



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

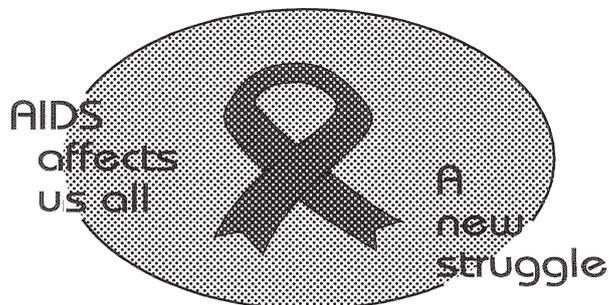
**Provincial Gazette  
Igazethi Yephondo  
Provinsiale Koerant**

Vol. 27

**BISHO/KING WILLIAM'S TOWN**  
23 MARCH 2020  
23 MAART 2020

**No. 4403**

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



**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

*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



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**IMPORTANT NOTICE OF OFFICE RELOCATION**

government  
printing

Department:  
Government Printing Works  
REPUBLIC OF SOUTH AFRICA

Private Bag X85, PRETORIA, 0001 149 Bosman Street, PRETORIA  
Tel: 012 748 6197, Website: [www.gpwonline.co.za](http://www.gpwonline.co.za)

**URGENT NOTICE TO OUR VALUED CUSTOMERS: PUBLICATIONS OFFICE'S RELOCATION HAS BEEN TEMPORARILY SUSPENDED.**

Please be advised that the GPW Publications office will no longer move to 88 Visagie Street as indicated in the previous notices.

The move has been suspended due to the fact that the new building in 88 Visagie Street is not ready for occupation yet.

We will later on issue another notice informing you of the new date of relocation.

We are doing everything possible to ensure that our service to you is not disrupted.

As things stand, we will continue providing you with our normal service from the current location at 196 Paul Kruger Street, Masada building.

Customers who seek further information and or have any questions or concerns are free to contact us through telephone 012 748 6066 or email Ms Maureen Toka at [Maureen.Toka@gpw.gov.za](mailto:Maureen.Toka@gpw.gov.za) or cell phone at 082 859 4910.

Please note that you will still be able to download gazettes free of charge from our website [www.gpwonline.co.za](http://www.gpwonline.co.za).

We apologise for any inconvenience this might have caused.

Issued by GPW Communications

**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.**

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government  
printing

Department:  
Government Printing Works  
REPUBLIC OF SOUTH AFRICA

## HIGH ALERT: SCAM WARNING!!!

### TO ALL SUPPLIERS AND SERVICE PROVIDERS OF THE GOVERNMENT PRINTING WORKS

It has come to the attention of the *GOVERNMENT PRINTING WORKS* that there are certain unscrupulous companies and individuals who are defrauding unsuspecting businesses disguised as representatives of the *Government Printing Works (GPW)*.

The scam involves the fraudsters using the letterhead of *GPW* to send out fake tender bids to companies and requests to supply equipment and goods.

Although the contact person's name on the letter may be of an existing official, the contact details on the letter are not the same as the *Government Printing Works*. When searching on the Internet for the address of the company that has sent the fake tender document, the address does not exist.

The banking details are in a private name and not company name. Government will never ask you to deposit any funds for any business transaction. *GPW* has alerted the relevant law enforcement authorities to investigate this scam to protect legitimate businesses as well as the name of the organisation.

Example of e-mails these fraudsters are using:

[PROCUREMENT@GPW-GOV.ORG](mailto:PROCUREMENT@GPW-GOV.ORG)

Should you suspect that you are a victim of a scam, you must urgently contact the police and inform the *GPW*.

*GPW* has an official email with the domain as [@gpw.gov.za](mailto:gpw@gpw.gov.za)

Government e-mails DO NOT have org in their e-mail addresses. All of these fraudsters also use the same or very similar telephone numbers. Although such number with an area code 012 looks like a landline, it is not fixed to any property.

*GPW* will never send you an e-mail asking you to supply equipment and goods without a purchase/order number. *GPW* does not procure goods for another level of Government. The organisation will not be liable for actions that result in companies or individuals being resultant victims of such a scam.

*Government Printing Works* gives businesses the opportunity to supply goods and services through RFQ / Tendering process. In order to be eligible to bid to provide goods and services, suppliers must be registered on the National Treasury's Central Supplier Database (CSD). To be registered, they must meet all current legislative requirements (e.g. have a valid tax clearance certificate and be in good standing with the South African Revenue Services - SARS).

The tender process is managed through the Supply Chain Management (SCM) system of the department. SCM is highly regulated to minimise the risk of fraud, and to meet objectives which include value for money, open and effective competition, equitability, accountability, fair dealing, transparency and an ethical approach. Relevant legislation, regulations, policies, guidelines and instructions can be found on the tender's website.

## Fake Tenders

National Treasury's CSD has launched the Government Order Scam campaign to combat fraudulent requests for quotes (RFQs). Such fraudulent requests have resulted in innocent companies losing money. We work hard at preventing and fighting fraud, but criminal activity is always a risk.

### How tender scams work

There are many types of tender scams. Here are some of the more frequent scenarios:

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to a company to invite it to urgently supply goods. Shortly after the company has submitted its quote, it receives notification that it has won the tender. The company delivers the goods to someone who poses as an official or at a fake site. The Department has no idea of this transaction made in its name. The company is then never paid and suffers a loss.

OR

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to Company A to invite it to urgently supply goods. Typically, the tender specification is so unique that only Company B (a fictitious company created by the fraudster) can supply the goods in question.

Shortly after Company A has submitted its quote it receives notification that it has won the tender. Company A orders the goods and pays a deposit to the fictitious Company B. Once Company B receives the money, it disappears. Company A's money is stolen in the process.

Protect yourself from being scammed

- If you are registered on the supplier databases and you receive a request to tender or quote that seems to be from a government department, contact the department to confirm that the request is legitimate. Do not use the contact details on the tender document as these might be fraudulent.
- Compare tender details with those that appear in the Tender Bulletin, available online at [www.gpwonline.co.za](http://www.gpwonline.co.za)
- Make sure you familiarise yourself with how government procures goods and services. Visit the tender website for more information on how to tender.
- If you are uncomfortable about the request received, consider visiting the government department and/or the place of delivery and/or the service provider from whom you will be sourcing the goods.
- In the unlikely event that you are asked for a deposit to make a bid, contact the SCM unit of the department in question to ask whether this is in fact correct.

Any incidents of corruption, fraud, theft and misuse of government property in the *Government Printing Works* can be reported to:

Supply Chain Management: Ms. Anna Marie Du Toit, Tel. (012) 748 6292.  
Email: [Annamarie.DuToit@gpw.gov.za](mailto:Annamarie.DuToit@gpw.gov.za)

Marketing and Stakeholder Relations: Ms Bonakele Mbhele, at Tel. (012) 748 6193.  
Email: [Bonakele.Mbhele@gpw.gov.za](mailto:Bonakele.Mbhele@gpw.gov.za)

Security Services: Mr Daniel Legoabe, at tel. (012) 748 6176.  
Email: [Daniel.Legoabe@gpw.gov.za](mailto:Daniel.Legoabe@gpw.gov.za)

# Closing times for **ORDINARY WEEKLY** 2020 EASTERN CAPE PROVINCIAL GAZETTE

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

- **19 December 2019**, Thursday for the issue of Monday **30 December 2019**
- **27 December 2019**, Friday for the issue of Monday **06 January 2020**
- **06 January**, Monday for the issue of Monday **13 January 2020**
- **13 January**, Monday for the issue of Monday **20 January 2020**
- **20 January**, Monday for the issue of Monday **27 January 2020**
- **27 January**, Monday for the issue of Monday **03 February 2020**
- **03 February**, Monday for the issue of Monday **10 February 2020**
- **10 February**, Monday for the issue of Monday **17 February 2020**
- **17 February**, Monday for the issue of Monday **24 February 2020**
- **24 February**, Monday for the issue of Monday **02 March 2020**
- **02 March**, Monday for the issue of Monday **09 March 2020**
- **09 March**, Monday for the issue of Monday **16 March 2020**
- **16 March**, Friday for the issue of Monday **23 March 2020**
- **23 March**, Monday for the issue of Monday **30 March 2020**
- **30 March**, Monday for the issue of Monday **06 April 2020**
- **03 April**, Monday for the issue of Monday **13 April 2020**
- **09 April**, Thursday for the issue of Monday **20 April 2020**
- **20 April**, Monday for the issue of Monday **27 April 2020**
- **24 April**, Friday for the issue of Monday **04 May 2020**
- **04 May**, Monday for the issue of Monday **11 May 2020**
- **11 May**, Monday for the issue of Monday **18 May 2020**
- **18 May**, Monday for the issue of Monday **25 May 2020**
- **25 May**, Monday for the issue of Monday **01 June 2020**
- **01 June**, Monday for the issue of Monday **08 June 2020**
- **08 June**, Monday for the issue of Monday **15 June 2020**
- **12 June**, Friday for the issue of Monday **22 June 2020**
- **22 June**, Monday for the issue of Monday **29 June 2020**
- **29 June**, Monday for the issue of Monday **06 July 2020**
- **06 July**, Monday for the issue of Monday **13 July 2020**
- **13 July**, Monday for the issue of Monday **20 July 2020**
- **20 July**, Monday for the issue of Monday **27 July 2020**
- **27 July**, Monday for the issue of Monday **03 August 2020**
- **03 August**, Monday for the issue of Monday **10 August 2020**
- **07 August**, Friday for the issue of Monday **17 August 2020**
- **17 August**, Monday for the issue of Monday **24 August 2020**
- **24 August**, Monday for the issue of Monday **31 August 2020**
- **31 August**, Monday for the issue of Monday **07 September 2020**
- **07 September**, Monday for the issue of Monday **14 September 2020**
- **14 September**, Monday for the issue of Monday **21 September 2020**
- **18 September**, Friday for the issue of Monday **28 September 2020**
- **28 September**, Monday for the issue of Monday **05 October 2020**
- **05 October**, Monday for the issue of Monday **12 October 2020**
- **12 October**, Monday for the issue of Monday **19 October 2020**
- **19 October**, Monday for the issue of Monday **26 October 2020**
- **26 October**, Monday for the issue of Monday **02 November 2020**
- **02 November**, Monday for the issue of Monday **09 November 2020**
- **09 November**, Monday for the issue of Monday **16 November 2020**
- **16 November**, Monday for the issue of Monday **23 November 2020**
- **23 November**, Monday for the issue of Monday **30 November 2020**
- **30 November**, Monday for the issue of Monday **07 December 2020**
- **07 December**, Monday for the issue of Monday **14 December 2020**
- **11 December**, Friday for the issue of Monday **21 December 2020**
- **18 December**, Friday for the issue of Monday **28 December 2020**

