
SATISO SAHULUMENDE

LITIKO LETESIMONDZAWO NETEKUVAKASHA

No. R....

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KUPHATFWA KWESIMONDZAWO KWAVELONKHE: UMTSETFO WE- KWEHLUKAHLUKANA KWENDALO, 2004: IMITSETFOTIMISO YEKUHLWAYWA KWENDALO, KUFINYELELEKA KANYE NEKWABELANA TINZUZO

Indvuna Yetesimondzawo Netekuvakasha, ngaphasi kwesigaba 97(1) (d), (e), (f), (g) na (h) seKuphatfwa kweSimondzawo kwaVelonkhe: Umtsetfo Wekwehlukahlukana Kwendalo, 2004 (Umtsetfo Nombolo 10 wanga-2004), wente leMitsetfotimiso kuShejuli.

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SIHUMUSHO KANYE NENHLOSO YEMITSETFOTIMISO

Tinchazelo

1. KuleMitsetfotimiso, ligama nobe saga lesiniketwe inchazelo kuMtsetfo kunaleyo nchazelo leniketiwe futsi, ngaphandle uma ingcikitsi isho ngaleny indlela –.

“uMtsetfo” kusho kuPhatfwa kweSimondzawo kwaVelonkhe: uMtsetfo Wekwehlukahlukana Kwendalo, 2004 (Kuphatfwa kweSimondzawo kwaVelonkhe: uMtsetfo Wekwehlukahlukana Kwendalo, (Umtsetfo Nombolo 10 wanga-2004).

“nobe nguluphi lolunye Luhlobo lweluphenyo” kusho luphenyo ngaphandle kwekuhlwaya kwendalo futsi -

(a) kufaka ekhatsi kucokelela lokuhlelekile, sifundvo nobe luphenyo lwemitfombolusito yetendalo temvelo, lolwentiwa ngaphasi kwelulawulo lwesikhungo nobe inhlango yekuklaya lecinisekisiwe kutsi itfole lwati lwesayensi; kodwa

(b) kungafaki ekhatsi emaklayo nemaphenyo lenteke ngengoti;

“lofaka sicelo” kusho umuntfu lofake, sicelo semvumo;

“sivumelwano sekwabelana tinzuzo” kusho sivumelwano ngendlela yeSengeto 8, lesiphetfwe phakatsi kwalofaka sicelo semvumo kanye nembambimsuka, lesivumela kwabela kwembambimsuka kwanobe ngutiphi tinzuzo takusasa letingatfolakala ekuhlwayweni kwendalo lehlobene nalesicelo;

“imvumo yekuhlwaya kwendalo” kusho imvumo, lekhishwe ngekulandzela sigaba 88 seMtsetfo, yekungenelela kumgamu wekucala kanye/nobe kumgamu wekutsengiselana wemklamo wekuhlwaya kwendalo;

“Sikhwama Sethrasti yekuHlwaya kweNdalo” kusho Sikhwana (the Fund) lesimiswe sigaba 85(1) seMtsetfo;

“kutsengiselana” kufaka ekhatsi lemisebenti lelandzelako macondzana nemifombolusito yetendalo temvelo -

- (a) yekugcwaliswa kwanobe ngusiphi sicelo semphahla yengcondvo, kungaba seNingizimu Afrika nobe kulenye indzawo;
- (b) kutfola nobe kundlulisa nobe nguwaphi emalungelo emphahla yengcondvo nobe lamanye emalungelo;
- (c) kucala kulinga imitsi kanye nekutfufukisa imikhicito, kufaka ekhatsi kwentiwa kweluklayo lwemakethi kanye nekutfola imvumo yangaphambilini yasemakethe yekutsengisa imikhicito letfolakalako; nobe
- (d) kuphindwaphindwa kwemifombolusito yetendalo temvelo ngekulima, kwandzisa, ropagation, kufananisa nobe letinye tindlela tekutfufukisa kanye nekukhacita imikhicito, njengemitsi, ema-enzyme etimboni, tinongo tekudla, emakha, imitsi lehlanganiswe nemafutsa, ema-oleoresins, imibala kanye netintfo letikhishiwe;

“umgamu wekutsengiselana wemklamo wekuhlwaya kwendalo” kusho nobe nguluphi luklayo, nobe intfufuko nobe sicelo, imifombolusito yetendalo temvelo lapho khona luhlobo kanye nebukhulu banobe ngukuphi kusetjentiswa mbamba nobe kuba khona kwekuhweba nobe timboni macondzana nemklamo kumiswe ngalokuphelele kutsi kungacala inchubo yekutsengiselana;

“umniningwane loyimfihlo” kusho umniningwane lona, uma udzaluliwe, ungaba yingoti kutimfuno tekutsengiselana nobe tetimali telicembu lelente sivumelwano sekwabelana tinzuzo, –

- (a) kufaka ekhatsi –
 - (i) umniningwane ngeluklayo lolwentiwako nobe lolutawentiwa kufaka ekhatsi imininingwane luhlobo lwemifombolusito letitawucokelwa kanye netintfo lapho loluhlobo lwemifombolusito letibaliwe letitawucokelwa khona;

(ii) umningwane wetetimali, wetekutsengiselana, setesayensi kanye nebucwepheshe kufaka ekhatsi timfihlo tekutsengisa;

(iii) lwati lwenzabuko uma ngabe kudzalulwa kwalelo lwati kungaba yingoti kumphakatsi wenzabuko lobalulekile; kodwa

(a) ukhipha umningwane –

(i) losewudzawulile ngekushicelelwa kujunali yetesayensi;

(ii) uma emacembu avumela kudzalulwa kwawo;

“umgamu wekucala wemklamo wekuhlwaya kwendalo” kusho nobe ngukuphi kuklaya entfufukweni, nobe intfufuku nobe kusetjentiswa, kwemitfombolusito yetendalo temvelo lapho khona luhlobo kanye nebukhulu banobe ngukuphi kusetjentiswa mbamba nobe lokungaba khona nobe kwetimboni macondzana nemklamo akucaci ngalokwanele nobe akwatiwa kute kucalwe inchubo yekuhweba;

“imvumo yekutfumela ngaphandle yekuklaya ngaphandle kwekuhlwaya kwendalo” kusho imvumo, lekhishwe ngekulandzela sigaba 88 seMtsetfo, yekutfumela ngaphandle kusuka kuRiphabhuliki nobe nguyiphi imitfombolusito yetendalo temvelo ngetinhloso tekuklaya ngaphandle kwekuhlwaya kwendalo;

“umphakatsi wenzabuko” kusho nobe nguwuphi umphakatsi webantfu labahlala nobe labanemalungelo nobe timfuno endzaweni leyihlukanisiwe ngekhatshi kweRiphabhuliki eNingizimu Afrika lesesakhiwo sebhuli kanye –

(a) nalabo kusetjentiswa kwabo ngekwenzabuko kwemitfombolusito yetendalo temvelo lehlobene nesicelo semvumo, basungule nobe batawufaka sadla nobe bente incenye yekuhlwaya kwendalo lokuphakanyisiwe; nobe

(b) laba lwati lwabo nobe kuvumbulula kwabo ngemitfombolusito yetendalo temvelo lehlobene nesicelo semvumo kutawusetjentiselwa kuhlwaya kwendalo lokuphakanyisiwe;

“kusetjentiswa kwendzabuko nobe lwati” kufaka ekhatsi lwati, tivumbululo nobe kusetjentiswa ngekwendzabuko imitfombolusito yetendalo temvelo, uma lolwati, sivumbululo nobe kusetjentiswa lokusunguliwe kutawufaka sandla nobe kwente incenye yekuhlwaya kwendalo lokuphakanyisiwe nobe umklamo wekuklaya lona lohlobene nesicelo semvumo;

“kutfumela ngaphandle lokuhlangasiwe kanye nemvumo yekuhlwaya kwendalo” kusho imvumo, lekhishwe ngekulandzela sigaba 88 seMtsetfo to tfumela ngaphandle imitfombolusito yetendalo temvelo ngenhloso yekuhlwaya kwendalo;

“sivumelwano sekundluliswa kwemphahla” kusho sivumelwano ngendlela yeSengeto 7 phakatsi kwalofaka sicelo semvumo kanye nemuntfu, kufaka ekhatsi nobe nguwuphi Umtimba wembuso nobe umphakatsi, loniketa nobe lofinyelelisa kumitfombolusito yetendalo temvelo lehlobene nalesicelo;

“NEMA” kusho i-National Environmental Management Act (uMtsetfo wekuPhatfwa kweSimondzawo waVelonkhe), 1998 (Umtsetfo Nombolo 107 wanga-1998)

“imvumo” kusho imvumo lekhishwe ngekulandzela Sehluco 7, kuba yimvumo yekuhlwaya kwendalo; kutfumela ngaphandle lokuhlanganisiwe kanye nemvumo yekuhlwaya kwendalo; nobe imvumo yekutfumela ngaphandle yekuklaya ngaphandle kwekuhlwaya kwendalo;

“kusetjentiswa kwendzabuko nobe lwati” kusho ekusetjentisweni kwesintfu nobe lwati lwemitfombolusito yetendalo temvelo ngumphakatsi wendzabuko, macondzana nemitsetfo nobe lengakabhalwa, kusetjentiswa, emasiko nobe imikhuba lehlonishwa ngekwemvelo, lemukeliwe futsi leyivunywe ngibo, futsi kufaka ekhatsi tivumbululo ngemitfombolusito yetendalo temvelo lebalulekile yalowo mphakatsi.

Inhloso yeMitsetfotimiso

2. Inhloso yaleMitsetfotimiso kutsi -

- (a) kuchutjekwe kulawulwe luhlelo lwemvumo lolubekwe kuSehluko 7 seMtsetfo kuze kube kunyalo njengobe loluhlelo lusebenta ekuhlwayweni kwendalo lokufaka nanobe nguyiphi imitfombolusito yetendalo temvelo nobe kutfumela ngaphandle kusuka kuRiphabhuliki nanobe nguyiphi imitfombolusito yetendalo temvelo ngenhloso yekuhlwaya kwendalo nobe nganobe nguliphi luhlobo lwekuklaya futsi;
- (b) kubeka tincukaca, tetidzingo kanye nendlela yekwabelana tinzuzo kanye netivumelwano tekundluliselwa kwetisetjentiswa.

3. Kusetjentiswa kweMitsetfotimiso

- (1) LeMitsetfotimiso yengamela –
 - (a) lomgamu wekucala kanye/nobe umgamu wekutsengiselana wemklamo wekuhlwaya kwendalo;
 - (b) kutfumela ngaphandle kusuka kuRiphabhuliki kwanobe nguyiphi imitfombolusito yetendalo temvelo ngenhloso yekuhlwaya kwendalo; kanye
 - (c) nekutfumela ngaphandle kusuka kuRiphabhuliki kwanobe nguyiphi imitfombolusito yetendalo temvelo kwanobe nguluphi luhlobo lwekuklaya.

SEHLUKO 1

TIMO LETI KUNGENTIWA NGAPHASI KWATO KUHLWAYA KWENDALO KANYE NEKUKLAYA NGAPHANDLE KWEKUHLWAYA KWENDALO

Kuhlwaya kwendalo

4. (1) Umgamu wekucala kanye/nobe umgamu wekutsengiselana wemklamo wekuhlwaya kwendalo ungentiwa kuphela ngemvumo yekuhlwaya kwendalo lekhishwe yiNdvuna.

(2) Uma ngabe lofaka sicelo semvumo yekuhlwaya kwendalo ahlose kutfumela ngaphandle lemitfombolusito yetendalo temvelo lehlobene nalesicelo,

umuntfu lofaka sicelo kumele afake sicelo kuNdvuna sekutfumela ngaphandle lokuhlanganisiwe kanye nemvumo yekuhlwaya kwendalo.

(3) Indvuna ingakhipha kuphela imvumo yekuhlwaya kwendalo nobe imavumo yekutfumela ngaphandle lehlanganisiwe kanye nemvumo yekuhlwaya kwendalo emva kwekuhlangabetana netidzingo teMitsetfotimiso 8(1) na 9(1).

Kuklaya ngaphandle kwekuhlwaya kwendalo

5. (1) Imitfombolusito yetendalo temvelo ingatfunyelwa ngaphandle kuphela ngenhloso yekuklaya ngaphandle kwekuhlwaya kwendalo ngemvumo yekutfumela ngaphandle lekhishwe siphatsimandla sekukhipha lesiphawulwe kuMtsetfosimiso 6.

(2) Imvumo yekutfumela ngaphandle yekuklaya ngaphandle kwekuhlwaya kwendalo ingakhishwa njengencye yemvumo lehlanganisiwe ngekuya ngekutsi lesiphatsimandla sekukhipha sitfobela sigaba 92 seMtsetfo.

(3) Ngaphambi kwekukhipha imvumo yekutfumela ngaphandle yekuklaya ngaphandle kwekuhlwaya kwendalo, lesiphatsimandla sekukhipha kumele sitfobele iMitsetfotimiso 9(1) na 13(1).

