Umkhandlu ka Masipala wase Endumeni wenze ngokomthetho isigaba 156 somthetho sisekelo, ka 1996 (Umthetho No. 108 wango 1996), ofundwa uhlangene nesigaba 11(3)(m) wo hulumeni basekhaya: umthetho wezinhlelo zomkandlu, 2000 (Umthetho No. 32 wango 2000), wenze imithethodolobha elandelayo:

UMKHANDLU WASE NDUMENI

IMITHETHODOLOBHA YE-SIKITI

UKUHLELWA KWEZIGABA

Isigaba

1. Izincazelo
2. Ukufakwa kwezicelo
3. Ukumiswa kwe Sikiti
4. Ukubekwa komgcini we Sikiti
5. Izilwane ezifohlayo nezihamba zingelusiwe zingasiwa esikitini
6. Izilwane ezinolaka, ezingakhuzeki or ezidlebelekile
7. Ukukhululwa kwezilwane ngaphambi kosiwa esikiti
8. Ukunakekelwa kwezilwane ezifohlayo
9. Isikiti okumelwe zigcinwe kulo
10. Ulwazi okumelwe lunikwe umgcini sikiti
11. Ukwamukelwa kwezilwane esikitini
12. Uhla lokubhalisa lwesikiti
13. Isaziso kubanikazi bezilwane
14. Ukunakekelwa kwezilwane eziboshiwe
15. Ukuhlunga kwezilwane kwezilwane ezinokuthelelanayo
16. Ukuphathwa kwezilwane ezisekiti
17. Ukufa noma ukulimala kwezilwane ezisesikitini
18. Ukushicilelwa kwemithethodolobha
19. Izimali nezindleko ekhokhwayo
20. Ukukhululwa kwezilwane esikiti
21. Ukudayiswa kwezilwane ezigcinwe esikitini
22. Umgcini sikiti akavumelekile ukuthenga izilwane ezigcinwe esikitini
23. Izilwane ezingadayiseki
24. Imali etholwe ngokudayiswa kwezilwane
25. Isinyathelo sokubuyiswa kwezindleko zomonakalo
26. Izinyathelo zokufaka isicelo enkantolo
27. Ukungafakwa esikiti
28. Amacala kanye nezigwebo
29. Izinhlelo 1 no 2 ziyingxenye yalemithetho dolobha.
30. Ukususwa kwalemithethodolobha
31. Isihloko esifushane

Izincazelo

1. Kulemithethodolobha, ngaphandle uma ingahambisani nokuqondiwe -

"isilwane" sifaka l injomane, bovine, imbongolo, imvu, imbuzi, ingulube, intshe, inja, ikati noma ingxube yanoma isiphi sale silwane, kanye ne "zilwane" sibe ne ncazelo ehambisanayo;

"Inkantolo" isho inkantolo kaMansthi njengokuchazawa kwisigaba 166(d) so Mthetho sisekelo, ka 1996, enegunya endaweni lapho sikhona isikiti;

"usomqulu" usho usomqulu osemthethweni wa KwaZulu-Natal;

"umasipala" usho Umasipala wase Endumeni osungulwe ngokomthetho we sigaba 155(6) so Mthetho Sisekelo, 1996, and osungulwe ngaphansi kweziigaba 11 no 12 wo hulumeni basekhaya :Umthetho we Zakhiwo zo Masipala, 1998 (umthetho No. 117 wango 1998),ofundeka ne Zigaba 3, 4 kanye no 5 wakwa KwaZulu-Natal Obeka izinhlobo zo Masipala bemithetho, 2000 (Umthetho No. 7 wango 2000);

"umnikazi" usho umikazi owaziwayo, noma imininingwane ngaye,ngokufunwa ngenkuthalo angatholakala, mayelana nanoma ikuphinalokhu okulandelayo–

(a) isilwane, sifaka ngisho nomele umnikazi wesilwane noma omunye umuntu ogunyazwe umnikazi ukuthi agcine isilwane sakhe; noma
(b) umhlaba, ufaka umnikazi, isiqashi, noma ubani onegunya lomnikazi ukuba semhlabeni wakhe, noma omumele;

"isikiti" sisho isikiti esungulwe ngokwenziwa kwesigaba 3;

"umgcini sikiti" usho umuntu oqokelwe ngesikhathi person appointed from time to time as contemplated in Section 4 and includes any person umthethoing for or on behalf wango the appointed poundkeeper;

"indawo yomphakathi" isho noma iyiphi indawo lapho umphakathi unemvume yokungena okumbandakanya ngaphandle kokuvimbela jikele ngaphambi kwanoma ikuphi–

(a) indawo yokuqoqelana yabantu;
(b) ipaki;
(c) indawo yoku zithokozisa;
(d) indawo yoku dlala;
(e) indawo evulekile;
(f) ugu lo lwandle;
(g) indawo yoku thenga esemhlabeni kamasipala;
(h) engasetshenziswa noma engenalutho umhlaba kamasipala; noma
(i) amangcwaba;

"umgwaqo womphakathi" usho umgwaqo womphakathi oshiwe kwi Sigaba 1 somthetho wokuhamba emigwaqeni, 1996 (Umthetho No. 93 wango 1996); kanye

"isivumelwano sokuthunyelwa kwezidingo" kusho isivumelwano sokuthunyelwa kwezidingo njengokuchazwa kwi Sigaba1 so Hulumeni Base Khaya:Umthetho we Zinhlelo zo Masipala, 2000 (Umthetho No. 32 wango 2000).

