

# Provincial Gazette Extraordinary

# Buitengewone Provinsiale Koerant

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**Proclamation No. 6/2004 has been withdrawn from Provincial Gazette 6133, dated 28 May 2004.**

**PROCLAMATION**

MUSEUMS ORDINANCE, 1975

NO. 7/2004

## ESTABLISHMENT OF THE WORCESTER PROVINCE-AIDED MUSEUM AS A PROVINCIAL MUSEUM

I, Zandisile Christopher Stali, being the Provincial Minister for Cultural Affairs, Sport and Recreation in the Western Cape and the competent authority contemplated by Proclamation No. 115, 1994 dated 17 June 1994 (Government Gazette No. 15813) to administer the Museums Ordinance, 1975 (Ordinance 8 of 1975), acting in terms of section 42(3) of that Ordinance establish with effect from 28 May 2004, the Worcester Province-aided Museum as a provincial museum and assign the name Worcester Provincial Museum.

Proclamation No. 104 dated 19 May 1961 is repealed.

Signed at CAPE TOWN this 24th day of May 2004.

ZANDISILE CHRISTOPHER STALI, MINISTER

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**PROKLAMASIE**

MUSEUMORDONNANSIE, 1975

NR. 7/2004

## STIGTING VAN WORCESTER PROVINSIE-ONDERSTEUNDE MUSEUM AS 'N PROVINSIALE MUSEUM

Ek, Zandisile Christopher Stali, in my hoedanigheid as Provinsiale Minister vir Kultuursake, Sport en Rekreasie in die Wes-Kaap en kragtens Proklamasie Nr. 115, 1994, gedateer 17 Junie 1994 (Staatskoerant Nr. 15813) die bevoegde gesag om die Museumordonnansie, 1975 (Ordonnansie 8 van 1975), uit te voer, handelende kragtens artikel 42(3) van dié Ordonnansie, stig met ingang van 28 Mei 2004 die Worcester Provinsie-ondersteunde Museum as 'n provinsiale museum en wys die naam Worcester Provinsiale Museum daaraan toe.

Proklamasie Nr. 104 gedateer 19 Mei 1961 word herroep.

Geteken te Kaapstad op die 24ste dag van Mei 2004.

ZANDISILE CHRISTOPHER STALI, MINISTER

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**PROCLAMATION**

MUSEUMS ORDINANCE, 1975

NO. 7/2004

IVOSTILE: UKUSEKWA KWEMYUZIYAMU YEPHONDO EVOSTILE NOKUBHANGISWA KWEMYUZIYAMU EKHOYO EXHASWA LIPHONDO

Mna Zandisile Christopher Stali onguMphathiswa weMicimbi yeNkcubeko, iMidlalo noLonwabo eNtshona Koloni nonamadla olawulo njengoko ebekiwe kwisiBhengezo se-115, sika-1994 somhla we-17 Juni 1994 (inombolo 15813 yeGazethi kaRhulumente), la mandla olawulo ngawokulawula uMthetho wePhondo weeMyuziyamu, ka-1975 (uMthetho wePhondo we-8 ka-1975) owasekwa ngokwemiqathango yecandelo 42(3) loMthetho wePhondo, ukususela ngo-28 Meyi 2004, iMyuziyamu yaseVostile exhaswa liPhondo isekwa njengeMyuziyamu yePhondo, ke ngoko ndiyinika igama likuba yiMyuziyamu yase Vostile yePhondo.

Ndirhoxisa isibhengezo se-104 esenziwa ngomhla we-19 Meyi ka-1961.

Oku kwenziwe eKAPA ngalo mhla we-24 ka Meyi we-2004.

ZANDISILE CHRISTOPHER STALI, MINISTER

**BREDE VALLEY MUNICIPALITY****TARIFF BY-LAWS****PREAMBLE**

**Whereas** section 74 of the Local Government: Municipal Systems Act No. 32 of 2000 requires a municipal council to adopt a tariff policy on the levying of fees for municipal services;

**And whereas** such policy was adopted by the Breede Valley Municipality on 1 July 2003.

**And whereas** section 75(1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) requires a municipal council to adopt by-laws to give effect to the implementation and enforcement of its tariff policy;

**Now therefore** the Municipal Council of the Breede Valley Municipality approves and adopt the following tariff by-laws:

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**BREDE VALLEY MUNICIPALITY****TARIFF BY-LAWS****1. Definitions**

In these by-laws, any word or expression to which a meaning has been assigned in the Act, must bear the same meaning and, unless inconsistent with the context—

**BREDEVALLEI MUNISIPALITEIT****TARIEFVERORDENINGE****AANHEF**

**Nademaal** artikel 74 van die die Wet op Plaaslike Regering: Munisipale Stelsels, No.32 van 2000, vereis dat 'n munisipale raad 'n tariefbeleid or die heffing van fooie vir munisipale dienste moet aanvaar;

**En Nademaal** so 'n beleid deur die Breedevallei Munisipaliteit op 1 Julie 2003 aanvaar is;

**En Nademaal** artikel 75(1) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) van 'n munisipale raad vereis om verordeninge aan te neem ten einde gevolg te gee aan die implementering en toepassing van sy tariefbeleid;

**Daarom** neem die Breedevallei Munisipaliteit die tariefverordeninge wat hierna volg, aan:

**INHOUDSOPGAWE**

1. WOORDOMSKRYWING
2. DOEL VAN HIERDIE VERORDENINGE
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4. KATEGORIË VAN VERBRUIKERS
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11. REGSKONFLIK
12. KORT TITEL

**BREDEVALLEI MUNISIPALITEIT****TARIEFVERORDENINGE****1. Woordomsrywings**

In hierdie verordening het 'n woord of uitdrukking waaraan 'n betekenis in die Wet geheg word daardie betekenis, en tensy uit die samehang anders blyk beteken—

“community services” means services that the Council has classified as such, in respect of which the tariffs have been calculated with the intention that the costs of the services cannot be recovered from public service charges and are of a regulatory nature;

“designated councillor” means the member of the municipal council responsible for financial matters in the municipality as contemplated in the Act;

“Municipality” means the Breede Valley Municipality;

“economic services” means services that the Council has classified as such, in respect of which the tariffs have been calculated with the intention that the total costs of the services are recovered from users;

