



THE PROVINCE OF MPUMALANGA
DIE PROVINSIE MPUMALANGA

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No. 2707

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

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DEPARTMENT OF HEALTH

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Government Printing Works

Notice submission deadlines

Government Printing Works has over the last few months implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submit your notice request.

In line with these business rules, GPW has revised the notice submission deadlines for all gazettes. Please refer to the GPW website www.gpwonline.co.za to familiarise yourself with the new deadlines.

CANCELLATIONS

Don't forget!

Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above.

Non-compliance to these deadlines will result in your request being failed. **Please pay special attention to the different deadlines for each gazette.**

Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.

Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

take note!

With effect **from 01 October**, GPW will not longer accept amendments to notices. The cancellation process will need to be followed and a new notice submitted thereafter for the next available publication date.

CUSTOMER INQUIRIES



Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While GPW deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a **2-working day turnaround time for processing notices** received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

PROOF OF PAYMENTS



GPW reminds you that all notice submissions **MUST** be submitted with an accompanying proof of payment (PoP) or purchase order (PO). If any PoP's or PO's are received without a notice submission, it will be failed and your notice will not be processed.

When submitting your notice request to submit.egazette@gpw.gov.za, please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email.

A reminder that documents must be attached separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment/purchase order – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment).

REMINDER OF THE GPW BUSINESS RULES

- ☐ Single notice, single email – with proof of payment or purchase order.
- ☐ All documents must be attached separately in your email to GPW.
- ☐ 1 notice = 1 form, i.e. each notice must be on a separate form
- ☐ Please submit your notice **ONLY ONCE**.
- ☐ Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- ☐ The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.

IMPORTANT NOTICE:

**THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD
RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE
SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.**

No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

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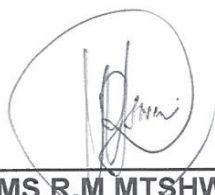
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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 52 OF 2016**MPUMALANGA DEPARTMENT OF CO-OPERATIVE GOVERNANCE
AND TRADITIONAL AFFAIRS****INGOMA REGULATIONS, 2015**

I, Refilwe Maria Mtshweni, in my capacity as Member of the Mpumalanga Executive Council responsible for Co-operative Governance and Traditional Affairs, in compliance with the provisions of section 11 of the Mpumalanga Ingoma Act, 2011 (Act No. 3 of 2011), hereby publish the Ingoma Regulations, 2015.

Given under my hand at **Mbombela** on 22 June 2016.



MS R.M MTSHWENI (MPL)
MEC: CO-OPERATIVE GOVERNANCE
AND TRADITIONAL AFFAIRS

DRAFT REGULATIONS IN TERMS OF THE MPUMALANGA INGOMA ACT. 2011**1. Definitions**

In these Regulations, unless the context otherwise indicates, a word or phrase to which a meaning has been assigned in the Mpumalanga Ingoma Act, 2011 (hereinafter referred to as "the Act"), has the same meaning.

2. The scope of application and interpretation of the Regulations

(1) These Regulations apply to the holding of Ingoma and any other matters incidental thereto as contemplated in section 11 of the Act.

(2) A person interpreting or applying these Regulations must -

- (a) do so in a manner that gives effect to the constitutional declarations, guarantees and responsibilities contained in the Constitution of the Republic of South Africa, 1996;
- (b) take into account the Mpumalanga Traditional Leadership and Governance Act, 2005 and the Act; and
- (c) take into account the traditions and customs applicable to the traditional community, subject to the Constitution of the Republic of South Africa and the law.

3. Approval for holding an Ingoma

Subject to section 3 of the Act, the king, queen or inkosi concerned must submit a list of all applications for holding an Ingoma to the Mpumalanga Provincial House of Traditional Leaders and the MEC within 10 days after the decision was made by the king, queen or inkosi concerned to hold an Ingoma is approved.

4. Notification to the community on the holding of an Ingoma

(1) The king, queen or inkosi and Ingoma Holder concerned, must within 30 days after the holding of an Ingoma is approved inform the community through imbizo's and community meetings of the information concerning the Ingoma to be held as contemplated in section 3 of the Act.

