ISAZISO SIKARHULUMENTE

ISEBE LEMICIMBI YOKUSINGQONGILEYO NOKHENKETHO

INombolo. R….

……2008

ULAWULO LOKUSINGQONGILEYO KWESIZWE: UMTHETHO WE-BIODIVERSITY, 2004: IMIMISELO EKUHLOLENI IZILWANYANA NEZITYALO EZOHLUKENEYO, UFIKELELO KUNYE NOKWABELANA NGAMANCEDO

UMphathiswa weMicimbi yokusiNgqongileyo noKhenketho, phantsi kwecandelo lama-97(1) (d), (e), (f), (g) no- (h) yoLawulo lokusiNgqongileyo kweSizwe: umThetho we-Biodiversity, 2004 (umThetho oyiNombolo ye-10 ka-2004), wenze iMimiselo kwiShedyuli.

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“umThetho” uthetha uLawulo lokusiNgqongileyo kweSizwe: umThetho we-Biodiversity , 2004 (umThetho oyiNombolo ye-10 ka-2004).

“naluphi na olunye uhlobo lophando” kuthetha uphando olungasululo lokuhlola izilwanyana nezityalo ezohlukeneyo -

(a) kuqukwa ukuqokelela, uphononongo okanye uphando lwezibonelelo zemveli zebhayoloji, eziqhutywa phantsi koncedo lweziko lophando lwe-*bona fide* okanye umbutho oveza ulwazi lwezenzululwazi; kodwa

(b) ukhuphela ngaphandle uphando nokukhangelwa kwezehlo;

“umfaki sicelo” uthetha umntu ongenise isicelo semvume;

“isivumelwano sokwabelana ngamancedo” sithetha isivumelwano ngokohlobo lweSihlomelo 8, ekugqitywe ngaso phakathi komfaki sicelo semvume kunye nomthelelani, esibonakalisa ukwabelana ngumthelelani kuwo nawaphi na amancedo exa elizayo anokuthathwa ekukuhlola izilwanyana nezityalo ezohlukeneyo isicelo esinxuluamene nayo;

“imvume yokuhlola izilwanyana nezityalo ezohlukeneyo” ithetha imvume, ekutshwe ngokwemigqaliselo yecandelo lama-88 lomThetho, lokubandakanyeka kwisigaba sokufumana kunye/okanye kwisigaba sokurhweba ngeprojekithi yokuhlola izilwanyana nezityalo ezohlukeneyo;

“iNgxowa-mali yeTrasti yokuhlola izilwanyana nezityalo ezohlukeneyo” ithetha iNgxowa-mali esekwe licandelo lama-85(1) lomThetho;

“ukurhweba” kuquka le misebenzi ilandelayo ngokunxulumene nezibonelelo zemveli zebhayoloji -

(a) ukugcwaliswa kwezicelo zazo naziphi na ii-intellectual property, nokuba kuseMzantsi Afrika okanye kwenye indawo;

(b) ukufumana okanye ukudlulisela nawaphi na amalungelo e-intellectual property okanye amanye amalungelo;

(c) ukuqala ulingo lonyango kunye nokuphuhliswa kwemveliso, kuqukwa nokuqhutywa kophando lwemarike kunye nokufuna ukuvunywa phambi kokuya emarikeni kwentengiso evela kwimveliso; okanye;

(d) ukuphindwa-phindwa kwezibonelelo zendalo zebhayoloji ngokulima, ukwandisa, ukukhulisa ngokuthatha kwenye into okanye ezinye iindlela zokuphuhlisa nokuvelisa iimveliso, ezifana namachiza, ii-enzayim zamashishini, iintlobo zokutya ezinika incasa ekutyeni, izinukisi kamnandi, izinto zokuthambisa, izixubisisi, ii-oleoresins, imibala kunye nezinto ezicatshuliweyo;

“isigaba sokwenza ibe lurhwebo iprojekithi yokuhlola izilwanyana nezityalo ezohlukeneyo” kuthetha naluphi na uphando, okanye uphuhliso okanye ukusetyenziswa, kwezibonelelo zemveli zebhayoloji apho ubunjani kunye nobukhulu bako nakuphi na ukusetyenziswa kakubi, kwalo naluphi na urhwebo lokuqala okanye olunokubakhona okanye ukusetyenziswa kakubi ngokunxulumene neprojekithi sele kusekiwe ngokwaneleyo ukuba kuqale inkqubo yorhwebo;

“ulwazi oluyimfihlo” mluthetha ulwazi, ukuba luxeliwe, lunokuba sisonakaliso kumdla worhwebo okanye wezimali weqela kwisivumelano sokwabelana ngamancedo, kwaye –

(a) kuquka –

(i) ulwazi olumalunga nophando olwenziwayo okanye oluqhutywayo kuquka neenkcukacha neentlobo eziza kuqokelelwa;

(ii) urhwebo lwezimali, lwenzululwazi okanye ulwazi lobugcisa kuqukwa neemfihlo zorhwebo;

(iii) ulwazi lwemveli ukuba ngaba ukwaziswa kolo lwazi lunokuab sisonakaliso kuluntu lwemveli olubangakanyekayo; kodwa

(a) ikhuphela ngaphandle ulwazi –

(i) osele luxeliwe kushicilelo lweencwadi ngenzululwazi;

(ii) ukuba ngaba amaqela ayakuvuma ukuxela oko;

“isigaba sokufumana seprojekithi yokuhlola izilwanyana nezityalo ezohlukeneyo” sithetha naluphi na uphando, kuphuhliso okanaye ukusetyenziswa, kwezibonelelo zemveli zebhayoloji apho ubunjani kunye nobubanzi babo nabuphi na obokuqala okanye urhwebo olunokuba khona okanye ukusetyenziswa kakubi ngokunxulumene neprojekithi akucacanga okanye akwaziwa ngokwaneleyo ukuba luqhube inkqubo yorhwebo;

“imvume yokuthumela ngaphandle ngenjongo zophando kune- ukuhlola izilwanyana nezityalo ezohlukeneyo” ithetha imvume, ekhutshwe ngokwemigqaliselo yecandelo lama-88 lomThetho, ekuthumeleni ngaphandle kweRiphabliki naziphi na izibonelelo zemveli zebhayoloji ngeenjongo zophando kunokuhlola izilwanyana nezityalo ezohlukeneyo;

“uluntu lwemveli” luthetha uluntu oluhlala kwaye olunamalungelo okanye umdla kummandla wejografi okhethekileyo kwiRiphabliki yoMzantsi Afrika olunesakhiwo sobunkokheli kwaye–

(a) abakusebenzisa kwabo izibonelelo zebhayoloji zendlalo isicelo semvume esinxulumene nalo, baqale okanye bafake isandla okanye benze inxenye yokuhlola izilwanyana nezityalo ezohlukeneyo; okanye

(b) abalwazi lwabo okanye izinto abazifumeneyo malunag nezibonelelo zemveli zebhayoloji isicelos emvume esinxulumeen nayo zizakuseteynziselwa i-ukuhlola izilwanyana nezityalo ezohlukeneyo ecetywayo;

“ukusetyenziswa ngokwemveli okanye ulwazi” kuquka ulwazi, ukufunyaniswa malunga okanye ukuseteynziswa ngokwemveli kwezibonelelo zemveli zebhayoloji, ukuba olo lwazi, ukufunyaniswa okanye ukusetyenziswa kuqale okanye kuya kufaka isandla okanye kwenze inxenye ye-bio-prospecting ecetywayo okanye iprojekithi yophando isicelo semvume esinxulumene nayo;

“ukuthunyelwa ngaphandle okuhlanganisiweyo nemvume yokuhlola izilwanyana nezityalo ezohlukeneyo” kuthetha imvume, ekhutshwe ngokwemigqaliselo yecandelo lama-88 lomThetho wokuthumela ngaphandle izibonelelo zemveli zebhayoloji ngeenjongo zokuhlola izilwanyana nezityalo ezohlukeneyo;

“isivumelwano sokudluliswa kwezinto” sithetha isivumelwano ngokohlobo lweSihlomelo 7 phakathi komfaki sicelo wemvume kwaye umntu, kuqukwa naliphi na iziko likarhulumente oaknye loluntu, onika okanye obonelela ngofikelelo kwizibonelelo zemveli zebhayoloji isicelo esinxulumene nazo;

“I-NEMA” ithetha i-National Environmental Management Act, 1998 (umThetho woLawulo lokusiNgqongileyo kweSizwe) (umThetho oyiNombolo ye-107 ka-1998)

“imvume” ithetha imvume ekhutshwe ngokwemigqaliselo yeCandelo lesi-7, ukuba yimvume yokuhlola izilwanyana nezityalo ezohlukeneyo; okuthenyelwa ngaphandle okuhlanganisiweyo nemvume yokuhlola izilwanyana nezityalo ezohlukeneyo; ookanye imvume yokuthumela ngaphandle kuphando ngaphandle kokuhlola izilwanyana nezityalo ezohlukeneyo;

“ukusetyenziswa ngokwemveli okanye ulwazi” kubhekisela ekusetyenzisweni ngokwesintu okanye ulwazi lwezibonelelo zemveli zebhayoloji luluntu lwemveli, ngokungqinelana nemithetho ebhaliweyo okanaye engabhalwanga, ukusetyenziswa, amasiko nezenzo eziqwalaselwayo ngokwemveli, ezamkelweyo kwaye ziqondwa ngabo, kwaye kuquka nokufunyaniswa okumalunga nezibonelelo zemveli zebhayoloji luluntu..

INjongo yeMimiselo

2. INjongo yeMimiselo kuku -

(a) lawula ngokungaphaya indlela yeemvume ebekwe kwiSahluko sesi-7 somThetho ukuza kuthi ga ngoku njengokuba indlela iyasebenza kwi-ukuhlola izilwanyana nezityalo ezohlukeneyo ebandakanya naziphi na izibonelelo zemveli zebhayoloji okanye izinto ezithunyelwa zivela kwiRiphabliki zazo naziphi na izibonelelo zebhayoloji zemveli ngeenjongo zokuhlola izilwanyana nezityalo ezohlukeneyo okanye naluphi na olunye uhlobo lophando kunye;

(b) nokumisa iziqulatho, iimfuneko kunye nendlela esetyenziswayo yokuab kwabelwane ngamalungelo kunye nezivumelwano zokudluliselana ngezinto.

3. UkuseTyenziswa kweMimiselo

(1) Le mimiselo ilawula –

(a) isigaba sokufumana kunye/okanye isigaba sokrhwebo seprojekithi ye-ukuhlola izilwanyana nezityalo ezohlukeneyo;

(b) ukuthunyelwa kuvela kwiRiphabliki yoMzantsi Afrika kwazo naziphi na izibonelelo zebhayoloji zemveli ngeenjongo zokuhlola izilwanyana nezityalo ezohlukeneyo; kunye

(c) nezinto ezithunyelwayo ezivela kwiRiphabliki zazo naziphi na izibonelelo zebhayoloji zemveli kulo nakoluphi na uhlobo lophando.

ISAHLUKO SOKU-1

IIMEKO APHO UKUHLOLA IZILWANYANA NEZITYALO EZOHLUKENEYO KUNYE NOPHANDO OLUNGAPHANDLE KOKUHLOLA IZILWANYANA NEZITYALO EZOHLUKENEYO LUNOKUQHUTYWA NGAZO

Ukuhlola izilwanyana nezityalo ezohlukeneyo

4. (1) Isigaba sokuFumana kunye/okanye isigaba sorhwebo seprojekithi ye- ukuhlola izilwanyana nezityalo ezohlukeneyo sinokuqhutywa kuphela ngemvume yokuhlola izilwanyana nezityalo ezohlukeneyo ekhutshwe nguMphathiswa.

(2) Ukuba ngaba umfaki sicelo wemvume yokuhlola izilwanyana nezityalo ezohlukeneyo uneenjongo zokuthumela ngaphandle izibopnelelo zebhayoloji zemveli isicelo esinxulumene nazo, umfaki sicelo kufuneka afake isicelo kuMphathiswa yothunyelo oluhlanganisiweyo kunye nemvume yokuhlola izilwanyana nezityalo ezohlukeneyo.

(3) UMphathsiwa unokukhupha kuphela imvume yokuhlola izilwanyana nezityalo ezohlukeneyo okanye imvume ehlanganisiweyo yokuthumela ngaphandle kunye ne- ukuhlola izilwanyana nezityalo ezohlukeneyo emva kokuthotyelwa kweemfuno zomiMiselo 8(1) no 9(1).

UPhando ngaphandle kokuhlola izilwanyana nezityalo ezohlukeneyo

5. (1) Izibonelelo zebhayoloji zemveli zinokuhanjiswa ngaphandle kuphela ngeenjongo zophando ezingaphandle kokuhlola izilwanyana nezityalo ezohlukeneyo ngemvume yokuthumela ngaphandle ekhutshwe ngugunyaziwe okhuphayo ochongwe 6.

(2) Imvume yokuthumela ngaphandle ngophando kunye nokuhlola izilwanyana nezityalo ezohlukeneyo inokukhutshwa njengenxenye yemvume ehlanganisiweyo ngaphandle kokuba ugunyaziwe okhuphayo uyavumelana necandelo lama-92 lomThetho.

(3) Phambi kokukhutshwa kwemvume yokuthumela ngaphandle ngophando kunokuhlola izilwanyana nezityalo ezohlukeneyo, ugunyaziwe okhuphayo kufuneka athobele imiMiselo 9(1) no 13(1).