“fixed costs” means costs, which do not vary with increased or decreased consumption or volume produced;

“flat rates” means the unit tariffs that do not relate to individual consumers, but are calculated by dividing the total costs by volume used by all the users together, subject to the flat rate;

“tariff policy” means the tariff policy of the Breede Valley Municipality approved by the Municipal Council in terms of section 74 of the Municipal Systems Act, 2000 (Act 32 of 2000);

“the Act” means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

“total cost” means the sum-total of all fixed and variable costs related to a service;

“trading services” means services that the Council has classified as trading services, in respect of which the tariffs have been calculated with the intention that the Council makes a profit on the delivery of the services;

“two-part tariffs” means tariffs that are determined to cover the fixed and variable costs of a service separately, where the fixed costs are calculated by dividing the total amount of fixed costs of the service by the number of customers per category, and the variable costs are calculated by dividing the total amount of variable costs by the volume consumed;

“units consumed” means the number of units of a particular service consumed and are measured in terms of the units of measurement contemplated in section 8 of this by-law;

“variable costs” means costs that vary with increased or decreased consumption or volume produced.

## 2. Purpose of these by-laws

The purpose of these by-laws is:

- (1) to comply with the provisions of section 75 of the Act;
- (2) to prescribe procedures for calculating tariffs where the Municipality wishes to appoint service providers in terms of section 76(b) of the Act; and
- (3) to serve as guidance to the designated councillor regarding tariff proposals that must be submitted to Council annually during the budget process.

## 3. Tariff principles

The following tariff principles based on the tariff policy set out in section 74(2) of the Act, apply to the levying of fees for municipal services:

- (a) all users of municipal services must be treated equitably in the application of tariffs and the various categories of users must consequently pay the same charges based on the same cost structure;
- (b) the amount payable must be in proportion to usage and based on the tariff structure adopted for the approved category of users;

“aangewese raadslid” die raadslid van die munisipale raad wat, soos deur die Wet beoog, verantwoordelik is vir die finansiële sake van die munisipaliteit;

“die Wet” die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet No. 32 van 2000);

“munisipaliteit” die Breedevallei Munisipaliteit;

“ekonomiese diens” die dienste wat deur die Raad as sodanig geklassifiseer is, en waarvan die tariewe sodanig bereken is dat die totale koste van die diens van die verbruikers verhaal kan word;

“gemeenskapsdienste” die dienste wat deur die Raad as sodanig geklassifiseer is, en waarvan die tariewe sodanig bereken is dat die koste van die dienste nie ten volle verhaal kan word nie en bloot van ’n regulerende aard is;

“handelsdienste” die dienste wat deur die Raad as handelsdienste geklassifiseer is, en waarvan die tariewe sodanig bereken is dat die Raad ’n wins by die lewering van die dienste maak;

“uniforme tarief” die tariewe wat nie verband hou met individuele verbruikers nie, maar wat bereken word deur die totale koste met die volume wat deur al die verbruikers gesamentlik verbruik, te deel;

“tariefbeleid” beteken die tariefbeleid van die Breedevallei Munisipaliteit wat ingevolge artikel 74 van die Wet op Munisipale Stelsels, 2000 (Wet 32 van 2000) goedgekeur is;

“totale koste” die somtotaal van al die vaste en veranderlike koste wat met ’n diens verband hou;

“twee-deeltariewe” tariewe wat afsonderlik gehê word om die vaste en veranderlike koste van ’n diens te dek, waar die vaste koste bereken word deur die totale bedrag van die vaste koste van die diens deur die aantal kliënte per kategorie te deel, en die veranderlike koste bereken word deur die totale bedrag van die veranderlike koste deur die volume wat verbruik is, te deel;

“vaste koste” koste wat nie met verhoogde of verminderde verbruik van volume geproduseer, verander nie;

“veranderlike koste” die koste wat met die verhoogde of verminderde verbruik of volume geproduseer, verander;

“verbruikte eenhede” die getal eenhede van ’n bepaalde diens wat verbruik is, en wat gemeet word ingevolge die meeteenhede wat in artikel 8 beoog word van hierdie by-wet.

## 2. Doel van hierdie verordeninge

Die doel van hierdie verordeninge is:

- (1) om aan die bepalings van artikel 75 van die Wet gevolg te gee;
- (2) om die prosedures vir die berekening van tariewe voor te skryf waar die munisipaliteit dit wenslik ag om diensverskaffers ingevolge artikel 76(b) van die Wet aan te stel; en
- (3) om te dien as riglyn vir die aangewese raadslid in verband met tariefvoorstelle wat jaarliks tydens die begrotingsproses aan die Raad voorgelê moet word.

## 3. Tariefbeginsels

Die volgende tariefbeginsels, gebaseer op die tariefbeleid uiteengesit in artikel 74(2) van die Wet, is van toepassing op die heffing van fooie vir munisipale dienste:

- (a) al die verbruikers van munisipale dienste moet op gelyke vlak by die toepassing van tariewe behandel word en die verskillende kategorieë moet gevolglik dieselfde koste wat op dieselfde kostestruktuur gebaseer is, betaal;
- (b) die bedrag betaalbaar moet in verhouding wees met verbruik en gebaseer wees op dieselfde kostestruktuur wat vir die goedgekeurde kategorie van verbruikers aanvaar is;

- (c) indigent households must have access to basic services through lifeline tariffs or direct subsidisation in accordance with the Council's indigent support policy as reflected as part of its Credit Control and Debt Collection Policy;
- (d) tariffs must reflect the total cost of services;
- (e) tariffs must be set at a level that facilitates the sustainability of services; and
- (f) sustainability must be achieved by ensuring that:
  - (i) cash inflows cover cash outflows, which means that sufficient provision for working capital or bad debts must be made; and
  - (ii) access to the capital market is maintained by providing for the repayment of capital, maintaining sufficient liquidity levels and making profits on trading services.
- (g) provision must be made in appropriate circumstances for a surcharge on a tariff if and when necessary for major breakdowns in infrastructure and periods of droughts when a restriction of usage is required;
- (h) efficient and effective use of resources must be encouraged by providing for penalties to prevent exorbitant use;
- (i) the extent of subsidisation of tariffs must be disclosed by publishing the true costs of the service and the level of subsidy as well as the source of the subsidy.

