



**KWAZULU-NATAL PROVINCE**  
**KWAZULU-NATAL PROVINSIE**  
**ISIFUNDAZWE SAKWAZULU-NATALI**

**Provincial Gazette • Provinsiale Koerant • Igazethi Yesifundazwe**

*(Registered at the post office as a newspaper) • (As 'n nuusblad by die poskantoor geregistreer)*  
*(Irejistiwee njengephephandaba eposihhovisi)*

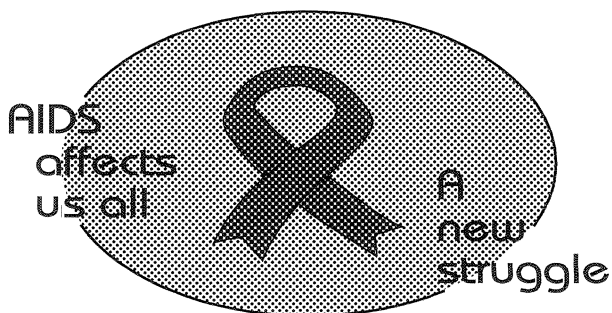
**Vol. 5**

**PIETERMARITZBURG,**

21 APRIL 2011  
21 kuMBASA 2011

**No. 573**

**We all have the power to prevent AIDS**



**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

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# IMPORTANT NOTICE

The  
**KwaZulu-Natal Provincial Gazette** Function  
will be transferred to the  
**Government Printer** in Pretoria  
as from 26 April 2007

**NEW PARTICULARS ARE AS FOLLOWS:**

**Physical address:**

Government Printing Works  
149 Bosman Street  
Pretoria

**Postal address:**

Private Bag X85  
Pretoria  
0001

**New contact persons:** Louise Fourie Tel.: (012) 334-4686  
Mrs H. Wolmarans Tel.: (012) 334-4591

**Fax number:** (012) 323-8805

**E-mail addresses:** Louise.Fourie@gpw.gov.za  
Hester.Wolmarans@gpw.gov.za

**Contact persons for subscribers:**

Mrs J. Wehmeyer Tel.: (012) 334-4734  
Tel.: (012) 334-4753  
Fax.: (012) 323-9574

This phase-in period is to commence from **26 April 2007**, which is the closing date for all adverts to be received for the publication date of **3 May 2007**.

Subscribers and all other stakeholders are advised to send their advertisements directly to the **Government Printing Works**, one week (five working days) before the date of printing, which will be a Thursday.

**Payment:**

- (i) Departments/Municipalities: Notices must be accompanied by an order and official letterhead, including financial codes, contact person and address of Department.
- (ii) Private persons: Must pay in advance before printing.

Advertising Manager

IT IS THE CLIENTS RESPONSIBILITY TO ENSURE THAT THE CORRECT AMOUNT IS PAID AT THE CASHIER OR DEPOSITED INTO THE GOVERNMENT PRINTING WORKS BANK ACCOUNT AND ALSO THAT THE REQUISITION/COVERING LETTER TOGETHER WITH THE ADVERTISEMENTS AND THE PROOF OF DEPOSIT REACHES THE GOVERNMENT PRINTING WORKS IN TIME FOR INSERTION IN THE PROVINCIAL GAZETTE.

**No ADVERTISEMENTS WILL BE PLACED WITHOUT PRIOR PROOF OF PRE-PAYMENT.**

$\frac{1}{4}$  page **R 215.43**

Letter Type: Arial Size: 10

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Exactly 11pt

$\frac{1}{4}$  page **R 430.87**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

$\frac{1}{4}$  page **R 646.31**

Letter Type: Arial Size: 10

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$\frac{1}{4}$  page **R 861.74**

Letter Type: Arial Size: 10

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REPUBLIC  
OF  
SOUTH AFRICA

## LIST OF FIXED TARIFF RATES AND CONDITIONS

### FOR PUBLICATION OF LEGAL NOTICES IN THE *KwaZulu-Natal PROVINCE* *PROVINCIAL GAZETTE*

**COMMENCEMENT: 1 JUNE 2007**

## CONDITIONS FOR PUBLICATION OF NOTICES

### CLOSING TIMES FOR THE ACCEPTANCE OF NOTICES

1. (1) The *KwaZulu-Natal Provincial Gazette* is published every week on Thursday, and the closing time for the acceptance of notices which have to appear in the *KwaZulu-Natal Provincial Gazette* on any particular Thursday, is **15:00 one week prior to the publication date**. Should any Thursday coincide with a public holiday, the publication date remains unchanged. However, the closing date for acceptance of advertisements moves backwards accordingly, in order to allow for 5 working days prior to the publication date.
- (2) The date for the publication of an **Extraordinary** *KwaZulu-Natal Province Provincial Gazette* is negotiable.
2. (1) Notices received **after closing time** will be held over for publication in the next *KwaZulu-Natal Provincial Gazette*.
- (2) Amendments or changes in notices cannot be undertaken unless instructions are received **before 10:00 on Fridays**.
- (3) Notices for publication or amendments of original copy can not be accepted over the telephone and must be brought about by letter, by fax or by hand. The Government Printer will not be liable for any amendments done erroneously.
- (4) In the case of cancellations a refund of the cost of a notice will be considered only if the instruction to cancel has been received on or before the stipulated closing time as indicated in paragraph 2(2).

### APPROVAL OF NOTICES (This only applies to Private Companies)

3. In the event where a cheque, submitted by an advertiser to the Government Printer as payment, is dishonoured, then the Government Printer reserves the right to refuse such client further access to the *KwaZulu-Natal Provincial Gazette* until any outstanding debts to the Government Printer is settled in full.

### THE GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

4. The Government Printer will assume no liability in respect of—
  - (1) any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - (2) erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;

- (3) any editing, revision, omission, typographical errors, amendments to copies or errors resulting from faint or indistinct copy.

### **LIABILITY OF ADVERTISER**

5. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

### **COPY**

6. Notices must be typed on one side of the paper only and may not constitute part of any covering letter or document.

7. At the top of any copy, and set well apart from the notice, the following must be stated:

Where applicable

- (1) The heading under which the notice is to appear.
- (2) The cost of publication applicable to the notice, in accordance with the "Word Count Table".

