



PROVINCE OF THE EASTERN CAPE
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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 36 OF 2020**BUFFALO CITY METROPOLITAN MUNICIPALITY
(EASTERN CAPE)****REMOVAL OF RESTRICTIONS IN TERMS OF THE SPATIAL PLANNING AND LAND USE
MANAGEMENT ACT, 2013 (ACT 16 OF 2013)**

ERF 745 BEACON BAY

BUFFALO CITY METROPOLITAN MUNICIPALITY

DIVISION OF EAST LONDON

PROVINCE OF THE EASTERN CAPE

IN EXTENT 1 319 (ONE THOUSAND THREE HUNDRED AND NINETEEN) SQUARE METRES

Under Section 47 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and upon instructions by the Local Authority, notice is hereby given that conditions C.3(a) and (d) in Deed of Transfer Number T2845/2016 applicable to Erf 745 BEACON BAY are hereby removed.

PROVINCIAL NOTICE 37 OF 2020**PROVINCIAL GAZETTE NOTICE:**

NELSON MANDELA BAY MUNICIPALITY (EC).

Removal of Restrictions in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013).

Remainder Erf 65, GREENBUSHES, Port Elizabeth, Eastern Cape.

Under section 47 of the Spatial Planning and Land use Management Act, 2013 (Act 16 of 2013) and upon instructions by the Local Authority, a notice is hereby given that conditions 3 (b), (c) and (d) in Deed of Transfer No. T409036/2013 applicable for ERF 65, GREENBUSHES, are hereby removed.

PROVINCIAL NOTICE 38 OF 2020

Nelson Mandela Bay Municipality (EASTERN CAPE)

**REMOVAL OF RESTRICTIONS IN TERMS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013
(ACT 16 OF 2013)**

ERF 183, NEWTON PARK, PORT ELIZABETH, EASTERN CAPE

Under Section 47 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and upon instructions by the Local Authority, a notice is hereby given that conditions C1, 3, 4, 6, 7, 8, 9 in Deed of Transfer No. T87446/1999 applicable to Erf 183 are hereby removed.

OFFICIAL NOTICES • AMPTELIKE KENNISGEWINGS

OFFICIAL NOTICE 1 OF 2020



EASTERN CAPE PROVINCIAL LEGISLATURE

Tel: 040 609 1541

Fax: 086 167 935

E-mail: kbeja@ecleg.gov.za

Date: 23 January 2020

Enquiries: Adv. Koleka Beja

Ref: Notice/Money Bill

EASTERN CAPE MONEY BILLS AMENDMENT PROCEDURE AND RELATED
MATTERS BILL (EC)

INVITATION FOR PUBLIC TO COMMENT ON BILL

I, Ntombovuyo Silberose Nkopane, Chairperson of the Ad Hoc Committee on the Promulgation of the Money Bills Amendment Act, hereby publish the Money Bills Amendment Procedure and Related Matters Bill for public comment.

Interested parties and organisations are invited to submit within 30 (thirty) days of publication of the notice in the *Provincial Gazette*, written representations on the proposed Bill to the following address:

By post: The Secretary to the Legislature
Eastern Cape Provincial Legislature
Private Bag x0051
Bhisho
5605

Attention: Adv. Koleka Beja

By Hand: Office Number: 1232, Eastern Cape Provincial Legislature

By Email: kbeja@ecleg.gov.za / achristian@ecleg.gov.za

Any enquiries in connection with the proposed Bill may be directed to Adv. Koleka Beja at 040 6091541 or 0825537950.

Comments received after the closing date may not be considered.

A handwritten signature in black ink, appearing to be 'MS NS NKOPANE'.

MS NS NKOPANE (MPL)

CHAIRPERSON: AD HOC COMMITTEE ON THE PROMULGATION OF MONEY BILLS AMENDMENT ACT

EASTERN CAPE PROVINCIAL LEGISLATURE

**EASTERN CAPE PROVINCIAL
LEGISLATURE MONEY BILLS
AMENDMENT PROCEDURE AND
RELATED MATTERS BILL**

(As initiated to by the Ad Hoc Committee on the Promulgation of the
Money Bills Amendment Act)

(the English text is the official text of the Bill)

Ad Hoc Committee on the Promulgation of the Money Bills Amendment
Act)

[B-.....2019]

BILL

To provide for a procedure to amend money Bills before the Eastern Cape Provincial Legislature.

Preamble

WHEREAS the Constitution requires that all spheres of government must not assume any power or function except those conferred on them in terms of the Constitution;

WHEREAS the Constitution provides that only the Member of the Executive Council responsible for financial matters in the Province may introduce a money Bill;

WHEREAS the Constitution provides that legislative authority of a Province is vested in its Provincial Legislature;

WHEREAS the Constitution provides that a Provincial Act must provide for a procedure to amend money Bills before the Provincial Legislature;

AND WHEREAS the purpose of amending money Bills, is to ensure that the Provincial Budget is responsive to the needs of the people of the Eastern Cape.

BE IT THEREFORE ENACTED by the Eastern Cape Provincial Legislature, as follows:-

1 Definitions

In this Act, unless the context indicates otherwise-

'Adjustments Provincial Appropriation Bill' means the bill that provides for the adjustments to appropriation necessary to give effect to the Provincial adjustments budget.

'Budget Committee' means a committee established in terms of this Act responsible for amendments proposed on money Bills, matters of expenditure and other related matters.