ISAHLUKO SESI- 2

INDLELA YEMVUME YOKUHLOLA IZILWANYANA NEZITYALO EZOHLUKENEYO KUNYE NOKUTHUMELA NGAPHANDLE IZIBONELELO ZEBHAYOLOJI ZENDLALO

ISigaba soku-1: OoGunyaziwe abaKhuphayo

Ukonyulwa koogunyaziwe abakhuphayo

6. (1) UMphathiswa ngugunyaziwe okhuphayo wee –

(a) mvume zokuhlola izilwanyana nezityalo ezohlukeneyo; kunye and

(b) neemvume ezihlanganisiweyo zokuthumela ngaphandle nokuhlola izilwanyana nezityalo ezohlukeneyo, ukuba ngaba izibonelelo zebhayoloji zemveli zithunyelwa ngaphandle ngeenjongo zokuhlola izilwanyana nezityalo ezohlukeneyo.

(2) I-MEC yonyulwa njengogunyaziwe okhuphayo kwiimvume zokuthumela ngaphandle, ukuba ngaba izibonelelo zebhayoloji zemveli zithunyelelwa iinjongo zophando ngaphandle kokuhlola izilwanyana nezityalo ezohlukeneyo, kwaye izibonelelo zebhayoloji zemveli kufuneka ziqokelelwe, zihlangansiwe okanye zigcinwe kwelo phondo.

(3) Ukunikezela ngamagunya kunye nemisebenzi ngugunyaziwe okhuphayo kunokwenziwa kuphela ngokungqinelana namacandelo 42 nele 42A le- NEMA.

Amagunya kunye nemisebenzi kagunyaziwe okhuphayo

7. (1) Ugunyaziwe okhuphayo kufuneka alungise zonke izicelo kwixesha elifanelekileyo.

(2) Phambi kokukhupha imvume ngokwemigqaliselo yale miMiselo, ugunyaziwe okhuphayo kufuneka azanelise ukuba–

(a) iimpembelelo zomsebenzi obandakanyekayo kwizibonelelo zebhayoloji zemveli ziyakungahoywa okanye ziyakuncitshiswa okanye zuilungiswe; kwaye

(b) umsebenzi obandakanyekayo awuyi konakalisa izibonelelo zebhayoloji zemveli ukuya ngaphaya komgangatho oya kwenza ukuba isidima saso sibe semngciphekweni.

(5) ekufunyanweni kwesicelo semvume ugunyaziwe okhuphayo-

(a) kufuneka asithathele ingqalelo isicelo;

(b) unokufuna ukuba umfaki sicelo okanye nawuphi na umthelelani ukuba anike ulwazi olongezelelweyo;

(c). unokufuna ukuba umfaki sicelo amkele uhlolo lomngcipheko ngokungqinelana necandelo lama-89 lomThetho okanye ngokwemigqaliselo yomThetho.

(3) Emva kokufikelela kwisigqibo ngesicelo semvume ugunyaziwe okhuphayo kufuneka–

(a) azise umfaki sicelo ngesigqibo ngokubhalwe phantsi kwiintsuku zokusebenza ezili-15 emva kokwenza isigqibo;

(b) ukuba ngaba isicelo besivunyiwe, akhuphe imvume, ahlaziye imvume, okanye avuselele imvume, njengoko kunokufuneka kwimeko, kwiintsuku ezili-15 zokusebenza emva kokwenza isigqibo;

(c) ukua ngaab saliwe isicelo -

(i) azise ufaki sicelo ngesigqibo ngokubhalwe phantsi kwiintsuku ezili-15 zokusebenza emva kokwenza isigqibo;

(ii) anike izizathu zokusala; kwaye

(iii) azise umfaki sicelo ngamalungelo omfaki sicelo okubhena kwisigqibo ngokwemigqaliselo yecandelo lama-94 lomThetho kunye noMmiselo 16.

(4) Ugunyaziwe okhuphayo kufuneka ajonge bonke abanini beemvume ukuqinisekisa uthotyelo neemeko zeemvume.

Iimeko ezixhomekeke nalapho oogunyaziwe abakhuphayo banokukhupha kuzo iimvume

8. (1) UMphathsiwa unokukhupha kuphela imvume yokuhlola izilwanyana nezityalo ezohlukeneyo, ukuba ngaba uMphathiswa wanelisekile ukuba –

(a) umthelelani obandakanyekayo uchongwe ngokungqinelana nemithetho-siseko ebekwe kwicandelo lama-82 lomThetho;

(b) tkuye kwaxelwa ulwazi olubalulekileyo kubo bonke abathelelani abachongiweyo;

(c) umfaki sicelo ufumene imbume ngaphambili yakhe nawuphi na umntu, kuqukwa naliphi na iziko likarhulumente okanye loluntu elinika okanye elibonelela ngofikelelo kwizibonelelo zebhayoloji zemveli isicelo esinxulumene nazo, kunye nezivumelwano zokudlulsiwa kwezinto kunye nezivumelwano zokwabelana ngamancedo ekungenwe kuzo nabathelelani abanjalo;

(d) umfaki sicelo ufumene imvume ngaphambili yoluntu lwemveli oluchaphazelekayo, kwaye izivumelwano zokwabalena ngamancedo kungenwe kuzo noluntu olunjalo.

(2) Ukuze azanelise yena ukuba iimfuno zomThetho kuney nale Mimiselo kuhlangatyezwene nayo, uMphathiswa unokufuna ukuba umfaki sicelo wemvume yokuhlola izilwanyana nezityalo ezohlukeneyo okanye wemvume ehlangansia okuthunyelwa ngaphandle kunye ne-ukuhlola izilwanyana nezityalo ezohlukeneyo ukuba -

(a) aboniswe ukuba ngawaphi amanyathelo athathiweyo ukuchonga abathelelani;

(b) athathe amanyethelo angaphaya okuchonga abathelelani;

(c) anike ubungqina bokuba ulwazi olubandakanyekayo olunxulumene ne-ukuhlola izilwanyana nezityalo ezohlukeneyo luxeliwe kubathelelani abachongiweyo;

(d) anike ubungqina bokuba imvume yangaphambili yabathelelani abachongiweyo ifunyenwe.

ISigaba sesi 2: IsiCelo seemvume

Umfaki sicelo

9. (1) Imvume ngokwemigqaliselo yomThetho inokukhutshwa kuphela ku –

(a) Mmi obhaliswe ngokwemigqaliselo yomthetho woMzantsi Afrika;

(b) Umntu ngokwemveli, ongummi woMzantsi Afrika okanye umhlali osisigxina woMzantsi Afrika;

(c) Umntu wemveli ongabhaliswanga ngokwemigqaliselo yomthetho woMzantsi Afrika okanye umntu wemveli ongasinguye ummi woMzantsi Afrika okanye ongengomhlali isigxina eMzantsi Afrika, ukuba lowo mntu wemveli okanye umntu wangapahndle ufaka isicelo kunye nomntu wemveli ummi wemveli ekubhekiselwe kuye kwimihlathi (a) okanye (b) ngasentla.

(2) Isicelo semvume kufuneka -

(a) sixelele ukuba, ngokunxulumene nezibonelelo zebhayoloji zemveli isicelo sinxulumene –

(i) naso nasiphi na isicelo semvume ngokwemigqaliselo yomThetho okanye ngokwemigqaliselo yawo nawo nawuphi na omnye umthetho singeniswe kuye najkowuphi na ugunyaziwe mhlawumbi ngaphambili okanye ngaxesha nye nesicelo sangoku; kunye nokuba

(ii) ingaba eso sicelo saliwe okanye sinikiwe okanye sisaxhonyiwe;

(b) ukuba ngaba ukuhlola izilwanyana nezityalo ezohlukeneyo ibisandulelwa lupahndo kunokuhlola izilwanyana nezityalo ezohlukeneyo ngokunxulumene nezibonelelo zebhayoloji zemveli isicelo esinxulumene naazo, xela ubunajni bophando kunye nemisebenzi ekhokelela kwisicelo semvume se-ukuhlola izilwanyana nezityalo ezohlukeneyo.

Inkqubo yesicelo

10. (1) Isicelo semvume yokuhlola izilwanyana nezityalo ezohlukeneyo kufuneka singeniswe kuMphathiswa kwaye kufuneka –

(a) sibe ngohlobo lweSigaba soku-1 sesiHlomelo sesi-2 kule Mimiselo;

(b) siqulathe ulwazi olwaneleyo ukuze uMphathiswa abe nako ukwenza uhlolo olubandakanyekayo.

(2) Isicelo esihlanganisa imvume yokuthumela ngaphandle kunye nese-ukuhlola izilwanyana nezityalo ezohlukeneyo kufuneka singensiwe kuMphathiswa kwaye kufuneka -

(a) sibe ngokohlobo lweeNxenye 1 neyesi-2 zesiHlomelo sesi-2 kule Mimiselo;

(b) siqulathe ulwazi olwaneleyo ukuze uMphathiswa enze uhlolo olubandakanyekayo.

(3) Ukuba ngaba izivumelwano zokudluliswa kwezinto okanye izivumelwano zokwabelana ngoncedo ziyafunwa ngumThetho, umfaki sicelo wemvume yokuhlola izilwanyana nezityalo ezohlukeneyo okanye imvume ehlanganisiweyo yokuthumela ngaphandle kunye neukuhlola izilwanyana nezityalo ezohlukeneyo makahlomele isicelo semvume enjalo-

(a) izivumelwano ezisayiniweyo zokudluliswa kwezinto okanye izivumelwano zokwabelana ngamancedo ukuba ngaba kugqityiwe ngazo izivumelwano ezinjalo; okanye

(b) ukuba ngaba akwenzeki ukuba kugqitywe ngezivumelwano ezinjalo, isicelo sokungenmelela koMphathiswa ngeenjongo zokwenza uthetha-thethwano ngezivumelwano ezinjalo, ngokungqinelana necandelo 82(4)(b) lomThetho.

(4) Isicelo semvume yokukhuphela ngaphandle elizweni ngeenjongo zophando kunezo zokuhlola izilwanyana nezityalo ezohlukeneyo kufuneka zingensiwe kwi-MEC eyaziswe kummiselo 6(2) kwaye kufuneka -

(a) zibe ngohlobo lwesiHlomelo 3 kule miMiselo;

(b) siqulathe ulwazi olwaneleyo ukuze i-MEC ibe nako ukwenza uhlolo olubandakanyekayo.

IsiGaba sesi-3: Ukukhutshwa kweemvume kunye nokuqulethwe ziimvume

Iimvume zokuhlola izilwanyana nezityalo ezohlukeneyo

11. (1) Imvume yokuhlola izilwanyana nezityalo ezohlukeneyo inokukhutshwa kuphela ukuba -

(a) UMphathiswa uzivumile naziphi na izivumelwano zokudluliswa kwezinto okanye izivumelwano zokwabelana ngamancedo ezifunwayo ngumThetho kwaye ezingeniswe kuMphathiswa; kwaye

(b) intlawulo engabuyiswayo ebalulwe kwisiHlomelo 1 ihlawulwe.

(2) Imvume yokuhlola izilwanyana nezityalo ezohlukeneyo kufuneka -

(a) ibe ngokohlobo lwesiHlomelo 4 kule miMiselo;

(b) ibalule ixesha imvume esemthethweni ngalo;

(c) ibalule izibonelelo zebhayoloji zemveli ezibandakanyekayo;

(d) ibalule ubungakanani bezibonelelo zemveli zebhayoloji ezibandakanyekayo;

(e) ibalule umthombo wezibonelelo zemveli zebhayoloji;;

(f) ikhutshwe ngokuxhomekeke kwiimeko njengoko zimiselwe nguMphathiswa, apho iimeko kufuneka ziquke ukuba -

(i) yonke imali ekulindeleke ukuba iye kubathelelani ngokwemigqaliselo yesivumelwano sokwabelana ngoncedo kufuneka ihlawulwe kwiNgxowa-mali yeTrasti yokuhlola izilwanyana nezityalo ezohlukeneyo, njengoko kufunwa licandelo lama-85(1) lomThetho;

(ii) umnini mvume kufuneka, ngonyaka, angenise ingxelo yobume kuMphathiswa ngendlela emiselwe nguMphathiswa;

(iii) umnini mvume iya kuba luxanduva lwakhe olweendleko zokuthomalalisa okanye zokulungisa iimpembelelo zokuthumela ngaphandle kokusingqongileyo, ngokungqinelana necandelo lama-28 le-NEMA; kwaye

(iv) izibonelelo zebhayoloji zemveli imvume enxulumene nayo ayinakuthengiswa, kunikelwe ngayo okanye idluliselwe kumntu wesithathu ngaphandle kwemvume ebhalwe phantsi yoMphathiswa.

Iimvume ezihlanganisiweyo zokuthumela ngaphandle kunye nezokuhlola izilwanyana nezityalo ezohlukeneyo

12. (1) Imvume ehlanganisiweyo yokuthumela ngaphandle kunye neye-ukuhlola izilwanyana nezityalo ezohlukeneyo inokukhutshwa kuphela ukuba ngaba uMphathiswa wonelisekile ekubeni ukuthunyelwa kwemithombo yemveli yebhayoloji yokuhlola izilwanyana nezityalo ezohlukeneyo kuya kuba kokwenjongo esemdleni woluntu, kuqukwa –

(a) ulondolozo lwe-biodiversity eMzantsi Afrika;

(b) uphuhliso lwezoqoqosho loMzantsi Afrika; okanye

(c) (ukuphakamisa ulwazi lwenzululwazi kunye nesikhundla sobuchwepheshe sabantu boMzantsi Afrika kunye namaziko.