UKUFAKWA KWEZICELO

2. Lemithetho isebenza endaweni lapho umasipala ukhona: uma kungekho lutho oluvimbela noma yisiphi isilwane esiboshiwe ngokwalemithetho ekubeni siboshelwe esikitini noma isiphi isakhiwo esifanayo esisungulwe inoma imuphi omunye umasipala noma elinye igunya lomthetho.

UKUSUNGULWA KWESIKITI-

3. Umasipala kumele asungule isikiti ngokulandelwa ukuhlinzekwa kwesigaba 3 somthetho wamasikiti KwaZulu-Natal, 2006 (Umthetho no 3 ka 2006)

UKUQASHWA KOMGCINI SIKITI-

4. Umasipala kumele, ngokomgomo wezindabazabantu, aqashe umuntu onekhono elifanele kanye nesikhathi enza lomsebenzi wokugcina isikiti, ngaphandle uma isikiti isungulwe futhi yaqhutshwa ngokomthetho we wesivumelwano somsebenzi(SLA) wesigaba3(a)

IZILWANE EZIFOHLAYO NOMA EZINGALUSIWE ZINGASIWA ESIKITINI-

5. (1) Umnikazi wendawo ekutholakale noma isiphi isilwane sifohla khona, angasibamba lesosilwane: Ngaphansi kokuthi lesosilwane ngeke siyiswe esikitini ngaphambi kokuba umnikazi anikwe isexwayiso esibhaliwe emahoreni angengaphansi kwangamashumi amane nesishiyagalomblili ngaphambi kokuba isilwane siyiswe esikitini.

(2) Noma isiphi isilwane esitholwe singanakiwe kunoma imuphi umgwaqo noma indawo yomphakathi singabanjwa sifakwe esikitini ngu-

(a) I lungu lo Mbutho waMaphoyisa ase Ningizimu Afrika;
(b) I lungu lo Mbutho weZokuvikela wase Ningizimu Afrika;
(c) I lungu la Maphoyisa Omgwaqo aKwaZulu-Natal;
(d) I lungu lo Mbutho laMaphoyisa aKwamasipala noma abezokuvikela; noma
(e) Umnikazi wanoma imuphi umhlaba kuwo okunqamula umgwaqo noma umgwaqo womphakathi useceleni kwawo.

(3) Umuntu akavumelekile ukugcina isilwane, esibanjiwe ngezinhloso zokuthi sisiwe esikitini ngokwesigaba (1) no (2), isikhathi esingaphezu kwamahora ayisithupha ngaphandle kokunika lesosilwane ukudla okufanele kanye namanzi.

(4) Noma yimuphi umuntu obambe isilwane ngezinhloso zokusifaka esikitini kumele ahambisane nokuhlinzekwa Komgomo Wokwenza Kahle ekuphatheni nasekuhanjisweni kwezilwane ezifakwa esikitini oqukethwe Kuhla 1

IZILWANE EZINESIHLUKU, EZINGAKHUZEKI NOMA EZIDLEBELEKILE UKUBA ZIFAKWE ESIKITINI

6. Uma udokotela wezilwane kahulumeni noma isikhulu esibekiwe ngokwesigaba 5(2)(a) kuya ku (d) esanelisekile ukuthi isilwane esitholwe sifohla kunoma eyiphi indawo, noma esingalusiwe kunoma yimuphi umgwaqo noma indawo yomphakathi, sinolaka oluyingozi, asikhuzeki noma sidlebelekile ukuba singafakwa esikitini, usengagunyaza

ukubulawa okungenasihluku noma enye indlela yokususa isilwane, emuva kokunika izizathu ezibhaliwe kanye nesaziso esibhaliwe kumnikazi wesilwane.

UKUKHULWA KWEZILWANE NGAPHAMBI KOKUYISWA ESIKITINI

7. (1) Umnikazi wesilwane, esibanjiwe ngokusho kwesigaba 5(1) angafaka isicelo kumnikazi wendawo oshiwo ngokwesigaba 5(1) ukuze akhulule lesosilwane ngaphambi kokuba siyiswe esikitini.

