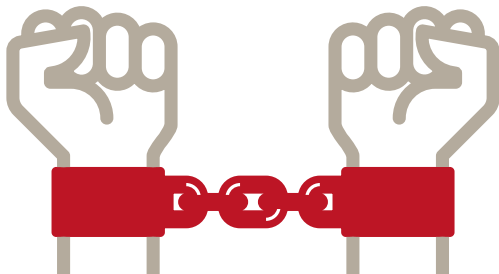


PENALTIES

Fines of up to **R10 million** or, **imprisonment** for a maximum of **10 years** or, **both** a fine and imprisonment.



LN-NO	ACTIVITY	DESCRIPTION
1	27	The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for- (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan.
2	15	The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for- (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan.
3	12	The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. (e) In Western Cape: (i) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004; (ii) Within critical biodiversity areas identified in bioregional plans; (iii) Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; or (iv) On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.



CONTACT US

To help prevent illegal clearing of indigenous vegetation, report any unlawful environmental activities to the following:

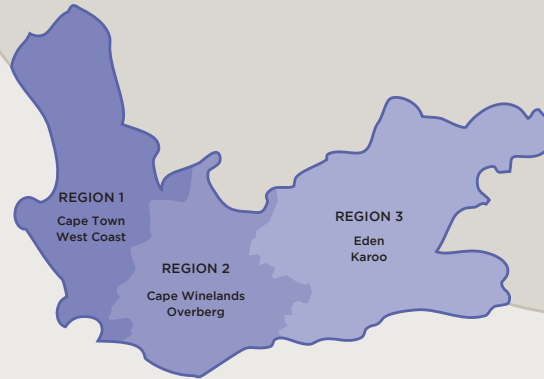
National 24-Hour Toll-free Environmental Crimes and Incidents Hotline

0800 205 005

Western Cape Central Complaints

Law.Enforcement@westerncape.gov.za

For any **additional information** please visit our website: www.westerncape.gov.za/eadp



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Western Cape
Government
Environmental Affairs and
Development Planning

BETTER TOGETHER.



UNLAWFUL CLEARING OF INDIGENOUS VEGETATION

SANBI
Biodiversity for Life



South African National Biodiversity Institute



ENVIRONMENTAL REQUIREMENTS: NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA)

NEMA

This National Act makes provision for the identification and Assessment of activities that are potentially harmful to the environment and which require authorisation from the competent authority based on the findings of an Environmental Assessment.

NEMA is comprised of 3 Listing Notices containing a total of 123 listed activities that are threshold dependent.

If the proposed activity exceeds the threshold, NEMA is triggered, and the landowner must submit a Basic Assessment or scoping report and an Environmental Impact Assessment (depending on the activity) for Environmental Authorisation from the appropriate competent authority:

- Western Cape Government Department of Environmental Affairs and Development Planning: general developments.
- National Department of Environmental Affairs: protected areas and energy.
- Department of Mineral Resources: mining.

CONSEQUENCES OF CLEARING INDIGENOUS VEGETATION WITHOUT ENVIRONMENTAL AUTHORISATION

If the vegetation clearing triggers a listed activity under NEMA, three mechanisms of enforcement may follow:

- Compliance Notice (s31L of the NEMA)
- Directive (s28 (4) of the NEMA)
- Criminal Prosecution

FAILURE TO OBTAIN
ENVIRONMENTAL
AUTHORISATION WHERE
REQUIRED IS A

CRIMINAL OFFENCE!



* Please refer to NEMA Listing Notices 1, 2 and 3 of 2014 for the full conditions of all listed activities.

WHAT IS THE IMPORTANCE OF VEGETATION IN THE ENVIRONMENT?

Vegetation supports critical functions in the biosphere, at all possible spatial scales.

- Regulates flow of biochemical cycles, like soil nutrients.
- Serves as wildlife habitat and energy source for vast array of animals including pollinators.
- Strongly affects soil characteristics.
- Psychologically and physiologically important to humans for food, medicine etc.
- Determines an ecosystem's resilience to threats and changes, especially climate change.



WHAT ARE THE NEGATIVE IMPACTS OF NATURAL VEGETATION CLEARANCE?

Habitat & Biodiversity Loss

A habitat is a natural place where abiotic and biotic factors interact. When a habitat is lost it stimulates the loss of biodiversity and various ecological interactions. This in turn creates a knock-on effect and affects food, shelter, reproduction, resilience etc. of the biodiversity found in a habitat. These effects lead to extinction which expose the vulnerabilities of the environment. These effects can affect society as a whole.

