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Vol. 237 PRETORIA, 6 DECEMBER / DESEMBER 1994 **No. 5061**

PROKLAMASIE

PROKLAMASIE

No. 32 (Premiers-), 1994

OORGANGSWET OP PLAASLIKE REGERING, 1993 (WET No. 209 VAN 1993)

PLAASLIKE OORGANGSRAAD VAN CARLETONVILLE

Kragtens artikel 10 van die Oorgangswet op Plaaslike Regering, 1993 (Wet No. 209 van 1993), vaardig ek hierby met die instemming van die Provinsiale Komitee, die maatreëls in die Bylae uit.

Gegee onder my Hand te Johannesburg, op hede die Sesde dag van Desember Eenduisend Negehonderd Vier-en-negentig.

T. M. G. SEXWALE,
Premier-in-Uitvoerende Raad.

BYLAE

Instelling van Plaaslike Oorgangsraad

1. 'n Plaaslike Oorgangsraad, hieronder die Plaaslike Oorgangsraad van Carletonville genoem, word hierby, soos beoog in artikel 7 (1) (b) (i) van die Oorgangswet op Plaaslike Regering, 1993 (Wet No. 209 van 1993), vanaf die datum van inwerkingtreding van hierdie Proklamasie (hieronder die effektiewe datum genoem), ingestel, bestaande uit die Stadsraad van Carletonville en die Dorpsraad van Khutsong, welke Plaaslike Oorgangsraad van Carletonville geag word 'n plaaslike bestuur ingevolge die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie No. 17 van 1939), te wees.

Ontbinding van plaaslike owerheidsliggame

2. Die Stadsraad van Carletonville en die Dorpsraad van Khutsong word hierby op die effektiewe datum ontbind.

Gebied van Plaaslike Oorgangsraad van Carletonville

3. Die gebied van die Plaaslike Oorgangsraad van Carletonville bestaan uit die bestaande regsgebiede van die ontbinde Stadsraad van Carletonville soos omskryf in Goewermentskennisgewing No. 2775 van 24 Junie 1959, soos gewysig of uitgebrei, en die gebied van die ontbinde Dorpsraad van Khutsong soos omskryf in Goewermentskennisgewing No. 179 van 17 Februarie 1988, soos gewysig of uitgebrei.

Raadslede en gemagtigde persone

4. (1) Die Plaaslike Oorgangsraad van Carletonville bestaan uit 28 Raadslede.

(2) Die ampstermyne van die Raadslede van die ontbinde plaaslike owerheidsliggame vermeld in artikel 2 word op die effektiewe datum beëindig.

(3) Die magtiging kragtens Premiersproklamasie No. 15 van 5 Oktober 1994 van persone om al die regte, bevoegdhede, werksaamhede en verpligtinge wat aan die ontbinde Dorpsraad van Khutsong opgedra is, uit te oefen, te verrig of na te kom, word hierby vanaf die effektiewe datum herroep.

(4) Die persone vermeld in Aanhangsel A wat behoorlik kragtens paragraaf 5 van Bylae 1 by die Oorgangswet op Plaaslike Regering, 1993, benoem is, word hierby as Raadslede van die Plaaslike Oorgangsraad van Carletonville aangestel.

(5) Enige toevallige vakature wat na die effektiewe datum op die Plaaslike Oorgangsraad van Carletonville ontstaan, moet binne 30 dae aan die Lid vir Behuising en Plaaslike Regering van die Provinsiale Uitvoerende Raad gerapporteer word, welke vakature, ondanks die bepalings van artikels 20 en 36 van die Ordonnansie op Munisipale Verkiesings, 1970 (Ordonnansie No. 16 van 1970), deur die bevoegde gesag gevul word uit die lys van bykomende kandidate in orde van voorkeur soos beoog in paragraaf 5 van Bylae 1 by die Oorgangswet op Plaaslike Regering, 1993, in Aanhangsel B vervat.

Burgemeester en Onderburgemeester

5. Die Plaaslike Oorgangsraad van Carletonville verkies, op die wyse voorgeskryf vir die verkiesing van 'n Burgemeester en Onderburgemeester in onderskeidelik artikels 16 en 17 van die Ordonnansie op Plaaslike Bestuur, 1939, binne 14 dae na die effektiewe datum, op 'n spesiale vergadering van die Raad, 'n Burgemeester en 'n Onderburgemeester uit die Raadslede vermeld in artikel 4 (3): Met dien verstande dat die Burgemeester en Onderburgemeester nie beide vanuit die statutêre komponent of die nie-statutêre komponent aangestel word nie.

Toelaes van Raadslede, Burgemeester en Onderburgemeester

6. (1) Al die Raadslede ontvang vanaf die effektiewe datum dieselfde toelaes as die toelaes wat aan die Raadslede van die ontbinde Stadsraad van Carletonville betaal is, onderhewig aan die beskikbaarheid van fondse soos voorsien onder hierdie pos van die begroting van die Stadsraad van Carletonville en die Dorpsraad van Khutsong vir die 1994/1995 finansiële jaar.

(2) Die Burgemeester en die Onderburgemeester ontvang vanaf die effektiewe datum dieselfde toelaes as wat aan die Burgemeester en Onderburgemeester van die ontbinde Stadsraad van Carletonville betaal is, onderhewig aan die beskikbaarheid van fondse soos voorsien onder hierdie pos van die begroting van die Stadsraad van Carletonville en die Dorpsraad van Khutsong vir die 1994/1995 finansiële jaar.

