

DEPARTMENT OF TRANSPORT**NOTICE 4132 OF 2026****MARINE TRAFFIC ACT, 1981 (ACT NO. 2 OF 1981)****MARINE TRAFFIC AMENDMENT REGULATIONS, 2026**

The Minister of Transport has under section 14 of the Marine Traffic Act, 1981 (Act No 2 of 1981) made Regulations set out in the Schedule.

**MS BD CREECY, MP****MINISTER OF TRANSPORT****DATE:** 11/6/26

SCHEDULE

GENERAL EXPLANATORY NOTE:

[] Words in bold typed in square brackets indicate omissions from existing Regulations.

 Words underlined with a solid line indicate insertions in existing Regulations.

Definition

1. In this Schedule “the Regulations” means the Marine Traffic Regulations, 1985 published under Government Notice No. R. 194 in Government Gazette No. 9575 dated 01 February 1985.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended—
 - (a) by the insertion, after the definition of “authorized agency” of the following definition:

“detention officer’ for the purposes of Chapter VII, means a person authorised by the Authority in terms of regulations 19, 20 and 22.”;

- (b) by the insertion after the definition of “Merchant Shipping Act” of the following definition:

“Notice’ for the purposes of Chapter VII, means a Notice of Detention issued in terms of regulation 18.”;

- (c) by the insertion after the definition of “principal officer” of the following definition:

“return of service’ for the purposes of Chapter VII, means a declaration form issued in terms of regulation 20.”;

- (d) by the substitution for the definition of “South African national” of the following definition:

“South African national’, when used to describe any ship, submarine or other underwater vehicle, means a ship, submarine or other underwater vehicle which—

- (a) is registered or required to be registered in terms of the Merchant Shipping Act;
- (b) is licenced or required to be licenced in terms of the Merchant Shipping Act; or
- (c) is exempted from licensing in terms of the Merchant Shipping Act, but—
 - (i) the whole of which is owned by persons all of whom are qualified in terms of the Merchant Shipping Act to own a South African ship; ~~[and]or~~

- (ii) the majority of the owners of which, either in number or extent of ownership, are persons resident in the Republic;";

Substitution of regulation 3 of the Regulations

3. Regulation 3 of the Regulations is hereby substituted for the following regulation:

"3. For purposes of these **[regulations]**~~Regulations~~ navigation in such a manner as is necessitated by **[their]**~~a vessel's~~ normal activities shall be deemed to constitute "passage" as defined in section 1 of the Act in the case of the following **[ships]**~~vessels~~:"

Substitution of regulation 4 of the Regulations

4. Regulation 4 of the Regulations is hereby substituted for the following regulation:

"4. The following **[ships]**~~vessels~~ or classes of **[ships]**~~vessels~~ are hereby exempted from the provisions of section 4(1) of the Act while **[they]**~~the vessels~~ are engaged in their normal activities:

- (a) South African national fishing **[boats]**~~vessels~~;
- (b) South African national small vessels engaged in sporting or recreational activities;
- (c) foreign small vessels engaged in sporting or recreational activities, provided such vessels engage in such activities under the supervision of a local authority or other Government authority, or an **[authorized]**~~authorised~~ agency;
- (d) South African national utility **[ships]**~~vessels~~; and
- (e) foreign fishing **[boats]**~~vessels~~ which have been chartered or which have contracted or which are otherwise **[authorized]**~~authorised~~ in

accordance with the laws of the Republic to operate within the internal waters.”.

Amendment of regulation 5 of the Regulations

5. Regulation 5 of the Regulations is hereby amended—

(a) by the substitution for subregulations (1) and (2) of the following subregulations:

“(1) The master of any [ship]vessel, other than a [ship]vessel contemplated in regulation 16(1) or exempted in terms of the Act or regulation 4, shall, prior to the time of such [ship's]vessel's intended entry into internal waters other than a harbour or a fishing harbour, appoint a vessel's agent and apply during office hours to the principal officer at the nearest harbour for permission for such entry, stating the reasons for such entry, the [ship's]vessel's destination, route and the period for which it is intended to remain in such internal waters.”;

“(2) The principal officer to whom an application is made in terms of subregulation (1), may—

- (a) permit such [ship]vessel to enter internal waters;
- (b) fix a reasonable period for the [ship]vessel to remain in internal waters;
- (c) specify the area in which the [ship]vessel is to remain or to anchor;
- (d) order or permit such a [ship]vessel to leave internal waters;
- (e) require such a [ship]vessel to enter or leave internal waters by such routes as may be determined by [him]the principal officer; or
- (f) require that one or more of the conditions set out in regulation 12 be complied with.”.

(b) by the insertion after subregulation (2) of the following subregulations:

“(3) The vessel referred to in subregulation (1) shall be liable for the payment of a levy and any charges imposed by the Authority.

“(4) Any person who contravenes the provisions of subregulation (1) shall be guilty of an offence and shall on conviction be liable to a minimum fine of R80 000.00 or imprisonment of two years.”.

Substitution of regulation 6 of the Regulations

6. Regulation 6 of the Regulations is hereby substituted for the following regulation:

“6. Any **[ship]vessel** moored or berthed at a launching site is hereby exempted from the provisions of section 5 of the Act.”.

Substitution of regulation 7 of the Regulations

7. Regulation 7 of the Regulations is hereby substituted for the following regulation:

“Application for lay-up

7. (1) Any person requiring permission by the **[Minister]Authority** in terms of section 5(1) of the Act to lay-up a **[ship]vessel** shall direct a written application for such permission to the principal officer at the harbour nearest to the proposed lay-up area, not less than **[30]10** days prior to the estimated time of arrival in such area of such **[ship]vessel** or, if more than one **[ship]vessel** is to be laid up, not less than **[30]10** days prior to the estimated time of arrival of the first **[ship]vessel**.

(2) An application referred to in subregulation (1) shall contain the following information in regard to the **[ship or ships]vessel or vessels** in question:

- (a) **[The]**~~the~~ name, official number, port of registry and gross tonnage of the **[ship]**~~vessel~~, the name and address of the owner of the **[ship]**~~vessel~~ and of the owner's agent in the Republic[.];
- (b) **[The]**~~the~~ type of **[ship]**~~vessel~~ and the nature of the cargo aboard, if any, including fuel and lubricating oil[.];
- (c) **[The]**~~the~~ proposed location of lay-up and anchoring and mooring arrangements[.];
- (d) **[The]**~~the~~ maximum intended draught of the **[ship]**~~vessel~~ in question during the period of lay-up[.];
- (e) **[The]**~~the~~ number of officers and crew to remain on board the **[ship]**~~vessel~~ during the period of lay-up[.]; and
- (f) **[The]**~~the~~ anticipated duration of the lay-up.”.

