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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF CONSTITUTIONAL DEVELOPMENT
DEPARTEMENT VAN STAATKUNDIGE ONTWIKKELING

No. R. 387

26 March 1999

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

AMENDMENT OF DISPENSING OF TENDER REGULATIONS

The Minister for Provincial Affairs and Constitutional Development has, after consultation with the MEC's, under section 12, read with section 10G(5)(c), 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 Regulations" means the Dispensing of Tender Regulations, 1998 (Government Notice No. R. 1224 of 2 October 1998).

Substitution of regulation 1 of the Regulations

2. The following regulation is hereby substituted for regulation 1 of the Regulations:

"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 -

'category' means -

- (a) in respect of a municipality other than a district council, a category of municipality as determined in terms of item 3 of the Annexure; and
- (b) in respect of a district council, the category of the highest category of municipality within the area of jurisdiction of the district council in question;

'rates income' for the purpose of determining the category for a particular financial year, means the actual rates income of a municipality for the previous financial year as calculated by each municipality at the end of such previous financial year."

Amendment of regulation 2 of the Regulations

3. Regulation 2 of the Regulations is hereby amended-

(a) by the substitution for subparagraph (i) of paragraph (a) of the following subparagraph:

"(i) the amount involved or likely to be involved does not exceed in respect of-

- (aa) category 1 an amount of R50 000;
- (bb) category 2 an amount of R70 000; and
- (cc) category 3 an amount of R120 000,

provided that any municipality may determine a lower amount than the amount set for the category of that municipality by this subparagraph;"

- (b) by the deletion at the end of subparagraph (vi) of paragraph (a) of the word "or";
- (c) by the substitution for the word "and" at the end of subparagraph (vii) of paragraph (a) of the word "or"; and
- (d) by the addition to paragraph (a) of the following subparagraph:

"(viii) the execution of such work or the supply or sale of such goods or materials is so urgent that it would not be in the interest of the municipality to invite tenders; and".

Addition of Annexure to the Regulations

4. The following Annexure is hereby added after regulation 3 of the Regulations:

"ANNEXURE***Allocation of number of points for rates income***

1. The number of points allocated for the rates income of a municipality (other than a district council), is as follows:

Rates income	Number of points
R265 000 and less	3.125
R265 000 to R448 861	6.250
R448 862 to R760 286	9.275
R760 287 to R1 287 784	12.5
R1 287 785 to R2 181 267	15.625
R2 181 268 to R3 694 660	18.750
R3 694 661 to R6 258 066	21.875
R6 258 067 to R10 600 001	25.0
R10 600 002 to R17 954 429	28.125
R17 954 430 to R30 411 464	31.250
R30 411 465 to R51 511 364	34.375
R51 511 365 to R87 250 670	37.5
R87 250 671 to R147 786 407	40.625
R147 786 408 to R250 322 686	43.750
R250 322 686 to R424 000 000	46.875
Greater than R424 000 000	50.0

Allocation of number of points for number of registered voters

2. The number of points allocated for the number of registered voters of a municipality (other than a district council), is as follows:

Number of registered voters	Number of points
700 and less	3.125
701 to 1 119	6.250
1 120 to 1 790	9.375

1 791 to 2 862	12.5
2 863 to 4 576	15.625
4 577 to 7 317	18.750
7 318 to 11 700	21.875
11 701 to 18 708	25.0
18 709 to 29 915	28.125
29 916 to 47 833	31.250
47 834 to 76 485	34.375
76 486 to 122 300	37.5
122 301 to 195 557	40.625
195 557 to 312 696	43.750
312 697 to 500 000	46.875
More than 500 000	50.0

Determination of categories

3. The sum of the number of points allocated to a municipality in terms of items 1 and 2 respectively, determines the category of such municipality in accordance with the following table:

Category	Points
1	0 to 31.25
2	31.26 to 62.50
3	62.51 and above.

Short title

3. These regulations are called the Dispensing of Tenders Amendment Regulations, 1999.

No. R. 387

26 Maart 1999

OORGANGSWET OP PLAASLIKE REGERING, 1993 (WET No. 209 VAN 1993)
WYSIGING VAN REGULASIES OP DIE AFSIEN VAN TENDERS

Die Minister vir Provinsiale Sake en Staatkundige Ontwikkeling het, na oorleg met die LUR'e, kragtens artikel 12, gelees met artikel 10G(5)(c) 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

Omskrywings

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 Regulasies" die Regulasies op die Afsien van Tenders, 1998 (Goewermenskennisgewing No. R. 1224 van 2 Oktober 1998).