#### 4. Categories of users

- (1) The tariff structure of the Breede Valley Municipality must make provision for the following categories of users:
  - (a) domestic;
  - (b) commercial;
  - (c) industrial;
  - (d) agricultural;
  - (e) institutional
  - (f) rural;
  - (g) municipal; and
  - (h) users not falling in any of the above-mentioned categories and with whom special agreements have been entered into.
- (2) Where there is a substantial difference between the standard of services provided to a specified category of users, the Council may, after the presentation of an engineers report by the portfolio Councillor, determine differentiated tariffs within the specified category.

#### 5. Cost centres, classification of services, expenditure classification and cost elements

##### (1) Cost centres

To determine the total cost of services the Director Financial Services must create cost centres, based on the service and expenditure classification prescribed by the National Department of Finance and Executive Mayor of the council from time to time.

##### (2) Classification of services

Provision for the following classification of services must be made:

- (c) behoeftige huishoudings moet toegang hê tot basiese dienste deur middel van lewenslyn tariewe of direkte subsidiëring ooreenkomstig die Raad se beleid vir ondersteuning van behoeftiges, wat as deel van sy Kredietbeheer en Skuldinvorderingsbeleid weergegee word;
- (d) tariewe moet die totale koste van die diens weergee;
- (e) tariewe moet vasgestel word op 'n vlak wat die volhoubaarheid van die diens ondersteun;
- (f) volhoubaarheid moet haalbaar wees deur te verseker dat:
  - (i) kontantinvloei, die kontantuitvloei dek wat beteken dat voldoende voorsiening vir werkskapitaal of slegte skuld gemaak moet word; en
  - (ii) toegang tot die kapitale mark gehandhaaf word deur voorsiening te maak vir die terugbetaling van kapitaal, handhawing van voldoende likiditeitsvlakke en die winsneming op handelsdienste;
- (g) voorsiening vir 'n bobelasting op tariewe moet in gepaste gevalle gemaak word, indien en wanneer dit nodig is, gedurende 'n wesenlike ineenstorting van infrastruktuur en tydperke van droogtes wanneer beperkings in verbruik vereis word;
- (h) die behou en effektiewe gebruik van bronne moet aangemoedig word deur voorsiening te maak vir boetes om buitensporige gebruik te voorkom;
- (i) die omvang van subsidiëring van tariewe moet bekendgemaak word deur die ware koste van die diens en die vlak van die subsidie, asook die bron van die subsidie, openbaar te maak.

#### 4. Kategorië van verbruikers

- (1) Die tariefstruktuur van die Breedevallei Munisipaliteit moet voorsiening maak vir die volgende kategorië van verbruikers:
  - (a) huishoudelik;
  - (b) handel;
  - (c) industriëel;
  - (d) landbou;
  - (e) institusioneel;
  - (f) buitestedelik;
  - (g) munisipale; en
  - (h) verbruikers wat nie in enige van die bogenoemde kategorië val nie en met wie spesiale ooreenkomste aangegaan is.
- (2) Waar daar 'n wesenlike verskil tussen die standaard van dienste wat aan 'n bepaalde kategorie verbruikers gelewer word, kan die Raad, na die oorweging van 'n ingenieurs verslag deur die portefeulje raadslid, gedifferensieerde tariewe binne die bepaalde kategorie vasstel.

#### 5. Koste sentrums, klassifikasie van dienste, uitgaweklassifikasie en koste-elemente

##### (1) Koste sentrums

Ten einde die totale koste van 'n diens te bepaal, moet die Direkteur: Finansiële Dienste, koste sentrums skep wat gebaseer is op die diens- en uitgaweklassifikasie wat van tyd tot tyd deur die Nasionale Departement Finansies en die Uitvoerende Burgemeester vasgestel word.

##### (2) Klassifikasie van dienste

Voorsiening moet gemaak word vir die volgende klassifikasie van dienste:

**(a) Trading services**

- (i) Electricity
- (ii) Water
- (iii) Parking

**(b) Economic services**

- (i) Refuse removal
- (ii) Sewerage Disposal
- (iii) Recreation Resorts

**(c) Community services**

- (i) Air pollution
- (ii) Building control
- (iii) Cemeteries
- (iv) Childcare facilities
- (v) Control of public nuisances
- (vi) Control of undertakings that sell liquor to the public
- (vii) Facilities for accommodation, care and burial of animals
- (viii) Fencing and fences
- (ix) Fire fighting services
- (x) Fixed billboards and the display of advertisements in public places
- (xi) Licensing and control of undertakings that sell food to the public
- (xii) Licensing of dogs
- (xiii) Local amenities
- (xiv) Local sport facilities
- (xv) Local tourism
- (xvi) Municipal parks and recreation
- (xvii) Municipal planning
- (xviii) Municipal public works, only in respect of the needs of the municipality in the discharge of its responsibilities and to administer functions specially assigned to it under the Constitution or any other law
- (xix) Municipal roads
- (xx) Noise pollution
- (xxi) Pounds
- (xxii) Public places
- (xxiii) Storm-water management system in built-up areas
- (xxiv) Street trading/street lighting
- (xxv) Trading regulations
- (xxvi) Traffic

**(a) Handelsdienste**

- (i) Water
- (ii) Elektrisiteit
- (iii) Parkering

**(b) Ekonomiese dienste**

- (i) Vullisverwydering
- (ii) Rioolverwydering
- (iii) Ontspannings/Vakansieoorde

