mg/l
10.	Mercury (expressed as Hg)	0,05	mg/l
11.	Cyanides (expressed as CN)	10	mg/l
12.	Nickel (expressed as Ni)	10	mg/l
13.	Zinc (expressed as Zn)	20	mg/l
14.	Sulphide (expressed as S ²⁻)	1	mg/l
15.	Sulphates in solution (expressed as SO ₄)	250	mg/l
16.	Toxicity as Minimum Acceptable Toxicant Dilution	200	Number of dilutions
17.	Benzene, Toluene, Ethyl Benzene and Xylene	4	mg/l

USHEDULI C
IMITHETHO ECHITHWAYO

INGXENYE A: IMITHETHO KAMASIPALA

<i>Inombolo nonyaka woMthetho</i>	<i>Isihloko</i>	<i>Ubungako obuchithwayo</i>
Isaziso sesiFundazwe No. 87 sika 1953 esemukelwa iLokishi laseManzimtoti ngeSaziso sesiFundazwe No. 198 of 1967	UMthetho kaMasipala weMisele yaManzi eMvula, waseMamzimtoti	Isahluko VIII
Isaziso sesiFundazwe No. 21 sika 1942	I-Odinensi yoHulumeni baseKhaya, waseSiphingo	Isahluko VIII
Isaziso sesiFundazwe No. 87 sika 1953 esemukelwa ilokishi laseSiphingo ngeSaziso sesiFundazwe No. 1 sika 1972	UMthetho kaMasipala oJwayelekile, waseSiphingo	Isahluko III, Ingxenye C neSahluko VIII
Isaziso sesiFundazwe No. 39 sika 1968	Imithethonqubo ejwayelekile yeKomidi lezeMpilo e-Lower Illovo	Isahluko 1
Isaziso sesiFundazwe No. 346 sika 1953	UMthetho kaMasipala oJwayelekile, Umbogintwini	Isahluko 1

Isaziso sesiFundazwe No. 382 sika 1958	UMthetho kaMasipala oJwayelekile weKomidi lezeMpilo e-Windenham	Isahluko 1
Isaziso sesiFundazwe No. 60 sika 1957	UMthetho kaMasipala oJwayelekile, weKomidi lezeMpilo e-SAICCOR Township	Isahluko 1
Isaziso sesiFundazwe No. 87 sika 1953 esemukelwa ilokishi laseMkhomazi ngeSaziso sesiFundazwe No. 538 sika 1971	UMthetho kaMasipala oJwayelekile, eMkhomazi	Isahluko III, Ingxenye C
Isaziso sesiFundazwe No. 87 sika 1953 esemukelwa ilokishi laseMkhomazi ngeSaziso sesiFundazwe No. 538 sika 1971	UMthetho kaMasipala weMisele yaManzi eMvula, eMkhomazi	Isahluko VIII
Isaziso sesiFundazwe No. 380 sika 1961	Imithethonqubo eJwayelekile, yeKomidi lezeMpilo e-Canelands	Isahluko 1
Isaziso sesiFundazwe No. 87 sika 1953	UMthetho kaMasipala oJwayelekile, wase-Mount Edgecombe	Isahluko III, Ingxenye C neSahluko VIII
Isaziso sesiFundazwe No. 87 sika 1953 esemukelwa ilokishi lasoThongathi ngeSaziso sesiFundazwe No. 276 sika 1966	UMthetho kaMasipala oJwayelekile, wasoThongathi	Isahluko III, Ingxenye C neSahluko VIII
Isaziso sesiFundazwe No. 87 sika 1953 esemukelwa ilokishi laseMhlanga Rocks ngeSaziso sesiFundazwe No. 398 sika 1966	UMthetho kaMasipala oJwayelekile, waseMhlanga Rocks	Isahluko III, Ingxenye C
Isaziso sesiFundazwe No. 287 sika 1963	UMthetho kaMasipala oJwayelekile, wase-Verulam	Isahluko XIII, Isigaba 2 neSahluko XXV
Isaziso sesiFundazwe No. 528 sika 1973	UMthetho kaMasipala oJwayelekile, weKomidi lezeMpilo e-Assagay	Isahluko 1
Isaziso sesiFundazwe No. 109 sika 1948	UMthetho kaMasipala oJwayelekile, weKomidi lezeMpilo e-Botha's Hill	Isahluko 1
Isaziso sesiFundazwe No.	UMthetho kaMasipala oJwayelekile,	Isahluko 1

397 sika 1955	weKomidi lezeMpilo e-Cato Ridge	
Isaziso sesiFundazwe No. 153 sika 1990	uMthetho kaMasipala wokeTshezi oluLahlwayo	Wonke
Isaziso sesiFundazwe No. 446 sika 1955	UMthetho kaMasipala oJwayelekile, weKomidi lezeMpilo e-Drummond	Isahluko 1
Isaziso sesiFundazwe No. 154 sika 1971	UMthetho kaMasipala oJwayelekile, weKomidi lezeMpilo e-Everton	Isahluko 1
Isaziso sesiFundazwe No, 755 sika 1971	UMthetho kaMasipala weThangi eliKhulu, Kloof	Wonke
Isaziso sesiFundazwe No. 231 sika 1985	UMthetho kaMasipala weMisele yaManzi eMvula, wase-Kloof	Wonke
Isaziso sesiFundazwe No. 565 sika 1953	UMthetho kaMasipala oJwayelekile, weKomidi lezeMpilo e-Mariannahill	Isahluko 1
Isaziso sesiFundazwe No. 196 sika 1992	UMthetho woKetshenzi lokuNgcola leziMboni, wase-Pinetown	Wonke
Isaziso sesiFundazwe No. 407 sika 1975	UMthetho woKetshenzi lokuNgcola leziMboni, wase-Queensburgh	Wonke
Isaziso sesiFundazwe No. 491 sika 1955	UMthetho kaMasipala oJwayelekile, weKomidi lezeMpilo e-Waterfall	Isahluko 1
Isaziso sesiFundazwe No. 179 sika 1989	Imithethonqubo yeMisele yaManzi eMvula, eKomidi lezeMpilo e-Yellow Wood Park	Isahluko 1
Isaziso sesiFundazwe No. 466 sika 1961	UMthetho kaMasipala oJwayelekile, wase-Yellow Wood Park	Isahluko 1
Isaziso sesiFundazwe No. 27 sika 1999	UMthetho kaMasipala WOKUL AHLWA kweNdle	Wonke
Isaziso sesiFundazwe No. 87 sika 1953 esemukelwa ilokishi lase-New Germany ngeSaziso sesiFundazwe No. 305 sika 1967	UMthetho kaMasipala oJwayelekile, wase-New Germany	Isahluko VIII neSahluko X
Isaziso sesiFundazwe No. 236 sika 1977	UMthetho kaMasipala wokuLawula iThangi eliKhulu	Wonke

