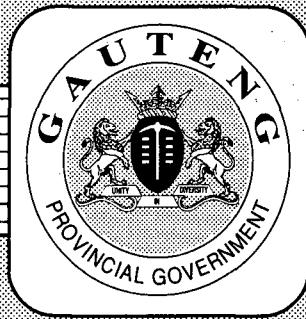


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

**Provincial Gazette Extraordinary
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Selling price • Verkoopprys: **R2,50**
Other countries • Buitelands: **R3,25**

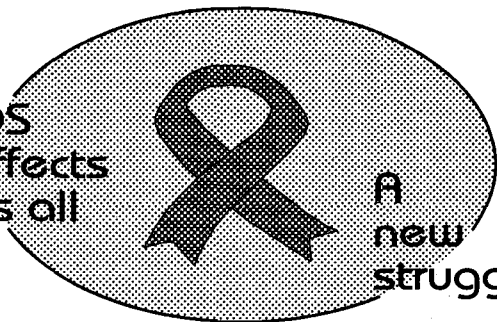
Vol. 6

**PRETORIA, 4 DECEMBER 2000
DESEMBER**

No. 200

We all have the power to prevent AIDS

**AIDS
affects
us all**



**A
new
struggle**

Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

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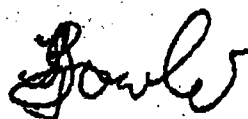
GENERAL NOTICE

NOTICE 8703 OF 2000

LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998**AMENDMENT OF NOTICES ESTABLISHING THE WEST RAND
DISTRICT MUNICIPALITY (GAUTENG NOTICE NO. 6769 OF 2000 AND
NORTH WEST NOTICE NO. 329 OF 2000)**

In terms of section 16(1) of the Local Government: Municipal Structures Act, 1998, we, Trevor George Fowler and Darkey Ephraim Africa, Members of the Executive Councils responsible for local government in the Provinces of Gauteng and North West respectively, hereby amend the notices establishing the West Rand District Municipality (Gauteng Notice No. 6769 of 2000 and North West Notice No. 329 of 2000) as set out in the Schedule hereto.

Given under my hand at Johannesburg, this First day of December, 2000.



T G FOWLER
MEC: DEVELOPMENT PLANNING AND LOCAL GOVERNMENT: GAUTENG
PROVINCE

Given under my hand at Mafikeng, this First day of December 2000.



D E AFRICA
MEC RESPONSIBLE FOR LOCAL GOVERNMENT: NORTH WEST PROVINCE

SCHEDULE

1. Notice No. 6769 of 2000, published in the Gauteng Provincial Gazette Extraordinary No. 141, dated 1 October 2000, and Notice No. 329 of 2000, published in the North West Extraordinary Provincial Gazette No. 243 dated 1 October 2000, are hereby amended by the substitution for the word "Johannesburg" of the word "Mafikeng" where it indicates the place of signature by the MEC responsible for local government: North West Province.
2. The Schedule to the notices referred to in clause 1 is amended as follows:

AMENDMENT OF PART 1

(1) *Amendment of clause 1*

Clause 1 is hereby amended:

- (a) by the substitution for the term "No. 6396 dated 13 September 2000" of the term "No. 6574 dated 22 September 2000,"; and
- (b) by the deletion of the semicolon in the definition of "**new municipality**" and by the insertion of the following term after the word "Schedule" "or where the context so indicates, any other municipality established in terms of section 12(1) of the Municipal Structures Act;".

AMENDMENT OF PART 2

(2) *Amendment of clause 2*

Clause 2 is hereby amended:

- (a) by the substitution for the term "No. 6396" dated 13 September 2000," in sub-clause (1) of the term "No. 6574 dated 22 September 2000,"; and
- (b) by the substitution for the term "Map No. 27, published under General Notice No. 2184 dated 6 June 2000," in sub-clause (2) of the term "Map No. 16, published under provincial General Notice No. 4822 dated 21 July 2000,".

(3) *Amendment of clause 5*

Clause 5 is hereby amended as follows:

- (a) by the substitution for the term "No. 6396 dated 13 September 2000," in sub-clause (1) of the term "No. 6574 dated 22 September 2000,"; and
- (b) the map referred to in sub-clause (1) is attached as **Annexure "A"**.

(4) *Amendment of clause 7*

Clause 7 is hereby amended by the substitution for the pre-amble of the following:

"Any or all of the following office-bearers may be designated by the council of the West Rand District Municipality as full-time councillors:"

AMENDMENT OF PART 3

(5) *Amendment of clause 12*

Clause 12 is hereby amended by the substitution therefor of the following clause:

"12. The Mogale City Local Municipality is a municipality with a mayoral executive system combined with a ward participatory system as described in section 3(d) of the Gauteng Types of Municipality Act and section 2(1)(a)(iv) of the North West Municipal Structures Act."

