



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

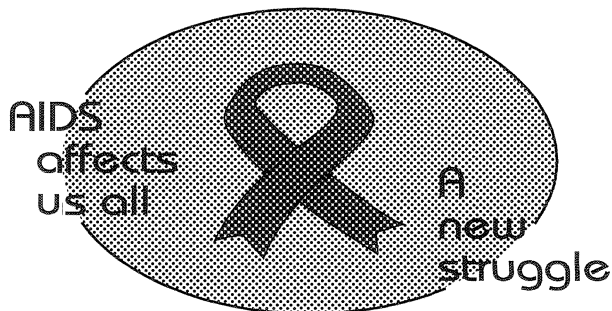
Provincial Gazette Igazethi Yephondo Provinsiale Koerant

Vol. 20

BISHO/
KING WILLIAM'S TOWN, 22 APRIL 2013

No. 2941

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DEPARTMENT OF HEALTH

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GENERAL NOTICES

No. 67

NELSON MANDELA BAY MUNICIPALITY

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)**ERF 293, PARSONSVLEI (12 EIKEHOUT PLACE MORNINGSIDE) (CF19/00293) (VC) (Ref. 311)**

Notice is given in terms of Section 3(6) of the above Act that the undermentioned application has been received and is open to inspection at room 4178, fourth floor, Office for Housing and Local Government : Eastern Cape, Tyamzashe Building, Civic Square, Bhisho, and at the offices of the Nelson Mandela Bay Municipality, second floor, Lillian Diedericks building, Govan Mbeki Avenue, Port Elizabeth. Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, P O Box 116, Port Elizabeth 6000 **within 21 days of the appearance of this notice in the Provincial Gazette (Eastern Cape Gazette)**, quoting the above act and the objector's erf number.

Applicant: B L C Attorneys on behalf of E W Loggenberg

Nature of application: Removal of title conditions applicable to Erf 293, Parsonsvlei, to permit extension to the residential building within the building lines.

Vote 02130135

DR L MSENGANA-NDLELA
CITY MANAGER

NELSON MANDELABAAI MUNISIPALITEIT

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)**ERF 293, PARSONSVLEI (EIKEHOUTPLEK 12, MORNINGSIDE) (CF19/00293) (VC) (Verw. 311)**

Kennis word gegee kragtens Artikel 3(6) van bogemelde Wet dat onderstaande aansoek ontvang is en ter insae lê by kamer 4178, vierde verdieping, Kantoor vir Behuising en Plaaslike Regering : Oos-Kaap, Tyamzashe-gebou, Civic Square, Bhisho en in die kantore van die Nelson Mandelabaaï Munisipaliteit, tweede verdieping, Lillian Diedericks-gebou, Govan Mbekilaan, Port Elizabeth. Enige besware, volledig gemotiveer, **moet binne 21 dae van die verskyning van hierdie Kennisgewing in die Provinsiale Koerant (Oos-Kaap)** skriftelik by die Munisipale Bestuurder, Posbus 116, Port Elizabeth 6000 ingedien word, met vermelding van bogenoemde wet en die beswaarmaker se ernommer.

Aansoeker: B L C Attorneys namens E W Loggenberg

Aard van aansoek: Die opheffing van die titelvoorwaardes van toepassing op Erf 293, Parsonsvlei ten einde uitbreiding aan die residensiële gebou binne die boulyne toe te laat.

Pos 02130135

DR L MSENGANA-NDLELA
STADSBESTUURDER

No. 68

**SAKHISIZWE MUNICIPALITY
NOTICE CALLING FOR THE INSPECTION OF GENERAL VALUATION ROLL**

Notice is hereby given in terms of Section 49 (1) (a) (i) of the Local Government Municipal Property Rates Act 2004 (Act 6 of 2004), hereinafter referred to as the "Act", that the general valuation roll for the Financial years 2013 – 2017 is open for public inspection at the Municipal Offices, situated on the following addresses from 26th March 2013 to 8th May 2013.

- **Cala: Municipal Offices, Erf 458 Cala**
- **Elliot: Municipal Office, 15 Maclear Road**

In addition, the valuation roll is available on website address: www.sakhisizwe.org.za An invitation is hereby made in terms of Section 49 (1) (a) (ii) of the Act that any owner of property or any person who so desires should lodge an objection with the Municipal Manager in respect of any matter reflected in, or omitted from the valuation roll within the above mentioned period.

Attention is specifically drawn to the fact that in terms of Section 50 (2) of the Act an objection must be in relation to a specific individual property and not against the valuation roll as such.