'Constitution' means the Constitution of the Republic of South Africa, 1996.

'Day' means any day other than a Saturday, Sunday and public holiday and day on which the Legislature is on recess.

'Fiscal Framework' means the framework for a specific financial year that gives effect to the Provincial Executive's macro-economic policy and includes-

- (a) estimates of all revenue, budgetary and extra-budgetary specified separately, expected to be raised during that financial year;
- (b) estimates of all expenditure, budgetary and extra-budgetary specified separately, for that financial year;
- (c) estimates of the borrowing of a financial year;
- (d) estimates of interest and debt servicing charges; and
- (e) an indication of the contingency reserve necessary for an appropriate response to emergencies or other temporary needs, and other factors based on similar objective criteria.

'House' means the Legislature meeting in a plenary sitting

'Legislature' means the Eastern Cape Provincial Legislature.

'Medium Term Budget Policy Statement' is a provincial policy that sets out funding priorities, it reveals the intended spending plans of government for three years and it sets out the provincial policy framework for the next coming financial years.

'MEC' means the Member of the Executive Council responsible for finance and provincial expenditure.

'MEMBER' means a member of the Legislature including the Members of the Executive Council.

'Money Bill' is the Bill referred to in section 120 of the Constitution, or part of such a Bill.

'PFMA' means the Public Finance Management Act, 1999 (Act No.1 of 1999) as amended.

'Provincial Appropriation Bill' means a Bill that annually appropriates money for the Province for a particular financial year.

'Provincial Adjustments Budget' means the Provincial adjustments budget referred to in section 31 of the Public Finance Management Act.

'Provincial Annual Budget' means the Provincial annual budget referred to in section 27 (2) of the Public Finance Management Act.

'Secretary to the Legislature' means the Secretary to the Legislature or any official designated by the Secretary in writing;

'Speaker' means Speaker of the Provincial Legislature or the person designated to act as Speaker.

'Standing rules' means the rules and orders of the Eastern Cape Provincial Legislature.

'Vote' means one of the main segments into which an appropriation Act is divided and which

- a) specifies the total amount which is usually appropriated per department in an appropriation Act; and
- b) is separately approved by a provincial legislature, as may be appropriate, before it approves the relevant draft appropriation Act as such.

2 Objects of this Act

- (1) The objects of this Act are to-
 - (a) give effect to section 120(3) of the Constitution;
 - (b) enhance the exercise of oversight over the Provincial Executive on the Provincial budget; and
 - (c) enhance public participation on amendments of money Bills.

3 Application of this Act

This Act applies to all money Bills before the Provincial Legislature.

4 Establishment and Composition of the Budget Committee for consideration of Money Bills

- (1) The Act hereby establishes a Budget Committee in the Legislature.
- (2) The Budget Committee must consist of Chairpersons of various portfolio Committees who are *ex-officio* Members and permanent Members proportional to their representation in the Legislature.
- (3) The Rules Committee must appoint the Chairperson of the Committee.
- (4) The Budget Committee has the powers and functions conferred on it by the Constitution, legislation, the Standing Rules or a resolution of the House.

5 Functions

- (1) The Budget Committee examines the draft budget policy statement presented to the House, evaluate budget estimates, economic and budgetary policies and programmes with direct outlays.
- (2) The functions of the Budget Committee includes considering and reporting on-
 - (a) the Provincial socio-economic outlook and fiscal policy;
 - (b) the Provincial Appropriation Bill and amendments thereto;
 - (c) actual expenditure published by the Provincial Treasury;
 - (d) actual revenue published by the Provincial Treasury;
 - (e) recommendations of the Financial and Fiscal Commission, including those referred to in the Intergovernmental Fiscal Relations Act, 1997 (Act No. 97 of 1997); and
 - (f) any other related matter set out in this Act.
- (3) The Budget Committee must receive reports on budget from portfolio committees and must -
 - (a) consider total aggregates of the budget;
 - (b) invite members of portfolio committees to attend the Budget Committee meetings when issues relating to their sector are being considered; and
 - (c) make recommendations to the House on the overall budget allocation.

6 Powers

1. The Budget Committee may determine its own-
 - (a) procedures; and
 - (b) annual programmes in accordance with the Standing Rules of the Legislature;
2. The Budget Committee must-
 - (a) consider Money Bills referred to it;
 - (b) investigate and report on issues that are referred to it or on its own initiative;

- (c) call any person to provide evidence; summon person to appear before it and require people to produce any documents it requires;
- (d) hold public hearings, receive comments from the public; and
- (e) exercise any powers granted to it by the Constitution and the Standing Rules.

7 Procedure prior to introduction of the Provincial budget

- (1) The Legislature, through its committees, must annually assess the performance of each Provincial Department, with reference to the following:
 - (a) the medium term estimates of expenditure of each Provincial Department, its strategic goals and measurable objectives, as tabled in the Legislature with the Provincial budget;
 - (b) prevailing strategic plans;
 - (c) annual performance plans and operational plans;
 - (c) the expenditure report relating to each Department published by the Provincial Treasury;
 - (d) the financial statements and annual report of each Department;
 - (e) the reports of the Auditor General relating to each Department;
 - (f) the reports of the Standing Committee on Public Accounts relating to each Department; and
 - (g) any other information requested by or presented to the Legislature.
 - (2) Committees must annually submit budgetary review and recommendation reports before adoption of the Appropriation Bill for tabling in the Legislature for each Department.
 - (3) A budgetary review and recommendation report, which is derived from findings on the consideration of annual reports, half year financial oversight reports, Medium Term Budget Policy Statement report, SCOPA findings and Auditor-General recommendations must-
 - (a) provide for an assessment of the Department's service delivery performance;
 - (b) provide for an assessment on the effectiveness and efficiency of the Department's use of available resources; and
 - (c) include recommendations on the advance use of resources.
4. Each Portfolio Committee must submit its report to the Committee within 15 days.