Soil Erosion

Soil Erosion commonly occurs following conversion of natural vegetation to agricultural land - carrying away fertile soil as well as fertilizers, pesticides and other agrochemicals. When natural vegetation is cleared and when farmland is ploughed, the exposed topsoil is often blown away by wind or washed away by rain. The lack of vegetation cover has a detrimental effect on the environment and its ability to deliver services.

WHAT IS INDIGENOUS VEGETATION?

- Defined in NEMA as: vegetation consisting of indigenous plant species occurring naturally in an area, regardless of the level of alien plant infestation.
- Land where the topsoil has not been lawfully disturbed during the preceding ten years.



WHAT IS NATURAL VEGETATION CLEARANCE?

Any human activity that results in the permanent eradication, removal or elimination of vegetation.



Ploughing of land, bulldozing of an area, eradication or removal of vegetation cover with chemicals etc. provided that this will result in vegetation being eliminated, eradicated or removed.



Burning of vegetation (e.g. firebreaks). Mowing grass or pruning does not constitute vegetation clearance unless it results in permanent removal, eradication or elimination of vegetation.



The removal or destruction of naturally occurring vegetation or forests, primarily due to human activities. E.g. Land clearing and deforestation.

STRAWWE

Boetes wat nie **R10 miljoen** oorskry nie of **gevangenisstraf** vir 'n maksimum van **10 jaar** of **beide** 'n boete sowel as gevangenisstraf.



LN-NR AKTIWITEIT BESKRYWING

1	27	Die opruiming van 'n gebied van 1 hektaar of meer, maar minder as 20 hektaar inheemse plantegroei, behalwe waar sodanige opruiming van inheemse plantegroei benodig word- (i) die onderneming van 'n lineêre aktiwiteit; of (ii) instandhoudingsdoeleindes wat onderneem word in ooreenstemming met 'n instandhoudingsbestuursplan.
2	15	Die opruiming van 'n gebied van 20 ha of meer inheemse plantegroei, uitgesonderd waar sodanige opruiming van inheemse plantegroei benodig word- (i) die onderneming van 'n lineêre aktiwiteit; of (ii) instandhoudingsdoeleindes wat onderneem word in ooreenstemming met 'n instandhoudingsbestuursplan.
3	12	Die opruiming van 'n gebied van 300 vierkante meter of meer inheemse plantegroei, behalwe waar sodanige opruiming van inheemse plantegroei benodig word vir instandhoudingsdoeleindes wat onderneem word in ooreenstemming met 'n instandhoudingsbestuursplan. (e) In die Wes-Kaap: (i) Binne enige ekosisteem wat krities bedreig of bedreig is ingevolge artikel 52 van die NEMBA of voor die publikasie van so 'n lys, binne 'n gebied wat geïdentifiseer is as krities bedreig in die Nasionale Ruimtelike Biodiversiteitsbeoordeling 2004; (ii) Binne kritieke biodiversiteitsareas wat in biostreekplanne geïdentifiseer is; (iii) Binne die aktiewe sone of 100 meter binnelands vanaf die hoogwatermerk van die see of 'n estuarium-funksionele sone, watter afstand ook al die grootste is, uitgesonderd waar sodanige verwydering sal plaasvind agter die ontwikkelingsterugsetlyn op erwe in stedelike gebiede; of (iv) Op land, waar sodanige grond ten tyde van die inwerkingtreding van hierdie kennisgewing of daarna as oopruimte gesoneer is, bewaring gehad het of 'n gelykwaardige sonering gehad het.

TREE MET ONS IN VERBINDING

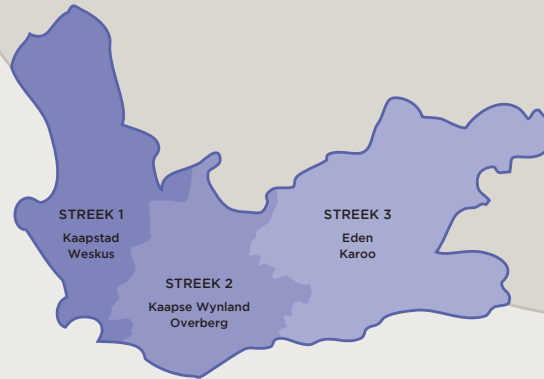
Rapporteer enige onwettige omgewingsaktiwiteite aan die volgende om onwettige skoonmaak van inheemse plantegroei te voorkom:

