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# Government Gazette Staatskoerant

*Regulation Gazette*

**No. 6676**

*Regulasiekoerant*

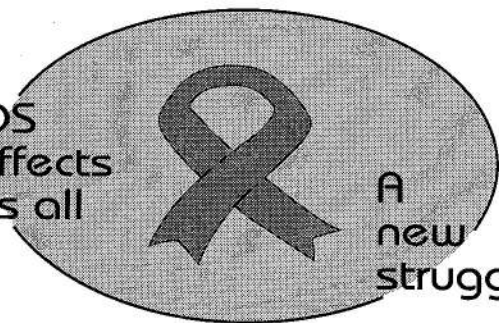
Vol. 413

PRETORIA, 15 NOVEMBER 1999

**No. 20631**

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

**Prevention is the cure**

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DEPARTMENT OF HEALTH

## GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

### DEPARTMENT OF CONSTITUTIONAL DEVELOPMENT DEPARTEMENT VAN STAATKUNDIGE ONTWIKKELING

No. R. 1366

15 November 1999

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

#### AMENDMENT OF REGULATIONS REGARDING THE ELECTION OF CERTAIN MEMBERS OF TRANSITIONAL METROPOLITAN COUNCILS AND DISTRICT COUNCILS

The Minister for Provincial and Local Government has under section 12 of the Local Government Transition Act, 1993 (Act No. 209 of 1993), and after consultation with the Member of the Executive Council responsible for local government in the Western Cape, made the regulations in the Schedule.

### SCHEDULE

#### Definitions

1. In this Schedule, "Regulations" means the Regulations Regarding the Election of Certain Members of Transitional Metropolitan Councils and District Councils as published in Government Notice No. R. 1764 of 7 November 1995, as amended by Government Notice No. R. 667 of 15 May 1998.

#### Insertion of regulation 4A in the Regulations

2. The following regulation is hereby inserted after regulation 4 of the Regulations:

#### "Special arrangements in respect of the Cape Metropolitan Council"

##### 4A. Notwithstanding the provisions of these regulations –

(a) all the members of the transitional metropolitan councils within the area of jurisdiction of the Cape Metropolitan Council established by Proclamation No. 18 of 6 February 1995 of the Province of the Western Cape, who served as members of the Cape Metropolitan Council at any time during the period 10 June 1996 to 30 September 1999 and who did not become members of the Cape Metropolitan Council in accordance with the relevant provisions of these regulations, shall be deemed to have become members in accordance with the relevant provisions of these regulations for the period for which they purported to have served as members;

(b) the terms of office of members referred to in paragraph (a) who served as members of the Cape Metropolitan Council on 30 September 1999, shall expire on the date contemplated in section 93(3) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998); and

(c) the term of office of members of the Cape Metropolitan Council who were replaced by members referred to in paragraph (a) shall be deemed to have expired on the date on which they were so replaced.”.

### **Validity of resolutions of Cape Metropolitan Council**

3. No resolution of the Cape Metropolitan Council established by Proclamation No. 18 of 6 February 1995 of the Province of the Western Cape or any of its committees taken prior to the date of commencement of these regulations shall be invalid solely by reason of the fact that a person who was entitled to serve as a member of the said Council was wrongfully replaced or a person who was not entitled to be a member of the said Council was wrongfully elected or appointed as such: Provided that the Cape Metropolitan Council may rescind or amend any such resolution.

No. R. 1366

15 November 1999

**OORGANGSWET OP PLAASLIKE REGERING, 1993 (WET NO. 209 VAN 1993)****WYSIGING VAN DIE REGULASIES BETREFFENDE DIE VERKIESING VAN SEKERE LEDE  
VAN METROPOLITAANSE OORGANGSRADE EN DISTRIKSRAD**

Die Minister vir Provinsiale en Plaaslike Regering het kragtens artikel 12 van die Oorgangswet op Plaaslike Regering, 1993 (Wet No. 209 van 1993), en na oorleg met die Lid van die Uitvoerende Raad verantwoordelik vir plaaslike regering in die Wes Kaap, die regulasies in die Bylae uitgevaardig.

**BYLAE****Woordomskrywing**

1. In hierdie Bylae beteken "Regulasies" die Regulasies Betreffende die Verkiesing van Sekere Lede van Metropolitaanse Oorgangsrade en Distriksrade soos gepubliseer in Goevermentskennisgewing No. R.1764 van 7 November 1995, soos gewysig deur Goewermentskennisgewing No. R. 667 van 15 Mei 1998.