(2) Imvume ehlanganise ukuthumela ngaphandle ne-ukuhlola izilwanyana nezityalo ezohlukeneyo kufuneka –

(a) ibe ngokohlobo lwesiHlomelo 5 kule miMiselo;

(b) ibalule ixesha imvume esemthethweni ngalo;

(c) ibalule izibonelelo zebhayoloji zemveli ezibandakanyekayo;

(d) ibalule ubungakanani bezibonelelo zemveli zebhayoloji ezibandakanyekayo;

(e) ibalule umthombo wezibonelelo zemveli zebhayoloji;

(f) ikhutshwe ngokuxhomekeke kwiimeko njengoko zimiselwe nguMphathiswa, apho iimeko kufuneka ziquke ukuba -

(i) yonke imali ekulindeleke ukuba iye kubathelelani ngokwemigqaliselo yesivumelwano sokwabelana ngoncedo kufuneka ihlawulwe kwiNgxowa-mali yeTrasti yokuhlola izilwanyana nezityalo ezohlukeneyo, njengoko kufunwa licandelo lama-85(1) lomThetho;

(ii) umnini mvume kufuneka, ngonyaka, angenise ingxelo yobume kuMphathiswa ngendlela emiselwe nguMphathiswa;

(iii) umnini mvume iya kuba luxanduva lwakhe olweendleko zokuthomalalisa okanye zokulungisa iimpembelelo zokuthumela ngaphandle kokusingqongileyo, ngokungqinelana necandelo lama-28 le-NEMA; kwaye

(iv) izibonelelo zebhayoloji zemveli imvume enxulumene nayo ayinakuthengiswa, kunikelwe ngayo okanye idluliselwe kumntu wesithathu ngaphandle kwemvume ebhalwe phantsi yoMphathiswa..

Imvume yokuthumela ngaphandle ngophando kunokuhlola izilwanyana nezityalo ezohlukeneyo

13. (1) imvume yokuthumela ngapahndle kunokuhlola izilwanyana nezityalo ezohlukeneyo inokukhutshwa kuphela ukuba ngaba ugunyaziwe okhuphayo oxeliweyo kumMiselo wesi-6 wonelisekile ukuba ukuthunyelwa ngaphandle kwemithombo yemveli yebhayoloji kuya kuba kokwenjongo ezisemdleni woluntu kuphela, kuqukwa –

(d) ulondolozo lwe-biodiversity eMzantsi Afrika;

(e) uphuhliso lwezoqoqosho loMzantsi Afrika; okanye

(c) ukuphakamisa ulwazi lwenzululwazi kunye nesikhundla sobuchwepheshe sabantu boMzantsi Afrika kunye namaziko.

(2) Imvume yokuthumela ngaphandle yokuthunyelwa ngaphandle kwemithombo yemveli yebhayoloji ngeenjongo zophando nezokuhlola izilwanyana nezityalo ezohlukeneyo —

(a) kufuneka ibe ngohlobo lwesiHlomelo sesi-6 kul;e miMiselo;

(b) ikhombise ixesha esemthethweni ngalo;

(c) ibalule izibonelelo zebhayoloji zemveli ebandakanyekayo;

(d) ibalule ubungakanani bemithombo yemveli yebhayoloji ebandakanyekayo;

(e) ibalule umthombo wemithombo yemveli yebhayoloji; kwaye

(f) kufuneka ikhutshwe ngokuxhomekeke kwezi meko zilandelayo -

(i) izibonelelo zebhayoloji zemveli imvume enxulumene nayo, ingasetyenziselwa kuphela iinjongo zophando olungabandakanyi ezorhwebo njengoko kubalulwe kwimvume;

(ii) izibonelelo zebhayoloji zemveli imvume enxulumene nayo ayinakusetyenziselwa iinjongo zokuhlola izilwanyana nezityalo ezohlukeneyo;

(iii) umnini mvume iya kuba luxanduva lwakhe olweendleko zokuthomalalisa okanye zokulungisa iimpembelelo zokuthumela ngaphandle kokusingqongileyo, ngokungqinelana necandelo lama-28 le-NEMA;

(iv) izibonelelo zebhayoloji zemveli imvume enxulumene nayo ayinakuthengiswa, kunikelwe ngayo okanye idluliselwe kumntu wesithathu ngaphandle kwemvume ebhalwe phantsi kagunyaziwe okhuphayo, apho imvume ingayi kunikwa iqela lesithathu ukuba ngaba iinjongo zalo kukusebenzisela ukuhlola izilwanyana nezityalo ezohlukeneyo imithombo; kwaye

(v) umnini mvume kufuneka, ngonyaka okanye ngamaxesha amiselweyo njengoko anokumiselwa ngugunyaziwe okhuphayo, angenise ingxelo yobume kugunyaziwe okhuphayo ngendlela eya kumiselwa ngugunyaziwe okhuphayo.

ISigaba sesi- 4: IziBheno

Izigqibo ezinokubhenelwa

14. (1) Umfaki sicelo unokubhena, ngokwemigqaliselo yecandelo lama-94 lomThetho, kuso nakwesiphi na isigqibo so –

(a) kwalelwa imvume;

(b) ukubekwa kweemeko kwimvume ezongezayo kwiimeko zogunyaziso ezifunwayo ukuba zibekwe ngokwemigqaliselo yale Mimiselo;

(c) kurhoxisa imvume.

Inkqubo yokubhena

15. (1) Isibheno kufuneka sifakwe kuMphathiswa kwiintsuku ezingama-30 zokuab umfaki sicelo efumene isaziso ngesigqibo esibhenelwayo.

(2) Abathelelani abanomdla kwisibheno kufuneka banikwe ikopi yesibheno kwaye kufuneka baziswe ukuba baneentsuku ezili-15 ezisukela kumhla wokwaziswa ukungenisa izingeniso ngokunxulumene nesibheno kuMphathiswa.

(3) Isibheno kufuneka –

(a) simisela imihlaba isigqibo esibhenelwa yona;

(b) sichonge nabaphi na abathelelani abanomdla kwisibheno kunye nokunika ubungqina bokuba ikopi yesibheno inikwe bonke abathelelani; kwaye

(c) kufuneka ikhatshwe yintlawulo engabuyiswayo ebekwe kwisiHlomelo 1.

ISAHLUKO SESI-3

IZIVUMELWANO ZODLUDLISELO LWENTO, IZIVUMELWANO ZOLWABELWANO NGENZUZO NOLAWULO LWENGXOWA-MALI YOKUHLOLA IZILWANYANA NEZITYALO EZOHLUKENEYO

Indima yoku-1: Izivumelwano

Izivumelwano zokudluliselwa kwento

16. (1) Amaqela kwisivumelwano sodluliselo lwento ngumfaki-sicelo nochaphazelekayo njengoko kuchaziwe kwimihlathi yama-82(1)(a) no (b) yoMthetho obonelela okanye onika ithuba lokufikelela kwizityalo ezizikhulelayo zemveli apho umfaki-sicelo anonxulumano khona.

(2) UMphathiswa makaphumeze izivumelwano zodluliselo lwento okanye isilungiso kwizivumelwano ezinje, ngokungqinelana necandelo lama-84(2) loMthetho.

(3) Isivumelwano sodluliselo lwento masibe ngendlela yeSihlomelo sesi-7 kwaye masibenengcaciso ecacisiweyo kwicandelo lama-84(1)(b) loMthetho.

Izivumelwano zolwabelwano ngenzuzo

17. (1) Amaqela kwisivumelwano solwabelwano ngenzuzo ngumfaki-sicelo nabachaphazelekayo ekubhekiselwe kubo kwicandelo lama-84(1)(a) no (b) loMthetho.

(2) Isivumelwano solwabelwano ngenzuzo masibe ngendlela yeSihlomelo sesi-8 kwaye masingqinelane namacandelwana ama-83(1) nelesi (2) oMthetho;

(3) Phambi kokuphumeza isivumelwano okanye ulungiso kwisivumelwano esinje, uMphathiswa –

(a) makoneliseke ukuba isivumelwano sifanelekile kwaye sinobulungisa kuwo onke amaqela;

(b) makabonane naye namphi umntu onesakhono sokubonelela ngengcebiso yobuchule kwisivumelwano; kwaye

(c) makafune uluvo loluntu kwisivumelwano ngaphandle kokuba akukho nkcukacha zilihlebo ezithe zenziwa kuluntu.

(4) UMphathiswa angalandula ukuphumeza isivumelwano sokwabelana ngenzuzo ngaphandle kokuba isivumelwano esinjalo senza ilungelo elithile loku -

(a) ukwandisa ulwazi lwenzululwazi nengqondo yobugcisa yabantu, amalungu karhulumente okanye uluntu lwemveli ukulondoloza, ukusebenzisa nokuphuhlisa izityalo ezizikhulelayo zemveli; okanye

(b) namphi omnye umsebenzi onyusa ulondolozo, usetyenziso olugcinakeleyo nophuhliso lwezityalo ezizikhulelayo zemveli ezinxulumeneyo.

(5) Abanikazi-mvume mabahlalise elugcinweni loMlawuli-Jikelele ikopi yezivumelwano zolwabelwano ngenzuzo, kwinyanga enye yokuba isivumelwano sivunyiwe okanye kwinyanga enye yazo neziphi izilungiso zigqityiwe kwisivumelwano esinjalo.

Imisebenzi yoMnikazi-mvume

18. (1) Obambe imvume yokuhlola izilwanyana nezityalo ezohlukeneyo okanye uthunyelo kwelinye ilizwe oluhlangeneyo nemvume yokuhlola izilwanyana nezityalo ezohlukeneyo maka -

(a) zise uMlawuli-Jikelele xa imali elilungelo labachaphazelekayo njengoko kucacisiwe kwisivumelwano solwabelwano ngenzuzo sizakudluliselwa okanye sihlawulwe kwiNgxowa-mali yokuHlola izilwanyana nezityalo ezohlukeneyo;

(b) zise abachaphazelekayo ababizwe kwinzuzo yemali malunga nesivumelwano solwabelwano ngenzuzo ukuba la mali yahlawulwa kwiNgxowa-mali yokuhlola izilwanyana nezityalo ezohlukeneyo.

Indima yesi-2: Ulawulo lweNgxowa-mali yokuHlola izilwanyana nezityalo ezohlukeneyo

Ulawulo lweNgxowa-mali yokuhlola izilwanyana nezityalo ezohlukeneyo

19. (1) Malunga necandelo lama-85(1) loMthetho, yonke imali ekhulayo kwizivumelwano zolwabelwano ngenzuzo nezililungelo labachaphazelekayo mazihlawulwe kwiNgxowa-mali yokuHlola izilwanyana nezityalo ezohlukeneyo.

(2) INgxowa-mali yokuHlola izilwanyana nezityalo ezohlukeneyo iya kulawulwa ngokungqinelana neMimiselo yeNdyebo ekhutshwe malunga noMthetho woLawulo lweMali kaRhulumente, ka-1999 (uMthetho onguNombolo-1 ka-1999).

(3) Ngeenjongo zokubambelela kwiMimiselo yeNdyebo –

(a) isivumelwano ngolwabelwano ngenzuzo ngasinye masithathwe njengesixhobo esithembekileyo esinika iinkcukacha ezithe ngqo zemali efunyenweyo yiNgxowa-mali yokuHlola izilwanyana nezityalo ezohlukeneyo emayisetyenziswe;

(b) uMlawuli-Jikelel unoxanduva lokugcina kakuhle nokusetyenziswa ngendlela kwazo zonke iimali ezifunyanwa yiNgxowa-mali yokuHlola izilwanyana nezityalo ezohlukeneyo, ngokungqinelana nesivumelwano solwabelwano ngenzuzo esinxulumeneyo;

(c) uMlawuli-Jikelele makabize imali yoxanduva lolawulo lwemali efunyanwa malunga nesivumelwano solwabelwano ngenzuzo;

(4) UMlawuli-Jikelele maka –

(a) zise onke amagunya akhuphayo eenkcukaza zebhanki zeNgxowa-mali yokuHlola izilwanyana nezityalo ezohlukeneyo, neziphi iinkcukacha mazinikelwe kubanikazi-mvume nokukhutshwa kweemvume zonke;

(b) cebise amaqela kwisivumelwano solwabelwano ngenzuzo –

(i) yayo neyiphi imali efunyenwe malunga nesasivumelwano;

(ii) yemali elilungelo lochaphazelekayo ngamnye malunga nesivumelwano;

(c) nokwaba zonke iimali ezifunyenwe ngokungqinelana nesivumelwano solwabelwano ngenzuzo esinxulumeneyo.

(5) Iimfanelo zoMlawuli-Jikelele malunga nommiselo okwisigaba esingezantsi sesi-(4) zingakhutshwa rhoqo ngonyaka ngaphandle kokuba ithuba elohlukileyo lexesha –

(a) limisiwe kwisivumelwano ngenzuzo; okanye

(b) kuvunyelwene phakathi koMlawuli-Jikelele namaqela kwisivumelwano ngolwabelwano ngenzuzo.

(6) Ukuba ngesizathu nokuba sesiphi, kukho imali eyintsalela kwiNgxowa-mali yokuHlola izilwanyana nezityalo ezohlukeneyo engelolungelo lalo neliphi iqela malunga nesivumelwano solwabelwano ngenzuzo, uMlawuli-Jikelele makasebenzise imali kwenye okanye ngaphezulu kwezi njongo zilandelayo -

(a) ukulondoloza izityalo ezizikhulelayo zemveli;

(b) ukuxhasa uphando oluqhubekela phambili kwizityalo ezizikhulelayo zemveli nakulwazi lwemveli;

(c) ukuxhotyiswa kwabasebenzi phakathi kweendawo zoluntu lwemveli.

(i) ngokwasemalungelweni abo malunga noMthetho,

(ii) nokubanceda ukuthethathethana ngezivumelwano zolwabelwano ngenzuzo ezifanelekileyo nezilungileyo;

(d) ukwandisa ulwazi lwenzululwazi nengqondo yobugcisa ukulondoloza, ukusebenzisa nokuphuhlisa izityalo ezizikhulelayo zemveli; okanye

(e) namphi omnye umsebenzi onyusa ulondolozo, usetyenziso olugcinakeleyo nophuhliso lwezityalo ezizikhulelayo zemveli ukulungiselela inzuzo yoMzantsi Afrika.

