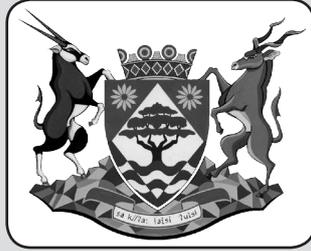


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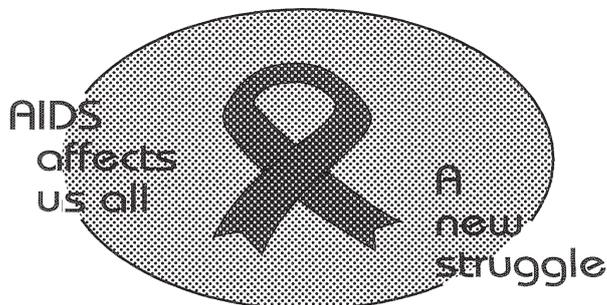
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Provinsiale Koerant**

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16 SEPTEMBER 2020
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No. 2367

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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 93 OF 2020**DEPARTMENT OF COOPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS****NOTICE IN TERMS OF SECTION 35 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998, READ WITH SECTIONS 139(1)(c) AND 139(5) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996 – APPOINTMENT OF ADMINISTRATOR OF THE RENOSTERBERG LOCAL MUNICIPALITY AND DETERMINATION OF THE POWERS AND FUNCTIONS OF THE ADMINISTRATOR**

I, Bentley Gavin Vass, in my capacity as the Member of the Executive Council of the Northern Cape responsible for local government, subsequent to a decision of the Northern Cape Provincial Executive Council on the **20 August 2020**, to dissolve the Municipal Council of Renosterberg Local Municipality, in terms of **sections 139(1)(c) and 139(5) of the Constitution of the Republic of South Africa, 1996**, hereby –

- (a) under the powers vested in me by **section 35(1)** of the **Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998)**, appoint **Mr. Thembilizwe Andries Loko** as the Administrator of the Renosterberg Local Municipality with effect from the **07 September 2020** until a new municipal council is declared elected; and
- (b) in accordance with the provisions of **section 35(2)** of the Local Government: Municipal Structures Act, 1998, determine that the Administrator must exercise and perform the following powers and functions:
 - (i) undertake all executive functions of a municipal council except the legislative functions namely, the approval of by-laws, the approval of the municipal budget and the imposition of rates, taxes, levies, duties, service fees and surcharges on fees;
 - (ii) undertake all statutory executive functions of the Mayor;
 - (iii) Rescind the decision to appoint the Municipal manager as the Acting Chief Financial Officer and the Acting Director: Corporate Services in accordance with applicable legislative framework;
 - (iv) represent the Municipality on the Council of the Pixley ka Seme District Municipality;
 - (v) implement all the **approved intervention conditions** by the **Minister** responsible for local government (“Cooperative Governance”) and the **approved conditions** by the **National Council of Provinces** (“NCOP”) in terms of **section 139(1)(b) and (c)**;
 - (vi) undertake all fiscal and financial management functions at the municipality, including being the controlling signatory on the municipal banking account;
 - (vii) ensure that all the necessary steps of recruitment (including the shortlisting and interviews) of the managers accountable to the municipal manager for appointment by the Municipal Council;
 - (viii) undertake the functions referred to in section 67(1)(h) and Schedule 2 of the Local Government: Municipal Systems Act, 2000, read with any other relevant legislative provisions dealing with disciplinary matters, including criminal and civil action;
 - (ix) implement all governance systems and procedures including oversight over the administration;
 - (x) ensure implementation of financial systems, policies and procedures;
 - (xi) approve all decisions taken at all levels of management including those of the Financial expert in terms of delegated or original authority;
 - (xii) devise the turn-around strategy and/or Financial Recovery Plan for the Municipality;
 - (xiii) implement a system to control and approve all expenditure;

- (xiv) ensure implementation of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), including preparing the municipal valuation roll in terms of section 32(3) of the said Act where applicable;
- (xv) set out and implement a specific strategy for addressing the financial problems experienced by the Municipality, including a strategy for reducing unnecessary expenditure and increasing the collection of revenue;
- (xvi) review the organisational structure of the Municipality;
- (xvii) Where necessary take the necessary actions including instituting forensic investigation, reporting all unlawful actions, activities of fraud, corruption, malpractice and maladministration to the relevant law enforcement agencies, intelligence community in the form of the SIU, Hawks, Asset Forfeiture Unit, Financial Intelligence Centre to recover all irregular payments made to service providers, law firms, councillors and officials, sale of movable and immovable assets of the community – in terms of the **MFMA, Systems Act and any applicable legislation**; and
- (xviii) co-ordinate a programme of visits by all Members of the Executive Council and Provincial Government Departments at the Municipality in order to fast-track service delivery and prepare progress reports in this respect.

Given under my Hand at Kimberley on this 11th day of September, 2020



MR. B. G. VASS, MPL
Member of the Northern Cape Provincial Executive Council
responsible for Local Government

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