



THE PROVINCE OF MPUMALANGA  
DIE PROVINSIE MPUMALANGA

**Provincial Gazette  
Provinsiale Koerant**

**EXTRAORDINARY • BUITENGEWOON**

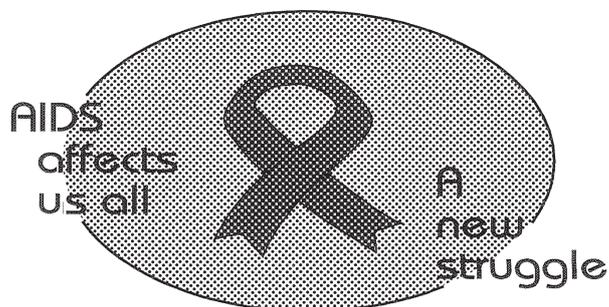
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**NELSPRUIT**  
12 FEBRUARY 2016  
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**No. 2648**

**We all have the power to prevent AIDS**



**AIDS  
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DEPARTMENT OF HEALTH

**Prevention is the cure**

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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](http://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

REMINDER

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](mailto: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.

**DISCLAIMER:**

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

National, Provincial, Road Carrier Permits and Tender notices will pay the price as published in the Government Gazettes.

For any information, please contact the eGazette Contact Centre on 012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS****NOTICE 25 OF 2016****LOCAL GOVERNMENT MUNICIPAL STRUCTURES ACT, 1998**

**NOTICE IN TERMS OF SECTION 14(5) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: TRANSITIONAL MEASURES TO FACILITATE INTEGRATED DEVELOPMENT PLANNING, BUDGETTING, THE PREPARATION OF FINANCIAL STATEMENTS, AND THE LEVYING OF RATES IN MUNICIPALITIES AFFECTED BY THE RE-DETERMINATION OF BOUNDARIES IN TERMS OF SECTION 21 OF THE LOCAL GOVERNMENT: MUNICIPAL DEMARCATION ACT, 1998**

I, Refilwe Maria Mtshweni, in my capacity as Member of the Mpumalanga Executive Council responsible for Co-operative Governance and Traditional Affairs and under powers vested in me by section 14(5) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), and after having consulted the affected municipalities in the Province, hereby provide for the transitional measures contained in the Schedule hereto.

Given under my Hand at **Mbombela** on this <sup>16</sup>04 day of February 2016



**MS R.M MTSHWENI (MPL)  
MEC: CO-OPERATIVE GOVERNANCE  
AND TRADITIONAL AFFAIRS**

## SCHEDULE

### 1. PREAMBLE

- (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), Mbombela and Umjindi Local Municipalities will be disestablished and their former areas of jurisdiction merged under a new local municipality to be established.
- (2) It is necessary to provide for transitional measures to assist a new local municipality and the 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 policies, rates by-laws and rates tariffs; and
- (3) The new local municipality will be established, and the existing 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.

### 2. DEFINITIONS

- (1). In this Schedule a word or expression 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 the Municipalities affected by redetermination of boundaries in terms of section 12 of the Local Government: Demarcation Act, 1998(Act No. 27 of 1998)

“**date of municipal elections**” means the date set by the national minister responsible for local government, in terms of section 24(2) of the Structures Act, for the election of all municipal councils in the Province;

“**Demarcation Act**” means the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998);

“**MEC**” means the Member of the Mpumalanga Provincial Executive Council responsible for local government;

“**merging municipalities**” means those municipalities that, following a re-determination of boundaries in terms of section 21 of the Demarcation Act, will be disestablished and their former areas of jurisdiction merged under new municipalities to be established, namely:

- (a) Mbombela Local Municipality;
- (b) Umjindi Local Municipality;

“**Political Change Management Committee**” means the political change management committee established in terms of Provincial Notice No. 507 of 2015

“**Technical Change Management Committee**” means the technical change management committee established in terms of either Provincial Notice No. 507 of 2015

“**new local municipality**” means the local municipality that will be established following a re-determination of boundaries in terms of section 21 of the Demarcation Act, comprising the former areas of jurisdiction of the merged municipalities;