### **PAYMENT OF COST (This only applies to Private Companies)**

9. **With effect from 26 April 2007 no notice will be accepted for publication unless the cost of the insertion(s) is prepaid in CASH or by CHEQUE or POSTAL ORDERS. It can be arranged that money can be paid into the banking account of the Government Printer, in which case the deposit slip accompanies the advertisement before publication thereof.**
10. (1) The cost of a notice must be calculated by the advertiser in accordance with the word count table.
- (2) Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the **Advertising Section, Government Printing Works, Private Bag X85, Pretoria, 0001 [Fax: (012) 323-8805], before publication.**
11. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and the notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or by cheque or postal orders, or into the banking account.

12. *In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the Government Printing Works.*
13. The Government Printer reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the Word Count Table, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

#### **PROOF OF PUBLICATION**

14. **Copies of the *KwaZulu-Natal Provincial Gazette* which may be required as proof of publication, may be ordered from the Government Printer at the ruling price.** The Government Printer will assume no liability for any failure to post such *KwaZulu-Natal Provincial Gazette(s)* or for any delay in despatching it/them.

## **GOVERNMENT PRINTERS BANK ACCOUNT PARTICULARS**

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	BOSMAN STREET
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Fax No.:	(012) 323 8805

#### ***Enquiries:***

Mrs. L. Fourie	Tel.: (012) 334-4686
Mrs. H. Wolmarans	Tel.: (012) 334-4591

**PROVINCIAL NOTICE—PROVINSIALE KENNISGEWING—ISAZISO SESIFUNDAZWE**

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The following notices are published for general information.

Onderstaande kennisgewings word vir algemene inligting gepubliseer.

300 Langalibalele Street  
Pietermaritzburg  
21 April 2011

MR N.V.E. NGIDI  
Director-General

Langalibalelestraat 300  
Pietermaritzburg  
21 April 2011

MNR. N.V.E. NGIDI  
Direkteur-generaal

Izaziso ezilandelayo zikhishelwe ulwazi lukawonkewonke.

300 Langalibalele Street  
Pietermaritzburg  
21 kuMbaso 2011

MNU. N.V.E. NGIDI  
Umqondisi-Jikelele

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No. 37

21 April 2011



## KWAZULU-NATAL GAMING AND BETTING BOARD

### NOTICE OF APPLICATIONS RECEIVED TO ACQUIRE FINANCIAL INTEREST IN LICENSEES

1. In terms of Section 54 of the KwaZulu-Natal Gaming and Betting Act, 2010 (Act No. 08 of 2010), notice is hereby given of an application to acquire a financial interest in a Site Operator licensee received from the applicant mentioned below:

APPLICANT	LICENSEE	ADDRESS	ROUTE OPERATOR
Lionel Ananthan	Tuffsan Trading 237 t/a Frosties Pub & Grill	Shop 13, 120 Stella Road, Hillary, Durban	Vukani Gaming KZN (Pty) Ltd
Paulos Thulani Ntshingila	Mohan Harichand Singh t/a Jam Alley Bar & Restaurant	05 Desmoina Lane, Vryheid	

### 2. Public inspection of application

The above mentioned application will, subject to any ruling by the Board to the contrary in accordance with the provisions of section 34 of the KwaZulu-Natal Gaming and Betting Act, 2010 (Act No. 08 of 2010), be open for public inspection at the offices of the Board at the address mentioned below for the period from **21 April to 26 May 2011.**

The KZN Gaming & Betting Board  
Ground Floor (South Tower)  
Room G135  
Natalia Building  
330 Langalibalele Street  
PIETERMARITZBURG  
3201

### 3. Invitation to lodge representations

Interested persons are hereby invited to lodge any representations in respect of the applicant by no later than **16:00 on 26 May 2011**.

Representations should be in writing and must contain at least the following information:

- (a) The name of the applicant to whom the representations relate
- (b) The ground(s) on which representations are made.
- (c) The name, address and telephone number of the person submitting the representations.
- (d) An indication as to whether or not the person making the representations wishes to make oral representations when the Board hears the application.

Any representations that do not contain all of the information referred to in paragraph 3 above, will be deemed not to have been lodged with the Board and will not be considered by the Board.

Representations should be addressed to:

The Acting Chief Executive Officer  
KwaZulu-Natal Gaming and Betting Board  
Private Bag X9102  
PIETERMARITZBURG  
3200

or faxed to: (033) 3427853.

No. 37

21 April 2011



## KWAZULU-NATAL DOBBEL EN WEDDERY RAAD

### KENNSIGEWING VAN AANSOEKE ONTVANG OM FINANSIELE BELANGSTELLING IN 'N LISENSIE TE VERKRY

- Ingevolge Artikel 54 van die KwaZulu-Natal Dobbelary en Weddery Wet, 2010 (Wet No. 08 van 2010), word hierby kennis gegee van die aansoek om finansiële belangstelling in 'n lisensie deur die ondergenoemde applikaant:

APPLIKAANT	LICENSEE	ADRES	ROUTE OPERATEUR
Lionel Ananthan	Tuffsan Trading 237 t/a Frosties Pub & Grill	Shop 13, 120 Stella Road, Hillary, Durban	Vukani Gaming KZN (Pty) Ltd
Paulos Thulani Ntshingila	Mohan Harichand Singh t/a Jam Alley Bar & Restaurant	05 Desmoina Lane, Vryheid	

## 2. Openbare inspeksie van aansoek

Die aansoek lê, behoudens enige teenstrydige reëling deur die raad in ooreenstemming met die bepalings van artikel 34 van die KwaZulu-Natal Dobbelary en Weddery Wet, 2010 (Wet No. 08 van 2010), vir openbare inspeksie ter insae by die kantoor van die Raad by die ondergemelde adres vir die tydperk van **21 April tot 26 Mei 2011**.

