

Provincial Gazette

6347

Friday, 3 March 2006

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Provinciale Roerant

6347

Vrydag, 3 Maart 2006

As 'n Nuusblad by die Poskantoor Geregistreer

INHOUD

(*Herdrukke is verkrygbaar by Kamer 9-06, Provinciale-gebou, Dorpstraat 4, Kaapstad 8001.)

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PROVINCIAL NOTICES

The following Provincial Notices are published for general information.

G. A. LAWRENCE,
DIRECTOR-GENERAL

Provincial Building,
Wale Street,
Cape Town.

P.N. 92/2006

3 March 2006

KNYSNA MUNICIPALITY**REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)**

I, Adam Cloete, in my capacity as Deputy Director in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 2176, Knysna, remove conditions (IV)(A)(b), (IV)(A)(d) and (IV)(B) contained in Deed of Transfer No. T.46418 of 1983.

P.N. 93/2006

3 March 2006

MATZIKAMA MUNICIPALITY**REMOVAL OF RESTRICTIONS ACT, 1967**

I, Farzana Kapdi, in my capacity as Deputy Director in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 81, Vredendal, remove conditions D.(b) and D.(d) in Deed of Transfer No. T.32053 of 1987.

P.N. 94/2006

3 March 2006

CITY OF CAPE TOWN**CAPE TOWN ADMINISTRATION****REMOVAL OF RESTRICTIONS ACT, 1967**

I, Farzana Kapdi, in my capacity as Deputy Director in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 98374, Rondebosch, remove conditions B.3. and C.(v) in Deed of Transfer No. T.72840 of 1990.

PROVINSIALE KENNISGEWINGS

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

G. A. LAWRENCE,
DIREKTEUR-GENERAAL

Provinsiale-gebou,
Waalstraat,
Kaapstad.

P.K. 92/2006

3 Maart 2006

KNYSNA MUNISIPALITEIT**WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)**

Ek, Adam Cloete, in my hoedanigheid as Assistent-Direkteur in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 2176, Knysna, hef voorwaardes (IV)(A)(b), (IV)(A)(d) en (IV)(B), vervat in Transportakte Nr. T.46418 van 1983, op.

P.K. 93/2006

3 Maart 2006

MATZIKAMA MUNISIPALITEIT**WET OP OPHEFFING VAN BEPERKINGS, 1967**

Ek, Farzana Kapdi, in my hoedanigheid as Adjunk-Direkteur in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 81, Vredendal, hef voorwaardes D.(b) en D.(d) in Transportakte Nr. T.32053 van 1987, op.

P.K. 94/2006

3 Maart 2006

STAD KAAPSTAD**KAAPSTAD ADMINISTRASIE****WET OP OPHEFFING VAN BEPERKINGS, 1967**

Ek, Farzana Kapdi, in my hoedanigheid as Adjunk-Direkteur in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 98374, Rondebosch, hef voorwaardes B.3. en C.(v) in Transportakte Nr. T.72840 van 1990, op.

P.N. 95/2006	3 March 2006	P.K. 95/2006	3 Maart 2006
CITY OF CAPE TOWN CAPE TOWN ADMINISTRATION REMOVAL OF RESTRICTIONS ACT, 1967		STAD KAAPSTAD KAAPSTAD ADMINISTRASIE WET OP OPHEFFING VAN BEPERKINGS, 1967	
I, Farzana Kapdi, in my capacity as Deputy Director in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 59735, Cape Town at Lansdowne, removes conditions B.3., B.4. and B.6. contained in Deed of Transfer No. T.32571 of 1984.		Ek, Farzana Kapdi, in my hoedanigheid as Adjunk-Direkteur in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 59735, Kaapstad te Lansdowne, hef voorwaardes B.3., B.4. en B.6. vervat in Transportakte Nr. T.32571 van 1984, op.	
P.N. 96/2006	3 March 2006	P.K. 96/2006	3 Maart 2006
CITY OF CAPE TOWN SOUTH PENINSULA REGION REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)		STAD KAAPSTAD SUIDSKIEREILAND STREEK WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)	
Notice is hereby given that the Minister of Environmental Affairs and Development Planning, properly designated as competent authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owner of Erf 70349, Cape Town at Plumstead, amends condition B.1. contained in Deed of Transfer No. T.87301 of 2000 to read as follows:		Kennis geskied hiermee dat die Minister van Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as die bevoegde gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Erf 70349, Kaapstad te Plumstead, om voorwaarde B.1., soos vervat in Transportakte Nr. T.87301 van 2000, te wysig om soos volg te lees:	
"The land hereby transferred shall be used for residential purposes only and only one dwelling house including a second dwelling (granny flat) as defined in the municipal zoning scheme shall be erected on Erf 70349, Plumstead".		"The land hereby transferred shall be used for residential purposes only and only one dwelling house including a second dwelling (granny flat) as defined in the municipal zoning scheme shall be erected on Erf 70349, Plumstead".	
P.N. 97/2006	3 March 2006	P.K. 97/2006	3 Maart 2006
CITY OF CAPE TOWN HELDERBERG ADMINISTRATION REMOVAL OF RESTRICTIONS ACT, 1967		STAD KAAPSTAD HELDERBERG ADMINISTRASIE WET OP OPHEFFING VAN BEPERKINGS, 1967	
I, André John Lombaard, in my capacity as Deputy Director in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 4442, Somerset West, remove conditions C.3.(b) and D.6. in Deed of Transfer No. T.30723 of 1990.		Ek, André John Lombaard, in my hoedanigheid as Adjunk-Direkteur in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 4442, Somerset-Wes, hef voorwaardes C.3.(b) en D.6. in Transportakte Nr. T.30723 van 1990, op.	
P.N. 98/2006	3 March 2006	P.K. 98/2006	3 Maart 2006
STELLENBOSCH MUNICIPALITY REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)		STELLENBOSCH MUNISIPALITEIT WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)	
Notice is hereby given that the Minister of Environment, Planning and Economic Development, properly designated as competent authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owner of Erf 920, Stellenbosch, removes condition B.(f) contained in Deed of Transfer No. T.70694 of 2002.		Kennis geskied hiermee dat die Minister van Omgewing, Beplanning en Ekonomiese Ontwikkeling, behoorlik aangewys as bevoegde gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994 kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Erf 920, Stellenbosch, hef voorwaarde B.(f) vervat in Transportakte Nr. T.70694 van 2002, op.	

P.N. 99/2006

3 March 2006

BITOU MUNICIPALITY**REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)**

Notice is hereby given that the Minister of Environmental Affairs and Development Planning, properly designated as competent authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owner of Erf 2664, Plettenberg Bay, removes conditions E.4.(a), (b), (c), (d) and (e) in Deed of Transfer No. T.111130 of 2002.

P.N. 100/2006

3 March 2006

RECTIFICATION**CITY OF CAPE TOWN****REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)**

Notice is hereby given that the Minister of Environmental Affairs and Development Planning, properly designated as competent authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owner of Erven 30 and 31, Durbanville, removes conditions 1.B.18.(a) in Deed of Transfer No. T.7193 of 1979 (Erf 30) and 2.B.(15)(a) in Deed of Transfer No. T.7193 of 1979 (Erf 31).

P.N. 66/2006 of 10 February 2006, is hereby cancelled.

P.N. 101/2006

3 March 2006

MOSSEL BAY MUNICIPALITY**REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)**

I, Adam Cloete, in my capacity as Deputy Director in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 2034, Mossel Bay, remove conditions 2.A.(b), (c) and 2.B.(f) contained in Deed of Transfer No. T.66038 of 1989.

P.K. 99/2006

3 Maart 2006

BITOU MUNISIPALITEIT**WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)**

Kennis geskied hiermee dat die Minister van Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as bevoegde gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994 kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Erf 2664, Plettenbergbaai, hef voorwaarde E.4.(a), (b), (c), (d) en (e) in Transportakte Nr. T.111130 van 2002, op.

P.K. 100/2006

3 Maart 2006

REGSTELLING**STAD KAAPSTAD****WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)**

Kennis geskied hiermee dat die Minister van Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as bevoegde gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994 kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Erwe 30 en 31, Durbanville, hef voorwaarde 1.B.18.(a) in Transportakte Nr. T.7193 van 1979 (Erf 30) en 2.B.(15)(a) in Transportakte Nr. T.7193 van 1979 (Erf 31), op.

P.K. 66/2006 van 10 Februarie 2006, word hiermee gekanselleer.

P.K. 101/2006

3 Maart 2006

MOSSELBAAI MUNISIPALITEIT**WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)**

Ek, Adam Cloete, in my hoedanigheid as Adjunk-Direkteur in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 2034, Mosselbaai, hef voorwaardes 2.A.(b), (c) en 2.B.(f) vervat in Transportakte Nr. T.66038 van 1989, op.

BERG RIVER MUNICIPALITY

REZONING AND SUBDIVISION: ERF 119 AND 124,
VELDDRIF

LAND USE PLANNING ORDINANCE, 1985
(ORDINANCE 15 OF 1985)

REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)

Notice is hereby given in terms of Sections 17 and 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) as well as Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) that the undermentioned application has been received and is open to inspection at the office of the Municipal Manager, Berg River Municipality and any enquiries may be directed to Mr. W. Wagener, Head Planning and Development, P.O. Box 60 (13 Church Street) Piketberg 7320 at tel (022) 9131126 or fax (022) 9131380.

The application is also open to inspection at the office of the Director: Integrated Environmental Management: Region B2, Provincial Government of the Western Cape, at Room 604, 1 Dorp Street, Cape Town, from 08:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483 8786 or fax (021) 483 3098.

Any objections, with full reasons therefor, should be lodged in writing at the office of the above-mentioned Director: Integrated Environmental Management: Region B2 at Private Bag X9086, Cape Town 8000, with a copy to the above-mentioned Municipal Manager on or before 4 April 2006, quoting the above Act and the objector's erf number.

Any comments received after the aforementioned closing date may be disregarded.

Applicant: Francis Consultants

Nature of application: Removal of restrictive title conditions applicable to Erven 119 (16 Gardenia Avenue) and 124 (37 Hibiscus Avenue), Velddrif, to enable the owner to subdivide the property into ten portions, ranging from 149,8 m² to 451,8 m² in extent, for the development of a town house complex, consisting of nine town houses.

Rezoning of Erven 119 and 124, Velddrif from Business Zone 1 to Residential Zone 3.

MN 33/2006

BERG RIVER MUNICIPALITY

REZONING AND SUBDIVISION: ERF 119 AND 124,
VELDDRIF

LAND USE PLANNING ORDINANCE, 1986
(ORDINANCE 15 OF 1985)

REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1987)

Notice is hereby given in terms of Sections 17 and 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) as well as Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) that the undermentioned application has been received and is open to inspection at the office of the Municipal Manager, Berg River Municipality and any enquiries may be directed to Mr. W. Wagener, Head Planning and Development, P.O. Box 60 (13 Church Street) Piketberg 7320 at tel (022) 9131126 or fax (022) 9131380.

The application is also open to inspection at the office of the Director: Integrated Environmental Management: Region B2, Provincial Government of the Western Cape, at Room 604, 1 Dorp Street, Cape Town, from 08:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483 8786 or fax (021) 483 3098.

BERGRIVIER MUNISIPALITEIT

HERSONERING EN ONDERVERDELING: ERF 119 EN 124,
VELDDRIF

ORDONNANSIE OP GRONDGEbruIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)

WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)

Kragtens Artikels 17 en 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) asook kragtens artikel 3(6) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967) word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Munisipale Bestuurder, Bergrivier Munisipaliteit en enige navrae kan gerig word aan W. Wagener: Hoof Beplanning en Ontwikkeling, Posbus 60, (Kerkstraat 13), Piketberg 7320 tel. (022) 9131126 of faks (022) 9131380.

Die aansoek lê ook ter insae by die Kantoor van die Direkteur, Geïntegreerde Omgewingsbestuur: Streek B2, Provinciale Regering van die Wes-Kaap, by Kamer 604, Dorpstraat 1, Kaapstad, vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word aan (021) 483 4588 en faksnommer (021) 483 4372.

Enige besware, met die volledige redes daarvoor, moet skriftelik by die kantoor van die bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur: Streek B2, Privaatsak X9086, Kaapstad, 8000 met 'n afskrif aan die bogenoemde Munisipale Bestuurder, ingedien word op of 4 April 2006 met vermelding van bogenoemde Wet en die beswaarmaker se erfnommer.

Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Aansoeker: Francis Konsultante

Aard van Aansoek: Opheffing van beperkende titelvoorraarde van toepassing op Erwe 119 (Gardenia Laan 16) en 124 (Hibiscus Laan 37), Velddrif, ten einde die eienaar in staat te stel om die eiendom te onderverdeel in tien gedeeltes, wisselende van 149,8 m² groot tot 451,8 m² groot, vir die ontwikkeling van 'n dorpshuis kompleks bestaande uit nege dorpshuise.

Hersonering van Erwe 119 en 124, Velddrif vanaf Sakesone 1 na Residensiële Sone 3.

MK 33/2006

BERGRIVIER MUNISIPALITEIT

HERSONERING EN ONDERVERDELING: ERF 119 EN 124,
VELDDRIF

ORDONNANSIE OP GRONDGEbruIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)

WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)

Kragtens Artikels 17 en 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) asook kragtens artikel 3(6) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967) word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Munisipale Bestuurder, Bergrivier Munisipaliteit en enige navrae kan gerig word aan W. Wagener: Hoof Beplanning en Ontwikkeling, Posbus 60, (Kerkstraat 13), Piketberg 7320 tel. (022) 9131126 of faks (022) 9131380.

Die aansoek lê ook ter insae by die Kantoor van die Direkteur, Geïntegreerde Omgewingsbestuur: Streek B2, Provinciale Regering van die Wes-Kaap, by Kamer 604, Dorpstraat 1, Kaapstad, vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word aan (021) 483 4588 en faksnommer (021) 483 4372.

Any objections, with full reasons therefor, should be lodged in writing at the office of the above-mentioned Director: Integrated Environmental Management: Region B2 at Private Bag X9086, Cape Town 8000, with a copy to the above-mentioned Municipal Manager on or before 4 April 2006, quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing may be disregarded.

Applicant: Francis Consultants

Nature of application: Removal of restrictive title conditions applicable to Erven 119 (16 Gardenia Avenue) and 124 (37 Hibiscus Avenue), Velddrif, to enable the owner to subdivide the property into ten portions, ranging from 149,8 m² to 451,8 m² in extent, for the development of a town house complex, consisting of nine town houses.

Rezoning of Erven 119 and 124, Velddrif from Business Zone 1 to Residential Zone 3.

MN 33/2006

OVERSTRAND MUNICIPALITY

(Hangklip-Kleinmond Administration)

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)

ORDINANCE ON LAND USE PLANNING, 1985 (Ord. 15/1985)

Notice is hereby given in terms of section 3(6) of the above Act and section 16 of the above Ordinance, that the undermentioned application has been received and is open for inspection at the Municipal Offices, 33 Fifth Avenue, Kleinmond, during office hours (Enquiries: H Dicks, telephone 028 271 8109, fax 028 271 4100, e-mail admin-kleinmond@overstrand.gov.za), and at the Office of the Director, Integrated Environmental Management: Region B, Provincial Government of the Western Cape, Room 601, 1 Dorp Street, Cape Town, from 8:00-12:30 and 13:00-15:30 (Monday to Friday). Enquiries: Telephone 021 483 8783 and Fax 021 483 3098.

Any objections, with full reasons therefor, should be lodged in writing to the office of the abovementioned Director, Integrated Environmental Management, Private Bag X9086, Cape Town, 8000, with a copy to the abovementioned Local Authority (Private Bag X3, Kleinmond, 7195), before or on 3 April 2006, quoting the above Act, Ordinance and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

Applicant

Creative Profile
Town Planners
(on behalf of P & R L
Cassidy)

Nature of Application

Removal of a restrictive title condition and rezoning from single residential to business zone applicable to the remainder of erf 5386, 54 Main Road, Kleinmond, to enable the owner to utilize the property for residential and business purposes.

Area Manager

Notice no 011-2006

3 March 2006

Enige besware, met die volledige redes daarvoor, moet skriftelik by die kantoor van die bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur: Streek B2, Privaatsak X9086, Kaapstad, 8000 met 'n afskrif aan die bogenoemde Municipale Bestuurder, ingedien word op of 4 April 2006 met vermelding van bogenoemde Wet en die beswaarmaker se erfnommer. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Aansoeker: Francis Konsultante

Aard van Aansoek: Opheffing van beperkende titelvoorraades van toepassing op Erwe 119 (Gardenia Laan 16) en 124 (Hibiscus Laan 37), Velddrif, ten einde die eienaar in staat te stel om die eiendom te onderverdeel in tien gedeeltes, wisselende van 149,8 m² groot tot 451,8 m² groot, vir die ontwikkeling van 'n dorps huis kompleks bestaande uit nege dorps huise.

Hersonering van Erwe 119 en 124, Velddrif vanaf Sakesone 1 na Residensiële Sone 3.

MK 33/12006

MUNISIPALITEIT OVERSTRAND

(Hangklip-Kleinmond Administrasie)

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985 (Ord. 15/1985)

Kennis geskied hiermee ingevolge artikel 3(6) van bogenoemde Wet en artikel 16 van bogenoemde Ordonnansie dat die onderstaande aansoek ontvang is en ter insae lê by die Municipale Kantore, Vyfdaal 33, Kleinmond, gedurende kantoorourure (navrae: H Dicks, telefoon 028 271 8109, faks 028 271 4100, e-pos admin-kleinmond@overstrand.gov.za), en by die Kantoor van die Direkteur, Geïntegreerde Omgewingsbestuur: Streek B, Provinciale Regering van die Wes-Kaap, Kamer 601, Dorpstraat 1, Kaapstad, vanaf 8:00 tot 12:30 en 13:00 tot 15:30 (Maandag tot Vrydag) (Navrae: Telefoon 021 483 8783 en Faks 021 483 3098.)

Enige besware, met volledige redes daarvoor, moet skriftelik by die kantoor van die bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Privaatsak X9086, Kaapstad, 8000, met 'n afskrif aan die bogenoemde Plaaslike Owerheid (Privaatsak X3, Kleinmond 7195), voor of op 3 April 2006 ingedien word, met vermelding van bogenoemde Wet, Ordonnansie en die beswaarmaker se erfnommer. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Aansoeker

Creative Profile
Stadsbeplanners
(namens P & R L
Cassidy)

Aard van Aansoek

Opheffing van 'n beperkende titelvoorraarde en hersonering vanaf enkel residensiell na sakesone van toepassing op die restant van erf 5386, Hoofweg 54, Kleinmond, ten einde die eienaar in staat te stel om die eiendom te benut vir residensielle en besigheidsdieleindes.

Areabestuurder

Kennisgewing nr 011-2006

3 Maart 2006

OVERSTRAND MUNICIPALITY

(Gansbaai Administration)

M.N. 7/2006

ERF 33, DE KELDERS (4 NORMANDIE STREET): REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967): SUBDIVISION

Notice is hereby given in terms of section 3(6) of the above Act that the undermentioned application has been received and is open to inspection at the office of the Area Manager, Overstrand Municipality (Gansbaai Administration), Main Road, Gansbaai from 07:45-13:00 and 13:45-16:30 (Monday to Friday), and any enquiries may be directed to mr Boshoff at P.O. Box 26, Gansbaai 7220, or tel.no. (028) 384-0111, or fax no. (028) 384-0241.

The application is also open to inspection at the office of the Director: Integrated Environmental Management: Region B1, Provincial Government of the Western Cape, Room 6-01, Utilitas Building, 1 Dorp Street, Cape Town, from 08:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made to mr B van Zyl at (021) 483-4033 and the Directorate's fax number is (021)483-3098.

Any objections, with full reasons therefor, must be lodged in writing with the abovementioned Area Manager, as well as the Director: Integrated Environmental Management: Region B1, Private Bag X9086, Cape Town 8000, by not later than Monday, 3 April 2006 quoting the above Act and the objector's erf number. Any comments/objections received after the aforementioned closing date will be disregarded. No e-mails will be accepted.

Notice is also given in terms of section 21(4) of the Local Government Act: Municipal Systems, 2000 (Act 32 of 2000) that people who cannot write are welcome to approach the Town Planning Section of the Overstrand Municipality (Gansbaai Administration) during the abovementioned office hours where a member of the staff will assist them in putting their comments or objections in writing.

*Applicant**Nature of Application*WRAP Consultancy
(o.b.o. P A Hetreed)

The application property is 1417 m² in extent and zoned as Single Residential Zone. The owner intends to subdivide the property into two single residential properties.

Nature of application

- Application for the removal of restrictive title conditions applicable to Erf 33, De Kelders (4 Normandie Street) in order to enable the owner to subdivide the property into 2 portions of approximately 708 m² each.
- Application for the subdivision of the abovementioned property into two portions of 708 m² each i.t.o. the provisions of section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).

JF Koekemoer, Municipal Manager

OVERSTRAND MUNISIPALITEIT

(Gansbaai Administrasie)

M.K. 7/2006

ERF 33, DE KELDERS (NORMANDIESTRAAT 4): WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967): ONDERVERDELING

Kragtens artikel 3(6) van bistaande Wet, word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Areabestuurder, Overstrand Munisipaliteit (Gansbaai Administrasie), Hoofstraat, Gansbaai vanaf 07:45-13:00 en 13:45-16:30 (Maandag tot Vrydag), en enige navrae kan gerig word aan mnr Boshoff te Posbus 26, Gansbaai 7220, of tel.nr. (028) 384-0111, of faksnr. (028) 384-0241.

Die aansoek lê ook ter insae by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur: Streek B1, Provinciale Regering van die Wes-Kaap, by Kamer 601, Utilitas Gebou, Dorpstraat 1, Kaapstad, vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word aan mnr B van Zyl by (021) 483-4033 en die Direktoraat se faksnommer is (021) 483-3098.

Enige besware, met volledige redes daarvoor, moet skriftelik wees en die kantoor van die bogenoemde Areabestuurder, asook die Direkteur: Geïntegreerde Omgewingsbestuur: Streek B1, Privaatsak X9086, Kaapstad 8000, bereik nie later nie as Maandag, 3 April 2006 met vermelding van bogenoemde Wet en die beswaarmaker se erfnommer. Enige kommentaar/beswaar wat na die voorgemelde sluitingsdatum ontvang word, sal nie in ag geneem word nie. Geen e-posse word aanvaar nie.

Voorts word hiermee ingevolge artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) kennis gegee dat persone wat nie kan skryf nie, die Stadsbeplanningsafdeling van die Munisipaliteit Overstrand (Gansbaai Administrasie) kan nader tydens bogenoemde kantoor waar 'n lid van die personeel daardie personele sal help om hul kommentaar op besware op skrif te stel.

*Aansoeker**Aard van Aansoek*WRAP Consultancy
(nms P A Hetreed)

Die aansoekeidendom is 1417 m² groot en as Enkelresidensiële Sone gesneer. Die eienaar is van voorneme om die eiendom in twee enkel residensiële eiendomme te onderverdeel.

Aard van aansoek

- Aansoek om opheffing van beperkende titelakte voorwaardes van toepassing op Erf 33, De Kelders (Normandiestraat 4) ten einde die eienaar in staat te stel om die eiendom in 2 gedeeltes van ongeveer 708 m² elk, te onderverdeel.
- Aansoek om onderverdeling van bogenoemde eiendom in twee gedeeltes van ongeveer 708 m² elk ingevolge die bepalings van artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985).

JF Koekemoer, Munisipale Bestuurder

CITY OF CAPE TOWN
(CAPE TOWN REGION)

REMOVAL OF RESTRICTIONS AND DEPARTURE

- Erf 42801, Cape Town at Rondebosch East (*second placement*)

Notice is hereby given in terms of section 3(6) of the Removal of Restrictions Act No. 84 of 1967 and section 15(2)(a) of the Land Use Planning Ordinance No. 15 of 1985 that the undermentioned application has been received and is open for inspection at the office of the Manager: Land Use Management, City of Cape Town, 14 Floor, Civic Centre, Hertzog Boulevard, Cape Town, from 08:30-12:30 Mondays to Fridays and at the office of the Director: Integrated Environmental Management (Region B2), Department of Environmental Affairs and Development Planning, Provincial Government of the Western Cape, at Room 604, 1 Dorp Street, Cape Town from 08:00-12:30 and 13:00-15:30, Mondays to Fridays. Any objections or comments, with full reasons therefor, must be lodged in writing at the office of the above-mentioned Director: Land Development Management, Private Bag X9086, Cape Town 8000, with a copy to the Manager: Land Use Management, City of Cape Town, P.O. Box 4529, Cape Town 8000, or fax (021) 421-1963 on or before the closing date, quoting the above Act and Ordinance, the below-mentioned reference number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the above-mentioned street addresses by no later than the closing date. If your response is not sent to these addresses and/or fax number, and, as a consequence arrives late, it will be deemed to be invalid. For any further information, contact Ms. V. MacDonald, tel. (021) 400-4253 at the City of Cape Town. The closing date for objections and comments is 3 April 2006.

File ref: LM 3126 (103690).

Owner: A Paruk

Address: 60 Third Avenue

Nature of application: Removal of restrictive title deed conditions applicable to Erf 42801, to enable the owner to erect a garage on the property and to do extensions to the existing dwelling on the property. The building line restrictions will be encroached.

The application includes a departure from section 47(1) of the Zoning Scheme Regulations to permit the garage and dwelling addition setback 0,0 m and 2,812 m respectively in lieu of 4,5 m from the Third Avenue boundary.

W A Mgoqi, City Manager.

3 March 2006.

TENDERS

N.B. Tenders for commodities/services, the estimated value of which exceeds R20 000, are published in the Government Tender Bulletin, which is obtainable from the Government Printer, Private Bag X85, Pretoria, on payment of a subscription.

STAD KAAPSTAD
(KAAPSTAD-STREEK)

OPHEFFING VAN BEPERKINGS EN AFWYKING

- Erf 42801, Kaapstad te Rondebosch-Oos (*tweede plasing*)

Kennis geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967 en artikel 15(2)(a) van die Ordonnansie op Grondgebruikbeplanning, Nr. 15 van 1985 dat die onderstaande aansoek ontvang is en van 08:00-12:30 (Maandae tot Vrydae) ter insaai beskikbaar is by die kantoor van die Bestuurder: Grondgebruikbestuur, Stad Kaapstad, 14de Verdieping, Toringblok, Burgersentrum, Hertzog Boulevard 12, Kaapstad 8001 en by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur (Streek B2), Departement Omgewingsake en Ontwikkelingsbeplanning, Proviniale Regering van die Wes-Kaap, Kamer 604, Dorpstraat 1, Kaapstad, vanaf 08:00-12:30 en 13:00-15:30 (Maandae tot Vrydae). Enige besware of kommentaar, met die volledige redes daarvoor, moet skriftelik ingedien word by die kantoor van bogenoemde Direkteur: Omgewingsbestuur, Privaatsak X9086, Kaapstad 8000, met 'n afskrif aan die kantoor van die Bestuurder: Grondgebruikbestuur, Stad Kaapstad, Posbus 4529, Kaapstad 8000, of gefaks na (021) 421-1963 voor of op die sluitingsdatum, met vermelding van bogenoemde Wet en Ordonnansie, die onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnummer en adres. Besware en kommentaar kan ook per hand afgelewer word by bogenoemde straatadres teen nie later nie as die sluitingsdatum. Indien u reaksie nie na hierdie adresse en/of faksnommer gestuur word nie en gevolelik laat ontvang word, sal dit ongeldig geag word. Om nadere info ligging skakel me. V. MacDonald — tel. (021) 400-4253, Stad Kaapstad. Die sluitingsdatum vir besware en kommentaar is 3 April 2006.

Lêerverwysing: LM 3126 (103690).

Eienaar: A Paruk

Adres: Derdelaan 60

Aard van aansoek: Opheffing van beperkende titelvoorraades van toepassing op Erf 42801, om die eienaar in staat te stel om 'n motorhuis op die eiendom op te rig en aanbouings tot die bestaande woonhuis op die eiendom uit te voer. Die boulynbeperkings sal oorskry word.

Dit behels ook 'n afwyking van artikel 47(1) van die Soneringskemaregulasies om die motorhuis en woonhuisaanbouing se insprincting van onderskeidelik 0,0 m en 2,812 m in plaas van 4,5 m vanaf die Derdelaan-grens toe te laat.

W A Mgoqi, Stadsbestuurder.

3 Maart 2006.

TENDERS

L.W. Tenders vir kommoditeite/dienste waarvan die beraamde waarde meer as R20 000 beloop, word in die Staatstenderbulletin gepubliseer wat by die Staatsdrukker, Privaatsak X85, Pretoria, teen betaling van 'n intekengeld verkrygbaar is.

NOTICES BY LOCAL AUTHORITIES**MUNICIPALITY BEAUFORT WEST**

Notice no 21/2006

ALIENATION OF IMMOVABLE PROPERTY

Notice is hereby given in terms of Section 4(3) of the By-Law relating to the Management and Administration of the Municipality's Immovable Property that the Local Council of Beaufort West intends to sell erf 2788, Sidesaviwa, Beaufort West to Mrs. M. Matunzi.

Further details regarding the abovementioned transaction are available for inspection at the Office of the Director: Corporate Services, 112 Donkin Street, Beaufort West from Mondays to Fridays between 07:30 to 13:00 and 13:45 to 16:15.

Objections, if any, against the proposed alienation of the said property must be lodged in writing with the undersigned on or before Friday, 24 March 2006 stating full reasons for such objections.

D.E. Welgemoed, Municipal Manager, Municipal Office, 112 Donkin Street, Beaufort West, 6970

[7/1/4]

3 March 2006

32986

MUNICIPALITY BEAUFORT WEST

Notice no. 22/2006

**PROPOSED SUBDIVISION OF ERF 1332,
26 HERMAN STREET, BEAUFORT WEST**

Notice is hereby given in terms of Section 24 of Ordinance 15/1985 that the Local Council has received an application for the subdivision of erf 1332, situated at 26 Herman Street, Beaufort West in order to divide the aforementioned property into two(2) separate erven.

Further details regarding the abovementioned application are available for inspection at the Office of the Director: Corporative Services, 112 Donkin Street, Beaufort West from Mondays to Fridays between 07:30 till 13:00 and 13:45 till 16:15.

Objections, if any, against the proposed subdivision must be lodged in writing with the undersigned on or before Monday, 27 March 2006 stating full reasons for such objections.

D.E. Welgemoed, Municipal Manager, Municipal Offices, 112 Donkin Street, Beaufort West, 6970

[12/4/5/2]

3 March 2006

32987

BERG RIVER MUNICIPALITY**SUBDIVISION: ERF 358, VELDDRIF**

Notice is hereby given in terms of section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1885) that the undermentioned application has been received and is open to inspection at the office of the Municipal Manager, Berg River Municipality and any enquiries may be directed to Mr. W. Wagener, Head Planning and Development, P.O. Box 60 (13 Church Street) Piketberg 7320 at tel (022) 9131126 or fax (022) 9131380.

Any objections, with full reasons therefor, must be lodged in writing at the office of the Municipal Manager on or before 4 April 2006, quoting the above Ordinance and the objector's erf number.

KENNISGEWINGS DEUR PLAASLIKE OWERHEDE**MUNISIPALITEIT BEAUFORT-WES**

Kennisgewing nr 21/2006

VERVREEMDING VAN VASTE EIENDOM

Kennisgewing geskied hiermee ingevolge Artikel 4(3) van die Verordening insake die Bestuur en Administrasie van die Munisipaliteit se Onroerende Eiendom dat die Plaaslike Raad van Beaufort-Wes van voorneme is om erf 2788, Sidesaviwa, Beaufort-Wes aan me. M. Matunzi te verkoop.

Volledige besonderhede met betrekking tot die bogemelde transaksie lê ter insae by die Kantoor van die Direkteur: Korporatiewe Dienste, Donkinstraat 112, Beaufort-Wes vanaf Maandae tot Vrydae tussen 07:30 tot 13:00 en 13:45 tot 16:15.

Volledig gemotiveerde besware, indien enige, teen die voorgestelde vervreemding van die voormalde eiendom moet skriftelik en met vermelding van volledige redes by die ondergetekende ingedien word voor of op Vrydag, 24 Maart 2006.

D.E. Welgemoed, Munisipale Bestuurder, Munisipale Kantore, Donkinstraat 112, Beaufort-Wes, 6970

[7/1/4]

3 Maart 2006

32986

MUNISIPALITEIT BEAUFORT-WES

Kennisgewing no. 22/2006

**VOORGESTELDE ONDERVERDELING VAN ERF 1332,
HERMANSTRAAT 26, BEAUFORT-WES**

Kennis geskied hiermee ingevolge Artikel 24 van Ordonnansie 15 van 1985 dat die Plaaslike Raad 'n aansoek ontvang het vir die onderverdeling van erf 1332 geleë te Hermanstraat 26, Beaufort-Wes ten einde die voormalde eiendom in twee (2) afsonderlike erwe te verdeel.

Volledige besonderhede met betrekking tot die bogemelde aansoek lê ter insae by die Kantoor van die Direkteur: Korporatiewe Dienste, Donkinstraat 112, Beaufort-Wes vanaf Maandae tot Vrydae vanaf 07:30 tot 13:00 en 13:45 tot 16:15.

Besware, indien enige, teen die voorgestelde onderverdeling moet skriftelik en met vermelding van volledige redes vir sodanige besware by die ondergetekende ingedien word voor of op Maandag, 27 Maart 2006.

D.E. Welgemoed, Munisipale Bestuurder, Munisipale Kantore, Donkinstraat 112, Beaufort-Wes, 6970

[12/4/5/2]

3 Maart 2006

32987

BERGRIVIER MUNISIPALITEIT**ONDERVERDELING: ERF 358, VELDDRIF**

Kragtens artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Munisipale Bestuurder, Bergrivier Munisipaliteit en enige navrae kan gerig word aan W. Wagener: Hoof Beplanning en Ontwikkeling, Posbus 60, (Kerkstraat 13), Piketberg 7320 tel. (022) 9131126 of faks (022) 9131380.

Enige besware, met die volledige redes daarvoor, moet skriftelik by die kantoor van die Munisipale Bestuurder, ingedien word op of voor 4 April 2006 met vermelding van bogenoemde Ordonnansie en die beswaarmaker se erfnommer.

Applicant: J.P.D. Theart

Nature of application: Subdivision of erf 358, Velddrif (Jakaranda Avenue) into two portions namely Portion 1 ($\pm 530 \text{ m}^2$) and Remainder erf 358, Velddrif ($\pm 850 \text{ m}^2$) in order to utilise both portions as Residential Zone 1 erven.

MN 34/2006

3 March 2006

32988

Aansoeker: J.P.D. Theart

Aard van Aansoek: Onderverdeling van erf 358, Velddrif (Jakaranda Laan) in twee gedeeltes naamlik Gedeelte 1 ($\pm 530 \text{ m}^2$) en Restant erf 358, Velddrif ($\pm 850 \text{ m}^2$) ten einde beide gedeeltes as Residensiële Sone 1 erwe aan te wend.

MK 34/2006

3 Maart 2006

32988

BERG RIVER MUNICIPALITY**SUBDIVISION: ERF 358, VELDDRIF**

Notice is hereby given in terms of section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1885) that the undermentioned application has been received and is open to inspection at the office of the Municipal Manager, Berg River Municipality and any enquiries may be directed to Mr. W. Wagener, Head Planning and Development, P.O. Box 60 (13 Church Street) Piketberg 7320 at tel (022) 9131126 or fax (022) 9131380.

Any objections, with full reasons therefor, must be lodged in writing at the office of the Municipal Manager on or before 4 April 2006, quoting the above Ordinance and the objector's erf number.

Applicant: J.P.D. Theart

Nature of application: Subdivision of erf 358, Velddrif (Jakaranda Avenue) into two portions namely Portion 1 ($\pm 530 \text{ m}^2$) and Remainder erf 358, Velddrif ($\pm 850 \text{ m}^2$) in order to utilise both portions as Residential Zone 1 erven.

MN 34/2006

3 March 2006

32989

BERGRIVIER MUNISIPALITEIT**ONDERVERDELING: ERF 358, VELDDRIF**

Kragtens artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Munisipale Bestuurder, Bergrivier Munisipaliteit en enige navrae kan gerig word aan W. Wagener: Hoof Beplanning en Ontwikkeling, Posbus 60, (Kerkstraat 13), Piketberg 7320 tel. (022) 9131126 of faks (022) 9131380.

Enige besware, met die volledige redes daarvoor, moet skriftelik by die kantoor van die Munisipale Bestuurder, ingedien word op of voor 4 April 2006 met vermelding van bogenoemde Ordonnansie en die beswaarmaker se erfnommer.

Aansoeker: J.P.D. Theart

Aard van Aansoek: Onderverdeling van erf 358, Velddrif (Jakaranda Laan) in twee gedeeltes naamlik Gedeelte 1 ($\pm 530 \text{ m}^2$) en Restant erf 358, Velddrif ($\pm 850 \text{ m}^2$) ten einde beide gedeeltes as Residensiële Sone 1 erwe aan te wend.

MK 34/2006

3 Maart 2006

32989

BREEDE RIVER/WINELANDS MUNICIPALITY**Robertson Office**

MN NO. 24/2006

**PROPOSED REZONING AND DEPARTURE
ERF 1047, VOORTREKKER STREET, ROBERTSON
(Ordinance 15 of 1985, Land use planning)**

Notice is hereby given in terms of sections 15 and 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), that the Council has received an application from A du Toit for the rezoning of erf 1047, Robertson from Single Residential zone to General Business zone. A departure from the land use restrictions is also requested to accommodate the intended residential building (guest accommodation) on the ground-floor.

The application will be open for inspection at the Robertson Office during normal office hours. Written legal and fully motivated objections/comments, if any, must be lodge with the undersigned before or on 27 March 2006.

Further details are obtainable from Mr Jack van Zyl (023-614 8000) during office hours. Any person who cannot write may come to the abovementioned office during office hours where a staff member of the municipality will assist that person to transcribe that person's comments or representations.

N Nel, Municipal Manager

Municipal Office, Private Bag X2, Ashton, 6715

3 March 2006

32990

MUNISIPALITEIT BREËRIVIER/WYNLAND**Robertson Kantoor**

MK NR. 24/2006

**VOORGESTELDE HERSONERING EN AFWYKING VAN
RF 1047, VOORTREKKERSTRAAT, ROBERTSON
(Ordonnansie 15 van 1985, Grondgebruikbeplanning)**

Kennis geskied hiermee ingevolge Artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat 'n aansoek ontvang is van A du Toit vir die hersonering van erf 1047, Robertson vanaf Enkelwoningsone na Algemene Sakesone. 'n Afwyking van die grondgebruikbeperkings word ook verlang om die beoogde woongebou (gaste akkommodasie) op die grondverdieping te akkommodeer.

Die aansoek lê ter insae gedurende kantoorure in die Robertson Kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige moet nie later as 27 Maart 2006 skriftelik by die ondertekende ingedien word nie.

Navrae kan gerig word aan mnr Jack van Zyl by telefoonnummer 023-614 8000. 'n Persoon wat nie kan skryf nie kan gedurende kantoorure na die bogenoemde kantoor kom waar 'n personeellid van die Munisipaliteit daardie persoon sal help om die persoon se kommentaar of vertoë af te skryf.

N Nel, Munisipale Bestuurder

Munisipale Kantoor, Privaatsak X2, Ashton, 6715

3 Maart 2006

32990

CITY OF CAPE TOWN

CLOSURE OF PORTION OF PUBLIC PLACE ERF 808
ADJOINING ERF 807, WELTEVREDEN VALLEY

(L 7/23/444/MBK)(Cape 806 V1 p 177)

The portion of Public Place Erf 808 adjoining Erf 807, Academy Road, Weltevreden Valley, shown lettered ABCDE on Sketch Plan STC 1886 is hereby closed in terms of Section 6 of Council By Law LA 12783 promulgated on 28 February 2003.

Wallace Mgoqi, City Manager

Civic Centre, Cape Town

3 March 2006

STAD KAAPSTAD

SLUITING VAN GEDEELTE VAN PUBLIEKE PLEK ERF 808
AANGRENSEND AAN ERF 807, WELTEVREDEN VALLEY

(L 7/23/444/MBK)(Cape 806 V1 p 177)

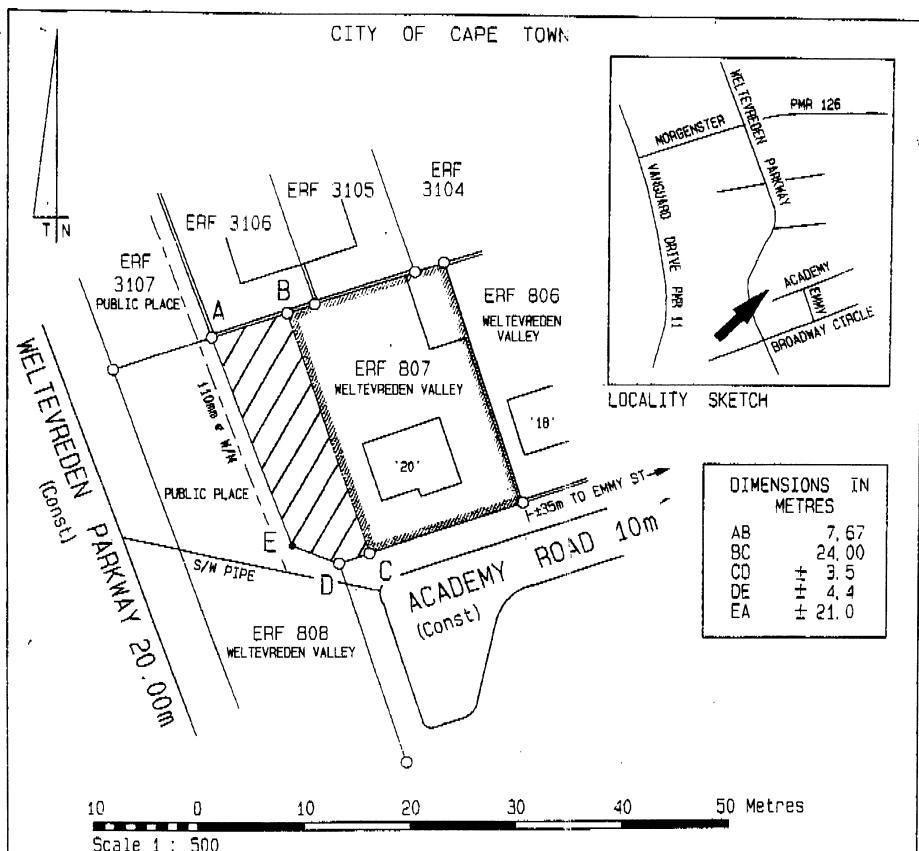
Die gedeelte van Publieke Plek erwe 808 aangrensend aan erwe 807, Academy Road, Weltevreden Valley, wat met die letters ABCDE op Sketsplan STC 1886 aangetoon word, word hiermee ingevolge artikel 6 van Ordonnansie LA 12783 geproklameer, 28 Februarie 2003 gesluit.

Wallace Mgoqi, Stadbestuurder

Burgersentrum, Kaapstad

3 Maart 2006

32992

CLOSURE AND DISPOSAL OF PUBLIC PLACE - ACADEMY ROAD
WELTEVREDEN VALLEY

The figure ABCDE shown hatched represents Public Place (a portion of Erf 808 Weltevreden Valley) in extent approximately 167 square metres to be closed and transferred to

REZA DANIELS AND SADIA DANIELS

Property of above bordered grey and zoned: Single Residential.
(D/T 48215 dated 1995-07-03).
City Land Zoned: Public Open Space.

Note: Erf 808 is registered in the name of the City of Cape Town
by D/T 53723 dated 1999-07-08.

Rfarrus
14/10/2004

WARD 78

REFER	Roll 89E-2; M 1823; GP 12301	SURVEYOR	<i>David Brundt</i>
TO		DRAUGHTSMAN	L BRANDT (2004-06-10)
PROP. REF	EAF 65B 2, 45	CHECKED BY	<i>DB</i>
FILE/REC.	SM1/2 (22472)		
MEMO DATE	2006-03-10		
		MIKE MARSDEN	STC 1886
		EXECUTIVE DIRECTOR	
		DEVELOPMENT & INFRASTRUCTURE	

BREEDE RIVER/WINELANDS MUNICIPALITY
Ashton Office
MN NR. 22/2006

PROPOSED DEPARTURE ERF 535, 36 MAIN ROAD, ASHTON

Notice is hereby given in terms of Section 15 of the Land Use Planning Ordinance no 15 of 1985 that Council has received an application for departure from JJN Williams for a Second dwelling unit on erf 535, Ashton.

The application for the proposed departure will be open for inspection at the Ashton Office during normal office hours. Written legal and fully motivated objections/comments, if any, must be lodged with the Municipal Manager, Private Bag X2, Ashton, 6715, before or on 27 March 2006.

Further details are obtainable from Mr Jack van Zyl (023-614 8000) during office hours. Any person who cannot write may come to the office mentioned above, during office hours where a staff member of the municipality will assist that person to transcribe his/her comments or representations.

N Nel, Municipal Manager

Municipal Office, Private Bag X2, Ashton, 6715

3 March 2006 32991

DRAKENSTEIN MUNICIPALITY

**APPLICATION FOR REZONING: PORTION OF ERF 13196,
C/O MAIN ROAD AND REGENT STREET, WELLINGTON**

Notice is hereby given in terms of Section 17(2)(a) of the Land Use Planning Ordinance, 1985 (No 15 of 1985) that an application as set out below has been received and can be viewed during normal office hours at the office of the Acting Head: Planning and Economic Development, Administrative Offices, Berg River Boulevard, Paarl (Telephone: 021-807 4770):

Property: Portion of Erf 13196, Wellington

Applicant: Mr L H Ahmed

Owner: Mr L H Ahmed

Locality: Located on the north west corner of Main Road and Regent Street in central Wellington

Size: ± 3 609 m²

Zoning: Business Zone and Single Residential Zone

Proposal: Rezoning of a portion of Erf 13196, Wellington (portion of land adjacent Erven 1797, 1798 and 1727) from Single Residential Zone to Business Zone in order to utilize the total erf for business purposes.

Motivated objections regarding the above application can be lodged in writing to reach the undersigned by not later than Monday, 3 April 2006.

No late objections will be considered.

Persons who are unable to read or write, can submit their objection verbally at the Municipal Offices, Berg River Boulevard, Paarl, where they will be assisted by a staff member, to put their comment in writing.

Dr S Kabanyane, Municipal Manager

15/4/1 (13196) W

3 March 2006 32994

MUNISIPALITEIT BREËRIVIER/WYNLAND

Ashton Kantoor

MK NR. 22/2006

VOORGESTELDE AFWYKING ERF 535, HOOFWEG 36, ASHTON

Kennis geskied hiermee ingevolge Artikel 15 van Ordonnansie nr 15 van 1985, dat die Raad 'n aansoek om afwyking ontvang het van JJN Williams ten einde 'n Tweede wooneenheid op te rig op erf 535, Ashton.

Die aansoek insake die voorgenome afwyking lê ter insae gedurende kantooreure in die Ashton Kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige moet nie later as 27 Maart 2006 skriftelik by die Municipale Bestuurder, Privaatsak X2, Ashton, 6715, ingedien word nie. Navrae kan gerig word aan mnr Jack van Zyl by telefoonnummer 023-614 8000.

'n Persoon wat nie kan skryf nie kan gedurende kantooreure na bogenoemde kantoor kom waar 'n personeellid van die Municipale Bestuurder daardie persoon sal help om sy/haar kommentaar of vertoë af te skryf.

N Nel, Municipale Bestuurder

Municipale Kantoor, Privaatsak X2, Ashton, 6715

3 Maart 2006 32991

DRAKENSTEIN MUNISIPALITEIT

**AANSOEK OM HERSONERING: GEDEELTE VAN ERF 13196,
H/V HOOFWEG EN REGENTSTRAAT, WELLINGTON**

Kennis geskied hiermee ingevolge Artikel 17(2)(a) van die Ordonnansie op Grondgebruikbepalming, 1985 (Nr 15 van 1985) dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantooreure ter insae is by die Waarnemende Hoof: Beplanning en Ekonomiese Ontwikkeling, Administratiewe Kantore, Bergvier Boulevard, Paarl (Telefoon: 021-807 4770):

Eiendom: Gedeelte van Erf 13196, Wellington

Aansoeker: Mnr L H Ahmed

Eienaar: Mnr L H Ahmed

Liggings: Geleë op die noordwestelike hoek van Hoofweg en Regentstraat in die middedorp van Wellington

Grootte: ± 3 609 m²

Sonering: Sakesone en Enkel Residensiële Sone

Voorstel: Hersonering van 'n gedeelte van Erf 13196, Wellington (gedeelte grond geleë aanliggend tot Erwe 1797, 1798 en 1727) vanaf Enkel Residensiële Sone na Sakesone om sodoende die volle erf vir besigheidsdoeleindes aan te wend.

Gemotiveerde besware aangaande bostaande aansoek kan skriftelik by die ondergetekende ingedien word, teen nie later nie as Maandag, 3 April 2006.

Geen laat besware sal oorweeg word nie.

Indien 'n persoon nie kan lees of skryf nie, kan so 'n persoon sy kommentaar mondelings by die Municipale Kantore, Bergvier Boulevard, Paarl aflê, waar 'n personeellid sal help om sy kommentaar/vertoë op skrif te stel.

Dr S Kabanyane, Municipale Bestuurder

15/4/1 (13196) W

3 Maart 2006 32994

DRAKENSTEIN MUNICIPALITY

**APPLICATION FOR REZONING AND CONSENT USE:
ERF 2610, BETWEEN BERG RIVER BOULEVARD AND CECILIA
STREET, PAARL**

Notice is hereby given in terms of Section 17(2)(a) of the Land Use Planning Ordinance, 1985 (No 15 of 1985) and Regulation 18(1) of the Zoning Scheme Regulations of Paarl that an application as set out below has been received and can be viewed during normal office hours at the office of the Acting Head: Planning and Economic Development, Administrative Offices, Berg River Boulevard, Paarl (Telephone: 021-807 4834):

Property: Erf 2610, Paarl

Applicant: Louis Hugo Town and Regional Planner

Owner: Mrs M van der Merwe

Locality: Located between Berg River Boulevard and Cecilia Street, Paarl

Extent: ± 1 182 m²

Current land use: Historical Single Dwelling House

Proposal: Rezoning of Erf 2610 from Single Dwelling Residential Zone to General Residential Sub Zone A; and accompanying.

Consent Use for the conversation and restoration of the dwelling as a professional building to accommodate offices.

The single dwelling unit is ± 530 m² in size. Consisting of ± 347 m² on the ground floor and ± 183 m² in the attic. Seventeen (17) parking bays are provided, in terms of the Zoning Scheme Regulations of Paarl requiring one parking bay for each 30 m². Access to the site and parking bays will be available only from Cecilia Street.

The vibracrete walls facing Berg River Boulevard will be replaced by palisade fence.

The building will be occupied by Dux Solutions, a company consisting of the following sections: financial consultants, property development, property rental, auction magazine, graphic design and short term insurance.

Motivated objections regarding the above application can be lodged in writing to reach the undersigned by not later than Monday, 3 April 2006.

No late objections will be considered.

Persons who are unable to read or write, can submit their objection verbally at the Municipal Offices, Berg River Boulevard, Paarl, where they will be assisted by a staff member, to put their comment in writing.

S Kabanyane, Municipal Manager

15/4/1 (2610) P

3 March 2006

32993

STELLENBOSCH MUNICIPALITY

OFFICIAL NOTICE

**APPLICATION FOR REZONING, SUBDIVISION AND
AMENDMENT OF THE URBAN STRUCTURE PLAN:
FARMS 366 AND 369, STELLENBOSCH**

Notice is hereby given that the above Notice published on 16 February 2006 in the Provincial Gazette, is hereby withdrawn.

for Municipal Manager

3 March 2006

33006

DRAKENSTEIN MUNISIPALITEIT

**AANSOEK OM HERSONERING EN VERGUNNINGSGEBRUIK:
ERF 2610, TUSSEN BERGRIVIER BOULEVARD EN
CECILIASTRAAT, PAARL**

Kennis geskied hiermee ingevolge Artikel 17(2)(a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Nr 15 van 1985) en Regulasie 18(1) van die Soneringskemaregulasies van Paarl dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoorure ter insae is by die Waarnemende Hoof: Beplanning en Ekonomiese Ontwikkeling, Administratiewe Kantore, Bergrivier Boulevard, Paarl (Telefoon: 021-807 4834):

Eiendom: Erf 2610, Paarl

Aansoeker: Louis Hugo Stads- en Streekbeplanner

Eienaar: Mev M van der Merwe

Liggings: Geleë tussen Bergrivier Boulevard en Ceciliastraat, Paarl

Grootte: ± 1 182 m²

Huidige gebruik: Historiese Enkelwoonhuis

Voorstel: Hersonering van Erf 2610 vanaf Enkelwoningsone na Algemene Woonsone Subsone A; en meegaande

Vergunningsgebruik vir die omskepping en restourasie van die woning as 'n professionele gebou om kantore te huisves.