The form for the lodging of an objection is obtainable from all Revenue offices of the Municipality in Cala and Elliot.

The completed forms, addressed to the Municipal Manager, must be returned to the following addresses and for the attention of the officials indicated:

- **Cala: Municipal Offices, Erf 458 Mthatha Road: Contact Person: Mr. T. Samuel**
- **Elliot: Municipal Office, 15 Maclear Road: Contact Person: Mr. T. Samuel**

For further enquiries please contact: Mr. T. Samuel, Tel. No. 047 877 0034/045 – 9311 011

Mr T. Samuel
Municipal Manager
19th March 2013



**UMASIPALA WASE-SAKHISIZWE
UBIZO LOKUHLOLA UMQULU WOKUBHATALISA IMIHLABA**

Nasi isaziso ngemithetho yesixeko-49 (1) (c) sokutsalela imihlaba yomasipala 2004 (womgaqo-siseko 6 ka 2004), ebizwa apha "umgaqo-siseko", ukuba umqulu wokuhlawulisa uwonke-wonke kwaba nyaka mali 2012 - 2016 uvuliwe ukuba uhlolwe luluntu lonke kwii-ofisi zikamasipala ukusukela ngomhla we 26th March 2013 ukuya kumhla we 8th ku May 2013 kwezindawo zilandelayo:

- **Cala: Municipal Offices, Erf 458 Mthatha Road**
- **Elliot: Municipal Office, 15 Maclear Road**

Umqulu wokubhatalisa ukhona nakule dilesi: www.sakhisizwe.org.za Isimemo senziwa ngomthetho wesixeko-49 (1) (a) (ii) womgaqo siseko ukuba umntu onomhlaba okanye onqwenela ukuba nomhlaba angaphikisa imanejala kamasipala ngalomba, kunye nemiba engafakwanga kulomqulu.

Ngomthetho wesixeko 50 (2) womgaqo siseko uphikiso lunga nxulumelana nomhlaba womntu othile, hayi ngomqulu wokuhlawulisa.

Amaphepha okufaka isiphikiso ayafumaneka kwii ofisi zikamasipala eCala nase eElliot

Amaphepha abhalwe iziphikiso kumele abuyiselwe kwezi dilesi zilandelayo zibhalelwe imanejala kamasipalaukuze ziqalaselwe:

- **Cala: Iofisi kamasipala, Erf 458 Mthatha Road: Umntu Woqhakamshelwano: Mr. T. Samuel**
- **Elliot: Iofisi kamasipala, 15 Maclear Road: Umntu Woqhakamshelwano: Mr. T. Samuel**

Iinkcukacha ezithe vetshe tsalela: Mr. T. Samuel, Tel. No. 045 931 1061/045 – 9311 011

Mr T. Samuel
Manejala kaMasipala
19th March 2013

LOCAL AUTHORITY NOTICES

No. 20

NELSON MANDELA BAY MUNICIPALITY

CLOSING OF PORTIONS OF FAIRCLOUGH ROAD ADJOINING ERVEN 2892 AND 3209 MOUNT ROAD AND PORTION OF ROAD ADJOINING ERVEN 1804 AND 1817, MOUNT ROAD (CF15/01796) (02130135) (FK)

Notice is given in terms of Section 137(1) of the Municipal Ordinance 20 of 1974 that portions of Fairclough Road adjoining Erven 2892 and 3209, Mount Road and portion of road adjoining Erven 1804 and 1817, Mount Road are now closed.

Surveyor-Generals' reference: S/8292/177/13v1p102

PROVINCIAL GAZETTE

NELSON MANDELABAAI MUNISIPALITEIT

SLUITING VAN GEDEELTES VAN FAIRCLOUGHWEG LANGS ERWE 2892 EN 3209, MOUNTWEG EN GEDEELTE VAN PAD LANGS ERWE 1804 EN 1817, MOUNTWEG (CF15/01796) (02130135) (FK)

Kennis word ingeolge van Artikel 137(1) van die Munisipale Ordonnansie 20 van 1974 gegee dat gedeeltes van Faircloughweg langs Erwe 2892 en 3209, Mountweg en gedeelte van pad langs Erwe 1804 en 1817, Mountweg gesluit is.

