



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

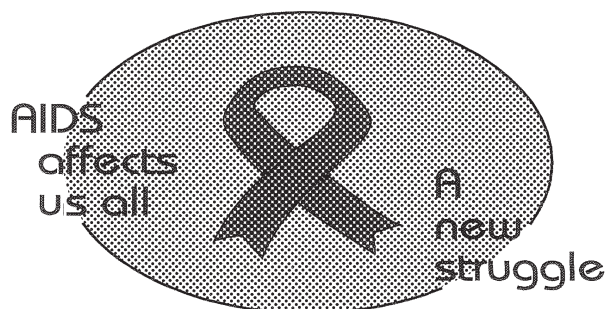
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DEPARTMENT OF HEALTH

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IMPORTANT

Information

from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.



GPW Business Rules

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5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
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8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.

DISCLAIMER:

Government Printing Works reserves the right to apply the 25% discount to all Legal and Liquor notices that comply with the business rules for notice submissions for publication in gazettes.

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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 41 OF 2015**PROVINCE OF THE EASTERN CAPE****NOTICE IN TERMS OF SECTION 23 OF THE LOCAL GOVERNMENT: MUNICIPAL DEMARCATION ACT, 1998 (ACT No. 27 of 1998)**

The Electoral Commission has, in terms of section 23 (3) of the Local Government: Municipal Demarcation Act, 1998 (Act no. 27 of 1998) recorded its view that the boundary redeterminations as determined by the Municipal Demarcation Board in terms of Section 21 (5) (c) of the Local Government: Municipal Demarcation Act, of municipalities referred to in schedule 1 as reflected in Notice 92 published in the Government Gazette no. 3483 dated 27 August 2015 will materially affect the representation of voters in the councils of these municipalities.

Schedule 1

DEM4502	Gariep Local Municipality (EC144) and Maletswai Local Municipality (EC143)
DEM4503	Nxuba Local Municipality (EC128) and Nkonkobe Local Municipality (EC127)
DEM4505	Inkwanca Local Municipality (EC133), Tsolwana Local Municipality (EC132) and Lukhanji Local Municipality (EC134)

The re-determination of the boundaries of these municipalities will take effect on the date of the 2016 Local Government Elections.



F. D. XASA
MEMBER OF EXECUTIVE COUNCIL
COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS
PROVINCE OF THE EASTERN CAPE
DATE: 04 / 09 / 2015

PROVINCIAL NOTICE 42 OF 2015**PROVINCE OF THE EASTERN CAPE****NOTICE IN TERMS OF SECTION 14(5) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: TRANSITIONAL MEASURES TO FACILITATE THE RESTRUCTURING OF MUNICIPALITIES AFFECTED BY THE REDETERMINATION OF BOUNDARIES IN TERMS OF SECTION 21 OF THE LOCAL GOVERNMENT: MUNICIPAL DEMARCATION ACT, 1998 (ACT NO. 27 OF 1998)**

I, Fikile Xasa, in my capacity as Member of the Eastern Cape Executive Council responsible for local government, and under powers vested in me by section 14(5) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), and after having consulted the affected municipalities in the Province, hereby make the transitional measures contained in the Schedule hereto.

Given under my Hand at Bisho on this 4th day of September, Two Thousand and Fifteen.



F.D. XASA

Member of the Executive Council of the Province of Eastern Cape
responsible for Local Government

DATE: 04 / 09 / 2015

SCHEDULE

DEFINITIONS

1. In this Schedule a word or expression, to which a meaning has been assigned in the Municipal Structures Act, has the same meaning, and unless the context indicates otherwise –

“**affected municipalities**” means the following municipalities affected by the redetermination of boundaries in terms of section 21 of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998), and as set out in Provincial *Gazette* dated 27 August 2015 –

- (a) Nxuba/Nkonkobe Local Municipalities
- (b) Gariep/Maletswai Local Municipalities
- (c) Inkwanca/Tsolwana/Lukhanji Local Municipalities

“**Committees**” means the Municipal Political and Technical Change Management Committees established by paragraph 2;

“**MEC**” means the Member of the Executive Committee responsible for local government in the Province;

“**Municipal Structures Act**” means the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998); and

“**new municipality**” means the area to be disestablished as determined by the Municipal Demarcation Board in terms of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998), for the establishment of the new municipal area in terms of Section 12 of the Municipal Structures Act;

OBJECT OF TRANSITIONAL MEASURES

2. The object of the transitional measures set out in this Schedule is to facilitate the restructuring of the affected municipalities.