Uitvoerende Komitee

7. (1) Die Plaaslike Oorgangsraad van Carletonville verkies, ondanks die bepalings van die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1960 (Ordonnansie No. 40 van 1960), kragtens artikel 16 (6) van die Oorgangswet op Plaaslike Regering, 1993, uit sy lede 'n Uitvoerende Komitee bestaande uit drie lede van die statutêre komponent en drie lede van die nie-statutêre komponent.

(2) Die Plaaslike Oorgangsraad van Carletonville verkies een lid van die Uitvoerende Komitee as Voorsitter en een lid as Visevoorsitter van die Uitvoerende Komitee: Met dien verstande dat die Voorsitter van die Uitvoerende Komitee nie verkies word vanuit dieselfde komponent van die Plaaslike Oorgangsraad van Carletonville as waaruit die Burgemeester verkies is nie en verder dat die Voorsitter en Vise-voorsitter van die Uitvoerende Komitee nie beide verkies word vanuit dieselfde komponent van die Plaaslike Oorgangsraad van Carletonville nie.

(3) Die bepalings van artikels 1 en 55 tot 61 van die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1960, is, by die toepassing van hierdie Proklamasie, *mutatis mutandis* op die Uitvoerende Komitee beoog in subartikel (1), van toepassing.

Oordra van bates, laste, regte, verpligtinge en regsopvolger

8. (1) Alle bates, laste, regte en verpligtinge van die ontbinde Stadsraad van Carletonville en die ontbinde Dorpsraad van Khutsong word vanaf die effektiewe datum en behoudens die bepalings van subartikel (3), aan die Plaaslike Oorgangsraad van Carletonville oorgedra.

(2) Die Plaaslike Oorgangsraad van Carletonville word by die toepassing van hierdie Proklamasie vanaf die effektiewe datum en behoudens die bepalings van subartikel (3) geag om die regsopvolger van die betrokke ontbinde plaaslike owerheidsliggame te wees.

(3) Enige las, skuld of verpligting wat deur die ontbinde swart plaaslike owerheidsliggaam vermeld in artikel 2 aangegaan is tot op en insluitend die dag wat die effektiewe datum voorafgaan, behalwe 'n las, skuld of verpligting wat aangegaan is ten opsigte van enige infrastruktuur wat inkomste genereer of infrastruktuur wat deur die Plaaslike Oorgangsraad van Carletonville aangewend word of kan word, gaan op die genoemde Raad oor onderhewig aan die reg van die nasionale regering om diesulke laste, skulde of verpligtinge te aanvaar kragtens versekerings gemaak deur die nasionale regering dat geen oorgangsraad enige eksterne skulde van die genoemde swart plaaslike owerheidsliggaam tot op die effektiewe datum sal erf nie.

Verordeninge, regulasies, besluite, statutêre kennisgewings, delegasies en dorpsbeplanningskemas

9. (1) Alle verordeninge en regulasies van die ontbinde Stadsraad van Carletonville en die Dorpsraad van Khutsong word vanaf die effektiewe datum herroep, met uitsondering van die verordeninge en regulasies van die ontbinde Stadsraad van Carletonville vermeld in Aanhangsel C, wat na die effektiewe datum geag word om die verordeninge en regulasies van die Plaaslike Oorgangsraad van Carletonville te wees.

(2) Die Carletonville-dorpsbeplanningskema, 1993, van die ontbinde Stadsraad van Carletonville word na die effektiewe datum geag om die Dorpsbeplanningskema van die Plaaslike Oorgangsraad van Carletonville met betrekking tot die gebiede daarin vermeld, te wees.

Begroting

10. Die 1994/95 begroting van die ontbinde plaaslike owerheidsliggame vermeld in artikel 2 word, ondanks die bepalings van artikel 58 van die Ordonnansie op Plaaslike Bestuur, 1939, geag die 1994/95 begroting van die Plaaslike Oorgangsraad van Carletonville te wees: Met dien verstande dat die boekinskrywings vir die 1994/95 finansiële jaar afsonderlik deur die Plaaslike Oorgangsraad van Carletonville hanteer word totdat 'n enkele gekonsolideerde begroting goedgekeur is.

Verteenwoordiging op Streeksdiensteraad

11. Verteenwoordiging wat die ontbinde plaaslike owerheidsliggame vermeld in artikel 2 voor die effektiewe datum kragtens die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985), op die Wes-Rand Streeksdiensteraad gehad het, word op die effektiewe datum beëindig.

Gemagtigde plaaslike bestuur

12. (1) Die Plaaslike Oorgangsraad van Carletonville word, kragtens artikel 2 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986), vanaf die effektiewe datum 'n gemagtigde plaaslike bestuur vir doeleindes van Hoofstukke II, III en IV van genoemde Ordonnansie.

(2) Die Plaaslike Oorgangsraad van Carletonville word, kragtens artikel 3 van die Ordonnansie op die Verdeling van Grond, 1986 (Ordonnansie No. 20 van 1986), vanaf die effektiewe datum 'n gemagtigde plaaslike bestuur vir doeleindes van Hoofstuk IV van genoemde Ordonnansie.

Plaaslike bestuur in Sesde Bylae by Ordonnansie op Plaaslike Bestuur, 1939, bedoel

13. Die Plaaslike Oorgangsraad van Carletonville word hierby vanaf die effektiewe datum geag 'n plaaslike bestuur soos beoog in Deel II van die Sesde Bylae by die Ordonnansie op Plaaslike Bestuur, 1939, te wees.

