



PROVINCE OF THE EASTERN CAPE
IPHONDO LEMPUMA KOLONI
PROVINSIE OOS-KAAP

**Provincial Gazette
Igazethi Yephondo
Provinsiale Koerant**

Vol. 26

BISHO/KING WILLIAM'S TOWN
15 JULY 2019
15 JULIE 2019

No. 4268

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-4556



9 771682 455006

04268



IMPORTANT NOTICE OF OFFICE RELOCATION

GOVERNMENT PRINTING WORKS PUBLICATIONS SECTION

Dear valued customer,

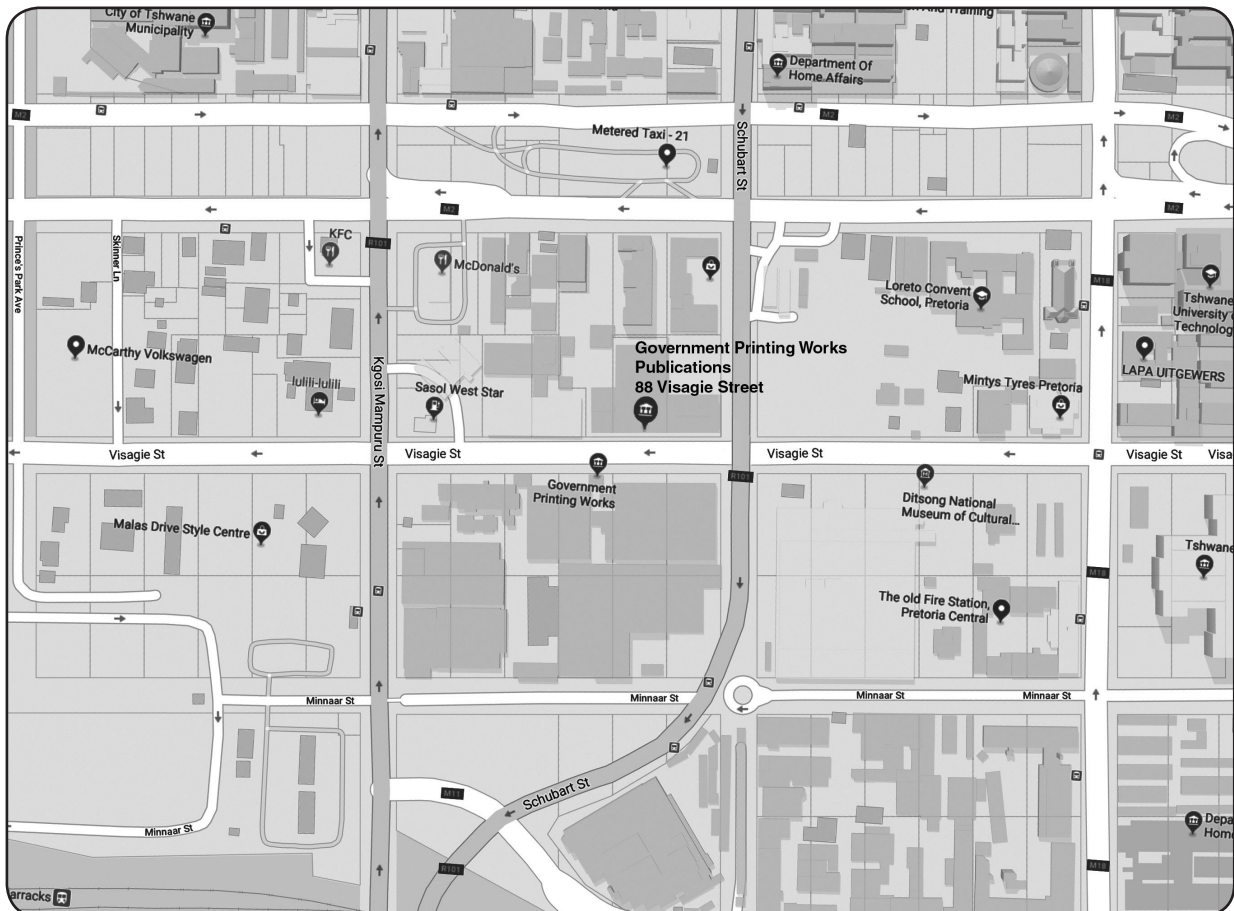
We would like to inform you that with effect from the 1st of August 2019, the Publications Section will be relocating to a new facility at the corner of **Sophie de Bruyn** and **Visagie Street, Pretoria**. The main telephone and facsimile numbers as well as the e-mail address for the Publications Section will remain unchanged.

Our New Address:
88 Visagie Street
Pretoria
0001

Should you encounter any difficulties in contacting us via our landlines during the relocation period, please contact:

Ms Maureen Toka
Assistant Director: Publications
Cell: 082 859 4910
Tel: 012 748-6066

We look forward to continue serving you at our new address, see map below for our new location.



IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

CONTENTS

Gazette *Page*
No. *No.*

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

22	Ndlambe Spatial Planning and Land Use Management By-Law (2015): Removal of restrictive condition: Erf 150, Bushmansriver Mouth.....	4268	12
----	---	------	----

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

196	Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013): Erf 144, Newton Park, Port Elizabeth, Eastern Cape.....	4268	12
197	Spatial Planning and Land Use Management Act (16/2013): Erf 97, Mill Park, Port Elizabeth, Eastern Cape..	4268	12
198	Eastern Cape Customary Male Initiation Practice Act (5/2016): Regulations on the Processes and Procedures for Conducting Customary Male Initiation and the Role of Different Stakeholders Involved in Customary Male Initiation Programmes, in terms of the Act.....	4268	13
199	Spatial Planning and Land Use Management Act (16/2013): Erf 515, Westering, Port Elizabeth, Eastern Cape	4268	22
200	Local Government: Municipal Property Rates Act, 2004: Sundays River Valley Municipal Property Rates By-law	4268	23

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

148	Spatial Planning and Land Use Management Act (16/2013): Erf 65479, East London.....	4268	28
149	Spatial Planning and Land Use Management Act (16/2013): Erf 1961, Westering, Port Elizabeth.....	4268	28
150	Local Government: Municipal Systems Act (32/2000): Matatiele Local Municipality.....	4268	29
151	Sundays River Municipal By-law on Spatial Planning and Land Use Management (2016): Erf 873 (Erf 1807), Paterson	4268	74

Closing times for **ORDINARY WEEKLY** 2019

EASTERN CAPE PROVINCIAL GAZETTE

*The closing time is **15:00** sharp on the following days:*

- **28 December 2018**, Friday for the issue of Monday **07 January 2019**
- **07 January**, Monday for the issue of Monday **14 January 2019**
- **14 January**, Monday for the issue of Monday **21 January 2019**
- **21 January**, Monday for the issue of Monday **28 January 2019**
- **28 January**, Monday for the issue of Monday **04 February 2019**
- **04 February**, Monday for the issue of Monday **11 February 2019**
- **11 February**, Monday for the issue of Monday **18 February 2019**
- **18 February**, Monday for the issue of Monday **25 February 2019**
- **25 February**, Monday for the issue of Monday **04 March 2019**
- **04 March**, Monday for the issue of Monday **11 March 2019**
- **11 March**, Monday for the issue of Monday **18 March 2019**
- **15 March**, Friday for the issue of Monday **25 March 2019**
- **25 March**, Monday for the issue of Monday **01 April 2019**
- **01 April**, Wednesday for the issue of Monday **08 April 2019**
- **08 April**, Monday for the issue of Monday **15 April 2019**
- **12 April**, Friday for the issue of Monday **22 April 2019**
- **18 April**, Thursday for the issue of Monday **29 April 2019**
- **26 April**, Friday for the issue of Monday **06 May 2019**
- **06 May**, Monday for the issue of Monday **13 May 2019**
- **13 May**, Monday for the issue of Monday **20 May 2019**
- **20 May**, Monday for the issue of Monday **27 May 2019**
- **27 May**, Monday for the issue of Monday **03 June 2019**
- **03 June**, Monday for the issue of Monday **10 June 2019**
- **10 June**, Monday for the issue of Monday **17 June 2019**
- **14 June**, Friday for the issue of Monday **24 June 2019**
- **24 June**, Monday for the issue of Monday **01 July 2019**
- **01 July**, Monday for the issue of Monday **08 July 2019**
- **08 July**, Monday for the issue of Monday **15 July 2019**
- **15 July**, Monday for the issue of Monday **22 July 2019**
- **22 July**, Monday for the issue of Monday **29 July 2019**
- **29 July**, Monday for the issue of Monday **05 August 2019**
- **02 August**, Friday for the issue of Monday **12 August 2019**
- **12 August**, Monday for the issue of Monday **19 August 2019**
- **19 August**, Monday for the issue of Monday **26 August 2019**
- **26 August**, Monday for the issue of Monday **02 September 2019**
- **02 September**, Monday for the issue of Monday **09 September 2019**
- **09 September**, Monday for the issue of Monday **16 September 2019**
- **16 September**, Monday for the issue of Monday **23 September 2019**
- **20 September**, Friday for the issue of Monday **30 September 2019**
- **30 September**, Monday for the issue of Monday **07 October 2019**
- **07 October**, Monday for the issue of Monday **14 October 2019**
- **14 October**, Monday for the issue of Monday **21 October 2019**
- **21 October**, Monday for the issue of Monday **28 October 2019**
- **28 October**, Monday for the issue of Monday **04 November 2019**
- **04 November**, Monday for the issue of Monday **11 November 2019**
- **11 November**, Monday for the issue of Monday **18 November 2019**
- **18 November**, Monday for the issue of Monday **25 November 2019**
- **25 November**, Monday for the issue of Monday **02 December 2019**
- **02 December**, Monday for the issue of Monday **09 December 2019**
- **09 December**, Monday for the issue of Monday **16 December 2019**
- **13 December**, Friday for the issue of Monday **23 December 2019**
- **19 December**, Thursday for the issue of Monday **30 December 2019**

LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1008.80 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	252.20
Ordinary National, Provincial	2/4 - Half Page	504.40
Ordinary National, Provincial	3/4 - Three Quarter Page	756.60
Ordinary National, Provincial	4/4 - Full Page	1008.80

EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3026.32** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.

2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

All re-submissions will be subject to the standard cut-off times.

All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Petrol Price Gazette	Monthly	Tuesday before 1st Wednesday of the month	One day before publication	1 working day prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00 for next Friday	3 working days prior to publication
Unclaimed Monies (Justice, Labour or Lawyers)	January / September 2 per year	Last Friday	One week before publication	3 working days prior to publication
Parliament (Acts, White Paper, Green Paper)	As required	Any day of the week	None	3 working days prior to publication
Manuals	Bi- Monthly	2nd and last Thursday of the month	One week before publication	3 working days prior to publication
State of Budget (National Treasury)	Monthly	30th or last Friday of the month	One week before publication	3 working days prior to publication
<i>Extraordinary Gazettes</i>	As required	Any day of the week	<i>Before 10h00 on publication date</i>	<i>Before 10h00 on publication date</i>
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 working days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 working days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after submission deadline
Mpumalanga Liquor License Gazette	Bi-Monthly	Second & Fourth Friday	One week before publication	3 working days prior to publication

EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. (*Please see Quotation section below for further details*)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (*Please see the Copy Section below, for the specifications*).
 - 8.1.5. Any additional notice information if applicable.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by “walk-in” customers on electronic media can only be submitted in *Adobe* electronic form format. All “walk-in” customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

QUOTATIONS

13. Quotations are valid until the next tariff change.
 - 13.1. **Take note:** **GPW**'s annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.
 - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
 - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
 - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
 - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
 - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
 - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
 - 19.1. This means that the quotation number can only be used once to make a payment.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
- 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.
- The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:
- Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;
- Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

27. The Government Printer will assume no liability in respect of—
 - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
 - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

CUSTOMER INQUIRIES

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwnonline.co.za free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:

Government Printing Works

149 Bosman Street

Pretoria

Postal Address:

Private Bag X85

Pretoria

0001

GPW Banking Details:

Bank: ABSA Bosman Street

Account No.: 405 7114 016

Branch Code: 632-005

For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

E-mail: submit.egazette@gpw.gov.za

E-mail: info.egazette@gpw.gov.za

Tel: 012-748 6200

Contact person for subscribers: Mrs M. Toka:

E-mail: subscriptions@gpw.gov.za

Tel: 012-748-6066 / 6060 / 6058

Fax: 012-323-9574

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 22 OF 2019**NDLAMBE MUNICIPALITY****REMOVAL OF RESTRICTIVE CONDITION
ERF 150 BUSHMANSRIVERMOUTH**

Notice is hereby given in terms of Sections 69, 74 and 76 of the Ndlambe Spatial Planning & Land Use Management By-law (2015), that the Municipal Manager on 6 November 2018, removed condition C(iv) in terms of the aforementioned By-law applicable to the abovementioned property as contained in Deed of Transfer Number T48139/2017.

