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## GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF CONSTITUTIONAL DEVELOPMENT  
DEPARTEMENT VAN STAATKUNDIGE ONTWIKKELING

**No. R. 254**

**25 February 1999**

LOCAL GOVERNMENT TRANSITION ACT, 1993  
(ACT NO. 209 OF 1993)

### Y2K COMPLIANCE REGULATIONS FOR MUNICIPALITIES

The Minister for Provincial Affairs and Constitutional Development has, after consultation with the MEC's, under section 12, read with sections 10G(1) and 10I of the Local Government Transition Act, 1993 (Act No. 209 of 1993), made the regulations in the Schedule.

**M V MOOSA**

**Minister for Provincial Affairs and Constitutional Development**

## SCHEDULE

### Definitions

1. In these regulations a word or a phrase to which a meaning has been assigned in the Local Government Transition Act, 1993 (Act No. 209 of 1993), has that meaning and, unless the context otherwise indicates-

"the Centre" means the National Year 2000 Decision Support Centre, established under authority of a decision of Cabinet by the Department of Communication in terms of section 21

of the Companies Act, 1973, situated at 399 Duncan Street, Hatfield, Pretoria, 0083, (Private Bag X 860, Pretoria, 0001);

"Y2k phenomenon" means the anticipated or potential disruption of the functioning of electronically controlled metering, supply and control mechanisms, communication devices, information systems and any other mechanical or electronic device, before, on or following 31 December 1999.

### **Preliminary actions and reports**

2.(1) Every council must, within 21 days of the publication of these regulations, convene and consider the extent to which the effective functioning of the municipality concerned, the provision of services, and the ability to recover costs for the rendering of services, will be affected by the Y2k phenomenon.

(2) With effect from 30 March 1999, until and including 30 April 2000, the chief executive officer of each municipality must, on or before the 30th of each month, submit to the Centre a completed questionnaire in the format contained in the Annexure.

### **Y2k Project Plan**

3.(1) Every municipality must, before 31 March 1999, prepare and implement a Y2k Project Plan –

- (a) covering the items set out in the questionnaire contained in the Annexure;
- (b) setting out the actions to be taken by the municipality to address the Y2k phenomenon; and
- (c) indicating the manner in which any expenditure arising from the implementation of the Y2k Project Plan is to be financed.

- (2) The chief executive officer of each municipality must forward the Y2k Project Plan referred to in subregulation (1) to the Centre before 15 April 1999.
- (3) The Centre may at any time submit a report to a municipality recommending steps to be taken to address the Y2k phenomenon.
- (4) Whenever the Centre submits a report as contemplated in subregulation (3), the municipality concerned must-
- (a) within 21 days of receiving such a report, revise the Y2k Project Plan referred to in subregulation (1) taking into account the recommendations made by the Centre; and
  - (b) implement the revised Y2k Project Plan.
- (5) A revised Y2k Project Plan envisaged in subregulation (4) must be forwarded to the Centre by the chief executive officer of the municipality concerned.

#### **Audit**

4. If an MEC is of the opinion that insufficient information has been provided by a municipality, or that unsatisfactory progress in addressing the adverse effects of the Y2k phenomenon is being made by a municipality, that MEC may authorise the Centre to conduct an audit into the affairs of the municipality concerned in so far as the adverse effects of the Y2k phenomenon are concerned.

#### **Offences and penalties**

5. Any chief executive officer of a municipality, or a person acting in that capacity, who fails to comply with any provision of these regulations, is guilty of an offence and is liable, on conviction, to a fine not exceeding R5000.00.

**Short title and commencement**

6. These regulations are called the Y2k Compliance Regulations, 1999.

**ANNEXURE**

No. R. 254

25 Februarie 1999

**OORGANGSWET OP PLAASLIKE REGERING, 1993**  
**(WET NO. 209 VAN 1993)**

**Y2K- VOLDOENING REGULASIES VIR MUNISIPALITEITE**

Die Minister vir Provinsiale Sake en Staatkundige Ontwikkeling het, na oorleg met die LUR'e, kragtens artikel 12, gelees met artikels 10G(1) en 10I van die Oorgangswet op Plaaslike Regering, 1993 (Wet No. 209 van 1993), die regulasies in die Bylae uitgevaardig.