Nasionale 24-uur Tolvrye Omgewingsmisdade en -insidente Hulplyn
0800 205 005

Wes-Kaap Sentraal Klagtes

Law.Enforcement@westerncape.gov.za

Bykomende inligting is beskikbaar en kan van ons webwerf afgelaai word by:
www.westerncape.gov.za/eadp



KAAPSTAD KANTOOR

Direkteur: Achmad Bassier
Achmad.Bassier@westerncape.gov.za

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Streksbestuurder, Streek 2

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Nithzaam.Albertyn@westerncape.gov.za

GEORGE KANTOOR

Streksbestuurder, Streek 3

Johan Oelofse
Johan.Oelofse@westerncape.gov.za

www.westerncape.gov.za

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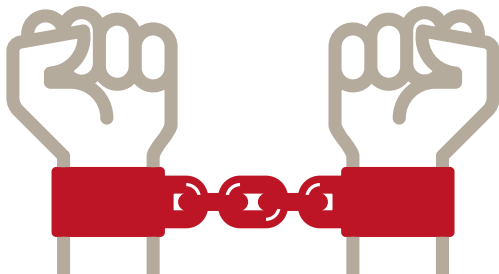
www.facebook.com/WesternCapeGovernment



BETER TESAME.



ONWETTIGE SKOONMAAK VAN INHEEMSE PLANTEGROEI



SANBI
Biodiversity for Life
South African National Biodiversity Institute



OMGEWINGSVEREISTES: WET OP NASIONALE OMGEWINGSBESTUUR (WNOB)

WNOB

Hierdie Nasionale Wet maak voorsiening vir die identifisering en beoordeling van aktiwiteite wat potensieel skadelik vir die omgewing is en wat magtiging van die bevoegde owerheid vereis op grond van die bevindings van 'n omgewingsbeoordeling.

Die WNOB bestaan uit 3 noteringskennisgewings wat 'n totaal van 123 gelysde aktiwiteite bevat wat drempelafhanklik is.

As die voorgestelde aktiwiteit die drempel oorskry, word die WNOB geaktiveer en die grondeienaar moet 'n basiese beoordelings- of omvangbepalingsverslag en 'n omgewingsimpakstudie (afhangend van die aktiwiteit) voorlê vir omgewingsmagtiging van die toepaslike bevoegde owerheid:

- Wes-Kaapse Departement van Omgewingsake en Ontwikkelingsbeplanning: algemene ontwikkelings.
- Nasionale Departement van Omgewingsake: beskermde gebiede en energie.
- Departement van Minerale Hulpbronne: mynbou.

GEVOLGE VAN DIE SKOONMAAK VAN INHEEMSE PLANTEGROEI SONDER OMGEWINGSMAGTIGING

Indien die opruiming van plantegroei 'n genoteerde aktiwiteit onder NEMA veroorsaak, kan drie wetstoepassingsmeganismes volg:

- Kennisgewing van nakoming (a 31L van die NEMA)
- Direktief (a 28 (4) van die NEMA)
- Strafregtelike vervolging

VERSUIM OM
OMGEWINGSMAGTIGING
TE BEKOM WAAR DIT
VEREIS WORD, IS 'N
KRIMINELE OORTREDING!



* Raadpleeg asseblief WNOB-kennisgewings 1, 2 en 3 van 2014 vir die volledige voorwaardes van alle gelysde aktiwiteite.

HOEKOM IS PLANTEGROEI IN DIE OMGEWING BELANGRIK?

Plantegroei ondersteun kritieke funksies in die biosfeer, op alle moontlike ruimtelike skale.

- Reguleer die vloeï van biochemiese siklusse, soos grondvoedingstowwe.
- Dien as 'n natuurlike habitat en energiebron vir 'n groot verskeidenheid diere, insluitend bestuiwers.
- Beïnvloed die grondeienskappe in 'n groot mate.
- Sielkundig en fisiologies belangrik vir mense vir voedsel, medisyne, ens.
- Bepaal die veerkragtigheid van 'n ekosisteem teen bedreigings en veranderinge, veral klimaatsverandering.



WATTER NEGATIEWE UITWERKING HOU DIE SKOONMAAK VAN NATUURLIKE PLANTEGROEI IN?

