THE PROVINCE OF THE TRANSVAAL
DIE PROVINSIE TRANSVAAL

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Vol. 236 PRETORIA, 30 APRIL 1993 No. 4910

## Proclamation

### PROCLAMATION

**No. 46 (Administrator's), 1993**

INTERIM MEASURES FOR LOCAL GOVERNMENT ACT, 1991 (ACT No. 128 OF 1991)

CITY COUNCIL OF PIETERSBURG AND MANAGEMENT COMMITTEES OF NIRVANA AND WESTENBURG

I, Daniël Jacobus Hough, Administrator of the Transvaal, under section 16 (1), read with sections 14 and 15, of the Interim Measures of Local Government Act, 1991 (Act No. 128 of 1991), hereby, with the concurrence of the Minister of Local Government and National Housing, make the enactments in the Schedule.

Given under my Hand at Pretoria this Twenty-seventh day of April, One thousand Nine hundred and Ninety-three.

**D. J. HOUGH,**
Administrator of the Transvaal.

**SCHEDULE**

**Establishment of single local authority**

**1.** A new single local authority, called the City Council of Pietersburg, shall hereby be established as contemplated in section 8 (f) of the Interim Measures for Local Government Act, 1991, with effect from the date upon which this Proclamation shall come into operation (hereinafter referred to as the effective date), consisting of all the members of the City Council of Pietersburg and the Management Committees of Nirvana and Westenburg, which new City Council shall be deemed to be a local authority in terms of the Local Government Ordinance, 1939 (Ordinance No. 17 of 1939).

**Dissolution of local government bodies**

**2.** The City Council of Pietersburg and the Management Committees of Nirvana and Westenburg are hereby dissolved on the effective date.

## Proklamasie

### PROKLAMASIE

**No. 46 (Administrateurs-), 1993**

WET OP TUSSENTYDSE MAATREËLS VIR PLAASLIKE OWERHEDE, 1991 (WET No. 128 VAN 1991)

STADSRAAD VAN PIETERSBURG EN BESTUURSKOMITEES VAN NIRVANA EN WESTENBURG

Ek, Daniël Jacobus Hough, Administrateur van Transvaal, kragtens artikel 16 (1), saamgelees met artikels 14 en 15 van die Wet op Tussentydse Maatreëls vir Plaaslike Regering, 1991 (Wet No. 128 van 1991), vaardig hierby, met die instemming van die Minister van Plaaslike Regering en Nasionale Behuising, die maatreëls in die Bylae uit.

Gegee onder my Hand te Pretoria, op hierdie Seweën-twintigste dag van April Eenduisend Negehonderd Drie-en-negentig.

**D. J. HOUGH,**
Administrateur van Transvaal.

**BYLAE**

**Instel van enkele plaaslike owerheid**

**1.** 'n Nuwe enkele plaaslike owerheid, genoem die Stadsraad van Pietersburg, word hierby, soos beoog in artikel 8 (f) van die Wet op Tussentydse Maatreëls vir Plaaslike Regering, 1991, vanaf die datum van die inwerkingtreding van hierdie Proklamasie (hieronder die effektiewe datum genoem) ingestel, bestaande uit al die lede van die Stadsraad van Pietersburg, en die Bestuurskomitees van Nirvana en Westenburg, welke nuwe Stadsraad geag word 'n plaaslike owerheid ingevolge die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie No. 17 van 1939), te wees.

**Ontbinding van plaaslike owerheidsliggame**

**2.** Die Stadsraad van Pietersburg en die Bestuurskomitees van Nirvana en Westenburg word hierby op die effektiewe datum ontbind.

