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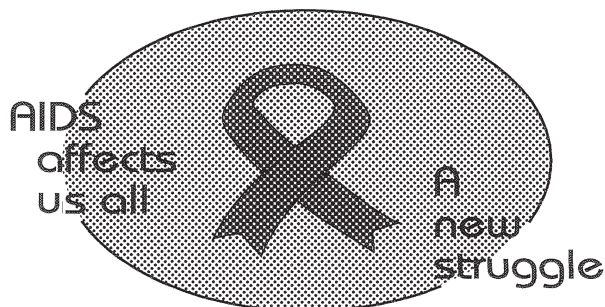
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BISHO/KING WILLIAM'S TOWN

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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 480 OF 2023

Winnie Madikizela-Mandela Local Municipality



STANDING RULES

COUNCIL RULES OF ORDER BY LAW

To regulate the internal arrangements, business and proceedings, establishment, composition, procedures, powers and functions of its council and its committees and to provide for matters incidental thereto:

*Be it enacted by the Municipal Council of the **Winnie Madikizela-Madikizela Local Municipality** in terms of section 11(3)(m) of the Local Government: Municipal Systems Act 32 of 2000 as follows:*

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CHAPTER 1

DEFINITIONS

1. Definitions

In this by-law, unless the context otherwise indicate -

“Act” means the Local Government: Municipal Structures Act, (Act No. 117 of 1998)

“Absent” means not present at a meeting of the council or a committee of the council without valid cause or reason and absenteeism has a corresponding meaning;

“Caucus” means an informal discussion of members of a group or party with a view to reach a resolution;

“Code of Conduct” for councillors means councillor must perform the functions of office in good faith, honestly and a transparent manner; and at all times act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised;

“Code of Conduct” for municipal staff means a staff member must at all times loyally execute the lawful policies of the municipal council, perform the functions of office in good faith, diligently, honestly and in a transparent manner;

“Constitution” means the constitution of the Republic of South Africa (Act No. 108 of 1996);

“Committee” means any committee of council and Executive Committee, including any committee established in terms of legislation;

“Chairperson” means a person chairing a meeting other than a council meeting or such person elected during that particular meeting;

“Council” means the council of Winnie Madikizela-Mandela Local Municipality

“Day” means Monday to Friday, including a Saturday, Sunday and a public holiday;

“Deputations” A temporal Concerned Group over a specific matter

“Division of Votes” means to record individually every member or person’s vote for or against any proposal and /or the withdrawal from the meeting by a member or person during the thirty seconds allowed;

“Functus officio” means official functional or operational

“IDP” means the Integrated Development Plan of the municipality;

“3Council In Committee” means that the Council may, during the course of its deliberations, resolve to sit as a committee in circumstances where matters of a confidential or legal nature are to be debated or in circumstances where, in the opinion of the majority of members of Council, the presence of the media or members of the public would prevent free and open discussion on the matter under consideration;

“Mayor” means the member of the Executive Committee elected as Mayor in terms of section 48 of the Municipal Structures Act;

“MEC” for Local Government and Traditional Affairs” means the member of the Executive Council responsible for Local Government in the Eastern Cape Province;

“Member” means a member of the Council of Winnie Madikizela-Mandela Local Municipality;

“Member of public” includes the media and means any person residing within the Republic of South Africa;

“Municipal Finance Management Act” means the Local Government: Municipal Finance Management Act, no 32 of 2003 hereinafter referred to as the Municipal Finance Management Act”

“Municipal Manager” means a person appointed by the Council in term section 56 of the Municipal Systems act 32 of 2000 as Municipal Manager and includes any person acting in this position;

“Municipal Structures Act” means the Local Government: Municipal Structures Act No 117 of 1998 as amended, herein referred to as Structures Act;

“Municipal Systems Act” means the Local Government: Municipal Systems Act 32 of 2000 as amended, herein referred to as Municipal Systems Act;

“Municipality” means the Municipality of Winnie Madikizela-Mandela as established in terms section 32 of the Municipal Structures Act and, where the text so requires, includes the Council;

“Mutatis Mutandis” means with the necessary changes

“Party” means the political party represented in council.

“Point of Order” means the pointing out of any deviation from or anything contrary to, the conduct and or any other irregularity in the proceedings of a meeting;

“Prima facie” means first look or fact

“Rescind” means to declare a resolution taken null and void thus making it ineffective.

“seriatim” means one after the other or in series.

“Speaker” means the Speaker of Winnie Madikizela-Mandela Local Municipality, elected in terms of section 36 of the Municipal Structures Act;

“Sub judice” means under court consideration

“Virtual Meeting” means a live streamed meeting

“Ward” means a Ward mentioned in item 2 of the schedule 1

“Whip” means a member of a party in the council appointed by that party in council to ensure, together with the Whip the smooth functioning of the proceedings of the standing committee and Council in terms of these by-laws.

2. Application of Rules

This By-Law applies to all meetings of council or any other council committee. The Speaker may direct that these rules apply *mutatis mutandis* to any other committee of council, including the executive committee, standing committees, ward committee meetings and public.

CHAPTER 2

COUNCIL, EXECUTIVE COMMITTEE, STANDING AND OTHER COMMITTEES

PART 1

Calling of Meetings

3. Speaker to convene Council Meetings

The Speaker shall convene Ordinary Meetings of council, at least quarterly or a special council meeting or any urgent matter (s), for which the Speaker may determine date and place (including out of the jurisdiction of Winnie Madikizela Mandela LM) but if the majority of councillors request the Speaker to convene a special council meeting, the Speaker must convene such a meeting at a time and place set out in the request (see section 18 (2) and 29 (1) of the municipal structures act). A request to convene a special meeting by Speaker made by majority of councillors must be accompanied by the names and signatures of councillors making such a request.

Section 20 of the Systems Act, meetings of Council and those of its committees shall be open to the public, including the media, and the Council or such committee may not exclude the public, including the media from a meeting, except when it is reasonable to do so having regard to the nature of the business being transacted.

3.1. Attendance by Members of the Public

As requisite in the Standing Rules that a meeting be open to the public, is satisfied if:

- The meeting is streamed live on the website of the Municipality; or
- The meeting is recorded and made available on the website of the municipality as soon as feasible after the meeting

3.2. Public Notice of Virtual Meeting

- The Municipal Manager must give notice to the public of each virtual Ordinary Council Meeting.
- A public notice of the municipality's virtual meeting, must –
 - ✓ State that the meeting is virtual and there is no physical meeting location; describe how many members of the public can observe the meeting, and
 - ✓ Provide a phone number or address where members of the public can obtain additional information.

Exclusion of the Public and Media from Meeting

- Whenever the Municipal Council decides to exclude the public and media from virtual meetings, electronic access to the meeting must be suspended in order to close all or part of the meeting to the public and media.

3.3. Commencement of meeting

3.3.1. All members should be at venue of the meeting 15 minutes before the commencement time at which a meeting is scheduled to take place.

3.3.2. Any Council Meeting as referenced in these Standing Rules is not restricted to a meeting of all of whom, or any of whom, are present in the same venue and any mention to a “place” where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call by telephone numbers.

3.3.3. No meeting shall take place unless it is resolved with the majority consent of the members present / connected electronic, digital or virtual locations to allow further time not exceeding 30 minutes in order to enable a quorum to assemble.

3.3.4. In a virtual meeting: -

- the quorum requirements shall be those as determined in the Standing Rules of 50% plus 1.
- Members who have accessed the meeting via the secure link sent to their email addresses and WhatsApp shall be deemed present for the purpose of establishing a quorum, taking a decision or voting on a matter

4. Mayor to convene Executive Committee meetings

The Mayor shall convene meetings of the Ordinary Executive Committee, normally on a predetermined working day excluding during December but if the majority of members request a special meeting in writing accompanied by their names and signatures, and/or if necessary, the Mayor must convene a meeting at the time and place set out in the request: provided that the Executive Committee shall not hold a meeting at the same time that a council meeting is in progress.

5. Chairperson (Portfolio Head) to convene Standing and other Committee meetings

The chairperson (Portfolio Head) of the Standing Committee or other Committee shall, in consultation with the Municipal Manager or the relevant Senior Manager of the department, convene meetings of such Standing Committees, normally on predetermined working day excluding during December, but if the majority of members

request a special meeting in writing, and / or if necessary, the chairperson must convene a meeting at the time and place set out in the request: provided that no committee shall hold a meeting at the same time that an Executive and Council meeting are in progress.

6. The whip of Council to convene meetings for all Whips of Parties

6.1 The Whip of Council shall ensure that all Whips of Parties are represented in the Municipal Council and are informed on important matters of Council

6.2 The Whip of Council shall be responsible for requesting for temporary adjournment of Council proceedings to allow Parties to find common ground on any matter which may arise during the proceedings.

7 Ward Councillor to call Ward Committee meetings

The Ward Councillor of each Ward shall call all meetings of that Ward and shall be assisted by the office of the Speaker.

PART 2

Notice and Venue of the Meetings

8 Council, Executive and other Committees

The Municipal Manager or his/her delegate shall be responsible to compile and serve to the Speaker / Mayor / Chairpersons of other Committees, the Notice of all Council and Executive including meetings stat

9 Standing Committees

The relevant secretariat shall be responsible to compile and serve the Notice of all Standing Committee meetings.

10 Ward Committees

The Ward Councillor with the assistance provided by the office of the Speaker shall be responsible to compile and serve the notices of all Ward Committee meetings.

11 Notice of meetings to be served

The Notice of the time, place and venue of every meeting of Council, Executive Committee, Standing Committee or other Committees, shall be served to every Councillor or member of such Committee, at least four (4) to seven (7) days before the meeting, unless a shorter period is agreed upon only to the Executive Committee and

other Council Committees excluding the Municipal Council, shall be convened by Mayor or Chairpersons in consultation with members of the committees as the case maybe.

