

DEPARTMENT OF MINERAL RESOURCES AND ENERGY

NO. 3656

7 July 2023

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ISAZISO SIKAHULUMENI**UMNYANGO WEZIMBIWAYO KANYE NAMANDLA**

No.

2022

UMTHETHO WOKULAWULWA KOGESI OWE SINE KA-2006

UKULUNGISWA KWESAZISO SIKAHULUMENI NO. 2875, IYASHICISHWA NGO-15 DECEMBER 2022, IGAZETHI KAHULUMENI NO. 47757: UKUKHULULWA KWELAYISENSI KANYE NOBHALISO

ISAZISO

Mina, **uSAMSON GWEDE MANTASHE**, iLungu lePhalamende, uNgqongqoshe Wezimbiwa Namandla, ngalokhu, ngaphansi kwesigaba 36(4) soMthetho Wokulawulwa Kogesi, 2006 (uMthetho No. 4 wezi-2006) ("uMthetho"), futhi emva kokubonisana Umlawuli Kazwelonke Wamandla ("Umlawuli") nanoma yimuphi umuntu ongase athinteki, chibiyela iSheduli yesi-2 yoMthetho ngokufaka esikhundleni salo oHlelweni ("uHlelo") olubekwe eSithasiselweni esilapha.

UMN SAMSON GWEDE MANTASHE, MP**UNgqongqoshe we Zinsiza Zezimbiwa Namandla**

Idethi: 13/01/2023

ISITHASISELO**UHLELO 2****UKUKHULULWA ESIBOPHWENI SOKUFAKA ISICELO FUTHI NOKUBAMBA ILAYISENSI**

1. Ngenhloso yephuzu lesi-2 kuya ku-6 noma yiliphi igama noma isisho esinikezwe incazelo eMthethweni, linencazelo eyabelwe futhi, ngaphandle uma ingqikithi isho okuhlukile -
 - 1.1 **"Ikhono"** lisho, mayelana neYunithi noma Isikhungo, nganoma yisiphi isikhathi futhi ngezikhathi ezithile, amandla okukhipha (avezwe ngamamegawathi noma ama-MW) alolo phiko noma Isikhungo, njengoba kungaba njalo;
 - 1.2 **"Ikhodi"** isho Ikhodi Yokusabalalisa, Ikhodi Yokudluliswa Kwegridi, nanoma iyiphi enye Ikhodi, egunyazwe nguMlawuli;
 - 1.3 **"Isivumelwano Sokuxhuma"** kushiwo isivumelwano esineminingwane yemibandela lapho uMsabalalisi noma Umthumeli ahlose ukuxhuma ikhasimende nanoma yikuphi okunye ukuxhumana okufana noGeneretha Oshumekiwe;
 - 1.4 **"Indawo Yokudiliva"** kushiwo indawo ebonakalayo noma amaphuzu, atholakala endaweni Yesikhungo, lapho amandla aphumayo azolethwa yijeneretha;
 - 1.5 **"Izinjongo Zokukhombisa"** kushiwo Isikhungo esakhelwe inhloso yokuqinisekisa noma Ukuhlola
 - 1.5.1 ukusebenza kobuchwepheshe;
 - 1.5.2 Ukusebenza kobuchwepheshe kwezohwebo,phakathi nenkathi ethile yesikhathi;
 - 1.6 **"Ijeneretha Eshumekiwe"** ichaza ibhizinisi elisemthethweni elisebenzisa Iyunithi eyodwa noma ngaphezulu noma Iyunithi exhunywe ohlelweni lokusabalalisa, noma efisa ukuxhuma eyodwa noma ngaphezulu. Iyunithi noma amayunithi ehlelweni lokusabalalisa;
 - 1.7 **"Isikhungo"** kushiwo indawo yokuphehla noma yokusabalalisa noma indawo yokugcina

ugesi njengoba kufanele, etholakala endaweni futhi ehlanganisa zonke izimboni, imishini kanye nezinto zokusebenza, zonke izakhiwo, izakhiwo, imigwaqo eseSizeni okungeyona imigwaqo kazwelonke, yesifundazwe noma kamasipala. , nezinye izinsiza, kanye nazo zonke izixhumi ezibonakalayo ezidingekayo okufanele zakhelwe ukusebenza okuphephile, okuphumelelayo nokufika ngesikhathi kwaleso sikhungo futhi, ukuze kugwenywe ukungabaza, ngaphandle kwemisebenzi yokuxhuma noma imisebenzi yokuxhumanisa ukusatshalaliswa, njengoba kungaba njalo;

