



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

STREETS, PUBLIC PLACES AND THE PREVENTION OF NOISE NUISANCES AMENDMENT BY-LAW, 2021

AMENDMENT TO STREETS, PUBLIC PLACES AND THE PREVENTION OF NOISE NUISANCES BY-LAW, 2021

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from the existing enactments.

_____ Words underlined with solid line indicate insertions in existing enactments.

To amend the provisions of the City of Cape Town: Streets, Public Places and the Prevention of Noise Nuisances Bylaw, 2007 to provide for the powers of authorised officials to enforce the Bylaw and to provide for related matters.

Amendment of section 1 of the City of Cape Town: Streets, Public Places and the Prevention of Noise Nuisances Bylaw, 2007

1. Section 1 of the City of Cape Town: Streets, Public Places and the Prevention of Noise Nuisances Bylaw, 2007 (herein after referred to as the principal Bylaw) is hereby amended by –

- (a) the inclusion of the following definition:

“authorised official” means an employee of the City responsible for carrying out a duty or function or exercising any power in terms of this By-Law and includes any employee delegated to carry out or exercise the duty, function or power;”

- (b) the deletion of the definition of “peace officer” and the replacement of the term by “authorised official” in sections 2(1), 2(2), 7 and 23(1).

Amendment of section 2 of the principal Bylaw

2. Section 2 of the principal Bylaw is hereby amended by-

- (a) the substitution of subsection 2(1) with the following subsection:

“(1) No person, excluding [a peace officer] an authorised official or any other official or person acting in terms of the law, shall—

- (a) when in a public place—

- (i) intentionally block or interfere with the safe or free passage of a pedestrian or motor vehicle; or

- (ii) intentionally touch or cause physical contact with another person, or his or her property, without that person’s consent;

- (b) approach or follow a person individually or as part of a group of two

or more persons, in a manner or with conduct, words or gestures intended to or likely to influence or to cause a person to fear imminent bodily harm or damage to or loss of property or otherwise to be intimidated into giving money or other things of value; **[or]**

(c) continue to beg from a person or closely follow a person after the person has given a negative response to such begging **[.]; or**

(d) block, occupy or reserve a public parking space or a public place in a manner that denies other members of the public from exercising their freedom of movement or use of a public facility **[; and].**”

(b) the deletion of subsection 2(2).

Insertion of a new section 22A in the principal Bylaw

3. The following section is inserted after section 22 of the principal Bylaw:

“Enforcement powers

22A.(1) An authorised official may, for the purposes of enforcing this By-Law—

- (a) direct a person who is in contravention to-
 - (i) stop the conduct prohibited under the By-Law;
 - (ii) remove any obstruction to the safe or free passage of a pedestrian or motor vehicle; or
 - (iii) leave and remain out of a specified public place;
- (b) issue a written compliance notice on a person contravening the By-Law, which must include the following:
 - (i) describe the conduct constituting a contravention of the By-Law;
 - (ii) indicate the section of the By-Law contravened;
 - (iii) specify the steps to be taken to comply with the notice;
 - (iv) specify the time periods within which the steps have to be taken;
 - (v) state that the failure to comply with the compliance notice constitutes an offence in addition to the contravention of the section contemplated in subparagraph (ii); and
 - (vi) state that, in the event of non-compliance, that person will be liable for a fine for both the contravention and for not complying with the compliance notice and state the amount of the fine;
- (c) issue a notice in terms of sections 56 or 341 of the Criminal Procedure Act, 51 of 1977 if –
 - (i) a person contravenes a provision of the By-Law; or
 - (ii) a person fails or refuses to comply with a direction in terms of paragraph (a) or a compliance notice in terms of paragraph (b);
- (d) subject to subsection (2), arrest a person, who commits an offence in terms of the By-Law, in terms of section 40(1)(a) to (f), (h) and (j) of the Criminal Procedure Act, 51 of 1977 and, if necessary, search the person arrested in terms of section 23 of that Act;
- (e) impound, in accordance with the City’s Standard Operating Procedure on the Impoundment of Goods and Animals, 2012, any materials used in making of transient shelter or camping overnight and personal items of persons arrested in accordance with subsection (2); or
- (f) require any person to furnish their name and address and other particulars that are required for identification or for any process if the official reasonably suspects this person of having committed an offence in terms of this By-law or, if in the opinion of the officer, that person is able to give evidence in regard to the commission of any such offence.