(7) Ukuba akwenzeki, nokuba kungesiphi isizathu, ukuhlawula neliphi iqela imali elilungelo kubo malunga nesivumelwano solwabelwano ngenzuzo, uMlawuli-Jikelele maka –

(a) qondisise ukuba kukho omnye umntu okanye iqumrhu elifanelwe kukuhlawulwa le mali ngokusemthethweni;

(b) ukuba akukho mntu okanye iqumrhu elichongekayo emakuhlawulwe kulo le mali, bonana nawaphi amanye amaqela kwisivumelwano esinxulumeneyo ngolwabiwo lwemali uze emva koko wabe imali ngokufanelekileyo nangokulungileyo phakathi kwabachaphazelekayo abaseleyo, ukuba bakho;

(c) ukuba abekho abanye abachaphazelekayo, yaba imali ngokungqinelana nommiselo okwisigaba esingezantsi sesi-(6).

ISAHLUKO SESI-4

JIKELELE

Izenzo ezibi

20. Umntu unetyala lezenzo ezibi ukuba loo mntu –

(a) ngaphandle kwemvume –

(i) wamkela ukuhlola izilwanyana nezityalo ezohlukeneyo equka izityalo ezizikhulelayo zemveli;

(ii) uthumela kwelinye ilizwe kwiRiphabliki neziphi izityalo ezizikhulelayo zemveli ngenjongo yokuhlola izilwanyana nezityalo ezohlukeneyo okanye noluphi olunye uphando;

(b) wenza umsebenzi apho imvume yayikhutshwe ngenye indlela kunokuba ingqinelane nazo neziphi iimeko ezijolise kwimvume eyakhutshwayo;

(c) uvumela namphi omnye umntu ukwenza, okanye angenzi kwanto esisenzo esibi malunga nemimiselo;

Izohlwayo

21. (1) Umntu obanjelwe isenzo esibi malunga nommiselo wama-20 usisichenge –

(a) sokufakwa entolongweni kangangexesha elingadluli kwiminyaka emihlanu;

(b) sesohlwayo esifanelekileyo;okanye

(c) afumane isohlwayo kwa nokuba afakwe entolongweni.

(2) Isohlwayo malunga nommiselo okwisigaba esingezantsi soku-(1) masingadluli imali emisiweyo malunga noMthetho woLungiso lweZohlwayo, ka-1999 (uMthetho ongunombolo-101 ka-1999).

Amalungiselelo agqithayo

22. (1) Okujoliswe kuko kwimimiselo ekwisigaba esingezantsi yesi-(2) nowe-(3), namphi umntu okhoyo kwisiqalo sale Mimiselo kwiprojekthi yokuhlola izilwanyana nezityalo ezohlukeneyo, makaqhubekeke nalo projekthi imisiweyo ukukhutshwa kwemvume yokuhlola izilwanyana nezityalo ezohlukeneyo.

(2) Umntu okhoyo kwiprojekthi yokuhlola izilwanyana nezityalo ezohlukeneyo esele iqalile, **kwiinyanga ezintandathu** zale Mimiselo iza kwisiphumo, makangenise isicelo semvume yokuhlola izilwanyana nezityalo ezohlukeneyo kuMphathiswa ngokungqinelana neSahluko sesi-2 sale Mimiselo.

(3) Ukuba iprojekithi yokuhlola izilwanyana nezityalo ezohlukeneyo esele iqalile iquka umdla wochaphazelekayo okufuneka ukhuselwe ngecandelo lama-82 loMthetho, umfaki-sicelo semvume maka –

(a) thethane kwaye angene kwizivumelwano zolwabelwano ngenzuzo nabachaphazelekayo abacacisiweyo;

(b) qhoboshela kwisicelo semvume yokuhlola izilwanyana nezityalo ezohlukeneyo engeniswe kuMphathiswa malunga nommiselo okwisigaba esingezantsi wesi-(2) –

(i) isivumelwano solwabelwano ngenzuzo esisayiniweyo esingeniswe nabachaphazelekayo; okanye

(ii) isicelo esibhaliweyo songenelelo lukaMphathiswa ngeenjongo zokuthethathethana ngezivumelwano ezinje, ngokungqinelana necandelo lama-82(4)(b) loMthetho, ukuba khange kwenzeke ukugqitywa kwezivumelwano zolwabelwano ngenzuzo **kwiinyanga ezintandathu** ekubhekiselwe kuzo kummiselo okwisigaba esingezantsi wesi-(2).

(4) Iprojekthi yokuhlola izilwanyana nezityalo ezohlukeneyo esele iqalile -

(a) mayipheliswe ukuba –

(i) isicelo semvume yokuhlola izilwanyana nezityalo ezohlukeneyo ilandulwe; okanye

(ii) isivumelwano solwabelwano ngenzuzo asigqitywanga nangona ngaphandle kongenelelo lukaMphathiswa;

(b) lungaqhubekeka ukuba imvume yokuhlola izilwanyana nezityalo ezohlukeneyo sikhutshiwe, sijolise nakweziphi iimeko ezikhoyo kweso sivumelwano.

Isihloko esiFutshane nesiqalo

3. Le Mimiselo ibizwa ngokuba yiMimiselo yeZilwanyana nezityalo ezohlukeneyo, Ukufikelela noLwabelwano ngeNzuzo, ka-2008 kwaye iya kusebenza ngomhla obekwe nguMphathiswa ngesaziso kwiGazethi.

ISIHLOMELO SOKU-1

IIMALI EZIHLAWULWAYO EZIMISELWEYO EZINGABUYISELWAYO

1. Iimali ezihlawulwayo zemvume

1.1. Imvume yokuhlola izilwanyana nezityalo ezohlukeneyo (UMmiselo we-11) R5 000

1.2. Ukuthunyelwa kwelinye ilizwe okuhlangeneyo nemvume yokuhlola izilwanyana nezityalo ezohlukeneyo (UMmiselo we-12) R5 200

1.3. Imvume yokuthumela kwelinye ilizwe ngenjongo yokuqhuba uphando kunokwenza uhlolo lwezilwanyana nezityalo ezohlukeneyo (UMmiselo-13) R 100

2. Isibheno malunga noMmiselo we-15

Imali eyintlawulo yesibheno R50

ISIHLOMELO SESI-2

INDIMA YOKU-1: ISICELO SEMVUME YOKUHLOLA IZILWANYANA NEZITYALO EZOHLUKENEYO

INDIMA YESI-2: ISICELO SEMVUME YOKUTHUMELA KWELINYE ILIZWE NGEENJONGO ZOKUHLOLA IZILWANYANA NEZITYALO EZOHLUKENEYO

Izinto emaziqatshelwe kugcwaliso lwefomu:

1. Ukuba ufaka isicelo semvume yokuhlola izilwanyana nezityalo ezohlukeneyo kwaye awujolisanga ekuthumeleni kwelinye ilizwe izityalo ezizikhulelayo zemveli ezinxulumeneyo, kufuneka ugcwalise indima yoku-1 kuphela yale fomu.
2. Ukuba ufaka isicelo sokuthumela kwelinye ilizwe okuhlangeneyo kunye nemvume yokuhlola izilwanyana nezityalo ezohlukeneyo, umele ugcwalise indima yoku-1 neyesi-2 yale fomu.
3. Ukuba akukho sithuba soneleyo sokubhala kule fomu inikeziweyo, ingcaciso esisongezo mayibandakanywe ngendlela yeZihlomelo.

UHLOBO LWEMVUME OFAKA ISICELO SAYO (Phawula ibhokisi enxulumeneyo)

Imvume yokuhlola izilwanyana nezityalo ezohlukeneyo: ☐

Uthumelo kwelinye ilizwe oluhlangeneyo nemvume yokuhlola izilwanyana nezityalo ezohlukeneyo: ☐

INQANABA LOKUHLOLA IZILWANYANA NEZITYALO EZIZIKHULELAYO (Phawula ibhokisi enxulumeneyo)

Inqanaba lofumano: ☐

Inqanaba lokwenza urhwebo: ☐

ISIGABA SOKU-1: ISICELO SEMVUME YOKUHLOLA IZILWANYANA NEZITYALO EZOHLUKENEYO

UMFAKI SICELO

Ukuba ngaba umfaki sicelo ngumbutho osemthethweni gcwalisa amagatya 1 – 7 ngasezantsi

1. Igama eliphelelelyo leziko okanye umbutho:

_____

2. Ingaba umbutho osemthethweni ubhalisiwe eMzantsi Afrika? E/H

3. Ukuba uthi ewe, nika inombolo yobhaliso yoMzantsi Afrika yombutho osemthethweni:

_____

4. Ukuba akunjalo, leliphi ilizwe obhaliswe kulo umbutho osemthethweni uze unike inombolo yesingqinisiso:

_____

5. Nika iinkcukacha zoqhqgamshelwano (uquka igama lombutho ekunokuqhagamshelwana nawo, idilesi yeposi/yesitalato, inombolo yomnxeba, ifeksi nedilesi ye-imeyile):

_____

6. Igama lomntu ekunokuqhagamshelwana naye embuthweni osemthethweni (hlomela ikopi eqinisekisiweyo yoxwebhu lwe-ID):

_____

7. Isikhundla saloo mntu kunokuqhagamshelwana naye:

_____

Ukuba ngaba umfaki sicelo ngumtu oyedwa gcwalisa 8 - 12 ngasezantsi

8. Igama lomfaki sicelo: _____

9. Inombolo yesazisi yomfaki sicelo (kwakhona hlomela ikopi ye-ID):_____

10. Iinkcukacha zoqhagamshelwano zomfaki sicelo (uquka igama lomntu ekunokuqhagamshelwana naye, idilesi yeposi/yesitalato, inombolo yomnxeba, ifeksi nedilesi ye-imeyile):

_____

11. Ingaba umfaki sicelo ungene phantsi komntu osemthethweni?

E/H

12. Ukuba uthi ewe, nika igama neenkcukacha zoqhagamshelwano zaloo mntu usemthethweni (uquka igama lomntu ekunokuqhagamshelwana naye, idilesi yeposi/yesitalato, inombolo yomnxeba, ifeksi nedilesi ye-imeyile):

_____

Uninzi lwesi sigaba malugcwaliswe ngabo bonke abafaki zicelo

13. Amagama kunye neenkcukacha zoqhagamshelwano (uquka igama lomntu ekunokuqhagamshelwana naye, idilesi yeposi/yesitalato, inombolo yomnxeba, ifeksi nedilesi ye-imeyile) zabanye abantu abasebenza kunye:

_____

14. Iinombolo zezazisi zabo bonke abanye abantu abasebenzisanayo (kwakhona hlomela ikopi eqinisekisiweyo ye-ID):

_____

15. Amagama kunye neenkcukacha zoqhagamshelwano (uquka igama lomntu ekunokuqhagamshelwana naye, idilesi yeposi/yesitalato, inombolo yomnxeba, ifeksi nedilesi ye-imeyile) abantu aya kuqhuba iprojekithi yokuhlola izilwanyana nezityalo ezohlukeneyo:

_____

16. Iinombolo zesazisi zabantu abangabodwa abaya kuqhuba iprojekithi ye-ukuhlola izilwanyana nezityalo ezohlukeneyo (kwakhona hlomela iikopi eziqinisekisiweyo zee-ID):

_____

17. Ingaba kukho nabaphi na abaxhasi bamazwe ngamazwe abaxhasa le projekithi? E/H

18. Ukuba uthi ewe, nika amagama abo kunye neenkcukacgha zoqhagamshelwano (uquka igama lomntu ekunokuqhagamshelwana naye, idilesi yeposi/yesitalato, inombolo yomnxeba, ifeksi nedilesi ye-imeyile):

_____

19. Ingaba kukho nabaphi na abaxhasi boMzantsi Afrika kule projekithi? E/H

20. Ukuba ngu-ewe, nika amagama kunye neenkcukacha zabo zoqhagamshelwano (eziquka igama lomntu ekunokuqhagashelwana naye, idilesi yeposi/isitalato, inombolo yomnxeba, ifeksi kunye nedilesi ye-imeyile):

_____

IZIBONELELO ZEBHAYOLOJI ZEMVELI

21. Beka uhlobo lwemithombo yemveli yebhayoloji imvume efunelwa yona, usapho, uhlobo okanye udidi, olwenza inxenye yaloo iphilayo nto iza kuqokelelwa, ubungakanani bemithombo ekuqokelelwa okanye eza kufunyanwa kunye nendawo okanye umthombo okhethekileyo apho umthombo ngamnye uza kuqokelelwa okanye ufunyanwe khona.

