

LOCAL GOVERNMENT ACT
(Act No. 18 of 2012)

**SOUTHERN DISTRICT COUNCIL (CONTROL OF LIVESTOCK AND
OTHER ANIMALS) BYE-LAWS, 2014**
(Published on 31st October, 2014)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

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SCHEDULE

IN EXERCISE of the powers conferred by sections 44 and 45 of the Local Government Act, and after consultation with the community living in the Kanye and Moshupa villages, and with the approval of the Minister of Local Government and Rural Development, the Southern District Council hereby makes the following Bye-laws —

- Citation **1.** These Bye-laws may be cited as the Southern District Council (Control of Livestock and other Animals) Bye-laws, 2014.
- Application **2.** These Bye-laws shall apply to Kanye and Moshupa villages.
- Interpretation **3.** In these Bye-laws, unless the context otherwise requires —
- “Council” means the Southern District Council;
- “council area” means any area within the villages of Kanye and Moshupa;
- “council stable” means a stable established by the Council for purposes of these Bye-laws;
- “livestock” means cattle, sheep, goat, horse, donkey or mule, pig, and any domesticated bird or poultry;
- “other animals” includes any animal, bees or poultry under human control or which is otherwise domesticated;
- “owner” includes any person who has charge, custody or control of any animal or the occupier of premises where any animal is kept or permitted to remain;
- “poultry” includes any fowl, turkey, goose or duck, chicken, peacock or any domestic or captive bird under human control; and
- “stable” includes a cowshed, kraal, pen, stall or sty and includes any site or enclosure which is used for purposes of keeping other animals.

<p>4. The Council may by resolution establish a stable for purposes of these Bye-laws.</p>	<p>Establishment of stables</p>
<p>5. (1) The Council may prohibit the keeping of livestock or other animal in any stable which, in the opinion of the Council, is unfit, undesirable or objectionable by reason of its locality, construction or the manner of use of such stable.</p>	<p>Prohibition of use of certain stables</p>
<p>(2) Where the Council prohibits the use of a stable in terms of sub bye-law (1), it shall notify the owner or occupier of the stable in writing, of its decision.</p>	
<p>(3) Any person who uses a stable for keeping livestock or other animal after being notified by the Council under sub bye-law (2) commits an offence.</p>	
<p>6. (1) A law enforcement officer may seize and detain, in a council stable, any untended livestock or other animal found or reported wandering within the council area.</p>	<p>Power to detain wandering livestock or other animal</p>
<p>(2) Any livestock detained under these Bye-laws shall, if not claimed within a period of one month, be handed over to a matimela kraal as defined under the Matimela Act.</p>	
<p>(3) Any person who wilfully obstructs a law enforcement officer in the exercise of powers under sub bye-law (1) commits an offence.</p>	<p>Cap. 36:06</p>
<p>7. (1) A law enforcement officer may in consultation with a veterinary officer and the <i>Kgosi</i>, destroy any animal, other than livestock found wandering within the council area where —</p>	<p>Power to destroy certain animals</p>
<p>(a) the animal causes injury or damage to any person or property; or (b) the law enforcement officer has reasonable grounds to believe that the animal has or may cause injury or damage to any person or property.</p>	
<p>8. (1) A person shall not allow any troublesome, dangerous or ferocious animal to be at large off the premises on which such animal is normally kept.</p>	<p>Troublesome or dangerous animals</p>
<p>(2) Any person who contravenes sub bye-law (1) commits an offence.</p>	
<p>9. (1) A person shall not keep any livestock or other animal so as to disturb the comfort of the inhabitants of the council area.</p>	<p>Causing nuisance</p>
<p>(2) Any person who contravenes sub bye-law (1) commits an offence.</p>	
<p>10. (1) The owner of any livestock or other animal detained in a council stable under these Bye-laws may, upon production of certified documents of ownership, and on payment of a fee set out in the Schedule, claim such animal.</p>	<p>Claiming of livestock</p>
<p>(2) Any person who removes or attempts to remove from the council stable, any livestock or other animal detained under these Bye-laws without being authorised to do so and without payment of the fees set out in the Schedule commits an offence.</p>	
<p>11. Any person who contravenes any of the provisions of these Bye-laws commits an offence and is liable —</p>	<p>Penalties</p>
<p>(a) on first conviction, to a fine not exceeding P500.00 or to imprisonment for a term not exceeding one month, or to both; and</p>	
<p>(b) for a second or subsequent offence, to a fine not exceeding P1 000.00 or to imprisonment for a term not exceeding two months, or to both.</p>	

SCHEDULE
(bye-law 10 (1))

Animal	Fees
Sheep, goats, pigs	P15.00 per head per day
Cattle, donkeys, mules and horses	P30.00 per head per day
Other animals	P10.00 per head per day

MADE this 23rd day of September, 2014.

MOMPATI SELEKA,
Council Secretary,
Southern District Council.

APPROVED this 20th day of October, 2014.

PETER LETLHOGONOLO SIELE,
Minister of Local Government and
Rural Development.