ADV. R DUMEZWENI, MUNICIPAL MANAGER, Civic Centre, Causeway, PORT ALFRED, 6170

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 196 OF 2019**Nelson Mandela Bay Municipality (EASTERN CAPE)****Removal of Restrictions in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)****ERF 144, NEWTON PARK, PORT ELIZABETH, EASTERN CAPE**

Under Section 47 of the Spatial Planning and Land Use Management Act, (Act 16 of 2013) and upon instructions by the Local Authority, a notice is hereby given that conditions C.5, 6, 7, 8, 9 and 10 in Deed of Transfer No. T118886/2003 applicable to Erf 144, Newton Park, Port Elizabeth are hereby removed.

PROVINCIAL NOTICE 197 OF 2019**Nelson Mandela Bay Municipality (EASTERN CAPE)****Removal of Restrictions in terms of the Spatial Planning and Land Use Management Act, 2013
(Act 16 of 2013)****ERF 97 MILL PARK, PORT ELIZABETH, EASTERN CAPE**

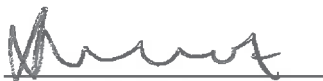
Under Section 47 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and upon instructions by the Local Authority, notice is hereby given that conditions C. (a), (b), (c), (d), (e) and D.6. in Deed of Transfer No. T4341/2018 applicable to Erf 97 Mill Park are hereby removed.

PROVINCIAL NOTICE 198 OF 2019
PROVINCE OF THE EASTERN CAPE

**DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL
AFFAIRS**

**REGULATIONS ON THE PROCESSES AND PROCEDURES FOR CONDUCTING
CUSTOMARY MALE INITIATION AND THE ROLE OF DIFFERENT STAKEHOLDERS
INVOLVED IN CUSTOMARY MALE INITIATION PROGRAMMES, IN TERMS OF
EASTERN CAPE CUSTOMARY MALE INITIATION PRACTICE ACT, 2016 (ACT NO. 5 OF
2016).**

I **Xolile Nqatha**, Members of the Executive Councils responsible for Cooperative Governance & Traditional Affairs in the Province, acting in terms of section 28 of the Eastern Cape Customary Male Initiation Practice Act, 2016 (Act No. 5 of 2016), hereby make regulations on the processes and procedures for conducting male initiation and the role of different stakeholders involved in customary male initiation programmes in the Province.



XOLILE NQATHA
MEMBER OF THE EXECUTIVE COUNCIL
COOPERATIVE GOVERNANCE & TRADITIONAL AFFAIRS

03-07-2019

PREAMBLE

WHEREAS the Eastern Cape Province has experienced lots of challenges in relation to the practice of customary male initiation wherein scores of young initiates have unnecessarily lost their innocent lives and some suffered penal amputations;

AND WHEREAS the Department of Health has in many occasions reported that some initiates have committed suicide as a result of suffering penile amputations;

AND WHEREAS the available evidence and reports suggest that some of these challenges are as a result of lack of clear processes and procedures to be followed whilst conducting customary male initiation practice;

AND WHEREAS these challenges have necessitated the Eastern Cape Provincial Government to institutionalize the practice of customary male initiation through a legislation;

AND WHEREAS the Eastern Cape Provincial Legislature has since promulgated an Act called Eastern Cape Customary Male Initiation Practice Act, 2016 (Act No. 5 of 2016) to govern the practice of customary male initiation in the Province;

AND WHEREAS the Act does not make provision for the administration; processes; procedures and the roles of other stakeholders involved in customary male initiation programmes;

AND WHEREAS Section 28 of the Act give powers to the MEC responsible for Cooperative Governance and Traditional Affairs to make regulations to ensure effective implementation and administration of the Act;

AND WHEREAS it is necessary to regulate the processes and procedure for conducting customary male initiation practice and the role of other sector departments involve in customary male initiation programmes;

BE IT THEREFORE DETERMINED AND ADOPTED by the Member of the Executive Council responsible for Cooperative Governance and Traditional Affairs as follows:—

ARRANGEMENT OF THE REGULATIONS

1. Definitions
2. Scope of application
3. Interpretation
4. Determination of fees payable for admission in an initiation school
5. Determination of number of initiates to be admitted in an initiation school
6. Procedure for the issuing of permission to perform circumcision

7. Duration of an initiation school
8. The role and functions of sector provincial departments and NGOs
9. The role and functions of Department of Education
10. The role and functions of Department of Social Development
11. The role and functions of Department of Sports, Recreation, Arts and Culture
12. The role and functions of Department of Home Affairs
13. The role of the South African Police Services
14. The role of Municipalities
15. The role and functions of NGOs

1. Definitions

In these regulations any word or expression to which the meaning has been assigned in the Eastern Cape Customary Male Initiation Act, 2016 (Act, No. 5 of 2016), shall have that meaning and, unless the context otherwise indicates—

“initiate” means a person who undergoes initiation at a traditional initiation school;

“initiation school” means a place where one or more initiates are kept while undergoing the rite of passage to manhood;

“MEC” means a Member of Executive Council responsible for Cooperative Governance and Traditional Affairs in the Province;

“NGOs” means none governmental organization involved in customary male initiation programmes;

“parent” means the lawful and natural father or mother of a prospective initiate and can include an adoptive parent or guardian of such an initiate or prospective initiate;

“provincial department” means any provincial department of the Eastern Cape Province as contemplated in section 4 of the Act.

“traditional leadership” means the customary institution or structure or customary system or procedure of governance recognized, utilized or practiced by traditional communities;

“traditional surgeon” means a person who has been culturally trained with experience in performing circumcision in the traditional male initiation and registered with relevant authorities in accordance with section 20 of the Act, and includes *ingcibi* or any other name given to such person in terms of the custom and practice of the relevant community;

“traditional nurse” means a person who looks after the initiates at an initiation school, and includes *ikhankatha* or any other name given to such a person in terms of the custom and practice of the relevant community.

“the Act” means the Eastern Cape customary male initiation practice Act, 2016 (Act, No. 5 of 2016).

2. The Scope of application of the regulations

These regulations seek to regulate the processes, procedures for conducting customary male initiation and to provide for the role and functions of different stakeholders (sector departments) involved in the initiation programmes in the Province and as such they are applicable but not limited to the following stakeholders—

- (a) all provincial departments involved in the initiation programme in terms of the Act;
- (b) all municipalities in the Province;
- (c) houses of traditional leaders in the Province;
- (d) traditional leaders;
- (e) members of initiation forums;
- (f) members of initiation working committees;
- (g) traditional surgeons;
- (h) traditional nurses; and
- (i) any interested body or organization as identified by any coordinating structure established in terms section 4, 6, 8, 10 or 12 of the Act to take part in the customary male initiation programmes.

3. Interpretation

A person interpreting or applying these regulations must—

- (a) do so in a manner that gives effect to the constitutional declaration guarantees and responsibilities contained on the Eastern Cape Customary Male Initiation Act, 2016 (Act No. 5 of 2016); and
- (b) take into account the traditions and customs applicable to the Traditional Community provided they do not contradict with the legislative Framework.

4. Determination of fees payable for admission in an initiation school

- (1) An initiation working committee, must in consultation with the; traditional leadership; community members; community structures; local and district initiation forums and where applicable a forum or committee of traditional leaders, determine an amount payable for admission in an initiation school, in accordance with customs and customary practice of communities or tribes concerned.
- (2) The determination of fees must provide for a—

- (a) maximum amount payable for admission into a male initiation school which does not provide initiates with food and related support; and
 - (b) maximum amount payable for admission into a customary male initiation school that provides food and necessary support to initiates during their stay in the initiation school;
 - (c) the maximum amount payable to a traditional nurse.
- (3) The provisions of sub-regulation (2) do not apply to traditional communities where traditional surgeons are given customary gifts such as a bottle of brandy, for the performance of circumcision procedure.
- (4) In determining the fees, an initiation working committee must ensure that the determined amount discourages the commercialization of male initiation practice.
- (5) The initiation working committee must whilst registering traditional surgeons in their database, inform them of the terms and conditions of conducting customary male initiation school within their jurisdictional areas.
- (6) The terms and conditions must include but not limited to the following—
 - (a) that a traditional surgeon will not exceed the amount of fee per initiate as determined by the initiation working committee;
 - (b) that where practical possible, a traditional surgeon will not perform circumcision on any initiate in the absence of a member of an initiation working committee; and
 - (c) that a traditional surgeon may not perform circumcision to an initiate as part of initiation before the commence of school holiday or beyond the timeframes of a school holiday.
- (7) After determining the fees payable for admission contemplated in sub-regulation (2) (a)- (c), an initiation working committee, through any means of communication use to disseminate information within the communities concerned, must inform such communities of the determined fees payable for admission.
- (8) Fees determined in accordance with this regulation may be revised on the advice and at the request of affected parties after consultation by the initiation working committee with relevant initiation coordinating structures.
- (9) When registering prospective initiates, members of the initiation working committee must inform parents of the prospective initiates of the amount they must pay to traditional surgeons for performing circumcision procedure and ultimately for admission in an initiation school.
- (10) Where practical possible payment for admission in an initiation school by the parents of the initiate must be made in the presence of a member of an initiation working committee.

5. Determination of a number of initiates to be admitted into an initiation school

- (1) An initiation working committee must in consultation with traditional communities; community structures within the jurisdiction of traditional council or ward; local and district initiation forums determine the maximum number of—
 - (a) initiates to be admitted in an initiation school; and
 - (b) initiates to be treated and looked after by each traditional nursein accordance with customs and customary practice of traditional community; ward; tribe or clan concerned.
- (2) When determining the number of initiates to be admitted in a customary male initiation school in terms of sub-regulation (1) (a), an initiation working committee, must take into consideration the health and security aspects of the initiates.
- (3) Any person who wants to open an initiation school must have a child eligible to be admitted in a customary male initiation school concerned and comply with the provisions of section 18 (1) of the Act.
- (4) An initiation working committee must not give approval for the opening and conducting of a customary male initiation school to a person who does not have a child to be admitted in the same customary male initiation school.

6. Procedure for the issuing of permission to perform circumcision

- (1) The MEC responsible for Health matters in the Province must through a notice in the *Provincial Gazette* determine the month or months in which traditional surgeons must submit applications for permission to perform circumcision as part of initiation.
- (2) The notice must provide contact details of offices in which applications should be forwarded.
- (3) Permission to perform circumcision must only be issued to traditional surgeons recommended by an initiation working committee and where applicable by traditional leadership.

7. Duration of an initiation school

- (1) When issuing a permission to traditional surgeons to perform circumcision as part of customary male initiation in terms of regulation 6, the MEC responsible for Health or any officer designated by him or her must reflect in such permit the timeframes within which such a traditional surgeon must perform circumcision or admit initiates in a customary male initiation school.
- (2) The timeframe for conducting or operating a customary male initiation school must not interfere or overlap with the official calendar or academic activities of educational institutions or schools.

- (3) If a customary male initiation school commences before a determined school holidays or continues beyond a school holiday, or is held outside the timeframes provided for in the permission issued in terms of regulation 6 as part of the terms and conditions, the relevant traditional surgeon must be suspended from performing circumcision for period as may be determined by the relevant initiation working committee.
- (4) The provisions of this regulation do not apply to a customary male initiation school that is attended exclusively by initiates who have already completed schooling and working: Provided that such a customary male initiation school has complied with the requirements and criteria for setting and conducting of customary male initiation practice in terms of these regulations and the Act.

8. The role and functions of sector Provincial Departments and Non-Governmental Organizations in male initiation programmes

- (1) The MEC responsible for Cooperative Governance and Traditional Affairs must through a memorandum of understanding (**MOU**) enter into partnership with other sector departments and interested bodies involved in the initiation programme.
- (2) Any partnership contemplated in sub-regulation (1) must be in writing and—
 - (a) must in addition to any roles and functions provided in these regulations for each sector department; municipalities and identified interested bodies, contain clear provisions on the responsibilities of each sector department, municipalities and interested bodies and the termination of such partnership; and
 - (b) may not bind any person, department, interested body who is not a party to such partnership.

9. The role and functions of the Department of Education

- (1) Develop a curriculum on customary practices (including customary male initiation) of various tribes or clans within the Province and designate an educator to conduct lessons on a weekly or regularly basis to learners.
- (2) Provide platform in school facilities for the conducting of awareness campaigns pre and post initiation seasons by sector departments; government institutions and other stakeholders involved in customary male initiation programmes.
- (3) Determine in consultation with the affected and relevant stakeholders the appropriate school holiday for the conducting of male initiation.
- (4) Ensure that normal academic school calendar is in whatever way not disturbed by the holding and conducting of male initiation schools.

