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saKwaZulu-Natali

Ishicilelwe ngegunya
(Irejistiwe njengephephandaba eposihhovisi)

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ISAZISO SESIFUNDAZWE

276 Ukuhoxiswa kweSaziso No. 391 ka 2005 esashicilelwa ngosuku lwe-10 kuNdasa 2005, kanye neSaziso esingoNombolo 88, sika 2006, ezashicilelwa ngosuku lwama-26 kuMasingana 2006, kanye nokushintshwa kwazo ngokwesigaba 105(2) soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 422

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276 Withdrawal of Notice No. 391 of 2005 published on 10 March 2005, and Notices No. 88 of 2006 published on 26 January 2006, and replacement thereof in terms of section 105(2) of the Local Government: Municipal Systems Act, 2000 423

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PROVINSIALE KENNISGEWING

276 Terugtekking van Kennisgewing No. 391 van 2005 gepubliseer op 10 Maart 2005, en Kennisgewings No. 88 van 2006, gepubliseer op 26 Januarie 2006, en die vervanging daarvan ingevolge artikel 105(2) van die Wet op Plaaslike Regering: Munisipale Strukture, 2000 424

ISAZISO ZESIFUNDAZWE — PROVINCIAL NOTICE — PROVINSIALE KENNISGEWING

ISAZISO ezilandelayo sikhishelwe ulwazi lwawonkewonke.

USOLWAZI M. A. MCHUNU
uMqondisi-Jikelele

Natalia
Longmarket Street
Pietermaritzburg
14 kuNhlolanja 2006

THE following notice is published for general information.

PROFESSOR M. A. MCHUNU
Director-General

Natalia
Longmarket Street
Pietermaritzburg
14 February 2006

ONDERSTAANDE kennisgewing word vir algemene inligting gepubliseer.

PROFESSOR M. A. MCHUNU
Direkteur-generaal

Natalia
Langmarkstraat
Pietermaritzburg
14 Februarie 2006

No. 276, 2006 14 kuNhlolanja 2006

UMNYANGO WOHULUMENI BASEKHAYA KANYE NEZENDABUKO

UKUHOXISWA KWESAZISO NO. 391 KA 2005 ESASHICILELWA NGOSUKU LWE-10 KUNDASA 2005, KANYE NESAZISO ESINGUNOMBOLO 88 SIKA 2006, ESASHICILELWA NGOSUKU LWAMA-26 KUMASINGANA 2006, KANYE NOKUSHINTSHWA KWAZO NGOKWESIGABA 105(2) SOMTHETHO WEZINHLELO MASIPALA WOHULUMENI BASEKHAYA, 2000

MINA, Michael Mabuyakhulu, iLungu loMkhandlu oPhethe elibhekele oHulumeni baseKhaya, ezeziNdlu kanye nezeNdabuko, nangamandla engiwanikeziwe yisigaba 105(2) soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000), ngihoxisa iSaziso sesiFundazwe No. 391 sika 2005 esashicilelwa ngosuku lwe-10 kuNdasa 2005, kanjalo neSaziso sesiFundazwe esinguNombolo 88 esashicilelwa ngosuku lwama-26 kuMasingana 2006, futhi esikhundleni sazo ngifaka iSaziso esiqukethwe oHlelweni.

Sinikezwe ngaphansi kwesandla sami eMgungundlovu ngalolu suku lwe-9 kuNhlolanja, oNyakeni weziNkulungwane eziMbili nesiThupha.

UMNU. M. MABUYAKHULU, ILUNGU LEPHALAMENDE
iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali elibhekele ohulumeni basekhaya

UHLELO

Ngokwesigaba 105(2) soMthetho weziNhlelo zoMasipala woHulumeni baseKhaya, 2000 (uMthetho No. 32 ka 2000), sifundwa nezigaba 155(6) kanye no 155(7) zoMthethosisekelo weRiphabhuliki yaseNingizimu-Afrika, 1996, ulwazi oludingeka kulolu Hlelo, kumele luthunyelwe yibo bonke oMasipala abasesiFundazweni saKwaZulu-Natali kwiLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali elibhekele ohulumeni basekhaya ("iLungu loMkhandlu oPhethe"), maqondana nomphathi womasipala ngamunye, isekela lomphathi kamasipala ngalinye kanye nabo bonke abaphathi abanesibopho sokubika kumphathi kamasipala (bonke ababizwa ngokuthi "yiziphathimandla").