SEHLUKO 2

LUHLELO LWEMVUMO YEKUHLWAYA KWENDALO KANYE NEKUTFUMELA NGAPHANDLE IMITFOMBOLUSITO YETENDALO TEMVELO

Incenye 1: Tikhulu tekukhipha imvumo

Sikhundla setikhulu tekukhipha imvumo

6. (1) Indvuna ngiso siphatsimandla sekukhishwa –

(a) kwetimvumo tekuhlwaya kwendalo timvumo; kanye

(b) kutfumela ngaphandle lokuhlangasiwe nekuhlwaya kwendalo timvumo, uma ngabe imitfombolusito yetendalo temvelo itfunyelwa ngaphandle ngetinhloso tekuhlwaya kwendalo.

(2) Umphatsiswa (i-MEC) ukhetfwe njengesiphatsimandla sekukhipha timvumo tekutfumela ngaphandle, uma ngabe imitfombolusito yetendalo temvelo itfunyelwe ngaphandle ngetinhloso tekuklaya ngaphandle kwekuhlwaya kwendalo, kantsi nemitfombolusito yetendalo temvelo letawutfunyelwa ngaphandle iyacokelelwa, ihlanganisiwe nobe igcinwe kuleso sifundza.

(3) Kuniketwa kwemandla nemisebenti ngusiphatsimandla sekukhipha timvumo kungentiwa ngekulandzela tigaba 42 na- 42A te-NEMA.

Emandla nemisebenti yetikhulu tekukhipha timvumo

7. (1) Siphatsimandla sekukhipha timvumo kumele silungiselele tonkhe ticelo ngekhati kwesikhatsi lesifanele.

(2) Ngaphambi kwekukhipha imvumo ngekulandzela leMitsetfotimiso, siphatsimandla sekukhipha timvumo kumele sitenetise kwekutsi –

(a) umtselela wemisebenti lofanele kumitfombolusito yetendalo temvelo angeke ukhatsalelwe nobe utawuncishiwe futsi ulungiswe; futsi

(b) lomisebenti lofanele angeke uhlakate umtfombolusito wetendalo wendzabuko ngetulu kwelizinga lapho khona kuphelela kwabo kufakwa engcuphelweni.

(5) Ekutfolweni kwesicelo semvumo siphatsimandla sekukhipha imvumo –

(a) kumele sibukisise sicelo;

(b) singadzinga kwekutsi umuntfu lofaka sicelo kumbe nobe ngubaphi babambimsuka kutsi bagcwaliswe umningwane lowengetiwe;

(c). singadzinga kwekutsi umuntfu lofaka sicelo ente luhlolo lwebungoti ngekulandzela sigaba 89 seMtsetfo nobe ngekulandzela nobe nguyiphi imitsetfotimiso lemiswe ngekweMtsetfo.

(3) Emva kwekufinyelela kusincumo ngesicelo semvumo siphatsimandla sekukhipha kumele –

(a) satise umuntfu lofaka sicelo ngesincumo ngekubhala ngekhatsi kwemalanga ekusebenta langu-15 emva kwekwenta sincumo;

(b) uma ngabe sicelo semukeliwe, sikiphe imvumo, sigucule imvumo, nobe sivuselele imvumo, ngendlela lefunwako, ngekhatsi kwemalanga ekusebenta langu-15 emva kwekwenta sincumo;

(c) uma ngabe sicelo singakemukelwa -

(i) satise umuntfu lofaka sicelo ngesincumo ngekubhala ngekhatsi kwemalanga ekusebenta langu-15 emva kwekwenta sincumo;

(ii) sinikete tizatfu tekungavumi; futsi

(iii) satise umuntfu lofaka sicelo ngelilungelo lemuntfu lofaka sicelo lekufaka sikhalo ngesincumo ngekulandzela sigaba 94 seMtsetfo kanye neMtsetfosimiso 16.

(4) Siphatsimandla sekukhipha kumele sicaphele bonkhe baphatsi betimvumo kucinisekisa kutfojijelwa kwetimo tetimvumo.

Timo leti tikhulu tekukhipha timvumo letingakhipha ngato timvumo

8. (1) INdvuna ingakhipha kuphela imvumo yekuhlwaya kwendalo nobe kutfumela ngaphandle lokuhlangasiwe kanye nemvumo yekuhlwaya kwendalo, uma ngabe iNdvuna inetisekile kutsi –

(a) babambimsuka labafanele batfoliwe ngekulandzela imigomo lebekwe kusigaba 82 seMtsetfo;

- (b) kube khona kudzalulwa kwemningwane kubo bonkhe babambimsuka labatfoliwe;
- (c) umuntfu lofaka sicelo utfole imvumo yangaphambilini kunobe nguyiphi umuntfu, kufaka ekhatsi nobe nguwuphi umtimba wembuso nobe umphakatsi loniketa nobe lofinyelelisa kumitfombolusito yetendalo temvelo lehlobene nalesicelo, nekutsi tivumelwano tekundluliselwa kwetisetjentiswa kanye netivumelwano tekwabelana tinzuzo tentiwe nalabo babambimsuka;
- (d) umuntfu lofaka sicelo utfole sivumelwano sangaphambilini semiphakatsi yendzabuko letsintsekile, nekutsi tivumelwano tekwabelana tinzuzo tentiwe naleyo miphakatsi.

(2) Kute atenetise ngekutsi tidzingo seMtsetfo kuhlangubetwane nato kanye nalemitsetfotimiso, iNdvuna ingadzinga umuntfu lofaka sicelo semvumo yekuhlwaya kwendalo nobe yekutfumela ngaphandle lokuhlanguasiwe kanye nemvumo yekuhlwaya kwendalo kutsi -

- (a) akhombise tinyatselo letitsetfwe kute kutfolwe babambimsuka;
- (b) atsatse letinye tinyatselo tekutfole babambimsuka;
- (c) anikete bufakazi bekutsi umningwane lofanele macondzana nekuhlwaya kwendalo udzaluliwe kubabambimsuka labatfoliwe;
- (d) anikete bufakazi bekutsi sivumelwano sangaphambilini seabambimsuka labatfoliwe sitfoliwe.

Incenye 2: Sicelo setimvumo

Lofaka sicelo

- 9. (1) Imvumo ngekweMtsetfo inganiketwa kuphela –
 - (a) kumtimba losemsetfweni lobhalisiwe ngekulandzela umtsetfomgomo waseNingizimu Afrika;

- (b) kumuntfu wemvelo, losakhamuti saseNingizimu Afrika nobe umhlali ngalokuphelele waseNingizimu Afrika;
- (c) umtimba loseemtsetfweni longakabhaliswa ngekulandzela umtsetfomgomo waseNingizimu Afrika nobe umuntfu wenzabuko longesiso sakhamuti saseNingizimu Afrika nobe longesiye umhlali ngalokuphelele waseNingizimu Afrika, uma ngabe lowo mtimba loseemtsetfweni nobe umuntfu wangaphandle afaka sicelo ngekubambisana nemtimba loseemtsetfweni nobe umuntfu wemvelo lekushiwo kuye kumapharagrafu (a) nobe (b) ngetulu.

(2) Lofaka sicelo semvumo kumele -

- (a) adzalule uma, macondzana nemitfombolusito yetendalo temvelo lehlobene nalesicelo –
 - (i) nobe ngabe ngusiphi sicelo semvumo ngekeMtsetfo nobe ngekulandzela nobe ngabe nguwuphi umtsetfo sifakiwe kunobe ngusiphi siphatsimandla kungaba sesikhatsini lesindlulile nobe sikanye nesicelo sanyalo; futsi
 - (ii) akukhatsaleki kutsi lesicelo asikamukelwa nobe siniketiwe kumbe sisabukiwa;
- (b) uma ngabe kuhlwaya kwendalo kwalandzelwa kuklaya ngaphandle kwekuhlwaya kwendalo macondzana nemitfombolusito yetendalo temvelo lehlobene nalesicelo, adzalule luhlobo lwekuklaya kanye nemisebenti lesukela kulesicelo semvumo yekuhlwaya kwendalo.

Inchubo yekufaka ticelo

10. (1) Sicelo semvumo yekuhlwaya kwendalo kumele sifakwe kuNdvuna futsi kumele –

- (a) sibe ngendlela yeNcenyane 1 yeSengeto 2 kuMitsetfotimiso;

(b) sicukatse umningwane lowanele kuvumela iNdvuna kutsi yente luhlolo lolufanele.

(2) Sicelo sekutfumela ngaphandle lokuhlangasiwe kanye nemvumo yekuhlwaya kwendalo kumele sifakwe kuNdvuna futsi kumele -

(a) sibe ngendlela yeTincenye 1 na-2 teSengeto 2 kuleMitsetfotimiso;

(b) sicukatse umningwane lowanele kusita iNdvuna kutsi yente luhlolo lolufanele.

(3) Uma tivumelwano tekundluliselwa kwetisetjentiswa nobe tivumelwano tekwabelana tinzuzo tidzingwa nguMtsetfo, lofaka sicelo semvumo yekuhlwaya kwendalo nobe yekutfumela ngaphandle lokuhlangasiwe kanye nemvumo yekuhlwaya kwendalo kumele afake kulesicelo saleyo mvumo -

(a) tivumelwano tekundluliselwa kwetisetjentiswa letisayiniwe nobe tivumelwano tekwabelana tinzuzo uma ngabe leto tivumelwano tiphetsiwe; nobe

(b) uma ngabe kungakakhonakali kuphetsa leto timvumo, sicelo sekungenelela kweNdvuna ngetinhloso tekukhulumisana ngaletu tivumelwano, ngekulandzela sigaba 82(4)(b) seMtsetfo.

(4) Sicelo semvumo yetinhloso tekutfumela ngaphandle yekuklaya ngaphandle kwekuhlwaya kwendalo kumele sifakwe kuMphatsiswa (MEC) lochazwe kuMtsetfosimiso 6(2) futsi kumele -

(a) sibe ngendlela yeSengeto 3 kuleMitsetfotimiso lena;

(b) sicukatse umningwane lowanele kusita i-MEC kutsi ente luhlolo lolufanele.

Incenye 3: Kukhishwa kwetimvumo kanye nalokucuketfwe timvumo

Kuhlwaya kwendalo timvumo

11. (1) Imvumo yekuhlwaya kwendalo ingakhishwa kuphela uma ngabe -

(a) Indvuna yemukele nobe ngabe ngutiphi tivumelwano tekundluliselwa kwetisetjentiswa nobe tivumelwano tekwabelana tinzuzo letidzingwa nguMtsetfo futsi tifakiwe kuNdvuna; kanye

(b) nekutsi inhlawulo lengabuyiselwa emuva lechazwe kuSengeto 1 seyibhadaliwe.

(2) Imvumo yekuhlwaya kwendalo kumele -

(a) ibe ngendlela yeSengeto 4 kuleMitsetfosimiso;

(b) ichaze lesikhatsi lemvumo letawusebenta ngaso;

(c) ichaze lemitfombolusito yetendalo temvelo lembandzakanywako;

(d) ichaze lelinani lemitfombolusito yetendalo temvelo lembandzakanywako;

(e) ichaze lomtfombo wemitfombolusito yetendalo temvelo;

(f) ibe ngulekhishwe ngekulandzela timo letincunywe yiNdvuna, letimo kumele tifake kutsi -

(i) yonkhe imali lesilele kubabambimsuka ngekulandzela sivumelwano sekwabelana tinzuzo kumele ibhadalwe kuSikhwama seThrasti yekuHlwaya kweNdalo, njengobe kudzingekile kusigaba 85(1) seMtsetfo;

(ii) umniyo wemvumo kumele, kutsi njalo ngemnyaka, afake umbiko wesimo kuNdvuna ngendlela lencunywe yiNdvuna;

(iii) umniyo wemvumo utawubukana netindlelko tekunciphisa nobe kulengisa umtselela wekuhlwaya kwendalo kusimondzawo, ngekulandzela sigaba 28 se-NEMA; kanye

(iv) lemitfombolusito yetendalo temvelo lehlobene nemvumo angeke itsengiswe, yinikelwe nobe yindluliselwe ecenjini lesitsatfu ngaphandle kwemvumo lebhaliwe lephuma kuNdvuna.

Kutfumela ngaphandle lokuhlangasiwe nekuhlwaya kwendalo timvumo

12. (1) Imvumo yekutfumela ngaphandle lokuhlangasiwe kanye nemvumo yekuhlwaya kwendalo ingakhishwa kuphela uma iNdvuna yenetisekile kutsi kutfunyelwa ngaphandle kwemitfombolusito yetendalo temvelo yekuhlwaya kwendalo kutawuba kwenhloso lesetimfuneni tesive, kufaka ekhatsi –

- (a) kulondvolotwa of kwehlukahlukana kwendalo eNingizimu Afrika;
- (b) kutfufukiswa kwetemnotfo weNingizimu Afrika; nobe
- (c) kugcugcutela lwati lwetesayensi kanye nelikhono lebucwepheshe kubantfu baseNingizimu Afrika kanye netikhungo.