(2) The power to arrest in subsection (1)(d) may only be exercised in respect of a contravention of section 2(3)(m) if the person refuses to accept an offer of alternative shelter.

(3) In exercising any power under this section every authorised official must—

- (a) exercise their powers reasonably with due regard to every person's fundamental rights under Chapter 2 of the Constitution;
- (b) ensure if force is required under the circumstances, the level of force is justifiable and proportional; and
- (c) in the absence of an authorised official contemplated in subsection (4), take steps to prevent any other authorised official from exercising powers in contravention of subsections (a) and (b).

(4) The authorised official in charge must intervene and take the necessary steps to curtail any unreasonable exercise of powers or disproportionate use of force by any other authorised official under the command of that official."

Amendment of section 23 of the principal Bylaw

4. Section 23(1) of the principal Bylaw is amended by substituting the subsection with the following subsection:

"(1) Any person who contravenes or fails to comply with any provision of this By-law or disobeys any instruction or compliance notice by **[a peace officer or a member of the Cape Town Metropolitan Police Department]** an authorised official enforcing this By-law, shall be guilty of an offence **[and with the exception of a]** in contravention of:

- (a) section 2(3)(m) subject to it being proven that the person refused an offer of alternative shelter by the City; and
- (b) section 2(3) (g), (h), (i), (j) and (k), where there is a maximum penalty as provided for in analogous national legislation,
be liable to a fine or imprisonment for a period not exceeding six months, or to both a fine and such imprisonment."

Short title

5. This By-law is called the City of Cape Town: Streets, Public Places and the Prevention of Noise Nuisances Amendment By-law, 2021.



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

WYSIGINGSVERORDENING OP STRATE, OPENBARE PLEKKE EN DIE VOORKOMING VAN STOORNISSE, 2021

WYSIGING VAN VERORDENING OP STRATE, OPENBARE PLEKKE EN DIE VOORKOMING VAN STOORNISSE,
2021

ALGEMENE VERKLARENDE AANTEKENING:

[] Woorde in vetdruk tussen vierkantige hakies dui op skappings uit bestaande bepalings.

_____ Woorde wat met 'n volstreep onderstreep is, dui op invoegings in bestaande bepalings.

Om die bepalings van die Stad Kaapstad: Verordening op Strate, Openbare Plekke en die Voorkoming van Stoornisse, 2007 te wysig om voorsiening te maak vir die bevoegdhede van gemagtigde amptenare om die Verordening toe te pas en om vir verwante aangeleenthede voorsiening te maak.

Wysiging van artikel 1 van die Stad Kaapstad: Verordening op Strate, Openbare Plekke en die Voorkoming van Stoornisse, 2007

1. Artikel 1 van die Stad Kaapstad: Verordening op Strate, Openbare Plekke en die Voorkoming van Stoornisse, 2007 (hierna die hoofverordening genoem) word hiermee gewysig –

(a) deur die insluiting van die volgende omskrywing:

“gemagtigde amptenaar” ‘n werknemer van die Stad wat verantwoordelik is vir die uitvoering van ‘n plig of funksie of uitoefening van enige bevoegdheid ingevolge hierdie Verordening en sluit in enige enige werknemer wat gedelegeer is om die plig, funksie of bevoegdheid uit te voer of uit te oefen;”

(b) deur die skapping van die omskrywing van “vredesbeampte” en die vervanging van die term met “gemagtigde amptenaar” in artikel 2(1), 2(2), 7 en 23(1).

Wysiging van artikel 2 van die hoofverordening

2. Artikel 2 van die hoofverordening word hiermee gewysig deur -

(a) subartikel 2(1) met die volgende subartikel te vervang:

“(1) Geen persoon, uitsluitend ‘n **[vredesbeampte]** gemagtigde amptenaar of enige ander amptenaar of persoon wat ingevolge die wet optree, mag—

(a) wanneer in ‘n openbare plek—

(i) opsetlik die veilige en vrye deurgang van voetgangers of motorvoertuie blokkeer op daarmee inmeng nie; of

