

NORTHERN PROVINCE
NOORDELIKE PROVINSIE
XIFUNDZANKULU XA N'WALUNGU
PROFENSE YA LEOBA
VUNDU LA DE VHULA

**Provincial Gazette
Provinsiale Koerant
Gazete ya Xifundzankulu
Kuranta ya Profense
Gazethe ya Vundu**

(Registered as a newspaper) • (As 'n nuusblad geregistreer)

(Yi rhijistariwile tanihi Nyuziphepha)

(E ngwadisitšwe bjalo ka Kuranta)

(Yo redzhistariwa sa Nyusiphepha)

Selling price: Verkoopprys: Nxavo: Thekišo: Mutengo wa thengiso:	R1,50	Other countries: Buitelands: Ematikweni mambe: Naga tša kante: Mañwe mashango:	R1,95
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PIETERSBURG,

**Vol. 7
Extraordinary**

Ku katsa na Tigazete to
Hlawuleka hinkwato

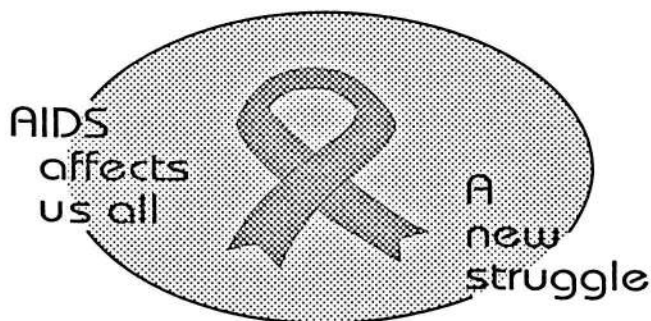
7 APRIL 2000
7 APRIL 2000
7 DZIVAMISOKO 2000
7 APORELE 2000
7 LAMBAMAI 2000

No. 493

Buitengewoon

Hu tshi katelwa na
Gazethe dza Nyingo

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

CONTENTS • INHOUD

<i>No.</i>	<i>Page No.</i> <i>Gazette No.</i>
GENERAL NOTICE	
69 Determination of Types of Municipality (Northern Province) Bill, 2000: For public comment	3 493

GENERAL NOTICE

NOTICE 69 OF 2000

DETERMINATION OF TYPES OF MUNICIPALITY (NORTHERN PROVINCE BILL, 2000)

DEPARTMENT OF LOCAL GOVERNMENT AND HOUSING

1. I, J. Maswanganyi, Member of the Executive Committee for Local Government and Housing, under section 154 of the Constitution, hereby publish the Determination of Types of Municipality (Northern Province) Bill, 2000, for public comment.
2. Comments must please be submitted in writing to:
The Head of Department
Department of Local Government and Housing
Private Bag X9485
PIETERSBURG
0700.
3. Comments may also be faxed to facsimile No. (015) 295-8170 at the above-mentioned address.
4. Comments must be received by not later than 14 days of date of publication.

BILL

To determine the types of municipalities that may be established in the Northern Province; and to provide for matters in connection therewith

PREAMBLE

Whereas section 155(1) of the Constitution defines the different categories of municipality that may be established.

And whereas section 155 (2) of the Constitution requires national legislation to define the different types of municipality that may be established within each category of municipality.

And whereas Part 2 of Chapter 1 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), in compliance with section 155(2) of the Constitution, has defined the different types of municipality that may be established within each category of municipality.

And whereas section 155(5) of the Constitution requires provincial legislation to determine which of the defined types of municipality may be established in the province.

BE IT THEREFORE ENACTED by the Provincial Legislature of the Northern Province as follows:

Definition

1. In this Act, unless the context indicates, a word or expression to which a meaning has been assigned in the Local Government; Municipal Structures Act, 1998 (Act 117 of 1998), has a similar meaning, and—

“category” in relation to municipalities, means a category A, B or C municipality as defined in section 155(1) of the Constitution;

“collective executive system” means a system of municipal government that allows for the exercise of executive authority through an executive committee in which the executive leadership of the municipality is collectively vested;

“mayoral executive system” means a system of municipal government which allows for the exercise authority through an executive mayor in whom the executive leadership of the municipality is vested and who is assisted by a mayoral committee;

“plenary executive system” means a system of municipal government which limits the exercise of executive authority to the municipal council itself;

“sub-council participatory system” means a system of municipal government which allows for delegated powers to be exercised by sub-councils established for parts of the municipality;

“ward participatory system” means a system of municipal government which allows for matters of local concern to wards to be dealt with by committees established for wards.

Category A municipalities

2. In category A the following types of municipality may be established in the province:

- (a) a municipality with a collective executive system;
- (b) a municipality with a collective executive system combined with a sub-council participatory system;
- (c) a municipality with a collective executive system combined with a ward participatory system;
- (d) a municipality with a collective executive system combined with both a sub-council and a ward participatory system;
- (e) a municipality with a mayoral executive system;
- (f) a municipality with a mayoral executive system combined with a sub-council participatory system;
- (g) a municipality with a mayoral system combined with a ward participatory system; and
- (h) a municipality with a mayoral executive system combined with both a sub-council and a ward participatory system.

Category B municipalities

3. In category B the following types of municipality may be established in the province:

- (a) a municipality with a collective executive system;
- (b) a municipality with a collective executive system combined with a ward participatory system;

- (c) a municipality with a mayoral executive system;
- (d) a municipality with a mayoral executive system combined with a ward participatory system;
- (e) a municipality with a plenary executive system; and
- (f) a municipality with a plenary executive system combined with a ward participatory system.

Category C municipalities

4. In category C the following types of municipality may be established in the province:

- (a) a municipality with a collective executive system;
- (b) a municipality with a mayoral executive system;
- (h) a municipality with a plenary executive system.

Provincial government bound by this Act

5. This Act binds the MEC responsible for local government when—

- (a) determining the type of municipality to be established in terms of section 12 of the Local Government: Municipal Structure Act, 1998 (Act 117 of 1998);
- (b) changing of the municipality form one type to another in terms of section 16 of the Act; and
- (c) amending or replacing an establishment notice in terms of section 17 of that Act.

Short title and commencement

6. This Act is called the Northern Province: Determination of Types of Municipality Act, 2000, and takes effect on the date of commencement of Local Government: Municipal Structure Act, 1998 (Act 117 of 1998).