Enkele Plaaslike Administrasie vir Plaaslike Oorgangsraad van Carletonville

14. (1) 'n Enkele Plaaslike Administrasie word hierby vir die Plaaslike Oorgangsraad van Carletonville ingestel.

(2) 'n Permanente organisatoriese struktuur vir die Enkele Plaaslike Administrasie moet so spoedig moontlik na die effektiewe datum deur die Plaaslike Oorgangsraad van Carletonville saamgestel word.

Stadsklerk

15. (1) Die Stadsklerk van die ontbinde Stadsraad van Carletonville word by die toepassing van hierdie Proklamasie, behoudens die bepalings van die Wet op die Besoldiging van Stadsklerke, 1984 (Wet No. 115 van 1984), en die Wet op die Beroep van Stadsklerke, 1988 (Wet No. 75 van 1988), geag die waarnemende Stadsklerk van die Plaaslike Oorgangsraad van Carletonville te wees, soos beoog in artikel 62 van die Ordonnansie op Plaaslike Bestuur, 1939.

(2) Die Stadsklerk oefen by die toepassing van hierdie Proklamasie al die funksies, bevoegdhede en pligte uit wat aan 'n Stadsklerk kragtens die Ordonnansie op Plaaslike Bestuur, 1939, die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1960, die Ordonnansie op Munisipale Verkiesings, 1970, of enige ander wet, verordening of besluit van die ontbinde plaaslike owerheidsliggame vermeld in artikel 2 opgedra is.

Werknemers en Beamptes van Plaaslike Oorgangsraad van Carletonville

16. (1) Nadat 'n permanente organisatoriese struktuur soos beoog in artikel 14 (2) saamgestel is, moet alle werknemers en beamptes in diens van die ontbinde plaaslike owerheidsliggame vermeld in artikel 2 en die werknemers en beamptes wat deur die Plaaslike Oorgangsraad van Carletonville in diens geneem is voordat sodanige permanente organisatoriese struktuur saamgestel is, na die Enkele Plaaslike Administrasie beoog in artikel 14 (1), oorgeplaas word ooreenkomstig die bepalings van artikel 10 (3) (f), (i) en (j) van die Oorgangswet op Plaaslike Regering, 1993.

(2) Totdat die werknemers en beamptes beoog in subartikel (1) na die Enkele Plaaslike Administrasie oorgeplaas is, word die betrokke werknemers en beamptes vir doeleindes van hierdie Proklamasie geag in diens van die Enkele Plaaslike Administrasie van Carletonville te wees.

Effektiewe datum

17. Hierdie Proklamasie tree in werking op **7 Desember 1994.**

AANHANGSEL A

Genomineerde persone van die Plaaslike Oorgangsraad van Carletonville vermeld in artikel 4 (3):

STATUTÊRE KOMPONENT

1. Dr. M. F. Meyburgh .... (Carletonville Stadsraad).
2. H. N. Dednam .... (Carletonville Stadsraad).
3. S. J. W. Pretorius .... (Carletonville Stadsraad).
4. M. J. P. Botha .... (Carletonville Stadsraad).
5. H. M. van der Merwe .... (Carletonville Stadsraad).
6. J. P. J. Botes .... (AVF).
7. H. S. van der Westhuizen .... (HNP).
8. S. A. Griessel .... (KP).
9. J. F. van der Merwe .... (AVF).
10. L. du Buys .... (NP).
11. Dr. H. M. J. van Vuuren .... (Welverdiend Belastingbetalers).
12. R. T. Mosiane .... (Khutsong Dorpsraad).
13. M. J. Skhosana .... (Khutsong Dorpsraad).
14. J. A. Duvenhage .... (AVF).

NIE-STATUTÊRE KOMPONENT

1. M. J. Mohlakoana .... (ANC).
2. T. Moeketsi .... (ANC).
3. R. Tselane .... (ANC).
4. M. Mtyeku .... (ANC).
5. D. Ndzeku .... (ANC).
6. E. Mabile .... (ANC).

7. J. Ramokgoatedi .... (ANC).
8. I. M. Mogale .... (ANC).
9. M. Ditsele .... (ANC).
10. T. Makunye .... (ANC).
11. F. Ntsete .... (ANC).
12. J. Mathikge .... (ANC).
13. M. E. Maphathiane .... (PAC).
14. C. J. Bakkes .... (Carletonville Belastingbetalers).

AANHANGSEL B

Addisionele Kandidate van die Plaaslike Oorgangsraad van Carletonville vermeld in artikel 4 (4):

STATUTÊRE KOMPONENT

1. T. Visser.
2. R. E. Loggerenberg.
3. H. C. M. I. Botha.
4. J. C. Steyn.
5. L. C. H. Vermeulen.
6. S. Du Toit.

NIE-STATUTÊRE KOMPONENT

1. E. Monyemoratwa.
2. M. Bongane.
3. M. Dlamini.
4. N. Wasa.
5. D. Mbhele.
6. C. Louw.

AANHANGSEL C

Verordeninge en regulasies vermeld in artikel 9 (1):