Habitat & Biodiversiteitsverlies

'n Habitat is 'n natuurlike plek waar abiotiese en biotiese faktore met mekaar saamwerk. As 'n habitat verlore gaan, stimuleer dit die verlies aan biodiversiteit en verskillende ekologiese interaksies. Dit skep weer 'n uitwerking op voedsel, skuiling, voortplanting, veerkragtigheid, ens. Van die biodiversiteit wat in 'n habitat voorkom. Hierdie gevolge lei tot uitsterwing wat die kwesbaarheid van die omgewing blootstel. Hierdie gevolge kan die samelewing as geheel beïnvloed.

Gronderosie

Gronderosie kom gereeld voor na die omskakeling van natuurlike plantegroei na landbougrond - wat vrugbare grond en kunsmis, plaagdoders en ander landbouchemikalieë wegvoer. Wanneer natuurlike plantegroei skoongemaak word en as landbougrond geploeg word, word die blootgestelde bogrond dikwels deur wind weggewaai of deur reën weggespoel. Die gebrek aan plantbedekking het 'n nadelige uitwerking op die omgewing en die vermoë om dienste te lewer.

WAT IS INHEEMSE PLANTEGROEI?

- Gedefinieër in WNOB as: plantegroei wat bestaan uit inheemse plantspesies wat natuurlik in 'n gebied voorkom, ongeag die vlak van indringing deur uitheemse plantegroei.
- Grond waar die bogrond gedurende die voorafgaande tien jaar nie wettig verstoer is nie.



WAT IS DIE SKOONMAAK VAN NATUURLIKE PLANTEGROEI?

Enige menslike aktiwiteit wat lei tot permanente uitwissing, verwydering of skoonmaak van plantegroei.



Ploeg van grond, skoonmaak van 'n gebied met stootskrapers, uitwissing of verwydering van plantbedekking met chemikalieë, ens. mits dit sal lei tot die uitwissing of verwydering van plantegroei.



Verbranding van plantegroei (bv. Brandbane). Die sny van gras of snoei word nie geklassifiseer as die skoonmaak van plantegroei nie, tensy dit permanente verwydering, uitwissing of skoonmaak van plantegroei tot gevolg het.



Die verwydering of vernietiging van natuurlike plantegroei of woude, hoofsaaklik as gevolg van menslike aktiwiteite. Bv. skoonmaak van grond en ontbossing.

IZOHLWAYO

Iintlawulo ezifikelela **kwi-R10 lezigidi** okanye, **ukuvallelwa ejele** kangangesithuba **seminyaka eli-10** okanye, **zombini** isohlwayo kunye nokuvallelwa



LN- INOMBOLO

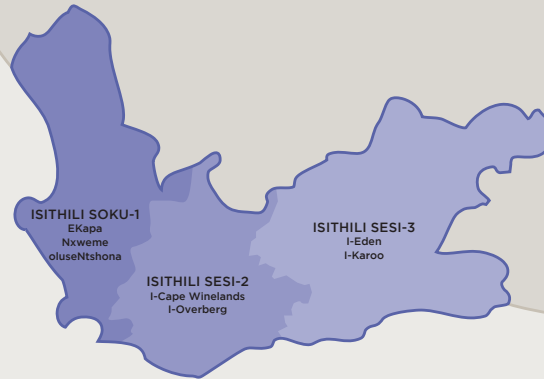
LN- INOMBOLO	UMSEBENZI	INKCAZO
1	27	Ukucocwa kwendawo eyihektare e-1 okanye nangaphezulu, kodwa ngaphantsi kwehektare ezingama-20 zezityalo zemveli, ngaphandle kwalapho kufuneka khona oko kucocwa kwezityalo zemveli - (i) ukwenziwa komsebenzi ofanelekileyo; okanye (ii) iinjongo zolondolozo olwenziwe ngokwesicwangciso solawulo lolondolozo.
2	15	Ukucocwa kwendawo yeehektare ezingama-20 okanye ngaphezulu kwezityalo zemveli, ngaphandle kwalapho kucocwa khona kwezityalo zemveli kufunwa - (i) ukwenziwa komsebenzi ofanelekileyo; okanye (ii) iinjongo zolondolozo olwenziwe ngokwesicwangciso solawulo lolondolozo.
3	12	Ukucocwa kwendawo eziimitha ezingama-300 eskwere okanye ngaphezulu kwezityalo zemveli ngaphandle kwalapho kucocwa khona kwezityalo zemveli kufunwa ngeenjongo zokugcina kwenziwa ngokwesicwangciso solawulo lolondolozo. (e) eNtshona Koloni: (i) Ngaphakathi kuyo nayiphi na imeko yezityalo nezilwanyana ezisengozini yokuchaphazela ngokudibeneyo ngokwecandelo lama-52 le-NEMBA okanye ngaphambi kokupapashwa kolu luhlu, ngaphakathi kwendawo echongiweyo njengemngcipheko woVavanyo lweeNdawo eziPhilayo zeSizwe yowama-2004; (ii) Ngaphakathi kweendawo ezahlukeneyo zebhayoloji ezichongiweyo kwizicwangciso zezityalo; (iii) Ngaphakathi kwindawo esebenzayo ye-littoral okanye i-100 leemitha ngaphakathi kumhlaba ophakamileyo wamanzi olwandle okanye indawo yokusebenza kwecala, nawuphi na umgama mkhulu, ngaphandle kwalapho ukususwa kuya kubakho emva komda wokubuyela umda kwiindawo ezidolophini; okanye (iv) Kumhlaba, apho, ngexesha lokuqalisa kokusebenza kwesi Saziso okanye emva koko loo mhlaba wabekwa kwindawo evulekileyo, ulondolozo okanye umda olinganayo.