Amendment of regulation 8 of the Regulations

8. Regulation 8 of the Regulations is hereby amended—

- (a) by the substitution for the heading of regulation 8 of the of the following heading:

“Guarantee for possible loss or damage caused by a laid-up **[ship]~~vessel~~”; and**

- (b) by the substitution for regulation 8 of the following regulation:

“8. (1) **[The]~~A~~ person desiring to lay up a **[ship]**~~vessel~~, shall together with **[his]**~~the~~ application referred to in regulation 7, satisfy the **[Minister]**~~Authority~~ that **[he]**~~the person~~ has the financial means to meet any claims for damage or loss suffered either by the Government of the Republic or by third parties as a result of the vessel being laid up.**

(2) Evidence of ~~[such]the~~ financial means referred to in subregulation (1) shall be either in the form of a bank guarantee or other security acceptable to the ~~[Minister; such guarantee or other security]Authority~~, having due regard to any insurance arrangements which the owner of the said ~~[ship]vessel~~ has made to cover ~~[such]the~~ claims referred to in subregulation (1).".

Amendment of regulation 10 of the Regulations

9. Regulation 10 of the Regulations is hereby amended—

- (a) by the substitution for subregulations (1), (2) and (3) of the following subregulations:

"(1) A period of lay-up shall not exceed six calendar months unless the ~~[Minister]Authority~~ extends such period upon written application made ~~[mutatis mutandis]~~ with necessary changes, in the manner prescribed in regulation 7(1) prior to the termination of the said period of six months.";

"(2) A period of lay-up commences when the ~~[ship]vessel~~ arrives in the area of lay-up."; and

"(3) A period of lay-up terminates—

- (a) when the ~~[ship]vessel~~ departs from the area of lay-up; ~~[or]~~
- (b) one month after the serving of a notice by the ~~[Minister]Authority~~, withdrawing ~~[his]the~~ permission for the lay-up; or
- (c) immediately upon the serving of a notification by the ~~[Minister]Authority~~, withdrawing ~~[his]the~~ permission for a lay-up under the circumstances whereby the lay-up is prejudicial to the peace, good order or security of the Republic."

Amendment of regulation 11 of the Regulations

10. Regulation 11 of the Regulations is hereby amended—

(a) by the substitution for the heading of regulation 11 of the following heading:

“Inspection of laid-up ~~[ship]~~vessel”;

(b) by the substitution for regulation 11 of the following regulation:

“11. An ~~[authorized]~~authorised person shall at any time have access to and may inspect a laid-up ~~[ship]~~vessel, its cargo, stores, machinery in use and such certificates as are required in terms of the laws of the Republic to be carried on board the ~~[ship]~~vessel.”.

Substitution of regulation 12 of the Regulations

11. Regulation 12 of the Regulations is hereby substituted for the following regulation:

“Conditions of lay-up

12. The ~~[Minister]~~Authority may require any person who is permitted to lay-up a ~~[ship]~~vessel, to comply with one or more of the following conditions in respect of the ~~[ship]~~vessel while so laid-up:

- (1) (a) Any ~~[ship]~~vessel to be laid up shall be retained in Class [. ~~The~~]and the person desiring to lay-up a ~~[ship or ships]~~vessel or vessels shall submit to the principal officer at the harbour nearest to the proposed lay-up area the following documents not less than 14 days prior to the arrival of the ~~[ship]~~vessel or the first of the ~~[ships]~~vessels:
- (i) ~~[A]~~a copy of the certificate of classification; or

- (ii) a copy of the lay-up report or of the conditions of lay-up as provided for by the classification society or by a society recognised by the **[Minister]**Authority as being competent to issue such a certificate; and
 - (iii) confirmation of adequate insurance for the vessel.
- (b) The certificates referred to in subparagraphs (i) and (ii) of paragraph (a) shall be kept on board the **[ship]**vessel.

(2) **[Unladen tankers]**An unladen tanker shall be ballasted to not less than 35 percent of deadweight while **[ships]**vessels other than **[tankers]**tankers shall be fully ballasted.

- (3) (a) Cargo oil tanks, pipelines and bilges shall be empty, cleaned of sludge and of other deposits and shall be gas-freed.
- (b) **The[said]** tanks referred to in paragraph (a) may be inserted in **[ships]** a ship in which an inert gas system is fitted.
- (4) (a) In the case of a **[ship]**vessel in which the tanks are gas-freed, a certificate, issued by an **[authorized]**authorised agency, shall be produced at the commencement of the lay-up and thereafter at intervals not exceeding two months.
- (b) Gas-free tests shall be conducted weekly.
- (5) (a) Anchoring or mooring arrangements shall be carried out to the satisfaction of the principal officer concerned.
- (b) A spare or second anchor shall be held ready for immediate use.

(6) The position of the **[ship]**vessel shall be checked daily and anchors and chain cable shall be inspected **[regularly]**at least twice during a watch and more frequently during inclement weather.

(7) Fire fighting equipment shall be maintained in good order and shall be tested at intervals not exceeding one week.

(8) Anchor and radio telephone watches shall be kept at all times.

(9) The ~~[ship]~~vessel shall display the correct navigation lights and shapes and make the required sound signals in accordance with international practice.

(10) The permission of the principal officer concerned shall be obtained at all times when any repair work, requiring the use of hot welding or cutting equipment, is to be undertaken outside the port limits.

(11) ~~[No]~~Any article or matter of any kind, other than effluent from water closets, latrines and washplaces that has passed through the approved treatment plant, shall not be discharged into the sea.”.

Amendment of regulation 13 of the Regulations

12. Regulation 13 of the Regulations is hereby amended—

(a) by the substitution for the heading of regulation 13 of the following heading:

“Application to stop or anchor a ~~[ship]~~vessel for repairs”;

(b) by the substitution for subregulations (1) and (2) of the following subregulations:

“13. (1) A person desiring a ~~[ship]~~vessel to be stopped or anchored for repairs in the territorial or internal waters outside a harbour or fishing harbour shall without delay apply for the ~~[Minister’s]~~Authority’s permission for such stopping or anchoring and shall direct such an application to the principal officer at the harbour nearest to the proposed location of stopping or anchoring.