5. The Budget Committee must-
 - (a) scrutinize the allocations and the reports of the Portfolio committees; and
 - (b) within 30 days after receiving reports from portfolio committees submit its recommendations to the House.
6. Any budgetary review and recommendation report must after the adoption of the reports on the medium term budget policy statement-
 - (a) be submitted to the MEC for Finance and MEC responsible for the vote to which the report applies after its adoption by the Provincial Legislature.

8 Medium Term Budget Policy Statement

- (1) At least four months prior to the introduction of the Provincial budget, the MEC for Finance must submit to the Legislature a Medium Term Budget Policy Statement.
- (2) The Medium Term Budget Policy Statement must include-
 - (a) an explanation of the economic and fiscal policy position, the economic projections and the assumptions underpinning the fiscal framework;
 - (b) the spending priorities of provincial government for the next financial three years;
 - (c) the conditional grant allocations to Departments, if any; and
 - (d) a review of actual spending by each Department between 1 April and 30 September of the financial year in which the statement is tabled.
- (3) The Speaker must refer matters referred to in subsections (2) to the Budget Committee and to each portfolio Committee of the Legislature immediately after the submission of the Medium Term Budget Policy Statement by the MEC for Finance.
- (4) Each Portfolio Committee must-
 - (a) consider, discuss and review the Medium Term Budget Policy Statement served upon it under subsection (3) specifically on

- (5) The Speaker must send the House resolutions to the MEC for Finance within seven days or as soon as reasonably possible thereafter.

9 Introduction of the Provincial Annual Budget

- (1) The MEC must table the provincial annual budget in the Provincial Legislature as set out in terms of section 27(2) of the PFMA.
- (2) In addition to tabling the provincial annual budget as stipulated in subsection (1), the MEC must table the following-
 - (a) a report to the Legislature at the time of the budget explaining the reasons for not taking into account, the recommendations contained in budgetary review and recommendation reports submitted by the Budget Committee of the Legislature in terms of section 7(6) of the Act.
 - (b) the proposed fiscal framework;
 - (c) the key economic assumptions underlying the fiscal framework over the medium term expenditure framework;
 - (d) key fiscal ratios for the next three financial years, including revenue, expenditure and the primary and overall balance at the end of the financial year as a percentage of gross domestic product;
 - (e) tax and other revenue proposals, including the contribution of the different revenue categories to Provincial revenue for the next three financial years;
 - (f) cyclical factors taken into account in the formulation of the proposed fiscal framework for the next three financial years;
 - (g) an estimate and breakdown of contingent liabilities for the next three financial years; and
 - (h) any other relevant information and information so requested by the House from time to time.

10 Passing the Provincial Appropriation Bill

- (1) The MEC for Finance must introduce the Appropriation Bill in the House and table the proposals setting out the following-
 - (a) strategic goals;
 - (b) measurable objectives;
 - (c) other performance information for each Department, public entity or institution against its expected revenue and proposed expenditure by programme, sub-programme; and
 - (d) economic items of expenditure.

-
- (2) The MEC's must table the updated annual performance plans and operational plans for their respective Departments, public entity/s or any other institutions, which must be referred to the relevant committee for consideration and reporting.
 - (3) The Provincial Appropriation Bill must be referred to the Budget Committee.
 - (4) After consideration of individual Budget Votes by their respective Portfolio Committees, proposals on the amendment on the Provincial Appropriation Bill must be submitted to the Budget Committee
 - (5) The Budget Committee must mediate between portfolio committees proposing conflicting amendments to the Provincial Appropriation Bill.
 - (6) Any amendments to the Appropriation Bill must be consistent with the adopted fiscal framework.
 - (7) The Budget Committee must recommend to the House that proposed amendments reported by other Portfolio Committees are rejected where those amendments are inconsistent with the fiscal framework or not motivated adequately in terms of this Act.
 - (8) The Budget Committee must give the MEC for Finance and any other MEC affected by the proposed amendments at least 10 working days to respond to any amendments proposed to the Provincial Appropriation Bill prior to reporting to the House.
 - (9) A report of the Budget Committee to the House on Provincial Appropriations that proposes amendments to the main Provincial Appropriation Bill must, in respect of each amendment-
 - (a) indicate the reason for such proposed amendment;
 - (b) demonstrate how the amendment takes into account the strategic priorities and allocations of the relevant budget;
 - (c) demonstrate the implications of each proposed amendment for an affected vote and the main divisions within that vote;
 - (d) demonstrate the impact of any proposed amendment on the balance between transfer payments, capital and recurrent spending in an affected vote;
 - (e) set out the impact of any proposed amendment on service delivery; and
 - (f) set out the manner in which the amendment relates to-
 - (i) prevailing Departmental strategic plans,
 - (ii) reports of the Auditor General,

- (iii) committee reports adopted by the House,
 - (iv) reports in terms of the Public Finance Management Act,
 - (iiv) annual reports; and
 - (v) any other relevant information submitted to the House or committee in terms of the standing rules or on request.
- (10) A report in terms of subsection (9) must include the responses of the MEC to any proposed amendments.
- (11) Subject to subsection (4) and (5) above, the Budget Committee must advise the MEC for Finance of the proposed amendments.
- (12) The MEC must be given 5 working days to respond to the proposed amendments;
- (13) The Committee must consider the MEC's response and report to the House within 7 days.
- (14) The Legislature must pass, with or without amendments, or reject the Provincial Appropriation Bill within four months after the start of the financial year to which it relates.