1. Standaard Voedselhanteringsverordeninge gepromulgeer kragtens Administrateurskennisgewing No. 1317 van 16 Augustus 1972 en aanvaar deur die Raad by Plaaslike Owerheidskennisgewing No. 1302 gedateer 30 Julie 1975, soos gewysig.
2. Standaard Verordeninge betreffende die Aanhou van Diere, Voëls en Pluimvee en Besighede wat die Aanhou van Diere, Voëls, Pluimvee en Troeteldiere beheld gepromulgeer kragtens Administrateurskennisgewing No. 2208 van 9 Oktober 1985 en aangeneem deur die Raad kragtens Administrateurskennisgewing No. 1069 gedateer 11 Junie 1986, soos gewysig.
3. Straat en Diverse Verordeninge gepromulgeer kragtens Plaaslike Bestuurskennisgewing No. 3384 gedateer 7 September 1994, soos gewysig.
4. Swembadverordeninge gepromulgeer kragtens Administrateurskennisgewing No. 425 gedateer 23 Maart 1983, soos gewysig.
5. Standaard Verordeninge waarby die beveiliging van swembaddens en uitgrawings gereguleer word afgekondig kragtens Administrateurskennisgewing No. 1856 gedateer 29 Desember 1971, soos gewysig.
6. Standaard Verkeersverordeninge gepromulgeer kragtens Administrateurskennisgewing No. 773 gedateer 6 Julie 1988 en aangeneem deur die Raad kragtens Plaaslike Bestuurskennisgewing No. 139/1988 gedateer 4 Januarie 1989, soos gewysig.
7. Standaard Reglement van Orde gepromulgeer kragtens Administrateurskennisgewing No. 1261 gedateer 26 Oktober 1988, en aangeneem deur die Raad kragtens Administrateurskennisgewing No. 1119 gedateer 10 Mei 1989, soos gewysig.
8. Hondeverordeninge gepromulgeer kragtens Administrateurskennisgewing No. 1387 gedateer 14 Oktober 1981 en aangeneem deur die Raad kragtens Administrateurskennisgewing No. 1041 gedateer 11 Augustus 1982, soos gewysig.
9. Begraafplaasverordeninge gepromulgeer kragtens Administrateurskennisgewing No. 224 gedateer 3 April 1963, soos gewysig.

10. Publieke Gesondheidsverordeninge gepromulgeer kragtens Administrateurskennisgewing No. 148 gedateer 21 Februarie 1951 en aanvaar deur die Raad kragtens Administrateurskennisgewing No. 950 gedateer 18 November 1953, soos gewysig.

11. Standaard Melkverordeninge gepromulgeer kragtens Administrateurskennisgewing No. 1024 gedateer 11 Augustus 1971 en aangeneem deur die Raad kragtens Administrateurskennisgewing No. 700 gedateer 17 Mei 1972, soos gewysig.

12. Elektrisiteitsverordeninge gepromulgeer kragtens Administrateurskennisgewing No. 1959 gedateer 11 September 1985 en aangeneem deur die Raad kragtens Administrateurskennisgewing No. 317 gedateer 19 Februarie 1986, soos gewysig.

13. Standaardverordeninge betreffende Kafees, Restaurante en Eethuise gepromulgeer kragtens Administrateurskennisgewing No. 492 gedateer 27 April 1977 en aangeneem deur die Raad kragtens Administrateurskennisgewing No. 1387 gedateer 21 September 1977, soos gewysig.

14. Verordeninge betreffende Brandweerdienste gepromulgeer kragtens Administrateurskennisgewing No. 1771 gedateer 23 Desember 1981 en aangeneem deur die Raad kragtens Administrateurskennisgewing No. 1139 gedateer 25 Augustus 1982, soos gewysig.

15. Standaard Rioleringsverordeninge gepromulgeer kragtens Administrateurskennisgewing No. 665 gedateer 8 Julie 1977 en aanvaar deur die Raad kragtens Administrateurskennisgewing No. 615 gedateer 3 Mei 1978, soos gewysig.

16. Standaard Biblioteekverordeninge gepromulgeer kragtens Administrateurskennisgewing No. 254 gedateer 16 Junie 1993 en aangeneem deur die Raad kragtens Plaaslike Bestuurskennisgewing No. 198 gedateer 19 Januarie 1994, soos gewysig.

17. Standaard Watervoorsieningsverordeninge gepromulgeer kragtens Administrateurskennisgewing No. 21 gedateer 5 Januarie 1977 en aangeneem met sekere wysigings deur die Raad kragtens Administrateurskennisgewing No. 72 gedateer 25 Januarie 1978, soos gewysig.

18. Verordeninge insake Plakkate gepromulgeer kragtens Plaaslike Bestuurskennisgewing No. 36/1988 gedateer 23 Maart 1988, soos gewysig.

19. Verordeninge vir die verhuur van sale en toerusting: Burgersentrum afgekondig kragtens Plaaslike Bestuurskennisgewing No. 2301 gedateer 7 Julie 1993, soos gewysig.

20. Standaard Bouverordeninge gepromulgeer kragtens Administrateurskennisgewing No. 1993 gedateer 7 November 1974 en aanvaar deur die Raad kragtens Administrateurskennisgewing No. 1888 gedateer 20 Desember 1978, soos gewysig.

21. Standaard Finansiële verordeninge gepromulgeer kragtens Administrateurskennisgewing No. 927 gedateer 1 November 1967 en aangeneem deur die Raad kragtens Administrateurskennisgewing No. 622 gedateer 11 Junie 1969, soos gewysig.

22. Verordeninge vir diverse dienste en die vasstelling van gelde vir die uitreiking van sertifikate en verstrekking van inligting afgekondig by Administrateurskennisgewing No. 457 gedateer 12 Maart 1986, soos gewysig.