Die woning is ± 530 m² in grootte. Bestaande uit ± 347 m² op die grondvlak en ± 183 m² in die solder. Teen een parkeervak vir elke 30 m², soos vereis in terme van die Soneringskemaregulasies van Paarl, word daar sewentig (17) parkeervakke op terrein voorsien. Toegang tot die perseel en parkeervakke sal slegs vanaf Ceciliastraat wees.

Die betonmure aan die Bergrivier Boulevard kant sal verwyder word en deur 'n paslike palisade-heining vervang word.

Die gebou sal benut word deur Dux Solutions, 'n maatskappy bestaande uit die volgende afdelings: finansiële konsultante, eiendomsontwikkeling, eiendomsverhuring, veiligheidstydskrif, grafiese ontwerp en korttermynversekering.

Gemotiveerde besware aangaande bostaande aansoek kan skriftelik by die ondergetekende ingedien word, teen nie later nie as Maandag, 3 April 2006.

Geen laat besware sal oorweeg word nie.

Indien 'n persoon nie kan lees of skryf nie, kan so 'n persoon sy kommentaar mondelings by die Municipale Kantore, Bergrivier Boulevard, Paarl aflê, waar 'n personeellid sal help om sy kommentaar/vertoe op skrif te stel.

S Kabanyane, Municipale Bestuurder

15/4/1 (2610) P

3 Maart 2006

MUNISIPALITEIT STELLENBOSCH

AMPTELIKE KENNISGEWING

**AANSOEK OM HERSONERING, ONDERVERDELING EN
WYSIGING VAN DIE STEDELIKE STRUKTUURPLAN:
PLASE 366 EN 369, STELLENBOSCH**

Kennis geskied hiermee dat die bogemelde Kennisgewing wat op 16 Februarie 2006 in die Provinciale Koerant geadverteer was, hiermee teruggetrek word.

nms. Municipale Bestuurder

3 Maart 2006

33006

<p>HESSEQUA MUNICIPALITY</p> <p>PROPOSED CONSOLIDATION & SUBDIVISION OF ERVEN 2421 & 2422, MATOPPO STREET, ALBERTINIA</p> <p>Notice is hereby given in terms of the Section 24(2) of Ordinance 15 of 1985 that the Hessequa Council has received the following application on the abovementioned property:</p> <p><i>Property:</i></p> <p>Erven 2421 & 2422, Matoppo Street, Albertinia</p> <p><i>Proposal:</i></p> <p>Consolidation & Subdivision of Erven 2421 & 2422 in 2 portions:</p> <p>Portion A — 1.24 ha</p> <p>Portion B — 2.51 ha</p> <p><i>Applicant:</i></p> <p>B. van der Walt (namens OA Meyer)</p> <p>Details concerning the application are available at the office of the undersigned during office hours as well as the Albertinia Municipal Office. Any objections, to the proposed application should be submitted in writing to reach the office of the undersigned not later than 3rd April 2006.</p> <p>People who cannot write can approach the office of the undersigned during normal office hours where the responsible official will assist you in putting your comments or objections in writing.</p> <p>Municipal Manager, Hessequa Municipality, P.O. Box 29, Riversdal, 6670</p> <p>3 March 2006 32995</p>	<p>HESSEQUA MUNISIPALITEIT</p> <p>VOORGESTELDE KONSOLIDASIE & HERVERDELING: ERWE 2421 & 2422, MATOPPOSTRAAT, ALBERTINIA</p> <p>Kennis geskied hiermee ingevolge Artikel 24(2) van Ordonnansie 15 van 1985 dat die Hessequa Raad die volgende aansoek op bogenoemde eiendom ontvang het:</p> <p><i>Eiendomsbeskrywing:</i></p> <p>Erwe 2421 & 2422, Matoppostraat, Albertinia</p> <p><i>Aansoek:</i></p> <p>Aansoek om Konsolidasie & Herverdeling van Erwe 2421 & 2422 in 2 gedeeltes</p> <p>Gedeelte A — 1.24 ha</p> <p>Gedeelte B — 2.51 ha</p> <p><i>Applikant:</i></p> <p>B. van der Walt (namens OA Meyer)</p> <p>Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende gedurende kantoorure sowel as Albertinia Municipale Kantoor. Enige besware teen die voorgenome aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later as 3 April 2006.</p> <p>Personne wat nie kan skryf nie, kan die onderstaande kantoor nader tydens sy normale kantoorure waar die betrokke amptenaar u sal help om u kommentaar of besware op skrif te stel.</p> <p>Munisipale Bestuurder, Hessequa Munisipaliteit, Posbus 29, Riversdal, 6670</p> <p>3 Maart 2006 32995</p>
<p>HESSEQUA MUNICIPALITY</p> <p>PROPOSED SUBDIVISION OF ERF 235, REITZ STREET, HEIDELBERG</p> <p>Notice is hereby given in terms of the Section 24(2) of Ordinance 15 of 1985 that the Hessequa Council has received the following application on the abovementioned property:</p> <p><i>Property:</i></p> <p>Erf 235, Reitz Street — Heidelberg</p> <p><i>Proposal:</i></p> <p>Subdivision of Erf 235 Heidelberg in 3 portions</p> <p>Portion A — 748 m²</p> <p>Portion B — 516 m²</p> <p>Portion C — 1377 m²</p> <p><i>Applicant:</i></p> <p>B. van der Walt (on behalf of Mr AP Rossouw)</p> <p>Details concerning the application are available at the office of the undersigned during office hours as well as the Heidelberg Municipal Office. Any objections, to the proposed application should be submitted in writing to reach the office of the undersigned not later than 3rd April 2006.</p> <p>People who cannot write can approach the office of the undersigned during normal office hours where the responsible official will assist you in putting your comments or objections in writing.</p> <p>Municipal Manager, Hessequa Municipality, P.O. Box 29, Riversdal, 6670</p> <p>3 March 2006 32996</p>	<p>HESSEQUA MUNISIPALITEIT</p> <p>VOORGESTELDE ONDERVERDELING: ERF 235, REITZSTRAAT, HEIDELBERG</p> <p>Kennis geskied hiermee ingevolge Artikel 24(2) van Ordonnansie 15 van 1985 dat die Hessequa Raad die volgende aansoek op bogenoemde eiendom ontvang het:</p> <p><i>Eiendomsbeskrywing:</i></p> <p>Erf 235 Reitzstraat, Heidelberg</p> <p><i>Aansoek:</i></p> <p>Aansoek om Onderverdeling van Erf 235 in 3 gedeeltes</p> <p>Gedeelte A — 748 m²</p> <p>Gedeelte B — 516 m²</p> <p>Gedeelte C — 1377 m²</p> <p><i>Applikant:</i></p> <p>B. van der Walt (namens Mr AP Rossouw)</p> <p>Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende gedurende kantoorure sowel as Heidelberg Municipale Kantoor. Enige besware teen die voorgenome aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later as 3 April 2006.</p> <p>Personne wat nie kan skryf nie, kan die onderstaande kantoor nader tydens sy normale kantoorure waar die betrokke amptenaar u sal help om u kommentaar of besware op skrif te stel.</p> <p>Munisipale Bestuurder, Hessequa Munisipaliteit, Posbus 29, Riversdal, 6670</p> <p>3 Maart 2006 32996</p>

HESSEQUA MUNICIPALITY**PROPOSED SUBDIVISION OF ERF 662, DENNE AVENUE,
JONGENSFONTEIN**

Notice is hereby given in terms of the Section 24(2) of Ordinance 15 of 1985 that the Hessequa Council has received the following application on the abovementioned property:

Property:

Erf 662, Denne Avenue, Jongensfontein

Proposal:

Subdivision of Erf 662, Jongensfontein in 2 portions

Portion A — 728 m²

Portion B — 834 m²

Applicant:

B. van der Walt (on behalf of Taylor Family Trust)

Details concerning the application are available at the office of the undersigned during office hours as well as the Stilbaai Municipal Office. Any objections, to the proposed application should be submitted in writing to reach the office of the undersigned not later than 3 April 2006.

People who cannot write can approach the office of the undersigned during normal office hours where the responsible official will assist you in putting your comments or objections in writing.

Municipal Manager, Hessequa Municipality, P.O. Box 29, Riversdal, 6670

3 March 2006

32997

HESSEQUA MUNICIPALITY**PROPOSED SUBDIVISION OF ERF 935, BUITEKANTSTRAAT,
HEIDELBERG**

Notice is hereby given in terms of Section 24(2) of Ordinance 15 of 1985 that the Hessequa Council has received the following application on the abovementioned property:

Property:

Erf 935, Buitekantstraat — Heidelberg

Proposal:

Subdivision of Erf 935 in 4 portions

Portion A — 701 m²

Portion B — 701 m²

Portion C — 517 m²

Portion D — 517 m²

Applicant:

B. van der Walt (on behalf of Mr & Mrs Enslin)

Details concerning the application are available at the office of the undersigned during office hours as well as the Heidelberg Municipal Office. Any objections, to the proposed application should be submitted in writing to reach the office of the undersigned not later than 3 April 2006.

People who cannot write can approach the office of the undersigned during normal office hours where the responsible official will assist you in putting your comments or objections in writing.

Municipal Manager, Hessequa Municipality, P.O. Box 29, Riversdal, 6670

3 March 2006

32998

HESSEQUA MUNISIPALITEIT**VOORGESTELDE ONDERVERDELING: ERF 662, DENNELAAN,
JONGENSFONTEIN**

Kennis geskied hiermee ingevolge Artikel 24(2) van Ordonnansie 15 van 1985 dat die Hessequa Raad die volgende aansoek op bogenoemde eiendom ontvang het:

Eiendomsbeskrywing:

Erf 662, Dennelaan, Jongensfontein

Aansoek:

Aansoek om Onderverdeling van Erf 662 in 2 gedeeltes

Gedeelte A — 728 m²

Gedeelte B — 834 m²

Applikant:

B. van der Walt (namens Taylor Familieltrust)

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende gedurende kantoorure sowel as Stilbaai Munisipale Kantoor. Enige besware teen die voorgenome aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later as 3 April 2006.

Persones wat nie kan skryf nie, kan die onderstaande kantoor nader tydens sy normale kantoorure waar die betrokke amptenaar u sal help om u kommentaar of besware op skrif te stel.

Munisipale Bestuurder, Hessequa Munisipaliteit, Posbus 29, Riversdal, 6670

3 Maart 2006

32997

HESSEQUA MUNISIPALITEIT**VOORGESTELDE ONDERVERDELING: ERF 935,
BUITEKANTSTRAAT, HEIDELBERG**

Kennis geskied hiermee ingevolge Artikel 24(2) van Ordonnansie 15 van 1985 dat die Hessequa Raad die volgende aansoek op bogenoemde eiendom ontvang het:

Eiendomsbeskrywing:

Erf 935, Buitekantstraat, Heidelberg

Aansoek:

Aansoek om Onderverdeling van Erf 935 in 4 gedeeltes

Gedeelte A — 701 m²

Gedeelte B — 701 m²

Gedeelte C — 517 m²

Gedeelte D — 517 m²

Applikant:

B. van der Walt (namens Mn en Mev Enslin)

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende gedurende kantoorure sowel as Heidelberg Munisipale Kantoor. Enige besware teen die voorgenome aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later as 3 April 2006.

Persones wat nie kan skryf nie, kan die onderstaande kantoor nader tydens sy normale kantoorure waar die betrokke amptenaar u sal help om u kommentaar of besware op skrif te stel.

Munisipale Bestuurder, Hessequa Munisipaliteit, Posbus 29, Riversdal, 6670

3 Maart 2006

32998

MATZIKAMA MUNICIPALITY

**NOTICE: APPLICATION FOR REZONING, SUBDIVISION,
ALIENATION AND IN TERMS OF THE
ENVIRONMENT CONSERVATION ACT**

Notice is hereby given in terms of Sections 17(2) and 24(2) of the Land Use Planning Ordinance, No 15 of 1985 read together with Section 21 of Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000) and also in terms of Regulation 4(6) of the Regulations published by Government Notice No R1183 (as amended) under Section 26 of the Environment Conservation Act, 1989 (Act No 73 of 1989) that Matzikama Municipality has the following intention:

Applicant: Louis de Bruin Land Surveyor (on behalf of J J P Smith)

Owner: Matzikama Municipality

Property: Unregistered Erf 1288, Lutzville

Current zoning: Undetermined zone

Locality: Cnr Verkeer- and Station Streets, east adjacent to Jnr Smith Trucking, Lutzville

Proposed development: Subdivision of Plot 553, Olifants River Settlement in Portion A ($\pm 3 780 \text{ m}^2$) and Remainder. Rezoning of Portion A to Transport zone I. Alienation of Portion A to Jnr Smith Trucking.

Please note that in terms of Section 21(4) of the Act on Local Government: Municipal Systems Act, No 32 of 2000 persons who cannot read or write is invited to visit the office of the Director Administration where officials will assist you to formulate your objection and/or complete any relevant documentation.

Full details can be obtained at the office of the Director Administration during normal office hours. Motivated objections and/or comments, against the proposed development and council's intension, should be lodged in writing on or before, Monday, 3 April 2006.

DGI O'Neill, Acting Municipal Manager, Municipal Offices, P.O. Box 98, Vredendal, 8160

Tel: 027-201 3300

Fax: 027-21 33238

Notice No: 16/2006

3 March 2006 33000

SALDANHA BAY MUNICIPALITY

**APPLICATION FOR DEPARTURE:
ERF 772, LANGEBAAN (15 WIGHTMAN STREET).**

Notice is hereby given that Council received an application for:

- a) a consent use, in terms of Regulation 3.3 of the Langebaan Scheme Regulations, in order to allow for a Guest House (residential building consisting of 3 units for self-catering purposes) on Erf 772, Langebaan zoned as Residential Zone 2.

Details are available for scrutiny at the Municipal Manager's office, Langebaan Office, Breë Street, Langebaan. Weekdays: 08:00-13:00 and 13:30-16:30.

Enquiries: N Colyn [Vredenburg Offices — (022) 701 7107]

Objections and/or comment to the proposal, with relevant reasons, must be lodged in writing before 7 April 2006, with the Municipal Manager, Private Bag X12, Vredenburg, 7380.

LA Scheepers, Municipal Manager

3 March 2006 33003

MUNISIPALITEIT MATZIKAMA

**KENNISGEWING: AANSOEK OM HERSONERING,
ONDERVERDELING, VERVREEMDING EN IN TERME VAN DIE
OMGEWINGSBEWARINGSWET**

Kennis geskied hiermee ingevolge Artikels 17(2) en 24(2) van die Ordonnansie op Grondgebruiksbeplaning, No 15 van 1985 saamgelees met Artikel 21 van die Wet op Plaaslike Regering: Munisipale Stelsels, No 32 van 2000, asook in terme van Regulasie 4(6) van die Regulasies afgekondig in PK No R1183 (soos gewysig) ingevolge Artikel 26 van Omgewingsbewaringswet, 1989 (No 73 van 1989) dat die Raad die volgende aansoek ontvang het vir oorweging:

Aansoeker: Louis de Bruin Landmeter (nms J J P Smith)

Eienaar: Matzikama Munisipaliteit

Eiendom: Ongeregistreerde Erf No 1288, Lutzville

Huidige sonering: Onbepaalde sone

Liggings: H/v Verkeer- en Stasiestraat, oos aanliggend aan Jnr Smit Trucking, Lutzville

Voorstel: Onderverdeling van Perseel 553, Olifantsriviernedersetting in Gedeelte A ($\pm 3 780 \text{ m}^2$) en Restant. Die hersonering van Gedeelte A na Vervoersone I en vervreemding daarvan aan Jnr Smith Trucking.

Geliewe kennis te neem dat u ingevolge Artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, No 32 van 2000 genooid word om ingeval waar u nie kan lees of skryf die kantoor van die Direkteur Administrasie te besoek waar personeel u behulpsaam sal wees, gedurende genoemde ure, met of die formulering van u beswaar en/of die voltooiing van enige tersaaklike dokumentasie.

Volledige besonderhede is verkrygbaar by die Direkteur Administrasie gedurende kantoorure en skriftelike, gemotiveerde besware, indien enige, teen die voorstel moet die ondergetekende voor of op 3 April 2006 bereik.

DGI O'Neill, Wnde Munisipale Bestuurder, Munisipale kantore, Posbus 98, Vredendal, 8160

Tel: 027-2013300

Faks: 027-2133238

Kennisgewing No. 16/2006

3 Maart 2006 33000

MUNISIPALITEIT SALDANHABAAI

**AANSOEK OM AFWYKING:
ERF 772, LANGEBAAN (WIGHTMANSTRAAT 15).**

Kennis geskied hiermee dat die Raad 'n aansoek ontvang het vir:

- a) 'n vergunningsgebruik, in terme van Regulasie 3.3 van die Langebaan Skemaregulasie ten einde 'n Gastehuis (woongebou bestaande uit 3 eenhede vir selfsorg doeleindes) op Erf 772, Langebaan, gesyneer as Residensiële Sone 2, te akkomodeer.

Nadere besonderhede lê ter insae by die Munisipale Bestuurder se kantoor, te Langebaan Kantoor, Breëstraat, Langebaan. Weeksdae: 08:00-13:00 en 13:30-16:30.

Navrae: N Colyn (Vredenburg Kantore — (022) 7017107)

Komentaar en/of besware met relevante redes, moet skriftelik voor 7 April 2006 by die Munisipale Bestuurder, Privaatsak X12, Vredenburg, 7380, ingedien word.

LA Scheepers, Munisipale Bestuurder

3 Maart 2006 33003

MATZIKAMA MUNICIPALITY

NOTICE: APPLICATION FOR REZONING

Notice is hereby given in terms of section 17(2) of the Land Use Planning Ordinance, No 15 of 1985 that an application, as set out below, has been submitted to Matzikama Municipality:

Owner: Dutch Reformed Church

Applicant: Church Council

Property: Erf 132, Lutzville

Locality: Cnr Church and Station Streets, Lutzville

Existing zoning: Institutional zone II

Proposed development: Rezoning of a portion of Erf 132, Lutzville, to erect a nisch wall.

Please note that in terms of Section 21(4) of the Act on Local Government: Municipal Systems Act, No 32 of 2000 persons who cannot read or write is invited to visit the office of the Director Administration where officials will assist you to formulate your objection and/or complete any relevant documentation.

Full details can be obtained at the office of the Director Administration during normal office hours. Motivated objections and/or comments, against the proposed development and council's intension, should be lodged in writing on or before, Monday, 3 April 2006.

DGI O'Neill, Acting Municipal Manager, Municipal Offices, 37 Church Street, P.O. Box 98, Vredendal, 8160

e-mail: vred12@matzikamamun.co.za

Tel: 027-201 3300

Fax: 027-21 33238

Notice No: 15/2006

3 March 2006

33001

SALDANHA BAY MUNICIPALITY

ERRATA

**APPLICATION FOR REZONING AND SUBDIVISION OF
ERF 2758, BELLA VANTI AVENUE, ST HELENABAII**

Notice is hereby given that Council received an application for:

- i) the rezoning of Erf 2758, St Helena Bay, in terms of Section 17(1) of the Land Use Planning Ordinance (No 15 of 1985), from Small Holding to Group Housing; and
- ii) the subdivision of Erf 2758, St Helena Bay, in terms of Section 24(1) of the Land Use Planning Ordinance (No 15 of 1985), in order to create 31 group housing erven and roads.

Details are available at the Municipal Manager's office, municipal building opposite the Primary School, 4 School Street, Vredenburg. Weekdays: 08:00-13:00 and 13:30-16:30.

Enquiries: L Gaffley.

Objections/comment to the proposal, with relevant reasons, must be lodged in writing, with the Municipal Manager, Private Bag X12, Vredenburg, 7380, before 3 April 2005.

Municipal Manager

3 March 2006

33004

MUNISIPALITEIT MATZIKAMA

KENNISGEWING: AANSOEK OM HERSONERING

Kennis geskied hiermee ingevolge Artikel 17(2) van die Ordonnansie op Grondgebruiksbeplanning, No 15 van 1985 saamgelees met Artikel 21 van die Wet op Plaaslike Regering: Munisipale Stelsels, No 32 van 2000, dat die Raad die volgende aansoek ontvang het vir oorweging:

Aansoeker: Die Kerkraad

Eienaar: NG Kerk Lutzville

Eiendom: Erf No 132, Lutzville

Liggings: H/v Kerk- en Stasiestraat, Lutzville

Huidige sonering: Institusionele sone II

Voorstel: Hersonering van 'n gedeelte van Erf 132, Lutzville vir die oprig van 'n nismuur.

Geliewe kennis te neem dat u ingevolge Artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, No 32 van 2000 genooi word om ingeval waar u nie kan lees of skryf die kantoor van die Direkteur Administrasie te besoek waar personeel u behulpsaam sal wees, gedurende genoemde ure, met of die formulering van u beswaar en/of die voltooiing van enige tersaaklike dokumentasie.

Volledige besonderhede is verkrygbaar by die Direkteur Administrasie gedurende kantoorure en skriftelike, gemotiveerde besware, indien enige, teen die voorstel moet die ondergetekende voor of op 3 April 2006 bereik.

DGI O'Neill, Wnde Munisipale Bestuurder, Munisipale kantore, Posbus 98, Vredendal, 8160

e-pos: vred12@matzikamamun.co.za

Tel: 027-2013300

Faks: 027-2133238

Kennisgewing No. 15/2006

3 Maart 2006

33001

MUNISIPALITEIT SALDANHABAII

ERRATUM

**AANSOEK OM HERSONERING EN ONDERVERDELING VAN
ERF 2758, BELLA VANTILAAN, ST HELENABAII**

Kennis geskied hiermee dat die Raad 'n aansoek ontvang het vir:

- i) die hersonering van Erf 2758, St Helenabaai, ingevolge Artikel 17(1) van die Ordonnansie op Grondgebruikbeplanning (Nr 15 van 1985), vanaf Kleinhewe na Groepsbehusing; en
- ii) die onderverdeling van Erf 2758, St Helenabaai, ingevolge Artikel 24(1) van die Ordonnansie op Grondgebruikbeplanning (Nr 15 van 1985), ten einde 31 groepbehuisingspersele en strate te skep.

Nadere besonderhede lê ter insae by die Munisipale Bestuurder se kantoor, munisipale gebou oorkant die Laerskool, Skoolstraat 4, Vredenburg. Weeksdae: 08:00-13:00 en 13:30-16:30.

Navrae: L Gaffley.

Besware/komentare ten opsigte van die aansoek, tesame met betrokke redes, moet skriftelik voor 3 April 2005 by die Munisipale Bestuurder, Privaatsak X12, Vredenburg, 7380, ingedien word.

Munisipale Bestuurder

3 Maart 2006

33004

OVERSTRAND MUNICIPALITY

(Gansbaai Administration)

(M/N 8/2006)

ERF 2430, GANSBAAI: APPLICATION FOR REZONING AND SUBDIVISION: AMENDMENT OF THE GREATER GANSBAAI SPATIAL PLAN: NEW MUNICIPAL SPORT GROUNDS AND SCHOOL SITE ("GANSBAAI SPORT CENTRE")

Notice is hereby given in terms of the provisions of sections 4, 17, 22 and 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), as well as the provisions of the National Environmental Management Act, 107 (Act 107 of 1998), and the Environmental Conservation Act, 1973 (Act 73 of 1989)(P.N. No. 1183, as amended) that the Overstrand Municipality intends to rezone Erf 2430, Gansbaai from Undetermined Zone to Subdivisional Area, and to subdivide the property into five portions. The application is set out as follows:

Property details

The property is 32,4009 ha in extent, and is zoned as Undetermined Zone. The northern side of the property is bordered by the Gansbaai Gateway Shopping Centre, on the eastern side by Main Road 28 and the Gansbaai industrial area, on the southern side by Blompark township, and on the western side by an undeveloped portion of the commonage. The municipal offices, library, as well as the primary health care centre, are currently situated on the property.

Locality plan/Layout plan

OVERSTRAND MUNISIPALITEIT

(Gansbaai Administrasie)

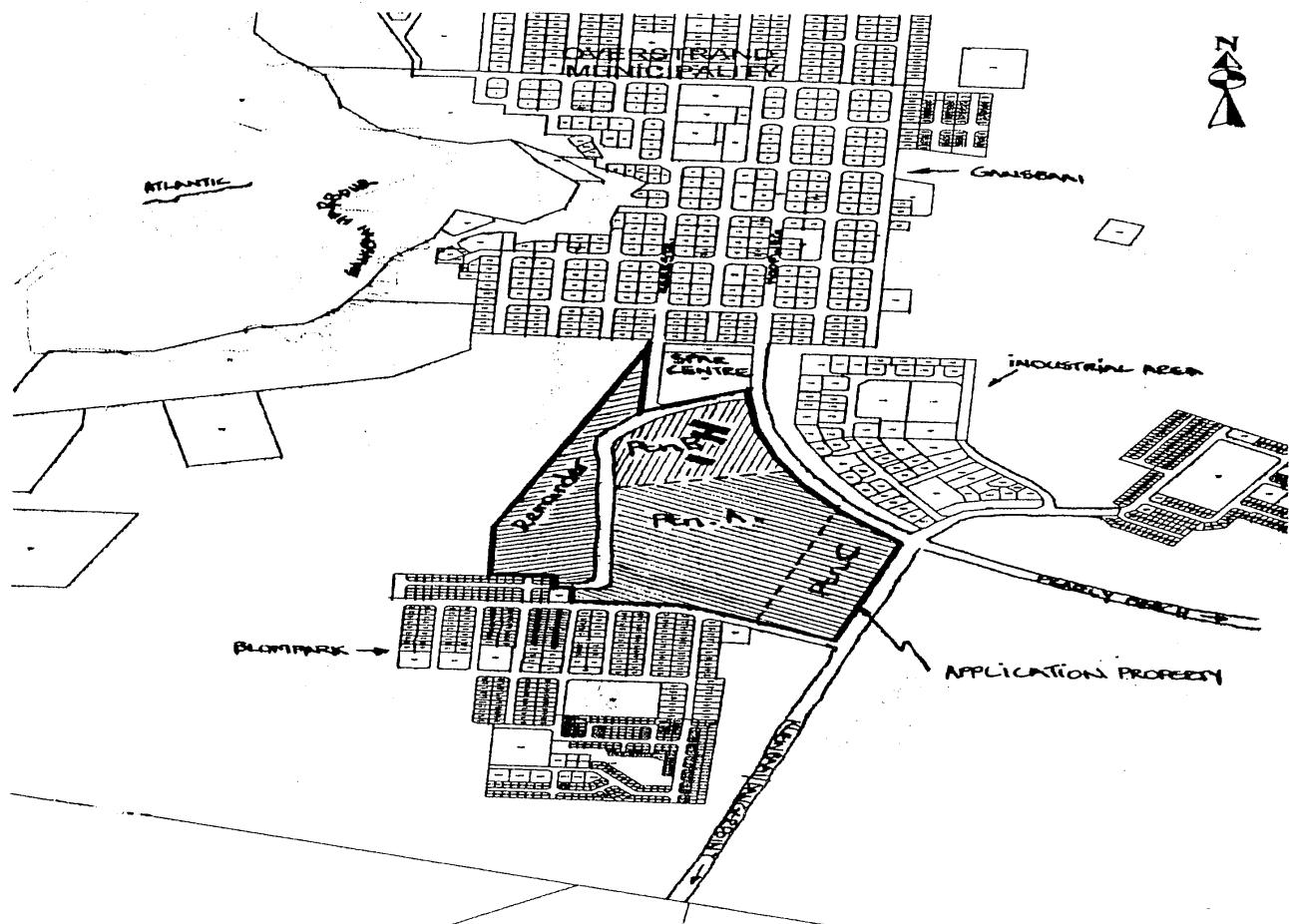
(M/K 8/2006)

ERF 2430, GANSBAAI: AANSOEK OM HERSONERING EN ONDERVERDELING: WYSIGING VAN DIE GROTER GANSBAAI RUIMTELIKE PLAN: NUWE MUNISIPALE SPORTGRONDE EN SKOOLTERREIN ("GANSBAAI SPORTSENTRUM")

Kennis geskied hiermee ingevolge die bepalings van artikels 4, 17, 22 en 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), asook die bepalings van die Nasionale Omgewingsbestuurswet, 107 (Wet 107 van 1998), en die Omgewingsbewaringswet, 1973 (Wet 73 van 1989)(P.K. Nr. 1183, soos gewysig) dat die Overstrand Munisipaliteit van voorname is om Erf 2430, Gansbaai te hersoneer vanaf Onbepaalde Sone na Onderverdelingsgebied, en die eiendom in vyf gedeeltes te onderverdeel. Die aansoek word soos volg uiteengesit:

Eiendomsbesonderhede

Die eiendom is 32,4009 ha groot, en as Onbepaalde Sone gesoneer. Die eiendom word aan die noordekant deur die Gansbaai Gateway Inkopiesentrum begrens, aan die oostekant deur Hoofpad 28 en die Gansbaai industriële gebied, aan die suidekant deur Blompark dorp, en aan die westekant deur 'n onontwikkelde gedeelte van die meentgrond. Die munisipale kantore, biblioteek, sowel as die Gansbaai kliniek kom tans op die eiendom voor.

Liggingsplan/Uitlegplan

*Application**Land Use Planning Ordinance 1985 (Ordinance 15 of 1985)*

The application entails the rezoning of the abovementioned property from Undetermined Zone to Subdivisional Area, and the subdivision thereof into five portions, namely:

- Portion A: Private Open Space (sport grounds consisting of soccer fields, netball courts, pavilion and ablution facilities).
- Portion B: Authority Zone (existing municipal offices, library as well as the primary health care centre — provision is also made for a multi purpose community facility).
- Portion C: Institutional Zone (school terrain).
- Road Zone: (existing public road between the Gansbaai Gateway Shopping Centre and Blompark township, known as Kapokblom Street).
- Undetermined Zone (the remainder of Erf 2430).

Amendment of the Greater Gansbaai Spatial Plan

In terms of the Greater Gansbaai Spatial Plan (structure plan) the property is earmarked for authority purposes and sport purposes only. The proposed school terrain is a new addition to the approved structure plan, and the relevant structure plan must therefore be amended accordingly.

Environmental Legislation

In terms of the abovementioned environmental legislation, the change of the use of land with a undertermined zoning, is listed as an activity which may have a detrimental impact on the environment, and the rezoning of Erf 2430 is therefor subject to the prior approval of the Department of Environmental Affairs and Development Planning. The application will therefor also be submitted to the aforementioned department for consideration.

The applications are open to inspection at the office of the Area Manager, Overstrand Municipality (Gansbaai Administration), Main Road, Gansbaai from 07:45-13:00 and 13:45-16:30 (Monday to Friday), and any queries can be directed to Mr F Myburgh or Mr H Boshoff at tel.no. (028) 3840111, or faxno. (028) 3840241.

Any objections against the application, with full reasons therefor, must be in writing and reach the office of the abovementioned Area Manager, per address The Municipal Manager, P.O. Box 26, Gansbaai 7220, or per fax not later than Monday, 3 April 2006, with reference of the objector's erf number and contact details. Any comment/objection received after the aforementioned closing date, will be disregarded. No e-mails will be accepted.

Persons who cannot write can approach the town planning division of the Overstrand Municipality (Gansbaai Administration) during normal office hours where a staff member will assist such persons to transcribe their comment or objection.

JF Koekemoer, Municipal Manager

3 March 2006

*Aansoek**Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985).*

Die aansoek behels die hersonering van bogenoemde eiendom vanaf Onbepaalde Sone na Onderverdelingsgebied, en die onderverdeling daarvan in vyf gedeeltes, naamlik:

- Gedeelte A: Privaat Oopruimtesone (sportgronde bestaande uit sokkervelde, netbalbane, paviljoen en ablusiefasilitete).
- Gedeelte B: Owerheidsone (bestaande munisipale kantore, biblioteek sowel as kliniek — voorsiening word ook gemaak vir 'n veeldoelige gemeenskapsfasilititeit).
- Gedeelte C: Institusionele Sone (skoolterrein).
- Padsone: (bestaande openbare pad tussen die Gansbaai Gateway Inkopiesentrum en Blompark dorp, bekend as Kapokblomstraat).
- Onbepaalde Sone: (die restant van Erf 2430).

Wysiging van die Groter Gansbaai Ruimtelike Plan

In terme van die Groter Gansbaai Ruimtelike Plan (struktuurplan) word die eiendom slegs vir owerheidsdoeleindes en sportdooeindes geoormerk. Die voorgestelde skoolterrein is 'n nuwe toevoeging tot die goedkeurde struktuurplan, en moet die betrokke struktuurplan dus dienooreenkomsdig aangepas word.

Omgewingswetgewing

Ingevolge die bepalings van bogenoemde omgewingswetgewing is die gebruiksverandering van grond met 'n onbepaalde sonering, gelys as 'n aktiwiteit wat moontlik 'n nadelige impak op die omgewing mag hê, en is die hersonering van Erf 2430 dus onderworpe aan die vooraf goedkeuring van die Departement van Omgewingsake en Ontwikkelingsbeplanning. Die aansoek sal gevolelik ook aan voornoemde departement vir oorweging voorgele word.

Die aansoeke lê ter insae by die kantoor van die Areabestuurder, Overstrand Munisipaliteit (Gansbaai Administrasie), Hoofstraat, Gansbaai vanaf 07:45-13:00 en 13:45-16:30 (Maandag tot Vrydag), en enige navrae kan gerig word aan mnr F Myburgh of mnr H Boshoff by tel.nr. (028) 384-0111, of faksnr. (028) 384-0241.

Enige besware teen die aansoeke, met volledige redes daarvoor, moet skriftelik wees en die kantoor van bogenoemde Areabestuurder, per adres Die Municipale Bestuurder, Posbus 26, Gansbaai 7220, of per faks bereik nie later nie as Maandag, 3 April 2006 met vermelding van die beswaarmaker se erfnommer en kontakbesonderhede.

Enige kommentaar/beswaar wat na die voorgemelde sluitingsdatum ontvang word, sal nie in aggeneem word nie. Geen e-posse sal aanvaar word nie. Persone wat nie kan skryf nie, kan die stadsbeplanningsafdeling van die Overstrand Munisipaliteit (Gansbaai Administrasie) tydens normale kantoorture nader waar 'n personeellid daardie persone behulpsaam sal wees deur hul kommentaar of besware op skrif te stel.

JF Koekemoer, Munisipale Bestuurder

3 Maart 2006

33002

SWARTLAND MUNICIPALITY**NOTICE 190/05/06****PROPOSED REZONING OF ERF 9463,
MALMESBURY**

Notice is hereby given in terms of Section 17 of Ordinance 15 of 1985 that it is the intention of Council to rezone erf 9463, situated in Voortrekker Road, Malmesbury, in extent 4 498 m² from public open space to business zone.

Further particulars are available during office hours (weekdays) at the Department Corporate Services, in the office of the Chief: Planning and Development, Municipal Office, Church Street, Malmesbury.

Any comments may be lodged in writing with the undersigned not later than 3 April 2006.

JT Steenkamp, Acting Municipal Manager, Municipal Office, Private Bag X52, Malmesbury

3 March 2006 33007

SWARTLAND MUNICIPALITY**NOTICE 185/05/06****PROPOSED CONSENT USE ON A PORTION
OF THE FARM KLEINE RONDEBOSCHJE
(EENBOOM) NO. 532/1**

Notice is hereby given in terms of Section 4.7 of Ordinance 15 of 1985 that an application has been received for a consent use on a portion of the Farm Kleine Rondeboschje (Eenboom) no. 532/1, in extent ±330 ha in order to create a guest house on a site of 8,1 ha which consist of a main reception and recreation building of ±452 m², a recreation building with restaurant and undercover parking of ±520 m², outdoor swimming pool and 12 residential units of 268 m² each.

Further particulars are available during office hours (weekdays) at the Department Corporate Services, in the office of the Chief: Planning and Development, Municipal Office, Church Street, Malmesbury.

Any comments may be lodged in writing with the undersigned not later than 3 April 2006.

JT Steenkamp, Acting Municipal Manager, Municipal Office, Private Bag X52, Malmesbury

3 March 2006 33008

SWARTLAND MUNICIPALITY**NOTICE 186/05/06****PROPOSED REZONING OF ERF 20, MALMESBURY**

Notice is hereby given in terms of Section 17 of Ordinance 15 of 1985 that it is the intention of Council to rezone erf 20, situated c/o Wistaria and Oleander Streets, Malmesbury, in extent 7 550 m² from undetermined zone to light industrial zone.

Further particulars are available during office hours (weekdays) at the Department Corporate Services, in the office of the Chief: Planning and Development, Municipal Office, Church Street, Malmesbury.

Any comments may be lodged in writing with the undersigned not later than 3 April 2006.

JT Steenkamp, Acting Municipal Manager, Municipal Office, Private Bag X52, Malmesbury

3 March 2006 33009

MUNISIPALITEIT SWARTLAND**KENNISGEWING 190/05/06****VOORGESTELDE HERSONERING VAN ERF 9463,
MALMESBURY**

Kennis geskied hiermee ingevolge Artikel 17 van Ordonnansie 15 van 1985 dat die Raad van voorneme is om erf 9463 geleë te Voortrekkerweg, Malmesbury, groot 4 498 m² te hersoneer vanaf openbare oopruimte na sakesone.

Verdere besonderhede is gedurende gewone kantoorure (weeksdae) beskikbaar by die Departement Korporatiewe Dienste, in die kantoor van die Hoof: Beplanning en Ontwikkeling, Munisipale Kantore, Kerkstraat, Malmesbury.

Enige kommentaar kan skriftelik by die ondergetekende ingedien word nie later nie as 3 April 2006.

JT Steenkamp, Waarnemende Munisipale Bestuurder, Munisipale Kantoor, Privaatsak X52, Malmesbury

3 Maart 2006 33007

MUNISIPALITEIT SWARTLAND**KENNISGEWING 185/05/06****VOORGESTELDE VERGUNNINGSGEBRUIK OP 'N GEDEELTE
VAN DIE PLAAS KLEINE RONDEBOSCHJE
(EENBOOM) NO. 532/1**

Kennis geskied hiermee ingevolge Artikel 4.7 van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir 'n vergunningsgebruik op 'n gedeelte van die Plaas Kleine Rondeboschje (Eenboom) no. 532/1, groot ±330 ha ten einde 'n gastehuis op 'n perseel van 8,1 ha te skep wat bestaan uit 'n hoofontvangs- en rekreasie gebou van ±452 m², 'n rekreasie gebou met restaurant en onderdak parkering van ±520 m², buitelug swembad en 12 wooneenhede van ±268 m² elk.

Verdere besonderhede is gedurende gewone kantoorure (weeksdae) beskikbaar by die Departement Korporatiewe Dienste, in die kantoor van die Hoof: Beplanning en Ontwikkeling, Munisipale Kantore, Kerkstraat, Malmesbury.

Enige kommentaar kan skriftelik by die ondergetekende ingedien word nie later nie as 3 April 2006.

JT Steenkamp, Waarnemende Munisipale Bestuurder, Munisipale Kantoor, Privaatsak X52, Malmesbury

3 Maart 2006 33008

MUNISIPALITEIT SWARTLAND**KENNISGEWING 186/05/06****VOORGESTELDE HERSONERING VAN ERF 20, MALMESBURY**

Kennis geskied hiermee ingevolge Artikel 17 van Ordonnansie 15 van 1985 dat die Raad van voorneme is om erf 20 geleë te h/v Wistaria- en Oleanderstraat, Malmesbury, groot 7 750 m² te hersoneer vanaf onbepaalde sone na ligte nywerheidsone.

Verdere besonderhede is gedurende gewone kantoorure (weeksdae) beskikbaar by die Departement Korporatiewe Dienste, in die kantoor van die Hoof: Beplanning en Ontwikkeling, Munisipale Kantore, Kerkstraat, Malmesbury.

Enige kommentaar kan skriftelik by die ondergetekende ingedien word nie later nie as 3 April 2006.

JT Steenkamp, Waarnemende Munisipale Bestuurder, Munisipale Kantoor, Privaatsak X52, Malmesbury

3 Maart 2006 33009

SWARTLAND MUNICIPALITY**NOTICE 184/05/06****PROPOSED SUBDIVISION OF ERF 2207,
DARLING**

Notice is hereby given in terms of Section 24 of Ordinance 15 of 1985 that an application has been received for the subdivision of erf 2207, in extent 1 156 m², situated in Pastorie Park, Darling into a remainder (\pm 578 m²) and portion A (\pm 578 m²).

Further particulars are available during office hours (weekdays) at the Department Corporate Services, in the office of the Chief: Planning and Development, Municipal Office, Church Street, Malmesbury.

Any comments may be lodged in writing with the undersigned not later than 3 April 2006.

JT Steenkamp, Acting Municipal Manager, Municipal Office, Private Bag X52, Malmesbury

3 March 2006 33010

MUNISIPALITEIT SWARTLAND**KENNISGEWING 184/05/06****VOORGESTELDE ONDERVERDELING VAN ERF 2207,
DARLING**

Kennis geskied hiermee ingevolge Artikel 24 van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die onderverdeling van erf 2207, groot 1 156 m², geleë te Pastorie Park, Darling in 'n restant (\pm 578 m²) en gedeelte A (\pm 578 m²).

Verdere besonderhede is gedurende gewone kantoorure (weeksdae) beskikbaar by die Departement Korporatiewe Dienste, in die kantoor van die Hoof: Beplanning en Ontwikkeling, Munisipale Kantore, Kerkstraat, Malmesbury.

Enige kommentaar kan skriftelik by die ondergetekende ingedien word nie later nie as 3 April 2006.

JT Steenkamp, Waarnemende Munisipale Bestuurder, Munisipale Kantoor, Privaatsak X52, Malmesbury

3 Maart 2006 33010

SWARTLAND MUNICIPALITY**NOTICE 187/05/06****PROPOSED REZONING OF ERF 7514,
MALMESBURY**

Notice is hereby given in terms of Section 17 of Ordinance 15 of 1985 that it is the intention of Council to rezone erf 7514, situated in Jakaranda Street, Malmesbury, in extent 5 758 m² from local government zone to business zone.

Further particulars are available during office hours (weekdays) at the Department Corporate Services, in the office of the Chief: Planning and Development, Municipal Office, Church Street, Malmesbury.

Any comments may be lodged in writing with the undersigned not later than 3 April 2006.

JT Steenkamp, Acting Municipal Manager, Municipal Office, Private Bag X52, Malmesbury

3 March 2006 33011

MUNISIPALITEIT SWARTLAND**KENNISGEWING 187/05/06****VOORGESTELDE HERSONERING VAN ERF 7514,
MALMESBURY**

Kennis geskied hiermee ingevolge Artikel 17 van Ordonnansie 15 van 1985 dat die Raad van voorname is om erf 7514 geleë te Jakarandastraat, Malmesbury, groot 5 758 m² te hersoneer vanaf plaaslike owerheidsone na sake sone.

Verdere besonderhede is gedurende gewone kantoorure (weeksdae) beskikbaar by die Departement Korporatiewe Dienste, in die kantoor van die Hoof: Beplanning en Ontwikkeling, Munisipale Kantore, Kerkstraat, Malmesbury.

Enige kommentaar kan skriftelik by die ondergetekende ingedien word nie later nie as 3 April 2006.

JT Steenkamp, Waarnemende Munisipale Bestuurder, Munisipale Kantoor, Privaatsak X52, Malmesbury

3 Maart 2006 33011

SWARTLAND MUNICIPALITY**NOTICE 182/05/06****PROPERTY RATES BY-LAW**

Notice is hereby given in terms of Section 13(a) of the Municipal Systems Act, 2000 (Act 32 of 2000) that the Municipal Council of the Swartland Municipality has adopted the following by-laws —

- a property rates by-law, and
- financial by-law

Copies of the by-laws lie for inspection during ordinary office hours at the Municipal Offices, Malmesbury

JT Steenkamp, Acting Municipal Manager, Municipal Office, Private Bag X52, Malmesbury

3 March 2006 33012

MUNISIPALITEIT SWARTLAND**KENNISGEWING 182/05/06****EIENDOMSBELASTING VERORDENING**

Kennis word hiermee gegee ingevolge Artikel 13(1) van die Munisipale Stelselwet, 2000 (Wet 32 van 2000) dat die munisipale raad van die Munisipaliteit Swartland die volgende verordeninge gemaak het —

- 'n eiendomsbelastingverordening, en
- 'n finansiële verordening

Eksemplare van die verordeninge lê ter insae by die Munisipale kantore, Malmesbury gedurende gewone kantoorure.

JT Steenkamp, Waarnemende Munisipale Bestuurder, Munisipale Kantoor, Privaatsak X52, Malmesbury

3 Maart 2006 33012

SWELLENDAM MUNICIPALITY**APPLICATION FOR CONSENT USE ERF 4778
SWELLENDAM**

Notice is hereby given in terms of the Ordinance of the Land Use Planning, No 15 that the Council has received an application from A M Awaale, to construct a house shop on erf 4778, 45 Kappertjie Street, Swellendam.

Further particulars regarding the proposal are available for inspection at the Municipal Offices at Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 3 April 2006.

Persons who are unable to write will be assisted during office hours, at the Municipal Offices, Swellendam, to write down their objections.

T. Botha, Municipal Manager, Municipal Office, Swellendam

Notice 23/2006

3 March 2006

33013

SWELLENDAM MUNICIPALITY**APPLICATION FOR CONSENT USE ERF 5228
SWELLENDAM**

Notice is hereby given in terms of the Ordinance on Land Use Planning, 1985 (Ordinance No 15 of 1985) that the Council has received an application from L Swart en K Keyser, to construct a house shop on erf 5228, 9 Aandblom Street, Swellendam.

Further particulars regarding the proposal are available for inspection at the Municipal Offices at Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 3 April 2006.

Persons who are unable to write will be assisted during office hours, at the Municipal Offices, Swellendam, to write down their objections.

T. Botha, Municipal Manager, Municipal Office, Swellendam

Notice 22/2006

3 March 2006

33014

SWELLENDAM MUNICIPALITY**APPLICATION FOR DEPARTURE AND CONSENT USE:
ERF 250, SWELLENDAM**

Notice is hereby given in terms of Section 15 of the Ordinance on Land Use Planning 1985 (Ordinance no. 15 of 1985) that Council has received an application from Swellendam Woord en Lewe erf 250, 22 Odendaal Street, Swellendam in order to exceed the streetbuilding and the consent of council to utilise the property as a house of worship.

Further particulars regarding the proposal are available for inspection at the Swellendam office during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 3 April 2006.

Persons who are unable to write will be assisted during office hours, at the Municipal office, Swellendam, to write down their objections.

T. Botha, Municipal Manager, Municipal Office, Swellendam

Notice 21/2006

3 March 2006

33015

SWELLENDAM MUNISIPALITEIT**AANSOEK OM VERGUNNINGSGEBRUIK ERF 4778
SWELLENDAM**

Kennisgewing geskied hiermee in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie No 15 van 1985) die Raad 'n aansoek ontvang het van A M Awaale om 'n huiswinkel op erf 4778, Kappertjiestraat 45, Swellendam op te rig.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die munisipale kantoor, Swellendam, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergetekende voor of op 3 April 2006 bereik.

Personne wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hulle besware neer te skryf.

T. Botha, Munisipale Bestuurder, Munisipale Kantoer, Swellendam

Kennisgewing 23/2006

3 Maart 2006

33013

SWELLENDAM MUNISIPALITEIT**AANSOEK OM VERGUNNINGSGEBRUIK ERF 5228
SWELLENDAM**

Kennisgewing geskied hiermee in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie No 15 van 1985) die Raad 'n aansoek ontvang het van L Swart en K Keyser om 'n huiswinkel op erf 5228, Aandblomstraat 9, Swellendam op te rig.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die munisipale kantoor, Swellendam, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergetekende voor of op 3 April 2006 bereik.

Personne wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hulle besware neer te skryf.

T. Botha, Munisipale Bestuurder, Munisipale Kantoer, Swellendam

Kennisgewing 22/2006

3 Maart 2006

33014

SWELLENDAM MUNISIPALITEIT**AANSOEK OM AFWYKING EN VERGUNNINGSGEBRUIK:
ERF 250, SWELLENDAM**

Kennis geskied hiermee ingevolge Artikel 15 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) dat die Raad 'n aansoek ontvang het van Swellendam Woord en Lewe, erf 250, Odendaalstraat 22, Swellendam om die straatboulyn te oorskry en die Raad se vergunning om die eiendom aan te wend vir 'n bedehuis.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Swellendam Munisipale kantoor, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 3 April 2006.

Personne wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hul besware neer te skryf.

T. Botha, Munisipale Bestuurder, Munisipale Kantoer, Swellendam

Kennisgewing 21/2006

3 Maart 2006

33015

SWELLENDAM MUNICIPALITY

APPLICATION FOR DEPARTURE ERF 2640 SWELLENDAM

Notice is hereby given in terms of Section 15 of the Land Use Planning Ordinance of 1985 (Ordinance 15 of 1985) that the Council has received an application from Dr. J P du Toit for a departure on erf 2640, 12 Resiebaan Street, Swellendam in order to allow them to utilise an existing dwelling as a doctors consulting rooms.

Further particulars regarding the proposal are available for inspection at the Municipal Offices at Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 3 April 2006.

Persons who are unable to write will be assisted during office hours, at the Municipal Offices, Swellendam, to write down their objections.

T. Botha, Municipal Manager, Municipal Office, Swellendam

Notice 24/2006

3 March 2006

33016

SWELLENDAM MUNISIPALITEIT

AANSOEK OM AFWYKING ERF 2640 SWELLENDAM

Kennisgewing geskied hiermee ingevolge Artikel 15 van die Ordonnansie op Grondgebruikbeplanning, 1985 (No 15 van 1985) dat die Raad 'n aansoek van Dr. J P du Toit ontvang het vir 'n afwyking ten einde 'n bestaande woonhuis, erf 2640, Resiebaanstraat 12, Swellendam in 'n mediese spreekamer te omskep.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Munisipale kantoor, Swellendam, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergetekende voor of op 3 April 2006 bereik.

Personne wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hulle besware neer te skryf.

T. Botha, Munisipale Bestuurder, Munisipale Kantoor, Swellendam

Kennisgewing 24/2006

3 Maart 2006

33016

WESTERN CAPE PROVINCIAL GOVERNMENT
DEPARTMENT OF HEALTH

NOTICE

CONSULTANTS
(Bid No. WCDOH 156/2006)

The Department of Health invites proposals from Consultants to undertake a study to determine the cost of the provision of the Western Cape tertiary health service as well as the cost of training of health science students on the service platform.

Requirements: • tertiary qualification in health sciences and management • proven skills and experience in costing and costing models of health care services • proven skills and experience in regression models • proven skills and experience in financial modelling • proven skills and experience in health systems modelling • knowledge of health financing system in public health care.

Outputs required: • review and test existing material, models and processes • make recommendations in terms of findings • determining of gaps • cost modelling • written report and presentation of results.

Further requirements: • senior management experience in the public and/or private health sectors • experience with budgets and budget analysis • understanding of national and provincial government budget allocation processes and procedures • understanding of the variables affecting healthcare expenditure and revenue • basic knowledge of the legislation and policies in respect of healthcare financing • computer proficiency: Microsoft Word, Excel, PowerPoint and Access • ability to research and compile reports using own initiative • knowledge of the structure of the Western Cape Department of Health • experience in healthcare financing.

Closing date for submissions: 11:00 on 22 March 2006.

A copy of the Terms of Reference and supporting documentation are available at R250.00. Arrangements for payment and collection of documentation should be made by contacting Ms L Rademeyer on telephone 021-483 2926 or facsimile 021-483 6155 or e-mail: Lrademey@pgwc.gov.za

3 March 2006

33018

WES-KAAPSE PROVINSIALE REGERING
DEPARTEMENT VAN GESONDHEID

KENNISGEWING

KONSULTANTE
(Bodnr. WCDOH 156/2006)

Die Departement van Gesondheid vra voorstelle van konsultante aan om 'n studie te onderneem om die koste te bepaal vir die voorsiening van die Wes-Kaapse tersiêre gesondheidsdiens asook die koste vir die opleiding van gesondheidswetenskapstudente op die diensplatform.

Vereistes: • tersiêre kwalifikasie in gesondheidswetenskappe en bestuur • bewese vaardighede in en ondervinding van kostberekening en kostemodelle van gesondheidsorgdienste • bewese vaardighede in en ondervinding van regressiemodelle • bewese vaardighede in en ondervinding van finansiële modelle • bewese vaardighede in en ondervinding van gesondheidstelselmodelle • kennis van die finansiële stelsel in openbare gesondheidsorg.

Uitsette benodig: • hersien en toets bestaande materiaal, modelle en prosesse • maak aanbevelings oor bevindings • stel gapings vas • stel kostemodelle op • skryf verslag oor resultate en lê dit voor.

Verdere vereistes: • senior bestuurservaring in die openbare en/of private gesondheidsektore • ondervinding van begrotings en begrotingsontleding • begrip van nasionale en provinsiale regerings se prosesse en procedures vir begrotingstoewysings • begrip van die veranderlikes wat gesondheidsorguitgawes en -inkomste raak • basiese kennis van wetgewing en beleid ten opsigte van die financiering van gesondheidsorg • rekenaarmaatskappy: Microsoft Word, Excel, PowerPoint en Access • vermoë om verslae op eie initiatief na te vors en saam te stel • kennis van die struktuur van die Wes-Kaapse Departement van Gesondheid • ervaring in die financiering van gesondheidsorg.