(2) Imvumo yekutfumela ngaphandle lokuhlangasiwe kanye nemvumo yekuhlwaya kwendalo kumele –

- (a) ibe ngendlela yeSengeto 5 kuleMitsetfotimiso;
- (b) ichaze lesikhatsi lemvumo letawusebenta ngaso;
- (c) ichaze lemitfombolusito yetendalo temvelo lembandzakanywako;
- (d) ichaze lelinani lemitfombolusito yetendalo temvelo lembandzakanywako;
- (e) ichaze lomtfombo wemitfombolusito yetendalo temvelo;
- (f) ibe ngulekhishwe ngekulandzela timo letincunywe yiNdvuna, letimo kumele tifake kutsi -
 - (i) yonkhe imali lesilele kubabambimsuka ngekulandzela sivumelwano sekwabelana tinzuzo kumele ibhadalwe kuSikhwama seThrasti yekuHlwaya kweNdalo, njengobe kudzingekile kusigaba 85(1) seMtsetfo;
 - (ii) umniyo wemvumo kumele, kutsi njalo ngemnyaka, afake umbiko wesimo kuNdvuna ngendlela lencunywe yiNdvuna;

- (iii) umniyo wemvumo utawubukana netindlelko tekunciphisa nobe kulengisa umtselela wekuhlwaya kwendalo kusimondzawo, ngekulandzela sigaba 28 se-NEMA; kanye
- (iv) lemitfombolusito yetendalo temvelo lehlobene nemvumo angeke itsengiswe, yinikelwe nobe yindluliselwe ecenjini lesitsatfu ngaphandle kwemvumo lebhaliwe lephuma kuNdvuna.

Imvumo yekutfumela ngaphandle yekuklaya ngaphandle kwekuhlwaya kwendalo

13. (1) Imvumo yekutfumela ngaphandle yekuklaya ngaphandle kwekuhlwaya kwendalo ingakhishwa kuphela uma ngabe siphatsimandla sekukhipha lesiphawulwe kuMtsetfosimiso 6 senetisekile kutsi kutfunyelwa ngaphandle kwalemitfombolusito yetendalo temvelo lebalulekile kutawuba kwenhloso lesetimfuneni tesive, kufaka ekhatsi –

- (a) kulondvolotwa kwekwehlukahlukana kwendalo eNingizimu Afrika;
- (b) kutfufukiswa kwetemnotfo waseNingizimu Afrika; nobe
- (c) kugcugcutela lwati lwetesayensi kanye nelikhono lebutwepheshe kubantfu baseNingizimu Afrika kanye netikhungo.

(2) Imvumo yekutfumela ngaphandle yekutfumela ngaphandle kwemitfombolusito yetendalo temvelo yekuklaya ngaphandle ngetinhloso tekwekuhlwaya kwendalo —

- (a) kumele ibe ngendlela yeSengeto 6 kuleMitsetfosimiso;
- (b) kumele ikhombise sikhatsi letawusebenta ngaso;
- (c) kumele ichaze lemitfombolusito yetendalo temvelo lembandzakanywako;
- (d) kumele ichaze linani lemitfombolusito yetendalo temvelo lembandzakanywako;
- (e) kumele ichaze umtumbo wemitfombolusito yetendalo temvelo; futsi

- (f) kumele ibe ngulekhiswe ngekulandzela letimo letilandzelako -
- (i) imitfombolusito yetendalo temvelo lena lehlobene nemvumo, ingasetjentiswa kuphela ngetinhloso letingahlangani nekuklayela kuhweba njengobe kuphawuliwe kumvumo;
 - (ii) imitfombolusito yetendalo temvelo lena lehlobene nemvumo angeke isetjentiselwe tinhloso tekuhlwaya kwendalo;
 - (iii) umniyo wemvumo utawubukana netindlelko tekunciphisa nobe kulengisa umtselela wekuhlwaya kwendalo kusimondzawo, ngekulandzela sigaba 28 se-NEMA; kanye
 - (iv) imitfombolusito yetendalo temvelo lena lehlobene nemvumo angeke itsengiswe, inikelwe nobe indluliselwe ecenjini lesitsatfu ngaphandle kwemvume lebhaliwe yesiphatsimandla sekukhipha, lemvumo lengeke iniketwe uma ngabe licembu lesitsatfu lihlose kusebentisa lemitfombolusito ngetinhloso tekuhlwaya kwendalo; kanye
 - (v) nekutsi umniyo wemvumo kumele, njalo ngemnyaka nobe ngetikhatsi letibekiwe njengobe kuncume siphatsimandla sekukhipha, afake umbiko wesimo kusiphatsimandla sekukhipha ngendlela lencunywe siphatsimandla sekukhipha.

Incenye 4: Tikhalo

Tincumo letingaphasi kwetikhalo

- 14.** (1) Lofaka sicelo angafaka sikhalo, ngekulandzela sigaba 94 seMtsetfo, nganobe ngusiphi sincumo –
- (a) sekwala imvumo;
 - (b) sekutfweswa kwetimo temvumo letingetulu kwaletimo letigunyatiwe letidzingeke kwekutsi tetfweswe ngekulandzela leMitsetfotimiso;
 - (c) sekwesula imvumo.

Inchubo yekufaka tikhalo

15. (1) Sikhalo kumele kumele sifakwe kuNdvuna ngekhatsi kwemalanga langu-30 lawa umuntfu lofaka sicelo latfole ngawo sicelo sesincumo lekufakwa sikhalo ngaso.

(2) Babambimsuka labanenshisakalo kulesikhalo kumele baniketwa ikhophi yalesikhalo futsi kumele batiswe kwekutsi banemalanga langu-15 kusukela ngelusuku lekwaswa kutsi bafake tetfulo macondzana nalesikhalo kuNdvuna.

(3) Sikhalo kumele –

- (a) sibeke tizatfu leti lekukhalelwa tona ngalesincumo;
- (b) sikhombise nobe ngubaphi babambimsuka labanenshisakalo kulesikhalo futsi sinikete bufakazi bekutsi ikhophi yesikhalo iniketiwe kubo bonkhe babambimsuka; futsi
- (c) siphelaketelwe yinhlawulo lengabuyiselelwa emuva lebekwe kuSengeto 1.

SEHLUKO 3

TIVUMELWANO TEKUNDLULISELWA KWETISETJENTISWA, TIVUMELWANO TEKWABELANA TINZUZO KANYE NEKUPHATFWA KWESIKHWAMA SETHRASTI YEKUHLWAYA KWENDALO

Incenye 1: Tivumelwano

Tivumelwano tekundluliselwa kwetisetjentiswa

16. (1) Emacembu kulesivumelwano sekundluliswa kwemphahla ngumuntfu lofaka sicelo kanye nembambimsuka njengobe kuchaziwe kumapharagrafu 82(1)(a) na (b) eMtsetfo labaniketa nobe labafinyelelisa kulemitfombolusito yetendalo temvelo lehlobene nalesicelo.

(2) Indvuna kumele ivume tonkhe tivumelwano tekundluliselwa kwetisetjentswa nobe ngukuphi kuchitjiyelwa kuleto tivumelwano, ngekulandzela sigaba 84(2) seMtsetfo.

(3) Sivumelwano sekundluliswa kwemphahla kumele sibe ngendlela yeSengeto 7 futsi kumele sicukatse lomningwane lephawulwe kusigaba 84(1)(b) seMtsetfo.

Tivumelwano tekwabelana tinzuzo

17. (1) Emacembu kusivumelwano sekwabelana tinzuzo ngumuntfu lofaka sicelo kanye nebabambimsuka labashiwo kusigaba 82(1)(a) na (b) seMtsetfo.

(2) Sivumelwano sekwabelana tinzuzo kumele sibe ngendlela yeSengeto 8 futsi kumele sihambisane netigatjana 83(1) na (2) seMtsetfo;

(3) Ngaphambi kwekuvuma lesivumelwano sekwabelana tinzuzo nobe sichibiyelo kuleso sivumelwano, iNdvuna –

(a) kumele yenetiseke kutsi lesivumelwano sinebulungiswa futsi siyalingana kuwo wonkhe emacembu

(b) ingabonisana nanobe ngumuphi umuntfu lokulungele kuniketa seluleko sebucwepheshe kulesivumelwano; futsi

(c) ingamema imibono yesive ngesivumelwano ngekuya ngekutsi kute umningwane loyimfihlo lotawukhishwa esiveni.

(4) Indvuna ingencaba kuvuma sivumelwano sekwabelana tinzuzo ngaphandle uma ngabe sivumelwano sivumela -

(a) kutfutukiswa kwelwati lwetesayensi kanye nemtsamo webucwepheshe ebantwini, kumitimba yembuso nobe kumiphakatsi yendzabuko kulondvolota, kusebentisa kanye nekutfutukisa imitfombolusito yetendalo temvelo; nobe

(b) ngabe nguwuphi lomunye umsebenti lotfutukisa kulondvolotwa, kusetjentiswa kanye nentfutuko lesimeme yalemitfombolusito yetendalo temvelo lefanele.

(5) Baniyo betimvumo kumele bafake ikhophi yato tonkhe tivumelwano tekwabelana tinzuzo kuMcondzisi-Jikelele, ngekhatsi kwenyanga yinye yekuphetfwa kwesivumelwano nobe ngekhatsi kwenyanga yinye yanobe ngutiphi tichibiyelo taleso sivumelwano letiphetsiwe.

Imisebenti yemniyo wemvumo

18. (1) Umniyo wemvumo yekuhlwaya kwendalo nobe yemvumo yekutfumela ngaphandle lokuhlangasiwe kanye nemvumo yekuhlwaya kwendalo kumele -

(a) satise uMcondzisi-Jikelele uma ngabe imali seyidzingekele kubabambimsuka njengobe kushiwo kusivumelwano sekwabelana tinzuzo itawufakwa nobe ibhadalwe kuSikhwama seThrasti yekuHlwaya kweNdalo;

(b) satise babambimsuka labagunyatwe inzuzo yetetimali ngekulandzela sivumelwano sekwabelana tinzuzo kutsi imali ifakiwe nobe ibhadaliwe kuSikhwama seThrasti yekuHlwaya kweNdalo.

Incenye 2: Kuphatfwa kweSikhwama seThrasti yekuHlwaya kweNdalo

Kuphatfwa kweSikhwama seThrasti yekuHlwaya kweNdalo

19. (1) Ngekulandzela sigaba 85(1) seMtsetfo, yonkhe imali lekusukela kuletivumelwano tekwabelana tinzuzo futsi naletitawubhadalwa kubabambimsuka kumele tibhadalwe kuSikhwama seThrasti yekuHlwaya kweNdalo.

(2) Isikhwama sethrasti yekuHlwaya kweNdalo itawuphatfwa ngekulandzela iMitsetfotimiso yeMgcinimafa (Treasury) lekhishwe ngekulandzela i-Public Finance Management Act, 1999 (uMtsetfo wekuPhatfwa kweTimali taHulumende) (Umtsetfo Nombolo 1 wanga-1999).

(3) Ngetinhloso tekutfobela iMitsetfotimiso yeMgcinimafa –

(a) sivumelwano sekwabelana tinzuzo ngasinye kumele titsatfwe njenge-instrumenti yethrasti lechaza ngalokujulile injongo mbamba lekutawusetjentiswa ngayo timali letitfolwe yisikhwama sethrasti yekuHlwaya kweNdalo;

(b) uMcondzisi-Jikelele unemsebenti wekugcina ngalokuphephile kanye nekusebentisa ngalokufanele tonkhe timali letitfolwe Sikhwama seThrasti yekuHlwaya kweNdalo, ngekulandzela sivumelwano sekwabelana tinzuzo lefanele;

(c) uMcondzisi-Jikelele angabita inhlawulo lencane yekuphatfwa kwemali letfolwe ngekulandzela sivumelwano sekwabelana tinzuzo;

(4) UMcondzisi-Jikelele kumele –

(a) atise tonkhe tikhulu tekukhipha imvumo ngemininingwane yekubhanga yeSikhwama seThrasti yekuHlwaya kweNdalo, leminingwane kumele iniketwe baniyo betimvumo ekukhishwe kwato tonkhe timvumo;

(b) aluleke emacembu ngesivumelwano sekwabelana tinzuzo –

(i) nganobe ngabe nguyiphi imali letfolwe macondzana naleso sivumelwano;

(ii) ngelinani lelitawukhishwa ngumbambimsuka ngekulandzela lesivumelwano; futsi

(c) abele tonkhe timali letitfolwe ngekulandzela sivumelwano lesifanele sekwabelana tinzuzo.

(5) Tibopho teMcondzisi-Jikelele ngekulandzela uMtsetfosimiso lomncane

(4) tingakhululwa njalo ngemnyaka ngaphandle uma ngabe sikhatsi lesehlukile

–

(a) siyabekwa kusivumelwano sekwabelana tinzuzo lesifanele; nobe

(b) kuvunyelwana ngaso phakatsi kweMcondzisi-Jikelele kanye nemacembu alesivumelwano sekwabelana tinzuzo.