(6) *Amendment of clause 13*

(a) sub-clause (1) is hereby amended by the substitution for the word "has" of the word "as"; and

(b) the map referred to in sub-clause (1) is attached as **Annexure "B"**.

(7) *Amendment of clause 15*

Clause 15 is hereby amended by the substitution therefor of the following clause:

"15. Any or all of the following office-bearers may be designated by the council of the Mogale City Local Municipality as full-time councillors:

- (a) The Speaker;
- (b) The Executive Mayor; and
- (c) Members of the Mayoral Committee."

(8) *Amendment of clause 16*

Clause 16 is hereby amended by the substitution for the full stop at the end thereof of a comma, and the addition of the following term thereto: "as confirmed by provincial General Notice No. 6908 dated 3 October 2000."

(9) *Amendment of clause 18*

Clause 18 is hereby amended by the substitution for the word "Mark" of the word "Market".

AMENDMENT OF PART 4

(10) *Amendment of clause 21*

Clause 21 is hereby amended by the substitution therefor of the following clause:

"21. The Randfontein Local Municipality is a municipality with a mayoral executive system combined with a ward participatory system as described in section 3(d) of the Gauteng Types of Municipality Act and section 2(1)(a)(iv) of the North West Municipal Structures Act."

(11) *Amendment of clause 22*

The map referred to in sub-clause (1) is attached as **Annexure "C"**.

(12) *Amendment of clause 24*

Clause 24 is hereby amended by the substitution therefor of the following clause:

"24. Any or all of the following office-bearers may be designated by the council of the Randfontein Local Municipality as full-time councillors:

- (a) The Speaker;
- (b) The Executive Mayor; and
- (c) Members of the Mayoral Committee."

(13) Amendment of clause 25

Clause 25 is hereby amended by the deletion of the full stop at the end thereof and the addition of the following term thereto "as confirmed by provincial General Notice No. 6908 dated 3 October 2000."

AMENDMENT OF PART 5

(14) Amendment of clause 30

Clause 30 is hereby amended by the deletion of the full stop at the end thereof and the addition thereto of the following term:

"and section 2(1)(a)(ii) of the North West Municipal Structures Act."

(15) Amendment of clause 31

The map referred to in sub-clause (1) is attached as **Annexure "D"**.

(16) Amendment of clause 33

Clause 33 is hereby amended by the substitution therefor of the following clause:

"33. No office-bearers may be designated by the council of the Westonaria Local Municipality as full-time councillors."

(17) Amendment of clause 34

Clause 34 is hereby amended by the deletion of the full stop at the end thereof and the addition of the following term "as confirmed by provincial General Notice No. 7069 dated 9 October 2000."

AMENDMENT OF PART 6

(18) Amendment of clause 37

Clause 37 is hereby amended by the substitution for the term "Map No. f published under provincial General Notice No. 1175 dated 2 March 2000," of the term "Map No. 16 published under provincial General Notice No. 4822 dated 21 July 2000,"

(19) Amendment of clause 39

Clause 39 is hereby amended by the substitution therefor of the following clause:

"39. The Merafong City Local Municipality is a municipality with a mayoral executive system combined with a ward participatory system as described in section 3(d) of the Gauteng Types of Municipality Act and section 2(1)(a)(iv) of the North West Municipal Structures Act."

(20) Amendment of clause 40

Clause 40 is hereby amended:

- (a) by the substitution for the term "Map No. f, published under provincial General Notice No. 1175 dated 2 March 2000," of the term "Map No. 16 published under provincial General Notice No. 4822 dated 21 July 2000,"; and
- (b) the map referred to in sub-clause (1) is attached as **Annexure "E"**.

(21) Amendment of clause 42

Clause 42 is hereby amended by the substitution therefor of the following clause:

- "42. Any or all of the following office-bearers may be designated by the council of the Merafong City Local Municipality as full-time councillors:
- (a) The Speaker;
 - (b) The Executive Mayor; and
 - (c) Members of the Mayoral Committee."

(22) Amendment of clause 43

Clause 43 is hereby amended by the substitution for the term "provisional provincial General Notice No. 4895 dated 24 July 2000." of the term "provincial General Notice No. 6905 dated 2 October 2000."

AMENDMENT OF PART 7

(23) Amendment of clause 46

Clause 46 is hereby amended:

- (a) by the insertion of the word "Premier's" before the word "Proclamation" in sub-clause (a); and
- (b) by the addition of the following sub-clause after sub-clause (2):

"(3) Notwithstanding the provisions of any other law, the present term of office of all existing committees and office-bearers of a

municipality to be disestablished on the effective date shall extend until that date."