KwaZulu-Natal Dobbelary en Weddery Raad  
Grondvloer (Suid Toring)  
Kamer G135  
Natalia Gebou  
Langalibalele straat 330  
Pietermaritzburg  
3201

### 3. Uitnodiging om vertoë te rig

Belanghebbende persone word hierby uitgenooi om enige vertoë ten opsigte van die aansoeker te rig teen nie later as **16:00** op **26 Mei 2011**. Vertoë moet skriftelik geskied en moet minstens die volgende inligting bevat:

- (a) Die name van die aansoeker waarop die vertoë betrekking het;
- (b) Die grond(e) waarop die vertoë berus;
- (c) Die naam, adres en telefoonnommer van die persoon wat die vertoë rig en
- (d) 'n Aanduiding of die persoon wat die vertoë rig ook mondelikse vertoë wil rig, aldan nie, wanneer die raad die aansoek aanhoor.

Enige vertoë wat nie al die besonderhede bevat wat in paragraaf 3 vermeld word nie, sal geag word nie by die raad ingedien te wees nie en sal nie deur die raad oorweeg word nie.

Vertoë moet gerig word aan:

Die waarnemende Hoof- Uitvoerende Beampte  
KwaZulu-Natal Dobbelaar en Weddery Raad  
Private sak 9102  
Pietermaritzburg  
3200

Of per faks gestuur word na: (033) 342-7853.

No. 37

21 kuMbasa 2011



### IBHODI YEZOKUGEMBULA YAKWAZULU-NATALI

#### ISAZISO NGESICELO ESAMUKELIWE SELUNGELO LOKUHLOMULA NGOKWEZIMALI

1. Ngokwezinhlinzeko zesigaba 54 soMthetho wezokuGembula waKwaZulu-Natali ka2010 (uMthetho No. 08 ka 2010), lapha kukhishwa isaziso ngezicelo ezamukeliwe zelungelo lokuhlomula ngokwezimali.

UMFAKISICELO	UMNINILAYISENSI	IKHELI	UMUNTU OWENGAMELE IBHIZINISI LOKUGEMBULA KULEYO NDAWO
Lionel Ananthan	Tuffsan Trading 237 t/a Frosties Pub & Grill	Shop 13, 120 Stella Road, Hillary, Durban	Vukani Gaming KZN (Pty) Ltd
Paulos Thulani Ntshingila	Mohan Harichand Singh t/a Jam Alley Bar & Restaurant	05 Desmoina Lane, Vryheid	

## 2. Ukuhlolwa kwezicelo ngumphakathi

Lezi zicelo ezibalulwe ngenhla, kuye ngokuhambisana nanoma yisiphi isinqumo seBhodi esiphikisayo ngokwezinhlinzeko zesigaba 34 soMthetho wezokuGembula waKwaZulu-Natali ka2010 ( uMthetho No. 08 ka 2010), isicelo sizokwazi ukubonwa ngumphakathi emahhovisi eBhodi kuleli kheli elibhalwe ngezansi esikhathini esisukela kumhla **zingu 21 kuMbasa kuya mhla zinga 26 kuNhlaba 2011**.

KwaZulu-Natal Gaming and Betting Board  
Ground Floor (South Tower)  
Room G135  
Natalia Building  
330 Longalibalele Street  
PIETERMARITZBURG  
3201

## 3. Isimemo sokwenza izethulo

Abantu abanentshisekelo bayamenywa ukuba benze izethulo lungakadluli mhla zingama **zinga 26 kuNhlaba 2011** ngaphambi **kwehora lesine ntambama**. Izethulo kufanele zibhalwe futhi zibe nale mininingwane elandelayo:

- (a) Igama lomfakisicelo izethulo eziqondene naye;
- (b) Izizathu izethulo ezenziwa ngaphansi kwazo;
- (c) Igama, ikheli kanye nenombolo yocingo yomuntu oletha izethulo; kanye;
- (d) Nokubalula ukuthi umuntu owenza izethulo ufisa ukwenza izethulo ngomlomo uma iBhodi isilalela isicelo.

Noma iziphi izethulo ezingaluqukethe lonke lolu lwazi olubalulwe endimeni 3 ngenhla zizothathwa ngokuthi azikaze zethulwe kwiBhodi futhi iBhodi angeke izicubungule.

### **Izethulo kufanele zithunyelwe ku:**

The Acting Chief Executive Officer  
KwaZulu-Natal Gaming and Betting Board  
Private Bag X9102  
PIETERMARITZBURG  
3200

noma zithunyelwe ngesikhahlakezi kule nombolo: (033) 3427853.

**MUNICIPAL NOTICES—MUNISIPALE KENNISGEWINGS—IZAZISO ZIKAMASIPALA****No. 43****21 April 2011****Supplementary Valuation Roll as at January 2011, with reference to the Valuation Roll 2007-2011**

Notice is hereby given in terms of Section 49, read with Section 78(2) of the Local Government: Municipal Property Rates Act No 6 of 2004, that the supplementary valuation roll as at January 2011, prepared in terms of Section 78 of the said Act, in respect of all properties situated within the KwaDukuza Municipality area of jurisdiction, will be open for inspection from 15 April 2011 at all Council offices, during normal office hours, until 22 May 2011.

In terms of section 50 of the said Act, any person wishing to lodge an objection against any matter reflected in, or omitted from, the roll must do so on the prescribed forms. An objection must be in relation to a specific individual property and not against the Valuation Roll as such.

In terms of Section 70 (1) of the said Act "When an appeal board gives its decision, it may issue an order with regard to costs it regards as just and equitable".

In terms of Section 70(2) of the said Act "When making an order in terms of subsection (1), an appeal board may order any person whose appeal or opposition to an appeal is in bad faith or frivolous to compensate the municipality concerned in full or in part for costs incurred by the Municipality in connection with the appeal".

Copies of the prescribed forms are available at the Finance Department and completed forms must be submitted to the Municipal Manager, KwaDukuza Municipality, PO Box 72, KwaDukuza 4450 by 22 May 2011.

Notice No: 39/2011

MOS Zungu

Municipal Manager

Civic Offices, 14 Chief Albert Luthuli Street, KwaDukuza 4450, tel. (032) 437-5500, fax: (032) 551-4274

**No. 43****21 April 2011****Aanvullende Waardasielys soos op Januarie 2011, met verwysing na die Waardasielys 2007-2011**

Kennis geskied hiermee ingevolge artikel 49, saamgelees met artikel 78(2) van die Wet op Plaaslike Regering: Munisipale Eiendomsbelasting, Wet Nr. 6 van 2004, dat die aanvullende waardasielys soos op Januarie 2011, voorberei ingevolge artikel 78 van genoemde Wet, ten opsigte van alle eiendomme geleë binne die regsgebied van KwaDukuza Munisipaliteit, vanaf 15 April 2011 ter insae sal lê vir inspeksie by die Raad se kantore gedurende normale kantoorure tot en met 22 Mei 2011.