Sluitingsdatum vir voorleggings: 11:00 of 22 Maart 2006.

'n Afskrif van die Opdrag en stawende dokumentasie is geen R250 beskikbaar. Reëlings vir die betaling en afhaal van die dokumente moet getref word met me L Rademeyer by telefoon 021-483 2926 of per faks by 021-483 6155 of per e-pos aan: Lrademey@pgwc.gov.za

3 Maart 2006

33018

Annexure A**CITY OF CAPE TOWN****COMMUNITY FIRE SAFETY AMENDMENT BY-LAW**

To amend the By-law Relating to Community Fire Safety published in Provincial Gazette Extraordinary 5832 dated 28 February 2002.

GENERAL EXPLANATORY NOTE:

Words in **bold** type indicate omissions from existing sections of the By-law.

Words in *italics* indicate insertions in the By-law.

Be it resolved by the City Council of Cape Town as follows:—

Amendment of section 1 of the Bylaw Relating to Community Fire Safety

1. Section 1 of the by-law relating to Community Fire Safety of 2002 herein after referred to as the “By-Law” is hereby amended by—

(a) the substitution for the definition of “bund wall” of the following definition:

“ *bund wall* means a containment wall surrounding an above ground storage tank, constructed of impervious material;”;

(b) the insertion after the definition of “escape route plan” of the following definition:

“ *fire break* means a natural or constructed strip of land where vegetation has been removed or modified to contain or to reduce the spread and intensity of any fire that may occur in or enter a premises, and may consists of one or more of the following:

(a) grass or vegetation that does not exceed 50mm in height;

(b) lawn or cultivated garden, or

(c) a road or driveway;”

(c) the insertion after the definition of “fire wall” of the following definition:

“ *firework* has the meaning assigned thereto in section 1 of the Explosives Act, Act 15 of 2003;”;

(d) the substitution of the definition of “SABS Codes” of the following definition:

“ ‘SABS Codes’ means South African Bureau of Standards SABS Codes of Practice and Specifications issued in terms of the Standards Act, and shall include SANS Codes”;

(e) the insertion after the definition of “SABS Codes” of the following definition:

“ *SANS Codes* means South African Bureau of Standards SANS Codes of Practice and Specifications issued in terms of the Standards Act, and shall include SABS Codes”;

(f) the insertion after the definition of “tank” of the following definition:

“ *tent* means a portable or temporary structure of canvas, cloth or other similar material, consisting of a canopy, which may have walls, supported by poles and stretched by cords secured to pegs driven into the ground;”;

(g) the insertion after the definition of “this By-law” of the following definition:

“ *threatening danger* means the existence of an unwelcome or undesirable situation which causes or has the potential to cause imminent harm, risk, peril or injury should an emergency or fire occur;”.

Amendment of section 6 of the By-law

2. Section 6(1) of the By-law is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) When a controlling authority finds that there is non-compliance with the provisions of this By-law, excluding the situation in section 4(2), a written notice **must** may be issued and *should* include the following:

(a) confirmation of the findings;

(b) provisions of this By-law that are being contravened;

(c) the remedial action required, and

(d) set forth a time for compliance.”

Amendment of section 16 of the By-law

3. Section 16 of the By-law is hereby amended by—

(a) the substitution for subsection (1) of the following subsection:

“(1) Prior to the erection and usage of a tent as an occupancy contemplated in the National Building Regulations (A20), **an applicant the owner or person in charge of premises must—**

(a) submit an application in terms of the National Building Regulations (A2) and (A23) to the Municipality for the *approval to erection and usage of* the tent; *and*

(b) submit an application in terms of section 21 of this By-law to the controlling authority for a temporary population certificate.”;

(b) the substitution for subsection 16(2)(a) of the following subsection:

“(a) *The safety distance between a tent and any building or boundary shall be determined in accordance with TT2 of the SABS 0400. The tent must be erected at least 4,5 metres from a boundary, combustible store or material and* The controlling authority may require that this distance be increased should the situation require it.”;

(c) the insertion after subsection 16(2)(a) of the following subsection:

“(aA) *The tent must be erected at least 4,5 metres from any combustible stores or materials.*”.

Amendment of section 17 of the By-law

4. Section 17 of the By-law is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) *The owner or person in charge, as the case may be, must provide and install* Fire extinguishers **must be provided and installed** on premises as required by the controlling authority and in accordance with the National Building Regulations (T1) and (T2).”.

Amendment of section 18 of the By-law

5. Section 18 of the By-law is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) *The owner or person in charge must ensure that* a fire protection system **must be** tested and maintained on a regular basis and *that the owner or person in charge of the premises must keep* a detailed record of such **the** tests and maintenance of the system is kept.”.

Amendment of section 21 of the By-law

6. Section 21 of the By-law is hereby amended by—

(a) the substitution for subsection (1) of the following subsection:

“(1) Prior to the usage of the premises for entertainment or public assembly *where the population including staff exceeds 50 people*, the owner or person in charge of such premises must submit an application for a population certificate to the controlling authority, as prescribed in Schedule 2 of this By-law.”;

(b) the insertion after subsection (1) of the following subsection:

“(1A) *The owner or person in charge of premises for which a population certificate is required shall not utilise such premises if a population certificate has not been issued by the Controlling Authority.*”.

Amendment of section 31 of the By-law

7. Section 31 of the By-law is hereby amended by—

(a) the insertion of the following subsection after subsection 31(3):

“(3A) *The owner or person in charge of premises may not allow or permit any person to light or smoke a cigar, cigarette, pipe, tobacco or other substance or ignite or otherwise set fire to other material in any place where expressly prohibited.*”;

(b) the insertion of the following subsection after subsection 31(5):

“(6) *Where such throwing, putting down or dropping a burning match, burning cigarette, or other burning material or any material capable of spontaneous combustion or self-ignition in a road or any other place, occurs from a vehicle, it shall be presumed, in the absence of evidence to the contrary, that such action was performed by the owner of such vehicle.*”.

Amendment of the title of Chapter 7 of the By-law

8. Chapter 7 of the By-law is hereby amended as follows:

(a) the title of Chapter 7 is substituted with the following:

“**FIRE HAZARDS AND FIREBREAKS**”;

(b) the following section is inserted after section 35:

“*Firebreaks*

35A (1) *Notwithstanding anything contained in the National Veld and Forest Fire Act, the owner or person in charge of a premises that has vegetation growing thereon shall where necessary prepare and maintain sufficient firebreak(s) to ensure that the risk of a vegetation fire arising on or spreading from one premises to the next is minimised.*

(2) *Where an owner or person in charge fails to prepare or maintain a firebreak or where in the opinion of the controlling authority, the firebreak is insufficient for the prevailing circumstances, the controlling authority may act in terms of section 4(2) or 6(1) of this By-law.*

(3) Where a firebreak has been prepared, the vegetative material from within the firebreak must be removed from the area of the firebreak and must be disposed of in a manner acceptable to the controlling authority.

(4) Subsection (1) is not applicable in cases where an exemption has been granted in terms of the National Veld and Forest Fire Act.”.

Amendment of section 37 of the By-law

9. Section 37 of the By-law is hereby amended by the substitution for paragraph (i) of subsection (6) of the following paragraph:

“(i) a flammable gas in excess of **19** 38 kilogram, or”.

Amendment of section 38 of the By-law

10. Section 38 of the By-law is hereby amended by—

(a) the substitution for subsection (4) of the following subsection:

“(4) A flammable substance certificate must be renewed **annually, on or before the date as indicated on the flammable substance certificate, and** whenever the quantity or class of the flammable substance requires to be changed or when section 37(5) applies.”;

(b) the substitution for subsection (7) of the following subsection:

“(7) A supplier may not—

(a) supply in excess of 38kg of a flammable gas or 200 litres of a flammable liquid of danger group (i), (ii), (iii) or (iv), as the case may be, to any person without proof that the person being supplied is in possession of a valid flammable substance certificate as contemplated in section 37(6); or

(b) deliver to any premises, more than 38kg of a flammable gas or more than 200 litres of a flammable liquid of danger group (i), (ii), (iii) or (iv), as the case may be, unless the owner or person in charge of a premises is in possession of a valid flammable substance certificate as contemplated in subsection 37(6).”.

Amendment of section 39 of the By-law

11. Section 39 of the By-law is hereby amended by the substitution for subsection (8) of the following subsection:

“39(8) A permanent or temporary tank must have a bund wall that shall be so designed as to contain 110% of the contents of the tank within the bund or, in the case where more than one tank is within a bund area, the bund wall shall be in accordance with the requirements of SANS 10089 part 1.”.

Substitution of section 43 of the By-law

12. The following section is hereby substituted for section 43 of the By-law:

“**Liquid Liquefied** petroleum gas installation in mobile units and small non-permanent buildings

43. A **Liquid Liquefied** petroleum gas installation in mobile units and small non-permanent buildings shall be in accordance with **S.A.B.S SANS 10087: Part 1.**”.

Substitution of section 44 of the By-law

13. The following section is hereby substituted for section 44 of the By-law:

“The fuelling of forklift trucks and other **LP liquefied petroleum** gas operated vehicles

44. The fuelling of forklift trucks and other **LP liquefied petroleum** gas operated vehicles shall be in accordance with **S.A.B.S. SANS 10087: Part 8.**”.

14. Insertion of sections 44A and 44B in the By-law

The following sections are hereby inserted after section 44 of the By-law:

“*The application of liquefied petroleum and compressed natural gases as engine fuels*

44A. *The use of liquefied petroleum gas and compressed natural gas as a fuel for internal combustion engines and for the operation of equipment built for or converted to the use of liquefied petroleum gas shall comply fully with SANS 10087 part 6.*

Mobile filling stations for refillable liquefied petroleum gas (LPG) containers

44B.(1) *The use of a mobile filling station to refill liquefied petroleum gas containers is prohibited.*

44B(2) *No person shall have a refillable liquefied petroleum gas container filled at a mobile filling station.*

Substitution of section 45 of the By-law

15. The following section is hereby substituted for section 45 of the By-law:

“The storage and filling of refillable **liquid liquefied** petroleum gas containers

45. Storage and filling sites used for refillable **liquid liquefied** petroleum gas containers of capacity not exceeding 9kg must be in accordance with **S.A.B.S. SANS 10087: Part 8.**".

Amendment of section 49 of the By-law

16. Section 49 of the By-law is hereby amended by—
- the substitution for subsection (6) of the following subsection:
“(6) Notwithstanding the National Building Regulations (T1) read in conjunction with SABS 0400, *the controlling authority may allow a flammable store door **must** to be constructed of non-combustible material with a fire resistance of two hours*, provided that *it is outward opening and that all relevant safety distances are complied with and the door opens outwards.*”;
 - the substitution for subsection (10) of the following subsection:
“(10) A flammable store storing in excess of 5000l of flammable liquid must be provided with a foam inlet consisting of a 65 millimetre male instantaneous coupling fitted with a non-return valve and mild steel pipework leading to the inside thereof. Where deemed necessary the controlling authority may require more than one foam inlet.”;
 - the insertion of the following subsections after subsection (10) of the following subsections:
“(10A) *The foam inlet and pipework must ensure adequate distribution of the foam.*
(10B) *A foam inlet must be identified by means of a sign displaying the words “Foam Inlet” in 50 millimetre block letters.*”;
 - The substitution for subsection (12) of the following subsection:
“(12) The flammable store must be identified by the words, “Flammable Store—Bewaarplek vir Vlambare Vloeistowwe—Isitoro Indawo Yokugcina Izixhobo Ezithatha Lula Umlilo”, and the permissible quantity allowed within the flammable store, indicated in **100 50** millimetre block letters on both the inside and outside of all doors communicating directly with the store.”.

Insertion of section 52A in the By-law

17. The By-law is hereby amended by the insertion of the following section after section 52 of the By-law:

“Major Hazard installations

52A(1). Notwithstanding anything contained in the Occupational Health and Safety Act and the Major Hazard Installation Regulations, the controlling authority may require a risk assessment to be carried out on a premises or portion of a premises where an installation or a quantity of a substance is present which in the opinion of the controlling authority poses a risk that could affect the health and safety of employees and the public.

(2) A risk assessment must be performed by an Approved Inspection Authority and comply with the requirements of Regulation 5 of the Major Hazard Installation Regulations.”.

Amendment of section 53 of the By-law

18. The By-law is hereby amended by the substitution for subsection (1) of the following subsection:

*“(1). The operator of a vehicle designed for the transportation of flammable materials **dangerous goods** in excess of the exempt quantities as contained in Annexure A of SABS 0232-1 may not operate such a vehicle in the jurisdiction of the controlling authority, unless he has obtained a dangerous goods certificate issued by a fire brigade service in terms of the National Road Traffic Act.”.*

Insertion of chapter 11 in the By-law

19. The By-law is hereby amended by the insertion of the following Chapter 11 after section 57:

“CHAPTER 11

FIREWORKS

Firework Certificates and Permits

58(1) Notwithstanding the provisions in the Explosives Act or Regulations, this Chapter regulates fireworks in the local government sphere so as to prevent and reduce fire hazards or other threatening dangers.

- No owner or person in charge of premises may sell or store fireworks unless such owner or person has obtained a fireworks certificate from the controlling authority.*
- Notwithstanding the provisions of subsection (1), the sale and storage of fireworks are prohibited on or in any building used for residential or part-residential purposes, vehicle, beach, land, terrain, road, vessel, train or aircraft.*
- No person may operate a public fireworks display without receiving prior permission and having obtained a permit from the controlling authority.*
- No person may use theatrical pyrotechnics or other fireworks during a live performance, film or television recording without receiving prior permission and having obtained a permit from the controlling authority.*
- A permit for the operation of a public fireworks display must be applied for at least 14 days before the date of the letting off of the fireworks and will be subject to compliance with any conditions a controlling authority may impose.*

- (7) A fireworks certificate or permit is valid only in respect of:
- the premises or public fireworks display for which it was issued;
 - the owner, person in charge or person whose name appears on the certificate or permit;
 - the state of the premises at the time of issue, and
 - the quantities and types of fireworks or theatrical pyrotechnics stated on the certificate or permit.
- (8) A fireworks certificate is issued to the owner or person in charge of premises and is valid until any condition of approval changes or the certificate is withdrawn or suspended.
- (9) A fireworks permit is issued to a specific person and is valid for a set time period or until the conditions of approval change or the permit is withdrawn or suspended.
- (10) A fireworks wholesaler or other supplier may not supply fireworks to any person not in possession of a valid certificate or permit issued by the controlling authority, as the case may be.
- (11) The fireworks certificate or permit must be available on the premises for inspection at all times and does not exempt the applicant from compliance with the By-law relating to the Management and Administration of the City of Cape Town's Immovable Property or any other applicable legislation.
- (12) A controlling authority may set aside municipal land for the purpose of the letting off of fireworks by the public, subject to such conditions as may be determined by the controlling authority and indicated by a notice at the site.”.

Amendment of Schedule 4 of the By-law

20. Schedule 4 of the By-law is hereby amended by—

- (a) the insertion after SABS 087: Part 4, of the following:

SANS 10087: Part 6 The handling, storage, and distribution of liquefied petroleum gas in domestic, commercial and industrial installations Part 6: The application of liquefied petroleum and compressed natural gases as engine fuels for internal combustion engines.

33017

Bylae A

STAD KAAPSTAD

WYSIGINGSVERORDENING OP GEMEENSKAPSBRANDVEILIGHEID

Om die Verordening op Gemeenskapsbrandveiligheid te wysig soos gepubliseer in die Buitengewone Proviniale Koerant 5832 van 28 Februarie 2002.

ALGEMENE VERDUIDELIKENDE AANTEKENING:

Woorde in **vetdruk** dui op weglatings uit bestaande artikels van die Verordening.

Woorde in **kursief** dui op invoegings in die Verordening.

Die volgende besluit is deur die Raad van die Stad Kaapstad geneem:—

Wysiging van artikel 1 van die Verordening op Gemeenskapsbrandveiligheid

1. Artikel 1 van die Verordening op Gemeenskapsbrandveiligheid 2002, hierna verwys as die “Verordening”, word hiermee gewysig deur—

- die vervanging van die omskrywing van “keermuur” deur die volgende omskrywing:
“‘keermuur’ beteken ‘n keermuur wat ‘n bogondse bergingstenk omring en wat van ondeurdringbare materiaal gemaak is;’;
- die invoeging ná die omskrywing van “ontsnaproeteplan” van die volgende omskrywing:
“‘brandstrook’ beteken ‘n natuurlike of gemaakte strook grond waar die plantegroeい verwyder of verander is om die verspreiding en intensiteit van enige brand te stuit of te verminder wat op ‘n perseel mag voorkom of wat ‘n perseel mag binnekom, en wat uit een of meer van die volgende kan bestaan:
(a) gras of plantegroeい wat hoogstens 50 mm hoog is;
(b) ‘n grasperk of aangeplante tuin, of
(c) ‘n pad of oprit;’
- die invoeging ná die omskrywing van “brandmuur” van die volgende omskrywing:
“‘vuurwerk’ dra die betekenis wat daaraan toegeken is ingevolge artikel 1 van die Wet op Ploffstowwe, Wet 15 van 2003;”;
- die vervanging van die omskrywing van “SABS-kodes” deur die volgende omskrywing:

“‘SABS-kodes’ beteken die Suid-Afrikaanse Buro vir Standaarde se Praktyk- en Spesifikasiekodes wat ingevolge die Wet op Standaarde uitgereik is en SANS-kodes moet insluit”;

- (e) die invoeging ná die omskrywing van “SABS-kodes” van die volgende omskrywing:
“‘SANS-kodes’ beteken die Suid-Afrikaanse Buro vir Standaarde se SANS Praktyk- en Spesifikasiekodes wat ingevolge die Wet op Standaarde uitgereik is en SABS-kodes moet insluit”;
- (f) die invoeging ná die omskrywing van “tent” van die volgende omskrywing:
“‘tent’ beteken ‘n draagbare of tydelike struktuur van seil, materiaal of ander soortgelyke materiaal wat uit ‘n dakgedeelte bestaan, mure kan hê, deur pale ondersteun word en styggetrek word deur toue wat aan penne vasgemaak word wat in die grond ingekap is;”;
- (g) die invoeging ná die omskrywing van “hierdie Verordening” van die volgende omskrywing:
“‘dreigende gevvaar’ beteken die bestaan van ‘n onwelkomme of onwenslike situasie wat dreigende skade, risiko, gevvaar of besering veroorsaak of die moontlikheid inhoud om dit te veroorsaak sou ‘n noodgeval of brand voorkom;”.

Wysiging van artikel 6 van die Verordening

2. Artikel 6(1) van die Verordening word hiermee gewysig deur die vervanging van subartikel (1) deur die volgende subartikel:
 - “(1) Wanneer ‘n owerheid in beheer vind dat daar nie aan die voorwaardes van hierdie Verordening voldoen word nie, met uitsondering van die situasie in artikel 4(2), mag moet ‘n skriftelike kennisgewing uitgereik word en moet dit die volgende insluit:
 - (a) bevestiging van die bevindings;
 - (b) bepalings van hierdie Verordening wat oortree word;
 - (c) die remediërende optrede wat vereis word, en
 - (d) die bepaling van ‘n spertyd vir voldoening.’”

Wysiging van artikel 16 van die Verordening

3. Artikel 16 van die Verordening word hiermee gewysig deur—
 - (a) die vervanging van subartikel (1) deur die volgende subartikel:
 - “(1) Voor die oprigting en gebruik van ‘n tent as ‘n okkupasie soos beoog in die Nasionale Bouregulasies (A20), moet ‘n aansoeker die eienaar of persoon in beheer van die perseel—
 - (a) ‘n aansoek ingevolge die Nasionale Bouregulasies (A2) en (A23) by die munisipaliteit indien vir goedkeuring om die tent op te rig oprigting en te gebruik gebruik van; en
 - (b) ‘n aansoek ingevolge artikel 21 van hierdie Verordening by die owerheid in beheer indien vir ‘n tydelike bevolkingssertifikaat.”;
 - (b) die vervanging van subartikel 16(2)(a) deur die volgende subartikel:
 - “(a) Die veiligheidsafstand tussen ‘n tent en enige gebou of grens word bepaal ooreenkomstig TT2 van die SABS 0400. Die tent moet ten minste 4,5 meter van ‘n grens, ontvlambare bewaarplek of materiaal opgerig word en. Die owerheid in beheer mag vereis dat hierdie afstand vergroot word indien die situasie dit vereis.”;
 - (c) die invoeging ná subartikel 16(2)(a) van die volgende subartikel:
 - “(aA) Die tent moet ten minste 4,5 meter van enige ontvlambare voorraad of materiaal opgerig word.”.

Wysiging van artikel 17 van die Verordening

4. Artikel 17 van die Verordening word hiermee gewysig deur die vervanging van subartikel (1) deur die volgende subartikel:
 - “(1) Die eienaar of persoon in beheer, na gelang van omstandighede, moet Bbrandblussers op die perseel verskaf en installeer word moet verskaf en geïnstalleer word soos vereis deur die owerheid in beheer en ooreenkomstig die Nasionale Bouregulasies (T1) en (T2).”.

Wysiging van artikel 18 van die Verordening

5. Artikel 18 van die Verordening word hiermee gewysig deur die vervanging van subartikel (1) deur die volgende subartikel:
 - “(1) Die eienaar of persoon in beheer moet verseker dat ‘n brandbeskermingstelsel op ‘n gereeld grondslag getoets word moet getoets word en in stand gehou word en dat die eienaar of persoon in beheer van die perseel ‘n gedetailleerde rekord moet hou van sodanige toetse en instandhouding gehou word.”

Wysiging van artikel 21 van die Verordening

6. Artikel 21 van die Verordening word hiermee gewysig deur—
 - (a) die vervanging van subartikel (1) deur die volgende subartikel:
 - “(1) Voor die gebruik van die perseel vir vermaak of openbare byeenkomste waar die bevolking insluitend die personeel 50 mense oorskry,

moet die eienaar of persoon in beheer van sodanige perseel 'n aansoek om 'n bevolkingssertifikaat by die beherende owerheid indien, soos in Bylae 2 van hierdie Verordening voorgeskryf.'';

- (b) die invoeging ná subartikel (1) van die volgende subartikel:

"(IA) Die eienaar of persoon in beheer van die perseel waarvoor 'n bevolkingssertifikaat benodig word sal nie sodanige perseel benut indien 'n bevolkingssertifikaat nie deur die beherende owerheid uitgereik is nie."

Wysiging van artikel 31 van die Verordening

7. Artikel 31 van die Verordening word hiermee gewysig deur—

- (a) die invoeging van die volgende subartikel ná subartikel 31(3):

"(3A) Die eienaar of persoon in beheer van die perseel mag nie enige persoon toelaat of vergunning verleen om 'n sigaar, sigaret, pyp, tabak of enige ander middel aan te steek of andersins ander materiaal aan die brand steek in enige plek waar dit uitdruklik verbied word nie."

- (b) die invoeging van die volgende subartikel ná subartikel 31(5):

"(6) Waar sodanige uitgoot, neersit of val van 'n brandende vuurhoutjie, brandende sigaret, of ander brandende materiaal of enige materiaal wat die vermoë het om spontaan te ontvlam of vanself aan die brand te raak op 'n pad of enige ander plek vanuit 'n voertuig voorkom, sal daar aangeneem word dat, in die afwesigheid van bewys van die teendeel, sodanige optrede deur die eienaar van sodanige voertuig uitgevoer is."

Wysiging van die titel van hoofstuk 7 van die Verordening

8. Hoofstuk 7 van die Verordening word hiermee soos volg gewysig:

- (a) die titel van hoofstuk 7 word soos volg vervang:

"BRANDGEVARE EN BRANDSTROKE";

- (b) die volgende artikel is ingevoeg ná artikel 35:

"Brandstroke

35A(1) Ondanks enigets wat in die Nasionale Wet op Veld- en Bosbrande vervat is, sal die eienaar of persoon in beheer van 'n perseel waarop daar plantegroei groei waar nodig ('n) voldoende brandstrook (-stroke) voorberei en in stand hou om te verseker dat die risiko van 'n plantegroeibrand wat op die perseel ontstaan of van een perseel na die volgende versprei, tot die minimum beperk word.

(2) Waar 'n eienaar of persoon in beheer in gebreke bly om 'n brandstrook voor te berei of in stand te hou of waar die brandstrook volgens die mening van die beherende owerheid onvoldoende vir die heersende omstandighede is, kan die beherende owerheid ingevolge artikel 4(2) of 6(1) van hierdie Verordening optree.

(3) Waar 'n brandstrook voorberei is, moet die plantmateriaal in die brandstrook uit die gebied van die brandstrook verwijder word, en die wegdoening daarvan moet geskied op 'n wyse wat vir die beherende owerheid aanvaarbaar is.

(4) Subartikel (1) is nie van toepassing op gevalle waar 'n vrystelling ingevolge die Nasionale Wet op Veld- en Bosbrande verleen is nie."

Wysiging van artikel 37 van die Verordening

9. Artikel 37 van die Verordening word hiermee gewysig deur die vervanging van paragraaf (i) van subartikel (6) van die volgende paragraaf:

- "(i) 'n ontvlambare gas meer as 19 38 kilogram, of".*

Wysiging van artikel 38 van die Verordening

10. Artikel 38 van die Verordening word hiermee gewysig deur—

- (a) die vervanging van subartikel (4) deur die volgende subartikel:

"(4) 'n Sertifikaat vir ontvlambare middels moet jaarliks op of voor die datum soos op die sertifikaat vir ontvlambare middels aangedui hervu word, en wanneer die hoeveelheid of klas van die ontvlambare middel verander moet word of wanneer artikel 37(5) van toepassing is."

- (b) die vervanging van subartikel (7) van die volgende subartikel:

"(7) 'n Verskaffer mag nie—

(a) meer as 38 kg se ontvlambare gas of 200 liter van 'n ontvlambare vloeistof in gevaargroep (i), (ii), (iii) of (iv), wat die geval ook al mag wees, aan enige persoon voorsien sonder bewys dat die persoon aan wie dit voorsien word in besit is van 'n geldige sertifikaat vir ontvlambare middels soos in artikel 37(6) beoog word nie;

(b) meer as 38 kg ontvlambare gas of meer as 200 liter ontvlambare vloeistof in gevaargroep (i), (ii), (iii) of (iv), wat die geval ook al mag wees, aan enige perseel voorsien nie, tensy die eienaar of persoon in beheer van 'n perseel in besit is van 'n geldige sertifikaat vir ontvlambare middels soos in artikel 37(6) beoog."

Wysiging van artikel 39 van die Verordening

11. Artikel 39 van die Verordening word hiermee gewysig deur die vervanging van subartikel (8) deur die volgende subartikel:

“39(8) ’n Permanente of tydelike tenk moet ’n keermuur hê wat só ontwerp is dat dit 110% van die inhoud van die tenk binne die keermuur kan hou, of in die geval waar meer as een tenk in die keergebied is, moet die keermuur in ooreenstemming met die vereistes van SANS 10089: Deel 1 wees.”.

Vervanging van artikel 43 van die Verordening

12. Die volgende artikel vervang hiermee artikel 43 van die Verordening:

“**Vloeibare Vloeibaargemaakte petroleumgasinstallasie** in mobiele eenhede en klein nie-permanente geboue

43. ’n **Vloeibare Vloeibaargemaakte petroleumgasinstallasie** in mobiele eenhede en klein, nie-permanente geboue sal in ooreenstemming met **S.A.B.S. SANS 10087: Deel 1 wees.**”.

Vervanging van artikel 44 van die Verordening

13. Die volgende artikel word hiermee vervang deur artikel 44 van die Verordening:

“Die voorsiening van brandstof aan vurkhystertrokke en ander **VP vloeibaargemaakte petroleumgasaangedrewe voertuie**

46. Die voorsiening van brandstof aan vurkhystertrokke en ander **VP vloeibaargemaakte petroleumgasaangedrewe voertuie** moet in ooreenstemming met **S.A.B.S. SANS 10087: Deel 8 wees.**”

14. Invoeging van subartikels 44A en 44B in die Verordening

Die volgende artikels word hiermee ná artikel 44 van die Verordening ingevoeg:

“Die gebruik van vloeibaargemaakte petroleum en saamgeperste natuurlike gasse as enjinbrandstof.

44A. *Die gebruik van vloeibaargemaakte petroleum en saamgeperste natuurlike gasse as ’n brandstof vir binnebrandenjins en vir die werking van toerusting wat gebou is vir of omgebou is om vloeibaargemaakte petroleumgas te kan gebruik sal ten volle aan SANS 10087: Deel 6 voldoen.*

Mobiele vulstasies vir hervulbare vloeibaargemaakte petroleumgas (VPG)—houers

44B.(1) *Die gebruik van ’n mobiele vulstasie vir die hervul van vloeibaargemaakte petroleumgashouers word verbied.*

44B.(2) *Geen persoon mag ’n hervulbare vloeibaargemaakte petroleumgashouer by ’n mobiele vulstasie laat volmaak nie.*

Vervanging van artikel 45 van die Verordening

15. Die volgende artikel vervang hiermee artikel 45 van die Verordening:

“Die bering en vul van hervulbare **vloeibare vloeibaargemaakte petroleumgashouers**

45. Bergings- en vulterreine wat gebruik word vir die hervul van **vloeibare vloeibaargemaakte petroleumgashouers** met ’n inhoud van hoogstens 9 kg moet in ooreenstemming met **S.A.B.S. SANS 10087: Deel 8 wees.**”.

Wysiging van artikel 49 van die Verordening

16. Artikel 49 van die Verordening word hiermee gewysig deur—

(a) die vervanging van subartikel (6) deur die volgende subartikel:

“(6) Ondanks die Nasionale Bouregulasies (T1) saamgelees met SABS 0400, mag die beherende owerheid toelaat dat ’n ontylambare pakhusdeur van nie-ontylambare materiaal **met ’n brandweerstand van twee uur moet** gemaak word mits dit na buite oopmaak en dat daar aan al die tersaaklike veiligheidsafstande voldoen word en **dat die deur na buite oopmaak.**”;

(b) die vervanging vir subartikel (10) van die volgende subartikel:

“(10) ’n Onylambare bewaarplek wat meer as 5000 l onylambare vloeistof berg moet voorsien word van ’n skuimtoeoerpyp wat uit ’n 65 millimeter oombliklike inpaskoppeling bestaan wat met ’n terugslagvoerklep toegerus is en sagte staal pypwerk wat na die binnekant daarvan lei. Waar nodig geag kan die beherende owerheid meer as een skuimtoeoerpyp vereis.”;

(c) die invoeging van die volgende subartikels ná subartikel (10) van die volgende subartikels:

“(10A) Die skuimtoeoerpyp en pypwerk moet voldoende verspreiding van die skuim verseker.

(10B) ’n Skuimtoeoerpyp moet geïdentifiseer word met ’n teken wat die woorde “Skuimtoeoerpyp” in blokletters van 50 millimeter vertoon.”;

(d) Die vervanging van subartikel (12) deur die volgende subartikel:

“(12) Die ontylambare bewaarplek moet geïdentifiseer word deur die woorde “Flammable Store—Bewaarplek vir Onylambare Vloeistowwe—Isitoro Indawo Yokugcina Izixhobo Ezithatha Lula Umlilo”, en die toelaatbare hoeveelheid wat in die ontylambare bewaarplek toegelaat word moet in hoofletters van **100** 50 millimeter-blokletters aangedui word aan die binnekant sowel as die buitekant van alle deure wat regstreeks met die bewaarplek verbind is.”.

Invoeging van artikel 52A in die Verordening

17. Die Verordening word hiermee gewysig deur die invoeging van die volgende artikel ná artikel 52 van die Verordening:

“Grootrisiko-installasies

52A(1). Ondanks enigiets wat in die Wet op Beroepsgeondheid en Veiligheid en die Grootrisiko-installasieregulasies vervat is, kan die beherende owerheid vereis dat 'n risiko-assessering op die perseel of 'n gedeelte van die perseel gedoen word waar 'n installasie of 'n hoeveelheid van 'n middel teenwoordig is wat volgens die mening van die beherende owerheid 'n risiko inhoud wat die gesondheid en veiligheid van werkneemers en die publiek kan beïnvloed.

- (2) 'n Risiko-assessering moet deur 'n goedgekeurde inspeksie-owerheid gedoen word en voldoen aan die vereistes van Regulasie 5 van die Grootrisiko-installasieregulasies.”.

Wysiging van artikel 53 van die Verordening

18. Die Verordening word hiermee gewysig deur die vervanging van subartikel (1) deur die volgende subartikel:

“(1). Die operateur van 'n voertuig wat ontwerp is vir die vervoer van *ontvlambare materiaal gevaaarlike goedere wat meer is as die hoeveelhede wat vrygestel is soos aangedui in Bylae A van SABS 0232-1*, mag nie met sodanige voertuig binne die jurisdiksie van die beherende owerheid werk nie tensy hy 'n sertifikaat vir gevaaarlike goedere verkry het wat deur 'n brandweerdiens ingevolge die Wet op Nasionale Padverkeer uitgereik is.”.

Invoeging van hoofstuk 11 in die Verordening

19. Die Verordening word hiermee gewysig deur die invoeging van die volgende hoofstuk 11 ná artikel 57:

“HOOFSTUK 11

VUURWERKE

Vuurwerkcertifikate en -permitte

58(1) Desnieteenstaande die bepalings van die Wet op Ploffstowwe of die Ploffstofregulasies, reguleer hierdie hoofstuk vuurwerke in die plaaslike regeringsfeer om brandgevaar of ander dreigende gevare te verhoed.

- (2) *Geen eienaar of persoon in beheer van 'n perseel mag vuurwerke verkoop of bewaar tensy sodanige eienaar of persoon 'n vuurwerkcertifikaat van die beherende owerheid verkry het nie.*
- (3) *Desnieteenstaande die bepalings van subartikel (1), word die verkoop en bewaring van vuurwerke verbied op of binne enige gebou wat vir residensiële of gedeeltelik residensiële doeleindes gebruik word, voertuig, strand, grond, terrein, pad, vaartuig, trein of vliegtuig verbied.*
- (4) *Geen persoon mag 'n openbare vuurwerkvertoning gee sonder om vooraf toestemming te verkry en sonder dat 'n permit van die beherende owerheid verkry is nie.*
- (5) *Geen persoon mag teatervuurwerkkuns of ander vuurwerke tydens 'n lewendige vertoning, film- of televisieopname gebruik sonder om vooraf toestemming te verkry en sonder om 'n permit van die beherende owerheid te verkry nie.*
- (6) *Die aansoek om 'n permit vir die bedryf van 'n openbare vuurwerkvertoning moet ten minste 14 dae voor die afvuur van die vuurwerke geskied en is onderworpe aan voldoening aan enige voorwaardes wat die beherende owerheid mag voorskryf.*
- (7) *'n Vuurwerkcertifikaat of—permit is net geldig ten opsigte van:*
- (a) *die perseel of openbare vuurwerkvertoning waarvoor dit uitgereik is;*
 - (b) *die eienaar, persoon in beheer of persoon wie se naam op die certifikaat of permit verskyn;*
 - (c) *die toestand van die perseel ten tye van uitreiking, en*
 - (d) *die hoeveelhede en soorte vuurwerke of teatervuurwerkkuns wat op die certifikaat of permit aangedui word.*
- (8) *'n Vuurwerkcertifikaat word uitgereik aan die eienaar of persoon in beheer van die perseel en is geldig tot die voorwaardes vir goedkeuring verander of tot die certifikaat onttrek of opgeskort word.*
- (9) *'n Vuurwerkpermit word aan 'n spesifieke persoon uitgereik en is vir 'n vasgestelde tyd geldig of totdat die voorwaardes vir goedkeuring verander of die permit onttrek of opgeskort word.*
- (10) *'n Vuurwerkgroothandelaar of ander verskaffer mag nie vuurwerke verskaf aan enige persoon wat nie in besit is van 'n geldige certifikaat of permit wat deur die beherende gesag uitgereik is nie, of wat die geval ook al mag wees nie.*
- (11) *Die vuurwerkcertifikaat- of permit moet te alle tye op die perseel beskikbaar wees vir inspeksie en stel nie die aansoeker vry van voldoening aan die Verordening ten opsigte van die Bestuur en Administrasie van die Stad Kaapstad se Vaste Eiendom of enige ander toepaslike wetgewing nie.*
- (12) *'n Beherende owerheid mag munisipale grond opsy sit met die doel om aan die publiek 'n plek te verskaf waar hulle vuurwerke kan afvuur, onderworpe aan sodanige voorwaardes wat deur die beherende owerheid bepaal mag word en wat op 'n kennisgewing by die terrein aangedui word.”.*

Wysiging van Bylae 4 van die Verordening

20. Bylae 4 van die Verordening word hiermee gewysig deur—

- (a) die invoeging ná SABS 087: Deel 4, van die volgende:

SANS 10087: deel 6 Die hantering, bewaring en verspreiding van vloeibaargemaakte petroleumgas in huishoudelike, kommersiële en nywerheidsinstallasies deel 6: Die aanwending van vloeibaargemaakte petroleum- en saamgeperste natuurlike gasse as enjinbrandstof vir binnebrandenjins.

33017

Isongezelelo A

ISIXEKO SASEKAPA

UMTHETHO KAMASIPALA OLUNGISIWEYO ONGOKHUSELEKO LOLUNTU KWIMILIRO

Ukulungisa uMthetho kaMasipala oPhathelele kuKhuseleko loLuntu kwiMililo owabhengezwa kwiPhephandaba loMbuso lePhondo Nomb. 5832 ngomhla wama-28 Februari 2002.

ULWAZI OLUNIKA INKCAZA JIKELELE:

Amagama abhalwe ngohlolo **olungqindilili** abonakalisa iinkcukacha ezishiyiwego kumacandelo akhoyo oMthetho kaMasipala.

Amagama abhalwe *bukekela* abonakalisa iinkcukacha ezifakelwego kulo Mthetho kaMasipala.

ISixeko saseKapa sagqiba ngolu hlobo lulandelayo:—

Ukulungiswa kwecandelo loku-1 loMthetho kaMasipala eliPhathelele kuKhuseleko loLuntu kwiMililo

1. Icandelo loku-1 lomthetho kamasipala eliphathelele kuKhuseleko loLuntu kwiMililo, umthetho ka-2002 ukususela ngoku elichazwa 'njengoMthetho kaMasipala' kungoku nje lilungisiwe—

- (a) ngokutshintsha inkcazelu ethi "udonga olubiyileyo" kule nkcazelu ilandelayo:

"‘udonga olubiyileyo’ kubhekiselelw kudonga olunqanda kuwa olujikelezileyo nolungaphezu kwetanki elisisiqulathi emhlabeni, elakhwi negezinto ezingangenekei/ezingatyhutyheki;”;

- (b) ukufakelwa emva kwenkcazelu ethi "indlela yokuphuma" kule nkcazelu ilandelayo:

"‘ukunqandwa komlilo’ kubhekiselelw kwisiqwenga somhlaba sendalo okanye esenziwe ngabom nalapho kususwe izityalo okanye aphi izityalo ziguqulwego ukuze ziqualathe okanye zinciphise ukwanda nobukhulu bawo nawuphi na umlilo onokuqhambuka kulo ndawo okanye onokungena kulo masango, yaye zinokubandakanya enye okanye uninzi lwezi zinto zilandelayo:

(a) ingca okanye izityalo ezingekho ngaphezu kwama-50mm ngomphakamo;

(b) ibala elinengca echetywayo okanye igadi elinyiwego, okanye

(c) indlela okanye indlela yemoto esuka esitalatweni ukuya endlwini;”

- (c) ukufakelwa emva kwenkcazelu ethi "udonga olunqanda umlilo" kule nkcazelu ilandelayo:

"‘izitakantlantsi’ inentsingiselo eyabelwe yona kwicandelo loku-1 loMthetho ophathelele kwiZiqhushumbisi, uMthetho we-15 ka-2003;”;

- (d) ukutshintshwa kwenkcazelu ethi "SABS Codes" ngale nkcazelu ilandelayo:

"‘SABS Codes’ kubhekiselelw kwiMigaqo yokuSebenza neNgcaciso ye-South African Bureau of Standards SABS eyapapashwa ngokwemigaqo yoMthetho weMigangatho, yaye uza kuquka iMigaqo ye-SANS”;

- (e) ukufakelwa emva kwenkcazelu ethi "SABS Codes" kwale nkcazelu ilandelayo:

"‘SANS Codes’ kubhekiselelw kwiMigaqo yokuSebenza neNgcaciso ye-South African Bureau of Standards SANS eyapapashwa ngokwemigaqo yoMthetho olawula iMigangatho, yaye iza kubandakanya le Migaqo ye-SABS”;

- (f) ukufakelwa kwenkcazelu ethi "itanki" kule nkcazelu ilandelayo:

"‘itente’ kubhekiselelw kwisakheko esiphathekayo okanye esenziwe okwethutyana esenziwe ngeseyile, ngelaphu okanye ngenye into efana nezi, esibandakanya isigubungelo, esinokuba neendonga, ezixhaswe zipali zatsalwa ngentsontela ezibotshelelw ngezikhonkwane ezibethelelw emhlabeni;”;

- (g) ukufakelwa emva kwenkcazelu ethi "lo Mthetho kaMasipala" kwale nkcazelu ilandelayo:

"‘imeko enobungozi’ kubhekiselelw kubukho kwemeko engamkelekanga okanye engathandekiyo ebangela okanye enamandla okubangela ingozi ekufuphi, umngcipheko, intshabalalo okanye ukonzakala xa kunokubakho imeko yonxunguphalo okanye kuqhambuke umlilo;”.

Ukulungiswa kwecandelo le-6 loMthetho kaMasipala

2. Icandelo 6(1) loMthetho kaMasipala kungoku nje liyalungisa ngokutshintshwa kwecandelwana loku-(1) kweli candelwana lilandelwane:

- "(1) Xa ugunyaziwe olawulayo efumanisa ukuba akukho kuthotyelwa kwemiqathango yalo Mthetho kaMasipala, ngaphandle kwemeko ekwicandelo le-4(2), **kufuneka** *kunokufuneka* ukuba kukhutshiwe isaziso esibhaliwego yaye eso saziso **kufuneka** siquke oku kulandelayo:

- (a) isiqinisekiso seziphumo zophando;

- (b) imiqathango yalo Mthetho kaMasipala eyaphuliwego;
- (c) intshukumo yokulungisa le meko eyimfuneko, kunye
- (d) kumiselwe kwangaphambili ixesha emakuthotyelwe ngalo lo mqathango.”

Ukulungiswa kwecandelo le-16 lo Mthetho kaMasipala

3. Icandelo le-16 loMthetho kaMasipala kungoku nje lilungiswa ngolu hlobo—
- (a) ngokutshintshwa kwecandelwana loku-(1) kweli candelwana lilandelayo:
 - “(1) Phambi kokumiswa nokusetyenziswa kwtente njengendawo yokuhlala njengoko kuchaziwe kwiMiqathango yeZakhiwo kwiSizwe (A20), **umfaki-sicelo umnini okanye umntu olawula lo ndawo kufuneka**—
 - (a) angenise isicelo ngokwemigaqo yeMiqathango yeZakhiwo kwiSizwe (A2) no-(A23) kwaMasipala ukuze *kwamkelwe ukumiswa* kunye *nokusetyenziswa* kwalo tente; yaye
 - (b) angenise isicelo ngokwemigaqo yecandelo lama-21 lalo Mthetho kaMasipala kuGunyaziwe olawulayo ukuze afumane isiqinisekiso senani labantu abahlalayo sethutyana.”;
 - (b) *ukutshintshwa kwecandelwana le-16(2)(a) ngeli candelwana lilandelayo:*
 - “(a) *Umgama wokhusaleko phakathi kwentente naso nasiphi na isakhiwo okanye umda kuyimfuneko ukuba simiselwe ngokulandela umgago ongunombolo TT2 we-SABS 0400. Itente kufuneka yokhiwe ubuncinane kwiimitha ezi-yi4,5 ukusuka kumda, kwisitora ekugcinwa kuso izinto ezitsha lula okanye izinto ezitshayo* Ugunyaziwe olawulayo unakho ukufuna ukuba lo mgama wandiswe xa imeko inyanzelisa oko.”;
 - (c) ukufakelwa emva kwecandelwana le-16(2)(a) kweli candelwana lilandelayo:
 - “(aA) *Itente kufuneka yokhiwe ubuncinane kumgama weemitha eziyi-4,5 ukusuka kwizitora ekugcinwa kuzo izinto ezitsha lula okanye impahla etshayo.*”.

Ukulungiswa kwecandelo le-17 loMthetho kaMasipala

4. Icandelo le-17 loMthetho kaMasipala kungoku nje liyalungiswa ngokutshintshwa kwecandelwana loku-(1) kweli candelwana lilandelayo:
- “(1) *Umnini okanye umntu olawulayo kulo ndawo, ngokwemeko leyo ekuyiyo, kufuneka abonelele yaye afakele izixhobo zokuCima uMilo yaye ezi zixhobo kufuneka zibonelelwye yaye zifakelwe* kulo ndawo njengoko oku kunokuba yimfuneko emiswe ngugunyaziwe olawulayo nangokuthobela iMiqathango yeZakhiwo kwiSizwe (T1) no-(T2).”.

Ukulungiswa kwecandelo le-18 loMthetho kaMasipala

5. Icandelo le-18 loMthetho kaMasipala kungoku nje liyalungiswa ngokutshintshwa kwecandelwana loku-(1) kweli candelwana lilandelayo:
- “(1) *Umnini okanye umntu olawulayo kulo ndawo kuyimfuneko ukuba aqinisekise ukuba isixhobo esikhussela umlilo kufuneka sivavanywe yaye silondolozwe rhoqo kunye nokuba umnini okanye umntu olawulayo kulo ndawo kufuneka agcine ulwazi oluneenkukacha zokwenziwa kolo vavanyo nomsebenzi wolondolozo lweso sixhobo.*”.

Ukulungiswa kwecandelo lama-21 loMthetho kaMasipala

6. Icandelo lama-21 loMthetho kaMasipala kungoku nje lilungiswa ngolu hlobo—
- (a) ngokutshintshwa kwecandelwana loku-(1) kweli candelwana lilandelayo:
 - “(1) Phambi kokusetyenziswa kwala masango ngeenjongo zokuzonwabiso okanye indibano yoluntu *nalapho inani labantu kuqukwa nabasebenzi lingaphezu kwabantu abangama-50*, umnini okanye umntu olawulayo kule ndawo kufuneka ukuba angenise isicelo sesiqinisekiso senani labantu kugunyaziwe olawulayo, njengoko kumiselwego kwiShedyuli ye-2 yalo Mthetho kaMasipala.”;
 - (b) ukufakelwa emva kwecandelwana loku-(1) kweli candelwana lilandelayo:
 - “(IA) *Umnini okanye umntu olawulayo kulo ndawo nalapho kufuneka isiqinisekiso senani labantu akuvumelekanga ukuba ayisebenzise le ndawo ukuba akasikhutshelwanga isiqinisekiso senani labantu nguGunyaziwe oLawulayo.*”.

Ukulungiswa kwecandelo lama-31 lalo Mthetho kaMasipala

7. Icandelo lama-31 loMthetho kaMasipala kungoku nje lilungiswa ngolu hlobo-
- (a) ngokufakelwa kweli candelwana lilandelayo emva kwecandelwana lama-31(3):
 - “(3A) *Umnini okanye umntu olawulayo kulo ndawo akanakho ukuvumela nabani na ukuba alayite okanye atshaye isiga, umdiza, inqawa, icuba okanye nantoni na etshiswayo okanye alumekie okanye ats*The owner or person in charge of premises may not allow or permit any person to hise umlilo okanye nantoni na etshayo nakuyiphi na indawo aphioku kuthintelwego ngokucacileyo.”;
 - (b) ukufakelwa kweli candelwana lilandelayo emva kwecandelwana lama-31(5):
 - “(6) *Kwimeko aphi ukuphoswa, ukulahlha phantsi okanye ukuwiswa koluthi lomlilo ovuthayo, umdiza ovuthayo, okanye nantoni na evuthayo enokubangela ukuvutha okukhawulezileyo okanye ukuzivuthisa endleleni okanye nakuyiphi na enye indawo, kweziwa ngumntu osesithuthini, kuya kuthatyathwa ngokungathi, ngenxa yokungabikho kobungqina obuchasene noku, ukuba eso senzo senziwa ngumnini wesithuthi eso.*”.

Ukulungiswa kwesihloko kwiSahluko se-7 salo Mthetho kaMasipala

8. Isahluko se-7 salo Mthetho kaMasipala kungoku nje silungiswa ngolu hlobo:

- (a) isihloko kwiSahluko se-7 siyatshintshwa kufakwe esi silandelayo:

“*IINGOZI ZOMLILO NEZIQWENGA ZOMHLABA EZINGENANTO EZILUNGISELELWE UKUNQANDA UMLILO*”;

- (b) Eli cadelo lilandelayo lifakelwa emva kwecandelo lama-35:

“*Iziqwenga zomhlaba ezingenanto ezilungiselelwe ukunqanda umlili*

35A(1) Nangona kukho inkaso kuyo nantoni equlethwe kuMthetho olawula iMililo yaMadlelo naMahlathi kwiSizwe, umnini okanye umntu olawulayo kulo ndawo inezityalo ezikhula kuyo xa kuyimfuneko kuyimfuneko ukuba enze amalungiselelo okwenziva yaye alondoloze amabala angenanto alungiselelwe ukunqanda umlilo ukuqinisekisa ukuba ingozi yokuqhambuka komlilo kwizityalo okanye ukwanda komlilo ukusuka kwenye indawo ukuya kwelandalayo kuyancitishwa.

(2) Kwimeko aphi umnini okanye umntu olawulayo kulo ndawo engaphumeleli ukwenza amalungiselelo okwenziva okanye ukulondoloza ibala elingenanto elilungiselelwe ukunqanda umlilo okanye aphi ngokoluvo logunyaziwe olawulayo, ibala elo lingenanto lilungiselelwe ukunqanda umlilo lingonelanga kwiimeko eziqhelekileyo, ugynyaziwe olawulayo unakho ukuthabatha amanyathelo ngokwemigaqo yecandelo le-4(2) okanye le-6(1) lalo Mthetho kaMasipala.

(3) Kwimeko aphi enziweyo amalungiselelo ebala elingenanto lokunqanda umlilo, izityalo ezikufuphi nalo ndawo ingenanto ilungiselelwe ukunqanda umlilo kufuneka zisuswe kulo ndawo ikufuphi nebalu elingenanto elilungiselelwe ukunqanda umlilo yaye kuyimfuneko ukuba zilahlwe ngendlela eyamkelekileyo kugunyaziwe olawulayo.

(4) Icandelwana loko-(1) alisetyenziswa kwiimeko aphi kunikezelwe ulwamkelo olulodwa ngokwemigaqo yoMthetho olawula iMililo yaMadlelo neyaMahlathi kwiSizwe.”.

Ukulungiswa kwecandelo lama-37 loMthetho kaMasipala

9. Icadelo lama-37 loMthetho kaMasipala kungoku nje lilungiswa ngokutshintshwa komhlathi (i) okwicandelwana le-(6) kufakewe lo mhlathi ulandelayo:

- “(i) igesi enokuvutha eziikhilogramu ezingaphezu kwe-**19** 38, okanye”.

Ukulungiswa kwecandelo lama-38 loMthetho kaMasipala

10. Icadelo lama-38 lalo Mthetho kaMasipala kungoku nje lilungiswa ngolu hlobo—

- (a) ngokutshintshwa kwecandelwana le-(4) kweli candelwana lilandelayo:

“(4) Kuyimfuneko ukuba kuhlaziwe isiqinisekiso sokugcina izinto ezinokuvutha kwindawo yakho **rhoqo ngonyaka, okanye phambi komhlha obonakaliswe kwisiqinisekiso sokugcina izinto ezinokuvutha, yaye** naxa umthamo okanye umgangatho walo nto ivuthayo ufuna ukutshintshwa okanye kuyimfuneko ukuba kusetyenziswe icandelo lama-37(5).”;

- (b) ukutshintshwa kwecandelwana le-(7) kufakelwe eli candelwana lilandelayo:

“(7) *Umboneleli ngenkonzo akanakho—*

(a) *ukunikezela ngegesi enokuvutha engaphezu kwama-38kg okanye kweelitha ezingama-200 ento engamanzi enokuvutha ekwiqela lezinto ezinobungozi (i), (ii), (iii) okanye (iv), ngokwalo meko, kuya nabani na ngaphandle kwestiqinisekiso sokuba lo mnntu unikwa lo nto inokuvutha unesiqinisekiso esisemthethweni sokugcina izinto ezinokuvutha njengoko kuchaziwe kwicandelo lama-37(6); okanye*

(b) *ukuthuthela kuyo nayiphi na indawo, igesi enokuvutha engaphezu kwama-38kg okanye iilitha ezingaphezu kwama-200 zento engamanzi enokuvutha ekwiqela lezinto ezinobungozi (i), (ii), (iii) okanye (iv), ngokwemeko leyo, ngaphandle kokuba umnini okanye lo mnntu ulawulayo kulo ndawo unesiqinisekiso esisemthethweni sokugcina izinto ezinokuvutha kwindawo yakhe njengoko kuchaziwe kwicandelo lama-37(6).”.*

Ukulungiswa kwecandelo lama-39 lalo Mthetho kaMasipala

11. Icadelo lama-39 loMthetho kaMasipala kungoku nje lilungiswa ngokutshintshwa kwecandelwana le-(8) kufakelwe eli candelwana lilandelayo:

“39(8) Itanki esetyenziswa umphelo okanye okwethutuanya kuyimfuneko ukuba yokhelwe udonga olubiyeleyo *noluza kuyilwa ngendlela elungiselelwe ukuqulatha izinto ezingumthamo we-110%* kulo tanki ingaphakathi kudonga olubiyeleyo okanye, kwimeko aphi kukho itanki ezinanzi kulo ndawo ibiyelweyo, udonga olubiyeleyo kuyimfuneko ukuba lwenziwe ngokulandela iimfuno ze-SANS 10089 isigaba soku-1.”.