AMENDMENT OF PART 9

(24) Amendment of clause 50

Clause 50 is hereby amended:

(a) by the deletion of the word "and" in sub-clause (2)(a); and

(b) by the substitution for sub-clause (2)(b) of the following sub-clauses:

"(b) the disestablished Krugersdorp Transitional Local Council shall apply to the meeting of the new municipality established by clause 10 hereof;

(c) the disestablished Randfontein Transitional Local Council shall apply to the meeting of the municipality established by clause 19 hereof;

(d) the disestablished Westonaria Transitional Local Council shall apply to the meeting of the municipality established by clause 28 hereof;

(e) the disestablished Carletonville Transitional Local Council shall apply to the meeting of the municipality established by clause 37 hereof."; and

(c) by the deletion of the full stop at the end of sub-clause (3) and the addition thereto of the following term:

"; Provided that no matter shall be dealt with at the meeting before all the office-bearers as required in terms of the Municipal Structures Act have been elected."

(25) Amendment of clause 51

Clause 51 is hereby amended by the substitution therefor of the following clause:

"51. The councillors and office-bearers of a new municipality shall be remunerated in accordance with the Remuneration of Public Office Bearers Act, 1998."

(26) Amendment of clause 53

Clause 53 is hereby amended by the substitution for the heading thereof of the word "**AGREEMENTS**".

AMENDMENT OF PART 10

(27) Amendment of clause 56

Clause 56 is hereby amended:

(a) by the substitution for sub-clause (2) of the following sub-clause:

"(2) All by-laws, and any action taken in terms of such by-laws, and all resolutions, delegations, town planning schemes, integrated development plans or statutory notices of a disestablished municipality, or of a local government body incorporated into it in terms of the Local Government Transition Act, 1993, that are in force on the effective date, shall continue in force in the area in which they were applicable until superseded, amended or repealed."; and

(b) by the substitution for the term "must be applied" in sub-clause (3) of the following term "or local government body referred to in sub-clause (2), must be applied or carried out".

(28) Amendment of clause 57

Clause 57 is hereby amended by the substitution for sub-clause (1) of the following sub-clause:

"(1) If a service which is rendered in an area which will form part of the area of a new municipality can, because of prevailing circumstances, not be rendered by such new municipality, the successor of the municipality which rendered the service prior to the effective date, shall, subject to sub-clauses (2) and (3), continue to render the service; Provided that if the latter successor is unable or lacks the capacity to render such service it may enter into an agreement with any other municipality for the rendering of such a service, as envisaged in clause 53 of this Schedule."

(29) Amendment of clause 58

Clause 58 is hereby amended by the substitution for sub-clause (1) of the following sub-clause:

"(1) The acting municipal manager shall be a person nominated by the Municipal Facilitation Committee for the West Rand District Municipal

Area (CBDC 8), established in terms of section 14(5) of the Municipal Structures Act, and approved and designated by the MEC; Provided that the MEC may, if no nomination of the Municipal Facilitation Committee is accepted by him, make such an appointment in his discretion."

(30) Amendment of clause 59

Clause 59 is hereby amended by the substitution therefor of the following clause:

- "59 (1) The transfer of staff to a new municipality shall be effected in accordance with an agreement entered into between all the relevant new municipalities upon completion of an audit of the functions to be performed by a new municipality and the staff and other resources necessary for the performance of such functions.
- (2) The agreement referred to in sub-clause (1) must be signed within three (3) months from the effective date.
- (3) Until such time as the agreement referred to in sub-clause (1) has been signed, a person who on the effective date is an employee of a disestablished municipality becomes an employee of a new municipality in accordance with the following rules:
- (a) Employees who are for most of their normal working day occupied with work directly related or incidental to the performance of a specific function, allocated in terms of section 84(1) and (2) or 85 of the Municipal Structures Act, to a new municipality, or the performance of a specific function in a specific area, become employees of the new municipality which as from the effective date is responsible for the performance of that specific function or for the performance of that specific function in that specific area.
- (b) Employees not mentioned in sub-clause (a) become employees of the new local municipality in whose area they are usually stationed.
- (4) The employment of persons transferred to a new municipality in terms of sub-clause (1)-

- (a) must be regulated in accordance with any collective agreement concluded between the new municipality and trade unions representing those employees; and
 - (b) is subject to section 197 of the Labour Relations Act, 1995 (Act No. 66 of 1995), and any other applicable legislation.
- (5) Until an agreement referred to in sub-clauses (1) and (4)(a) has been concluded, employees are employed by the new municipality on the same terms and conditions, including remuneration, applicable to them as employees of the disestablished municipalities which previously employed them.
- (6) The chief executive officer/town clerk of a disestablished municipality must by not later than seven days after the effective date draw up a list containing the names and particulars of all persons who on that date were in the employ of the municipality and submit that list to the acting municipal manager referred to in clause 58 of this Schedule.
- (7) Notwithstanding any other provision in this Schedule, the transfer of staff may include the transfer of such staff in administrative units as envisaged by section 14(3)(b) of the Municipal Structures Act.
- (8) The transfer of any person who is employed by any other organ of state in the rendering of a municipal function, which will as from the effective date become a function of the new municipality, must be negotiated in accordance with the Labour Relations Act, 1995, and any other applicable legislation.
- (9) Until such time as the new municipality has adopted conditions of service for its employees, the conditions of service of the disestablished Western Gauteng Services Council shall apply to the appointment and employment of staff who are appointed after the effective date."