10. Department of Social Development

- (1) Identify in consultation with the relevant initiation working committee and where applicable with traditional leadership, prospective initiates from poor families who have attained the age of undergoing customary male initiation ritual in terms of section 24 of the Act.
- (2) Conduct awareness on the protection of children against harmful practices in accordance with the Children's Act, (Act No. 38 of 2005).
- (3) Advocacy for the active involvement of parents or families of initiates in the whole customary male initiation processes and procedures.
- (4) Provide initiates with food parcels and other necessary support in consultation with the relevant initiation working committee and where applicable with traditional leadership before, during and after customary male initiation season.
- (5) Provide Psycho-social support and after care services to initiates as well as their family members.
- (6) Report any abduction and admission of a child below the age of 18 years into an initiation school to SAPS.
- (7) Liaise with the prosecution authority in all cases related to customary male initiation involving children under the age of 18 years and provide the necessary information and support to prosecutors to ensure successful prosecution.
- (8) Make follow up with the relevant authority on the reported cases related to customary male initiation involving children below the age of 18 years.

11. Department of Sports, Recreation, Arts and Culture

- (1) The Department will host youth camps aimed at training of prospective initiates on the meaning of customary male initiation practice.
- (2) Develop criteria for the nomination of experts to serve in an advisory body on the subject.
- (3) Coordinate the sitting of the body and integrate its advice on all other relevant structures involved in customary male initiation programmes

12. Department of Home Affairs

- (1) Issue identity documents to prospective initiates for the purpose of admission in a customary male initiation school.
- (2) Liaise with relevant coordinating structure of customary male initiation to assist and verify the authenticity of the identity document in instances where there are

suspicious of any fraudulent use of an identity document for the purpose of admission in a customary male initiation school.

13. South African Police Services

- (1) Conduct safety and security awareness campaign in relation to the conducting of customary male initiation schools.
- (2) Attend to any complaint of a person being abducted or forcefully taken into an initiation school and ensure that perpetrators of such acts are brought before the court of law and face the full might of the law in accordance with the provisions of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).
- (3) Investigate any reported case of criminal activities taking place in a customary male initiation school and after investigation open a docket and submit the docket to NPA for prosecution.
- (4) Liaise with the prosecution authority in all cases related to customary male initiation and provide the necessary information and support to prosecutors to ensure successful prosecution.
- (5) Provide the necessary support to customary male initiation monitoring teams during the inspection of the initiation schools.
- (6) Upon request by the relevant male initiation coordinating structure, close all illegal male initiation schools as well as male initiation schools which do not comply with the conditions prescribed in the Act.

14. Municipalities

- (1) Develop by-laws in consultation with relevant initiation working committees, traditional leadership and communities on the practice of customary male initiation within the jurisdiction of a municipality.
- (2) Designate land or areas in consultation with all relevant and affected stakeholders in which customary male initiation schools should be conducted, taking into consideration the cultural peculiarities and sensitivities of different communities within the jurisdiction of a municipality about male initiation.
- (3) Provide the necessary support and resources (both human and capital) to initiation forums and committees as well as customary male initiation schools during the initiation seasons.
- (4) Establish a committee on tradition, culture and customs and provide the necessary support to such committee.

15. The role and functions of NGOs

- (1) Only an NGO or an interested body identified by any coordinating structure established in terms of the Act must get involved in a customary male initiation programme.
- (2) An identified interested body or NGO may conduct awareness programmes in consultation with the relevant established coordinating structure after signing a memorandum of understanding with such coordinating structure.

PROVINCIAL NOTICE 199 OF 2019

REMOVAL OF RESTRICTIONS IN TERMS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013
(ACT 16 OF 2013)

ERF 515 WESTERING.PORT ELIZABETH EASTERN CAPE

Under Section 47 of the Spatial Planning and Land Use Management Act,2013 (Act 16 of 2013) and upon instructions by the Local Authority, a notice is hereby given that conditions B(4)(a), B(4)(b), B(4)(C) and B(4)(d) contained in Deed of Transfer No. T94440/2006 applicable to ERF 515 WESTERING is/are hereby removed.

McWilliams & Elliott Inc., 152 Cape Road, Mill Park, Port Elizabeth, Tel: 041-582-1250, Fax: 041-373-0407, Email: chifundo@mcwilliams.co.za.

PROVINCIAL NOTICE 200 OF 2019

SUNDAYS RIVER VALLEY MUNICIPAL PROPERTY RATES BY-LAW

Notice No. 18

Date 01 June 2018

(name of municipality), hereby, in terms of section 6 of the Local Government: Municipal Property Rates Act, 2004, has by way of (No of the resolution) adopted the Municipality's Property Rates By-law set out hereunder.

SUNDAYS RIVER VALLEY LOCAL MUNICIPAL

MUNICIPAL PROPERTY RATES BY-LAW(S)

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 the Sundays River Valley Municipality Municipality, as follows:

1. DEFINITIONS

In this 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 Sundays River Valley 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 the (name of 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 RATES 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
1 July 2018

RESOLUTION ON LEVYING PROPERTY RATES IN TERMS OF SECTION 14 OF THE LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES ACT, 2004.**(ACT NO.6 of 2004).**

Notice No. 16/2019

Date:13 June 2019

MUNICIPAL NOTICE NO: 16/2019**SUNDAYS RIVER VALLEY 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 52, to levy the rates on property reflected in the schedule below with effect from 1 July 2019.

Category of property	Cent amount in the Rand rate determined for the relevant property category
Residential property	0.01380
Business and commercial property	0.01708
Industrial property	0.01708
Agricultural property	0.00345
Mining property	None
Public service infrastructure property	0.00345
Public benefit organisation property	0.00345
Etc. state owned	0.02794

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 on the municipality's offices, website (www.srvvm.gov.za) and all public libraries.

NAME: MR. S.S. FADI

DESIGNATION: MUNICIPAL MANAGER

30 MIDDLE STREET

KIRKWOOD

6120

TEL: 042-230 7700

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 148 OF 2019

Buffalo City Metropolitan Municipality (Eastern Cape)

Removal of Restrictions in terms of the Spatial Planning and Land Use Management Act 2013 (Act 16 of 2013) and the Buffalo City Metropolitan Municipality Spatial Planning and Land use Management By-Law (2016).

ERF 65479 EAST LONDON (20 Rosyth Road).

Under Section 47(1) of the Spatial Planning and Land Use Management Act 2013 (Act 16 of 2013) read with Section 59 of the Buffalo City Metropolitan Municipal Spatial Planning & Land Use Management By-Law of 2016 and upon instructions of the Local Authority a notice is hereby given that condition 2(C)(2)(a) found in Deed of Transfer No. T3058/2008, pertaining to Erf 65479 East London is hereby removed.

LOCAL AUTHORITY NOTICE 149 OF 2019**NELSON MANDELA BAY MUNICIPALITY (EASTERN CAPE)**

Removal of Restrictions in terms of the Spatial Planning and Land use Management Act, 2013 (Act 16 of 2013).

Erf 1961 Westering, Port Elizabeth, Eastern Cape under section 47 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and upon instructions by the Local Authority, a notice is hereby given that conditions B.6(a), (b), (c) and (d) in Deed of Transfer T62121/1993CTN applicable to Erf 1961 Westering are hereby removed.

Yours faithfully

Acting Senior Director: Land Planning and Management

CF27/01961

LOCAL AUTHORITY NOTICE 150 OF 2019

MATATIELE LOCAL MUNICIPALITY



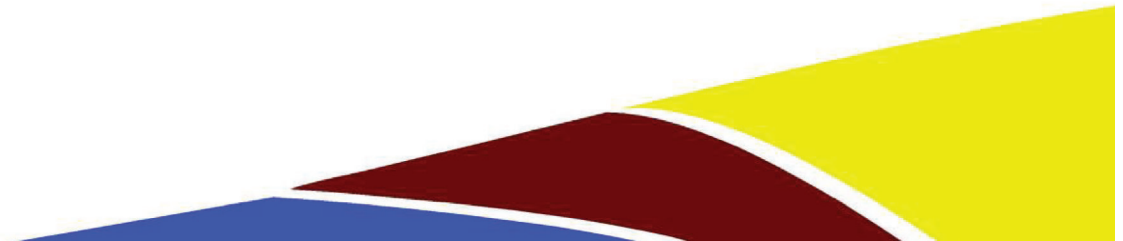
MATATIELE

LOCAL MUNICIPALITY

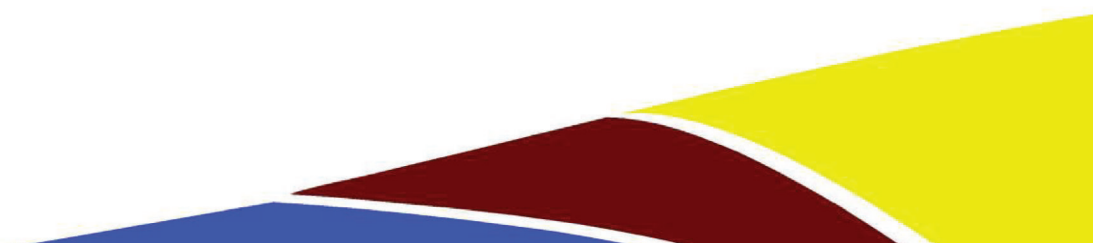
Be it enacted by the Council of the Matatiele Local Municipality, and by approval of the Member of the Executive Council responsible for local government in terms of Section 156 of the Republic of South Africa Act No. 108 of 1996, read with section 11 of the Local Government: Municipal Systems Act No. 32 of 2000, as follows:

INDEX

Section 1: Definitions	3
Section 2: Collection and Removal of Refuse	5
Section 3: Refuse Receptacles	6
Section 4: Duties of Owner or Occupier	7
Section 5: Collection and Removal of Refuse	8
Section 6: Access to Premises	8
Section 7: Accumulation of Refuse	8
Section 8: Removal and Disposal of Garden, Special Domestic and Bulky Refuse	9
Section 9: Responsibility of Builder's Refuse	9
Section 10: Disposal of Builder's Refuse	9
Section 11: Special Measures for Collection, Storage and Disposal	10
Section 12: Removal of Refuse or Offensive Matter along the street	11
Section 13: Notification of Generation of Special Industrial Refuse	11
Section 14: Storing of Special Industrial Refuse	11



Section 15: Removal of Special Industrial Refuse	12
Section 16: Liquid Waste	12
Section 17: Conduct at Disposal Site	12
Section 18: Ownership of Refuse	13
Section 19: Offences and Penalties	13
Section 20: Repeal of By-Laws	14
Section 21: Short Title and Commencement	14



Section 1: Definitions

For the purposes of these by-laws, unless the context indicates otherwise:

"authorised official" means any official of the Council who has been authorised by the Council to administer, implement or enforce the provisions of these by-laws;

"affected person" means a person who has been issued, or who is being issued with an enforcement notice;

"bill of rights" means chapter 2 of the Constitution of the Republic of South Africa Act, (108 of 1996);

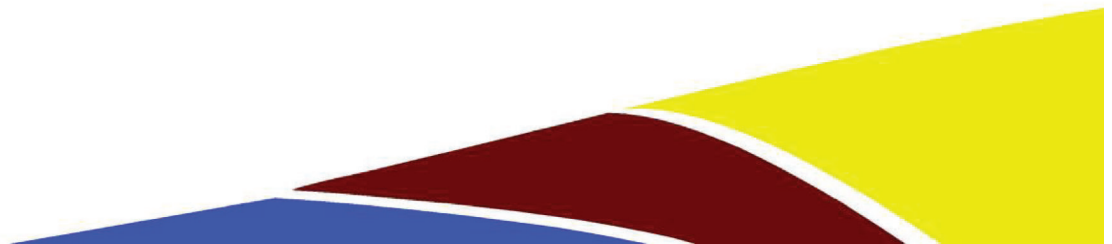
"bin" means an approved receptacle for the storage of less than 1,5 cubic metres of waste which may be supplied by the Council or service provider to premises in terms of these By-laws;

"bin liner" means an approved loose plastic or other suitable material liner for use in the interior of a bin;

"builder's refuse" means refuse generated by demolition, excavation or building activities on premises;

"bulky waste" means business waste or domestic waste which by virtue of its mass, shape, size or quantity is inconvenient to remove in the routine door to door Council service provided by the Council or Service Provider;

"container" means an approved receptacle having a capacity greater 1,5 cubic



metres for the temporary storage of waste in terms of these By-law;

"Council" means the council of the Matatiele Local Municipality

"disposal facility" means a site for the disposal of refuse which is owned by the Council or has been approved for that purpose by the Council;

"domestic refuse" means refuse of a kind normally produced or generated on residential premises, but shall not include sand, earth, liquid matter, garden refuse or the carcass of any animal or special domestic refuse;

"garden refuse" means light refuse which is generated as a result of normal gardening activities on any premises, including without limiting the generality of the foregoing grass cuttings, leaves, plants, flowers, weeds, hedge clippings or the branches of trees;

"industrial refuse" means refuse in solid form which is generated as a result of industrial manufacturing activities but shall not include builder's refuse, special industrial refuse or commercial refuse;