12 Business Limited by notice

With the exception of an urgent report of the Mayor or the Municipal Manager, Business not specified in the Notice shall not be considered at that meeting.

PART 3

Agendas

13 Preparation of council agenda

The Municipal Manager or his/her delegate is responsible for preparation of the agenda in consultation with the Mayor for the approval by the Speaker that is circulated to the members.

14 Preparation of Executive Committee agenda

The Municipal Manager or his/her delegate is responsible for preparation of the agendas of all Executive Committee meetings in consultation with the Mayor.

15 Preparation of Standing Committee agenda

The relevant secretariat as directed by the relevant Senior Manager in conjunction with the chairperson of the Standing Committee is responsible for the preparation of the agendas of all Standing Committee meetings.

16 Preparations of MPAC agenda

The Municipal Manager or Senior Manager delegated by the Municipal Manager with the MPAC chairperson in consultation with the Speaker is responsible for the preparation of all agendas of MPAC.

17 Preparation of Ward Committees agenda

The Ward Councillor, assisted by the Councillor Support Assistant is responsible for the preparation of the agenda of all ward committee meetings.

18 Raising of Urgent matters

The Municipal Manager may, after consultation with the Speaker, Mayor or Chairperson, in his/her discretion raise any urgent matter in writing prior the meeting for resolution by Council, Executive Committee, or other Committee when the resolution required could, in his /her opinion, prejudice the Council or community in the event that it is delayed.

19 Urgent items to form part of the agenda

If on the day after the 5th day (48hrs) before a meeting, the Mayor has any item that she/ he deems urgent to present to the Council for the purpose of noting or consideration, he / she may do so after consultation with Speaker. The Speaker may similarly present an urgent item to the Council.

20 Order of business on Council agenda

The order of business of an ordinary meeting of Council shall be as follows:

- (1) Opening
- (2) Welcoming Remarks- Chairperson
- (3) Attendance & Application for leave of absence
- (4) Notice of Convening the Meeting
- (5) Disclosure of interest by members relating to any item
- (6) Motions of Exigency
- (7) Executive Committee Report for discussion
 - 7.1 Part 1: Recommendations for Resolution
 - 7.2. Part 2: Recommendations for Noting
- (8) Speaker's Report
- (9) Report of the District Municipality
- (10) Report by MPAC
- (11) Report by the Municipal Manager on the progress report on issues raised by Auditor General.
- (12) Consideration of motions submitted under item 6.
- (13) Minutes of the previous meetings
- (14) Announcements
- (15) Closure

21. Bringing forward items on the Agenda

The council may at its discretion bring forward any urgent business which is not on the agenda for discussion.

22.Lapsing of proposal to bring forward an item

If a proposal has lapsed, such proposal shall not be discussed.

23.Signing of Agenda / Notice

(1). The Speaker (his / her delegatee in his/her absence and for this purpose) shall sign the agenda for all Council meetings before distribution therefore.

(2). The Mayor (his / her delegatee in his/her absence and for this purpose) shall sign the agenda for all Executive Committee meetings before distribution therefore

(3). The Chairperson (his / her delegatee in his/her absence and for this purpose) shall sign the agenda for all Standing Committee meetings before distribution therefore.

(4).The Ward Councillor (his / her delegatee in his/her absence and for this purpose) shall sign the agenda for all ward committee meetings before distribution therefore.

PART 4

MINUTES OF MEETINGS

24.Procedure for Handling of Minutes

(1). The Municipal Manager through (the delegatee) shall be responsible to keep proper minutes of all Council and Executive Committee meetings.

(2). The secretariat of any other committee or its delegatee shall be responsible to keep proper minutes of all Standing Committee meetings.

(3). The Manager in the office of the Speaker or his/her delegatee shall be responsible to assist the Ward Councillors to keep proper minutes of all Ward Committee meetings.

25. Discussion on minutes

No proposal or discussion shall be allowed on the minutes except as to its accuracy.

26. Minutes of Council-in –Committee

The minutes in relation to any item considered by the Council-in-Committee, shall be kept separately from other minutes of the Council unless consideration of that item was finalised in an ordinary council, and such minutes shall be approved by the Council-in-Committee. Items to be discussed in Council- in –Committee e.g.

Appointment, Suspension and Dismissal of Section 57 and 56 Managers.

27.Copies of approved minutes

All approved minutes of the Council or any Committee must be made available to the public upon such request after being confirmed and signed.

28.Minutes must be signed

- (1). The approved minutes of the Council meetings must be signed by the Speaker as the Chairperson of the Council meeting.
- (2). The approved minutes of the Executive Committee meetings must be signed by the Mayor as the Chairperson of the Executive meeting.
- (3). The approved minutes of the Standing Committee meetings must be signed by the Chairperson of the Standing Committee meeting.

29.Safe custody of signed minutes

The approved minutes, signed by the chairperson of the meeting shall be kept safe in safe custody and shall be *prima facie* (on the face of it) evidence of the resolutions taken by the Council, Executive Committee and any other committee as the case maybe.

30.Municipal Code on Council minutes

All approved and signed minutes of the Council must be included in the Municipal Code on Council Minutes. (Refer to Registry File Plan.)

PART 5

Attendance at Meetings

31.Municipal Code

Subject to item 3 of the Code of Conduct, stipulate that Councillor must attend each meetings and sign attendance register.

32.Attendance registers of meetings

Every member present at a meeting shall sign his/her name in the attendance registers kept for this purpose by the Municipal Manager or his/ her delegatee, immediately before commencement of the meeting and if late, upon his/her arrival. Present in a meeting includes being present through remote / virtual attendance

33. Non-attendance of meetings

33.1.1. A councillor must attend each meeting of the council and of the committee of which he/she is a member unless there is a good reason for absence.

33.1.2. Leave of absence may be granted if such application for leave of absence is done in writing and handed to the Speaker or Municipal Manager or the chairperson or committee whip of any committee of the council before the commencement of the meeting. Any verbal application (not to be considered) on behalf of a member must be followed up in writing within seven (7) days.

33.1.3 Sanction for non- attendance, late arrival, leaving before the meeting concludes its business, members shall be subjected to an appropriate penalty as per schedule of penalties approved by council from time to time.

34. Members to remain in attendance

Any councillor failing to remain in attendance at such meetings, without good reason, is guilty of transgressing item 4(1) (b) of the code of conduct in terms of the Municipal Systems Act as amended.

35. Minutes must reflect absence

The minutes must reflect the name of any Councillor leaving a meeting before it adjourns and the time he/she leaves such meeting. In the council meeting the Whip must be informed.

36. Monitoring of attendance

The Municipal Manager must regularly monitor such attendance register and inform the Whip of the absenteeism of any Councillor without a written apology, including information on Councillors leaving and returning a meeting in order to establish whether the required quorum was present or not. The Whip must report non-attendance of Councillors quarterly to Council.

37. Attendance report

The Municipal Manager shall prepare and submit a written report for inclusion in the Municipality's Annual Report showing the attendance of each councillor at meetings of the Council and committees for that year.

38. Adjournment in the event of no quorum

If at the expiry of thirty (30) minutes after the commencement time at which a meeting is scheduled to take place, a quorum has not assembled, no meeting shall take place

unless it is resolved with the majority consent of the members present to allow further time not exceeding fifteen (15) minutes in order to enable a quorum to assemble.

39. Dress code

39.1 The Council may by resolution prescribe a dress code for Councillors, Traditional Leaders and Officials attending meetings.

39.2 Notwithstanding the provisions of any resolution passed in accordance with the above, no Councillor shall be allowed to wear any clothing or accessory containing partly political paraphernalia to any meeting.

PART 6

ADJOURNED MEETING

40.Meeting deemed adjourned

The members present shall after the expiry of the forty-five (45) minutes, if no quorum was obtained by then, request the Speaker or chairperson to convene a meeting, notice of which shall be given in terms of Section 29(1) of the Structures Act and such meeting shall be deemed to be an adjourned meeting.

41.Notice of adjourned meeting

When a meeting is adjourned, notice of the adjourned meeting shall be re- convened within 14 working days for any ordinary or special meeting.

42.Business not disposed of at adjourned meeting

(1). Business not disposed of at a meeting adjourned shall be dealt with at an adjourned meeting convened by the Speaker or Chairperson of the Committee for this purpose.

(2). Business not disposed of at a meeting due to disruptions or chaotic situation caused by members (walk-out by members, disagreement on items), the adjourned meeting should be convened as a continuation of Business not disposed of at the adjourned meeting.

43. Only items specified to be dealt with

No business shall be transacted at an adjourned meeting except such that was specified in the notice of the meeting which was adjourned.

PART 7

QUORUM AT MEETINGS

44. Quorum of Advisory Committee

Notwithstanding whether a quorum of any advisory committee is present, such committee may proceed with its deliberation.

45. When majority of members are required

A majority of members must be present at a meeting before a vote is taken on any matter as prescribed by the Act (Section 30(1) of the Municipal Structures Act).

46. When supporting vote of majority is required

If put to the vote all questions concerning matters mentioned in S160 (2) of the Constitution are determined by a decision taken by a Council with a supporting vote of majority of the Councillors, all other questions before a Council are decided by a majority of the votes cast by showing of hand. If requested the Speaker may allow a vote by ballot voting.

Members shall be entitled to cast their votes electronically or by voice

Only members who are present when a vote is called shall be permitted to vote;

47. Counting of members

If, during any meeting, the attention of the Speaker or Chairperson is drawn to the number of members present, such members shall be counted and if it is found that there is no quorum, the Speaker shall cause the call for at least fifteen (15) minutes interval, and if there is still no quorum, the Speaker shall forthwith adjourn the meeting.

