



KWAZULU-NATAL PROVINCE
KWAZULU-NATAL PROVINSIE
ISIFUNDAZWE SAKWAZULU-NATALI

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27 kuNHLOLANJA 2015

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MUNICIPAL NOTICE—MUNISIPALE KENNISGEWING—ISAZISO SIKAMASIPALA

No. 33**27 February 2015****DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS****NOTICE IN TERMS OF SECTION 139(1)(c) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996, READ WITH THE PROVISIONS OF SECTION 35 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: APPOINTMENT OF AN ADMINISTRATOR OF THE MTUBATUBA MUNICIPALITY AND THE DETERMINATION OF THE POWERS AND FUNCTIONS OF THE ADMINISTRATOR**

I, Nomusa Dube-Ncube, in my capacity as Member of the KwaZulu-Natal Executive Council responsible for local government, and in terms of section 139(1)(c) of the Constitution of the Republic of South Africa, 1996, hereby –

(a) under powers vested in me by section 35(1) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), appoint Mr B Ndwandwe as the Administrator of the Mtubatuba Municipality (hereinafter referred to as “the Municipality”), with effect from 16 February 2015; and

(b) in accordance with the provisions of section 35(2) of the Local Government: Municipal Structures Act, 1998, determine that the Administrator must exercise and perform the following powers and functions:

- (i) undertake all executive functions of a municipal council;
- (ii) represent the Mtubatuba Municipality on the Council of the uMkhanyakude District Municipality;
- (iii) undertake all statutory executive functions of the Mayor;
- (iv) undertake the functions referred to in section 67(1)(h) and Schedule 2 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), read with any other relevant legislative provisions dealing with disciplinary matters, including criminal, disciplinary and civil action;
- (v) ratify all decisions taken by the Municipal Manager and section 57 managers in terms of delegated or original authority;
- (vi) devise a turnaround strategy for the Municipality;
- (vii) implement a system for the control and approval of all expenditure;
- (viii) ensure the implementation of financial systems, policies and procedures;
- (ix) ensure the implementation of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), including preparation of the valuation roll;
- (x) set out a specific strategy to address the Municipality’s financial problems, including a strategy to reduce unnecessary expenditure and to increase the collection of revenue;
- (xi) oversee all budgetary processes; and
- (xii) review the organisational structure of the Municipality.

Given under my Hand at Durban on this 19th day of February, Two Thousand and Fifteen.

MRS N DUBE-NCUBE, MPL

Member of the Executive Council of the Province of KwaZulu-Natal
responsible for Local Government

DEPARTMENT VAN SAMEWERKENDE REGERING EN TRADISIONELE SAKE

KENNISGEWING INGEVOLGE ARTIKEL 139(1)(c) VAN DIE GRONDWET VAN DIE REPUBLIEK VAN SUID-AFRIKA, 1996, GELEES MET DIE BEPALINGS VAN ARTIKEL 35 VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998: AANSTELLING VAN 'N ADMINISTRATEUR VAN DIE MTUBATUBA MUNISIPALITEIT, EN DIE BEPALING VAN DIE BEVOEGDHEDE EN WERKSAAMHEDE VAN DIE ADMINISTRATEUR

Ek, Nomusa Dube-Ncube, in my hoedanigheid as Lid van die KwaZulu-Natal Uitvoerende Raad verantwoordelik vir plaaslike regering, en ingevolge artikel 139(1)(c) van die Grondwet van die Republiek van Suid-Afrika, 1996 –

- (a) kragtens die bevoegdheede aan my verleen deur artikel 35(1) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), stel hiermee Mnr. B Ndwandwe aan as die Administrateur van die Mtubatuba Munisipaliteit (hierna verwys na as "die Munisipaliteit"), met inwerkingtreding vanaf 16 Februarie 2015; en
- (b) in ooreenstemming met die bepalings van artikel 35(2) of the Wet op Plaaslike Regering: Munisipale Strukture, 1998, bepaal hiermee dat die Administrateur die volgende bevoegdheede moet uitoefen en werksaamhede verrig:
- (i) alle uitvoerende werksaamhede van 'n munisipale raad onderneem;
 - (ii) die Mtubatuba Munisipaliteit verteenwoordig op die Raad van die uMkanyakude Distriksmunisipaliteit;
 - (iii) alle statutêre uitvoerende werksaamhede van die Burgemeester onderneem;
 - (iv) die werksaamhede onderneem soos vermeld in artikel 67(1)(h) en Bylae 2 van die Wet op Plaaslike Regering: Munisipale Strukture, 2000 (Wet No. 32 van 2000), gelees met enige ander tersaaklike wetgewende bepalings wat handel oor dissiplinêre aangeleenthede, ingesluit kriminele, dissiplinêre en siviele optrede;
 - (v) alle besluite geneem deur die Munisipale Bestuurder en artikel 57 bestuurders, ingevolge gedelegeerde of oorspronklike gesag, goedkeur;
 - (vi) 'n omkeerstrategie vir die Munisipaliteit ontwerp;
 - (vii) 'n stelsel vir die beheer en goedkeuring van alle besteding implementeer;
 - (viii) die implementering van finansiële stelsels, beleide en prosedures verseker;
 - (ix) die implementering van die Wet op Plaaslike Regering: Munisipale Eiendomsbelasting, 2004 (Wet No. 6 van 2007), verseker, ingesluit die voorbereiding van die waardasierol;
 - (x) 'n spesifieke strategie vir die aanspreek van die Munisipaliteit se finansiële probleme uiteensit, ingesluit 'n strategie vir die vermindering van onnodige besteding en om die invordering van belasting te verhoog;
 - (xi) alle begrotingsprosesse monitor; en
 - (xii) die organisatoriese struktuur van die Munisipaliteit hersien.