- 1.8 **"Indawo Yokuxhuma"** isho indawo kagesi ehlelweni lokusabalalisa noma lokudlulisa lapho izimpahla zekhasimende zixhunye ngokoqobo kuMsabalalisi onelayisensi noma izimpahla ze-Transmitter;
- 1.9 **"Indawo/Impahla"** isho:
 - 1.9.1 ipulazi, indawo yezolimo, isiza, noma iyunithi yetayitela lengxenywe; futhi
 - 1.9.2 isakhiwo esikulelo pulazi, indawo yezolimo, isiza, noma iyunithi yetayitela lengxenywe, ngaphandle kokuthi isakhiwo sidlulele ngale komngcele walelo pulazi, indawo yezolimo, isiza, noma iyunithi yetayitela lengxenywe;
- 1.10 **"Umthengisi"** kushiwo umuntu noma inhlango ebhaliswe nguMlawuli othenga ugesi kumnikazi welayisensi yokudayisa ukuze adayisele lowo gesi ekhasimendeni;
- 1.11 **"Indawo"** ichaza ingxenywe yeNdawo okumele kwakhiwe kuyo futhi kusetshenzwe kuyo iNdawo;
- 1.12 **"Iyunithi"** isho iyunithi ehlukelele ephepha ugesi noma ingxenywe (ehlanganisa amayunithi amaningi) eyenza ingxenywe Yesikhungo, ekwazi noma ekwazi ukukhiqiza nokuletha amandla endaweni Yokudiliva, futhi "Amayunithi" asho konke noma iyiphi inhlango isela bona; futhi
- 1.13 **"Amasondo"** kusho ukudluliswa kukagesi usuka endaweni yokuxhuma uyiswe endaweni osetshenziswa kuyo kusetshenziswa inethiwekhi yenkampani yangaphandle ehambisa ugesi.

Imisebenzi ekhululwe ekunikezeni ilayisense nokubhaliswa

2. Le misebenzi elandelayo ikhululiwe esimisweni sokufaka isicelo, futhi iphethe ilayisensi ngaphansi koMthetho futhi le misebenzi ayidingeki ukuthi ibhaliswe noMlawuli—
 - 2.1 Ukusebenza Kwesikhungo Sokuphehla Ugesi esinawo noma ongenawo ugesi ngenjongo yokuhlinzeka ugesi olindile noma owugcinayo uma kwenzeka, isikhathi esingeqile, lapho kuphazamiseka ukuphakelwa kukagesi.
 - 2.2 Ukusebenza kwanoma iyiphi iNdawo ekhiqiza amandla noma engenawo amandla okugcina amandla kungakhathalekile umthamo (MW), lapho Isikhungo singenayo indawo yokuxhuma.
 - 2.3 Isikhungo sokuphehla ugesi sisetshenziselwa ukuhlinzeka ngogesi ekhasimendeni elilodwa noma ngaphezulu futhi akukho Ukuhamba kwalowo gesi.
 - 2.4 Ukusebenza Kwesikhungo esinamandla angeqi ku-100 kilowatts ethobelana neKhodi futhi sinePhoyinti Lokuxhumanisa, uMsabalalisi ubeke imibandela mayelana nokusetshenziswa okuqhubekayo kweNgxenywe Yokuxhumanisa; futhi uMlawuli unqume indlela uMsabalalisi okufanele agcine ngayo irejista Yesikhungo ngasinye.

Imisebenzi ekhululiwe ekunikezweni ilayisense, kodwa okufanele ihambisane neKhodi futhi kufanele ibhaliswe noMlawuli