(2) When applying in terms of subregulation (1) the applicant shall furnish the following information in regard to the **[ship]vessel** in question:

- (a) **[The]the** name, official number, port of registry, type and gross tonnage of the **[ship.]vessel**;
- (b) **[The]the** name and address of the owner of the **[ship]vessel** and of the owner's agent in the Republic[.];
- (c) **[The]the** nature of the cargo aboard the **[ship]vessel**, including fuel and lubricating oil[.];
- (d) **[The]the** reason for the proposed stopping or anchoring of the **[ship.]vessel**;
- (e) **[The]the** proposed location of such stopping or anchoring[.];
- (f) **[The]the** anticipated duration of such stopping or anchoring[.]; and
- (g) **[Prevailing]prevailing** weather conditions.”.

Amendment of regulation 14 of the Regulations

13. Regulation 14 of the Regulations is hereby amended—

- (a) by the substitution for the heading of regulation 14 of the following heading:

“Conditions for stopping or anchoring of a **[ship]vessel”;**

- (b) by the substitution for subregulations (1) and (2) of the following subregulations:

“14. (1) [The]A person who has been granted permission in terms of regulation 13, shall comply with such measures specified by the principal officer concerned as **[he]the principal officer** may reasonably deem necessary for minimising the risk of stranding, for the safety of the **[ship]vessel**, its crew, passengers or cargo, for preventing pollution of the sea or for maintaining the peace good order or security of the Republic.

(2) The **[said]** measures referred to in subregulation (1) shall be carried out at the expense of the owner of the **[ship]vessel**.”

Amendment of regulation 15 of the Regulations

14. Regulation 15 of the Regulations is hereby amended—

(a) by the substitution for the heading of regulation 15 of the following heading:

“Notification of departure of **[ship]vessel”;**

(b) by the substitution for regulation 15 of the following regulation:

“15. [The]A person who has been granted permission in terms of regulation 13, shall cause the **[ship]vessel** to proceed on its normal course immediately after the reason for the stopping or anchoring has ceased to exist and **[he]** shall forthwith notify the principal officer concerned of the departure of the **[ship]vessel**.”

Substitution of regulation 17 of the Regulations

15. Regulation 17 of the Regulations is hereby substituted for the following regulation:

“CHAPTER VI

PLACES OF DEPARTURE AND ARRIVAL ALONG THE SHORE

17. (1) [No ship]A vessel shall not be launched or otherwise proceed to sea from, or **[shall]** be landed, beached, moored, or berthed at, any place along the shore other than a harbour, fishing harbour or launching site.

(2) Any person who contravenes the provisions of subregulation (1) shall be guilty of an offence and shall on conviction be liable to a fine not exceeding ~~[R200]~~R40 000.00 or imprisonment of one year.”.

Substitution of regulation 18 of the Regulations

16. Regulation 18 of the Regulations is hereby substituted for the following regulations:

“CHAPTER VII

DETENTION OF ~~[SHIPS]~~VESSELS, CARGOES OR PART THEREOF

Notice of detention of ~~[ship]~~vessel or cargo

18. When a ~~[ship]~~vessel and its cargo or ~~[part]~~part thereof or a ~~[ship]~~vessel or its cargo or part thereof is to be detained under section 9(3) of the Act a principal officer shall sign and issue a Notice of Detention in the form of Annexure A ~~[(hereinafter in this Chapter referred to as a "Notice")]~~, setting forth the grounds and conditions of detention.”.

Substitution of regulation 19 of the Regulations

17. The following regulation is hereby substituted for regulation 19 of the Regulations:

“Service of Notice

19. (1) Subject to the provisions of subregulation (2) a Notice shall be served upon the master of the ~~[ship]~~vessel in question by ~~[an authorized person (hereinafter in this Chapter referred to as a "detention officer")]~~a duly authorised

detention officer who shall exhibit the original Notice to such master and deliver a copy thereof to ~~[[him]]the master~~, and return the original Notice to the principal officer.

(2) If the master of the ~~[[ship]]vessel~~ in question refuses or fails to accept service of the Notice, or if for any other reason service of the Notice cannot be effected, the detention officer shall leave a copy of the Notice in a conspicuous place on such ~~[[ship]]vessel~~, which action shall then be deemed to be proper service.”.

Substitution of regulation 20 of the Regulations

18. Regulation 20 of the Regulations is hereby substituted for the following regulation:

“Return of service

20. (1) ~~[[The]]~~A detention officer who has served a Notice in terms of regulation 19, shall forthwith complete and sign a declaration in the form of Annexure B **[[hereinafter in this Chapter referred to as a "return of service"]]**.

(2) The detention officer in subregulation (1) shall thereupon forthwith deliver the original of the Notice served by ~~[[him]]the detention officer~~, together with the return of service, to the principal officer who issued the Notice and a copy thereof to each of the following persons:

- (a) ~~[[The]]the~~ consular representative in the Republic, if any, of the state in which the ~~[[ship]]vessel~~ is registered;
- (b) the ~~[[ship's]]vessel's~~ agent in the Republic, if any;
- (c) the Commissioner for Customs and Excise or other proper officer of customs at the harbour where the ~~[[ship]]vessel~~ is anchored, moored or berthed; and
- (d) the harbour authority or other authority, if any, who has jurisdiction or control over the sea where the ~~[[ship]]vessel~~ is anchored, moored or berthed.”.

Substitution of regulation 21 of the Regulations

19. Regulation 21 of the Regulations is hereby substituted for the following regulations:

“Clearance outward may be refused

21. (1) The officer referred to in regulation 20(2)(c) shall refuse to give the master of a [ship]vessel to which the Notice and the return of service relate or which was seized in terms of section 9(4)(b) of the Act, clearance outward until [he]the officer has received the Notice of Release contemplated in regulation 22(1).

(2) If the detained or seized [ship]vessel is not in a harbour or a fishing harbour the [Minister]Authority may take such steps or make such arrangements as [he]the Authority may deem necessary to prevent such [ship]vessel from leaving the internal waters or the territorial waters.”.

Substitution of regulation 22 of the Regulations

20. Regulation 22 of the Regulations is hereby substituted for the following regulations:

“Release from detention

22. (1) When a [ship]vessel or cargo or part thereof which has been detained, is released from such detention as contemplated in section 9(4)(a) of the Act, the principal officer shall forthwith sign and issue a notice of release from detention substantially in the form of Annexure C.

(2) The original notice of release from detention referred to in subregulation (1) shall be retained by the principal officer who shall forthwith cause a copy thereof to be delivered by a detention officer to the master of the ~~[ship]~~vessel in question and to every person referred to in regulation 20(2)(a) to (d) to whom a copy of the relevant Notice and its accompanying Return of Service have been delivered by the detention officer.

(3) The detention officer shall in writing advise the principal officer of the date and time on which ~~[he]~~the detention officer has delivered the notice of release from detention to every person referred to in regulation 20(2)(a) to (d)."

Short title and commencement

21. These Regulations are called the Marine Traffic Amendment Regulations, 2026 and come into operation on the date of final publication.