# 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](http://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 <b>after</b> 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 <b>after</b> submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days <b>after</b> submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days <b>after</b> 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](http://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](mailto: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](mailto: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](mailto: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.gpwonline.co.za](http://www.gpwonline.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](mailto:submit.egazette@gpw.gov.za)
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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**

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**PROVINCIAL NOTICE 65 OF 2020****NOTICE TO BE PUBLISHED IN THE PROVINCIAL GAZETTE (EC):****Nelson Mandela Bay Metropolitan Municipality (Eastern Cape)****Removal of Restrictions in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013)****ERF 2094 WALMER, PORT ELIZABETH, IN THE NELSON MANDELA BAY METROPOLITAN MUNICIPALITY, 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 C.e (a), (b), (c) & (d) in Deed of Transfer No. T38076/2016CTN applicable to Erf 2094 WALMER are hereby removed.

**PROVINCIAL NOTICE 66 OF 2020****Removal of Restrictions in terms of the Spatial Planning and Land Use Management ACT, 2013 (Act 16 of 2013)****ERF 373, Blue Horizon Bay, Port Elizabeth, Eastern Cape**

Under section 47 of the Spatial Planning and Land Use Management ACT, 2013 (Act 16 of 2013) and upon instruction by the Local Authority, a notice is hereby given that conditions E.6.b(i) and (ii) contained in Deed of Transfer T2654/2009 applicable to Erf 373, Blue Horizon Bay is hereby removed.

**PROVINCIAL NOTICE 67 OF 2020****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 934, 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 condition/s C.4(b), (d) in Deed of Transfer No. T8924/2004 applicable to Erf 934, Newton Park, Port Elizabeth are hereby removed.

**PROVINCIAL NOTICE 68 OF 2020**



**Dr. Beyers Naudé**  
MUNICIPALITY | MUNISIPALITEIT | UMASIPALA  
*rising together for development*

**DR BEYES NAUDE LOCAL MUNICIPALITY  
SPAZA SHOP  
BY LAWS**

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## 1. DEFINITIONS

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

**“Council”** means the Dr Beyers Naude Local Municipality, established in terms of section 12 of the Local Government Municipal Structures Act, no.117 of 1998 and any member of staff to whom the Council has delegated the powers, functions and duties vesting in the Council in relation to this By-Law.

**“SPAZA”** means a building designed for, or a portion of a residential unit used for the purposes of selling basis groceries (daily convenience goods) and fresh produce, excluding alcoholic refreshments, where the residential use of the property remains the primary use of the property.

**“ENTERTAINMENT FACILITIES”** means e.g. music box or juke box, jumping Castle machines. Street bash and any other activities that may be regarded as entertainment by the municipality.

**“ASYLUM”** means a person who is seeking recognition as a refugee in the Republic

**“HEAD”** means the head of the department

**“REFUGEE”** means any person who has been granted asylum in terms of the Act (Act No. 130 of 1998)

## 2. OBJECTIVE OF THE BY-LAW

- 2.1. The objective of the By-Law is to allow the owner/occupier of a dwelling house in any residential zone to sell goods required for essential day to day needs of the neighbourhood, in residential areas that are not adequately serviced by such a facility.
- 2.2 Any operation of the Tuck-shop shall not detract from the residential character of the neighbourhood e.g. noise or loud music.

## 3. SCOPE OF THE OPERATION OF THE TUCK-SHOP

Shall comply with the following conditions, to the extent that may be applicable:

- 3.1 A Tuck Shop/Spaza Shop activity shall only be operated with the special consent of the Municipality, provided that the Municipality:
  - 3.1.1 May waive compliance with the formal special consent procedure if the written consent of the registered owner of each adjoining property and such other properties as the head of the department may direct, is first obtained and submitted to the Municipality.

- 3.2 The area to be utilized shall not exceed 30m<sup>2</sup> of the area of the dwelling house and must remain residential in appearance and character, and must at all times comply to the Municipality.
- 3.3 No external advertising shall be permitted on the site except for a metal board and each sign shall be 2 x 1m on the side of the road.
- 3.4 Entertainment facilities shall not be permitted within a Tuck-Shop.
- 3.5 A Tuck-Shop shall not involve the sale of alcohol or any other goods which in the opinion of the municipality are unnecessary for the day to day needs.
- 3.6 A tuck-Shop must be operated in accordance with all relevant By-Laws and other Legislation of the Municipality, including the fire regulations.
- 3.7 A Tuck-shop shall not be allowed to cause any high level of noise, which will disturb within the neighbourhood.
- 3.8 The hours of operation shall be from 06h00 to 20h00 every day.
- 3.9 The storage of goods and equipment shall be within the area designated for that purpose on the plan which is to accompany the application detailing that area to be used for the business as well as any portion of that area in which goods or equipment will be stored.
- 3.10. Only one light delivery vehicle at a time may be used for the delivery to dispatch goods or supplies.
- 3.11. In assessing any application, consideration shall be given to ensure that the Location of the Tuck Shop/Spaza Shop does not compromise the principle of sound land use management practice.
- 3.12. If the use is discontinued for the period of greater than 60 days, the dwelling house in so far as it may have been altered for that purpose, must be restored to its origin state to the satisfaction of the Municipality.
- 3.13. No tuck shop shall be erected or approved a 1000m less from a formally rezoned business stand as the tuck shop are established to help community members to access their basic needs close by, in a case where there is a formal business on a business stand there is no need for a tusk shop near that stand for the above mentioned distance.
- 3.14. Flammable and hazardous substances will not be allowed in the tuck-shop and continuous contravention will lead to permanent closure.
- 3.15 A person is allowed to own only one tuck-shop registered in his/her name within a township and two within the municipality.

#### **4. CRITERIA AND REQUIREMENTS TO BE SATISFIED FOR THE APPLICATION FOR A TUCK SHOP/SPAZA SHOP**

- 4.1 A person who wishes to carry conduct business shall on the prescribed form apply to the Municipality.
- 4.2 Where a business is carried on at more than one premise, a separate permit is required for each premise.
- 4.3 The purposed size for the Tuck Shop must be the total floor size of 30 square meters.

- 4.4 A building plan for the Tuck Shop must be submitted to the building control unit for Municipality approval with a contractual agreement signed between the owner of the property and the applicant.
- 4.5 Corrugated iron sheets may be used in erecting the tuck Shop, provided that the construction thereof adheres to the national Building Regulation Act.
- 4.6 Permit may only be renewed to applicants who have a good record of compliance.
- 4.7 Asylum seekers can conduct a business as a means of work (as with the definition of work) or study.
- 4.8 Refugees with formal recognized status can run a business.
- 4.9 Foreign nationals in possession of South African identity documents can operate and own businesses anywhere in the country except participating in voting processes or elections.

## **5. PROHIBITIONS/PROHIBITED CONDUCT**

No person shall carry on business of a spaza shop/tuck shop:

- 5.1. If he/she is declared by a court of law to be unsound mind.
- 5.2 A non-south African citizen who is in the country illegally.
- 5.3 Without the approval of the municipality
- 5.4 No person carrying on business shall sleep in the Tuck-Shop.
- 5.5 No illegal building or structure shall be erected for purpose of a Spaza/Tuck – shop.

## **6. PAYMENT**

The person shall pay an amount of R400 pa renewable to run a Tuck shop/Spaza.