23. Beursleningsverordeninge afgekondig by Administrateurskennisgewing No. 297 gedateer 19 April 1961, soos gewysig.

24. Tariewe kragtens regulasie 30: Wet op Besighede, 1991 (Wet No. 71 van 1991) [Aanvaar by Raadsbesluit A (9) van Mei 1994].

25. Verordeninge betreffende die aanhou van bye afgekondig by Administrateurskennisgewing No. 435 gedateer 18 Mei 1955 en aangeneem deur die Raad by Administrateurskennisgewing No. 97 gedateer 24 Junie 1959, soos gewysig.

26. Verordeninge vir die beheer en reguleer van die Carletonville Munisipale Lapa afgekondig by Plaaslike Bestuurskennisgewing No. 4433 gedateer 17 November 1993, soos gewysig.

27. Verordeninge vir die beheer en reguleer van die Ontspanningsoord afgekondig by Administrateurskennisgewing No. 1887 gedateer 20 Desember 1978, soos gewysig.

28. Verordeninge vir die beheer van Ontvlambare vloeistowwe en stowwe afgekondig by Administrateurskennisgewing No. 269 gedateer 13 Maart 1968, soos gewysig.

29. Standaard Verordeninge betreffende openbare geriewe afgekondig by Offisiële Kennisgewing No. 60 gedateer 14 September 1990 en deur die Raad aangeneem by Plaaslike Bestuurskennisgewing No. 4235 gedateer 21 November 1990, soos gewysig.

30. Verordeninge vir die beheer van publieke voertuie en hulle drywers afgekondig by Administrateurskennisgewing No. 2310 gedateer 10 Desember 1986, soos gewysig.

31. Reinigingsdiensteverordeninge afgekondig by Administrateurskennisgewing No. 331 gedateer 28 Maart 1979, soos gewysig.

32. Vliegveldverordeninge afgekondig by Administrateurskennisgewing No. 242 gedateer 6 Februarie 1985, soos gewysig.

33. Standaard Gesondheidsverordeninge vir voorskoolse inrigtings afgekondig kragtens Offisiële Kennisgewing No. 81 van 1992 en aangeneem deur die Raad kragtens Plaaslike Bestuurskennisgewing No. 1465 gedateer 12 Mei 1993, soos gewysig.

34. Vasstelling van tarief van gelde: Dorpsbeplanning afgekondig kragtens Munisipale Kennisgewing No. 39 van 1992 op 28 Augustus 1992, soos gewysig.

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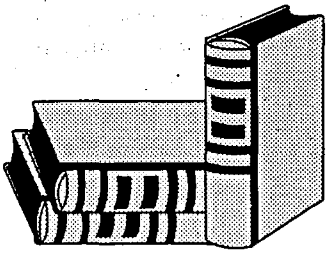

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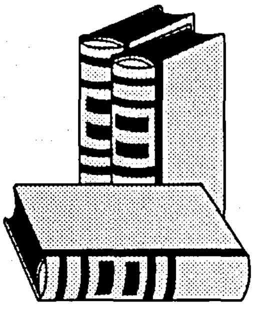

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Department of Environmental Affairs and Tourism
Departement van Omgewingsake en Toerisme

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Vol. 237 PRETORIA, 6 DECEMBER / DESEMBER 1994 **No. 5061**

PROCLAMATION

PROCLAMATION

No. 32 (Premier's), 1994

LOCAL GOVERNMENT TRANSITION ACT, 1993 (ACT No. 209 OF 1993): TRANSITIONAL LOCAL COUNCIL OF CARLETONVILLE

Under section 10 of the Local Government Transition Act, 1993 (Act No. 209 of 1993), I hereby, with the concurrence of the Provincial Committee, make the enactments in the Schedule.

Given under my Hand at Johannesburg this Sixth day of December, One thousand Nine hundred and Ninety-four.

T. M. G. SEXWALE,
Premier-in-Executive Council.

SCHEDULE

Establishment of Transitional Local Council

1. A Transitional Local Council, hereunder called the Transitional Local Council of Carletonville, is hereby established as contemplated in section 7 (1) (b) (i) of the Local Government Transition Act, 1993 (Act No. 209 of 1993), with effect from the date upon which this Proclamation shall come into operation (hereunder called the effective date), comprising the Town Council of Carletonville and the Town Council of Khutsong, which Transitional Local Council of Carletonville shall be deemed to be a local authority in terms of the Local Government Ordinance, 1939 (Ordinance No. 17 of 1939).

Dissolution of local government bodies

2. The Town Council of Carletonville and the Town Council of Khutsong are hereby dissolved on the effective date.

Area of Transitional Local Council of Carletonville

3. The area of the Transitional Local Council of Carletonville comprises the existing areas of jurisdiction of the dissolved Town Council of Carletonville as defined in Government Notice No. 2775 of 24 June 1959, as amended or extended, and the area of the dissolved Town Council of Khutsong as defined in Government Notice No. 179 of 17 February 1988.

Councillors and authorized persons

4. (1) The Transitional Local Council of Carletonville comprises 28 Councillors.

(2) The terms of office of the Councillors of the dissolved local government bodies mentioned in section 2 shall be terminated on the effective date.

(3) The authorization under Premier's Proclamation No. 15 of 5 October 1994 of persons to exercise, perform and fulfil all the rights, powers, functions, duties and obligations assigned to the dissolved Town Council of Khutsong is hereby as from the effective date repealed.

(4) The persons mentioned in Annexure A and duly nominated in terms of paragraph 5 of Schedule 1 to the Local Government Transition Act, 1993, are hereby appointed as Councillors of the Transitional Local Council of Carletonville.