**Nirvana and Westenburg deemed to be wards of Pietersburg**

**3.** The areas for which the Management Commitees of Nirvana and Westenburg were established, as defined in the Schedule to Administrator's Notice No. 1146 of 11 July 1984 and Schedule 1 of Administrator's Notice No. 912 of 4 August 1976 respectively, shall, notwithstanding the provisions of the Municipal Elections Ordinance, 1970 (Ordinance No. 16 of 1970), and the Local Government (Extension of Powers) Ordinance, 1962 (Ordinance No. 22 of 1962), for the purposes of this Proclamation, from the effective date each be deemed to be undivided wards, named Nirvana and Westenburg respectively, within the municipal area of the City Council of Pietersburg.

**Councillors, Mayor and Deputy Mayor**

**4.** All die Councillors, the Mayor and the Deputy Mayor of the dissolved City Council of Pietersburg shall from the effective date for the purposes of this Proclamation be deemed to be the Councillors, the Mayor and the Deputy Mayor of the new City Council of Pietersburg.

**Members of Management Committees of Nirvana and Westenburg deemed to be Councillors**

**5.** (a) The five members of the dissolved Management Committees of Nirvana and Westenburg respectively shall from the effective date for the purposes of this Proclamation all be deemed to be Councillors of the City Council of Pietersburg to represent the said wards of Nirvana and Westenburg respectively on the City Council of Pietersburg until the next general election of Councillors in the Province of the Transvaal takes place.

(b) Notwithstanding paragraph (a) only the following Counillors of Nirvana and Westenburg may vote on the City Council of Pietersburg and they may be elected to serve in any capacity on the City Council of Pietersburg:

(i) Mister Rashid Ahmed Khan (Nirvana); and

(ii) Mister Lambert Peter Verveen (Westenburg).

(c) If any Councillor who in terms of paragraph (b) has the right to vote, for whatever reason ceases to hold office as Councillor, the remaining Councillors of the wards of Nirvana or Westenburg, as the case may be, shall appoint from amongst themselves a non-voting member who may vote on the City Council of Pietersburg.

(d) If no further non-voting Councillors for either the ward of Nirvana or the ward of Westenburg remain who may be appointed in terms of paragraph (c), a by-election shall be held in accordance with section 30 (5) of the Municipal Elections Ordinance, 1970, in order to ensure that the wards of Nirvana and Westenburg are each always represented by one voting member.

**Allowances of Councillors**

**6.** All the Councillors of the wards of Nirvana and Westenburg shall receive after the effective date the same allowances as the other Councillors of the City Council of Pietersburg.

**Nirvana en Westenburg geag wyke van Pietersburg te wees**

**3.** Die gebiede waarvoor die Bestuurskomitees van Nirvana en Westenburg ingestel is, soos onderskeidelik omskryf in Administrateurskennisgewing No. 1146 van 11 Julie 1984 en Administrateurskennisgewing No. 912 van 4 Augustus 1976, word, ondanks die bepalings van die Ordonnansie op Munisipale Verkiesings, 1970 (Ordonnansie No. 16 van 1970), en die Ordonnansie op Plaaslike Bestuur (Uitbreiding van Bevoegdhede), 1962 (Ordonnansie No. 22 van 1962), by die toepassing van hierdie Proklamasie, vanaf die effektiewe datum elk geag onverdeelde wyke, onderskeidelik genoem Nirvana en Westenburg, binne die munisipale gebied van die Stadsraad van Pietersburg, te wees.

**Raadslede, Burgemeester en Onderburgemeester**

**4.** Al die Raadslede, die Burgemeester en die Onderburgemeester van die ontbinde Stadsraad van Pietersburg word vanaf die effektiewe datum, by die toepassing van hierdie Proklamasie, geag die Raadslede, die Burgemeester en die Onderburgemeester van die nuwe Stadsraad van Pietersburg te wees.

**Lede van Bestuurskomitees van Nirvana en Westenburg geag Raadslede te wees**

**5.** (a) Die vyf lede van die ontbinde Bestuurskomitees van Nirvana en Westenburg word onderskeidelik almal vanaf die effektiewe datum by die toepassing van hierdie Proklamasie geag Raadslede van die Stadsraad van Pietersburg te wees om die gemelde wyke van Nirvana en Westenburg onderskeidelik op die Stadsraad van Pietersburg te verteenwoordig totdat die volgende algemene verkiesing van Raadslede in die provinsie van Transvaal plaasvind.