(2) Umnikazi womhlaba oshiwo ngokwesigaba 5(1)

(a) Angasidedelalesosilwane ngokushesha; noma

(b) Angenqaba ukudedela lesosilwane, lapho engafaka isicelo eNkantolo segunya lokufaka leso silwane esikitini noma afune inkokhelo ngezindleko ahlangabezane nazo, lapho inkantolo inganika noma imuphi umyalelo, okubala ngisho izindleko inkantolo ebona zinobulungiswa nokungenzeleli.

(3) Umnikazi wesilwane esibanjiwe ngokwesigaba 5(2) angafaka isicelo kumuntu wangoanele ngokwesigaba 5(2) ukuba sikhululwe leso silwane ngaphambi kokuba siyiswe esikitini, lapho lowomuntu kufanele akhulule lesoisilwane ngokushesha.

UKUNAKEKELWA KWEZILWANE EZIFOHLAYO

8. Umuntu angesinikeze umsebenzi, asebenzise noma ahlukumeze isilwane esitholwe sifohla kunoma imuphi umhlaba uma sisohlelweni lokuyiswa esikitini.

ISIKITI LAPHO IZILWANE OKUMELE ZIYISWE KULO

9. Isilwane esibanjiwe ngezinhloso zokuba sifakwe esikitini ngokwesigaba 5, kufanele siyiswe esikitini eliseduzane, ngomgudu omfishane okhonekayo, esikhathini esifishane esikhonekayo: Ngaphansi kokuthi izilwane zohlobo olungafani kumele zihlukaniswe ngokwezinhlobo zazo ngaso sonke isikhathi.

IMININGWANE OKUMELE INIKEZWE UMGCINI WE SIKITI

10. Umuntu othumela izilwane esikitini kumele azise ngokubhalela umgcini wesikiti ngalokhu:

(a) Inani kanye nencazelo ngezilwane;
(b) Umhlaba lapho zitholakale zifohla khona;
(c) Ibanga ngama khilomitha, ngendlela emfishane phakathi kwendawo lapho zibanjwe khona kanye nesikiti.

UKWAMUKELWA ESIKITINI KWEZILWANE EZIFAKWA KHONA

11. Umgcini sikiti akavumelekile ukwala ukufaka isilwane esikitini.

UHLA WASESIKITINI

12. (1) Umgcini sikiti kumele -

(a) Agcine uhla oluqukethe imininingwane eshiwo kwisigaba 2, okumele ibe khona ukuze umphakathi ukwazi ukuyixilonga ngazo zonke izikhathi ezifanelekile;

(b) Agcwalise uhla lwase sikitini masinya uma amukela isilwane esikitini.

(2) Uma umgcini sikiti

(a) Enganaki noma ala ukuhambisana nokuhlizekwa kwegigabana

(b) Uma azi abhale into engamanga ohlweni;

(c) Ngokukhwabanisa abhubhise noma acishe obekubhaliwe ngaphambilini ohlwini lwase sikitini;

(d) Ngamabomu anikeze ikhophi engamanga noma acaphune kuhla lwase sikitini anikeze noma imuphi umuntu, unecala lobugebengu.

ISAZISO KUBANIKAZI BEZILWANE

13. Umnikazi wesilwane esishiwo kwi Sigaba 5(1), 6, 14(2)(b), 15(c), 17(b), 21(1)(b) and 23(a), kumele aziswe kanje -

(a) abhalelwe isaziso esiqonde kuye;
(b) kubekwe ikhophi yesaziso somnikazi odongeni lwezaziso lakwa masipala;
(c) Kushicilelwe isaziso okungenani izinsuku ezimbili ephephandabeni elikhona kumasipala.

UKUNAKEKELWA KWEZILWANE EZIFAKWE ESIKITINI

14. (1) Umngini sikiti -

(a) Kungumsebenzi wakhe ukunakekela izilwane ngendlela eyiyo zonke izilwane ezifakwe esikitini;

(b) kumele aqinisekise ukuthi amanzi ahlanzekile nokudla okwanele kuhlinzekwa izilwane ngaso sonke isikhathi

(c) Kuzomele aphendule kumnikazi wesilwane esifakwe esikitini uma kube nomonakalo esilwaneni mgenxa yamabomu noma isenzo sokunganakekelwa noma ukushiywa.

(2) (a) Uma umgcini sikiti enombono wokuthi isilwane esifakwe esikitini sinesihluku esiyingozi, sinoku khubazeka okungapholi noma sigulela ukufa, anga faka isicelo enkantolo, nengagunyaza ukubulawa noma ukulahlwa kwesilwane esisesikitini, uma inkantolo yanelisekile ukuthi isimo saleso silwane sifanele sibulawe noma silahlwe.