Ukutshintshwa kwecandelo lama-43 lalo Mthetho kaMasipala

12. Eli cadelo lilandelayo kungoku nje liyatshintshwa kufakelwe icandelo lama- 43 loMthetho kaMasipala:

“Indawo yokugcina igesi yepetroliyamu eyenziwe yangamanzi **engamanzi** kwiindawo ezinokuthuthwa nakwizakhiwo ezincinane ezakhiwe okwethutuanya

43. Indawo yokugcina igesi yepetroliyamu eyenziwe yangamanzi **engamanzi** kwiindawo ezinokuthuthwa nakwizakhiwo ezincinane zethutuanya kuyimfuneko ukuba kwenziwe kuthotyelwa imigaqo ye-**S.A.B.S SANS 10087: Isigaba soku-1.**”.

Ukutshintshwa kwecandelo lama-44 loMthetho kaMasipala

13. Esi candelo lilandelayo kungoku nje liyatshintshwa kufakelwa icandelo lama- 44 lalo Mthetho kaMasipala:

“Ukugalelwka kwamafutha kwiiloli eziphakamisa imithwalo nezinye izithuthi ezisebenzisa *igesi yepetroliyamu ye-LP eyenziwe yangamanzi*

44. Ukugalelwka kwamafutha kwiiloli eziphakamisa imithwalo nezinye izithuthi ezisebenzisa *igesi yepetroliyamu ye-LP eyenziwe yangamanzi* kuyimfuneko ukuba kwensiwe kuthotyelwa imigaqo ye-S.A.B.S. SANS 10087: Isigaba se- 8.”.

14. Ukufakelwa kwecandelo lama-44A nelama-44B kulo Mthetho kaMasipala

La macandelo alandelayo kungoku nje afakelwa emva kwecandelo lama-44 loMthetho kaMasipala:

“*Ukusetyenziswa kweegesi zepetroliyamu ezeniwe zamanzi nezinxinzelelweyo ezendalo njengamafutha eenjini*

44A. *Ukusetyenziswa kweegesi zepetroliyami emanzi negesi yendalo exinzelelweyo njengemafutha okutshisa ngaphakathi iinjini nokusetyenziswa kwezixhobo ezokhelwe okanye ezitshintshelwe ukuze zisabenzie *igesi yepetroliyamu engamanzi* kuyimfuneko ukuba kwensiwe kuthotyelwa ngokupheleleyo imigaqo ye-SANS 10087 isigaba se-6.*

*Izikhululo ekugalelwka kuzo amafutha ezhambayo eneqizulathi ezigalela *igesi yepetroliyamu engamanzi ze-(LPG)**

44B.(1) Akuvumelekanga ukusetyenziswa kwezikhululo ekugalelwka kuzo amafutha ukuzalisa iziqulathi zegesi yepetroliyamu engamanzi.

44B.(2) Akukho mntu unelungelo lokuzalisa isiqulathi esinokuzaliswa segesi yepetroliyamu engamanzi kwisikhululo ekugalelwka kuso amafutha ezithuthi.

Ukutshintshwa kwecando lama-45 loMthetho kaMasipala

15. Eli candelo lilandelayo kungoku nje liyatshintshwa kufakelwe icandelo lama- 45 loMthetho kaMasipala:

“Ukugcinwa nokugalelwka kweziqulathi zegesi yepetroliyamu *engamanzi* ezinokuzaliswa **engamanzi**

45. Iindawo ekugcinwa kuzo nekugalelwka kuzo iziqulathi zegesi yepetroliyamu *engamanzi emanzi* kwiziqulathi ezinomthamo ongadlulanga kwi-9kg kufuneka kwensiwe kuthotyelwa imigaqo ye-S.A.B.S. SANS 10087: Isigaba se-8.”.

Ukulungiswa kwecandelo lama-49 loMthetho kaMasipala

16. Icandelo lama-49 loMthetho kaMasipala kungoku nje lilungiswa ngolu hlobo—

(a) ngokutshintshwa kwecandelwana le-(6) kufakelw eli candelwana lilandelayo:

“(6) Nangona kukho inkaso kwiMiqathango elawula iZakhiwo kwiSizwe (T1) efundwa ngaxeshanye nemigaqo ye-SABS 0400, *ugunyaziwe olawulayo unakho ukuvumela yaye kuyimfuneko* ukuba kokhiwe ucango olukhusela isitora kwimiliro lokhiwe ngezinto ezingenakuvutha lula ngumlilo *sinamandla okulwa nomlilo isithuba seeyure ezimbini*, ukuba olo cango luvulelwaa ngaphandle kunye nokuba kuthotyelwa yonke imigaqo yomgama wokhuseleko *yaye olo cango luvulelwaa ngaphandle*.”;

(b) ukutshintshwa kwecandelwana le-(10) kweli candelwana lilandelayo:

“(10) Isitora sezinto ezinokuvutha *esigcina izinto ezingamanzi ezinokuvutha ezinomthamo ongaphezu kwama-5000I wezinto ezinokuvutha ezingamanzi* kuyimfuneko ukuba sifakelwe isiziba esinogwebu esiqua ama-65 eemilimitha esebeenza ngephanyazo *efakelwe isivingco esingabuyeli sisakukhutshwa* nombobhobho westili esithambileyo esiya ngaphakathi kwesi sitora. Xa kubonwa kuyimfuneko ngugunyaziwe olawulayo, unakho ukunyanzelisa ukuba kufakelwe iziziba ezininzi ezinogwebu kwesi sitora.”;

(c) ukufakelwa kwala macandelwana alandelayo emva kwecandelwana le-(10) kula macandelwana alandelayo:

“(10A) *Isiziba esinogwebu nombobhobho kuyimfuneko ukuba ziqinisekise ukwabiwa ngokulinganayo kogwebu.*

(10B) *Isiziba esinogwebu masiphawulwe kusetyenziswa uphawu olubonakalisa amagama athi: “Isiziba sogwebu”* ngoonobumba abohlukaneyo ngobukhulu bama-50 emilimitha; ”;

(d) Ukutshintshwa kwecandelwana le-(12) kweli candelwana lilandelayo:

“(12) Isitora ekugcinwa kuso izinto ezinokuvutha lula kuyimfuneko ukuba siphawulwe ngamagama athi, “Flammable Store—Bewaarplek vir Vlambare Vloeistowwe—Isitora esiGcina izixhobo EzinokuVutha lula”, kunye nomthamo wezixhobo ezivunyelweyo ukuba zifakwe kwisitora ekugcinwa kuso izixhobo ezinokuvutha lula, sibonakaliswe ngoonobumba abohlukaneyo ngobukhulu bama-100 50 emilimitha ngaphakathi nangaphandle kuzo zonke iingcango ezingena ngqo kweso sitora ekugcinwa kuzo izixhobo ezinovutha lula.”.

Ukufakelwa kwecandelo lama-52A kulo Mthetho kaMasipala

17. Lo Mthetho kaMasipala kungoku nje ulungiswa ngokufakelwa kweli candelo lilandelayo emva kwecandelo lama-52 loMthetho kaMasipala:

“Ukufakelwa kwezixhobo ezinoBungozi ngokuMandla

52A(1). *Nangona nantoni na equlethwe kuMthetho ophathelele kwiMpilo noKhuseleko eMisebenzini neMiqathango elawula ukuFakelwa kweZixhobo ezinoBungozi ngokuMandla, ugynyaziwe olawulayo unakho ukunyanzelisa ukuba kwensiwe uhlolo lobungozi kumasango okanye kwinxalenye yendawo ekufakelwe kuyu uninzi lwezixhobo ezinobungozi nezithi ngokoluvo logunyaziwe olawulayo zibeke engozini enokonakalisa impilo nokhuseleko lwabasebenzi noluntu.*

(2) *Uhlolo lobungozi kuyimfuneko ukuba lwenziwe licandelo loLawulo loHlolo eliGunyazisiveyo yaye olo hlolo kuyimfuneko ukuba luthobele iimfuno zoMqathango we-5 weMiqathango elawula ukuFakelwa kweZixhobo ezinoBungozi ngokuMandla.*”.

Ukulungiswa kwecandelo lama-53 loMthetho kaMasipala

18. Lo Mthetho kaMasipala kungoku nje uyalungiswa ngokutshintshwa kwecandelwana loku-(1) kweli candelwana lilandelayo:

“(1) Umqhubi wesithuthi esilungiselelwel ukuthutha *izixhobo ezinokuyutha lula iimpahla ezinobungozi ezinomthamo ongaphezu kobuninzi obamkelwego njengoko kuchaziwe kwiSongezelelo A se-SABS 0232-1* akuvumelekanga ukuba aqhube eso sithuthi kummandla ophantsi kolawulo logunyaziwe olawulayo, ngaphandle kokuba ufumene isiqinisekiso sokuthwala iimpahla ezinobungozi esikhutshwa licandelo leenkonzo zomkhosi womlilo ngokwemigaqo yoMthetho olawula uThutho eziNdeleni kwiSizwe.”.

Ukufakelwa kwesahluko se-11 kuMthetho kaMasipala

19. Lo Mthetho kaMasipala kungoku nje uyalungiswa ngokufakelwa kwesi Sahluko se-11 silandelayo emva kwecandelo lama-57:

“ISAHLUKO SE-11

IZITAKANTLANTSİ

Iziqinisekiso neeMphepa-mvume zokugcina iZitakantlantsi

58(1) *Nangona kukho inkaso kwizibonelelo zeMiqathango okanye uMthetho oLawula iZiqhushumbisi, esi Sahluko simisela ulawulo lwezitakantlantsi kwicandelo lorhulumente wengingqi ngenjongo yokuthintela nokunciphisa iingozi zomlilo nezinye iingozi ezibangelwa zizinto ezinobungozi.*

(2) *Akukho mnini okanye mntu ulawula kundawo ethile ekuvumelekile ukuba athengise okanye agcine izitakantlantsi ngaphandle kokuba lo mnini okanye lo mntu ulawulayo kulo ndawo ufumene isiqinisekiso sokugcina izitakantlantsi kugunyaziwe olawulayo.*

(3) *Nangona kukho inkaso kwizibonelelo zecandelwana loku-(1), intengiso nokugcinwa kwezitakantlantsi akuvumelekanga kuso nasiphi na isakhiwo esisetenziselwa iinjongo zokuhlala okanye njengenvalenyen yendawo yokuhlala, indawo ehlala izithuthi, kumanxweme, kumabala, kumhlaba othile, kwiindlela, kwiinqanawa, koololiwe okanye kwiinqwelo-ntaka.*

(4) *Akukho mntu kuvumeleke ukuba enze umboniso wezitakantlantsi kwindawo yoluntu esesidlangularaleni ngaphandle kokuqala afumane imvume nofumene iphephamvume kugunyaziwe olawulayo.*

(5) *Akukho mntu uvumeleke ukuba enze umdlalo owenziwa ngomlilo eqongeni okanye nawuphi na umdlalo ngomlilo ngexesha kusensiwa umboniso, umboniso-bhanyabhanya okanye ngexesha kushicilelwia imifanekiso yoomabonakude ngaphandle kokuqala afumane imvume okanye iphepha-mvume kugunyaziwe olawulayo.*

(6) *Iphepha-mvume lokwenza umboniso ongezitakantlantsi esidlangularaleni kuyimfuneko ukuba kwensiwe isicelo sokulifumana kwisithuba seentsuku ezili-14 phambi komhlwa wokuthengisa izitakantlantsi yaye ukwamkelwa kwasicelo eso kuya kuxhomekeka ekuthotyelweni kwayo nayiphi na imiqathangi enokumiselwa ngugunyaziwe olawulayo.*

(7) *Isiqinisekiso sokugcina izitakantlantsi okanye iphepha-mvume lokugcina izitakantlantsi livumeleke ngokusemthethweni kuphela xa liphathellele:*

(a) *kumasango okanye kumboniso wezitakantlantsi esidlangularaleni elakhutshelwa sona iphepha-mvume elo;*

(b) *umnini, umntu olawulayo kulo ndawo nekuligama lakhe eliza kuvela kwisiqinisekiso okanye kwiphepha-mvume;*

(c) *imeko yalo ndawo ngexesha lokunikezelwa kwephepha-mvume, kunye*

(d) *nenani nohlobo lwezitakantlantsi okanye izixhobo zemidlalo yomlilo owenziwa eqongeni kwisiqinisekiso okanye kwiphepha-mvume.*

(8) *Isiqinisekiso sokugcina izitakantlantsi sinikezelwa kuphela umnini propati okanye umntu olawulayo kulo ndawo yaye eso siquinisekiso sisemthethweni de kutshintshwe nawuphi na kwimiqathango yokwamkelwa okanye isiqinisekiso eso sirhoxiswe okanye sichithwe.*

(9) *Iphepha-mvume lokugcina izitakantlantsi likhutshelwa kuphela abantu abathile yaye lamkeleke ngokusemthethweni ixesha elithile elimiselwego okanye de kutshintshwe imiqathango yokwamkelwa kwsiqinisekiso eso okanye xa iphepha-mvume elikhutshwa ngugunyaziwe okanye lichithiwe.*

(10) *Umthengisi wezitakantlantsi okanye nawuphi na omnye umboneleli ngezitakantlantsi akuvumelekanga ukuba athengisele izitakantlantsi nakubani na ongenaso isiqinisekiso sokugcina izitakantlantsi esisemthethweni okanye iphepha-mvume elikhutshwa ngugunyaziwe olawulayo, ngokwemeko leyo.*

(11) *Isiqinisekiso sokugcina izitakantlantsi okanye iphepha-mvume lokugcina izitakantlantsi kuyimfuneko ukuba libekho/lifumanekule ndawo ngawo onke amaxesha ukuze lihlolwe yaye oku akuvumeli umfaki-sicelo wezitakantlantsi ukuba angathobel uMthetho kaMasipala ophathelele kuLawulo lweePropati zeSixeko saseKapa ezingenakuSuswa okanye nawuphi na omnye umthetho osetyenziswayo ngokufanelekleyleo.*

(12) *Ugunyaziwe olawulayo uvumeleke ukuba abekele bucala umhlaba kamasipala ngeenjongo zokuthengisa izitakantlantsi eluntwini, kodwa oko kuya kuxhomekeka kwimiqathango eya kumiselwa ngugunyaziwe olawulayo yaye oku kuya kubonakaliswa ngesaziso kweso siza.”.*

Ukulungiswa kweShedyuli ye-4 yoMthetho kaMasipala

20. Ishedyuli ye-4 yoMtehtho kaMasipala kungoku nje iyalungiswa ngolu hlobos-

(a) ngokufakelwa emva komgaqo we-SABS 087: Isigaba se-4, kolu lwazi lulandelayo:

SANS 10087: Isigaba 6 *Ukuphathwa, ukugcinwa, nokwabiwa kwegezi yepetroliyamu eyenziwe yangamanzi kwiindawo zemisebenzi yamakhaya, kwiindawo zoshishino nakwimizi-mveliso Isigaba se-6: Ukusetyenziswa kwegezi yepetroliyamu eyenziwe yangamanzi negesi yendalo exinzelelwego njengamafutha okufudumeza iinjini xa kufudunyezwa iinjini ezingaphakathi.* 33017

GENERAL NOTICE**WESTERN CAPE PROVINCIAL DEPARTMENT OF HEALTH****Notice in terms of sub-regulation 6(1)(a) and 6(2) of Regulation 187 of 2001**

The Western Cape Provincial Minister responsible for Health hereby publishes notification of receipt of the following applications for the establishment of private health establishments in the Western Cape Province. Copies of the applications may be obtained at a nominal fee from the Chief Directorate of Business Development: Provincial Department of Health, PO Box 2060, Cape Town 8000, tel. (021) 483-3414/2603.

Kindly note that all interested parties are invited to submit written comment on any of the applications mentioned below to the Western Cape Health Department within **30 days** of the publication of this notice. All comments must be sent to:

**The Head
Department Of Health
P.O. Box 2060
Cape Town
8000**

For attention: Ms Morenza Malan

NO.	PRIVATE HEALTH ESTABLISHMENT	NAME AND ADDRESS OF PROPRIETOR	LOCATION	TOTAL NUMBER OF BEDS	TYPE OF FACILITY
1.	Claremont Hospital	Dr H Stephenson Newlands Surgical Clinic PO Box 23596 Claremont 7735 Tel: (021) 683-1220	Claremont	Application for the relocation of Newlands Surgical Clinic with 81 beds (53 adult surgical, 13 obstetric, 3 adult intensive care, 9 paediatric, 2 neonatal intensive beds and 1 neonatal isolation), 2 procedure rooms, 5 major theatres, 2 first stage rooms and 3 delivery rooms to the Claremont Hospital site	Acute Private Health Establishment
2.	Broad Road Surgical Clinic	Dr M Shreef Broad Road Surgical Clinic PO Box 18395 Wynberg 7824 Tel: (021) 797-2990	Rondebosch	Application for the relocation of Broad Road Surgical Clinic with 27 adult surgical beds, 4 minor theatres to Perbro House, Klipfontein Road, Rondebosch as well as the extension of facility with 3 adult surgical beds	Acute Private Health Establishment

ALGEMENE KENNISGEWING
WES-KAAPSE PROVINSIALE DEPARTEMENT VAN GESONDHEID

Kennisgewing ingevolge subregulasie 6(1)(a) en 6(2) van regulasie 187 van 2001

Die Wes-Kaapse Provinciale Minister verantwoordelik vir Gesondheid gee hiermee kennis van die volgende aansoeke wat ontvang is vir die opringting van private gesondheidsinrigtings in die Wes-Kaap. Afskrifte van die aansoeke kan teen 'n nominale bedrag verkry word van die Hoofdirektoraat Besigheidsontwikkeling, Provinciale Departement van Gesondheid, Posbus 2060, Kaapstad 8000 tel. (021) 483-3414/2603.

Let asseblief daarop dat alle belangstellendes uitgenooi word om binne **30 dae** na die publikasie van hierdie kennisgewing skriftelike kommentaar oor enige van die aansoeke voor te lê aan die Wes-Kaapse Departement van Gesondheid. Alle kommentaar moet gestuur word aan:

**Die Hoof
Departement van Gesondheid
Posbus 2060
Kaapstad
8000
Vir aandag: Me Morenza Malan**

NO.	PRIVATE GESONDHEIDS-INRIGTING	NAAM EN ADRES VAN EIENAAR	STANDPLAAS	TOTALE GETAL BEDDENS	TIPE INRIGTING
1.	Claremont Hospitaal	Dr H Stephenson Newlands Sjirurgiese Kliniek Posbus 23596 Claremont 7735 Tel: (021) 683-1220	Claremont	Aansoek om verskuwing van Newlands Sjirurgiese Kliniek met 81 beddens (53 volwasse sjirurgiese, 13 obstetries, 3 volwasse intensiewesorg, 9 pediatrise, 2 neonataal intensiewesorg en 1 neonataal isolasie), 2 prosedurekamers, 5 groot theaters, 2 eerstestadiumkamers en 3 bevalingskamers na die Claremont Hospitaal perseel	Akute Private Gesondheidsinstelling
2.	Broad Road Sjirurgiese Kliniek	Dr M Shreef Broad Road Sjirurgiese Kliniek Posbus 18395 Wynberg 7824 Tel: (021) 797-2990	Rondebosch	Aansoek om verskuwing van Broad Road Sjirurgiese Kliniek met 27 volwasse sjirurgiese beddens en 4 klein theaters na Perbro House, Klipfonteinstraat, Rondebosch sowel as uitbreiding van fasiliteit met 3 volwasse sjirurgiese beddens	Akute Private Gesondheidsinstelling

OUDTSHOORN MUNICIPALITY

NOTICE NO 10 OF 2006

**NOTICE CALLING FOR OBJECTIONS TO
PROVISIONAL ADDITIONAL VALUATION ROLL
(OUDTSHOORN MUNICIPAL AREA (REGULATION 12))**

Notice is hereby given in terms of section 15(1)/19 of the Property Valuation Ordinance 1993 to all owners of properties in Oudtshoorn Municipal Area that the provisional additional valuation roll for the 2005/2006 financial year is open for inspection at the Cashiers hall on ground floor at the Langenhoven Road entrance of the Civic Centre, Oudtshoorn, from 9 March 2006 to 3 April 2006 between 08:00 and 15:00.

The owner of any property recorded on such roll may, in terms of section 16 of the said Ordinance object to the valuation placed on his property and such objection must reach the Municipal Manager before the expiry of the abovementioned period.

The prescribed form for the lodging of an objection is available at the address given hereunder. You will also receive a form by post.

Illiterate persons may call at the offices of the Valuer for assistance in completion of their objection form.

Your attention is specifically focused on the fact that no person is entitled to raise any objection before the Valuation Board unless he has lodged an objection on the prescribed form on or before 3 April 2006.

The owner also includes a proxy, as defined in section 1 of Ordinance Supra.

This notice appeared for the first time on 2 March 2006.

M P May, Municipal Manager, Cashiers Hall, Ground Floor, Langenhoven Road, Civic Centre, Oudtshoorn.

3 March 2006

33021

SWELLENDAM MUNICIPALITY

RULES OF ORDER REGULATING THE CONDUCT OF MEETINGS OF THE COUNCIL OF THE MUNICIPALITY OF SWELLENDAM

PART 1: GENERAL

1. Definitions

In this by-law, unless inconsistent with the context—

“council” means the municipal council of Swellendam;

“code” means the Code of Conduct for Councillors as set out in Schedule 1 of the Systems Act;

“Constitution” means the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996);

“MEC” means the member of the Provincial Executive Council responsible for local government in the province of the Western Cape;

“meeting” means the meetings of council;

“member” means a member of the council;

“motion” means a motion of which notice is given by a member;

“municipal manager” means the person appointed by council in terms of the Structures Act, or a person delegated by the municipal manager;

“non-member” means the municipal manager and any other employee of the municipality”

MUNISIPALITEIT OUDTSHOORN

KENNISGEWING NO 10 VAN 2006

**KENNISGEWING WAT BESWARE TEEN VOORLOPIGE
AANVULLENDE WAARDASIELYS AANVRA (OUDTSHOORN
MUNISIPALE GEBIED (REGULASIE 12))**

Kennis geskied hiermee ingevolge artikel 15(1)/19 van die Ordonnansie op Eiendomswaardering 1993 aan alle eienaars van eiendomme binne die Oudtshoorn Municipale gebied, dat die voorlopige aanvullende waardasielys vir die boekjaar 2005/2006 ter insae lê in die kassiere lokaal op die grondvloer vanaf ingang uit Langenhovenweg, Burgersentrum, Oudtshoorn, en wel vanaf 9 Maart 2006 tot 3 April 2006 tussen 08:00 en 15:00.

Die eienaar van enige eiendom wat in sodanige lys opgeteken is, kan ingevolge artikel 16/19 van genoemde Ordonnansie beswaar aanteken teen die waardasie wat op sy eiendom geplaas is en sodanige beswaar moet die Municipale Bestuurder voor die verstryking van bogenoemde tydperk bereik.

Die voorgeskrewe vorm vir die indiening van ’n beswaar is by die adres hieronder aangedui, beskikbaar. U sal ook ’n vorm per pos ontvang.

Ongeletterde persone kan by die kantoor van die Waardeerdeer aandoen vir hulp met voltooiing van hul beswaarvorm.

U aandag word spesifiek gevvestig op die feit dat geen persoon geregtig is om enige beswaar voor die Waardasieraad te opper, tensy hy ’n beswaar op die voorgeskrewe vorm voor of op 3 April 2006 ingedien het nie.

’n Eienaar sluit ook ’n gevollmagtigde in soos omskryf in artikel 1 van die Ordonnansie Supra.

Hierdie kennisgewing het vir die eerste keer verskyn op 2 Maart 2006.

M P May, Municipale Bestuurder, Kassiere Lokaal, Grondvloer, Langenhovenweg, Burgersentrum, Oudtshoorn.

3 Maart 2006

33021

SWELLENDAM MUNISIPALITEIT

**REËLS VAN PROSEDURE VIR DIE HOU VAN VERGADERINGS
VAN DIE RAAD VAN DIE MUNISIPALITEIT VAN
SWELLENDAM**

DEEL 1: ALGEMEEN

1. Woordomskrywing

In hierdie reëls, tensy dit uit die samehang anders blyk, beteken—

“Grondwet” die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996);

“kode” die Gedragskode vir Raadslede soos in Bylae 1 van die Stelselwet uiteengesit;

“lid” ’n lid van die raad;

“nie-lid” die munisipale bestuurder en enige ander werknemer van die munisipaliteit;

“LUR” die lid van die Provinciale Uitvoerende Raad verantwoordelik vir plaaslike regering in die provinsie van die Wes-Kaap;

“mosie” ’n mosie waarvan kennis deur ’n lid gegee is;

“munisipale bestuurder” die persoon deur die raad aangestel ingevolge die Strukturewet, of ’n persoon deur die munisipale bestuurder gemagtig;

“party” ’n party in die Strukturewet bedoel;

“raad” die munisipale raad van Swellendam;

“party” means a party referred to in the Structures Act;

“rules” means the provisions of this by-law;

“speaker” means the member elected as chairperson of the council or any other member acting as chairperson of the council;

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

“Structures Act” means the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

PART 2 : APPLICATION OF RULES

2. Application

- (1) These rules only apply to Council meetings
- (2) Except where it is clearly inappropriate, a rule applying to a member in any proceedings, also apply to a non-member who takes part in those proceedings with the approval of the speaker

3. Supplementation

- (1) The speaker may give a ruling in respect of any eventuality for which these rules do not provide and no further discussion shall be allowed on the ruling.
- (2) The ruling of the speaker shall be entered into the minutes.

PART 3 : MEETINGS

4. Commencement of Meeting

The speaker must take the chair precisely at the time for which the meeting is convened and must proceed immediately with the business of the meeting subject to section 14.

5. Order of Business

- (1) The business of meetings will appear in the following order on the agenda:
 - (a) election of acting speaker, if necessary;
 - (b) application for leave of absence;
 - (c) motion of joy and sorrow;
 - (d) speeches and submissions;
 - (e) confirmation of minutes;
 - (f) matters arising out of minutes;
 - (g) statements and communications by the speaker;
 - (h) statements and communications by the executive mayor;
 - (i) reports of committees and ad hoc committees;
 - (j) consideration of matters;
 - (k) consideration of matters which require non-disclosure;
 - (l) consideration of matters of exigency
- (2) The speaker may of his or her own volition change the order of the business appearing on the agenda.
- (3) A member who wishes to have the order of business on the agenda changed, must approach the speaker prior to the meeting.

“reëls” die bepalings van hierdie verordening;

“speaker” die lid gekies tot voorsitter van die raad of enige ander lid wat as voorsitter van die raad waarneem;

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

“Strukturewet” die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998);

“vergadering” die vergaderings van die raad.

DEEL 2: TOEPASSING VAN REËLS

2. Toepassing

- (1) Hierdie reëls is slegs van toepassing op Raadsvergaderings.
- (2) Uitgesonderd waar dit klaarblyklik onvanpas is, is 'n reël wat in enige verryttinge op 'n lid van toepassing is, ook van toepassing op 'n nie-lid wat met die goedkeuring van die speaker aan daardie verrytting deelneem.

3. Aanvulling

- (1) Die speaker kan 'n beslissing gee oor enige gebeurlikheid waarvoor hierdie reëls nie voorsiening maak nie, en geen verdere bespreking word oor die beslissing toegelaat nie.
- (2) Die beslissing van die speaker moet in die notule aangeteken word.

DEEL 3: VERGADERINGS

4. Aanvang van vergadering

Die Speaker moet die stoel inneem presies op die tyd waarvoor die vergadering belê is en moet onmiddellik begin met die sake van die vergadering, behoudens artikel 14.

5. Volgorde van sake

- (1) Die sake van vergaderings moet in die volgende volgorde op die sakelys verskyn:
 - (a) verkiesing van waarnemende speaker, indien nodig;
 - (b) aansoek vir verlof vir afwezigheid;
 - (c) mosie van lief en leed;
 - (d) spreekbeurte en voorleggings;
 - (e) bekragtiging van notules;
 - (f) sake uit die notules;
 - (g) verklarings en mededelings deur die speaker;
 - (h) verklarings en mededelings deur die uitvoerende burgemeester;
 - (i) verslae van komitee en ad hoc komitees
 - (j) oorweging van sake;
 - (k) oorweging van sake wat nie-openbaarmaking vereis;
 - (l) oorweging van dringende sake.
- (2) Die speaker kan uit eie beweging die volgorde van die sake op die sakelys verander.
- (3) 'n Lid wat die volgorde van die sake op die sakelys wil verander, moet die speaker voor die vergadering nader.

<p>6. Non-disclosure of Matters</p> <p>(1) Matters which require non-disclosure, must be marked as such in the agenda.</p> <p>(2) When such matters are to be considered, the speaker must direct that all members of the public leave the venue of the meeting.</p> <p>(3) Any member can prior to the commencement of the meeting, request the speaker to deal with a certain matter as a non-disclosed matter.</p> <p>7. Speaker may introduce urgent matter</p> <p>The Speaker may at any time and without notice make any statement or introduce urgent matters.</p> <p>8. Meetings</p> <p>(1) Council must meet at least quarterly</p> <p>(2) The Speaker decides when and where the council meets, but if a majority of the members request the speaker in writing to convene a meeting, the speaker must convene a meeting at a time set out in the request.</p> <p>(3) The municipal manager must, at the direction of the speaker, give notice in writing to each member of every meeting decided upon in terms of sub-section (2).</p> <p>(4) The municipal manager must give notice to the public of the date, time and venue of every meeting by publishing a notice in a local newspaper determined by him or her; provided that he or she may depart from this requirement when time constraints make this impossible.</p> <p>9. Business to be transacted</p> <p>Except as otherwise provided in these rules, no matter not specified in the agenda of a meeting may be transacted at such meeting.</p> <p>10. Attendance of Meetings</p> <p>(1) Every member attending a meeting of the council must sign his or her name in the attendance register kept for such purpose.</p> <p>(2) A member must attend each meeting except when—</p> <ul style="list-style-type: none"> (a) leave of absence is granted in terms of section 11; or (b) the member is required to withdraw in terms of law. <p>11. Leave of Absence</p> <p>A member who wishes to absent himself or herself from meetings must act in accordance with the rules relating to the leave of absence from the council as determined by council.</p> <p>12. Sanction of Non-attendance</p> <p>(1) If a member fails to act in accordance with the rules referred to in section 11, the speaker must investigate and make a finding on any breach of these rules.</p> <p>(2) The speaker must conduct its business in accordance with the rules determined by council where the application of sanctions are necessary.</p> <p>(3) A member who is absent from three or more consecutive meetings which he or she is required to attend in terms of section 10 must be removed from office in terms of item 4(2) of the Code.</p> <p>(4) Proceedings for the removal of a member in terms of subsection (3) must be conducted in accordance with the uniform standing procedure determined by the Council.</p>	<p>6. Nie-openbaarmaking van aangeleenthede</p> <p>(1) Sake wat nie-openbaarmaking vereis, moet so in die sakelys gemerk wees.</p> <p>(2) Wanneer hierdie sake oorweeg word, moet die speaker alle lede van die publiek gelas om die vergaderlokaal te verlaat.</p> <p>(3) Enige lid kan voor die aanvang van die vergadering die speaker versoek om'n sekere saak as 'n nie-openbaarmaking aangeleenthed te hanteer.</p> <p>7. Speaker kan dringende aangeleenthede indien</p> <p>Die speaker kan te eniger tyd enige verklaring maak of dringende aangeleenthede voorstel.</p> <p>8. Vergaderings</p> <p>(1) Die Raad moet ten minste kwartaalliks vergader.</p> <p>(2) Die speaker besluit waar en wanneer die Raad vergader, maar as 'n meerderheid van die lede die speaker skriftelik versoek om 'n vergadering te belê, moet die speaker 'n vergadering belê op 'n tyd in die versoek vermeld.</p> <p>(3) Die munisipale bestuurder moet, in opdrag van die speaker, aan elke lid skriftelik kennis gee van elke vergadering waarop ingevolge subartikel (2) besluit is.</p> <p>(4) Die munisipale bestuurder moet die publiek kennis gee van die dag, tyd en plek van elke vergadering deur 'n kennisgewing te publiseer in 'n plaaslike koerant deur hom/haar bepaal: Met dien verstande dat hy/sy van hierdie vereiste kan awfyk wanneer tydsbeperkings dit onmoontlik maak.</p> <p>9. Hantering van sake</p> <p>Uitgesonderd waar hierdie reëls anders bepaal, mag geen aangeleenthed wat nie op die sakelys van 'n vergadering verskyn, op sodanige vergadering hanteer word nie.</p> <p>10. Bywoning van vergaderings</p> <p>(1) Elke lid wat 'n vergadering van die Raad bywoon, moet sy/haar naam teken in die bywoningsregister wat vir die doel gehou word.</p> <p>(2) 'n Lid moet elke vergadering bywoon, uitgesonderd wanneer:</p> <ul style="list-style-type: none"> (a) verlof vir afwesigheid ingevolge artikel 11 verleen is; (b) die lid hom/haar kragtens 'n regsreël moet onttrek. <p>11. Verlof tot afwesigheid</p> <p>'n Lid wat van vergaderings wil wegblê, moet handel volgens die reëls tot afwesigheid van vergaderings soos deur die Raad bepaal.</p> <p>12. Sanksies vir nie-bywoning</p> <p>(1) Indien 'n lid versium om te handel volgens die reëls soos in artikel 11 bepaal, moet die speaker die oortreding ondersoek en 'n bevinding maak.</p> <p>(2) Die speaker moet optree volgens die reëls soos bepaal deur die Raad waar die toepassing van sanksies nodig is.</p> <p>(3) 'n Lid wat drie of meer opeenvolgende vergaderings afwesig is wat hy/sy ingevolge artikel 10 moet bywoon, moet ingevolge item 4(2) van die Kode uit sy/haar amp ontslaan word.</p> <p>(4) Verrigtinge vir die ontslag van 'n lid ingevolge subartikel (3) moet geskied ooreenkomsdig die eenvormige staande prosedure wat die Raad bepaal het.</p>
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13. Minutes

- (1) The municipal manager must compile the minutes of the proceedings of meetings in printed form.
- (2) The minutes of a meeting must be confirmed by the council at the next meeting and signed by the speaker.
- (3) The minutes shall be taken as read, for the purpose of confirmation, if a copy thereof was sent to each member within a reasonable period before the next meeting.
- (4) The speaker shall declare that the minutes is open for discussion as soon as the minutes is confirmed.

14. Quorum

- (1) A majority of the members constitutes a quorum.
- (2) If there is no quorum at the time for which the meeting is scheduled, the speaker must take the chair as soon as a quorum is present.
- (3) Whenever there is no quorum, the start of the meeting must be delayed for no longer than 30 minutes and if at the end of the period, there is no quorum, the speaker must adjourn the meeting to another time, date and venue at his or her discretion and record the names of those members present.
- (4) Whenever the speaker is not present and there is no quorum, the municipal manager must act in accordance with the procedure prescribed in terms of sub-section 14(3).
- (5) Whenever during a meeting there is no quorum, the speaker must suspend the proceedings until a quorum is again present or adjourn the meeting if a longer time has passed than the speaker has allowed and there is still no quorum.
- (6) Whenever a meeting is adjourned owing to the absence of a quorum, the speaker must convene a meeting within seven (7) days where the rest of the matters on the agenda must be dealt with.

PART 4: DECISIONS

15. Unopposed Matters

Whenever council is called upon to consider a matter before it and there is no opposition from any member, a unanimous vote will be recorded in the minutes.

16. Opposed matters

- (1) After attempts to reach consensus on certain matters have failed, the speaker must put the matter under discussion to the vote. Motions must be moved and seconded by members. Hereafter the speaker must call upon the members to indicate by a show of hands whether they are for such motions or against it, whereupon he or she must declare the result of such vote.
- (2) Upon the speaker's declaration of the result of a vote, a member may demand for his or her vote to be recorded against the decision concerned and the municipal manager shall ensure that such vote is recorded in the minutes.
- (3) If there is an equality of votes in respect of a matter on which voting takes place, the speaker must exercise his or her casting vote, in addition to his or her deliberative vote, provided that the speaker may not exercise a casting vote in terms of any matter set out in section 160 (2) of the Constitution.

17. Decisions

- (1) In accordance with the Constitution, a supporting vote of a majority of the members is necessary to decide on—

13. Notule

- (1) Die municipale bestuurder moet die notule van die verrigtinge van vergaderings in gedrukte vorm saamstel.
- (2) Die notule van 'n vergadering moet op die volgende vergadering deur die Raad bekragtig en deur die speaker onderteken word.
- (3) Die notule word vir die doel van bekragtiging as gelees beskou indien 'n afskrif daarvan binne 'n redelike tydperk voor die volgende vergadering aan elke lid gestuur is.
- (4) Die notule sal deur die speaker oopgestel word vir bespreking sodra dit bekragtig is.

14. Kworum

- (1) 'n Meerderheid van die lede maak 'n kworum uit.
- (2) As daar op die tyd waarop die vergadering belê is nie 'n kworum is nie, moet die speaker die stoel inneem sodra daar 'n kworum teenwoordig is.
- (3) Wanneer daar nie 'n kworum is nie, moet die aanvang van die vergadering met hoogstens 30 minute vertraag word, en as daar aan die einde van daardie tydperk nog nie 'n kworum is nie, moet die speaker die vergadering verskuif na 'n ander tyd, datum en plek na sy/haar goeddunke en moet hy/sy die name van die teenwoordige lede aanteken.
- (4) Indien die speaker afwesig is en daar nie 'n kworum is nie, moet die municipale bestuurder die prosedure volg soos in subartikel 14(3).
- (5) Wanneer daar tydens 'n vergadering nie 'n kworum is nie, moet die speaker die verrigtinge opskort totdat daar weer 'n kworum is of die vergadering verdaag as daar vir 'n langer tydperk as wat die speaker toegelaat het nog nie 'n kworum is nie.
- (6) Wanneer daar tydens die vergadering nie 'n kworum is nie en die vergadering as gevolg daarvan moet verdaag, moet die speaker 'n vergadering binne sewe dae belê waarop die res van die sake op die sakelys afgehandel moet word.

DEEL 4: BESLUITE

15. Onbestrede aangeleenthede

Wanneer die Raad 'n aangeleenthed oorweeg en daar geen teenkanting van enige lid is nie, moet 'n eenparige stemming in die notule aangeteken word.

16. Bestrede aangeleenthede

- (1) Nadat daar gepoog is om konsensus oor 'n sekere aangeleenthed te bereik en dit misluk, moet die speaker 'n stemming hou oor die aangeleenthed onder bespreking. Voorstelle moet deur lede gemaak en gesekondeer word. Hierna moet die speaker die lede versoek om deur die opsteek van hande aan te duい watter voorstel hulle ondersteun, waarna hy/sy die uitslag van sodanige stemming bekend moet maak.
- (2) Wanneer die speaker die uitslag van 'n stemming bekend maak, kan 'n lid versoek dat sy/haar stem teen die betrokke besluit aangeteken word, en die municipale bestuurder moet seker maak dat sodanige stem in die notule aangeteken word.
- (3) As daar 'n staking van stemme is ten opsigte van 'n aangeleenthed waaroor 'n stemming gehou word, moet die speaker sy/haar beslissende stem uitbring benewens sy/haar gewone stem. Met dien verstande dat die speaker nie 'n beslissende stem mag uitbring nie ten opsigte van enige aangeleenthed in artikel 160(2) van die Grondwet uiteengesit.

17. Besluite

- (1) In ooreenstemming met die Grondwet is die ondersteunende stem van 'n meerderheid van die lede nodig om te besluit oor:

<ul style="list-style-type: none"> (a) the passing of by-laws (b) the approval of the budget (c) the imposition of rates and other taxes, levies and duties (d) the raising of loans <p>(2) In accordance with the Structures Act a supporting vote of at least two-thirds of the members is necessary to adopt a decision to dissolve the council.</p> <p>(3) In accordance with item 6(3) of the Code, if more than one quarter of the members are against a motion to grant consent to a member to—</p> <ul style="list-style-type: none"> (a) be a party to a beneficiary under a contract for— <ul style="list-style-type: none"> (i) the provision of goods or services to the municipality; or (ii) the performance of any work otherwise than as a member for the municipality; (b) obtain a financial interest in any business of the municipality; or (c) for a fee or other consideration appear on behalf of any other person before the council or a committee; <p>Such consent may only be given to the member with the approval of the MEC.</p> <p>(4) All other questions are decided by a majority of votes cast.</p> <p>(5) In accordance with section 59(3)(a) of the Systems Act, the council may, or at the request in writing of at least one quarter of the councillors, must, review any decision taken by a political structure, political office bearer, councillor or staff member in consequences of a delegation or instruction, and either confirm, vary or revoke the decision subject to any rights that may have accrued to a person.</p>	<ul style="list-style-type: none"> (a) die aanneem van verordeninge; (b) die goedkeuring van die begroting; (c) die oplegging van eiendomsbelasting en ander belastings, heffings en regte; (d) die verkryging van lenings. <p>(2) In ooreenstemming met die Strukturewet is 'n ondersteunende stem van minstens twee derdes van die lede nodig om 'n besluit om die Raad te onbind, aan te neem.</p> <p>(3) Indien, in ooreenstemming met item 6(3) van die Kode, meer as 'n kwart van die lede gekant is teen 'n mosie om aan 'n lid toestemming te gee om:</p> <ul style="list-style-type: none"> (a) 'n party by of 'n bevoordeelde van 'n kontrak te wees vir: <ul style="list-style-type: none"> (i) die verskaffing van goedere of dienste aan die munisipaliteit; of (ii) die verrigting van enige werk anders as 'n lid van die munisipaliteit; (b) 'n finansiële belang te verkry in enige sake van die munisipaliteit; of (c) vir betaling of ander vergoeding namens enige ander persoon voor die raad of 'n komitee te verskyn. <p>Mag sodanige toestemming slegs met die goedkeuring van die LUR gegee word.</p> <p>(4) Alle ander kwessies word deur 'n meerderheid van die uitgebragte stemme beslis.</p> <p>(5) In ooreenstemming met artikel 59(3)(a) van die Stelselwet mag die Raad, of, moet die Raad op skriftelike versoek van minstens 'n kwart van die raadslede, enige besluit wat deur 'n politieke struktuur, politieke ampsbekleër, raadslid of personeellid ten gevolge van 'n delegasie of opdrag geneem is, hersien en die besluit bevestig, verander of herroep behoudens enige regte wat aan 'n persoon mag toegeval het.</p>
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PART 5: PUBLIC ACCESS

18. Admittance of public

The speaker must take reasonable steps to regulate public access to, and public conduct at meetings.

19. Exclusion of the public from meetings

The public and the media may be excluded from the meeting where so directed by the speaker terms of section 6.

PART 6: ORDER IN MEETINGS

20. Conduct of non-members and members of the public

If a non-member or member of the public misconducts himself or herself, behave in an unseemly manner or obstruct the business of any meeting, the speaker may direct such person to retire from the place of meeting for the remainder of the meeting and may, if necessary, cause him or her to be removed therefrom.

21. Conduct of members

- (1) If a member—
 - (a) misconducts himself or herself, or
 - (b) behaves in an unseemly manner, or
 - (c) obstructs the business of a meeting, or
 - (d) challenges the ruling of the speaker on any point of order or ruling in terms of section 3(1), or

DEEL 5: TOEGANG VIR PUBLIEK

18. Toelating van publiek

Die speaker moet redelike stappe doen om toegang vir die publiek tot en gedrag van die publiek op vergaderings te reguleer.

19. Uitsluiting van publiek en media van vergaderings

Die publiek en die media kan van die vergadering uitgesluit word waar die speaker dit ingevolge artikel 6 gelas.

DEEL 6: ORDE OP VERGADERINGS

20. Gedrag van nie-lede en lede van die publiek

Indien 'n nie-lid of 'n lid van die publiek hom/haar aan wangedrag skuldig maak, op 'n onbehoorlike wyse gedra of die sake van enige vergadering belemmer, kan die speaker gelas dat sodanige persoon die vergaderplek vir die duur van die vergadering verlaat of, indien nodig, uit die lokaal verwyder word.

21. Gedrag van lede

- (1) Indien 'n lid:
 - (a) hom/haar aan wangedrag skuldig maak, of
 - (b) hom/haar op 'n onbehoorlike wyse gedra, of
 - (c) die sake van die vergadering belemmer, of
 - (d) die beslissing van die speaker oor enige punt van orde of beslissing ingevolge artikel 3(1) uitdaag, of

- (e) declines to withdraw any expression when required to do so by the speaker, or
- (f) indulges in tedious repetition, unbecoming language or remarks which are of a defamatory nature, or
- (g) commits any breach of these rules,

the speaker shall direct such member to conduct himself or herself properly and, if speaking, to discontinue his or her speech.

- (2) In the event of a disregard of the directions of the speaker, the speaker may direct such member to retire from the place of meeting for the remainder of the meeting and may, if necessary, cause him or her to be removed therefrom.

22. Offence

Any non-member or member of the public who—

- (a) refuses or fails to comply with a direction of the speaker given in terms of sections 20 or 21; or
- (b) returns to the place of meeting prior to the conclusion of the meeting from which he or she was directed to retire or to be removed;
- (c) offers resistance whilst being removed from the place of meeting,

shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a maximum period of 3 months as determined by the court.

PART 7: RULES OF DEBATE

23. Member to address the chair

A member who speaks at a meeting must address the chair and may do so in any one of the three official languages of the Province of the Western Cape.

24. Order of priority

When a member wishes to address the council, he or she must first have the permission of the speaker.

25. Precedence of Speaker

Whenever the speaker addresses the meeting, all members must be silent so that the speaker may be heard without any interruption.

26. Relevance

- (1) A member who speaks must direct his speech strictly to the subject or matter under discussion or to an explanation or to a point of order.
- (2) No discussion may be permitted—
 - (a) which will anticipate any matter on the agenda;
 - (b) on any matter in respect of which a decision by a judicial or quasi-judicial body or a commission of enquiry is pending.

27. Right to speak

A member or non-member may speak on any matter before the council as determined by the speaker provided that speeches of all members and non-members are allocated in a fair manner.

28. Length of speeches

The speaker determines the length of speeches.

- (e) weier om enige uitdrukking terug te trek wanneer die speaker daarop aandring, of
- (f) hom/haar oorgee aan langdradige herhalings of onbehoorlike taalgebruik van 'n lasterlike aard, of
- (g) enige van hierdie reëls oortree,

moet die speaker gelas dat sodanige lid hom/haar behoorlik gedra en, indien hy/sy aan die woord is, om sy/haar redevoering te staak.

- (2) In die geval van verontagsaming van die lasgewing van die speaker, mag die speaker sodanige lid gelas om die vergaderlokaal vir die res van die vergadering te verlaat en kan hy/sy, indien nodig, sodanige lid uit die lokaal laat verwyder.

22. Misdrywe

Enige nie-lid of lid van die publiek wat:

- (a) weier of versuim om te voldoen aan 'n lasgewing van die speaker ingevolge artikel 20 en 21; of
- (b) na die vergaderlokaal terugkeer voor die afsluiting van die vergadering waaraan hy/sy gelas is om te onttrek of verwyder is; of
- (c) weerstand bied terwyl hy/sy uit die vergaderlokaal verwyder word,

begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete of gevangenisstraf vir 'n tydperk van hoogstens drie maande soos deur die hof bepaal.

DEEL 7: REËLS VIR DEBATVOERING

23. Lid spreek stoel aan

'n Lid wat op 'n vergadering praat, moet die stoel aanspreek en kan dit doen in enige van die drie ampelike tale van die Provincie van die Wes-Kaap.

24. Orde van voorkeur

Wanneer 'n lid of nie-lid die Raad wil toespreek, moet hy/sy eers die speaker se toestemming kry.

25. Voorrang van speaker

Wanneer die speaker die vergadering toespreek, moet alle lede stil bly sodat die speaker sonder enige onderbreking aangehoor kan word.

26. Relevansie

- (1) 'n Lid wat aan die woord is, moet sy/haar toespraak streng bepaal by die onderwerp of aangeleentheid onder bespreking of by 'n verduideliking of by 'n punt van orde.
- (2) Geen bespreking word toegelaat:
 - (a) wat enige aangeleentheid op die sakelys vooruitloop nie;
 - (b) oor enige aangeleentheid ten op sigte waarvan 'n besluit deur 'n geregtelike of kwasigeregtelike liggaaom of 'n kommissie van ondersoek hangende is nie.

27. Reg om te praat

'n Lid of nie-lid kan praat oor enige aangeleentheid voor die Raad soos deur die speaker bepaal met dien verstande dat spreekbreurte regverdig toegewys word aan alle lede en nie-lede wat wil praat.

28. Lengte van spreekbeurte

Die speaker bepaal die lengte van die spreekbeurte.

29. Matters of exigency

- (1) A member can prior to the commencement of a meeting direct the attention of the speaker to any matter which does not appear on the agenda and of which no previous notice has been given, for consideration during the meeting.
- (2) The speaker must use his own discretion to decide if the matter must be considered or not during the meeting in terms of sub-section (3).
- (3) Urgent matters must be of such a nature that it will receive the approval of the council or that it will not elicit any discussion or only serve as information to members.

30. Points of order

A member may raise a point of order to call attention to a departure from these rules by stating the particular rule such member relies on, whereupon such member shall immediately be heard.

31. Speaker's ruling on points of order and explanation

- (1) The ruling of the speaker on a point of order or an explanation shall be final and not open to discussion
- (2) The ruling of the speaker on any point of order raised as to the interpretation of these rules must be entered in the minutes.

32. That the council adjourn for a specified time

- (1) A member may at any time except during the course of a speech by another member or while a vote is being taken move "that the council now adjourn for a specified time" for a specific matter under discussion. The adjournment must not be more than 15 minutes.
- (2) On the resumption of the meeting after the adjournment, the member who moved the adjournment is entitled to speak first.
- (3) The speaker may limit the number of adjournments

29. Dringende sake

- (1) 'n Lid kan enige aangeleenthed wat nie op die sakelys verskyn nie en waarvan daar nie vooraf kennis gegee is nie voor die aanvang van die vergadering onder die speaker se aandag bring vir oorweging tydens die vergadering.
- (2) Die speaker moet sy eie oordeel gebruik of die aangeleenthed wel oorweeg sal word tydens die vergadering al dan nie ingevolge subartikel (3).
- (3) Dringende aangeleenthede moet van so 'n aard wees dat dit die goedkeuring van die volle Raad sal wegdra of dat dit nie enige bespreking sal uitlok nie of dat dit slegs tot inligting vir lede sal dien.

30. Punt van orde

'n Lid kan 'n punt van orde opper om die aandag te vestig op 'n afwyking van hierdie reëls deur die bepaalde reël te noem waarop sodanige lid hom/haar beroep, waarna sodanige lid onmiddellik gehoor verleen moet word.

31. Speaker se beslissing oor punte van orde en verduideliking

- (1) Die beslissing van die speaker oor 'n punt van orde is finaal en nie oop vir bespreking nie.
- (2) Die beslissing van die speaker oor 'n punt van orde wat oor die vertolking van hierdie reëls geopper is, moet in die notule aangeteken word.

32. Dat die Raad vir 'n bepaalde tyd verdaag

- (1) 'n Lid kan enige tyd behalwe in die loop van 'n toespraak deur 'n ander lid of terwyl daar gestem word, vra dat die raad nou vir 'n bepaalde tydstip verdaag oor 'n spesifieke aangeleenthed onder bespreking. Hierdie verdaging mag nie 15 minute oorskry nie.
- (2) Na die verdaging, as die vergadering hervat word, moet die lid wat gevra het vir die verdaging toegelaat word om eerste te praat.
- (3) Die speaker kan die aantal verdagings beperk.

PART 8:

33. Introduction of draft by-laws

In accordance with section 12 of the Systems Act, a draft by-law may only be introduced by a member or the executive mayor.

34. Introduction by member

- (1) A member introduces a draft by-law submitting it together with a memorandum on the objects of the by-law to the speaker.
- (2) The speaker must on receipt of a draft by-law, present with any comments received to the executive mayor and mayoral committee for consideration in accordance with section 30(5) of the Structures Act.
- (3) The executive mayor and mayoral committee must within 3 months of receipt of a draft by-law from the speaker, present the draft by-law together with the comments of the municipal manager to council to provisionally pass it.
- (4) When a proposed by-law has been rejected by the council, no by-law of the same substance may be introduced within a period of 3 months from the date of rejection.
- (5) When a proposed by-law has been provisionally passed, it must be advertised for public comment.