Ingevolge artikel 50 van die genoemde Wet, moet enige persoon wat beswaar wil aanteken teen enige aangeleentheid wat in die lys weerspieël word of daaruit weggelaat is, dit op die voorgeskrewe vorms doen. 'n Beswaar moet op 'n spesifieke individuele eiendom betrekking hê en nie op die Waardasielys as sodanig nie.

Ingevolge artikel 70(1) van die genoemde Wet: "Wanneer 'n appèlraad sy besluit gee, kan hy 'n kostebevel gee wat hy as billik en regverdig beskou".

Ingevolge artikel 70(2) van die genoemde Wet: "Wanneer 'n bevel ingevolge subartikel (1) gegee word, kan 'n appèlraad enige persoon wie se appèl of teenkanting teen 'n appèl te kwader trou of beuselagtig is, gelas om die betrokke munisipaliteit ten volle of gedeeltelik te vergoed vir koste wat die munisipaliteit in verband met die appèl aangegaan het."

Afskrifte van die voorgeskrewe vorms is beskikbaar by die Finansiële Afdeling en voltooides vorms moet teen 22 Mei 2011 by die Munisipale Bestuurder, KwaDukuza Munisipaliteit, Posbus 72, KwaDukuza 4450 ingedien word.

Kennisgewing Nr.: 39/2011

MOS Zungu

Munisipale Bestuurder

Munisipale Kantore, Chief Albert Luthulistraat 14, KwaDukuza 4450, tel. (032) 437-5500, faks: (032) 551-4274

No. 44

21 April 2011

The Council of Richmond Local Municipality has in terms of Section 156 of the Constitution, 1996 (Act No. 108 of 1996), read in conjunction with sections 11 and 98 of the Local Government : Municipal Systems Act, 2000, (Act No. 32 of 2000), made the following By-laws:

## **RICHMOND LOCAL MUNICIPALITY** **TARIFF POLICY BY-LAWS**

### **PREAMBLE**

**WHEREAS** section 74 of the Local Government : Municipal Systems Act, 2000 (Act No. 32 of 2000) requires a municipal council to adopt a tariff policy on the levying of fees for municipal services;

**AND WHEREAS** section 75(1) of the Local Government : Municipal Systems Act, 2000 (Act No. 32 of 2000) requires a municipal council to adopt By-laws to give effect to the implementation and enforcement of its tariff policy;

**NOW THEREFORE** the municipal council of Richmond Local Municipality approves and adopts the following Tariff Policy By-laws:

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1. DEFINITIONS
2. PURPOSE OF THESE BY-LAWS
3. TARIFF PRINCIPLES
4. CATEGORIES OF USERS
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11. CONFLICT OF LAW
12. SHORT TITLE



## 1. **DEFINITIONS**

- (1) Unless the context otherwise indicates -

**“community services”** means services that the Council has classified as such, in respect of which the tariffs have been calculated with the intention that the costs of the services cannot be recovered from public service charges and are of a regulatory nature;

**“municipality”** means the Richmond Local Municipality;

**“economic services”** means services that the Council has classified as such, in respect of which the tariffs have been calculated with the intention that the total costs of the services are recovered from users;

**“fixed costs”** means costs, which do not vary with increased or decreased consumption or volume produced;

**“flat rate”** means the unit tariffs that do not relate to individual consumers, but are calculated by dividing the total costs by volume used by all the users together, subject to the flat rate;

**“Tariff Policy”** means the Tariff Policy of the Richmond Local Municipality approved by the municipal council in terms of section 74 of the Municipal Systems Act, 2000 (Act No. 32 of 2000);

**“the Act”** means the Local Government : Municipal Systems Act, 2000 (Act No. 32 of 2000);

**“total cost”** means the sum-total of all fixed and variable costs related to a service;

**“trading services”** means services that the Council has classified as trading services, in respect of which the tariffs have been calculated with the intention that the Council makes a profit on the delivery of the services;

**“units consumed”** means the number of units of a particular service consumed and are measured in terms of the units of measurement contemplated in section 8 of this By-law;

**variable costs”** means costs that vary with increased or decreased consumption or volume produced.

- (2) Words applying to any individual shall include persons, companies and corporations, and the masculine gender shall include females as well as males, and the singular number shall include the plural and *vice versa*.

## 2. **PURPOSE OF THESE BY-LAWS**

The purpose of these By-laws is:-

- (1) to comply with the provisions of section 75 of the Act;
- (2) to prescribe procedures for calculating tariffs where the municipality wishes to appoint service providers in terms of section 76(b) of the Act; and

- (3) to serve as guidance to the designated councillor regarding tariff proposals that must be submitted to Council annually during the budget process.

### **3. TARIFF PRINCIPLES**

- (1) The following tariff principles based on the tariff policy set out in section 74(2) of the Act, apply to the levying of fees for municipal services:–
- (a) all users of municipal services must be treated equitably in the application of tariffs and the various categories of users must consequently pay the same charges based on the same cost structure;
  - (b) the amount payable must be in proportion to usage and based on the tariff structure adopted for the approved category of users;
  - (c) indigent households must have access to basic services through free basic services or direct subsidisation in accordance with the Council's Indigent Support Policy as reflected as part of its Credit Control and Debt Collection Policy;
  - (d) tariffs must reflect the total cost of services;
  - (e) tariffs must be set at a level that facilitates the sustainability of services; and
  - (f) sustainability must be achieved by ensuring that -
    - (i) cash inflows cover cash outflows, which means that sufficient provision for working capital or bad debts must be made; and
    - (ii) access to the capital market is maintained by providing for the repayment of capital, maintaining sufficient liquidity levels and making profits on trading services.
  - (g) provision must be made in appropriate circumstances for a surcharge on a tariff if and when necessary for major breakdowns in infrastructure;
  - (h) efficient and effective use of resources must be encouraged by providing for penalties to prevent exorbitant use;
  - (i) the extent of subsidisation of tariffs must be disclosed by publishing the true costs of the service and the level of subsidy as well as the source of the subsidy.

