



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

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(Extraordinary)

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**PROVINCIAL NOTICE**

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**No. 4****5 February 2009****PROVINCE OF THE EASTERN CAPE****DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****INTERVENTION IN THE AFFAIRS OF THE MNQUMA LOCAL MUNICIPALITY IN TERMS OF SECTION 139 (1) (c) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996 (ACT 108 OF 1996) (AS AMENDED)**

I, THOKOZILE XASA, Member of the Executive Council responsible for Local Government in the Province of the Eastern Cape, duly authorized thereto by the Provincial Executive Council of the Eastern Cape to invoke on its behalf section 139 (1) (c) of the Constitution of the Republic of South Africa Act, 1996 (Act 108 of 1996), as amended, hereby intervene in the affairs of the Mquma Local Municipality by dissolving the Municipal Council in terms of section 139 (1) (c) of the said Constitution with effect from a day 14 days from the date of receipt of this notice by the National Council of Provinces.

**SIGNED: T. XASA****MEMBER OF THE EXECUTIVE COUNCIL RESPONSIBLE FOR LOCAL GOVERNMENT – PROVINCE OF THE EASTERN CAPE**

15 January 2009

**MNQUMA LOCAL MUNICIPALITY WAS ESTABLISHED IN TERMS OF MAP NO.17 PUBLISHED IN THE PROVINCIAL GAZETTE NO. 628 DATED 07 AUGUST 2000.**

#### **1. CATEGORY**

This municipality remains a Category B Municipality under Amathole District Municipality.

#### **2. TYPE**

Mnquma Local Municipality remains a type as described in section 3 (d) of the Determination of Types of Municipality Act, 2000 ( Act 5 of 2000(EC).

#### **3. BOUNDARIES**

Mnquma Local Municipality's boundaries will remain the same as those indicated on Map No 17 published in the Provincial Gazette No. 628 dated 07 August 2000 and which comprise Butterworth, Nqamakwe and Centane.

#### **4. NAME**

This municipality will retain its name and shall be called Mnquma Local Municipality.

#### **5. COUNCILLORS**

There are no councillors in Mnquma Local Municipality as this Provincial Gazette is dissolving the Municipal Council in terms of section 139 (1) (c) of the *Constitution of the Republic of South Africa*, 1996 ( Act 108 of 1996) as amended.

#### **6. ADMINISTRATOR**

An administrator will be appointed to perform the duties of the council on behalf of the Member of the Executive Council responsible for local government until a newly elected municipal council has been declared elected in order to provide for the continued functioning of the municipality in terms of section 139 (5) (b) of the Constitution, 1996 as amended.

#### **7. STAFF MATTERS**

The dissolution of the council shall not in any way impede the operation of the municipality. The staff already under the employ of Mnquma Local Municipality shall continue to work under the same conditions of services.

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## **8. SIGNATORIES TO INVESTMENTS, CASH AND CASH BALANCES**

From the effective date signatories to all the above will be changed to include the Administrator, and a representative of the MEC responsible for local government.

## **9. CONTINUED APPLICATION OF BY-LAWS AND RESOLUTIONS**

All by-laws, regulations and resolutions of the Mquma Local Municipality will continue to apply unless reviewed, repealed and amended by the administrator.

## **10. SEAT OF THE MUNICIPALITY**

The existing seat of the municipality will continue to exist, however, the administrator may hold council meetings in any venue he/she deems fit.

## **11. WARDS**

The number of wards for Mquma Local Municipality remain being 31 as established in terms of the Provincial Notice 120 of 2000 published in the Provincial Gazette No 571 dated 6 June 2000.

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