(b) Lapho inkantolo igunyaza ukubulawa noma ukulahlwa kwesilwane ngenxa yesicelo somgcini wesikiti, umgcini sikiti kumele azise ngokuphuthumayo umikazi ngokumbhalela umyalelo wenkantolo kanye nokubulawa noma ukulahlwa kwesilwane.

UKUHLUNGWA KWEZILWANE EZITHELELEKILE

15. Umgcini sikiti esola noma azi ukuthi isilwane esisesikitini sithelelekile inganoma isiphi isifo esishiwo ku Mthetho Wezifo ze Zilwane 1984(Umthetho No. 35 wango 1984) kumele -

(a) ahlinzeke enye indawo yaleso silwane;

(b) asihlunge ngokushesha isilwane, aphinde abike isifo kudokotela kahulumeni wezilwane oseduzane;

(c) abuyeAzise ngokushesha ngokubhalela umnikazi wesilwane esinesifo.

UKUPHATHWA KWEZILWANE EZISE SIKITINI

16. Umgcini sikiti -

(a) angesinike umsebenzi noma asebenzise isilwane nanga yiphi indlela isilwane esise sikitini noma avumele noma siphi isilwane ukuba sisetshenziswe noma sisetshenziswe ngomunye umuntu;

(b)kumele aqinisekise ukuthi zonke izilwane ezingamaduna ezisesikitini azihlali nezesifazane.

UKUFA NOMA UKULIMALA KWESILWANE ESISESIKITINI

17. Uma isilwane esisesikitini silimala noma sifa umgcini sikiti kumele -

(a) ababhale imininingwane ngokulimala noma ngembangela yokufa kwaso kuhla olushiwo kwi Sigaba 12

futhi

(b)azise umnikazi wesilwane ngokumbhalela ngokulimala nangokufa.

AMAKHOPHI EMITHETHO

18. Umgicini sikiti kumele aqinisekise ukuthi imibhalo yalemithetho ikhona esikitini ikuba ixilongwe ngezilimi ze Singisi, isiZulu, ne Sibhunu.

IZIMALI KANYE NEZINDLEKO EZIKHOKHWAYO

19. Umngini sikiti kumele -

(a) Akhokhise imali isikhathi nesikhathi umnikazi wesilwane njengokushiwo kwi Sigaba 75A wo Hulumeni Basekhaya: 2000 (Umthetho No. 32 wango 2000); futhi

(b) Akhokhise umnikazi izindleko ze diphu, ukwelashwa ngemishanguzo, ukugoma, noma okunye ukwelashwa okukadingeka kube kuhambisana nalemithetho noma omunye umthetho.

UKUKHULULWA KWESILWANE EPHAWINDINI

20. (1) Umgcini sikiti kumele akhulule masinya isilwane esise sikitini, asinikeze umnikazi waso ubufakazi benkokhelo uma umnikazi ese-

(a) Hlinzeke isiqinisekiso sobunikazi besilwane; kanye
(b) Khokhe izimali nezindleko njengokushiwo kwi Sigaba 19.

(2)Uma umnikazi wesilwane esisesikitini engakwazi ukukhokha izimali noma zindleko ezishiwo ku Sigaba 19, umgcini sikiti angasigcina leso silwane ukuze akwazi ukuzuza lezo zimali nenkokhelo yezindleko ekufanele zikhokhwe.

UKUDAYISWA KWESILWANE ESISESIKITINI

21. (1) Umgcini sikiti kumele -

(a) Ngaphakathi kwezinsu ezilishumi nane efake isilwane esikitini, afake isicelo enkantolo segunya lokusidayisa isilwane;
(b) Esicelweni esishiwo kwisiqeshana (a), ahlinzeke inkantolo ngobufakazi bokuthi uthumele umfakela njengokushiwo

(2) Umfakela oshiwo kwiSigabana (1)(b) kumele ufake -

(a) Izimali nezindleko ezifanele zikhokhwe ngokwale mithethodolobha
(b) Inani lomonakalo umnikazi womhlaba angene kuwo, ngenxa yesilwane esisesikiti.

(3) Inkantolo, nomangabe inani elibekwe kumfakela liyaphikiswa kumele -

(a) Ngokushesha ixilonge ngalo udaba
(b) Ixilonge ukuthi umgcini sikitiisaziso wamnikeza yini umnikazi wesilwane; futhi
(c) Yenze umyalelo njengalokhu ibona kunobulungiswa nokungenzeleli, okufaka umyalelo -
(i) wezindleko; kanye
(ii) nohlelo okumele umgcini sikiti alulandele ekudayisweni kwesilwane.

UMGCINI SIKITI AKAVUMELEKILE UKUTHENGA IZILWANE EZIFAKWE ESIKITI

22. Umcgini sikiti, noma ilungu lomndeni wakhe, noma nasondelene nabo eduze, abavumelekile ukuthenga isilwane esidayisayo esikiti, noma ngabe uzithengela siqu sakhe, noma asebenzise omunye umuntu ukuthenga ngqqo noma ngenye indlela.