**M V MOOSA**

**Minister vir Provinsiale Sake en Staatkundige Ontwikkeling**

**BYLAE**

**Woordomskrywings**

1. In hierdie regulasies het 'n woord of uitdrukking waaraan 'n betekenis in die Oorgangswet op Plaaslike Regering, 1993 (Wet No. 209 van 1993), toegeken is, daardie betekenis, en, tensy uit die samehang anders blyk, beteken –

”die Sentrum” die Nasionale Jaar 2000 Besluitsteunsentrum, wat op gesag van 'n besluit van die Kabinet deur die Departement van Kommunikasie ingevolge artikel 21 van die

Maatskappywet, 1973, opgerig is, en wat te Duncanstraat 399, Hatfield, Pretoria, 0083, (Privaatsak X 860, Pretoria, 0001) geleë is;

"Y2k verskynsel" die verwagte of potensiële ontwrigting van die funksionering van elektronies beheerde metings-, voorsienings- en beheermeganismes, kommunikasie toestelle, inligtingstelsels, en enige ander meganiese of elektroniese toestel, voor, op of na 31 Desember 1999.

### **Voorlopige optredes en verslae**

2.(1) Elke raad moet binne 21 dae vanaf die publikasie van hierdie regulasies, byeenkom en oorweging skenk aan die mate waarin die effektiewe funksionering van die betrokke munisipaliteit, die voorsiening van dienste, en die vermoë om uitgawes vir die lewering van dienste te verhaal, deur die Y2k verskynsel geaffekteer sal word.

(2) Met ingang van 30 Maart 1999, tot en met 30 April 2000, moet die hoof uitvoerende beampte van elke munisipaliteit, voor of op die 30ste van elke maand, 'n voltooide vraelys in die formaat soos in die Aangangsel vervat, aan die Sentrum voorlê.

### **Y2k Projekplan**

3.(1) Elke munisipaliteit moet voor 31 Maart 1999 'n Y2k Projekplan voorberei en implementeer –

- (a) wat die items dek wat in die vraelys vervat in die Aangangsel, uiteengesit is;
- (b) wat die aksies wat deur die munisipaliteit geneem staan te word ten einde die Y2k verskynsel aan te spreek, uiteensit; en
- (c) wat die wyse aandui waarop enige uitgawes wat uit die implementering van die Y2k Projekplan voortspruit, gefinansier staan te word.

(2) Die hoof uitvoerende beampte van elke munisipaliteit moet die Y2k Projekplan bedoel in subregulasie (1) voor 15 April 1999 na die Sentrum deurstuur.



- (3) Die Sentrum kan te enige tyd 'n munisipaliteit van 'n verslag voorsien waarin stappe aanbeveel word om die Y2k verskynsel aan te spreek.
- (4) Telkens as die Sentrum 'n verslag voorlê soos in subregulasie (3) beoog, moet die betrokke munisipaliteit-
- (a) binne 21 dae vanaf ontvangs van sodanige verslag, die Y2k Projekplan in subregulasie (1) bedoel met inagneming van die aanbevelings wat deur die Sentrum gemaak is, wysig; en
  - (b) die gewysigde Y2k Projekplan implementeer.
- (5) 'n Gewysigde Y2k Projekplan beoog in subregulasie (4), moet deur die hoof uitvoerende beampte van die betrokke munisipaliteit aan die Sentrum deurgestuur word.

### **Ouditering**

4. Indien 'n LUR van mening is dat onvoldoende inligting deur 'n munisipaliteit verskaf is, of dat 'n munisipaliteit onbevredigende vordering maak met die aanspreek van die nadelige gevolge van die Y2k verskynsel, kan daardie LUR die Sentrum magtig om 'n ouditering van die sake van die betrokke munisipaliteit te onderneem in soverre dit die nadelige gevolge van die Y2k verskynsel aangaan.