(31) Amendment of clause 61

Clause 61 is hereby amended by the substitution therefor of the following clause:

"61. Notwithstanding the provisions of any applicable law:

- (1) any valuation roll and any supplementary or interim valuation roll of a disestablished municipality which was of force and effect on the effective date, shall continue to be of force and effect from the effective date in the area of jurisdiction of the new municipality until such time as it is superseded by another valid valuation roll;
- (2) the new municipality shall be entitled to compile an interim valuation roll for an area in which such roll does not exist until a single valuation roll has been compiled for the whole area of jurisdiction of the new municipality and such interim valuation roll will have no effect on the existing valuation rolls as described in sub-clause (1)."

(32) Amendment of clause 62

Clause 62 is hereby amended:

- (a) by the substitution for sub-clause 4(e) of the following sub-clause:

"(e) The dispute must be resolved within twenty-one days from the date of the meeting referred to in sub-clause (d)"; and

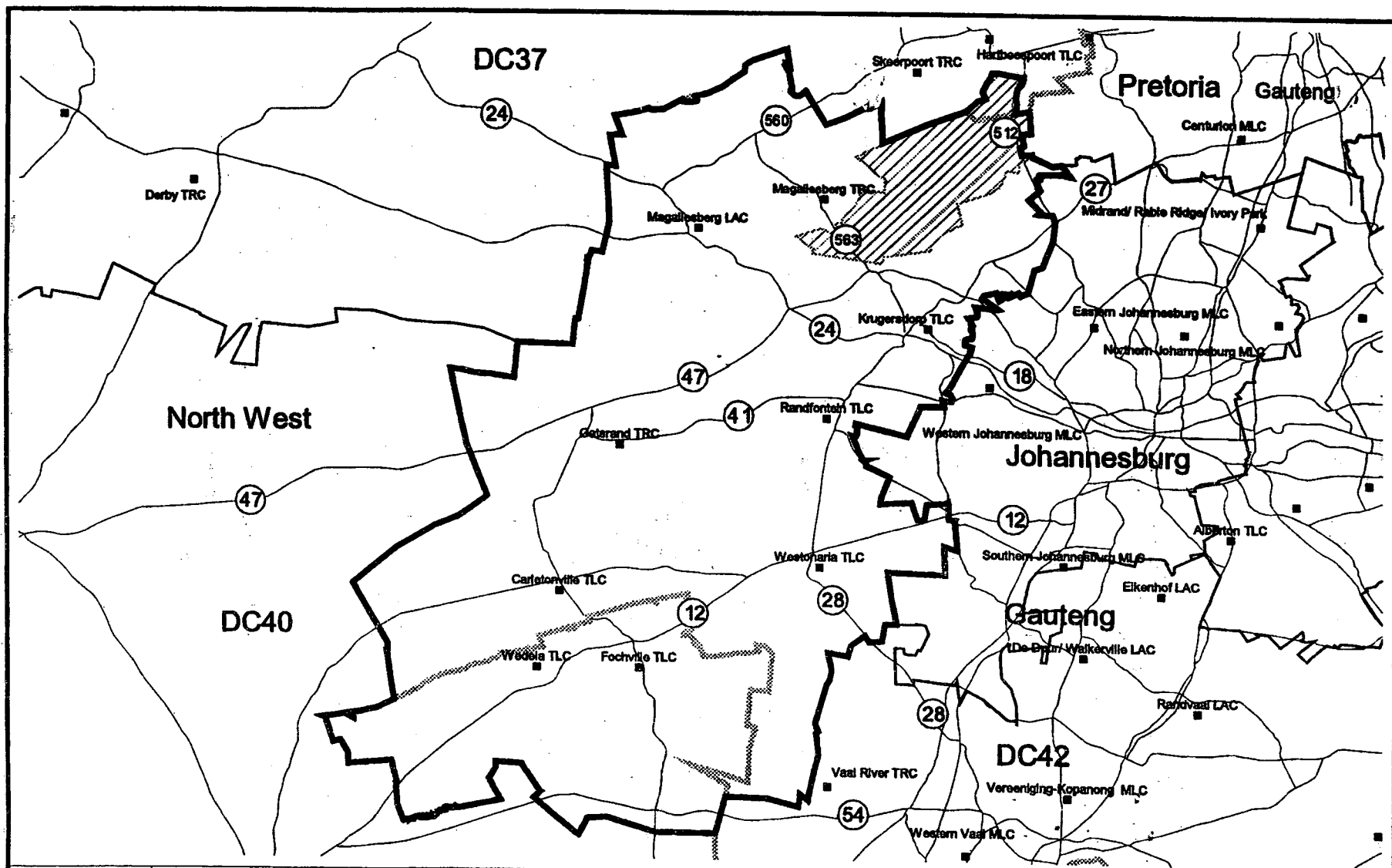
- (b) by the substitution for sub-clause (5) of the following sub-clause:

"(5) Subject to sub-clause (6), nothing contained in this clause shall prevent the council of any municipality to declare a dispute for resolution by the MEC in terms of section 86 of the Municipal Structures Act".