"occupier" includes any person in actual occupation of premises without regard to the title under which he or she occupies, if any;

"owner" means -

(a) the person in whom from time to time is vested the legal title to premises;

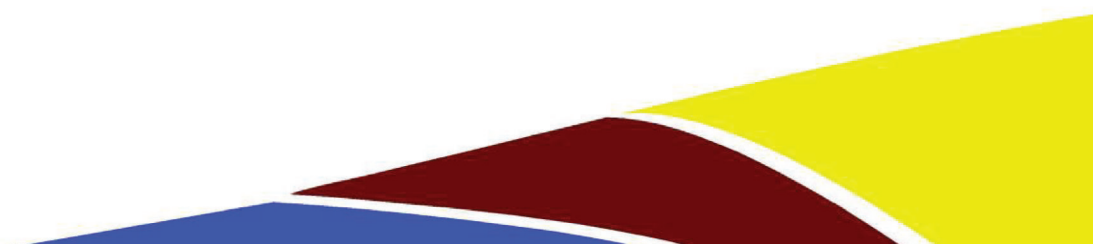
(b) in a case where the person in whom the legal title is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration and control of his property is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;

(c) in any case where the Council is unable to determine the identity of such person, a person who is entitled to the benefit of the use of the premises or a building or buildings thereon;

(d) in a case where such premises have been leased for a period of 30 years or longer, the lessee thereof;

(e) in relation to -

(i) a piece of land delineated on a sectional plan registered terms of



the Sectional Titles Act, 1986 (Act No. 95 of 1986), the developer or the body corporate in respect of the common property; or

(ii) a section as defined in such Act, the person in whose name such section is registered under a sectional title deed, and includes the lawfully appointed agent of such a person;

"refuse container" means a container other than a refuse receptacle and whether wheeled or otherwise, designed for the temporary storage and removal of refuse which is supplied by the Council in terms of section 3(4) or by a contractor approved in terms of section 2(3);

"refuse receptacle" means a receptacle which complies with either South African Bureau of Standards specification 493-1973: Steel Refuse Bins or 1310-1980: Refuse Bins of Polymeric Materials, both as published by General Notice No. 463 of 9 July 1982;

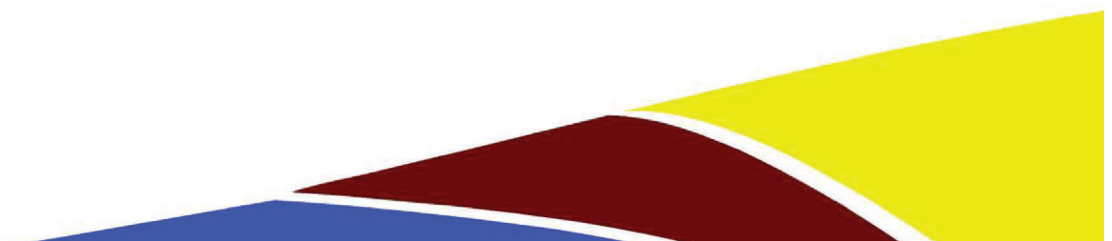
"residential premises" means premises occupied for the purposes of human habitation, but excludes an accommodation establishment as defined in section 1 of the Hotels Act, 1965 (Act 70 of 1965);

"special domestic refuse" means refuse discarded from residential premises which cannot by virtue of its mass, shape, size or volume be conveniently stored in a refuse receptacle or container;

"special industrial refuse" means refuse, consisting of a liquid or sludge, resulting from industrial operations which may not be discarded into a sewer;

"tariff charge" means the appropriate charge as set out in the tariff of charges adopted by resolution of the Council from time to time; and

"commercial refuse" means refuse generated in the course of the conduct of a business but shall not include industrial refuse.

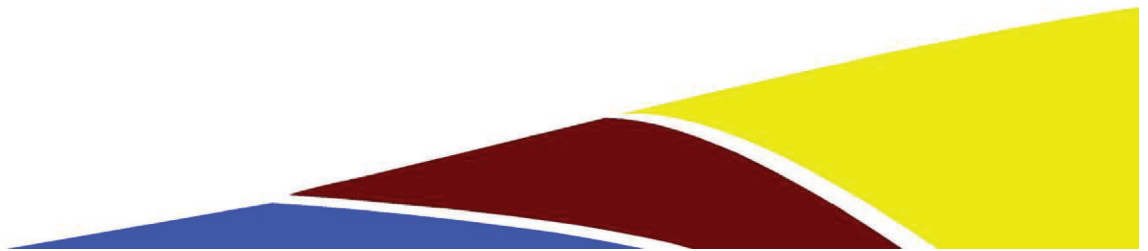


Section 2 : Collection and removal of refuse

(1) The occupier of every premises upon which refuse is generated or, in the case of premises which are occupied by more than one person, the owner of such premises, shall make provision for the temporary storage, collection and removal of such refuse either by the Council or by a refuse removal contractor.

(2) The Council shall at approved tariffs collect and remove –

- (a) domestic refuse; and
- (b) Commercial refuse.



(3) The Council may, in its discretion, and subject to the charge set out in its tariff of charges, collect and remove –

- (a) builders' refuse;
- (b) industrial refuse;
- (c) special industrial refuse; and
- (d) special domestic refuse.

(4) Where the Council declines to collect and remove any waste referred to in subsection (3), the owner or occupier shall make appropriate arrangements for the lawful collection, removal and disposal of such waste.

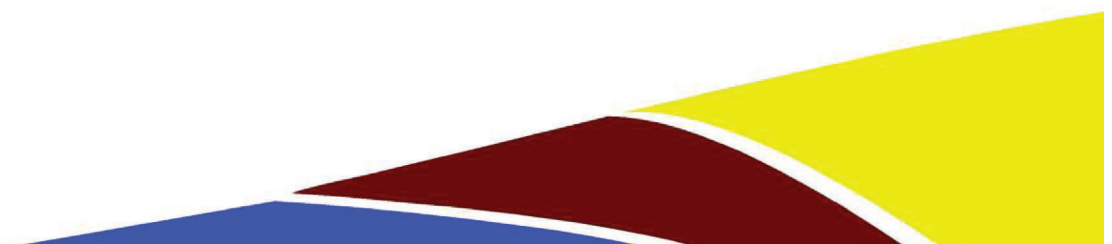
(5) The owner or occupier of premises may himself or herself remove or cause to be removed any refuse generated thereon to a disposal site, provided that such removal and disposal is conducted in a lawful manner.

(6) Every occupier of new premises or premises on which the generation of domestic or commercial refuse is about to be commenced, or in the case of premises being occupied by more than one person, the owner of such premises shall, prior to the commencement of the generation of such refuse, notify the Council in writing -

- (a) that the premises are being occupied; and
- (b) whether commercial refuse or domestic refuse or both is or are to be generated on the premises.

Section 3 : Refuse receptacles

(1) Subject to the provisions of subsection (4), every occupier or owner referred to in section 2(1) shall provide on his or her premises such number of refuse receptacles as is adequate for the purpose of the temporary storage of all refuse, other than garden, special domestic and special industrial refuse, as may be generated on his or her premises pending its removal in terms of these by-laws.



(2) The occupier or owner referred to in subsection (1) shall ensure that refuse receptacles provided by him or her in terms of that subsection are maintained in a sound and serviceable condition and that receptacles which are no longer capable of being so maintained are replaced by him or her.

(3) Whenever the Council is of the opinion that a person has not complied with the provisions of this section it may cause a written notice to be served on such person calling upon him or her to comply with such provisions within a period specified in the notice.

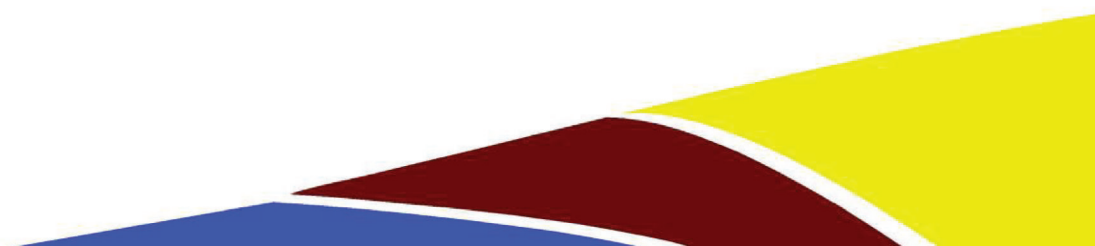
(4) The Council may at its sole discretion supply refuse containers to premises if Council considers such containers more appropriate for the storage and removal of refuse than refuse receptacles having regard to –

- (a) the quantity of refuse generated on the premises concerned;
- (b) the suitability of such refuse for storage in such containers; and
- (c) the accessibility of the refuse storage area to the Council's refuse collection vehicles.

(5) Refuse containers supplied by the Council in terms of sub-section (4) –

- (a) may not be used for any purpose other than the storage of commercial, domestic, industrial or garden refuse;
- (b) remain the property of the Council and may at any time either be replaced or removed by it; and
- (c) are the responsibility of the owner or occupier, as the case may be, who shall be liable to the Council for the loss thereof or any damage thereto, except such as has been caused by the Council's employees.

Section 4: Duties of owner or occupier



Every occupier of premises, or in the case of premises being occupied by more than one person, the owner of such premises, shall ensure that-

- (a) all domestic and commercial refuse generated on the premises is placed and kept in refuse receptacles, refuse containers or disposable plastic refuse bags for removal;
- (b) builders' refuse, garden refuse, industrial refuse, special industrial refuse and special domestic refuse is appropriately stored and clearly indicated as such;
- (c) no hot ash, unwrapped glass fragments or other refuse which may cause damage to refuse receptacles, refuse containers or disposable plastic refuse bags, or which may cause injury to the persons or vehicles employed in removing the refuse from the premises, is placed in refuse receptacles or refuse containers before such steps as may be necessary to avoid such damage or injury have been taken;
- (d) no material, including any liquid, which by reason of its mass or other characteristics is likely to render such refuse receptacles or disposal plastic refuse bags unreasonably difficult for the Council's employees to handle or carry, is placed therein;
- (e) every refuse receptacle and refuse container on the premises is properly covered by means of a lid or other covering supplied therewith so as to prevent any nuisance or health hazard;
- (f) every receptacle or container is kept in a clean and hygienic condition; and
- (g) all which has toxic or other harmful properties is suitably treated to the satisfaction of the Council.

Section 5 : Collection and removal of refuse

(1) The Council shall from time to time determine the day or days upon which refuse which is to be removed by the Council in terms of these by-laws will be collected in the various areas under its jurisdiction.

(2) On the day or days which have been determined in terms of subsection (1) for

a particular area every owner or occupier, as the case may be, of premises within that area shall place such refuse containers, refuse receptacles or disposable plastic refuse bags containing refuse immediately inside the boundary of the premises and adjacent either to the pedestrian or the vehicular access to the premises from a street.

(3) No owner or occupier, as the case may be, of any premises shall, unless authorised in writing by the Council, deposit or allow to be deposited any refuse other than domestic refuse or commercial refuse in any refuse receptacle or refuse container the contents of which are removable free of charge by the Council.

(4) The owner or occupier of any premises on which bulky refuse of any kind is produced, kept, or accumulated shall, when required thereto under notice in writing from the Council, tie up securely or cause to be tied up securely such refuse into bales or bundles of convenient size.

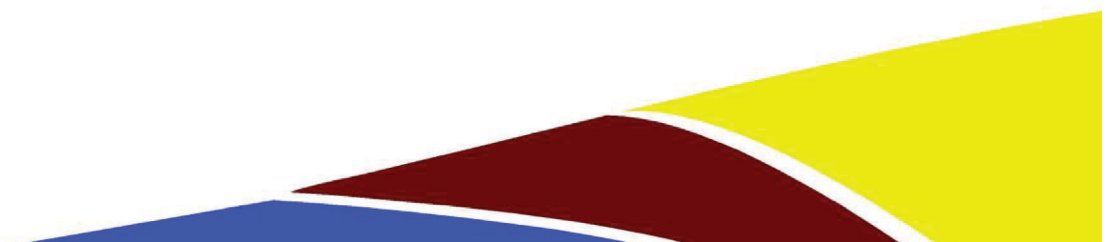
Section 6: Access to premises

The occupier or owner of premises to which the council provides a refuse removal service, as the case may be, shall grant the council convenient access to the premises for the purpose of collecting and removing refuse and shall ensure that nothing obstructs, frustrates or hinders the Council and its employees in the carrying out of its service. This section only applies to businesses and the hospitals that have made prior arrangements with council

Section 7: Accumulation of refuse

Where any refuse accumulates on premises so as to constitute a nuisance or so as to render it likely that a nuisance will be created thereby, the Council may make a special removal of such refuse and the owner or occupier shall be liable in respect of such special removal to pay the tariff charge therefor.