DEEL 8: VERORDENINGSPROSES

33. Indiening van konsepverordeninge

In ooreenstemming met artikel 12 van die Stelselwet, kan 'n konsepverordening net deur 'n lid of die uitvoerende burgemeester ingediend word.

34. Indiening deur lid

- (1) 'n Lid dien 'n konsepverordening in deur dit saam met 'n memorandum oor die oogmerke van die verordening aan die speaker voor te lê.
- (2) Die speaker moet by die ontvangs van 'n konsepverordening dit saam met enige kommentaar aan die uitvoerende burgemeester en burgemeesterskomitee vir oorweging voorlê in gevolge artikel 30(5) van die Strukturewet.
- (3) Die uitvoerende burgemeester en sy komitee moet tesame met die kommentaar van die munisipale bestuurder die konsepverordening binne twee maande na ontvangs van die speaker aan die Raad voorlê vir voorlopige goedkeuring.
- (4) Indien die Raad 'n konsepverordening afgekeur het, mag geen verordening oor dieselfde onderwerp binne 'n tydperk van 3 maande vanaf die datum van afkeuring ingediend word nie.
- (5) Indien die Raad 'n konsepverordening voorlopig goedkeur het, moet dit vir openbare kommentaar gepubliseer word.

35. Publication

The municipal manager must as soon as possible after council has provisionally passed a by-law, publish the draft by-law for public comment in order that the public will have the opportunity to make representations with regard thereto.

36. Introduction to council

- (1) The municipal manager must as soon as possible after the closing date for public representations, submit a report to the executive mayor and mayoral committee together with—
 - (a) a copy of the proposed by-law;
 - (b) copies of the advertisements in which the public was invited to make representations;
 - (c) any comments received from the public; and
 - (d) any other comments from the administration.
- (2) The executive mayor and mayoral committee must consider the report by the municipal manager and—
 - (a) Report to the council in the following form—
 - (i) An executive summary of the draft by-law;
 - (ii) A memorandum on the objects of the by-law;
 - (iii) The need to regulate the conduct proposed in the draft by-law;
 - (iv) The contents of the proposed by-law;
 - (v) Other by-laws that must be repealed or amended if the draft by-law is adopted;
 - (vi) Any relevant comments or proposals; and
 - (b) recommend to council to pass the by-law, pass the by-law in an amended form or reject it.
- (3) When a draft by-law has been rejected by the council, no by-law of the same substance may be introduced within a period of 3 months from the date of rejection.
- (4) When a proposed by-law has been passed, it must be published in the Provincial Gazette

37. Repeal of by-laws

The By-laws listed hereunder are hereby repealed:

- (a) The former Swellendam Transitional Council:
Standard by-law relating to the procedure and the maintenance of order at meetings—PN 0669/1988.
- (b) The former Barrydale Municipality:
Standard by-law to the procedure and the maintenance of order at meetings—PN 1000/1988 and PN 0273/1955

38. Short title and commencement

This By-law shall be known as the By-law relating to the rules of order regulating the conduct of meetings of the council of the municipality of Swellendam and shall come into operation on the date of publication thereof in the Provincial Gazette.

35. Publikasie

Die munisipale bestuurder moet so gou doenlik, nadat die Raad 'n konsepverordening voorlopig goedgekeur het, die konsepverordening vir openbare kommentaar publiseer op 'n wyse wat die publiek 'n geleentheid bied om vertoe in verband daarvan te rig.

36. Indiening by Raad

- (1) Die munisipale bestuurder moet so gou moontlik na die sluitingsdatum vir vertoe deur die publiek 'n verslag aan die uitvoerende burgemeester en burgemeesterskomitee voorlê, te same met:
 - (a) 'n eksemplaar van die voorgestelde verordening;
 - (b) eksemplare van die advertensie waarin die publiek genooi is om vertoe te rig;
 - (c) enige kommentaar wat van die publiek ontvang is, en
 - (d) enige ander kommentaar van die administrasie.
- (2) Die uitvoerende burgemeester en burgemeesterskomitee moet die verslag van die munisipale bestuurder oorweeg en—
 - (a) aan die Raad 'n verslag voorlê wat die volgende bevat:
 - (i) 'n bestuursopsomming van die konsepverordening;
 - (ii) 'n memorandum oor die oogmerke van die konsepverordening;
 - (iii) die noodsaaklikheid om die voorgestelde gedrag in die kosepverordening te reguleer;
 - (iv) die inhoud van die konsepverordening;
 - (v) ander verordeninge wat herroep of gewysig moet word indien die konsepverordening aangeneem word;
 - (vi) enige tersaaklike kommentaar of voorstelle; en
 - (b) die raad adviseer om die verordening aan te neem, om die verordening in 'n gewysigde vorm aan te neem of om dit te verwerp.
- (3) Wanneer 'n konsepverordening deur die Raad verwerp word, mag geen verordening met dieselfde inhoud binne 'n tydperk van drie maande na die verwerpking ingedien word nie.
- (4) Wanneer 'n verordening aangeneem is, moet dit in die Proviniale Koerant gepubliseer word.

37. Herroeping van Verordeninge

Die Verordeninge hieronder gelys word hiermee herroep:

- (a) Voormalige Swellendam Oorgangsraad—
Standardverordening insake die prosedure en die handhawing van orde op vergaderings—PN 0669/1988
- (b) Voormalige Municipaliteit Barrydale—
Standardverordening insake die prosedure en die handhawing van orde op vergaderings—PN 1000/1988 en PN 0273/1955

38. Kort titel en inwerkingtredie

Hierdie Verordening heet die Verordening insake die reëls van prosedure vir hou van vergaderings van die Raad van die munisipaliteit van Swellendam en tree in werking op die datum van publikasie daarvan in die Proviniale Koerant.

MOSSEL BAY MUNICIPALITY**CUSTOMER CARE, CREDIT CONTROL AND DEBT COLLECTION BY-LAWS****PREAMBLE**

Whereas the Council has adopted a credit control and debt collection policy on;

And whereas section 98 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) provides that a municipal council must adopt Customer Care and Management, Credit Control and Debt Collection Policy and By-laws to give effect to that policy, and its implementation and enforcement;

Now therefore the Council resolved to adopt the following by-laws:

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MOSSELBAAI MUNISIPALITEIT**KLANTESORG, KREDIETBEHEER EN SKULDINVORDERINGSVERORDENING****AANHEF**

Nademaal die Raad 'n klantesorg-, kredietbeheer-, en skuldinvorderingsbeleid op aanvaar het;

En nademaal artikel 98 van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000), voorsiening daarvoor maak dat 'n munisipale raad 'n klantesorg en -bestuur, kredietbeheer-, en skuldinvorderingsbeleid moet aanvaar en verordeninge moet aanneem om gevolg te gee aan daardie beleid, en die implementering en uitvoering daarvan;

Derhalwe het die Raad besluit om die volgende verordening aan te neem:

INHOUDSOPGawe**WOORDOMSKRYWING EN ALGEMENE BEPALINGS**

1. Woordomskrywing
2. Ondertekening van kennisgewings en dokumente
3. Waarmerk van dokumente
4. Volle en finale vereffening van 'n bedrag
5. Rente/Bobelasting heffings
6. *Prima facie* getuienis

BEVOEGDHEID VAN DIE MUNISIPALITEIT OM KOSTES IN TE VORDER

7. Gedishoneerde betalings
8. Koste van invordering en diensgelde
9. Kostes om debiteure aan te maan oor agterstallige gelde
10. Afsluitings- en aansluitingsfooie
11. Rekening

DIENSTE-OOREENKOMSTE EN ALGEMENE BEDINGE EN VOORWAARDES VIR DIE VERSKAFFING VAN MUNISIPALE DIENSTE

12. Lewering van dienste aan nuwe gebruiker
13. Lewering van dienste aan wanbetalers
14. Algemene bedinge en voorwaardes vir die voorsiening van munisipale dienste
15. Nuwe aansoeke en depositos deur bestaande gebruiker
16. Kennisgewing van voorneme om dienste-ooreenkoms op te skort
17. Versium om te voldoen aan versoek om dienste-ooreenkoms aan te gaan of om 'n deposito te stort

INVORDERING VAN AGTERSTALLIGE GELDE

18. Bevoegdheid om die voorsiening van dienste te beperk of te staak
19. Munisipaliteit se reg van toegang tot persele
20. Reëlings om uitstaande en verskuldigde bedrae in opeenvolgende paaiememente te betaal
21. Heraansluiting van dienste

ONDERSTEUNING VAN BEHOEFTIGE DEBITEURE

22. Behoeftige gebruikers

EIENDOMSBELASTING EN JAARLIKSE DIENSTEHEFFINGS

23. Bedrag verskuldigde ten opsigte van eiendomsbelasting en jaarlikse diensteheffings
24. Eis teen huurgeld vir die vereffening van agterstallige eiendomsbelasting en jaarlikse dienstegelde
25. Aanspreeklikheid van maatskappydirekteure vir die betaling van eiendomsbelasting en jaarlikse dienstegelde
26. Vervreemding van munisipale eiendom en die betaling van eiendomsbelasting en jaarlikse dienstegelde
27. Eiendomsbelasting en jaarlikse dienstegelde betaalbaar op munisipale eiendom

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- 28. Fees
- 29. Payment of accounts

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- 30. Power to differentiate between different categories of tax payers
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DEFINITIONS AND MISCELLANEOUS PROVISIONS

Definitions

1. For the purpose of these by-laws any word or expressions to which a meaning has been assigned in the Act shall bear the same meaning in these by-laws and unless the context indicates otherwise—

“Act” means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), as amended from time to time;

“authorised officer” is any person in the service of the municipality charged with the necessary authority to perform certain actions on behalf of the municipality;

“equipment” includes a building, structure, pipe, pump, wire, cable, meter, machine or any fitting;

“billing” means proper and formal notification by means of a statement of account to persons liable for monies levied for assessment rates and other taxes and the charges or the fees for municipal services and indicating the net accumulated balance of the account;

“council” the municipal council of the Mossel Bay Municipality;

“credit control and debt collection” means the functions relating to the collection of any monies due and payable to the Municipality;

“customer” means any occupier of any premises to which the Municipality has agreed to supply or is actually supplying services, or if there is no occupier, the owner of the premises;

“customer care” means focusing on the client’s needs in a responsible and pro-active way to encourage payment and to create a positive and reciprocal relationship between persons liable for the payment of services and the Municipality, and when applicable, a service provider, thereby limiting the need for enforcement, as far as practicably possible;

“defaulter” means a person owing the Municipality money in respect of taxes and/or services rendered after the final date of payment;

“chief financial officer” means a person appointed by the Council to manage the Council’s financial administration;

“interest” constitutes a levy equal in legal priority to service levies and is calculated on all amounts in arrears in respect of annual levies or service charges, at a standard rate equal to an interest rate one per cent higher than the interest rate the Council has to pay its bank in respect of an overdraft;

“municipal account” shall include levies or charges in respect of the following services and taxes:

- (a) electricity consumption,
- (b) water consumption,

BEPALINGS BETREFFENDE DIE BETALING VAN REKENINGE

- 28. Gelde
- 29. Betaling van rekeninge

ONDERSKEID

- 30. Bevoegdheid om te onderskei tussen verskillende kategorieë van belastingbetaler
- 31. Voorwaardes vir onderskeid

GEMENGDE BEPALINGS

- 32. Rapportering van wanbetaler
- 33. Herroeping van verordeninge
- 34. Oortredings
- 35. Botsende wetgewing
- 36. Kort titel

WOORDOMSKRYWING EN GEMENGDE BEPALINGS

Woordomskrywing

1. Vir doeleindes van hierdie verordenings het enige woord of uitdrukking waaraan ’n bepaalde betekenis geheg is in die Wet, dieselfde betekenis, tensy uit die samehang anders blyk, en beteken—

“bewoner” enige persoon wat enige perseel of deel daarvan okkuper, sonder inagneming van die titel ingevolge waarvan hy of sy aldus okkuper;

“eienaar”—

- (a) die persoon in wie titel van die perseel regtens gevestig is;
- (b) in die geval waar die persoon in wie die titel van die perseel regtens gevestig is, insolvent of oorlede is, of aan enige vorm van wetlike diskwalifikasie onderworpe is, dié persoon in wie die administrasie of beheer van so ’n perseel as kurator, trustee, eksekuteur, administrateur, geregtelike bestuurder, likwidateur of enige ander wetlike verteenwoordiger, gevestig is;
- (c) in enige geval waar die raad nie in staat is om die identiteit van sodanige persoon te bepaal nie, iemand wat geregtig is om voordeel uit sodanige perseel of enige gebou daarop, te trek;
- (d) in die geval van ’n perseel waarvoor ’n huurooreenkoms van 30 jaar of langer aangegaan is, die huurder daarvan;
- (e) met betrekking tot—

(i) ’n gedeelte grond afgebaken op ’n deeltitelplan en wat geregistreer is ingevolge die Wet op Deeltitels, 1986 (Wet 95 van 1986), en sonder om die voorafgaande bepalings te beperk, die ontwikkelaar of bestuursliggaam ten opsigte van die gemeenskaplike eiendom, of

(ii) ’n gedeelte soos gedefinieer in daardie Wet, die persoon in wie se naam daardie gedeelte geregistreer is ingevolge ’n deeltitelakte, insluitende die wettige aangestelde verteenwoordiger van sodanige persoon;

- (f) enige regpersoon insluitende, maar nie beperk nie tot:

(i) ’n maatskappy geregistreer ingevolge die Wet op Maatskappye, 1973 (Wet 61 van 1973), ’n trust *inter vivos*, trust *mortis causa*, ’n beslote korporasie geregistreer ingevolge die Wet op Beslote Korporasies, 1984 (Wet 69 of 1984), en ’n Vrywillige Vereniging;

(ii) enige staatsdepartement;

(iii) enige raad of bestuursliggaam ingevolge enige wetgewing van toepassing in die Republiek van Suid-Afrika, ingestel; en

- (c) refuse removal,
- (d) sewerage services,
- (e) rates,
- (f) interest,
- (g) surcharge,
- (h) collection fees,
- (i) housing rentals and instalments, and
- (j) miscellaneous and sundry charges.

"Municipal Manager" means the person appointed by the Municipal Council as the Municipal Manager of the Municipality in terms of Section 82 of the Local Government Structures Act, 1998 (Act 117 of 1998) and also includes any person:

- (a) acting in such position; and
- (b) to whom the Municipal Manager has delegated a power, function or duty;

"occupier" means any person who occupies any premises or part thereof, without any regard to the title under which he or she so occupies;

"owner" means—

- (a) the person in whom the legal title to the premises is vested;
- (b) in a case where the person in whom the legal title is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration of and control of such premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
- (c) in any case where the Council is unable to determine the identity of such person, a person who is entitled to the benefit of such premises or a building thereon;
- (d) in the case of premises for which a lease of 30 years or more has been entered into, the lessee thereof;
- (e) in relation to—
 - (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act 1986 (Act 95 of 1986), and without restricting the above provisions, the developer or the body corporate in respect of the common property; or
 - (ii) a section as defined in such Act, the person in whose name such section is registered under a sectional title deed, including the lawfully appointed representative of such person;
- (f) any legal person including but not limited to:
 - (i) a company registered in terms of the Companies Act, 1973 (Act 61 of 1973), Trust *inter vivos*, Trust *mortis causa*, a closed corporation registered in terms of the Closed Corporations Act, 1984 (Act 69 of 1984), and a Voluntary Association;
 - (ii) any government department;
 - (iii) any council or board established in terms of any legislation applicable to the Republic of South Africa;
 - (iv) any Embassy or other foreign entity;

- (g) owned by a council and which has been disposed of, but which has not been transferred to the person to whom it has been disposed of, from the date of the disposition concerned, such person; and

- (iv) enige ambassade of ander buitelandse entiteit;
- (g) wat aan 'n raad behoort en waaroor daar beskik is, maar wat nie aan die persoon aan wie dit beskik is oorgedra is nie, sodanige persoon vanaf die datum van die betrokke beskikkking; en
- (h) wat behoort aan of wat onder die beheer of bestuur van 'n raad is terwyl dit onder 'n huurkontrak of enige uitdruklike of stelswynde uitbreiding daarvan, of onder enige ander kontrak of onder 'n serwitout of analoë reg besit word, die persoon wat die onroerende eiendom aldus besit;

"gebruiker" enige okupeerde van 'n eiendom waartoe die munisipaliteit toegestem het om dienste te lever of alreeds lever of indien die okupeerde nie verantwoordelik is nie die eienaar van die eiendom;

"gemagtigde beampte" is enige persoon in die diens van die munisipaliteit wat met die nodige magtiging toegerus is om sekere aksies namens die munisipaliteit uit te voer;

"hoof finansiële beampte" iemand wat deur die Raad aangestel is om die Raad se finansiële administrasie te bestuur;

"klantesorg" om op 'n verantwoordelike en pro-aktiewe wyse te fokus op die gebruiker se behoeftes ten einde betaling aan te moedig en om 'n positiewe en wederkerige verhouding tussen die persone verantwoordelik vir die betaling van die dienste en die munisipaliteit, en indien van toepassing, 'n diensverskaffer, te skep, ten einde die noodsaaklikheid van wetstoepassing sover doenlik te beperk;

"kredietbeheer- en skuldinvordering" enige funksie wat verband hou met die invordering van enige geldte wat aan die munisipaliteit verskuldig en betaalbaar is;

"munisipale rekening" sluit in heffings of dienstegelde ten opsigte van die volgende dienste en belasting:

- (a) elektrisiteitsverbruik,
- (b) waterverbruik,
- (c) vullisverwydering,
- (d) riooldienste,
- (e) eiendomsbelasting,
- (f) rente,
- (g) bobelasting,
- (h) invorderingskostes,
- (i) behuisingshuurgelde en paaiemente; en
- (j) algemene en diverse heffings.

"Munisipale Bestuurder" die persoon wat deur die Munisipale Raad as die Munisipale Bestuurder van die munisipaliteit ingevolge artikel 82 van die Wet op Plaaslike Regering: Munisipale Strukture Wet, 1998 (Wet 117 van 1998), aangestel is en sluit ook in iemand

- (a) wat in daardie amp waarneem; en
- (b) aan wie die munisipale bestuurder 'n bevoegdheid, funksie of plig gedelegeer het;

"perseel" ook enige gedeelte grond, waarvan die buitegrense afgebaken is op:

- (a) 'n algemene plan of diagram wat geregistreer is ingevolge die Opmetingswet, 1927 (Wet 9 van 1927), of die Wet op die Registrasie van Aktes, 1937 (Wet 47 van 1937), of;
- (b) 'n deeltitelplan geregistreer ingevolge die Wet op Deeltitels, 1986 (Wet 95 van 1986), wat binne die regsgebied van die munisipaliteit geleë is.

- (h) owned by or under the control or management of a council while held under a lease or any express or tacit extension thereof or under any other contract or under a servitude or right analogous thereto, the person so holding the immovable property;

“premises” includes any piece of land, the external surface boundaries of which are delineated on—

- (a) a general plan or diagram registered in terms of the Land Survey Act, 1927 (Act 9 of 1927) or in terms of the Deeds Registry Act, 1937 (Act 47 of 1937); or
- (b) a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act 95 of 1986), which is situated within the area of jurisdiction of the Municipality;

“raad” die munisipale raad van die Mosselbaai Munisipaliteit;

“rekening” die behoorlike en formele kennisgewing by wyse van ’n rekeningstaat aan persone wat aanspreeklik is vir gelde wat gehef is vir eiendomsbelasting of ander belastings en die heffings of die fooie vir munisipale dienste en wat die netto geakumuleerde balans op die rekening aantoon;

“rente” ’n heffing wat dieselfde regsprioriteit as dienstegelde het en wat op agterstallige bedrae, wat betrekking het op jaarlikse heffings of diensgelde, bereken word teen ’n standaardkoers wat gelykstaande is aan ’n rentekoers wat een persent hoër is as die rentekoers wat die raad aan sy bank moet betaal ten opsigte van ’n bankoortrekking;

“toerusting” ook ’n gebou, struktuur, pyp, pomp, draad, kabel, meter, masjien of enige toebehore;

“wanbetaler” ’n persoon wat gelde vir eiendomsbelasting en/of gelewerde dienste aan die munisipaliteit verskuldig is ná die “laaste datum vir betaling”;

“Wet” die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000), soos van tyd tot tyd gewysig;

Signing of notices and documents

2. A notice or document issued by the Municipality in terms of this by-law and signed by an official of the Municipality shall be deemed to be duly issued and shall on its mere production be accepted by a court as evidence of that fact.

Authentication of documents

3. (1) Every order, notice or other document requiring authentication by the Municipality shall be deemed to be sufficiently authenticated if signed by the Municipal Manager or by a duly authorised officer of the Municipality; such authority being conferred by a resolution of council or by a regulation.
- (2) Delivery of a copy of such document shall be deemed to be delivery of the original.

Full and final settlement of an amount

4. (1) The chief financial officer may appropriate any monies received in respect of any municipal services as he/she deems fit.
- (2) Where the amount due and payable to the Municipality has not been paid in full, any lesser amount tendered to and accepted by any municipal employee shall not be deemed to be in final settlement of such an amount.
- (3) The provisions in 4(2) above shall prevail notwithstanding the fact that such lesser payment was tendered and/or accepted in full settlement.
- (4) The chief financial officer or his or her delegate shall consent in writing before the lesser amount can be accepted as full settlement for the amount owing.

Interest charges/Surcharge levies

5. The chief financial officer shall charge and recover interest/surcharges in respect of any arrears due and payable to the Municipality.

Prima facie evidence

6. In legal proceedings instituted by the Municipality, a certificate reflecting the amount due and payable to the Municipality, signed by the Municipal Manager, or suitably qualified municipal official authorised by the Municipal Manager, shall upon mere production thereof be accepted by any court of law as *prima facie* evidence of the indebtedness of that amount.

Ondertekening van kennisgewings en dokumente

2. ’n Kennisgewing of dokumente uitgereik deur die munisipaliteit ingevolge hierdie verordening en wat onderteken is deur ’n amptenaar van die munisipaliteit, word geag behoorlik uitgereik te wees en moet by die blote voorlegging daarvan deur die hof aanvaar word as getuenis van daardie feit.

Waarmerk van dokumente

3. (1) Enige bestelling, kennisgewing of ander dokument wat deur die munisipaliteit gewaarmerk moet word, word as voldoende gewaarmerk geag, indien dit onderteken is deur die munisipale bestuurder of ’n behoorlik gemagtigde beampete van die munisipaliteit aan wie sodanige bevoegdheid opgedra is by wyse van ’n besluit van die raad of kragtens ’n Regulasie.
- (2) Aflewing van ’n afskrif van sodanige dokument sal geag word die aflewing van die oorspronklike te wees.

Volle en finale vereffening van ’n bedrag

4. (1) Die hoof finansiële beampete kan enige gelde wat ontvang word ten opsigte van enige munisipale dienste na sy of haar goedgunke toewys.
- (2) Indien die bedrag verskuldig en betaalbaar aan die munisipaliteit nie ten volle vereffen word nie en enige kleiner bedrag word aangebied en aanvaar word dié bedrag nie geag ’n volle en finale betaling van sodanige uitstaande gelde te wees nie.
- (3) Die bepalings van paragraaf 4(2) sal geld nieteenstaande die feit dat sodanige mindere betaling aangebied was en/of aanvaar is as die ten volle vereffening van enige skulde.
- (4) Die hoof finansiële beampete of sy of haar gedelegeerde moet skriftelik instem dat die mindere betaling as ’n volle vereffening van die skuld aanvaar kan word.

Rente/Bobelasting heffings

5. Die hoof finansiële beampete moet rente en/of bobelasting hef en verhaal ten opsigte van enige agterstallige en verskuldigde bedrae wat aan die munisipaliteit betaalbaar is.

Prima facie getuenis

6. In regsgedinge wat deur die munisipaliteit aanhangig gemaak word, word ’n sertifikaat wat die bedrag verskuldig en betaalbaar aan die munisipaliteit aandui, en wat deur die munisipale bestuurder, of ’n toepaslik gekwalificeerde munisipale amptenaar deur die munisipale bestuurder daaroe gemagtig onderteken is, bloot deur die voorlegging daarvan deur enige hof aanvaar as *prima facie* bewys dat daardie bedrag verskuldig is.

POWER OF MUNICIPALITY TO RECOVER COSTS

Dishonoured payments

7. Where any payment made to the Municipality by negotiable instrument is later dishonoured by a bank, the chief financial officer may levy all related costs against the account of the defaulter. Following successive dishonoured payments, the relevant instrument may be refused by the chief financial officer or his/her proxy.

Cost of collection and service fees

8. All costs of legal process, including interest, penalties, service discontinuation costs and costs associated with consumer care or credit control, where ever applicable, are for the account of the debtor.

Cost incurred in reminding debtors of arrears

9. A charge may be levied against the account of a debtor at a rate determined by council from time to time in respect of any action taken in demanding payment from a debtor or reminding a debtor, whether by means of telephone, fax, e-mail, letter or otherwise, that his or her payments are in arrear.

Disconnection and reconnection fees

10. (1) Where any service appears on the disconnection list for disconnection as a result of non-compliance with this by-law by the person liable for the payments, the chief financial officer shall levy and recover the standard disconnection fee as determined by the council from time to time, irrespective of whether the service has been disconnected/terminated or not.
- (2) Where any service appears on the reconnection list to be reconnected, after the person liable for the payment of the service has paid the full outstanding account or made a satisfactory arrangement for the payment thereof, or has applied for a new service, the chief financial officer must levy and recover the standard re-connection fee, as determined by the Council from time to time.

Accounts

11. The chief financial officer may, in respect of accounts of the Municipality, take any steps contemplated in Section 102(1) of the Act.

SERVICE AGREEMENTS AND GENERAL TERMS AND CONDITIONS FOR THE PROVISION OF MUNICIPAL SERVICES

Provision of services to new customers

12. No services shall be supplied to new applicants unless and until application for such services has been made and a service agreement has been entered into between the applicant and the Municipality and an amount equal to the amount fixed by the council from time to time, in full cash, has been deposited as security.

Provision of services to defaulters

13. No supply of services to previous defaulters shall be rendered unless and until application has been made and a service agreement has been entered into between the applicant and the Municipality and a cash deposit as security equal to an amount determined by Council from time to time, has been paid. Should monies be outstanding in respect of previous agreements, the applicant must settle such monies in full or conclude an acceptable instalment payment agreement before such services will be rendered.

BEVOEGDHEID VAN DIE MUNISIPALITEIT OM KOSTE TE VERHAAL

Gedishonoreerde betalings

7. Indien enige betaling aan die munisipaliteit by wyse van 'n verhandelbare instrument later deur 'n bank gedishonoreer word, kan die hoof finansiële beampte alle koste hieraan verbonde teen die rekening van die wanbetaler hef. Die betrokke betaalmiddel na opvolgende gedishonoreerde betalings, kan deur die hoof finansiële beampte, of sy gevoldmagtigde, geweier word.

Koste van invordering en diensgelde

8. Alle regsproseskostes insluitende rente, boetes, diensbeëindiging koste en kostes wat betrekking het op klantesorg of kredietbeheer, waarvan toepassing, sal op die rekening van die gebruiker gehef word en moet ten minste die werklike koste weerspieël.

Kostes aangegaan om debiteure aan te maan oor agterstallige gelde

9. Kostes kan teen die rekening van 'n debiteur teen 'n koers wat die raad van tyd tot tyd bepaal, ten opsigte van enige handeling verrig om betaling van 'n debiteur te eis, of om die debiteur, by wyse van telefoon, faks, e-pos, brief of andersins aan te maan dat sy of haar betalings agterstallig is, gehef word.

Afsluitings- en aansluitingsfooie

10. (1) Indien enige diens op die afsluitingslys verskyn omdat dit afgesluit moet word weens nie-voldoening aan die bepalings van hierdie verordening deur die persoon wat aanspreeklik is vir die betalings, kan die hoof finansiële beampte die standaard afsluitingsfooi soos van tyd tot tyd deur die Raad bepaal, hef en verhaal ongeag die feit dat die diens afgesluit beeindig is of nie.
- (2) Indien enige diens op die heraansluitingslys verskyn omdat die diens heraangesluit moet word nadat die persoon wie verantwoordelik is vir die betaling van die diens die volle agterstallige rekening betaal het of 'n bevredigende reëling ten opsigte van die betaling van die rekening gemaak het, of vir 'n nuwe diens aansoek gedoen het, moet die hoof finansiële beampte die standaard aansluitingsfooi soos van tyd tot tyd deur die Raad bepaal, hef en verhaal.

Rekeninge

11. Die hoof finansiële beampte kan ten opsigte van rekeninge van die munisipaliteit enige stappe soos in artikel 102(1) van die Wet beoog, neem.

DIENSTE-OOREENKOMSTE EN ALGEMENE BEDINGE EN VOORWAARDES VIR DIE VOORSIENING VAN MUNISPALE DIENSTE

Lewering van dienste aan nuwe gebruikers

12. Geen dienste word aan nuwe aansoekers verskaf nie, tensy en alvorens aansoek daarvoor gedoen is en 'n dienste-ooreenkoms tussen die applikant en die munisipaliteit gesluit is, en 'n bedrag in kontant, wat gelyk is aan die bedrag wat die Raad van tyd tot tyd vasstel, as sekuriteit gedeponere of gelewer is.

Lewering van dienste aan wanbetalers

13. Geen dienste word aan vorige wanbetalers verskaf nie, tensy en alvorens aansoek daarvoor gedoen is en 'n dienste-ooreenkoms tussen die applikant en die munisipaliteit gesluit is, en 'n bedrag in kontant, wat gelyk is aan die bedrag wat die Raad van tyd tot tyd vasstel, as sekuriteit gedeponere of gelewer is. Indien geldie nog uitstaande is met betrekking tot vorige ooreenkoms, moet die applikant sodanige geldie ten volle vereffen of 'n aanvaarbare afbetalingsooreenkoms aangegaan het alvorens verdere dienste gelewer kan word.

General terms and conditions for the provision of municipal services

14. The general terms and conditions for the supply of municipal services set out in Council's policy document, shall apply to the provision of municipal services to customers.

New applications and deposits by existing clients

15. Existing municipal customers may be required by the Municipal Manager to enter into new service agreements and to deposit moneys as contemplated in Sections 12 and 13 or submit guarantees.

Notice of intension to terminate the service agreement

16. The municipality and consumer must give written notice of intension to terminate the service agreement.

Failure to comply with a request to enter into a service agreement or to make a deposit

17. (1) If a consumer of municipal services fails or refuses to comply with a request to enter into a new service agreement or to make a deposit as contemplated in Sections 13 and 14, any municipal service to such consumer may be terminated until the required agreement has been entered into and the deposit paid in full.
- (2) The consumer will also be liable for services already used, cost incurred and any other further cost resulting from the collection from service fees and cost incurred.

Power to restrict or terminate supply of services

18. (1) An authorised officer or any duly appointed agent may, on request by the Municipal Manager or his/her delegate, restrict, disconnect or terminate the supply of water and electricity or discontinue any other service to any premises whenever a user of any service:
- (a) fails to make full payment on the final date of payment or fails to make acceptable arrangements for the repayment in instalments of the municipal account;
- (i) fails to comply with the conditions of the provision of services, as imposed by the Municipality;
- (ii) obstructs the effective supply of electricity, water or any other municipal service to another customer or allows such supply to be obstructed;
- (b) supplies such municipal service to a customer who is not entitled thereto or permits such service to continue;
- (c) causes a situation, which in the opinion of the municipal engineer, is dangerous or constitutes a contravention of any relevant legislation;
- (d) in any way bridges the supply of previously disconnected services or allows such supply to be bridged;
- (e) is placed under provisional sequestration, liquidation or judicial management, or has been declared insolvent in terms of the Insolvency Act, 1936 (Act 24 of 1936);
- (f) is subject to an administration order granted in terms of Section 74 of the Magistrates Court Act, 1944 (Act 32 of 1944) in respect of such user.

Algemene bedinge en voorwaardes vir die voorsiening van munisipale dienste

14. Die algemene bedinge en voorwaardes vir die voorsiening van munisipale dienste soos uiteengesit in die Raad se beleidsdokument, is van toepassing op die voorsiening van munisipale dienste aan gebruikers.

Nuwe aansoeke en deposito's deur bestaande gebruikers

15. Bestaande munisipale gebruikers kan deur die munisipale bestuurder versoek word om nuwe dienste-ooreenkoms aan te gaan en om die gelde bedoel in artikel 12 en 13 te deponeer of waarborgie in te dien.

Kennisgewing van voorneme om dienste-ooreenkoms op te skort

16. Die munisipaliteit en gebruiker moet skriftelik kennis gee van voorneme om 'n dienste-ooreenkoms te beëindig.

Versuim om te voldoen aan versoek om dienste-ooreenkoms aan te gaan of om 'n deposito te stort

17. (1) Indien 'n gebruiker van munisipale dienste nalaat of weier om te voldoen aan 'n versoek om 'n nuwe dienste-ooreenkoms aan te gaan, of om 'n deposito bedoel in subartikels 12 of 13 te stort, kan enige munisipale diens aan sodanige gebruiker beëindig word totdat die vereiste ooreenkoms gesluit is en die volle bedrag van die deposito betaal is.
- (2) Die gebruiker sal ook aanspreeklik gehou word vir dienste reeds gebruik, kostes reeds aangegaan en enige verdere kostes voortspruitend uit die invordering van diensgelde en kostes aangegaan.

Bevoegdheid om die voorsiening van dienste te beperk of te staak

18. (1) 'n Gemagtigde beampte of enige wettig aangestelde agent moet, indien versoek deur die munisipale bestuurder of sy/haar gedelegeerde, die voorsiening van water en elektrisiteit beperk, afsny of staak, of enige ander dienste aan enige perseel staak indien 'n gebruiker van enige diens:
- (a) nalaat om die verskuldigde bedrag ten volle te betaal op die laaste datum vir betaling, of nalaat om aanvaarbare reëlings te tref vir die afbetaling van die munisipale rekening;
- (b) nalaat om te voldoen aan die voorwaardes vir die voorsiening van dienste soos bepaal deur die munisipaliteit;
- (c) die effektiewe voorsiening van water, elektrisiteit, of enige ander munisipale diens aan 'n ander gebruiker belemmer of toelaat dat dit belemmer word;
- (d) sodanige munisipale dienste aan 'n ander gebruiker voorsien wat nie daartoe geregtig is nie en wat toelaat dat die dienste voortgaan;
- (e) 'n situasie bewerkstellig, wat na die mening van die munisipale ingenieur gevaelik is, of 'n oortreding van enige betrokke wetgewing is;
- (f) op enige wyse die voorsiening van 'n voorheen afgesluite diens, brug of toelaat dat dit gebrug word;
- (g) onder voorlopige sekwestrasie geplaas is, gelikwiede is of onder geregtelike bestuur geplaas is of wat insolvent verklaar is ingevolge die Insolvensiewet, 1936 (Wet 24 van 1936);
- (h) onderworpe is aan 'n administrasiebevel wat verleen is ingevolge artikel 74 van die Wet op Landdroshewe, 1944 (Wet 32 van 1944), ten opsigte van sodanige gebruiker.

- (2) An authorised officer or any duly appointed agent shall have the power to reconnect or restore full levels of supply of any of the restricted or discontinued services on the instruction of the chief financial officer after the full amount outstanding, including the costs of such disconnection and reconnection, if any, have been paid in full or arrangements have been made in terms of the Municipality's Customer Care, Credit Control and Debt Collection Policy.
- (3) The authority of an authorised officer or any duly appointed agent to restrict water to any premises or customer shall be subject to the provisions of section 4 of the Water Services Act, 1997 (Act 108 of 1997), this by-law and the service agreement entered into between the consumer and the municipality.
- (4) The right of the Municipality to discontinue the provision of electricity to any consumer shall be subject to the provisions of the Electricity Act, 1987 (Act No. 41 of 1987), this bylaw and the service agreement entered into between the consumer and the municipality.
- (5) The right of the Municipality to restrict, disconnect or terminate any services due to non-payment for any other service or assessment rates shall be valid in respect of any service rendered by the Municipality, and shall also prevail notwithstanding the fact that payment has purportedly been made in respect of any specific service, notwithstanding the fact that the person who entered into agreement for supply of services with the Municipality and the owner are different entities or persons, as the case may be.

Municipality's right of access to premises

19. The Municipality may exercise its right of access to premises in terms of Section 101 of the Act through its authorised officer or agent of the Municipality authorised thereto in writing by any of the aforementioned officials after the written authority has been presented to the consumer or owner.

Arrangements to pay outstanding and due amounts in consecutive instalments

20. (1) The chief financial officer may enter into a written agreement with a consumer to repay any outstanding and due amounts under the following conditions:
- (a) the outstanding balance, collection costs and any interest shall be paid in regular and consecutive monthly instalments on or before the final date of payment;
 - (b) the written agreement has to be approved and signed by both the consumer and an authorised officer on behalf of the Municipality; and
 - (c) if an user neglects to fulfil the down payment agreement, the Municipality may take any other steps which may be necessary to collect the outstanding balance, collection fees and interest.
- (2) Should any dispute arise as to the amount owing by an owner or consumer in respect of municipal services, the owner or consumer shall, notwithstanding such dispute, proceed to make regular minimum payments based on the calculation of the average municipal account of the owner/consumer for the preceding three months or the similar usage in the same period in the preceding year prior to the arising of the dispute, taking into account interest and collection costs as well as the annual amendments of tariffs of the Municipality.

Reconnection of services

21. The chief financial officer or his/her proxy shall authorise any reconnection of services or reinstatement of service delivery after satisfactory arrangements for payment of amounts in arrear have

- (2) 'n Gemagtigde beampte of enige wettig aangestelde agent het die bevoegdheid om dienste her aan te sluit of volle diensvlakte te herstel, in opdrag van die hoof finansiële beampte, indien die levering van sodanige dienste opgeskort of beperk is, sodra die volle bedrag uitstaande, insluitende die koste van sodanige afsluiting en heraansluiting, indien enige, ten volle betaal is of reëlings getref is ingevolge die munisipaliteit se klantesorg-, kredietbeheer- en skuld-invorderingsbeleid vir die afbetaling daarvan.
- (3) Die bevoegdheid van 'n gemagtigde beampte of enige wettige agent om die toevoer van water te beperk tot enige perseel of gebruiker, is onderworpe aan die vereistes van artikel 4 van die Waterdienste Wet, 1997 (Wet 108 van 1997), die verordeninge en diensooreenkoms wat tussen die gebruiker en munisipaliteit gesluit is.
- (4) Die bevoegdheid van die munisipaliteit om die voorsiening van elektrisiteit aan enige gebruiker te staak, is onderworpe aan die bepalings van die Elektrisiteitswet, 1987 (Wet 41 van 1987), 1997 (Wet 108 van 1997), die verordeninge en diensooreenkoms wat tussen die gebruiker en munisipaliteit gesluit is.
- (5) Die bevoegdheid van die munisipaliteit om enige dienste te beperk, af te sluit of te staak weens die nie-betaling van enige ander diens of belastingaanslag, sal geldig wees vir enige diens wat deur die munisipaliteit gelewer word, en geld ook nienteenaanstaande die feit dat enige beweerde betaling gemaak is ten opsigte van 'n spesifieke diens, nienteenaanstaande die feit dat die persoon wat die diensooreenkoms met die munisipaliteit gesluit het en die eienaar, verskillende entiteite of persone mag wees na gelang van die gevall.

Munisipaliteit se reg van toegang tot persele

19. Die munisipaliteit mag sy reg van toegang tot persele, deur 'n gemagtigde beampte of 'n behoorlik aangestelde agent van die munisipaliteit ingevolge artikel 101 van die Wet, uitoefen nadat die skriftelike magtiging aan die gebruiker of eienaar getoon is.

Reëlings om uitstaande en verskuldigde bedrae in opeenvolgende paaiemende te betaal

20. (1) Die hoof finansiële beampte mag 'n geskrewe ooreenkoms met 'n gebruiker aangaan om terugbetaling van enige uitstaande en betaalbare bedrae te reël ingevolge die volgende voorwaardes:
- (a) die uitstaande balans, invorderingskostes en enige rente, is betaalbaar in gereelde en agtereenvolgende maandelikse paaiemende vòòr of op laaste datum vir betaling;
 - (b) die geskrewe ooreenkoms moet goedgekeur en geteken wees deur beide die gebruiker en 'n gemagtigde beampte ten behoeve van die munisipaliteit; en
 - (c) indien 'n gebruiker nalaat om die afbetaling voorwaardes na te kom mag die munisipaliteit enige ander stappe neem wat nodig is om die uitstaande balans, invorderingskostes en rente te vorder.
- (2) Indien enige disput ontstaan ten aansien van die bedrag verskuldig deur 'n eienaar of gebruiker ten opsigte van municipale dienste, moet die eienaar of gebruiker, nienteenaanstaande die disput, voortgaan om gereelde minimum betalings te maak wat gebaseer sal wees op die gemiddelde munisipale rekening van die eienaar/gebruiker vir die voorafgaande drie maande of die ooreenstemmende verbruik van dieselfde tydperk gedurende die voorafgaande jaar voor die disput ontstaan het, met inagnome van rente en invorderingskostes, asook die jaarlikse wysigings van tariewe van die munisipaliteit.

Heraansluiting van dienste

21. Die hoof finansiële beampte of sy/haar gevolgmagtigde, moet enige heraansluiting van dienste of die herinstallering van levering van dienste magtig nadat bevredigende reëlings vir die betaling van

been made according to the Municipality's Customer Care, Credit Control and Debt Collection Policy.

SUPPORT OF THE POOR

Indigent consumers

22. (1) Indigent consumers who qualify for support in terms of the Municipality's Indigent Policy on shall apply in writing by completing, signing and submitting of the prescribed form.
- (2) The Conditions of subsidies to poor households, as determined by Council from time to time shall be attached to the application for subsidies for poor households, and shall apply to all households that qualify for such subsidy.
- (3) An authorised municipal official or any legally pointed agent shall counter-sign the application and attest that the consequences of the declaration made by the applicant were properly explained to him/her and that he/she indicated that—
- (a) the contents of the declaration was understood; and
 - (b) that if the statement were found to be untrue, he/she would automatically be disqualified from receiving any subsidy and would also be liable for the immediate repayment of any subsidy received and may have criminal proceedings instituted against him/her.
- (4) The chief financial officer shall ensure that regular random *on site* audits are carried out by authorised municipal officials or any duly appointed agents to verify the information supplied by applicants on application forms, by visiting the properties occupied by the households receiving support for the poor and by gathering the relevant information by completing the prescribed form.

ASSESSMENT RATES AND ANNUAL SERVICE LEVIES

Amount due in respect of assessment rates and annual service levies

23. (1) All assessment rates and annual service levies due by property owners are payable on the final date of payment.
- (2) Joint owners of property shall be jointly and severally liable for payment of assessment rates and annual service levies.
- (3) Property rates must be paid monthly over a maximum period of twelve months at no interest cost.

Claim on rental for payment of assessment rates and annual service levies in arrears

24. The Municipal Manager or his/her proxy may apply to Court for the attachment of any rent, that is or may become due in respect of rateable property, to cover in part or in full any amount outstanding in respect of assessment rates and annual service levies for a period longer than three months after the fixed date.

Liability of company directors for payment of assessment rates and annual service levies

25. Where a company, trust, close corporation or a body corporate in terms of the Sectional Titles Act, 1986 (Act 95 of 1986) is responsible for the payment of any arrears to the Municipality, the liability for the payment of such amounts shall be extended to the directors, trustees or members of the body corporate jointly and/or severally, as the case may be.

agterstallige geldie ingevolge die munisipaliteit se klantediens-, kredietbeheer- en skuldinvorderingsbeleid gemaak is.

ONDERSTEUNING VAN BEHOEFTIGES

Behoeftige gebruikers

22. (1) 'n Behoeftige gebruiker wie kwalifiseer vir ondersteuning ingevolge die munisipaliteit se beleid ten opsigte van deernisondersteuning, moet skriftelik aansoek doen deur die voltooiing, onderteken en indiening van die voorgeskrewe vorm.
- (2) Die voorwaardes vir subsidies aan behoeftige huishoudings, soos van tyd tot tyd deur die Raad bepaal, moet geheg word aan die aansoek om subsidies vir behoeftige huishoudings en sal van toepassing wees op alle huishoudings wat kwalifiseer vir sodanige subsidie.
- (3) 'n Gemagtigde munisipale amptenaar of enige wettige aangestelde agent moet die betrokke aansoek mede-onderken en verklaar dat die implikasies van die verklaring wat deur die aansoeker gemaak is, behoorlik aan hom of haar verduidelik is en dat hy of sy aangetoon het dat:
- (a) hy of sy die inhoud van die verklaring verstaan; en
 - (b) dat, indien daar gevind word dat die verklaring onwaar is, hy of sy outomatis gediskwalifiseer sal word vir ontvangs van die subsidies en dat hy of sy verantwoordelik sal wees vir die onmiddellike terugbetaling van enige subsidies wat ontvang is en dat strafregtelike vervolgings teen hom of haar ingestel kan word.
- (4) Die hoof finansiële beampte moet toesien dat daar gereeld *in situ* steekproef oudits uitgevoer word deur gemagtigde munisipale amptenare of behoorlik aangestelde agente om die inligting wat deur die aansoekers op die aansoekvorms verstrekk is, te verifieer deur die eiendom wat geokkypeer word deur die huishoudings wat behoeftige ondersteuning ontvang, te besoek, en die relevante inligting in te win deur die voorgeskrewe vorm te voltooi.

EIENDOMSBELASTING EN JAARLIKSE DIENSTEHEFFINGS

Bedrag verskuldig ten opsigte van eiendomsbelasting en jaarlikse diensteheffings

23. (1) Alle eiendomsbelasting en jaarlikse diensteheffings wat deur eienaars van eiendom verskuldig is, is betaalbaar op die laaste datum vir betaling.
- (2) Mede-eienaars van eiendom is afsonderlik en gesamentlik verantwoordelik vir die betaling van eiendomsbelasting en jaarlikse diensteheffings.
- (3) Betaling van eiendomsbelasting mag nie op grond van beswaar teen die waardasie later as die laaste datum vir betaling uitgestel word nie.

Eis teen huurgeld vir die vereffening van agterstallige belasting en jaarlikse dienstegelde

24. Die munisipale bestuurder of sy/haar gevoldmagtigde, kan by wyse van 'n hofbevel aansoek doen vir die beslaglegging van enige huurgeld wat ten opsigte van belasbare eiendom verskuldig is, of kan word, ten einde enige eiendomsbelasting en jaarlikse dienstegelde wat vir 'n langer tydperk as drie maande na die laaste datum vir betaling uitstaande is, gedeeltelik of in die geheel te vergoed.

Aanspreeklikheid van maatskappydirekteure vir die betaling van eiendomsbelasting en jaarlikse dienstegelde

25. Waar 'n maatskappy, trust, beslote korporasie of 'n bestuursliggaam ingevolge die Wet op Deeltitels, 1986 (Wet 95 van 1986), verantwoordelik is vir die betaling van enige agterstallige bedrae aan die munisipaliteit, berus die verantwoordelikheid vir die betaling van sodanige bedrae gesamentlik en/of afsonderlik op die direkteure, trustees of lede van die bestuursliggaam, na gelang van die geval.

Disposal of Municipality's property and payment of assessment rates and annual service levies

- 26.** (1) The purchaser of Municipal property is *pro rata* liable for the payment of assessment rates and annual service levies on the property as from the date of the signing of the purchase agreement or from the date of registration in the name of the purchaser in respect of the financial year in which the purchaser becomes the new owner, in terms of the provision of the purchase agreement.
- (2) In the event that the Municipality repossesses the property, any outstanding in respect of assessment rates shall be recovered from the purchaser.

Assessment rates and annual service levies payable on municipal property

- 27.** (1) The lessee of municipal property is responsible for payment of any general assessment rates and annual service levies payable on the property for the duration of the lease, as if the lessee were the owner of such property.
- (2) Council may suspend the condition contained in 27(1) in certain cases.
- (3) The chief financial officer shall have the power to include the assessment rates and annual service levies in respect of municipal property in the rent payable by the lessee, instead of billing it separately as in the case of owners of properties.

PROVISION IN RESPECT OF THE PAYMENT OF ACCOUNTS

Fees

- 28.** (1) Tariffs are determined by the Council in terms of Section 75(a) of the Local Government: Municipal Systems Act (Act 32 of 2000), or any other valid legislation in this regard.
- (2) The fees as determined by the Council are due and payable by the customer to whom a service is provided or, should he or she default on payment, by the owner of the fixed property.
- (3) Where fixed property, or a section thereof which is occupied separately, is separately serviced, the minimum fees as determined by the Council shall be payable by the occupier or, should he or she default on payment, by the owner in respect of such fixed property or section thereof that is occupied separately.

PAYMENT OF ACCOUNTS

- 29.** (1) The amount payable to the Council in respect of rates and/or services rendered, shall be payable on or before 15:00 on the last date of payment, failing which interest and collection costs shall be levied on such monies.
- (2) Payment, excluding payments made at Council's offices, such as bank deposits and electronic transfers directly deposited into the Council's bank account, shall be deemed to have been received before 15:00 if the transaction is reflected on the Council's bank account on the last date of payment.
- (3) Payments received by agents appointed to receive payments on behalf of the Council, shall be deemed to have been received before 15:00 on the last date of payment if such transactions are received by the Council from the relevant agent on the morning following the last date of payment.
- (4) The fact that an account does not reach a consumer, shall not exempt him/her from making a payment on or before the last date of payment.

Vervreemding van municipale eiendom en die betaling van eiendomsbelasting en jaarlikse dienstegelde

- 26.** (1) Die koper van enige municipale eiendom is *pro rata* aanspreeklik vir die betaling van eiendomsbelasting en jaarlikse dienstegelde op die eiendom vanaf die datum van ondertekening van koopooreenkoms, of op datum van registrasie in die naam van die koper ten opsigte van die finansiële jaar waarin die koper die nuwe eienaar word, ooreenkomsdig die bepalings van die koopooreenkoms.
- (2) In die geval waar die munisipaliteit die eiendom terugneem, word enige uitstaande bedrag ten opsigte van eiendomsbelasting wat verskuldig is, van die koper verhaal.

Eiendomsbelasting en jaarlikse dienstegelde betaalbaar op munisipale eiendom

- 27.** (1) Die huurder van munisipale eiendom is verantwoordelik vir die betaling van enige algemene eiendomsbelasting en jaarlikse dienstegelde wat betaalbaar is ten opsigte van die eiendom vir die duur van die huurooreenkoms, asof die huurder die eienaar van sodanige eiendom is.
- (2) Die Raad mag die voorwaarde vervat in 27(1) in bepaalde gevalle opskort.
- (3) Die hoof finansiële beampte is bevoeg om die eiendomsbelasting en jaarlikse dienstegelde ten opsigte van munisipale eiendom in te sluit in die huurgeld wat betaalbaar is deur die huurder, in plaas daarvan om dit afsonderlik soos in die geval van eienaars van eiendomme, te verreken.

BEPALINGS BETREFFENDE DIE BETALING VAN REKENINGE

Gelde

- 28.** (1) Tariewe word deur die raad vasgestel ingevolge Artikel 75(a) van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000, of enige ander geldende Wetgewing in hierdie verband.
- (2) Die gelde soos vasgestel deur die raad is verskuldig en betaalbaar deur die gebruiker wat van 'n diens voorsien word, of as hy in gebreke bly, deur die eienaar van die onroerende eiendom.
- (3) Waar onroerende goed, of 'n gedeelte daarvan, wat afsonderlik geokkuper word, afsonderlik van 'n diens voorsien word, is die minimum gelde soos deur die raad vasgestel deur die okkuperder of, as hy/sy in gebreke bly, deur die eienaar betaalbaar ten opsigte van sodanige onroerende eiendom of gedeelte daarvan wat afsonderlik geokkuper word.

BETALING VAN REKENINGE

- 29.** (1) Die bedrag verskuldig aan die raad ten opsigte van eiendomsbelasting en/of dienste wat gelewer is, is betaalbaar vóór of op 15:00 op die laaste datum vir betaling, by gebreke waarvan sodanige gelde onderworpe is aan die heffing van rente en invorderinkostes.
- (2) Betalings, anders as betalings wat by die raad se kantore gemaak is, soos bankdeposito's en elektroniese oorplasings direk in die raad se bankrekening gedeponeer, word geag ontvang te gewees het vóór 15:00 op die laaste datum vir betaling indien sodanige transaksies vanaf die betrokke agent deur die raad ontvang word op dieoggend wat volg op die laaste laaste datum vir betaling.
- (3) Ontvangste van betalings deur aangestelde agente om betalings namens die raad te ontvang, word geag ontvang te gewees het vóór 15:00 op die laaste datum vir betaling indien sodanige transaksies vanaf die betrokke agent deur die raad ontvang word op dieoggend wat volg op die laaste laaste datum vir betaling.
- (4) Die feit dat 'n rekening 'n gebruiker nie bereik nie, stel hom/haar nie daarvan vry om betaling vóór of op die laaste datum vir betaling te maak nie.

- (5) If the correctness of an account is queried the consumer must pay the average consumption over the last three months until the dispute has been examined and settled.
- (6) If an account is not settled on the last date of payment, the provisions of Section 19 shall apply.

DIFFERENTIATION

Power to differentiate between different categories of rate payers

- 30.** The municipality may differentiate between different categories of ratepayers, users of services, customers, debtors, taxes, services, service standards and other matters.

