

**PROVINCIAL NOTICE**

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ADV. B. GERBER,  
DIRECTOR-GENERAL

Provincial Legislature Building,  
Wale Street,  
Cape Town.

**PROVINSIALE KENNISGEWING**

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

ADV. B. GERBER,  
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,  
Waalstraat,  
Kaapstad.

**ISAZISO SEPHONDO**

Esi saziso silandelayo sipapashelwe ukunika ulwazi ngokubanzi.

ADV. B. GERBER,  
UMLAWULI-JIKELELE

iSakhiwo sePhondo,  
Wale Street,  
eKapa.

**PROVINCIAL NOTICE**

P.N. 143/2016

21 April 2016

**FEES (HERITAGE WESTERN CAPE) REGULATIONS, 2016**

**Heritage Western Cape, under section 25(2)(h), read with sections 25(2)(l) and 48(1)(a), of the National Heritage Resources Act, 1999 (Act 25 of 1999), has made the regulations set out in the Schedule.**

**SCHEDULE****Definitions**

1. In these regulations a word or expression to which a meaning has been assigned in the National Heritage Resources Act, 1999 (Act 25 of 1999), bears the same meaning, unless the context indicates otherwise.

**Fees**

2. The fees payable in respect of the provision of services rendered in terms of the National Heritage Resources Act, 1999, are as set out in the Annexure.

**Waiver of fees**

3. (1) If a person who utilises the services contemplated in regulation 2 is unable to pay the fees he or she may apply in writing to the chief executive officer of Heritage Western Cape for the fees to be waived.
- (2) A person who makes an application contemplated in subregulation (1) must, where applicable, submit to the chief executive officer—
  - (a) a copy of his or her latest salary advice;
  - (b) a copy of his or her bank statement for the previous three months;
  - (c) any other relevant documentation that the chief executive officer may request.
- (3) Upon receipt of an application contemplated in subregulation (1), the chief executive officer must—
  - (a) assess the financial status of the applicant;
  - (b) confirm the fees or, if he or she is satisfied that a waiver is justified, waive the fees in whole or in part; and
  - (c) inform the applicant in writing of the decision contemplated in paragraph (b) within 30 days of receiving the application.

**Short title and commencement**

4. These regulations are called the Fees (Heritage Western Cape) Regulations, 2016, and come into operation on 22 April 2016.

## ANNEXURE

ITEM	CATEGORY	SECTION OF NATIONAL HERITAGE RESOURCES ACT, 1999	FEES APPLICABLE UNDER THESE REGULATIONS
1	Application for permit	Section 48(1)(a)	R330,00
2	Notification of intention to develop	Section 38(1)	R330,00
3	Consideration of impact assessment report	Section 38(4)	R1100,00
4	Consideration of and comment on evaluation of impact of development on heritage resources required in terms of legislation other than the National Heritage Resources Act, 1999	Section 38(8)	R1100,00
5	Lodgement of an appeal	Section 49	R200,00
6	Fee payable where an application is resubmitted due to incompleteness or incorrectness	Section 25(2)(l)	R165,00
7	Application for permit to reproduce a provincial heritage site	Section 27(23)(b)	R300,00

## PROVINSIALE KENNISGEWING

P.K. 143/2016

21 April 2016

## REGULASIES VIR GELDE (ERFENIS WES-KAAP), 2016

**Erfenis Wes-Kaap, kragtens artikel 25(2)(h), saamgelees met artikels 25(2)(l) en 48(1)(a), van die Wet op Nasionale Erfenishulpbronne, 1999 (Wet 25 van 1999), het die regulasies uiteengesit in die Bylae gemaak.**

## BYLAE

**Woordomskrywing**

1. In hierdie regulasies het 'n woord of uitdrukking waaraan 'n betekenis geheg is in die Wet op Nasionale Erfenishulpbronne, 1999 (Wet 25 van 1999), dieselfde betekenis, tensy dit uit die samehang anders blyk.

**Gelde**

2. Die gelde betaalbaar vir die lewering van dienste ingevolge die Wet op Nasionale Erfenishulpbronne, 1999, is soos uiteengesit in die Aanhangsel.

**Afstanddoening van gelde**

3. (1) Indien iemand wat die dienste beoog in regulasie 2 gebruik, nie die gelde kan betaal nie kan hy of sy skriftelik by die hoof uitvoerende beampte van Erfenis Wes-Kaap aansoek doen om die afstanddoening van die gelde.
- (2) Iemand wat 'n aansoek beoog in subregulasie (1) doen, moet, waar van toepassing, die volgende aan die hoof uitvoerende beampte voorlê:
  - (a) 'n afskrif van sy of haar mees onlangse salarisadvies;
  - (b) 'n afskrif van sy of haar bankstate vir die vorige drie maande;
  - (c) enige ander tersaaklike dokumentasie waarvoor die hoof uitvoerende beampte kan vra.
- (3) By ontvangs van 'n aansoek beoog in subregulasie (1) moet die hoof uitvoerende beampte—
  - (a) die finansiële status van die aansoeker evalueer;
  - (b) die gelde bevestig of, indien hy of sy tevrede is dat 'n afstanddoening geregverdig is, in geheel of gedeeltelik afstand doen van die gelde; en
  - (c) binne 30 dae van ontvangs van die aansoek die aansoeker skriftelik in kennis stel van die besluit beoog in paragraaf (b).