(33) By the insertion of the following clause after clause 63:

INTERVENTION OF THE MEC

"64. Any instruction issued before the effective date by the MEC in terms of section 10G(2)(m)(i) of the Local Government Transition Act, 1993, to the disestablished Randfontein Transitional Local Council shall remain in force in respect of the new municipality in which area of jurisdiction the disestablished municipality mentioned in this clause are located until repealed or withdrawn by the MEC."



Legend

- Existing Township
- State Road
- New Boundary
- Provincial Boundary

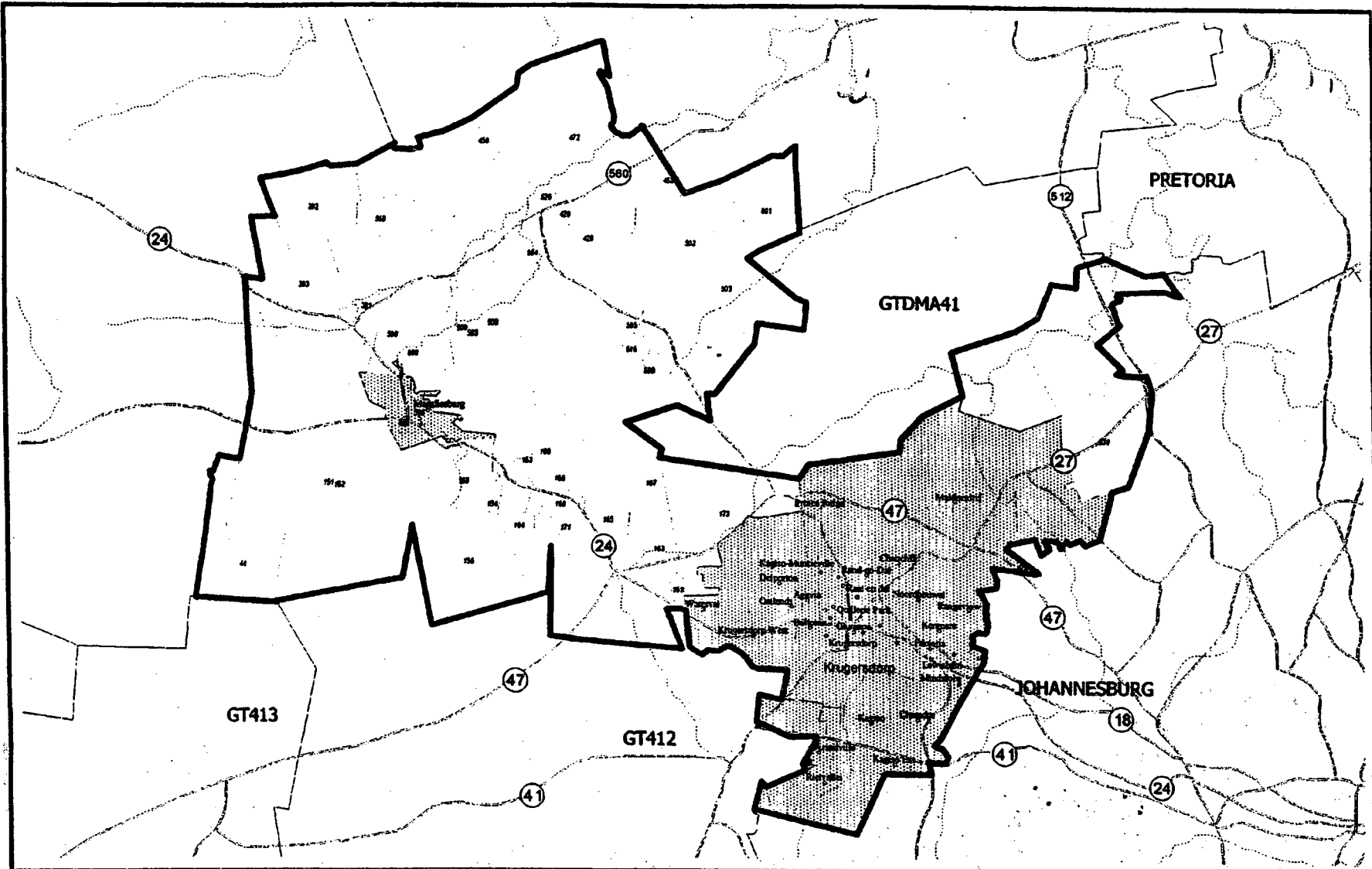


Redetermination of District Municipality CBDC8 extending across provincial boundaries of Gauteng and North West