- (ii) opsetlik 'n ander persoon of sy of haar eiendom aanraak of fisiese kontak veroorsaak, sonder daardie persoon se toestemming nie;
- (b) 'n persoon individueel, of as deel van 'n groep van twee of meer, nader of agtervolg, op 'n manier of met gedrag, woorde of gebare wat bedoel word dat, of wat moontlik daartoe mag aanleiding gee dat, 'n persoon ernstige liggaamlike besering vrees, of skade of verlies van eiendom of andersins geïntimideer voel om geld of ander voorwerpe van waarde te gee nie; **[of]**
- (c) aanhou om by 'n persoon te bedel of te na aan 'n persoon loop nadat die persoon aangedui het dat hy nie enige bydrae gaan maak nie[.]; **of**
- (d) 'n openbare parkeerplek of 'n openbare plek toemaak, okkupeer of reserveer op 'n manier wat ander lede van die publiek van hulle vryheid van beweging of gebruik van 'n openbare fasiliteit ontnem nie [; en]."

(b) die skapping van subartikel 2(2).

Invoeging van artikel 22A in die hoofverordening

3. Die volgende artikel word na artikel 22 van die hoofverordening ingevoeg:

"Toepassingsbevoeghede

22A.(1) 'n Gemagtigde amptenaar kan, met die doel om hierdie Verordening toe te pas—

- (a) 'n persoon wat 'n oortreding begaan, opdrag gee om-
 - (i) die gedrag wat kragtens die Verordening verbied word, te staak;
 - (ii) enige versperring wat die veilige of vrye deurgang van 'n voetganger of motorvoertuig belemmer, te verwyder; of
 - (iii) 'n spesifieke openbare plek te verlaat en daaruit weg te bly;
- (b) 'n skriftelike nakomingskennisgewing uitreik aan 'n persoon wat die Verordening oortree, wat die volgende moet insluit:
 - (i) beskryf die gedrag wat 'n oortreding van die Verordening uitmaak;
 - (ii) dui aan watter artikel van die Verordening oortree is;
 - (iii) meld die stappe wat gedoen moet word om die kennisgewing na te kom;
 - (iv) meld die tydperke waarbinne die stappe gedoen moet word;
 - (v) meld dat die versuim om aan die nakomingskennisgewing te voldoen 'n bykomende oortreding behels buiten die oortreding van die artikel beoog in subparagraaf (ii); en
 - (vi) meld dat in die geval van nienakoming, daardie persoon hom/haar blootstel aan 'n boete, beide vir die oortreding en vir nienakoming van die nakomingskennisgewing, en die bedrag van die boete meld;
- (c) 'n kennisgewing uitreik ingevolge artikel 56 of 341 van die Strafproseswet, Wet 51 van 1977, indien –
 - (i) 'n persoon 'n bepaling van die Verordening oortree; of
 - (ii) 'n persoon versuim of weier om 'n opdrag ingevolge paragraaf (a) of 'n nakomingskennisgewing ingevolge paragraaf (b) na te kom;
- (d) onderworpe aan subartikel (2), 'n persoon wat 'n oortreding ingevolge die Verordening begaan, in hegtenis neem ingevolge artikel 40(1)(a) tot (f), (h) en (j) van die Strafproseswet, Wet 51 van 1977, en, indien nodig, die persoon wat in hegtenis geneem is ingevolge artikel 23 van daardie Wet deursoek;
- (e) enige materiaal wat gebruik word om 'n tydelike skuiling of oornagkamp op te rig en persoonlike items van persone wat ooreenkomstig subartikel (2) in hegtenis geneem

word, ooreenkomstig die Stad se standaardbedryfsprosedure oor die skut van goedere en diere, 2012, skut; of

(f) van enige persoon verwag om hul naam en adres en ander besonderhede te verskaf wat nodig is vir identifisering of vir enige proses indien die amptenaar 'n redelike vermoede het dat hierdie persoon 'n oortreding ingevolge hierdie Verordening begaan het of, indien na die mening van die amptenaar, daardie persoon in staat is om getuie te lewer oor die pleeg van enige sodanige oortreding.

(2) Die bevoegheid om iemand in hegtenis te neem in subartikel (1)(d) kan slegs uitgeoefen word ten opsigte van 'n oortreding van artikel 2(3)(m) indien die persoon weier om 'n aanbod van alternatiewe skuiling te aanvaar.