**(c) Gemeenskapsdienste**

- (i) Begraafplase
- (ii) Beheer oor ondernemings wat alkohol aan die publiek verkoop
- (iii) Beheer oor openbare ergenis
- (iv) Boubeheer
- (v) Brandbestrydingsdienste
- (vi) Fasiliteite vir akkomodasie, sorg en begrawe van diere
- (vii) Geraasbesoedeling
- (viii) Handelsregulasies
- (ix) Kindersorgfasiliteite
- (x) Lisensiëring en beheer oor ondernemings wat voedsel aan die publiek verkoop
- (xi) Lisensiëring van Honde
- (xii) Lugbesoedeling
- (xiii) Munisipale Bepanning
- (xiv) Munisipale openbare werke, slegs ten opsigte van die behoeftes van die munisipaliteit in die uitvoering van sy verantwoordelikhede en om die pligte wat spesiaal aan die Munisipaliteit toegeken is deur die Grondwet of enige ander wet, te verrig
- (xv) Munisipale Paaie
- (xvi) Munisipale Parke en Ontspanning
- (xvii) Omheinings en Heininge
- (xviii) Openbare Plekke
- (xix) Plaaslike Geriewe
- (xx) Plaaslike Sportfasiliteite
- (xxi) Plaaslike Toerisme
- (xxii) Skutte
- (xxiii) Stormwater bestuurstelsel in opgeboorde gebiede
- (xxiv) Straathandel/straatbeligting
- (xxv) Vaste advertensieborde en die vertoning van advertensies in openbare plekke
- (xxvi) Verkeer en Parkering

**(d) Subsidised services**

- (i) Health and ambulance.
- (ii) Libraries and museums.

**(3) Expenditure classification**

Expenditure must be classified as follows:

- (a) Salaries, wages and allowances;
- (b) Bulk purchases;
- (c) General expenditure;
- (d) Repairs and maintenance;
- (e) Capital charges (interest and redemption)/depreciation;
- (f) Contribution to fixed assets;
- (g) Contribution to funds:
  - (i) Bad debts;
  - (ii) Working capital; and
  - (iii) Statutory funds.
- (h) Contribution to reserves;
- (i) Gross expenditure; (total of (a) to (h) above)
- (j) Less charge-out;
- (k) Net expenditure; (gross less charge out)
- (l) Income; and
- (m) Surplus/Deficit (income less net expenditure)

**(4) Cost elements**

The following cost elements must be used to calculate the tariffs of the different services:

- (a) Fixed costs, which consist of the capital costs (interest and redemption) on external loans as well as internal advances and or depreciation, whichever are applicable on the service and any other costs of a permanent nature as determined by the Council from time to time.
- (b) Variable cost: This includes all other variable costs that have reference to the service.
- (c) Total cost is equal to the fixed cost plus variable cost.

**6. Deposits**

The raising of deposits is permissible where certain levies are made in arrears and payable with application for relevant service:

- (a) Electricity: Two times the average monthly consumption of the past 3 months with a minimum as determined annually.
- (b) Water: Two times the average monthly consumption of the past 3 months with a minimum as determined annually.
- (c) Rental: Equal to monthly rental
- (d) Other services: As and when required.

**(d) Gesubsidieerde dienste**

- (i) Gesondheids- en ambulansdienste
- (ii) Biblioteke en museums

**(3) Uitgeweklassifikasie**

Uitgawes moet as volg geklassifiseer word:

- (a) Salaris, lone en toelaes;
- (b) Massa aankope;
- (c) Algemene Uitgawes
- (d) Herstel en onderhoud
- (e) Kapitale uitgawes (Rente en delging)/waardevermindering;
- (f) Bydrae tot vaste bates;
- (g) Bydrae tot fondse:
  - (i) Slegte skulde
  - (ii) Werkkapitaal
  - (iii) Statutêre fondse
- (h) Bydrae tot reserwes;
- (i) Bruto uitgawes; (totaal van (a) tot (h) hierbo)
- (j) Min uitbesteding;
- (k) Netto uitgawes; (Bruto min uitbesteding)
- (l) Inkomste; en
- (m) Surplus/Tekort (Inkomste min netto uitgawes)

**(4) Koste elemente**

Die volgende koste- elemente moet aangewend word om die tariewe van die verskillende dienste te bereken:

- (a) Vaste koste wat bestaan uit die kapitale koste (rente en delging) of waardevermindering op eksterne lenings asook interne voorskotte en ander waardevermindering wat ook al van toepassing is op die diens, en enige ander koste van 'n permanente aard soos van tyd tot tyd deur die Raad bepaal.
- (b) Veranderlike koste: Dit sluit alle ander koste in wat op die diens betrekking het.
- (c) Totale koste is gelyk aan die vaste koste plus veranderlike koste.

**6. Deposito's**

Die heffing van deposito's is toelaatbaar waar sekere heffings in agterstallige betaalbaar met aansoek op toepaslike diens:

- (a) Elektrisiteit: Dubbel die maandelikse verbruik van die voorafgaande drie maande met 'n minimum soos jaarliks bepaal word.
- (b) Water: Dubbel die gemiddelde maandelikse verbruik van die voorafgaande drie maande, met 'n minimum soos jaarliks bepaal word.
- (c) Huurgeld: Gelykstaande aan maandelikse huur.
- (d) Ander dienste: Soos en wanneer benodig.

**7. Tariff types**

- (1) In setting service charges the Council must:
- accurately reflect costs to achieve economic efficiency;
  - ensure equity and fairness between different types of consumers;
  - utilise appropriate metering and supporting technology; and
  - be transparent.
- (2) In determining the type of tariff applicable to the type of service the Council must make use of the following five options or a combination thereof:
- Single tariff:** This tariff shall consist of a fixed cost per unit consumed. All costs will therefore be recovered through unit charges at the level of breakeven consumption. Profits on trading services may be allowed subject to Council approval.
  - Cost related two to four parts tariff:** This tariff shall consist of two to four parts. Management, capital, maintenance and operating costs will be recovered by grouping certain components together e.g. management, capital and maintenance costs may be grouped together and be recovered by a fixed charge, independent of consumption for all classes of consumers, while the variable costs may be recovered by a unit charge per unit consumed. The two-part tariff will only be used to determine tariffs for holiday resorts while three and four part tariffs will be used to calculate the tariff for electricity.
  - Inclining block tariff:** This tariff is based on consumption levels being categorised into blocks, the tariff being determined and increased as consumption levels increase. This tariff will only be used to prohibit the exorbitant use of a commodity. The first step in the tariffs will be calculated at break-even point. Subsequent steps will be calculated to yield profits and to discourage excessive use of the commodity.
  - Declining block tariff:** This tariff is the opposite of the inclining block tariff and decreases as consumption levels increase. This tariff will only be implemented during the existence of special agreements.
  - Stepped tariff:** This tariff is based on consumption levels being categorized in blocks. All levels will however be available to all consumers contrary to the block tariffs. It shall only be used to yield profits and to discourage excessive use of the commodity.
  - Availability charges:** Payable in respect of erven not connected to Council's infrastructure. Once Council provided a connection, normal tariffs as per respective service are payable.
  - Outside Municipal Area:** These tariffs shall apply to consumers who are not residing within the municipal boundaries but are making use, on application, of certain services.
  - Recoverable work:** These tariffs shall apply to consumers who are making use, on application, of certain recoverable services. The tariff will be calculated at actual cost plus a surcharge as determined with the actual tariffs.