Date: September 2000
 Map No. 7
 Keart No. 7

Additional information relating to the map can be obtained by contacting the Municipal Demarcation Board at:
 Toll-free: 0800-111-900
 Fax: 012-3422480
 e-mail: mdb@demworld.co.za
 Internet: www.demarcation.org.za
 Postal: Private Bag X29, Hatfield, 0028





Urban boundary: Solid line with dots

 River: Dashed line

 Contour: Dotted line

 TUCs: Circle with 'TUC'

 City: Circle with 'City'

 Traditional area: Circle with 'Traditional area'

 Please Note: Boundaries obtained from Statistics South Africa

 Traditional descriptions are based on digital information supplied by the Surveyor-General's Office.

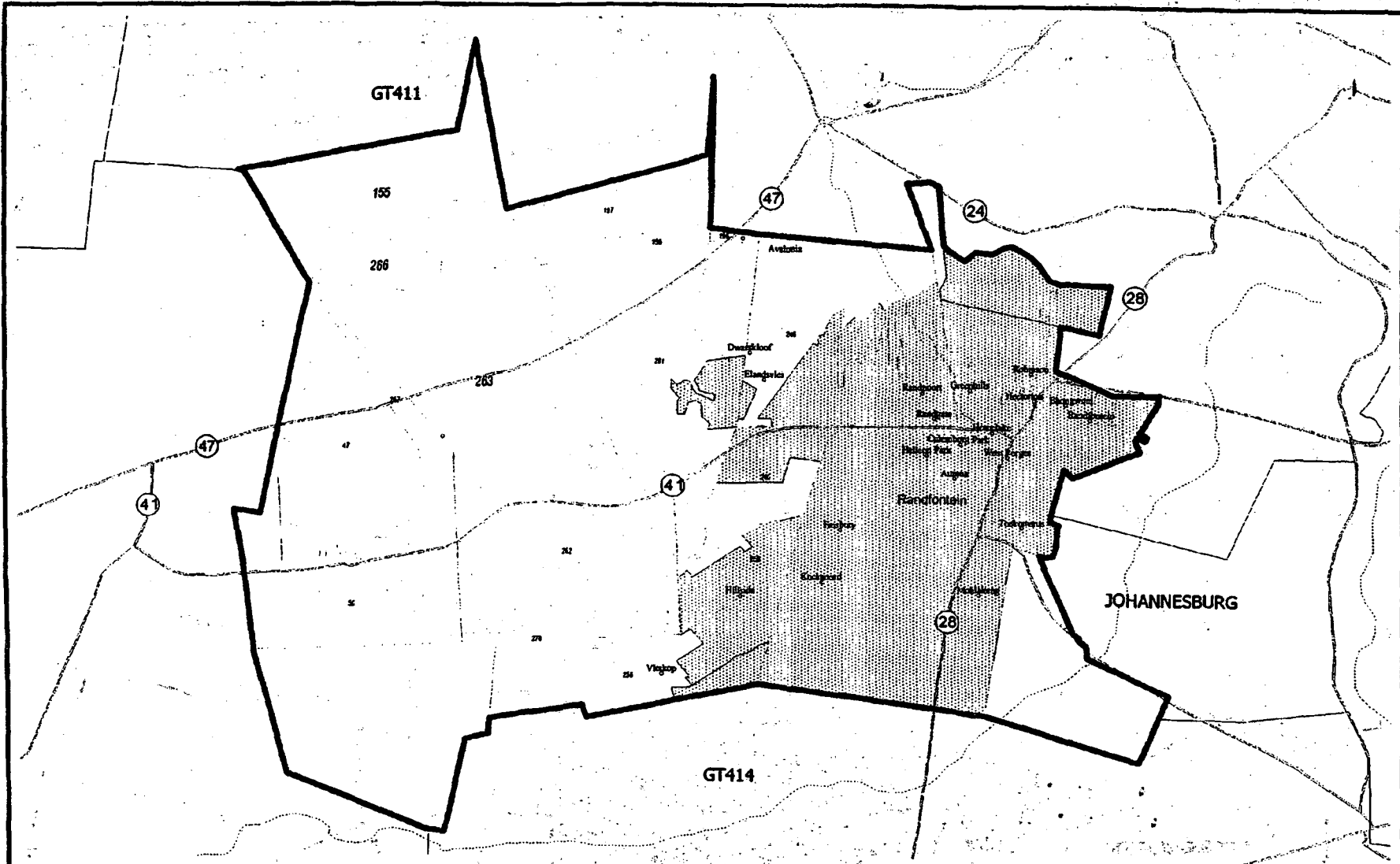
Re-determination of the outer boundary of Local Municipality GT411
in terms of Section 21(b) of the Local Government
Municipal Demarcation Act, No 27 of 1998.