(6) Uma ngabe nganobe ngutiphi tizatfu, kunemali lesele kuSikhwama seThrasti yekuHlwaya kweNdalo lengadzingi kubhadalwa nobe nguliphi lemacembu ngekulandzela sivumelwano sekwabelana tinzuzo, uMcondzisi-Jikelele kumele asebentise lemali ngasinye nobe ngetulu kwaletinhloso letilandzelako -

- (a) kulondvolota imitfombolusito yetendalo temvelo;
- (b) kwesekela lokunye kuklaya kumitfombolusito yetendalo temvelo kanye nelwati lwendzabuko;
- (c) kwakha likhono kumiphakatsi yendzabuko –
 - (i) ngekuya ngemalungelo abo ngekweMtsetfo; kanye
 - (ii) nekubasita kutinkhulumomphikiswano tetivumelwano tekwabelana tinzuzo letingakhetsi futsi letilinganako;
- (d) kukhulisa lwati lwetebusayensi kanye nelikhono lebucwepheshe bekulondvolota, kusebentisa kanye nekutfufukisa imitfombolusito yetendalo temvelo; kumbe
- (e) nobe ngabe ngumuphi lomunye umsebenti lowenyusa kulondvolotwa, kusebentisa lokusimeme kanye nekutfufukisa imitfombolusito yetendalo temvelo letawuzuzisa iNingizimu Afrika.

(7) Uma kungakhonakali, nganobe ngutiphi tizatfu, kubhadala nobe nguyiphi incenye yetimali lekumele ibhadalwe bona ngekulandzela sivumelwano sekwabelana tinzuzo, uMcondzisi-Jikelele kumele –

- (a) acinisekise uma ngabe kunalomunye umuntfu nobe umtimba lekumele kwekutsi ukhokhelwe lemali ngalokusemtsetfweni;
- (b) uma ngabe umuntfu lotfolwako nobe umtimba longakhokhelwa lemali, abonisane nanobe nguwaphi lamanye emacembu alesivumelwano lesifanele macondzana nekwatjelwa kwaleyo maili bese emva kwaloko

kwatjelwe lemali ngekungakhetsi futsi ngekulingana phakatsi babambimsuka labasele, uma bakhona;

- (c) uma ngabe kute labanye babambimsuka, abele lemali ngekulandzela uMtsetfosimiso lomncane (6).

SEHLUKO 4

JIKELELE

Emacala

20. Umuntfu utfolakala anelicala uma lowo muntfu –

(a) ngaphandle imvumo -

(i) enta luhlwayo lwendalo lolufaka imitfombolusito yetendalo temvelo;

(ii) atfumela ngaphandle kusuka kuRiphabhuliki nobe nguyiphi imitfombolusito yetendalo temvelo ngenhloso yekuhlwaya kwendalo nobe ngabe nguluphi lolunye luklayo;

(b) enta umsebenti lona imvumo ikhishelwe wona ngendlela lengetulu kulandzela nobe nobe ngutiphi timo lekukhishwe ngato lemvumo;

(c) avumela nobe ngumuphi lomunye umuntfu kutsi ente, kumbe ayekela kwenta nobe ngabe yini lokulicala ngekulandzela lemitsetfotimiso;

Tinhlawulo

21. (1) Umuntfu lolahlwe ngelicala ngekulandzela uMtsetfosimiso 20 ufanelwe –

(a) kuvalelwa sikhatsi lesingendluli kuminyaka lesihlanu;

(b) inhlawulo lefanele; nobe

(c) kokubili inhlawulo kanye naloko kuvalelwa

(2) Inhlawulo ngekulandzela uMtsetfosimiso lomncane (1) angeke indlule linani lelibekwe ngekulandzela umtsetfo we-Adjustment of Fines Act, 1991 (Umtsetfo Nombolo 101 wanga-1991).

Imibandzela yesikhashana

22. (1) Ngekuya ngemitsetfotimiso lemincane (2) na (3), nobe ngumuphi umuntfu lobandzakanyekako ekucaleni kwaleMitsetfotimiso kumklamo wekuhlwaya kwendalo, angachubeka ngalowo mklamo yingce kusalindvwe kukhishwa kwemvumo yekuhlwaya kwendalo.

(2) Umuntfu lobandzakanyeka kumklamo wekuhlwaya kwendalo losewucalile kumele, ngekhatsi **kwetinyanga letisitfupha** tekucala kusebenta kwaleMitsetfotimiso, afake sicelo semvumo yekuhlwaya kwendalo kuNdvuna ngekulandzela Sehluko 2 saleMitsetfotimiso.

(3) Uma umklamo wekuhlwaya kwendalo losewucalile ufaka ekhatsi timfuno tembambimsuka letidzingeke kwekutsi tivikelwe sigaba 82 seMtsetfo, umuntfu lofaka sicelo semvumo yekuhlwaya kwendalo kumele –

(a) kukhulunyiswane futsi kungenwe kutivumelwano tekwabelana tinzuzo letifanele kanye nebabambimsuka labatfoliwe;

(b) kuhlanganiswe kusicelo semvumo yekuhlwaya kwendalo lesifakwa kuNdvuna ngekulandzela uMtsetfosimiso lomncane (2) –

(i) tivumelwano tekwabelana tinzuzo letisayiniwe letentiwa nebabambimsuka; nobe

(ii) sicelo lesibhaliwe sekungenelela kweNdvuna Ngetinhloso tekukhulumisana ngaletu tivumelwano, ngekulandzela sigaba 82(4)(b) seMtsetfo, uma ngabe kungakakhonakali kwekutsi kuphetfwe tivumelwano tekwabelana tinzuzo ngekhatsi **kwetinyanga letisitfupha** lekushiwo kuto kuMtsetfosimiso lomncane (2).

(4) Umklamo wekuhlwaya kwendalo losewucalile -

(a) kumele umiswe uma ngabe –

(i) sicelo semvumo yekuhlwaya kwendalo singemukelwa; nobe

(ii) uma sivumelwano sekwabelana tinzuzo singaphetfwa nangaphandle kwekungenelela kweNdvuna;

(b) ungachubeka uma ngabe imvumo yekuhlwaya kwendalo seyikhishiwe, ngekuya nganobe ngutiphi timo leticukatfwe kuleyo mvumo.

Sihloko lesimfisha nekucala kusebenta

23. LemiTsetfotimiso ibitwa ngekutsi yiMitsetfotimiso yeKwabelana tiNzuzo, kuFinyeleleka kanye neKuhlwaya kweNdalo, 2008 kantsi itawucala kusebenta ngelusuku lolubekwe yiNdvuna ngesatiso kuGazethi.

SENGETO 1

TINHLAWULO LETINGABUYISELWA EMUVA LETIMISIWE

1. Tindhawulo temvumo

1.1. Imvumo yekuhlwaya kwendalo (uMtsetfosimiso 11)
R5 000

1.2. Imvumo yekutfumela ngaphandle lokuhlangasiwe kanye nemvumo yekuhlwaya kwendalo (uMtsetfosimiso 12) R5 200

- 1.3. Imvumo yekutfumela ngaphandle ngenhloso ngenhloso yekwenta luklayo ngaphandle kwekuhlwaya kwendalo (uMtsetfosimiso 13)
R 100

2. Sikhalo ngekulandzela uMtsetfosimiso 15

Inhlawulo yesikhalo

R50

SENGETO 2

INCENYE 1: SICELO SEMVUMO YEKUHLWAYA KWENDALO

**INCENYE 2: SICELO SEMVUMO YEKUTFUMELA NGAPHANDLE
NGETINHLOSO TEKUHLWAYA KWENDALO**

Emanotsi ekugcwaliseni emafomu:

1. Uma ngabe ufaka sicelo semvumo yekuhlwaya kwendalo futsi awukahlosi kutfumela ngaphandle lemitfombolusito yetendalo temvelo yakhona, udzinga kugcwalisa incenye 1 yalelifomu.
2. Uma ngabe ufaka sicelo semvumo yekutfumela ngaphandle lokuhlangasiwe kanye nemvumo yekuhlwaya kwendalo, kumele ugcalise tincenye 1 na 2 talelifomu.
3. Uma kuniketwe sikhala lesingakeneli kulelifomu, umningwane lowengetiwe ungafakwa ngendlela yeTengeto.

LUHLOBO LWEMVUMO LWEKUCELWA YONA (Thika libhokisi lekungulona)

Imvumo yekuhlwaya kwendalo:

**Imvumo yekutfumela ngaphandle lokuhlangasiwe kanye nemvumo
yekuhlwaya kwendalo:**

UMGAMU WEMKLAMO WEKUHLWAYA KWENDALO (Thika libhokisi lekungulona)

Umgamu wekucala:

Umgamu wekutsengiselana:

INCENYE 1: SICELO SEMVUMO YEKUHLWAYA KWENDALO

LOFAKA SICELO

Uma umuntu lofaka sicelo kungumtimba loseemtsetfweni gcwalisa imishwana 1 – 7 ngaphasi

1. Ligama leliphela lekhungo nobe lemtimba:

2. Ngabe lomtimba loseemtsetfweni ubhaliswe Ningizimu Afrika?

Yeb/Cha

3. Uma ubhaliswe eNingizimu Afrika, niketa inombolo yekubhaliswa kwalomtimba loseemtsetfweni:

4. Uma ungakabhaliswa eNingizimu Afrika, ngabe ubhaliswe kuliphi live lomtimba futsi niketa nenombolo yerefuresi:

5. Niketa iminingwane yekutsintsana yemtimba loseemtsetfweni (kufaka ekhatsi likheli leliposi/lendzawo, lucingo, ifeksi kanye nelikheli le-email):

6. Ligama lekuchumana lemuntu kumtimba loseemtsetfweni (faka ikhophi lecinisekisiwe ye-ID):

7. Sikhundla semuntu lotsintfwako:

Uma umuntu lofaka sicelo kungumuntu phaca gcwalisa imishwana 8 - 12 ngaphasi

8. Ligama lalofaka sicelo: _____

9. Inombolo yamatisi wemuntfu lofaka sicelo (phindze ufake ikhophi lecinisekisiwe ye-ID): _____

10. Imininingwane yekuchumana yalofaka sicelo (kufaka ekhatsi likheli leliposi/lendzawo, lucingo, ifeksi kanye nelikheli le-email):

11. Ngabe umuntfu lofaka sicelo ujoyinile kumtimba? Yebo/Cha

12. Uma kungu yebo, niketa ligama kanye neminingwane yemtimba (faka ligama lemuntfu longatsintfwa, likheli leliposi/lendzawo, lucingo, ifeksi kanye nelikheli le-email):

Konkhe loku kwalencenye kumele kugcwalise ngubo bonkhe labafaka ticelo

13. Emagama neminingwane yekuchumana (kufaka likheli leliposi/lendzawo, lucingo, ifeksi kanye nelikheli le-email) labo bonkhe lekubanjiswene nabo:

14. Inombolo yamatisi yabo bonkhe lekubanjiswene nabo (futsi faka ikhophi lecinisekisiwe ye-ID):

15. Emagama neminingwane yekuchumana (kufaka ekhatsi likheli leliposi/lendzawo, lucingo, ifeksi kanye nelikheli le-email) lebantfu labatawenta umklamo wekuhlwaya kwendalo:

16. Inombolo yamatisi yebantfu labatawenta lomklamo wekuhlwaya kwendalo (phindze uhlanganise nemakhophi lecinisekisiwe ema-ID):

17. Ngabe bakhona basekeli balamanye emave kulomklamo? YEBO/CHA

18. Uma kungu yebo, niketa emagama neminingwane yekuchumana (kufaka ekhatsi ligama lemuntfu lotsintfwako likheli leliposi/lendzawo, lucingo, ifeksi kanye nelikheli le-email):

19. Ngabe bakhona basekeli ngetetimali baseNingizimu Afrika labasekela lomklamo? YEBO/CHA

20. Uma kungu yebo, niketa emagama neminingwane yekuchumana (kufaka ekhatsi ligama lemuntfu lotsintfwako, likheli leliposi/lendzawo, lucingo, ifeksi kanye nelikheli le-email):

IMITFOMBOLUSITO YETENDALO TEMVELO

21. Chaza luhlobo lwemitfombolusito yetendalo temvelo lekudzingelwa yona imvumo, umndeni, luhlobo, incenye yalokuphilako lokutawucokelelwa, bunyenti bemitfombolusito letawucokelelwa nobe letawutfolwa kanye nendzawo ngco nobe umtfombo lona kutawucokelelwa nobe kutfolwe kuwo umtfombo ngamunye.