(b) Ondanks paragraaf (a) kan slegs die volgende Raadslede van Nirvana en Westenburg op die Stadsraad van Pietersburg stem, en kan hulle verkies word om in enige hoedanigheid op die Stadsraad van Pietersburg te dien:

(i) Meneer Rashid Ahmed Khan (Nirvana); en

(ii) Meneer Lambert Peter Verveen (Westenburg).

(c) Indien enige Raadslid wat ingevolge paragraaf (b) kan stem om welke rede ook al ophou om die amp van Raadslid te beklee, wys die oorblywende Raadslede van die wyke van Nirvana of Westenburg, na gelang van die geval, uit hul geledere 'n nie-stemgeregtigde lid aan wat op die Stadsraad van Pietersburg kan stem.

(d) Indien daar nie meer nie-stemgeregtigde Raadslede vir óf die wyk van Nirvana óf die wyk van Westenburg oorbly wat ingevolge paragraaf (c) aangewys kan word nie, moet 'n tussenverkiesing ooreenkomstig artikel 30 (5) van die Ordonnansie op Munisipale Verkiesings, 1970, gehou word ten einde te verseker dat die wyke van Nirvana en Westenburg altyd deur een stemgeregtigde lid elk verteenwoordig word.

**Toelae aan Raadslede**

**6.** Al Raadslede van die wyke van Nirvana en Westenburg ontvang na die effektiewe datum dieselfde toelae as die ander Raadslede van die Stadsraad van Pietersburg.

**Management Committee**

**7.** The Management Committee of the dissolved City Council of Pietersburg, as it existed before the effective date, shall for the purposes of this Proclamation be deemed to be the Management Committee of the new City Council of Pietersburg.

**Voters' rolls**

**8.** The voters' rolls that were compiled for the areas of Nirvana and Westenburg respectively under regulation 18 (1) of the Regulations in connection with the constitution of Management Committees and matters incidental thereto, promulgated in Schedule 11 by Administrator's Notice No. 912 of 4 August 1976, read with Administrator's Notice No. 1146 of 11 July 1984 (hereinafter referred to as the Regulations), shall for the purposes of this Proclamation be deemed to be voters' rolls compiled by the City Council of Pietersburg in terms of section 17 of the Municipal Elections Ordinance, 1970, until the said City Council has in terms of the said section 17 caused new voters' rolls to be prepared for the wards of Nirvana and Westenburg respectively.

**Representation on Regional Services Council**

**9.** The representation which the dissolved Management Committees of Nirvana and Westenburg had before the effective date in terms of the Regional Services Councils' Act, 1985 (Act No. 109 of 1985), on the Northern Transvaal Regional Services Council shall continue to exist after the effective date as if the Management Committees of Nirvana and Westenburg were never dissolved under paragraph 2 of this Proclamation, and any vacancy which arise on the said Northern Transvaal Regional Services Council as a result of the vacation of his office by a Councillor for either the ward of Nirvana or the ward of Westenburg, shall be filled by a Councillor who represents the wards of Nirvana or Westenburg, as the case may be, on the City Council of Pietersburg, and who has been appointed by the Councillors of the relevant ward.

**Transfer of assets, liabilities, rights and obligations**

**10.** All assets, liabilities, rights and obligations of the dissolved City Council of Pietersburg and the dissolved Management Committees of Nirvana and Westenburg shall hereby after the effective date be transferred to the new City Council of Pietersburg.

**Decisions, by-laws and regulations**

**11.** All decisions taken by the dissolved City Council of Pietersburg and the dissolved Management Committees of Nirvana and Westenburg, and all by-laws and regulations of the said local government bodies shall after the effective date, be deemed to be decisions, by-laws and regulations of the new City Council of Pietersburg.