Section 8: Removal and disposal of garden, special domestic and bulky refuse



(1) The occupier or, in the case of premises occupied by more than one person, the owner of premises on which garden, special domestic or bulky refuse is generated shall ensure that such refuse is disposed of in terms of this section within a reasonable time after the generation thereof; provided that garden refuse may be retained on the premises for the making of compost.

(2) Any person may remove and dispose of his own garden, special domestic and bulky refuse.

(3) Garden, special domestic and bulky refuse shall, once it has been removed from the premises on which it was generated, be deposited on a site designated by the Council as a disposal facility for such refuse against payment of the tariff charge.

(4) At the request of the owner or any occupier of premises the Council may at the tariff charge remove garden, special domestic and bulky refuse from premises.

Section 9: Responsibility for builder's refuse

No building waste removal by Municipality

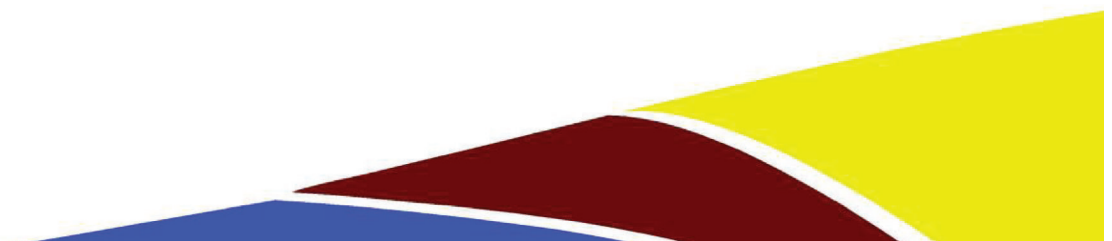
The Municipality is not obliged to collect and remove building waste

The owner of premises on which builder's refuse is generated shall ensure that such refuse is disposed of in terms of section 11 within a reasonable time after the generation thereof.

Section 10: Disposal of builder's refuse

(1) Subject to the provisions of subsection (2) hereof all builder's refuse shall be deposited at the Council's disposal sites and the person depositing the refuse shall be liable to pay the tariff charge therefor.

(2) Builder's refuse may, with the prior written consent of the Council, be



deposited at a place other than the Council's disposal sites for the purpose of reclamation of land.

(3) Any consent given in terms of subsection (2) shall be subject to such conditions as the Council may deem necessary having regard to -

- (a) the safety of the public;
- (b) the environment of the proposed disposal site;
- (c) the suitability of the area including the drainage thereof;
- (d) the expected manner and times of depositing of refuse at the site;
- (e) the levelling of the site;
- (f) the control of dust; and
- (g) Other relevant factors.

(4) Storage of building waste

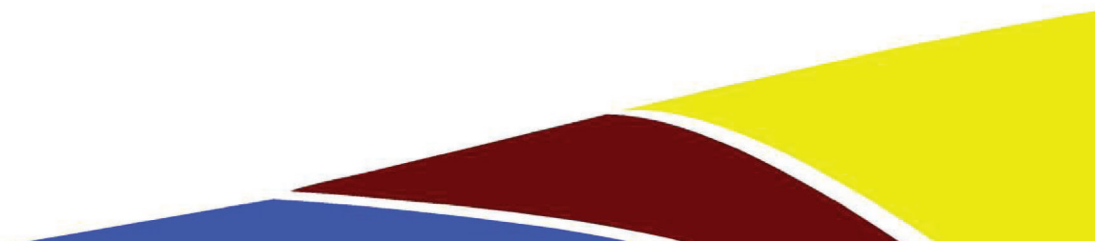
The waste generator and the building contractor whose activities produce the building waste must ensure that—

- (a) adequate provision for the temporary storage of building waste is provided;
- (b) the waste is not unsightly;
- (c) it does not constitute a nuisance or a safety hazard to any person; and
- (d) it does not pollute the environment

Section 11: Special measures for collection, storage and disposal

(1) If the Council is of the opinion that, in order to avoid any health hazard or nuisance arising, special measures for the collection, temporary storage or disposal of any refuse should be adopted or that such refuse should be specially treated to render the same inoffensive or non-injurious to health, the Council must serve written notice on the occupier of any premises or in the case of vacant land, the owner thereof, to carry out any of the aforesaid measures within a reasonable time.

(2) The owner or occupier of any premises shall, on being served with a notice in terms of subsection (1)–



(a) either remove any refuse which is likely to be offensive or injurious to health from such premises and dispose thereof in such a manner as may be stipulated in such notice; or

(b) when permitted by the terms of such notice, treat any refuse on such premises so as to render it innocuous and inoffensive and so as to prevent infestation thereof by flies, mosquitoes, rats and other vermin.

(3) Any owner or occupier who refuses to carry out the measures specified in a notice given under this section or who fails to comply therewith within the time specified in the notice shall be guilty of an offence and the Council may arrange for such measures to be carried out at the expense of the person on whom the notice was served.

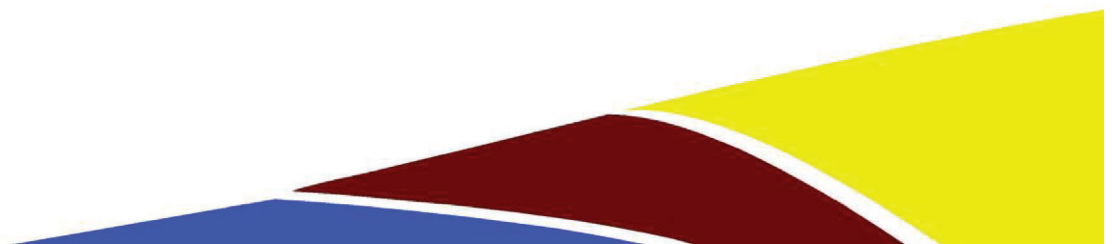
Section 12: Removal of refuse or offensive matter along the street

(1) Any person removing or conveying any refuse or other offensive matter or any builder's refuse shall remove the same by means of a properly constructed and enclosed vehicle and in such manner as will prevent any nuisance arising from such conveyance or the escape of the contents therefrom.

(2) The Council may serve a written notice upon any person restricting or stipulating the means to be adopted and specifying the times during which refuse may be conveyed through or along any street or public place if the Council is of the opinion that the conveyance of such refuse is likely to be objectionable or give rise to nuisance. Any person who fails to comply with the requirements of subsection (1) of this section or with any notice given under this subsection shall be guilty of an offence.

Section 13: Notification of generation of special industrial refuse

(1) The occupier of premises on which special industrial refuse is generated shall inform the Council in writing of the composition thereof, the quantity generated, how it is stored, and how and when and by whom and to which place, it will be removed.



(2) If so required by the Council the notification referred to in subsection (1) shall be verified by an analysis certified by a duly qualified industrial chemist.

(3) Any officer or servant of the Council and any other person duly authorised by the Council may enter premises at any reasonable time to ascertain whether special industrial refuse is generated on such premises and may take samples and test any refuse found on the premises to ascertain its composition.

Section 14: Storing of special industrial refuse

(1) The occupier of premises on which special industrial refuse is generated shall ensure that the special industrial refuse generated on the premises is kept and stored thereon in terms of subsection (2) until it is removed from the premises in terms of section 15.

(2) Special industrial refuse stored on premises shall be stored in such a manner that it cannot become a nuisance or pollute the environment.

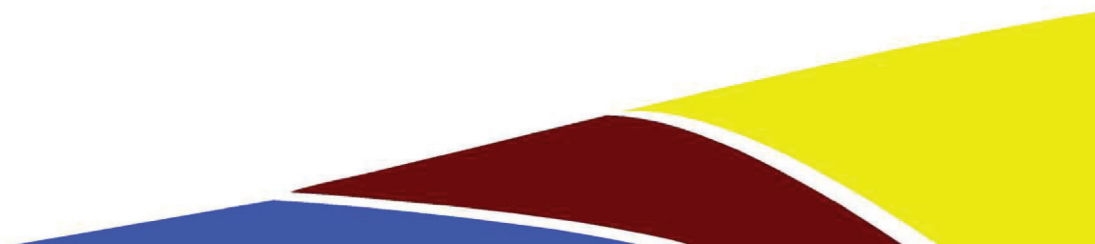
(3) The Council may in writing order the person referred to in section 14(1) to remove special industrial refuse within a reasonable time and, if thereafter such refuse is not removed within such time, the Council may by itself or through a contractor remove it at the expense of such person or the owner, as the case may be.

Section 15: Removal of special industrial refuse

No person shall remove special industrial refuse from the premises on which it was generated unless such refuse is lawfully and properly removed to a disposal site by a competent person with the necessary equipment to remove the special industrial refuse.

Section 16: COLLECTION AND DISPOSAL OF SPECIAL INDUSTRIAL, HAZARDOUS OR HEALTH CARE RISK WASTE

(1) Only licensees may transport special industrial, hazardous and health care risk waste and must do so in accordance with the requirements of the



Council, stipulated as licence conditions or in additional By-laws, in respect of the type of vehicle, the markings and manner of construction of such vehicle, procedures for safety and cleanliness, and documentation relating to the source, transportation and disposal of such waste, and the requirements of any other legislation.

(2) A licensee licensed to collect and dispose of special industrial, hazardous or health care risk waste, must inform the Council at those intervals the Council may stipulate in the licence or elsewhere, about the removal of special industrial, hazardous or health care risk waste, the date of such removal, the quantity, the composition of the waste removed and the facility at which the waste has been disposed.

A licensee must dispose of special industrial, hazardous or health care risk waste at a waste disposal facility designated

Section 16: Liquid waste

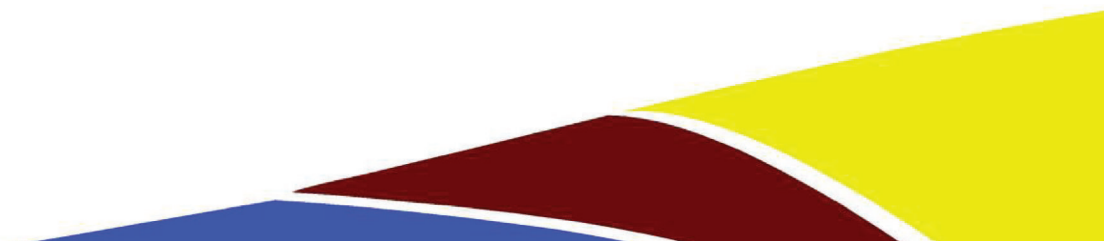
(a) No person shall deliver to or discharge at a disposal site any liquid refuse or cause the same to be done, except with the prior written permission of the Council and in accordance with such conditions as may be imposed by it.

(b) Any costs incurred by the Council in remedying damage or in abating any nuisance caused by the discharge of liquid refuse at a disposal site in contravention of the provision of these by-laws or of any condition imposed and the amount of any legal liability or costs incurred by the Council in respect of any claim arising from any such nuisance shall be borne by and be recoverable from the owner of such refuse.

Section 17: transportation of waste

(1) Notwithstanding the provisions of any other legislation, no person may –

- a) Operate a vehicle for the conveyance of waste upon a street unless the vehicle has a body of adequate size and construction for the type of waste being transported;
- b) fail to maintain the vehicles used for the conveyance of waste in a clean, sanitary and roadworthy condition at all times;



- b) cause or permit any waste being transported in or through the Council to become detached, leak or fall from the vehicle transporting it, except at a waste disposal facility;
- c) knowingly dispose waste at a waste disposal facility that is not permitted to accept such waste.

Section 18: Event waste

Responsibility for event waste

(1) An event organizer and venue owner, as defined in section 1, is responsible for storing, collecting, recycling and disposing of waste generated before, during and after an event.

(2) An event organiser and venue owner must ensure that an authorised waste removal contractor is contracted to collect and dispose of waste generated before, during and after an event in terms of this By-law.

Integrated waste management plans for events

(1) An event organiser and venue owner must develop an integrated waste management plan in respect of each event.

(a) be delivered to the Municipality at least 10 working days before the proposed event; and

(2) deal with at least the following matters:

(i) the full names and contact details of the event organiser;

(ii) the full names and contact details of the owner of the premises at which the event will be held;

(iii) the nature and duration of the event;

(iv) the estimated costs of waste management associated with the event; and the information as required under subsection 38(2).

(3) The Municipality must consider the integrated waste management plan and—

(a) approve it subject to any conditions;

(b) request that additional information be furnished within a specified time frame;

(c) require amendments to be made within a time frame so specified; or

(d) reject the plan and provide reasons therefore.

(4) If an event organiser and venue owner fail to comply with any provision of this section or the integrated waste management plan submitted in terms of this section, the Municipality may arrange for the collection, recycling and disposal of the waste at the cost of the event Organiser and venue owner and recover the cost from the deposit paid.

