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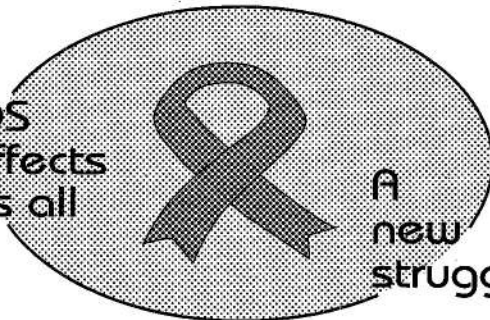
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JULIE

No. 21370

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPUNE**

0800 012 322

DEPARTMENT OF HEALTH

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GENERAL NOTICE ALGEMENE KENNISGEWING

NOTICE 2592 OF 2000

DEPARTMENT OF PROVINCIAL AND LOCAL GOVERNMENT

**LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998
POLICY FRAMEWORK FOR THE ADJUSTMENT OF DIVISION OF FUNCTIONS AND
POWERS BETWEEN DISTRICT AND LOCAL MUNICIPALITIES**

The Minister for Provincial and Local Government has, under section 92 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), read with section 85(1) of that Act, made the regulations regarding a Policy Framework for the Adjustment of Division of Functions and Powers between District and Local Municipalities as set out in the Schedule.

SCHEDULE

Definitions

1. In these regulations, unless the context otherwise indicates, a word or a phrase to which a meaning has been assigned in the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) (hereinafter referred to as the "Municipal Structures Act"), has that meaning.

Determination of policy framework

2. The MEC for local government in a province may adjust the division of functions and powers between a district and a local municipality by allocating a function or power as contemplated by section 85(1) of the Municipal Structures Act, within the following policy framework:

- (a) The allocation of a function or power may only be made under the circumstances and in the manner provided for in section 85 of the Municipal Structures Act.
- (b) The allocation of a function or power must be aimed at-
 - (i) equitable, efficient, affordable, economical and sustainable access to basic municipal services by all consumers;
 - (ii) the placement of responsibility of providing municipal services as close as possible to the communities the services are meant to serve;
 - (iii) minimizing costs of services to consumers or customers;
 - (iv) achieving economies of scale in the delivery of services;
 - (v) minimizing jurisdictional spillovers;
 - (vi) benefiting the greatest number of residents;
 - (vii) causing the least disruptive effect on the delivery of services;
 - (viii) promoting a safe and healthy environment;
 - (ix) promoting efficient, effective and accountable public administration;
 - (x) promoting co-operative government; and
 - (xi) addressing the historical inequities in society.

Short title

3. These regulations are called the Policy Framework for the Adjustment of Division of Functions and Powers Regulations, 2000.

KENNISGEWING 2592 VAN 2000**DEPARTEMENT VAN PROVINSIALE EN PLAASLIKE REGERING****WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998
BELEIDSRAAMWERK VIR DIE AANPASSING VAN VERDELING VAN FUNKSIES EN
BEVOEGDHEDE TUSSEN DISTRIKS- EN PLAASLIKE MUNISIPALITEITE**

Die Minister vir Provinsiale en Plaaslike Regering het kragtens artikel 92 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), saamgelees met artikel 85(1) van daardie Wet, die regulasies met betrekking tot 'n Beleidsraamwerk vir die Aanpassing van Verdeling van Funksies en Bevoegdhede tussen Distriks- en Plaaslike Munisipaliteite, soos in die Bylae uiteengesit, uitgevaardig.

BYLAE**Woordomskrywings**

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan 'n betekenis in die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998) (hierna verwys as die "Wet op Munisipale Strukture"), geheg word, sodanige betekenis.

Bepaling van beleidsraamwerk

2. Die LUR vir plaaslike regering in 'n provinsie kan die verdeling van funksies en bevoegdhede tussen 'n distriks- en plaaslike munisipaliteit aanpas deur 'n funksie of bevoegdheid soos in artikel 85(1) van die Wet op Munisipale Strukture beoog, binne die volgende beleidsraamwerk, toe te wys:

(a) Die toewysing van 'n funksie of bevoegdheid kan slegs gedoen word in die omstandighede en op die wyse soos in artikel 85 van die Wet op Munisipale Strukture, voorgeskryf.

(b) Die toewysing van 'n funksie of bevoegdheid moet daarop gerig wees om-

- (i) aan alle verbruikers billike, doelmatige, bekostigbare, ekonomiese en volhoubare toegang tot basiese munisipale dienste te bied;
- (ii) die verantwoordelikheid vir die voorsiening van munisipale dienste so na as moontlik aan die gemeenskappe wat die dienste moet bedien, te plaas;
- (iii) die koste van dienste aan verbruikers of klante te beperk;
- (iv) skaalvoordele in die lewering van dienste te bereik;
- (v) jurisdiksionele oorloop te beperk;
- (vi) die grootste getal inwoners tot voordeel te strek;
- (vii) die geringste ontwrigting op die lewering van dienste tot gevolg te hê;
- (viii) 'n veilige en gesonde omgewing te bevorder;
- (ix) doelmatige, doeltreffende en verantwoordbare openbare administrasie te bevorder;

- (x) samewerkende regering te bevorder; en
- (xi) die historiese ongelykhede in die samelewing aan te spreek.

Kort titel

3. Hierdie regulasies heet die Regulasies met betrekking tot 'n Beleidsraamwerk vir die Aanpassing van Verdeling van Funksies en Bevoegdhede, 2000.
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