(5) Any casual vacancy arising on the Transitional Local Council of Carletonville after the effective date shall be reported to the Member for Housing and Local Government of the Provincial Executive Council within 30 days, which vacancy shall, notwithstanding the provisions of sections 20 and 36 of the Municipal Elections Ordinance, 1970 (Ordinance No. 16 of 1970), be filled by the competent authority from the relevant component of the list as contained in Annexure B of additional candidates in order of preference as contemplated in paragraph 5 of Schedule 1 to the Local Government Transition Act, 1993.

Mayor and Deputy Mayor

5. The Transitional Local Council of Carletonville shall, in the manner prescribed for the election of a Mayor and Deputy Mayor in sections 16 and 17 respectively of the Local Government Ordinance, 1939, elect within 14 days after the effective date, at a special meeting of the Council, a Mayor and a Deputy Mayor from the Councillors mentioned in section 4 (3): Provided that the Mayor and the Deputy Mayor shall not both be appointed from either the statutory component or the non-statutory component.

Allowances of Councillors, Mayor and Deputy Mayor

6. (1) All the Councillors shall, as from the effective date, receive the same allowances as the allowances paid to the Councillors of the dissolved Town Council of Carletonville, subject to the availability of funds provided for under this vote in the budget for the Town Council of Carletonville and the Town Council of Khutsong for the 1994/95 financial year.

(2) The Mayor and Deputy Mayor shall, as from the effective date, receive the same allowances as the allowances paid to the Mayor and Deputy Mayor of the dissolved Town Council of Carletonville, subject to the availability of funds provided for under this vote in the budget for the Town Council of Carletonville and the Town Council of Khutsong for the 1994/95 financial year.

Executive Committee

7. (1) The Transitional Local Council of Carletonville shall, notwithstanding the provisions of the Local Government (Administration and Elections) Ordinance, 1960 (Ordinance No. 40 of 1960), under section 16 (6) of the Local Government Transition Act, 1993, elect from its members an Executive Committee comprising three members of the statutory component and three members of the non-statutory component.

(2) The Transitional Local Council of Carletonville shall elect one member from the Executive Committee as Chairperson and one member as Vice-Chairperson of the Executive Committee: Provided that the Chairperson of the Executive Committee shall not be elected from the same component of the Transitional Local Council of Carletonville as the mayor and further that the Chairperson and Vice-Chairperson of the Executive Committee shall not both be elected from the same component of the Transitional Local Council of Carletonville.

(3) The provisions of sections 1 and 55 to 61 of the Local Government (Administration and Elections) Ordinance, 1960, shall, for the purposes of this Proclamation, be applicable *mutatis mutandis* to the Executive Committee contemplated in subsection (1).

Transfer of assets, liabilities, rights, obligations and successor-in-law

8. (1) All assets, liabilities, rights and obligations of the dissolved Town Council of Carletonville and the dissolved Town Council of Khutsong shall, as from the effective date and subject to the provisions of subsection (3) be transferred to the Transitional Local Council of Carletonville.

(2) The Transitional Local Council of Carletonville shall, for the purposes of this Proclamation, as from the effective date and subject to the provisions of subsection (3) be deemed to be the successor-in-law of the assets, liabilities, rights and obligations of the dissolved local government bodies concerned.

(3) Any liability, debt or obligation which has been incurred by the dissolved black local government body mentioned in section 2 up to and including the day preceeding the effective date, other than a liability, debt or obligation which has been incurred in respect of any infrastructure that generates revenue or infrastructure which is or can be utilised by the Transitional Local Council of Carletonville, shall devolve upon the said Council, subject to the right of the national government to assume such liabilities, debts or obligations in terms of assurances made by the national government that no transitional council will inherit any external debts of the said black local government body up to the effective date.

By-laws, regulations, resolutions, statutory notices, delegations and town-planning schemes

9. (1) All by-laws and regulations of the dissolved Town Council of Carletonville and the Town Council of Khutsong shall be repealed as from the effective date, excluding the by-laws and regulations of the dissolved Town Council of Carletonville mentioned in Annexure C, which shall after the effective date be deemed to be by-laws and regulations of the Transitional Local Council of Carletonville.

(2) The Carletonville Town-planning Scheme, 1993, of the dissolved Town Council of Carletonville shall after the effective date be deemed to be the Town-planning Scheme of the Transitional Local Council of Carletonville with regard to the areas mentioned therein.

Budget

10. The 1994/95 budget of the dissolved local government bodies mentioned in section 2 shall, notwithstanding the provisions of section 58 of the Local Government Ordinance, 1939, be deemed to be the 1994/95 budget of the Transitional Local Council of Carletonville: Provided that the book entries for the 1994/95 financial year shall be handled separately by the Transitional Local Council of Carletonville until a single consolidated budget is approved.

Representation on Regional Services Council

11. Representation of the dissolved local government bodies mentioned in section 2 before the effective date in terms of the Regional Services Councils Act, 1985 (Act No. 109 of 1985), on the West Rand Regional Services Council, shall be terminated on the effective date.

Authorised local authority

12. (1) The Transitional Local Council of Carletonville shall, under section 2 of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), as from the effective date be an authorised local authority for the purposes of Chapters II, III and IV of the said Ordinance.

(2) The Transitional Local Council of Carletonville shall, under section 3 of the Division of Land Ordinance, 1986 (Ordinance No. 20 of 1986), as from the effective date be an authorised local authority for the purposes of Chapter IV of the said Ordinance.