Luhlobo lwendalo	Umndeni, luhlobo nobe tinhlobo (emagama etesayensi nalatayeleki le_ (uma kukhonakala)	Incenye yalokuphilako lekutawucokelelwa	Bunyenti	Idatha yendzawo ngalokugcwele (ema-reading e-GIS uma kukhonakala)
Sibonelo:	I-Aloe ferox	Emacembe	6 kg

Sitjalo				

KUKLAYA KWANGAPHAMBILINI KANYE NETICELO TETIMVUMO

22. Mayelana nemitfombolusito yetendalo temvelo lechazwe ngetulu, ngabe kukhona lesinye semvumo ngekweMtsetfo nobe ngekulandzela nobe ngumuphi umtsetfo lowetfuliwe, kungaba kungaphambilini nobe sikanye nalesicelo? YEBO/CHA

23. Uma kungu yebo, ngabe lesicelo siniketwa, sancatjelwa nobe sisalungiswa?

24. Uma ngabe sicelo siniketwa, loniketa lemningwane lelandzelako futsi uhlanganise nekhophi yemvumo.

Inombolo yemvumo	Siphatsimandla sekukhipha	Lilanga lekukhishwa

25. Uma ngabe sicelo sisalungiswa, niketa siphatsimandla sekukhishwa timvumo inombolo _____ yereferensi:

KUDZALULWA KWEMNINGWANE

26. Ngabe wonkhe umniningwane wetinsita udzaluliwe kunobe ngumuphi umuntfu, umtimba wembuso nobe umphakatsi loniketa ngekufinyeleleka kulemitfombolusito yetendalo temvelo futsi nakunobe nguyiphi imiphakatsi yendzabuko loboniwe ngelwati lwendzabuko nobe kusetjentiswa kwalemitfombolusito yetendalo temvelo? YEBO/CHA

27. Sekele imphendvulo yakho kulepharagrafu lengetulu ngekuchaza yonkhe imininingwane ledzaluliwe.

BABAMBIMSUKA

KHUMBULA: Nobe ngabe ngumuphi umuntfu, umtimba wembuso nobe umphakatsi kudzingakala kwekutsi unikete uvumele nobe unikete kufinyeleleka kumitfombolusito yetendalo temvelo, imvumo yabo kumele itfolwe kantsi sivumelwano sekundluliswa kwemphahla (MTA) ngendlela yeSengeto 4 kanye nesivumelwano sekwabelana tinzuzo (BSA) ngendlela yeSengeto 5 kumele kuhlanganiswe kulesicelo.

28. Tfola umuntfu, umtimba wembuso nobe umphakatsi lekudzingakala imvumo yawo futsi esahlakalweni ngasinye khombisa kwekutsi ngabe i-MTA kanye-BSA kuphetfiwe nabo. Letivumelwano leti kumele tihlanganiswe kulesicelo.

Umniketi wekufinyeleleka	I-MTA lephetsiwe futsi yahlanganiswa?	I-BSA lephetsiwe futsi yahlanganiswa?

KHUMBULA Uma ngabe kukhona umphakatsi wenzabuko/imiphakatsi yenzabuko leboniwe, sivumelwano sekwabelana tinzuzo (BSA) ngendlela yeSengeto 5 kumele siphethwe nalowo mphakatsi/imiphakatsi futsi kumele sihlanganiswe kulesicelo.

29.Ngutiphi tinyatselo letitsetfwe kutfolana nobe nguyiphi imiphakatsi yenzabuko lena kusetjentiswa nobe lwati lwayo lwemitfombolusito yetendalo temvelo lehlobene nalesicelo, kungenteka lusungule nobe lufake sandla kulokuhlwaya kwendalo lokuphakanyisiwe?

30. Inchazelo/luhlobo lwelwati lwenzabuko nobe kusetjentiswa ngetandla/lokubhaliwe):_____

31.Chaza nobe nguyiphi imiphakatsi yendzabuko letfoliwe futsi kusibonelo ngasinye khombisa kutsi ngabe i-BSA iphetsiwe nabo futsi nekutsi lesi sivumelwano sihlanganisiwe kulesicelo.

Umphakatsi wendzabuko	I-BSA lephetsiwe?	I-BSA lehlanganisiwe?

32.Ngabe kukhona tivumelwano letiphetsiwe mayelana nemitfombolusito yetendalo temvelo ngekubambisana nemacembu langesiwo babambimsuka ngekweMtsetfo?

YEBO/CHA

33.Uma kungu yebo, ngabe leto tivumelwano tidzaluliwe ku –

33.1. nobe ngumuphi umuntu, umtimba wembuso nobe um(imi)phakatsi leniketa kufinyenyeleka kumitfombolusito yetendalo temvelo? YEBO/CHA

33.2. nobe ngumuphi um(imi)phakatsi wendzabuko lenelwati lwendzabuko nobe lwekusetjentiswa kwemitfombolusito yetendalo temvelo? YEBO/CHA

34.Ngabe kukhona lusito loludzingekile lwetiphatsimandla kuphetsa tivumelwano letidzingekile? YEBO/CHA

35.Uma kungu yebo, chaza luhlobo lwelusito loludzingekile nekutsi kungani lolusito ludzingakala.

SIPHAKAMISO SEMKLAMO

36.Siphakamiso semklamo lesijulile kumele sihlanganiswe kulesicelo sibale letintfo letilandzelako –

36.1. tinhloso temklamo wekuhlwaya kwendalo;

36.2. letinzuzo letingasukela kulomklamo;

36.3. indlela yekwenta lephakanyisiwe;

36.4. tikhatsi temsebenti letiphakanyisiwe (k.k sikhatsi lesidzingekile sekusebenta kwemvumo);

36.5. nobe ngutiphi tincomo tetetimondzawo letimcoka kufaka ekhatsi imitselela yekucokelelwa kwemitfombolusito yetendalo temvelo kanye netinyatselo letiphakanyisiwe tekunciphisa nobe tekulungisa lemitselela;

36.6. tinchubo tekubika;

36.7. imiphumela lelindzelekile yemklamo; kanye

36.8. ngabe kutawentekani kuletintfo letilahliwe ekupheleni kwesifundvo.

TINHLAWULO

37.Ngabe inhlawulo ya R5 000 ibhadaliwe? Uyacelwa kutsi ufake ikhophi ye-
imvoyisi yakho. YEBO/CHA

Isayini yalofaka sicelo semvumo yekuhlwaya kwendalo:

_____ Lusuku: _____

Sikhundla salosayinako: _____

Kuvuma kwentimba loseemtsetfweni, uma ukhona

Ligama lemtimba loseemtsetfweni:

**Isayini yesiphatsimandla lesigunyatiwe lesiphuma kumtimba
losemtsetfweni:**

_____ Lusuku: _____

**INCENYE 2: SICELO SEMVUMO YEKUTFUMELA NGAPHANDLE
NGETINHLOSO TEKUHLWAYA KWENDALO**

**Lofaka sicelo logcwalisa lencenye kumele futsi agcwalise aphindze asayine
incenye 1**

**UMEMUKELI WEMITFOMBOLUSITO YETENDALO TEMVELO
LETFUNYELWA NGAPHANDLE (UMNGENISI)**

1. Ligama lememukeli/umngenisi:

2. Imininingwane yekutsintsana yememukeli/umngenisi (faka ekhatsi likheli leliposi/lendzawo, lucingo, ifeksi nelikheli le-

email: _____

TIDZINGO TALOMUNYE UMTSETFO

3. Ngabe utfobele, kumbe utitsetse yini tinyatselo tekutfobela, letinye tidzingo talomunye umtsetfo wekucokelela nekutfumela ngaphandle kweimitfombolusito yetendalo temvelo? Niketa imininingwane, kufaka ekhatsi tinombolo tefurensi kanye netinombolo teluhlelo lwemphahla letfutwako (waybill) lapho kufanele khona:

TINHLOSO TEKUTFUMELA NGAPHANDLE

4. Shano inhloso lena lekutfunyelwa ngayo lemitfombolusito yetendalo temvelo ngaphandle:

5. Ngabe lokuhlwaya kwendalo lokuhlosiwe lokusihloko semvumo yesicelo, kutawuba nato tinzuzo –

5.1. tekulondvolotwa kwekwehlukahlukana kwendalo eNingizimu Afrika
YEBO/CHA

5.2. kutfutukiswa kwetemnotfo weNingizimu Afrika YEBO/CHA

5.3. nobe ngabe nguyiphi indzaba leselihlweni lwesive? YEBO/CHA

6. Uma kukhona, niketa imininingwane:

TINHLAWULO

7. Ngabe inhlawulo ya R5200 ibhadaliwe? Hlanganisa ikhophi ye-imvoyisi

YEBO/CHA

Isayini yalofaka sicelo semvumo:

_____ Lusuku: _____

Sikhundla

salosayinako: _____

Kuvuma kwemtimba loseemtsetfweni, uma ukhona

Ligama lemtimba loseemtsetfweni:

Isayini yesiphatsimandla lesigunyatiwe lesiphuma kumtimba

losemtsetfweni:

_____ Lusuku: _____

SENGETO 3

SICELO SEIMVUMO YEKUTFUMELA NGAPHANDLE NGETINHLOSO TEKWENTA LUKLAYO NGAPHANDLE KWEKUHLWAYA KWENDALO

Emanotsi ekugcwalisa lifomu:

Uma kungekho sikhala lesanele kulelifomu, umniningwane lowengetiwe ungafakwa ngendlela yetengeto.

LOFAKA SICELO

Uma lofaka sicelo angumuntfu mtsetfweni gcwalisa imishwana 1 – 7 ngaphasi

1. Ligama leliphelile lesikhungo nobe umtimba:

2. Ngabe lomtimba losemtsetfweni ubhalisiwe eNingizimu Afrika?

YEBO/CHA

3. Uma kungu yebo, niketa inombolo yekubhaliswa eNingizimu Afrika yalomtimba losemtsetfweni:

4. Uma kungu cha, lomtimba losemtsetfweni ubhaliswe kuliphi live futsi niketa nenombolo yereferensi:

5. Niketa imininingwane yekutsintsana yemtimba losemtsetfweni (kufaka ekhatsi likheli leliposi/lenzawo, lucingo, ifeksi nelikheli le-email):

6. Ligama lemuntfu lotsintfwako kumtimba loseemtsetfweni (hlanganisa ikhophi lecinisekisiwe _____ ye-ID):

7. Sikhundla semuntfu lotsintfwako: _____

Uma lofaka sicelo kungumuntfu ngekwemvelo gcwalisa imishwana 8 - 12 ngaphasi

8. Ligama lalofaka sicelo:

9. Inombolo yamatisi of umuntfu lofaka sicelo (phindze ufake ikhophi lecinisekisiwe ye-ID):

10. Imininingwane yekutsintsana of lofaka sicelo (kufaka ekhatsi likheli leliposi/lendzawo, lucingo, ifeksi nelikheli le-email): _____

11. Ngabe umuntfu lofaka sicelo ungaphasi kwanobe ngumuphi umtimba loseemtsetfweni? _____ YEBO/CHA

12. Uma kungu yebo, niketa ligama kanye nemininingwane yekutsintsana yemtimba loseemtsetfweni (kufaka ekhatsi ligama lemuntfu lotsintfwako, likheli leliposi/lendzawo, lucingo, ifeksi nelikheli le-email):

Yonkhe lencenye lena kumele igcwaliswe ngibo bonkhe labafaka ticelo

13. Emagama nemininingwane yekuchumana (kufaka ekhatsi likheli leliposi/lendzawo, lucingo, ifeksi nelikheli le-email) abo bonkhe

lekubanjiswane nabo: _____

14. Inombolo yamatisi abo bonkhe lekubanjiswane nabo (phindze ufake ikhophi lecinisekisiwe ye-ID):

15. Emagama neminingwane yekuchumana (kufaka ekhatsi likheli leliposi/lendzawo, lucingo, ifeksi nelikheli le-email) ebantfu labatawenta loluklayo:

16. Inombolo yamatisi yebantfu labatawenta luklayo (phindze uhlanganise emakhophi e-ID): _____

17. Ngabe bakhona basekeli betetimali bemave emhlaba labasekela lomklamo?
YEBO/CHA

18. Uma kungu yebo, niketa emagama ebasekeli babo kanye neminingwane yekutsintsana (kufaka ekhatsi ligama lemuntfu lotsintfwako, likheli leliposi/lendzawo, lucingo, ifeksi nelikheli le-email):

19. Ngabe bakhona basekeli baseNingizimu Afrika labasekela lomklamo?
YEBO/CHA

20. Uma kungu yebo, niketa emagama ebasekeli babo kanye iminingwane yekutsintsana (kufaka ekhatsi ligama lemuntfu lotsintfwako, likheli leliposi/lendzawo, lucingo, ifeksi nelikheli le-email):

**UMEMUKELI WEMITFOMBOLUSITO YETENDALO TEMVELO
LETFUNYELWA NGAPHANDLE (UMNGENISI)**

21. Ligama lememukeli/lemngenisi:

22. Imininingwane yekutsintsana lememukeli/lemngenisi (faka likheli leliposi/lenzawo, lucingo, ifeksi nelikheli le-email): _____

IMITFOMBOLUSITO YETENDALO TEMVELO

38. Chaza luhlobo lwemitfombolusito yetendalo temvelo lekudzingelwa yona imvumo, umndeni, luhlobo, incenye yalokuphilako lokutawucokelelwa, bunyenti bemitfombolusito letawucokelelwa nobe letawutfolwa kanye nenzawo ngco nobe umtfombo lona kutawucokelelwa nobe kutfolwe kuwo umtfombo ngamunye.