UMTHETHO OLAWULA IINQANAWE, KA-1981 (UMTHETHO NO. 2 KA-1981)**IZIHLOMELO ZEMIQATHANGO YOMTHETHO OLAWULA IINQANAWE, KA-2026**

UMphathiswa weZothutho ngaphantsi kwesolotya 14 loMthetho oLawula iiNqanawe, ka-1981 (uMthetho No 2 ka-1981) uye wenza imiqathango nethe yadakacwa kwiShedyuli.



NKSZN BD CREECY, Ilungu LePalamente

UMPHATHISWA WEZOTHUTHO

UMHLA: 11/6/26 .

SHEDYULI

INGCACISO ETHE GABALALA

[] Amagama agqamileyo ebiyelwe ngezibiyeli ezizikwere abonisa amagama atshintshiweyo kwiqathango ekhoyo.

_____ Amagama akrwelelwe umgca ngaphantsi ngomgca ongqindilili abonisa into efakelweyo kwimiqathango ekhoyo.

lingcaciso

1. Kule Shedyuli "Imiqathango" ibhekisa kwiMiqathango yoLawulo lweeNqanawe, ka-1985 neyapapashwa ngaphantsi kweSaziso sikaRhulumente No. R. 194 kwiGazethi kaRhulumente No. 9575 yomhla woku-01 kweyoMdumba 1985.

Ukuhlonyelwa komqathango 1 weMiqathango

2. Umqathango 1 weMiqathango uye wahlonyelwa ke ngoko—
 - (a) ngokufakelwa, emva kwengcaciso "ye-arhente egunyazisiweyo" yengcaciso ilandelayo:

“igosa lokubamba’ ngenxa yeSahluko VII, libhekisa kumntu ogunyaziswe ziziPhathamandla ngokwemimiselo yemigathango 19, 20 kunye 22.”;

- (b) ngokufakela emva kwengcaciso “yoMthetho wokuHanjiswa kweMithwalo” kule ngcaciso ilandelayo:

“Isaziso’ ngenxa yeSahluko VII, sibhekisa kwiSaziso soKubaniwa esikhutshwe ngokwemimiselo yomqathango 18.”;

- (c) ngokufakelwa into ethi “yegosa eliphetheyo” emva kwale ngcaciso ilandelayo:

“ukubuyiswa kwenkonzo’ ngenxa yeSahluko VII, kubhekisa kwisibhengezo esikhutshwe ngokwemimiselo yomqathango 20.”;

- (d) ngokutshintshela ingcaciso ethi “yaseMzantsi Afrika” yengcaciso elandelayo:

“yaseMzantsi Afrika’, xa lisetyenziselwa ukucacisa nayiphi na inqanawe, inqanawe yangaphantsi kwamanzi okanye nayo nayiphi na inqwelo yangaphantsi kwamanzi, ibhekisa kwinqanawe, kwinqanawe yangaphantsi kwamanzi okanye ezinye iinqwelo zangaphantsi kwamanzi—

- (a) ezibhalisiweyo okanye ekufuneka ukuba zibhaliswe ngokwemimiselo yoMthetho wokuHanjiswa kweMithwalo;
- (b) ezineempepha okanye ekufuneka zibe neempepha ngokwemimiselo yoMthetho wokuHanjiswa kweMithwalo; okanye
- (c) ezingenamfuneko yeempepha ngokwemimiselo yoMthetho wokuHanjiswa kweMithwalo, kodwa—
 - (i) ingqokelela iyonke ibe iyeyabantu abagunyazisiweyo ngokwemimiselo yoMthetho wokuHanjiswa kweMithwalo yokuba ngumnini wenqanawe yaseMzantsi Afrika; **[kwaye]okanye**

- (ii) ubuninzi babanini nalapho, mhlawumbi ngokwamanani okanye ngokomyinge wobunini, ingabantu abakwiRiphabliki;”;

Ukutshintshelwa komqathango 3 weMiqathango

3. Umqathango 3 weMiqathango uye watshintshelwa ke ngoko kulo mqathango ulandelayo:

“3. Ngenxa yale **[miqathango]**Miqathango uphicotho ngendlela enyanzeliswa ziinkqubo zesiqhelo **[zabo]**zenqwelo yamanzi zizo eziza kuba “ngumhlahla-ndlela” nanjengoko kucacisiwe kwisolotya 1 loMthetho kwimeko yezi zilandelayo **[iinqanawe]**iinqwelo zamanzi:”.

Ukutshintshwa komqathango 4 kwiMiqathango

4. Umqathango 4 weMiqathango uye watshintshelwa kule miqathango ilandelayo:

“4. Ezi **[inqanawe]**inqwelo zamanzi zilandelayo okanye amabakala **[eenqanawe]**eenqwelo zamanzi athe abekelwa bucala okanye awachatshazelwa zizindululo zesolotya 4(1) loMthetho ngeli xesha **[zii]**iinqwelo zamanzi ziqhubeka nemisebenzi yazo yesiqhelo:

- (a) **[amaphenyane]**iinqwelo zamanzi zaseMzantsi Afrika zokuloba;
- (b) inqwelo zamanzi ezincinci zaseMzantsi Afrika eziyinxalenye yemicimbi yemidlalo okanye eyobugcisa;
- (c) iinqwelo zamanzi ezincinci zamanye amazwe eziyinxalenye yemicimbi yemidlalo okanye eyobugcisa, phofu ezo inqwelo zamanzi zibe ziyinxalenye yaloo micimbi ngaphantsi kweliso elibukhali leziphathamandla zeli okanye iziphathamandla zabanye ooRhulumente, okanye i-arhente **[egunyazisiweyo]**egunyazisiweyo;

- (d) **[iinqanawe]**iinqwelo zamanzi zemithwalo zaseMzantsi Afrika; kwakunye
- (e) **[namaphenyane]**neenqwelo zamanzi zokuloba zamanye amazwe eziye zayalelwa okanye ezinesivumelelwano okanye eziye **[zagunyaziswa]**zagunyaziswa ngokuhambelana nemithetho yeRiphabliki yokusebenza kumanzi angaphakathi.”.