**8. Unit of measurement**

The following units of measurement must, where possible, be used to determine tariffs:

**7. Tipe tariewe**

- (1) By die neerlê van tariewe moet die Raad:
- die koste om ekonomiese doeltreffendheid te bereik, akkuraat aandui;
  - billikheid en redelikheid tussen die verskillende tipe van verbruikers verseker;
  - toepaslike meting en onderhoudstechnologie gebruik; en
  - deursigtig wees.
- (2) By die bepaling van die tipe tarief van toepassing op die tipe diens, moet die Raad gebruik maak van die volgende vyf opsies of 'n kombinasie daarvan:
- Enkeltarief:** Hierdie tarief moet uit 'n vaste bedrag per eenheid gebruik bestaan. Alle kostes moet dus deur eenheidsheffings op die vlak van gelykbreekverbruik verhaal word. Winste op handelsdienste kan, behoudens die Raad se goedkeuring, toegelaat word.
  - Kosteverbandhoudende twee-tot-vier-dele tarief:** Hierdie tarief bestaan uit twee tot vier dele. Bestuur, kapitaalkoste, onderhoud en bedryfskoste word deur sekere komponente saam te groepeer en deur 'n vaste en veranderlike heffings te verhaal. Bestuur, kapitaalkoste en onderhoud kan saamgevoeg word en deur 'n vaste heffing ongeag verbruik van alle kategorië verbruikers verhaal word terwyl die veranderde koste deur 'n eenheidskoste per eenheid verbruik, verhaal word. Die twee-deel tarief mag slegs gebruik word vir vakansieoorde terwyl drie- en vier-deel tariewe gebruik moet word om die tarief vir elektrisiteit te bereken.
  - Stygende bloktarief:** Hierdie tarief is gebaseer op verbruikersvlakke wat in blokke gekategoriseer is, die tarief synde bepaal en verhoog te word soos wat verbruikersvlakke verhoog. Hierdie tarief moet slegs gebruik word om die buitensporige verbruik van 'n kommoditeit te beperk. Die eerste trap in die tariewe moet bereken word op die gelykbreek punt. Daaropvolgende trappe moet bereken word om winste te maak en om oormatige verbruik van die kommoditeit te beperk.
  - Afnemende bloktarief:** Hierdie tarief is die teenoorgestelde van die stygende bloktarief en neem af soos wat verbruikersvlakke verhoog. Hierdie tarief sal geïmplimenter word tydens die ontstaan van spesiale ooreenkomste.
  - Trapvormige tarief:** Hierdie tarief is gebaseer op verbruikersvlakke wat in blokke gekategoriseer is. Alle vlakke moet egter, anders as die bloktariewe, aan alle verbruikers beskikbaar wees. Die tarief word slegs gebruik om winste te maak en om oormatige verbruik van die kommoditeit te ontmoedig.
  - Beskikbaarheid heffings:** Betaalbaar met betrekking tot erwe wat nie aan die Raad se infrastruktuur gekoppel is nie. Sodra die Raad 'n konneksie voorsien is die normale tarief soos per onderskeie diens betaalbaar.
  - Buite die munisipale gebied:** Hierdie tariewe sal van toepassing wees op verbruikers wie nie binne die munisipale grense woonagtig is nie, maar wie op aansoek van sekere dienste gebruik maak.
  - Verhaalbare werk:** Hierdie tariewe sal van toepassing wees op verbruikers wie op aansoek van sekere verhaalbare dienste gebruik maak. Die tarief sal gereken word op werklike koste plus 'n bobelasting soos by die werklike tariewe bepaal word.

**8. Metingseenheid**

Die volgende metingseenhede moet, waar moontlik, gebruik word om tariewe te bepaal:



**(1) Water**

Water meters will be read and levied on a monthly basis unless the service is rendered through a pre-payment device:

- (a) Cost per unit (kilolitres consumed).
- (b) Basic cost plus cost per unit charge (kilolitres consumed).
- (c) A flat rate will be applied when consumption is not measured.

**(2) Electricity**

Electricity meters will be read and levied on a monthly basis unless the services is rendered through a pre-payment device:

- (a) Maximum demand plus fixed costs plus kWh consumed.
- (b) Fixed costs plus kWh consumed.
- (c) KWH consumed.
- (d) Gigawatt.

**(3) Refuse removal**

Annual amount levied is due and payable with September account. On written request the amount may be raised monthly. The levy is payable by the registered owner and recoverable with clearance certificate:

- (a) Plastic bags per week/day (volume).
- (b) Containers per week (volume).

**(4) Sewerage**

Annual amount levied is due and payable with September account. On written request the amount may be raised monthly. The levy is payable by the registered owner and recoverable with clearance certificate:

- (a) Percentage of water consumption.
- (b) Percentage of water consumption plus costs for strength of disposal.
- (c) Basic charge:
  - (i) based on the area of the property and fixed cost associated with the service.
  - (ii) based on the number of properties within those categories of customers and variable costs of the service.
- (d) Additional charge:
  - (i) based on the area of the property and variable costs of the services.
  - (ii) based on the number of properties within those categories of customers and variable costs of the service.
- (e) When area of the property or number of properties is not available, a flat rate, based on the average consumption per categories of consumers, will be applicable.

**(1) Water**

Water meters sal op 'n maandelikse basis gelees en gehef word, behalwe waar die dienste deur middel van 'n vooraf-betaalstelsel, gelewer word.

- (a) Koste per eenheid (kiloliters verbruik).
- (b) Basiese koste plus koste per eenheidsheffing (kiloliters verbruik).
- (c) 'n uniforme tarief.