CHAPTER 3

CONDUCT DURING MEETINGS

PART 1

QUESTIONS TO COUNCIL

48. When questions may be put

A member may at a meeting put a question:

- (1). On a matter raised out of or connected with any item of the report of the Mayor, Speaker, or Municipal Manager when such items have been called or during discussion thereof;
- (2). Concerning the general work of the Council not arising out of or connected with any items of the report of the Mayor: Provided that such question shall only be asked if at least ten days' notice in writing has first been lodged with Municipal Manager, who shall furnish a copy thereof to the Speaker, the Mayor, Whip and the Municipal Manager.
- (3). On a matter which in the opinion of the Speaker is of urgent importance, may be put at a meeting after notice thereof in triplicate, had been lodged in writing with the Municipal Manager and shall for with furnish a copy thereof to the Speaker and the Mayor.

49. Entitled to written reply

A member who has put a question shall be entitled to be furnished with a written reply in due course.

50. Reply to questions

The Mayor, Speaker, the Whip or Municipal Manager may at the next ordinary meeting of the council reply to questions if left unanswered.

51. Who must answer questions raised?

Any question put in terms of this Rule, shall be answered by the Mayor, Speaker, Whip, Municipal Manager and any other relevant committee assigned the duty by council shall respond.

52. Request for elucidation

If, after the question has been replied to, a member is of the opinion that the reply to the question is not clear, he may with the consent of the Speaker request elucidation thereof, and no additional questions shall be put without the consent of the Speaker.

53. Out of order or unclear questions

The Speaker may disallow a question if he/she is of the opinion that it is out of order or not put clearly.

PART 2

DEPUTATIONS

54. Receipt of memorandum

The Municipal Manager shall submit the memorandum to the Mayor who may receive the deputation and deal with the matter raised in the memorandum.

55. Submission of memorandum

A deputation desiring an interview with the council shall submit a memorandum to the Municipal Manager in which the presentation it wishes to make is set out, who shall in turn refer it to the Speaker and /or Mayor for consideration as to whether such deputation shall be heard or not.

56. Limitations on number of deputies

(1) A deputation shall not exceed ten (10) in number and at an interview, only one person shall speak on behalf of deputation except when a member puts a question in which case any person belonging to the deputation, may reply to such questions.

(2) The matter shall not be further considered until the deputation has withdrawn from the meeting.

57. Granting of interview

If the Mayor is of the opinion that the matter raised in the memorandum is one which should be submitted to the council he/she shall so report to the council and, if the council so orders, an interview shall be granted to the deputation.

PART 3

REPORTS

58. Delivery of reports

Any report with the exception of a report accepted by the Speaker as a matter of urgency, shall for the purpose of a meeting be distributed by electronic means to which members have access.

59. Moving of Reports

The Mayor, a member of the Executive Committee, or Standing Committee, or the Municipal Manager called upon by the Speaker to do so, shall submit his/her report to a meeting by requesting "that the report be considered" and such request shall not be discussed.

60. Written Reports

The resolution required for amendment of a motion or proposal must be supported by a written report and must be submitted to the Speaker at the meeting for distribution to the members.

61. When written reports are required

Before the Council takes a decision on any of the following matters, the Mayor must submit a written report and recommendation-

- (1). any matter mentioned in S160(2) of the Constitution;
- (2). the approval or amendment of an integrated development plan for the municipality and
- (3). the appointment and conditions of service of the Municipal Manager and section 57 manager of the municipality- in terms of S30(5) of the Act.

62. All reports to contain recommendations

- (1). Unless an item is submitted to the council for information only, every item relating to matter in respect of which there are no delegated powers shall contain a recommendation to be considered by council for adoption.
- (2). All reports shall contain the clear recommendations of the Municipal Manager as well as that of the Mayor, Speaker and the Whip or any committee, that have been taken at a meeting prior to the delivery of the said items.

63. Recommendations made under delegated authority:

- (1). When a report is being considered, the Speaker shall put the recommendations *seriatim* to council unless he/she has a good reason not to do so.
- (2). The recommendations in the reports as mentioned in subsection (1) shall be reconfirmed deemed to have been proposed and seconded.
- (3). The appointment and conditions of service of the Municipal Manager and Section 56 managers of the Municipality – in terms of S30 (5) of the Act.

64. Reports of the Mayor

A report submitted by the Mayor in terms of Section 56 of the Structures Act, shall first contain matters in respect of which council must take note or recommendations that are made, and thereof recommendations made by committees with regard to matters that have even been dealt with by them.

65. Municipal Manager to address Auditor General's Report

The Municipal Manager in his capacity as Accounting Officer and Head of Administration must on request of council, answer questions which may rise from the discussion of the report of the Auditor General and may, in consultation with the Mayor and with the permission of the Speaker, address the Council in respect of any other matter.

66. Submission of Reports by Senior Managers

A report of the Senior Manager, shall be submitted to the Municipal Manager such report shall be submitted to, the Mayor or Executive Committee, relevant committee or relevant delegate of Council when so required, either by law or otherwise.

67. Debate on reports

After the matter in respect of which the Mayor has no delegated powers have been dealt with, the Speaker shall permit debate of the matters delegated to the Mayor provided:

- (1) such discussions shall be limited to a period not exceeding twenty (20) minutes or such extended period as the Speaker may determine:
- (2) a member, except the Mayor, namely Portfolio heads of departments shall not speak on such matters for longer than five (5) minutes.
- (3) No other proposal shall be submitted during such discussion, except a proposal that the Mayor, Speaker or delegated be requested to reconsider his/her resolution in instances where council is not functus officio. (not in scope of council)
- (4) During such discussions a member may request that his/her opposition to a resolution in respect of which the Mayor or a delegate has delegated powers and his/her reason therefore, be minuted after which the Municipal Manager shall minute or cause to be minuted such opposition and reason(s).

68. Referral of reports

The Municipal Manager may refer a report back to any Senior Manager for amendment or any addition there to and may, if he/she deems it necessary, comment or make a recommendation in respect of any report which he/she submits.

69. Progress report on Council resolutions

In respect of resolution or requests minuted in the minutes of previous meetings, the Municipal Manager must submit a progress report listing such items that do not appear on the agenda for discussion and the reason for it to be noted only by council.

PART 4

MOTION AND PETITIONS

70. Requirements for motions

Subject to the provisions of any other law:

- (1). every notice of a motion shall be in writing and such notice shall be signed by the member submitting it;
- (2). A motion shall be submitted to the Municipal Manager who shall enter it in a book kept for that purpose which book shall be open to inspection by any member;
- (3). Notice of a motion shall not be specified in the agenda for a meeting unless it is received at least seven (7) working days prior to such a meeting;
- (4). A motion shall lapse if the member who submitted it or a member assigned by him/her in writing is not present at the meeting when such motion is being debated.

71. Motions of Exigency on the day of the Council Meeting

- (1). A motion/s of exigency on the day of the Council meeting may be placed on the agenda by the municipal manager and any member of the council with the consent of the speaker or chairperson, which consent will not be unreasonably withheld.
- (2). Prior to adoption of the agenda, Councillors must be afforded reasonable time to peruse and consider any report or official documents submitted to the council.

72. Motions which may be received

Save for the provisions of Section 40 of the Structures Act when a motion or proposal is under debate at a meeting, no further proposal shall be received except the following:

- 1) To amend the motion or proposal;
- 2) That the question be referred back to the Mayor for further considerations;
- 3) That consideration of the motion be postponed;
- 4) That the meeting now be adjourned;
- 5) That the debate be adjourned temporarily for purposes of a caucus;
- 6) That the motion be put to vote;

- 7) That the council do proceed to the next business on the agenda, provided that such proposal shall only be deemed to have been submitted to the council for decision, if it is duly seconded.

73. When motion may be put

A proposal may only be put by a member while he/she is speaking on a motion or proposal under debate.

74. Further motions

If a motion is put, no further proposal may be put before the mover and seconder of the motion or proposal under debate have spoken thereon.

75. When the Speaker shall disallow a motion

The Speaker shall disallow a motion or proposal:

- (1). Which in his/her opinion-

- (a) Might lead to the discussion of a matter already dealt with in the agenda or which has no bearing on the administration of or conditions in the municipality; or
- (b) Advance arguments, expresses an opinion, contains unnecessary factual, incriminating, disparaging or improper suggestions;

- (2). In respect of which-

- (a) Council has no jurisdiction;
- (b) A decision by a judicial or quasi-judicial body is pending; or
- (c) Which has not been duly seconded

- (3). Which, if passed would be contrary to the provisions of this by-law or of any other law, or impractical, provided that such motion or proposal, in the opinion of the council, justifies further investigation, it shall be referred to the Mayor.

76. Determination of unopposed motion

In dealing with motions the Speaker shall ascertain which motions are unopposed and these shall be passed without debate and thereafter the Speaker shall call the opposed motions in *seriatim*.

77. Receipt of motions

At the request of a member who gave notice of a motion, the Municipal Manager shall acknowledge receipt thereof in writing.

78. Motion to be seconded

A motion shall only be regarded as having been submitted to the council for decision if the proposal introducing that motion was duly seconded.

79. Inclusion of Motion on agenda

Every motion shall on receipt be dated and numbered and shall be entered by the council support secretariat upon the agenda in the order in which it is received.

80. Moving of motion at Conclusion of speech

A motion by a member who did not take part in the debate on the motion or proposal under discussion, may only be put at the conclusion of a speech.