## **7. PENALTIES**

- 7.1 Any person who established a tuck Shop business without Municipal approval shall be liable to a fine of R3000.
- 7.2 Tuck shop owners who fail to renew their permits on time will be fined R 1 500 and the business will be closed down until they pay the fine and apply for renewal of their permits.
- 7.3 Those that will be found sleeping inside the Tuck –Shops will be fined an amount of R500.
- 7.4 Hawkers trading at any other area than the area marked for trading activities shall be liable to pay a fine of R200 on spot or have their goods confiscated.

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**

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**LOCAL AUTHORITY NOTICE 87 OF 2020****BUFFALO CITY METROPOLITAN MUNICIPALITY****LAND NOTICE****CLOSURE OF PUBLIC STREET, BEING PORTION OF REMAINDER OF ERF 1064, GINSBERG**

(Surveyor General Ref. No. GINSBERG 618)

Notice is hereby given in terms of Section 137(1) of the Municipal Ordinance No. 20 of 1974 that Portion of Public Street, Remainder of Erf 1064 Ginsberg, is closed permanently.

No. (4375)

**A. SIHLAHLA**  
**CITY MANAGER**

-----

**UMASIPALA OMBAXA WASE BUFFALO CITY****ISAZISO SOMHLABA**

**UKUVALWA KWESITRATO SIKAWONKE WONKE , ESISIQEPHU SENTSALELA YESIZA U1064, GINSBERG**

(Inombolo yesingqiniso kaNocanda Jikelele : GINSBERG 618)

Kwenziwa isaziso ngokweCandelo u137 (1) loMthetho kaMasipala ka-20 ka-1974 ukuba isiqephu sesitrato sikawonkewonke esiyintsalela yesiza u1064 eGinsberg , sivalwe ngokusisigxina

No. (4375)

**A SIHLAHLA**  
**UMPHATHI SIXEKO**

LOCAL AUTHORITY NOTICE 88 OF 2020



***KSD STANDING RULES  
FOR THE MEETINGS OF THE COUNCIL  
AND  
ITS COMMITTEES  
As Amended 2019***

<b>Postal Address</b>	<b>King Sabatha Dalindyebo Municipality</b> <b>Private Bag X 45</b> <b>Mthatha</b> <b>5099</b>
<b>Document Number</b>	<b>1</b>
<b>Document Name</b>	<b>KSD STANDING RULES OF COUNCIL AND ITS COMMITTEES</b>
<b>Contact Person</b>	<b>MMC Ngoma</b>
<b>Designation</b>	<b>General Manager</b>
<b>Component</b>	<b>Speaker's Office</b>
<b>Telephone No.</b>	<b>047 501 4205</b>
<b>Fax No.</b>	
<b>E-mail Address</b>	<b><u><a href="mailto:manyifolon@ksd.gov.za">manyifolon@ksd.gov.za</a></u>;</b>
<b>Date Completed</b>	<b>April 2017</b>
<b>Date of Approval</b>	<b>25 May 2017.</b>
<b>Date Last Amended</b>	<b>August 2019</b>
<b>Date For Next Review</b>	
<b>Related Policies / Act</b>	<b>Local Government Municipal Structure Act No. 117 of 2000</b>

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## 1. DEFINITIONS

The following terms and phrases used in these Rules shall have the meaning assigned to them hereunder:

**“COMMITTEE”** SHALL MEAN ANY COMMITTEE ESTABLISHED IN THE MUNICIPALITY, INCLUDING COMMITTEES ESTABLISHED IN TERMS OF SECTION 79 AND 80 OF THE STRUCTURES ACT;

<b>“CONSTITUTION”</b>	shall mean the Constitution of the Republic of South Africa, 1996;
<b>“COUNCIL”</b>	shall mean the Municipal Council for the King Sabatha Dalindyebo Municipality;
<b>“COUNCILLOR”</b>	shall mean a member of the Municipal Council;
<b>“DAY”</b>	shall mean a day that is not a public holiday, Saturday or Sunday, and for the calculation of days the first day will be excluded and the last day included;
<b>“EXECUTIVE COMMITTEE”</b>	shall mean the Committee appointed in terms of section 42 (2) of the Structures Act;
<b>“EXECUTIVE MAYOR”</b>	shall mean the Executive Mayor of the Municipality as elected in terms of section 55 of the Structures Act;
<b>“IN COMMITTEE”</b>	shall mean the part of the meeting of the Municipal Council where the meeting will be closed and members of the public and press, and such Municipal officials as determined by the Speaker, excluding the Municipal Manager and/or his Delegatee and Senior Committee Official, will be excluded from the meeting, based on the nature of the business being transacted;
<b>“MAYOR”</b>	shall mean the Mayor of the Municipality as elected in terms of section 48 of the Structures Act;
<b>“MAYORAL COMMITTEE”</b>	means the Committee appointed by the Executive Mayor in terms of section 60 of the Structures Act;

<b>“MEMBER”</b>	shall mean a Councillor serving in the Municipal Council of the Municipality;
<b>“MOTION”</b>	shall mean a matter submitted by a member in accordance with 28 below;
<b>“MUNICIPALITY”</b>	shall mean the King Sabatha Dalindyebo Municipality;
<b>“POINT OF ORDER”</b>	shall mean a point raised by a Councillor during the Council meeting and shall only relate to a matter of procedure and provided for in the Standing Rules;
<b>“PRIVILEGE”</b>	shall mean the right of freedom of speech for Councillors in Council and Committee meetings, subject to the rules of order of any ruling of the Speaker in terms thereof as well as the right not to be held liable for civil or criminal proceedings for anything they said, produced or submitted to the Council or Committee;
<b>“PROCEDURAL MOTION”</b>	shall mean a matter raised by a member at a meeting in terms of Section 28;
<b>“REPORT”</b>	shall mean any item appearing on the agenda for consideration by the Council or a Committee;
<b>“URGENT REPORTS”</b>	Any matter/s which the Speaker or Chairperson of the Committee considers urgent.
<b>“PEACE OFFICER”</b>	shall mean a person in the full time employment of the Municipality entrusted to assist the Speaker to maintain Order during Council meetings and assisted by such staff members as the Speaker may direct;
<b>“SENIOR MANAGERS”</b>	shall mean the persons appointed by the Council as the Municipal Manager and all Managers directly accountable to the Municipal Manager as approved on the official organisational structure of the Municipality ”

<b>“MUNICIPALITY SPEAKER”</b>	shall mean the person as elected in terms of section 36 of the Structures Act; “Structures Act” shall mean the Local Government: Municipal Structures Act, 1998;
<b>“SUB-COMMITTEE”</b>	means any other Committee, other than the Mayoral Committee or Committees appointed by the Council or the Executive Committee;
<b>“SYSTEMS ACT”</b>	shall mean the Local Government: Municipal Systems Act, 2000;
<b>“TRADITIONAL LEADER”</b>	shall mean a Traditional Leader identified by the MEC to participate in the proceedings of a Municipal Council in terms of section 81 of the Structures Act;
<b>“WHIP”</b>	Shall mean a member of the Municipal Council appointed by each political party represented in the Council;
<b>“WHIP OF THE COUNCIL”</b>	Shall mean the person elected as the Whip of the Council.
<b>URGENT COUNCIL MEETING</b>	A matter is urgent when decision required, if delayed, could prejudice Council or its operations.
<b>SPECIAL COUNCIL MEETING</b>	Means a meeting called or convened to consider and decide on specific reports, proposals relating to compliance issues contained in the notice or the agenda.
<b>ORDINARY COUNCIL MEETING</b>	Means quarterly council meeting convened in terms of Structures Act, 117 of 1998
<b>CLOSED COUNCIL MEETING</b>	Means the part of the meeting of the Municipal Council where the meeting will be closed and members of the public and press, and such municipal officials as determined by the Speaker, excluding the Municipal Manager, will be excluded from the meeting based on the nature of the business being transacted;
<b>MEETING ABSENTEEISM</b>	Means a member of the council who absented him/herself without authority

**UNRULY  
MEMBER**

Means a member of council who does not obey the ruling of the Speaker

## **2. APPLICATION OF THESE RULES**

- 2.1. The Standing Rules of Order contained herein apply to all meetings of the Municipal Council and any Committee of the Municipal Council as well as any other Committee of Councillors established within the Municipality, unless the terms of reference for a specific structure explicitly excludes the application of the Rules for such structure.
- 2.2. The Rules are aimed at allowing free, open and constructive debate during meetings. The Rules encourage and promote freedom of expression in such a manner that orderly debate is ensured within the time constraints of time allocated to meetings.
- 2.3. The Rules endeavour to create the opportunity for Councillors serving in Council structures to air their views on any matter of public importance.
  - 2.3.1. The Rules of order are applicable to:
  - 2.3.2. All Councillors;
  - 2.3.3. Traditional Leaders participating in Council and its Committees in Terms of section 81 of the Municipal Structures Act;
  - 2.3.4. Any Municipal official of the Municipality; and
  - 2.3.5. Any member of the public while present in the Council Chamber and precinct.