Luhlobo lwendalo	Umndeni, luhlobo nobe tinhlobo (emagama etesayensi nalatayeleki le_ (uma kukhonakala)	Incenye yalokuphilako lekutawucokelelwa	Bunyenti	Idatha yenzawo ngalokugcwele (ema-reading e-GIS uma kukhonakala)
Sibonelo: Sitjalo	I-Aloe ferox	Emacembe	6 kg

TIMVUMO TANGAPHAMBILINI

23. Mayelana nemitfombolusito yetendalo temvelo lechazwe ngetulu, ngabe kukhona lesinye semvumo ngekweMtsetfo nobe ngekulandzela nobe ngumuphi umtsetfo lowetfuliwe, kungaba kungaphambilini nobe sikanye nalesicelo? YEBO/CHA

24. Uma kungu yebo, ngabe lesicelo siniketwa, sancatjelwa nobe sisalungiswa?

25. Uma ngabe sicelo siniketwa, loniketa lemniningwane lelandzelako futsi uhlanganise nekhophi yemvumo.

Inombolo yemvumo	Siphatsimandla sekukhipha	Lusuku lwekukhishwa

Uma ngabe sicelo sisalungiswa, niketa siphatsimandla sekukhishwa timvumo inombolo yerefurensi:

TIDZINGO TALOMUNYE UMTSETFO

26. Ngabe utfobele, kumbe utitsetse yini tinyatselo tekutfobela, letinye tidzingo talomunye umtsetfo wekucokelela nekutfumela ngaphandle kweimitfombolusito yetendalo temvelo? Niketa imininingwane, kufaka ekhatsi tinombolo tefurensi kanye netinombolo teluhlelo lwemphahla letfutwako (waybill) lapho kufanele khona:

SIPHAKAMISO SEMKLAMO

27. Siphakamiso semklamo lesijulile kumele sihlanganiswe kulesicelo sibale lesintfo letilandzelako –

- 27.1. tinhloso temklamo wekuklaya;
- 27.2. tinzuzo letingasukela kulomklamo;
- 27.3. indlela yekwenta lephakanyisiwe;
- 27.4. tikhatsi temsebenti letiphakanyisiwe (kk sikhatsi lesidzingekile sekusebenta kwemvumo);
- 27.5. nobe ngutiphi tincono tetimondzawo letimcoka kufaka ekhatsi imitselelela yekucokelelwa kwemitfombolusito yemvelo kanye netinyatselo leiphakanyisiwe tekunciphisa nobe tekulungisa lemitselela;
- 27.6. tinchubo tekubika;
- 27.7. imiphumela lelindzelekile yemklamo; kanye
- 27.8. ngabe Kutawentekani kuletintfo letilahliwe ekupheleni kwesifundvo.

INHLOSO YEKUTFUMELA NGAPHANDLE

28. Shano inhloso lena lekutfunyelwa ngayo lemitfombolusito yetendalo temvelo ngaphandle:

29. Ngabe lokuhlwaya kwendalo lokuhlosiwe lokusihloko semvumo sicelo, kuatawuba nato tinzuzo–

29.1. tekulondvolotwa kwekwehlukahlukana kwendalo eNingizimu Afrika
YEBO/CHA

29.2. kutfufukiswa kwetemnotfo weNingizimu Afrika YEBO/CHA

29.3. nobe ngabe nguyiphi indzaba leselihlweni lwesive? YEBO/CHA

30. Uma kungu yebo, niketa iminingwane:

TINHLAWULO

32. Ngabe lenhlawulo ya R200 ibhadaliwe? Hlanganisa ikhophi ye-invoyisi.
YEBO/CHA

Isayini yalofaka sicelo semvumo:

_____ Lusuku: _____

Sikhundla

salosayinako: _____

Kuvuma kwemtimba loseemtsetfweni, uma ukhona:

Ligama lemtimba loseemtsetfweni:

**Isayini yesiphatsimandla lesigunyatiwe lesiphuma kumtimba
losemtsetfweni:**

_____ Lusuku: _____

SENGETO 4

IMVUMO YEKUHLWAYA KWENDALO

Lemvumo ikhishwe ngekulandzela uMtsetfosimiso 11 weMitsetfotimiso weKuhlwaya kweNdalo, kuFinyeleleka neKwabelwana kwetiNzuzo

1. Ligama lemphatsi wemvumo:

2. Likheli lendzawo/leliposi, lucingo, ifeksi kanye nelikheli le-email lemphatsi wemvumo:

3. Ligama lemuntfu lolawula kuhlwaya kwendalo (uma ehluke kumphatsi wemvumo):

4. Inombolo yamatisi yemphatsi wemvumo nobe umuntfu lolawula kuhlwaya kwendalo:

5. Uma ngabe sicelo besihlanganyelwe, emagama anobe ngubaphi labanye labafaka ticelo:

6. Imininingwane yekutsintsana yabo bonkhe labanye labafaka ticelo:

7. Luhlobo lwemvumo: Loluhlobo lwemvumo ligunyata umphatsi wemvumo kutsi asebantise lemitfombolusito yetendalo temvelo ngetinhloso tekuhlwaya kwendalo, ngebunyenti lobuphawuliwe kanye nekucokelela lemitfombolusito yetendalo temvelo etindzaweni letibekwe ngaphasi:

Luhlobo lwendalo	Umndeni, luhlobo nobe tinhlobo (emagama etesayensi nalatayelekile) (uma kukhonakala)	Incenye yalokuphilako lokutawucok elelwa	Bunyenti (Khombisa uma ngabe kukhona imikhawulo kubunyenti bemasampuli)	Idatha yenzawo ngalokugcwele (Ema-reading e-GIS uma kukhonakala)
Sibonelo: Sitjalo	I-Aloe ferox	Emacembe	6 kg

8. Sikhatsi semvumo: Lemvumo itawusebenta kuze kube ngumhlaka _____.

9. Tivumelwano tekwabelana tinzuzo netivumelwano tekundluliselwa kwetisetjentiswa: Lemvumo kumele ifundvwe naletivumelwano tekwabelana tinzuzo letilandzelako kanye netivumelwano tekundluliselwa kwetisetjentiswa letentiwe ngebabambimsuka labalindzeleke kusigaba 82(1) seMtsetfo wekweHlukahlukana kweNdalo.

10. Timo: Lemvumo ikhishwe ngekuya ngaletimo letilandzelako –

- 10.1. umphatsi wemvumo angeke andlulisele imitfombolusito yetendalo temvelo lohlebene nalemvumo kunobe nguwapshi emacembu esitsatfu ngaphandle kwemvumo leyatise ngekubhala yesiphatsimandla sekukhipha timvumo futsi bese kuba ngaphasi kwesivumelwano lesibhaliwe lesicukatse imitsetfo lengabophi kakhulu kunaleyi lesebenta kumphatsi wemvumo ngekulandzela lemvumo kanye nanobe ngutiphi tivumelwano lekushiwo kupharagrafu 9;
- 10.2. umphatsi wemvumo kumele afake umbiko wenchubekela phambili kusiphatsimandla sekukhipha ngekhatshi kwemnyaka munye welusuku lwemvumo kanye nangemnyaka emva kwaloko.
- 10.3. uma ngabe bantfu lekubanjiswane labasha nabo bajoyina umklamo wekuhlwaya kwendalo lekukhishelwa wona imvumo, umphatsi wemvumo kumele atise lesiphatsimandla sekukhipha ngekubhala.
- 10.4. yonkhe imali lekumele ibhadalwe babambimsuka ngekulandzela sivumelwano sekwabelana tinzuzo kumele kumele ibhadalwe kuSikhwama seThrasti yekuHlwaya kweNdalo, njengobe kudzinga sigaba 85(1) seMtsetfo; futsi
- 10.5. umniyo wemvumo utawuba nemtfwalo wetindleko tekunciphisa nobe kulungisa umtselela wekuhlwaya kwendalo kusimondzawo, ngekulandzela sigaba 28 seMtsetfo wekuPhatfwa kwesimondzawo waVelonkhe, 107 wanga-1998; futsi
- 10.6. (timo letengetiwe tingafakwa lapha)_____
- 10.7. _____

Kusayine iNduna Yetesimondzawo Nekuvakasha

Isayini

Lusuku

SENGETO 5

KUTFUMELA NGAPHANDLE LOKUHLANGASIWE KANYE NEMVUMO YEKUHLWAYA KWENDALO

Lemvumo ikhishwe ngekulandzela uMtsetfosimiso 12 weMitsetfotimiso eKuhlwayeni kweNdalo, Kufinyeleleka neKwabelana tinzuzo

1. Ligama lemphatsi wemvumo:

2. Likheli lendzawo/leliposi, lucingo, ifeksi kanye nelikheli le-email lemphatsi wemvumo:

3. Ligama lemuntfu lolawula kuhlwaya kwendalo (uma ehlukile kumphatsi wemvumo):

4. Inombolo yamatasi wemphatsi wemvumo nobe umuntfu lolawula kuhlwaya kwendalo:

5. Uma ngabe sicelo besihlanganyelwe, emagama anobe ngubaphi labanye labafaka ticelo:

6. Imininingwane yekutsintsana yabo bonkhe lanye labafaka ticelo:

7. Ligama neminingwane yekutsintsana yemngeni:

8. Luhlobo lwemvumo: Loluhlobo lwemvumo ligunyata umphatsi wemvumo kutsi asebentise futsi atfumela ngaphandle lemitfombolusito yetendalo temvelo lelandzelako ngetinhloso tekuhlwaya kwendalo, ngebunyenti lobuphawuliwe kanye nekucokelela lemitfombolusito yetendalo temvelo etindzaweni letibekwe ngaphasi:

Luhlobo lwendalo	Umndeni, Luhlobo, nobe Tinhlobo (Ligama letesayensi naleletayele kile)	Indlela lekutawut funyelwa ngayo ngaphandle	Bunyenti (Khombisa uma ngabe kukhona imikhawulo kubunyenti bemasampuli)	Indzawo yekutfumela ngaphandle	Indzawo yekungenisisa	Idatha yenzawo ngalokugcwele (Ema-reading e-GIS uma kukhonakala)

9. Sikhatsi semvumo: Lemvumo itawusebenta kuze kube ngumhlaka

10. Tivumelwano tekwabelana tinzuzo netivumelwano tekundluliselwa kwetisetjentiswa: Lemvumo kumele ifundvwe naletivumelwano tekwabelana tinzuzo letilandzelako kanye netivumelwano tekundluliselwa kwetisetjentiswa letentiwe ngebabambimsuka labalindzeleke kusigaba 82(1) seMtsetfo wekweHlukahlukana kweNdalo.

11. Timo: Lemvumo ikhishwe ngekuya ngaletimo letilandzelako –

- 11.1. umphatsi wemvumo angasebentisa kuphela lemitfombolusito yetendalo temvelo ngaletinhloso
letilandzelako:_____
-
- 11.2. umphatsi wemvumo kumele atfobele tonkhe letinye tidzingo temtsetfo wetfumela ngaphandle lokusemtsetfweni kwemitfombolusito yetendalo temvelo;
- 11.3. umphatsi wemvumo angeke andlulisele imitfombolusito yetendalo temvelo lohlebene nalemvumo kunobe nguwaphi emacembu esitsatfu ngaphandle kwemvumo leyatisiwe ngekubhala yesiphatsimandla sekukhipha timvumo futsi bese kuba ngaphasi kwesivumelwano lesibhaliwe lesicukatse imitsetfo lengabophi kakhulu kunaleyi lesebenta kumphatsi wemvumo ngekulandzela lemvumo kanye nanobe ngutiphi tivumelwano lekushiwo kupharagrafu 10;
- 11.4. umphatsi wemvumo kumele afake umbiko wenchubekela phambili kusiphatsimandla sekukhipha ngekhatshi kwemnyaka munye welusuku lwemvumo kanye nangemnyaka emva kwaloko;
- 11.5. uma ngabe bantfu lekubanjiswane labasha nabo bajoyina umklamo wekuhlwaya kwendalo lekukhishelwa wona imvumo, umphatsi wemvumo kumele atise lesiphatsimandla sekukhipha ngekubhala;
- 11.6. yonkhe imali lekumele ibhadalwe babambimsuka ngekulandzela sivumelwano sekwabelana tinzuzo kumele kumele ibhadalwe kuSikhwama seThrasti yekuHlwaya kweNdalo, njengobe kudzinga sigaba 85(1) seMtsetfo; futsi
- 11.7. umniyo wemvumo utawuba nemtfwalo wetindleko tekunciphisa nobe kulungisa umtselela wekuhlwaya kwendalo kusimondzawo, ngekulandzela sigaba 28 seMtsetfo wekuPhatfwa kwesimondzawo waVelonkhe, 107 wanga-1998; futsi
- 11.8. timo letengetiwe tingafakwa lapha _____

11.9. _____

Kusayina iNdvuna Yetesimondzawo Netekuvakasha

Isayini

Lusuku

SENGETO 6

IMVUMO YEKUTFUMELA NGAPHANDLE NGENHLOSO YEKWENTA LUKLAYO NGAPHANDLE KWEKUHLWAYA KWENDALO

Lemvumo ikhishwe ngekulandzela uMtsetfosimiso 13 weMitsetfotimiso weKuhlwaya kweNdalo, kuFinyeleleka neKwabelana kwetiNzuzo

1. Ligama lemphatsi wemvumo:

2. Likheli lendzawo/leliposi, lucingo, ifeksi kanye nelikheli le-email lemphatsi _____ wemvumo:

3. Ligama lemuntfu lolawula kuhlwaya kwendalo (uma ehlukile kumphatsi wemvumo):_____

4. Inombolo yamatisi wemphatsi wemvumo nobe umuntfu lolawula kuhlwaya kwendalo:

5. Uma ngabe sicelo besihlanganyelwe, emagama anobe ngubaphi labanye labafaka ticelo:

6. Imininingwane yekutsintsana yabo bonkhe lanye labafaka ticelo:

7. Imininingwane yekutsintsana yemngenisi:

8. **Nature of imvumo:** Lemvumo igunyata umphatsi wemvumo kutfumela ngaphandle, ngebunyenti lobuphawuliwe, lemitfombolusito yetendalo temvelo lelandzelako ngenhloso yekwenta luklayo ngaphandle kwekuhlwaya kwendalo.