5. Documentation of person who wishes to attend an Ingoma

(1) Any person who wishes to attend an Ingoma must submit the following documentation to the Ingoma Holder before he is allowed to attend an Ingoma:

- (a) A certified copy of his identity document;
- (b) At least, 10 days prior to attending an Ingoma, an original medical certificate confirming is medical fit to undergo the initiation programme.
- (c) if such a person is a minor -
 - (i) A certified copy of the unabridged birth certificate or a letter from the Magistrate's office in which area of jurisdiction such a minor is an ordinarily resident or an affidavit confirming the status of the minor;

- (ii) Certified copies of the identity documents of a parent or guardian of the minor;

(2) No Ingoma Holder is allowed to admit any person to attend Ingoma without the required documentation as contemplated in Regulation 5(1) above having been duly submitted to Ingoma Holder concerned.

6. Requirements for the registration of iinyanga and the keeping of a register thereof

(1) The king, queen or inkosi concerned must submit the names of iinyanga on or before 31 March of each year to the Provincial House as contemplated in section 6(1) of the Act.

(2) The Provincial House must update the register of iinyanga on or before 30 April of each year.

(3) Any person who wishes to perform the duties of an iinyanga may be recognised by the king, queen or inkosi concerned as an inyanga and must prior to performing ukuyama on umkhethwa attending an Ingoma, attend training facilitated by the Provincial Department of Health.

(4) An iinyanga contemplated in subregulation (3) above should submit to the king, queen or inkosi concerned prior to performing ukuyama on umkhethwa attending an Ingoma, certified copies of his certificate issued by the Provincial Department of Health.

7. Inspection and investigation

(1) Subject to section 7 of the Act, the MEC may establish a forum of technical experts from the Department of Co-operative Governance and Traditional Affairs, the Department of Health, the Department of Social Development and the South African Police Services, to assist the designated person to monitor compliance with the Act and Regulations.

(2) The designated person as advised by the technical forum must, within 30 days submit a report of its findings and recommendations to the MEC after each inspection and investigation.

(3) The designated person may seek advice from the Provincial House and may, in writing recommend punitive or other measures to protect the lives of abakhethwa.

(4) The MEC may refer the report to the Provincial House for advice or implementation of the recommendations.

8. Categories and upper limits of fees payable in respect of the attendance of Ingoma

(1) The upper limit of the fees for food and other related support or for payment in kind as agreed to with the Ingoma Holder may not exceed the value or an amount of R1000.00.

(2) The Ingoma Holder may not hold any umkhethwa as security for failing to pay the fees or payment in kind.

(3) Proper records of all fees paid to the Ingoma Holder must, within 60 days following the last day of Ingoma, be submitted to the king, queen or inkosi concerned.

9. Short title and Implementation

These Regulations are called the Mpumalanga Ingoma Regulations, 2015 and take effect on the date of publication thereof.

SCHEDULE A

An application to lodge an appeal against the non-approval of an application for the holding of an Ingoma as contemplated in section 3 of the Act must contain the following information and separate application forms must be completed and submitted in respect of each appeal application lodged:

APPEAL AGAINST THE NON-APPROVAL OF THE HOLDING OF AN INGOMA

1. UNDERTAKING

I, the undersigned, hereby lodge an appeal against the non-approval for the holding of an Ingoma in terms of the Mpumalanga Ingoma Regulations, 2015 based on the information supplied below, which information is, to the best of my knowledge accurate and correct.

I further undertake to, if this appeal is successful, hold the Ingoma applied for in the main application form in accordance with the advice from the Provincial House.

