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No. 4935

Proclamation

PROCLAMATION

No. 71 (Administrator's), 1993

INTERIM MEASURES FOR LOCAL GOVERNMENT ACT, 1991 (ACT No. 128 OF 1991): TOWN COUNCIL OF RUSTENBURG AND MANAGEMENT COMMITTEES OF KARLIENPARK AND ZINNIIVILLE

I, Daniël Jacobus Hough, Administrator of the Transvaal, under section 16 (1), read with sections 14 and 15 of the Interim Measures for 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 Fourth day of August, 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 Town Council of Rustenburg, 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 Town Council of Rustenburg and the Management Committees of Karlienpark and Zinniaville, which new Town 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 Town Council of Rustenburg and the Management Committees of Karlienpark and Zinniaville are hereby dissolved on the effective date.

Proklamasie

PROKLAMASIE

No. 71 (Administrateurs-), 1993

WET OP TUSSENTYDSE MAATREËLS VIR PLAASLIKE REGERING, 1991 (WET No. 128 VAN 1991): STADSRaad VAN RUSTENBURG EN BESTUURSKOMITEES VAN KARLIENPARK EN ZINNIIVILLE

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 Vierde dag van Augustus 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 Rustenburg, 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 Rustenburg, en die Bestuurskomitees van Karlienpark en Zinniaville, 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 Rustenburg en die Bestuurskomitees van Karlienpark en Zinniaville word hierby op die effektiewe datum ontbind.

Karlienkamp and Zinniaville deemed to be wards of Rustenburg

3. The areas for which the Management Committees of Karlienkamp and Zinniaville were established, as defined in Proclamation No. 41 of 18 March 1977 and the Schedule to Administrator's Notice No. 1146 of 11 July 1984 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 Karlienkamp and Zinniaville respectively, within the municipal area of the Town Council of Rustenburg.

Councillors, Mayor and Deputy Mayor

4. All the Councillors, the Mayor and the Deputy Mayor of the dissolved Town Council of Rustenburg 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 Town Council of Rustenburg.

Members of dissolved Management Committees of Karlienkamp and Zinniaville deemed to be Councillors

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

(b) Notwithstanding paragraph (a) only the following Councillors of Karlienkamp and Zinniaville may vote on the Town Council of Rustenburg and they may be elected to serve in any capacity on the Town Council of Rustenburg:

- (i) Mister Clyde Mervin du Preez (Karlienkamp); and
- (ii) Mister Abdul Gaffar Abba (Zinniaville).

(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 Karlienkamp or Zinniaville as the case may be, shall appoint from amongst themselves a non-voting member who may vote on the Town Council of Rustenburg.

(d) If no further non-voting Councillors for either the ward of Karlienkamp or the ward of Zinniaville 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 Karlienkamp and Zinniaville are each always represented by one voting member.

Allowances of councillors

6. All the Councillors of the wards of Karlienkamp and Zinniaville shall receive after the effective date the same allowances as the other Councillors of the Town Council of Rustenburg.

Karlienkamp en Zinniaville geag wyke van Rustenburg te wees

3. Die gebiede waarvoor die Bestuurskomitees van Karlienkamp en Zinniaville ingestel is, soos onderskeidelik omskryf in Proklamasie No. 41 van 18 Maart 1977 en die Bylae by Administrateurskennisgewing No. 1146 van 11 Julie 1984 word, ondanks die bepalings van die Ordonnansie op Munisipale Verkiegings, 1970 (Ordonnansie No. 16 van 1970), en die Ordonnansie op Plaaslike Bestuur (Uitbreiding van Bevoegdheede), 1962 (Ordonnansie No. 22 van 1962), by die toepassing van hierdie Proklamasie, vanaf die effektiewe datum elk geag onverdeelde wyke, onderskeidelik genoem Karlienkamp en Zinniaville, binne die munisipale gebied van die Stadsraad van Rustenburg, te wees.

Raadslede, Burgemeester en Onderburgemeester

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

Lede van ontbinde Bestuurskomitees van Karlienkamp en Zinniaville geag Raadslede te wees

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

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

- (i) Meneer Clyde Mervin du Preez (Karlienkamp); en
- (ii) Meneer Abdul Gaffar Abba (Zinniaville).

(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 Karlienkamp of Zinniaville na gelang van die geval, uit hul geledere 'n nie-stemgeregtigde lid aan wat op die Stadsraad van Rustenburg kan stem.