81. Motion limited to one

- (1). No member shall move more than one amendment of the same motion proposal.
- (2). A proposal shall not be put until the Mayor has spoken on it, and if such proposal is carried, the debate on the recommendation shall end and the council shall proceed to the next business on the agenda.
- (3). A member who has made a proposal may speak thereon for not more than five (5) minutes, but the seconder shall not be allowed to speak thereon, and there shall be no right of reply.

82. Amendment of a motion

An amendment which is moved in terms of this Rule:

- 1) shall be relevant to the motion or proposal on which it is moved;
- 2) shall be submitted in writing, signed by the mover and a seconder and handed to the Speaker; and
- 3) shall be stated to the meeting by the speaker before it is put to the vote.

83. More than one amendment moved

More than one amendment of a motion or proposal may be moved and, save as provided in the Rules every amendment proposed shall at the close of the debate on such motion or proposal shall be put to the vote.

84. Relevance of motion

Every motion shall be relevant to the administration of or conditions in the Municipality or shall deal with a matter in respect of which Council has jurisdiction.

85. Moving a motion and right to reply

A member submitting a motion shall move such motion and shall have the right of reply, provided that motion lapses if the member is absent from meeting on which motion has been placed

86. Limitation of motions

No member or party shall have more than six (6) motions per calendar year entered upon the agenda with the exception of a deferred motion.

87. Motions prohibited

No member or party may move a motion in terms of this Rule:

- 1) Which is intended to rescind or amend a resolution passed by Council within the preceding three months, or
- 2) Which has the same purpose as a motion which was concluded within the preceding three months.

88. Rescinding or amendment of motion

The Council may rescind or amend its resolution after three months, following a recommendation by the Executive Committee and or Council to rescind or amend the resolution passed by it.

89. Voting on motion

If more than one amendment to a motion or proposal has been moved, such amendments shall be put to the vote in the order that they were made.

90. Carrying of amendment

If an amendment is carried, the amended motion or proposal shall take the place of the original motion or proposal in respect of which any further proposed amendments shall be put, provided that the Speaker may, if he/she is of the opinion that an amendment which has been carried renders other another amendment unnecessary or pointless, rule with the consent of council that such other amendment need not be put, after which the latter amendment shall lapse.

91. Withdrawal of motion

(1). A motion or proposal may with the consent of the Council, be withdrawn or amended by the mover.

(2). After consent for the withdrawal of a motion or proposal has been granted, no member shall be allowed to speak further upon such motion or proposal.

92. When a motion shall be referred back for further consideration

A motion in terms of this Rule shall only be made in respect of a recommendation by the Council is being considered by council.

93. Postponement of consideration of questions

If a motion is carried that consideration of a question be postponed until a future meeting, the motion or proposal, If the question did not arise from a recommendation of the Mayor, it shall be placed first among the motions or proposals which are to be considered on the particular date, or if such a question arises from a recommendation of the Mayor, it shall be contained in the report of that committee to the council on the day in question.

94. One motion for adjournment of meeting

No member shall at any meeting move or second more than one proposal for the adjournment of the meeting.

95. Adjournment of debate for purpose of caucus

(1). A proposal for adjournment is only submitted in respect of a matter during the discussion thereof which serves before the council.

(2). A request for adjournment is limited to two per meeting per party.

(3). On the resumption of an adjourned debate, the member who moved its adjournment shall be entitled to speak first or elect another member or his party whip to report back.

(4). No member shall move or second more than one proposal for adjournment of the same debate.

(5). That the time granted for a caucus be adhered to.

96. Putting of the question

The mover of a motion or proposal under debate shall, notwithstanding the fact that the proposal has been adopted have the right to reply before the question is put to the vote.

97 . Motion that council proceed with next business

(1). A proposal that Council may proceed with the next business may be carried unless the council is required on legal grounds or failure to adopt such a resolution may prejudice council to pass a resolution on a particular question.

(2). If a proposal is carried, the question under discussion shall be discarded.

98. Submission of petition during a meeting

A petition may be submitted by a member in the course of a meeting but he/she may not mention or divulge the contents or the title thereof at the time when it is submitted.

- (1) A petition as contemplated in subsection 1 shall be referred to the Mayor for a report to next Ordinary Council.

PART 5**PROCEDURE AND PROCEEDINGS****99. Precedence of the chairperson**

Whenever the Chairperson of any meeting speaks, any member then speaking or offering to speak, is to discontinue and the members are to be silent so that the Chairperson or in his/her absence the elected chairperson may be heard without Interruption. All members must adhere to the ruling of the speaker.

100. Indication of wish to speech

A member who wishes to speak shall indicate to the Speaker or chairperson by raising his/her hand and only speak with the permission of the Chairperson.

101. Members to remain seated

A member shall stand when speaking and addressing the Speaker or Chairperson. When a speech of vote or the address of Council such address should be done standing with the exception of members living with disability.

102. Points of order

If a member, who is not speaking, indicates to make a point of order or to make a proposal and such member is seen and addressed by the Chairperson, the member then speaking shall stop speaking until the Chairperson has made a ruling.

103. Speeches limited to 5 minutes

A member may speak for no longer than five (5) minutes on a motion or proposal provided that the Speaker may permit for a further period or periods of three (3) minutes.

The delivery of the mayoral report and/or the presentation of the estimates of income and expenditure shall be deemed to be an exception to the rule.

104. Waiving by Speaker

The Speaker may waive a statement/s made with the consent of Council by the Committee member elected by the Mayor to address Council in relation to any matter arising from a report.

105. Member to speak only once

Subject to provisions to the contrary in this by-law contained, no member shall speak more than once on any motion or proposal, provided that the mover may reply in conclusion of the debate, but shall confine himself/herself to answering to previous speakers and shall not introduce any new matter into the debate.

106. Explanatory statement by the Mayor

The Speaker may permit the Mayor or Executive Committee member who made a proposal to make an explanatory statement prior to the consideration of any particular item contained in the agenda, in reply to such a specific question.

107. Relevance

A member who speaks shall direct his/her speech strictly to the matter under discussion or to a point of order and no discussion shall be permitted:

- (1) Which will anticipate any matter on the agenda in the opinion or any member or the Municipal Manager.
- (2) In respect of any matter that is *sub judice* or could, in the opinion of any member or the Municipal Manager, prejudice council, provided that such matter may be discussed in committee with the permission of the Speaker.

108. Irrelevance, tedious repetition, unbecoming language and breach of order

The Speaker or Chairperson shall call the attention of the members to irrelevance, tedious repetition, unbecoming language or any breach of order on the part of a member or any person participating in the meeting and shall direct such member or person if speaking to discontinue his/her speech or, in the event of persistent disregard of the authority of the Chairperson, to retire from the meeting.

109. Withdrawal or apology

The Speaker or Chairperson shall direct a member or any other person to apologise or withdraw a remark if it is unbecoming or injures or impairs the dignity or honour of a member or official of Council or any other person or institution. The Bill of Rights enshrined in the Constitution of the Republic of South Africa must be respected at all times.

110. Removal or exclusion of members or any other person

If a member or any other person refuses to comply with a direction in terms of Rule 110 of the Rules hereof, the Speaker or Chairperson may direct an official to remove the member or person or to cause his/her removal and to take steps to prevent his/her return to the meeting.

111. Exclusion from Council meetings

(1). Councillor may be excluded from meetings, for such period as it may be determined, but not exceeding sixty (60) days upon subjecting the alleged member to a disciplinary process in accordance with code of conduct for councillors or any other person who wilfully disregards the authority of the Speaker or Chairperson or who wilfully obstructs the business at any meeting.

(2). A ruling to exclude any person may be made at any stage of the meeting.

(3). The Speaker or Chairperson may then order the municipal protection services to remove any member or person instructed to leave the meeting

112. Point of order and personal explanation

Any member, whether he/she has addressed the meeting on the matter under debate or not, may -

- (1) rise to a point of order;
- (2) give a personal explanation.

113. Ruling of Speaker or Chairperson

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 or the taking of a vote thereon.

114. Disclosure of pecuniary interest

(1). Subject to Item 5 of the Code of Conduct for Councillors as stipulated in the Systems Act, a member wishing to declare a pecuniary interest in terms of Items 7(1), (2), (3) and (4) of the Code of Conduct for Councillors, as contemplated in this subsection, shall do so forthwith after the item or motion in respect of which such interest exists, has been called and withdraw from the meeting until such matter has been disposed of, provided that all the relevant information pertaining to such interest is disclosed before a member withdraws from the meeting.

(2). When elected or appointed, a councillor must within 60 days declare in writing to the municipal manager the following financial interests held by that councillor:

- (a) Shares and securities in any company;
- (b) Membership of any close corporation;
- (c) Interest in any trust;
- (d) Directorships;
- (e) Partnerships;
- (f) Other financial interest in any business undertaking
- (g) Employment and remuneration;
- (h) Interest in property;
- (i) Pension; and
- (j) Subsidies, grants and sponsorships by any organisation.

(3). Any change in the nature or detail of the financial interests of a councillor must be declared in writing to the municipal manager annually.

(4). Gifts received by a councillor above a prescribed amount must also be declared in accordance with subsection (2).

(5). The municipal council must determine which of the financial interests referred in subsection (2) must be made public having regard to the need for confidentiality and the public interest for disclosure.

(6). Failing to comply with the above, disciplinary action in terms of the Code of Conduct will come into effect.

115. Maintenance of order

The Speaker or Chairperson or Whip may at any time during a meeting, if he/she deems it necessary for the maintenance of order, direct a member or any other person to leave the meeting venue or order that members of the public leave the meeting venue.

PART 6

VOTING

116. Mode of voting

Every motion or proposal shall be submitted to the Council or committee by the Speaker or Chairperson.