IZILWANE EZINGATHENGWA NXA ZIDAYISWA

23. Uma kwenzeka ukuth noma isiphi isilwane asithengwa njengokushiwo kwisigaba 21 -

umgcini sikiti kumele azise inkantolo kanye nomnikazi waso inani laso nxasidayiswa izimali kanye nezindleko okungenwe kuzo; futhi Inkantolo inganika umyalelo jengalokhu ibona kulungile kungenakwenzelela.

IMALI EYENZIWAYO

24. Yonke imali eyenziwayo ngokuqoqwa kwezimali nezindleko njengokushiwo kusigaba 19 kumele inikezwe isikhwama sikamasipala semali engenayo: kuphela uma kwenzeka ukuthi isilwane esisesikiti sidayiswa ngemali engaphezu kwe -

    (a) zimali nezindleko okungenwe kuzo
    (b) Noma imuphi umonakalo onqunywayo ngokwesigaba 21(3)(c), leyo mali engaphezulu kumele ikhokhelwe umikazi zingakaphelli izinsuku ezingamashumi amathathu(30) sidayisiwe, ngaphandle uma unikazi wesilwane kungakwazekanga ukuthi atholakale, kulesosehlo imali engaphezulu kumele ikhokhelwe kwi sikhwama semali engenayo kamasipala.

ISENZO SOKUFUNA INKOKHELO NGEZINDLEKO

25. Akukho lutho kulemithetho dolobha evimbela umnikazi womhlaba noma omunye umuntu ukuthi athathe izinyathelo ethathela umnikazi wesilwane esifohlayo, kunoma iyiphi inkantolo enamandla negunya, ukuze akhokhelwe izindleko zomonakalo engine kuwo, ngenxa yesilwane esifohlile.

INDLELA OKUMELE ILANDELWE EKEFAKENI ISICELO ENKANTOLO

26. Isicelo senkantolo ukuze -

    (a) kufakwe esikiti isilwane ngokwalemithetho dolobha, kumele isiceli sihambisane nendlela eshiwo kuMthetho 55 wemithetho yenkantolo; kanye
    (b) Ukudayiswa kwesilwane esifakwe esikiti ngokwalemithetho dolobha, kumele ihambisane nendlela eshiwo kwiSigaba 66 so Mthetho weZinkantolo zika Mantshi, 1944 (Umthetho no. 32 ka 1994), kanye nomthetho 41 weMithetho yeZinkantolo owenziwe yisigungu seZinkantolo zoMthetho ngokwesigaba 6 somthetho Sigungu seZinkantolo, 1985 (Umthetho no. 107 wango 1985), oshicilelwe ngaphansi kwesazisi sikahulumeni inombolo R. 1108 ngokushhicilelwa kukahulumeni inombolo 980 ka June 1968, njengalokhu uchibiyelwa isikhathi nesikhathi, ufundwa nezinguquko ezifanele.

AMACALA NEZIJEZISO

27. Umuntu oyo-

    (a) dedela isilwane ngokungenamthetho ebesibanjwe ngokusemthethweni ngenhloso yokusifaka esikiti, noma ebesifakwe esikiti
    (b) bamba isilwane ngokungekho emthethweni ngenhloso yokusifaka esikiti;
    (c) wangoaka isilwane esikiti ngokungenamthetho; noma
    (d) Ophula okuhlinzekwe kulemithetho dolobha, unecala futhi kumele akhokhe isijeziso, noma aboshwe isikhathi esingeqile onyakeni

UHLA 1 NO 2 YINGXENYE YALEMITHETHO DOLOBHA

28. Uhla 1 no 2 kulemithetho dolobha lwenza ingxenye yalemithetho dolobha ngazinjongo zonke.

UKUSUSWA KWEMITHETHO DOLOBHA EKHONA

29. Imithetho dolobha esebenzayo kamasipala ingasuswa.

ISIHLOKO ESIFUSHANE

30. Lemithetho dolobha iyakubizwa ngokuthi Imithetho Dolobha ka Masipala, ka 2007.

UHLA 1

Uhla Lokuziphatha Kahle eKuphatheni nase Kuthutheni Izilwane eZifakwa eSikiti
(Isigaba 594)

INGXENYE I

Okufunekayo Ngamagumbi eZikiti

1. Izinhlobo ezihlkene zezilwane kumele zifakwe emagumbini ahlukene.
2. Izilwane akumele zivalelwe emagumbini agcwele kakhulu, futhi indawo yokuvalela ehlinzekiwe kuwo wonke amagumbi kumele yanele ukuvumela zonke izilwane ukuthi zilale phansi zonke kanye kanye futhi ingabi ngaphansi kwa 1,5 squre mitha we phansi ngasilwane ngasinye.