(3) In die uitoefening van enige bevoegdheid kragtens hierdie artikel, moet elke gemagtigde amptenaar—

(a) hul bevoegdhede uitoefen met die nodige agting vir elke persoon se fundamentele regte kragtens hoofstuk 2 van die Grondwet;

(b) toesien dat indien hardhandigheid in die omstandighede gebruik word, die mate van hardhandigheid regverdigbaar en proporsioneel is; en

(c) by gebrek aan 'n gemagtigde amptenaar beoog in subartikel (4), stappe doen om te verhoed dat enige ander gemagtigde amptenaar bevoegdhede in stryd met subartikel (a) en (b) uitoefen.

(4) Die gemagtigde amptenaar in beheer moet toetree en die nodige stappe doen om enige onnodige uitoefening van bevoegdhede of disproporsionele uitoefening van hardhandigheid deur enige ander gemagtigde amptenaar onder die leiding van daardie amptenaar te bekamp.”

Wysiging van artikel 23 van die hoofverordening

4. Artikel 23(1) van die hoofverordening word gewysig deur die subartikel met die volgende subartikel te vervang:

“(1) Enige persoon in stryd met of wat in gebreke bly om te voldoen aan , of enige bepaling van hierdie Verordening of enige instruksie of nakomingskennisgewing deur 'n **[vredesbeampte of 'n lid van die Kaapstadse metropolitaanse polisie departement]** gemagtigde amptenaar wat hierdie Verordening toepas, verontagsaam, is skuldig aan 'n oortreding van:

(a) artikel 2(3)(m) onderworpe daaraan dat daar bewys word dat die persoon 'n aanbod van alternatiewe skuiling deur die Stad geweier het; en

(b) artikel 2(3) (g), (h), (i), (j) en (k), waar daar vir 'n maksimum boete voorsiening gemaak word volgens ooreenstemmende nasionale wetgewing, stel hom/haar **[met die uitsondering van 'n oortreding van]** bloot aan 'n boete of tronkstraf vir 'n tydperk van nie langer nie as ses maande, of aan beide 'n boete en sodanige tronkstraf.”

Kort titel

5. Hierdie Verordening staan bekend as die Stad Kaapstad: Wysigingsverordening op Strate, Openbare Plekke en die Voorkoming van Stoornisse, 2021.



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

**UMTHETHO KAMASIPALA
WEZILUNGISO ONXULUMENE
NEZITALATO, IINDAWO ZIKAWONKE-
WONKE NOTHINTELO
LWEENKATHAZO
ZENGXOLO, WANGO2021**

IZILUNGISO KUMTHETHO KAMASIPALA ONXULUMENE NEZITALATO, IINDAWO ZIKAWONKEWONKE NOTHINTELO LWEENKATHAZO ZENGXOLO, WANGO2021

INGCACISO-GABALALA:

[] Amagama abhalwe ngqindilili akwizibiyeli ezizikwere abonisa oko kucinyiweyo kwimithetho ekhoyo.

_____ Amagama akrwelelwe umgca ongqindilili abonisa oko kufakelweyo kwimithetho ekhoyo.

Ukuba kwenziwe izilungiso kwimiqathango yoMthetho kaMasipala weSixeko saseKapa oNxulumene neZitalato, iiNdawo zikaWonkewonke noThintelo lweeNkathazo zeNgxolo wango2007 ukuze unikezele amagunya kumagosa agunyazisiweyo okunyanzelisa uMthetho kaMasipala kunye nokubonelela ngemiba enxulumene noko.

Ukwenziwa kwezilungiso kwicandelo 1 loMthetho kaMasipala weSixeko saseKapa oNxulumene neZitalato, iiNdawo zikaWonkewonke noThintelo lweeNkathazo zeNgxolo wango2007

1. Icandelo 1 loMthetho kaMasipala weSixeko saseKapa oNxulumene neZitalato, iiNdawo zikaWonkewonke noThintelo lweeNkathazo zeNgxolo wango2007 (ekubhekiswe kuwo apha njengoMthethongqangi kaMasipala) lenziwa izilungiso-

(a) ngokufaka le ngcaciso ilandelayo:

“igosa eligunyazisiweyo” lithetha umsebenzi weSixeko onoxanduva lokwenza umsebenzi okanye ukusebenzisa naliphi na igunya ngokwalo Mthetho kaMasipala kwaye kubandakanya nawuphi na umsebenzi onikwe igunya lokwenza umsebenzi, okanye ukusebenzisa igunya;”

(b) ngokususa ingcaciso yegama “igosa loxolo” kwaye kufakwe endaweni yalo “igosa eligunyazisiweyo” kumacandelo 2(1), 2(2), 7 no23(1).