117. Recording of vote

After the Speaker or Chairperson has declared the result of the voting, a member may request -

- (1) The results of a vote are announced and the names of members and how they voted are recorded in the minutes; and
- (2) Members must ensure that their votes are correctly recorded
- (3) that his/her vote be recorded against the decision; or

118. Casting vote of the Speaker / Chairperson

Should there be an equality of votes in respect of a proposal, the Speaker or chairperson shall record his/her casting vote in addition to his vote as councillor in terms of S3(4) of the Act.

119. Interpretation to be minuted

Any member may request that the ruling of the Speaker or Chairperson as to the interpretation of the Rules of Order be recorded in the minutes and the Municipal Manager shall keep a register of such rulings.

120. Rulings and precedence

All rulings of the Speaker or Chairperson must be in line with the principle of precedence or rule of natural justice.

PART 7**DISCIPLINARY ACTION****121. Adherence of code of conduct**

The Speaker or Chairperson shall ensure that the Codes of Conduct for Councillors and Officials respectively are adhered to.

122. Disciplinary Action

Any person who refuses to carry out any instruction given or who wilfully obstructs the carrying out of such instruction or otherwise, shall be subject to disciplinary action.

Repeated

123. Uniform procedure for non-attendance

In terms of Section 59(1) of the Municipal Systems Act the Council delegates the Speaker as Chairperson of the Rules and Disciplinary Committee together with two members of the Executive Committee to be nominated by the Mayor to consider the non-attendance of meetings of any councillors in terms of item 4 of the Code of Conduct.

124. Rules of Natural Justice

The rules of natural justice must be complied with during the proceedings if the Rules Committee.

CHAPTER 4**COUNCIL-IN-COMMITTEE****125. Move that council resolve in-committee**

The Speaker or Chairperson may -

- (1) At any time after an item on the agenda has been called or during consideration thereof, move that the council resolves itself into committee in terms of Section 20 of the Structures Act for the further consideration of that item if he/ she is of such an opinion or a member has moved that the Council goes into committee;
- (4) if the councillor committee is in committee as contemplated in subsection (1), move that, for the further consideration of the item under debate, the council or committee resolve to consider the matter in open council or committee, provided that the Speaker or chairperson, may at any time move that the council or committee resolve itself into committee for consideration of one or more items on the agenda.

126. No seconder required for motion (in-committee items)

No seconder is required for a motion of in-committee items

127. Only member who moved motion allowed to speak.

Notwithstanding anything to the contrary in this by-law contained, only the member moving a motion may speak on such motion for a period not exceeding ten (10)

minutes and shall restrict his/her speech to the reasons why the council or committee should resolve itself into committee or discuss the matter in open councillor committee, as the case may be without prejudice to council, provided that, if a motion is moved, the member concerned may speak for a period not exceeding ten (10) minutes on each item in respect of which such proposal is made.

128. Direction to discontinue speech

The Speaker or Chairperson may, if in his/her opinion information is disclosed or is about to be disclosed in the course of a speech which may be prejudicial to the council or committee or any person, direct the member concerned to forthwith discontinue his speech.

129. Adoption of resolution

If Council in-Committee adopts a resolution, the further debate on the item in question, whether in or out of committee, shall for all purposes be deemed to be a continuation of the preceding debate on that item.

130. Determination of items to be considered

If a proposal is carried, the Speaker or chairperson shall determine when the items concerned shall be considered.

131. Reverting to open council

At the conclusion of the consideration of items in committee, Council or Committee shall revert to the consideration of further items in open Council.

132. Minuting of resolutions

All resolutions adopted Council in-Committee, must be recorded in the minutes of the open council meeting as no resolution of the Council may be confidential.

133. Only members may be present

When the Council or Committee resolves itself into in-committee, all members of the public and Council officials except the Municipal Manager and such other officials as the Speaker or Chairperson may require to remain, shall leave the meeting venue and shall not return to the meeting venue for the duration of the proceedings in-committee unless otherwise Instructed by the Speaker/Committee.

134. Ejecting of attendees

The Speaker or Chairperson may direct an official to eject or cause to be ejected any person who remains in the meeting venue in contravention of the Rules or take steps to prevent the entry of any person into such venue in

contravention of that Rule.

135. Reports to the press and public

The Municipal Manager may supply to any newspaper or its representative or the agenda of Council or Committee of Council, provided that the Mayor may instruct him to withhold from the press or any person any particular agenda or item agenda if it is regarded to be in the interest of the Municipality.

136. Resignation as a member of committee or council

A member of a Committee wishing to resign from the Committee, shall tender his/her resignation in writing via the Whip of the party. Such tendered resignation may not be withdrawn after receipt thereof is registered by the Municipal Manager.

137. Appointment of Committee member

The Speaker, Mayor and Whip consultatively may appoint another member to serve on any respective committee if long leave of absence is granted to a member or for any other reason in the opinion of the Mayor, Speaker with regard to political representation on any committee.

138. Appointment of Acting Speaker

The appointment of the Acting Speaker will be in line with Section 41 of the Structures Act. The Municipal Manager will preside over the election of such Acting Speaker in terms of Section 36(3) of the same Act.

139. Appointment of Acting Mayor

In the absence of the Mayor, the Mayor will appoint an Acting Mayor from within his/her Executive Committee in line with Section 49(3) of the Structures Act.

140. Acting Whips

If the Whip of a Municipal Council is absent or not available to perform the functions of Whip, or during a vacancy, the Council must elect another Councillor to act as Whip in terms of the 41F of the Structures Act

CHAPTER 5

COMMITTEE MEETINGS

141. No quorum at Committee meetings

If, after the expiry of 45 minutes after the time at which a meeting of the Executive Committee is due to commence there is no quorum, the meeting shall be adjourned and held on a day and at an hour determined by the Mayor.

142. Participation and discussions at Committee meetings

Any person requested or permitted by the Mayor to attend a meeting of that committee may, with the permission of the Chairperson speak at such meeting but will not have any voting powers.

143. Approval of minutes of Committee meetings

At any ordinary meeting of the Executive Committee, after consideration of applications for leave of absence, such minutes of any previous meeting of the committee as have not been confirmed shall, be read, approved with or without amendment and signed by the Mayor on the last page thereof and every amendment and other page shall be initialled by him/her.

144. When minutes considered read.

The minutes contemplated in terms of the Rules of Order may be taken as read if they have been open to inspection by the members of the committee for not less than one hour prior to the commencement of the meeting, provided that the minutes shall be read if a member so requires, unless the committee decides to defer consideration thereof to the next meeting.

145. Minutes may be held over

(1). The minutes of a meeting of the Executive Committee may, owing to pressure of work, be held over for confirmation at any subsequent meeting.

(2). No proposal or discussion shall be allowed upon such deferred minutes.

146. Voting at meetings of Committee

In the spirit of true democracy, all matters of business considered by the Executive Committee shall be decided or resolved by general consensus.

147. Deadlock in discussions

If the Mayor finds that there is a deadlock in the discussion of a matter before the committee and no consensus is foreseen, he /she may decide thereon in his/her capacity as Mayor.

148. Ruling of Mayor on procedure and precedence

Ruling of the Mayor as to procedure at a meeting shall be final.

149. Mayor's precedence to speak

Whenever the Mayor, in his/her absence the elected chairperson speaks any member then speaking is to discontinue his/her speech and all members are silent so that the Mayor or chairperson may be heard without interruption.

150. Resignation as Member of the committee

A member of the Executive Committee wishing to resign there-from, shall tender his/her resignation in writing to the Mayor and thereafter such resignation must go to council first for acceptance.

151. Filling of vacancy

The filling of a vacancy after the resignation or death of a member of the Committee rests solely within the discretion of the Council.

152. Removal of appointed Committee Member

In terms of the Municipal Structures act sec 53 (1) a municipal council may, by resolution remove from office one or more or all the members of its executive committee. Prior notice of an intention to move a motion for the removal of members must be given.

153. Non-attendance of Committee meetings

A municipal council may impose a fine on a councillor for:

- 1) not attending a meeting for three consecutive meetings which that councillor is required to attend in terms of item 3
- 2) failing to remain in attendance at such a meeting.

154. Prohibition on Publication and disclosing documents

Any member who publishes or discloses confidential documents or records of the Council and its Committees shall be guilty of offence.

CHAPTER 6

BUDGET MEETING

155. Mayor to deliver budget speech

Although it is the responsibility of the Mayor to deliver his/her budget speech, it shall be his/her prerogative to nominate a Member of the Executive Committee to deliver the budget speech on his/her behalf if

he/she so chooses.

156. Provision when considering the budget:

Notwithstanding anything to the contrary in this by-law contained, the following provisions shall apply when the council considers the budget:

- (1) No proposal designed to increase or decrease the estimated revenue or expenditure of the council, shall be put to the vote before the debate on the budget has been closed;
 - (2) After the debate on the budget has been closed, the Speaker shall put to the vote the proposals of the Rules in the order in which they were proposed;
 - (3) After all the amendments have been dealt with and if any proposal have been accepted, the budget shall not be deemed to have been amended as previously accepted, but the meeting shall be adjourned to a date and time determined by the Speaker unless the Mayor, or a member of the Executive Committee authorized by him, proposes that such adjournment is not necessary;
 - (4) if it is decided that the meeting does not need to adjourn, the budget shall be deemed to have been amended in accordance with the proposal accepted in terms of that paragraph;
 - (5) after an adjournment the Mayor shall investigate the implications of every proposal accepted and shall report thereon to the council when the meeting resumes;
- (6) After the Mayor has reported:
- a) The Speaker shall permit debate on the proposals accepted;
 - b) Thereafter, he shall put every such proposal to the vote again, and if such proposal is accepted, the budget shall be amended in accordance with that resolution.