Conditions for differentiation

- 31.** Any such differentiation intended in Section 29 shall be upon such conditions as the Council may deem fit to impose, if it is of the opinion that the application or operation of that provision in that instance would be unreasonable.

MIXED PROVISIONS

Reporting of defaulters

- 32.** The Municipal Manager or his proxy may in his or her discretion report any debtors who owes the Municipality monies to bodies, such as credit bureaus, that collate and keep such information. The information be included in such a report shall be the available personal information on the defaulter, or in the event of a legal person, the available statutory details, including information pertaining to the responsible officer of such legal person.

Repeal of by-laws

- 33.** The provisions of any by-law of the Municipality relating to the control of credit and debt collection, are hereby repealed insofar as they deal with matters that are regulated in these by-laws and those provisions are in conflict with any provision contained in these by-laws.

Offences

- 34.** (1) Any person who—
- (a) fails to give access required by an authorised officer or duly appointed agent in terms of this by-law;
 - (b) obstructs or hinders an authorised officer or duly appointed agent in the exercising of his/her powers, functions or duties under this by-law;
 - (c) illegally uses or interferes with municipal equipment or wastes the services supplied;
 - (d) tampers or breaks any seal on a meter or on any equipment belonging to the Municipality or in any way causes a meter not to properly register the services used or allows such tampering, breakage or action that causes a meter not to register properly;
 - (e) fails or refuses to give an authorised officer or duly appointed agent of the Municipality such information as may reasonably be required for the purpose of exercising the powers or functions under these by-laws or gives such an officer or agent false or misleading information, knowing it to be false or misleading;
 - (f) contravenes or fails to comply with a provision of this by-law;

- (5) Indien die juistheid van 'n rekening betwiss word, moet die gebruiker die gemiddelde gebruik oor die laaste drie maande betaal, totdat die disput ondersoek en beregtig is.
- (6) Indien 'n rekening nie vereffen is op die laaste datum vir betaling nie, is die bepalings van Artikel 19 van toepassing.

ONDERSKEID

Bevoegdheid om te onderskei tussen verskillende kategorieë van belastingbetaalers

- 30.** Die munisipaliteit het die bevoegdheid om te onderskei tussen verskillende kategorieë van belastingbetaalers, gebruikers van dienste, gebruikers, debiteure, belastings, dienste, dienstestandaarde en ander sake.

Voorwaardes vir onderskeid

- 31.** Enige onderskeid bedoel in artikel 29 vind plaas op sodanige voorwaardes as wat die Raad mag besluit indien die Raad van mening is dat die toepassing van uitvoering van 'n spesifieke verlening in 'n bepaalde gevval onredelik mag wees.

GEMENGDE BEPALINGS

Rapportering van wanbetalers

- 32.** Die municipale bestuurder, of sy/haar gevolgmagtigde, kan in sy diskresie enige debiteur wat geld aan die munisipaliteit verskuldig is aan liggeme soos kredietburo's wie se funksie dit is om sodanige inligting in te samel en te hou, rapporteer, en die inligting wat in sodanige rapport vervat word, moet die beskikbare persoonlike inligting oor die wanbetalter, of in die geval van 'n regspersoon, die beskikbare statutêre besonderhede insluitende inligting met betrekking tot die verantwoordelike amptenaar van sodanige regspersoon, insluit.

Herroeping van verordeninge

- 33.** Die bepalings in enige verordening van die munisipaliteit wat verband hou met kredietbeheer en skuldnvordering, word hierby herroep in soverre dit met aangeleenthede handel wat in hierdie verordeninge gereël word en daardie bepalings onbestaanbaar is met enige bepalings van hierdie verordeninge.

Oortredings

- 34.** (1) Iemand wat—
- (a) versium om toegang tot 'n perseel op versoek van 'n gemagtigde beampie of behoorlik aangestelde agent in terme van hierdie verordening te verleen;
 - (b) 'n gemagtigde beampie van die munisipaliteit of 'n behoorlik aangestelde agent, belemmer of verhinder om sy bevoegdhede, funksies of pligte onder hierdie verordening uit te voer of te verrig;
 - (c) onwettige gebruikmaking van of peuter met munisipale toerusting of verkwisting van dienste wat verskaf is;
 - (d) Iemand wat peuter met enige seël van 'n meter of enige toerusting wat aan die munisipaliteit behoort, of dit breek, of op enige wyse veroorsaak dat 'n meter nie behoorlik die dienste wat gebruik word registreer nie of toelaat dat daar gepeuter, gebreek of veroorsaak dat 'n meter nie behoorlik registreer nie;
 - (e) weier of nalaat om 'n gemagtigde beampie van die behoorlik aangestelde agent van die munisipaliteit sodanige inligting te voorsien as wat redelik benodig word vir die doeleindes van die uitoefening van bevoegdhede of funksies ingevolge hierdie verordening, of wat valse inligting aan sodanige beampie of agent voorsien, wetende dat die inligting vals of misleidend is;
 - (f) 'n bepaling van hierdie verordeninge oortree of versuim om daarvan te voldoen;

- (g) fails to comply with the terms of a notice served upon him/her in terms of the provisions of these by-laws;
- (2) Shall be guilty of an offence and liable upon conviction for community service for a period not exceeding six months or a fine not exceeding R20 000 or a combination of the aforementioned.
- (3) Any person convicted for contravening subsection (1)(d), shall be charged for usage of the service concerned, estimated by the chief financial officer based on the estimated average usage of such service, to be determined as stated in Section 21(b), as well as for the cost of the repair or replacement of the service.

Conflicting laws

- 35.** (1) This by-law recall by-law LA 12686 promulgated on 22 June 2003.
- (2) When interpreting a provision of these by-laws, any reasonable interpretation which is consistent with the purposes of the Act as set out in Chapter 9, on customer care, credit control and debt collection, shall be preferred over any alternative interpretation that is inconsistent with the purposes contained in the Act.
- (2) If there is any conflict between the provisions of these by-laws and any other by-laws of the Municipality, the provisions of these by-laws shall prevail.

Short title

- 36.** These by-laws are called the *Customer Care and Management, Credit Control and Debt Collection By-laws: Municipality of Mossel Bay*.

3 March 2006

33021

SWARTLAND MUNICIPALITY

NOTICE 189/05/06

FINANCIAL BY-LAW

Notice is hereby given in terms of section 13 of the Municipal Systems Act, 2000 (Act 32 of 2000) that the Municipal Council of Swartland Municipality has made the by-law set out in the schedule hereto.

SCHEDULE

GENERAL PROVISIONS

Definitions

- 1.** For the purpose of these by-laws any word or expressions to which a meaning has been assigned in the Act shall bear the same meaning in these by-laws and unless the context indicates otherwise—

“Act” means the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003);

“audit regulations” means the audit regulations applicable to the municipality;

“committed projects” means projects for which financial provision has to be made in more than one financial year;

“financial plan” means a financial plan as contemplated in section 26(h) of the Provincial Government: Municipal Systems Act No 32 of 2000 as part of the IDP;

“IDP” means the Integrated Development Plan;

“management team” means the municipal manager and the managers who are directly accountable to the municipal manager;

- (g) versuim om aan die bepalings van 'n kennisgewing wat op hom of haar bestel is ingevolge die bepalings van hierdie verordenings, te voldoen.

- (2) Is skuldig aan 'n misdryf en by skuldigbevinding strafbaar vir 'n periode gemeenskapsdiens wat nie ses maande oorskry nie of 'n boete wat nie 'n bedrag van R20 000 oorskry nie, of 'n kombinasie van die voorafgaande.
- (3) Iemand wat skuldig bevind is aan die oortreding van subartikel (1)(d), sal gedeeltelik word met die verbruik van die bepaalde diens, gebaseer op die geskatte gemiddelde verbruik van sodanige diens asook vir die koste vir die herstel of vervanging van die diens.

Botsende wetgewing

- 35.** (1) Hierdie verordening herroep verordening PO 12686 soos aangekondig op 20 Junie 2003.
- (2) By die interpretasie van 'n bepaling van hierdie verordening moet enige redelike interpretasie wat bestaanbaar is met die oogmerke van die Wet, soos in Hoofstuk 9 wat handel oor klantesorg-, kredietbeheer en skuldinvordering uiteengesit, voorkeur geniet bo enige alternatiewe interpretasie wat nie met daardie oogmerke van die betrokke Wet bestaanbaar is nie.
- (3) In die geval van enige botsing is tussen die bepalings van hierdie verordening en enige ander verordeninge van die munisipaliteit, sal die bepalings van hierdie verordening geld.

Kort titel

- 36.** Hierdie verordeninge heet die *Klantesorg, kredietbeheer en Skuldinvorderingsverordening: Mosselbaai Munisipaliteit*.

3 Maart 2006

33021

MUNISIPALITEIT SWARTLAND

KENNISGEWING 189/05/06

FINANSIEËLE VERORDENING

Kennis geskied hiermee ingevolge die bepalings van artikel 13 van die Munisipale Stelselwet, 2000 (Wet 32 van 2000) dat die Munisipale Raad van die Munisipaliteit Swartland, die verordening soos in die Bylae hiertoe uiteengesit, gemaak het.

BYLAE

ALGEMENE BEPALINGS

Woordomskrywing

- 1.** Vir die doeleindes van hierdie verordeninge, het enige woord of uitdrukking waaraan 'n bepaalde betekenis geheg is in die Wet, dieselfde betekenis, tensy uit die konteks anders blyk, en beteken—

“bestuurspan” die munisipale bestuurder en die bestuurders wat regstreeks aan die munisipale bestuurder verantwoordbaar is;

“diensverskaffer” 'n persoon of instelling of enige kombinasie van persone of instellings wat 'n munisipale diens ingevolge 'n diensverskaffingsooreenkoms lewer;

“finansiële plan” 'n finansiële plan beoog in artikel 26(h) van die Wet op Plaaslike Regering: Munisipale Stelsels No 32 van 2000 as 'n komponent van die geïntegreerde ontwikkelingsplan;

“GOP” 'n geïntegreerde ontwikkelingsplan;

“kennisgewing aan plaaslike gemeenskap” 'n kennisgewing wat aan die vereistes van artikel 21 van die Wet op Plaaslike Regering: Munisipale Stelsels No 32 van 2000 voldoen;

“minister” means the National Minister responsible for Local Government;

“municipal manager” means the person appointed by the Municipal Council as the Municipal manager of the municipality in terms of section 82 of the *Local Government Municipal Structures Act*, 1998 (Act 117 of 1998) and includes any person;

- (a) acting in such position; and
- (b) to whom the Municipal manager has delegated a power, function or duty in respect of such a delegated power, function or duty;

“notice to the local community” means a notice complying with the provisions of section 21 of the Provincial Government: Municipal Systems Act No 32 of 2000;

“service provider” means a person or institution or any combination of persons and institutions which provide a municipal service in terms of a service delivery agreement;

“virement” means the transfer of savings from one budget vote to another to finance a short fall within the same service and expenditure category.

BUDGETS

Strategy and Macro Control

2. (1) (a) The capital and operating budgets for the ensuing financial year and the capital programme for the following two financial years shall be drawn up in the form prescribed and within the levels determined by the executive mayor, with due consideration of the maximum expenditure levels determined by National Treasury.
- (b) The ensuing year’s budget shall be in line with the goals and objectives as contained in the IDP of the municipality. To be able to analyse the budget the heads of departments, in consultation with the Municipal manager, shall utilise the cost centres and line items prescribed in the municipality’s chart of accounts. diensverskaffingsooreenkoms lewer;
- (2) (a) At the commencement of the budget process, approximately during August the executive mayor shall submit a time schedule outlining the key deliverables contained in sections 21(1)(b)(i-iv) of the Act and the proposed budget levels and financial targets in relation to the ensuing year’s budgets for consideration by council and release to registered interest groups.
- (b) In order to increase consultation and community participation in the budget process, heads of departments shall meet with their respective chairpersons and portfolio councillors during October to discuss the forthcoming budget and requirements, and this process should be combined with and supported by the requirements of chapter 4 of the Systems Act, 2000 (Act 32 of 2000) regarding community participation.
- (3) The levels and targets approved by council in terms of section 2(2)(a) shall be included in the guidelines issued by the executive mayor to heads of departments in regard to the preparation and completion dates of the capital budget/programme and the operating budget.
- (4) Heads of departments in conjunction with the municipal manager shall scrutinise the budgets and the actual expenditure or income to ensure that they are accurate. The heads of a department shall advise the municipal manager of the name of the employees who will act as the cost centre controllers and who shall be accountable to the heads of a department for the following:

“Minister” die Nasionale Minister verantwoordelik vir Plaaslike Regering;

“munisipale bestuurder” die persoon wat deur die Municipale Raad as die munisipale bestuurder van die munisipaliteit ingevolge die bepalings van artikel 82 van die *Wet op Plaaslike Regering: Municipale Strukture*, 1998 (Wet 117 van 1998) aangestel is, en sluit enige persoon in:

- (a) wat in sodanige pos waarneem; en
- (b) aan wie die munisipale bestuurder enige magte, funksies of pligte gedelegeer het vir sover dit die uitvoering van daardie magte, funksie of pligte aangaan;

“ouditregulasies” die ouditregulasies wat op die munisipaliteit van toepassing is;

“toegewese projekte” projekte waarvoor finansiële voorsiening in meer as een finansiële jaar gemaak moet word;

“virement” die oordra van besparings op een begrotingspos binne ’n bepaalde diens na ’n ander begrotingspos om tekorte in die geval van ’n soortgelyke diens en uitgawe kategorie te finansier;

“Wet” die *Wet op Plaaslike Regering: Municipale Finansiële Bestuurswet*, 2003 (Wet 56 van 2003).

BEGROTINGS

Strategie en Makrobeheer

2. (1) (a) Die kapitaal- en bedryfsbegroting vir die komende finansiële jaar en die kapitaalprogram vir die volgende twee finansiële jare moet op die voorgeskrewe wyse opgestel word, binne die vlakke wat deur die komitee van die uitvoerende burgemeester bepaal is, met behoorlike inagneming van die vlakke wat deur die Nasionale Tesourie bepaal is.
- (b) Die begroting vir die komende jaar moet in ooreenstemming wees met die doelstellings en doelwitte wat in die geïntegreerde ontwikkelingsplan van die munisipaliteit vervat word. Ten einde die begroting te kan ontleed, moet hoofde van departemente, in oorleg met die munisipale bestuurder, die kostesentrums en lyniteme gebruik wat voorgeskryf is in die tabel van rekeninge van die munisipaliteit.
- (2) (a) Met die aanvang van die begrotingsproses, gewoonlik gedurende Augustus, sal die uitvoerende burgemeester ’n tydskede waarin die kern uitkomste soos vervat in artikel 21(1)(b)(i-iv) van die Wet en die beoogde begrotingsvlakte en die finansiële doelwitte met betrekking tot die begroting van die opvolgende jaar aan die raad vir oorweging voorlê vir die beskikbaarstelling aan erkende belanggroepie.
- (b) Ten einde raadpleging met, en deelname van die gemeenskap in die begrotingsproses aan te moedig, moet hoofde van departemente gedurende Oktober die begroting en gemeenskapsbehoeftes ten opsigte van die eerskomende begroting met hul betrokke vooritters van komitees bespreek, en hierdie proses moet gekombineer word met en ondersteun word deur die bepalings van hoofstuk 4 van die *Stelselwet*, 2000 (Wet 32 van 2000) oor gemeenskapsdeelname.
- (3) Die vlakte en doelwitte wat deur die raad in terme van artikel 2(2)(a) goedgekeur het moet ingesluit word in die riglyne oor die opstel- en voltooiingsdatums van die kapitaalbegroting/program en die bedryfsbegroting wat deur die uitvoerende burgemeester aan die hoofde van departemente uitreik.
- (4) Die hoofde van departemente, in oorleg met die munisipale bestuurder, moet die begrotings en die werklike uitgawes of inkomste nagaan om te verseker dat dit akkuraat is. Die hoofde van departemente moet die munisipale bestuurder in kennis stel van die name van die werknemers wat as die kostesentrum-kontroleurs sal dien en vir die volgende funksies aan die hoofde van departemente verantwoording sal doen:

<ul style="list-style-type: none"> (a) determining key performance indicators; (b) monitoring actual expenditure and income against budgets; (c) liaising with the municipal manager or the departmental accountant; (d) authorising expenditure in terms of delegated powers granted by the head of department; and (e) regular or ad hoc reporting of variances compared to budgets. <p>(5) All budgets (capital, operating, multi year, and adjustments) must be prepared by heads of departments in accordance to the directions issued by the mayor and in consultation with the portfolio councillors.</p> <p>(6) Budgets will be tabled by the executive mayor.</p>	<ul style="list-style-type: none"> (a) bepaling van sleutelprestasie-aanwysers; (b) monitering van werklike uitgawe en inkomste teen begrotings; (c) skakeling met die munisipale bestuurder; (d) magtiging van uitgawes ingevolge gedelegeerde magte wat deur die hoofde van departemente verleen is; en (e) gereelde of ad hoc-verslagdoening oor afwykings van die begrotings. <p>(5) Hoofde van departemente moet alle begrotings (kapitaal, bedryfs, meerjarige en aanvullende) opstel ooreenkomstig die riglyne wat deur die burgemeester uitgereik is na oorlegpleging met die portefeuilje raadslede.</p> <p>(6) Begrotings sal deur die uitvoerende burgemeester voorgelê word.</p>
Capital Budget and Capital Programme	
<p>3. (1) The municipal manager must ensure that the municipality adopts an Integrated Development Plan (IDP) as contemplated in chapter 5 of the Systems Act, 2000 (Act 32 of 2000). The IDP must be reviewed annually and all capital and operating budget projects must be aligned with the objectives of the plan.</p> <p>(2) By notice to the local community, the municipal manager shall invite members of the local community to submit proposals by 31 October in any year for consideration in the operating budget, capital budget and capital programme.</p> <p>(3) All proposals received from whatever source shall be collated by the municipal manager and submitted to the relevant heads of departments.</p> <p>(4) Every head of department must prepare and submit a preliminary report reflecting the desirability of the proposals received for consideration by the executive mayor.</p> <p>(5) After the executive mayor has indicated that the proposals received justify further investigations the proposals must be evaluated according to inter alia the following factors:—</p> <ul style="list-style-type: none"> (a) IDP objectives; (b) providing in the basic needs of the community; (c) promotion of social and economic development in the community; (d) financial sustainability; (e) technical feasibility; (f) total cost, impact of depreciation/debt servicing costs, maintenance and operational costs on future operating budgets; and (g) planning required and the duration of the project. <p>(6) Every head of a department shall, in respect of the activities of the department, in consultation with the municipal manager, prepare and submit in electronic format:—</p> <ul style="list-style-type: none"> (a) when requested by the municipal manager, a adjusted capital budget reflecting approximate results for the current financial year and identify capital projects or parts thereof to be carried over to the next financial year; 	

<p>(b) a draft capital budget in respect of the ensuing financial year and a draft capital programme for the following two financial years, based on the following principles:</p> <ul style="list-style-type: none"> (i) year one of the capital programme shall become the new capital budget and year two of the current capital programme shall become year one in the new capital programme; and (ii) new projects shall enter the programme in year two. <p>(7) Special circumstances must exist for a project to enter the capital budget or programme in any other way.</p> <p>(8) An adjustment capital budget must when required and subject to the provisions of section 28 of the Act—</p> <ul style="list-style-type: none"> (a) collated by the municipal manager; (b) considered by the management team, executive mayor and the council when required. <p>(9) The following rules shall apply—</p> <ul style="list-style-type: none"> (a) carry-over of capital projects from the previous year will be considered for inclusion if they fall within the existing levels of the capital budget; (b) new or additional projects included in the revised capital budget which were not previously approved by council must be fully motivated and accompanied by completed project appraisal forms; (c) a return of projects that have been deleted and the reasons for deletion must be indicated. <p>(10) Councillors and head of departments may submit to the executive mayor by 31 October in any year properly motivated proposals for consideration in conjunction with the capital budget and capital programme.</p> <p>(11) The draft capital budget and capital programme shall—</p> <ul style="list-style-type: none"> (a) indicate separately projects in terms of the following categories— <ul style="list-style-type: none"> (i) IDP objectives; (ii) project classification as prescribed by National Treasury; (iii) committed projects; (iv) related to maintaining existing services/infrastructure; (v) other projects; and (vi) financial sources; (b) indicate the expected financing-, maintenance-, and operating costs of the project; (c) include the following in connection with new projects— <ul style="list-style-type: none"> (i) full motivations, including details of their impact on the operating budget and accompanied by a completed project appraisal form, provided that no project shall be considered by the executive mayor for inclusion in the capital budget/programme unless the project has been considered by the project evaluation committee; 	<p>(b) 'n konsepkapitaalbegroting ten opsigte van die eerskomende finansiële jaar en 'n konsepkapitaalprogram vir die volgende twee finansiële jare, gebaseer op die volgende beginsels:</p> <ul style="list-style-type: none"> (i) jaar een van die kapitaalprogram word die nuwe kapitaalbegroting, en jaar twee van die lopende kapitaalprogram word jaar een van die nuwe kapitaalprogram; en (ii) nuwe projekte word in jaar twee in die program opgeneem. <p>(7) Daar moet spesiale omstandighede aanwesig wees vir 'n projek om in die kapitaalbegroting of -program op enige ander wyse opgeneem te word.</p> <p>(8) 'n Aansuiweringskapitaalbegroting moet soos en wanneer nodig en met in agneming van die bepalings van artikel 28 van die Wet—</p> <ul style="list-style-type: none"> (a) deur die munisipale bestuurder saamgestel word; (b) deur die besturuspan, die uitvoerende burgemeester en die raad wanneer nodig oorweeg word. <p>(9) Die volgende reëls moet in die proses toegepas word:</p> <ul style="list-style-type: none"> (a) onafgehandelde kapitaalprojekte uit die vorige jaar sal vir insluiting oorweeg word indien hulle binne die bestaande vlakke van die kapitaalbegroting val; (b) nuwe of bykomende projekte wat in die hersiene kapitaalbegroting ingesluit word en wat nie voorheen deur die raad goedgekeur is nie, moet ten volle gemotiveer en vergesel word van ingevulde projek-evalueringvorms; (c) 'n opgawe van projekte wat geskrap is, asook die redes vir die skrapping, moet verstrek word. <p>(10) Raadslede en hoofde van departemente kan teen 31 Oktober van elke jaar behoorlik gemotiveerde voorstelle by die uitvoerende burgemeester vir oorweging saam met die kapitaalbegroting en kapitaalprogram indien.</p> <p>(11) Die konsepkapitaalbegroting en kapitaalprogram moet:</p> <ul style="list-style-type: none"> (a) projekte afsonderlik aandui in die volgende kategorieë: <ul style="list-style-type: none"> (i) GOP doelwitte; (ii) projekklassifikasie soos deur die Nasionale Tesourie voorgeskrywe; (iii) goedgekeurde projekte; (iv) projekte wat verband hou met die instandhouding van bestaande dienste en infrastruktuur; (v) ander projekte; en (vi) finansieringsbronne; (b) 'n aanduiding gee van verwagte finansiering-, instandhouding-, en bedryfskoste van die projek; (c) die volgende ten opsigte van nuwe projekte insluit: <ul style="list-style-type: none"> (i) volledige motiverings, met inbegrip van besonderhede van hul uitwerking op die bedryfsbegroting en vergesel deur 'n voltooide projekevalueringsvorm, met dien verstaande dat geen projek deur die uitvoerende burgemeester vir insluiting in die kapitaalbegroting/program oorweeg sal word nie tensy die projek deur die projekbeoordelingskomitee oorweeg is;
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| <ul style="list-style-type: none"> (ii) a monthly cash flow projection for the first financial year of a project which must differentiate between external payments and internal work performed; and (iii) classification in terms of the Integrated Development Plan (IDP) and motivation as to how the IDP will be supported; (d) indicate projects that have been deleted from the previous programme and reasons for such deletion; (e) be collated by the municipal manager, who shall include the priority rating of the project(s) in the draft capital budget and programme; (f) be considered by the management team during the first halve of December and shall indicate clearly: <ul style="list-style-type: none"> (i) the progress of existing approved projects; (ii) projects deleted; (iii) the projects recommended for inclusion; and (iv) new projects not recommended for inclusion; (g) be discussed informally during the last week of January by the relevant by the functionaries, executive mayor and involved councillors; (h) be considered by the executive mayor during the first half of February, and thereafter— <ul style="list-style-type: none"> (i) be considered at a special council meeting during March; and (ii) be open for inspection and representations by the local community through organised civic bodies and public meetings in accordance with council's scheduled calendar of meetings. <p>(12) A quarterly report to the executive mayor prepared by the municipal manager shall serve to monitor the actual capital expenditure against the budget and cash flow forecast for the period and the heads of departments shall provide comment to the municipal manager for inclusion in the report or at meetings of the committee.</p> <p>(13) The council may during the year consider the reallocation of project expenditure within the approved capital budget or capital programme ceilings by means of an adjustment budget.</p> | <ul style="list-style-type: none"> (ii) 'n maandelikse kontantvloeiraming wat tussen eksterne betalings en die interne werk wat verrig sal word, moet onderskei, vir die eerste finansiële jaar waarin die projek uitgevoer word; (iii) klassifikasie ingevolge die geïntegreerde ontwikkelingsplan en motivering hoe die GOP ondersteun sal word; (d) projekte aandui wat uit die vorige program geskrap is, en die redes vir die skrapping daarvan verstrek; (e) deur die munisipale bestuurder saamgestel word en ook die prioriteit van die projek(te) in die konsepkapitaalbegroting- en program aantoon; (f) gedurende die eerste helfte van Desember deur die besturspan oorweeg word, en die volgende duidelik aandui: <ul style="list-style-type: none"> (i) die vordering van bestaande goedgekeurde projekte; (ii) die projekte wat geskrap is; (iii) die projekte wat vir insluiting aanbeveil is; en (iv) nuwe projekte wat nie vir insluiting aanbeveil is nie; (g) gedurende die laaste week van Januarie informeel deur die onderskeie funksionarisse, uitvoerende burgemeester en die raadslede daarby betrokke, bespreek; (h) gedurende die eerste helfte van Februarie deur die uitvoerende burgemeester oorweeg word, en daarna— <ul style="list-style-type: none"> (i) gedurende Maart tydens 'n spesiale raadsvergadering oorweeg word; en (ii) vir insae en vertoe deur die plaaslike gemeenskap beskikbaar wees deur bemiddeling van georganiseerde formele en informele belanggroeppe in ooreenstemming met die raad se geskeduleerde vergaderings. <p>(12) 'n Kwartaalverslag aan die uitvoerende burgemeester, opgestel deur die munisipale bestuurder moet gebruik word om die werklike kapitaaluitgawes teen die begroting, asook die kontantvloeiraming vir die tydperk te monitor, en hoofde van departemente moet die hoof finansiële dienste van kommentaar vir insluiting in die verslag aan die uitvoerende burgemeester voorsien.</p> <p>(13) Die raad mag gedurende die jaar die hertoewysing van projekbesteding binne perke van die goedgekeurde kapitaalbegroting of kapitaalprogram deur middel van 'n aansuiwersbegroting, oorweeg.</p> |
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Operating Budget

4. (1) Every head of a department shall annually in respect of the activities of the department, prepare a draft adjustments operating budget for the current financial year and a draft operating budget for the ensuing and the following two financial years in consultation with the municipal manager and shall present it to the executive mayor before 15 February of each year.
- (2) The draft departmental operating budgets shall be compiled within the levels set in section 2 and shall be:—
- (a) collated and consolidated by the municipal manager;
 - (b) considered by the management team during January but not later than the first half of February;
 - (c) given overall consideration by the executive mayor supported by a report thereon by the municipal manager, and

Bedryfsbegroting

4. (1) Elke hoof van 'n departement moet jaarliks ten opsigte van die aktiwiteite van die departement 'n konsephersiene bedryfsbegroting vir die lopende finansiële jaar en 'n konsepbedryfsbegroting vir die komende finansiële jaar, en die twee daaropvolgende jare, in oorleg met die munisipale bestuurder opstel en moet dit voor 15 Februarie van elke jaar aan die uitvoerende burgemeester voorlê.
- (2) Die konsep-departemente bedryfsbegrotings moet opgestel word binne die vlakke gestel in artikel 2, en word:
- (a) deur die munisipale bestuurder saamgestel en gekonsolideer;
 - (b) gedurende Januarie maar nie later nie as die eerste helfte van Februarie deur die besturspan oorweeg;
 - (c) in sy geheel deur die uitvoerende burgemeester ondersteun deur 'n verslag van die munisipale bestuurder, oorweeg; en

<ul style="list-style-type: none"> (i) be discussed informally during February by the relevant by the functionaries, executive mayor and involved councillors; (d) considered by the executive mayor during February supported by a report thereon by the municipal manager which shall incorporate any reasonable comment, problems identified and suggested solutions by heads of department in the report; (e) considered by council at a special meeting held during March; and (f) be open for inspection and representations by the local community through organised civic bodies and public meetings in accordance with council's scheduled calendar of meetings. <p>(3) The approved operating budget shall not reflect a deficit and at least provide for the following:</p> <ul style="list-style-type: none"> (a) the total potential income from rates, service charges, fees and charges as approved by council; (b) the equitable share of national income as approved by National Treasurer from time to time; (c) a working capital and bad debt provision equal to the increase in debtors during the previous financial year; and (d) indigent subsidies. 	<ul style="list-style-type: none"> (i) word gedurende Februarie informeel deur die onderskeie funksionarisse, uitvoerende burgemeester en die raadslede daarby betrokke, bespreek; (d) gedurende Februarie finalaal deur die uitvoerende burgemeester tesame met 'n verslag deur die munisipale bestuurder waarin die redelike kommentaar, probleme wat geïdentifiseer is en voorgestelde oplossings deur hoofde van departemente oor die begroting opgeneem is, oorweeg; (e) deur die raad tydens 'n spesiale vergadering gehou gedurende Maart, oorweeg; en (f) aan die plaaslike gemeenskap vir insae en vertoe beskikbaar gestel deur bemiddeling van georganiseerde, formele en informele strukture ooreenkomsdig die raad se geskeduleerde vergaderings. <p>(3) Die goedgekeurde bedryfsbegroting mag slegs 'n tekort toon indien aan die bepalings van artikel 18(1)(b) van die Wet voldoen word en moet ten minste vir die volgende voorsiening maak:</p> <ul style="list-style-type: none"> (a) die totale potensiële inkomste uit belasting/diensgeld, fooie en heffings soos deur die raad goedgekeur; (b) die billike gedeelte van nasionale inkomste soos van tyd tot tyd deur die Departement van Finansies vasgestel word; (c) 'n bedryfskapitaal en slechte skuld voorsiening wat gelykstaande is aan die styging in debiteure gedurende die voorafgaande finansiële jaar; en (d) hulpbehoewende subsidies.
<p>Financial Plans</p> <p>5. (1) Financial plans shall be prepared by heads of departments in consultation with the chairpersons and deputy chairpersons of standing committees concerned and at least one annual consultation, which shall be reflected in the official calendar of meetings, shall take place during each financial year.</p> <p>(2) Financial plans shall be submitted as required in terms of departmental circulars issued by the municipal manager for the preparation of budgets and financial statements, and shall include—</p> <ul style="list-style-type: none"> (a) a mission statement for the department; (b) key strategic objectives; (c) a short description of the organogram and functions performed; (d) a budget summary and five-year forecast; (e) the cost of main activities with key performance indicators; (f) explanations of major variances in the operating budget for expenditure and income compared to the previous budget; (g) a short description of the major capital projects and non-recurring expenditure budgeted for the ensuing year; (h) most important shortcomings in the department; and (i) strategies to eliminate shortcomings. <p>(3) (a) The purpose of financial plans is to focus a department, service or project on future operations against planned, measurable and achievable objectives, which support the overall IDP.</p>	<p>Besigheidsplanne</p> <p>5. (1) Besigheidsplanne moet deur die hoofde van departemente in oorleg met die voorsitters en ondervoorsitters van die betrokke staande komitees opgestel word, en minstens een konsultasie, wat in die ampelike kalender van vergaderings weerspieël moet word, moet in elke finansiële jaar plaasvind.</p> <p>(2) Besigheidsplanne moet ingevolge die vereistes in departementeels omsendbrieve oor die opstel van begrotings en finansiële state wat deur die munisipale bestuurder uitgereik word, voorgelê word, en moet die volgende insluit:</p> <ul style="list-style-type: none"> (a) 'n missiestelling vir die departement; (b) sleutel-strategiese doelwitte; (c) 'n kort beskrywing van die organigram en die funksies wat verrig word; (d) 'n opsomming van die begroting en 'n vyfjaar vooruitskatting; (e) die koste van die belangrikste bedrywighede, met sleutelprestasie-aanwysers; (f) verduidelikings van afwykings in inkomste en uitgawes in die bedryfsbegroting, vergeleke met die vorige begroting; (g) 'n kort beskrywing van die belangrikste kapitaalkapitekte en eenmalige kostes waarvoor vir die komende jaar begroot is; (h) vernaamste tekortkominge in die departement; en (i) strategieë om die vernaamste tekortkominge uit te skakel. <p>(3) (a) Die doel van 'n besigheidsplan is om 'n departement, diens of projek op toekomstige bedrywighede, teen beplande, meetbare en bereikbare doelstellings wat die GOP ondersteun, te laat fokus.</p>

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| <ul style="list-style-type: none"> (b) The operational objectives shall be measured against achieved results. (c) The heads of departments must via the municipal manager report to the executive mayor all variances, both positive and negative, as required in subsections (2) and (4). <p>(4) Financial plans shall be updated at least three times during a financial year as follows:</p> <ul style="list-style-type: none"> (a) when actual figures are available at the end of a financial year (approximately September/October); (b) during consideration of the draft budget for the ensuing year (February/March); and (c) after final approval of the operating and capital budgets for the ensuing year (June), and the final update may be utilised for publication. | <ul style="list-style-type: none"> (b) Die bedryfsdoelwitte moet gemeet word aan die resultate wat behaal is. (c) Hoofde van departemente moet verskille en afwykings, sowel positief as negatief deur die munisipale bestuurder aan die uitvoerende burgemeester soos vereis in subartikels (2) en (4), rapporteer. <p>(4) Besigheidsplanne moet minstens drie keer gedurende 'n finansiële jaar soos volg bygewerk en opdateer word:</p> <ul style="list-style-type: none"> (a) wanneer werklike syfers aan die einde van 'n finansiële jaar beskikbaar is (ongeveer September/Oktōber); (b) gedurende die oorweging van die konsepbegroting vir die komende jaar (Februarie/Maart); en (c) na die finale goedkeuring van die bedryfs- en kapitaalbegroting vir die komende jaar (Junie); en die finale bywerking kan vir publikasie gebruik word. |
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Reports affecting Finances

6. (1) No standing committee, task team or subcommittee established by council shall consider any proposal with financial implications in excess of the values applicable to operating budget virements, in the case of operating expenditure, or capital budget virements, in the case of capital expenditure, until the head of a department concerned has afforded the municipal manager a reasonable opportunity of submitting financial comment on the matter, which shall not be less than three working days before the closing date of the relevant agenda.
- (2) The director: corporate services shall reject items or reports to committees which do not contain the comment of the municipal manager as required in subsection (1).
- (3) Projects likely to have an impact which exceeds R1 million (capital or operating, income or expenditure) must specify alternative courses of action, the most beneficial alternative, the financial impacts and operating budget consequences, before a project is approved by council for inclusion in any budget.
- (4) Any proposed by-law or amendment of any by-law with financial implications shall be referred by the head of a department to the municipal manager for comment before consideration by any standing committee.

INCOME

Fees, Tariffs and Rates

7. (1) Heads of departments must annually review all fees, service charges and other charges to be included in the operating budget in accordance to section 74(2) of the Systems Act, 2000 (Act 32 of 2000) and council's tariff policy in such a way that:
- (a) users and consumers are treated fairly equitably and without bias in the application of tariffs;
 - (b) the amount an user pay for services generally is in proportion to the use of that service;
 - (c) tariffs reflect the cost of the service;
 - (d) tariffs are set at levels that secure the financial sustainability of the service; and
 - (e) it encourages and promotes the efficient use of scarce resources.
- (2) The result of this revision shall be reported to the executive mayor, even if no changes are proposed. If the proposed tariffs do not cover the cost of the service head of a

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| <ul style="list-style-type: none"> (b) Die bedryfsdoelwitte moet gemeet word aan die resultate wat behaal is. (c) Hoofde van departemente moet verskille en afwykings, sowel positief as negatief deur die munisipale bestuurder aan die uitvoerende burgemeester soos vereis in subartikels (2) en (4), rapporteer. <p>(4) Besigheidsplanne moet minstens drie keer gedurende 'n finansiële jaar soos volg bygewerk en opdateer word:</p> <ul style="list-style-type: none"> (a) wanneer werklike syfers aan die einde van 'n finansiële jaar beskikbaar is (ongeveer September/Oktōber); (b) gedurende die oorweging van die konsepbegroting vir die komende jaar (Februarie/Maart); en (c) na die finale goedkeuring van die bedryfs- en kapitaalbegroting vir die komende jaar (Junie); en die finale bywerking kan vir publikasie gebruik word. |
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Verslae rakende Finansies

6. (1) Geen staande komitee, taakspan of subkomitee wat deur die raad gestig is, mag enige voorstel met finansiële implikasies wat die bedrae oorskry wat op bedryfsbegroting-viremente van toepassing is (in die geval van bedryfsuitgawes) of kapitaalbegroting-viremente (in die geval van kapitaaluitgawes), oorweeg nie, alvorens die betrokke hoofde van departemente die munisipale bestuurder 'n redelike geleentheid wat nie minder as drie werkdae voor die sluitingsdatum van die betrokke sakelys mag wees nie, gebied het om kommentaar oor die aangeleentheid voor te lê.
- (2) Die direkteur: korporatiewe dienste, moet die items of verslae aan komitees wat nie die kommentaar van die munisipale bestuurder soos vereis in subartikel (1) bevat nie, verwerp.
- (3) Projekte waarvan die impak waarskynlik groter as R1 miljoen sal wees (kapitaal of bedryf, inkomste of uitgawes) moet alternatiewe optredes, die voordeelgestigte alternatief, en die finansiële gevolge vir die bedryfsbegroting spesifiseer, voordat 'n projek vir insluiting in 'n begroting goedgekeur word.
- (4) Enige voorgestelde wysiging van enige verordening met finansiële implikasies, moet deur die hoofde van departemente vir kommentaar na die munisipale bestuurder verwys word, alvorens dit deur enige komitee van die raad oorweeg word.

INKOMSTE

Fooie, Tariewe en Eiendomsbelasting

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| <p>7. (1) Hoofde van departemente moet jaarliks alle fooie, dienstegelde en ander heffings hersien met die oog op die insluiting daarvan in die bedryfbegroting in ooreenstemming met die beginsels uiteengesit in artikel 74(2) van die Stelselwet, 2000 (Wet 32 van 2000) en die tariefbeleid van die raad en op sodanige wyse dat:</p> <ul style="list-style-type: none"> (a) gebruikers van munisipale dienste billik behandel word by die toepassing van tariewe; (b) die bedrag wat individuele gebruikers vir dienste betaal, in die algemeen in verhouding is met hul gebruik van daardie diens; (c) tariewe die koste van die betrokke dienste reflekter; (d) tariewe op vlakke bepaal word wat die finansiële volhoubaarheid van die diens verseker; en (e) dit die doeltreffende gebruik van skaars hulpbronne aanmoedig. <p>(2) Die uitslag van dié hersiening moet aan die uitvoerende burgemeester gerapporteer word, selfs indien geen veranderings voorgestel word nie. Indien voorgestelde</p> |
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department will motivate deviations and submit the same to the executive mayor for consideration.

- (3) The executive mayor shall make no decision concerning fees, tariffs or other charges without first considering a report from the head of the department concerned incorporating the views of the municipal manager.
- (4) The municipal manager must calculate property rates to balance the budget and to ensure that the creditworthiness of the municipality is maintained by providing for:
 - (a) bad debts;
 - (b) working capital;
 - (c) debt servicing costs; and
 - (d) provisions and reserves.

Collection and Control of Income

- 8. (1) The municipal manager shall maintain the credit control and debt collection policy of the municipality, including:
 - (a) credit control procedures;
 - (b) debt collection procedures;
 - (c) provision for indigent debtors consistent with its rates and tariff policies and national guidelines;
 - (d) interest on arrears;
 - (e) arrangements for payment of debt;
 - (f) matters relating to unauthorised consumption of services, theft and damages.
- (2) The credit control and debt collection policy of the municipality must be reviewed annually by council on the strength of a report in this regard submitted to council by the municipal manager to ensure sustainability of service delivery and access to the capital market.
- (3) The municipal manager shall be responsible for the collection of all monies due to the council, provided that by arrangement with and under the control of the municipal manager, monies may be collected by other departments or duly appointed agents.
- (4) Any monies collected by any department of the municipality or duly appointed agents shall be paid to the municipal manager or banked in conformity with the requirements of the audit regulations.
- (5) All amounts owing to the municipality shall be accrued via the debtors system of the municipal manager and no amount due to the municipality shall be written off as irrecoverable without the approval of the executive mayor.
- (6) Receipts issued for all monies collected by departments or agents for the credit of the municipality must be in conformity with the requirements of the audit regulations, and no monies shall be accepted unless a receipt therefore can be issued immediately.

EXPENDITURE

Expenditure

- 9. (1) The council shall not approve any capital or operating expenditure until it has been considered and reported on by the executive mayor.

tariewe nie die koste van 'n diens dek nie, moet die betrokke hoofde van departemente afwykings motiveer en aan die uitvoerende burgemeester vir oorweging voorlê.

- (3) Die uitvoerende burgemeester mag geen besluit neem oor geldie, tariewe of ander koste, sonder om eers 'n verslag van die betrokke hoofde van departemente waarin die siening van die munisipale bestuurder vervaat is, te oorweeg nie.
- (4) Die munisipale bestuurder moet die voorgestelde eiendomsbelasting só bereken dat die begroting balanseer, en om te verseker dat die kredietwaardigheid van die munisipaliteit behou word deur voorsiening te maak vir:
 - (a) slechte skulde;
 - (b) bedryfskapitaal;
 - (c) skuldinvorderingskoste; en
 - (d) voorsiening vir reserwes.

Invordering van en Beheer oor Inkomste

- 8. (1) Die munisipale bestuurder moet die kredietbeheer- en skuldinvorderingsbeleid van die munisipaliteit in stand hou, insluitende:
 - (a) kredietbeheerprosedures;
 - (b) skuldinvorderingsprosedures;
 - (c) voorsiening vir hulpbehoewende debiteure op 'n wyse wat versoenbaar is met die raad se belasting- en tariefbeleid, asook nasionale riglyne;
 - (d) rente op agterstallige gelde;
 - (e) reëlings vir die afbetaling van skuld; en
 - (f) aspekte wat verband hou met die onwettige verbruik van dienste, diefstal en beskadiging.
- (2) Die kredietbeheer en skuldinvorderingsbeleid van die munisipaliteit moet jaarliks deur die raad hersien word op grond van 'n verslag van die munisipale bestuurder, ten einde 'n volhoubare dienslewering en toegang tot die kapitaalmark, te verseker.
- (3) Die munisipale bestuurder is verantwoordelik vir die invordering van alle geldie wat verskuldig is aan die raad, met dien verstande dat geldie soos ooreengekommel met die munisipale bestuurder en onder sy beheer deur ander departemente of aangestelde agente van die raad, ingevorder kan word.
- (4) Enige geldie wat kollekteer word deur enige departement van die munisipaliteit of 'n behoorlik aangestelde agent, moet by die munisipale bestuurder ooreenkommig die vereistes van die ouditregulasies, inbetaal word.
- (5) Alle bedrae wat aan die munisipaliteit verskuldig is, moet deur middel van die debiteurestelsel van die munisipale bestuurder ingevorder word, en geen bedrag wat aan die munisipaliteit verskuldig is, mag sonder die goedkeuring van die uitvoerende burgemeester as 'n onverhaalbare skuld afgeskryf word nie.
- (6) Kwitansies wat uitgereik word vir alle geldie wat deur departemente of agente ingevorder word vir die krediet van die munisipaliteit se rekening, moet ooreenstem met die vereistes van die ouditregulasies en geen geldie mag aanvaar word tensy 'n kwitansie onmiddellik daarvoor uitgereik kan word nie.

UITGAWES

Uitgawes

- 9. (1) Die raad mag geen kapitaal- of bedryfsuitgawes goedkeur alvorens dit deur die uitvoerende burgemeester oorweeg en 'n verslag daaroor uitgebring is nie.

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| <p>(2) No expenditure shall be incurred unless provision therefore has been made in the operating budget.</p> <p>(3) Work, approved by the council either specially or generally, may only be undertaken on behalf of a third party when the full costs are recovered in advance of the commencement of the work.</p> <p>(4) In the case of an emergency, any proposed expenditure not provided for in the budget shall be authorised by the executive mayor after the municipal manager have been advised of the intended action. In respect of expenditure thus incurred, the head of a department shall:</p> <ul style="list-style-type: none"> (a) in the case of operating expenditure, report as soon as possible to the executive mayor and nominate equivalent reductions in order to finance the expenditure; or (b) in the case of capital expenditure, report as soon as possible to the executive mayor and recommend a reallocation of expenditure, having regard to priority ratings and the limit of the total approved capital budget. <p>(5) No person shall commit the municipality to any authorised expenditure without completion of an official requisition or order, which must be submitted to the Municipal manager or his delegate. The municipal manager or his delegate shall determine the information to be supplied on such requisition or order.</p> <p>(6) Should any councillor or municipal employee become aware of or be advised of any unforeseen increase in the price or fees for any service or supply rendered or to be rendered to the municipality, such person shall report the increase to the executive mayor.</p> <p>(7) Municipal representatives on various organisations have a general mandate to resist increases in membership fees or other increases which may have a substantial effect on the expenditure of the municipality. As soon as possible after becoming aware of such increase, the executive mayor shall be approached for a specific mandate.</p> | <p>(2) Geen uitgawes mag aangegaan word nie tensy voorsiening daarvoor in die bedryfsbegroting gemaak is.</p> <p>(3) Werk, spesifiek, of in die algemeen deur die raad goedgekeur, mag slegs ten behoeve van 'n derde party onderneem word, indien die volle kostes vooruit gevorder is.</p> <p>(4) In die geval van 'n noodtoestand, mag enige voorgestelde uitgawes waarvoor daar nie in die begroting voorsiening gemaak is nie, deur die uitvoerende burgemeester gemagtig word, nadat die municipale bestuurder van die voorgenome stap verwittig is. Ten opsigte van aldus aangaande uitgawes moet die hoof van die departement:</p> <ul style="list-style-type: none"> (a) ingeval van bedryfsuitgawes, so gou doenlik aan die uitvoerende burgemeester rapporteer en voorstelle maak oor besnoeiings aan die bedryfsbegroting ten einde die uitgawe te finansier; of (b) in die geval van kapitaaluitgawes, so gou doenlik aan die uitvoerende burgemeester rapporteer en aanbevelings maak oor die hertoewysing van uitgawes en die beperkings van die goedgekeurde kapitaalbegroting. <p>(5) Niemand mag die munisipaliteit tot enige gemagtigde uitgawes verbind nie sonder dat 'n ampelike rekvisisie of bestelvorm aan die municipale bestuurder of sy gedelegeerde voorgelê is nie, en die municipale bestuurder of sy gedelegeerde moet bepaal watter inligting op sodanige rekvisisie of bestelvorm versaf moet word.</p> <p>(6) Indien enige raadslid of werkneemer bewus word van, of in kennis gestel word van enige onvoorsiene stygging in die prys of gelde vir enige diens of voorraad wat aan die munisipaliteit gelewer is of gaan word, moet sodanige persoon die verhoging aan die uitvoerende burgemeester rapporteer.</p> <p>(7) Municipale verteenwoordigers op verskillende organisasies het 'n algemene mandaat om stygings in ledelike of ander stygings wat 'n weselike uitwerking op die uitgawes van die munisipaliteit mag hê, teen te staan, en wanneer daar van sodanige verhogings bekend raak, moet die uitvoerende burgemeester vir 'n spesifieke mandaat genader word.</p> |
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Capital Expenditure

- 10.** (1) No capital expenditure shall be incurred or committed to any project unless:
- (a) provision, therefore has been made in the approved capital budget;
 - (b) all necessary legislative requirements to incur the expenditure or take up the external loan have been met; and
 - (c) clearance has been obtained from the municipal manager for accounting purposes prior to incurring any expenditure.
- (2) Amendments to the approved capital budget shall not cause the total of the said approved budget to be exceeded, except:
- (a) as provided for in section 7(3); or
 - (b) with the approval of the executive mayor, where the additional capital expenditure involved will not affect the operating budget.
- (3) Where capital expenditure provided for a particular purpose in the previous year's budget has not been fully incurred in that year and the unspent balance of expenditure, or any portion of it, must in the opinion of the head of a department concerned be incurred during the current financial year, such balance of expenditure, if not duly provided for in the current year's budget, shall only be authorised if the total capital costs/depreciation impacting on the municipal operating

Kapitaaluitgawes

- 10.** (1) Geen kapitaaluitgawes mag aangegaan word of aan enige projek toegewys word nie, tensy:
- (a) voorsiening daarvoor in die goedgekeurde kapitaalbegroting gemaak is;
 - (b) al die nodige wetlike vereistes of voorskrifte om die uitgawe aan te gaan of eksterne lening op te neem, nagekom is;
 - (c) klaring van die municipale bestuurder verkry is vir verrekeningsdoeleindes, voordat enige uitgawes aangegaan word.
- (2) Wysigings aan die goedgekeurde kapitaalbegroting mag nie meebring dat die totale bedrag van gemelde goedgekeurde begroting oorskry word nie, behalwe:
- (a) in ooreenstemming met die bepalings in artikel 7(3); of
 - (b) met die goedkeuring van die uitvoerende burgemeester, indien die bykomende kapitaaluitgawes nie die bedryfsbegroting sal beïnvloed nie.
- (3) Indien die kapitaaluitgawes waarvoor daar vir 'n spesifieke doel in die vorige jaar se begroting voorsiening gemaak is, nie ten volle in daardie jaar aangegaan is nie, en die onbestede deel van die uitgawes, of enige gedeelte daarvan, na die mening van die betrokke hoofde van departemente gedurende die lopende finansiële jaar aangegaan moet word, mag sodanige gedeelte van die uitgawes, indien daar nie behoorlik daarvoor in die lopende jaar se begroting voorsiening gemaak is nie, net

account for the particular service does not exceed the provision for capital costs/depreciation provided for that particular project in the current financial year.

- (4) No under-expenditure on an amount budgeted for a specific purpose may be applied to meet additional expenditure on an approved capital project without the approval of the executive mayor, except that virement not exceeding an amount as determined by council from time to time in a specific case, within a service and the same funding source, shall be permitted where the head of a department and the municipal manager agree: Provided that no savings on the staff budget may be used for this purpose.
- (5) Virement to and from specific capital projects may not exceed the limit referred to in subsection (4) within a financial year without the approval of the executive mayor.
- (6) Expenditure as contemplated in subsections 10(3) and (4) must be condoned during the adjustment budget.

Operating Expenditure and Expenditure from Provisions and Special Funds

- 11. (1) No saving on an amount budgeted for a specific purpose may be applied to meet expenditure for another purpose, whether budgeted for or not, without the approval of the executive mayor, except that virement not exceeding an amount as determined by Council from time to time in a specific case within a service shall be permitted where the head of a department and the municipal manager agree, and if special funds are involved, the approval of the donor must also be obtained, provided that virement to and from specific operating budget line items may not exceed that limit within a financial year without the approval of the executive mayor and that no savings on the staff budget may be used for this purpose.
- (2) Should a head of a department have reason to believe that any budgetary provision is or will be insufficient, or that estimated income is unlikely to be received, a report, in terms of section 28 of the Act, shall forthwith be submitted to the executive mayor concerned. The reasons for the anticipated excess expenditure (or shortfall in income) shall be stated and any budget amendments that can be effected in order to meet the excess or shortfall shall be indicated.
- (3) Subject to the provisions of national and provincial legislation:
 - (a) additional expenditure not exceeding an amount per item as determined by council from time to time may be approved by the executive mayor; and
 - (b) additional expenditure exceeding this amount per item shall require the approval of council.
- (4) Notwithstanding subsection (3)(a) and (b) above, and subject to the approval of the adjustment budget the management team, heads of departments, in consultation with the municipal manager, may operate within the limits of the adjustment budget in respect of expenditure designated "General Expenses" and "Repairs and Maintenance" where—
 - (a) the total revised departmental adjustment budget does not exceed the original budget;
 - (b) the total revised municipal adjustment budget in respect of "General Expenses" and "Repairs and Maintenance" does not exceed the original municipal budget; and
 - (c) initial budgetary provision existed in the original municipal budget.

gemagtig word indien die totale afsonderlike befondsingsbron wat 'n uitwerking op die raad se bedryfsbegroting vir die spesifieke jaar het, nie die voorsiening vir waardevermindering en of rente en delging vir die besondere begrotingspos in die lopende finansiële jaar oorskry nie.