1. Ulwazi olulandelayo kumele lulethwe kabili ngonyaka, ngosuku lwama-30 kuNhlangulana nangosuku lwama-30 kuZibandlela unyaka nonyaka, maqondana neziphathimandla:

(1) Incazelo egcwele yesikhundla;

(2) Igama lomsebenzi;

(3) Izinga eliphezulu leMfundo anayo;

(4) Ikhophi yesivumelwano somsebenzi;

(5) Ikhophi yesivumelwano sokwenza umsebenzi obekiwe;

(6) Imininingwane yeholo ebandakanya –

(a) iholo lenyanga;

(b) noma yiziphi izinkokhelo kanye nemivuzo yomsebenzi; kanye

(c) nesamba semali esikhokhelwa umsebenzi ngonyaka.

2. Ulwazi olulandelayo olumaqondana neziphathimandla kumele lulethwe, zingakapheli izinsuku eziyishumi nane zanoma yisiphi isigameko esihlongoziwe ngezansi:

(1) Ukumiswa:

(a) Imininingwane egcwele ngokufika esinqumweni esikhishwe nguMkhandlu oPhethe noma uMkhandlu ngokumiswa kweziphathimandla;

(b) Imininingwane egcwele yanoma yimaphi amacala avuliwe noma amacala avuliwe alandelayo aqondene nesiphathimandla ngesikhathi senqubo yokuQondiswa kweziGwegwe;

(c) Imininingwane egcwele yemiphumela yenqubo yokuLalelwa kokuQondiswa kweziGwegwe uma kwenzeka kugcinwa imisebenzi yesiphathimandla; kanye

(d) Nemininingwane yanoma yikuphi okunye okuphathelene nalolu daba kanye nanoma yiziphi izinyathelo noma izinyathelo zokulungisa uMkhandlu ozithathile ngenxa yalokho;

(2) Ukuxoshwa:

(a) Imininingwane egcwele ngemiphumela yokuLalelwa kokuQondiswa kweziGwegwe noma ukuLalelwa okuphathelene nokuxoshwa emsebenzini kweziphathimandla, kubandakanya nanoma yiziphi izihlongozo ezenziwe noma ukuvumelana okwenzekile okuphathelene nokuxoshwa emsebenzini; kanye

(b) Nemininingwane egcwele yanoma yikuphi okunye okuphathene nodaba olubekiwe ngenhla nanganoma yiziphi izinyathelo eziqhubekayo noma izinyathelo zokulungisa uMkhandlu ozithathile ngenxa yalokho;

(3) Ukwesula emsebenzini:

(a) Usuku lokwesula emsebenzini;

(b) Izizathu zokwesula emsebenzini; kanye

(c) Nemininingwane egcwele yanoma yiziphi izihlongozo zokukhokhwa kwezimali ezenziwe noma izivumelwano ezithathiwe eziphathelene nokwesula emsebenzini; kanye

(4) Nokufa:

(a) Usuku lokufa.

3. Ulwazi oluhlongozwe kwimishwana 1 kanye no-2 kumele lungeniswe zingakapheli izinsuku eziyishumi nane zokushicilelwa kwalesi saziso, maqondana neziphathimandla ezaqokwa, ezamiswa, ezaxoshwa, ezasula emsebenzini noma ezashona ngonyaka ka 2004.

4. Ulwazi olulandelayo kumele lungeniselwe ukuze luvunywe yiLungu loMkhandlu oPhethe, ngaphambi kwanoma yiziphi izivumelwano zokukhokhwa kwezimali ezihlongozwe kwimishwana 2(2) noma 2(3)(c) ezenziwe neziphathimandla:

(a) ikhophi yesixazululo soMkhandlu esigunyaza izivumelwano zezimali;

(b) imininingwane egcwele yengqikithi yesivumelwano sokukhokhwa kwezimali;

(c) imininingwane egcwele yezinhlinzeko zomthetho ezimaqondana nesivumelwano sokukhokhwa kwezimali; kanye

(d) nezinhlinzeko zohlahlomali lukamasipala lwalowo nyaka, ngalesi sivumelwano sokukhokhwa kwezimali.