157. Motions affecting a by-Law

A motion or proposal other than a recommendation of the Mayor which is designed to increase or decrease the budget of council or that will effect the making or amendment of a by-law shall, before the council adopts a resolution thereon, be submitted to the Mayor and/or Speaker for a report.

CHAPTER 7

STANDING COMMITTEES

158. Establishment of Standing Committees

1. The following Standing Committees, as approved by the delegation of powers and/or other legislation are hereby established:

- 1) Budget and Treasury Office (BTO)
- 2) Engineering Services
- 3) Spatial Planning LED
- 4) Good Governance, Public Participation and Intergovernmental Relations
- 5) Corporate Services
- 6) Community Services

2. The following section 79 Committee as approved by legislation are hereby established:

- 1) Whipery Committee
- 2) Rules and Ethics Committee

159. Chairpersons of the Standing Committees

Chairpersons of Portfolio Committees will be appointed from the Executive Committee:

If the Chairperson is absent from any meeting of such a Committee and a quorum exists, the councillors present may elect an acting chairperson from the members present for the purpose of such a meeting.

160. Dates and times of meetings

Each committee will meet according to the adopted central Municipal Calendar.

161. Notice of meetings

(1) Any ordinary meeting of a committee shall be convened by way of written notice signed by the Chairperson or person delegated by chairperson of such committee and such notice shall contain the business to be dealt with.

(2).The notices for meeting shall be distributed according to the rules of order.

(3).If any Committee failed to meet due to no quorum or other reason the Chairperson of the Committee shall report the reasons for such failure to the Mayor

162. Attendance register

- (1) The Committee Clerks shall keep an attendance register in which every member of the Committee attending a meeting of that Committee shall sign his/her name.
- (2) Whenever a councillor, official or any other person is invited by a Committee, attends any meeting of such Committee, he/she shall enter his/her name in the attendance register.
- (3) If any member of a Committee who, without obtaining leave of absence, is absent from three consecutive meetings of such a committee, such absence shall be reported to the Speaker.

163. Order of Business of ordinary meetings

The order of business of an ordinary meeting convened in terms of paragraph 7 supra, shall be as follows:

- 1) Opening
- 2) Remarks by Chairperson
- 3) Attendance Register and Applications of leave of absence
- 4) Notice of Convening the meeting
- 5) Proposals of condolence or congratulations by the Chairperson
- 6) Management Report
- 7) Confirmation of minutes
- 8) Matters which have been referred to the Committee by the Executive Committee for investigation.
- 9) Announcement
- 10) Closure

164. Minutes of meetings

- (1). The proceedings of every meeting of the Committees shall be minuted by the Committee Clerk of the meeting.
- (2). Minutes of every meeting shall be confirmed at the next ordinary meeting of the Committee and signed by the Chairperson.

165. Quorum of meetings

- (1). Subject to the provisions in paragraph 12.2 infra, at least 50% plus 1 (one) Councillors, who are members of a Committee must be present at any meeting of a committee in order to constitute a quorum.
- (2). If, after the expiry of forty (45) minutes after the time at which a meeting of any Committee was due to commence, there is no quorum, the meeting shall be held on a day and at a time determined by the Senior Manager of the Department and

Portfolio Head, after consultation with the Councillors concerned.

166. Voting at meetings

- (1) Each Councillor who is a member of a Committee will have the right to vote on any matter considered by the Committee, provided that the Chairperson shall have a casting vote.
- (2) In a case where consensus cannot be reached; the Chairperson of the Committee shall allow the members of the Committee to vote by show of hands;
- (2) Should there be an equality of votes or in no final decision is taken in respect of any matter, such shall be referred to the Executive Committee for consideration.

167. Confidentiality of reports

All reports considered or to be considered by any Committee must be treated as confidential and shall not be disclosed, any member of the public or media. Provided that resolutions on reports dealt with in terms of delegated powers may be disclosed.

168. Pecuniary interests of members

Any member of a Committee who has a pecuniary interest in any matter to be considered by such Committee, shall declare such interest immediately when the item in respect of which pecuniary interest exists, comes up for discussion and withdraw from the meeting until such matter is disposed.

169. Participation in discussion

Any member of a Committee shall have the right to participate in the discussions of such Committee, provided that only Councillors who are members of such Committee will have the right to vote.

170. Ruling by Chairperson

- (1) The ruling by the Chairperson of any Committee with regard to procedure shall be final.
- (2) If a ruling of a Chairperson of a Committee is questioned, such ruling shall be discussed and revised at the next ordinary meeting of the Committee and for this purpose, the Chairperson of the Committee shall vacate the Chair.

CHAPTER 8

WARD COMMITTEES

PART 1**171. Functions**

The Ward Committees shall be responsible for the effective co-ordination of the planning and development of the Municipality at ward level and shall have the following functions:

1. Facilitate the establishment of a community based information system in the ward.
2. Identify and assess community needs / problems to be considered for both ward development proposals /plans and capital projects.
3. Prepare and evaluate development plans/proposals for the ward for submission to Council.
4. Initiate, encourage, support and participate in ward self-help projects and mobilize people, material, financial and technical assistance in relation thereto.
5. Monitor and evaluate the implementation of development plans as approved by Council in respect if the specific ward.
6. Assist in the maintenance of law and order.
7. Be responsible for monitoring day to day emergency occurrences, including natural and man -made disasters, and take a count of the number of people that would be affected by such emergency occurrences.
8. Serve as the communication channel between Council and the people in the ward.
9. Monitor the administration of the ward and report to the Council through the office of the Speaker.
10. Co-ordinate and monitor projects and activities undertaken by Council and other agencies in the area, especially in the ward.

PART 2**172. Composition**

The Ward Committee shall have not more than 11 members (including the Chairperson) and shall consist of:

1. The Ward councillor who will also be the Chairperson of the committee.
2. At least 50% of the members of the Ward Committee shall be women.
3. One representative from a "Community Based Organization" or Non-

Governmental Organization" whichever is applicable.

4. One person with disabilities representing persons with disabilities in the ward.
5. One youth representing young peoples' interest in the ward.
6. One member of a recognized traditional authority or business representative where applicable.

PART 3

173. Mandate and Administrative arrangements

A member of a Ward Committee will cease to hold office when such member:

1. Dies;
2. Resigns as a member;
3. No longer resides in the ward; or
4. is absent from 3 consecutive Ward Committee Meetings without acceptable reason.

CHAPTER 9

MISCELLANEOUS

174. Freedom of Speech and Protection of councillors

Councillors enjoy freedom of speech during Council meetings and will be Immune from litigation based on any speech, debate or discussion made during the meeting.

175. Penalties

Any person, who contravenes or fails to comply with any provision contained in this by-law, shall be guilty of an offence and liable, on conviction, to such penalty as prescribed.

176. Speaker Entering the Chamber

When Hon Speaker enters or leaves the Council Chamber or Venue for Council Meetings, members of council and public must rise to give respect.

177. Repealed

Any By-laws relating to the rules and procedures of the Council and its Committees including Rules of Order or any standard regulations or by-laws relating to the

maintenance of order at meetings adopted by or applicable to the municipality or the Council of a municipality now comprising an administrative unit of the municipality are, from the date of promulgation of these by-laws, hereby repealed

178. Short Title

This by-law shall be called the **Winnie Madikizela-Mandela Standing Rules**.

179. Effective Date

This By Law shall come into operation on the date of promulgation in the Government Gazette.

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 629 OF 2023



NOTICE

KOUGA MUNICIPALITY: WAYLEAVE BY-LAW

Notice: 207/2022

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Purpose:

- A. To provide a regulatory authority for the application, construction, installation, implementation, and maintenance of fibre-optic and telecommunication infrastructure within the jurisdiction of the Kouga Local Municipality;
- B. To provide a formalized structure for the application for municipal permits and licenses to commence work and reserve control over telecommunication infrastructure, installed or brought onto municipal land or infrastructure;
- C. To minimize damage to municipal infrastructure and services, and reduce the risk of injury and inconvenience caused to the community as a result of the construction or installation of fibre-optic or telecommunication infrastructure installed or brought onto municipal land or infrastructure; and
- D. To prescribe punitive measures for non-compliance with this by-law.

Preamble:

WHEREAS section 156(1) of the Constitution of the Republic of South Africa, 1996 confers on municipalities the executive authority and right to administer local government matters set out in Part B of Schedule 4 and Part B of Schedule 5 to the Constitution;

WHEREAS Part B of Schedule 4 to the Constitution lists municipal planning as a local government matter;

WHEREAS section 156(1) of the Constitution provides that the municipality has executive authority in respect of and has the right to administer the local government matters as listed in Part B of Schedule 4 of the Constitution;

WHEREAS section 156(2) of the Constitution empowers municipalities to make and administer laws for the effective administration of matters that it has the right to administer;

WHEREAS Parliament has enacted the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), the Eastern Cape Provincial Legislature has enacted the Eastern Cape Provincial Spatial Development Framework, and the Kouga Municipality has adopted a Spatial Development Framework, which among other things set out principles which apply to the use and development of land;

WHEREAS the Kouga Local Municipality intends to regulate construction work pursuant to the development and maintenance of telecommunication infrastructure within its geographical area of jurisdiction

WHEREAS telecommunication services providers and the Kouga Local Municipality need to work in cooperation to ensure that fibre optic and telecommunication infrastructure development conforms with the applicable statutory requirements and realization of the municipality's duties to the community, as a local government authority;

AND WHEREAS the Electronic Communications Act No.36 of 2005 provides for the granting of licences and new social obligations and makes provisions for the regulation of electronic communications services, electronic communication network services and broadcasting services.