3. Izilwane ezicikeka kalula kumele zingagcinwa nezinye izilwane.

4. Izilwane ezisencane akumele zivalelwe emagumbini nezilwane ezindala, ngaphandle uma kungunina kaye nengane.

5. Emagumbini kumele kuhlinzekwe lokhu -

   (a)indawo yokusekele, indawo yoku dlela okulula ukuyihlanza, ekwazi ukuvumela ukunikeza ukudla isilwane maphansi, ibe kufinyeleleka kuyo maphansi zingaphazamiseki izilwane;

   (b)into ephath amanzi kumele ikwazi ukumumatha amanzi anele ngaso sonke isikhathi;
   (c) kwanelenindawo yokuhlanza amagumbi; kanye

   (d) Kumele kube nendlela ephephile yokulonda izilwane.

6. (a) Amagumbi kumele zikhathi zonke agcinwe esesimweni esihle.

(b) Izinto ezicijile njenge zingcingo, izingwembe eziphukile, izinto ezinemiphetho ecijile, izinto zesivalo ezilengayo noma amabhawodi, okungalimaza izilwane kumele zisuswe noma zembozwe ngendlela eyiyo.

7. Phansi kulo lonke igumbi kumele leziwe lingazishibilikisi izilwane, likwazi ukuhlanzwa kahle ligcinwe lomile lisesimweni esiqinile likwazi ukulonda izilwane.

INGXENYE II

Ukubanjwa kwezilwane

8. Izilwane ngaso sonke isikhathi kumele zibanjwe ngendlela enobuntu ngobumnene nokubekezela

9. Lokhu okulandelayo kumele kube semqondweni uma kubanjwa isilwane -

   (a) isilwane sithobela kalula ukulawulwa uma osilawulayo ema ngemuva khona lapho sibona khona; kanye
   (b) Umhlambi wezilwane ulawuleka kangcono uma kuyiqoqo, kunokuba kungasinye isilwane.

10. Akumele zidonnswe izilwane ngemilenze, noma ngamakhanda, amadlebe noma umsila.

11. Amathole kumele aphathwe uma engakwazi ukuzihambela kalula, ngokuwaphakamisa esifubeni nasedaweni engemuva, okanye kumele alawulwe ngesandla esisodwa ngemuva kanye nendawo engasehlombe

12. Izinduku ezinamabhande noma izindophu kuphela ezingasetshenziswa ukulawula izilwane futhi kungcono ukushaya phansi ngemuva kwesilwane kunokusishaya isilwane.

13. Izinto zokuqhuba zikagesi, izinduku mazingasetshenziswa ematholeni asemancane.

14. Izinto zokuqhuba zikagesi akumele zisentshenziswe ngokweqile noma noma ikanjani noma zisetshenziswe ebusweni, esinqeni, noma izitho zangasese yezilwane.

INGXENYE III

Uhanjiswa Kwezilwane

15. Izilwane ezinezinselo kumele ngaso sonke isikhathi zibe ngphansi kweso elibukhali zaluswe ngendlela

16. Kumele izilwane ezinezinselo ziqhutshwe ngendlela engatatazeli, zihambe kahle zingajahwa, kungabi ngaphezu kwezinga lokuhamba lesilwane esihamba kancane kunazo zonke.

17. Izilwane akumele zihanjiswe isikhathi esingaphezu kwamahora ayishumi ngaphandle kokuzinika ukuphumula okungenani kwehora, kumela futhi kube khona amanzi ahlanzekile kuzo zonke izilwane.

18. Asikho isilwane esinezinselo esiyohanjiswa ngaphezu kwalelibanga -

   (a) ngohambo olungekho ngaphezu kosuku-

      (i) 20 khilomitha izimvu;
      (ii) 30 khiomitha izinkomo;

(b) Uma uhambo lungaphezu kosuku olulodwa -

20 wama khilomitha ngosuku lokuqala kanye no 15 wama khilomitha ngosuku olulandelayo lwezimvu nezimbuzi.

(ii) 25 wama khilomitha ngosuku lokuqala kanye no 20 wama khilomitha ngosuku olulandelayo lwezinkomo.

19. Izilwane kumele zinikwe amanzi nokudla nxa zifika lapho zizolala khona noma lapho bezi yiswa khona zinikezwe ukudla okwanele okusezingeni okuhambisana kanya nohlobo lwesilwane.

20. Akumele zihznjiswe ebumnyameni izilwane.

21. Akuvumelekile ukuhambisa izilwane ezinezinselo ezilimele noma ezikhubazekile.

INGXENYE IV

Izinqola ezingasetshenziswa ukuthuhta izilwane

22. Izithuthi kanye nazo zonke izinqola ezidonswayo ezisentshenziswa ukuthutha izilwane ezinezinselo kumele zibe ngezifanele ukuthutha lezi zilwane futhi zibe sesimweni esamukelekile emgwaqweni.