Ukuhlonyelwa komqathango 5 kwiMiqathango

5. Umqathango 5 weMiqathango uthe wahlonyelwa—

- (a) ngokutshintshelwa kwemiqathangwana (1) kunye (2) kule miqathangwana ilandelayo:

“(1) Umphathi wayo nayiphi na **[inqanawe]**inqwelo yamanzi, ngaphandle **[kwenqanawe]**kwenqwelo yamanzi edakacwe kumqathango 16(1) okanye ebekelwe bucala ngokwemimiselo yoMthetho okanye umqathango 4, ngaphambili kwexesha loo **[nqanawe]**nqwelo yamanzi iza kuba neenjongo zokungena ngalo echwebeni okanye kwichweba lokuloba, iza kutyumba i-arhente yenqwelo yamanzi ize ifake isicelo ngeeyure zokusebenza kwigosa eliphezulu kwichweba elikufutshane ukuze lifumane imvume yoko kungeniswa, isiphelo, umzila kunye nexesha eliza kuhlalwa **[yinqanawe]**yinqwelo yamanzi kwelo chweba.”;

“(2) Igosa eliphezulu ekwenziwe kulo isicelo ngokwemimiselo yemiqathangwana (1), linako—

- (a) ukuvumela loo **[nqanawe]**nqwelo yamanzi kwichweba;
- (b) ukusika ixesha elivakalayo eliza kuhlalwa **[yinqanawe]**yinqwelo yamanzi echwebeni;
- (c) ukucacisa indawo nalapho **[inqanawe]**inqwelo yamanzi iza kuhlala kuyo okanye iza kwehlisa kuyo ii-ankile zayo;

- (d) ukuyalela okanye ukuvumela loo [inqanawe]inqwelo yamanzi ukuba ifuduke kwelo chweba;
- (e) ukuyalela loo [inqanawe]inqwelo yamanzi ukuba ingene okanye ifuduke ngomzila oza kube uqingqwe [nguye]ligosa eliphezulu; okanye
- (f) ukuyalela ukuba umbandela omnye okanye ngaphezulu kwedakacwe kumqathango 12 kumele ithotyelwe.”.

(b) ngokufakelwa komqathangwana (2) kule miqathangwana ilandelayo:

“(3) Inqwelo yamanzi ekubhekiswa kuyo kumqathangwana (1) kumele ihlawule iindleko zerhafu kwakunye nazo nazi phi na iindleko ezibekwa ngaBasemagunyeni.

(4) Nabani na othe wophula izindululo zomqathangwana (1) uza kuba netyala lokwaphula umthetho kwaye xa ethe wabaniwa kuza kufuneka ahlawule umdliwo wama-R80 000.00 okanye ahlale entolongweni iminyaka emibini.”.

Ukutshintshwa komqathango 6 weMiqathango

6. Umqathango 6 weMiqathango uye watshintshelwa kulo mqathango ulandelayo:

“6. Nayiphi na [inqanawe]inqwelo yamanzi ebotshelwe kwintsika ayichatshazelwa zizindululo zesolotya 5 loMthetho.”.

Ukutshintshwa komqathango 7 weMiqathango

7. Umqathango 7 weMiqathango uye watshintshelwa kulo mqathango ulandelayo:

“Isicelo sokumisa

7. (1) Nabani na ofuna invume [yoMphathiswa]yeSiphathamandla ngokwemimiselo yesolotya 5(1) loMthetho yokumisa [inqanawe]inqwelo yamanzi kumele abhekise isicelo esibhaliweyo sokufumana invume enjalo kwigosa eliphezulu

kwichweba elikufutshane nale ndawo afuna ukumisa kuyo, zingadlulanga iintsuku **[ezingama-30]**ezili-10 ngaphambili kwexesha ekuqikelelwa ukuba iza kufika ngalo loo **[nqanawe]**nqwelo yamanzi okanye, ukuba kuza kumiswa **[iinqanawe]**iinqwelo zamanzi ezimbini nangaphezulu, kumele zingadluli iintsuku **[ezingama-30]**ezili-10 ngaphambili kwexesha lokufika **[kwenqanawe]**kwenqwelo yamanzi yokuqala.

(2) Isicelo ekubhekiswa kuso kumqathangwana (1) kumele siqulathe ezi nkukacha zilandelayo ngokumayelana **[nenqanawe okanye neenqanawe]**inqwelo yamanzi okanye neenqwelo zamanzi ekubhekiswa kuzo:

- (a) **[Igama]**igama, inombolo esebenzayo, ichweba ebhaliswe kulo kunye nomyinge womthwalo **[wenqanawe]**wenqwelo yamanzi, igama nedilesi yomnini **[wenqanawa]**wenqwelo yamanzi kwakunye neze-arhente yomnini kwiRiphabliki[.];
- (b) **[Uhlobo]**uhlobo **[lwenqanawe]**lwenqwelo yamanzi kwakunye nohlobo lwemithwalo eluthweleyo, ukuba lukhona, quka namafutha kwakunye nee-oli zokuthambisa[.];
- (c) **[Indawo]**indawo ecetywayo yokumiswa nokwehliswa kwee-ankile kwakunye namalungiselelo okungeniswa[.];
- (d) **[Ubunzulu]**ubunzulu **[benqanawe]**benqwelo yamanzi ekubhekiswa kuyo ngexesha lokumiswa kwayo[.];
- (e) **[Inani]**inani lamagosa kwakunye nabasebenzi abaza kuhlala kule **[nqanawe]**nqwelo yamanzi ngexesha imisiwe[.]; kunye
- (f) **[Nexesha]**nexesha eliqikelelwayo lokuma.”.

Ukuhlonyelwa komqathango 8 weMiqathango

8. Umqathango 8 weMiqathango uye wahlonyelwa—

- (a) ngokutshintshwa kwesihloko somqathango 8 wesi sihloko silandelayo:

“Igaranti yelahleko okanye umonakalo onokwenzeka xa imiswa [inqanawe]inqwelo yamanzi”; kwaye

(b) ngokutshintshwa komqathango 8 kulo mqathango ulandelayo:

“8. (1) [Umntu]Umntu onqwenela ukumisa [inqanawe]inqwelo yamanzi, kumele ekunye nesicelo **[sakhe]**ekubhekiswa kuso kumqathango 7, anelise **[uMphathiswa]iziPhathamandla** ngokuba **[yena]**umntu lowo unawo omandla okuhlawula naziphi na iindleko zomonakalo okanye zelahleko eyenzeke mhlawumbi kuRhulumente weRiphabliki okanye ngomntu wesithathu ngexesha inqwelo yamanzi imile.

(2) Ubungqina [boko]bamandla emali ekubhekiswa kuwo kumqathangwana (1) kumele buboniswe ngesiqinisekiso sebhanki okanye ngezinye iindlela zokhuseleko ezamkelekileyo **[kuMphathiswa; ezifana negaranti okanye ezinye iindlela zokhuseleko]**kwiZiphathamandla, abe enanziwe namalungiselelo e-inshorensi nathe umnini **[wenqanawe]wenqwelo yamanzi** wayithatha ukukhusela **[oko]ezo** ndleko ekubhekiswa kuzo kumqathangwana (1).”.