**Suspension of laws**

**12.** Sections 3 to 9 and 28 of the Municipal Elections Ordinance, 1970, in respect of the wards of Nirvana and Westenburg and the Regulations shall for the purposes of this Proclamation be suspended until the next general election of Councillors in the Province of the Transvaal takes place.

**Date of operation**

**13.** This Proclamation shall come into operation on 1 May 1993.

**Bestuurskomitee**

**7.** Die Bestuurskomitee van die ontbinde Stadsraad van Pietersburg, soos dit voor die effektiewe datum bestaan het, word by die toepassing van hierdie Proklamasie geag die Bestuurskomitee van die nuwe Stadsraad van Pietersburg te wees.

**Kieserslyste**

**8.** Die kieserslyste wat onderskeidelik vir die gebiede van Nirvana en Westenburg opgestel is kragtens regulasie 18 (1) van die Regulasies in verband met die samestelling van Bestuurskomitees en sake wat daarmee in verband staan, afgekondig in Bylae 11 by Administrateurskennisgewing No. 912 van 4 Augustus 1976, gelees met Administrateurskennisgewing No. 1146 van 11 Julie 1984 (hieronder die Regulasies genoem), word by die toepassing van hierdie Proklamasie geag kieserslyste te wees wat ingevolge artikel 17 van die Ordonnansie op Munisipale Verkiesings, 1970, deur die Stadsraad van Pietersburg opgestel is, totdat die gemelde Stadsraad kragtens gemelde artikel 17 nuwe kieserslyste vir onderskeidelik die wyke van Nirvana en Westenburg laat opstel.

**Verteenwoordiging op Streeksdiensteraad**

**9.** Die verteenwoordiging wat die ontbinde Bestuurskomitees van Nirvana en Westenburg voor die effektiewe datum ingevolge die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985), op die Noord-Transvaal Streeksdiensteraad gehad het, bly voortbestaan na die effektiewe datum asof die Bestuurskomitees van Nirvana en Westenburg nooit kragtens paragraaf 2 van hierdie Proklamasie ontbind is nie, en enige vakature wat op die genoemde Noord-Transvaal Streeksdiensteraad ontstaan as gevolg van die ontruiming van sy amp deur 'n Raadslid van óf die wyk van Nirvana óf die wyk van Westenburg word gevul deur 'n Raadslid wat die wyk van Nirvana of Westenburg, na gelang van die geval, op die Stadsraad van Pietersburg verteenwoordig en wat deur die Raadslede van die betrokke wyk aangewys word.

**Oordra van bates, laste, regte en verpligtinge**

**10.** Alle bates, laste, regte en verpligtinge van die ontbinde Stadsraad van Pietersburg en die ontbinde Bestuurskomitees van Nirvana en Westenburg word hierby na die effektiewe datum aan die nuwe Stadsraad van Pietersburg oorgedra.

**Besluite, verordeninge en regulasies**

**11.** Alle besluite wat deur die ontbinde Stadsraad van Pietersburg en die ontbinde Bestuurskomitees van Nirvana en Westenburg geneem is, en alle verordeninge en regulasies van die gemelde plaaslike owerheidsliggame word na die effektiewe datum geag besluite, verordeninge en regulasies van die nuwe Stadsraad van Pietersburg te wees.

**Opskorting van wette**

**12.** Artikels 3 tot 9 en 28 van die Ordonnansie op Munisipale Verkiesings, 1970, word ten opsigte van die wyke van Nirvana en Westenburg en die Regulasies vir die doeleindes van hierdie Proklamasie opgeskort totdat die volgende algemene verkiesing van Raadslede in die provinsie van Transvaal plaasvind.

**Datum van inwerkingtreding**

**13.** Hierdie Proklamasie tree op 1 Mei 1993 in werking.

LB.



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