**Invoeging van regulasie 4A in die Regulasies**

2. Die volgende regulasie word hierby in die Regulasies na regulasie 4 ingevoeg:

**"Spesiale reëlins met betrekking tot Kaapse Metropolitaanse Raad"**

- 4A. Ondanks die bepalings van hierdie regulasies –

(a) word alle lede van die metropolitaanse oorgangsrade binne die regsgebied van die Kaapse Metropolitaanse Raad, ingestel by Proklamasie No. 18 van 6 Februarie 1995 van die Provinsie Wes-Kaap, wat te enige tyd gedurende die tydperk 10 Junie 1996 tot 30 September 1999 as lede van die Kaapse Metropolitaanse Raad gedien het en wat nie lede van die Kaapse Metropolitaanse Raad geword het in ooreenstemming met die toepaslike bepalings van hierdie regulasies nie, geag lede van die Kaapse Metropolitaanse Raad te geword het in die ooreenstemming met die toepaslike bepalings van hierdie regulasies vir die tydperk waarvoor hulle as sodanige lede heet te gedien het;

(b) die ampstermyn van lede in paragraaf (a) bedoel, wat op 30 September 1999 as lede van die Kaapse Metropolitaanse Raad gedien het, verstryk op die datum in artikel 93(3) van die Wet op Plaaslike Bestuur: Munisipale Strukture, 1998 (Wet No. 117 an 1998), bedoel; en

(c) die ampstermyn van lede van die Kaapse Metropolitaanse Raad wat deur lede in paragraaf (a) bedoel vervang is, word geag te verstryk het op die datum wat hulle aldus vervang is."

### **Geldigheid van besluite van Kaapse Metropolitaanse Raad**

3. Geen besluit van die Kaapse Metropolitaanse Raad ingestel by Proklamasie No. 18 van 6 Februarie 1995 van die Provinsie Wes-Kaap, of enige van sy komitees, wat geneem is voor die inwerkingtreding van hierdie regulasies, is ongeldig bloot vanweë die feit dat 'n persoon wat geregtig was om as lid van genoemde Raad te dien verkeerdelik vervang is, of 'n persoon wat nie geregtig was om 'n lid van genoemde Raad te wees nie, verkeerdelik as sodanig verkies of aangestel is: Met dien verstande dat die Kaapse Metropolitaanse Raad enige sodanige besluit kan herroep of wysig.

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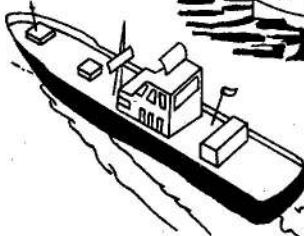
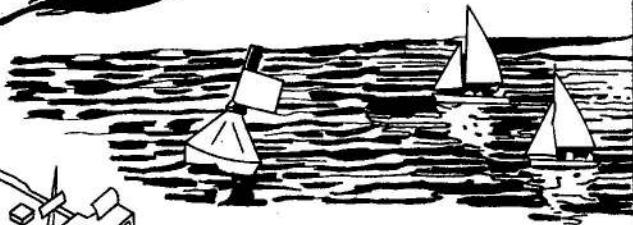
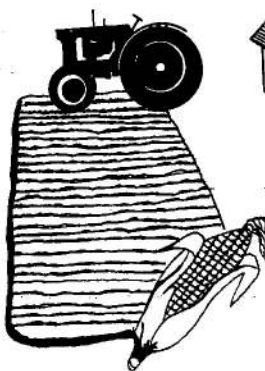
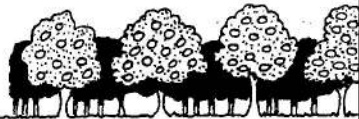
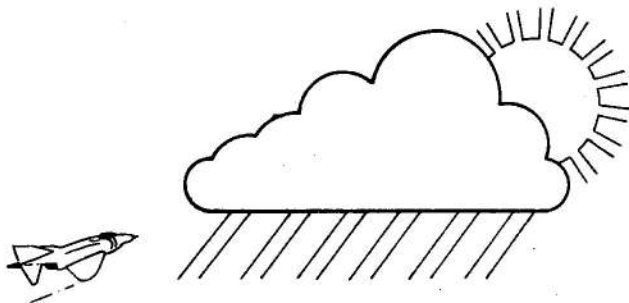
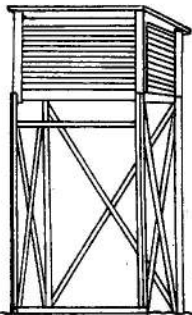
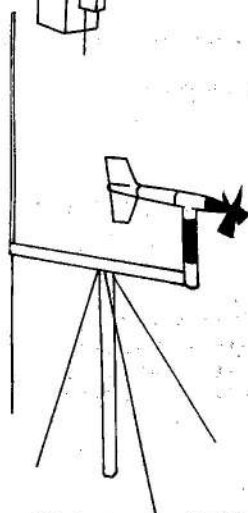
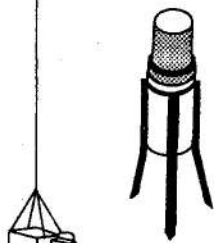
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