Landmeter-generaal se verwysing: S/8292/177/13v1p102

PROVINSIALE KOERANT

FK/LK (ERF-2892)

No. 21

KOUGA MUNICIPALITY (EC108)

CLOSING OF A PORTION OF ERF 117 ADJOINING ERF 81 PATENSIE

Notice is hereby given in terms of section 137 (1) of the Municipal Ordinance No. 20 of 1974 that a portion of Erf 117, adjoining Erf 81 Patensie has been closed.
(Ref: S/11679/3 v1 p144)

MR. S.S. FADI, Municipal Manager

PROVINCIAL NOTICE

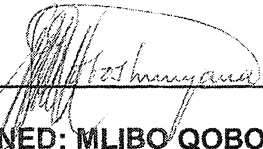
No. 46

PROVINCE OF THE EASTERN CAPE

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

HOUSE OF TRADITIONAL LEADERS ACT, 1995 (ACT NO.1 OF 1995, AS AMENDED): AMENDMENT OF RULES RELATING TO THE NOMINATION, AND THE RE-ELECTION OF THE MEMBERS OF THE PROVINCIAL HOUSE OF TRADITIONAL LEADERS

It is hereby made known for general information that the Member of the Executive Council responsible for Local Government and Traditional Affairs has, under the powers vested in him by Section 3 of the House of Traditional Leaders Act (Eastern Cape), 1995, (Act No.1 of 1995) as amended, and after taking into consideration the recommendations of the relevant Standing Committee of the Legislature of the Province of the Eastern Cape, as well as the House of Traditional Leaders, amended the Provincial Notice No.12 of 2007 published in the Provincial Gazette No.1712 of 2007, by the substitution for the schedule thereto for the Schedule hereto.



SIGNED: MLIBO QOBOSHIYANE

MEMBER OF THE EXECUTIVE COUNCIL RESPONSIBLE FOR
LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

DATE: 25/2/2013

SCHEDULE GENERAL EXPLANATORY NOTE

[] Words in bold type in square brackets indicate omission from existing enactments.

____ Words underlined with solid line indicate insertions in existing enactments.

1. Definitions

In these rules, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Act shall bear that meaning, and

- (a) **"House of Traditional Leaders"** or **"House"** means the House of Traditional Leaders established by Section 2 of the Act;
- (b) **"Province"** means the Province of the Eastern Cape;
- (c) **"Constituency"** means a territorial area as referred to in the Annexure hereto;
- (d) **"the Act"** means the House of Traditional Leaders (Eastern Cape), 1995 (Act No.1 of 1995);
- (e) **"Constitution"** means the Constitution of the Republic of South Africa, 1996, Act No.108 of 1996;
- (f) **"Traditional Leader"** a traditional leader as defined in terms of the Traditional Leaders Act, Act No. 1 of 1995 as amended;
- (g) **"Royal Family"** as defined in term of Act 41 of 2003"
- (h) **"Presiding Officer"** a person designated by the Head of Department to preside over an electoral college and where applicable same, may include a traditional council or traditional authority without a duly appointed head;
- (i) **"MEC"** member of the Executive Council responsible for traditional affairs or a traditional authority;
- (j) **"Traditional Council"** is as defined in terms of Act 41 of 2003 and Act 1 of 1995
- (k) **"Traditional authority"** respectively amended;
- (l) **"Electoral College"** is a college of the group of candidates selected by various Imbizos within a particular constituency;
- (m) **"Secretary"** means an officer responsible for administration of a traditional authority or traditional council

2. Selection of candidates for nomination

(1) (a) The MEC must by notice in the Provincial Gazette, determine the date on which a community meeting (imbizo) must be held by each traditional council in the Province for purposes of selecting candidates from amongst whom the members of the House of Traditional Leaders will be nominated in terms of Rule 3.

(b) The head of the traditional council must, in respect of his/her area of jurisdiction, convene the community meeting (imbizo) which must be held on the date determined in terms of paragraph (a).

(2) The meetings contemplated in subrule (1) must be presided over by a person designated by the head of department or a person designated by him/her.

(3) All the meetings referred to in subrule (1) must, subject to rule 4(7) (k), be held on the same day throughout the Province [, **unless exceptional circumstances exist that make such impossible, in which event, the prior approval of the MEC must be obtained to hold such meetings at any other date**].

(4) The traditional leaders and members of the community present at each meeting must select three candidates who will, as provided in rule 3(2), participate in the nomination of the members of the House of Traditional Leaders and who will represent each constituency in the House in accordance with the Annexure hereto.

(5) The procedure to be followed in selecting the three candidates must be determined as follows –

(a) The Secretary of the traditional council or authority must call for selection of the candidates who are not disqualified from being members in terms of Section 6 of the House of Traditional Leaders Act, Act 1 of 1995 as amended.

(b) Where there is no designated head of traditional council or authority the Secretary shall serve as such for the purposes of the selection.

