



LIMPOPO PROVINCE
LIMPOPO PROVINSIE
XIFUNDZANKULU XA LIMPOPO
PROFENSE YA LIMPOPO
VUNDU LA LIMPOPO
IPHROVINSI YELIMPOPO

**Provincial Gazette • Provinsiale Koerant • Gazete ya Xifundzankulu
Kuranta ya Profense • Gazethe ya Vundu**

***Extraordinary • Buitengewoon • Ku katsa na Tigazete to • Hu tshi katelwa na
Hlawuleka hinkwato • Gazethe dza Nyingo***

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Government Printing Works

Notice submission deadlines

Government Printing Works has over the last few months implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submit your notice request.

In line with these business rules, GPW has revised the notice submission deadlines for all gazettes. Please refer to the GPW website www.gpwonline.co.za to familiarise yourself with the new deadlines.

CANCELLATIONS

Don't forget!

Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above.

Non-compliance to these deadlines will result in your request being failed. **Please pay special attention to the different deadlines for each gazette.**

Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.

Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

take note!

With effect **from 01 October**, GPW will not longer accept amendments to notices. The cancellation process will need to be followed and a new notice submitted thereafter for the next available publication date.

CUSTOMER INQUIRIES



Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While GPW deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a **2-working day turnaround time for processing notices** received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

PROOF OF PAYMENTS



GPW reminds you that all notice submissions **MUST** be submitted with an accompanying proof of payment (PoP) or purchase order (PO). If any PoP's or PO's are received without a notice submission, it will be failed and your notice will not be processed.

When submitting your notice request to submit.egazette@gpw.gov.za, please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email.

A reminder that documents must be attached separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment/purchase order – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment).

REMINDER OF THE GPW BUSINESS RULES

- ☐ Single notice, single email – with proof of payment or purchase order.
- ☐ All documents must be attached separately in your email to GPW.
- ☐ 1 notice = 1 form, i.e. each notice must be on a separate form
- ☐ Please submit your notice **ONLY ONCE**.
- ☐ Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- ☐ The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.



eGazette



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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS


PROVINCIAL NOTICE 29 OF 2016

DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS
AND TRADITIONAL AFFAIRS

NOTICE IN TERMS OF SECTION 14(5) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: TRANSITIONAL MEASURES TO FACILITATE INTERGRATED DEVELOPMENT PLANNING, BUDGETTING, THE PREPARATION OF FINANCIAL STATEMENTS, THE LEVYING OF RATES AND THE MAKING OF CERTAIN ACTING APPOINTMENTS IN MUNICIPALITIES AFFECTED BY THE RE-DETERMINATION OF BOUNDARIES IN TERMS OF SECTION 21 OF LOCAL GOVERNMENT: MUNICIPAL DEMARCATION ACT, 1998 (ACT NO.27 OF 1998)

I, **Makoma Grace Makhurupetje**, in my capacity as Member of the Limpopo 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.177 of 1998), and after having consulted the affected municipalities in the Province, hereby provide for the transitional measures contained in the Schedule hereto.

Given my Hand at Polokwane on this 01 day of March 2016


MS M.G. MAKHURUPETJE, MPL
Member of the Executive Council of the Province of Limpopo
Responsible for Local Government

SCHEDULE

PREAMBLE

1. (1) As a result of the redetermination of boundaries in terms of section 21 of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998), certain municipalities will be disestablished and their former areas of jurisdiction merged under new municipalities to be established, while certain other municipalities will be disestablished and their former areas of jurisdiction incorporated into the areas of jurisdiction of existing municipalities.

(2) it is necessary to provide for transitional measures to assist these new and existing municipalities. These transitional measures relate to –

- (a) integrated development planning;
- (b) the preparation of budgets;

- (c) the preparation of financial statements;
- (d) the continued application of valuation rolls, rates bylaws and rates tariffs; and
- (e) the appointment of acting municipal managers and other senior managers.

(3) The new municipalities will be established, and the former municipalities will be disestablished, with effect from the date of the municipal elections. The date of municipal elections has not yet been declared but will, in terms of the applicable law, fall between 19 May 2016 and 17 August 2016.

(4) Given that the municipal financial year runs from 1 July to 30 June each year, it is necessary to make transitional measures which anticipate both possible scenarios, namely that the date of municipal elections will fall either before or after the end of the municipal financial year.