## **3. MEETING OF COUNCIL OPEN TO PUBLIC**

- 3.1. The Municipal Council shall conduct its business in an open manner and every meeting of the Council and all Committees, including the executive Committee / mayoral Committee shall be open to the public; provided that this section shall not apply when it is reasonable to do so having regard to the nature of the business being transacted in terms of section 20 (1)(a) and (b) of the Local Government Systems Act.
- 3.2. The Council will deal In Committee/Closed Meeting when discussing any of the following matters:
  - 3.2.1. A trade secret or confidential commercial information of any supplier of the Municipality or any person rendering a service to the municipality;

- 3.2.2. Personal and private information of any Councillor / Traditional Leader or an employee of the municipality;
- 3.2.3. The intention of the municipality to purchase or acquire land or Buildings;
- 3.2.4. The price a municipality may offer for the purchase or acquisition of land or buildings;
- 3.2.5. Any report addressing legal proceedings that the municipality is involved in or contemplating instituting or defending;
- 3.2.6. Disciplinary proceedings or proposed disciplinary proceedings again against any employee;
- 3.2.7. Any matter that might not be disclosed in terms of legislation;
- 3.2.8. Consideration of the minutes of previous In Committee discussions.
- 3.2.9. A Councillor / Traditional Leader may, when an item in the agenda is put to order, other than a matter referred to in 3.2 above, and provided it is not a matter that is required in law to be dealt with in open Council, propose with motivation, that the matter be further dealt with In Committee. The ruling of the Speaker in this regard will be final and no further discussion will be allowed.

#### **4. COUNCIL AND COMMITTEE MEETING PROCEDURES**

##### **First meeting of Council beginning of a Municipal Term of Office:**

- 4.1. At the first setting of the Council after elections or when necessary to fill the vacancy, the Municipal Manager or if the Municipal Manager is not available, a person designated by the MEC for Local Government in the Province presides in the election of a Speaker within 14 days after the Municipal Council has been declared elected.
- 4.2. The Municipal Manager or a person designated by the MEC for Local Government in the Province to preside over election of a Speaker shall, at least three days before the first Meeting of the Municipal Council, send each Councillor a notice specifying the place, time and date of the first Meeting of the new Council and an agenda listing the business which is proposed will be transacted at the meeting.
- 4.3. At the commencement of the proceedings of the first council meeting, the Municipal Manager must read the notice convening the council.

- 4.4. The order of business on the agenda of the first Meeting of a Municipal Council Term shall, unless the Municipal Council by resolution otherwise determines, be as follows :-
- 4.4.1. Swearing-in of Councillors or Affirmation of Oath (affirm faithfulness and obedience to the Constitution of the Republic of South Africa).
- 4.4.2. The election of the Speaker in accordance with the procedures set out in Schedule 3 to the Municipal Structures Act;
- 4.4.3. The determination of the of size of and the method for the election of Councillors to serve on the Executive Committee;
- 4.4.4. The election of Councillors to serve on the Executive Committee in accordance with such method;
- 4.4.5. The election of the Mayor from the Members of its Executive Committee in accordance with the procedures set out in Schedule 3 of the Municipal Structures Act;
- 4.4.6. The election of the Deputy Mayor in accordance with the procedures stet out in Schedule 3 to the Municipal Structures Act;
- 4.4.7. The determination of the functions of the Committees to assist the Executive Committee;
- 4.4.7.1. The delegation of duties and powers to the Committees to assist the Executive Committee;
- 4.4.8. The appointment of Councillors to serve on any Committee established by council as determined by council;
- 4.4.9. Any other business;
- 4.4.10. The Municipal Manager shall surrender the Chair of the Council to the Speaker on his/her election.

## **5. SUBSEQUENT MEETINGS OF THE MUNICIPAL COUNCIL**

- 5.1 The Speaker of the municipal council decides when and where the council meets subject to section 18 (2). Council will convene four (quarterly) Ordinary Council meetings, Special and Urgent Council meetings as and when required;
- 5.1.1. The Speaker of the municipal council may convene an Urgent Council Meeting within twenty four (24) hours when need arises.

- 5.1.2. If the majority of the Councillors request the Speaker in writing to convene a Meeting of the Municipal Council at a time set out in such a request;
- 5.2. Council is in recess during festive season from 15 December to 15 January of each financial year, subject to any Council resolution to the contrary.
- 5.3. The proceedings of the Council or a Committee of Council may be interrupted, suspended or adjourned only by the Speaker or the Councillor presiding at the time.

## 6. NOTICE OF MEETINGS

### 6.1. ORDINARY COUNCIL MEETINGS

- 6.1.1. Notice for any Ordinary meeting of the Council must be issued **at least 7 days before the Ordinary Council Meeting.**
- 6.1.2. Notice for any Special meeting of the Council must be issued **at least 3 days' before any Special meeting of Council.**
- 6.1.3. A notice to attend the meeting must specify the business proposed to be transacted thereat and signed by the Speaker unless 5.2. above is applicable the Municipal Manager.
- 6.1.4. Notice of a Council meeting shall be left or delivered to an accessible distribution point within the municipality as determined by the Council from time to time / sent by electronic mail to an address provided by the Councillor/traditional leader as his/her official address / email address.

### 6.2. SPECIAL COUNCIL MEETINGS

- 6.2.1. The Speaker may at any time of own accord and shall, upon request in writing of a majority of the Councillors of the Municipal Council, call a special meeting of the Council, provided that no such special meeting shall take place unless Councillors/Members of Council were given at least a 3 days' Notice prior to the date and time set for the meeting to deal with specific matter/s.

6.2.2. In the event where the Speaker fails and/or refuses to call a special meeting when requested in accordance with 6.2.1. above, the Municipal Manager of the municipality may call the meeting.

**6.3. URGENT COUNCIL MEETINGS**

The Speaker of the municipal council may convene an Urgent Council Meeting within twenty four (24) hours when need arises.

**6.4. STATE OF THE MUNICIPAL ADDRESS COUNCIL MEETINGS**

6.4.1. The Speaker of the Municipal Council may annually or as a need arise, convene a State of the Municipal Address Council Meeting in a venue as determined by the Troika.

6.4.2. During such Council Meeting of the State of Municipal Address only one report on the state of the Municipality will be transacted by the Executive Mayor or a delegatee.

**7. NON-SERVICE OF NOTICES**

Accidental omission to serve a notice on any Councillor / traditional leader shall not invalidate the proceedings of that meeting.

**8. URGENT MATTERS**

8.1. No business shall be transacted at a meeting of the Council or any Committee other than that specified in the agenda relating thereto, except any matters which the Speaker or Chairperson of the Committee considers urgent and the said Chairperson has ruled the matter to be urgent.

8.2. The Municipal Manager / Senior Manager may raise matters which in his / her discretion sees as urgent, for decision by the Council. A matter will be deemed urgent when the decision required, if delayed, would prejudice the Council and / or its operations.

- 8.3. The Speaker or Chairperson of the meeting will determine an appropriate time when the Municipal Manager / Senior Manager may raise urgent matters and the time available for discussion thereof; Provided that the Speaker / Chairperson may rule that the matter is not urgent as defined in 8.2 above.

## **9. CONDUCT AT MEETINGS**

The Speaker or the Chairperson of the meeting in the event of a meeting other than a Council meeting shall:

1. Maintain order during meetings;
2. Ensure compliance with the Code of Conduct for Councillors during meetings;
3. Ensure that meetings are conducted in accordance with the Standing Rules;
4. Ensure that members conduct themselves in a dignified and orderly manner during meetings;
5. Ensure that members of the public attending meetings are seated in areas designated for that purpose;
6. Ensure that members of the public attending meetings conduct themselves in an orderly manner and obey any ruling made by the Speaker or Chairperson of the meeting;
7. Ensure that any Councillor / traditional leader or member of the public refusing to comply with the ruling of the Speaker or Chairperson leaves the meeting;
8. Ensure that the Whip of each political party represented in the municipal Council as well as the Whip of Council maintains discipline during any meeting.

## **10. INTERPRETATION OF RULES**

- 10.1. The ruling of the Speaker or the Chairperson in the event of a meeting other than a Council meeting, with regard to the application and interpretation of the rules as well as other procedural matters not dealt with in the rules shall be final and binding: Provided that the Speaker / Chairperson may be required to provide reasons for a ruling.

- 10.2. Any ruling made by the Speaker must be made having due regard to the provisions of the Constitution, National and Provincial Legislations, Municipal By-laws and Policies, the rule of law and the rules of natural justice.
- 10.3. Any interpretation and ruling made by the Speaker should be registered by the Municipal Manager in such register kept for this purpose by the Municipal Manager and kept for safekeeping similar to the agendas and minutes of all meetings.

## **11. QUORUM AND ACTS OF COUNCIL**

- 11.1. Councillors and Traditional Leaders must be seated at least 10 minutes before the start of the Council Business to allow the Municipal Manager/Committee Secretary to prepare for the Speaker to enter the Council Chambers to confirm quorum and declare Council Meeting.
- 11.2. In the event of no quorum for a meeting, the meeting must be suspended for no more than 30 minutes, and if at the end of the said period there is still no quorum, the Speaker or Chairperson may suspend the meeting for such a period he/she deems fit and thereafter adjourn the meeting to another date, time and/or venue.
- 11.3. Majority of the Councillors must be present at a meeting of the Council before any matter may be considered and / or voted on.

