

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

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

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

PIETERSBURG,

25 MAY 2001
25 MEI 2001
25 MUDYAXIHI 2001
25 MEI 2001
25 SHUNDUNTHULE 2001

No. 698

Buitengewoon

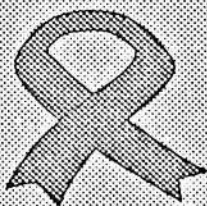
Hu tshi katelwa na
Gazethe dza *Nyingo*

Vol. 8
Ordinary

na Tigazete to
eka hinkwato

all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPUNE**

0800 012 322

DEPARTMENT OF HEALTH

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PROVINCIAL NOTICE

No. 20

25 May 2001

DEPARTMENT OF LOCAL GOVERNMENT AND HOUSING**AUTHORISATION IN TERMS OF SECTION 18 OF THE LOCAL GOVERNMENT:
MUNICIPAL STRUCTURES AMENDMENT ACT, 2000 (ACT NO.33 OF 2000)**

i, Mkhachani Joseph Maswanganyi, Member of the Executive Council for Local Government and Housing of the Northern Province, acting in terms of section 18 of the Local Government: Municipal Structures Amendment Act, 2000 (Act NO. 33 OF 2000) authorise local municipalities and district municipalities to perform the functions or exercise the powers as set out in the schedule hereto.



MEMBER OF EXECUTIVE COUNCIL

SCHEDULE

In this schedule, unless the context otherwise indicates, or unless redefined herein, a word or expression to which a meaning has been assigned in the Local Government Municipal 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.

"section 12 notice" means Provincial Notices no 306, 307, 308 and 309 of 2000 dated 1st October 2000 published in the Provincial Gazette No. 615 dated 1st October 2000, which established the district municipalities and local municipalities specified therein in terms of the Structure Act, and

"Structures Act" means Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998).

AUTHORISATION

1. (a) In terms of section 18 (1)(a) of the Amendment Act, the local municipalities mentioned in the second column of the Annexure attached hereto, are authorised with effect from the effective date to perform the functions and exercise the powers of the nature described in section 84(1) of the Structures Act as set out in the third column of the Annexure or any aspect thereof to the extent that the transitional local council mentioned in subparagraph (a) of the definition of "existing municipalities" in the section 12 notice performed those functions or exercised those powers immediately before the effective date.
- (b) In terms of section 18(1)(b) of the Amendment Act, the district municipalities mentioned in the second column of the Annexure attached hereto are authorised with effect from the effective date to perform the functions or exercise the powers of the nature referred to section 84(2) of the Structures Act as set out in the third column of the Annexure, or any

aspect thereof to the extent that, the district councils, services council or regional council, as the case may be, mentioned in subparagraph (a) of the definition of "existing municipalities" in the section 12 notice, performed those functions or exercised those powers immediately before the effective date.

2. (a) Any local municipality which is authorised in terms of subparagraph 1(a) to perform any functions or exercise any powers, 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 to the extent that the transitional local councils and transitional rural councils performed those functions and exercised those powers as contemplated in subparagraph (1) (a).
- (b) Any district municipality which is authorised in terms of subparagraph 1(b) to perform any functions or exercise any powers, must assume full responsibility and accountability for those function or powers and their effective and efficient performance or exercise, as the case may be, or any aspect thereof to the extent that the district councils, services council or regional council, as the case may be, performed those functions and exercised those powers as contemplated in subparagraph 1(b).
3. Legal, practical and other consequences of the authorisation : the provisions regarding-
 - (a) the transfer of assets, rights, liabilities an obligations
 - (b) the transfer of staff
 - (c) administrative units, and
 - (d) the continued application of by-laws and regulations,set out in the section 12 notices establishing the municipalities, apply with the necessary changes required by the context, to the performance of a function or the exercise of a power by a municipality that is authorised to perform such function or exercise such power in accordance with this Notice.

Revocation of Notice No. 1 of 2001

4. Notice No.1 of 2001 as published in Provincial Gazette Extraordinary No. 660 dated 19 January 2001, is hereby revoked.