11 Amending Revenue Bills and Revenue Proposals

- (1) In amending revenue Bills and revenue proposals the Provincial Legislature through the Budget Committee must:
- (a) ensure that the total amount of revenue raised is consistent with the fiscal framework and the relevant Division of revenue adopted by Parliament;
 - (b) take into account the principles of equity, efficiency, certainty and ease of collection;
 - (c) consider the impact of the proposed change on the composition of tax revenue with reference to the balance between direct and indirect taxes;
 - (d) consider regional and international tax trends; and
 - (e) consider the impact on development, investment, employment and economic growth.

12 Public Participation

- (1) The Budget Committee when considering on the economic and budgetary policies, Provincial appropriation Bill and other money Bills should seek representations from the public and

such recommendations shall be taken into account when the Budget Committee makes recommendations to the House.

13 Provincial Adjustments Appropriation Bill

- (1) The MEC for Finance must introduce the adjustments to the Provincial Appropriation Bill and table it with the Provincial adjustments budget in the House.
- (2) The Speaker must refer the adjustments to the Provincial Appropriation Bill together with the Provincial adjustments budget to the Budget Committee and to the portfolio committees.
- (3) The Budget Committee must report to the House on amendments to the Adjustments Provincial Appropriation Bill.
- (4) Portfolio committees must consult with the Budget Committee on amendments to transfer payments, recurrent and capital expenditure of a vote or a main division within a vote, taking into consideration the reports by portfolio committees on annually budgetary review and recommendations to Departments or any other report adopted by the House.
- (5) The Budget Committee must mediate between portfolio committees proposing conflicting amendments to the Adjustment Provincial Appropriation Bill.
- (6) The Budget Committee must within 2 weeks after receiving reports from other committees recommend to the House that the proposed amendments are recommended, or rejected where those amendments are inconsistent with the fiscal framework, or not motivated adequately in terms of this section whichever the case maybe.
- (7) The MEC must be given at least 5 working days to respond to any proposed amendments to the Adjustment Provincial Appropriation Bill by the Committee.
- (8) The Budget Committee must report to the House within 30 working days after the tabling of the Provincial adjustments budget.

14 Amendments proposed by the MEC

Notwithstanding any provision in this Act, the House or committee may consider an amendment to a money Bill proposed by the MEC in order to make technical corrections to the Bill.

15 Provincial Legislature Budget Unit

- (1) The Legislature hereby establishes the Provincial Legislature Budget Unit, the main objective of which is to provide non-partisan, high-quality and independent technical analysis, objective and professional advice to the Legislature on matters related to the budget and other money Bills.
- (2) The core function of the Provincial Legislature Budget Unit is to support the implementation of this Act by undertaking research and analysis for the committee referred to in section 4, including-
 - (a) annually providing reviews and analysis of the documentation tabled in the Provincial Legislature by the MEC in terms of this Act;
 - (b) monitoring and synthesizing matters and reports tabled and adopted in the House with budgetary implications, with particular emphasis on reports by other committees;
 - (c) keeping abreast of policy debates and developments in key expenditure and revenue areas;
 - (d) monitoring and reporting on potential unfunded mandates arising out of legislative, policy or budgetary proposals and general budget execution ;
 - (e) cost the impact of proposed and approved legislative amendments and investigate medium term patterns; and
 - (f) undertaking any other work deemed necessary to support the implementation of this Act.
- (3) The Provincial Legislature Budget Unit may undertake research on request by the House, other committees or members of Legislature on matters related to the budget and other money Bills, subject to capacity.
- (4) There must be a co-operative working relationship between the Provincial Legislature Budget Unit and other research structures within the Legislature.
- (5) The Provincial Legislature Budget Unit must annually receive a transfer of funds from the Provincial/Legislature budget to carry out its duties and functions.
- (6) The Provincial Legislature Budget Unit must annually submit to the House a rolling three year budget in time for inclusion in the Houses budget and a report on the use of funds and the activities of the Provincial Legislatures Budget Unit.
- (7) In carrying out the duties and functions of the Provincial Legislature Budget Unit, the services of experts or consultants may be procured.

16 Short title

This Act is called the Eastern Cape Provincial Legislature Money Bills Amendment Procedure Bill, 2019.

MEMORANDUM ON THE MONEY BILLS AMENDMENT PROCEDURE AND RELATED MATTERS BILL, 2012

1. Purpose of the Bill

The purpose of the Bill is to allow the legislature the platform to exercise its constitutional mandate on oversight, law making and public participation on Provincial Budget. To give effect to section 120(3) of the Constitution which provides that a Provincial Act must provide for a procedure to amend money Bills before the Provincial Legislature. The Bill intends to empower the legislature to be an active and effective participant in the budget process. Legislative oversight is nowhere important than over the budget.

