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GENERAL NOTICE

NOTICE 917 OF 2013

DEPARTMENT OF COOPERATIVE GOVERNANCE

PUBLICATION OF EXPLANATORY SUMMARY OF THE LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES AMENDMENT BILL, 2013

1. Notice is hereby given in terms of Rule 241(1)(b) of the Rules of the National Assembly of Parliament that the Minister of Cooperative Governance and Traditional Affairs intends to introduce the Local Government: Municipal Property Rates Amendment Bill, 2013, in the National Assembly shortly.
2. The explanatory summary of the Bill is hereby published in accordance with Rule 241(1)(c) of such Rules.
3. The Bill makes provision for the amendment of the Local Government: Municipal Property Rates Act, 2004, so as to insert, amend or delete certain definitions; to delete the provisions dealing with district management areas; to provide that a rates policy must determine criteria for not only the increase but also for the decrease of rates; to provide that by-laws giving effect to a rates policy must be published in terms of the Municipal Systems Act; to further regulate the categories of property in respect of which rates may be levied; to regulate the timeframe of publication of the resolutions levying rates and what must be contained in the promulgated resolution; to expand on the properties that a municipality may grant exemptions, rebates and reductions to; to limit the period within which the Minister may be requested to decide whether a rate is unreasonably prejudicing any of the matters listed in section 16(1); to provide for the Minister to make a decision in terms of section 16(2) with the concurrence of the Minister of Finance; to provide for the exclusion from rates of certain categories of public service infrastructure as well as mining rights or mining permits, to provide that infrastructure above the surface in respect of mining property is rateable and the rates are payable by the holder of the mining right or mining permit; to provide that the exclusion from rates in respect of land belonging to a land reform beneficiary is extended to the spouse and dependants; to provide that an exclusion from rates in respect of the seashore lapses if any part thereof is

alienated; to provide that a municipality may levy different rates on vacant property; to provide that a municipality may not recover rates in respect of a right of exclusive use registered against a sectional title unit from the body corporate; to provide that a person liable for a rate must furnish the municipality with his or her postal address; to provide that municipalities are not required to value properties excluded from rates; to provide for the period of validity of a valuation roll to be five years; to provide for the MEC for local government to extend the period of validity of valuation rolls by two additional years; to provide that a body corporate is required to provide information to a valuer; to provide that a mining right or a mining permit may not be considered in determining the market value of property; to delete the requirement for the payment of interest in specific instances; to delete the requirement for the establishment of a valuation appeal board in every district municipality; to provide for an appeal board to include a professional associated valuer without restrictions and with a minimum of ten years experience; to amend the quorum of an appeals board to include the valuer member of the Valuation Appeal Board; to amend the dates on which a supplementary valuation takes effect; to provide for the notification of owners of property affected by a supplementary valuation; to limit condonation by the MEC for local government through the framework to municipalities only; to provide for more effective monitoring and reporting by municipalities and provinces on critical areas of the implementation of the Act; to extend the Minister's regulatory powers; to provide for the phasing in of certain regulations; to provide for the phasing in of the prohibition on the levying of rates on certain types of public service infrastructure; to provide for transitional arrangements in respect of municipalities that have been affected by a redetermination of municipal boundaries; and to provide for matters connected therewith.

4. Copies of the Bill and the Memorandum on the Objects of the Bill are available at www.cogta.gov.za and can also be obtained from:

4.1 Director-General
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Private Bag X804
PRETORIA
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