Gegee onder my Hand te Durban op hierdie 19de dag van Februarie, Tweeuisend-en-vyftien.

MEV N DUBE-NCUBE, LPW

Lid van die Uitvoerende Raad van die Provinsie van KwaZulu-Natal
verantwoordelik vir Plaaslike Regering

No. 33**27 kuNhlolanja 2015****UMNYANGO WEZOKUBUSA NGOKUBAMBISANA NEZOMDABU****ISAZISO NGOKWESIGABA 139(1)(c) SOMTHETHOSISEKELO WERIPHUBHULIKHI YASENINGIZIMU AFRIKA, 1996, SIFUNDWA NEZINHLINZEKO ZESIGABA 35 SOMTHETHO WEZINHLAKA ZOMASIPALA WOHULUMENI BASEKHAYA, 1998: UKUQOKWA KWESIKHULU SIKAMASIPALA WASEMTUBATUBA KANYE NOKUNQUNYWA KWAMANDLA NEMISEBENZI YASO**

Mina, Nomusa Dube-Ncube, ngokwesikhundla sami njengeLungu loMkhandlu oPhethe KwaZulu-Natali elibhekele ezohulumeni basekhaya, nangokwesigaba 139(1)(c) soMthethosisekelo weRiphubhuliki yaseNingizimu Afrika, 1996, ngalokhu –

- (a) ngaphansi kwamandla engiwanikezwe isigaba 35(1) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), ngiqoka uMnuz. B Ndwandwe njengesikhulu sikaMasipala waseMtubatuba (ngemuva kwalokhu ozobizwa “ngoMasipala”), kusukela mhla ziyi-16 kuNhlolanja 2015; futhi
- (b) ngokwezinhlinzeko zesigaba 35(2) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998, ngalokhu ngingquma ukuthi isikhulu kumele sisebenzise amandla aso futhi senze le misebenzi elandelayo:
- (i) ukwenza yonke imisebenzi eyabelwe uMkhandlu kaMasipala;
 - (ii) ukumela uMasipala waseMtubatuba eMkhandlwini kaMasipala wesiFunda saseMkhanyakude;
 - (iii) ukwenza yonke imisebenzi yezomthetho emiselwe ukwenziwa uSodolobha;
 - (iv) ukwenza imisebenzi okukhulunywe ngayo esigabeni 67(1)(h) nasoHlelweni 2 lo Mthetho, weziNhlelo zoMasipala, 2000 (uMthetho No. 32 ka 2000), sifundwa nanoma iziphi ezinye izinhlinzeko zomthetho eziphathelene nokuqondisa izigwegwe kubandakanya ubugebengu, kanye namacala aqulwa enkantolo;
 - (v) ukweseka zonke izinqumo ezithathwe uMphathi kaMasipala kanye nabaPhathi abaqokwe ngokwesigaba 57 kwakhe ngokwegunya abalinikeziwe noma abanalo;
 - (vi) ukusungula amasu okuletha uguquko kuMasipala;
 - (vii) ukuqalisa uhlelo lokulawula nokugunyaza zonke izindlela zokusetshenziswa kwezimali;
 - (viii) ukuqinisekisa ukuqaliswa kwezinhlelo zezezimali, zezinqubomigomo kanye nezinqubo;
 - (ix) ukuqinisekisa ukuqaliswa koMthetho wokuKhokha amaReyathi eziNdaweni ezingaphansi koMasipala, 2004 (uMthetho No. 6 ka 2004) kubandakanya ukuhlelwa komqulu wezilinganiso zamareyathi;
 - (x) ukusungula amasu aqondene ngqo nokubhekana nezinsalelo zokusetshenziswa kwezimali ezikhungethe uMasipala, kubandakanya amasu okunciphisa ukuchithwa kwezimali okungenasingo nokwenyusa ukuqoqwa kwengeniso;
 - (xi) ukulawula zonke izinhlelo eziphathelene nokusetshenziswa kwesabelomali; kanye
 - (xii) nokubuyekeza umumhlaka waMasipala.

Sikhishwe phansi kweSandla sami eThekwini ngalolu suku-19 kuNhlolanja, oNyakeni weziNkulungwane eziMbili neShumi naNhlanu.

NKK. N DUBE-NCUBE

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