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**PROVINCIAL GAZETTE  
PROVINSIALE KOERANT**

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**No. 8040**

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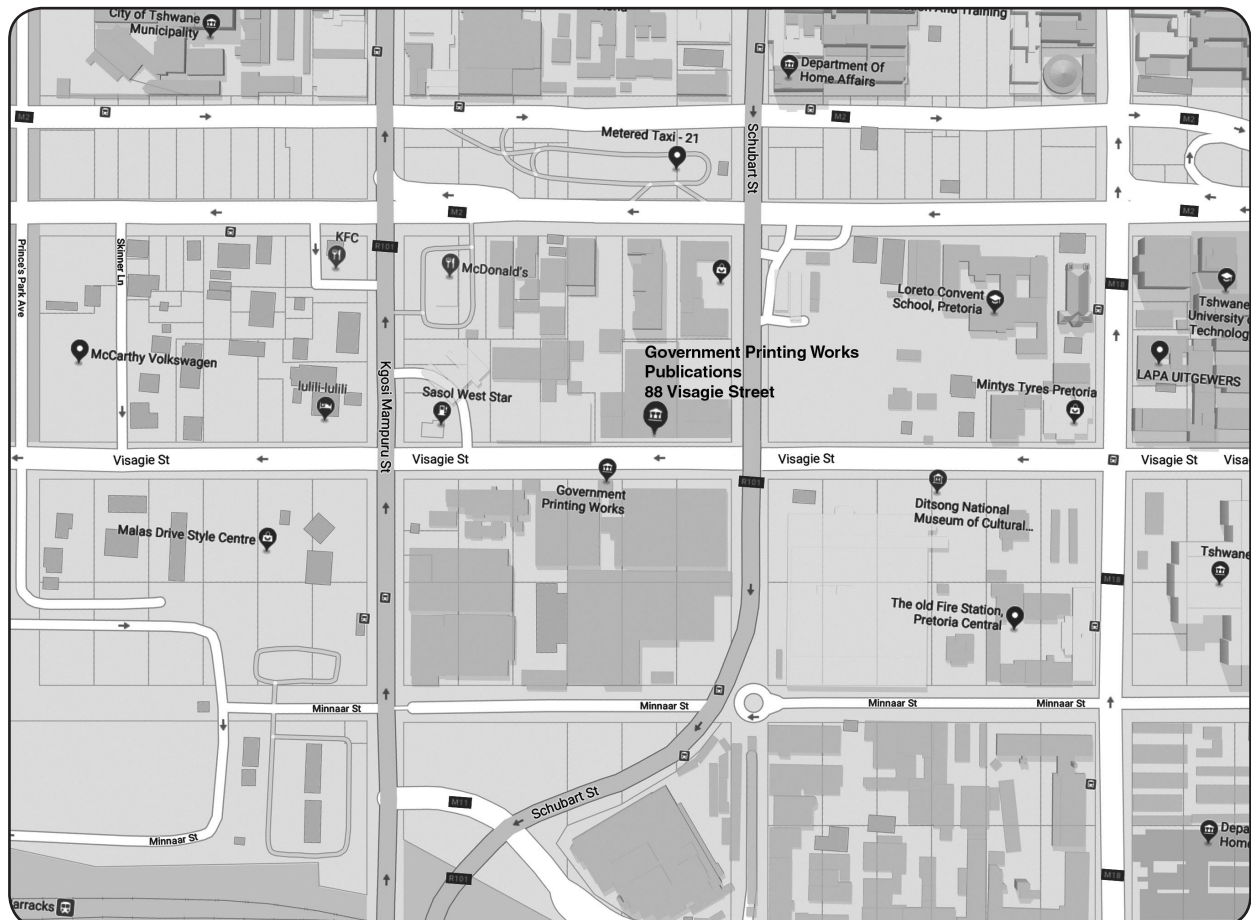
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## PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

## PROVINCIAL NOTICE 137 OF 2019



## NALEDI LOCAL MUNICIPALITY

**MUNICIPAL PROPERTY RATES BY-LAW**

Naledi Local Municipality hereby, in terms of section 6 of the Local Government Municipal Property Rates Act, 2004, has by way of Resolution No 701/2018 adopted the Municipality's Property Rates By-Law set out hereunder:

Policy effective date: [01 July 2019]

Approved date: [31 May 2019]

Resolution: [51/2019]

## PREAMBLE

WHEREAS section 229(1) of the Constitution requires a Municipality to impose rates on property and surcharges on fees for the services provided by or on behalf of the Municipality;