2. Objects of the Bill

2.1 The Bill comprises of the Preamble and 16 Clauses. The Preamble is mindful of the fact that the Bill intends–

- (a) to give effect to section 120(3) of the Constitution;
- (b) to enhance exercise of oversight over the Provincial Executive on the Provincial budget; and
- (c) to enhance public participation on amendments of money Bills.

2.2 The provisions of the Bill can be summarised as follows:

2.2.1 Clause 1

Deals with various definitions.

2.2.2 Clause 2

Clause 2 deals with the objects of the Act, they have been dealt with in paragraph 2 above.

2.2.3 Clause 3

Deals with the application of the Bill.

2.2.4 Clause 4

The clause deals with the establishment and composition of the Committee for consideration of money Bills. It establishes a Budget

Committee which will consists of Chairpersons of various portfolio Committees and Members of political parties proportional to their representation in the legislature. The Chairperson of such Committee shall be appointed by the Rules Committee.

2.2.5 **Clause 5**

This clause deals with the functions of the Budget Committee. The core functions of the Committee will be to examine the draft medium term budget policy statement (economic and budgetary policy) introduced by the Executives in the House. The Committee will evaluate budget estimates and programmes with direct outlays. The Committee will receive reports from the various portfolio Committees in order to consider the total aggregates of the budget and allow the portfolio Committees to deliberate on issues relating to their sector when the Committee consider the budget. The Committee will further report and make recommendations to the House on the overall budget allocation and on amendment of Money Bills.

2.2.6 **Clause 6**

This clause deals with the powers of the Committee. The Committee may determine its own procedure and annual programmes, however they should be in accordance with this Act and the Standing Rules. The Committee must consider Money Bills referred to it, investigate and report on issues that are referred to it or on its own initiative. It may also hear evidence presented to it or call for any person to give evidence. It must hold public hearings and consider submissions from the public and it must exercise powers granted to it by the Constitution and any other relevant legislation.

2.2.7 **Clause 7**

This clause deals with the procedure prior to the introduction of the Provincial budget. The Legislature through its Committees it must annually assess the performance of each provincial Department by referring to the strategic plans, measurable objectives, medium term estimates of expenditure of each Department as tabled in the legislature with the Provincial budget. The Legislature must assess annual performance plans, operational plans, expenditure reporting of each department as published by the Provincial Treasury. The Legislature must assess financial statements, Auditor General's report, reports by the Standing Committee on Public Account

(SCOPA) of each Department and any other information requested by or presented to the Legislature.

The clause further deals with the budgetary review and recommendation report that must report on an assessment of the Department's service delivery performance and the effectiveness and efficiency of the Department's use of available resources.

2.2.8 Clause 8

This clause deals with the Medium Term Budget Policy Statement (MTBPS). The MEC responsible for financial matters must at least 4 months prior to the introduction of the Provincial budget submit the MTBPS to the Legislature which must include explanation of the economic and fiscal policy position, the economic projections and assumptions underpinning the fiscal framework and other related issues outlined in the Bill.

The Speaker must upon receipt of the MTBPS refer it to the Budget Committee and to the various Portfolio Committees. Each Portfolio Committee must consider, discuss and review the MTBPS on issues which relate to their portfolio and compile a report. The Speaker must then send the House resolution on the MTBPS to the MEC responsible for financial matters.

2.2.9 Clause 9

This clause deals with the Provincial Annual Budget. It requires the MEC to table a Provincial annual budget as envisaged in section 27(2) of the Public Finance Management Act. The Bill outlines the additional evidence that the MEC must table when tabling the Provincial Annual Budget.

2.2.10 Clause 10

This clause deals with the passing of the Provincial Appropriation Bill. The MEC responsible for financial matters must introduce the Provincial Appropriation Bill in the House and table the proposals setting out the strategic priorities, measurable objectives, economic items of expenditure and other related issues. The MEC must also table the updated annual performance plans and operational plans for each Department and entity which must be referred to the relevant Committee for consideration and reporting.

The Provincial Appropriation Bill must be referred to the Budget Committee which must consider the Bill and mediate between Committee proposing conflicting amendments to the Provincial Appropriation Bill. Amendments to the Provincial Appropriation Bill must be consistent with the adopted fiscal framework. The Committee must give the MEC 10 working days to respond to the any amendments proposed in the Bill prior to reporting to the House. The Committee must report to the House if reports by Committee do not comply with the adopted fiscal framework or not adequately motivated in terms of the Act.

Amendment proposed to the Provincial Appropriation Bill must comply with the provisions of section 10(9) and the MEC must also be granted an opportunity to respond to the proposed amendments.

The Legislature must pass, with or without amendments, or reject the Provincial Appropriation Bill within 4 months after the start of each financial year.

2.2.11 Clause 11

This clause deals with amending Revenue Bills and Revenue proposals. This provision was adopted from the norms and standard enacted by Parliament which it is said should apply to Provincial Legislatures. The Constitution in terms of section 120(1)(b) provides that money Bills also refers to provincial taxes, levies, duties or surcharges, this clause expressly gives Provinces powers to impose taxes. However the current practice has shown that MEC responsible for financial matters does not often make it a known practice to propose provincial revenue Bills which deals with Provincial taxes.

2.2.12 Clause 12

This clause deals with public participation. The clause mandates the Committees of the Legislature to conduct public hearings when considering money Bills and must consider submissions made by the public when making recommendations to the House on the amendment of money Bills.