**(2) Elektrisiteit**

Elektrisiteit meters sal op 'n maandelikse basis gelees en gehef word, behalwe waar die diens deur middel van 'n voorafbetaal stelsel gelewer word.

- (a) Maksimum aanvraag plus vaste koste plus kWh verbruik.
- (b) Vaste koste plus kWh verbruik.
- (c) KWH verbruik.
- (d) Gigawatt verbruik.

**(3) Vullisverwydering**

Die jaarlikse heffing is betaalbaar met die rekening van September. Die bedrag kan op skriftelike versoek in maandelikse paaielemente gehef word. Die heffing is betaalbaar deur die geregistreerde eienaar en verhaalbaar met die uitklaringsertifikaat.

- (a) Plastiese sakke per week (volume).
- (b) Houers per week (volume).

**(4) Riool**

Die jaarlikse heffing is betaalbaar met die rekening van September. Die bedrag kan op skriftelike versoek in maandelikse paaielemente gehef word. Die heffing is betaalbaar deur die geregistreerde eienaar en verhaalbaar met die uitklaringsertifikaat.

- (a) Persentasie van water gebruik.
- (b) Persentasie van water gebruik plus koste vir sterkte van afsetting.
- (c) Basiese heffing—
  - (i) gebaseer op die grootte van die eiendom en vaste koste verbonde aan die diens;
  - (ii) gebaseer op die aantal eiendomme binne daardie kategorie van verbruikers en veranderlike koste van die diens.
- (d) Bykomstige heffing:
  - (i) gebaseer op die grootte van die eiendom en veranderlike koste van die diens;
  - (ii) gebaseer op die aantal eiendomme binne daardie kategorie van verbruikers en veranderlike koste van die diens.
- (e) Wanneer die grootte van die eiendom nie beskikbaar is nie, moet 'n uniforme tarief gebaseer op die gemiddelde storting per kategorie van verbruikers, van toepassing gemaak word.

**(5) Assessment Rate**

Assessment rate is calculated taking into account the total net expenditure from the other services less the revenue envisaged based on the total rateable valuations. The assessment rate must be calculated in such a manner that the Council realise a net surplus when adopting its tariffs.

Assessment rates are calculated according to valuation of property. Council may differentiate between improvement and land value and between categories of customers by either levy a surcharge or a rebate. Annual amount levied due and payable with September account. On written request the amount may be raised monthly. The levy is payable by the registered owner and recoverable with clearance certificate.

**(6) Social benefits**

- (a) To measure social benefits enjoyed by the community, the standards as set out in the tables here-under, shall be used to achieve cost recovery and to measure service delivery.
- (b) These measures must be used:
  - (i) to ensure that the service is affordable to Council, households and businesses;
  - (ii) to determine whether the infrastructure provided is managed effectively; and
  - (iii) to indicate whether any of the services should be curtailed.
- (c) Measures indicated, should be calculated annually and used as a guideline to ensure meaningful reporting. Actual unit costs must be compared with budgeted costs.

FUNCTION	UNIT OF OUTPUT	CLASSIFICATION BY COUNCIL
Airfields	Number of landings	Subsidised
Art Gallery and Museum	Number of attendance	Community
Borough Engineering	Population Percentage of Municipal expenditure	Community
Building Section	Number of plans submitted Value of buildings Municipal value of buildings	Subsidised
Caravan Park	Number of bookings Number of sites	Subsidised
Cemeteries	Number of burials Number of graves	Subsidised
City and other halls	Number of bookings Area per population	Subsidised
Cleansing, refuse removal and disposal	Number of cubic meters Number of tons Number of removals Number of living units Kilometres travelled Cost per m <sup>3</sup> removed Income per m <sup>3</sup> removed Cost per kilometre travelled Income per kilometre travelled	Economic
Corporate Services	Number of municipal staff Percentage of total expenditure	Community (charged out)
Council general	Population Percentage of total expenditure	Community (charged out)

**(5) Eiendomsbelasting**

Eiendomsbelasting word bereken met die in ag neming van die totale netto uitgawe van die ander dienste, minus die verwagte inkomste, gebaseer op die totale belasbare waardasies. Die eiendomsbelasting moet bereken word so dat die Raad 'n netto surplus kan bewerkstellig wanneer die tarief aanvaar word.

Eiendomsbelasting word bereken ooreenkomstig die waardasie van die eiendom. Die Raad mag 'n onderskeiding tref tussen verbeterings en grond waarde en tussen die kategorieë van gebruikers deur of 'n bobelasting of afslag te hef. Die jaarlikse heffing is betaalbaar met die rekening van September. Die bedrag kan op skriftelike versoek in maandelikse paaientente gehef word. Die heffing is betaalbaar deur die geregistreerde eienaar en verhaalbaar met die uitklaringsertifikaat.

**(6) Maatskaplike voordele**

- (a) Om die maatskaplike voordele wat deur die gemeenskap geniet word, te meet, moet die standaard wat in die tabelle hieronder uiteengesit is, gebruik word om kosteverhaling te bereik en om dienslewering te meet.
- (b) Hierdie maatreëls moet gebruik word om:
  - (i) te verseker dat die diens vir beide die Raad en huishoudings bekostigbaar is;
  - (ii) te bepaal of die infrastruktuur wat voorsien is behoorlik bestuur word; en
  - (iii) om aan te dui of enige van die dienste ingekort moet word.
- (c) Die aangeduide maatreëls moet jaarliks bereken word en moet gebruik word as 'n riglyn om sinvolle verslaggewing te verseker. Werklike eenheidskoste moet met begrote koste vergelyk word.