Ukwenziwa kwezilungiso kwicandelo 2 loMthethongqangi kaMasipala

2. Icandelo 2 loMthethongqangi kaMasipala lenziwa izilungiso-

(a) ngokufaka endaweni yecandelwana 2(1) eli candelwana lilandelayo:

“(1) Akukho mntu, ngaphandle **[kwegosa loxolo]** kwegosa eligunyazisiweyo okanye naliphina elinye igosa okanye umntu osebenza ngokwasemthethweni, ovunyelwe ukuba—

(a) xa esendaweni kawonke-wonke—

(i) athintele ngenjongo okanye angenelele kwirhanga ekhuselekileyo okanye nekhulelekileyo yomhambi ngenyawo okanye imoto; okanye

(ii) Abambe ngenjongo okanye agilane nomnye umntu, okanye ipropati yakhe, ngaphandle kwemvume yaloo mntu;

- (b) asondele okanye alandele umntu eyedwa okanye njengexalenye yeqela labantu ababini okanye ngaphezulu, ngendlela okanyengesimilo, amagama isijekulo esineenjongo zoku okanye ezingathi zingalukuhla okanye zenze umntu oyike ukuhlaselwa okwenzakalisayo okunokwenziwa emzimbeni okanye umonakalo kwi okanye kwilahleko yempahla okanye ngenye indlela oyikiswe ekukhupheni imali okanye ezinye izinto zexabiso; **[okanye]**
- (c) aqhubekeke ukungqiba emntwini okanye alandele umntu kufutshane emveni kokuba umntu ethe wanika impendulo engentlanga koko kungqiba **[.]; okanye.**
- (d) athintele, ahlale okanye abekele bucala indawo yokupaka kawonkewonke okanye kwindawo kawonkewonke ngendlela ethintela abanye abantu ukuba basebenzise inkululeko yabo yokuhamba okanye yokusebenzisa indawo yoluntu [; kunye].”

(b) ngokucima icandelwana 2(2)

Ukufakelwa kwecandelo 22A elitsha kuMthethongqangi kaMasipala

3. Kufakwa eli candelo lilandelayo emva kwecandelo 22 loMthethongqangi kaMasipala:

“Amagunya okunyanzelisa

22A.(1) Igosa eligunyazisiweyo linakho, ngeenjongo zokunyanzelisa loMthetho kaMasipala —

- (a) ukuyalela umntu ongawuthobeliyo lo mthetho kamasipala ukuba-
- (i) ayiyeke indlela yokuziphatha engamkelekanga phantsi koMthetho kaMasipala;
- (ii) asuse nayiphi na into ephazamisana nokhuseleko okanye nokuhamba ngokukhululekileyo kwabahambi ngeenyawo nezithuthi; okanye
- (iii) aphume okanye ahlale ngaphandle kwendawo yoluntu echaziweyo;
- (b) ukukhupha isaziso esibhaliweyo sokuthobela umthetho kamasipala kumntu owophula uMthetho kaMasipala, ekufuneka sibandakanye oku kulandelayo:
- (i) sichaze indlela yokuziphatha echasene nokwaphulwa koMthetho kaMasipala;
- (ii) sibonise icandelo elingathotyelwanga loMthetho kaMasipala;
- (iii) sichaze amanyathelo aza kuthatyathwa ukuthobela isaziso eso;
- (iv) sichaze amaxesha ekufuneka kuthathwe ngawo amanyathelo;
- (v) sichaze ukuba ukusilela ekuthobeleni isaziso lityala elongeza kwelo lokungathobeli icandelo elikhankanywe kumhlathana (ii); kwaye
- (vi) sichaze ukuba, xa siye asathotyelwa isaziso, umntu lowo uyakuba noxanduva lwesohlwayo solwaphulo loMthetho kaMasipala nokungathobeli isaziso kwaye sichaze nesixamali sesohlwayo;
- (c) ukukhupha isaziso ngokwamacandelo 56 okanye 341 oMthetho iCriminal Procedure Act, uMthetho 51 ka1977 ukuba —
- (i) umntu akawuthobeli umqathango woMthetho kaMasipala; okanye
- (ii) umntu uyasilela okanye uyala ukuthobela umyalelo ngokwemiqathango yomhlathi (a) okanye isaziso sokuthobela ngokwemiqathango yomhlathi (b);
- (d) ngokuxhomekeke kwicandelwana (2), ukubamba umntu, owaphula umthetho ngokwemiqathango yoMthetho kaMasipala, ngokwecandelo 40(1)(a) ukuya ku(f), (h) kunye no(j) loMthetho iCriminal Procedure Act, uMthetho 51 ka1977 kwaye, ukuba kuyimfuneko, ukusetsha umntu obanjiweyo ngokwemiqathango yecandelo 23 lalo Mthetho;
- (e) ukuthimba, ngokungqinelana neNkqubo yokuSebenza eMiselweyo yeSixeko engokuThinjwa kweeMpahla neZilwanyana, ka2012, naziphi na izixhobo ezisetyenziselwa ukwenza indawo yokuhlala yethutyana okanye yokumisa inkampu ngobusuku kunye nezinto zabantu ababanjiweyo ngokungqinelana necandelwana (2); okanye;