Luhlobo lwendalo	Umndeni, Luhlobo, nobe Tinhlobo (Ligama letesayensi naleletayele kile)	Indlela lekutawutfun yelwa ngayo ngaphandle	Bunyenti (Khombisa uma ngabe kukhona imikhawulo kubunyenti bemasampuli)	Indza wo yekut fumela ngaphandle	Indzawo yekung enisa	Idatha yenzawo ngalokugcwele (Ema-reading e-GIS uma kukhonakala)

9. Sikhatsi semvumo: Lemvumo itawusebenta kuze kube ngumhlaka

10. Timo: Lemvumo ikhishwe ngekuya ngaletimo letilandzelako –

10.1. lemitfombolusito yetendalo temvelo lena lehlobene nemvumo, ingasetjentiswa kuphela ngetinhloso tekuklayela kungahwebi kuphela:

10.2 umniyo wemvumo kumele atfobele tonkhe letinye tidzingo teMtsetfo wekucokelela nekutfumela ngaphandle lemitfombolusito yetendalo temvelo;

10.3 lemitfombolusito yetendalo temvelo lena lehlobene nemvumo angeke isetjentiselwe tinhloso tekuhlwaya kwendalo,

10.4 umniyo wemvumo utawuba nemtfwalo wetindleko tekunciphisa nobe kulungisa umtselela wekuhlwaya kwendalo kusimondzawo, ngekulandzela sigaba 28 seMtsetfo wekuPhatfwa kweSimondzawo waVelonkhe, 107 wanga-1998;

10.5 umniyo wemvumo angeke andlulisele imitfombolusito yetendalo temvelo kunobe nguliphi licembu lesitsatfu ngaphandle kwemvumo leyatisele yangaphambilini lebhaliwe yesiphatsimandla sekukhipha macondzana nalemvumo yekutfumela ngaphandle futsi bese kuba ngaphasi kwesivumelwano lesibhaliwe lesicukatse imitsetfo lengabophi kakhulu kunaleyi lesebenta kumphatsi wemvumo ngekulandzela lemvumo. Siphatsimandla sekukhipha imvumo angeke sinikete lemvumo uma ngabe licembu Lesitsatfu lihlose kusebentisa lemitfombolusito ngetinhloso tekuhlwaya kwendalo;

10.6 umniyo wemvumo kumele afake umbiko wenchubekela phambili kusiphatsimandla sekukhipha ngamhlaka _____ kumbe, ngekhatshi kwemnyaka munye welusuku lwekukhishwa kwalemvumo

(cisha lokungakadzingeki). Emvakwaloko, umniyo wemvumo kumele afake imibiko yenchubekela phambili njalo ngemnyaka, kumbe ngamhlaka _____ (cisha loku lokungadzingakali);

10.7 uma ngabe bantfu labasha lekubanjiswane nabo bajoyina lomklamo wekuklaya lekukhishelwe wona lemvumo, umniyo wemvumo kumele atise siphatsimandla sekukhipha imvumo ngekubhala; futsi

10.8 timo letengetiwe tingafakwa lapha.

10.9 _____

Kusayine Lilunga leSigungumkhandlu lelibukene neTetesimondzawo

Isayini

Lusuku

SENGETO 7

SIVUMELWANO SEKUNDLULISWA KWEMPHAHLA

Emanotsi:

1. Lesivumelwano kumele sentiwe phakatsi kwalofaka sicelo semvumo kanye nalabanye babambimsuka labatfolwe ngekulandzela lemitsetfotimiso labaniketa nobe labafinyelelisa kumitfombolusito yetendalo temvelo.
2. Uma ngabe kunembambimsuka longetulu kwamunye sivumelwano lesiseceleni kumele sentiwe nembambimsuka ngamunye.
3. Uma ngabe kute sikhala lesanele kulelifomu, umniningwane lowengetiwe ungafakwa njengendlela yetengeto. Kantsi futsi, emacembu angakhetsa kusebenta emafomu awo lanesikhala lesanele ngeMtsetfosimiso ngamunye, yingce nje uma ngabe lawo mafomu alandzelela ifomathi jikelele yalelifomu.
4. Lamacembu kulesivumelwano kumele asayine lesivumelwano esikhaleni lesikhonjisiwe futsi kumele afake ema-inishiyeli kuwo onkhe emakhasi alesivumelwano, kufaka ekhatsi nobe ngutiphi tengeto.

Emacembu kule the sivumelwano

1. Umemukeli wemitfombolusito yetendalo temvelo, uma umemukeli kungumtimba losemsetfweni:

1.1. Ligama lesikhungo nobe umtimba:

1.2. Inombolo yekubhaliswa kwesikhungo nobe umtimba:

1.3. Imininingwane yekutsintsana yesikhungo nobe umtimba (kufaka ekhatsi likheli leliposi/lendzawo, lucingo, ifeksi nelikheli le-email):

1.4. Ligama lemuntfu lotsintfwako kusikhungo nobe umtimba (faka ikhophi lecinisekisiwe ye-ID): _____

1.5. Sikhundla semuntfu lotsintfwako:

2. Umemukeli wemitfombolusito yetendalo temvelo, uma umemukeli angumuntfu ngekwemvelo

2.1. Ligama lememukeli:

2.2. Inombolo yamatisi yememukeli:

2.3. Imininingwane yekutsintsana yememukeli (kufaka ekhatsi likheli leliposi/lendzawo, lucingo, ifeksi nelikheli le-email): _____

3. Umniketi wekufinyeleleka kumitfombolusito yetendalo temvelo

3.1. Ligama:

3.2. Sikhundla: _____

3.3. Uma ungena kusivumelwano ngesikhundla sekumele, shano ligama lesikhulu: _____

3.4. Imininingwane yekutsintsana (kufaka ekhatsi likheli lendzawo/leliposi, lucingo, ifeksi nelikheli le-email): _____

4. Imitfombolusito yetendalo temvelo

Luhlobo, bunyenti kanye nemtfombo wemitfombolusito yetendalo temvelo lena lehlobene nalesivumelwano –

Luhlobo lwendalo	Umndeni, luhlobo nobe tinhlobo (ligama lesayensi nalelitayelekile) (uma kukhonakala)	Incenye yalokuphilako lokutawucok elelwa	Bunyenti (Umkhawulo nge bunyenti bemasampuli)	Idatha yenzawo ngalokugcwele (Email-reading e-GIS uma kukhonakala)

5. Kusetjentiswa kwanyalo kwemitfombolusito yetendalo temvelo -

Kusetjentiswa lokungaba khona kwanyalo kwemitfombolusito yetendalo temvelo letawucokelwa nguloku lokulandzelako -

6. Inhloso yekutfumela ngaphandle (uma ukhona)

Lemitfombolusito yetendalo temvelo itawutfunyelwa ngaphandle ngaletinye ngaletinhloso letilandzelako –

7. Emacembu esitsatfu

Umemukeli anganiketa kuphela nobe nguyiphi imitfombolusito yetendalo temvelo nobe umndeni wato kumacembu esitsatfu ngekulandzela letimo letilandzelako (gcwalisa umningwane ngaphasi) -

Umemukeli uyavuma kutsatsa tonkhe tinyatselo tekucaphela kuvimbela imitfombolusito yetendalo temvelo letfoliwe kutsi ibe setandleni tanobe nguliphi licembu lesitsatfu lelingakagunyatwa.

8. Sivumelwano sesisonkhe

Lesivumelwano sihlanganisa sonkhe sivumelwano phakatsi kwemacembu laphatselene nalenzaba yalesivumelwano futsi kute lokwengetiwe, lokuguculiwe nobe lokwesuliwe kwalesivumelwano nobe kukhishwa kwanobe nguwaphi emalungelo ngaphasi kwalesivumelwano lokubawuba khona kwanobe ngukuphi kuphococelelwa nobe umphumela ngaphandle uma ngabe kuncishiswa ngekubhala futsi kwasayinwa kulamacembu lamabili alesivumelwano.

Isayini yalofaka sicelo semvumo: _____ Lusuku:

Sikhundla salosayinako:

Egameni la: _____

Isayini yemniketi wekufinyeleleka kumitfombolusito: _____ Lusuku:

Sikhundla salosayinako:

Egameni la: _____

Kwemukelwe yiNdvuna Yetesimondzawo Netekuvakasha

Isayini

Lusuku

SENGETO 8
SIVUMELWANO SEKWABELANA TINZUZO

Emanotsi:

1. Lesivumelwano kumele sentiwe phakatsi kwalofaka sicelo semvumo kanye nalabanye babambimsuka labatfolwe ngekulandzela uMtsetfo kanye neMitsetfotimiso.
2. Uma ngabe kunembambimsuka longetulu kwamunye sivumelwano lesiseceleni kumele sentiwe nembambimsuka ngamunye.
3. Uma ngabe kute sikhala lesanele kulelifomu, umningwane lowengetiwe ungafakwa njengendlela yetengeto. Kantsi futsi, emacembu angakhetsa kusebenta emafomu awo lanesikhala lesanele ngeMtsetfosimiso ngamunye, yingce nje uma ngabe lawo mafomu alandzelela ifomathi jikelele yalelifomu.
4. Lamacembu kulesivumelwano kumele asayine lesivumelwano esikhaleni lesikhonjisiwe futsi kumele afake ema-inishiyeli kuwo onkhe emakhasi alesivumelwano, kufaka ekhatsi nobe ngutiphi tengeto.

**1. Lofaka sicelo semvumo uma ngabe umfakisicelo kungumtimba
losemtsetfweni**

1.1. Ligama lesikhungo nobe umtimba:

1.2. Inombolo yekubhaliswa kwesikhungo nobe umtimba:

1.3. Imininingwane yekutsintsana yesikhungo nobe umtimba (kufaka ekhatsi likheli leliposi/lendzawo, lucingo, ifeksi nelikheli le-email): _____

1.4. Ligama lemuntfu lotsintfwako kusikhungo nobe umtimba:

1.5. Sikhundla semuntfu lotsintfwako:

**2. Lofaka sicelo semvumo uma ngabe umfakisicelo anguntfu
ngekwemvelo**

2.1. Ligama lalofaka sicelo:

2.2. Inombolo yamatisi yalofaka sicelo:

2.3. Imininingwane yekutsintsana yememukeli (kufaka ekhatsi likheli
leliposi/lenzawo, lucingo, ifeksi nelikheli le-email):

**3. Umniketi wekufinyeleleka kumitfombolusito yetendalo temvelo (uma
akhona)**

3.1. Ligama:

3.2. Sikhundla:

3.3. Uma ungena kusivumelwano ngesikhundla sekumele, shano ligama
lesikhulu:

3.4. Imininingwane yekutsintsana (kufaka ekhatsi likheli lenzawo/leliposi,
lucingo, ifeksi nelikheli le-email):

4. Umphakatsi wenzabuko (uma ukhona)

4.1. Inchazelo yemphakatsi wenzabuko:

4.2. Ligama lesitfunywa semphakatsi wenzabuko lesitawusayina lesivumelwano egameni lemphakatsi wenzabuko: _____

4.3. Sikhundla:

4.4. Imininingwane yekutsintsana (kufaka ekhatsi likheli lendzawo/leliposi, lucingo, ifeksi nelikheli le-email) yesitfunywa semphakatsi wenzabuko:

Siphetfo lesitsetfwe ngumphakatsi wenzabuko kumele sihlanganiswe kulelifomu. Lesiphetfo kumele sicinisekise kutsi lesitfunywa semphakatsi wenzabuko lesiphawulwe ngetulu sigunyatiwe kwekutsi sente tivumelwano egameni lemphakatsi wenzabuko; nekutsi umphakatsi wenzabuko unelwati lolugcwele ngemklamo wekuhlwaya kwendalo; nekutsi uyavuma kungena kulesivumelwano sekwabelana tinzuzo.