## **12. DECISIONS AND VOTING**

- 12.1. Subject to 12.3 below, all matters will be decided by a majority of Councillors present at the meeting.
- 12.2. Before a formal vote is taken on any matter before the Council, the Speaker shall cause the bells to be rung for a period of 1 minute, after which all doors

shall be closed and no member or other person shall be allowed to enter or leave the chamber.

- 12.3. Any matter referred to in section 160(2) of the Constitution shall be decided on by a majority of the Councillors in the municipal Council.
- 12.4. If on any question there is an equality of votes, the Speaker or Chairperson of the Committee may exercise a casting vote in addition to that particular Councillor’s deliberative vote, provided that the casting of such vote shall fall within the ambit of the powers duly delegated to the relevant Committee: Provided that for those matters listed in section 160(2) of the Constitution, there will be no provision for a casting vote.
- 12.5. If the Speaker or Chairperson of a meeting asks the meeting if it is in agreement with the recommendations and if it is not opposed by any member present, the recommendations are adopted.
- 12.6. In the event of that there is opposition to a recommendation/s, the proposal to be decided upon will be done by means of voting, either by show of hands or if requested and approved by the Speaker or Chairperson, by way of secret ballot.
- 12.7. The Municipal Manager or an official designated by him shall count the votes and declare to the Speaker or Chairperson the result of the divisions. In the event of a secret ballot, the Municipal Manager shall hand to each Councillor a ballot paper bearing the official mark or logo of the Municipal Council, and having the alternates to be voted for clearly depicted thereon, substantially in accordance with the following:

Logo

Date:.....

Proposal or motion to be voted for	Councillor’s vote (x): For or against

- 12.8. The Municipal Manager shall collect all the ballot papers and count same in the presence of a representative from each party represented on the Council or Committee and present at such meeting.

- 12.9. The Speaker or Chairperson shall thereupon declare the motion carried or lost, and it shall be entered upon the minutes.
- 12.10. The number of Councillors voting will be recorded, and the general result of the vote. The outcome of the voting will be announced by the Speaker.
- 12.11. A member may abstain from voting without leaving the chamber.
- 12.12. A member may request that his/her support / dissent / abstention be recorded in the minutes of the meeting.

### **13. ATTENDANCE OF COUNCILLORS / TRADITIONAL LEADERS AND PARTICIPATE IN THE PROCEEDINGS OF THE COUNCIL, MAYORAL COMMITTEE, STANDING COMMITTEE OR SECTION 79 COMMITTEE**

A Councillor / Traditional Leader shall

- 13.1. Disclose to the Council, or to any Committee of which that Councillor / Traditional Leader is a member, any direct personal or private business interest that the Councillor / Traditional Leader, the spouse, partner or business associate of that Councillor / Traditional Leader may have in any matter before the Council or the Committee;
- 13.2. Withdraw from the proceedings of the Council or Committee meeting when the matter is being considered by the Council or Committee, unless the Council or the Committee decides by resolution, that the Councillor's / Traditional Leader direct or indirect interest in the matter is trivial or irrelevant.
- 13.3. A Councillor / Traditional Leader who has so disclosed his/her interest may, with the approval of majority of the members of the Council or its Committee, address the Council or Committee on the matter prior to the deliberation and vote on the matter taking place, subject always to the ruling of the Speaker or Chairperson on the time to be allowed for such an address.
- 13.4. A Councillor / Traditional Leader who, or whose spouse, partner or business associate or close family member, acquires or stands to acquire any direct benefit from a contract concluded with the Municipality, must disclose full particulars of the benefit of which the Councillor / Traditional Leader is aware at the first meeting of the Council or Committee of the Council at which it is

possible for the Councillor / Traditional Leaders to make a disclosure, failure to disclose will be in breach of the Code of Conduct and such Councillor / Traditional Leader must be held accountable.

- 13.5. This provision does not apply to an interest or benefit which a Councillor / Traditional Leader, a spouse, partner or business associate or close family members, has or acquired in common with other residents and ratepayers of the Municipality.

#### **14. WALKOUT**

If a Councillor or group of Councillors leave any meeting in protest, and the remainder of the Councillors constitute a quorum the business of the meeting shall be proceeded with.

#### **15. COUNT OUT**

If during any sitting of the Council or any Committee, the attention of the Speaker or Chairperson is called to the number of members present, he/she shall direct the Municipal Manager to count them, and if found that there is not a quorum present, the matter shall be dealt with in accordance with Rule 11 above.

#### **16. ADJOURNED MEETINGS**

The Council or a Committee may adjourn a meeting to any date or hour, but no business shall be transacted at any adjourned meeting except such as was set out in the Notice for the meeting of which it is an adjournment.

## **17. NOTICE OF ADJOURNED MEETING**

When a meeting is adjourned, notice of the adjourned meeting shall be sent out to each member of the Council or Committee, specifying the time, date and place of such adjourned meeting, except under the circumstances contemplated in 34 below.

## **18. CHAIRPERSON OF MEETINGS**

- 18.1. At every meeting of the Council the Speaker, or if s/he is not present, an acting Speaker shall be the Chairperson. An acting Speaker may be elected by the majority of Councillors present at any meeting of the Council where the Speaker is not present.
- 18.2. The Executive Mayor shall chair meetings of the Mayoral Committee and if not present the Deputy Executive Mayor/ Acting Executive Mayor or if the Deputy Executive Mayor/ Acting Executive Mayor is also not available, any other Councillor appointed by a majority members of the Mayoral Committee in attendance.
- 18.3. The Chairperson appointed by the Executive Mayor shall chair meetings of the Section 80 Committees.
- 18.4. The person so nominated by the Council, Mayoral Committee or Committee shall chair meetings of Committees and sub-Committees; Provided that where no such person was nominated the members present may elect their own Chairperson.
- 18.5. In the event that the Speaker of Council tenders a resignation, he or she must convene an Emergency Council to tender his/her resignation failing so Rule 6.2.2. above will apply.

## **19. AGENDA**

- 19.1. Subject to 19.2 and 19.3 below, all meetings must be conducted in accordance with the order in which matters appear on the agenda and only matters which appear on the agenda may be debated.

- 19.2. The Speaker or Chairperson may, after considering a duly motivated request, change the order of matters appearing on the agenda.
- 19.3. The Speaker or Chairperson may, after considering a duly motivated request, direct that a matter be moved between the confidential and open parts of the agenda.

**20. BUSINESS AT COUNCIL MEETINGS**

The order of business at every Ordinary meeting of the Council, the Mayoral Committee or a Committee is as follows:

<b>COUNCIL</b>	<b>MAYORAL COMMITTEE</b>	<b>COMMITTEE</b>
<ul style="list-style-type: none"> <li>• Opening: Moment of reflection</li> <li>• Notice of the meeting</li> <li>• Applications for leave of absence</li> <li>• Acceptance of the agenda</li> <li>• Declaration of interest</li> </ul> <p><b><u>Announcements</u></b></p> <ul style="list-style-type: none"> <li>• Presentations</li> <li>• Confirmation of minutes from previous minutes</li> <li>• Outstanding matters / Progress on Implementation of Council Resolution</li> <li>• Submission of reports by</li> </ul>	<ul style="list-style-type: none"> <li>Opening: Moment of reflection</li> <li>• Notice of the meeting</li> <li>• Applications for leave of absence</li> <li>• Acceptance of the agenda</li> <li>• Declaration of interest</li> </ul> <p><b><u>Announcements</u></b></p> <ul style="list-style-type: none"> <li>• Presentations</li> <li>• Confirmation of minutes from previous minutes</li> <li>• Outstanding matters</li> <li>• Reports from Portfolio Committees</li> <li>• Reports from Audit Committees</li> <li>• Reports for noting</li> </ul>	<ul style="list-style-type: none"> <li>Opening: Moment of reflection</li> <li>• Notice of the meeting</li> <li>• Applications for leave of absence</li> <li>• Acceptance of the agenda</li> <li>• Declaration of interest</li> </ul> <p>Announcements</p> <ul style="list-style-type: none"> <li>• Presentations</li> <li>• Confirmation of minutes from previous minutes</li> <li>• Outstanding matters</li> <li>• Reports for noting</li> <li>• Reports for consideration</li> <li>• In-Committee reports</li> <li>• Notice of Motion</li> <li>• Urgent reports allowed only with the consensus of the</li> </ul>

<p>Council representatives at O.R. Tambo District Municipality</p> <ul style="list-style-type: none"> <li>• Reports of the Executive Mayor, under the sections:</li> </ul> <p>1. recommendations to the council,</p> <p>2. decisions under delegated authority</p> <p>3. decisions of the Executive Mayor taken with the Mayoral Committee</p> <ul style="list-style-type: none"> <li>• Reports from MPAC</li> <li>• Report from the Audit Committee</li> <li>• Reports on ward committees / consolidated report on ward committees</li> <li>• Report on SALGA activities</li> <li>• Monthly Activities</li> <li>• Input by the Traditional Leader</li> <li>• Reports for noting</li> <li>• Reports for consideration</li> <li>• Reports - In-Committee;</li> <li>• Notice of Motion</li> <li>• Questions</li> <li>• Urgent reports - allowed only with the consensus of</li> </ul>	<ul style="list-style-type: none"> <li>• Reports for consideration</li> <li>• In-Committee reports</li> <li>• Urgent reports allowed-only with the consensus of the chairperson</li> </ul>	<p>chairperson;</p>
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the chairperson;		
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## 21. LEAVE OF ABSENCE

- 21.1. Applications for leave of absence from any Council or Committee meeting must be submitted to the Speaker/Chief Whip or the Chairperson/Committee Whip in writing and signed by the member applying for leave.
- 21.2. All applications for leave must be submitted at least 12 hours before the starting time of the meeting.
- 21.3. The Speaker or Chairperson shall grant leave at his or her discretion, and the Speaker is at liberty to reject such application for leave of absence.
- 21.4. Leave will be deemed to have been granted if a Councillor has been delegated to attend a meeting or engagement on behalf of the Council.

