



LIMPOPO PROVINCE
 LIMPOPO PROVINSIE
 XIFUNDZANKULU XA LIMPOPO
 PROFENSE YA LIMPOPO
 VUNDU LA LIMPOPO
 IPHROVINSI YELIMPOPO

**Provincial Gazette • Provinsiale Koerant • Gazete ya Xifundzankulu
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**Extraordinary • Buitengewoon • Ku katsa na Tigazete to • Hu tshi katelwa na
 Hlawuleka hinkwato • Gazethe dza Nyingo**

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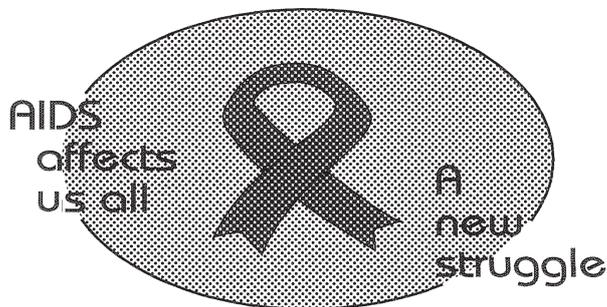
POLOKWANE,

Vol. 22

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No. 2607

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IMPORTANT

Information

from Government Printing Works

Dear Valued Customers,

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GPW Business Rules

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5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
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10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.

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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 328 OF 2015**DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS****NOTICE IN TERMS OF SECTION 14(5) OF LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998(ACT NO.117 OF 1998)**

I, Makoma Grace Makhurupetje, Member of the Limpopo Executive Council responsible for local government in the Province of Limpopo, under powers vested in me by section 14(5) of local Government: Municipal Structures Act, 1998 (Act No.117 of 1998) and after consulting affected municipalities in the Province, hereby make transitional measures to facilitate the disestablishment of existing municipalities, the establishment of new municipalities and incorporation of certain municipalities during such transition in Limpopo as set out in the Schedule hereto.

Thus Given under my hand at **POLOKWANE** on this 16 day of 09 2015



MS. MAKOMA GRACE MAKHURUPETJE, MPL
MEC RESPONSIBLE FOR LOCAL GOVERNMENT: LIMPOPO PROVINCE

SCHEDULE**Definitions**

1. In this Schedule, an expression or word to which a meaning has been assigned in the Municipal Structures Act, shall have the meaning so assigned unless the context indicates otherwise-

“Affected municipalities” means the following municipalities affected by the redetermination of boundaries in terms of section 21 of local Government: municipal Demarcation Act, 1998 (Act No. 27 of 1998) and set out in Provincial Gazette dated 02 July 2015-

- (a) Mutale Local Municipality (LIM342), Thulamela Local Municipality (LIM343) Makhado Local Municipality (LIM344) and Musina Local Municipality (LIM341)
- (b) Aganang Local Municipality (LIM 352), Blouberg Local Municipality (LIM351) and Polokwane Local Municipality (LIM354).
- (c) Fetakgomo Local Municipality (LIM474) and Greater Tubatse Local Municipality (LIM375)
- (d) Modimolle Local Municipality (LIM365) and Mookgophong Local Municipality (LIM364)

“Amalgamated Municipalities” means the combination of two or more municipalities as a result of the redetermination to form a single entity;

“Committees” means the Provincial Transformation Committee established in terms of section 3 of this notice;

“Disestablished Municipalities” means the following municipalities to be disestablished by the redetermination of boundaries in terms of section 21 of Local Government: Municipal Demarcation Act, 1998 (Act no. 27 of 1998)-

- (a) Mutale Local Municipality
- (b) Aganang Local Municipality

“Existing municipalities” means the municipalities into which the disestablished municipalities, or part thereof, will be incorporated in terms of the redetermination of boundaries as set out in Extraordinary Provincial Gazette published by the Municipal Demarcation Act, 1998 (Act No. 27 of 1998)

“MEC” means the member of the Executive Committee responsible for Local Government in the Province of Limpopo or the person acting in that capacity in respect of those municipalities.

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

“New Municipality” means the area to be disestablished as determined by the Demarcation Board in terms of Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998), for the establishment of new municipal area in terms of section 12 of the Municipal Structures Act;

“Chairperson” means a person appointed by the HOD responsible for local government in the province

Object of Transitional Measures

2. (1) The object of the transitional measures set out in this Schedule is to facilitate the incorporation of the disestablished/amalgamated and or affected municipalities into existing municipalities/new municipalities.
(2) Facilitate the establishment of new municipalities.
3. **Establishment of Provincial Transformation Committee**
 - (1) For every new municipality or extended boundaries of existing municipality as determined by the Municipal Demarcation Board in terms of section 21 of the Local Government : Municipal Demarcation Act, 1998 (Act No. 27 of 1998), a facilitation committee called the Provincial Transformation Committee is hereby established.