(c) The Secretary of the traditional council or authority must read the disqualifying provisions for the benefit of the candidates and ascertaining their eligibility thereof.

(d) Candidates so selected must rise and indicate whether s/he accepts the selection or not.

(e) The selected members must be comprised of at least 1/3 of women per traditional council or authority. In the event of the threshold not met, the community meeting may relax the sub rule.

(f) The name of all the selected members must be gazetted a week before the election by the Electoral College.

(6) The three persons selected in terms of this rule must be persons who are traditional leaders in terms of Act 1 of 1995 as amended.

3. Nomination by each constituency of members of the House

(1) The Secretary of each traditional council or authority must in writing, notify the designated official of the names of the three candidates selected by each traditional council or authority in the Province in terms of rule 2.

(2)(a) The traditional leaders selected in terms of rule 2 must, within a constituency, constitute a single electoral college in respect of the constituency and the electoral colleges so constituted must nominate the members of the House from amongst their number.

(b) The number of persons to be nominated in respect of each constituency must be equal to the number of representatives allocated to each particular constituency in accordance with Annexure hereto.

(4)(a) Subject to paragraph (b), no traditional leader must be selected as a candidate unless such traditional leader is qualified to be a member of the House in terms of the Act.

4. Procedural matters relating to nomination of members of the House

1 (a) The electoral colleges constituted in terms of rule 3(2) must meet on the same day at the seats of the constituencies which have jurisdiction in each constituency referred to in the Annexure [, **unless exceptional circumstances exist that make such impossible, in which event, the prior approval of the MEC must be obtained to hold such electoral colleges at any other date**].

(b) The MEC must, by notice in the Provincial Gazette, determine the date on which the meetings contemplated in paragraph (a) must be held.

(bb) The MEC may, in his discretion in order to ensure the unhindered running of the electoral process, and by Notice in the Provincial

Gazette change the seats of the constituencies referred to in paragraph (a) above.

- (2) A person so designated by the head of department of the district in which the seat of the constituency concerned is situate must convene and preside over the meeting at which member of the House will be nominated.
- (3) The meeting at which nominations will take place must be open to the public but no member of the public must participate in the nomination process, or any discussion relating thereto, whilst the meeting is in progress.
- (4) The head of department responsible for traditional affairs must identify officers who will assist the person so designated by the head of department must assist the presiding officers, amongst others, to take record of the proceedings.
- (5) A candidate selected for nomination in terms of rule 2 must be entitled to vote at the meeting of the Electoral College concerned and must have one vote.
- (6) The person so delegated/ presiding officer of each Electoral College must cause the proceedings of such college to be recorded in such a manner as he or she may direct.
- (7)(a) The person so delegated/presiding officer at a meeting of an electoral college must call for the nomination of candidates from amongst the persons selected in terms of rule 2.
 - (b) A person so nominated must rise and indicate whether he/she accepts the nomination or not.
 - (c) The nomination of a candidate must be seconded by at least three (3) persons entitled to vote at the meeting and who are from different traditional councils.
 - (d) If the number of persons nominated at the meeting exceeds the number of persons who may be nominated for a particular constituency in terms of the Annexure, the chairperson/ person so delegated/ presiding officer must call upon the members of the Electoral College concerned to vote for the members of the House by secret ballot.

- (e) A traditional leader who has been nominated may decline his/her nomination at any time during the course of the meeting.
- (f) Should a ballot be necessary, the ballot paper must contain all the names of the nominees in alphabetical order in the same print with space next to each name to allow for the exercise of choice by means of a mark on the said paper.
- (g) Each voter must vote by placing a cross (X) on the ballot paper opposite the name of the nominee for whom he/she wishes to vote and each such ballot paper must be folded inwards.
- (h) The chairperson/ person so delegated/ presiding officer must provide ballot boxes and such ballot boxes must be opened at the election before voting takes place to demonstrate to the voters that the boxes are empty.
- (i) The chairperson/person so delegated/presiding officer or any other person assisting him/her in the election, must maintain secrecy and must not attempt to ascertain, directly or indirectly aid in ascertaining, for which nominee any voter has voted for. The Head of department must provide a code of conduct for the presiding officers and the officers of the department which must be binding on them.
- (j) Each voter must put the ballot paper into the ballot box.
- (k) The election process must continue until all voters present have voted: provided that such election must not proceed beyond seventeen hours (17H00) on the day concerned: provided further that the election may continue on the following day if unforeseen circumstances necessitate this.
- (l) The chairperson and persons assisting him/her in terms of rule 4(4) must be responsible for the counting of votes.
- (m) The counting must commence immediately after voting.
- (n) The procedure outlined above must be repeated until the electoral college concerned has nominated persons who, in number, are equal to the number of representatives each constituency is entitled to in accordance with the Annexure.
- (o) The procedure set out above must be followed in case of further nomination being necessary for the filling of vacancies.