2. PERSONAL DETAILS OF THE APPELLANT

- (a) Full names: _____
- (b) Identity number: _____
- (c) Physical address: _____
- (d) Postal address: _____
- (e) Telephone number: _____

3. DETAILS OF THE KING, QUEEN OR INKOSI WHO REFUSED THE HOLDING OF AN INGOMA

- (a) Full names: _____
- (b) Identity number: _____
- (c) Physical address: _____
- (d) Postal address: _____
- (e) Telephone number: _____
- (f) Contact person: _____
- (g) Telephone number of contact person: _____

4. GROUNDS FOR APPEAL

(Describe the reasons why the Ingoma must be approved and use additional paper if necessary)

ATTACH HERETO IS THE LETTER OF REFUSAL FROM THE KING, QUEEN OR INKOSI CONCERNED

The holding of an Ingoma was refused on _____ (date)

Signature of Appellant

Designation: _____

Date: _____

SCHEDULE B

An application for condonation to lodge an appeal against the non-approval of an application of holding an Ingoma as contemplated in section 3 of the Act must contain the following information and separate application forms must be completed and submitted in respect of each condonation linked with an appeal application lodged:

APPLICATION FOR CONDONATION IN RESPECT OF AN APPEAL

1. UNDERTAKING

I, the undersigned, hereby apply for condonation to enable me to lodge an appeal against the non-approval for the holding of an Ingoma in terms of the Mpumalanga Ingoma Regulations, 2015 based on the information supplied below, which information is, to the best of my knowledge accurate and correct.

2. PERSONAL DETAILS OF THE APPELLANT

- (a) Full names: _____
- (b) Identity number: _____
- (c) Physical address: _____
- (d) Postal address: _____
- (e) Telephone number: _____

3. DEGREE OF LATENESS

The referral is _____ days late.

4. REASONS FOR LATENESS

The reason/s that appellant referred the matter late is/are _____

(Describe the reasons for the lateness and why condonation must be approved and use additional paper if necessary)

5. PREJUDICE

As the appellant, if condonation is not granted, I will be prejudice because _____

6. GENERAL

Any other relevant information is:

If applicable, this form must accompany the appeal form against the non-approval of holding an Ingoma.

Signature of Appellant

Designation: _____

Date: _____

SCHEDULE C

An application to review the decision of the Provincial House regarding the non-approval of holding an Ingoma as contemplated in section 3 of the Act must contain the following information and separate application forms must be completed and submitted in respect of each review application lodged:

**APPLICATION TO REVIEW THE DECISION OF THE PROVINCIAL HOUSE:
NON-APPROVAL OF THE HOLDING OF AN INGOMA****1. UNDERTAKING**

I, the undersigned, hereby apply for the review of the decision of the Provincial House regarding the non-approval of holding an Ingoma in terms of the Mpumalanga Ingoma Regulations, based on the information supplied below, which information is, to the best of my knowledge accurate and correct.

2. PERSONAL DETAILS OF THE APPELLANT

- (a) Full names: _____
- (b) Identity number: _____
- (c) Physical address: _____
- (d) Postal address: _____
- (e) Telephone number: _____

3. DETAILS OF THE KING, QUEEN OR INKOSI WHO REFUSED THE HOLDING OF AN INGOMA

- (a) Full names: _____
- (b) Identity number: _____
- (c) Physical address: _____
- (d) Postal address: _____
- (e) Telephone number: _____
- (f) Contact person: _____
- (g) Telephone number of contact person: _____

4. GROUNDS TO REVIEW THE DECISION OF THE PROVINCIAL HOUSE: NON-APPROVAL OF THE HOLDING OF AN INGOMA

(Describe the reasons why the decision of the Provincial House must be reviewed and use additional paper if necessary)

ATTACH THE LETTER OF REFUSAL FROM THE KING, QUEEN OR INKOSI

ATTACH ALL THE DOCUMENTATION PERTAINING TO THE APPEAL AGAINST THE NON-APPROVAL OF THE HOLDING OF AN INGOMA INCLUDING THE APPLICATION FOR CONDONATION IN RESPECT OF AN APPEAL WHERE APPLICABLE

The holding of an Ingoma was refused on _____ (date)

The Provincial House refused the appeal on _____ (date)

Signature of Appellant

Designation: _____

Date: _____

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Nel Street, Nelspruit, 1200. Tel. (01311) 5-2133.