Ukuhlonyelwa komqathango 10 weMiqathango

9. Umqathango 10 weMiqathango uye wahlonyelwa ke ngoko—

(a) ngokutshintshwa kwemiqathangwana (1), (2) kwakunye (3) kwimiqathangwana:

“(1) Ixesha lokumiswa akumelanga kudlule kwiinyanga ezintandathu ngaphandle kokuba **[uMphathiswa]iSiphathamandla** siye salongeza ixesha kwisicelo esibhaliweyo esenziwe **[mutatis mutandis]** ngotshintsho oluyimfuneko, nangendlela edakaciweyo kumqathango 7(1) ngaphambili kokuba liphele ixesha elisikiweyo leenyanga ezintandathu.”;

“(2) Ixesha lokumiswa liqalisa xa [inqanawe]inqwelo yamanzi ifika kwindawo eza kumiswa kuyo.”; kwaye

“(3) Ixesha lokumiswa liphela—

- (a) xa [inqanawe]inqwelo yamanzi ihamba kuloo ndawo ibimiswe kuyo; **[okanye]**
- (b) emva kwenyanga enye yokunikwa isaziso [nguMphathiswa]siSiphathamandla, erhoxisa **[yakhe]imvume** yokumisa; okanye
- (c) kanye nje emva kokufumana isaziso [soMphathiswa]seSiphathamandla, sokurhoxisa **[yakhe]imvume** yokumisa ngaphantsi kweemeko apho ukumisa kuyingozi okanye kuphazamisa uxolo, ukulunga okanye ukhuseleko lweRiphabliki.”.

Ukuhlonyelwa komqathango 11 weMiqathango

10. Umqathango 11 weMiqathango uye wahlonyelwa ke ngoko—

- (a) ngokutshintshwa kwesihloko somqathango 11 wesi sihloko silandelayo

“Uhlolo [lwenqanawe]lwenqwelo yamanzi emisiweyo”;

- (b) ngokutshintshwa komqathango 11 kulo mqathango ulandelayo:

“11. Umntu [ogunyazisiweyo]ogunyazisiweyo kumele nanini na akwazi ukungena ukuze ahlole [inqanawe]inqwelo yamanzi emisiweyo, umthwalo wayo, oovimba, oomatshini abasetyenziswayo kwakunye nezatifiketi nanjengoko kungayimfuneko oko ngokwemimiselo yemithetho yeRiphabliki ekumele iqhutywe ngaphakathi [kwenqanawe]kwenqwelo yamanzi.”.

Ukutshintshwa komqathango 12 weMiqathango

11. Umqathango 12 weMiqathango uye watshintshelwa kulo mqathango ulandelayo:

“Imibandela yokumisa

12. **[UMphathiswa]**IsiPhathamandla sinako ukuyalela nabani na ogunyazisiweyo ukumisa **[inqanawe]**inqwelo yamanzi, ukuba athobele umbandela omnye okanye nangaphezulu kule mibandela ilandelayo ngokumayelana **[nenqanawe]**nenqwelo yamanzi ngexesha imile:

(1) (a) Nayiphi na **[inqanawe]**inqwelo yamanzi emileyo kumele ihlale kwiKlasi [. Igama]kwaye umntu onqwenela ukumisa **[inqanawe okanye iinqanawe]**inqwelo yamanzi okanye iinqwelo zamanzi kumele anike igosa eliphezulu kwichweba elikufuphi kunale ndawo afuna ukumisa kuyo la maxwebhu alandelayo zingaphelanga iintsuku ezili-14 ngaphambili kokufika **[kwenqanawe]**kwenqwelo yamanzi okanye eyokuqala **[kwiinqanawe]**kwiinqwelo zamanzi:

- (i) **[Ikopi]**ikopi yesatifiketi seklassi; okanye
- (ii) ikopi yengxelo yokumisa okanye yemibandela yokumisa nanjengoko kubhaliwe kwizindululo zombutho weklasi okanye ngumbutho owaziwayo **[nguMphathiswa]**siSiphathamandla onobunako bokukhupha isatifiketi esinjalo; kwakunye
- (iii) nesiqinisekiso se-inshorensi efanelekileyo yokukhuselo loo nqwelo yamanzi.

(b) Izatifiketi ekubhekiswa kuzo kwimihlathana (i) kwakunye (ii) yomhlathi (a) kumele zigcinwe ngaphakathi **[kwenqanawe]**kwenqwelo yamanzi.

(2) **[litanki ezingenanto]**Itanki elingenanto kumele lilungelelaniswe ngobunzima obungekho ngaphantsi kweephesenti ezingama-35 ngexesha **[iinqanawe]**iinqwelo zamanzi ngaphandle **[kweetanki]**kweetanki ekumele zizinziswe ngokupheleleyo.

- (3) (a) Umthwalo weetanki ze-oli, imibhobho kwakunye nesitya senqwelo yamanzi kumele zingabinanto, zicocwe izinto ezimdaka kwaye zigabinazigesi.
- (b) Iitanki[ezi] ekubhekiswa kuzo kumhlathi (a) zingafakwa [kwiinqanawe] kwiinqanawe nalapho inkqubo ye-inert gas ihluzwayo.
- (4) (a) Kwimeko apho iitanki [zenqanawe]zenqwelo yamanzi zingenarhasi, isatifiketi, esikhutshwe yi-arhente [egunyazisayo]egunyazisayo, kumele sivezwe xa kuqala ukumiswa kwaye nakumatyeli angegqithanga kwiinyanga ezimbini.
- (b) Iimvamvanyo ezingenarhasi ziza kuqhutywa zonke iiveki.
- (5) (a) Amalungiselelo okubotshelwa okanye okuzinziswa aza kwenziwa ngendlela eyanelisa igosa eliphezulu elichaphazelekayo.
- (b) I-ankile yesibini iza kuhlala iphethwe ukuze ikwazi ukusetyenziswa ngokukhawuleza.
- (6) Isikhundla [senqanawe]senqwelo yamanzi siza kujongwa yonke imihla kunye nee-ankile kwakunye namakhamandela okubopha aza kuhlolwa [rhoqo]nokuba kukabini ngexesha kujongiwe kwaye nangakumbi xa imozulu imbi.
- (7) Izixhobo zokucima umlilo kumele zihlale zigcinwe zisemgangathweni kwaye kumele zivavanywe ngamaxesha angadlulanga kwityeli elinye ngeveki.
- (8) I-ankile kwakunye nomnxeba wokuthetha kumele zihlale elugcinweni ngamaxesha onke.
- (9) [Inqanawe]inqwelo yamanzi kumele ibonise ekuhlени izibane zokufumaneka apho ime khona kwakunye neemilo kwaye yenze isandi esifunekayo ngokuhambelana nokwenziwa kumazwe ngamazwe.