(8) Where a King or Queen or, where applicable, a Principal Traditional Leader does not assume his/her seat in the House and decide to appoint a representative, the following procedure shall apply:-

- (a) The King [and/ or the reigning Queen] or Queen or, where applicable, a Principal Traditional Leader must advise the head of department in writing, of the name of his/her nominee immediately after the date of the Electoral College(b) Such representative must be a member of the Royal family who is recognised as a traditional leader in terms of Act 1 of 1995 as amended.
- (c) Such representative shall serve for the period of the term of the House unless s/he is disqualified in terms of Section 6 of Act 1 of 1995 as amended.
- (d) The names of all the representatives shall be caused to be published in the Government Gazette together with all the names of the members who have been nominated by the respective constituencies.
- (e) A representative of a King or Queen or, where applicable, a Principal Traditional Leader shall enjoy privileges, rights, functions, powers and shall have the same obligations as a member of the House of Traditional Leaders

5. Results of elections

The results of the nomination process must be published or caused to be published by the MEC by notice in the Provincial Gazette, immediately after they all become available to him/her.

6. Vacation of seat by a member of the House

A traditional leader who is a member of the House must, on being elected to the National House of Traditional Leaders, be deemed to have his/her seat in the House, and the resultant vacancy must be filled in accordance with rules 2,3 and 4.

7. Dispute resolution mechanism

- (a) Where a dispute arises in respect of the nomination process, the aggrieved party may forward his/her grievance to the Premier with a view to resolving the matter within seven days after the sitting of the Imbizo/ Electoral College;

- (b) The Premier must within thirty (30) days appoint a committee to investigate that matter;
- (c) The committee must present its findings to the Premier for him/her to make a determination;
- (d) After the Premier has made his/her determination in terms of rule 6(c), the MEC must by notice in the Provincial Gazette, determine another date on which a community meeting must be held by the relevant Traditional Council and for re-elections to take place in the constituencies which failed to nominate representatives to the Provincial House of Traditional Leaders;
- (e) The provisions of the rules relating to the nomination process subject to changes.
- (f) Notwithstanding the provisions of rule 7 a, b and c above, the MEC may invoke the provisions of rule 7(d) above.

8. HOLDING OF BY-ELECTIONS

8.1 The MEC may decide, by a necessary publication in the Government Gazette, to hold by-elections in instances where –

- (a) Elections, for whatever reason, in certain areas did not take place;
- (b) The elected representative, for whatever reason, is unable to fulfil his or her obligations as an elected member of the House;
- (c) A legislative requirement has to be fulfilled.

8.2 By-elections shall only be called for the affected areas listed on the notice calling for the by-election.

8.3 All the procedures set out in these rules and elsewhere regulating an ordinary election shall also be applicable during a by-election.

9. TRANSITIONAL ARRANGEMENTS

The areas where additional representatives are added, after the swearing-in of the representative members to the House shall not be eligible to hold elections for the additional representative until the current term of the house has expired, and a date for the holding of election meetings and the next election set.

ANNEXURE

Area of Constituency	Seat	Number of members
(a) Bizana	Bizana	[1] <u>2</u>
(b) Ngcobo, Mqanduli, Mthatha	Bumbane	[3] <u>4</u>
(c) Alice, Middledrift, Seymour	Dikeni	2
(d) Qumbu, Tsolo	Qumbu	2
(e) Libode, Ngqeleni, Port St Johns	Enyandeni	[3] <u>4</u>
(f) Ngqamakhwe, Tsomo, Gcuwa	Gcuwa	[2] <u>3</u>
(g) Xhora, Gatyana, Idutywa, Centane	Nqadu	[3] <u>4</u>
(h) Matatiele, Mt. Fletcher	Mt. Fletcher	2
(i) Qonce, Monti, Qoboqobo, Ngqushwa	Mngqesha	4
(j) Mt. Ayliff, Mt. Frere, Ntabankulu	Mt. Ayliff	3
(k) Lusikisiki, Flagstaff	Qaukeni	[2] <u>3</u>
(l) Cofimvaba, Cala, Cacadu	Qamata	[3] <u>4</u>
(m) Sterkspruit	Sterkspruit	[1] <u>2</u>
(n) Whittlesea, Ntabethemba	Whittlesea	1
TOTAL		[32] <u>40</u>