Vervanging van regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby deur die volgende regulasie vervang:

"Omskrywings

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 -

'kategorie' -

(a) ten opsigte van 'n munisipaliteit, buiten 'n distrikraad, 'n kategorie van munisipaliteit soos bepaal ingevolge item 3 van die Aanhangsel; en

(b) ten opsigte van 'n distrikraad, die kategorie van die hoogste kategorie van munisipaliteit binne die regsgebied van die betrokke distrikraad;

'belasting-inkomste', vir doeleindes van die bepaling van die kategorie vir 'n bepaalde finansiële jaar, die werklike belasting-inkomste vir die vorige finansiële jaar, soos deur elke munisipaliteit aan die einde van sodanige vorige finansiële jaar bereken."

Wysiging van regulasie 2 van die Regulasies

3. Regulasie 2 van die Regulasies word hierby gewysig-

(a) deur subparagraaf (i) van paragraaf (a) deur die volgende sub-paragraaf te vervang:

"(i) die bedrag wat betrokke is of waarskynlik betrokke sal wees, nie ten opsigte van -

(aa) kategorie 1 'n bedrag van R50 000;

(bb) kategorie 2 'n bedrag van R70 000; en

(cc) kategorie 3 'n bedrag van R120 000,

oorskry nie, met dien verstande dat 'n munisipaliteit 'n mindere bedrag kan bepaal as die bedrag wat ingevolge hierdie subparagraaf vir die kategorie van sodanige munisipaliteit vasgestel is;"

(b) deur die woord "of" aan die einde van subparagraaf (vi) van paragraaf (a), te skrap;

(c) deur die woord "en" aan die einde van subparagraaf (vii) van paragraaf (a) deur die woord "of" te vervang; en

(d) deur die volgende subparagraaf by paragraaf (a) te voeg:

"(viii) die uitvoering van sodanige werk, of die verskaffing of verkoop van sodanige goedere of materiaal, so dringend is dat dit nie in die belang van die munisipaliteit sou wees om tenders aan te vra nie; en".

Byvoeging van Aanhangsel tot die Regulasies

4. Die volgende Aanhangsel word hierby na regulasie 3 van die Regulasies bygevoeg:

"AANHANGSEL***Toekenning van aantal punte vir belastinginkomste***

1. Die aantal punte wat vir die belasting-inkomste van 'n munisipaliteit (buiten 'n distrikraad) toegeken word, is soos volg:

Belasting-inkomste	Aantal punte
R265 000 en minder	3.125
R265 000 tot R448 861	6.250
R448 862 tot R760 286	9.275
R760 287 tot R1 287 784	12.5
R1 287 785 tot R2 181 267	15.625
R2 181 268 tot R3 694 660	18.750
R3 694 661 tot R6 258 066	21.875
R6 258 067 tot R10 600 001	25.0
R10 600 002 tot R17 954 429	28.125
R17 954 430 tot R30 411 464	31.250
R30 411 465 tot R51 511 364	34.375
R51 511 365 tot R87 250 670	37.5
R87 250 671 tot R147 786 407	40.625
R147 786 408 tot R250 322 686	43.750
R250 322 686 tot R424 000 000	46.875
Groter as R424 000 000	50.0

Toekenning van aantal punte vir aantal geregistreerde kiesers

2. Die aantal punte wat vir die aantal geregistreerde kiesers van 'n munisipaliteit (buiten 'n distrikraad) toegeken word, is soos volg:

Aantal geregistreerde kiesers	Aantal punte
700 en minder	3.125
701 tot 1 119	6.250
1 120 tot 1 790	9.375

1 791 tot 2 862	12.5
2 863 tot 4 576	15.625
4 577 tot 7 317	18.750
7 318 tot 11 700	21.875
11 701 tot 18 708	25.0
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76 486 tot 122 300	37.5
122 301 tot 195 557	40.625
195 557 tot 312 696	43.750
312 697 tot 500 000	46.875
Meer as 500 000	50.0