No. 276, 2006 14 February 2006

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

WITHDRAWAL AND REPLACEMENT OF NOTICE NO. 391 OF 2005, DATED 10 MARCH 2005 AND NOTICE NO. 88 OF 2006, DATED 26 JANUARY 2006, PUBLISHED IN TERMS OF SECTION 105(2) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000

I, Michael Mabuyakhulu, Member of the KwaZulu-Natal Executive Council responsible for Local Government, Housing and Traditional Affairs, and in terms of powers vested in me by section 105(2) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), hereby withdraw Provincial Notice No. 391 of 2005 dated 10 March 2005, as well as Provincial Notice No. 88 of 2006 dated 26 January 2006, and replace same with the Notice contained in the Schedule.

Given under my hand at Pietermaritzburg on this 9th day of February, Two thousand and Six.

MR M MABUYAKHULU, MPL
Member of the Executive Council for the Province of
KwaZulu-Natal responsible for local government

SCHEDULE

In terms of section 105(2) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), read with section 155(6) and 155(7) of the Constitution of the Republic of South Africa, 1996, the information required in this Schedule, must be submitted by all Municipalities within the Province of KwaZulu-Natal, to the Member of the Executive Council for the Province of KwaZulu-Natal responsible for local government ("the MEC"), in respect of each municipal manager, deputy municipal manager and all managers directly accountable to the municipal manager (collectively referred to as "the officials").

1. The following information must be submitted bi-annually, on 30 June and 30 December of each year, in respect of the officials:

(1) Full description of position;

(2) Name of the Incumbent;

(3) Highest academic qualification;

(4) Copy of employment contract;

(5) Copy of performance agreement;

(6) Details of remuneration including–

(a) Basic salary;

(b) Any allowances and service benefits; and

(c) The total cost to employer of the official's remuneration package.

2. The following information must be submitted in respect of the officials, within fourteen days of any event contemplated hereunder occurring:

(1) Suspensions:

(a) Full details giving rise to the decision by the Executive Committee or Council to suspend the officials;

(b) Full details of any charges or subsequent charges formulated against the officials during the Disciplinary Enquiry process;

(c) Full details of the outcome of the Disciplinary Hearing process in the case of the retention of the officials' services; and

(d) Full details on any other matters incidental to this issue and any further actions or corrective measures the Council may have taken as a consequence;

(2) Dismissals:

(a) Full details of the outcome of the Disciplinary Hearing or Hearings pertaining to a removal from Office of the officials, including any settlement proposals or agreements that may have been reached pertaining to termination of service; and

(b) Full details of any other matters incidental to the abovementioned issue and any further actions or corrective measures the Council may have taken as a consequence;

(3) Resignations:

(a) Date of resignation;

(b) Reasons for the resignation; and

(c) Full details of any settlement proposals or agreements that may have been reached pertaining to the resignation; and

(4) Death:

(a) Date of death.

3. The information contemplated in clauses 1 and 2 must be submitted retrospectively for the period 1 January 2004 to the present, within fourteen days of the date of publication of this notice, in respect of the officials who–

(a) were appointed;

(b) were suspended;

(c) were dismissed;

(d) resigned; or

(e) passed away.

4. The following information must be submitted for approval by the MEC, before any financial settlement or agreement contemplated in clauses 2(2)(a) or 2(3)(c) is concluded with the officials:

(a) a copy of the Council resolution authorising the financial settlement or agreement;

(b) the full details of the content of the financial settlement or agreement;

(c) full details of the legislative provisions in terms of which the financial settlement or agreement was concluded; and

(d) the provision on the budget of the municipality of that financial year, for such financial settlement or agreement.

No. 276, 2006 14 Februarie 2006

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE

TERUGTREKKING VAN KENNISGEWING NO. 391 VAN 2005 GEPUBLISEER OP 10 MAART 2005, EN KENNISGEWING NO. 88 2006, GEPUBLISEER OP 26 JANUARIE 2006, EN DIE VERVANGING DAARVAN INGEVOLGE ARTIKEL 105(2) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 2000

Ek, Michael Mabuyakhulu, lid van die KwaZulu-Natal Uitvoerende Raad vir Plaaslike Regering, Behuising en Tradisionele Sake, en kragtens die bevoegdheid aan my verleen by artikel 105(2) van die Wet op Plaaslike Regering: Munisipale Strukture, 2000 (Wet No. 32 van 2000), trek hierby Provinsiale Kennisgewing No. 391 van 2005 gepubliseer op 10 Maart 2005, asook Provinsiale Kennisgewing No. 88 van 2006 gepubliseer op 26 Januarie 2006 terug, en vervang dit met die kennisgewing in die bylae vervat.