Uhlobo lwento ephilayo	**Usapho, uhlobo okanye iindidi (amagama enzululwazi**	**Inxenye yento ephilayo eza kuqokelelwa**	**Ubuninzi**	**Idata epheleleyo yasekhaya (ufundo lwe-GIS ukuba kuyenzeka)**

	kunye naqhelekile yo) (ukuba kuyenzeka)			
Umzekelo: **Isityalo**	**i-Aloe ferox**	**Amagqabi**	**6 kg**	**….**

UPHANDO LWANGAPHAMBILI KUNYE NEZICELO ZEEMVUME

22. Ngokunxulumene nemithombo yemveli yebhayoloji ebekwe apha ngasentla, ingaba esinye isicelo semvume ngokwemigqaliselo yomThetho okanye ngokwemigqaliselo yawo nawuphi na omnye umthetho singenisiwe, mhlawumbi ngaphambili okanye ngaxesha nye nesi sicelo? E/H

23. Ukuba uthi ewe, ingaba imvume inikiwe, yaliwe okanye isaxhonyiwe? _____

24. Ukuba ngaba imvume inikiwe, nika ezi nkcukacha zilandelayo uze uhlomele ikopi yemvume.

Inombolo yemvume	**Ugunyaziwe okhuphayo**	**Umhla wokukhutshwa**

25. Ukuba ngaba isicelo sisaxhonyiwe, nika inombolo yesingqinisiso yogunyaziwe okhuphayo:_____

UKUXELWA KOLWAZI

26. Ingaba lonke ulwazi lwezinto luxelwe kuye nakubani na, iziko likarhulumente okanye kuluntu olunika okanye olubonelela ngofikelelo kwimithombo yebhayoloji yemveli kunye nakulo naluphi na uluntu lwemveli oluchongiweyo olunolwazi lwemveli okanye okusetyenziswa kwemithombo yemveli yebhayoloji? E/H

27. Impendulo uyakho yingqinele ngento ekhoyo kulo mhlathi ungasentla ngokubeka lonke ulwazi oluxeliweyo.

_____

_____

_____

_____

_____

_____

ABATHELELANI

QAPHELA: Ukuba nawuphi na umntu, iziko likarhulumente okanye uluntu luyafunwa ukuba lunike okanye lubonelele ngofikelelo kwizibonelelo zebhayoloji zemveli, imvume yalo kufuneka ifunyanwe kunye nesivumelwano sokudluliswa kwezinto (material transfer agreement) (MTA) ngokohlobo lweSihlomelo sesi-4 kunye nesivumelwano sokwabelana ngamancedo (benefit-sharing agreement) (BSA) ingokohlobo lweSihlomelo sesi-5 masihlonyelwe kwesi sicelo.

28. IChonga umntu, iziko likarhulumente okanye ulintu olumvume yalo ifunwayo kwaye kwimeko nagnye khombisa ukuba i-MTA ne-BSA kugqityiwe na ngazo. Ezi zivumelwano kufuneka zihlonyelwe kwesi sicelo.

Umboneleli ngofikelelo	**I-MTA ekugqitywe ngayo kwaye yahlonyelwa?**	**I-BSA ekugqitywe ngayo yaze yahlonyelwa?**

QAPHELA: Ukuba naluphi na uluntu lwemveli luchongiwe,isivumelwano sokwabelana ngamancedo (benefit-sharing agreement) (BSA) ngokohlobo lweSihlomelo sesi-5 kufuneka kugqitywe ngaso kunye neso solo luntu kwaye kufuneka sihlonyelwe kwesi sicelo.

29. Ngawaphi amanyathelo athathiweyo okuchonga naluphi na uluntu lwemveli olo kusetyenziswa okanye ulwazi lwezibonelelo zebhayoloji zemveli esi sicelo esinxulumene naso, abebenokuiba bafake isandla okanye barhuma kwi-ukuhlola izilwanyana nezityalo ezohlukeneyo ecetywayo?_____

_____

_____

_____

30. Inkcazo/ubunjani bolwazi lwemveli okanye ukusetyenziswa/okomlomo/okubhalwe phantsi):_____

_____

_____

_____

31. Chaza naluphi na uluntu lwemveli oluchongiweyo kwaye kwimeko nagnye ukhombise ukuba i-BSA igqityiwe na nalo kunye nokuba ngaba eso sivumelwano sihlonyelwe kwesi sicelo na..

Uluntu lwemveli	**I-BSA kugqityiwe ngayo?**	**I-BSA ihlonyelwe?**

32. Ingaba naziphi na izivumelwano kugqityiwe ngazo ngokunxulumene nezibonelelo zebhayoloji zemveli namaqela abambiseneyo angasingabo abathelelani ngokwemigqaliselo yomThetho?

E/H

33. Ukuba ngu-Ewe, inagba ezo zivumewlano zixeliwe kuye –

33.1. nawuphi na umntu, iziko likarhulumente okanye uluntu olunika ufikelelo kwizibonelelo zebhayoloji zemveli? E/H

33.2. naluphi na uluntu lwemveli olunolwazi okanye ukusetyenziswa kwemveli kwezibonelelo zebhayoloji zemveli? E/H

34. ingaba lukhona uncedo olufunwayo kugunyaziwe okhuphayo ukugqibezela izivumelwano eziyimfuneko? E/H

35. Ukuba ngu-ewe, balula uhlobo loncedo olufunwayo kunye nokuba kutheni lufunwa nje olu ncedo.

_____

_____

ISINDULULO SEPROJEKITHI

36. Isindululo esicazululiweyo seprojekithi kufuneka sihlonyelwe kwesi sicelo simisela oku kulandelayo–

36.1. iinjongo zeprojekithi yokuhlola izilwanyana nezityalo ezohlukeneyo;

36.2. amancedo anokuvela kwiprojekithi;

36.3. indlela yokwenza ecetywayo;

36.4. amaxesha amiselweyo acetywayo (njengexesha elifunwayo lokuba semthetwheni kwemvume);

36.5 nakuphi na ukuthathelwa ingqalelo kokusingqongileyo kuqukwa neempembelelo zokuqokelelwa kwezibonelelo zebhayoloji zemveli kunye namanyathelo acetywayo okunciphisa okanye okulungisa ezo mpembelelo;

36.6. iinkqubo zokunika ingxelo;

36.7. iziphumo ezifunwayo zeprojekithi; kwaye

36.8. kuyakwenzeka ntoni kwizipesimeni ezilahliweyo/eziyinkunkuma ekupheleni kophononongo.

IMALI EHLAWULWAYO

37. Ingaba imali eyintlawulo engama-R5 000 sele ihlawulwe? Nceda uqhoboshele i-invoyisi. EWE/HAYI

Makusayine umfaki-sicelo semvume yokuhlola izilwanyana nezityalo ezahlukeneyo:

_____**Umhla:**_____

Isikhundla somntu osayine isigqibo:_____

Ubungqina bequmrhu elinelungelo, ukuba ngaba likhona

Igama lequmrhu elinelungelo:

_____

Makusayine igosa eligunyazisiweyo eliphuma kwiqumrhu elinelungelo:

_____ **Umhla:** _____

INDIMA YESI-2 ISICELO SEMVUME YOKUTHUNYELWA KWELINYE ILIZWE SEENJONGO ZOKUHLOLA IZILWANYANA NEZITYALO EZOHLUKENEYO

Umfaki-sicelo ogcwalise le ndawo makasele egcwalisa kwaye asayine nendima yoku-1

UMAMKELI WEZITYALO EZIZIKHULELAYO ZEMVELI EZITHUNYELWE KWELINYE ILIZWE (UMRHWEBI ONGENISA ELIZWENI)

1. Igama lomamkeli/umrhwebi ongenisa elizweni:

_____

2. Inkcukacha zoqhagamshelwano zomamkeli/umrhwebi ongenisa elizweni (ubandakanya idilesi yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili):_____

_____

_____

IIMFUNO ZOLUNYE UWISO-MTHETHO

3. Ingaba uyithobele, okanye ingaba uwathathile amanyathelo ukuthobela, nezinye iimfuno zowiso-mthetho zokuqokelela nokuthunyelwa kwelinye ilizwe kwezityalo ezizikhulelayo zemveli? Nika iinkcukacha, ubandakanya iinombolo ezisisingqiniso neenombolo zezintlu zeempahla ezithunyelweyo ezihamba nazo apho kuyimfuneko. _____

_____

_____

INJONGO YOKUTHUNYELWA KWELINYE ILIZWE

4. Xela injongo zezo zityalo zizikhulelayo zemveli eziza kuthunyelwa kwelinye ilizwe: _____

_____

5. Ingaba uhlolo lwezilwanyana nezityalo ezohlukeneyo ekujoliswe kulo ukuba luyintloko yesicelo semvume, linalo na ilungelo elithile lo–

5.1. londolozo lwezilwanyana nezityalo ezahlukeneyo eMzantsi Afrika EWE/HAYI

5.2. phuhliso loqoqosho eMzantsi Afrika EWE/HAYI

5.3. lawo nawuphi umba osemdleni woluntu? EWE/HAYI

6. Ukuba kunjalo, nika iinkcukacha:

_____

_____

IMALI EHLAWULWAYO

7. Ingaba imali eyintlawulo engama-R5200 sele ihlawulwe? Nceda uqhoboshele ikopi ye-invoyisi EWE/HAYI

Makusayine umfaki-sicelo semvume:

_____ **Umhla:** _____

Isikhundla somntu osayinileyo isigqibo:_____

Ubungqina bequmrhu elinelungelo, ukuba ngaba likhona

Igama lequmrhu elinelungelo:

_____

Makusayine igosa eligunyazisiweyo eliphuma kwiqumrhu elinelungelo:

_____Umhla: _____

ISIHLOMELO SESI-3

ISICELO SEMVUME YOKUTHUMELA KWELINYE ILIZWE NGENJONGO YOKUQHUBA UPHANDO NGAPHANDLE KOKUHLOLA IZILWANYANA NEZITYALO EZAHLUKENEYO

Izinto emaziqatshelwe kugcwaliso lwefomu:

Ukuba akukho sithuba soneleyo kule fomu, ingcaciso eyongeziweyo ingabandakanywa ngendlela yezihlomelo.

UMFAKI-SICELO

Ukuba umfaki-sicelo liqumrhu elinelungelo gcwalisa iziqendu ukusukela kwesoku-1 ukuya kwesesi-7 ngezantsi

1. Igama elipheleleyo leziko okanye iqumrhu:

_____

2. Ingaba iqumrhu elinelungelo libhalisiwe eMzantsi Afrika?

EWE/HAYI

3. Ukuba kunjalo, nika inombolo yobhaliso yaseMzantsi Afrika yequmrhu elinelungelo:

_____

4. Ukuba akunjalo, leliphi ilizwe elibhalise kulo iqumrhu elinelungelo uze unike inombolo yesingqiniso:

_____

5. Nika iinkcukacha zoqhagamshelwano zequmrhu elinelungelo (ubandakanya idilesi yeposi/elifumaneka kuyo ngokuma, umnxeba, ifeksi nedilesi ye-imeyili):

_____

_____

6. Igama lomntu ekuza kuqhagamshelwana naye kwiqumrhu elinelungelo (qhoboshela ikopi eqinisekisiweyo yesazisi):

_____

7. Isikhundla somntu ekuza kuqhagamshelwana naye:

_____

Ukuba ngaba umfaki-sicelo ngumntu nje gcwalisa iziqendu ukusukela kwesesi-8 ukuya kwese-12 ngezantsi

8. Igama lomfaki-sicelo:

_____

9. Inombolo yesazisi somfaki-sicelo (kwakhona qhoboshela ikopi eqinisekisiweyo yesazisi):

_____

10. Iinkcukacha zoqhagamshelwano zomfaki-sicelo (ubandakanya idilesi yokuposa/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili):_____

_____

11. Ingaba umfaki-sicelo umanywe kulo neliphi iqumrhu elinelungelo?

EWE/HAYI

12. Ukuba kunjalo, nika igama neenkcukacha zoqhagamshelwano zequmrhu elinelungelo (ubandakanya igama lomntu ekuza kuqhagamshelwana naye, idilesi yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili):

_____

_____

Inxenye yale ndima mayigcwaliswe ngabafaki-zicelo

13. Amagama neenkcukacha zoqhagamshelwano (kubandakanywa idilesi yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili) zabo

bonke abantu abasebenza nabanye: _____

_____

_____

14. Inombolo yesazisi yabo bonke abanye abantu abasebenza nabanye (kwakhona qhoboshela ikopi eqinisekisiweyo yesazisi):

_____

15. Amagama neenkcukacha zoqhagamshelwano (kubandakanywa idilesi yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili) zabantu abaya kuqhuba uphando:

_____

16. Inombolo yesazisi yabantu abaya kuqhuba uphando (kwakhona qhoboshela iikopi eziqinisekisiweyo zezazisi):

_____

17. Ingaba kukho abaxhasi bamazwe-ngamazwe abaxhasa ngemali le projekthi?

EWE/HAYI

18. Ukuba kunjalo, nika amagama abaxhasi abo neenkcukacha zoqhagamshelwano (ubandakanya igama lomntu ekuza kuqhagamshelwana naye, idilesi yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili):

_____

19. Ingaba kukho abaxhasi baseMzantsi Afrika abaxhasa ngemali le projekthi?

EWE/HAYI

20. Ukuba kunjalo, nika amagama abaxhasi abo neenckukacha zoqhagamshelwano (ubandakanya igama lomntu ekuza kuqhagamshelwana naye, idilesi yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili):

_____

UMAMKELI WEZITYALO EZIZIKHULELAYO ZEMVELI EZITHUNYELWE KWELINYE ILIZWE (UMRHWEBI ONGENISA ELIZWENI)

21. Igama lomamkeli/umrhwebi ongenisa elizweni:

_____

22. Iinkcukacha zoqhagamshelwano zomamkeli/umrhwebi ongenisa elizweni (ubandakanya idilesi yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili):_____

_____

IZITYALO EZIZIKHULELAYO ZEMVELI

23. Misela uhlobo lwezityalo ezizikhulelayo zemveli zemvume efunekayo, udidi lwazo, uhlobo okanye udidi, indawo yento ephilayo emayiqokelelwe, ubuninzi bezinto eziyimfuno ziqokelelwe okanye zifunyanwe nendawo ethe ngqo okanye uvimba apho into nganye eyimfuno mayiqokelelwe okanye ifunyanwe khona.