### **4. CATEGORIES OF USERS**

- (1) The tariff structure of the Richmond Local Municipality must make provision for the following categories of users:–
- (a) domestic
  - (b) commercial;
  - (c) municipal; and

- (d) users not falling in any of the abovementioned categories and with whom special agreements have been entered into.
- (2) Where there is a substantial difference between the standard of services provided to a specified category of users, the Council may, after the presentation of an engineers report by the portfolio councillor, determine differentiated tariffs within the specified category.

**5. COST CENTRES, CLASSIFICATION OF SERVICES, EXPENDITURE CLASSIFICATION AND COST ELEMENTS**

**(1) Cost centres**

To determine the total cost of services the Chief Financial Officer must create cost centres, based on the service and expenditure classification prescribed by National Treasury from time to time.

**(2) Classification of services**

Provision for the following classification of services must be made:-

**(a) *Economic services***

- (i) refuse removal

**(b) *Community services***

- (i) building control;
- (ii) cemeteries;
- (iii) licensing of dogs;
- (iv) drainage;
- (v) encroachments;
- (vi) hire of municipal halls, kitchen equipment and fittings;
- (vii) sanitary services;
- (viii) town planning;
- (ix) miscellaneous tariffs.

**(c) *Subsidised services***

- (i) libraries.

**(3) Expenditure classification**

Expenditure must be classified in terms of the requirements of the Local Government : Municipal Finance Management Act, 2003 (Act No. 56 of 2003).

**(4) Cost elements**

The following cost elements must be used to calculate the tariffs of the different services:-

- (a) fixed costs, which consist of the capital costs (interest and redemption) on external loans as well as internal advances and or depreciation, whichever are applicable on the service and any other costs of a permanent nature as determined by the Council from time to time;
- (b) variable cost : includes all other variable costs that have reference to the service;
- (c) total cost is equal to the fixed cost plus variable cost.

**6. DEPOSITS**

- (1) The raising of deposits is permissible where certain levies are made in arrears and payable with application for relevant service:-
  - (a) Rental: Equal to monthly rental.
  - (b) Other services: as and when required.

**7. TARIFF TYPES**

- (1) In setting service charges the Council must:-
  - (a) accurately reflect costs to achieve economic efficiency;
  - (b) ensure equity and fairness between different types of consumers;
  - (c) utilise appropriate metering and supporting technology; and
  - (d) be transparent.

**8. UNIT OF MEASUREMENT**

The following units of measurement must, where possible, be used to determine tariffs:-

**(1) Refuse Removal**

A monthly amount levied is due and payable by the registered owner and/or tenant and recoverable with clearance certificate.

**(2) Social Benefits**

- (a) To measure social benefits enjoyed by the community, the standards as set out in the tables hereunder, shall be used to achieve cost recovery and to measure service delivery.
- (b) These measures must be used –
  - (i) to ensure that the service is affordable to Council, households and businesses;
  - (ii) to determine whether the infrastructure provided is managed effectively; and
  - (iii) to indicate whether any of the services should be curtailed.
- (c) Measures indicated, should be calculated annually and used as a guideline to ensure meaningful reporting. Actual unit costs must be compared with budgeted costs.

**9. DETERMINATION, NOTICE OF TARIFFS, FEES AND LEVIES AND OBJECTIONS**

- (1) The Council may –
  - (a) by resolution, supported by a majority of the members of the Council, levy and recover levies, fees, taxes and tariffs, in respect of any function or service of the municipality in terms of section 75A of the Municipal Systems Act, 2000;
  - (b) from time to time, by resolution, amend or withdraw such determination and determine a date, on which such determination, amendment or withdrawal shall come into operation; and
  - (c) recover any charges so determined or amended, including interest on any outstanding amount.
- (2) After a resolution as contemplated in subsection 9(1)(b) has been passed, the Municipal Manager of the municipality shall forthwith cause the tariffs to be published in terms of the prescribed procedure in terms of the Act.

**10. PHASING IN OF TARIFFS, FEES AND LEVIES**

- (1) The Council must annually consider the methods by which tariffs, fees and levies will be calculated and by resolution amend its Tariff Policy, and terms of the budgeting process.
- (2) Where the newly calculated tariffs, fees and levies differ substantially from the current tariffs, Council may resolve to phase in the differences over a period of time.

**11. CONFLICT OF LAW**

- (1) When interpreting any provision of these By-laws, any interpretation which is reasonable and consistent with the objectives of the Act as set out in Chapter 8, Part 1, on Service Tariffs, must be preferred over any alternative interpretation which is

inconsistent with these objectives.

- (2) If there is any conflict between these By-laws and any other By-laws of the Council relating to tariffs, these By-laws shall prevail.

**12. SHORT TITLE**

These By-laws are called the Tariff By-laws of the Richmond Local Municipality and takes effect on the date of promulgation of these By-laws.

No. 44

21 kuMbasa 2011

UMkhandlu kaMasipala Wendawo wase-Richmond ngokweSigaba se- 156 soMthethosisekelo, we- 1996, uMthetho uNo. 108 we- 1996, ufundwa ngokuhlanganyela nezigaba 11 no- 98 zoMthetho Wohulumeni Basekhaya: uMthetho Wezinhlelo Zikamasipala, wezi- 2000, (uMthetho uNo. 32 wezi - 2000), wenze iMithetho KaMasipala elandelayo:

**UMASIPALA WENDAWO WASE- RICHMOND**  
**IMITHETHO KAMASIPALA YENQUBOMGOMO YENKOKHELO**  
**EMISIWE**

**ISENDULELO**

NJENGALOKHU isigaba sama- 74 soMthetho Wohulumeni Basekhaya: uMthetho Wezinhlelo Zikamasipala, wezi- 2000 (uMthetho uNo. 32 wezi - 2000) sidinga umkhandlu kamasipala ukuba wamukele inqubomgomo yenkokhelo emisiwe yezimali zokukhokhela izidingongqangi zikamasipala;