2.2.13 Clause 13

This clause deals with the Provincial Adjustment Appropriation Bill. The adjustment to the Bill must be tabled by the MEC responsible for financial matters together with the Provincial adjustment budget. Any comments or amendments on the Bill must be reported to the House. Other Committees must consult with the Budget Committee on

amendment to transfer payments, recurrent and capital expenditure of a vote or a main division within a vote. This must be done by also taking into account the reports by Committee on annually budgetary review and recommendation to Departments or any other report adopted by the House.

The following periods are considered when considering the Provincial Adjustment Appropriation Bill, the committee has 2 weeks to report to the House where there is no-compliance when amending the Bill. The MEC has 5 days to respond to any proposed amendments to the Bill. The Budget Committee must within 30 days after tabling the Bill report to the House on any amendments to the Bill.

2.2.14 **Clause 14**

This clause deals with amendments proposed by the MEC responsible for financial matters on Money Bills and only where there are technical errors on the Bill that warrants an amendment.

2.2.15 **Clause 15**

This clause deals with the establishment of a Provincial Budget Unit within the legislature. The PLBU will assist the Legislature committees particularly the Budget Committee by providing non-partisan, high quality and independent technical analysis on any other issue that relate to the provincial budget. It is advisable to appoint personnel within the PLBU that have expertise in areas of economics, policy analysis, finance and statistic to be able to execute the work they are required to do. The PLBU needs to be carefully natured so that it can play a credible supporting role by -

- (a) annually providing reviews and analysis of the documentation tabled in the Provincial Legislature by the MEC in terms of this Act;
- (b) monitoring and synthesizing matters and reports tabled and adopted in a House with budgetary implications, with particular emphasis on reports by other committees;
- (c) Keeping abreast of policy debates and developments in key expenditure and revenue areas;
- (d) monitoring and reporting on potential unfunded mandates arising out of legislative, policy or budgetary proposals;
- (e) cost the impact of proposed and approved legislative amendments and investigate medium term patterns; and

- (e) undertaking any other work deemed necessary by the General Manager to support the implementation of this Act.

2.2.16 **Clause 16**

This clause deals with the short title.

3 Financial Implications

The implementation of the Bill will necessitate the Eastern Cape Provincial Legislature to request more funding from Treasury to cover costs associated with establishing the Provincial Legislature Budget Unit, the Budget Committee and other related matters that may arise.

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 52 OF 2020**GAZETTE NOTIFICATION OF REMOVAL OF RESTRICTIONS DECISION****NDLAMBE MINICIPALITY****REMOVAL OF RESTRICTIVE CONDITION: ERF 1080 BOESMANSRIVIERMOND****NDLAMBE MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW; 2015**

Notice is hereby given that the Municipal Planning Tribunal on the 3rd of December 2019, Removed Condition 1.B(g) applicable to Erf 1080 Boesmansriviermond as contained in Title Deed No.T000041980/2004 in terms of Section 69 of the Ndlambe Municipality Spatial Planning and Land Use Management By-law; 2015.

NOTICE: 310/2019**DATE:****ADV. R DUMEZWENI****MUNICIPAL MANAGER****LOCAL AUTHORITY NOTICE 53 OF 2020**

Buffalo City Metropolitan Municipality (Eastern Cape)

Removal of Restrictions in terms of the Spatial Planning and Land Use Management Act 2013 (Act 16 of 2013) and the Buffalo City Metropolitan Municipality Spatial Planning and Land use Management By-Law (2016).

ERF 317 BEACON BAY (7 Reynolds View)

Under Section 47(1) of the Spatial Planning and Land Use Management Act 2013 (Act 16 of 2013) read with Section 59 of the Buffalo City Metropolitan Municipal Spatial Planning & Land Use Management By-Law of 2016 and upon instructions of the Local Authority a notice is hereby given that conditions B(3)(a), B(3)(b), B(3)(c) and B(3)(d) found in Deed of Transfer No. T3542/2015, pertaining to Erf 317 Beacon Bay is hereby removed.

LOCAL AUTHORITY NOTICE 54 OF 2020

Buffalo City Metropolitan Municipality (Eastern Cape)

Removal of Restrictions in terms of the Spatial Planning and Land Use Management Act 2013 (Act 16 of 2013) and the Buffalo City Metropolitan Municipality Spatial Planning and Land use Management By-Law (2016).

ERF 318 BEACON BAY (5 Reynolds View)

Under Section 47(1) of the Spatial Planning and Land Use Management Act 2013 (Act 16 of 2013) read with Section 59 of the Buffalo City Metropolitan Municipal Spatial Planning & Land Use Management By-Law of 2016 and upon instructions of the Local Authority a notice is hereby given that conditions C(4)(a), C(4)(b), C(4)(c) and C(4)(d) found in Deed of Transfer No. T3541/2015, pertaining to Erf 318 Beacon Bay is hereby removed.

LOCAL AUTHORITY NOTICE 55 OF 2020

**SENQU MUNICIPALITY****NOTICE 16 /2020****PUBLIC NOTICE CALLING FOR INSPECTION OF SUPPLEMENTARY VALUATION ROLL AND LODGING OF OBJECTION/S**

Notice is hereby given in terms of Section 77 reads with Section 78 (6) of the Local Government: Municipal Property Rates Act, (Act No. 6 of 2004), hereinafter referred to as the "Act", that the supplementary valuation roll for the financial year 2020/2021 is open for public inspection at the Senqu Municipality Offices and public libraries at Lady Grey, Sterkspruit and Barkly East from 24th of February 2020 to 3rd of April 2020.