23. Zonke izithuthi nezinqola ezidonswayo ezishiwo ku nombolo 22 engenhla kumele zibe -

(a) nephansi elingashibiliki elingeke liphazamise ukuhlanzawa kwephansi lesithuthi, kanye nento yokuvala ekhumukayo noma nezinsimbi ezivumelelike

(b) nendawo engenisa umoya kanye nokukhanya ngesikhathi ihamba kanjaloa noma imile, kungabikho sithuthi esivalenke ngokungenambobo.

(c) Ukuvikeleka okwanele entuthwini ekhiqizwa imoto edumayo, njengoba intuthu enobuthi ingaphazamisa ukuphefumula kwesilwane noma intuthu ibange isimo esingemnandi esilwaneni.

(d) Izinhlangothi eziphakeme ukuvimba izilwane ukuthi zingeqi noma ziwe kwisithuthi esihambayo.

Uma nje –

(i) Izinhlangothi nokuhlukaniswe ngakho, uma kusethsenziswa kwisithuthi ukuhlukanisa izilwane ezithwelwe, kumele zibe nobude obungengaphansi kwehlombe lesilwane esikhulu kunazo zonke ezithuthwayo;

(ii) uma kuyizinkomo ezingemankonyane, ubude obamukelekile kumele bube ngama milimitha ayi 800.

(iii) Izilwane ezincane kumele zivalelwe ngobude obusukela ku 750 milimitha;

(e) Ezithuthini ezinezinqola ezinamagumbi analingani, ubude phakathi kwamagumbi kumele banele, ezimvwini nezingulube bungabi ngaphansi kwa 1 000 wama milimitha, ukuze isilwane esikhulu kunazo zonke sikwazi ukuma ngendlela, sikhululekile, siqondile, umoya ovela phezu kwazo ukwazi ukwehla ngokwanele;

(f) iphansi eliqinile elingakhumuzeli;

(g) Izindawo zokungena nokuphuma ngemuva kwesithuthi kumele zilingane nobubanzi bonke besithuthi, noma uma kusezinhlangothini ububanzi obungekho ngaphansi kwa 2 400 wama milimitha;

(h) amasango kukhona noma kungekho okuhlukanisile -

(i) makwakhiwe kuqine kulungele ukuthutha umthwalo ohlosiwe, kanye n
(ii)nokuvuleka nokuvaleka kube nokukhululeka kanye nokuthi kube nokuphepha okukhulu.

24. Isikhala sezilwane ezilayishiwe kunoma isiphi isikhala kumele sibe ngesiqinisekisa ukuphepha nokunethezeka kwezilwane ngesikhathi zithuthwa, isikhala esibekwayo ngasilwane ngasinye singu

(a) 1,4 square mitha isilwane esikhulu; kanye(b)0,5 isilwane esincane

INGXENYE V

Ukuphuziswa nokunikezwa ukudla izilwane ngaphambi kokuthi zilayishwe

25. Izilwane kumele zihlinzekwe ngokudla okufanele namanzi ahlanzekile kuze kuale uhambo

Uhlelo lokulayisha nokwehlisa izilwane

26. Ukulayisha nokwehlisa phakathi nangaphandle kwesithuthi kumele kwenzeke ngokuthula nokungatatazeli, ngokubekezela nobunmnene ngaphandle kokuhlukumeza ngendlela engfuneki, kusatshiswe izilwane,kungqubuzwe, kulimazwe, kubangwe inkathazo.

27. Asikho isilwane esiyolayishwa noma sehliswe ngokudonsa ikhanda, uboya, isikhumba, amadlebe, umsila, izimpondo, noma izinyawo.

28. Akukho silwane esiyolayishwa noma sehliswe ngenye indlela ngaphandle kwalokhu -

(a) kusetshenziswe isilayishi esingashibiliki esiqininle ngokwanele ukusekela isisindo sohlobo lwesilwane esilayishwayo, sivaleke ezinhlangothini ngezinsimbi noma izinqwembe ezanele ukuvimba isilwane ukuthi singeqi noma siwe kuso ukunyuka kungeqi emazingeni angu 25; noma

(b) Usebe lokulayisha olulingana nobude bephansi lesithuthi noma, sekwehliswa lungabi ngaphezulu kuka 310 wama milimitha nangaphansi kwezinga lesithuthi ekwehliswa kuso, kanjalo ukwenyuka kunga bi ngaphezu kuka 25 degrees.

29. Uma iloli linento yokulayisha ekhumukayo, kufanele ibe nephansi elingashibiliki, futhi ibe nobude obanele uma sekwehliswa, ukukhuphuka kwayo bunganyuki ngaphezu kokushiwo ku nombolo 28 ngenhla, ibanga elisuka phansi kuya ekuphakameni kwaso lingeqi ku 120 wama milimitha.