FUTHI NJENGALOKHU isigaba sama-75(1) soMthetho Wohulumeni Basekhaya: uMthetho Wezinhlelo Zikamasipala, wezi - 2000 (uMthetho uNo.32 wezi - 2000) sidinga ukuba umkhandlu kamasipala wamukele iMithetho kaMasipala ukuba ugunyaze ukuqala kokusebenza nokuphoqelelwa kwenqubomgomo yawo yenkokhelo emisiwe;

MANJE KUNGAKHO-KE umkhandlu kamasipala Wendawo wase-Richmond ugunyaza futhi wamukela iNqubomgomo Yenkokhelo Emisiwe elandelayo:

**OKUQUKETHWE**

1. IZINCAZELO
2. INJONGO YALE MITHETHO KAMASIPALA
3. IMIGOMO YENKOKHELO EMISIWE
4. IZIGABA ZABASEBENZISI
5. IZIKHUNGO EZIBHEKELE IZINDLEKO, UKUHLELWA KWEMISEBENZI, UKUHLELWA KWEZIMALI EZISETSHENZISIWE, IMINXA YEZINDLEKO
  - 5.1 Izikhungo ezibhekele izindleko
  - 5.2 Ukuhlelwa kwemisebenzi
  - 5.3 Ukuhlelwa kwezindleko
  - 5.4 Iminxa yezindleko
6. AMADIPHOZITHI
7. IZINHLOBO ZEZINKOKHELO EZIMISIWE
8. ISILINGANISO SESIKALO
  - 8.1 Ukuthuthwa kukadoti
  - 8.2 Imihlomulo yomphakathi

9. **UKUNQUMA, ISAZISO SEZINKOKHELO EZIMISIWE, IZIMALI EZIKHOKHWAYO NAMALEVI KANYE NEZIPHIKISO**
10. **UKUQALISWA KOKUSEBENZA KWEZINKOKHELO EZIMISIWE, IZIMALI EZIKHOKHELWA IZIDINGONGQANGI EZITHILE KANYE NAMALEVI**
11. **UKUPHIKISANA KWEMITHETHO**
12. **ISIHLOKO ESIFUSHANE**

### **IZINCAZELO**

- (1) Ngaphandle uma ingqikithi ikhomba okunye -

**“imisebenzi yomphakathi”** kusho imisebenzi umkhandlu ayichaza kanje, inkokhelo emisiwe yayo ebalwe ngenhloso yokuthi izindleko zemisebenzi angeke zibuye zitholakale emalini ebizwayo yomsebenzi womphakathi futhi zingezilawulekayo;

**“umasipala”** kusho uMasipala Wendawo WaseRichmond;

**“imisebenzi yezomnotho”** kusho imisebenzi umkhandlu ayichaza kanje, inkokhelo emisiwe yayo ebalwe ngenhloso yokuthi izindleko sezizonke zemisebenzi zibuye zitholakale kokukhokhwe ngabasebenzisi;

**“izindleko ezingaguquki”** kusho izindleko, ezingashintshashintshi ngokwenyuka noma ukwehla kokusetshenzisiwe noma komthamo okhiqiziwe;

**“inani lemali ekhokhwayo engaguquki”** kusho inkokhelo emisiwe engaqondene nomsebenzisi ngamunye, kodwa ebalwe ngokuhlukanisa isamba sezindleko ngomthamo osetshenziswe ngabasebenzisi bonke sebehlangene, ngokuhambisana nenani lemali ekhokhwayo engaguquki;

**“Inqubomgomo Yenkokhelo emisiwe”** kusho Inqubomgomo Yenkokhelo emisiwe kaMasipala Wendawo waseRichmond egunyazwe ngumkhandlu kamasipala ngokwesigaba 74 soMthetho Wezinhlelo zikaMasipala, wezi- 2000 (uMthetho uNo. 32 wezi- 2000);

**“uMthetho”** kusho uHulumeni Wasekhaya: uMthetho Wezinhlelo zikaMasipala, wezi-2000 (uMthetho uNo. 32 wezi- 2000);

**“isamba sezindleko”** kusho isamba sazo zonke izindleko ezingaguquki neziguququkayo eziqondene nomsebenzi;

**“imisebenzi yokuhweba”** kusho imisebenzi uMkhandlu ayichaza njengemisebenzi yokuhweba, inkokhelo emisiwe yayo ebalwe ngenhloso yokuthi uMkhandlu wenza inzalo ekunikezelweni kwezidingongqangi;



**“izilinganiso ezisetshenzisiwe”** kusho inani lezilinganiso zomsebenzi othile ezisetshenzisiwe futhi ezikalwe ngokwesilinganiso sezikalo ezibalule esigabeni 8 salo Mthetho kaMasipala;

**“izindleko eziguquguqukayo”** kusho izindleko eziguquguqukayo ngokwenyuka noma ukwehla kokusetshenzisiwe noma umthamo okhiqiziwe.

- (2) **Amagama asebenza kunoma yimuphi umuntu ayobandakanya abantu, izinkampani nemifelandawonye, kuthi ubulili besilisa nabo bubandakanye abesifazane ngokunjalo nabesilisa, bese kuthi ubunye kubandakanye ubuningi nangokuphambana.**

## **2. INJONGO YALE MITHETHO KAMASIPALA**

Injongo yale mithetho kaMasipala:-

- (1) ukuhambisana nezimiselo zesigaba 75 soMthetho;
- (2) ukunquma izindlela ezilandelwayo ukubala inkokhelo emisiwe lapho umasipala efisa ukuqoka abahlinzekimsebenzi ngokwesigaba 76 (b) soMthetho; kanye
- (3) nokusebenza njengomhlahlandlela ekhanseleni elibekiwe mayelana neziphakamiso zenkokhelo emisiwe okumele zihanjiswe eMkhandlwini minyaka yonke ngesikhathi sokuhlelwa kwesabelomali.