QHAGAMSHELANA NATHI

Ukunceda ukuthintela ukucocwa okungekho semthethweni kwezityalo zemveli, xela nayiphi na imisebenzi engekho semthethweni malunga noku kulandelayo: **Inombolo kaZwelonke yaSimahla yeeYure ezingama-24 yoLwaphulo-mthetho neZehlo zokusiNgqongileyo 0800 205 005**

Izikhazazo eziPhambili zeNtshona Koloni

Law.Enforcement@westerncape.gov.za
Ngalo naluphi na ulwazi olongezelelekileyo nceda undwendwele iwebhusayithi yethu:
www.westerncape.gov.za/eadp



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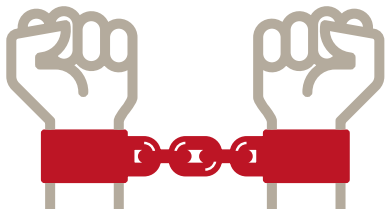


URhulumente
weNtshona Koloni
ImiCimbi yeNdalo esiNgqongileyo
noCwangciso loPuhliso

UBAMBISWANO NGAMANDLA.



**UKUCOCWA OKUNGEKHO
MTHETHWENI KWEZITYALO
ZEMVELI**



SANBI
Biodiversity for Life
South African National Biodiversity Institute



**IIMFUNO ZOKUSINGQONGILEYO:
UMTHETHO KAZWELONKE WOLAWULO
LOKUSINGQONGILEYO (I-NEMA)
I-NEMA**

Lo Mthetho kaZwelonke wenza isibonelelo sokuchongwa kunye nokuHlolwa kwemisebenzi enokuba yingozi kwindalo kwaye efuna ugunyaziso olusuka kwigunya elinobuchule ngokusekwe kwizinto eziphandiweyo zoVavanyo lweNdalo.

I-NEMA inezintlu ezi-3 zeZaziso zoDweliso ezinoluhlu lwezinto ezili-123 ezidwelisiweyo ezixhasayo.

Ukuba umsebenzi ocetywayo ungaphezulu komda, i-NEMA yenzekile, kwaye umnini-mhlaba kufuneka angenise uVavanyo oluSisiseko okanye ingxelo yokuphonononga kunye noVavanyo lweMpembelelo kokusiNgqongileyo (kuxhomekeka emsebenzini) kuGunyaziso lweNdalo kwigunya elifanelekileyo:

- ISebe leMicimbi yeNdalo esiNgqongileyo kunye noCwangciso loPhuculo loRhulumente weNtshona Koloni: uphuhliso ngokubanzi.
- ISebe leSizwe leMicimbi yokusiNgqongileyo: iindawo ezikhuselweyo kunye namandla.
- ISebe leZimbiwa; ukumba.

**IZIPHUMO ZOKUCOCWA KWEZITYALO
ZEMVELI NGAPHANDLE KOGUNYAZISO
LOKUSINGQONGILEYO**

Ukuba ukucocwa kwezityalo kubangela imisebenzi edweliswe phantsi kwe-NEMA, iindlela ezintathu zokunyanzeliswa zingalandela:

- Isaziso sokuThobela (s31L se-NEMA)
- Isikhokelo (s28 (4) se-NEMA)
- Ukutshutshiswa kolwaphulo-mthetho

**UKUSILELA UKUFUMANA
UGUNYAZISO
LOKUSINGQONGILEYO
APHO KUFUNEKAYO
LITYALA LOLWAPHULO-
MTHETHO!**



* Nceda ujonge kwiZaziso zoDweliso lwe-NEMA esoku-1, esesi-2 kunye nesesi-3 zowama-2014 ngazo zonke iimeko zemisebenzi ekuluhlu.