(5) If no deposit was paid by the event organiser and venue owner, the event organiser and venue owner are jointly and severally liable for any expenses incurred by the Municipality in this regard

(6) Should an event holder fail to provide an integrated waste management plan in respect of an event, the Municipality may appoint a service provider to obtain information and prepare a plan at the cost of the event organiser.

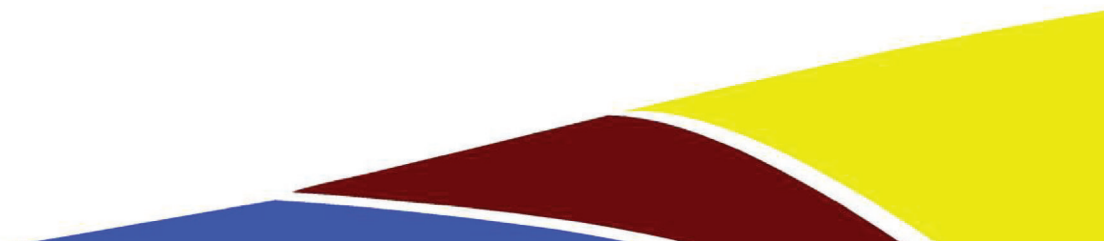
Section 19: Intergrated waste management plans

(1) An integrated waste management plan must be submitted to the Council by waste generators who generate the following types of waste before they begin generating such waste:

- (a) Business waste;
- (b) Industrial waste;
- (c) Building waste;
- (d) Event waste;
- (e) Hazardous waste; and
- (f) Health care waste.

(2) An integrated waste management plan must include at least the following information:

- (a) a description of the type of waste that will be generated;
- (b) an assessment of the quantity of waste that will be generated;
- (c) the premises at which the waste will be generated;
- (d) how waste generated will be stored, collected, recycled and disposed of;
- (e) the full names and contact details of any authorised waste removal contractor contracted by the waste generator and proof that he or she has been contracted to collect and dispose of waste;
- (f) a description of how the waste generator intends separating recyclable and no recyclable material at the point of source;



- (g) a description of the waste generator's waste minimisation and pollution prevention plans;
- (h) An assessment of the impact or potential impact on the environment of the waste generated;
- (i) the waste generator's targets for waste reduction, re-use and recycling; and
- (j) the waste generator's reduction measures or programmes that can minimise the consumption of natural resources.

(3) The Council may, on 90 days' notice, instruct any waste generator to supply a new or amended integrated waste management plan in order to comply with this By-law and any other relevant legislation.

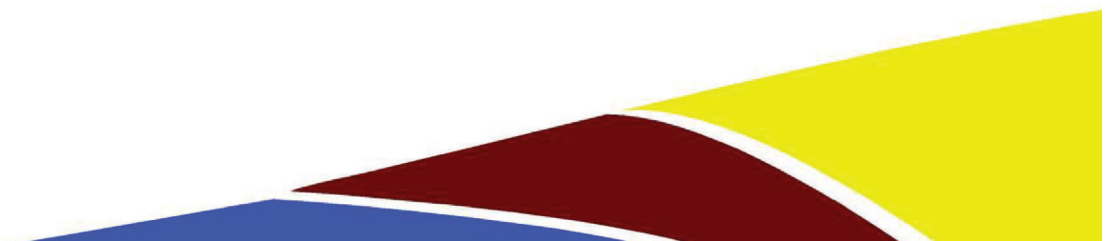
(4) When instructed to submit an integrated waste management plan or a new or amended integrated waste management plan in terms of this By-law, a waste generator shall do so within the time stipulated in the instruction.

- (5) The Council must consider the integrated waste management plan and—
- (a) approve it subject to any conditions;
 - (b) request that additional information be furnished within a specified time frame;
 - (c) require amendments to be made within a time frame so specified; or
 - (d) reject the plan and provide reasons therefore.

(6) If an integrated waste management plan is rejected or not submitted at all, the Council shall give directives as to what waste management measures must be taken by the waste generator and should the waste generator fail to take such measures within the time frame specified by the Council, the Council may implement such measures and the waste generator will be liable for the cost thereof.

(7) The Head of Department may by written notice require any person to provide such information as he or she requires when considering an integrated waste management plan.

(8) Should a person fail to provide the information referred to in this section, the Council may appoint a service provider to obtain information and prepare a plan at the cost of the waste generator.



Exemptions from submitting an integrated waste management plan

(1) A waste generator may apply in writing for exemption from the requirement to prepare an integrated waste management plan.

(2) The Council may declare—

- (a) certain classes of waste;
- (b) a particular mass or volume of waste;
- (c) a particular waste generator or a class of waste generators; or
- (d) waste generators whose waste management plans have been approved by other spheres of government in terms of applicable legislation, to be exempt from the requirement to submit an integrated waste management plan.

Section 20: Conduct at disposal site

(1) Every person who, for the purpose of disposing of refuse enters a disposal facility controlled by the Council, shall -

- (a) enter the disposal facility only at an authorised access point indicated as such;
- (b) present the refuse for weighing in the manner required by the Council's official having authority at such site;
- (c) give to such official all the particulars required in regard to the composition of the refuse;
- (d) follow all instructions given to him in regard to access to the actual disposal point, the place where and the manner in which the should be deposited; and
- (e) provide the said official with full information as to the person who is liable to pay the tariff charge for the refuse deposited to enable an account to be rendered to him, provided that the provisions of paragraphs (b), (c) and (e) above shall not apply to a person who, in terms of section 9(3). has entered a disposal site for the purpose of disposing of garden refuse.

(2) No person shall bring any intoxicating liquor onto a disposal site controlled by the Council.

(3) No person shall enter a disposal site controlled by the Council for any purpose other than the disposal of refuse in terms of these by-laws and then only at such times and between such hours as the Council may from time to time determine.

Section18: Ownership of refuse

All refuse removed by the Council and all refuse on disposal sites controlled by the Council shall be the property of the Council and no person who is not duly authorised by the Council to do so shall remove or interfere therewith.

Section19: recycling, re-use, sorting and reduction of waste

Recycling, re-use, sorting and reduction of waste

(1) No person may, except for their own domestic purposes–

- (a) recycle, re-use or recover waste;
 - (b) sort waste; or
 - (c) operate as a scrap dealer or buy-back center,
- without a permit issued by the Council.

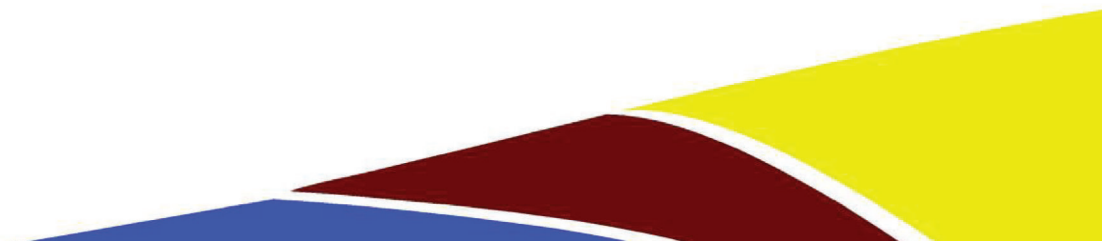
(2) When applying for a permit from the Council, the applicant must–

- (a) submit an environmental impact assessment or any similar assessment required by national or provincial legislation, showing that the proposed recycling, re-use or reduction of the waste will be less harmful to the environment than its disposal;
- (b) submit an integrated waste management plan; and
- (c) comply with any other requirements set by the Council.

(3) Any person who handles, transports, processes, treats or disposes of waste for recycling

purposes must provide the Council with a written report on their activities in a format and

at such frequencies as may be determined by the Council.



(4) The Council may exempt waste generators, handlers, transporters or agents from the requirements of this Chapter in circumstances where the mass or volume of the waste generated is below a threshold stipulated by the Council.

(5) The Council may determine–

- (a) categories of waste which must be recycled;
- (b) categories of waste generators which must engage in specified forms of recycling; and
- (c) standards and other rules applicable to recycling.

Section 20 : Offences and penalties

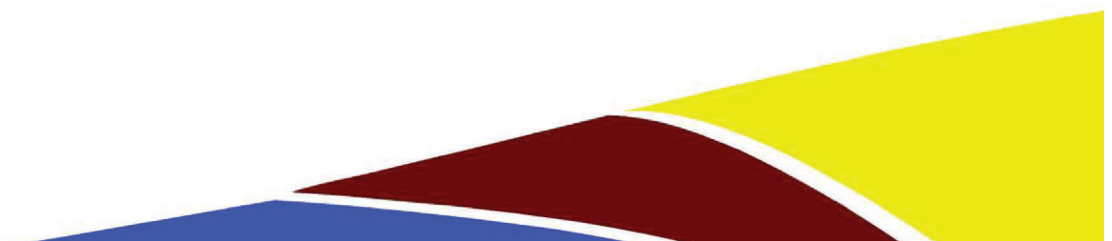
Any person who contravenes or fails to comply with any provision of these by-laws; or contravenes or fails to comply with any conditions imposed upon the granting of any application, consent, approval, concession, relaxation, permit or authority in terms of these by-laws; or fails to comply with the terms of any notice served upon or given to him in terms of these by-laws, shall be guilty of an offence and liable for a fine not exceeding R30 000 or imprisonment for a period not exceeding two years or for both such fine and imprisonment.

Section20: Repeal of existing By-laws

The Council's existing by-laws are hereby repeal to the extent said out in these By-laws; Provided that the repeal of such By-laws shall not affect anything done in terms of or any right, obligation or liability acquired or incurred under those By-laws.

Section21: Short title and commencement

These by-laws shall be called the Waste Management By-laws 2018, and shall come into operation from the date of proclamation in the Provincial gazette.



**MATATIELE LOCAL MUNICIPALITY
LIQUOR TRADING BYLAWS**



MATATIELE

LOCAL MUNICIPALITY

MATATIELE MUNICIPALITY LIQUOR TRADING HOURS BY-LAWS

Under the provisions of section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) and sections 22(2)(d)(i) and 42(b) of the Eastern Cape Liquor Act, 2003 (Act 10 of 2003), the Matatiele Municipality, enacts as follows: -

TABLE OF CONTENTS

1. Definitions
2. Purpose of By-law
3. Application of By-law
4. Ward committee consultative meetings
5. Trading hours
6. Selling of liquor at other times
7. Enforcement
8. Offences relating to official
9. Appeal
10. Penalties
11. Repeal
12. Short title and commencement Schedules

1. Definitions

In this By-law, unless the context otherwise indicates –

"Act" means the Eastern Cape Liquor Act, 2003 (Act 10 of 2003);

"casino" means a casino operated in terms of the National Gambling Act, 2004 (Act 7 of 2004);

"Council" means the Matatiele Municipal Council or any other committee or official acting by virtue of any powers delegated by Council;

"hotel" means premises wherein or whereon the business of supplying lodging and meals is conducted or is intended to be conducted, and includes a motel, inn, bed and breakfast concern, caravan and camping park, guest-house, a lodge and a house boat;

"Liquor Board" means the Eastern Cape Liquor Board established in terms of section 4 of the Act;

"official" means any person authorised by Council to perform the function of an officer under this By-law and includes any member of the South African Police Services and any person appointed in terms of the Act;

"premises" includes any place, land, building or conveyance or any part thereof which is registered or which is seeking to be registered to trade in liquor;

"registered premises" means premises on or from which a trader conducts his or her business;

"Regulations" means the regulations, published as Notice No. 1143 of 8 April, 2004, made under the Act;

"selling hours" means the time during which a trader is allowed to sell liquor in terms of Schedule 1;

"trader" means a person who is registered in terms of section 19 of the Act, and any other word or expression to which a meaning has been assigned in the Act and the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), carries that meaning;

"trading" means the selling of liquor; and

“ward committee” means a committee as contemplated in the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998).

2. Purpose of By-law

The Council, acting in terms of the powers granted to it in the Act adopts this By-law with the aim of regulating the hours during which liquor may be sold.

3. Application of By-law

This By-law applies to all premises, situated within the area of jurisdiction of the Council, on which liquor is traded or intended to be traded.

4. Ward Committee consultative meetings

(1) A Ward Committee must within 30 days of receipt of a notice of application for registration, in terms of section 22(2)(d)(i) of the Act hold a consultative meeting with the community of the area where the premises that are sought to be registered are situated to discuss and solicit their views with regard to the application that the applicant intends to lodge with the Liquor Board.

(2) The Ward Committee must compile and submit a report to the Council and the Liquor Board, stipulating the date of the consultative meeting referred to in subsection (1), the time of the meeting, the names and the addresses of the people who attended, indicate whether it objects to or recommends the application and what additional conditions it proposes, if any.

(3) The Council may consider a report submitted to it by a ward committee in terms of subsection 22(2) (d) (i)¹ of the Act and item 3(2)² of the Regulations.