Bepaling van kategorieë

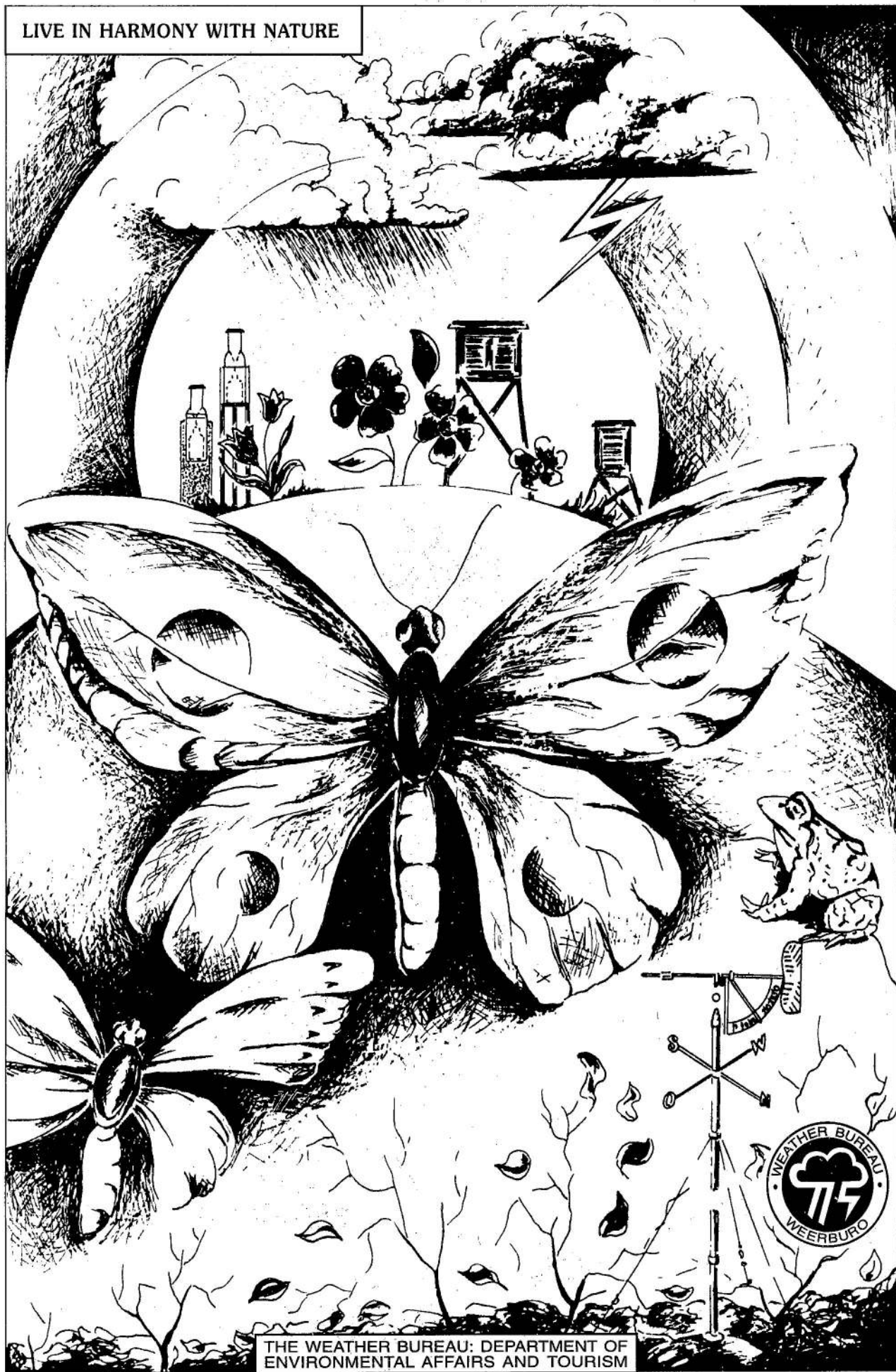
3. Die som van die aantal punte wat aan 'n munisipaliteit onderskeidelik ingevolge items 1 en 2 toegeken word, bepaal die kategorie van sodanige munisipaliteit ooreenkomstig die volgende tabel:

Kategorie	Punte
1	0 tot 31.25
2	31.26 tot 62.50
3	62.51 en daarbo.

Kort titel

3. Hierdie regulasies heet die Wysigingsregulasies op die Afsien van Tenders, 1999.

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