AND WHEREAS section 13 of the Municipal Systems Act read with section 162 of the Constitution require a Municipality to promulgate municipal by-laws by publishing them in the gazette of the relevant Province;

AND WHEREAS section 6 of the Local Government Municipal Property Rates Act, 2004 requires a Municipality to adopt by-laws to give effect to the implementation of its Property Rates Policy, the by-laws may differentiate between the different categories of properties and different categories of owners of properties liable for the payment of rates;

NOW THEREFORE BE IT ENACTED by the Council of Naledi Local Municipality as follows:

## 1. DEFINITIONS

In the by-law, any word or expression to which a meaning has been assigned in the Local Government Municipal Property Rates Act, 2004 (Act No 6 of 2004), shall bear the same meaning unless the context indicates otherwise.

**“Municipality”** means Naledi Local Municipality;

**“Property Rates Act”** means the Local Government Municipal Property Rates Act, 2004 (Act No 6 of 2004);

**“Rates Policy”** means the policy on the levying of rates on rateable properties of Naledi Local Municipality, contemplated in chapter 2 of the Municipal Property Rates Act.

## 2. OBJECTS

The object of this by-law is to give effect to the implementation of the Rates Policy as contemplated in section 6 of the Municipal Property Rates Act.

## 3. ADOPTION AND IMPLEMENTATION OF RATES POLICY

3.1 The Municipality shall adopt and implement its Rates Policy consistent with the Municipal Property Rates Act on the levying of rates on rateable property within the jurisdiction of the Municipality; and

3.2 The Municipality shall not be entitled to levy rates other than in terms of its Rates Policy.

## 4. CONTENTS OF A RATE POLICY

The Rates Policy shall, *inter alia*:

4.1 Apply to all rates levied by the Municipality pursuant to the adoption of its Annual Budget;

- 4.2 Comply with the requirements for:
  - 4.2.1 the adoption and contents of a Rates Policy specified in section 3 of the Act;
  - 4.2.2 the process of community participation specified in section 4 of the Act; and
  - 4.2.3 the annual review of a Rates Policy specified in section 5 of the Act.
- 4.3 Provide for principles, criteria and implementation measures that are consistent with the Municipal Property Rates Act for the levying of rates which the Council may adopt; and
- 4.4 Provide for enforcement mechanisms that are consistent with the Municipal Property Rates Act and the Local Government Municipal Systems Act, 2000 (Act No 32 of 2000).

## **5. ENFORCEMENT OF THE RATES POLICY**

The Municipality's Rates Policy shall be enforced through the Credit Control and Debt Collection Policy and any further enforcement mechanisms stipulated in the Act and the Municipality's Rates Policy.

## **6. SHORT TITLE AND COMMENCEMENT**

This By-Law is called the Municipal Property Rates By-Law and takes effect on 01 July 2019.

**EXTRACT OF COUNCIL RESOLUTION NUMBER 51/2019**

During a Council meeting held on 31 May 2019, Council resolved per Council Resolution Number 51/2019 as follows:-

**2019/2020 BUDGET AND FORECASTS 2020/2021 – 2021/2022(5/1/2/1/1)****RESOLVED**

- “1. That the final Operating and Capital Budget for the MTREF 2019/20 to 2021/22 is hereby tabled by the Mayor to Council in terms of section 16(2) of the Municipal Finance Management Act, 56 of 2003.
2. That the draft Operating and Capital Budget for the MTREF 2019/20 to 2021/22 was taken for public participation to all wards within Naledi Local Municipality and that public was invited to make representations in connection with the budget in terms of sections 22 and 23 of the Municipal Finance Management Act, 56 of 2003.
3. That in terms of section 17(3) of the Municipal Finance Management Act, 56 of 2003, the following draft resolution for the final adoption of the annual Operating and Capital Budget for the MTREF 2019/20 to 2021/22 is hereby noted.
4. That in terms of section 24 of the Municipal Finance Management Act, 56 of 2003, the annual budget of the Naledi Local Municipality for the financial year 2019/20; and indicative allocations for the two projected outer years 2020/21 and 2021/22; and the multi-year and single year capital appropriations are approved as set-out in the following tables:-
  - 4.1 Budgeted Financial Performance (revenue and expenditure by standard classification);
  - 4.2 Budgeted Financial Performance (revenue and expenditure by municipal vote);
  - 4.3 Budgeted Financial Performance (revenue by source and expenditure by type); and