5. Trading hours

¹ Section 22(2)(d) of the Act reads as follows:

"An application for registration contemplated in subsection (1) must be made by submitting to the board –

(d) proof of service of the notice contemplated in the prescribed manner on the –

(i) ward committee which must on receipt of the notice consult the community of the area where the premises are situated and simultaneously submit a report to the board and the relevant municipal council; and

(ii) governing body of every education institution or place of worship within a radius prescribed by the MEC from the premises in respect of which the application is made."

² Item 3 of the Regulations reads as follows:

"(1) An applicant must within seven days of lodgment, serve a notice substantially in the form of Form 2 of Annexure 2 on the ward committee of the area where the premises are situated, every governing body of every educational institution and place of worship within a radius of 100 metres from the premises in respect of which the application for registration is made.

(2) A ward committee contemplated in sub-regulation (1) must, within thirty days of receipt of the notice, submit a report on the consultation with the community to the board and to the relevant municipal council."

- (1) The trading hours, as listed in Column 2 of Schedule 1 to this By-law of the different kinds of registrations, as contemplated in section 20 of the Act, as listed in Column 1 of the Schedule, have been determined by the Council and may be reviewed by the Council from time to time.
- (2) Subject to section 6, no trader may sell liquor to a person at a time other than those hours stipulated as trading hours under subsection (1).
- (3) A trader who contravenes subsection (2) commits an offence.

6. Selling of liquor at other times

- (1) The Council may grant written consent to a trader to sell liquor at hours other than those hours stipulated as trading hours in section 5(1), and a trader who wishes to sell liquor at such hours must, before he or she sells such liquor, obtain such written consent of the Council.
- (2) A trader who wishes to obtain the consent of the Council must complete a form similar to the form entitled "Application for Departure with Respect to Trading Hours" as contained in Schedule 2 and submit the form and other particulars as the Council may request, to the office of the municipal manager an official to undertake an investigation or request information as he or she may deem necessary for consideration by the Council, and such official must submit his or her findings to the Council.
- (3) For the purpose of considering whether to grant consent as contemplated in subsection (1), Council shall take the following factors into account: -
 - a) Premises do fall into Category 3 or 4 of the Schedule.
 - b) Any complaints or nuisances reported to the Municipal Managers Office.
 - c) Required fee of R20 000.00 per application has been paid.
 - d) Outcome of the consultation with the community, which will include, but are not limited to, the ward councillor, ratepayers association and abutting neighbours.
 - e) The extended hours requested.
 - f) Any extensions granted for the duration of the current license.
 - g) Renewable annually.
 - h) Appropriate zoning will be a pre-requisite.
 - i) Incomplete application forms will not be accepted.
- (4) The Council may, after consideration of the application and the report contemplated in subsection (3), refuse to grant consent or grant consent, and should the Council grant consent, it may do so subject to any condition or restriction it may deem necessary, which consent and condition or restriction, if imposed, shall be entered in Part C of the form contained in Schedule 2.
- (5) A trader who has been granted consent in terms of subsection (4), must display, in a conspicuous place on the premises regarding which the consent has been granted and during those times for which the consent has

been granted, a copy of the form on which the consent of the Council has been entered.

(6) A trader who contravenes subsection (1) or (5), or who sells liquor in contravention of a condition or restriction imposed in terms of subsection (3), or who displays a forged form, commits an offence.

7. Enforcement

(1) Members of the South African Police Service and liquor inspectors appointed in terms of the Act may enforce this By-law.

(2) An official, acting within the powers vested in him or her by subsection 6(3) of this By-law must, upon request by a member of the public, produce proof of identity and the capacity in which he or she purports to conduct his or her business.

(3) An official, acting in terms of the mandate contemplated in subsection (2) may –

- (a) enter upon premises and conduct an inspection; and
- (b) request any person to provide such information as deemed necessary by the official.

8. Offences relating to official

(1) A person commits an offence if he or she –

- (a) hinders or interferes with an official in the execution of his or her duties;
- (b) falsely professes to be an official;
- (c) furnishes false or misleading information when requested by an official; or
- (d) fails to comply with a request of an official.

(2) A person who contravenes subsection (1) commits an offence.

9. Appeal

A person whose rights are affected by a decision of the Council may appeal against that decision by giving written notice of the appeal and the reasons therefore in terms of section 62 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) to the municipal manager within 21 days of the date of the notification of the decision.

10. Penalties

A person who has committed an offence in terms of these by-laws is guilty of an offence and, on conviction, liable to the penalties prescribed in section 61(1)(b) and section 61(2) and (3) of the Act.

11. Repeal

The By-law set out in Schedule 3 is hereby repealed to the extent set out in the third column of that Schedule.

12. Short title and commencement

This By-law may be cited as Matatiele Municipality Liquor Trading Hours By-law, and come into force upon publication in the Provincial Gazette.

SCHEDULE 1

(Section 5(1))

COLUMN 1	COLUMN 2
TYPE OF REGISTRATION	TRADING HOURS

Registration in terms of Section 20(a) of the Act for the retail sale of liquor for consumption off the premises where liquor is sold. <i>(Bottle store, retail shop, wholesaler)</i>	08:00-18:00 Mon-Fri 08:00-17:00 Sat-Sun
Registration in terms of Section 20(b) of the Act for the retail sale of liquor for consumption on the premises where liquor is sold. <i>(Restaurant, sports club, pool bar, pub)</i> <i>(Night clubs)</i> <i>(Hotels and casinos)</i>	09:00 - 22:00 Mon-Thurs 08:00 - 24:00 Fri – Sat 18:00 - 24:00 Midnight Sun
Registration in terms of Section 20(c) of the Act for the retail sale of liquor for consumption on and off the premises where liquor is sold. <i>(Taverns, shebeens)</i>	09:00 - 22:00 Mon-Fri 08:00 - 24:00 Sat- Sun 10:00 - 22:00 Sat- Sun
Registration in terms of Section 20(d) of the Act for the retail sale and consumption of liquor at a special event	Council and SAPS will determine
Registration in terms of Section 20(e) of the Act for micro manufacturing.	Council and SAPS will determine

¹ The following serve as examples of outlets or establishments:

- (a) Section 20(a): Retail warehouse, retail liquor or bottle store, shop, off-sales, house shop.
- (b) Section 20(b): Nightclub, sports bar, sports club, poolbar, discotheque, jazz club, escort agency, pub and grub, pub, bar, casino, licensed restaurant, guest house, hotel, motel.
- (c) Section 20(c): Tavern, shebeen.
- (d) Section 20(d): Concert, festival, sporting event and entertainment event.
- (e) Section 20(e): Wholesale warehouse and micro manufacturing.

SCHEDULE 2**PART A****APPLICATION FOR DEPARTURE WITH RESPECT TO TRADING HOURS** (In terms of section 6(2) of the Liquor Trading Hours By-law)

Name of applicant:

Allotment Area: Erf No. of Premises:

Address of premises where liquor will be sold:

.....

Postal address of applicant:

.....

Contact telephone no (.....) Fax no (.....)

Dates and hours on which liquor will be sold or supplied (Be specific, e.g. 14:00 to 23:00 on 3 June, 2008):

Reason why this application is made:

.....

.....

Anticipated volume of liquor that will be consumed:.....

Nature of liquor that will be sold or supplied:

Other particulars (as requested by the Council):

Do the premises have Special Land Use Consent? (provide proof)

YES NO

Do premises have a business licence? (provide proof)

YES NO

Do premises have noise attenuation equipment installed? (provide details)

YES NO

Does applicant possess a Liquor Licence? (provide copy)

YES NO

Distance to nearest residence metres

Signed Date

(Applicant)

PART B***Official use*****Does The Business Meet The Following Requirements?:**

- | | | |
|---|-----|----|
| 1. Land use permission | YES | NO |
| 2. Valid business license (if applicable) | YES | NO |
| 3. Compliance with noise regulations | YES | NO |
| 4. Possession of a valid liquor licence | YES | NO |
| 5. Premises suitably located | YES | NO |

INSPECTION REPORT:

.....

.....

.....

.....

.....

.....

.....

.....

.....

Name of official :

Date of inspection :

.....

PART C**RECOMMENDATION BY ENVIRONMENTAL HEALTH DEPARTMENT:**

.....

.....

.....

.....

.....

.....

.....

Name of Official:	DATE:
Designation:	
CONDITIONS:	
_____ SIGNATURE	DATE

SCHEDULE 3

Number and year of bylaw	Title	Extent of repeal
P.N		The whole



**CREDIT CONTROL AND DEBT COLLECTION
BY-LAW**

The Matatiele Local Municipality in terms of Section 156 of Constitution of the Republic of South Africa Act No. 108 of 1996, read with section 11(3) of the Local Government: Municipal Systems Act No. 32 of 2000, enacts as follows

INDEX

SECTION

- 1. DEFINITIONS**
- 2. SERVICE AGREEMENT**
- 3. ACCOUNTS**
- 4. DEPOSITS**
- 5. DISCONNECTION FOR NON-PAYMENT**
- 6. TAMPERING**
- 7. AGREEMENTS AND ARRANGEMENTS WITH CONSUMERS IN ARREAR**
- 8. ACKNOWLEDGEMENT OF DEBT**
- 9. INTEREST ON ARREARS**
- 10. HAND OVERS**
- 11. CUSTOMER MAY NOT SELECTIVELY NOMINATE PAYMENT**
- 12. AUTHORITY TO APPOINT DEBT COLLECTION SPECIALISTS**
- 13. RELIEF MEASURES FOR PENSIONERS OR INDIGENT SUPPORT**
- 14. APPLICABILITY**
- 15. REPEAL OF EXISTING CREDIT MANAGEMENT BYLAWS**

CREDIT MANAGEMENT BY-LAWS

1. DEFINITIONS

(1) Unless the context otherwise indicates —

"bank guarantee" means an unconditional undertaking by a financial institution whereby it guarantees a specified maximum amount to be paid if the principal debtor ("the customer") fails to pay;

"calculated amounts" means the amounts calculated by the Chief Financial Officer to be due to the Council by a consumer in respect of the supply of the applicable municipal services for any period during which the exact quantity of the supply cannot be determined accurately for any reason, and shall be based on the average consumption figures, if available, for the service rendered to the customer over the three months immediately prior to any such period commencing, or failing the availability of such data, on the average consumption figures applicable to one or more properties of similar size and nature in the area in which the customer resides or carries on business;

"Chief Financial Officer" means the Head of Department responsible for the Council's financial affairs, and any person duly authorised by him or her to act on his behalf in the stated capacity;

"consolidated account" means one combined account for all municipal services, surcharges, property tax and basic charges payable;

"consumer" means a customer;

"conventional electricity and water meters" means electricity and/or water meters, as the case may be, which are used to determine the supply of electricity and water and which are read on a monthly or other fixed interval basis;

"Council" means a municipal council referred to in section 157(1) of the Constitution, 1996 (Act No. 108 of 1996);

"customer" means any person to whom a service is or has been rendered by the Council and "customer services" has a corresponding meaning;

"due date" means, in the absence of any express agreement in relation thereto between the Council and the customer, the date stipulated on the account and determined by the Council from time to time as the last date on which the account can be paid;

"existing customers" means customers who have already entered into an agreement for the supply of municipal services;

"financial year" means 1 July in any year to 30 June of the following year;

"meter audits" means an investigation to verify the correctness of the consumption and supply of electricity or water;

"Municipal Manager" means a person appointed in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No.117 of 1998);

"normal office hours" means the hours when the Chief Financial Officer offices are open to the public from Mondays to Fridays, excluding public holidays;

"property tax" means rates and/or taxes charged according to the value of a property which may be based on a tariff on the value of the land or improvements or both, and has the same meaning, as assessment rates;

"rebate" means a discount on any property tax or service charge determined by the Council from time to time;

"reconnection fee" means the fee charged for reconnection of electricity when the supply has been disconnected due to non-payment, which fee will be determined periodically by the Council and will form part of the municipal tariff of charges;

"required amount" means the total calculated amount of the electricity/water consumed during any period of tampering, as well as the tampering fee;

"service accounts" means accounts in respect of electricity and/or water consumption;

"service agreement" means an agreement for the consumption of electricity and/or Water;

"tampering fee" means a fee charged for the illegal disconnection, adjustment or bypassing of a consumption meter or the siphoning of a supply of electricity or water supply to an un-metered destination, which fee will be determined annually, during the budget process and will form part of the tariff of service charges;

"terminated account" means the final account for services after the customer has left the premises, whether or not the customer has given notice to terminate the supply of service;

"Variable flow-restricting device" means a device that is coupled to the water connection that allows the water supply to be restricted or closed; and

"Voluntary garnishee order/emoluments order" means a court order for the deduction of an amount of money from the salary or other income of a customer.

(2) Words applying to any individual shall include persons, companies and corporations, and the masculine gender shall include females as well as mates, and the singular number shall include the plural and vice versa.

