



FREE STATE PROVINCE

PROVINCIAL GAZETTE

PROVINSIALE KOERANT

PROVINSIE VRYSTAAT

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BLOEMFONTEIN, 02 AUGUST 2002

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OFFICE OF THE PREMIER

No. 2

02 August 2002

It is hereby notified that the Premier has assented to the following Act which is hereby published for general information:-

No. 2 of 2002: Free State Privileges and Immunities of Municipal Councillors Act, 2002

KANTOOR VAN DIE PREMIER

No. 2

02 Augustus 2002

Hierby word bekend gemaak dat die Premier die onderstaande Wet bekragtig het, wat hierby ter algemene inligting gepubliseer word:-

No. 2 van 2002: Vrystaat Voorregte en Immuniteite van Raadslede Wet, 2002

ACT

To provide for privileges and immunities of municipal councillors; and for matters incidental thereto.

PREAMBLE

Whereas the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) and National Legislation provide for the enactment of legislation by Provinces which must provide for the freedom of speech of members of municipal councils, as well as the privileges and immunities in relation to civil and criminal liability, arrest, imprisonment or damages arising out of their acts as such members.

BE IT THEREFORE ENACTED by the Provincial Legislature of the Free State Province, as follows:-

(Afrikaans text assented to and signed by the Premier.)

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Definitions

1. In this Act, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) has a similar meaning. 10

Privileges and immunities of councillors

2. Members of a municipal council – 15

- (a) have freedom of speech in municipal council meetings and in the meetings of its committees, subject to the relevant council's rules and orders as envisaged in section 160(6) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), in so far as such matters are in the public interest; 20

- (b) are not liable to civil or criminal proceeding, arrest, imprisonment or damages for – 25
- (i) anything that they have said in, produced before or submitted to the council during a council meeting or any of its committees during a meeting of such a council or committee, which is in the public interest; or

- (ii) anything revealed as a result of anything that they have said in, produced before or submitted to the council or any of its committees during a meeting of such a council or committee, which is in the public interest. 30

Short title 35

3. This Act is called the Free State Privileges and Immunities of Municipal Councillors Act, 2002.

WET

Voorsiening vir voorregte en immuniteite van munisipale raadslede; en aangeleenthede wat daarmee verband hou.

AANHEF

Waarby daar deur die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996) en Nasionale Wetgewing voorsiening gemaak word vir die bepaling van wetgewing deur Provinsies wat moet voorsorg tref vir die vryheid van spraak van lede van munisipale rade, asook die voorregte en immuniteite in verband met siviele en strafregtelike verrigtinge, inhegtenisneming, gevangesetting of skadevergoeding voortspruitend uit hul dade as sodanige lede.

DAAR WORD DUS BEPAAL deur die Provinsiale Wetgewer van die Provinsie Vrystaat, soos volg:-

(Afrikaanse teks deur die Premier bekragtig en geteken.)

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Woordomsrywings

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1. In hierdie Wet, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan 'n betekenis toegeskryf is in die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998) 'n soortelyke betekenis.

Voorregte en immuniteite van raadslede

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2. Lede van 'n munisipale raad –

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- (a) het vryheid van spraak in munisipale raadsvergaderings en in die vergaderings van sy komitees, behoudens die betrokke raad se reëls en orders soos beoog in artikel 160(6) van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996), in soverre sodanige sake in openbare belang is;

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- (b) is nie blootgestel nie aan siviele of strafregtelike verrigtinge, inhegtenisneming, gevangesetting of skadevergoeding weens –

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- (i) enigiets wat hulle in of voor of aan die raad of enige van sy komitees gesê, blootgelê of voorgelê het gedurende 'n vergadering van sodanige raad of komitee, wat in openbare belang is; of
- (ii) enigiets wat aan die lig gebring is as gevolg van enigiets wat hulle in of voor of aan die raad of enige van sy komitees gesê, blootgelê of voorgelê het, gedurende 'n vergadering van sodanige raad of komitee, wat in openbare belang is.