- (4) Geen onderbesteding van enige bedrag wat vir 'n spesifieke doel begroot is, mag sonder die goedkeuring van die uitvoerende burgemeester gebruik word om bykomende uitgawes aan enige goedgekeurde kapitaalprojek te dek nie, behalwe dat virement wat nie 'n bedrag, soos periodiek deur die raad, in 'n spesifieke geval bepaal, oorskry nie, binne 'n diens en dieselfde befondsingsbron toegelaat mag word, indien die hoofde van departemente en die municipale bestuurder daartoe instem, met dien verstande dat geen besparings op die personeelbegroting vir hierdie doel gebruik mag word nie.
- (5) Viremente na en van spesifieke kapitaalprojekte mag nie sonder die goedkeuring van die uitvoerende burgemeester die perk bepaal in subartikel (4) binne 'n finansiële jaar oorskry nie.
- (6) Uitgawes soos voorgestel in subartikels 10(3) en (4) moet tydens 'n aansuiweringsbegroting gekondoneer word.

Bedryfsuitgawes en Uitgawes uit Voorsienings en Spesiale Fondse

- 11. (1) Geen besparing op 'n bedrag wat vir 'n spesifieke doel begroot is, mag gebruik word om uitgawes vir enige ander doel te dek sonder die goedkeuring van die uitvoerende burgemeester nie, hetsy daar vir sodanige uitgawes begroot is of nie, behalwe dat virement wat nie 'n bedrag wat van tyd tot tyd deur die raad bepaal word oorskry nie, in 'n spesifieke geval binne 'n diens toegelaat sal word indien die hoofde van departemente en die municipale bestuurder daartoe instem en, indien trust fondse betrokke is, moet die toestemming van die skenker ook verkry word, met dien verstande dat virement na en van spesifieke bedryfsbegroting lynitems, nie daardie beperking binne 'n finansiële jaar mag oorskry sonder die goedkeuring van die uitvoerende burgemeester nie en dat geen besparings op die personeelbegroting vir hierdie doel gebruik mag word nie.
- (2) Indien die hoofde van departemente rede het om te glo dat enige begrotings-voorsiening ontoereikend is, of sal wees, of dat beraamde inkomste waarskynlik nie ontvang sal word nie, moet 'n verslag in terme van artikel 28 van die Wet onverwyld aan die uitvoerende burgemeester voorgelê word waarin die redes vir die verwagte hoër uitgawes (of inkomste tekort) verduidelik moet word, en enige begrotingswysigings wat aangebring kan word ten einde die oorskryding of tekort te dek, geïdentifiseer moet word.
- (3) Behoudens die bepalings van Nasionale en Proviniale Wetgewing:
 - (a) mag bykomende uitgawes wat nie 'n bedrag per item oorskry nie soos van tyd tot tyd deur die raad bepaal, deur die uitvoerende burgemeester goedgekeur word;
 - (b) bykomende uitgawes wat hierdie bedrag oorskry, moet deur die raad goedgekeur word.
- (4) Ondanks die bepalings in subartikel (3)(a) of (b) en behoudens die goedkeuring van die aansuiweringsbegroting, mag die bestuurspan en hoofde van departemente, in oorleg met die municipale bestuurder, werksaamhede binne die beperkings van die aansuiweringsbegroting onder die poste "algemene uitgawes" en "herstel en onderhoud" voortsit, indien:
 - (a) die totale departementele aansuiweringsbegroting nie die oorspronklike oorskry nie;
 - (b) die totale hersiene municipale aansuiweringsbegroting ten opsigte van "Algemene Uitgawes" en "herstel en onderhoud" nie die oorspronklike municipale begroting oorskry nie; en
 - (c) aanvanklike begrotingsvoorsiening beskikbaar was op die oorspronklike municipale begroting.

- (5) All virements that were approved during the year must be confirmed during the adjustment budget.

Recovery of Losses

- 12.** (1) Any loss suffered by the municipality due to any fraudulent or corrupt act or an act of bribery shall immediately be reported to the executive mayor, South African police service and the Auditor-General by the municipal manager.
- (2) The circumstances which describe various losses or damages in legislation, are contained in chapter 15 of the Act. All employees shall immediately advise the municipal manager should they become aware of occurrences. Provisions in this regard in any future legislation, shall apply *mutatis mutandis*.
- (3) All employees shall be advised of their responsibility in this regard with an appointment letter.

Credit Rating

- 13.** (1) All heads of departments shall at all times apply sound administration within their departments and observe budget parameters and target levels to ensure that the credit rating status of the municipality is not adversely affected.
- (2) The municipal manager must analyse the financial statements annually and prepare a report to council reflecting all financial aspects that influence council's creditworthiness.
- (3) The report must also include strategies to rectify possible deviations.

Procurement, Tenders and Contracts

- 14.** (1) Procurement of goods and services shall comply with the procurement policy of the municipality.
- (2) Subject to relevant legislation the procedure for the placing of contracts shall be as determined by council, and any changes to the conditions of contract after the acceptance of a tender shall be reported to the executive mayor.
- (3) The municipality's power in terms of the national and provincial legislation to enter into contracts for the supply of goods, services or materials or for the execution of work of a value not exceeding the amount approved by the minister in regulations, without inviting tenders shall not be exercised until the municipal manager or a head of a department has invited and considered quotations for the supply of such goods, services or materials or for the execution of such work, within the framework as determined by council in its procurement policy from time to time.
- (4) In appointing contractors or any external supplier of services, a head of a department shall ensure that the supplier is given clear instructions regarding the performance expected or to be achieved.
- (a) The desired performance shall be measurable, quantifiable and capable of being certified on completion of the task or after rendering the service.
- (b) The performance required shall be conveyed to the supplier in writing together with the official municipal order.
- (5) A head of a department shall certify that services rendered are in accordance with the performance expected and agreed. Variations shall be reported and, where necessary, the required authority for such variation shall be obtained by the head of a department.

- (5) Alle viremente wat gedurende die jaar goedgekeur is moet tydens die aansuiweringsbegroting bevestig word.

Herwinning van Verliese en Skade

- 12.** (1) Enige verlies wat die raad ly weens enige bedrieglike of korrupte daad of omkopyery, moet onmiddellik deur die munisipale bestuurder aan die uitvoerende burgemeester, Suid-Afrikaanse Polisiediens en die Ouditeur-generaal gerapporteer word.
- (2) Die beskrywing van die omstandighede waaronder verliese of beskadiging plaasvind, word vervat in hoofstuk 15 van die Wet. Alle werknekmers is verplig om die munisipale bestuurder oor sodanige verliese en skade in te lig sodra hulle daarvan bewus word. Soortgelyke bepalings in dié verband in toekomstige wetgewing sal *mutatis mutandis* van toepassing wees.
- (3) Alle munisipale werknekmers moet in hulle aanstellingsbriewe oor hierdie verantwoordelikheid ingelig word.

Kredietwaardigheid

- 13.** (1) Alle hoofde van departemente moet te alle tye gesonde finansiële administrasie binne die betrokke departemente toepas en begrotingsparameters en teikenvlakke binne die finansiële beleid van die raad nakom, ten einde te verseker dat die raad se kredietgradering nie nadelig geraak word nie.
- (2) Die munisipale bestuurder moet jaarliks 'n ontleding van die finansiële state doen en 'n verslag aan die raad voorle wat alle aspekte van die finansies van die raad uitlig wat 'n invloed op die kredietwaardigheid van die raad sal hê.
- (3) Die verslag moet ook strategieë aandui om moontlike afwykings reg te stel.

Verkryging, Tenders en Kontrakte

- 14.** (1) Die verkryging van goedere en dienste moet aan die verkrygingsbeleid van die raad voldoen.
- (2) Die prosedure vir die plassing van kontrakte word behoudens toepaslike wetgewing deur die raad bepaal en enige veranderings aan die kontrakvooraarde na die aanvaarding van 'n tender moet aan die uitvoerende burgemeester gerapporteer word.
- (3) Die bevoegdheid van die munisipaliteit ingevolge nasionale en provinsiale wetgewing om kontrakte aan te gaan vir die voorsiening van goedere, dienste of materiaal of vir die verrigting van werk tot 'n bedrag wat nie die bedrag wat deur die Minister in regulasies bepaal mag oorskry, sonder om tenders te vra nie, word nie uitgeoefen nie alvorens die munisipale bestuurder kwotasies aangevra en oorweeg het vir die voorsiening van sodanige goedere, dienste of materiaal of vir die verrigting van sodanige werk, binne die raamwerk wat van tyd tot tyd deur die raad bepaal word.
- (4) By die aanstelling van kontrakteurs of enige eksterne verskaffers van dienste, moet die hoof van 'n departement homself/haarself daarvan vergewis dat die verskaffer duidelike instruksies oor die prestasie wat verwag word of wat behaal moet word, ontvang het, en die—
- (a) verlangde prestasie moet meetbaar en kwantifiseerbaar wees en moet by voltooiing van die taak of na die levering van die diens, gesertifiseer kan word; en
- (b) die vereiste prestasie moet skriftelik saam met die amptelike munisipale bestelvorm, aan die verskaffer oorgedra word.
- (5) Die hoof van 'n departement moet sertifiseer dat die dienste wat gelewer is, in ooreenstemming is met die prestasie wat verwag word en waarop ooreengekom is, en afwykings moet gerapporteer word en, waar nodig, moet die vereiste magtiging vir sodanige afwyking deur die hoof van 'n departement verkry word.

- (6) Performance guarantees received in terms of the requirements of the procurement policy from a supplier or successful tenderer shall be referred to the municipal manager for acceptance.

Goods and Materials

- 15.** (1) All goods and materials belonging to the municipality and held for future consumption shall be kept in safe custody under the control and supervision of the municipal manager. Provided that with his/her approval, goods and materials may be held by departments in a store, on condition that all items not required immediately shall be recorded and accounted for by such departments to the satisfaction of the municipal manager.
- (2) A store's record reflecting full particulars of purchases and issues of goods and materials and the balances of stock on hand in the purchasing and supplies division shall be maintained by the municipal manager. Similar stores records shall be maintained by heads of departments in respect of stores under their control.
- (3) (a) Stocks shall not, except where the municipal manager is satisfied that special circumstances exist, be carried by or for any department in excess of normal requirements.
- (b) Whenever it appears to the municipal manager that a proposed purchase would result in infringement of this clause, the head of a department shall be advised accordingly.
- (c) If the head of a department still insists, that the proposed purchase should take place, the municipal manager shall adjudicate in the matter and thereafter report it to the executive mayor.
- (4) (a) Requisitions for goods and materials shall be signed by the head of a department or nominees provided written notification of such nominees and the extent of their authority is given to the municipal manager.
- (b) Heads of departments shall advise the municipal manager of the persons authorised to sign such requisitions in respect of the categories determined and approved by council from time to time.
- (c) Specimen signatures of all persons authorised to sign requisitions shall be supplied to the municipal manager and updated coinciding with any alterations or changes.
- (d) When such persons leave the services of the municipality, the municipal manager shall be advised immediately.
- (5) (a) Except in the case of emergency requisitions, the municipal manager shall only accept requisitions and orders if sufficient budgetary provision exists to cover a requisition or order submitted to the purchasing and supplies division.
- (b) The municipal manager shall immediately inform the head of a department concerned if there is insufficient budgetary provision, and the head of a department shall either obtain the municipal manager's decision as to whether the requisition should be executed or not, or provide the municipal manager with the necessary virement.
- (c) In the event of the requisition being executed with the municipal manager's authority, the municipal manager shall forthwith report the matter to the executive mayor.
- (6) Requisitions for uniforms or protective clothing shall only be

- (6) Prestasiewaarborgs wat ingevolge die vereistes van die verkygingsbeleid van 'n leveransier of suksesvolle tenderaar ontvang word, moet vir aanvaarding na die munisipale bestuurder verwys word.

Goedere en Materiaal

- 15.** (1) Alle goedere en materiaal wat aan die raad behoort en wat vir toekomstige verbruik behou word, moet veilig bewaar word en is onderhewig aan beheer en toesig van die munisipale bestuurder, met dien verstande dat indien hy/sy aldus goedkeur, mag sekere goedere en materiaal deur departemente bewaar word, op voorwaarde dat alle items wat nie onmiddellik benodig word nie, tot bevrediging van die munisipale bestuurder deur sodanige departemente aangeteken en verreken word.
- (2) 'n Magasynregister wat volledige besonderhede van aankope en uitrekings van goedere en materiaal en die voorraadbalanse op hande in die aankoop- en voorsieningsafdeling reflekteer moet deur die munisipale bestuurder bygehou word, en soortgelyke registers moet bygehou word deur hoofde van departemente ten opsigte van voorrade onder hulle beheer.
- (3) (a) Behalwe waar die munisipale bestuurder oortuig is dat spesiale omstandighede bestaan, mag voorrade wat meer is as wat onder normale omstandighede benodig word vir of deur departemente, nie aangehou word nie.
- (b) Wanneer dit ook al vir die munisipale bestuurder voorkom of 'n beoogde aankoop tot die oortreding van hierdie subartikel sal lei, moet die hoofde van departemente daarvan in kennis gestel word.
- (c) Indien die hoof van 'n departement weier om van sy/haar voorneme af te sien, moet die munisipale bestuurder die aangeleentheid besleg en aan die uitvoerende burgemeester rapporteer.
- (4) (a) Rekwisisies vir goedere en materiaal moet deur die hoofde van departemente of sy/haar genomineerde onderteken word, met dien verstande dat die munisipale bestuurder skriftelik in kennis gestel word van die name van sodanige genomineerde en die omvang van hul magtiging.
- (b) Hoofde van departemente moet die munisipale bestuurder in kennis stel van die name van die persone wat gemagtig is om sodanige rekwisisies te onderteken ten opsigte van die kategorieë soos van tyd tot tyd deur die raad bepaal en goedgekeur.
- (c) Proefhandtekening van alle persone wat gemagtig is om rekwisisies te onderteken, moet aan die munisipale bestuurder verskaf word en moet opgedateer word ingeval van veranderings of wysigings.
- (d) Wanneer sodanige persone die diens van die munisipaliteit verlaat, moet die munisipale bestuurder onmiddellik daarvan in kennis gestel word.
- (5) (a) Behalwe in noodgevalle mag die munisipale bestuurder net rekwisisies en bestellings aanvaar wat aan die aankoop en voorrade afdeling voorgelê word indien genoegsame voorsiening in die begroting bestaan om die uitgawes te dek.
- (b) Die munisipale bestuurder moet die betrokke hoof van 'n departement onmiddellik in kennis stel indien daar nie genoegsame voorsiening in die begroting is nie, en die hoof van 'n departement moet óf 'n besluit van die munisipale bestuurder verkry of die aankope gedoen moet word al dan nie, óf die munisipale bestuurder van die nodige virement voorsien.
- (c) Indien die rekwisisie met die goedkeuring van die munisipale bestuurder uitgevoer word, moet die munisipale bestuurder die aangeleentheid onmiddellik aan die uitvoerende burgemeester rapporteer.
- (6) Rekwisisies vir uniforms of beskermende klere mag slegs

- executed if they are in accordance with the approved schedule of issue of the municipality.
- (7) Subject to the requirements of the audit regulations, the municipal manager shall be responsible for the ordering, custody and issue of receipt forms, tickets, tokens, vouchers of value, and such other stationery as may be necessary.
- (8) All goods and services must be procured in terms of chapter 11 of the Act, the regulations promulgated in terms thereof and the municipality's procurement policy.
- (9) (a) Unless otherwise agreed with the municipal manager, all surplus goods and materials after completion of works or the fulfilment of the purpose for which they were issued or goods recovered in the course of carrying out works or on hand for any reason whatsoever, shall be returned to and recorded by the purchasing and supplies division without delay.
- (b) An advice note describing such goods and materials shall be furnished to the purchasing and supplies division by the department concerned.
- (c) The municipal manager shall, in consultation with the head of the department concerned, decide on the value, if any, to be credited to the appropriate vote(s).
- (10) (a) In the event of the municipal manager authorising a department to return goods or materials direct to the supplier, the head of the department shall ensure that the necessary "goods returned receipt" is forwarded to the purchasing and supplies division.
- (b) Under no circumstances may goods be returned to a supplier without the supplier immediately issuing the goods returned note.
- (11) Plant and equipment and other goods and materials shall be deemed to be redundant or obsolete on the authority of the executive mayor, which committee shall also authorise the manner of disposal thereof.
- (12) The powers of the municipality to sell out of hand any goods or materials the value of which, as determined by council from time to time, shall not be exercised unless the municipal manager has invited and considered offers for the purchase of such goods or materials, on condition that:
- (a) at least two written offers are obtained in respect of each such item;
 - (b) adequate records of each such transaction are maintained;
 - (c) the municipal manager, after consultation with the head of the department concerned, accepts the offer considered best in the general interest of the municipality; and
 - (d) should the head of a department concerned not agree to the acceptance of the offer recommended by the municipal manager, the municipal manager submits the reasons in a report to the executive mayor.
- (13) (a) Subject to the provisions of any legislative prescription, the amount and value of any surpluses or shortages in stock, as well as slow-moving stock, revealed in stock-taking shall be reported by the municipal manager to the executive mayor, together with the reasons for discrepancies.
- uitgevoer word indien dit in ooreenstemming is met die goedgekeurde uitreikingskede van die munisipaliteit.
- (7) Die munisipale bestuurder is behoudens die vereistes van die oudtiverordeninge verantwoordelik vir die bestel, bewaring en uitreiking van kwitansievorms, kaartjies, kentekens, sigwaarde bewyssukkies en alle ander skryfbehoeftes wat benodig word.
- (8) Alle goedere en dienste moet ooreenkomsdig die bepalings van hoofstuk 11 van die Wet, die regulasies daarkragtens afgekondig en ooreenkomsdig die verkrygingsbeleid van die munisipaliteit verky word.
- (9) (a) Tensy anders ooreengekom met die munisipale bestuurder, moet alle surplus goedere en materiaal na voltooiing van 'n werk, of by volvoering van die doel waaroor dit uitgereik was, of goedere wat herwin was in die loop van die uitvoering van werke of weens enige ander rede hoegenaamd bekom is, teruggestuur en onmiddellik aangeteken word in die magasyn-registers deur die aankoop- en voorsieningsafdeling.
- (b) 'n Adviesnota wat die goedere en materiaal beskryf, moet aan die aankoop- en voorsieningsafdeling deur die betrokke departement voorsien word.
- (c) Die munisipale bestuurder moet, in oorleg met die hoof van die departement, besluit oor die waarde, indien enige, waarmee die aangewese pos(te) gekrediteer moet word.
- (10) (a) Ingeval die munisipale bestuurder 'n departement magtig verleen om goedere of materiaal regstreeks aan die leveransier terug te besorg, moet die hoof van die departement toesien dat die nodige "terugbesorgingskwitansie" aan die aankoop- en voorsieningsafdeling gestuur word.
- (b) Goedere mag onder geen omstandighede aan 'n leveransier terugbesorg word indien die leveransier nie onmiddellik 'n "terugbesorgingskwitansie" uitrek nie.
- (11) Masjinerie, toerusting en ander goedere en materiaal kan met die goedkeuring van die uitvoerende burgemeester as oortollig of uitgedien verklaar word en ooreenkomsdig die bepalings van die Verkrygingsbeleid verkoop of van die hand gesit word.
- (12) Bevoegdheid van die munisipaliteit om enige goedere of materiaal te verkoop mag nie uitgeoefen word nie tensy die munisipale bestuurder aanbiedings vir die koop van sodanige goedere of materiaal aangevra en oorweeg het, op voorwaarde dat:
- (a) minstens drie skriftelike aanbiedinge ten opsigte van elke sodanige item verkry word;
 - (b) behoorlik rekord van elke sodanige transaksie gehou word;
 - (c) die munisipale bestuurder, na oorleg met die hoof van die betrokke departement, die aanbod wat die algemene belang van die raad die beste dien, aanvaar; en
 - (d) indien die hoof van die betrokke departement nie saamstem met die aanvaarding van die aanbod wat deur die munisipale bestuurder aanbeveel word nie, moet die munisipale bestuurder die redes in 'n verslag aan die uitvoerende burgemeester voorlê.
- (13) (a) Behoudens die bepalings van enige wetlike voorskryfe, moet die hoeveelheid en waarde van enige surplusse of tekorte in voorrade, asook stadig bewegende voorrade, wat tydens voorraadopname aan die lig kom, deur die munisipale bestuurder aan die uitvoerende burgemeester, tesame met 'n verduideliking van die afwykings, gerapporteer word.

- (b) Where the stock is not under the control of the municipal manager, the municipal manager may require the responsible head of a department to furnish the said reasons.
- (c) Any adjustments thereafter must be authorised by the executive mayor, except that the municipal manager may authorise adjustments in stocks and losses not involving negligence or identifiable theft, provided favourable internal audit reports are presented in all cases.

Payments

16. (1) (a) The municipal manager shall be responsible for the payment of all accounts due by the municipality and shall distribute, post or otherwise submit payments after authorisation directly to the payee.
- (b) All payments will be made before the end of the month following the date on which the invoice from the service provider has been received unless otherwise agreed.
- (2) Heads of departments shall advise the municipal manager of the names of officials empowered to sign vouchers authorising payment of accounts and furnish their specimen signatures.
- (3) Vouchers submitted to the municipal manager by any department for payment shall be in such form as may be required by the municipal manager and must state the reference to the budgetary provision to meet such payment.
- (4) A department submitting any voucher to the municipal manager for payment shall ensure that:
 - (a) the goods have been received or the services rendered;
 - (b) the prices, calculations and any taxes are correct;
 - (c) any discounts to which the municipality is entitled have been deducted;
 - (d) the account has not been paid previously;
 - (e) sufficient budgetary provision exists;
 - (f) if excess expenditure is involved, the executive mayor or council has approved such excess, in which case the resolution authorising the excess expenditure shall be quoted on the voucher;
 - (g) authority for the payment exists, in which case the authority shall be indicated on the voucher;
 - (h) fruitless and wasteful expenditure has not been incurred.
- (5) The voucher submitted to the municipal manager for payments requiring the special authority of the municipality or any political structure shall quote the authority for such payment.
- (6) All payments due by the municipality shall be made by cheque or approved electronic method drawn on the banking account of the municipality, except that in the case of purchases not exceeding the amount authorised in terms of the audit regulations relating to the auditing of accounts for local authorities, payment may be made from petty cash, should this method be more expedient.
- (7) (a) All cheques or other methods of payment approved by the municipal manager and drawn on the banking account of the municipality, shall be signed by not fewer than two persons authorised by the municipal manager to do so on behalf of the municipality in

- (b) Indien die voorraad nie onder beheer van die munisipale bestuurder staan nie, kan die munisipale bestuurder daarop aandring dat die verantwoordelike hoof van departement die nodige redes vir die afwyking voorsien.
- (c) Enige verstellings wat daarna geskied, moet deur die uitvoerende burgemeester goedgekeur word, met die uitsondering dat die munisipale bestuurder verstellings in voorrade en verliese kan goedkeur waar natigheid of identifiseerbare diefstal nie betrokke is nie en met dien verstande dat gunstige interne ouditverslae in elke geval beskikbaar gestel word.

Betalings

16. (1) (a) Die munisipale bestuurder is verantwoordelik vir die betaling van alle rekenings wat deur die raad verskuldig is en moet na goedkeuring daarvan, alle betalings regstreeks aan die begunstigte lewer, pos of op 'n ander wyse aanbied.
- (b) Alle betalings sal gedoen word voor die einde van die maand wat volg op die datum waarop die faktuur van die diensverskaffer ontvang word, tensy anders ooreengekom is.
- (2) Hoofde van departemente moet die munisipale bestuurder van die name van beampies wat gemagtig is om betalingsbewyse te onderteken, in kennis stel en van proef-handtekening voorsien.
- (3) Betalingsbewyse deur enige departement aan die munisipale bestuurder vir betaling voorgelê, moet in die vorm wees wat deur die munisipale bestuurder vereis word en moet die korrekte verwysing na die begrotingspos waaruit die betrokke betalings gedeke moet word, verstrek.
- (4) 'n Departement wat enige bewys vir betaling aan die munisipale bestuurder voorlê, moet toesien dat:
 - (a) die goedere ontvang is of die dienste gelewer is;
 - (b) die pryse, berekenings en enige belasting korrek is;
 - (c) enige kortings waarop die munisipaliteit geregtig is, afgetrek is;
 - (d) die rekening nie reeds voorheen betaal is nie;
 - (e) daar voldoende voorsiening in die begroting is;
 - (f) indien oorbesteding betrokke is, die uitvoerende burgemeester of die raad sodanige oorskryding goedgekeur het, in welke geval die besluit wat die oorbesteding magtig, op die bewysstuk verstrek moet word;
 - (g) magtig vir die betaling bestaan, in welke geval die magtig op die bewysstuk verstrek moet word;
 - (h) vrugtelose uitgawes nie aangegaan is nie.
- (5) 'n Bewysstuk wat aan die munisipale bestuurder vir betaling voorgelê word waarvoor spesiale magtiging van die munisipaliteit of enige ander politieke struktuur benodig, moet sodanige magtiging aandui.
- (6) Alle betalings wat deur die raad verskuldig is, moet per tjek of goedgekeurde elektroniese metode, teen die raad se bankrekening, gedoen word, behalwe dat in die geval van aankope wat nie die bedrag oorskry wat ingevolge die ouditregulasies oor die ouditering van rekeninge van plaaslike owerhede gemagtig word nie, betaling uit die kleinkas gedoen kan word indien hierdie metode geriefliker is.
- (7) (a) Alle tjeks of ander betaalmetodes wat deur die munisipale bestuurder goedgekeur is en teen die raad se bankrekening getrek word, moet deur nie minder nie as twee persone onderteken word wat deur die munisipale bestuurder ter nakoming van wetlike

- compliance with legal requirements, audit regulations or the council's resolutions.
- (b) The delegated authority to sign payments shall be in writing and kept on record, and be reviewed regularly by the municipal manager.
- (8) (a) The municipal manager shall have authority to make impress or other advances to heads of departments and to other officials when the municipal manager deems this necessary.
- (b) The municipal manager shall have the authority to determine the limit of any such advance from time to time, and to make rules for the management thereof.

Salaries, Wages and Allowances

17. (1) The municipal manager shall be responsible for the calculation and payment of salaries, wages and allowances.
- (2) Payment shall be made in accordance with pay sheets approved by the municipal manager to a nominated bank account of the municipal employee or councillor.
- (3) (a) The municipal manager shall be notified by the director: corporate services of all appointments, promotions, dismissals, resignations, transfers, absences for any reasons, and all matters affecting the emoluments of employees of the municipality.
- (b) The submission of such information to the municipal manager shall be in such form and at such dates and times as the municipal manager may determine from time to time.
- (4) The director: corporate services shall be responsible for the maintenance of all records essential for the accurate determination of emoluments and leave due to employees of the municipality.

Loans

18. (1) The municipal manager shall be responsible for the raising of such loans as may be required from time to time, on such terms and conditions as prescribed by law and in accordance with the loan policy of the council.
- (2) The raising of such loans shall be subject to the invitation of written quotations from financial institutions, and the invitation to submit quotations shall specify the purpose of the loan and the amount required, as well as the proposed period of repayment and other information required by legislation.
- (3) All quotations received shall be evaluated by the municipal manager, who shall submit recommendations to council and may make use of experts for this purpose.

Investments

19. (1) The municipal manager shall determine the cash flow needs of the municipality on a regular basis. Heads of departments shall supply such information with regard to capital expenditure as may be required by the municipal manager in order to determine needs.
- (2) The municipal manager shall be responsible for the investment of such of Council's funds as are required by law to be invested, or are available for investment, on such terms and conditions as may be prescribed by legislation, and the investment policy of the council. A report reflecting the municipality's investment portfolio must be submitted to the executive mayor ten days after each month end.

vereistes, auditregulasies of raadsbesluite, gemagtig is om dit namens die raad te doen.

- (b) Die gedelegeerde bevoegdhede om betalings te onderteken, moet op skrif gestel en op rekord gehou word en gereeld deur die munisipale bestuurder hersien word.
- (8) (a) Die munisipale bestuurder het die bevoegdheid om kleinkasvoorskotte of ander voorskotte aan hoofde van departemente en ander beampies toe te staan wanneer die munisipale bestuurder dit nodig ag.
- (b) Die munisipale bestuurder het die bevoegdheid om die perke van enige sodanige voorskot van tyd tot tyd vas te stel en om reëls vir die beheer daaroor neer te lê.

Salarisse, Lone en Toelaes

17. (1) Die munisipale bestuurder is verantwoordelik vir die berekening en betaling van salaris, lone en ander dienstoelaes.
- (2) Betaling moet ooreenkomsdig betaalstate wat deur die munisipale bestuurder goedgekeur is in 'n genomineerde bankrekening van die munisipale werknemer of raadslid gedoen word.
- (3) (a) Die direkteur: korporatiewe dienste moet die munisipale bestuurder in kennis stel van alle aanstellings, bevorderings, ontslagte, bedankings, oorplasings, awfesighede om enige rede, en alle aangeleenthede wat die vergoeding van werknemers van die munisipaliteit raak.
- (b) Alle sodanige inligting wat aan die munisipale bestuurder voorgelê word, moet in die vorm wees en op sodanige datums en tye voorgelê word as wat die munisipale bestuurder van tyd tot tyd mag bepaal.
- (4) Die direkteur: korporatiewe dienste is verantwoordelik vir die byhou van alle rekords wat noodsaaklik is vir die akkurate berekening van vergoeding en verlof wat aan werknemers van die raad verskuldig is.

Lenings

18. (1) Die munisipale bestuurder is verantwoordelik vir die aangaan van sodanige lenings as wat van tyd tot tyd nodig mag wees, op die bedinge en voorwaardes in wetgewing voorgeskryf en ooreenkomsdig die leningsbeleid van die raad.
- (2) Die opneem van sodanige lenings is onderworpe aan die aanvra van skriftelike kwotasies van finansiële instansies, en die uitnodiging om kwotasies voor te lê, moet die doel van die lening en die bedrag wat verlang word spesifiseer, asook die beoogde terugbetalingstydperk en ander inligting wat ingevolge wetgewing vereis word.
- (3) Alle kwotasies wat ontvang word, moet deur die munisipale bestuurder geëvalueer word, wat aanbevelings aan die raad moet voorlê en die munisipale bestuurder mag vir dié doel van die dienste van deskundiges gebruik maak.

Beleggings

19. (1) Die munisipale bestuurder moet die kontantvloeibehoeftes van die munisipaliteit op 'n gereelde grondslag bepaal. Hoofde van departemente moet sodanige inligting oor kapitaalbesteding verstrek as wat die munisipale bestuurder vereis ten einde behoeftes te bepaal.
- (2) Die munisipale bestuurder is verantwoordelik vir die belegging van sodanige gedeelte van die fondse van die raad as wat kragtens wetgewing belê moet word, of wat vir belegging beskikbaar is, op sodanige bedinge en voorwaardes as wat deur wetgewing en deur die beleggingsbeleid van die raad voorgeskryf word. 'n Verslag oor die beleggingsportefeuille van die munisipaliteit moet binne tien werksdae na elke maand einde aan die uitvoerende burgemeester voorgelê word.

- (3) Written quotations shall be invited for all investments in excess of twelve months and all submissions shall specify the investment amount tendered for, the investment instrument and the period of the investment, and any other information required by the municipal manager.
- (4) All quotations received for investments in excess of twelve months shall be evaluated by the municipal manager, who shall submit recommendations in a report to the executive mayor. The municipal manager may make use of experts for this purpose. A report reflecting all investments made during the previous quarter must be submitted to council for notification.
- (5) Full details of all investments must be recorded in a register as prescribed in council's investment policy.

Insurance

- 20. (1) The municipal manager shall be responsible for the management of insurance policies of the municipality covering such risks as the council may from time to time determine and shall ensure that suitable and adequate premiums are made to the insurer.
- (2) Heads of departments shall report to the executive mayor via the municipal manager, as required from time to time, as to the adequacy or otherwise of the insurance cover.
- (3) The municipal manager shall be responsible for reviewing and renegotiating cover through the insurance brokers appointed by the municipality as agents for that purpose.
- (4) The insurance brokers of the municipality shall be appointed by public tender on the recommendation of the municipal manager for a determined period and shall be responsible for negotiating all the municipality external short-term insurance.
- (5) Heads of departments shall be responsible for ensuring that the insurance cover in respect of those assets under their control is sufficient, having regard to the current value and replacement costs of those assets, and shall notify the municipal manager without delay of any new insurable risk or any alteration in an existing insurable risk which has arisen in connection with their respective departments.
- (6) Annually before 1 July, the municipal manager shall provide heads of departments with schedules of all insured items stating their insured value and the premium for the following year.
- (7) On the occurrence of any event giving rise or likely to give rise to a claim by or against the municipality or against its insurers, the head of a department concerned shall notify the municipal manager, with a copy to the municipal manager of that event, and the municipal manager shall as soon as possible notify the municipality insurer thereof if the risk is insured externally.
- (8) Reports and claims externally and internally shall be investigated if the municipal manager considers such action desirable, and settlement shall be effected by the municipal manager when the municipal manager is satisfied that the municipality is legally liable to pay the claim.
- (9) The municipal manager shall maintain a register in which particulars of all insurance policies held by the municipality shall be entered and he/she shall be responsible for the payment of all premiums.

Accounting

- 21. (1) The municipal manager shall determine the format, standards

- (3) Skriftelike kwotasies moet aangevra word vir alle beleggings met 'n beleggingstermy van langer as twaalf maande en alle voorleggings moet die beleggingsbedrag waarvoor daar getender word; die beleggingsinstrument; die beleggingstermy; en enige ander inligting wat deur die munisipale bestuurder verlang word, spesifiseer.
- (4) Alle kwotasies wat ontvang word vir beleggings met 'n beleggingstermy van meer as twaalf maande moet deur die munisipale bestuurder evalueer word en aanbevelings aan die uitvoerende burgemeester, voorlê. Die munisipale bestuurder kan vir dié doel van die dienste van deskundiges gebruik maak. 'n Verslag waarin alle beleggings wat gedurende die voorafgaande kwartaal gemaak is moet aan die raad vir kennissename voorgelê word.
- (5) Volledig besonderhede van alle beleggings moet in 'n register soos voorgeskryf in die beleggingsbeleid van die raad aangeteken word.

Versekeringsbeleid

- 20. (1) Die munisipale bestuurder is verantwoordelik vir die bestuur van die versekeringsportefeuille van die raad, wat sodanige risiko's dek as wat die raad van tyd tot tyd mag bepaal, en moet toesien dat paslike en toereikende premiebydraes aan die versekeraar gemaak word.
- (2) Hoofde van departemente moet soos van tyd tot tyd deur bemiddeling van die munisipale bestuurder, aan die uitvoerende burgemeester rapporteer oor die toereikendheid al dan nie van bestaande versekeringsdekking.
- (3) Die munisipale bestuurder is verantwoordelik vir die her-siening en heronderhandeling van dekking deur die ver-sekeringsmakelaars wat deur die raad as agente vir dié doel aangestel is.
- (4) Die raad se versekeringsmakelaars moet deur openbare tender na aanbeveling deur die munisipale bestuurder, vir 'n vasgestelde tydperk aangestel word en is vir die onder-handeling van die raad se eksterne korttermynversekering verantwoordelik.
- (5) Hoofde van departemente is verantwoordelik om deurlopend te kontroleer of die versekeringsdekking ten opsigte van die bates onder hulle beheer toereikend is, met inagneming van die heersende waarde en vervangingskoste van daardie bates, en moet die munisipale bestuurder onverwyld in kennis stel van enige nuwe versekerbare risiko of enige wysiging in enige bestaande versekerbare risiko wat in hulle onderskeie departemente ontstaan het.
- (6) Die munisipale bestuurder moet hoofde van departemente jaarliks voor 1 Julie van skedules van alle versekerde items, waarin hul versekerde waarde en die premie vir die volgende jaar verstrek word, voorsien.
- (7) Indien enige gebeurtenis plaasvind wat tot 'n eis deur of teen die raad of teen sy versekeraar aanleiding gee, of waarskynlik aanleiding sal gee, moet die hoof van die betrokke departemente die munisipale bestuurder, met 'n afskrif aan die munisipale bestuurder, daarvan in kennis stel en die munisipale bestuurder moet die versekeraars van die raad so gou doenlik daarvan verwittig indien die risiko ekstern verseker is.
- (8) Eksterne en interne verslae en eise moet ondersoek word indien die munisipale bestuurder dit wenslik ag, en vereffening moet deur die munisipale bestuurder gedoen word indien die munisipale bestuurder oortuig is dat die raad regtens vir die betaling van die eis aanspreeklik is.
- (9) Die munisipale bestuurder moet 'n register byhou waarin besonderhede van alle versekeringspolisies wat deur die raad gehou word, aangeteken moet word, en hy/sy is verantwoordelik vir die betaling van alle premies.

Boekhouding

- 21. (1) Die munisipale bestuurder moet die formaat, standarde en

<p>and systems applicable to the financial accounting procedures, and shall in doing so take cognisance of generally accepted municipal accounting practices (GAMAP), guidelines issued by the department of finance, the auditor-general and the Institute of Municipal Financial Officers.</p> <p>(2) The municipal manager shall ensure that proper accounting records and registers are opened and maintained in compliance with subsection (1), and the municipal manager shall prescribe the requirements for access to electronic accounting systems and shall maintain the necessary security and password systems for this purpose.</p> <p>(3) The municipal manager shall prepare and submit the required information for the preparation of the financial statements in the format determined in subsection (1), and any supporting detail as required from time to time by the auditor-general.</p> <p>(4) The annual financial statements shall be submitted to council by the executive mayor where after abridged financial statements may be published in the local newspapers.</p> <p>(5) The auditor-general's reports on the financial statements and performance auditing shall be submitted to the council as prescribed by legislation.</p> <p>(6) No revenue collection, accounting, costing or other financial systems shall be introduced in any department and no alteration shall be made to any existing system without the prior approval of the municipal manager.</p> <p>(7) All internal charge-out rates are to be continuously reviewed by the municipal manager in consultation with heads of departments.</p> <p>(8) No statement, provision or obligation contained in any of these clauses shall in any way detract from the responsibility of each head of a department to maintain any costing and accounting system controlled by a head of a department in such a manner that at all times the accounting records and registers reflect the complete financial position of the function concerned as accurately as possible.</p>	<p>stelsels bepaal wat op die finansiële boekhouprosedures van toepassing is, en moet in die proses kennis neem van die algemeen aanvaarde munisipale rekenkundige praktyke wat deur die Departement van Finansies, Ouditeur-generaal en Instituut van Munisipale Finansiële Beampies uitgereik word.</p> <p>(2) Die munisipale bestuurder moet ter nakoming van die bepaling van subartikel (1), toesien dat behoorlike boekhoukundige opgawes en registers geskep en bygehou word en die vereistes vir toegang tot elektroniese boekhoustelsels moet deur die munisipale bestuurder voorgeskryf word en moet die nodige sekuriteit- en wagwoordstelsels wat hy vir dié doel geskep het, in stand hou.</p> <p>(3) Die munisipale bestuurder moet die vereiste inligting vir die opstel van die finansiële state insamel en voorlê in die formaat wat in subartikel (1) bepaal is, asook enige ondersteunende besonderhede wat van tyd tot tyd deur die Ouditeur-generaal vereis mag word.</p> <p>(4) Die jaarlikse finansiële state moet deur die uitvoerende burgemeester, aan die raad voorgelê word, waarna 'n verkorte weergawe van die finansiële state in die plaaslike koerante publiseer kan word.</p> <p>(5) Die Ouditeur-generaal se verslae oor die finansiële state en prestasie-ouditering moet aan die raad, soos in wetgewing voorgeskryf, voorgelê word.</p> <p>(6) Geen inkomste-invordering, boekhouding, kosteberekening of ander finansiële stelsels mag in enige departement ingestel word en geen wysiging aan enige bestaande stelsel mag aangebring word, voordat die goedkeuring van die munisipale bestuurder eers verkry is nie.</p> <p>(7) Alle interne uitbestedingstariewe moet op 'n deurlopende grondslag deur die munisipale bestuurder, in oorleg met die hoofde van departemente, hersien word.</p> <p>(8) Geen verklaring, bepaling of verpligting wat in enige van hierdie artikels vervat is, doen op enige wyse afbreuk aan die verantwoordelikheid van elke hoof van 'n departement om enige kosteberekenings- en boekhoustelsel wat onder sy/haar beheer is, op so 'n wyse in stand te hou dat die rekenkundige stelsel en registers die volledige finansiële posisie van die betrokke funksie te alle tye so akkuraat as moontlik weerspieël.</p>
<p>Audit Committee</p> <p>22. (1) The municipal manager shall invite applications/nominations from the public for appointment to the audit committee by notice in the local press. The most suitable candidates shall be appointed and the same procedure shall be followed when members retire or vacancies occur for whatever reason.</p> <p>(2) The audit committee appointed by the council shall be responsible for functions as prescribed in section 166(2) of the Act and specifically for co-ordinating the functions of the external and internal audit activities to ensure maximisation of all audit resources, and shall have unrestricted access to all municipal records, documents and information.</p> <p>(3) Regarding external audit matters, the audit committee shall—</p> <ul style="list-style-type: none"> (a) be available to consult in the appointment of external auditors and the audit fee as decided by the auditor-general; (b) assess the planning, scope and audit approach for doing the audit; (c) review all audit management letters and responses submitted by management; and (d) review the report of the auditor-general on the financial statements, the response of the municipal manager and any other reports issued by the auditor-general. 	<p>Ouditkomitee</p> <p>22. (1) Die munisipale bestuurder moet deur middel van 'n kennisgewing in die plaaslike pers, aansoeke/nominasies van die publiek vir die aanstelling van 'n ouditkomitee aanvra en die mees geskikte kandidate moet deur die raad aangestel word, en dieselfde procedures moet gevolg word om vakatures te vul wanneer lede afgree of vakatures, om watter rede ook al, ontstaan.</p> <p>(2) Die ouditkomitee is verantwoordelik vir alle funksies soos beskryw in artikel 66(2) van die Wet maar spesifiek vir die koördinering van die funksies van die eksterne en interne ouditaktiwiteite ten einde maksimalisering van alle ouditbronre te verseker en het onbeperkte toegang tot alle raadsreksords, dokumente en inligting.</p> <p>(3) Wat eksterne ouditaangeleenthede betref, moet die ouditkomitee:</p> <ul style="list-style-type: none"> (a) beskikbaar wees vir oorlegpleging oor die aanstelling van eksterne ouditeurs en die bepaling van ouditgelde, soos deur die Ouditeur-generaal besluit; (b) toegang hê tot die beplanning, omvang en ouditbenadering om die oudit uit te voer; (c) alle ouditbestuursbrieue en antwoorde wat deur bestuur voorgelê word, nagaan; en (d) die verslag van die ouditeur-generaal oor die finansiële state, die reaksie van die munisipale bestuurder en enige ander verslae wat deur die Ouditeur-generaal uitgereik is, nagaan.

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| <p>(4) Regarding internal audit matters, the audit committee shall—</p> <ul style="list-style-type: none"> (a) ensure that an annual internal audit plan is prepared; (b) maintain the independence of the audit function; (c) consider the major findings of internal audit investigations and evaluate and monitor the response of management's response thereto as well as weaknesses in internal controls; and (d) ensure that quarterly reports are received from the municipal manager. <p>(5) The audit committee shall review financial control measures, the accounting system and reporting standards, and consider proposals for improving the efficiency, effectiveness and economy of all operations of the municipality on an ongoing basis.</p> <p>(6) In addition to approving the internal audit plan, the audit committee is authorised to request the audit services division to investigate any other matter, which, in its opinion, require attention.</p> <p>(7) The audit committee shall annually submit reports to council on its activities during the year.</p> <p>(8) If at any time, in the opinion of the audit committee, a matter must be brought to the notice of the council, a report in this regard must be submitted to the municipal manager with the request that it be submitted to the council.</p> <p>(9) The municipal manager and the municipal manager are <i>ex officio</i> members of the audit committee.</p> | <p>(4) Wat interne ouditsake betref, moet die auditkomitee:</p> <ul style="list-style-type: none"> (a) sorg dra dat 'n interne auditplan jaarliks opgestel word; (b) die onafhanklikheid van die auditfunksie handhaaf; (c) die belangrikste bevindinge van interne auditondersoek oorweeg en bestuur se reaksie daarop, asook swakhede in interne kontrolemaatreëls vermeld en evalueer; (d) toesien dat kwartaallikse verslae van die munisipale bestuurder ontvang word. <p>(5) Die auditkomitee moet op 'n deurlopende grondslag finansiële kontrolemaatreëls, asook die boekhoustelsel en verslagdoeningstandarde hersien en voorstelle vir die verbetering van die doeltreffendheid en ekonomiese van al die bedrywigkhede van die munisipaliteit, oorweeg.</p> <p>(6) Bykomstig tot die goedkeuring van die interne auditplan, is die auditkomitee ook by magte om die ouditdienste-afdeling te versoek om enige ander aangeleenthede wat na sy mening aandag vereis, te ondersoek.</p> <p>(7) Die auditkomitee moet die raad jaarliks van 'n verslag oor sy bedrywigkhede gedurende die jaar voorsien.</p> <p>(8) Indien 'n aangeleentheid na mening van die auditkomitee op enige stadium onder die raad se aandag gebring moet word, moet 'n verslag in dié verband aan die munisipale bestuurder voorgelê word, met die versoek dat dit aan die raad voorgelê word.</p> <p>(9) Die munisipale bestuurder en munisipale bestuurder is ampshalwe lede van die auditkomitee.</p> |
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Internal Audit

23. (1) The audit services division of the municipality shall execute the annual internal audit plan approved by the audit committee and shall, in addition, perform such duties and conduct such investigations as may be required by law, or by the council, or the committee of the executive mayor; the municipal manager or the audit committee and shall, on an ongoing basis, review the internal control systems and report on proposed changes as they are required.
- (2) In performing such duties or conducting such investigations, the staff of the audit services division shall be given access to any departmental records required for the purpose of the audit and the head of a department and every official thereof shall upon request by the manager: audit services supply such information as may be required.
- (3) The manager: audit services shall report to the municipal manager on the results of all investigations, and unless obliged by law, or by resolution of the council or any standing committee thereof, the municipal manager shall when considered necessary submit such reports to the audit committee and/or the executive mayor.
- (4) The manager: audit services shall submit a quarterly report via the municipal manager to the audit committee on the activities of the audit services division.

Assets

24. (1) The responsibility for adequately maintaining and securing any fixed asset under the control of a department shall vest in the head of the department concerned and must be executed in terms of the Council's asset management policy.
- (2) The head of a department, in consultation with the municipal manager, shall maintain an adequate asset management system (asset register) to account for all fixed assets under the control of a department.

Interne Oudit

23. (1) Die ouditdienste-afdeling van die munisipaliteit moet die jaarlikse interne auditplan wat deur die auditkomitee goedgekeur is, uitvoer en moet daarbenewens sodanige pligte verrig en sodanige ondersoek uitvoer as wat deur die wet, die raad, die uitvoerende burgemeester; die munisipale bestuurder of die auditkomitee vereis mag word en moet op 'n deurlopende grondslag die interne kontrolestelsels hersien en verslag doen oor enige veranderings wat vereis word.
- (2) Tydens die verrigting van gemelde pligte of die uitvoer van sodanige ondersoek, moet aan die personeel van die ouditdienste-afdeling toegang verleen word tot enige departementeelre rekords wat vir die doeleindes van die audit vereis word en die hoofde van departemente en elke departementeel beampete moet op versoek van die hoof ouditdienste die inligting wat vereis mag word, verskaf.
- (3) Die hoof ouditdienste moet aan die munisipale bestuurder verslag doen oor die bevindings van alle ondersoek en tensy verplig deur die wet, of by besluit van die raad of enige staande komitee daarvan moet die munisipale bestuurder sodanige verslag aan die auditkomitee en/of die uitvoerende burgemeester voorlê wanneer hy/sy dit nodig ag.
- (4) Die hoof ouditdienste moet 'n kwartaallikse verslag oor die aktiwiteite van die ouditdienste-afdeling deur bemiddeling van die munisipale bestuurder aan die auditkomitee voorlê.

Bates

24. (1) Die verantwoordelikheid vir die behoorlike instandhouding en beveiliging van enige vaste bates onder die beheer van 'n departement berus by die betrokke hoof van departement en moet in terme van die batebestuursbeleid van die raad uitgeoefen word.
- (2) Die hoofde van departemente, in oorleg met die munisipale bestuurder, moet 'n geskikte batebestuurstelsel (bateregister) in stand hou ten einde verantwoording te kan doen van alle vaste bates onder die beheer van 'n departement.

- (3) Overall accounting control of all fixed assets shall be exercised by the Municipal manager who will determine the appropriate records, charges for the use of such assets and other incidental matters in consultation with the head of a department concerned.
- (4) In accordance with the relevant legislative provisions each head of a department shall be responsible for an annual inventory of furniture, equipment and other movable property with a life expectancy of more than one year under departmental control showing quantities and values.

Alienation of Immovable Property (Land)

- 25.** The alienation by sale or lease of immovable property, land availability agreements and the establishment of selling prices and rentals shall be in compliance with any directives issued in terms of applicable legislation and the council's by-laws.

Information Systems

- 26.** (1) The centralised corporate information system allocated to the municipal manager shall be maintained in such a way as to ensure the integrity and security of the systems and data.
- (2) The municipal manager shall take all reasonable measures to ensure adequate backup of programmes and data for recovery purposes.
- (3) All program changes shall be recorded for audit purposes and be authorised by the municipal manager or his/her delegated representatives.
- (4) A suitable disaster recovery plan shall be prepared and maintained by the municipal manager to cover all relevant aspects to maintain business continuity in the event of a disaster, and the plan shall be approved by council and be subject to an annual review as part of the overall IDP.
- (5) (a) Heads of departments shall ensure that all reasonable steps are taken to prevent hardware and software from being infected by viruses.
 - (b) All work stations shall be supplied with the recommended software to assist in providing the necessary protection.
 - (c) This software must be active when the hardware is in operation.
- (6) Information systems of any nature which generate financial results used to cost or estimate expenditure for recovery from third parties or which quantify levies, tariffs and other fees and charges must be certified by Internal audit. Internal audit must ensure that random certification is undertaken on amendments to the systems.

GENERAL PROVISIONS

Conflict of Law

- 27.** When interpreting a provision of these by-laws, any reasonable interpretation, which is consistent with the Act must be preferred over any alternative interpretation which is inconsistent with that purpose.

A Repeal of Existing Municipal Financial By-laws

- 28.** The provisions of any existing by-law relating to finances of the municipality are hereby repealed.

Application of By-laws

- 29.** These by-laws apply to:

- (3) Oorhoofse rekeningkundige beheer oor alle vaste bates moet deur die munisipale bestuurder uitgeoefen word, wat die toepaslike rekords, tariewe vir die gebruik van sodanige bates en ander bykomstige aangeleenthede in oorleg met die betrokke hoofde van departemente, moet bepaal.
- (4) Die hoof van 'n departement is, ooreenkomsdig toepaslike wetlike bepalings verantwoordelik vir die jaarlikse opname wat hoeveelhede en waarde toon, van meubels, toerusting en ander roerende eiendom met 'n lewensverwagting van meer as een jaar wat onder die betrokke departement se beheer val.

Vervreemding van Onroerende Eiendom

- 25.** Die vervreemding van onroerende eiendom deur verkooptransaksies of verhuring van onroerende eiendom, grondbeskikbaarheidsooreenkoms en die vasstelling van verkoopspryse en huurgeld moet aan al die bepalings vervaat in toepaslike wetgewing, en die raad se verordeninge, voldoen.

Inligtingstelsels

- 26.** (1) Die gesentraliseerde korporatiewe inligtingstelsels wat aan die munisipale bestuurder toegewys is, moet op so 'n wyse in stand gehou word dat dit die integriteit en sekuriteit van die stelsels en data sal verseker.
- (2) Die munisipale bestuurder moet alle redelike maatreëls tref om te verseker dat daar voldoende rugsteuning van programme en data vir herwinningsoeleindes is.
- (3) Alle programveranderings moet vir ouditdoeleindes aangeteken word en moet deur die munisipale bestuurder of sy/haar gedelegeerde verteenwoordigers gemagtig word.
- (4) Die munisipale bestuurder moet 'n geskikte noodherwinningsplan opstel en in stand hou om alle tersaaklike aspekte te dek en om te verseker dat sake normaalweg voortgaan in geval van 'n ramp, en die plan moet deur die raad goedgekeur wees en moet as deel van die algemene GOP jaarliks hersien word.
- (5) (a) Hoofde van departemente moet toesien dat alle redelike stappe geneem word om te verhoed dat hardeware en sagteware deur virusse besmet word.
 - (b) Alle werkstasies moet van die aanbevole sagteware voorsien word om hulp te verleen met voorsiening van die nodige beskerming.
 - (c) Hierdie sagteware moet geaktiveer wees wanneer die hardeware bedryf word.
- (6) Inligtingstelsels van enige aard wat finansiële resultate genereer wat gebruik word om die koste of beraamde uitgawes met die oog op verhaling van derde partye te bepaal of te beraam, of wat heffings, tariewe en ander gelde en koste kwantifiseer, moet deur Interne oudidienste-afdeling gesertifiseer word, en interne audit moet toesien dat steekprofsertifisering gedoen word van wysigings aan die stelsels.