## **3. IMIGOMO YENKOKHELO EMISIWE**

- (1) Imigomo elandelayo yenkokhelo emisiwe incike kwinqubomgomo yenkokhelo emisiwe ebekwe esigabeni 74(2) soMthetho, isebenza ekukhokhweni kwezimali ezinqunyiwe zezidingongqangi zikamasipala:-
  - a) bonke abasebenzisi bezidingongqangi zikamasipala kumele baphathwe ngokulingana ekusebenziseni inkokhelo emisiwe nezigaba ezinhlobonhlobo zabasebenzisi ngakho- ke kumele bakhokhe imali ebizwayo efanayo encike ohlakeni olufanayo lwezindleko;
  - b) imali ekhokhwayo kumele ilinganiswe nokusetshenzisiwe futhi incike ohlakeni lwenkokhelo emisiwe eyamukelelwe isigaba sabasebenzisi esigunyaziwe;
  - c) amakhaya ahlwempu kumele akwazi ukufinyelela kwizidingongqangi eziyisisekelo ngokuthi zithole izidingongqangi zamahhala noma ngokuxhaswa ngezimali bukhoma ngokuhambisana neNqubomgomo yoMkhandlu Yokweseka Abahlwempu njengoba kushiwo njengengxenye yeNqubomgomo yawo Yokulawulwa NokuQoqwa kweZikweletu yawo;
  - d) izinkokhelo ezimisiwe kumele zikhombise isamba sezindleko sezidingongqangi;

- e) izinkokhelo ezimisiwe kumele zibekwe ezingeni elilekelela ukuzinziswa kwezidingongqangi; futhi
- f) uzinzo kumele luzuzwe ngokuqinisekisa ukuthi -
  - i. imali engenayo ibhekelela yonke imali ephumayo, okuchaza ukuthi kumele kulinzekelwe imali yokuqhuba umsebenzi noma yezikweletu ezimbi; futhi
  - ii. ukukwazi ukufinyelela kwimakethe yezimali kuyagcinwa ngokuhlinzekela ukubuyiselwa kwemali ebibolekiwe ukugcina amazinga anele ohlelo lokudliwa kwempahla nokwenza inzalo emisebenzini yohwebo.
- g) ezimweni ezifanele kumele kuhlinzekelwe isengezo senkokhelo emisiwe uma futhi ngesikhathi kunesidingo sokuba kwenziwe izinguquko ezinkulu kwingqalasizinda;
- h) kumele kukhuthazwe ukusetshenziswa ngendlela nangempumelelo izinsiza ngokuba kuhlinzekelwe izinhlawulo ukuze kugwenywe ukuxhashazwa kwezinsiza;
- i) kumele kudalulwe ubungako boxhaso lweezinkokhelo ezimisiwe ngokushicilela izindleko eziyiqiniso zesidingongqangi kanye nezinga loxhaso ngokunjalo nomthombo woxhaso lwemali.

#### **4. IZIGABA ZABASEBENZISI**

- 1) Uhlaka lwenkokhelo emisiwe lukaMasipala Wendawo waseRichmond kumele luhlinzekele lezi zigaba ezilandelayo zabasebenzisi:-
  - a) abasekhaya
  - b) abezohwebo;
  - c) abakamasipala; kanye
  - d) nabasebenzisi abangangeni kunoma yisiphi isigaba esibalwe ngenhla futhi okungenwe naye esivumelwaneni esiyisipesheli.
- 2) Lapho kunomehluko omkhulu phakathi kweqophelo lemisebenzi ehlinzekiwe esigabeni sabasebenzisi esibaluliwe, emva kokwethulwa kombiko wonjiniyela yikhansela lomsebenzi othile, uMkhandlu izinkokhelo ezimisiwe ezehlukanisiwe kuleso sigaba esithile baluliwe.

**5. IZIKHUNGO EZIBHEKELE IZINDLEKO, UKUHLELWA KWEMISEBENZI, UKUHLELWA KWEZIMALI EZISETSHENZISIWE, IMINXA YEZINDLEKO**

**(1) Izikhungo ezibhekele izindleko**

Ukunquma isamba sezindleko sezidingongqangi, Isikhulu Esiphezulu Sezezimali kumele sisungule izikhungo ezibhekele izindeko ezincike kwizidingongqangi nokuhlelwa kwezindleko okunqunywa ukuba kusetshenziswe yiHhovisi Lomngcinimafa kuZwelonke izikhathi ngezikhathi.

**(2) Ukuhlelwa kwezidingongqangi**

Kumele kuhlinzekelwe lokhu kuhlwa wezidingongqangi okulandelayo:-

**(a) *Izidingongqangi zezomnotho***

- (i) ukuthuthwa kukadoti

**(b) *Izidingongqangi zomphakathi***

- (i) ukulawula izakhiwo;
- (ii) amathuna;
- (iii) ukutholwa kwamalayisensi ezinja;
- (iv) ukudonswa kwamanzi;
- (v) ukwakha endaweni ngokungekho emthethweni;
- (vi) ukuqashwa kwamahholo kamasipala, izimpahla zasekhishini kanye nokufakiweyo;
- (vii) izidingongqangi zokuhlazwa kwamanzi;
- (viii) ukuhlelwa kwedolobha;
- (ix) izinkokhelo ezimisiwe ezingxubevange.

**(c) *Izidingongqangi ezixhaswe nguhulumeni***

- (i) imitapo yolwazi.

**(3) Ukuhlelwa kwezimali ezisetshenzisiwe**

Imali esetshenzisiwe kumele ihlelwe ngokulandela izidingo zikaHulumeni Wasekhaya: uMthetho Wokuphathwa Kwezimali Zikamasipala, wezi- 2003 (uMthetho uNo. 56 wezi – 2003).

**(4) Iminxa yezindleko**

Kumele kusetshenziswe le minxa yezindleko elandelayo ekubaleni izinkokhelo ezimisiwe zezidingongqangi ezahlukenene:-

- a) izindleko ezingaguququki, ezifaka izindleko zemali yokuqhuba umsebenzi (inzalo nokukhululwa) emalinimboleko ngokunjalo nezikhokhwa kuqala kanye/ noma ezehlelwa yinani, noma yikuphi okufanele emsebenzini kanye nanoma yiziphi ezinye izindleko ezisesimweni esingaguquki njengokunquma koMkhandlu izikhathi ngezikhathi;
- b) izindleko eziguququkayo: zifaka zonke ezinye izindleko eziguququkayo ezinobufakazi bomsebenzi;
- c) isamba sezindleko silingana nezindleko ezingaguquki zihlanganiswe nezindleko eziguququkayo.