### **Misdrywe en strawwe**

5. 'n Hoof uitvoerende beampte van 'n munisipaliteit, of 'n persoon wat in daardie hoedanigheid waarneem, wat versuim om 'n bepaling van hierdie regulasies na te kom, is aan 'n misdryf skuldig, en is by skuldigbevinding strafbaar met 'n boete van hoogstens R5000.00.

### **Kort titel en inwerkingtreding**

6. Hierdie regulasies heet die Y2k- Voldoening Regulasies, 1999.



## ANNEXURE/AANHANGSEL

**PROVINCIAL Y2K COMPLIANCE PROJECT****LOCAL GOVERNMENT Y2K QUESTIONNAIRE****SECTION A: COMPUTER AND BUSINESS SYSTEMS****1. PLANNING:****1.1 Risk analysis:**

1.1.1 Have you identified your mission critical systems?

YES / NO

1.1.2 Has the impact on your business continuity been assessed should any of your systems fail?\*

YES / NO

1.1.3 Has the impact on your business continuity been assessed should any of your business partners' systems fail?\*

YES / NO

**1.2 Project Plan**

1.2.1 Do you have a Project Plan in place to address the Y2K problem?\*

YES / NO

1.2.2 Briefly note down the scope of your Project Plan\*

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1.2.3 Briefly note down the objectives of your Project Plan\*

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1.2.4 Does your Project Plan include a time schedule to make your Y2K deadline?\*

YES / NO

1.2.5 Does your Project Plan include looking at components traditionally perceived to be unrelated to IT that may impact on delivery, f.i. fax machines, elevators, etc?\*

YES / NO

1.2.6 What date is set for the completion of the rectification phase of your Y2K Project?

\_/\_/\_

1.2.7 What date is set for the completion of the test phase of your Y2K Project?

\_/\_/\_

1.2.8 Have you introduced measures to track the progress of your Y2K Project?\*

YES / NO

1.2.9 Have you done an impact study to determine Y2K readiness of your mission critical systems, f.i. your billing systems?\*

YES / NO

1.2.10 Have you listed all equipment that might be date-impacted?*	YES / NO
1.2.11 Does your Project Plan include looking at embedded systems?*	YES / NO
1.2.12 Has an audit been performed to determine your Y2K readiness?*	YES / NO
1.2.13 Do you have a disaster recovery plan in place as part of your Project Plan?*	YES / NO
<u>2. Y2K PROJECT TEAM</u>	
2.1 Is your CEO the Executive Sponsor of your Y2K Effort?	YES / NO
2.2 Have you established a project team to implement your Project Plan?	YES / NO
2.3 If not, do you have sufficient members of staff available to form such a team?	YES / NO
2.4 Have you established rules and responsibilities for each member of your Y2K team?	YES / NO
<u>3. BUDGET</u>	
3.1 Please state your total budgeted figure for your Year 2000 Project	R _____
3.2 Is your budget sufficient to complete your Year 2000 Project?	YES / NO
3.3 If not, state the envisioned shortfall on your Year 2000 Project budget	R _____
3.4 Do you have access to additional budget should the project cost exceed expectations?	YES / NO
<u>4. CONTINGENCY PLANS</u>	
4.1 Do you have a contingency plan in place in the event of non-delivery of services?	YES / NO
<u>5. BUSINESS CHAIN</u>	
<i>"Business Chain" refers to all organisations external to your own on which you depend for any type of service. These could be other governmental organisations, banks, etc. A good example is to check your local bank for Y2K compliance. If not you might find yourself unable to pay out salaries.</i>	
5.1 Have you drawn up an inventory of interfaces to the business partners in your business chain?	YES / NO
5.2 Not all organisations will be Y2K compliant by 2000. Have you done an impact study to estimate the effect that organisations in your business chain could have on your own operations?	YES / NO
5.3 Do you require your suppliers of office equipment to certify that their products are either not date-impacted or Y2K compliant?	YES / NO
5.4 Do you know the extent to which your business partners will be responsible to deliver a service to you, i.e. ESCOM is only responsible for	YES / NO

delivery of electricity to the main service/electricity station. Distribution from there on is the responsibility of the Local Government.