AND NOW, THEREFORE, BE IT ENACTED by the Council of the Kouga Local Municipality, as follows:

CHAPTER 1: INTERPRETATION AND APPLICABILITY

1. Interpretation and definitions

In these by-laws, the following words shall have the following corresponding meanings:

"Applicant" means the person applying for a wayleave, who if granted will become the wayleave holder.

"Backfilling" refers to the replacement of the structural layers in the trench or excavation and includes the base, subbase, selected subgrade, and subgrade, but excludes the surfacing (see Reinstatement).

"Certificate of Completion" means the document issued by a suitably qualified Engineer as proof that Work in the public road reserves has been completed according to the specifications of this document.

"CIBD" means the Construction Industry Development Board established in terms of the Construction Industry Development Board Act, 2000 (Act No. 38 of 2000).

"Contractor" means a natural person or juristic entity that undertakes to provide building materials, plans, drawings, labour, and perform construction services pursuant to the work described in the wayleave application.

"Council" means the Kouga Municipal Council established by Provincial Notice No. 6770 of 2000 dated 1 October 2000, as amended, or its successor in title, and any committee or person to which or whom an instruction has been given or any power, function or duty has been delegated or sub-delegated in terms of, or as contemplated in, section 59 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

"Municipal Area" means the jurisdiction area of the Kouga Local Municipality.

"Municipality" refers to the Kouga Local Municipality and includes the Council, any executive committee, or committee established by the Municipality, or any employee thereof, or duly authorized agent thereof acting in connection with this By-Law by virtue of a power vested in the Municipality and delegated to such employee or agent.

"Municipal property" means land, structures, conduits, or any other material objects fixed to or positioned on, in or under land owned by the Municipality, including but not limited to:

- (a) roads and road reserves;
- (b) pavements, curbs, pedestrian ways, and cycle paths;
- (c) drainage facilities;
- (d) underground ducts, pipes conduits and tunnels;
- (e) poles, gerrities, signs, and similar structures;
- (f) other high sites such as water towers, buildings, masts, etc.;
- (g) municipal water and sewer lines;
- (h) municipal utility facilities;
- (i) municipal traffic signals and signs;
- (j) street lighting poles and similar street installations including overhead cables;
- (k) trees on the municipal property;
- (l) land and buildings owned by the municipality; and
- (m) any other structure owned by the municipality.

"Person" shall be interpreted to refer to either a natural person or a juristic person.

"Qualified Engineer" means a person registered as a Professional Engineer/Technologist in terms of the Engineering Professions Act, 2000, who is registered with ECSA and appointed and funded by the Wayleave Holder to ensure compliance with the conditions of Approval of the **Wayleaves**.

"Public Road Reserve" means the full width of a public road and includes both the verge areas and the roadway.

"Reinstatement" refers to replacing the bituminous surfacing, paving blocks, or grass, as applicable, in the case of roads, footways, and verges.

"Service Agency" means any municipal department, other organ of state, public agency or company that utilizes municipal property to supply a public service.

"Service Coordinator" means the official appointed or otherwise delegated by the Council with the responsibility to carry out the administrative functions of receiving and processing applications for wayleaves, obtaining comments from the various internal and external service agencies, and following the decision by the Council, conveying this decision in writing to the applicant, namely to approve with conditions, or reject with reasons, any application, and to provide record-keeping of each application and installation, provided that this by-law will not be interpreted to prohibit the Council to delegate to the Service Coordinator the authority to decide on applications submitted in terms of this by-law.

"Service Information" means public service infrastructure positioned or installed above the ground, on the ground, and below the surface of municipal property, and includes electrical and gas infrastructure, road, stormwater, water infrastructure, sanitation services, environment facilities, or any other utilities or services.

"Site" means a property, which includes the area of any building, yard, courtyard, or garden on an erf and in relation to FAR, coverage and parking calculations, the whole of the area registered as an erf or other piece of land including the area of any servitude registered over such an erf or other piece of land.

"Wayleave" is an easement consisting of written approval and permission granted to carry out Work on Municipal Property. A Wayleave is issued by the responsible Service Coordinator. A Wayleave authorizes a Fibre Network Operator or a Telecommunication Provider to construct and install telecommunication services on Municipal land; and

"Work" refers specifically to construction or maintenance work done by a Contractor in respect of a Wayleave.

2. Application

This By-law applies to every person who carries out work in a road reserve of a municipal road and includes an internal municipal department, an organ of state other than the Municipality, a service agency, and a contractor.

CHAPTER 2: WAYLEAVES

3. Application process for the undertaking of work on municipal property

- (1) No person may undertake any work on municipal property unless that person has obtained a written wayleave approval from the Municipality before the undertaking of such work;
- (2) An application for a wayleave shall be made to the Municipality on the prescribed wayleave application form and upon payment of the prescribed fee.

(3) The duly completed application form for a wayleave must be accompanied by –

- (a) Confirmation of a written request made to the relevant department at the Municipality for Service Information at the geographical location where the work is intended to be undertaken;
- (b) An acceptance of public liability and indemnification of the Municipality against all forms or risk pursuant to, or likely to result from, the undertaking of work described in the wayleave;

(c) Confirmation of public liability insurance cover by an approved registered financial services provider no older than 14 days from the date of the application, in an amount determined by the Municipality, in its discretion, having regard to –

- I. the nature and scope of the work;
- II. the proximity to public roads and private property;
- III. the risk of injury to the public; and
- IV. any other relevant factor, which insurance cover shall remain active for the duration of the work;

(d) A copy of the applicant company's registration documents depicting the current active directors or members (in the case of juristic persons), or a copy of the identity document of the applicant (in the case of natural persons);

(e) A resolution by the board of directors of the applicant resolving that the applicant intends to apply for a wayleave to undertake the work and authorizing a named individual to sign the necessary documents on behalf of the applicant (in the case of juristic entities);

(f) Proof of the applicant's primary place of business (in the case of juristic entities), or place of residence (in the case of natural persons);

(g) The particulars of the appointed Contractor, with proof of the Contractor's Construction Industry Development Board (CIDB) registration;

(h) Proof that an environmental impact assessment as required in the National Environmental Management Act, 1998 (Act 107 of 1998) was undertaken, if applicable;

(i) An assessment of the health and safety risks to the public and the participants, including the contact details of the representative responsible for ensuring that health and safety guidelines are being adhered to;

(j) A detailed planning program for the work, including the commencement and completion dates for each phase of the work;

(k) A site layout plan, engineering plans, proposed building plans indicating proposed services dimensioned from either erf boundary or curb line, and details of proposed and existing services and structures;

(l) If the work is likely to have an impact on the flow of traffic, then a traffic control plan showing how vehicular and pedestrian traffic will be accommodated during the execution of the work; and

(m) Proof of payment of the applicable fees and tariffs.

4. Additional requirements for wayleave applications for telecommunication mast constructions and fibre-optic cable infrastructure installations

(1) Applications for the installation or construction of telecommunication masts infrastructure shall be accompanied, in addition to the items listed in section (3) above, by the following –

(a) A zoning certificate, if necessary;

(b) The site coordinates;

(c) A radiation frequency report by a qualified person and approved by ICASA;

(d) A copy of the title deed of the property on which the TMI is to be constructed or installed;

(e) A copy of the lease agreement, if the property is leased;

(f) Comments by the residents of the neighboring properties, if the TMI is to be constructed or installed in an urban area;

(g) Proof of authorization by the SA Aviation Authority, if necessary;

(h) Proof of authorization by the South African Heritage Resources Agency, if the intended telecommunication masts infrastructure is located next to Heritage sites;

(i) A zoning certificate, if necessary;

(j) A letter of consent by the School Governing Body, if constructed or installed on school property; and

(k) A letter of consent from the Tribal Authority, if constructed or installed on tribal land.

(2) Applications for the deployment of fibre-optic cable infrastructure shall be accompanied, in addition to the items listed in section (3) above, by the following –

(a) The applicant's ICASA Class Electronic Communication Network Services (ECNS) license;

(b) The applicant's ICASA Electronic Communication Services (ECS) license;

(c) Proof that the applicant has informed all active fibre network operator licensees of its wayleave application; and

(d) Proof of expertise and experience regarding the construction, maintenance, and operation of fibre-optic networks, if requested.

5. Wayleave approval, commencement of work, and post-work reporting

(1) The Municipality may, after receipt of an application, grant a wayleave on such conditions and with such directions as it may deem necessary, which may include:

(a) A description of the work to be done, with or without limitations, and the required specifications as to its quality;

(b) The timeframe within which work must be done;

(c) The days and times during which any work or certain work may or may not take place;

(d) Geographical location of the work to be done;

(e) The manner and method of doing any sub-surface work;

(f) The provision of access crossings for vehicles and pedestrians;

(g) Additional health and safety requirements;

(h) A prohibition on the use of certain types of mechanical trenching equipment;

(i) The display of signage by the wayleave holder, stating the name of the wayleave holder and its appointed Contractor, with contact details;

(j) The phasing of the work program;

(k) The provision of warning signs, barriers, and hoarding around the work;

(l) The execution of any preliminary works and crosscuts to establish the precise location of existing services when information on such services is unclear;

(m) The provision of storage for rubble, sand, or soil during the work;

(n) The presence of a supervisor; or where necessary, a Professional Engineer, on the site of the work;

(o) Further indemnification of the Municipality or specific insurance against appreciable risks associated with the work;

(p) Specific conditions required by service agencies;

(q) Reinstatement requirements; and

(r) Payment of refundable security deposit or provision of a guarantee issued by a registered financial services provider for the duration of the work, equal to no less than 10 (ten) percent of the total estimated project value, as security for the risk of damage to municipal property or to rectify any unsatisfactory reinstatement.