## 22. MINUTES TO BE KEPT AND CONFIRMATION THEREOF

- 22.1. Minutes of the proceedings of every meeting of the Council and Committee, shall be electronically or otherwise recorded and be kept for that purpose by the Corporate Services / Municipal Manager. The Municipal Manager shall be responsible for the correctness of the same, and the minutes of every meeting shall be confirmed at the next ordinary meeting.
- 22.2. Minutes of the proceedings of every meeting of the Council or a Committee shall be word processed or typed and printed, and shall if confirmed, be signed at the next ensuing Ordinary meeting by the Speaker or the Chairperson. Minutes shall be bound and kept secure.
- 22.3. The Municipal Manager must ensure that the minutes reflect the names of the members that attended the meeting, those that are absent and those that have been granted leave of absence.

**23. NO DISCUSSION ON MINUTES UNDER CONFIRMATION OF MINUTES**

No motion or discussion shall be allowed upon the confirmation of the minutes, except as to its accuracy.

**24. DEPUTATIONS TO SUBMIT MEMORANDUM**

Deputations wishing to be received by a Committee of council shall be required, in the first instance to send a duly motivated memorandum in writing requesting same, and the Municipal Manager or delegated official shall bring the memorandum before the Committee of council, which it may authorise, if it sees fit to receive the deputation, and to report to the Council forthwith.

**25. RECEPTION OF DEPUTATIONS**

A deputation wishing to address by a Committee of council shall not exceed five in number, but only one member thereof shall be at liberty to address the Committee (except in reply to questions from members of the Committee) and only for a period not exceeding ten minutes. The Committee shall not further consider the matter until the deputation shall have withdrawn itself from the meeting.

**26. MOVING A REPORT**

The Speaker or Chairperson shall move the recommendation contained in a report unless he/she shall have previously stated his/her disagreement with it. The Chairperson of a Committee or other member presenting a report may withdraw or amend any section with the consent of the Council or Committee, only if it has been established that a particular item or items in the original report was or were incorrectly recorded or it has been established that it would be in the best interest of the Council not to adopt a recommendation or a part or parts thereof.

## 27. MOTIONS

- 27.1. No matter shall be brought before the Council or a Committee by any member of the Council except upon a notice of motion, which shall be in writing and signed with full names of the member giving the notice as well as the member seconding it: Provided that a person who has a personal electronic mail address from where he or she can be identified by the Municipal Manager, can submit such motion by electronic mail.
- 27.2. Any notice of motion shall be submitted to the Speaker or Chairperson before 12:00, ten days prior to the meeting of the Council or Committee by Hand delivery and/or email.
- 27.3. A motion shall lapse if the member who submitted the motion is not present at the meeting where the motion is to be debated.
- 27.4. A member submitting a motion shall introduce such a motion and shall have the right of reply thereto.
- 27.5. When a member introduces a motion which is intended to rescind or amend a resolution passed by the Council in the preceding three months or which has the purport as a motion that was not supported within the three preceding months shall not be entertained.
- 27.6. When dealing with motions the motion shall be read out together with the number thereof and the name of the mover.
- 27.7. The Speaker or Chairperson shall ascertain which motions are unopposed and these shall be passed without debate and thereafter the opposed motions shall be called in accordance with the order of the agenda.
- 27.8. All notices of motion shall be dated and numbered as received by the Municipal Manager, and shall be entered on the agenda paper in the order in which it was received, save and except that notices of amendment to motions shall be entered immediately after such notice of motion, irrespective of the time at which the notice shall have been received.
- 27.9. No member shall have more than one notice of motion on the same agenda at the same time.
- 27.10. Before any notice of motion is placed on the agenda paper it shall be submitted to the Municipal Manager who must obtain the written technical input from the

various heads of department of the municipality, if it is required, and, who, if s/he be of the opinion that it is ultra vires existing legislation, shall cause the giver of the notice to be so informed. The giver of the notice shall however, have the right to appeal to a sub-Committee comprised of the Speaker, Executive / Mayor and Whip of the Council, who shall review the matter and decide whether or not such notice of motion be placed on the agenda paper.

27.11. A motion affecting the making or amending of a by-law shall be submitted to the Speaker for a report before the Council passes a resolution in this regard.

27.12. The Speaker may disallow a motion which:

- May lead to discussions of a matter already dealt with on the agenda
- Addresses a matter where the Council has no jurisdiction
- Addresses a matter where a decision of a judicial or quasi-judicial body is pending
- Has not been seconded
- If passed, would be contrary to the law.

27.13. The mover with the consent of the seconder may withdraw a motion or amendment.

27.14. The Speaker or Chairperson may call upon any mover of an amendment to a motion to reduce the same into writing, and, after signing it, to hand it to the Municipal Manager to read the amendments for the meeting to either adopt or reject such amendment.

27.15. Except upon the recommendation of the Committee to which the Council has delegated powers or duties to deal with the particular subject matter, no resolution passed at any meeting of the Council shall be revoked or altered at any subsequent meeting unless notice of motion so to revoke or alter such resolution shall have been given to the Municipal Manager at least seven days before such subsequent meeting and the Municipal Manager shall, at least two days before such subsequent meeting, have forwarded a copy of such notice of motion to each Councillor.

## **29. PRECEDENCE OF THE SPEAKER**

- 29.1. During the sitting of the Council or a Committee, members, except lady members and members in traditional, cultural or religious headdress shall have their heads uncovered.
- 29.2. When speaking, Councillors shall stand unless directed to seat by the Speaker or Chairperson, but at all times, address their speech to the Speaker or Chairperson.
- 29.3. Whenever the Speaker or Chairperson speaks, any member then speaking or offering to speak must be silent in order for the Speaker to be audible and speak without interruption.

## **30. RELEVANCE**

- 30.1. A member who speaks shall confine his/her speech strictly to the motion or matter under discussion or to an explanation or a question of order.
- 30.2. No member may be allowed to speak on a motion or matter not under discussion.

## **31. COUNCILLOR TO SPEAK ONCE ONLY**

Except for otherwise provided for in these Rules, no speaker shall speak more than twice on any recommendation, motion or proposal, provided that the Executive Mayor or a member may reply in conclusion of a debate, but shall confine him / her to answering to previous speakers and shall not introduce any new matter into the debate.

### **32. DEBATE MANAGEMENT**

- 32.1. Time allocated to each political party or interest group will be determined by the Speaker.
- 32.2. At least 24 hours before the meeting, the whip of each political party or interest group represented in the Council will provide the Speaker or Chairperson with a list indicating which items on the agenda are to be debated.
- 32.3. At least 12 hours before the meeting, the whip of each political party or interest group represented in the municipality will provide the Speaker or Chairperson with a list indicating which members will speak on which item included in the agenda.
- 32.4. The Speaker will determine the allocation of time per item and inform the whips of the speaking time allowed to each member included in the list, based on the principle in 32.1 above.
- 32.5. Each political party or interest group represented in the Municipality has the right to speak on each item on the agenda.

### **33. LENGTH OF SPEECHES**

- 33.1. No speech shall exceed three (3) minutes in length without the consent of the Speaker. This period shall exclude consecutive translation time required.
- 33.2. The Speaker or the Chairperson shall be entitled to, at any time, to set, limit or extend reasonable time limits for the discussion of and/or any decision or any item or group of items on the relevant agenda.
- 33.3. The time limits shall be at the sole discretion of the Speaker or Chairperson guided by the principles of fairness, democracy, efficiency and good governance.

### **34. DISORDERLY CONDUCT OF COUNCILLOR AND THE DUTY OF THE CHAIRPERSON**

- 34.1. If at any meeting of the Council or Committee a Councillor conducts himself or herself in an improper fashion, behaves in an unseemly (unruly) manner or persistently obstructs business to be carried out or challenging the ruling of the Speaker or Chairperson on any point of order or declines to withdraw an expression when required to do so by the Chairperson or indulges in tedious repetition or unbecoming language or commits any breach of these rules, the Chairperson shall direct such Councillor to conduct himself or herself properly and, if speaking, to discontinue his/her speech and resume his/her seat, if he/she was standing.
- 34.2. In the event of persistent disregard of the directions of the Speaker or Chairperson, the Speaker or Chairperson shall direct such Councillor to retire (leave) from the meeting, and shall, if necessary, cause him/her to be ejected there from by the Sergeant in Arms.
- 34.3. The Speaker or a Chairperson may exclude from a meeting, for such period of time during the meeting as he/she may deem fit, any member who has so committed an act of misconduct or behaved in an unseemly manner or persistently obstructed the business of the meeting or disregarded the authority of the chair, provided that a formal process will be initiated after the conclusion of the meeting.
- 34.4. Where a Councillor refuses to retire or in the event of more than one Councillor having to be ejected from the meeting, and such Councillor/s refuse/s to leave the meeting, the Speaker shall request the Peace Officer to facilitate the removal of such Councillor/s from the chamber. If this cannot be done orderly, the Chairperson of a meeting may adjourn proceedings for a period not exceeding 15 minutes, in order for the relevant Councillors to retire or to be ejected from the venue of the meeting. If, at the resumption of proceedings, the Councillor/s have not left / been ejected, the meeting may be adjourned for another 10 minutes to address the situation. The Chairperson may rule that after the second adjournment the meeting will re-convene at another venue and any Councillor/s ordered to retire or

so evicted or ordered to be evicted will be refused entry to the alternative venue. The Peace Officer of the Council will ensure that such Councillor/s do/es not enter such an alternative venue.

