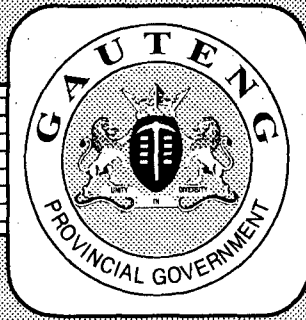


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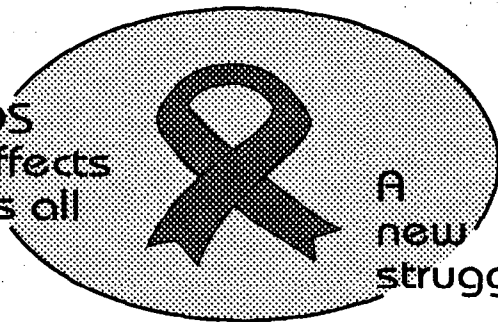
Vol. 7

PRETORIA, 16 JULY 2001
JULIE 2001

No. 133

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GENERAL NOTICE

NOTICE 4114 OF 2001

LOCAL GOVERNMENT MUNICIPAL STRUCTURES AMENDMENT ACT, 2000

TEMPORARY AUTHORISATION IN TERMS OF SECTION 18 (1) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES AMENDMENT ACT, 2000: TEMPORARY AUTHORISATION FOR THE KUNGWINI AND NOKENG TSA TAEMANE LOCAL MUNICIPALITIES TO PERFORM CERTAIN FUNCTIONS OR EXERCISE CERTAIN POWERS OF THE METSWEDING DISTRICT MUNICIPALITY

Under the powers vested in us by section 18 (1) of the Local Government: Municipal Structures Amendment Act, 2000 (Act No. 33 of 2000), read with section 90 (2) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), and after consulting the Demarcation Board, we, Trevor George Fowler and Mahommed Bhabha, Members of the Executive Councils responsible for local government in the Provinces of Gauteng and Mpumalanga respectively, hereby authorise the Kungwini and Nokeng tsa Taemane Local Municipalities to perform the functions or exercise the powers of the Metsweding District Municipality as set out in the Schedule hereto:

Given under my Hand at Johannesburg this Fourth day of July 2001.

T. G. FOWLER

MEC responsible for Local Government: Mpumalanga Province

SCHEDULE

Definitions

1. In this Schedule, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Structures Act, the Structures Amendment Act and the section 12 notice has the same meaning and -

"section 12 notice" means Gauteng Provincial Notice No. 6767 of 2000, published in Gauteng Provincial Gazette Extraordinary No. 141 dated 1 October 2000, as amended by Gauteng Provincial Notice No. 8701 of 2000, published in Gauteng Provincial Gazette Extraordinary No. 198 dated 4 December 2000, and Mpumalanga Provincial Notice No. 308 of 2000, published in Mpumalanga Provincial Gazette Extraordinary No. 636 dated 1 October 2000, as amended by Mpumalanga Provincial Notice No. 384 of 2000, published in Mpumalanga Provincial Gazette Extraordinary No. 684 dated 4 December 2000, which established the municipalities specified therein in terms of section 12 of the Structures Act;

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

"Structures Amendment Act" means the Local Government: Municipal Structures Amendment Act, 2000 (Act No. 33 of 2000).

Authorisation

2. (1) In terms of section 18(1) of the Structures Amendment Act, the local municipalities indicated in column 1 below are authorised with effect from the date of publication of this Notice to perform the functions or exercise the powers mentioned in column 2 below, or any aspect thereof in their respective areas of jurisdiction, to the extent that they were performed by the Metsweding District Municipality:

<p style="text-align: center;">COLUMN 1</p> <p style="text-align: center;">LOCAL MUNICIPALITY</p>	<p style="text-align: center;">COLUMN 2</p> <p style="text-align: center;">POWERS AND FUNCTIONS IN TERMS OF SECTION 84(1) OF THE STRUCTURES ACT</p>
<p>1. Kungwini Local Municipality</p> <p>2. Nokeng tsa Taemane Local Municipality</p>	<p>84(1)(e)– Solid waste disposal sites</p> <p>84(1)(f) – Municipal roads</p> <p>84(1)(g)– Regulation of passenger transport services</p> <p>84(1)(h)– Municipal airports (Kungwini Local Municipality only)</p> <p>84(1)(j) – Fire fighting services</p> <p>84(1)(k)– The establishment, conduct and control of abattoirs</p> <p>84(1)(l) – The establishment, conduct and control of cemeteries and crematoria</p> <p>84(1)(m)– Promotion of local tourism</p> <p>84(1)(n)– Municipal public works relating to the above functions</p>

- (2) The local municipalities referred to in column 1 of sub-clause (1) must assume full responsibility and accountability for those functions and powers referred to in column 2 of sub-clause (1) and the effective and efficient performance or exercise, as the case may be, or any aspect thereof to the extent that the Metsweding District Municipality performed those functions and exercised those powers as contemplated in sub-clause (1).

Legal, practical and other consequences of the authorisation

3. The provisions regarding -

(a) the transfer of staff;

(b) the transfer of assets, liabilities, rights and obligations, and administrative and other records; and

(c) the continued application of any by-laws and resolutions;

set out in the section 12 notice, apply with the necessary changes required by the context, to the performance of a function or exercise of a power by a municipality referred to in column 1 of clause 2(1) that is authorised to perform such function or exercise such power in accordance with this Notice.

Dispute resolution

4. The provisions regarding dispute resolution set out in the section 12 notice, shall apply mutatis mutandis.

Duration of authorisation

5. Subject to the provisions of any law, the authorisation will end on 5 December 2002.

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