(2) Before the commencement of work, but after the wayleave has been granted, the applicant must –

(a) Collect the wayleave from the Municipality, and the person collecting the wayleave shall provide proof of authority to collect the wayleave on behalf of the applicant, unless the person collecting the wayleave is positively identified as the applicant;

(b) At its own cost, give prior notice to residents, businesses, and other concerns in the path of or adjacent to the work, who are likely to be affected by the work, providing details of the extent, duration, and precise location of the intended work; and

(c) If applicable, provide a physical plan of the work including the intended placement of any wires, cables, pipes, tubes, or the like, and the coordinates for beginning, end, and all bend points in between, in the electronic file format required by the Municipality from time to time.

(3) Upon completion of the work, the Municipality must be provided with –

(a) The Geographical Information System (GIS) coordinates of the installed infrastructure and electronic copies of the drawings of the work done;

(b) A signed confirmation by the Municipal official appointed as the Director of Infrastructure & Engineering, stating that the work was carried out to completion and is of a satisfactory standard; and

(c) A request for the refund of the deposit, if applicable, accompanied by the banking details on a company letterhead or a bank stamped bank statement.

6. General provisions in respect of executing work pursuant to a wayleave

(1) A wayleave holder shall commence work within 60 (sixty) days from the date of receiving the wayleave approval.

(2) Wayleaves are not transferable to third parties. Any person who attempts to sell or in any way transfer a wayleave to another party without the Municipality's prior written consent shall be guilty of an offence.

(3) A Wayleave approval will only be issued once all the requirements have been complied with and will be subject to any conditions imposed by the Municipality.

(4) Only the work determined in the wayleave granted by the Municipality in terms of subsection (1) may be undertaken by the holder of the wayleave and it may only be undertaken at the location described in the wayleave.

(5) Should the project / proposed work exceed the time frames for which the wayleave is valid, the wayleave holder may make a request for an extension in writing to the Municipal official appointed as the Senior Manager: Infrastructure & Engineering.

(6) Where installed Telecommunication Infrastructure requires the supply of electricity, the Telecommunication Provider must apply to the Municipality for the installation of a metered electricity point, which consumption charges shall be billed monthly to the wayleave holder's account.

(7) The Municipality shall exercise its lien in terms of Section (12) of this by-law as security, should a wayleave holder default on electricity account payments.

7. Termination or suspension of a wayleave

(1) A wayleave may be suspended or terminated at any time by the Municipality if –

(a) The wayleave holder acts or has acted beyond the scope or in contravention of a condition to the wayleave or any provision of this by-law;

(b) The wayleave holder has failed to adhere to the predetermined timeframes due to its own willful misconduct or negligence, or the Contractor does not possess the necessary skill, expertise, or experience to carry out the work; or

(c) The work has been carried out in such a reckless or negligent manner that it has caused or is likely to cause injury to any person or undue burden on the flow of traffic that could and should otherwise have been avoided.

(2) Should the wayleave be suspended or terminated as contemplated in subsection (1) above, then the Municipality, in its discretion, be entitled to:

(a) Direct that the wayleave be rectified by the wayleave holder before proceeding with any further construction;

(b) Undertake the completion of the work or request that a third party complete the work;

(c) Do remedial works to work done where the quality of the work is below the standards imposed by the municipality or any other applicable legislation;

(d) Recover the cost of such remedial works or the cost of such work from any security deposit paid to the municipality, or if such security deposit is insufficient, from the wayleave holder by any amount necessary for the recovery of the reasonable costs incurred by the Municipality in connection with the work;

(e) Reject any future applications submitted by the person whose wayleave was suspended or terminated.

8. Emergency repairs

(1) In the event that the Municipality undertakes any emergency repairs or maintenance –

(a) Service Information, and during the course of effecting such emergency repairs cause damage to any infrastructure, cables, conduits, pipes or electrical wiring of a private owner, then the Municipality shall be indemnified against liability by such private owner for losses incurred resulting from such damage, unless the damage was caused due to gross negligence or positive intent on the part of the Municipality's employees or duly authorized agents;

(b) In the event that a private owner of any infrastructure, cables, conduits, pipes or electrical wiring needs to perform emergency repairs or maintenance, the process prescribed in section (2) above may be waived by the Municipality, provided that –

(i) The private owner was previously a wayleave holder;

(ii) The tradesman or Contractor provides a certificate setting out the urgency, scope and nature of the repairs; and

(iii) The Municipality is satisfied that the private owner or the public may likely suffer unnecessary and undue hardship should the requirements contained in section (2) not be waived.

CHAPTER 3: GENERAL PROVISIONS

9. Fees, Penalties, and Fines

(1) The municipality will publish from time to time, and make available upon request, tariffs prescribed by the council for any fees and levies payable in terms of this by-law.

(2) A wayleave Administration Fee will be applicable in terms of the Council Approved Tariff System. Payment of the Administrative fee must be made up front with submission of the Wayleave application, with all other fees payable upon wayleave approval.

(3) Any person who fails to comply with the conditions contained in a wayleave, or who constructs or excavates on any municipal property without being in possession of a valid wayleave shall be guilty of an offence.

(4) Any person who is convicted of an offence under this by-law is liable to –

(a) A fine;

(b) A period of imprisonment; or

(c) Both a fine and a period of imprisonment.

(5) When determining an appropriate sanction, every meter of trench excavated or cut exceeding five meters shall be an aggravating factor.

10. Municipality's lien over equipment to recover losses

The Municipality shall have a common law lien over all equipment installed, constructed, deployed on or below the surface of municipal property, which lien may be exercised by removing and selling any equipment on such property to recover a debt arising from non-payment of amounts owing to the Municipality for outstanding rates and taxes, electricity, fees, or any fines imposed due to a contravention of this by-law.

11. Appeals

Any person may appeal against any decision taken under this By-Law by giving written notice of the appeal in accordance with the provisions of section 62 of the Municipal Systems Act, 2000, as amended.

12. Short title and commencement

This By-law shall be known as the Kouga Municipality: Wayleave By-law, and shall come into operation on the date of publication thereof in the Provincial Gazette.

Closing times for **ORDINARY WEEKLY** **2023** **EASTERN CAPE PROVINCIAL GAZETTE**

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

- **05 December**, Monday for the issue of Monday **12 December 2022**
- **09 December**, Friday for the issue of Monday **19 December 2022**
- **19 December**, Monday for the issue of Friday **26 December 2022**
- **23 December**, Friday for the issue of Monday **02 January 2023**
- **30 December**, Friday for the issue of Monday **09 January 2023**
- **09 January**, Monday for the issue of Monday **16 January 2023**
- **16 January**, Monday for the issue of Monday **23 January 2023**
- **23 January**, Monday for the issue of Monday **30 January 2023**
- **30 January**, Monday for the issue of Monday **06 February 2023**
- **06 February**, Monday for the issue of Monday **13 February 2023**
- **13 February**, Monday for the issue of Monday **20 February 2023**
- **20 February**, Monday for the issue of Monday **27 February 2023**
- **27 February**, Monday for the issue of Monday **06 March 2023**
- **06 March**, Monday for the issue of Monday **13 March 2023**
- **13 March**, Monday for the issue of Monday **20 March 2023**
- **17 March**, Friday for the issue of Monday **27 March 2023**
- **27 March**, Monday for the issue of Monday **03 April 2023**
- **31 March**, Friday for the issue of Monday **10 April 2023**
- **06 April**, Thursday for the issue of Monday **17 April 2023**
- **17 April**, Monday for the issue of Monday **24 April 2023**
- **21 April**, Friday for the issue of Monday **01 May 2023**
- **28 April**, Friday for the issue of Monday **08 May 2023**
- **08 May**, Monday for the issue of Monday **15 May 2023**
- **15 May**, Monday for the issue of Monday **22 May 2023**
- **22 May**, Monday for the issue of Monday **29 May 2023**
- **29 May**, Monday for the issue of Monday **05 June 2023**
- **05 June**, Monday for the issue of Monday **12 June 2023**
- **09 June**, Friday for the issue of Monday **19 June 2023**
- **19 June**, Monday for the issue of Monday **26 June 2023**
- **26 June**, Monday for the issue of Monday **03 July 2023**
- **03 July**, Monday for the issue of Monday **10 July 2023**
- **10 July**, Monday for the issue of Monday **17 July 2023**
- **17 July**, Monday, for the issue of Monday **24 July 2023**
- **24 July**, Monday for the issue of Monday **31 July 2023**
- **31 July**, Monday for the issue of Monday **07 August 2023**
- **04 August**, Friday for the issue of Monday **14 August 2023**
- **14 August**, Monday for the issue of Monday **21 August 2023**
- **21 August**, Monday for the issue of Monday **28 August 2023**
- **28 August**, Monday for the issue of Monday **04 September 2023**
- **04 September**, Monday for the issue of Monday **11 September 2023**
- **11 September**, Monday for the issue of Monday **18 September 2023**
- **18 September**, Monday for the issue of Monday **25 September 2023**
- **22 September**, Friday for the issue of Monday **02 October 2023**
- **02 October**, Monday for the issue of Monday **09 October 2023**
- **09 October**, Monday for the issue of Monday **16 October 2023**
- **16 October**, Monday for the issue of Monday **23 October 2023**
- **23 October**, Monday for the issue of Monday **30 October 2023**
- **30 October**, Monday for the issue of Monday **06 November 2023**
- **06 November**, Monday for the issue of Monday **13 November 2023**
- **13 November**, Monday for the issue of Monday **20 November 2023**
- **20 November**, Monday for the issue of Monday **27 November 2023**
- **27 November**, Monday for the issue of Monday **04 December 2023**
- **04 December**, Monday for the issue of Monday **11 December 2023**
- **11 December**, Monday for the issue of Monday **18 December 2023**
- **18 December**, Monday for the issue of Monday **25 December 2023**

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