- 4.4 Multi-year and single year capital appropriations by municipal vote and standard classification and associated funding by source.
5. That the financial position, cash flow, cash-backed reserve/accumulated surplus, asset management and basic service delivery targets are adopted as set-out in the following tables:-
- 5.1 Budgeted Financial Position;
- 5.2 Budgeted Cash Flows;
- 5.3 Cash backed reserves and accumulated surplus reconciliation;
- 5.4 Asset management; and
- 5.5 Basic service delivery measurement.
6. That in terms of section 24(2)(c)(i) and (ii) of the Municipal Finance Management Act, 56 of 2003 and sections 74 and 75A of the Local Government: Municipal Systems Act, Act 32 of 2000 as amended, the tariffs for the supply of water, electricity, waste services, sanitation services , property rates and other services as set out in **Annexure D** that were used to prepare the estimates of revenue by source, are approved with effect from 01 July 2019.
7. That 2019 / 2020 tariffs be increased as follows:-
- |     |                  |         |
|-----|------------------|---------|
| 7.1 | Rates            | 0.00 %  |
| 7.2 | Rates Government | 0.00%   |
| 7.3 | Water            | 5.20 %  |
| 7.4 | Electricity      | 13.07 % |
| 7.5 | Refuse Removal   | 5.20 %  |
| 7.6 | Sewerage         | 5.20 %  |
| 7.7 | Other Services   | 5.20 %  |
8. That given our cash flow challenges for the municipality, in order to comply with the recommendation of the Department of Cooperative Governance of gradually lowering the rates for state owned property, the municipality for the budget year of 2019/20 keep the tariff increase at 0.00% as lowering the rates will have detrimental effect on our cash flow.
9. That in terms of section 5 of the Municipal Property Rates Act, 6 of 2004, the rates policy (or the amendments to the rates policy) is approved.
10. That provision has been made for 6.5% increase in the salaries and wages of employees as per circular 1/2019 for salary and wage increase for the period 1 July 2019 to 30 June 2020 from South African Local Government Bargaining Council.
11. That in terms of section 24(2)(c)(iii) of the Municipal Finance Management Act, 56 of 2003, the measurable performance objectives for capital and operating expenditure by vote for each year of the medium term revenue and expenditure framework as set out in Supporting Table SA7 are approved.



12. That in terms of section 24(2)(c)(iv) of the Municipal Finance Management Act, 56 of 2003, the amendments to the integrated development plan as set out in Budget Chapter 17 are approved.
13. That in terms of section 24(2)(c)(v) of the Municipal Finance Management Act, 56 of 2003, the budget-related policies, including any amendments as set out in Budget Chapter 4 are approved for the budget year 2019/20.
14. That Gross Monthly Income Amount approved by Council in terms of section 9.1.3 of the Approved Indigent Policy is R3, 560.
15. That all inputs received from all stakeholders were considered in the finalization of the budget.
16. That the following Councillors registered their dissension vote:
  2. Councilor J. G. Brand
  3. Councilor E. P. Renoster
  4. Councilor H. Huyssteen
  5. Councilor M. P. Lebona
17. That Councilor K. D. Tshite abstained from the item.”

Regards



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**T D TSHIKUNDU**  
**ACTING MUNICIPAL MANAGER**

**RESOLUTION ON LEVYING PROPERTY RATES IN TERMS OF SECTION 14 OF THE LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES ACT, 2004 (ACT NO 6 OF 2004)****NALEDI LOCAL MUNICIPALITY****RESOLUTION LEVYING PROPERTY RATES FOR THE FINANCIAL YEAR 1 JULY 2019 TO 30 JUNE 2020**

Notice is hereby given in terms of section 14(1) and (2) of the Local Government Municipal Property Rates Act, 2004; that at its meeting of 31 May 2019, the Council resolved by way of Council Resolution Number 51/2019, to levy the rates on property reflected in the schedule below with effect from 1 July 2019.

<b>Category of property</b>	<b>Cent amount in the Rand rate determined for the relevant property category</b>
Residential property	0.00764
Business and commercial property	0.01526
Industrial property	0.01526
Agricultural property	0.00190
Agricultural : Businesses	0.00382
Government	0.03046

Full details of the Council Resolution and rebates, reductions and exclusions, specific to each category of owners of properties or owners of a specific category of properties as determined through criteria in the Municipality's Rates Policy, are available for inspection at the Municipality's offices.



**TD TSHIKUNDU**  
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