Uhlobo lwento ephilayo	**Udidi lwazo, uhlobo okanye udidi (Amagama azo ngokwenzulu lwazi nalawo aqhelekileyo (ukuba kuyenzeka)**	**Indawo yento ephilayo emayiqokelelwe**	**Ubuninzi**	**Iinkcukacha ezizeleyo zendawo (izifundo zeGIS ukuba kuyenzeka)**
Umzekelo: **Isityalo**	**Uhlobo olubizwa ngokuba yi-i-**	**Amagqabi**	**6 kg**	**….**

	Aloe ferox			

IIMVUME ZANGAPHAMBILI

24. Malunga nezityalo ezizikhulelayo zemveli ezimiselwe ngasentla, ingaba kukho isicelo esingenisiweyo malunga noMthetho okanye naluphi uwiso-mthetho, nokuba kungaphambili okanye kunye nesi sicelo? EWE/HAYI

25. Ukuba kunjalo, isicelo savunyelwa, salandulwa okanye sisamisiwe? _____

26. Ukuba isicelo savunyelwa, nika ezi nkcukacha zilandelayo kwaye uqhoboshele ikopi yemvume.

Inombolo yemvume	**Igunya lokukhutshwa**	**Umhla wokukhutshwa**

Ukuba isicelo sisamisiwe, nika inombolo yesingqiniso yegunya lokukhutshwa: _____

IIMFUNO ZOLUNYE UWISO-MTHETHO

27. Ingaba uyithobele, okanye ingaba uwathathile amanyathelo ukuthobela, nezinye iimfuno zowiso-mthetho zokuqokelela nokuthunyelwa kwelinye ilizwe

kwezityalo ezizikhulelayo zemveli? Nika iinkcukacha, ubandakanya iinombolo ezisisingqiniso neenombolo zezintlu zeempahla ezithunyelweyo ezihamba nazo apho kuyimfuneko.

_____

_____

ISINDULULO SEPROJEKTHI

28. Iinkcukacha ezizeleyo zesindululo seprojekthi maziqhotyoshelwe kwesi sicelo simisela oku kulandelayo –

Iinjongo eziphambili zophando;

28.1. iinzuzo ezingavela kule projekthi;

28.2. ulwazi-nkqubo okucetyiweyo;

28.3. amaxesha acetyiweyo (umzekelo, ixesha elifunekayo lokuba semthethweni kwemvume);

28.4. neziphi iingcamango ezinxulumene nendalo kubandakanywa neyiphi impembelelo yoqokelelo lwezinto eziyimfuno namanyathelo acetyiweyo ukunciphisa okanye ukulungisa ezo mpembelelo;

28.5. ukunika ingxelo yeenkqubela-phambili;

28.6. iziphumo ezilindelekileyo zeprojekthi, kunye

28.7. nokuya kwenzeka kwimizekelo elahliweyo/ebeyilahleko ekupheleni kwesifundo.

INJONGO YOKUTHUMELA KWELINYE ILIZWE

29. Xela injongo yezityalo ezizikhulelayo zemveli emazithunyelwe kwelinye ilizwe:

_____

_____

30. Ingaba uphando ekujoliswe kulo ukuba luyintloko yesicelo semvume, lunalo na ilungelo elithile lo–

30.1. londolozo lwezilwanyana nezityalo ezahlukeneyo eMzantsi Afrika EWE/HAYI

30.2. phuhliso loqoqosho eMzantsi Afrika EWE/HAYI

30.3. lawo nawuphi umba osemdleni woluntu? EWE/HAYI

31. Ukuba kunjalo, nika iinkcukacha:

_____

_____

IMALI EHLAWULWAYO

32. Ingaba imali eyintlawulo engama-R200 sele ihlawulwe? Nceda uqhoboshele i-invoyisi. EWE/HAYI

Makusayine umfaki-sicelo semvume:

_____ **Umhla:** _____

Isikhundla somntu osayinileyo isigqibo:

_____

Ubungqina bequmrhu elinelungelo, ukuba ngaba likhona

Igama lequmrhu elinelungelo:

_____

Makusayine igosa eligunyazisiweyo eliphuma kwiqumrhu elinelungelo:

_____**Umhla:** _____

ISIHLOMELO SESI-4

IMVUME YOKUHLOLA IZILWANYA NEZITYALO EZOHLUKENEYO

Le mvume ikhutshwa malunga noMmiselo we-11 wemiMiselo yokuhlola izilwanyana nezityalo ezohlukeneyo, Ukufikelela noLwabiwo lweNzuzo

1. **Igama lomnini-mvume:** _____
2. **Idilesi yomnini-mvume yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili:**

   _____

   _____
3. **Igama lomntu ojongene nohlolo lwezilwanyana nezityalo ezohlukeneyo (ukuba wohlukile kumnini-mvume):**

   _____
4. **Inombolo yesazisi yomnini-mvume okanye yomntu ojongene nohlolo lwezilwanyana nezityalo ezohlukeneyo:**

   _____

5. **Ukuba isicelo yayisisicelo sabantu abahlangeneyo, amagama abo nabaphi abafaki-sicelo:**

   _____

   _____

6. **Iinkcukacha zoqhagamshelwano zabo bonke abanye abafaki-sicelo:**

   _____

   _____

7. **Indalo yemvume:** Le mvume igunyazisa umnikazi-mvume ukuba asebenzise ezi zityalo zizikhulelayo zemveli zilandelayo ngeenjongo yokuhlola izilwanyana nezityalo ezohlukeneyo, ngobuninzi obucacisiweyo nokuqokelela izityalo ezizikhulelayo zemveli kwiindawo ezimiselweyo ngezantsi:

Uhlobo lwento ephilayo	**Udidi lwazo, uhlobo okanye udidi (Amagama azo ngokwenzulu lwazi nalawo aqhelekileyo (ukuba kuyenzeka)**	**Indawo yento ephilayo emayiqokelelwe**	**Ubuninzi (Bonisa ukuba kukho izithintelo kubuninzi bemilinganiselo)**	**Iinkcukacha ezizeleyo zendawo (izifundo zeGIS ukuba kuyenzeka)**
Umzekelo: **Isityalo**	**Uhlobo olubizwa ngokuba yi-*Aloe ferox***	**Amagqabi**	**6 kg**	**….**

8. **Ubude bexesha lemvume:** Le mvume inexesha kude kube _____.

9. **Izivumelwano zolwabelwano ngenzuzo nezivumelwano zodluliselo lwento:** Le mvume mayifundwe nezi zivumelwano zilandelayo zolwabelwano ngenzuzo nezivumelwano zodluliselo lwento ekungene kuyo nabachaphazelekayo ezibonwe kwicandelo lama-82(1) loMthetho weZilwanyana nezityalo ezahlukeneyo.

_____

_____

10. **Iimeko: Le mvume ikhuphe isihloko kwezi meko zilandelayo–**

10.1. Umnikazi-mvume akanakudlulisela izityalo ezizikhulelayo zemveli apho imvume inxulumene neyomnye umntu ngaphandle kwemvume eyazisiweyo yegunya elikhuphayo kuqala ngokuthi kubhalwe malunga nemvume yothumelo kwelinye ilizwe kwaye lolo luphantsi kwesivumelwano esibhaliweyo esinezigqibo ezingathintelwanga kunezo zibakho kumnikazi-mvume malunga nale mvume nazo neziphi izivumelwano ekubhekiselwe kuzo kumhlathi we-9;

10.2. umnini-mvume makangenise ingxelo yenkqubela-phambili kwigunya elikhuphayo kunyaka omnye womhla wale mvume ze emva koko rhoqo ngonyaka.

10.3. ukuba abantu abasebenzisanayo bangene kwiprojekthi yokuhlola izilwanyana nezityalo ezohlukeneyo ekhutshelwe yona imvume, umnini-mvume makazise igunya elikhuphayo ngokulibhalela.

10.4. yonke imali elilungelo kwabachaphazelekayo malunga nesivumelwano sokwabelana ngenzuzo mayihlawulwe kwiNgxowa-mali yokuHlola izilwanyana nezityalo ezohlukeneyo, njengoko kufunwa licandelo lama-85(1) loMthetho; kwaye

10.5. umnikazi-mvume uyakuba noxanduva leendleko ekudambiseni nasekuncedeni impembelelo yokuhlola izilwanyana nezityalo ezohlukeneyo kwindalo, ngokungqinelana necandelo lama-28

loMthetho woLawulo lweNdalo yeSizwe, unombolo-107 ka-1998; kwaye

10.6. (iimeko ezingezinye ezikhoyo mazifakwe apha)_____

10.7. _____

Isayinwe nguMphathiswa weMicimbi yokusiNgqongileyo noKhenketho

_____

Sayina

_____

Umhla

ISIHLOMELO SESI-5

IMVUME EHLANGENEYO YOTHUMELO KWELINYE ILIZWE NEMVUME YOKUHLOLA IZILWANYANA NEZITYALO EZOHLUKENEYO

Le mvume ikhutshwa malunga noMmiselo we-12 wemiMiselo yokuhlola izilwanyana nezityalo ezohlukeneyo, Ukufikelela noLwabiwo lweNzuzo

1. **Igama lomnini-mvume:**

   _____

2. **Idilesi yomnini-mvume yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili:**

   _____

3. **Igama lomntu ojongene nokuhlola izilwanyana nezityalo ezohlukeneyo (ukuba wohlukile kumnini-mvume):**_____

4. **Inombolo yesazisi yomnini-mvume okanye yomntu ojongene nokuhlola izilwanyana nezityalo ezohlukeneyo:**

   _____

5. **Ukuba isicelo yayisisicelo sabantu abahlangeneyo, amagama abo nabaphi abafaki-sicelo:**

   _____

   _____

6. **Iinkcukacha zoqhagamshelwano zabo bonke abanye abafaki-sicelo:**

   _____

   _____

7. **Igama neenkcukacha zoqhagamshelwano zomrhwebi ongenisa elizweni:**

   _____

   _____

8. **Indalo yemvume:** Le mvume igunyazisa umnikazi-mvume ukuba asebenzise ezi zityalo zizikhulelayo zemveli zilandelayo ngeenjongo yokuhlola izilwanyana nezityalo ezohlukeneyo, ngobuninzi obucacisiweyo nokuqokelela izityalo ezizikhulelayo zemveli kwiindawo ezimiselweyo ngezantsi:

Uhlobo lwento ephilayo	**Udidi lwazo, uhlobo okanye udidi (Amagama azo ngokwenzul ulwazi nalawo aqhelekileyo)**	**Indlela eza kuthunyel wa ngalo kwelinye ilizwe**	**Ubuninzi (Bonisa ukuba kukho izithintelo kubuninzi bemilingani selo)**	**Indawo le zithuny elwa kuyo kwelin ye ilizwe**	**Indawo le zingeni swa kuyo elizwen i**	**Iinkcukacha ezizeleyo zendawo (izifundo zeGIS ukuba kuyenzeka)**

9. **Ubude bexesha lemvume:** Le mvume inexesha kude kube _____**.**

10. Izivumelwano zolwabelwano ngenzuzo nezivumelwano zokudluliselwa kwento: Le mvume mayifundwe nezi zivumelwano zolwabelwano ngenzuzo nezivumelwano zokudluliselwa kwento zilandelayo ezingene nabachaphazelekayo ezibonwe kwicandelo lama-82(1) loMthetho weZilwanyana nezityalo ezahlukeneyo.

_____

_____

11. Iimeko: Le mvume ikhuphe umba oyintloko kwezi meko zilandelayo –

11.1. Umnikazi-mvume angasebenzisa izityalo ezizikhulelayo zemveli kwezi njongo zilandelayo kuphela:

_____

_____

11.2. umnikazi-mvume makavumelane nazo zonke iimfuno zomthetho wothumelo kwelinye ilizwe olusemthethweni lwezityalo ezizikhulelayo zemveli;

11.3. Umnikazi-mvume akanakudlulisela izityalo ezizikhulelayo zemveli apho imvume inxulumene neyomnye umntu ngaphandle kwemvume eyazisiweyo yegunya elikhuphayo kuqala ngokuthi kubhalwe malunga nemvume yothumelo kwelinye ilizwe kwaye lolo luphantsi kwesivumelwano esibhaliweyo esinezigqibo ezingathintelwanga kunezo zibakho kumnikazi-mvume malunga nale mvume nazo neziphi izivumelwano ekubhekiselwe kuzo kumhlathi we-10;

11.4. umnikazi-mvume makangenise ingxelo yenkqubela-phambili kwigunya elikhuphayo kunyaka omnye womhla wale mvume ze emva koko rhoqo ngonyaka;

11.5. ukuba abantu abasebenzisanayo bangene kwiprojekthi yokuhlola izilwanyana nezityalo ezohlukeneyo ekhutshelwe yona imvume, umnikazi-mvume makazise igunya elikhuphayo ngokulibhalela;

11.6. yonke imali elilungelo kwabachaphazelekayo malunga nesivumelwano sokwabelana ngenzuzo mayihlawulwe kwiNgxowa-mali yeUkuhlola izilwanyana nezityalo ezohlukeneyo, njengoko kunyanzeliswa licandelo lama-85(1) loMthetho; kwaye

11.7. umnikazi-mvume uyakuba noxanduva leendleko ekudambiseni nasekuncedeni impembelelo yokuhlola izilwanyana nezityalo ezohlukeneyo kwindalo, ngokungqinelana necandelo lama-28

loMthetho woLawulo lweNdalo yeSizwe, unombolo-107 ka-1998; kwaye

11.8. iimeko ezingezinye ezikhoyo mazifakwe apha

_____

11.9. _____

Isayinwe nguMphathiswa weMicimbi yeNdalo noKhenketho

_____

Sayina

_____

Umhla

ISIHLOMELO SESI-6

IMVUME YOTHUMELO KWELINYE ILIZWE NGENJONGO YOKUQHUBA UPHANDO KUNOKUHLOLWA KWEZILWANYANA NEZITYALO EZOHLUKENEYO

Le mvume ikhutshwa malunga noMmiselo we-13 wemiMiselo yokuhlolwa kwezilwanyana nezityalo ezohlukeneyo, Ukufikelela noLwabiwo lweNzuzo

1. **Igama lomnikazi-mvume:**

_____

2. **Idilesi yomnini-mvume yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi, nedilesi ye-imeyili:**

_____

3. **Igama lomntu ojongene nokuhlola izilwanyana nezityalo ezohlukeneyo (ukuba wohlukile kumnini-mvume):**

_____

4. **Inombolo yesazisi yomnini-mvume okanye yomntu ojongene nokuhlola izilwanyana nezityalo ezohlukeneyo:**

_____

5. **Ukuba isicelo yayisisicelo sabantu abahlangeneyo, amagama abo nabaphi abafaki-sicelo:**

_____

_____

6. **Iinkcukacha zoqhagamshelwano zabo bonke abanye abafaki-sicelo:**_____

_____

7. **Igama neenkcukacha zoqhagamshelwano zomrhwebi ongenisa elizweni:**

_____

_____

8. **Indalo yemvume:** Le mvume igunyazisa umnini-mvume ukuba athumele kwelinye ilizwe, ngobuninzi obucacisiweyo, ezi zityalo zizikhulelayo zemveli zilandelayo ngenjongo yokuqhuba uphando kunokuhlolwa kwezilwanyana nezityalo ezohlukeneyo.