**HOEKOM IS PLANTEGROEI IN DIE OMGEWING
BELANGRIK?**

Izityalo zixhasa imisebenzi ebalulekileyo kwizinto eziphilayo, kuzo zonke izikali ezikhoyo ezinokwenzeka.

- Ukulawulwa kokuhamba kwemijikelezo ye-biochemical, njengezakhi zomhlaba.
- Isebenza njengendawo yokuhlala yasendle kunye nomthombo wamandla kwizilwanyana ezininzi kubandakanya nee-pollinators.
- Ichaphazela kakhulu iimpawu zomhlaba.
- Ngokwengqondo nangokomzimba kubaluleke kakhulu ebantwini ukuze ufumane ukutya, amayeza njl njl.
- Chonga ukomelela kwenkqubo ye-ecosystem kwizoyikiso kunye notshintsho, ngakumbi utshintsho lwemozulu.

**ZEZIPH IIMPEBELELO
EZIMBI ZOKUCOCWA
KWEZITYALO
ZENDALO?**

Ukuphulukana nendawo yokuhlala kunye nezinto eziphilayo

Indawo yokuhlala yindawo yendalo apho izinto ezixhaphakileyo kunye ne-biotic zidibana.

Xa indawo yokuhlala ilahlekile iphakamisa ilahleko yantlukwano kunye nonxibelelwano olwahlukeneyo lwendalo. Oku ke kudala ukuba kube yimpembelelo kwaye kuchaphazela ukutya, indawo yokuhlala, ukuzala, ukomelela, njl njl. Ezi ziphumo zikhokelela ekutshabalaliseni okuveza ubungozi bendalo esingqongileyo. Ezi ziphumo zinokuchaphazela uluntu xa lilonke.

Ukukhukuliseka komhlaba

Ukukhukuliseka komhlaba kwenzeka rhoqo emva kokuguqulwa kwezityalo zendalo ukuya kumhlaba wokulima- ukuthwala umhlaba ochumileyo kunye nezichumisi, ukubulala izitshabalalisi kunye nezinye izinto zezolimo. Xa izityalo zendalo zicociwe kwaye xa umhlaba wefama ulinyiwe, umhlaba ongaphezulu utyhilekileyo uvuthuzwa ngumoya okanye uhlanjwe yimvula. Ukunqongophala kokugubungela kwezityalo kunempembelelo eyonakalisayo kokusingqongileyo kunye nokukwazi ukuhambisa iinkonzo.



YINTONI IZITYALO ZEMVELI?

- Zichazwe kwi-NEMA njenge: izityalo ezibandakanya iintlobo zezityalo zemveli ezenzeka ngokwemvelo kwindawo, ngaphandle komgangatho wokuxhaphaka kwezityalo zasemzini.
- Umhlaba apho umhlaba ongaphezulu ungakhange uphazanyiswe ngokusemthethweni kwiminyaka elishumi edlulileyo.



YINTONI UKUCOCWA KWEZITYALO ZEMVELI?

Nawuphina umsebenzi wabantu obangela ukupheliswa okusisigxina, ukususa okanye ukucima isityalo.



Ukulinywa komhlaba, ukuthathwa kwenkuntiyula yendawo, ukutshabalalisa okanye ukususa isiciko sezityalo ngemichiza njl.njl ngokuxhomekeka ekubeni oku kuya kukhokelela ezityalweni zipheliswe, zicinywe okanye zisuswe.



Ukutshiswa kwezityalo (umz. ukudubula komlilo). Ukucheba ingca okanye ukuthena akwenzi ukuba kukocwe izityalo ngaphandle kokuba kukhokelela ekususweni ngokupheleleyo, ekucinyweni okanye ekuphelisweni kwezityalo.



Ukukhutshwa okanye ukutshatyalaliswa kwezityalo zendalo okanye amahlathi avele ngokwendalo, ngokuyintloko ngenxa yemisebenzi yabantu. Umz. Ukucocwa komhlaba kunye nokugawulwa kwamahlathi.