



PROVINCE OF THE EASTERN CAPE
IPHONDO LEMPUMA KOLONI
PROVINSIE OOS-KAAP

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PROVINCIAL NOTICE

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PROVINCIAL NOTICE

No. 19**9 May 2008****PROVINCE OF THE EASTERN CAPE
DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****NOTICE IN TERMS OF SECTION 85 OF THE LOCAL GOVERNMENT: MUNICIPAL
STRUCTURES ACT, 1998 (ACT NO 117 OF 1998), as amended.**

I, Thokozile Xasa, Member of the Executive Council responsible for Local Government in the Province of the Eastern Cape, hereby under the powers vested in me by sections 85(1) and 85(6) of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) adjust the division of functions and powers by way of allocation in terms of paragraph 1 hereunder, which is inserted in Part 1 of the Schedule to the notices published in terms of section 12 of the said Act (as amended from time to time).

SIGNED: T. XASA**MEMBER OF THE EXECUTIVE COUNCIL RESPONSIBLE FOR LOCAL GOVERNMENT - PROVINCE
OF THE EASTERN CAPE****DATE: May 2008**

Adjustment of division of functions and powers by way of allocation, between district and local municipalities,

- 1 In terms of section 85 of the Act and with effect from 1 July 2008, the division of functions and powers between the district municipality and the local municipalities is adjusted by way of allocations in accordance with Part 1 of the Annexure hereto, and for the purposes of the said Part 1, "function" includes "power".
- 2 In terms of section 85(6), any adjustment of the division of functions and powers by way of an allocation in terms of subsection (1) or reallocation in terms of subsection (9) must be reflected in the notices referred to in section 12 which establish the municipalities concerned. Where applicable the legal, practical and other consequences of the allocation or reallocation must be regulated, including :-
 - (a) the transfer of staff;
 - (b) the transfer of assets, liabilities, rights and obligations, and administrative and other records; and
 - (c) the continued application of any bylaws, regulations and resolutions in the area of the municipalities concerned and the extent of such application.
- 3 It should be noted that if a recommendation is made, for example, the reversal of the section 84(1)(j) function (Fire fighting) from the local municipality back to the district, it does not mean that the local aspect of the function is then automatically adjusted to the district as well.

PROVINCIAL NOTICE No. 110, 2000 DATED 2 DECEMBER 2000

PART 1: DIVISION OF MUNICIPAL FUNCTIONS AND POWERS IN TERMS OF SECTION 85(1)

DC10	Cacadu District Municipality	Remove: Schedule 4 Part B • Municipal planning (EC103)
EC101	Camdeboo Local Municipality	Remove: 84(1)(j) - Fire Fighting Services
EC102	Blue Crane Route Local Municipality	Remove: 84(1)(j) - Fire Fighting Services
EC103	Ikwezi Municipality	Remove: 84(1)(j) - Fire Fighting Services
EC104	Makana Municipality	Remove: 84(1)(j) - Fire Fighting Services
EC105	Ndlambe Local Municipality	Remove: 84(1)(j) - Fire Fighting Services
EC106	Sunday's River Valley Local Municipality	No change.
EC107	Baviaans Local Municipality	Remove: 84(1)(j) - Fire Fighting Services
EC108	Kouga Local Municipality	Remove: 84(1)(j) - Fire Fighting Services

EC109	Kou-Kamma Local Municipality	Remove: 84(1)(j) - Fire Fighting Services
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PROVINCIAL NOTICE No. 106, 2000 DATED 2 DECEMBER 2000

PART 1: DIVISION OF MUNICIPAL FUNCTIONS AND POWERS IN TERMS OF SECTION 85(1)

DC12	Amatole District Municipality	<p>Remove:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Building regulations (EC127) • Municipal public transport (EC122) <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> • Local amenities (EC122, EC126, EC127) • Municipal Roads (EC126) <p>Add:</p> <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> • Licensing and control of undertakings that sell food to the public (EC121, EC124, EC126, (EC128)
EC121	Mbhashe Local Municipality	<p>Remove:</p> <p>84(1)(l) (Cemeteries)</p>
EC122	Mnquma Local Municipality	No change
EC123	Great Kei Local Municipality	No change

EC124	Amahlati Local Municipality	No change
EC125	Buffalo City Local Municipality	No change
EC126	Ngqushwa Local Municipality	No change
EC127	Nkonkobe Local Municipality	No change
EC128	Nxuba Local Municipality	Remove: 84(1)(l) (Cemeteries) 84(1)(k) (Markets)

PROVINCIAL NOTICE No. 105, 2000 DATED 2 DECEMBER 2000

PART 1: DIVISION OF MUNICIPAL FUNCTIONS AND POWERS IN TERMS OF SECTION 85(1)

DC13	Chris Hani District Municipality	Remove: Schedule 4 Part B Municipal Planning (EC137)
EC131	Inxuba Yethemba Local Municipality	Remove: 84(1)(j) (Fire fighting services) 84(1)(l) (Cemeteries) 84(1)(m) (Local tourism)
EC132	Tsolwana Local Municipality	Remove: 84(1)(j) (Fire fighting services) 84(1)(l) (Cemeteries)
EC133	Inkwanca Local Municipality	Remove: 84(1)(l) (Cemeteries)

EC134	Lukanji Local Municipality	Remove: 84(1)(j) (Fire fighting services) 84(1)(l) (Cemeteries)
EC135	Intsika Yethu Local Municipality	Remove: 84(1)(m) (Local tourism)
EC136	Emalahleni Local Municipality	Remove: 84(1)(j) (Fire fighting services) 84(1)(l) (Cemeteries)
EC137	Engcobo Local Municipality	No change
EC138	Sakhisizwe Local Municipality	Remove: 84(1)(j) (Fire fighting services) 84(1)(l) (Cemeteries) 84(1)(m) (Local tourism)

PROVINCIAL NOTICE No. 108, 2000 DATED 2 DECEMBER 2000

PART 1: DIVISION OF MUNICIPAL FUNCTIONS AND POWERS IN TERMS OF SECTION 85(1)

DC14	Ukhahlamba District Municipality	No change
EC141	Elundini Local Municipality	No change
EC142	Senqu Local Municipality	No change

EC143	Maletswai Local Municipality	No change
EC144	Gariep Local Municipality	Remove : 84(1)(m) (Local tourism)

PROVINCIAL NOTICE No. 107, 2000 DATED 2 DECEMBER 2000

PART 1: DIVISION OF MUNICIPAL FUNCTIONS AND POWERS IN TERMS OF SECTION 85(1)

DC15	O.R. Tambo District Municipality	No change
EC151	Mbizana Local Municipality	No change
EC152	Ntabankulu Local Municipality	No change
EC153	Qaukeni Local Municipality	No change
EC154	Port St. Johns Local Municipality	No change
EC155	Nyandeni Local Municipality	Remove: 84(1)(j) (Fire Fighting Services)
EC156	Mhlontlo Local Municipality	No change
EC157	King Sabata Dalindyebo Local Municipality	No change

PROVINCIAL NOTICE No. 107, 2000 DATED 2 DECEMBER 2000**PART 1: DIVISION OF MUNICIPAL FUNCTIONS AND POWERS IN TERMS OF SECTION 85(1)**

DC44	Alfred Nzo District Municipality	No change
EC441	Matatiele Local Municipality	No change
EC442	Umzimvubu Local Municipality	Remove: 84(1)(e) Refuse