FUNKSIE	EENHEID BY LEWERING	KLASSIFIKASIE DEUR DIE RAAD
Begraafplase	Aantal begrafnisse Aantal grafte	Gesubsidiëer
Behuising (verkoop en verhuur van skemas)	Aantal wooneenhede	Ekonomies
Bemarking	Aantal nywerheidseiendomme Aantal nywerhede	Gemeenskap
Biblioteke	Aantal uitreikings Aantal lede Getal boeke in voorraad	Gemeenskap
Brandweer	Aantal uitroepe Aantal eiendomme	
Bou Afdeling	Getal planne voorgelê Waarde van geboue Munisipale waarde van geboue	Gesubsidiëer
Direkteur: Finansies	Aantal munisipale personeel Persentasie van munisipale uitgawe	Gemeenskap
Elektrisiteit	Aantal eenhede gekoop Aantal eenhede verkoop Persentasie verlies in verspreiding Aankoopkoste per eenheid Koste per eenheid verkoop Inkomste per eenheid Getal verbindings Koste per verbinding Lengte van hoofleidings	Handel
Gesondheid • Klinieke • Ander	Aantal besoeke	Gemeenskap

Electricity	Number of units purchased Number of units sold Percentage loss in distribution Purchase cost per unit Cost per unit sold Income per unit Number of connections Cost per connection Length of mains	Trading
Estates Properties held for future development	Number of properties	Economic
	Area Number of properties	Community
Financial Services	Number of municipal staff Percentage of municipal expenditure	Community (charged out)
Fire	Number of call-outs Number of properties	
Grant-in-aid	Percentage of rates income	Community
Health • Clinics • Other	Number of attendance	Community
Housing (Selling and letting schemes)	Number of dwellings	Economic
Libraries	Number of issues Number of members Number of books in stock	Community
Licensing	Number of licenses	Subsidised
Marketing	Number of industrial properties Number of industries	Community
Municipal Manager	Number of municipal staff Percentage of municipal expenditure	Community
Organisation and methods	Number of municipal staff Percentage turnover rate	Community
Parking	Number of bays	Trading
Parks and recreation	Area of developed parks Number of living units	Community
Personnel administration	Number of municipal staff Number of appointments Percentage turnover rate	Community
Properties held for future development	Area Number of properties	Community
Railway Sidings	Frontage of users Number of users	Subsidised
Road and Stormwater (including sidewalks)	Length of roads Area of roads	Community
Security and District Management	Number of installations Area covered	Community
Sewerage reticulation (disposal)	Number of connections Area served Length of mains Sewerage purified Cost per meg litre purified	Economic
Stores	Number of issues Number of stock items held Value of issue Value of stock Number of direct purchases Average percentage of turnover stock per annum	Economic (fully charge out)
Street cleaning	Length of street Area of streets	Economic
Street Lighting	Number of street lighting	Trading
Swimming pools	Number of attendance	Subsidised

Hoewes Eiendomme wat vir toekomstige ontwikkeling gehou word	Aantal eiendomme	Ekonomies
	Gebied Aantal eiendomme	Gemeenskap
Hulpverlening	Persentasie van belastinginkomste	Gemeenskap
Karavaanpark	Aantal besprekings Aantal terreine	Gesubsidiëer
Kunsgalery en Museum	Aantal bywonings	Gemeenskap
Lisensiëring	Getal lisensies	Gesubsidiëer
Lughawens	Aantal landings	Gesubsidiëer
Munisipale bestuurder	Aantal munisipale personeelle Persentasie van munisipale uitgawe	Gemeenskap
Pad en SWD (insluitende sypaadjies)	Lengte van paaie Oppervlakte van paaie	Gemeenskap
Parke en ontspanning	Grootte van ontwikkelde parke Aantal leefeenhede	Gemeenskap
Parkering	Aantal parkeerinhamme	Handel
Personeel administrasie	Aantal munisipale personeelle Aantal aanstellings Persentasie omset	Gemeenskap
Raad algemeen	Bevolking Persentasie van totale uitgawe	Gemeenskap
Riool retikulاسie (afsetting)	Aantal verbindings Gebied bedien Lengte van hoofleidings Riool gesuier Koste per mega liter gesuier	Ekonomies
Sekuriteit en Distriksbestuur	Aantal installasies Oppervlakte gedek	Gemeenskap
Skoonmaak, vullisverwydering en beskikking	Aantal kubieke meters Tonnamaat Aantal verwyderings Getal wooneenhede Kilometers gereis Koste per m <sup>3</sup> verwyder Inkomste per m <sup>3</sup> verwyder Koste per kilometer gereis Inkomste per kilometer gereis	Ekonomies
Spoorweg sylyne	Front van verbruikers Aantal verbruikers	Gesubsidiëer
Stadsbeplanning	Aantal eiendomme in jurisdiksie gebied	Gemeenskap
Stads- en ander sale	Aantal besprekings Gebied per inwoertal	Gesubsidiëer
Stadsingenieur	Bevolking Persentasie munisipale uitgawes	Gemeenskap
Stadsekretaris	Aantal munisipale personeel Persentasie van totale uitgawes	Gemeenskap
Store	Aantal uitreikings Waarde van uitreikingsitems in voorraad Waarde van uitreikings Waarde van voorraad Aantal direkte aankope Gemiddelde persentasie van omset van voorraad per jaar	Ekonomies (ten volle uitbestee)
Straatbeligting	Aantal straatligte	Handel
Straatskoonmaak	Lengte van strate Oppervlakte van strate	Ekonomies
Swembaddens	Aantal bywonings	Gesubsidiëer
Verkeer	Lengte van paaie Aantal geregistreerde voertuie Getal dienste verrig Koste per diens Herstel van diens	Gemeenskap
Waardasies	Aantal eiendomme	Gemeenskap

Town Engineering	Population Percentage of Municipal expenditure	Community
Town Planning	Number of properties in area of jurisdiction	Community
Town secretary	Number of municipal staff Percentage of total expenditure	Community
Traffic	Length of roads Number of registered vehicles Number of services issued Cost per service Recovery of service	Subsidised
Valuations	Number of properties Percentage of municipal valuations	Community
Water	Number of units purchased Number of units sold Percentage loss in distribution Purchase cost per unit Cost per unit sold Income per unit Number of connections Cost per connection Income per connection Length of mains Kiloliters purified Cost per kiloliter purified	Trading

Watervoorsiening	Aantal eenhede gekoop Aantal eenhede verkoop Persentasie verlies in verspreiding Aankoopkoste per eenheid Koste per eenheid verkoop Inkomste per eenheid Aantal verbindinge Koste per verbinding Inkomste per verbinding Lengte van hoofleidings Kiloliters gesuiwer Koste per kiloliter gesuiwer	Handel
Werkstudie	Aantal munisipale personeellede Persentasie omset	Gemeenskap