5. Luhlobo nebunyenti bemitfombolusito yetendalo temvelo

Lesivumelwano siphatselene nalemitfombolusito yetendalo temvelo lelandzelako - (chaza ngaphasi luhlobo lwemitfombolusito, bunyenti bemitfombolusito nendzawo nobe umtfombo lapho kugcogcwe khona nobe kutfolwe lomtfombolusito)

Luhlobo lwendalo	Umndeni, luhlobo nobe tinhlobo (uma kukhonakala) (emagama etesayensi	Incenye yalokuphilako lokutawucok elelwa	Bunyenti (Umkhawulo webunyenti bemasampuli)	Idatha yenzawo ngalokugcwele (Ema-reading e-GIS uma kukhonakala)
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	nalatayelekile)			

6. Kusetjentiswa kwanyalo kwemitfombolusito yetendalo temvelo

Kusetjentiswa lokungaba khona kwanyalo kwemitfombolusito yetendalo temvelo nguloku lokulandzelako –

7. Kusetjentiswa lokuhlosiwe kwemitfombolusito yetendalo temvelo

Indlela kanye nelizinga lekutawusetjentiswa ngalo imitfombolusito yetendalo temvelo ngetinhloso tekuhlwaywa kwendalo (kubekiwe ngaphasi) –

8. Kusetjentiswa kwendzabuko nobe lwati (uma kukhona)

Umphakatsi wendzabuko loyincenye yalesivumelwano unalolwati lwendzabuko lolulandzelako lwemitfombolusito yetendalo temvelo nobe usebentise ngekwendzabuko lemitfombolusito yetendalo temvelo ngalendlela lelandzelako –

9. Kwabelana kutinzuzo

Tinzuzo titawuhluka kakhulu ngekuya ngetimo letehlukene, tinzuzo titawehluka ngekutsi ngabe umbambimsuka uniketa kufinyeleleka kumitfombolusito yetendalo temvelo nobe ngumphakatsi wenzabuko. Letinhla ngaphasi tiniketa tibonelo tetinzuzo tetimali naleti letingafaki timali letingasukela kumklamo wekuhlwaya kwendalos. Loluhlu lwekucala lubaluleke kakhulu uma ngabe kungumbambimsuka kulesivumelwano uniketa nobe uvumela kufinyeleleka kumitfombolusito yetendalo temvelo bese kutsi loluhlu lwesibili lubalulekile kakhulu uma ngabe umbambimsuka kulesivumelwano kungumphakatsi wenzabuko. Thika ibhuloki ngayinye lesebenta kulesivumelwano bese uyakhombisa ngaphasi kwekutsi ngubani lotawuzuzo inzuzo ngayinye kanye nebhuluko benzuzo (niketa imiculu lesekelako lapho kudzingeke khona).

Kumele kugcwalise uma ngabe umbambimsuka avumela nobe aniketa kufinyeleleka kumitfombolusito yetendalo temvelo

Tinzuzo letingafaki imali, temali kanye nenzuzo “yemphahla”			
Kuvuma kwemacembu lavumela kuvinyeleleka kumitfombolusito		Emavawusha latibonelo netikhungo tavelonkhe	
Imiphumela yekuklaya kanye nemakhophi emaphepha		Kuhlanganyela kwebantfu baseNingizimu Afrika	
Kusekelwa kwemvelo		Kufinyeleleka kuligcogco lwemhlaba wonkhe kwebantfu baseNingizimu Afrika	
Kufakwa kwetihlobo tendalo		Kwemukela nekutfutukisa kusetjentiswa / lwati lwenzabuko	
Kucecesha nekwesekela		Imiklamo yekutfutukisa	

bafundzi		umphakatsi	
Kutfufukisa umtsamo wetesayensi		Imfundvo yesimondzawo	
Kundluliswa kwetheknoloji		Tinhlawulo	
Kuklaya lookuhlanganyelwe		Emaroyalithisi	
Umniningwane		Kubhadala ngaleso sikhatsi	
Tintfo tekusebenta nesakhiwocanti		Kubhadala lokuchubekako	
Lokunye (chaza)		Letinye tinzuzo tetetimali (chaza)	
Lokunye (chaza)		Lokunye (chaza)	

Kumele kugcwalise uma ngabe umbambimsuka kungumphakatsi wenzabuko

Tinzuzo letingafaki imali, temali kanye nenzuzo “yemphahla”			
Kuchumana lokuchubekako kwetinhloso tekuklaywa kwendalo, tindlela nemiphumela, lokuhunyushelwe ngetilwimi tendzawo		Emakhophi etiphakamiso, imibiko kanye nemishicelelo	
Emaphosta lentiwa aba malula futsi agcanyiswa, emamanyuwali, emaphamfulethi kanye naleminyane		Kwemukela nekutfutukisa kusetjentiswa / lwati lwenzabuko	

imiculu lehunyushelwe etilwimini tendzawo			
Buniyo lobuhlanganyelwe bemishicelelo		Kufakwa kwetibonelo	
Kufinyeleleka kudatha yekuklaya		Tibonelelo tekutfufukisa netemiklamo yekufundzisisa ngesimondzawo	
Emakhophi etitfommbe nemaslayidi		Tinhlawulo (sib tekubonisana, tebasiti, tebeluleki, kusetjentiswa kwetinsita kanye netakhisoncanti)	
Kufakwa ekuyweni kwebantfu bendzawo, basiti, beluleki nebatisi		Emaroyalithisi	
Kuceceshwa kwebantfu bendzawo njengobe kufanele etindzabeni tetesayensi, temtsetfo netekuphatsa		Kubhadala ngaleso sikhatsi	
Lusito lwetintfo tekusebentisa nesakhiwoncanti		Kubhadala lokuchubekako	
Buniyo lobuhlanganyelwe banobe nguwaphi emalungelo emphahla yemcondvo		Letinye tinzuzo tetetimali (chaza)	
Lokunye (chaza)		Lokunye (chaza)	

10. Kubhadalwa kwetinzuzo

Tonkhe timali letisukela kulesivumelwano lekumele kwekutsi tikhokhelwe nobe nguliphi licembu kulesivumelwano kumele ibhadalwe kuSikhwama seThrasti yekuHlwaya kweNdalo.

11. Kubuyeketwa kwalesivumelwano

Lesivumelwano sitawubuyeketwa njalo nga _____ (**faka luhlaka lwesikhatsi lekuvunyelwe ngaso**), ngembono wekugucula lesivumelwano uma kudzingekile. Ngenyanga yinye ngaphambi kwebuyeketwa, umphatsi wemvumo kumele adzalule nobe nguwuphi umniningwane wemphahla lomusha lomayelana nekuhlwaya kwendalo kubo bonkhe babambimsuka kusita babambimsuka kuhlanganyela ekubuyeketwani losekwatisiwe.

12. Letinye tindzaba

Nobe ngutiphi letinye tetindzano nobe timo leti emacembu alesivumelwano afuna kutirekhoda tingahlanganiswa kulesivumelwano njesengeto.

Ikhophi yalesivumelwano kumele ifakwe kuMcondzisi-Jikelele weLitiko Letesimondzawo Netekuvakasha ngekhatshi kwenyanga yinye yekuphetfwa kwalesivumelwano.

Lesivumelwano sihlanganisa sonkhe sivumelwano phakatsi kwemacembu laphatselene nalenzaba yalesivumelwano futsi kute lokwengetiwe, lokuguculiwe nobe lokwesuliwe kwalesivumelwano nobe kukhishwa kwanobe nguwaphi emalungelo ngaphasi kwalesivumelwano lokubawuba khona kwanobe ngukuphi kuphococelelwa nobe umphumela ngaphandle uma ngabe kuncishiswa ngekubhala futsi kwasayinwa kulamacembu lamabili alesivumelwano.

Isayini yalofaka sicelo semvumo: _____ **Lusuku:**

Sikhundla salosayinako:

Egameni la: _____

Kuvuma kwemtimba loseemtsetfweni, uma ukhona

Ligama lemtimba loseemtsetfweni:

Isayini yesiphatsimandla lesigunyatiwe lesiphuma kumtimba

losemtsetfweni: _____ **Lusuku:** _____

Isayini yemniketi wekufinyeleleka kumtfombolusito wetendalo wenzabuko:

_____ **Lusuku:** _____

Sikhundla salosayinako:

Egameni: _____

Isayini yesitfunywa semphakatsi wenzabuko:

_____ **Lusuku:**

Sikhundla salosayinako:

Egameni: _____

Sivunywe yiNdvuna yeTesimondzawo Netekuvakasha

Isayini

Lusuku

SATISO SEKUKHULULWA

LITIKO LETESIMONDZAWO NETEKUVAKASHA

No. R.........2008

KUPHATFWA KWESIMONDZAWO KWAVELONKHE: UMTSETFO

WEKWEHLUKAHLUKANA KWETENDALO, 2004:

SATISO SEKUKHISHELWA NGAPHANDLE NGEKULANDZELA SIGABA 86

Indvuna yeTesimondzawo Netekuvakasha ngekulandzela sigaba 86 seKuphatfwa kweSimondzawo kwaVelonkhe: Umtsetfo weKwehlukahlukana Kwendal, 2004 (Umtsetfo nombolo 10 wanga-2004), ukhululiwe kuSehluke 6 seMtsetfo wemitfombolusito yetendalo temvelo nobe imisebenti lehlobene nemitfombolusito yetendalo temvelo njengobe ibekiwe kuShejuli lena.

Ishejuli

Tinchazelo

1. Kulesatiso, ngaphandle uma ngabe ingcikitsi isho ngalenywe indlela, ligama nobe sisho lesiniketwe inchazelo kuMtsetfo weKwehlukahlukana Kwendalo nobe kuMitsetfotimiso yeKuhlwaya Kwendalo, Kufinyeleleka neKwabelana Tinzuzo, kunchazelo, kantsi -

“uMtsetfo weKwehlukahlukana Kwendalo” kusho Kuphatfwa Kwesimondzawo kwaVelonkhe: uMtsetfo weKwehlukahlukana Kwendalo, 2004 (uMtsetfo nombolo 10 wanga-2004);

“umklayi wendalo” kusho umuntfu ngekwemvelo nobe umtimba losemtsetfweni lotibandzakanya kumgamu wekutsengiselana wemklamo wekuhlwaya kwendalo;

“kusetjentiswa kwasekhaya” kusho kusebentisa imitfombolusito yetendalo temvelo kutsi isetjentiswe ngco nobe kuleminye imikhuba yendzabuko kodvwa akufaki ekhatsi kutfutukiswa kwemikhicito lemisha yekusetjentiswa kutekuhweba nobe kutetimboni angaba yedvwa nobe kubudlelwano nalamanye emacembu esitsatfu;

“imitfombolusito yetendalo temvelo *le-ex situ*” kusho imitfombolusito yetendalo temvelo lephila ngekuphiliswa ngaphandle kwendzawo yawo;

“tilwane tasendle” kufaka ekhatsi tilwanyane, tinyoni, tilwane letihumako, tilwane tasemantini, tilwane letifana nemashongololo nabofecela (arthropods), tifishi netitjalo.

Kukhululwa

2. Lemisebenti lelandzelako lehlobene nemitfombolusito yetendalo temvelo ikhululiwe kuSehluko 6 seMtsetfo –
 - 2.1. kuklaya ngaphandle wekuhlwaya kwendalo, ngekuya ngekutsi kuklaya kwentiwa ngekhatsi kweminyele yeNingizimu Afrika futsi lekuklaya akwentiwa ngetinhloso tekusetjentiswa kutekuhweba nobe kutetimboni;
 - 2.2. tfumela ngaphandle kwemitfombolusito yetendalo temvelo *le-ex situ* ngetinhloso tekuklaya ngaphandle wekuhlwaya kwendalo, ngephandle uma ngabe umtfumeli ngaphandle wente sivumelwano sekutfumela ngaphandle futsi watisa nesiphatsimandla sekukhipha ngalako;

- 2.3. kutsengisela ngemikhicito tekuhweba letsengwe kumklayi wendalo, ngaphandle uma ngabe umklayi wendalo atfobele iMiiitsetfotimiso ngeKuhlwaya Kwendalo, Kufinyeleleka neKwabelana Tinzuzo;
- 2.4. kugcinw, kotalisa, kulima, kuhambisa, kutsengiselana kanye nekusetjentiswa kwetilwane tasendle lokungakacondziswa ekutfufukiseni kukukhicitwa kwe –
- 2.4.1. mikhicito lefana netidzakamiva, ema-enzayimi etimboni, tinongo tekudla, liphungamnandzi, ikhosimethiki, tihlanganiso temafutsa, imibalo ye-oyila, imibala, naletinye letikhishiwe; nobe
- 2.4.2. tinchubevange tetitjalo letisha kanye nemikhicito;
- 2.5. tigcogcwa, kusetjentiswa, kulimela kwandzisa nobe kutsengiselana kwemitfombolusito yetendalo temvelo kusetjentiswa kwasekhaya nobe kwekutiphilisa;
- 2.6. kutalanisa kwekutentela, kuphindzaphindzana nobe kulinywa kwetitjalo tetimila tekujujwa kwetimbali tendzawo netemave emhlaba kanye nemamakethi etitjalo temhlibiso letikhona;
- 2.7. imisebenti yetintfo tasemantini kufaka ekhatsi emanti lafuleshi kanye netilwane tasemantini letikhicita tintfo tetinhloso tekudliwa.