### **35. OBSTRUCTION BY PERSONS OTHER THAN COUNCILLORS**

Any person, other than a Councillor, who misconducts himself or herself, behaves in an unseemly manner or interrupts the proceedings of the Council or any Committee at any meeting shall, if the Speaker or Chairperson so directs, be removed from the chamber or the venue where the meeting is being held. If the person refuses to leave, the Peace Officer will be responsible to remove such person from the meeting. The Chairperson may exclude such person from further admittance to the Council chamber or the meeting venue for such period as it may be deemed fit.

### **36. POINTS OF ORDER AND PERSONAL EXPLANATION**

- 36.1. Any member, regardless of whether he/she addressed the Council on the matter under debate or not, may:
- Raise a point of order
  - Raise a point of personal explanation at the end of the debate
- 36.2. Any point of order or personal explanation will not constitute a speech and will therefore not affect the right of any member to speak on a particular item, provided that the member will not be allowed to spend more than 2 (two) minutes on the point of order or personal explanation.
- 36.3. Any member contemplated in 36.1 shall be entitled to be heard and the Councillor speaking at the time shall remain silent until a ruling has been made by the Speaker or Chairperson.
- 36.4. The ruling of the Speaker or Chairperson on a point of order or on the admissibility of a personal explanation shall be final and shall not be open to discussion.

- 36.5. Any member will only be allowed to raise one point of order and one point of personal explanation during the Council meeting. Only one point of order on the same matter will be allowed.
- 36.6. Any member persisting in Points of Order or Personal Explanation after a ruling has been made by the Speaker will be subject to the provision of point 34 above.

### **37. QUESTIONS**

- 37.1. Any member may submit a question requiring a written reply from any political office bearer, the municipal manager or senior manager of the municipality, concerning any matter related to the effective performance of the functions of the municipality and the exercise of its powers, provided that a written notice of such a questions has been submitted to the Speaker or Chairperson and the Municipal Manager at least 10 (ten) days prior to the Council or Committee meeting and the political office bearer and the Municipal Manager shall ensure that the member receive a written reply at the meeting.
- 37.2. If after the question has been replied to, a member is of the opinion that the reply is not clear or satisfactory, he or she may, with the permission of the Speaker or Chairperson, request a follow up question.
- 37.3. All questions duly given notice of and all responses submitted shall be recorded in the minutes of the meeting.

### **38. TERMS OF REFERENCE OF COMMITTEE OR SUB-COMMITTEES**

- 38.1. Upon the appointment of any Committee / Sub-Committee of Council, such a Committee / Sub-Committee shall specifically determine its Terms of Reference and submitted to Council for approval.
- 38.2. The Council's Standing Rules shall apply to all the Committees and Sub - Committees.

**39. COUNCIL MAY INCREASE OR RESTRICT POWERS OF THE COMMITTEE**

With the exception of the Mayoral Committee whose functions and powers are determined in terms of Section 80 of the Local Government Structures Act by the Executive Mayor, the Council may at any time extend, withdraw or modify the duties and powers of a Committee or Sub-Committee appointed in terms of Section 79 of the Structures Act.

**40. MINUTES OF MAYORAL COMMITTEE, COMMITTEES AND SUB-COMMITTEES**

Every Committee, including the Mayoral Committee, except when specifically exempted from this provision by a resolution of the Council or the Mayoral Committee in view of the sensitivity, confidentiality or otherwise of the subject matter of a particular meeting and provided the final resolution or recommendation is duly recorded in writing, shall record minutes of its proceedings and cause the same to be duly kept by the Municipal Manager / Corporate Services. At every ordinary meeting of a Committee the unconfirmed minutes shall be taken as read, with a view to confirmation such minutes. No discussion shall be allowed upon the minutes, except as to their accuracy save at portfolio Committees and even then at the sole discretion of the Chairperson.

**41. INSPECTION OF MINUTE BOOKS BY COUNCILLORS**

The minutes of every Council or Committee shall be open for inspection by every member of the Council during office hours; provided the demands of duties of the Registry and Secretariat staff is taken into account.

## 42. NON-ATTENDANCE OF MEMBERS OF COUNCIL AND ITS COMMITTEES

- 42.1. Unless an apology has been made and approved in terms of Rule 21 above, a Councillor must attend the following :-
1. Meetings of the Council
  2. Committee meetings of the Council;
  3. Official seminars, training sessions and workshops approved by the Speaker;
  4. Meetings of other structures or bodies as determined by the Speaker
- 42.2. A Councillor who wishes to be absent from any of the meetings, seminars, training sessions or workshops mentioned in the preceding sub-section, must apply at least twenty four (24) hours prior thereto for leave of absence to the Speaker or the Chairperson of the relevant Committee.
- 42.3. The Speaker or the Chairperson, as the case may be, shall consult with the Chief Whip of the party concerned and thereupon either grant or refuse such application.
- 42.4. A Councillor who absented him/herself without approval by the Speaker / Chairperson (in a meeting) will be fined a R500, in a second meeting it will be R1000 and on third offence of absence Rule 42.5 below shall apply.
- 42.5. Should any member of Council or Committee fail to attend three consecutive meetings of Council or the same Committee of which he or she is a member, without leave of absence having been granted as contemplated in Rule 21 above, he/she shall be required to submit a motivation for such absence and if the Speaker is not satisfied with such explanation, it shall be reported to the Municipal Council, that the Councillor is deemed to have forfeited his/her seat on such Committee or in Council, and such forfeiture shall be reported to the Council for decision and decision such shall be reported to the Political Organisation such Councillor representing and to the MEC for Local Government for removal of such Councillor.

#### **43. MEMBERS OF COUNCIL ATTENDING COMMITTEE MEETINGS OF WHICH THEY ARE NOT MEMBERS**

- 43.1. Members of the Municipal Council may at the Chairpersons' consent attend the meeting of any Committee that they are not a member of, but will in all instances be granted the status of non-voting participant who will only be allowed to make a meaningful participation at such meeting;
- 43.2. The provisions of 42.1 will not be applicable to the Municipal Public Accounts Committee (MPAC) and members of the Executive will be requested to attend the MPAC meeting and the request for attendance will specify the matters that the member of the executive will be expected to address the MPAC on;
- 43.3. The rules with regard to agendas as set out above will also be applicable to requests to attend MPAC and address it;
- 43.4. Any member of the executive requested to attend the MPAC may instruct the Municipal Manager or a Senior Manager to accompany him/ her to the MPAC meeting but may not instruct such official to appear and address the MPAC on his / her behalf;
- 43.5. Information to be obtained from Municipal Manager or the Senior Manager concerned Subject to the provisions of 37 above, members of the Council who desire to obtain from any official of the Council information with regard to the administrative work of the Council, which is not accessible to the general public, should address their enquiries firstly to the Municipal Manager and then to the relevant Senior Manager.

#### **44. INFORMATION TO THE PRESS OR OTHER MEDIA: IN-COMMITTEE DISCUSSIONS**

- 44.1. The Executive Mayor, or in his/her absence the Speaker and the Municipal Manager in their discretion may, on application being made to him/her by any registered newspaper, radio station, television service or internet

publisher, supply to such media or its representative, information and reports relating to the work of the municipality.

- 44.2. In view of the Municipal Manager, the Speaker or the Executive Mayor being the authorised channel through which the media may receive information and reports, members of the Council are therefore expected to refrain from sending to the media documents or information supplied to them with a view to their consideration by the Council or any Committee: **Provided that this clause shall not be construed as abrogating a Councillors individual constitutional right to make press statements which reflect his/her own personal or political view and not that of the Council, further provided however, that no discussion that took place in-Committee may be conveyed to the public or the press except by the Executive Mayor, Speaker or Municipal Manager.**
- 44.3. Chairpersons of Committees must liaise with the Speaker, Executive Mayor and Municipal Manager for the publication of any information relating to Committee and the Municipal Manager shall arrange, if approved, the publication of the relevant information.

#### **45. SUSPENSION OF STANDING RULES**

No Standing Rules shall be suspended without the vote of a majority of the members of the Council or of three-fourths of the members present and a motion duly seconded to suspend the Standing Rules shall be put without debate.