In addition, the supplementary valuation roll is available at the following website: www.senqu.gov.za

An invitation is hereby made in terms of section 78(5)(b) of the Act that any owner of property should lodge a request with the municipal manager in respect of any matter reflected in the supplementary 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 supplementary valuation roll as such.

The form for the lodging of an objection is obtainable at the following addresses:

Senqu Municipal Offices <i>(Lady Grey Offices)</i> 19 Murray Street Lady Grey 9755	Senqu Municipal Offices <i>(Sterkspruit Offices)</i> 79 Main Street Sterkspruit 9762	Senqu Municipal Offices <i>(Barkly East Offices)</i> Molteno Street Barkly East 9786	Senqu Municipal Library <i>(Rossouw Library)</i> Erf876 Cnr Clarke & Market Street Rossouw 5437	Senqu Municipal Library <i>(Rhodes Library)</i> Erf 147 Muller Street Rhodes 9787
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or on the website www.senqu.gov.za

(Please use: the following forms when lodging an objection)

Form a: residential (full title and sectional title used for residential purposes)

Form b: properties other than residential or agricultural (e.g. businesses, factories, schools)

Form c: agricultural holdings or farms) and

Form d: Appeal form

The completed forms must be returned to the following address:	Or Posted to the Following Address:
Senqu Municipal Office 19 Murray Street Lady Grey 9755	Senqu Municipality Private Bag X 03 Lady Grey 9755

Please Note that all forms must be clearly marked with the words: **“Supplementary Valuation Objection”**

Objections may also be faxed to 086 585 5302 but the onus is on the sender to ensure that the administration of Senqu Municipality receives such faxed objections.

For enquiries please telephone or email

Mr Andile Gushmani : Tel 051 603 1322 mailto: gushmania@senqu.gov.za

Ms Zifikile Luwaca : Tel 051 603 1363 mailto: luwacaz@senqu.gov.za

MR MM YAWA
Municipal Manager

03 February 2020

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LOCAL AUTHORITY NOTICE 56 OF 2020**AM AHLATHI LOCAL MUNICIPALITY****ADVERTISEMENT OF NOTICE CALLING FOR THE INSPECTION OF GENERAL VALUATION ROLL FOR 2020 TO 2025 FINANCIAL YEARS**

Notice is hereby given in terms of Section 49 (1) (a)(i)(ii) read together with Section 78(2) of the Local Government Municipality Property Rate Act 2004 (Act No.6 of 2004), herein after referred to as "Act", that the General Valuation Roll for the Financial years 2020-2025 is open for public inspection at the Municipal Offices as listed below from 8h00 to 16h00 during office hours from **17th February 2020 to 31st March 2020**

Municipal Office in Cathcart

Municipal Office in Keiskammahoek

Municipal Office in Kei Road

Engineering Department in Stutterheim

An invitation is hereby made in terms of Section 49(1) (a)(ii), read with 78 (2) of the Act, that any owner of the property or other person who so desires should lodge an objection with the Municipal Manager in respect of any matter including the category, reflected in or omitted from the valuation roll within the above mentioned period. Attention is specifically drawn to the fact 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 forms for the lodging of objection are obtainable from the Municipal Offices mentioned.

The completed forms must be returned to the following address by **Registered mail** to

The Municipal Manager

29 Dragon Street

Private Bag X4002

Stutterheim, 4930

or hand delivered at Municipal Offices mentioned above, during office hours from 08h00-16h30 Monday to Thursday and from 08h00-16h00 Fridays.

For any queries please contact Andisa Mnyakama on 043 4921 164, 073 557 7942 or email to AMnyakama@amahlathi.gov.za or Akona Mpahlwa 043 4921 164 or 076 564 3685, email ampahlwa@amahlathi.gov.za

Ivy Sikhulu-Nqwena

Municipal Manager

UMASIPALA WASE-AM AHLATHI MUNICIPALITY**UBIZO LOKUHLOLA UMQULU WOKUBHATALISA IMIHLABA UKUSUSELA KU 2020
UKUYA KU 2025**

Abahlali bayaziswa ngokugunyaziswe ngumthetho sisekelo 49(1) (i)(ii) nakwisigaba 78(2) somthetho iLocal Government Municipality Property Rates Act 2004 (Act No.6 of 2004), ophathelene nokukalwa kweemali zerhafu ezihlalelwa imizi, obizwa nge Municipal Property Rates Act 2004 okokuba abo banqwenela ukuhlola uluhlu lonyaka mali oqala kunyaka 2020 ukuya kunyaka 2025 noqulathe amanani erhafu yezindlu nezakhiwo (**General**) bangakwenza oku ngokuhambela amasebe kamasipala Amahlathi Local Municipality ukusukela ngomhla **we 17th February 2020 ukuya kumhla we 31st March 2020** kwi Ofisi zakwaMasipala ngamaxesha omsebenzi.