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Kort titel

3. Hierdie Wet heet die Vrystaat Voorregte en Immuniteite van Raadslede Wet, 2002.

PROVINCIAL GAZETTE

(Published every Friday)

All correspondence, advertisements, etc. must be addressed to the Officer in charge of the Provincial Gazette, P.O. Box 517, Bloemfontein. Free Voucher copies of the Provincial Gazette or cuttings of advertisements are NOT supplied. If copies of the Provincial Gazette are required, R4,70 must be sent for each copy.

Subscription Rates (payable in advance)

The subscription fee for the Provincial Gazette (including all Extraordinary Provincial Gazettes) are as follows:

Half-yearly (post free)	R	122,50
Yearly (post free)	R	245,00
Price per single copy (post free)	R	4,70

Stamps are not accepted

Closing time for acceptance of copy

All advertisements must reach the Officer in Charge of the Provincial Gazette **not later than 12:00, seven workings days** prior to the publication of the Gazette. Advertisements received after that time will be held over for publication in the issue of the following week, or if desired by the advertiser, will be inserted in the current issue as a "Late Advertisement". In such case the advertisement must be delivered to the Officer in Charge **not later than 10:30 on the Thursday** of the week preceding the publication of the Gazette and double rate will be charged for that advertisement.

A "Late Advertisement" will not be inserted as such without definite instructions from the advertiser.

Advertisement Rates

Notices required by Law to be inserted in the Provincial Gazette: R2,00 per centimeter or portion thereof, single column.

Advertisement fees are payable in advance to the Officer in charge of the Provincial Gazette, P.O. Box 517, Bloemfontein, 9300.

Printed and published by the Free State Provincial Administration

PROVINSIALE KOERANT

(Verskyn elke Vrydag)

Alle korrespondensie, advertensies, ens. moet aan die Beamppte Belas met die Provinsiale Koerant, Posbus 517, Bloemfontein, geadresseer word. Gratis eksemplare van die Provinsiale Koerant of uitknipsels van advertensies word NIE verskaf nie. Indien eksemplare van die Provinsiale Koerant verlang word, moet R4,70 vir elke eksemplaar gestuur word.

Intekengeld (vooruitbetaalbaar)

Die intekengeld vir die Provinsiale Koerant (insluitend alle Buitengewone Provinsiale Koerante) is soos volg:

Halfjaarliks (posvry)	R122,50
Jaarliks (posvry)	R 245,00
Prys per los eksemplaar (posvry).....	. R 4,70

Seëls word nie aanvaar nie.

Sluitingstyd vir die Aanneem van Kopie

Alle advertensies moet die Beamppte Belas met die Provinsiale Koerant bereik nie later nie as **12:00 sewe werksdae** voordat die Koerant uitgegee word. Advertensies wat na daardie tyd ontvang word, word oorgehou vir publikasie in die uitgawe van die volgende week, of as die adverteerder dit verlang, sal dit in die Koerant wat op die pers is as 'n "Laat Advertensie" geplaas word. In sulke gevalle moet die advertensie aan die Beamppte oorhandig word **nie later nie as 10:30 op die Donderdag** van die week voordat die Koerant gepubliseer word en dubbeltarief sal vir dié advertensie gevra word.

'n "Laat Advertensie" sal nie sonder definitiewe instruksies van die Adverteerder as sodanige geplaas word nie.

Advertensietariewe

Kennisgewings wat volgens Wet in die Provinsiale Koerant geplaas moet word: R2,00 per sentimeter of deel daarvan, enkelkolom.

Advertensiegelde is vooruitbetaalbaar aan die Beamppte belas met die Provinsiale Koerant, Posbus 517, Bloemfontein 9300.

Gedruk en uitgegee deur die Vrystaatse Provinsiale Administrasie