#### **46. LEGAL DEFENCE AND INDEMNIFICATION OF COUNCILLORS AND OFFICERS OF THE COUNCIL**

The Council may determine the circumstances in which it will undertake the defence of or pay the legal costs or the total costs and the amount in respect of any legal proceedings, whether civil or criminal, for a Councillor or an official may have against any person, body, organisation or institution arising from the Councillor's or official's capacity as a Councillor or official of the Municipality.

**47. SPEAKER MAY REFER MATTERS FOR LEGAL ADVICE**

The Speaker shall be entitled, within the framework of the approved operational budget of the Municipality and subject to the supply chain management policy, to refer any matter pertaining to the Council and its proceedings, for legal opinion to the Council's legal advisors.

**48. ACTIVITIES PROHIBITED WITHIN THE COUNCIL CHAMBER OR A MEETING VENUE AND THE USE OF THE COUNCIL CHAMBER BY OTHER PERSONS OR INSTITUTIONS**

- 48.1. The decorum of the Council chamber as the official seat of governance of the Municipality shall at all times be respected and adhered to by any person or institution using the facilities.
- 48.2. The following activities are strictly prohibited from being conducted within the confines of the Council Chamber or a meeting venue of the Council or its Committees by any person:
- Having a cellular telephone that is not on silent mode and speaking on a cellular phone during the meeting;
  - No taking pictures or recording by audio or video the proceedings of Council or its Committees without permission from the Speaker or the Chairperson other than the recording by audio or video done by Committees / Communication of the Municipality.
  - Use of social media for personal gains or political gains.
  - Consuming any food or drink in his/her possession, excluding water provided at the meeting.
- 48.3. Caucus meetings of the various political parties may be held in the chamber provided it is booked with the Senior Committee Clerk prior to the meeting, and subject to such bookings to be on a rotational basis for all the parties.
- 48.4. The use of the Council chamber by any other person or institution, other than a recognised Committee, body of or person in the employ of the Municipality shall be subject to the approval by the Speaker, and at all times

subject to the availability thereof in terms of the Institutional Council's Calendar of use, and the purpose for which it is applied for. Applications for use shall be made in writing to the Speaker who shall confer with the Municipal Manager in making the venue available in writing.

#### **49. WARD COMMITTEES**

The Council may by resolution determine the Rules of Procedure for the Election of Ward Committees, the procedures at meetings, the reporting rules, and the rendering of support to these Committees.

#### **50. SANCTIONS AND OFFENCES**

**Any person who wilfully contravenes any provision of these rules shall be guilty of an offence and shall be subject to the following sanctions imposed by the Council:**

- 50.1. Having a fine imposed by the Council as determined by it from time to time for the categories of offences as approved by it by resolution from time to time;
- 50.2. Be suspended from the attendance of Council or Committee meetings as the Council may determine for such a period as the Council may by resolution determine from time to time for the categories of offences as determined by it.
- 50.3. **Allowable Sanctions are:**

<b>Offence</b>	<b>Sanction</b>	<b>Amount</b>	<b>Date of effect</b>
Dress code (First offence)	Fine	R300	Deducted from the next salary once off
Repeat dress code	Fine	R600	Deducted from the next salary once off

Absenteeism without authorisation (first offence)	Fine	R500	Deducted from the next salary once off
Repeat absenteeism without apology or authorisation	Fine	R1000	Deducted from the next salary once off
Unruly member of the Council	Fine	R1000	Deducted from the next salary once off
Repeat unruly member of the Council	Fine	R2000	Deducted from the next salary once off

50.4. A separate vote account shall be opened for transacting such penalty fees for keeping in a separate vote under the office of the Speaker.

## **51. DRESS CODE**

The Council may by resolution develop a guide / a policy prescribing a Dress Code for Members of Council, Traditional Leaders and Officials attending meetings of Council and Committees and any other Council business.

### **51.1. Formal/Traditional:**

Attire for all Males shall be Formal/Traditional in the following manner, Jacket, Pants, Shirt, Tie, pair of formal shoes. Suit optional.

Attire for all Females shall be in the following manner Blouse, Skirt, Dress, Formal Pants, Shirt, Formal Jacket, formal shoe.

Traditional Attire shall be worn for Council Public Events and in Council as directed by the Speaker of Council.

### **51.2. Ceremonial Events:**

The Executive Mayor, Speaker, Members of the Mayoral Committee shall on Ceremonial events wear Municipal Gown as and when necessary as directed.

The Executive Mayor shall as directed wear the Mayoral Chain on a Ceremonial Events

## **52. DECLARATION**

A Councillor wishing to disclose an interest in terms of the Code of Conduct for Councillors, must do so forthwith after the item or Motion in respect of which such interest exists, has been called.

## **53. PRECINCTS OF COUNCIL**

53.1. The precincts of Council is the area of land and every building or part of a building under the Council's control, including –

- a) The Chamber in which the proceedings of Council are conducted and the galleries and lobbies of the Chambers;
- b) Committee rooms and other meeting places provided or used primarily for Council's purposes;
- c) Every other buildings or part of a building provided or used in connection with the proceedings of Council, while so used; and
- d) Every part of the buildings in which the chambers are situated, and every forecourt, yard, garden, enclosure or open space appurtenant thereto.

53.2. In so far as it may be necessary, in a case where Council or Committees convene beyond the seat of Council, these Rules apply as if the premises where Council or Committees are meeting were within the precincts of Council.

53.3. The Council meets at its declared seat being Mthatha and Mqanduli alternatively as the Speaker may decide or majority of Councillors request.

## LOCAL AUTHORITY NOTICE 89 OF 2020



## NOTICE CALLING FOR THE INSPECTION OF THE GENERAL VALUATION ROLL 2020-2025

Notice is hereby given in terms of Section 49(1) a (i) (ii) read together with Section 78 (2) of the Local Government Municipal Property Rates Act 2004 (Act No.6 of 2004), herein after referred to as the "Act" that the General Valuation Roll for the Financial years 2020-2025 is open for public inspection at the Municipal Offices as listed below from **19 February 2020 to 30 March 2020** during office hours. In addition the Valuation Roll is available on the municipal website: [www.greatkeilm.gov.za](http://www.greatkeilm.gov.za)

An invitation is hereby made in terms of Section 49 (1) (a) (ii), read with Section 78 (2) of the Act, that any owner of the property or other person who so desires should lodge an objection with the Municipal Manager in respect of any matter, including the category, reflected in or omitted from the valuation roll within the above mentioned period. Attention is specifically drawn to the fact that in terms of Section 50 (2) of the Act an objection must be in relation to a specific individual property and not against the valuation roll as such. The forms for the lodging of objection are obtainable from the Revenue Office Komga and all Satellite offices of the Municipality, or Municipal website [www.greatkeilm.gov.za](http://www.greatkeilm.gov.za)

- Komga Municipal Office
- Cintsa Municipal Satellite Office
- Kei Mouth Municipal Satellite Office

Completed forms must be returned to the following address by registered mail: **The Municipal Manager, Great Kei Municipality, Private Bag x 2 Komga, 4950** or hand delivered at the Municipal Offices at No. **17 Main street, Komga, 4950** during offices hours 08h00-16h30 Monday to Thursday and from 08h00-16h00 on Fridays.

For any enquiries please contact (Ms Fanelwa Fikeni) at the budget and Treasury Office at: **Tel: 043 831 5700 / 076 765 1742** or email [ffikeni@greatkeilm.gov.za](mailto:ffikeni@greatkeilm.gov.za)

**UMASIPALA WASE-GREAT KEI MUNICIPALITY  
UBIZO LOKUHLOLA UMQULU WOKUBHATALISA IMIHLABA**

Abahlali bayaziswa ngokugunyaziswe ngumthetho sisekelo (49)(1) nakwisigaba 78(2) somthetho iLocal Government Municipal Property Act 2004 (Act No.6 of 2004), ophathelene nokuhlulwa kweemali zerhafu ezihlawulelwa imizi, obizwa nge Municipal Property Rates Act 2004 okokuba kunyaka 2020 ukuya kunyaka ka 2025 noqulathe amanani erhafu yezindlu nezakhiwo (General) bangakwenza oku ngokuhambela amasebe kamasipala iGreat Kei Municipality ukusukela ngomhla we 19 kweyoMdumba 2020 ukuya kumhla we 30 kweyo Kwindla 2020 kwezindawo zingasentla ngamaxsha omsebenzi.

Ifomu yokufaka isikhalazo ifumaneka kwi Ofisi enkulu kamasipala e -17 Main Street, Komga, 4950 nakwi posi kule dilesi: The Municipal Manager, Private Bag x 2, Komga, 4950 ukusukela ngo 08h00-16h30 ngoMvulo ukuya ngoLwesine nango 08h00-16h00 ngoLwesihlanu nakwi website ka Maspala [www.greatkeilm.gov.za](http://www.greatkeilm.gov.za)

Ngeminye imibuzo neenkukacha mayela nolu hlelo angaqhakamshelana no: Ms Fanelwa Fikeni ku: 043 831 5700 /076 765 1742 nakwi email [ffikeni@greatkeilm.gov.za](mailto:ffikeni@greatkeilm.gov.za)

Municipal Manager  
Mr LM Mambila







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