2. Composition of Provincial Transformation Committee

(a) The Provincial Transformation Committee shall consist of :-

- members of the Limpopo Provincial Department of Co-operative Governance and Traditional Affairs as mentioned below:-

(i) Senior General Manager: Cooperative Governance and Traditional Affairs who will act as chairperson of the Provincial Transformation Committee;

(ii) General Manager: Cooperative Governance Support;

(iii) General Manager: Democratic Governance and Disaster Management;

(iv) General Manager: Traditional Affairs;

(v) General Manager: Spatial Planning and Development;

(vi) General Manager: Municipal Infrastructure and Development;

(vii) Chief Financial Officer;

(viii) General Manager: Communications (CIO);

(viii) General Manager: Legal Services;

(b) General Manager: Budget, Limpopo Provincial Treasury;

(c) Senior Manager: Democratic Governance;

(d) Senior Manager: Municipal Finance;

(e) Senior Manager: Spatial Planning;

(f) Senior Manager: Municipal Institutional Capacity Building;

(g) Senior Manager: Performance Monitoring and Evaluation;

(h) Senior Manager: Community Development Program;

(c) two representatives from SALGA LIMPOPO; and

(d) two Provincial union representatives: one from IMATU and from SAMWU.

(3) The Provincial Transformation Committee may co-opt or invite such other members or municipal managers to serve on the said committee as it may deem necessary for time to time in order to assist it in the performance of its functions and duties.

(4) The Provincial Transformation Committee may establish subcommittees to attend to any matters; provided that any decision taken by a subcommittee must be ratified by the Provincial Transformation Committee at its next meeting.

Functions of the Provincial Transformation Committee

4. (1) The main functions of the Provincial Transformation Committee are to-

- (a) act as a consultative, advisory and policy making forum for the MEC and affected municipalities concerning the disestablishment and merges of the affected municipalities in the new municipal areas;
- (b) exercise oversight, support and guide the committees in the restructuring process;
- (c) ratify or amend recommendations made by the committees, before the recommendations are adopted by the respective affected municipal councils;
- (d) act as a dispute resolution body in those instances where municipal councils deviate from the recommendations made in terms of paragraph above: Provided that in the event that the dispute is not resolved within 14 days, the matter must be submitted to the MEC, whose decision will be final and binding on the affected municipalities; and
- (e) advise the MEC on the legal, practical and other consequences of the process.

(2) The Provincial Transformation Committee has all the powers necessary for the effective performance of its functions and affected municipalities must co-operate with the said Committee with a view to assist it in the performance of its functions.

(3) Any committee or entity that was appointed or came into being in anticipation of, but prior to the publication of this notice, is, for all intents and purposes, deemed to be the Provincial Transformation Committee, and to have met and performed any functions contemplated in this notices, as if it had been established in terms of this notice.

3. Appointment of additional member to the Committee

The MEC may in her discretion appoint any person who is not a member of such an existing committee on the grounds of that person's knowledge and expertise in any field or discipline which may enhance the efficiency of the committee.

Conduct of Members

4. (1) A member of a Committee must perform the functions of office in line with the Code of Conduct of Code Conduct for officials, as well as all legislation applicable.

(2) A member of a Committee may not –

- (a) use the position or privileges of a member for private gain or to improperly benefit another person; or
- (b) act in any other way that compromises the credibility, impartiality or integrity of the Committee.

Meetings of Provincial Transformation Committee

5.(1) The chairperson of the Committee decides where and when the Committee meets, but a majority of the members may request the chairperson, in writing, to convene a meeting of the Committee at a place and time set out in the request.

(2) The chairperson presides at the meeting of the Committee, but if the chairperson is absent from a meeting, the members present must elect another member to preside at the meeting.

6. Term of Office

(1) the term of office of the Committee shall commence on the date on which the members are appointed and shall expire on the day on which the MEC establishes new municipality in terms of section 12 of the Municipal Structures Act.

7. Report to the MEC

(1) The Chairperson of the Provincial Transformation Committee shall within 30 days in line with sub –clause 6 of this notice submit to the MEC responsible for local government in Limpopo Province a detailed report on the process of redetermination of municipal outer boundaries.

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