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**Ku katsa na Tigazete to
Hlawuleka hinkwato**

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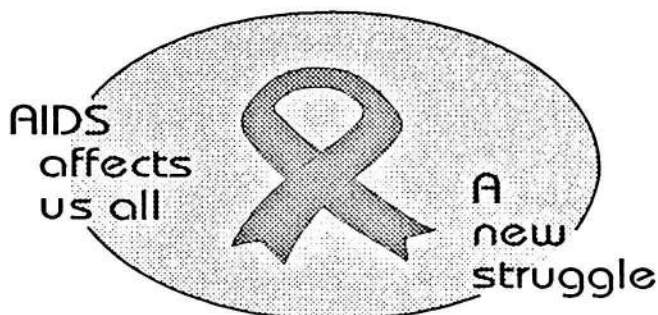
13 FULWI 2003

No. 904

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



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GENERAL NOTICE

NOTICE 98 OF 2003

LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO. 117 OF 1998)

AMENDMENT OF NOTICES ESTABLISHING SEKHUKHUNE CROSS BOUNDARY DISTRICT MUNICIPALITY, NOTICE NO. 302 OF 2000 (MPUMALANGA) AND NOTICE NO. 302 OF 2000 (LIMPOPO), BOHLABELA CROSS BOUNDARY DISTRICT MUNICIPALITY NOTICE NO. 303 OF 2000 (MPUMALANGA) AND NOTICE NO. 273 OF 2000 (LIMPOPO)

In terms of Section 16 read with section 85 of the Local Government: Municipal Structures Act, 1998, we, Mohammed Bhabha and M.J. Maswanganyi, Members of the Executive Councils responsible for Local Government in the Mpumalanga Province and the Limpopo Province respectively, hereby amend the Notices establishing the Sekhukhune Cross Boundary District Municipality (Notice No. 302 of 2000 as amended, Mpumalanga) and (Notice No. 302 of 2000 as amended, Limpopo) and the Bohlabela Cross Boundary District Municipality (Notice No. 303 of 2000 as amended, Mpumalanga) and (Notice No. 273 of 2000 as amended, Limpopo) as set out in the Schedule hereto.

M. Bhabha

**MEC for Local Government, Traffic Control and Traffic Safety:
Mpumalanga Province**

M.J. Maswanganyi

**MEC for Local Government and Housing:
Limpopo Province**

SCHEDULE

Amendment of Part 1 of Notice No. 302 of 2000 (Mpumalanga) and Notice No. 302 of 2000 (Limpopo)

1. Part 1 of Notice No. 302 of 2000 (Mpumalanga) and Notice No. 302 of 2000 (Limpopo) is hereby amended by the addition of the following paragraph:

"Adjustment of division of functions and powers between district municipalities and local municipalities by way of allocation

14(1) In terms of section 85 of the Act and with effect from 1 July 2003, the division of functions and powers between the district municipality and the local municipalities is adjusted by way of allocations in accordance with this paragraph, and for the purposes of this paragraph, "function" includes "power".

(2)(a) Subject to subparagraph (2)(b) and unless clearly inappropriate or inapplicable, the provisions of this Part which regulate the legal practical and other consequences of the disestablishment of municipalities including -

- (i) the transfer of staff;
- (ii) the transfer of assets, liabilities and administrative and other records; and
- (iii) the continued application of any bylaws regulations and resolutions in the area of the municipalities concerned and the extent of such application continue to apply with the necessary changes required by the context, to the performance of a function or the exercise of a power where such function or power is allocated to the district municipality or a local municipality.

(2)(b) For the purposes of this paragraph -

- (i) the provisions referred to in subparagraph (2)(a) must be construed as provisions which regulate any allocation in terms of subparagraph (1);

- (ii) the continued application of such provisions is subject to the legal, practical and other consequences of any allocation effected in terms of subparagraph (1), including the consequences of the matters referred to in subparagraph (2)(a)(i), (ii) and (iii) being further or otherwise regulated before, on or after 1 July 2003; and
- (iii) any reference in this Part to -
- (aa) "disestablished municipality" must be construed as a reference to the district or local municipality which loses a function or power, such function or power being allocated to another municipality in terms of subparagraph (1);
- (bb) "effective date" must be construed as a reference to 1 July 2003; and
- (cc) "new municipality" must be construed as a reference to the district or local municipality to which a function or power is allocated in terms of subparagraph (1).".