DEFINITIONS

2. In this Schedule, an expression or word to which a meaning has been assigned in the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), has the same meaning, and unless the context indicates otherwise-

"affected municipalities" means an incorporating municipality, a merging municipality, a splitting municipality or a new municipality when it is established, as the case may be;

"amalgamated municipalities" means those municipalities which, following a re-determination of boundaries in terms of section 21 of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998), will incorporate the former areas of jurisdiction of splitting municipalities, namely:

(a) Fetakgomo Local Municipality (LIM474) and Greater Tubatse Local Municipality (LIM375)

(b) Modimolle Local Municipality (LIM365) and Mookgophong Local Municipality (LIM364)

"committees" means the Municipal Political Steering and Technical Change Management Steering Committees established in terms of clause 2(1) of this notice for each future municipality

"disestablished Municipalities" means the following municipalities to be disestablished by the redetermination of boundaries in terms of section 21 of Local Government: Municipal Demarcation Act, 1998 (Act no. 27 of 1998)-

(a) Mutale Local Municipality

(b) Aganang Local Municipality

"Existing municipalities" means the municipalities into which the disestablished municipalities, or part thereof, will be incorporated in terms of the redetermination of boundaries as set out in Extraordinary Provincial Gazette published by the Municipal Demarcation Act, 1998 (Act No. 27 of 1998)

"MEC" means the member of the Executive Committee responsible for Local Government in the Province of Limpopo or the person acting in that capacity in respect of those municipalities.

"Municipal Political Change Management Committee" means a municipal Political change committee established in terms of Provincial Notice No. 357 of 20 November 2015;

"Municipal Technical Change Management Committee" means a municipal technical change management committee established in terms of Provincial Notice No. 357 of 20 November 2015;

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

“new municipalities” means

(a) those municipalities that are to be established following a re-determination of boundaries in terms of section 21 of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998), comprising the former areas of jurisdiction of the merged municipalities; and

(b) the incorporating municipalities in accordance with section Local Government Municipal Structures Act, 1998 (Act No. 117 of 1998);

“Provincial Transformation Committee” means the Provincial Transformation Committee established in terms of Provincial Notice 351 of 20 November 2015;

“Senior Manager” means a manager who is directly accountable to a municipal manager, as contemplated in section 56 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), and

“Splitting municipalities” means those municipalities which, following a re-determination of boundaries in terms of section 21 of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998), will be disestablished and their former areas of jurisdiction incorporated into existing municipalities.

INTERGRATED DEVELOPMENT PLANS**3. (1) The affected municipalities must—**

(a) each adopt an integrated development plan for the 2016/2017 municipal financial year for their individual areas of jurisdiction, which plans must take due cognisance of the consolidated integrated development plan or plans contemplated in paragraph (b) below; and

(b) together with the other relevant affected municipalities prepare consolidated integrated development plans for the 2016/2017 municipal financial year for adoption of the draft consolidated plan by 30 March 2016 and the final plan by 30 June 2016 and comprising—

(i) in the case of a disestablished municipality —

(a) the portion of the area of jurisdiction of the disestablished municipality to be incorporated into the existing area of jurisdiction of the incorporating municipality; and

(b) the existing area of jurisdiction of the incorporating municipality concerned; and

(ii) in the case of a merging municipality, the areas of jurisdiction of merging municipalities;

(2) The consolidated integrated development plans for the 2016/2017 municipal year must be prepared for approval by the relevant Municipal Political Change Management Committees and thereafter by relevant councils.

(3) In the event of a dispute relating to the preparation or approval of the consolidated development plans for 2016/2017 municipal year, the matter must be referred to the Provincial Transformation Committee for resolution.

(4) The draft consolidated integrated development plans must be adopted in draft by 30 March 2016 and the final plans shall be adopted by 31 June 2016.

(5) (1) If the date of municipal elections falls on or before 30 June 2016, then —

(a) The individual reviewed integrated development plans of the merging municipalities and the disestablished municipalities for the 2015/2016 municipal financial year must continue to apply within the former areas of jurisdiction of the merging municipalities and the disestablished

municipalities, notwithstanding the disestablishment of those municipalities and notwithstanding the provision of any other law, from the date of municipal elections until 30 June 2016; and

- (b) The relevant consolidated reviewed integrated development plan for the 2016/2017 municipal financial year must apply to the relevant new municipality or incorporating municipality, notwithstanding the provision of any other law, as from 1 July 2016.

(2) If the date of municipal elections falls after 30 June 2016, then –

- (a) the individual reviewed integrated development plans of the merging municipalities and the disestablished municipalities for the 2016/2017 municipal financial year must apply within the former areas of jurisdiction of the merging municipalities and the disestablished municipalities, notwithstanding the provisions of any other law, from 1 July 2016 until the date of municipal elections; and
- (b) the relevant reviewed consolidated integrated development plan for the 2016/2017 municipal financial year must apply to the relevant new municipality or incorporating municipality, notwithstanding the provisions of any other law, as from the first day following the date of municipal elections.