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

Toelae aan Raadslede

6. Al die Raadslede van die wyke van Karlienkamp en Zinniaville ontvang na die effektiewe datum dieselfde toelae as die ander Raadslede van die Stadsraad van Rustenburg.

Management Committee

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

Voters' rolls

8. The voters' rolls that were compiled for the areas of Karlienpark and Zinniaville 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 Town Council of Rustenburg in terms of section 17 of the Municipal Elections Ordinance, 1970, until the said Town Council has in terms of the said section 17 caused new voters' rolls to be prepared for the wards of Karlienpark and Zinniaville respectively.

Representation on Regional Services Council

9. The representation which the dissolved Management Committees of Karlienpark and Zinniaville had before the effective date in terms of the Regional Services Council's Act, 1985 (Act No. 109 of 1985), on the Rustenburg-Marico Services Council shall continue to exist after the effective date as if the Management Committees of Karlienpark and Zinniaville were never dissolved under section 2 of this Proclamation, and any vacancy which arises on the said Rustenburg-Marico Services Council as a result of the vacation of his office by a Councillor for either the ward of Karlienpark or the ward of Zinniaville, shall be filled by a Councillor who represents the wards of Karlienpark or Zinniaville, as the case may be, on the Town Council of Rustenburg, 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 Town Council of Rustenburg and the dissolved Management Committees of Karlienpark and Zinniaville shall hereby after the effective date be transferred to the new Town Council of Rustenburg.

Decisions, by-laws and regulations

11. All decisions taken by the dissolved Town Council of Rustenburg and the dissolved Management Committees of Karlienpark and Zinniaville, 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 Town Council of Rustenburg.

Suspension of laws

12. Sections 3 to 9 and 28 of the Municipal Elections Ordinance, 1970, and the Regulations in respect of the wards of Karlienpark and Zinniaville 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 10 August 1991.

Bestuurskomitee

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

Kieserslyste

8. Die kieserslyste wat onderskeidelik vir die gebiede van Karlienpark en Zinniaville 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 Rustenburg opgestel is, totdat die gemelde Stadsraad kragtens gemelde artikel 17 nuwe kieserslyste vir onderskeidelik die wyke van Karlienpark en Zinniaville laat opstel.

Verteenwoordiging op Streeksdiensteraad

9. Die verteenwoordiging wat die ontbinde Bestuurskomitees van Karlienpark en Zinniaville voor die effektiewe datum ingevolge die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985), op die Rustenburg-Marico Streeksdiensteraad gehad het, bly voortbestaan na die effektiewe datum asof die Bestuurskomitees van Karlienpark en Zinniaville nooit kragtens artikel 2 van hierdie Proklamasie ontbind is nie, en enige vakature wat op die genoemde Rustenburg-Marico Streeksdiensteraad ontstaan as gevolg van die ont-ruiing van sy amp deur 'n Raadslid van óf die wyk van Karlienpark, óf die wyk van Zinniaville word gevul deur 'n Raadslid wat die wyk van Karlienpark of Zinniaville, na gelang van die geval, op die Stadsraad van Rustenburg 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 Rustenburg en die ontbinde Bestuurskomitees van Karlienpark en Zinniaville word hierby na die effektiewe datum aan die nuwe Stadsraad van Rustenburg oorgedra.

Besluite, verordeninge en regulasies

11. Alle besluite wat deur die ontbinde Stadsraad van Rustenburg en die ontbinde Bestuurskomitees van Karlienpark en Zinniaville 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 Rustenburg te wees.

Opskorting van wette

12. Artikels 3 tot 9 en 28 van die Ordonnansie op Ten Opsigte van die wyke van Karlienpark en Zinniaville vir die doeleindes van hierdie Proklamasie opgeskort totdat die volgende algemene verkiesing van Raadslede in die provinsie Transvaal plaasvind.

Datum van inwerkingtreding

13. Hierdie Proklamasie tree op 10 Augustus 1991 in werking.

CONTENTS			INHOUD			
<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>	<i>No.</i>	<i>Bladsy No.</i>	<i>Koerant No.</i>
PROCLAMATION			PROKLAMASIE			
71	Interim Measures for Local Government Act (128/1991): Town Council of Rustenburg and Management Committees of Karlienpark Zinnlville.....	1	4935	71	Wet op Tussentydse Maatreëls vir Plaaslike Regering (128/1991): Stadsraad van Rustenburg en Bestuurskomitees van Karlienpark en Zinnlville.....	1 4935