Onder my hand gegee te Pietermaritzburg op hierdie 9de dag van Februarie, Tweeduisend-en-ses.

MNR. M. MABUYAKHULU, LPW
Lid van die Uitvoerende Raad vir die provinsie
KwaZulu-Natal verantwoordelik vir plaaslike regering

BYLAE

Ingevolge artikel 105(2) van die Wet op Plaaslike Regering: Munisipale Strukture, 2000 (Wet No. 32 van 2000), saamgelees met artikels 155(6) en 155(7) van die Grondwet van die Republiek van Suid-Afrika, moet die inligting in hierdie bylae vereis, deur alle munisipaliteite in die provinsie KwaZulu-Natal aan die lid van die Uitvoerende Raad vir plaaslike regering ("die LUR") voorgelê word ten opsigte van elke munisipale bestuurder, adjunk- munisipale bestuurder en alle bestuurders wat regstreeks teenoor die munisipale bestuurder verantwoordelik is (kollektief aangedui as "die amptenare").

1. Die volgende inligting moet twee keer per jaar, op 30 Junie en 30 Desember van elke jaar, ten opsigte van die amptenare voorsien word:

(1) Volledige posbeskrywing;

(2) Naam van posbekleër;

(3) Hoogste akademiese kwalifikasie;

(4) Afskrif van dienskontrak;

(5) Afskrif van prestasie-ooreenkoms;

(6) Besonderhede van vergoeding met inbegrip van –

(a) Basiese salaris;

(b) Enige toelaes/diensvoordele; en

(c) Die werkgewer se totale uitgawe met betrekking tot die amptenaar se vergoedingspakket.

2. Die volgende inligting moet ten opsigte van die amptenare voorgelê word binne veertien dae nadat die gebeurtenis hieronder vermeld, plaasgevind het:

(1) Skorsings:

(a) Volledige besonderhede wat aanleiding gegee het tot die besluit van die Uitvoerende Komitee of Raad om die amptenare te skors;

(b) Volledige besonderhede van enige aanklagte of daaropvolgende aanklagte wat tydens die dissiplinêre ondersoekproses teen die amptenare geformuleer is;

(c) Volledige besonderhede van die uitslag van die dissiplinêre ondersoek in die geval van die behoud van die amptenare se dienste; en

(d) Volledige besonderhede oor enige aangeleenthede wat met die saak verband hou en enige verdere optrede of korrektiewe maatreëls as wat die Raad as gevolg daarvan geneem het;

(2) Ontslag:

(a) Volledige besonderhede van die uitslag van die dissiplinêre verhoor of verhore wat met die ontslag van die amptenare verband hou, met inbegrip van enige skikkingsvoorstelle of ooreenkomste wat met betrekking tot diensbeëindiging bereik is; en

(b) Volledige besonderhede oor enige aangeleentheid wat met die bovermelde saak verband hou en enige verdere optrede of korrektiewe maatreëls wat die Raad as gevolg daarvan geneem het;

(3) Bedankings:

(a) Datum van bedanking;

(b) Rede vir die bedanking; en

(c) Volledige besonderhede van enige skikkingsvoorstelle of ooreenkomste wat met betrekking tot die bedanking bereik is; en

(4) Afsterwe:

(a) Datum van afsterwe.

3. Die inligting vermeld in klousules 1 en 2 ten opsigte van die amptenare wat aangestel is, geskors is, ontslaan is, bedank het of te sterwe gekom het gedurende 2004, moet met terugwerkende krag voorgelê word binne veertien dae na die datum van hierdie kennisgewing.

4. Die volgende inligting moet voorgelê word vir goedkeuring deur die LUR voordat enige finansiële skikking of ooreenkoms bedoel in klousules 2(2)(a) of 2(3)(c) met die amptenare gesluit word:

(a) 'n afskrif van die Raadsbesluit wat die finansiële skikking of ooreenkoms magtig;

(b) die volledige besonderhede van die finansiële skikking of ooreenkoms;

(c) volledige besonderhede van die wetgewende bepalings ingevolge waarvan die finansiële skikking of ooreenkoms gesluit is; en

(d) die voorsiening in die munisipaliteit se begroting van daardie jaar vir sodanige skikking of ooreenkoms.

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