Uhlobo lwento	**Udidi lwazo, uhlobo okanye**	**Indlela eza kuthunyelwa ngalo**	**Ubuninzi (Bonisa ukuba**	**Indawo le zithu**	**Indawo le zingeni**	**Iinkcukacha ezizeleyo zendawo**

ephilayo	udidi (Amagama azo ngokwenzul ulwazi nalawo aqhelekiley o	kwelinye ilizwe	kukho izithintelo kubuninzi bemilingani selo)	nyelw a kuyo kweli nye ilizwe	swa kuyo elizwen i	(izifundo zeGIS ukuba kuyenzeka)

9. Ubude bexesha lemvume: Le mvume inexesha kude kube _____**.**

10. Iimeko: Le mvume ikhuphe isihloko kwezi meko zilandelayo –

10.1. izityalo ezizikhulelayo zemveli apho imvume, zingasetyenziselwa kuphela ezi njongo zophando zingezizo ezorhwebo:

_____

_____

10.2 umnikazi-mvume makavumelane nazo zonke iimfuno zomthetho wothumelo kwelinye ilizwe olusemthethweni lwezityalo ezizikhulelayo zemveli;

10.3 izityalo ezizikhulelayo zemveli apho imvume ifana azinakusetyenziselwa ngeenjongo zokuhlolwa kwezilwanyana nezityalo ezohlukeneyo,

10.4 umnini-mvume uyakuba noxanduva leendleko ekudambiseni nasekuncedeni impembelelo yokuhlolwa kwezilwanyana nezityalo ezohlukeneyo kwindalo, ngokungqinelana necandelo lama-28 loMthetho woLawulo lweNdalo yeSizwe, unombolo-107 ka-1998; kwaye

10.5 umnikazi-mvume akanakudlulisela izityalo ezizikhulelayo zemveli nakomphi omnye umntu ngaphandle kwemvume eyazisiweyo kuqala ngokubhala yegunya elikhuphayo malunga nemvume yothunyelo kwelinye ilizwe kwaye lolo luphantsi kwesivumelwano esibhaliweyo esinezigqibo ezingathintelwanga kunezo zibakho kumnikazi-mvume malunga nale mvume. Igunya elikhuphayo aliyi kuyinika le mvume ukuba omnye umntu ujolisa ekusebenziseni ezi zibonelelo ngeenjongo zokuhlola izilwanyana nezityalo wzohlukeneyo;

10.6 umnikazi-mvume makangenise ingxelo yenkqubela-phambili kwigunya elikhuphayo ngo_____ okanye, enye indlela, kunyaka omnye womhla wokukhutshwa kwale mvume (cima kwanto engenokusetyenziswa). Emva koko, umnikazi-mvume makangenise iingxelo zenkqubela-phambili rhoqo ngonyaka, okanye enye indlela ngo _____ (cima kwanto engenokusetyenziswa);

10.7 ukuba abantu abancedisanayo abatsha bangene kolu phando ebelikhutshelwe le mvume, umnikazi-mvume makazise igunya elukhuphayo ngokulibhalela; kwaye

10.8 iimeko ezingezinye ezikhoyo mazifakwe apha. _____

10.9 _____

Isayinwe liLungu lesiGqeba seBhunga leMicimbi yeNdalo

_____

Sayina

_____

Umhla

ISIHLOMELO SESI-7

ISIVUMELWANO SOKUTSHINTSHISELANA NGENTO

Izinto emaziqatshelwe:

1. Le mvume mayingenwe ngabafaki-sicelo belungiselela imvume nabo nabaphi na abachaphazelekayo abachaziweyo malunga nemiMiselo enikela okanye efikelelisa kwizityalo ezizikhulelayo zemveli.
2. Ukuba kukho ngaphezulu komnye ochaphazelekayo makungene isivumelwano esohluliweyo naye ngamnye ochaphazelekayo.
3. Ukuba akukho sithuba soneleyo kule fomu, ingcaciso eyongeziweyo ingabandakanywa ngendlela yezihlomelo. Enye indlela, amaqela angonyula ukusebenzisa iifomu zawo ezinesithuba esoneleyo soMmiselo ngamnye, ukuba nje ezofomu zilandela indlela yale fomu.
4. Amaqela kwesi sivumelwano mawasayine isivumelwano kwisithuba esibonakalisiweyo kwaye aze abeke unobumba wokuqala wegama kuwo onke amanye amaphepha esivumelwano, ebandakanya neziphi izihlomelo.

Amaqela kwisivumelwano

1. Umamkeli wezityalo ezizikhulelayo zemveli, ukuba umamkeli liqumrhu elinelungelo:

1.1. Igama leziko okanye iqumrhu:

_____

_____

1.2. Inombolo yobhaliso yeziko okanye iqumrhu:

_____

1.3. Inkcukacha zoqhagamshelwano zeziko okanye iqumrhu (ubandakanya idilesi yeposi/elifumaneka kuyo ngokuma, umnxeba, ifeksi nedilesi ye-imeyili): _____

_____

1.4. Igama lomntu emakuqhagamshelwane naye kwiziko okanye iqumrhu (qhoboshela ikopi eqinisekisiweyo yesazisi):_____

_____

1.5. Isikhundla somntu ekuza kuqhagamshelwana naye:

_____

2. Umamkeli wezityalo ezizikhulelayo zemveli, ukuba umamkeli ngumntu nje

2.1. Igama lomamkeli: _____

2.2. Inombolo yesazisi yomamkeli:

_____

2.3. Iinkcukacha zoqhagamshelwano zomamkeli (ubandakanya idilesi yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili):_____

_____

3. Umboneleli ngethuba lokufikelela kwizityalo ezizikhulelayo zemveli

3.1. Igama: _____

3.2. Isikhundla: _____

3.3. Ukuba ungena kwisivumelwano ngesikhundla esimelweyo, xela igama lentloko: _____

3.4. Iinkcukacha zoqhagamshelwano (ubandakanya idilesi yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili):

_____

_____

4. Izityalo ezizikhulelayo zemveli

Uhlobo, ubuninzi novimba wezityalo ezizikhulelayo zemveli apho esi sivumelwano sinxulumeneyo –

Uhlobo lwento ephilayo	**Udidi lwazo, uhlobo okanye udidi (Amagama azo ngokwenzulu lwazi nalawo aqhelekileyo) (ukuba kuyenzeka)**	**Indawo yento ephilayo emayiqokelelwe**	**Ubuninzi (Izithintelo kubuninzi bemilinganiselo)**	**Iinkcukacha ezizeleyo zendawo (izifundo zeGIS ukuba kuyenzeka)**

5. Imisebenzi yangoku yezityalo ezizikhulelayo zemveli -

Imisebenzi enokwenzeka ekhoyo yezityalo ezizikhulelayo zemveli emaziqokelelwe yile ilandelayo -

_____

_____

6. Injongo yokuthumela kwelinye ilizwe (ukuba ikhona)

Izityalo ezizikhulelayo zemveli mazithunyelwe kwelinye ilizwe ngezi njongo zilandelayo –

_____

_____

7. Abanye abantu

Umamkeli makabonelele kuphela neziphi izityalo ezizikhulelayo zemveli ezinjalo okanye inzala yabo kwabanye abantu malunga nezimeko zilandelayo (faka inkcukacha ngezantsi) -

_____

_____

Umamkeli uyavuma ukuthatha amanyathelo afanelekileyo ukunqanda izityalo ezizikhulelayo zemveli eziza kulawulo lwakhe namphi omnye umntu ongagunyaziswanga.

11. Isivumelwano esipheleleyo

Esi sivumelwano simisa isivumelwano esipheleleyo phakathi kwamaqela ngokubhekisele kumxholo wesi sivumelwano kwaye akukho songeso kuso, ukuguquguka okanye ukurhoxiswa kwesi sivumelwano okanye iphepha elirhoxisa neliphi ilungelo eliya kunyanzeliswa okanye isiphumo ngaphandle kokuba babhalile kwaze kwasayinwa ngamaqela akwesi sivumelwano.

Makusayine umfaki-sicelo semvume: _____Umhla:

_____

Isikhundla somntu osayine isigqibo:

_____

Egameni lika:

_____

Makusayine umboneleli ofikelelisa kwinto eyimfuno: _____Umhla:

_____

Isikhundla somntu osayine isigqibo:

_____

Egameni lika:

_____

Siphunyezwe nguMphathiswa weMicimbi yeNdalo noKhenketho

_____

Sayina

_____

Umhla

ISIHLOMELO SESI-8
ISIVUMELWANO SOKWABELANA NGENZUZO

Izinto emaziqatshelwe:

1. Le mvume mayingenwe ngabafaki-sicelo belungiselela imvume nabo nabaphi na abachaphazelekayo abachaziweyo malunga nemiMiselo enikela okanye efikelelisa kwizityalo ezizikhulelayo zemveli.
2. Ukuba kukho ngaphezulu komnye ochaphazelekayo makungene isivumelwano esohluliweyo naye ngamnye ochaphazelekayo.
3. Ukuba akukho sithuba soneleyo kule fomu, ingcaciso eyongeziweyo ingabandakanywa ngendlela yezihlomelo. Enye indlela, amaqela angonyula ukusebenzisa iifomu zawo ezinesithuba esoneleyo soMmiselo ngamnye, ukuba nje ezofomu zilandela indlela yale fomu.
4. Amaqela kwesi sivumelwano mawasayine isivumelwano kwisithuba esibonakalisiweyo kwaye aze abeke unobumba wokuqala wegama kuwo onke amanye amaphepha esivumelwano, ebandakanya neziphi izihlomelo.

1. Isicelo semvume ukuba umfaki-sicelo liqumrhu elinelungelo

1.1. Igama leziko okanye iqumrhu:

_____

1.2. Inombolo yobhaliso yeziko okanye iqumrhu:

_____

1.3. Iinkcukacha zoqhagamshelwano zeziko okanye iqumrhu (ubandakanya idilesi yeposi/elifumaneka kuyo ngokuma, umnxeba ifeksi nedilesi ye-imeyili):_____

_____

1.4. Igama lomntu emakuqhagamshelwane naye kwiziko okanye iqumrhu:

_____

1.5. Isikhundla somntu ekuza kuqhagamshelwana naye:

_____

2. Isicelo semvume ukuba umfaki-sicelo ngumntu nje

2.1. Igama lomfaki sicelo:

_____

2.2. Inombolo yesazisi yomfaki-sicelo:

_____

2.3. Iinkcukacha zoqhagamshelwano zomamkeli (ubandakanya idilesi yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili):

_____

3. Umboneleli ngethuba lokufikelela kwizityalo ezizikhulelayo zemveli (ukuba ngaba ukhona)

3.1. Igama: _____

3.2. Isikhundla:

_____

3.3. Ukuba ungena kwisivumelwano ngesikhundla esimelweyo, xela igama lentloko: _____

_____

3.4. Iinkcukacha zoqhagamshelwano (ubandakanya idilesi yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili):

_____

_____

4. Uluntu lwemveli (ububa ngaba lukhona)

4.1. Inkcazelo yoluntu lwemveli:

_____

_____

4.2. Igama lommeli woluntu lwemveli oza kusayina ezi sivumelwano egameni loluntu lwemveli: _____

4.3. Isikhundla:

_____

4.4. Inkcukacha zoqhagamshelwano (ubandakanya idilesi yeposi/afumaneka kuyo ngokuhlala, umnxeba, ifeksi nedilesi ye-imeyili) zommeli woluntu lwemveli:

_____

Isisombululo esamkelweyo luluntu lwemveli masiqhotyoshelwe kule fomu. Isisombululo masingqine ukuba ummeli woluntu lwemveli oxeliweyo ngasentla ugunyazisiwe ukungena kwesi sivumelwano egameni loluntu lwemveli; ukuba uluntu lwemveli lunolwazi oluzeleyo lweprojekthi yokuhlola izilwanyana nezityalo ezohlukeneyo; kwa nokuba iyakuvumela ukungena kwesi sivumelwano solwabelwano ngenzuzo.