Local authority contemplated in Sixth Schedule to Local Government Ordinance, 1939

13. The Transitional Local Council of Carletonville is hereby, as from the effective date, deemed to be a local authority as contemplated in Part II of the Sixth Schedule to the Local Government Ordinance, 1939.

Single Local Administration for Transitional Local Council of Carletonville

14. (1) A Single Local Administration is hereby established for the Transitional Local Council of Carletonville.

(2) A permanent organisational structure for the Single Local Administration shall be constituted by the Transitional Local Council of Carletonville as soon as possible after the effective date.

Town Clerk

15. (1) The Town Clerk of the dissolved Town Council of Carletonville shall, for the purposes of this Proclamation and subject to the provisions of the Remuneration of Town Clerks Act, 1984 (Act No. 115 of 1984), and the Profession of Town Clerks Act, 1988 (Act No. 75 of 1988), be deemed to be the acting Town Clerk of the Transitional Local Council of Carletonville as contemplated in section 62 of the Local Government Ordinance, 1939.

(2) The Town Clerk shall, for the purposes of this Proclamation perform all the functions, powers and duties assigned to a Town Clerk in terms of the Local Government Ordinance, 1939, the Local Government (Administration and Elections) Ordinance, 1960, the Municipal Elections Ordinance, 1970, or any other law, by-law or resolution of the dissolved local government bodies mentioned in section 2.

Employees and officers of Transitional Local Council of Carletonville

16. (1) After a permanent organisational structure as contemplated in section 14 (2) has been constituted, all employees and officers in the service of the dissolved local government bodies mentioned in section 2 and the employees and officers employed by the Transitional Local Council of Carletonville prior to the constitution of such permanent organisational structure, shall be transferred to the Single Local Administration contemplated in section 14 (1) in accordance with the provisions of section 10 (3) (f), (i) and (j) of the Local Government Transition Act, 1993.

(2) Until the employees and officers contemplated in subsection (1) have been transferred to the Single Local Administration, the employees and officers concerned shall, for the purposes of this Proclamation, be deemed to be in the service of the Single Local Administration.

Effective date

17. This Proclamation shall come into operation on **7 December 1994.**

ANNEXURE A

Nominated persons of the Transitional Local Council of Careltonville mentioned in section 4 (3):

STATUTORY COMPONENT

1. Dr M. F. Meyburgh .... (Carletonville Town Council).
2. H. N. Dednam .... (Carletonville Town Council).
3. S. J. W. Pretorius .... (Carletonville Town Council).
4. M. J. P. Botha .... (Carletonville Town Council).
5. H. M. van der Merwe .... (Carletonville Town Council).
6. J. P. J. Botes .... (AFF).
7. H. S. van der Westhuizen .... (HNP).
8. S. A. Griessel .... (CP).
9. J. F. van der Merwe .... (AFF).
10. L. du Buys .... (NP).
11. Dr H. M. J. van Vuuren .... (Welverdiend Ratepayers).
12. R. T. Mosiane .... (Khutsong Town Council).
13. M. J. Skhosana .... (Khutsong Town Council).
14. J. A. Duvenhage .... (AFF).

NON-STATUTORY COMPONENT

1. M. J. Mohlakoana .... (ANC).
2. T. Moeketsi .... (ANC).
3. R. Tselane .... (ANC).
4. M. Mtyeku .... (ANC).
5. D. Ndzeku .... (ANC).
6. E. Mabile .... (ANC).
7. J. Ramokgoatedi .... (ANC).
8. I. M. Mogale .... (ANC).
9. M. Ditsele .... (ANC).
10. T. Makunye .... (ANC).
11. F. Ntsete .... (ANC).

12. J. Mathikge .... (ANC).
13. M. E. Maphathiane .... (PAC).
14. C. J. Bakkes .... (Carletonville Ratepayers).

ANNEXURE B

Additional candidates of the Transitional Local Council of Carletonville mentioned in section 4 (4):

STATUTORY COMPONENT

1. T. Visser.
2. R. E. Loggerenberg.
3. H. C. M. I. Botha.
4. J. C. Steyn.
5. L. C. H. Vermeulen.
6. S. du Toit.

NON-STATUTORY COMPONENT

1. E. Monyemoratwa.
2. M. Bongane.
3. M. Dlamini.
4. N. Wasa.
5. D. Mbhele.
6. C. Louw.

ANNEXURE C

By-laws and regulations mentioned in section 9 (1):