#### 9. Determination, notice of tariffs, fees and levies and objections

The council may—

- (1) by resolution, supported by a majority of the members of the council, levy and recover levies, fees, taxes and tariffs, in respect of any function or service of the municipality;
- (2) from time to time, by resolution, amend or withdraw such determination and determine a date, not earlier than 30 days from date of the resolution, on which such determination, amendment or withdrawal shall come into operation and
- (3) recover any charges so determined or amended, including interest on any outstanding amount.
- (4) After a resolution as contemplated in paragraph 9(2) has been passed, the municipal manager of the municipality shall forthwith cause to be conspicuously displayed, at a place installed for this purpose at the offices of the municipality, as well as at such other places within the area of jurisdiction of the municipality as may be determined by the municipal manager, a notice stating—
  - (a) the general purport of the resolution;
  - (b) the date on which the determination or amendment shall come into operation;
  - (c) the date on which the notice is first displayed; and
  - (d) that any person who desires to object to such determination or amendment shall do so in writing within 14 days after the date on which the notice is first displayed.
- (5) Where—
  - (a) no objection is lodged within the period referred to in paragraph 9(4)(d) the determination or amendment shall come into operation as contemplated in paragraph 9(2);
  - (b) an objection is lodged within the period referred to in paragraph 9(4)(d), the municipality shall consider every objection and may amend or withdraw the determination or amendment and may determine a date

#### 9. Vastelling, kennisgewing van tariewe, fooie en heffings en besware

Die Raad mag—

- (1) deur middel van 'n resoluksie, wat deur die meerderheid van die raadslede ondersteun word, tariewe, fooie en heffings (hieronder kostes genoem), met betrekking tot enige funksie of diens wat deur die munisipaliteit gelewer word, hef en invorder;
- (2) van tyd tot tyd deur middel van 'n raadsbesluit sodanige kostes verander of intrek en 'n datum vasstel, wat nie vroeër as 30 dae vanaf die datum van die raadsbesluit is nie, waarop sodanige vasstelling, wysiging of intrekking in werking sal tree;
- (3) enige kostes, wat sodanig vasgestel of gewysig is, insluitende rente op enige uitstaande bedrae, verhaal.
- (4) Nadat 'n resoluksie soos beskrywe in paragraaf 9(2) aangeneem is, laat die hoof uitvoerende beamppte van die munisipaliteit onverwyld 'n kennisgewing ooglopend vertoon, op 'n plek wat vir die doel ingerig is, by die munisipale kantore sowel as op ander plekke binne die regsgebied van die munisipaliteit wat die hoof uitvoerende beamppte bepaal waarin—
  - (a) die algemene strekking van sodanige resoluksie uiteengesit word;
  - (b) die datum vermeld word waarop die vastelling of wysigings in werking tree;
  - (c) die datum vermeld word waarop die kennisgewing vir die eerste keer vertoon is; en
  - (d) vermeld word dat enige persoon wat teen sodanige vasstelling of wysiging beswaar wil maak, dit skriftelik moet doen binne 14 dae vanaf die datum waarop die kennisgewing vir die eerste keer vertoon is.
- (5) Waar—
  - (a) geen beswaar binne die tydperk in paragraaf 9(4)(d) bedoel, geopper is nie, tree die vasstelling of wysiging in werking soos in paragraaf 9(2) be-oog;
  - (b) 'n beswaar binne die tydperk bedoel in paragraaf 9(4)(d) geopper is, oorweeg die munisipaliteit elke beswaar en kan die vasstelling of wysiging wysig of intrek, en mag 'n ander datum as die in paragraaf 9(4)

other than the date contemplated in paragraph 9(2) on which the determination or amendment shall come into operation, whereupon paragraph 9(5)(b) shall with the necessary changes apply.

#### 10. Phasing in of tariffs, fees and levies

- (1) The council must annually consider the methods by which tariffs, fees and levies will be calculated and by resolution amend its tariff policy.
- (2) Where the newly calculated tariffs, fees and levies differ substantially from the current tariffs council may resolve to phase in the differences over a period of time.

#### 11. Conflict of law

- (1) When interpreting any provision of these by-laws, any interpretation which is reasonable and consistent with the objectives of the Act as set out in Chapter 8, Part 1, on Service Tariffs, must be preferred over any alternative interpretation which is inconsistent with these objectives.
- (2) If there is any conflict between these by-laws and any other by-laws of the Council relating to tariffs, these by-laws shall prevail.

#### 12. Short title

These by-laws are called the Tariff By-laws of the **Breede Valley Municipality**.  
7009

beoog, bepaal waarop die vasstelling of wysiging in werking tree, waarna paragraaf 8(5)(b) met die nodige veranderinge van toepassing is.

#### 10. Infassering van tariewe, fooie en heffings

- (1) die Raad moet jaarliks die metode waarby tariewe, fooie en heffings vasgestel word oorweeg en by wyse van 'n raadsbesluit die tariefbeleid van die raad aanpas.
- (2) Waar die nuut berekende tariewe, fooie en heffings substansieel van die huidige tariewe verskil, kan die Raad besluit om die verskille oor 'n periode van tyd in te fasseer.

#### 11. Regskonflik

- (1) By die uitleg van enige bepaling van hierdie verordeninge, word enige uitleg wat redelik en bestaanbaar is met die doelwitte van die Wet soos uiteengesit in Artikel 8, Deel 1, oor Dienstariewe, verkies bo enige alternatiewe uitleg wat met daardie doelwitte onbestaanbaar is.
- (2) Indien daar enige konflik tussen hierdie verordeninge en enige ander verordeninge van die Raad betreffende tariewe is, sal hierdie verordeninge die deurslag gee.

#### 12. Kort titel

Hierdie verordeninge heet die Tarief Verordeninge van die **Breedevallei Munisipaliteit**.  
7009

*SOUTH AFRICA FIRST –*  
BUY SOUTH AFRICAN  
MANUFACTURED GOODS

*SUID-AFRIKA EERSTE –*  
KOOP SUID-AFRIKAANS  
VERVAARDIGDE GOEDERE

*SOUTH AFRICA FIRST –*  
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