(10) Imvume yegosa eliphezulu elichaphazelekayo ingafumaneka onke amaxesha xa kunemfuneko yokulungiswa, okufuna kusetyenziswe izixhobo zokungciba ezitshisayo okanye zokusika, nekumele zenzelwe ngaphandle kwemida yechweba.

(11) [Akukho]Nantoni na okanye nawo nawuphi na umba, ngaphandle kwamanzi amdaka asuka ngasese, kwizigcini-lindle nakwimibhobho yelindle agqithe kwinkqubo egunyazisiweyo yonyango, akumelanga achithelwe elwandle.

Ukuhlonyelwa komqathango 13 weMiqathango

12. Umqathango 13 weMiqathango uye wahlonyelwa ke ngoko—

(a) ngokutshintshwa kwesihloko somqathango 13 wesi sihloko silandelayo

“Isicelo sokumisa okanye sokumilisela [inqanawe]inqwelo yamanzi ukuze ilungiswe”;

(b) ngokutshintshelwa kwemiqathangwana (1) kunye (2) kule miqathangwana ilandelayo:

“13.(1) Umntu onqwenela ukumisa okanye ukumilisela [inqanawe]inqwelo yamanzi kwimida okanye kumanzi akumda ongaphandle kwechweba kufuneka ngaphandle kokuphazisa amaseko acele imvume [yoMphathiswa]yeSiphathamandla yokumisa okanye yokumilisela kwaye eso sicelo asibhekise kwigosa eliphezulu sechweba elikufutshane naloo ndawo aceba ukumisa okanye ukumilisela kuyo.

(2) Xa efaka isicelo ngokwemimiselo yomqathangwana (1) umfaki-sicelo kumele adibanise nolu lwazi lulandelayo ngokumayelana [nenqanawe]nenqwelo yamanzi ekubhekiswa kuyo:

- (a) **[Igama]**igama, inombolo esebenzayo, ichweba ebhaliswe kulo kunye nomyinge womthwalo **[wenqanawe]**wenqwelo yamanzi;
- (b) **[Igama]**igama nedilesi yomnini **[nqanawa]**wenqwelo yamanzi kwakunye neze-arhente yomnini kwiRiphabliki[.];
- (c) **[Uhlobo]**uhlobo lothwalo othwelwe **[yinqanawe]**yinqwelo yamanzi, nkqu namafutha kwakunye nee-oli zokuthambisa[.];
- (d) **[Isizathu]**isizathu sokumisa okanye somilisela **[inqanawe.]**inqwelo yamanzi;
- (e) **[Indawo]**indawo ecetywayo yokumisa okanye yokumilisela okunjalo[.];
- (f) **[Ixesha]**ixesha eliqikelelekayo lokumisa okanye lokumilisela okunjalo[.]; kwakunye
- (g) nemiba yemozulu **[Evelayo]**evelayo.”

Ukuhlonyelwa komqathango 14 weMiqathango

13. Umqathango 14 weMiqathango uye wahlonyelwa ke ngoko—

- (a) ngokutshintshwa kwesihloko somqathango 14 wesi sihloko silandelayo:

“Imibandela yokumisa okanye yokumilisela [inqanawe]inqwelo yamanzi”;

- (b) ngokutshintshelwa kwemiqathangwana (1) kunye (2) kule miqathangwana ilandelayo:

“14. (1) [Umntu]Umntu onikwe imvume ngokwemimiselo yomqathango 13, kumele athobele izindululo ezidandalaziswe ligosa eliphezulu elichaphazelekayo nanjengoko **[yena]**igosa eliphezulu lingabona kufanelekile ukucutha ubungozi bokushiya izinto, ngenxa yokhuseleko **[lwenqanawe]**lwenqwelo yamanzi, abasebenzi, abakhweli okanye umthwalo, ngokuzama ukuphepha ungcoliseko lolwandle okanye ugcino loxolo ngobume okanye ukhuseleko lweRiphabliki.

(2) Ezo zindululo **[ekuthethwa]** kubhekiswa kuzo kumqathangwana (1) kumele zibe yinxalenye yeendleko zomnini **[wenqanawe]**wenqwelo yamanzi.”.

Ukuhlonyelwa komqathango 15 weMiqathango

14. Umqathango 15 weMiqathango uye wahlonyelwa ke ngoko—

(a) ngokutshintshwa kwesihloko somqathango 15 wesi sihloko silandelayo:

“Isaziso sokunduluka **[kwenqanawe]kwenqwelo yamanzi”;**

(b) ngokutshintshwa komqathango 15 kulo mqathango ulandelayo:

“15. [Umntu]Umntu onikwe imvume ngokwemimiselo yomqathango 13, kumele enze **[inqanawe]**inqwelo yamanzi iqhubeke kuhambo lwayo lwesiqhelo ngokukhawuleza emva kokuba isizathu sokumisa okanye sokumilisela siye saphela kwaye **[yena]** kumele azise igosa eliphezulu ngokunduluka **[kwenqanawe]**kwenqwelo yamanzi.”.

Ukutshintshwa komqathango 17 weMiqathango

15. Umqathango 17 weMiqathango uye watshintshelwa kulo mqathango ulandelayo:

“ISAHLUKO VI

IINDAWO ZOKUNDULUKELA NEZOKUFIKELA EZIGUGUTH' UNXWEME

17. (1) [Akukho nqanawe]inqwelo yamanzi ayisayi kukhutshelwe okanye iphumele elwandle, okanye **[kumele]** eya kumiswa, ihlaliswe, itsalelwe, okanye

iqhutyelwe, kuyo nayiphi na indawo ngakunxweme ngaphandle kwechweba, indawo yokuloba okanye indawo yokhuphela.

(2) Nabani na owaphula izindululo zomqathangwana (1) uza kufumaneka enetyala lokwaphula umthetho kwaye xa ebenjiwe kuza kufuneka ahlawule umdliwo ongadlulanga **[kwi-R200]** kwi-R40 000.00 okanye avalelwe unyaka ejele.".