1. Standard Food Handling By-laws, promulgated by virtue of Administator's Notice No. 1317 of 16 August 1972 and adopted by virtue of Local Government Notice No. 1302 dated 30 July 1975, as amended.
2. Standard By-laws relating to the Keeping of Animals, Birds and Poultry and Businesses involving the Keeping of Animals, Birds, Poultry and Pets, promulgated by virtue of Administrator's Notice No. 2208 dated 9 October 1985 and adopted by the Council by virtue of Administrator's Notice No. 1069 dated 11 June 1986, as amended.
3. Street and Miscellaneous By-laws, promulgated by virtue of Administrator's Notice No. 3384 dated 7 September 1994, as amended.
4. Public Swimming Pool By-laws, promulgated by virtue of Administrator's Notice No. 425 dated 23 March 1988, as amended.
5. Standard By-laws regulating the Safeguarding of Swimming Pools and Excavations, promulgated by virtue of Administrator's Notice No. 1856 dated 29 December 1971, as amended.
6. Standard Traffic By-laws, promulgated by virtue of Administrator's Notice No. 773 dated 6 July 1988 and adopted by the Council by virtue of Local Government Notice No. 139/1988 dated 4 January 1989, as amended.
7. Standard Standing Orders, promulgated by virtue of Administrator's Notice No. 1261 dated 26 October 1988 and adopted by the Council by virtue of Administrator's Notice No. 1119 dated 10 May 1989, as amended.
8. By-laws relating to Dogs, promulgated by virtue of Administrator's Notice No. 1387 dated 14 October 1981, and adopted by the Council by virtue of Administrator's Notice No. 1041 dated 11 August 1982, as amended.
9. Cemetery By-laws, promulgated by virtue of Administrator's Notice No. 224 dated 3 April 1963, as amended.
10. Public Health By-laws, promulgated by virtue of Administrator's Notice No. 148 dated 21 February 1951 and adopted by the Council by virtue of Administrator's Notice No. 950 dated 18 November 1953, as amended.
11. Standard Milk By-laws, promulgated by virtue of Administrator's Notice No. 1024 dated 11 August 1971 and adopted by the Council by virtue of Administrator's Notice No. 700 dated 17 May 1972, as amended.
12. Electricity By-laws promulgated, by Administrator's Notice No. 1959 dated 11 September 1985 and adopted by the Council by virtue of Administrator's Notice No. 317 dated 19 February 1986, as amended.
13. Standard By-laws relating to Cafes, Restaurants and Eating Houses, promulgated by virtue of Administrator's Notice No. 492 dated 27 April 1977 and adopted by the Council by virtue of Administrator's Notice No. 1387 dated 21 September 1977, as amended.

14. By-laws relating to Fire Brigade Services, promulgated by virtue of Administrator's Notice No. 1771 dated 23 December 1981 and adopted by the Council by virtue of Administrator's Notice No. 1139 dated 25 August 1982, as amended.

15. Standard Drainage By-laws, promulgated by virtue of Administrator's Notice No. 665 dated 8 July 1977 and adopted by the Council by virtue of Administrator's Notice No. 615 dated 3 May 1978, as amended.

16. Standard Library By-laws, promulgated by virtue of Administrator's Notice No. 254 dated 16 June 1993 and adopted by the Council by virtue of Local Government Notice No. 198 dated 19 January 1994, as amended.

17. Standard Water Supply By-laws, promulgated by virtue of Administrator's Notice No. 21 dated 5 January 1977 and adopted with certain amendments by the Council by virtue of Administrator's Notice No. 72 dated 25 January 1978, as amended.

18. By-laws relating to Posters, promulgated by virtue of Local Government Notice No. 36/1988 dated 23 March 1988, as amended.

19. By-laws for the Letting of Halls and Equipment: Civic Centre, promulgated by virtue of Local Government Notice No. 2301 dated 7 July 1993, as amended.

20. Standard Building By-laws, promulgated by virtue of Administrator's Notice No. 1993 dated 7 November 1974 and adopted by the Council by virtue of Administrator's Notice No. 1888 dated 20 December 1978, as amended.

21. Standard Financial By-laws, promulgated by virtue of Administrator's Notice No. 927 dated 1 November 1967 and adopted by the Council by virtue of Administrator's Notice No. 622 dated 11 June 1969, as amended.

22. By-laws for Sundry Services and the Determination of Fees for the Issuing of Certificates and Furnishing of Information, promulgated by virtue of Administrator's Notice No. 457 dated 12 March 1986, as amended.

23. By-laws for the Regulation of Bursary Loans, promulgated by virtue of Administrator's Notice No. 297 dated 19 April 1961, as amended.

24. Tariffs in terms of Regulation 30: Business Act, 1991 (Act No. 71 of 1991), adopted by virtue of Council Resolution A (9), May 1994.

25. By-laws relating to the Keeping of Bees, promulgated by virtue of Administrator's Notice No. 435 dated 18 May 1955 and adopted by the Council by virtue of Administrator's Notice No. 97 dated 24 June 1959, as amended.

26. By-laws for the Control and Regulation of the Carletonville Municipal Lapa, promulgated by virtue of Local Government Notice No. 4433 dated 17 November 1993, as amended.

27. By-laws for the Control and Regulation of the Recreation Resort, promulgated by virtue of Administrator's Notice No. 1887 dated 20 December 1978, as amended.

28. By-laws for the Control of Inflammable Liquids and Substances, promulgated by virtue of Administrator's Notice No. 269 dated 13 March 1968, as amended.

29. Standard Public Amenities By-laws, promulgated by virtue of Official Notice No. 60 dated 14 September 1990 and adopted by the Council by virtue of Local Government Notice No. 4235 dated 21 November 1990, as amended.

30. By-laws for the Control of Public Vehicles and their Drivers, promulgated by virtue of Administrator's Notice No. 2310 dated 10 December 1986, as amended.

31. Cleansing Services By-laws, promulgated by virtue of Administrator's Notice No. 331 dated 28 March 1979, as amended.

32. Areodrome By-laws, promulgated by virtue of Administrator's Notice No. 242 dated 6 February 1985, as amended.

33. Standard Health By-laws for Pre-school Institutions, promulgated by virtue of Official Notice No. 81 of 1992 and adopted by the Council by virtue of Local Government Notice No. 1465 dated 12 May 1993, as amended.

34. Determination of Tariff of Charges: Town Planning, promulgated by virtue of Municipal Notice No. 39 of 1992 dated 28 August 1992, as amended.

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Department of Environment Affairs Departement van Omgewingsake

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