BUDGETS

(4) (1) The affected municipalities must –

- (a) each adopt a budget for the 2016/2017 municipal financial year for their existing areas of jurisdiction), which budget must take due cognisance of the consolidated budget or budgets contemplated in paragraph (b) below; and
- (b) together with the other relevant affected municipalities prepare and adopt a consolidated budget for the 2016/2017 municipal financial year comprising –
 - (i) a reconciliation to the individual budget for the 2016/2017 municipal year;
 - (ii) in the case of a split municipality; that portion of the approved budget allocated to the splitting municipality as must be prescribed in the disestablishment or split model provision to be set out in notices in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 27 of 1998) to be promulgated in due course establishing the incorporating municipalities with their new areas of jurisdiction; and
 - (iii) in the case of a merging municipality, the approved budgets of the merging municipalities,

(2) The individual and consolidated budgets for the 2016/2017 municipal year must be prepared for approval by the relevant Municipal Political Change Management Committees and thereafter by the relevant councils.

(3) In the event of a dispute, the matter shall be referred to the Provincial Transformation Committee for resolution.

(4) (1) If the date of municipal elections falls on or before 30 June 2016, then –

- (a) the individual budgets of the merging municipalities and the disestablished or splitting municipalities for the 2015/2016 municipal financial year will continue to apply within former areas of jurisdiction of merging municipalities and disestablished or splitting municipalities, notwithstanding the disestablishment of those municipalities and notwithstanding the provisions of any other law, from the date of municipal elections until 30 June 2016; and

- (b) the relevant consolidated budget for the 2016/2017 municipal financial year will apply to the relevant new municipality or incorporating municipality, notwithstanding the provisions of any other law, as from 1 July 2016 or

(5) (1) If the date of municipal elections falls after 30 June 2016, then –

- (a) the individual budgets of the merging municipalities and the disestablished municipalities for the 2016/2017 municipal financial year will apply within the former areas of jurisdiction of the merging municipalities and the disestablished municipalities, notwithstanding the provisions of any other law, from 1 July 2016 until the last calendar day of the month following the month in which municipal elections are held; and
- (b) the relevant consolidated budgets for the 2016/2017 municipal financial year will apply to the relevant new municipality or incorporating municipality, notwithstanding the provisions of any other law, as from the first day of the month following the last calendar day of the month following the month in which municipal elections are held.

FINANCIAL STATEMENTS

- 5 If the date of municipal elections falls before 30 June 2016, then separate financial statements for the merging municipalities and disestablished or splitting municipalities for the 2015/2016 municipal financial year must, notwithstanding the disestablishment of those municipalities and notwithstanding the provisions of any law, be prepared from the date of municipal elections until 30 June 2016-

If the date of municipal elections falls after 30 June 2016, then –

- (i) separate financial statements for the relevant merging municipalities and disestablished municipalities for the 2015/2016 municipal financial year must, notwithstanding the provisions of any other law, be prepared for the period commencing 01 July 2016 to the last calendar day of the month following the month in which municipal elections are held; and
- (ii) financial statements for the relevant new municipalities and the incorporating municipalities must, notwithstanding the provisions of any other law, be prepared for the period from the first calendar day of the second month following month in which municipal elections are held to 30 June 2017.

VALUATION AND SUPPLEMENTARY ROLLS, RATES POLICIES AND BYLAWS, AND TARIFFS

6. (1) Section 89A and 90 of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004) must apply to incorporating municipalities *mutatis mutandis*.
- (2) In respect of merging municipalities, a new municipality must –
 - (a) continue to apply the property rates policy, property rates by – laws and property rates tariffs that are in force in the former area or areas of jurisdiction of the relevant merging municipalities which have been included in its area of jurisdiction;
 - (b) continue to apply the valuation roll and supplementary valuation roll that are in force in the former areas of jurisdiction of the relevant merging municipalities which have been included in its area of jurisdiction, together with any subsequent supplementary valuation rolls; and
 - (c) levy rates against property values as shown on the valuation roll or supplementary valuation rolls, until it causes a general valuation to be made a valuation roll to be prepared in terms of section 30 of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004).

(3) In applying valuation rolls and supplementary valuation rolls in terms of subsection (2), a new municipality may, notwithstanding section 19(1)(a) of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), impose different rates based on the different valuation rolls or supplementary valuation rolls, so that the amount payable in the rand on the market value of the property which is similar situated property is more or less the same.

ACTING APPOINTMENTS: MUNICIPAL MANAGERS AND SENIOR MANAGERS

7. In the event that the position of municipal manager, or one or more of the senior managers in a splitting or merging municipality becomes vacant at any time prior to the date of the elections –
 - (a) the splitting or merging municipality concerned may, with the prior written authority of the MEC, and subject to such terms and conditions as the MEC may deem fit, notwithstanding the provisions of any other law, appoint an acting municipal manager or acting senior manager or managers, as the case may be, for a period terminating not later than six months after the date of municipal elections; and
 - (b) the MEC must, in authorising an acting appointment, specify an acting allowance to be paid by the splitting municipality or merging municipality to the acting municipal manager or acting senior manager.

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