REGSBEPALINGS

Botsende Wetgewing

- 27.** By die interpretasie van 'n bepaling in hierdie verordeninge, moet enige redelike interpretasie wat bestaanbaar is met die oogmerke van die Wet of enige ander wetgewing wat daardie bepalings vervang, voorkeur geniet bo enige alternatiewe interpretasie wat nie met daardie bepalings bestaanbaar is nie.

Herroeping van Bestaande Munisipale Finansiële Verordenings

- 28.** Die bepalings van enige bestaande verordeninge wat verband hou met die finansies van die munisipaliteit, word hierby herroep.

Toepassing van hierdie Verordening

- 29.** Hierdie verordening is van toepassing op:

- the municipality, political structures, political office-bearers and municipal officials of the municipality.

Short Title

30. These By-laws are called the *Financial By-laws: Swartland Municipality*.

3 March 2006

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- die munisipaliteit, politieke strukture, politieke ampsbekleers en munisipale amptenare en agente van die munisipaliteit.

Kort Titel

30. Hierdie verordening staan bekend as die *Finansiële Verordeninge: Munisipaliteit Swartland*.

3 Maart 2006

33022

MOSSEL BAY MUNICIPALITY

BY-LAW RELATING TO TARIFFS

Whereas Section 75(1) of the Local Government: Municipal Systems Act, Act 32 of 2000, requires a municipal council to adopt a by-law to give effect to the implementation and enforcement of its tariff policy.

Now therefore the Municipal Council of Mossel Bay Municipality approves and adopts the following tariff by-law.

1. Definitions

For the purpose of these by-laws any word or expression to which a meaning has been assigned in the Act shall bear the same meaning in these by-laws and unless the context indicates otherwise—

“customer/user” means any person to whom a service is rendered or available by the Municipality;

“municipal area” means the area in respect of which the Municipality has executive and legislative authority as determined by the Constitution and national legislation and the area as demarcated by the Demarcation Act 1998 (Act 27 of 1998);

“municipal council” means the council of the Mossel Bay Municipality;

“municipality” means the Municipality of Mossel bay

“occupier” means the person who controls and resides on, or who controls and otherwise uses immovable property or a portion thereof; provided that—

- the husband or wife of the owner of immovable property which is at any time used by such owner and husband or wife as a dwelling, shall be deemed to be the occupier thereof;
- where husband and wife both reside on immovable property and one of them is an occupier thereof, the other shall also be deemed to be an occupier thereof, and
- a person who—
 - resides in or occupies a room or rooms in a boarding house, lodging house, home for elderly people (other than a person, and the husband or wife of such person, who, by paying a capital amount, has acquired and exercises a lifelong right to so reside in or occupy a room or rooms in a home for elderly people), hostel, hotel, motel, botel, club mess, barracks, nurses home or other place of a like nature;
 - resides in or occupies a separate room or rooms on immovable property occupied by any relative of such person;
 - as a boarder or lodger, resides in or occupies a room or rooms on immovable property owned or occupied by any other person, or
 - occupies an area of land or building or portion of a building solely for the purpose of parking, leaving or storing any vehicle or craft thereon or therein;

MOSSELBAAI MUNISIPALITEIT

TARIEFBELEIDVERORDENING

Nademaal Artikel 75(1) van die Wet op Plaaslike Regering: Munisipale Stelselwet, Wet 32 van 2000, bepaal dat 'n munisipale raad 'n verordening moet aanneem om uitvoering te gee aan die implementering en toepassing van sy tariefbeleid.

Derhalwe neem die Munisipale Raad van die Munisipaliteit Mosselbaai die volgende aan as die verordening insake die vassetting van tariewe.

1. Woordbepaling

Vir doeleindes van hierdie verordening het enige woord of uitdrukking waaraan 'n bepaalde betekenis geheg is in die Wet, dieselfde betekenis, tensy uit die samehang anders blyk, en beteken—

“arm huishoudings” beteken daardie huishoudings in die munisipale area wat dit nie kan bekostig om die volle tarief of 'n deel daarvan vir munisipale dienste kan betaal nie;

“die Wet” beteken die Munisipale Stelsels Wet, 2000 (Artikel 32 van 2000);

“eienaar”

- die persoon in wie titel van die perseel regtens gevestig is;
- in die geval waar die persoon in wie die titel van die perseel regtens gevestig is, insolvent of oorlede is, of aan enige vorm van wetlike diskwalifikasie onderworpe is, dié persoon in wie die administrasie of beheer van so 'n perseel as kurator, trustee, eksekuteur, administrateur, geregteklike bestuurder, likwidateur of enige ander wetlike verteenwoordiger, gevestig is;
- 'n enige geval waar die Munisipaliteit nie in staat is om die identiteit van sodanige persoon te bepaal nie, iemand wat geregtig is om voordeel uit sodanige perseel of enige gebou daarop, te trek;
- in die geval van 'n perseel waarvoor 'n huurooreenkoms van 30 jaar of langer aangegaan is, die huurder daarvan;
- met betrekking tot—
 - 'n gedeelte grond afgebaken op 'n deeltitelplan en wat geregistreer is ingevolge die Wet op Deeltitels, 1986 (Wet 95 van 1986), en sonder om die voorafgaande bepalings te beperk, die ontwikkelaar of besturingsliggaam ten opsigte van die gemeenskaplike eiendom, of
 - 'n gedeelte soos gedefinieer in daardie Wet, die persoon in wie se naam daardie gedeelte geregistreer is ingevolge 'n deeltitelakte, insluitende die wettige aangestelde verteenwoordiger van sodanige persoon;
- enige regpersoon insluitende, maar nie beperk nie tot:
 - 'n maatskappy geregistreer ingevolge die Wet op Maatskappye, 1973 (Wet 61 van 1973), 'n trust *inter vivos*, trust *mortis causa*, 'n beslote korporasie geregistreer ingevolge die Wet op Beslote Korporasies, 1984 (Wet 69 of 1984), en 'n Vrywillige Vereniging;

shall be deemed not to be an occupier of the immovable property concerned.

“owner” means—

- (a) the person in whom the legal title to the premises is vested;
- (b) in a case where the person in whom the legal title is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration of and control of such premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
- (c) in any case where the Municipality is unable to determine the identity of such person, a person who is entitled to the benefit of such premises or a building thereon;
- (d) in the case of premises for which a lease of 30 years or more has been entered into, the lessee thereof;
- (e) in relation to—
 - (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act 1986, (Act 95 of 1986), and without restricting the above provisions, the developer or the body corporate in respect of the common property; or
 - (ii) a section as defined in such Act, the person in whose name such section is registered under a sectional title deed, including the lawfully appointed representative of such person;
- (f) any legal person including but not limited to:
 - (i) a company registered in terms of the Companies Act, 1973 (Act 61 of 1973), Trust *inter vivos*, Trust *mortis causa*, a closed corporation registered in terms of the Closed Corporations Act, 1984 (Act 69 of 1984), and a Voluntary Association.
 - (ii) any government department
 - (iii) any council or board established in terms of any legislation applicable to the Republic of South Africa.
 - (iv) any Embassy or other foreign entity.
- (g) owned by a council and which has been disposed of, but which has not been transferred to the person to whom it has been disposed of, from the date of the disposition concerned, such person; and
- (h) owned by or under the control or management of a council while held under a lease or any express or tacit extension thereof or under any other contract or under a servitude or right analogous thereto, the person so holding the immovable property.

“poor households” means those households in the municipal area that cannot afford to pay either the entire tariff charge for municipal services, or part of it;

“Tariff Policy” means the policy the Council accepted relating to tariffs;

“the Act” means the Municipal Systems Act, 2000 (Act 32 of 2000).

2. General principles

- (1) The objective of this Tariff Policy is to ensure the following:
 - (a) Tariffs must conform to acceptable policy principles;
 - (b) Municipal services must be sustainable;

- (ii) enige staatsdepartement;
- (iii) enige raad of bestuursliggaam ingevolge enige wetgewing van toepassing in die Republiek van Suid-Afrika, ingestel; en
- (iv) enige ambassade of ander buitelandse entiteit.
- (g) wat aan ’n raad behoort en waaroor daar beskik is, maar wat nie aan die persoon aan wie dit beskik is oorgedra is nie, sodanige persoon vanaf die datum van die betrokke beskikking; en
- (h) wat behoort aan of wat onder die beheer of bestuur van ’n raad is terwyl dit onder ’n huurkontrak of enige uitdruklike of stilswyende uitbreiding daarvan, of onder enige ander kontrak of onder ’n serwituit of analoë reg besit word, die persoon wat die onroerende eiendom aldus besit.

“kliënt/gebruiker” beteken enige persoon aan wie ’n diens gelewer word of beskikbaar is by die Munisipaliteit;

“munisipale area” beteken die area waaroor die Munisipaliteit uitvoerende en wetlike gesag het, soos bepaal deur die Konstitusionele en nasionale wetgewing, en die area soos afgebaken deur die Afbakeningswet 1998 (Wet 27 van 1998);

“munisipale raad” beteken die Raad van die Munisipaliteit van Mosselbaai;

“munisipaliteit” beteken die Munisipaliteit van Mosselbaai;

“okkuperde” beteken ’n persoon wie beheer uitoefen en woon op, of wie beheer en andersins onroerende eiendom of gedeelte daarvan gebruik, mits—

- (a) die man of vrou of die eienaar van onroerende eiendom wat op enige tyd gebruik word deur so ’n eienaar en die man of vrou as ’n woning, sal geag word as die okkuperde daarvan;
- (b) waar beide die man en vrou op die onroerende eiendom woon en een van hulle is ’n okkuperde daarvan, sal die ander ook geag word as ’n okkuperde daarvan, en
- (c) ’n Persoon wie—

(i) woonagtig is in of okkupasie van ’n kamer of kamers in ’n losieshuis, ouetehuis (anders as ’n persoon, en die man of vrou van so ’n persoon, wie, ter betaling van ’n kapitale bedrag, ’n lewenslange reg aangekoop en uitgevoer het om te woon in of okkupasie van ’n kamer of kamers in ’n huis vir ouer mense), hostel, hotel, motel, hotel, klub, verpleegsterstehuis of enige ander soortgelyke plek;

(ii) woonagtig is in of okkupasie van ’n aparte kamer of kamers op onroerende eiendom het deur enige familielid van so ’n persoon;

(iii) as ’n loseerde woonagtig is in of okkuper ’n kamer of kamers op onroerende eiendom besit deur of okkuper deur enige ander persoon, of

(iv) okkuper ’n area van ’n stuk land of geboue of ’n deel van ’n gebou slegs vir die gebruik van parkering, agterlaat of stoer van enige voertuig of tuig daarop of daarin;

sal nie geag word as ’n okkuperde van die onroerende eiendom betrokke nie.

“Tariefbeleid” beteken die beleid wat die Raad aanvaar het insake tariewe.

2. Algemene beginsels

- (1) Die doel van die Tariefbeleid is om die volgende te verseker:
 - (a) tariewe moet aan die vereistes van aanvaarbare beleidbeginsels voldoen;
 - (b) munisipale dienste moet volhoubaar wees;

<ul style="list-style-type: none"> (c) Tariffs must comply with the applicable legislation; and (d) Tariffs should take poor people and limited consumption into consideration <p>(2) The Council has the overall responsibility of laying down the Tariff Policy.</p> <p>(3) In terms of section 74(2) of the Act, the Mossel Bay Municipality Tariff Policy reflects the following principles:</p> <ul style="list-style-type: none"> (a) Users of municipal services are treated equitably in the application of tariffs; (b) The amount individual users pay for services are generally in proportion to their use (c) Poor households have access to at least basic services through: <ul style="list-style-type: none"> (i) special or life line tariffs for low levels of use or consumption; (ii) any other direct or indirect method of subsidizing of tariffs for poor households; (iii) tariffs reflect the costs reasonably associated with rendering the service; (d) Tariffs are set at levels that facilitate the financial sustainability of the service (e) Provision is made in appropriate circumstances for a surcharge or a rebate on the tariff for a service; (f) Provision is made for the promotion of local economic development; (g) The economical, efficient and effective use of resources, the recycling of waste and other appropriate environmental objectives are encouraged; (h) The extent of subsidisation of tariffs for poor households and other categories of users are fully disclosed; and (i) That tariffs, rates and the employment of resources, in general, take into account the Council's IDP principles and goals. <p>(4) The Municipality must have access to adequate sources of revenue to enable it to carry out its functions. The Municipality must:</p> <ul style="list-style-type: none"> (a) Fully exploit the available sources of revenue to meet its development objectives; and (b) Be reasonably certain of its revenue to allow for realistic planning. <p>(5) Financial sustainability requires a budget that balances. This means that the Municipality must ensure that services are provided at affordable levels and it is able to recover the costs of service delivery.</p> <p>(6) Resources are scarce and must be used in the best possible way to reap the maximum benefit for the community.</p> <p>(7) The Municipality must be accountable to the community for the use of its resources. Councillors must be able to:</p> <ul style="list-style-type: none"> (a) Justify their expenditure decisions; and (b) Explain why and how the revenue necessary to sustain expenditure, is raised. Budgeting and the financial affairs must be open to public scrutiny. 	<ul style="list-style-type: none"> (c) tariewe moet voldoen aan toepaslike wetgewing; en (d) tariewe moet arm mense en beperkte gebruik in gedagte hou. <p>(2) Die Munisipaliteit se Raad het die verantwoordelikheid om die Tariefbeleid in werking te stel.</p> <p>(3) In terme van artikel 74(2) van die Wet, moet die Mosselbaai Munisipaliteit se Tariefbeleid die volgende beginsels weerspieël:</p> <ul style="list-style-type: none"> (a) Gebruikers van munisipale dienste moet regverdig behandel word ten opsigte van die toepassing van tariewe; (b) Die bedrag wat individuele gebruikers betaal vir dienste is gewoonlik inlyn met hul verbruik van die diens; (c) Arm huishoudings moet toegang hê tot die mees basiese dienste, in terme van: <ul style="list-style-type: none"> (i) spesiale of lewensnoodsaaklike tariewe vir laer vlakke van gebruik van dienste of vir basiese vlakke van dienste; (ii) enige ander direkte of indirekte metode van subsidiëring van tariewe vir arm huishoudings; (iii) tariewe moet die betrokke diensleweringkoste redelik weergee. (d) Tariewe word ingestel op vlakke wat die finansiële volhoubaarheid van die diens ondersteun; (e) Voorsiening word gemaak 'n korting op die tarief vir 'n diens; (f) Voorsiening word gemaak vir die bevordering van plaaslike ekonomiese ontwikkeling; (g) Die ekonomiese, doeltreffende en effektiewe gebruik van bronse, die herwinning van verspillings en ander toepaslike omgewingsdoelwitte word aangemoedig; en (h) Die mate van subsidiëring van tariewe vir arm huishoudings en ander kategorieë van gebruikers is ten volle openbaar. (i) Dat tariewe, heffings en die werking van bronse, in die algemeen, die Raad se GOP beginsels in ag neem. <p>(4) Die Munisipaliteit moet toegang hê tot gesikte bronse van inkomste om hul in staat te stel om hul funksies uit te voer. Die Munisipaliteit moet:</p> <ul style="list-style-type: none"> (a) alle beskikbare bronse van inkomste ten volle gebruik om sy ontwikkelingsdoelwitte te bereik; en (b) redelike sekerheid hê oor sy inkomste om vir realistiese beplanning te voorsien. <p>(5) Finansiële volhoubaarheid vereis 'n begroting wat balanseer. Dit beteken dat die Munisipaliteit moet verseker dat dienste voorsien word teen bekostigbare vlakke en dit moontlik is om die koste van die dienslewering te herwin.</p> <p>(6) Hulpbronne is skaars en moet gebruik word op die beste moontlike manier om die maksimum voordeel te verkry vir die gemeenskap.</p> <p>(7) Die Munisipaliteit moet verantwoording doen teenoor die gemeenskap vir die gebruik van die hulpbronne. Raadslede moet:</p> <ul style="list-style-type: none"> (a) uitgawe besluite regverdig; en (b) verduidelik hoe en hoekom inkomste benodig word om uitgawes te dra en hoe dit ingesamel sal word. Begrotings en finansiële sake moet toeganklik wees vir publieke insae.
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<p>(8) Members of the community must be treated fair and just with regard to the provision of services.</p> <p>3. Determination of tariffs</p> <p>(1) The Council may in terms of its tariff policy by resolution supported by the majority of the members of the Council:</p> <ul style="list-style-type: none"> (a) levy and recover levies, fees, taxes and tariffs in respect of any function or service of the Municipality; and (b) levy interest or a surcharge on late payments of accounts as prescribed in the Council's credits control by-law. <p>(2) In determining levies, fees and tariffs (hereinafter referred to as tariffs) in terms of this by-law the Council may:</p> <ul style="list-style-type: none"> (a) differentiate between different categories of consumers or property on such grounds as it may deem reasonable as long as the differentiation does not amount to unfair discrimination; and (b) recover any tariffs so determined or amended, including interest on any outstanding amount. <p>4. Pricing strategy</p> <p>(1) The strategy must be to recover the full financial cost of rendering the services required by and delivered to the community from the community.</p> <p>(2) Management costs, capital costs, maintenance costs, consumption and usage and the cost of immeasurable services must be considered in the pricing strategy in order to accurately determine and recover the cost pertaining to a service.</p> <p>5. Categories of tariff charges</p> <p>(1) The majority of these are utility charges, such as electricity and water, which have contributed significantly to the growth of revenue of municipalities. Cost recovery is an essential part of sustainable service delivery.</p> <p>(2) Where the Municipality may be required to impose and collect levies for other authorities and bodies, the Municipality acts as an agent for such an authority or body and may recover its cost by means of commissions or administration fees.</p> <p>6. Legislation</p> <p>The Municipality may not delegate the power to impose taxes, tariffs and other charges. Such tariffs must be approved by means of a decision of the majority of the councillors in the Council, after taking all the required factors into consideration.</p> <p>7. Classification of services</p> <p>Traditionally, municipal services have been classified into five groups and fees, costs, tariffs and interest can be levied for providing this services.</p> <ul style="list-style-type: none"> (a) Trading services (b) Economical services (c) Subsidised services (d) Community services (e) Support services <p>8. Policy deliberation</p> <p>(1) In order to ensure that poor households have access to at least basic services, Council may determine special tariffs.</p>	<p>(8) Lede van die gemeenskap moet regverdig en billik behandel word ten opsigte van die voorsiening van dienste.</p> <p>3. Vasstelling van tariewe</p> <p>(1) Die Raad kan in terme van sy Tariefbeleid by besluit wat deur die meerderheid van die lede van die Raad gesteun word:</p> <ul style="list-style-type: none"> (a) heffings, gelde, belastings en tariewe hef of verhaal met betrekking tot enige werkzaamheid of diens van die Raad; en (b) rente of 'n toeslag hef op laat betalings van rekenings soos voorgeskryf in die Raad se Kredietbeheerbeleid en Kredietbeheerverordening. <p>(2) By die bepaling van heffings, gelde en tariewe (hieronder tariewe genoem) ingevolge hierdie verordening, kan die Raad:</p> <ul style="list-style-type: none"> (a) onderskei tussen verskillende kategorieë gebruikers of eiendom op gronde wat hy billik ag met dien verstande dat dit nie mag neerkom op onbillike diskriminasie nie; (b) enige sodanige tariewe met inbegrip van rente op enige uitstaande bedrag verhaal. <p>4. Koste strategie</p> <p>(1) Die strategie moet wees om die volle finansiële koste of levering van dienste benodig deur, en gelewer aan die gemeenskap, van die gemeenskap te herwin, insluitend koste van kapitaal.</p> <p>(2) Bestuurskoste, kapitaal koste, onderhoudskoste, verbruiks-koste en die koste van onmeetbare dienste moet in gedagte gehou word ten einde koste betrokke tot 'n diens, akkuraat te bepaal en te herwin.</p> <p>5. Dienskoste</p> <p>(1) 'n Belangrike bron van plaaslike inkomste is koste wat direk verband hou met die voorsiening van munisipale dienste. Koste herwinning is 'n essensiële deel van volhoubare dienslevering.</p> <p>(2) Waar van die Munisipaliteit verwag word om heffings in te stel en/of in te vorder namens ander owerhede of liggeme, tree die Munisipaliteit op as 'n agent vir so 'n owerheid of liggaa en mag die koste herwin deur middel van kommissies of administrasie fooie.</p> <p>6. Wetgewing</p> <p>Die Munisipaliteit mag nie die gesag deleer om belastings, tariewe en ander koste te hef nie. Sulke tariewe moet goedgekeur word deur middel van 'n besluit van die meerderheid van die raadslede van die Raad, na inagneming van al die voorgestelde faktore.</p> <p>7. Klassifikasie van dienste</p> <p>Munisipale dienste word tradisioneel in vyf groepe klassifiseer en geldie, koste, tariewe en rente kan verhaal word vir die levering daarvan.</p> <ul style="list-style-type: none"> (a) Bedryfsdienste (b) Ekonomiese dienste (c) Subsidieëerde dienste (d) Gemeenskapsdienste (e) Ondersteuningsdienste <p>8. Beleidsoorwegings</p> <p>(1) Die Munisipaliteit kan spesiale tariewe vir arm huishoudings instel om te verseker dat hulle minstens toegang het tot basiese dienste.</p>
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| <p>(2) Any shortfalls on Equitable Shares will be subsidized by Rates and Service charges.</p> <p>(3) The Council must undertake steps to keep tariffs at affordable levels as far as possible. In order to do this, the Council will ensure that:</p> <ul style="list-style-type: none"> (a) Services are delivered at an appropriate level; (b) Efficiency improvements are actively pursued in all its operations; (c) A performance management system functions effectively; (d) Any service for which there is little demand, which is priced under the actual cost of providing it, will be phased out, except where the Council is by law required to provide such a service. <p>(4) It is the policy of the Council:</p> <ul style="list-style-type: none"> (a) That tariffs for services and property rates will be reviewed when and if necessary; (b) That tariff increases must be in line with increases in the price of goods, material and other resources acquired and used by the Municipality to perform its function, as well as any specific costs relating to the supply of a service during a financial year; and (c) The tariff for a particular service must be calculated in such a way that all relevant costs are covered. <p>(5) Taking into account the policy to provide a minimum amount of basic services for the poor, the amount that user will pay for their services must in general be in proportion to the amount of services they use.</p> <p>(6) The Council will ensure that the cross-subsidization occurs between and within services to further contribute to its redistribution objectives.</p> <p>(7) To promote local economic development and competitiveness, Council may determine special tariffs for categories of commercial and industrial users.</p> <p>(8) The tariff for a service must be sufficient to cover the cost of the initial capital expenditure required and interest thereon, managing and operating the service and maintaining, repairing and replacing the physical assets used in its provision.</p> <p>(9) Council exercises its power to charge and collect monies, costs and tariffs and all tariffs are revised annually for inclusion thereof in Council's operating budget.</p> <p>(10) (a) Council may require that a cash deposit is paid by users of services before such service is delivered or connected to cover the cost of services not yet billed and as a guarantee against non-payment of accounts, as stipulated in the policy on credit control.</p> <p>(b) The minimum level for deposits for individual user may be revised in light of user levels and other risks.</p> <p>(11) The amendment of tariff structures during a financial year should therefore take into account the effect thereof on the budget. In order to regulate such amendments and to prevent a drastic impact on the budget, can the following rules be applied:</p> <ul style="list-style-type: none"> (a) The Council must consider all requests for amendments. | <p>(2) Enige tekorte op Interowerheidstoekenning kan gesubsidieer word deur belastings en dienskoste.</p> <p>(3) Die Raad moet stapte doen om tariewe teen bekostigbare vlakke te hou so ver as moontlik. Ter bereiking daarvan moet die Raad toesien dat:</p> <ul style="list-style-type: none"> (a) dienste gelewer word teen 'n gesikte vlak; (b) verbetering in doeltreffendheid aktief nagestreef word in alle bedrywighede; (c) 'n Prestasie Bestuurstelsel doeltreffend funksioneer; (d) enige diens wat gelewer word waarvoor daar 'n klein aanvraag is, wat se koste minder is as die werklike koste om dit te voorsien, sal uitgefaseer word, behalwe waar die Raad wetlik verplig word om so 'n diens te lever. <p>(4) Dat die Raad as beleid:</p> <ul style="list-style-type: none"> (a) Tariewe vir dienste jaarliks sal nagaan en vir eiendomsbelasting soos en wanneer vereis word; (b) Dat die tarief verhogings inlyn sal wees met die toename in die prys van goedere, materiaal en ander bronne aangekoop en gebruik deur die Munisipaliteit om sy funksie te vervul, sowel as enige ander spesifieke koste wat verband hou met die levering van 'n diens gedurende 'n finansiële jaar; (c) Die tarief vir 'n spesifieke diens moet bereken word op so 'n manier dat alle relevante koste gedek is. <p>(5) Met inagneming van die beleid om 'n minimum hoeveelheid basiese dienste vir die behoeftiges te hê, dat die bedrag wat gebruikers van dienste moet betaal in die algemeen in verhouding moet wees vir die hoeveelheid dienste wat hul gebruik.</p> <p>(6) Die Raad sal verseker dat die kruis-verdeling sal plaasvind tussen en binne dienste om verder by te dra tot sy herverdelingsdoelwitte.</p> <p>(7) Om plaaslike ekonomiese ontwikkeling en mededinging te bevorder, kan die Raad spesiale tariewe instel vir kategorieë van kommersiële- en nywerheidsgebruikers.</p> <p>(8) Die tarief van 'n diens moet voldoende wees om die koste van die oorspronklike kapitale spandering benodig en rente daarop te dek, die bestuur en bedryf van die diens, en herstel, onderhoud en vervanging van die fisiese bates gebruik in die voorsiening daarvan.</p> <p>(9) Die Raad oefen sy algemene bevoegdheid om geld, koste en tariewe te hef en in te vorder uit en alle tariewe word jaarliks hersien met die oog op insluiting daarvan in die raad se bedryfsbegroting, ooreenkomsdig die voorgeskrewe procedure soos in die Wet bepaal.</p> <p>(10) (a) Die Raad kan vereis dat gebruikers van dienste 'n kontant deposito voor die aansluiting van enige diens betaal om die koste van dienste te dek wat nog nie gehef is nie en as 'n waarborg teen nie-betaling van rekening, soos bepaal in die kredietbeheer beleid, te dien.</p> <p>(b) Die minimum vlak vir deposito's vir individuele gebruikers, mag hersien word in lig van gebruiksvlakke of ander risiko's.</p> <p>(11) Die effek wat aanpassings van tariefstrukture gedurende 'n finansiële jaar op die begroting gaan hê moet in ag neem word. Om sulke aanpassings te reguleer en om die drastiese impak op die begroting te voorkom, moet die volgende reëls toegepas word:</p> <ul style="list-style-type: none"> (a) Die Raad moet alle versoek vir aanpassings oorweeg. |
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- (b) Request for amendments must be accompanied by detailed calculations and estimates of the impact thereof on the budget.
- (c) The Council may approve only amendments that can be accommodated in such a way that it will not have a detrimental effect on the operating budget.
- (d) Any amendment to tariff structures, in respect of trading and economic services, that may impose a drastic impact on the present budget may only be considered for the next financial year and should form part of a new budgetary process.
- (12) The owner, occupier or user of the services will be liable for payment of a delivered account according to the Policy on Credit Control and Debt Collection of the Municipality.

9. Tariffs for trading economical and other services

Electricity and water supply are treated as trading services, operated as separate accounts with the aim of producing a profit. Sewerage and refuse removal are treated as economical services.

10. Electricity tariffs

- (1) In addition to general cost factors, the following will be considered in the determination of a tariff structure for electricity:
- (a) Bulk electricity is supplied by a sole supplier, Eskom, and distributed by the Municipality via an electricity reticulation system consisting of substations, mini substations, underground and overhead distribution lines and metered connections to consumers.
- (b) Minimum standards for distribution are determined nationally and must be adhered to in order to conform to both safety and continuity of supply norms.
- (c) Due to the fact that a large part of the operating expenditure consists of bulk electricity purchases, tariff structures and levels are very sensitive to any change in the cost of supply by Eskom.
- (2) Electricity is supplied under a distribution license, granted by the National Electricity Regulator (NER).

The following tariff structure options are available:

(a) One-part tariff

This tariff consists of a tariff expressed as a cent per kWh charge only and does not contain a fixed monthly charge (basic or minimum charge). This tariff option is applicable to residential usage and specifically for prepaid metering systems

(b) Two-part tariff

This tariff is also applicable to residential application and contains a fixed or basic fee, combined with an energy fee.

(c) Two-part demand tariff

A demand meter is installed to determine the demand factor. It is applicable for larger commercial, industrial and agricultural customers.

(d) Three-part tariff

A demand meter is installed to determine the demand factor. It is applicable for larger commercial, industrial and agricultural customers.

(e) Three-part time-of-use tariff (TOU tariff)

(b) Versoek vir aanpassings moet vergesel word deur gedetailleerde berekenings en skattings wat die impak daarvan op die begroting weergee.

(c) Die Raad mag slegs aanpassings goedkeur wat nie 'n groot impak sal hê op die bedryfsbegroting nie.

(d) Enige aanpassing aan die tariefstrukture, in terme van bedryfs- en ekonomiese dienste, wat 'n drastiese impak op die huidige begroting het, mag slegs in ag geneem word vir die volgende finansiële jaar en moet deel vorm van 'n nuwe begrotingsproses.

(12) Die eienaar, okkuperdeerder of gebruiker van die dienste sal verantwoordelik wees vir die betaling van 'n gelewerde rekening ooreenkomsdig die Munisipaliteit se Beleid op Kredietbeheer en Skuldinvorderings.

9. Tariewe vir bedryfsekonomiese en ander dienste

Elektrisiteit- en watervoorsiening sal hanteer word as bedryfsdienste, en hanteer word as aparte rekeninge met die oog om 'n wins te produseer. Riool en vullis verwydering word hanteer as ekonomiese dienste.

10. Elektrisiteitstariewe

- (1) Bykomend tot die algemene koste faktore, sal die volgende in ag geneem word ter bepaling van 'n tariefstruktuur vir elektrisiteit:
- (a) Massa elektrisiteit word verskaf deur die enigste verskaffer, Eskom, en word versprei deur die Munisipaliteit via 'n elektrisiteits-retikulasie stelsel bestaande uit substasies, mini-substasies, ondergrondse en oorhoofse distribusie lyne en gemeterde aansluitings vir verbruikers.
- (b) Minimum standarde vir distribusie word nasionaal bepaal en moet nagekom word om veiligheid en kontinuïteit te verseker.
- (c) Siende dat die grootste deel van die bedryfsuitgawes bestaan uit massa elektrisiteitsaankope, is tariefstrukture en vlakke baie sensitief vir enige verandering in die verskaffingskoste deur Eskom.
- (2) Elektrisiteit word voorsien onder 'n distribusie lisensie, wat toegestaan word deur die Nasionale Elektrisiteitsreguleerde (NER).

Die volgende tariefstruktuur opsies is beskikbaar:

(a) Een-deel tarief

Die tarief bestaan uit 'n tarief weergegee as 'n sent per KWh koste en bevat nie 'n vaste maandelikse koste nie (basiese of minimum koste). Die tarief opsie is van toepassing op residensiële verbruik en spesifiek vir voorafbetaalde meter stelsels.

(b) Twee-deel tarief

Die tarief is ook van toepassing op residensiële verbruik en bevat 'n vaste of basiese fooi, gekombineer met 'n energie fooi.

(c) Twee-deel aanvraag tarief

'n Aanvraag meter word installeer om die aanvraag faktor te bepaal. Dit is van toepassing op groter kommersiële, industriële en landbou gebruikers.

(d) Drie-deel tarief

'n Aanvraag meter word installeer om die aanvraag faktor te bepaal. Dit is van toepassing op groter kommersiële, industriële en landbou gebruikers.

(e) Drie-deel tyd-van-gebruik tarief

<p>This tariff is applicable for larger commercial, industrial and agricultural customers who are able to shift load into off-peak periods, thus effecting savings both to themselves and the distributor.</p>	<p>Die tarief is van toepassing op groter kommersiële, industriële en landbou gebruikers wie die verbruik kan skui na buite-spits tye, sodoende is daar besparings vir hulself en die verspreider.</p>
<p>(f) The three-part time-of-use tariff structure reflects the tariff structure that Eskom uses to supply mass electricity to the Municipality en therefor is the most cost effective. Because of the capital input needed, can it only be used for large electricity users. To receive maximum benefit from this relative complex tariff structure, the end user must have a certain level of expertise and it requires a notable capital investment.</p>	<p>(f) Die drie-deel tyd-van-gebruik tariefstruktuur weerspieël die tariefstruktuur wat gebruik word deur Eskom om massa elektrisiteit te verskaf aan die Munisipaliteit en is daarom die mees koste effektiewe struktuur. As gevolg van die kapitale uitleg benodig, kan dit slegs gebruik word in die geval van groot elektrisiteitsgebruikers. Om maksimum voordeel van die relatiewe komplekse tariefstruktuur te verkry, moet die eind gebruiker oor 'n sekere vlak van kundigheid beskik en dit vereis 'n aansienlike kapitale belegging.</p>
<p>(3) The tariff structure for domestic supply is—</p>	<p>(3) Vir huishoudelike lewering is die tariefstruktuur—</p>
<ul style="list-style-type: none"> (a) A two-part tariff structure is applied in respect of credit meters and prepaid meters installed in holiday homes. (b) A one-part tariff is charged to domestic consumers—on both conventional and prepaid metering systems (c) A certain amount of electricity is distributed free of charge every month. This is decided on by council during the budgetary process. 	<ul style="list-style-type: none"> (a) 'n Twee-deel tariefstruktuur word aangewend in die geval van kredietmeters en voorafbetaalde meters geïnstalleer in vakansie wonings. (b) 'n Een-deel tarief word gehef vir plaaslike gebruikers —op beide die konvensionele en voorafbetaalde meter stelsels. (c) 'n Sekere hoeveelheid elektrisiteit word gratis verskaf elke maand. Dit word deur die Raad besluit tydens die begrotingsproses.
<p>(4) The tariff structure for commercial supply is—</p>	<p>(4) Vir kommersiële lewering is die tariefstruktuur—</p>
<ul style="list-style-type: none"> (a) A two-part tariff structure is applicable to single phase credit meter (b) A one-part tariff is charged to single phase pre-paid meters (c) A two-part tariff structure is applied in respect of three phase credit meters (d) A one-part tariff is charged to three phase pre-paid meters 	<ul style="list-style-type: none"> (a) 'n Twee-deel tariefstruktuur is van toepassing op enkel fase kredietmeters (b) 'n Een-deel tarief word gehef vir enkel fase voorafbetaalde meters. (c) 'n Twee-deel tariefstruktuur is van toepassing op drie fase kredietmeters. (d) 'n Een-deel tarief word gehef vir drie fase voorafbetaalde meters.
<p>(5) The tariff structure for light industrial/bulk supply is—</p>	<p>(5) Vir ligte industriële/massa lewering is die tariefstruktuur—</p>
<ul style="list-style-type: none"> (a) A three-part tariff structure is applied in respect of light industrial meters (b) A three-part tariff structure is applied in respect of bulk supply meters (c) A three-part time-of-use tariff structure is applied in respect of special bulk supply meters 	<ul style="list-style-type: none"> (a) 'n Drie-deel tariefstruktuur is van toepassing op ligte industriële meters (b) 'n Drie-deel tariefstruktuur is van toepassing in terme massa verskaffingsmeters. (c) 'n Drie-deel tyd-van-gebruik tariefstruktuur is van toepassing op spesiale massa voorsieningsmeters.
<p>(6) The tariff structure for other supply is—</p>	<p>(6) Vir ander lewering is die tariefstruktuur—</p>
<ul style="list-style-type: none"> (a) A three-part tariff structure can be applied to areas as determined from time to time (b) A two-part demand tariff structure is applied for agricultural supply (c) A one-part tariff is charged to agricultural water pumping (d) A one-part tariff is charged to street lighting where electricity supply is metered (e) A one-part fixed tariff is charged to private street lighting (f) A one-part tariff is charged to sport fields 	<ul style="list-style-type: none"> (a) 'n Drie-deel tariefstruktuur kan van toepassing wees op gebiede soos van tyd tot tyd bepaal word (b) 'n Twee-deel aanvraag tariefstruktuur is van toepassing op landbou voorsiening (c) 'n Een-deel tarief word gehef vir landbou water besproeiing (d) 'n Een-deel tarief word gehef vir straatbeligting waar elektrisiteitvoorsiening gemeet word. (e) 'n Een-deel vaste tarief word gehef vir privaat straatbeligting. (f) 'n Een-deel tarief word gehef vir sport gronde.
<p>(7) An availability fee will be charged on properties not connected to the electricity network, should it be available. If the owner connects the service with the intention to improve the property the debit will be adjusted pro-rata from the date of the connection.</p>	<p>(7) 'n Beskikbaarheidsfooi sal gehef word op eiendomme wat nie gekoppel is aan die elektrisiteitsnetwerk nie, mits dit beskikbaar is. Indien die eienaar die diens aansluit met die doel om die eiendom te verbeter, sal die debiet pro-rata vanaf die datum van die aansluiting, reggestel word.</p>
<p>(8) A fixed tariff is charged for:</p>	<p>(8) 'n Vaste tarief word gehef vir:</p>

<ul style="list-style-type: none"> (a) temporary connections and will be valid for 3 months (b) electricity connections (c) re-connections (d) special readings (e) testing of meters (f) replacing of breakers (g) installing of pre-paid meters (h) erecting of street lights (i) tampering with meters (j) in the event of business being conducted from a residential property electricity will be levied on the tariff for "business single phase". <p>(9) Pre-paid meters installed in holiday homes will pay the credit meter tariff under the following circumstances:</p> <ul style="list-style-type: none"> (a) If the property is not occupied for at least nine months per year (b) If there is no water consumption for three consecutive months <p>(10) (a) A two-part tariff will be applicable regarding the electricity, which contains a fixed or basic fee, combined with an energy fee. This will be billed to the owner of the property.</p> <p>(b) When a holiday home becomes occupied permanently the standard pre-paid tariffs will be re-instated after application is received from the owner. To implement any changes to the status of a holiday home, a prepayable administration fee may be charged.</p> <p>(c) It is the owner's responsibility to ensure that the status of his/her property is correct.</p>	<ul style="list-style-type: none"> (a) tydelike aansluitings en sal geldig wees vir slegs 3 maande (b) elektrisiteitsaansluitings (c) her-aansluitings (d) spesiale lesings (e) toetsing van meters (f) vervanging van stroombrekers (g) installering van voorafbetaalde meters (h) oprigting van straatligte (i) peuterung aan meters (j) in die geval waar 'n besigheid van 'n residensiële eiendom bedryf word, sal elektrisiteit gehef word op die "besigheid enkel fase" tarief. <p>(9) Voorafbetaalde meters in vakansie huise sal die kredietmeter tarief bepaal onder die volgende omstandighede:</p> <ul style="list-style-type: none"> (a) Indien die eiendom nie okkuper word vir ten minste 9 maande van 'n jaar nie (b) Indien daar geen water gebruik vir drie opeenvolgende maande is nie <p>(10) (a) 'n Twee-deel tarief sal van toepassing wees rakende die elektrisiteit, wat insluit 'n vaste of basiese fooi, gekombineer met die energie fooi. Dit sal vir die rekening van eienaar van die eiendom wees.</p> <p>(b) Indien 'n vakansiehuis permanent okkuper word, sal die standaard voorafbetalingstariewe geld nadat aansoek daarvoor vanaf die eienaar ontvang word. Om enige verandering in die status van die vakansiehuis te implementeer, kan 'n vooraf betaalbare administrasie fooi gehef word.</p> <p>(c) Dit is die eienaar se verantwoordelikheid om te verseker dat die status van sy/haar eiendom korrek is.</p>
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11. Water tariffs

- (1) Categories of users include the following;
 - (a) Domestic consumers
 - (b) Medium consumers
 - (c) Bulk consumers
 - (d) Flats
 - (e) Rural users
 - (f) Special agreements
- (2) (a) Water is supplied to end-users by means of the following specialized infrastructure:
 - (i) retaining and storage dams;
 - (ii) supply lines;
 - (iii) water purification plants;
 - (iv) water reticulation networks; and
 - (v) metered connections to the properties of consumers.
- (b) The first block rate represents the lifeline volume of 6 kl per month, which is supplied at no cost. Losses incurred in this tariff category are recouped by contri-

11. Watertariewe

- (1) Kategorieë van gebruikers sluit die volgende in:
 - (a) Huishoudelike gebruikers
 - (b) Medium gebruikers
 - (c) Massa gebruikers
 - (d) Woonstelle
 - (e) Landelike gebruiker
 - (f) Spesiale ooreenkoms
- (2) (a) Water word voorsien vir eindverbruikers deur middel van die volgende gespesialiseerde infrastrukture:
 - (i) opgaardamme;
 - (ii) voorsieningslyne;
 - (iii) watersuiwersaanlegte;
 - (iv) waterretukilasie netwerke; en
 - (v) gemeterde aansluitings na eiendomme van gebruikers.
- (b) Die eerste blok tarief verteenwoordig 'n lewenslyn volume van 6 kl per maand, wat voorsien word teen geen koste nie. Verliese wat gelei word in hierdie tariekfekte-

<p>butions from the higher tariff categories, conforming to the principle of cross-subsidization.</p> <p>(3) A consumer may qualify for a reduction on his/her account in the event of a water leakage, if:</p> <ul style="list-style-type: none"> (a) The leakage was underground and not easily detectable; (b) The leakage was repaired within 48 hours after detection; (c) The consumer has not applied for discount within the previous 12 months; <p>(4) An authentic certificate must reach the Municipality within 10 days after completion of repairs done and must contain the following:</p> <ul style="list-style-type: none"> (a) The date of the invoice and repair work (b) Confirmation that surface leakage was not visible (c) Certify that the leakage originated from pipes listed on the schedule of approved pipes held by the City Engineer <p>(5) An availability fee will be charged on users an/or properties not connected to the water network, should it be available. If the owner connects the service with the intention to improve the property the debit will be adjusted pro-rata from the date of the connection.</p> <p>(6) A certain quantity of water is distributed free of charge every month. This level will be decided on by Council during the budgetary process.</p> <p>(7) A fixed tariff is charged for:</p> <ul style="list-style-type: none"> (a) water connections (b) upgrading of water meters to a larger connection (c) special readings (d) testing of meters (e) installation of taps after the meter (f) moving of meters (g) opening of meters inaccessible for reading (h) tampering with meters <p>(8) Council reserves the right to determine basic charges to properties with more than one consumer and where a bulk meter is installed.</p> <p>(9) Flats and other complexes with more than one consumer and with one joint bulk meter will pay:</p> <ul style="list-style-type: none"> (a) The basic per consumer according to domestic tariff (b) Metered consumption according to the consumers tariff, linked with the size of the connection and/or consumption (if more than 1000 kl consumed for a 2-month period per year) <p>(10) Tariffs, specifically for water, but not limited to water, can be determined in order to discourage waste and encourage saving.</p> <p>(11) It is the consumer's responsibility to ensure that the meter is readable and accessible for meter readers.</p> <p>12. Refuse removal tariff structures</p> <p>(1) Each consumer pays for the service to have a certain volume of refuse removed from his/her premises.</p>	<p>gorie word herwin deur bydraes van 'n hoër tariefkategorieë, ooreenkomsdig die beginsel van kruis-verdeling.</p> <p>(3) In geval van water lekkasie kan 'n gebruiker kwalificeer vir afslag op sy/haar rekening indien:</p> <ul style="list-style-type: none"> (a) die lekkasie ondergronds is en nie maklik opspoorbaar nie; (b) die lekkasie herstel is binne 48 uur nadat dit opgemerk is; en (c) die gebruiker nie vir afslag aansoek gedoen het binne die vorige 12 maande nie. <p>(4) 'n Geldige sertifikaat wat die herstelwerk gedoen aantoon, moet die Munisipaliteit bereik binne 10 dae nadat die herstel werk gedoen is en moet die volgende bevat:</p> <ul style="list-style-type: none"> (a) die datum van die faktuur en die herstelwerk; (b) bevestiging dat oppervlakkige lekkasies nie sigbaar was nie; en (c) sertifisering dat die lekkasie sy oorsprong het van pype gelys op 'n skedule van goedgekeurde pype soos bygehou deur die Stadsingenieur. <p>(5) 'n Beskikbaarheidsfooi sal gehef word vir gebruikers en/of eiendomme wat nie verbind is aan die netwerk nie, sou die beskikbaar wees. Sou die eienaar aansluit met die bedoeling om die eiendom te verbeter, sal die debiet pro-rata aangepas word vanaf die datum van die aansluiting.</p> <p>(6) 'n Sekere hoeveelheid water sal elke maand gratis versprei word. Die vlak daarvan word deur die Raad gedurende die begrotingsproses besluit.</p> <p>(7) 'n Vaste tarief sal gehef word vir:</p> <ul style="list-style-type: none"> (a) waternaalsluitings (b) opradering van watermeters vir 'n groter aansluitings (c) spesiale lesings (d) toetsing van meters (e) installering van krane na die meter (f) verskuiwing van meters (g) oopmaak van meters wat onbereikbaar is om te lees (h) peutering met meters <p>(8) Die Raad hou die reg voor om die basiese heffings te bepaal vir eiendomme wat meer as een gebruiker het en waar 'n grootmaat meter geïnstalleer is.</p> <p>(9) Woonstelle en ander komplekse met meer as een gebruiker met 'n gesamentlike grootmaat meter sal betaal 'n:</p> <ul style="list-style-type: none"> (a) basiese heffing volgens die huishoudelike tarief (b) gemeterde verbruik volgens die gebruikerstarief wat gelykstaande is aan die grootte van die aansluiting en/of verbruik (indien meer as 1000 kl gebruik is vir 'n 2 maande periode per jaar) <p>(10) Tariewe, spesifieke vir water, maar nie beperk tot water, kan vasgestel word om vermosing te ontmoedig of besparing te bewerkstelling.</p> <p>(11) Dit is die gebruiker se verantwoordelikheid om te verseker dat die meter oop, toeganklik en leesbaar is vir meterlesers.</p> <p>12. Vullisverwydering tariefstrukture</p> <p>(1) Elke gebruiker betaal vir die diens om 'n sekere volume vullis van sy of haar eiendom te verwijder.</p>
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| <p>(2) A consumer who chooses to do his/her own refuse removal will still be liable for paying the refuse tariff.</p> <p>(3) Tariffs are based on units of refuse removal. One unit is defined as one bag of refuse removed once a week. A refuse fee will be charged to all occupiers/owners of improved properties from the date a electricity meter is installed.</p> <p>(4) The following categories of users are determined and then there can be differentiated between the categories of users:</p> <ul style="list-style-type: none"> (a) Domestic consumers (b) Special agreements (c) Caravan parks (d) Removal on request (e) Businesses on residential properties (f) Additional removals (g) Medium consumers (h) Bulk consumers (i) Flats (j) Users as determined by the Council <p>(5) Tariffs as well as units to be removed from categories of consumers will be revised annually during the budgetary process.</p> <p>(6) Only refuse in the bags as prescribed by the Municipality will be removed.</p> <p>(7) An additional service on special request will be available for the removal of garden refuse.</p> | <p>(2) 'n Gebruiker wat verkiees om self sy of haar vullis te verwysal steeds aanspreeklik wees om die vullisverwyderingstarief te betaal.</p> <p>(3) Tariewe word baseer op eenhede van vullisverwydering. Een eenheid word definieer as een vullissak wat een maal per week verwysal word. 'n Vullisverwyderingsfooi sal gehef word op alle okkuperders/eienaars van verbeterde eiendomme vanaf datum wanneer 'n elektrisiteitsmeter installeer word.</p> <p>(4) Die volgende kategorieë van gebruiker word bepaal en daar kan tussen die verskillende kategorieë gebruikers onderskei word:</p> <ul style="list-style-type: none"> (a) huishoudelike gebruikers (b) spesiale ooreenkoms (c) karavaanparke (d) verwysing op aanvraag (e) besigheids- en residensiële eiendomme (f) addisionele verwysing (g) medium gebruikers (h) massa gebruikers (i) woonstelle (j) gebruikers soos deur die Raad bepaal <p>(5) Tariewe sowel as eenhede wat verwysal moet word van kategorieë van gebruikers sal jaarliks hersien word gedurende die begrotingsproses.</p> <p>(6) Slegs vullis in soos deur die Raad voorgeskryfde sakke sal verwysal word</p> <p>(7) 'n Addisionele diens sal beskikbaar wees op spesiale aanvraag vir die verwysing van tuinvullis.</p> |
|--|---|

13. Sewage tariff

- (1) A flat rate structure is applicable, which only differentiate between groups of properties:
 - (a) Single residential
 - (b) Chalets and caravan parks
 - (c) Granny flats
 - (d) Availability charges on open land
 - (e) Churches
 - (f) Bucket removal systems
- (2) An availability fee will be charged on vacant properties not connected to the sewage system should it be available. If the owner connects the service with the intention to improve the property the debit will be adjusted pro-rata from the date of the connection.
- (3) A fixed tariff is charged for:
 - (a) sewage connections
 - (b) larger connection
 - (c) inspections for blockages
 - (d) opening of sewage blockages
 - (e) emptying of septic tanks

14. Sundry service tariff structure

- (1) A variety of sundry tariffs are applied to recoup costs

13. Riool tariewe

- (1) 'n Vaste tarief struktuur is van toepassing, wat slegs onderskei tussen die volgende groeppe van eiendomme:
 - (a) Enkel residensiël
 - (b) Chalets en karavaan parke
 - (c) Oumawoonstelle
 - (d) Beskikbaarheidsheffings op oop grond
 - (e) Kerke
 - (f) Emmer verwysing stelsels
- (2) 'n Beskikbaarheidsfooi sal gehef word vir onbewoonde eiendomme wat nie aan die rioolstelsel aangesluit is nie, al is dit beskikbaar is. Sou die eienaar aansluit met die bedoeling om die eiendom te verbeter, sal die debiet pro-rata aangepas word vanaf die datum van die aansluiting.
- (3) 'n Vaste tarief word gevra vir:
 - (a) rioolaansluitings
 - (b) groter aansluitings
 - (c) inspeksies vir verstoppings
 - (d) opmaak van riool verstoppings
 - (e) leegmaak van septies tenke

14. Diverse dienste tariefstrukture

- (1) 'n Verskeidenheid van diverse tariewe word toegepas om die

of sundry services provided to the public. All such tariffs are based on cost of supply, but individual tariffs may be set at:

- (a) subsidized levels;
 - (b) levels reflecting actual cost; or
 - (c) levels producing profits.
- (2) The level, at which the Council sets a sundry service tariff, takes into account factors such as:
- (a) affordability;
 - (b) socio-economic circumstances;
 - (c) utilization of amenities and resources;
 - (d) national and regional agreements and provisions; and
 - (e) any other factors influencing such decisions.
- (3) Unimproved properties will be rated as if a building exists on the plot. If the owner erects a dwelling on the erf the levy should be rectified on a pro-rata basis as from the date the building has been completed.

15. Domicilium executandi

- (1) For the purpose of the serving of any notice, order, letter or other document upon any occupier in terms of this by-law—
- (a) the address registered for such occupier in the books of the treasurer shall be deemed to be his *domicilium citandi*, unless otherwise shown on any formal document, or
 - (b) comply to the stipulations regarding communication and publication as laid down in the Systems Act.

16. Short title and commencement

This by-law shall be known as the By-Law relating to the Determination of Tariffs of the Mossel Bay Municipality and shall come into operation on the date of publication thereof in the Provincial Gazette.

koste van diverse dienste aan die publiek, te dek. Al die tariewe word baseer op die koste van die verskaffing, maar individuele tariewe mag bepaal word op:

- (a) gesubsidieerde vlakke;
 - (b) vlakke wat die werklike koste reflekteer; of
 - (c) vlakke wat wins produseer.
- (2) Die vlak waarteen die Raad die diverse diens tarief stel, neem die volgende faktore in ag:
- (a) bekostigbaarheid;
 - (b) sosio-ekonomiese omstandighede;
 - (c) gebruik van die geriewe en hulpbronne;
 - (d) nasionale en streeksooreenkomste en -voorsienings; en
 - (e) enige ander faktore wat sulke besluite beïnvloed.
- (3) Onverbeterde eiendomme sal beskou word asof daar geboue op die erf bestaan. Indien die eienaar 'n woning op die erf aanbring, sal die tarief op 'n pro-rata basis bereken word vanaf die datum wanneer die gebou voltooi is.

15. Domicilium executandi

- (1) Vir die doel van die betekening van 'n kennisgewing, bevelskrif, brief of ander dokument aan 'n gebruiker ingevolge hierdie verordeninge—
- (a) word die adres wat vir sodanige verbruiker in die boeke van die tesourier aangeteken is of vervat is in 'n skriftelike ooreenkoms of dokument vir die doel, geag sy of haar *domicilium citandi* te wees, of
 - (b) die bepalings betreffende mededelings en openbaarmaking soos in die Stelselswet voorgeskryf, nakom.

16. Kort titel en inwerkingstreding

Hierdie verordening heet die Verordening insake die vasstelling van Tariewe van die Mosselbaai Munisipaliteit en tree in werking op die datum van publikasie daarvan in die Provinciale Koerant.

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