ANNEXURE

MUNICIPALITY NO.	NAME OF MUNICIPALITY	Recommended that the municipality perform the following functions or exercise the following powers in its area or aspects of such functions or powers as provided for in section 84 of the Municipal Structures Act, 1998
DC34	Vhembe District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> - Building regulations (NP341, NP342, NP343) <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> - Liquor control (NP341, NP342, NP343) - Licensing etc for selling food to the public (NP341, NP342, NP343)
NP341	Messina Local Municipality	<p>84(1)(e) 84(1)(f) 84(1)(m) 84(1)(n) – relating to the above functions</p>
NP342	Mutale Local Municipality	84(1)(m)
NP343	Thohoyandou/ Malamulele Local Municipality	<p>84(1)(e) 84(1)(f) 84(1)(m)</p>

NP344	Makhado Local Municipality	<p>84(1)(n) – relating to the above functions</p> <p>84(1)(e) 84(1)(f) 84(1)(k) 84(1)(l) 84(1)(m) 84(1)(n) – relating to the above functions</p>
DC33	Mopani District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> - Building regulations {NP331, NP332} <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> - Liquor control {NP331, NP332} - Licensing etc for the selling food to the public {NP331, NP332}
NP331	Greater Giyani Local Municipality	<p>84(1)(j) 84(1)(m) 84(1)(n) – relating to the above functions</p>
NP332	Greater Letaba Local Municipality	<p>84(1)(j) 84(1)(m) 84(1)(n) – relating to the above functions</p>

NP333	Greater Tzaneen Local Municipality	<p>84(1)(e) 84(1)(f) 84(1)(g) 84(1)(h) 84(1)(j) 84(1)(k) 84(1)(l) 84(1)(m) 84(1)(n) relating to the above functions</p>
NP334	Ba-Phalaborwa Local Municipality	<p>84(1)(e) 84(1)(f) 84(1)(g) 84(1)(h) 84(1)(k) 84(1)(l) 84(1)(m) 84(1)(n) relating to the above functions</p>
DC35	Capricorn District Municipality	<p>The following powers and function or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> - Building regulations (NP351, NP352, NP353, NP355) <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> - Liquor control (NP351, NP352, NP353, NP355) - Licensing etc for the selling food to the public (NP351, NP352, NP353)

		NP355)	
NP351	Blouberg Local municipality	84(1)(m)	
NP352	Aganang Local Municipality	84(1)(m)	
NP353	Molemole Local Municipality	84(1)(m)	
NP354	Polokwane Local Municipality	84(1)(e) 84(1)(f) 84(1)(g) 84(1)(h) 84(1)(j) 84(1)(k) 84(1)(l) 84(1)(m) 84(1)(n) – relating to the above functions	
NP355	Lepelle-Nkumpi Local Municipality	84(1)(m)	
DC36	Waterberg District Municipality	No authorisation recommended	
NP361	Thabazimbi Local Municipality	84(1)(e) 84(1)(f) 84(1)(g) 84(1)(h) 84(1)(j) 84(1)(k) 84(1)(l) 84(1)(m) 84(1)(n) – relating to the above functions	
NP362	Lephalale Local Municipality	84(1)(e)	

NP364		<p>84(1)(f) 84(1)(g) 84(1)(h) 84(1)(j) 84(1)(k) 84(1)(l) 84(1)(m) 84(1)(n) – relating to the above functions</p>
NP365	<p>Mookgopong Local Municipality</p>	<p>84(1)(e) 84(1)(f) 84(1)(g) 84(1)(h) 84(1)(j) 84(1)(k) 84(1)(l) 84(1)(m) 84(1)(n) – relating to the above functions</p>
	<p>Modirrolle Local Municipality</p>	<p>84(1)(e) 84(1)(f) 84(1)(g) 84(1)(h) 84(1)(j) 84(1)(k) 84(1)(l) 84(1)(m) 84(1)(n) – relating to the above functions</p>

NP366	Bela-Bela Local Municipality	<p>84(1)(e) 84(1)(f) 84(1)(g) 84(1)(h) 84(1)(i) 84(1)(j) 84(1)(k) 84(1)(l) 84(1)(m) 84(1)(n) – relating to the above functions</p>
NP367	Mogalakwena Local Municipality	<p>84(1)(e) 84(1)(f) 84(1)(g) 84(1)(h) 84(1)(i) 84(1)(j) 84(1)(k) 84(1)(l) 84(1)(m) 84(1)(n) – relating to the above functions</p>