30. Ukuphakama kumele kuqondaniswe nobude bephansi lesithuthi.

31. Uhambo kumele luqale masinya emuva kokuthi izilwane eziphilayo sezilayishiwe, futhi izilwane kumele zehliswe ngokushesha uma sekufikiwe lapho kuyiwa khona.

32. Ngaphandle uma amalungiselelo enziwe okwehlukanisa ngendlela, izilwane zohlobo olungafani akufanele zilayishwe esithuthini esisodwa.

33. Izilwane zeminyaka ehlukeni, ubukhulu, kanye nobulili obuhlukeni akufanele zilayishwe ndawonye uma zihanjiswa, ngaphandle uma kukhona amalungiselelo okuzehlukanisa ngendlela lezizilwane.

34. Izilwane ezinezimpondo ezindala akumele zilayishwe nezilwane ezinganampondo nazo kumele zivalelwe ngokwahlukene.

35. Uma kunesizathu sokukholwa ukuthi isilwane singazala endleleni leso silwane singalayishwa esithuthini.

36. Uma kwenzeka isilwane sizala ngesikhathi sohambo, izinyathelo okuyizo kumele zithathwe ukuphephisa unina kanye nenkonyane ekutheni zinyatheleke noma zilimale, noma zihlushwe ezinye izilwane.

37. Uma kwenzeka -
    (a) kuphuka isithuthi;

    (b) ingozi noma ukushayisana isithuthi sibekuyo; nom

    (c) ukulimala, noma kufa kwanoma isiphi isilwane esithuthwayo, ozithuthayo kumele abike isehlo ku, aphinde acele usizo ku -

        (i) uma kuyisiqeshana (a), acele abadonsa izithuthi;

        (ii) uma kuyisiqeshana (b), acele Amaphoyisa Ase Ningizimu Afrika kanye nabase magunyeni ezemigwaqo;

        (ii) uma kuyisiqeshana (c), acele udokotela wezilwane.

INGENYE VI

Ukubopha izilwane ngesikhathi sohambo

38. Lapho isilwane esithuthwayo singabangela ukuzilimaza noma esinye isilwane, kumele siboshwe njendlela yokuvimbela ukulimala.

39. Akuvumelekile ukubopha isilwane ngaphezu kwamahora amane esikhathini esingamahora angu 24.

40. Kungasetshenziswa ucingo nama into yokubopha eyinsimbi ukubopha izinyawo noma imilenze yesilwane.

41. Ukuvimbela ukuklinyeka noma ukuphuka komqala, akumele kusetshenziswe ifindo elibanga ukushiblika uma kumiswe kahle isilwane ngezimpondo noma ngomqala, indophu kumele igaxele nasesithuthini ilingane namadolo esilwane yikhona uma siwa isilwane kungabikho ukulimala okukhulu noma ukufa, indophu kumele ibe yinde ngokwanele ukuvumela isilwane ukuthi silale ngokuthokomala nekhanda laso limi ngendlela eyiyo.

UHLA 2

Imininingwane yohla lwezilwane esikiti
(Isigaba 12)

Uhla lwasesikiti kumele, okungenani, libe nemininingwane elandelayo -

1. Igama lesikiti
2. Usuku okwamukelwe ngaso isilwane
3. Inani nencazelo ngezilwane
4. Omaki kanye nohlobo lwezilwane
5. Inombolo esendlebeni ekhishwa umgcini sikiti
6. Igama nekheli lomunutu obambe isilwane
7. Igama nekheli lomunutu olethe isilwane esikiti
8. Igama nekheli lomnikazi womhlaba
9. Igama nekheli lomnikazi wesilwane
10. Igama nekheli noma incazelo ngendawo lapho kubanjwe khona isilwane
11. Ibanaga elisuka lapho isilwane sibanjwe khona kanye nesikiti
12. Imininingwane ngomonakalo owenziwe isilwane
13. Imali yokuthutha ekhokhwayo
14. Imininingwane ngokubulawa noma ukulahlwa kwesilwane
15. Imbangela yokufa noma ukulimala kwesilwane esisesikiti
16. Incazelo nanye nenani lemali okufanelwe ikhokhelwe isikiti
17. Izindl.eko eziyalelwe inkantolo18.Usuku lokudedelwa kwesilwane
19. Usuku lokudayiswa kwesilwane
20. Imali etholakele ngokudayisa isilwane21.kanye nekheli lothenge isilwane
22. Imali esele ekhokhelwa uminkazi wesilwane noma umasipala
23. Inombolo yo risidi
24. Imininingwane ngomyalelo wenkantolo mayelana ngesilwane asingadayisekanga ngenkathi sidayiswa.