2. SERVICE AGREEMENT

2.1 Before being provided with electricity and other customer services, every customer must enter into a service agreement with the Council in which, inter alia, the customer agrees that the electricity and/or water payment system may be used for the collection of arrears in

- 2.2 Where a consumer has failed to enter into a service agreement with the Council, water and/or electricity will be blocked, disconnected or restricted, as the circumstances may require, until such time as a service agreement has been entered into and the applicable deposits have been paid. Such consumer is liable for calculated amounts.

3. ACCOUNTS

- 3.1 The Council will bill the inhabitants of, and property owners and property occupiers within the area for property tax and municipal services supplied to them by the Council at regular intervals or as prescribed by law.
- 3.2 owner of a property is liable for refuse and sewerage charges.
- 3.3 The Council will post or hand-deliver the consolidated accounts to the respective customers at the address notified by each customer, to reach the customers before the due date printed on the account. Any change of address becomes effective only when notification of the change is received and acknowledged by the Council.
- 3.4 The customer must pay, in full, the amount rendered on or before the due date. Failure to comply with this section will result in debt collection action being instituted against the customer, and interest at the rate determined from time to time by the Council or in the absence of any determination, as prescribed by law, will be charged from the date upon which the amount of the account was due for payment.

4. DEPOSITS

- 4.1 **Deposits** are to be determined by the Chief Financial Officer, which determination is based on two and a half times the average monthly account for the service in that property, either as factually determined or as a calculated amount.
- 4.2 In determining the deposit described in section 4(1), the Chief Financial Officer will differentiate between areas to give cognisance to differences in service standards and usage.
- 4.3 The Chief Financial Officer may reassess customer deposits for new commercial and industrial customers three months after the initial deposit date, and may, as a result of this reassessment require an additional deposit from any such customer.
- 4.4 The Chief Financial Officer must review all deposits bi-annually or when a customer's service is disconnected or blocked as a result of non-payment. The outcome of this review will be communicated to the customer in the event of any variation in the deposit arrangements being required. Should the deposit mentioned in section 4(2) or 4(3) be found to be inadequate, the customer will be allowed to make arrangements with the Chief Financial Officer for the payment of the additional amount.

- 4.5 Consumer deposits are to be paid for all separately metered services.
- 4.6 Consumer deposits are to be paid in respect of water and electricity services only.
- 4.7 Deposits must be paid in cash at the Municipal offices.
- 4.8. Council shall be entitled to deduct 50% of any payment made for any services in respect of any customer whose accounts are in arrears after the due date.
- 4.8 All deposits have to be paid at least 2 (two) days prior to occupation of the property or the date on which the services are required, if not required on date of occupation. Failure to comply with this by-law may cause a delay with the connection of services, and the Council will not be liable for any loss or prejudice that may result.
- 4.9 No service deposit is required if a pre-payment meter is installed for the particular service.
- 4.10 Where deposits have been increased in terms of Council policy, such customers may enter into a written agreement with the Council to pay off, over a maximum period of 6 (six) months, the deposits levied.
- 4.10 No deposit must be made directly to any Municipal employee.
- 4.11 Municipality will not be liable for any payments made directly to Municipal employees.

5. DISCONNECTION FOR NON-PAYMENT

(1) General

The reconnection fee will also be charged in cases of customers who receive other municipal services of any kind and who fall into arrears with their payment in respect of the services and whose water and/or electricity supply, whether prepayment or conventional, has been disconnected or restricted.

(2) Notices to Customers

- (a) The Council will, at its discretion, issue final request notices or other reminders to customers whose accounts are in arrears, prior to disconnection.
- (b) The Council will issue a final demand for payment of arrears in respect of all debtor accounts reflecting an amount outstanding for more than 30 (thirty) days, after which the account will be referred for debt collection, in terms of section 10, in addition to the disconnection of the supply of services.

(3) Municipal Services

The Municipality will not render any form of services including administrative services in respect of any customer whose accounts are in arrears after the due date.

(3) Electricity

- (a) The Council will disconnect services to customers with conventional electricity meters in respect of which service accounts are in arrears after the due date. Should such customers wish to have their electricity reconnected, they will be charged the applicable reconnection fee and the service will not be reinstated before the account is paid in full or satisfactory arrangements in terms of section 7 have been made with the Chief Financial Officer.
- (b) The Council must disconnect the electricity supply before 13:00 on the day of disconnection. Reconnections will commence as soon as practically passible, but will only be done during normal working hours.
- (c) In the event of mass disconnections, the Council is not obliged to effect same-day reconnections.
- (d) The Council will not be obliged to sell electricity to customers with pre-paid meters unless the customer's municipal account for other services and property tax, if any, is paid in full or satisfactory arrangements in terms of section 7 have been made with the Chief Financial Officer, and have been honoured.
- (e) All disconnected electricity meters must be clearly marked when the supply is disconnected for non-payment, in order to avoid disconnected meters being reported as faulty.
- (f) The Council will restrict the water supply of customers whose electricity supply has been blocked or disconnected for 2 (two) months in succession and from whom no payment was received or with whom no satisfactory arrangements for payment of the outstanding amount have been concluded,
- (g) The Council shall be entitled to disconnect, block or restrict, as the case may be, at the earliest opportunity, the electricity and/or water supply of customers who have offered a cheque as payment for municipal services if any such cheque is returned or dishonoured by the Financial Institution on which it is drawn for any reason. The customer's account will be endorsed accordingly and no further cheque payments will be accepted.
- (h) Standby electricians, meter readers and contractors are not permitted to restore any service to customers without written authority from the Council's Credit Control Section.
- (i) Customers whose supply of services has been unlawfully reconnected will be regarded as having tampered with the meter or the supply, and the provisions of section 6 shall apply.

6. TAMPERING

- (1) Where an electrical or water supply is found to have been tampered with or the meter bypassed, the Council may, subject to these Bylaws and other applicable legislation, isolate or disconnect the relevant supply, and charge the customer the applicable tampering fee, calculated amounts due as well as a reconnection fee in instances where the supply had been isolated and a connection fee in instances where the supply has been removed.
- (2) In instances where there is evidence of a discrepancy between the electricity consumption and purchase history of a specific property, transgressors will be dealt with in the following manner:
 - (a) Subject to paragraph (b), supply will be isolated at point of supply in instances of a first offence and removed in instances of subsequent offences.
 - (b) A written notification will be given to the customer, informing him or her of isolation or removal, as well as the fees due in respect of the tampering, reconnection/connection and the calculated amounts due.
 - (c) The Council will only re-instate services after the amounts referred to in paragraph (b) have been paid.
- (3) In instances where physical tampering with the electricity supply is detected, transgressors will be dealt with in the following manner:
 - (a) Supply will be isolated immediately in instances of a first offence and removed in instances of a second or subsequent offence,
 - (b) A written notification will be given to the customer, informing him or her of the isolation or removal, as well as the fees due in respect of the tampering, reconnection/connection and the calculated amounts due.
 - (c) The Council will only re-instate services after the amounts referred to in paragraph (b) have been paid.
- (4) In addition to the provisions of this by-law, the Council may enforce any other rights or exercise any power conferred upon it by the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), Water Services Act, 1997 (Act No. 108 of 1997), the Council's Water Bylaws, the Electricity Act 1987 (Act No. 41 of 1987), the Council's Electricity Bylaws and any other applicable legislation.

7. AGREEMENTS AND ARRANGEMENTS WITH CONSUMERS IN ARREAR

- (1) The Chief Financial Officer or his delegate is authorised to enter into agreements with consumers in arrear with their accounts and to grant such persons extensions of time for payment,
- (2) The Chief Financial Officer may determine, on the merits of each case, the initial amount to be paid as part of such agreement, as well as the number of instalments

over which the arrear amount must be paid off and the term over which payment is to be made. Such term may not exceed 24 (twenty-four) months.

- (3) The Chief Financial Officer may, in exceptional cases and with the approval of the Municipal Manager, extend the period of repayment referred to in section 7(2).
- (4) In instances where the Chief Financial Officer is satisfied, at the time of making arrangements and after investigation, that a *bona fide customer* cannot reasonably afford the payment of services, such customer's details will be recorded and further legal steps against such customer will either be deferred or waived, as the Chief Financial Officer may decide.

8. ACKNOWLEDGEMENT OF DEBT

- (1) Only debtors with positive proof of *identity* or an authorised agent with a power of attorney will be allowed to complete an acknowledgement of debt agreement.
- (2) An acknowledgement of debt agreement must contain all arrangements *for paying* off arrear accounts. One copy of the document will be handed to the customer and another filed at the Council's Management Section.
- (3) A customer who has already been summoned by the Council's attorneys may apply for credit facilities. However, all legal costs already incurred will be for his or her account and an initial payment of at least half of the total resultant outstanding debt will be required. The *customer* must also sign an acknowledgement of debt, which will include *legal* fees due.
- (4) Failure to honour the acknowledgement of debt agreement will lead to immediate blocking, disconnection or restriction of services without further notice, and the resumption of legal action.
- (5) In all instances where the customer in arrears is employed, the Council may obtain a voluntary garnishee order or emolument attachment order.

9. INTEREST ON ARREARS

- (1) Interest will be charged on service arrears at an interest rate as determined by the Council, or in the absence of any such determination, as prescribed by law.
- (2) Interest will be charged on arrear property tax as prescribed in the applicable legislation.

10. HAND-OVERS

- (1) The Council will issue a final demand in respect of all customer accounts reflecting an amount outstanding for longer than 30 (thirty) *days* and, if such

account still reflects an amount in arrears after 90 (ninety) days, it will be handed over for collection by external debt collection specialists:

- 2) The Chief Financial Officer must investigate ways and means of assisting customers before attaching movable or immovable property.

11. CUSTOMER MAY NOT SELECTIVELY NOMINATE PAYMENT

A customer is not entitled to allocate any payment made to any portion of the total debt due. The allocation of payments will be made by the Chief Financial Officer.

12. AUTHORITY TO APPOINT DEBT COLLECTION SPECIALISTS

The Chief Financial Officer has the authority to appoint debt collection specialists and to enter into agreements with such agencies in terms of the Contingency Fee Act, 1997.

13. RELIEF MEASURES FOR PENSIONERS OR INDIGENT SUPPORT

- (1) The Council may grant a rebate on property tax to persons who own and occupy property if they submit a written request annually and they can prove to the satisfaction of the Chief Financial Officer that they comply with the policy of the Council in *this* regard,
- (2) All applications must be submitted before a pre-determined date and no applications received after this date will be considered.
- (3) A new application must be made for each financial year.

14. APPLICABILITY

The Council may by notice in the *Provincial Gazette*, determine that the provision of *these* Bylaws do not apply in certain areas within its area of jurisdiction from a date specified in the notice.

15. REPEAL OF EXISTING CREDIT MANAGEMENT BYLAWS

The Bylaws relating to Debt and Credit Management by-Laws for the Matatiele Local Municipality, are hereby repealed and replaced by these Bylaws, which are to become effective on promulgation hereof.

16. SHORT TITLE AND COMMENCEMENT

These by-laws shall be called the Debt control and Credit Management by-Laws 2018, and shall come into operation from the date of proclamation in the Provincial gazette.

LOCAL AUTHORITY NOTICE 151 OF 2019**Sundays River Valley
Municipality
Eastern Cape****FORMALIZATION OF AN EXISTING AREA – CLOSURE OF SECTION OF PUBLIC ROAD (ERF 1806) AND
CONSOLIDATING WITH ERF 873 (ERF 1807) PATERSON; SUNDAYS RIVER VALLEY MUNICIPALITY AND
DEPARTMENT HUMAN SETTLEMENT**

Notice is hereby given in terms of **Section 59(1) and 68(1)** of the Sundays River Municipal By-law on Spatial Planning and Land Use Management (2016) that the municipality intends closing a portion of public road along the northern boundary of Erf 875 Paterson and incorporating it into Erf 873 for the purpose of formalizing existing houses.

**FORMALISERING VAN N BESTAANDE GEBIED - SLUITING VAN GEDEELTE VAN OPENBARE PAD (ERF
1806) EN KONSOLIDEER MET ERF 873 (ERF 1807) PATERSON, SONDAGSRIVIER VALLEI MUNISIPALITEIT
EN DIE DEPARTEMENT BEHUISINGSVESTIGINGS**

Kennis geskied hiermee in terme van **Artikel 59 (1) en 68 (1)** van die Sondagsrivier Munisipale Verordening op Ruimtelike Beplanning en Grondgebruikbestuur (2016) dat die munisipaliteit van voorneme is 'n gedeelte van openbare pad langs die noordelike grens van Erf 875 Paterson en inkorporeer dit in Erf 873 vir die doel van die formalisering van bestaande huise.

S.S. FADI
MUNICIPAL MANAGER
1st July 2019

NOTICE: 18/2019

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001.
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065

Also available at the Legal Advisory Services, **Province of the Eastern Cape**, Private Bag X0047, Bisho, 5605.
Tel. (040) 635-0052.