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities perform the following district functions in their respective local areas.
CB003	SEKHUKHUNE CROSS BOUNDARY DISTRICT MUNICIPALITY	THE FOLLOWING POWERS AND FUNCTIONS OR ASPECTS THEREOF IN THE AREA OF THE LOCAL MUNICIPALITIES INDICATED IN BRACKETS: SCHEDULE 4 PART B <ul style="list-style-type: none"> • STORMWATER MANAGEMENT SYSTEMS IN BUILT-UP AREAS ((BL5, NP03A2, NP03A3) • FIREFIGHTING SERVICES ((BL3, (BL4, (BL5, NP03A2, NP3A3)
(BL3)	GREATER MARBLE HALL LOCAL MUNICIPALITY	84(1)(H) 84(1)(L) 84(1)(F) 84(1)(E) 84(1)(N) - RELATING TO THE ABOVE FUNCTIONS.
(BL4)	GREATER GROBLERSDAL LOCAL MUNICIPALITY	84(1)(H) 84(1)(L) 84(1)(F) 84(1)(E) 84(1)(N) - RELATING TO THE ABOVE FUNCTIONS
(BL5)	GREATER TUBATSE LOCAL MUNICIPALITY	84(1)(F) 84(1)(E) 84(1)(N) - RELATING TO THE ABOVE FUNCTIONS

SCHEDULE

Amendment of Part 1 of Notice No. 302 of 2000 (Mpumalanga) and Notice No. 302 of 2000 (Limpopo)

1. Part 1 of Notice No. 302 of 2000 (Mpumalanga) and Notice No. 302 of 2000 (Limpopo) is hereby amended by the addition of the following paragraph:

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14(1) In terms of section 85 of the Act and with effect from 1 July 2003, the division of functions and powers between the district municipality and the local municipalities is adjusted by way of allocations in accordance with this paragraph, and for the purposes of this paragraph, "function" includes "power".

(2)(a) Subject to subparagraph (2)(b) and unless clearly inappropriate or inapplicable, the provisions of this Part which regulate the legal practical and other consequences of the disestablishment of municipalities including -

- (i) the transfer of staff;
- (ii) the transfer of assets, liabilities and administrative and other records; and
- (iii) the continued application of any bylaws regulations and resolutions in the area of the municipalities concerned and the extent of such application continue to apply with the necessary changes required by the context, to the performance of a function or the exercise of a power where such function or power is allocated to the district municipality or a local municipality.

(2)(b) For the purposes of this paragraph -

- (i) the provisions referred to in subparagraph (2)(a) must be construed as provisions which regulate any allocation in terms of subparagraph (1);

- (ii) the continued application of such provisions is subject to the legal, practical and other consequences of any allocation effected in terms of subparagraph (1), including the consequences of the matters referred to in subparagraph (2)(a)(i), (ii) and (iii) being further or otherwise regulated before, on or after 1 July 2003; and
- (iii) any reference in this Part to -
- (aa) "disestablished municipality" must be construed as a reference to the district or local municipality which loses a function or power, such function or power being allocated to another municipality in terms of subparagraph (1);
- (bb) "effective date" must be construed as a reference to 1 July 2003; and
- (cc) "new municipality" must be construed as a reference to the district or local municipality to which a function or power is allocated in terms of subparagraph (1).".