(f) ukufuna ukuba nawuphi na umntu anike igama lakhe kunye nedilesi kunye nezinye iinkcukacha ezifunekayo njengesazisi okanye nayiphi na inkqubo ukuba igosa likrokrela ngokufanelekileyo ukuba lo mntu wenze ityala ngokwalo Mthetho kaMasipala okanye, ukuba ngokoluvo lwegosa, loo mntu unako ukunika ubungqina malunga nokwenziwa kwalo naliphi na ityala elilolo hlobo.

(2) Igunya lokubamba elikwicandelwana (1)(d) linokusetyenziswa kuphela kwimeko apho kungakhange kuthotywe icandelo 2(3)(m) ukuba umntu uyala ukwamkela unikezelo lwendawo yokuhlala engenye.

(3) Ukusebenzisa naliphi na igunya eliphantsi kweli candelo igosa ngalinye eligunyazisiweyo kufuneka —

(a) lisebenzise amagunya alo ngokufanelekileyo ngokuthathela ingqalelo amalungelo asisiseko omntu ngamnye phantsi kweSahluko 2 soMgaqosiseko;

(b) liqinisekise ukuba kufuneka amandla phantsi kweemeko ezithile, umgangatho wamandla uyathetheleleka kwaye uyalingana; kwaye

(c) xa lingekho igosa eligunyazisiweyo elikhankanywe kwicandelwana (4), lithathe amanyathelo okuthintela naliphi na elinye igosa eligunyazisiweyo ekusebenziseni amagunya achasene namacandelwana (a) kunye no(b).

(4) Igosa eligunyazisiweyo eliphetheyo kufuneka lingenelele kwaye lithathe amanyathelo afanelekileyo ukunqanda nakuphi na ukusetyenziswa kwamagunya ngokungafanelekanga okanye ukusetyenziswa kwamandla ngendlela engafanelekanga lilo naliphi na elinye igosa eligunyazisiweyo phantsi komyalelo welo gosa.”

Ukwenziwa kwezilungiso kwicandelo 23 loMthethongqangi kaMasipala

4. Icandelo 23(1) loMthethongqangi kaMasipala lenziwa izilungiso ngokuthi kufakwe endaweni yecandelwana eli candelwana lilandelayo:

“(1) Nabanina umntu owaphula okanye osilelayo ukuthobela nawuphi na umqathango walo Mthetho kaMasipala okanye ongawuthobeliyo nawuphi na umyalelo okanye umyalelo wokuthobela [kwigosa loxolo okanye ilingu leSebe lekoMkhulu lamaPolisa aseKapa], wegosa eligunyazisiweyo elinyanzelisa loMthetho kaMasipala, uyakuba netyala lokungathobeli:

(a) icandelo 2(3)(m) ngokuxhomekeke ekubeni kuqinisekiswa ukuba umntu wala ukunikwa indawo yokuhlala engenye siSixeko; kunye

(b) necandelo 2(3)(g), (h), (i), (j), no (k) apho kukho isohlwayo esikhulu njengoko kukhankanyiwe kumthetho wesizwe ofanayo, uyakufanelwa sisohlwayo okanye ukuvalelwa ixesha elingagqithanga kwiinyanga ezintandathu.”

Isihloko esifutshane

5. Lo Mthetho kaMasipala ubizwa ngokuba nguMthetho kaMasipala weSixeko saseKapa wezilungiso oNxulumene neZitalato, iiNdawo zikaWonkewonke noThintelo lweeNkathazo zeNgxolo wango2021.
