

**Provinsiale
Koerant
Provinsie Vrystaat**



**Provincial
Gazette
Free State Province**

Uitgegee op Gesag

Published by Authority

No. 58

VRYDAG, 27 JUNIE 2003

No. 58

FRIDAY, 27 JUNE 2003

No. Inhoud Bladsy

No. Index Page

PROVINCIAL NOTICE

126 Local Government : Municipal
Structures Act, 1998 2

PROVINCIAL NOTICE

NO 126 OF 2003

NOTICE OF AUTHORISATION IN TERMS OF SECTION 85 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998

I, **Solomon Lechesa Tsenoli**, Member of the Executive Council responsible for Local Government in the Free State Province, acting in terms of section 85(1) and (6) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), and on recommendations of the Municipal Demarcation Board, hereby authorise district municipalities and local municipalities to perform the functions or exercise the powers as set out in the Schedule hereto.

SCHEDULE

Definitions

1. In this Schedule, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Structures Act, Chapter 2 of the Amendment Act and the section 12 notice has the same meaning and –

"Amendment Act" means the Local Government: Municipal Structures Amendment Act, 2000 (Act No. 33 of 2000);

"district municipality" means the Category C municipality established in terms of the section 12 Notice.

"local municipality" means the Category B municipality established in terms of the section 12 notice.

"Schedule 4" means Schedule 4 of the Constitution of the Republic of South Africa, 1996 (Act No 108 of 1996);

"section 12 notice" means;

- (a) Provincial Notice No181 of 2000 dated 28 September 2000 published in Provincial Gazette No.109 of 28 September 2000;
- (b) Provincial Notice No182 of 2000 dated 28 September 2000 published in Provincial Gazette No.110 of 28 September 2000;
- (c) Provincial Notice No183 of 2000 dated 28 September 2000 published in Provincial Gazette No.111 of 28 September 2000;
- (d) Provincial Notice No184 of 2000 dated 28 September 2000 published in Provincial Gazette No.112 of 28 September 2000, and
- (e) Provincial Notice No185 of 2000 dated 28 September 2000 published in Provincial Gazette No.113 of 28 September 2000,

which established the district municipality and local municipalities specified therein in terms of the Structures Act;

"Section 84" refers to section 84 of the Structures Act including its subparagraphs, and

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

Repeal of Notice

2. Provincial Notices No. 53 of 10 April 2002 and 12 of 14 January 2003 is hereby repealed with effect from 30 June 2003.

Authorisation

3. In terms of section 85 of the Structures Act, the municipalities indicated in the first and second columns hereunder are authorised to perform the functions and exercise the powers indicated in the third column in their areas or those aspects of such powers and functions as are being performed by them on the date of commencement of this notice

Municipal No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets and the local municipality performs the following district functions in their respective local areas.
DC16	Xhariep District Municipality	No adjustments to perform local municipal functions
FS161	Letsemeng Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(j) Section 84(1)(n) - relating to the above functions.
FS162	Kopanong Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(j) Section 84(1)(l) Section 84(1)(n) - relating to the above functions.
FS163	Mohokare Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(j) Section 84(1)(l) Section 84(1)(k) Abattoirs only. Section 84(1)(n) - relating to the above functions.
DC17	Motheo District Municipality	The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets: Schedule 4 Part B - Local Tourism (FS171) - Municipal Planning (FS171)
FS171	Naledi Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(j) Section 84(1)(n) - relating to the above functions

Municipal No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets and the local municipality performs the following district functions in their respective local areas.
FS172	Mangaung Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(h) Section 84(1)(j) Section 84(1)(k) – Markets only Section 84(1)(l) Section 84(1)(n) - relating to the above functions
FS173	Mantsopa Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(j) Section 84(1)(l) Section 84(1)(n) - relating to the above functions
DC18	Lejweleputswa District Municipality	No adjustments to perform local municipal functions
FS181	Masilonyana Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(l) Section 84(1)(m) Section 84(1)(n) - relating to the above functions
FS182	Tokologo Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(j) Section 84(1)(l) Section 84(1)(n) - relating to the above functions.
FS183	Tswelopele Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(k) Section 84(1)(l) Section 84(1)(n) - relating to the above functions.
FS184	Matjhabeng Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(h) Section 84(1)(j) Section 84(1)(k) Markets only Section 84(1)(l) Section 84(1)(n) - relating to the above functions.

Municipal No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets and the local municipality performs the following district functions in their respective local areas.
FS185	Nala Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(j) Section 84(1)(l) Section 84(1)(n) - relating to the above functions.
DC19	Thabo Mofutsanyane District Municipality	The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets: Schedule 4 Part B Local tourism (FS191, FS193, FS195)
FS191	Setsoto Local Municipality	As listed in: Section 84(1)(f) Section 84(1)(j) Section 84(1)(k) Section 84(1)(l) Section 84(1)(n) - relating to the above functions.
FS192	Dihlabeng Local Municipality	As listed in: Section 84(1)(f) Section 84(1)(h) Section 84(1)(j) Section 84(1)(l) Section 84(1)(n) - relating to the above functions.
FS193	Nketoana Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(j) Section 84(1)(l) Section 84(1)(n) - relating to the above functions.
FS194	Maluti a Phofung Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(j) Section 84(1)(n) - relating to the above functions.
FS195	Phumelela Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(l) Section 84(1)(n) - relating to the above functions.
DC20	Northern Free State District Municipality	No adjustments to perform local municipal functions
FS201	Moqhaka Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(j)

Municipal No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets and the local municipality performs the following district functions in their respective local areas.
		Section 84(1)(l) Section 84(1)(n) - relating to the above functions
FS203	Ngwathe Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(h) Section 84(1)(j) Section 84(1)(l) Section 84(1)(n) - relating to the above functions
FS204	Metsimaholo Local Municipality	As listed in: Section 84(1)(f) Section 84(1)(l) Section 84(1)(n) - relating to the above functions
FS205	Mafube Local Municipality	As listed in: Section 84(1)(e) Section 84(1)(f) Section 84(1)(l) Section 84(1)(m) Section 84(1)(n) - relating to the above functions

Responsibility and accountability

4. A municipality which is authorised in terms of paragraph 3 to perform a function or exercise a power, must assume full responsibility and accountability for those functions or powers and their effective and efficient performance or exercise, as the case may be, or any aspect thereof as being performed by that municipality on the date of commencement of this notice.

Legal, practical and other consequences of the authorisation

5. The provisions regarding -

- (a) the transfer of assets, rights, liabilities and obligations;
- (b) the transfer of staff;
- (c) administrative units; and
- (d) the continued application of by-laws and resolutions,

as set out in the section 12 notice, apply with the necessary changes required by the context, to the performance of a function or exercise of a power by a municipality that is authorised to perform such function or exercise such power in accordance with this Notice.

Commencement

6. This authorisation shall be effective from 1 July 2003

PROVINSIALE KOERANT

(Verskyn elke Vrydag)

Alle korrespondensie, advertensies, ens. moet aan die Beampste 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 R7,30 vir elke eksemplaar gestuur word.

Intekengeld (vooruitbetaalbaar)

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

Halfjaarliks (posvry)	R190,00
Jaarliks (posvry)	R 380,00
Prys per los eksemplaar (posvry).....	R 7,30

Seëls word nie aanvaar nie.

Sluitingstyd vir die Aannee van Kopie

Alle advertensies moet die Beampste 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 Beampste 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: R2,60 per sentimeter of deel daarvan, enkelkolom.

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

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, R7,30 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 190,00
Yearly (post free)	R 380,00
Price per single copy (post free)	R 7,30

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: R2,60 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.