## 6. COMMUNICATION

6.1 Do you have a representative tasked to attend the National Year 2000 Decision Support Centre meetings?

YES / NO

6.2 Are you reporting back to the Centre regularly on progress made with your Year 2000 Project?

YES / NO

6.3 If so, is it possible for you to forward us a copy of the report on a regular basis?\*

YES / NO

6.4 Have you educated your users with regard to what they can expect from the Year 2000 problem?

YES / NO

## 7. LEGAL ASPECTS

7.1 What do you perceive to be the extent of your responsibility towards the public who fall within the boundaries of your domain?

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7.2 Have you taken legal advice on the consequences if any of your systems fail?

YES / NO

7.3 Do you have documents to prove "due diligence" in the event of legal action taken against you for non-delivery of services?\*

YES / NO

7.4 Insurance might not cover Y2K-related malfunctioning of equipment or data loss. Have you explored this possibility and have you obtained any guarantees that claims will be met?

YES / NO

## SECTION B: PROGRESS TO DATE

### 1. STATUS OF PROJECT

Please indicate the status of each of the following phases of your Year 2000 Compliance Plan:

#### 1.1 Networks

*Including switches, hubs, routers*

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

**1.2 Hardware***Including printers, scanners, plotters, etc.*

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

**1.3 Software***Operating Systems, Word Processors, Spreadsheets, Databases, DTP, Scheduling, etc.*

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

**1.4 Labour-saving Devices***F.i. fax machines, Copiers, etc.*

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

**1.5 PABX***And other switchboard equipment*

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

**1.6 Rates & Taxes Collection Systems and Billing Systems**

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

1.7 Planning System & GIS

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

1.8 HR System

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

1.9 Value Roll Systems

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

1.10 Fleet Control System

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

1.11 Access Control Systems

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

1.12 Alarm Systems

▪ Inventory	not started / in the process / done
▪ Assessment	not started / in the process / done
▪ Rectification	not started / in the process / done
▪ Test	not started / in the process / done

1.13 Air-conditioning

▪ Inventory	not started / in the process / done
▪ Assessment	not started / in the process / done
▪ Rectification	not started / in the process / done
▪ Test	not started / in the process / done

1.16 Elevators

▪ Inventory	not started / in the process / done
▪ Assessment	not started / in the process / done
▪ Rectification	not started / in the process / done
▪ Test	not started / in the process / done

2. SERVICES

Please indicate the status of each of the following phases of your Year 2000 Compliance Plan:

2.1 Electricity Supply

*Focus: Presuming that ESCOM will provide power up to the stations at the Local Governments*

▪ Inventory	not started / in the process / done
▪ Assessment	not started / in the process / done
▪ Rectification	not started / in the process / done
▪ Test	not started / in the process / done

2.2 Water Supply

*Focus: Presuming that Rand Water will be provide bulk water to the Local Governments who is responsible for distribution within their respective domains:*

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

2.3 Sewerage

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

2.4 Emergency Services

Control Centre and Slave Station / Relay Stations

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Test          | not started / in the process / done |

2.5 NATIS Support

*Except for the mainframe which will be the Department of Transport's responsibility*

- |                 |                                     |
|-----------------|-------------------------------------|
| ▪ Inventory     | not started / in the process / done |
| ▪ Assessment    | not started / in the process / done |
| ▪ Rectification | not started / in the process / done |
| ▪ Testing       | not started / in the process / done |

3. GENERAL

What other problems do you envision with regard to your Y2K Project?

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Please certify that the above is correct to your knowledge:

Name: \_\_\_\_\_

Rank: \_\_\_\_\_

Signature: \_\_\_\_\_

**\* In the case of a YES, Please fax/e-mail us the relevant documentation, i.e. a Project Plan, etc. if available.**

Feel free to contact Mr Esau Mailula for further information.

His contact details are:

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0001

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