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

### 3 INTEGRATED DEVELOPMENT PLANS

- (1) The affected municipalities must—
  - (a) Each review and adopt an Integrated Development Plan for the 2016/2017 municipal financial year for their individual existing areas of jurisdiction; which plans must be aligned with and complement each other in order to allow for the amendment and consolidation of the Integrated Development Plan;
  - (b) Together with the other affected municipality amend and consolidate the reviewed Integrated Development Plans for the 2016/2017 municipal financial year for adoption
- (2) The consolidated Integrated Development Plans for the 2016/2017 municipal year must be prepared for approval, firstly, by the Political Change Management Committee and thereafter by the relevant councils, provided that it must be referred to the MEC for a decision in the event of a dispute, whose decision will be final and binding on the affected municipalities.
- (3) **If the date of the municipal election falls on or before 30 June 2016**
  - (a) The individual reviewed Integrated Development Plans of the disestablish municipalities for the 2015/2016 municipal financial year will continue to apply within the former areas of jurisdiction of the merging municipality from the date of municipal elections until 30 June 2016, notwithstanding the disestablishment of those municipalities and notwithstanding the provisions of any other law; and
  - (b) The relevant consolidated Integrated Development Plan for the 2016/2017 municipal financial year will apply to the new local municipality, as from 1 July 2016, notwithstanding the provisions of any other law.
- (4) **If the date of municipal elections falls after 30 June 2016, then—**
  - (a) The individual reviewed Integrated Development Plans of the merging municipalities for the 2016/2017 municipal financial year will apply within the former areas of jurisdiction of the merging municipalities from 1 July 2016 until

the date of municipal elections, notwithstanding the provisions of any other law; and

- (b) The relevant reviewed consolidated Integrated Development Plans for the 2016/2017 municipal financial year will apply to the new local municipality, as from the first day following the date of municipal elections, notwithstanding the provisions of any other law.

#### 4. BUDGETS

- (1) The affected municipalities must–
  - (a) Each prepare and adopt a budget for the 2016/2017 municipal financial year for their existing areas of jurisdiction which budget shall take cognisance of the consolidated budget or budgets contemplated in paragraph (b) below and
  - (b) Together with the other affected municipality prepare a consolidated budget for the 2016/2017 municipal financial year comprising–
    - (i) The approved budgets of the merging municipalities.
    - (ii) Reconciliation to the individual budget for 2016/ 2017 municipal year
- (2) The individual and consolidated budget for the 2016/2017 municipal year must be prepared for approval, firstly, by the Political Change Management Committees and thereafter by the relevant councils, provided that it must be referred to the MEC for a decision in the event of a dispute, whose decision will be final and binding on the affected municipalities.
- (3) **If the date of municipal elections falls on or before 30 June 2016, then –**
  - (a) the individual budgets of the merging municipalities for the 2015/2016 municipal financial year shall continue to apply within the former areas of jurisdiction of the merging municipalities and the 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, referred to in item 5 above, shall apply to the relevant new municipality or incorporating municipality, notwithstanding the provisions of any other law, as from 1 July 2016.

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

(a) The individual budgets of the merging municipalities for the 2016/2017 municipal financial year shall apply within the former areas of jurisdiction of the merging municipalities, notwithstanding the provisions of any other law, from 1 July 2016 until the date of municipal elections; and

(b) The relevant consolidated budgets for the 2016/2017 municipal financial year shall apply to the new local municipality, notwithstanding the provisions of any other law, as from the first day following the date of municipal elections.

**5 FINANCIAL STATEMENTS**

(1) If the date of municipal elections falls before 30 June 2016 then separate financial statements for the merging municipalities for the 2015/2016 municipal financial year shall, notwithstanding disestablishment of those municipalities the provisions of any other law, be prepared for–

(a) The period from the date of municipal elections to 1 July 2016; and

(b) The period from the day following the date of municipal elections to 30 June 2017.

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

(a) Separate financial statements for the merging municipalities for the 2015/2016 municipal financial year shall, notwithstanding the provisions of any other law, be prepared for the period ending on the date of municipal elections; and

(b) Separate financial statements for the new municipalities and the incorporating municipalities shall, notwithstanding the provisions of any other law, be prepared for—

(i) the period from 1 July 2016 to the date of municipal elections; and

(ii) the period from the day following the date of municipal elections to 30 June 2017.

## **6 VALUATION ROLLS, RATES POLICIES AND BY-LAWS, AND TARIFFS**

1. Regardless of the date on which the elections fall—

(a) The rate policy, rate by-laws, valuation rolls and supplementary valuation rolls that are in force in the areas of jurisdiction of the merging municipalities shall continue to apply within the former areas of jurisdiction of those municipalities, notwithstanding the disestablishment of those municipalities and notwithstanding the provisions of any other law. In this regard—

(i) The rate policy and rate by-laws shall continue in force until the new municipality concerned is next required by law to review its rating policy and rating bylaw; and

(ii) The valuation roll and supplementary valuation roll shall remain in force until the new municipality concerned is required by law to update that roll; and

(b) The new local municipality shall continue to use the rate policy, rate by-laws, valuation roll or supplementary valuation roll referred to in sub-paragraph (a), and shall continue to levy rates against property values in a manner which is consistent with the relevant rating policy and rating by-laws.



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