ESTABLISHMENT OF THE MUNICIPAL POLITICAL CHANGE MANAGEMENT COMMITTEE

3.(1) A facilitation committee called the Municipal Political Change Management Committee is hereby established.

(2) The main objectives of the Committee are to –

- (a) act as a consultative and advisory forum for the MEC concerning the disestablishment of the affected municipalities in the new municipal area and the establishment of a new local municipality in that area;
- (b) support and guide the affected municipalities in the restructuring process, unblocking blockages where occurring and ensuring compliance with regard to laid down time frames and legislative requirements; and
- (c) ratify recommendations made by the Municipal Technical Change Management Committee and report to the affected municipalities.

(3) To achieve these objectives it will receive technical reports from a Municipal Technical Change Management Committee established for this purpose in terms of paragraph 4 of this Schedule.

ESTABLISHMENT OF A MUNICIPAL TECHNICAL CHANGE MANAGEMENT COMMITTEE

4.(1) A facilitation committee called the Municipal Technical Change Management Committee is hereby established.

(2) The function of the Municipal Technical Change Management Committee shall be to recommend to the Municipal Political Change Management Committee measures regarding –

- (a) the transfer of staff from the affected municipalities to the newly municipality, as well as the filling of vacancies during the transitional period;
- (b) the drafting of a new organogram for the new municipality;
- (c) the location of the head office;
- (d) the transfer of the assets, rights, liabilities and obligations of the affected municipalities to the new municipality;
- (e) the transfer of administrative and other records relating to the assets, rights, liabilities and obligations of the affected municipalities to the new municipality;
- (f) the rationalisation of by-laws and policies of the affected municipalities for implementation by the new municipality and the continued application of the by-laws, regulations and resolutions of the affected municipalities on, or in, the new municipality and the extent of such application;
- (g) the alignment of the Integrated Development Plans of the affected municipalities for adoption by the new municipality;
- (h) the integration of the budgets of the affected municipalities for adoption by the new municipality;
- (i) the acquisition and disposal of assets with a value exceeding R500 000.00 (five hundred thousand rand);
- (j) the negotiation and approval of long term loans and the utilisation of reserves;
- (k) the type of municipality;
- (l) municipal powers and functions of the new municipality;
- (m) designation of full-time councillors;

- (n) the proposed process to be followed to determine a name for the new municipality; and
- (o) the facilitation, in any other manner, of the disestablishment of the affected municipalities and the establishment of the new municipality.

COMPOSITION OF CHANGE MANAGEMENT COMMITTEES

- 5.(1) The Municipal Political Change Management Committee shall consist of –
- (a) the district mayor or deputy mayor;
 - (b) mayors of existing municipalities;
 - (c) speakers of existing municipalities;
 - (d) chief whips of existing municipalities and municipalities without chief whips may nominate any member from their municipal councils to form part of the Political CMC.
 - (e) two Members of the Executive Committee, in the case of a municipality with a collective executive system or, in the case of a municipality with a plenary executive system, two councillors as designated by the Council;
 - (f) a maximum number of three *amaKhosi* from the existing municipalities, as determined by the Local House of Traditional Leaders; and
 - (g) representatives of SALGA (EC).
- (2) The Municipal Technical Change Management Committee consists of –
- (a) the district municipal manager;
 - (b) the municipal manager of the existing municipalities;
 - (c) the heads of departments of the existing municipalities;
 - (d) the heads of departments of the affected district municipalities;
 - (e) local union representatives (one representative per union);
 - (f) the departmental transformation manager;
 - (g) representative of SALGA (EC).

CONDUCT OF MEMBERS

- 6.(1) A member of a Committee must perform the functions of office –
- (a) in good faith; and
 - (b) without fear, favour or prejudice.
- (2) A members of a Committee may not –
- (a) use the position or privileges of a member for private gain or to improperly benefit another persons; or
 - (b) act in any other way that compromises the credibility, impartiality or integrity of the Committee.

MEETINGS OF THE COMMITTEE

- 7.(1) The chairperson of the Committee decides where and when the Committee meet, but

a majority of the members may request the chairperson, in writing, to convene a meeting of the of the Committee at a place and time set out in the request.

(2) The chairperson presides at the meeting of the Committee, but if the chairperson is absent from a meeting, the members present must elect another member to preside at the meeting.

SUBCOMMITTEES

8. The Committees may establish subcommittees to assist the Committees in the performance of their functions or the exercise of any of their powers.

ADMINISTRATIVE ASSISTANCE TO COMMITTEES

9. The district municipality or the affected municipalities must provide administrative and secretarial services to the Committees.

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