Date: May 2000
 Map No. 7
 Kart Nr. 7

Additional information relating to this map can be obtained by contacting the Municipal Demarcation Board at:
 Tel: 012-3422481
 Fax: 012-3422490
 e-mail: mdb@dataworld.co.za
 Internet: www.demarcation.org.za
 Postal: Private Bag 228, Hatfield, 0028



ANNEXURE "B"



Please consult the Municipal Demarcation Act, No. 27 of 1998. Outlets described are based on digital information supplied by the Survey-General's Office.

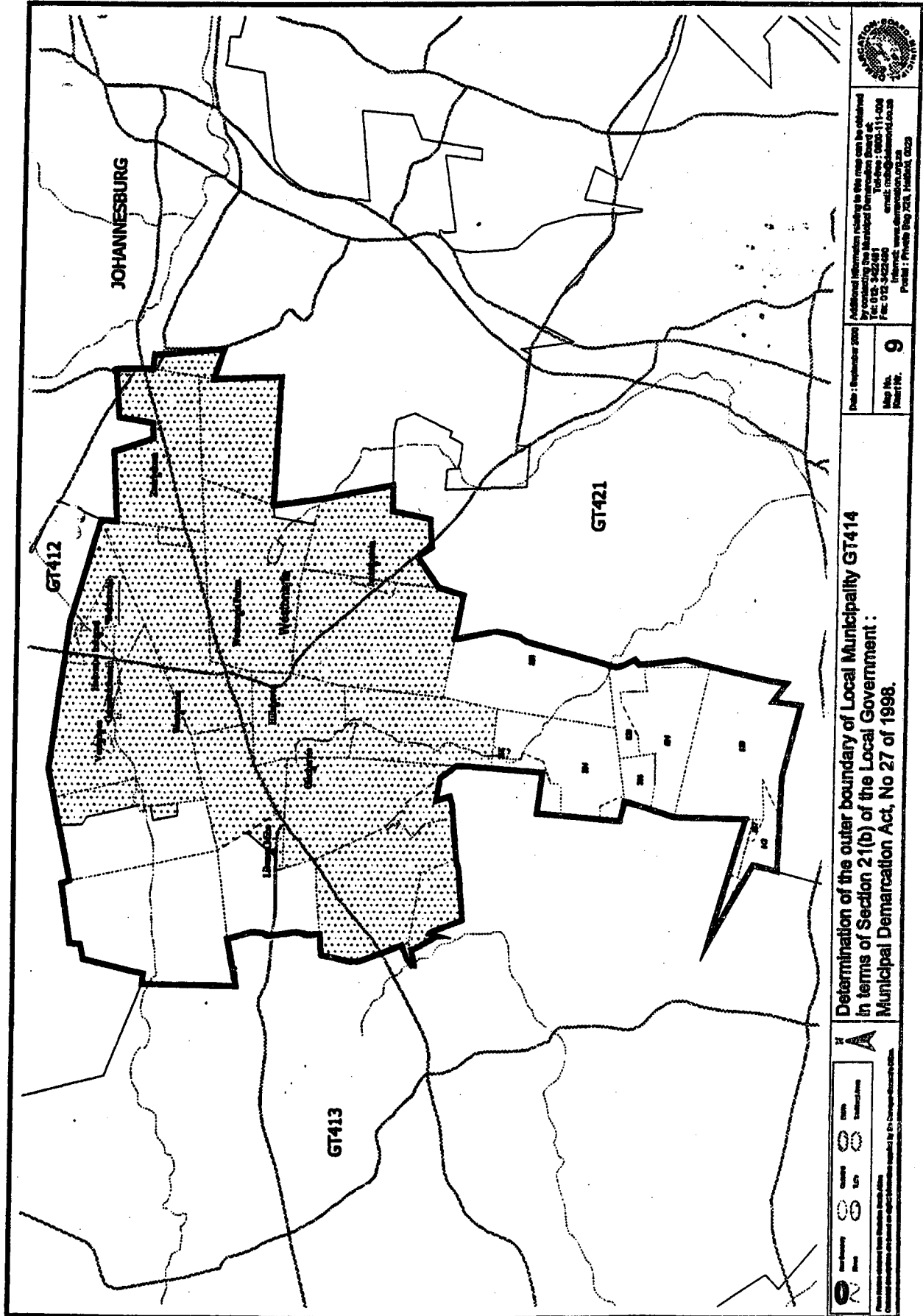
Re-determination of the outer boundary of Local Municipality GT412 in terms of Section 21(b) of the Local Government Municipal Demarcation Act, No 27 of 1998.