3. Le misebenzi elandelayo ikhululiwe esimisweni sokufaka isicelo nokubamba ilayisensi ngaphansi koMthetho, kodwa le misebenzi, ngaphandle kwemisebenzi ebalwe ku-2 ngenhla, kufanele ihambisane neKhodi futhi kufanele ibhaliswe noMlawuli -
 - 3.1 Ukusebenza kwanoma iyiphi iNdawo ekhiqiza amandla egcina amandla noma engenawo, kungakhathalekile ukuthi ingakanani noma ingakanani, enephuzu Lokuxhuma ehlelweni lokudluliswa noma lokusatshalaliswa kwamandla, ezimeni lapho—
 - 3.1.1 Isizinda sokuphehla sisebenzela ukuhlinzeka ugesi kukhasimende elilodwa noma ngaphezulu ngokwe sondo futhi ijeneretha yenze isivumelwano sokuxhuma nomnikazi welayisensi yokudlulisa noma yokusabalalisa maqondana nesistimu kagesi okumele uhanjiswa phezu kwayo. ; noma
 - 3.1.2 Indawo yokuphehla inendawo yokuxhuma kodwa ayithekelisi futhi ayingenisi noma yimuphi ugesi ehlelweni lokudluliswa noma lokusabalalisa ugesi.

- 3.2 Ukusebenza KweNdawo Yokusabalalisa kuze kufike Ephuzwini Lokuxhumanisa exhuma iNdawo yokuphehla lapho kukhona ukudlulisa kukagesi ngohlelo lokudlulisa noma lokusabalalisa ugesi.
- 3.3 Ukusebenza Kwesikhungo Sokukhiqiza esinawo noma esingenawo amandla okugcina amandla ngezinjongo Zokuboniswa kuphela, noma ngabe Isikhungo sixhumekile noma cha ehlelweni lwamandla okudlulisa noma okusabalalisa nalapho Isikhungo sizosebenza isikhathi esingeqile kwezinyanga ezingaphezu kwamashumi amathathu nesithupha.
- 3.4 Ukuqhubeka nokusebenza kweNdawo ekhiqiza ugesi ekhona noma engenawo ugesi okwathi, ngaphambi nje kosuku lokuqala kwalolu Hlelo, yakhululwa esimisweni sokufaka isicelo nokuba nelayisensi ngaphansi koMthetho, kumele ibhalise kuMlawuli kungakapheli izinyanga eziyisithupha. zokuqalwa kwalolu Hlelo kuncike ekutheni Isikhungo sokukhiqiza sithobelane neKhodi futhi sixhunywe ohlelweni lokudlulisa noma lokusabalalisa amandla.
- 3.5 Ukudayiswa kukagesi nguMdayisi ezimweni lapho-
- 3.5.1 inani lentengo elikhokhiswa uMdayisi kumakhasimende lingeqi imali ebingakhokhiswa amakhasimende anjalo ngogesi ukube ubuthengwe kuMdayisi endaweni lapho ugesi uhlinzekwa ikhasimende, futhi
- 3.5.2 Umdayisi ungene esivumelwaneni sokulethwa kwezinsiza ngokuhambisana noMthetho Wezinhlelo Zomasipala (lapho uMsabalalisi onelayisensi engumasipala) noma isivumelwano esifanayo noMsabalalisi (lapho uMsabalalisi onelayisensi engeyena umasipala) esilawula ubudlelwano. phakathi koMdayisi kanye noMsabalalisi kanye nezibopho Zomthengisi kabusha maqondana nekhwalithi yokuphakela amakhasimende, futhi Umlawuli ugunyaze imigomo nemibandela evamile yaleso sivumelwano sokulethwa kwezinsizakalo.
- 3.6 Ngaphandle kwezidingo zelayisensi, ijeneretha ebhalisiwe izothobela zonke izimfuneko ezisebenzayo zomthetho nezokulawula ezidingekayo ekusebenzeni okuqhubekayo kohlelo ukazwelonke lwamandla axhumene.

Ukuhoxiswa nokuhoxiswa kokubhaliswa

4. Umlawuli angashintsha, amise okwesikhashana noma asuse noma yikuphi ukubhaliswa lapho ethola isicelo ngumuntu obhalisiwe noma ngesicelo somuntu wesithathu noma lapho ephula izidingo zokulawula ukuze ahambisane neKhodi.
5. Umlawuli angahoxisa ukubhaliswa ngaphansi kwalezi zimo ezilandelayo:
 - 5.1 Ngesicelo somuntu obhalisiwe, noma
 - 5.2 Lapho isikhungo singasadingeki.
6. Obhalisiweyo kumele, ezimeni ezihlongozwe ephuzwini 5.1 anikeze uMlawuli isaziso sezinyanga eziyisithupha esibhaliwe senhloso yakhe yokuyeka imisebenzi, ngaphandle umalsilawuli sinquma okuhlukile.