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities perform the following district functions in their respective local areas.
CB003	SEKHUKHUNE CROSS BOUNDARY DISTRICT MUNICIPALITY	THE FOLLOWING POWERS AND FUNCTIONS OR ASPECTS THEREOF IN THE AREA OF THE LOCAL MUNICIPALITIES INDICATED IN BRACKETS: SCHEDULE 4 PART B <ul style="list-style-type: none"> • STORMWATER MANAGEMENT SYSTEMS IN BUILT-UP AREAS ((BL5, NPO3A2, NPO3A3) • FIREFIGHTING SERVICES ((BL3, (BL4, (BL5, NPO3A2, NPO3A3)
(BL3)	GREATER MARBLE HALL LOCAL MUNICIPALITY	84(1)(H) 84(1)(L) 84(1)(F) 84(1)(E) 84(1)(N) - RELATING TO THE ABOVE FUNCTIONS.
(BL4)	GREATER GROBLERSDAL LOCAL MUNICIPALITY	84(1)(H) 84(1)(L) 84(1)(F) 84(1)(E) 84(1)(N) - RELATING TO THE ABOVE FUNCTIONS
(BL5)	GREATER TUBATSE LOCAL MUNICIPALITY	84(1)(F) 84(1)(E) 84(1)(N) - RELATING TO THE ABOVE FUNCTIONS

NPO3A2	MAKHUDUTAMAGA LOCAL MUNICIPALITY	84(1)(F) 84(1)(E) 84(1)(N) - RELATING TO THE ABOVE FUNCTIONS
NPO3A3	FETAKGOMO LOCAL MUNICIPALITY	NO DISTRICT FUNCTIONS ALLOCATED TO THE LOCAL MUNICIPALITY TO PERFORM IN ITS LOCAL AREA

Amendment of Part 1 of Notice No. 303 of 2000 (Mpumalanga) and Notice No. 273 of 2000 (Limpopo)

2. Part 1 of Notice No. 303 of 2000 (Mpumalanga) and Notice No. 273 of 2000 (Limpopo) is hereby amended by the addition of the following paragraph:

"Adjustment of division of functions and powers between district municipalities and local municipalities by way of allocation

14(1) In terms of section 85 of the Act and with effect from 1 July 2003, the division of functions and powers between the district municipality and the local municipalities is adjusted by way of allocations in accordance with this paragraph, and for the purposes of this paragraph, "function" includes "power".

(2)(a) Subject to subparagraph (2)(b) and unless clearly inappropriate or inapplicable, the provisions of this Part which regulate the legal practical and other consequences of the disestablishment of municipalities including -

- (i) the transfer of staff;
- (ii) the transfer of assets, liabilities and administrative and other records; and
- (iii) the continued application of any bylaws regulations and resolutions in the area of the municipalities concerned and the extent of such application continue to apply with the necessary changes required by the context, to the performance of a function or the exercise of a power where such function or power is allocated to the district municipality or a local municipality.

(2)(b) For the purposes of this paragraph -

- (i) the provisions referred to in subparagraph (2)(a) must be construed as provisions which regulate any allocation in terms of subparagraph (1);
- (ii) the continued application of such provisions is subject to the legal, practical and other consequences of any allocation effected in terms of subparagraph (1), including the consequences of the matters referred to in subparagraph (2)(a)(i), (ii) and (iii) being further or otherwise regulated before, on or after 1 July 2003; and
- (iii) any reference in this Part to -
 - (aa) "disestablished municipality" must be construed as a reference to the district or local municipality which loses a function or power, such function or power being allocated to another municipality in terms of subparagraph (1);
 - (bb) "effective date" must be construed as a reference to 1 July 2003; and
 - (cc) "new municipality" must be construed as a reference to the district or local municipality to which a function or power is allocated in terms of subparagraph (1)."

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities perform the following district functions in their respective local areas.
BD4	BOHLABELA (ROSS BOUNDARY DISTRICT) MUNICIPALITY	FIRE FIGHTING SERVICES ((BL6, NP01A1)
BL6	BUSHBUCKRIDGE LOCAL MUNICIPALITY	84(1)(L) 84(1)(E) 84(1)(M) - RELATING TO THE ABOVE FUNCTIONS.
NP01A1	MARUENG LOCAL MUNICIPALITY	84(1)(K) MARKETS ONLY 84(1)(E) 84(1)(M) - RELATING TO THE ABOVE FUNCTIONS

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