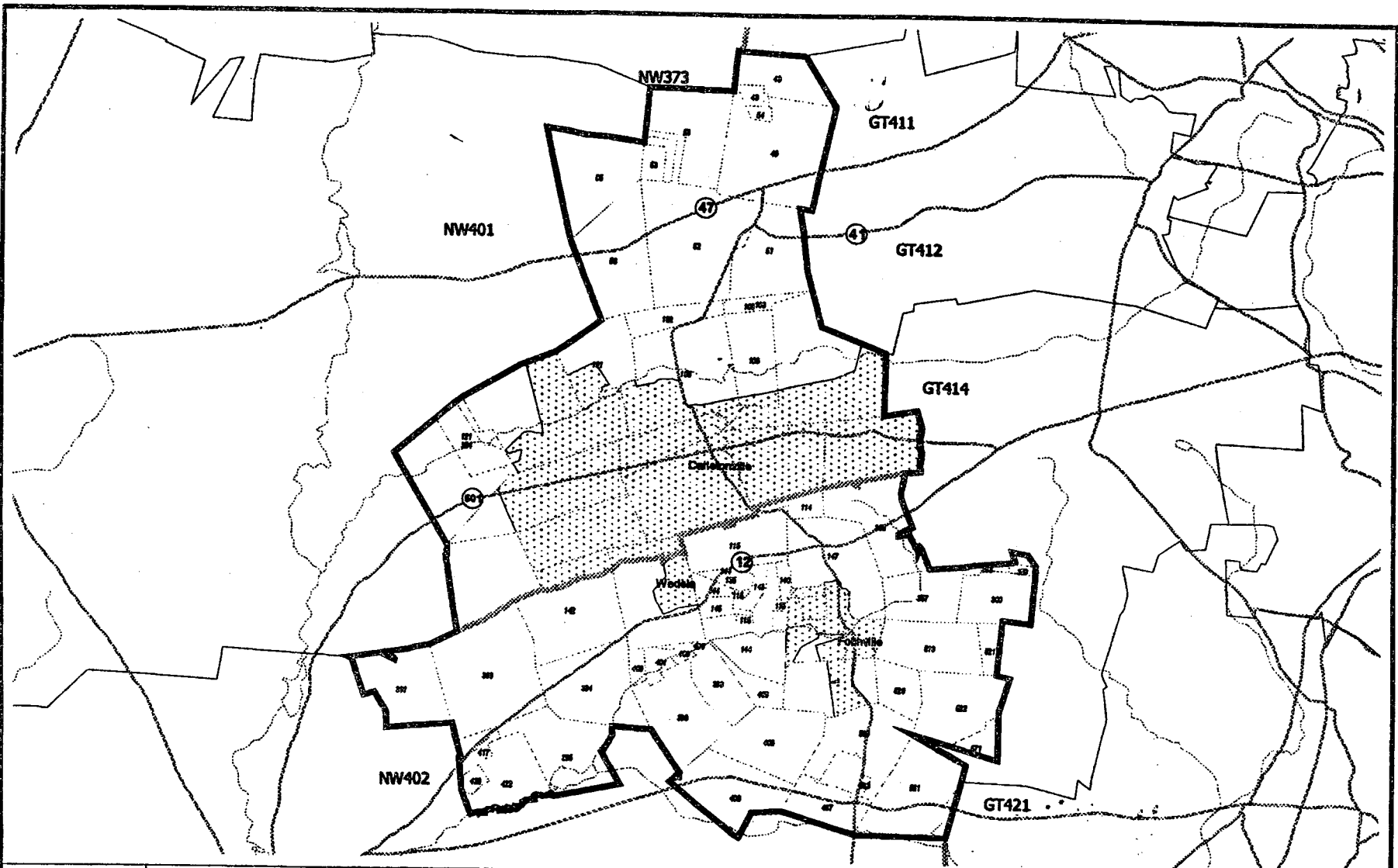
Date: May 2000
Map No. 8
Kart No.

Additional information relating to this map can be obtained by contacting the Municipal Demarcation Board at:
Tel: 012-3422481
Toll-free: (0800-111-005)
Fax: 012-3422480
email: mdb@dataverwi.co.za
Internet: www.demarcation.org.za
Postal: Private Bag X26, Hatfield, 0026



ANNEXURE "D"





Legend
 200
 Legal Boundary
 Main Road
 New Boundary
 Proposed Boundary



**Determination of the outer boundary of Local Municipality CBLC8
 in terms of Section 21(b) of the Local Government :
 Municipal Demarcation Act, No 27 of 1998.**

Date : July 2000
 Additional information relating to the map can be obtained
 by contacting the Municipal Demarcation Board at:
 Tel: 012-3422481 Fax: 012-3422480
 Toll-free : 0800-111-000 email: mdb@dataworld.co.za
 Internet: www.demarcation.org.za
 Postal : Private Bag 722, Hatfield, 0028



Map No. 16
 Sheet No.