5. Uhlobo nobuninzi bezityalo ezizikhulelayo zemveli

Esi sivumelwano siqonda izityalo ezizikhulelayo zemveli ezilandelayo- (balula apha ngezantsi izinto eziyimfuno, ubuninzi bezinto eziyimfuno nendawo okanye uvimba apho ezi zinto ziyimfuno maziqokelelwe khona okanye zifunyanwe)

Uhlobo lwento ephilayo	**Udidi lwazo, uhlobo okanye udidi (ukuba kuyenzeka)** (Amagama azo	**Indawo yento ephilayo emayiqokelelwe**	**Ubuninzi (Izithintelo kubuninzi bemilinganiselo)**	**Iinkcukacha ezizeleyo zendawo (izifundo zeGIS ukuba kuyenzeka)**

	ngokwenzulul wazi nalawo aqhelekileyo)			

6. Imisebenzi yangoku yezityalo ezizikhulelayo zemveli

Imisebenzi enokwenzeka ekhoyo yezityalo ezizikhulelayo zemveli emaziqokelelwe yile ilandelayo -

_____

_____

7. Umsebenzi ofuna ukwenziwa ngezityalo ezizikhulelayo zemveli

Indlela nobungakanani bezityalo ezizikhulelayo zemveli emazisetyenziswe ngeenjongo zokuhlola izilwanyana nezityalo ezohlukeneyo (ziinkcukacha ezimisiweyo) –

_____

_____

8. Usetyenziso okanye ulwazi oluqhelekileyo (ukuba ngaba lukhona)

Uluntu lwemveli oluliqela kwesi sivumelwano lunolu lwazi lundandelayo lwezityalo ezizikhulelayo zemveli okanye lwaluqhele ukuzisebenzisa ngale ndlela ilandelayo –

_____

9. Ukwabelana kwinzuzo

Inzuzo iyakohluka kakhulu kwisihlo ngesihlo nangobukhulu, inzuzo iyakohluka ngokuxhomekeka ekubeni ochaphazelekayo unika ithuba lokufikelela kwizityalo ezizikhulelayo zemveli okanye luluntu lwemveli. Uluhlu olungezantsi lunika imizekelo yenzuzo zemali nezo zingezozemali ezingathi zivele kwiiprojekthi zokuhlola izilwanyana nezityalo ezohlukeneyo. Uluhlu lokuqala lunxulumene kakhulu ukuba ochaphazelekayo kwesi sivumelwano ubonelela okanye unika ithuba lokufikelela kwizityalo ezizikhulelayo zemveli ngexesha uluhlu lwesibini lunxulumene kakhulu ukuba ochaphazelekayo kwesi sivumelwano iluluntu lwemveli. Phawula ibhloko nganye ekhoyo kwesi sivumelwano uze uchaze ngezantsi ukuba ngubani oyakuba ngumxhamli wenzuzo nganye nobungakanani benzuzo (nika uxwebhu oluxhasayo apho kuyimfuneko).

Makugcwaliswe ukuba ochaphazelekayo unikela ngethuba lokufikelela kwizityalo ezizikhulelayo zemveli

Ezingezozemali, ezemali neenzuzo 'ngempahla'			
Ulwamkelo lwamaqela anikela ngethuba lokufikelela kwizinto eziyimfuno		Irisithi yemiboniso inamaziko esizwe	
Iziphimo zophando neekopi zamaphepha		Ukuthatha inxaxheba kwabaseMzantsi Afrika kuphando	
Inkxaso yolondolozo		Ukufikelela kuqokelelo kumazwe-ngamazwe ngabaseMzantsi Afrika	

Uhlobo lwezintlu zeempahla		Ukwamkelwa nokunyuselwa kolwazi okanye usetyenziso oluqhelekileyo	
Uqeqesho nenkxaso yabafundi		Iiprojekthi zophuhliso loluntu	
Uphuhliso lwesikhundla senzululwazi		Imfundo ngendalo	
Udluliselo lolwazi ngobugcisa jikelele		Imali ehlawulwayo	
Uphando oluhlangeneyo		Iimali ezihlawulwa abo kwenziwa kubo uphando	
Ingcaciso		Iintlawulo ezenziwa kwangethuba	
Izixhobo nezibonelelo zokusebenza		Iintlawulo zeziganeko ezibalulekileyo	
Ezinye (cacisa)		Ezinye iinzuzo zemali (cacisa)	
Ezinye (cacisa)		Ezinye (cacisa)	

_____

_____

Makugcwaliswe ukuba ochaphazelekayo luluntu kwemveli

Ezingezozemali, ezemali neenzuzo ‘ngempahla’			
Uthungelwano oluqhubekayo lweenjongo eziphambili zokuhlola izilwanyana nezityalo ezizikhulelayo,		Iikopi zezindululo, iingxelo nopapasho	

iindlela ezisetyenzisiweyo nokufunyenweyo, kuguqulelwe kwiilwimi zengingqi			
Izibhengezo ezenziwe lula kwaye zathandeka, iincwadi zokufunda, iincwadana namanye amaxwebhu aguqulelwe kwiilwimi zengingqi		Ukwamkelwa nokunyuselwa kolwazi okanye usetyenziso oluqhelekileyo	
Abantu abenze kunye umsebenzi wokubhala neyokupapasha		Indawo yokuhlala yemiboniso	
Ukufikelela kwiinkcukacha ezigciniweyo zophando		Izibonelelo zophuhliso neeprojekthi zemfundo ngendalo	
Iikopi zeefoto nezilayidi		Imali ehlawulwayo (umzekelo, yokulumana indlebe, abancedisi, ukukhokelwa, ukusetyenziswa kwamaziko oncedo nezibonelelo zokusebenza)	
Uquko kuphando lwabantu abasebenzisanayo bengingqi, abancedisi, ukhokelo nabazisi		Iimali ezihlawulwa abo kwenziwa kubo uphando	
Ukuqeqeshwa kwabantu bengingqi njengokufanelekileyo kwinzululwazi ezinxulumeneyo, kwimiba esemthethweni neyolawulo		Iintlawulo ezenziwa kwangethuba	
Izixhobo nenkxaso yezibonelelo zokusebenza		Iintlawulo zeziganeko ezibalulekileyo	

Abakunye ekubeni ngabanini bawo nawaphi amalungelo omhlaba		Ezinye iinzuzo zemali (cacisa)	
Ezinye (cacisa)		Ezinye (cacisa)	

_____

_____

10. Ukuhlawulwa kweenzuzo

Yonke imali evelayo yesi sivumelwano neli lungelo lalo neliphi iqela kwesi sivumelwano mayihlawulwe kwiNgxowa-mali yokuHlola izilwanyana nezityalo ezohlukeneyo.

11. Ukuhlolwa kwakhona kwesivumelwano

Esi sivumelwano sakufunyanwa qho _____ **(beka ixesha ekugqitywe ngalo)**, ngenjongo yokuhlomela isivumelwano ukuba kuyimfuneko. Inyanga enye phambi kwalo lonke uhlolo kwakhona, umnikazi-mvume makadandalazise nayiphi ingcaciso efumanekayo entsha ngokubhekisele kuhlolo lwezilwanyana nezityalo ezohlukeneyo kubo bonke abachaphazelekayo ukwenzela ukuba abachaphazelekayo babe nako ukuthatha inxaxheba kuhlolo kwakhona kwisiseko ebesisele sazisiwe.

12. Eminye imiba

Neyiphi eminye imiba okanye iimeko kwesi sivumelwano amaqela anqwenela ukuyishicilela ingaqhotyoshelwa kwesi sivumelwano njengesihlomelo.

Ikopi yesi sivumelwano mayihlaliswe kuMlawuli-Jikelele weSebe leMicimbi yeNdalo noKhenketho kwinyanga enye yokuba isivumelwano sigqityiwe.

Esi sivumelwano simisa isivumelwano esipheleleyo phakathi kwamaqela ngokubhekisele kumxholo wesi sivumelwano kwaye akukho songeso kuso, ukuguquguka okanye ukurhoxiswa kwesi sivumelwano okanye iphepha

elirhoxisa neliphi ilungelo eliya kunyanzeliswa okanye isiphumo ngaphandle kokuba babhalile kwaze kwasayinwa ngamaqela akwesi sivumelwano.

Makusayine umfaki-sicelo semvume: _____ **Umhla:** _____

Isikhundla somntu osayine isigqibo:

_____

Egameni lika:

_____

Ubungqina bequmrhu elinelungelo, ukuba ngana likhona

Igama lequmrhu elinelungelo:

_____

Makusayine igosa eligunyazisiweyo eliphuma kwiqumrhu elinelungelo:

_____ **Umhla:** _____

Makusayine umboneleli ofikelelisayo kwizityalo ezizikhulelayo zemveli:

_____ **Umhla:** _____

Isikhundla somntu osayine isigqibo:

_____

Egameni lika: _____

Makusayine ummeli woluntu lwemveli:

_____ **Umhla:**

_____

Isikhundla somntu osayine isigqibo:

_____

Egameni lika:

_____

Siphunyezwe nguMphathiswa weMicimbi yeNdalo noKhenketho

_____

Sayina

_____

Umhla

ISAZISO SOKUKHULULWA

ISEBE LEMICIMBI YENDALO NOKHENKETHO

No. R…. **……2008**

ULAWULO LWENDALO YESIZWE: UMTHETHO WEZILWANYANA NEZITYALO EZOHLUKENEYO, KA-2004:
ISAZISO SOKUKHULULWA MALUNGA NESAHLUKO SAMA-86

UMphathiswa weMicimbi yokusiNgqongileyo noKhenketho ukhululwe kwiCandelo lesi-6 lomthetho wezityalo ezizikhulelayo zemveli okanye imisebenzi emisiweyo kuLudwe lwenkqubo yangaphambili malunga necandelo lama-86 loLawulo lweNdalo yeSizwe: uMthetho weZilwanyana nezityalo ezohlukeneyo, ka-2004 (uMthetho ongunombolo-10 ka-2004).

Uludwe lwenkqubo

Iinkcazelo

1. Kwesi saziso, ngaphandle kokuba umxholo ubonisile, igama okanye ingcaciso apho intsingiselo inikiweyo kuMthetho weZilwanyana nezityalo ezohlukeneyo, okanye kukuHlola izilwanyana nezityalo ezohlukeneyo, Ukufikelela neMimiselo yoKwabiwa kweNzuzo, linentsingiselo enye, kwaye -

"UMthetho weZilwanyana nezityalo ezohlukeneyo" uthetha uLawulo lweNdalo yeSizwe: uMthetho weZilwanyana nezityalo ezohlukeneyo, ka-2004 (uMthetho onguNombolo-10 ka-2004);

"umhloli wezilwanyana nezityalo ezohlukeneyo" uthetha umntu nje okanye iqela elinelungelo elizibopha kwinqanaba lokwenza urhwebo lweprojekthi yokuhlola izilwanyana nezityalo ezohlukeneyo;

"ukusetyenziswa ekhaya" kuthetha izityalo ezizikhulelayo zemveli zosetyenziso oluthe ngqo okanye eminye imisebenzi eqhelekileyo kwaye ekhuphela bucala uphuhliso lweemveliso ezintsha zorhwebo okanye ukuzisebenzisela kushishino nokuba uwedwa okanye nisebenzisana nomnye umntu;

"*ex situ* izityalo ezizikhulelayo zemveli" ithetha izityalo ezizikhulelayo zemveli ezenzeka kwiingqokelela ngaphandle komkhwa wazo wendalo;

"ubomi basendle" bubandakanya ezilwanyana ezanyisayo, iintaka, izilwanyana ezirhubuluzayo, eziphila emhlabeni nasemanzini, izilwanyana ezibizwa ngokuba zi-*arthropods*, intlanzi nezityalo.

Izikhululo

2. Le misebenzi ilandelayo enxulumana nezityalo ezizikhulelayo zemveli ikhululwe kwiSahluko sesi-6 soMthetho –

2.1. uphando kunokuhlola izilwanyana nezityalo ezizikhulelayo, ngaphandle ngokuba uphando luqhutywe phakathi kwemida yeli kwaye uphando aluqhutywa ngeenjongo zorhwebo okanye ukuzisebenzisela ushishino;

2.2. ukuthunyelwa ngaphandle kwe-*ex situ* izityalo ezizikhulelayo zemveli ngeenjongo zophando kunokuba kuhlolwe izilwanyana nezityalo ezohlukeneyo, ngaphandle kokuba umthumeli kwelinye ilizwe ungene kwisivumelwano sokuthumela kwelinye ilizwe waze wazisa igunya elikhuphayo esele lixeliwe;

2.3. urhwebo lweemveliso zokuzisebenzisela ezithengwe kumhloli wezilwanyana nezityalo ezohlukeneyo, ngaphandle kokuba umhloli wezilwanyana nezityalo ezohlukeneyo uthe wavumelana neMimiselo kuhlolo lwezilwanyana nezityalo ezohlukeneyo, Ukufikelelisa noLwabelwano ngeNzuzo;

2.4. ukugcinwa, ukufuywa, ukulima, ukuhanjiswa, ukurhweba nokusetyenziswa kwezilwanyana zasendle ezingaboniswanga kuphuhliso nakukuveliswa kwee –

2.4.1. mveliso ezifana neziyobisi, izakha-mzimba zoshishino industrial enzymes , izongo zokutya, ivumba elimnandi, izinto zokuchokoza umzimba, izixubisisi, umxube we-oli netlaka obizwa ngokuba yi-*oleoresins*, imibala nencindi; okanye

2.4.2. iintlobo ngeentlobo zesityalo esitsha neemveliso;

2.5. ukuqokelelwa, ukusetyenziswa, ukwandisa ukulima okanye urhwebo lwezityalo ezizikhulelayo zemveli ukuze zibenokusetyenziswa ekhaya okanye ngeenjongo zokuphila;

2.6. ukwandisa okwenziweyo, uphinda-phindo okanye ukulinywa kodidi lwe*flora* kulungiselelwa ukukhiwa kwentyatyambo apha nakumazwe-ngamazwe nokubakho kweemarike zeentyatyambo zokuhombisa;

2.7. ukufuywa nezilwanyana nokulinywa kwezityalo ezihlala emanzini okanye imisebenzi yokufunywa kweentlobo zezilwanya elwandle

ebandakanya amanzi amatsha nohlobo lwe*marine* evelisa imiboniso ngeenjongo zokuzisebenzisa.