**6. AMADIPHOSITHI**

(1) Ukukhushulwa kwamadiphosithi kuvumelekile lapho kukhokhwa khona imali esikweletini esisilele emuva futhi ikhokhwa nesicelo salezi:-

- a) Imali yokuqasha: Ilingana nemali yanyanga zonke ekhokhelwa ukuqasha.
- b) Ezinye izidingongqangi: njengoba nangesikhathi zidingeka.

**7. IZINHLOBO ZEZINKOKHELO EZIMISIWE**

(1) Ekubekeni izinkokhelo zezidingongqangi uMkhandlu kumele:-

- a) Ukhombise ngokungenaphutha izindleko ukuze uzuze kwezomnotho;
- b) uqinisekise ukulingana nokungenzeleli phakathi kwezinhlobo ezahlukenene zamakhasimende;
- c) usebenzise izinsiza zokukala ngamamitha nobuchwepheshe bokweseka okufanele, futhi
- d) wenze yonke into ibe sobala.

**8. ISILINGANISO ZEZIKALO**

Izilinganiso ezilandelayo, kumele lapho kungenzeka, zisetshenziswe ekunqumeni izinkokhelo ezimisiwe:-

**(1) Ukuthuthwa kukadoti**

Imali yentela ekhokhwa zinyanga zonke iyadingeka futhi ikhokhwa ngumnikazi orejistiwe kanye/noma isiqashi futhi ibuyiselwe ngesitifiketi sokutshengisa ukuthi konke kulandeliwe ngokomthetho.

**(2) Imihlomulo yomphakathi**

- a) Ukukala imihlomulo yomphakathi etholwa ngumphakathi, kumele kusetshenziswe amaqophelo njengoba ebekiwe kumathebula alandelayo lapha ngezansi, ukuze kutholakale imali ngalezo zindleko futhi kukalwe nokunikezelwe kwezidingongqangi.
- b) Kumele kusetshenziswe lezi zilinganiso—
  - (i) ukuqinisekisa ukuthi lesi sidingongqangi uMkhandlu, imindeni namabhizinisi bazokhona ukusikhokhela;
  - (ii) ukunquma ukuthi ngabe ingqalasizinda ehlinzekiwe ilawulwa ngendlela yini; kanye
  - (iii) nokukhombisa ukuthi sikhona yini isidingo sokuthi esinye sezidingongqangi kuthi ukuncishiswa.
- c) Izilinganiso ezikhonjisiwe, kumele zibalwe njalo ngonyaka futhi zisetshenziswe njengenkomba yokuqinisekisa ukubika okunempumelelo. Izindleko ngqo ngesilinganiso ngasinye kumele ziqhathaniswe nezindleko ezabelwe imali.

**9. UKUNQUMA, ISAZISO SEZINKOKHELO EZIMISIWE, IZIMALI EZIKHOKHELWA IZIDINGONGQANGI EZITHILE NAMALEVI KANYE NEZIPHIKISO**

**(1) UMkhandlu -**

- (a) ngokwesinqumo esesekwe yiningi lamalungu oMkhandlu, ungakhokhisa ilevi futhi ubuyiseilevi, izimali ezikhokhelwa izidingongqangi ezithile, intela nezinkokhelo ezimisiwe, maqondana nanoma yimuphi umsebenzi kamasipala ngokwesigaba **75A** soMthetho Wezinhlelo zikaMasipala, wezi - 2000;
  - (b) izikhathi ngezikhathi, ngokwesinqumo, ungachibiyela noma uhoxise lokho kunquma bese unquma usuku, lapho lokho kunquma, ukuchibiyelwa noma ukuhoxiswa okuyosebenza ngalo; futhi
  - (c) ungabuyisa yinoma yiziphi izinkokhela ezinqunyiwe kanjalo noma ezichitshiyelwe, kubandakanya inzalo kunoma yisiphi isamba esisilele.
- (2) Emva kokuba isinqumo esishiwo esigatshaneni 9(1)(b) sesikhishiwe, iMenenja kaMasipala iyokwenza ukuba izinkokhelo ezimisiwe zishicilelwe ngokwenqubo ebekiwe ngaphansi koMthetho.

**10. UKUQALISWA KOKUSEBENZA KWEZINKOKHELO EZIMISIWE, IZIMALI EZIKHOKHELWA IZIDINGONGQANGI KANYE NAMALEVI**

- (1) UMkhandlu kumele njalo ngonyaka ucubungule izindlela okuzobalwa ngazo izinkokhelo ezimisiwe, izimali ezikhokhelwa izidingongqangi kanye namalevi bese kuthi ngokwesinqumo uchibiyele iNqubomgomo yawo Yezinkokhelo Ezimisiwe kanye nemigomo yenqubo yokwabiwa kwemali.
- (2) Lapho amanani abalwe kabusha ezinkokhelo ezimisiwe, izimali ezikhokhelwa izidingongqangi namalevi ehluka kakhulu emananini akhona ezinkokhelo ezimisiwe, uMkhandlu unganquma ukuqalisa ukusebenza kukamehluko esikhathini esithe ukuba side.

**11. UKUPHIKISANA KWEMITHETHO**

- (1) Uma kuhunyushwa nanoma yiziphi izihlinzeko zale mithetho kaMasipala, makusetshenziswe nanoma yikuphi ukuhumusha okufaneleyo ngokuhambisana nezinhlosongqangi zoMthetho njengalokhu zibekwe eSahlukweni 8, iNgxenye 1, iZinkokhelo Ezimisiwe Zezidingongqangi, esikhundleni sanoma yikuphi ukuhumusha okungahambisani nalezi zinhlosongqangi.
- (2) Uma kukhona ukushayisana phakathi kwale Mithetho kaMasipala kanye neminye iMithetho kaMasipala yoMkhandlu eqondene nezinkokhelo ezimisiwe, le Mithetho kaMasipala yiyona eyosebenza.

**12. ISIHLOKO ESIFUSHANE**

Le Mithetho kaMasipala ibizwa ngokuthi iMithetho kaMasipala Yezinkokhelo Ezimisiwe yaMasipala Wendawo wase-Richmond futhi iyoqala ukusebenza ngosuku lokumenyezela kwale Mithetho kaMasipala.

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