Ukutshintshwa komqathango 18 weMiqathango

16. Umqathango 18 weMiqathango uye watshintshelwa kulo mqathango ulandelayo:

"ISAPHLUKO VII

UKUBANJWA [KWEENQANAWE]KWEENQWELO ZAMANZI, KWEMITHWALO OKANYE KWENXALENYES YAWO

Isaziso sokubanjwa [kwenqanawe]kwenqwelo yamanzi okanye komthwalo

18. Xa **[inqanawe]**inqwelo yamanzi kwakunye nomthwalo wayo okanye **[pert]**inxalenye yawo okanye **[inqanawe]**inqwelo yamanzi okanye umthwalo wayo okanye inxalenye yawo uthe wabanjwa ngaphantsi kwesolotya 9(3) loMthetho igosa eliphezulu kumele lityikitye lize likhuphe iSaziso sokuBanjwa kwifom yeSihlomelo A **[(kolu xwebhu lwesi Sahluko ekubhekiswa kulo "njengeSaziso")]**, kuhlakulela imiqathango nemibandela yokubanjwa."

Ukutshintshwa komqathango 19 weMiqathango

17. Lo mqathango ulandelayo uye watshintshelwa kulo mqathango 19 weMiqathango:

“Ukukhutshwa kweSaziso

19. (1) Ngokwezindululo zomqathangwana (2) iSaziso kumele sinikwe umphathi **[wenqanawe]wenqwelo yamanzi** ekubhekiswa kuyo **[ngomntu ogunyazisiweyo (kolu xwebhu lwesi Sahluko ekubhekiswa kulo "njengegosa lokubamba")]** ligosa lokubamba eligunyazisiweyo neliza kukhuphela iSaziso soqobo umphathi lize lihambise ikopi **[kuye]kumphathi**, lize libuyisele iSaziso soqobo kwiigosa eliphezulu.

(2) Ukuba umphathi **[wenqanawe]wenqwelo yamanzi** ekubhekiswa kuyo akafuni okanye uyasilela ukwamkela iSaziso, okanye ngesinye isizathu esithile iSaziso singamkelwa, igosa lokubamba kumele lishiye ikopi yeSaziso kwindawo ecacileyo kuloo **[nqanawe]nqwelo yamanzi**, eso senzo siza kuthathwa njengokwenziwa komsebenzi.”.

Ukutshintshwa komqathango 20 weMiqathango

18. Umqathango 20 weMiqathango uye watshintshelwa kulo mqathango ulandelayo:

“Ubungqina bokwenziwa komsebenzi

20. (1) **[lgosa]lgosa** lokubamba eliya lasihambisa iSaziso ngokwemimiselo yomqathango 19, liza kuthi ke ngoko ligcwalise lize lityikitye isibhengezo kwifom yeSihlomelo B **[(kolu xwebhu lwesi Sahluko ekubhekiswa kuso "njengobungqina bokwenziwa komsebenzi")]**.

(2) Igosa lokubamba **kumqathangwana (1)** liya kuthi ke ngoko lihambise uqobo lweSaziso **[ngokwalo]** esihanjiswe **ligosa lokubamba**, kunye nobungqina bokwenziwa komsebenzi, kwiigosa eliphezulu ebelikhuphe iSaziso kwakunye nekopi kumntu ngamnye kwaba balandelayo:

- (a) **[Unozakuzaku]unozakuzaku** kwiRiphabliki, ukuba ukhona, owesizwe apho **[inqanawe]inqqwelo yamanzi** ibhaliswe kuso;
- (b) i-arhente **[yenqanawe]yenqwelo yamanzi** ekwiRiphabliki, ukuba ikhona;

- (c) Umkomishinala wakwaCustoms and Excise okanye amanye amagosa akwacustoms echwebeni apho **[inqanawe]inqwelo yamanzi** izinze, imiswe okanye itsalelwe khona; kunye
- (d) nesiphathamandla sechweba okanye esinye isiphathamandla, esinelungelo lokulawula okanye lokuyalela apho **[inqanawe]inqwelo yamanzi** ingamiliselwa, ingamiswa okanye ingatsalelwe khona.”.

Ukutshintshwa komqathango 21 weMiqathango

19. Umqathango 21 weMiqathango uye watshintshelwa kulo mqathango ulandelayo:

“Ingaliwa imvume yangaphandle

21.(1) Igosa ekubhekiswa kulo kumqathango 20(2)(c) kumele lingafuni ukunika umphathi **[wenqanawe]wenqwelo yamanzi** noSaziso kunye nobungqina bomsebenzi ziye zathathwa ngokwemimiselo yesolotya 9(4)(b) loMthetho, imvume yangaphandle de **[yena]igosa** libe lifumene iSaziso soKukhulula esidakacwe kumqathango 22(1).

(2) Ukuba **[inqanawe]inqwelo yamanzi** ebanjiweyo okanye evalelweyo ayikho sechwebeni okanye kwichweba lokuloba **[uMphathiswa]iSiphathamandla** singathatha amanyathelo okanye singenza amalungiselelo nanjengoko **[yena]iSiphathamandla** singabona kunyanzelekile ukuthintela loo **[nqanawe]nqwelo yamanzi** ukuba induluke kwimida yonxweme.”.

Ukutshintshwa komqathango 22 weMiqathango

20. Umqathango 22 weMiqathango uye watshintshelwa kulo mqathango ulandelayo:

“Ukukhululwa ekubanjweni

22. (1) Xa **[inqanawe]**inqwelo yamanzi okanye umthwalo okanye inxalenye yawo ububanjwe, yaze yakhululwa kuloo meko yokubanjwa nanjengoko idakaciwe kwisoloty 9(4)(a) loMthetho, igosa eliphezulu liza kutsho lityikitye lize likhuphe isaziso sokukhululwa eluvalelweni gendlela kwifom yeSihlomelo C.

(2) Isaziso sokukhululwa soqobo ekubhekiswa kuso kumqathangwana (1) kumele sigcinwe ligosa eliphezulu neliza kuthi lenze ikopi eza kuhanjiswa ligosa lokubamba kumphathi **[wenqanawe]**wenqwelo yamanzi ekubhekiswa kuyo kunye nakuye nabani na ekubhekiswa kuye kumqathango 20(2)(a) ukuya (d) nothe wafumana ikopi emayelana naye yeSazio kwakunye noBungqina bokwenziwa koMsebenzi ezinikwa ligosa lokubamba.

(3) Igosa lokubamba liza kuthi ke ngoko ngokubhala phantsi lazise igosa eliphezulu ngomhla kwakunye nexesha nalapho **[yena]**igosa lokubamba eliza kusisa ngalo isaziso sokukhululwa kubo bonke abantu ekubhekiswa kubo kumqathango 20(2)(a) ukuya (d).”.

Isihloko esifutshane kunye nexesha lokuqalisa

21. Le Miqathango ibizwa ngokuba ziZihlomelo zeMiqathango yoMthetho oLawula iiNqanawe, ka-2026 kwaye uza kuqalisa ukusebenza ngomhla wopapasho lokugqibela.