**Kort titel en inwerkingtreding**

4. Hierdie regulasies heet die Regulasies vir Gelde (Erfenis Wes-Kaap), 2016, en tree in werking op 22 April 2016.

## AANHANGSEL

ITEM	KATEGORIE	ARTIKEL VAN WET OP NASIONALE ERFENIS-HULPBRONNE, 1999	GELDE VAN TOEPASSING KRAGTENS HIERDIE REGULASIES
1	Aansoek om permit	Artikel 48(1)(a)	R330,00
2	Kennisgewing van voorneme om 'n ontwikkeling te onderneem	Artikel 38(1)	R330,00
3	Oorweging van invloedevalueringsverslag	Artikel 38(4)	R1100,00
4	Oorweging van, en kommentaar oor, evaluasie van invloed van ontwikkeling op erfenishulpbronne vereis ingevolge ander wetgewing as die Wet op Nasionale Erfenishulpbronne, 1999	Artikel 38(8)	R1100,00
5	Indiening van 'n appèl	Artikel 49	R200,00
6	Gelde betaalbaar waar 'n aansoek weer ingedien word omdat die vorige aansoek onvolledig of foutief was	Artikel 25(2)(l)	R165,00
7	Aansoek om permit om 'n provinsiale erfenisterrein te reproduseer	Artikel 27(23)(b)	R300,00

**ISAZISO SEPHONDO**

I.S. 143/2016

21 UTshazimpuzi 2016

**IMIGAQO YEMIRHUMO (ILIFA LEMVELI LENTSHONA KOLONI), 2016**

**ILifa leMveli leNtshona Koloni, phantsi kwecandelo 25(2)(h), elifundwa necandelo 25(2)(l) necandelo 48(1)(a), loMthetho iNational Heritage Resources Act, 1999 (uMthetho 25 ka-1999), lenza imigaqo eyandlalwe kwiShedyuli.**

**ISHEDYULI****Inkcazo-magama**

1. Kule migaqo, naliphi na igama okanye ibinzana ekunikwe ingcaciso yalo kuMthetho iNational Heritage Resources Act, 1999 (uMthetho 25 ka-1999), linentsingiselo enye, ngaphandle kokuba umxholo ubhekiselele kwenye into.

**Imirhumo**

2. Le mirhumo ikhutshelwa ubonelelo lweenkonzo ngokwemiqathango yoMthetho iNational Heritage Resources Act, 1999, ngokwendlela eyandlalwe ngayo kwiSihlomelo.

**Ukurhoxiswa kwemirhumo**

3. (1) Ukuba umntu usebenzisa iinkonzo ezichazwe kumgaqo 2 akakwazi ukuyihlawula imirhumo usenokwenza isicelo ngokubhalela kwigosa lesigqeba eliyintloko leLifa leMveli leNtshona Koloni ukuze le mirhumo irhoxiswe.
- (2) Umntu owenza isicelo esichazwe kumgaqwana (1) ufanele, apho kufaneleke khona, angenise kwigosa lesigqeba eliyintloko oku kulandelayo—
  - (a) ikopi yepeyisliphu yomvuzo wakhe yamva nje;
  - (b) ikopi yengxelo yebhanki yakhe yezi nyanga zintathu zidlulileyo;
  - (c) nalo naluphi na uxwebhu olufanelekileyo olunokuthi lufunwe ligosa lesigqeba eliyintloko.
- (3) Ekufumaneni kwalo esi sicelo sichazwe kumgaqwana (1), igosa lesigqeba eliyintloko lifanele—
  - (a) lihlole isimo sezemali somenzi-sicelo;
  - (b) liqinisekise imirhumo okanye, ukuba liyoneliseka kukuba noko kuyathetheleleka ukurhoxiswa, irhoxiswe yonke okanye inxalenye nje yemirhumo; kwaye
  - (c) limazise umenzi-sicelo ngembalelwano malunga nesiphumo esichazwe kumhlathi (b) kwiintsuku ezingama-30 zokufumana isicelo.

**Isihloko esifutshane nokuqalisa ukusebenza**

4. Le migaqo ibizwa ngokuba yiMigaqo yeMirhumo (iLifa leMveli leNtshona Koloni), 2016, yaye iza kuqala ukusebenza ngomhla ngomhla wama-22 kuTshazimpuzi 2016.

**ISIHLOMELO**

<b>INQAKU</b>	<b>UDIDI</b>	<b>ICANDELO LOMTHETHO INATIONAL HERITAGE RESOURCES ACT, 1999</b>	<b>IMIRHUMO EKHUTSHWA PHANTSI KWALE MIGAQO</b>
1	Isicelo sephepha-mvume	ICandelo 48(1)(a)	R330,00
2	Isaziso senjongo yokuphuhlisa	ICandelo 38(1)	R330,00
3	Uqwalaselo lwengxelo yovavanyo lwefuthe	ICandelo 38(4)	R1100,00
4	Uqwalaselo nezimvo ngovavayo lwefuthe lophuliso kwiindawo nezinto ezililifa lemveli ekufuneka lwenziwe ngokwemiqathango yomthetho ongenguwo uMthetho iNational Heritage Resources Act, 1999, okhankanyiweyo	ICandelo 38(8)	R1100,00
5	Ukungeniswa kwesibheno	ICandelo 49	R200,00
6	Umrhumo okhutshwayo xa siphinda ukungeniswa isicelo ngenxa yokuba besingaphelelanga okanye besingenziwanga ngokufanelekileyo	ICandelo 25(2)(l)	R165,00
7	Isicelo sephepha-mvumo lokuvuselela isiza selifa lemveli lephondo	ICandelo 27(23)(b)	R300,00