Municipal Office in Cathcart

Municipal Office in Keiskammahoek

Municipal Office in Kei Road

Engineering Department in Stutterheim

Kumenywa bonke abanikazi bemihlaba, izakhiwo ukanti nabani na ofuna ukufaka isikhalazo ngokomthetho sisekelo wenzwe kwisigaba 49(i)(ii) nakwisigaba 78(2) salomthetho ukuba bazokufaka izikhalazo ezimayelana nomhlaba, isakhiwo okanye indlu eqondene nawe, okanye eqondene noyhile hayi uluhlu lwamanani erhafu yezindlu nezakhiwo zonke. Oluluhlu luyafumaneka kulamasebe kamasipala alandelayo: Financial Department

IFomu yokufaka isikhalazo ifumanela kwiOfisi enkulu kamasipala eRevenue Section. Le fomu iyagcwaliswa ibuyiselwe ngesandla okanye ithumele ngeposi ebhaliweyo kule dilesi: The Municipal Manager, Amahlathi Local Municipality ngamaxesha omsebenzi ukusukela ngo 08h00-16h30 ngoMvulo ukuya kuLwesine nango 08h00 -16h00 ngooLwezihlanu.

Izikhalazo ezifikise sele udlulile umhla obekelwe izikhalazo azisayi kwamkelwa.

Ngeminye imibuzo neenkukacha mayela noluhlelo angaqhakamshelana noAndisa Mnyakama ku 0434921164, 073 557 7942 okanye email ku AMnyakama@amahlathi.gov.za, Akona Mpahlwa ku 043 492 1164, 076 564 3685 okanye email ku ampahlwa@amahlathi.gov.za

Ivy Sikhulu-Nqwena

Municipal Manager

LOCAL AUTHORITY NOTICE 57 OF 2020**ENGCOBO LOCAL MUNICIPALITY****ADVERTISEMENT OF NOTICE CALLING FOR THE INSPECTION OF GENERAL VALUATION ROLL FOR 2020 TO 2025 FINANCIAL YEARS**

Notice is hereby given in terms of Section 49 (1) (a)(i)(ii) read together with Section 78(2) of the Local Government Municipality Property Rate Act 2004 (Act No.6 of 2004), herein after referred to as "Act", that the General Valuation Roll for the Financial years 2020-2025 is open for public inspection at the Municipal Revenue Offices from 8h00 to 16h00 during office hours from **10th February 2020 to 31st March 2020**.

An invitation is hereby made in terms of Section 49(1) (a)(ii), read with 78 (2) of the Act, that any owner of the property or other person who so desires should lodge an objection with the Municipal Manager in respect of any matter including the category, 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 forms for the lodging of objection are obtainable from Municipal Offices: Revenue offices

The completed forms must be returned to the following address by **Registered Mail:**
The Municipal Manager

Engcobo Local Municipality

P.O Box 24, Engcobo, 5050

or hand delivered at Municipal Offices 58 Union Street, Finance Department Engcobo, during office hour 08h00-16h30 Monday to Thursday and from 08h00-16h00 Fridays

For any queries please contact Nosiviwe Shasha on 047 548 5616, 082 400 5461 or email to nosiviweshasha@gmail.com

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Municipal Manager

UMASIPALA WASE-ENGCOBO**UBIZO LOKUHLOLA UMQULU WOKUBHATALISA IMIHLABA
UKUSUSELA KU 2020 UKUYA KU 2025**

Abahlali bayaziswa ngokugunyaziswe ngumthetho sisekelo 49(1) (i)(ii) nakwisigaba 78(2) somthetho iLocal Government Municipality Property Rates Act 2004 (Act No.6 of 2004), ophathelelene nokukalwa kweemali zerhafu ezihlawulelwa imizi, obizwa nge Municipal Property Rates Act 2004 okokuba abo banqwenela ukuhlola uluhlu lonyaka mali oqala kunyaka 2020 ukuya kunyaka 2025 noqulathe amanani erhafu yezindlu nezakhiwo (**General**) bangakwenza oku ngokuhambela amasebe kamasipala Engcobo Local Municipality ukususela ngomhla **we 10th February 2020 ukuya kumhla we 31st March 2020** kwi Ofisi zakwaMasipala Engcobo (Revenue Department) ngamaxesha omsebenzi.

Kumenywa bonke abanikazi bemihlaba, izakhiwo ukanti nabani na ofuna ukufaka isikhalazo ngokomthetho sisekelo enze kwisigaba 49(i)(ii) nakwisigaba 78(2) salomthetho ukuba bazokufaka izikhalazo ezimayelana nomhlaba, isakhiwo okanye indlu eqondene nawe, okanye eqondene nothile hayi uluhlu lwamanani erhafu yezindlu nezakhiwo zonke. Oluluhlu luyafumaneka kulamasebe kamasipala alandelayo: Financial Department

IFomu yokufaka isikhalazo ifumaneka kwiOfisi enkulu kamasipala eRevenue Section. Le fomu iyagcwaliswa ibuyiselwe ngesandla okanye ithunyelwe ngeposi ebhaliweyo kule dilesi: The Municipal Manager, Engcobo Local Municipality ngamaxesha omsebenzi ukusukela ngo 08h00-16h30 ngoMvulo ukuya kuLwesine nango 08h00 - 16h00 ngooLwezihlanu.

Izikhalazo ezifike sele udlulile umhla obekelwe izikhalazo azisayi kwamnkelwa.

Ngeminye imibuzo neenkukacha mayela noluhlelo angaqhagamshelana noNosiviwe Shasha ku 047 5485 616, 082 400 5461 okanye email ku nosiviweshasha@gmail.com

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Municipal Manager