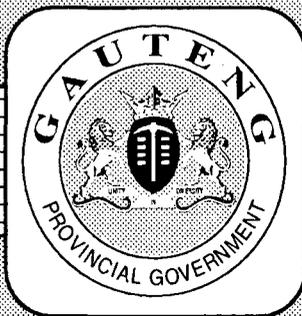


AMENDMENT NOTICE

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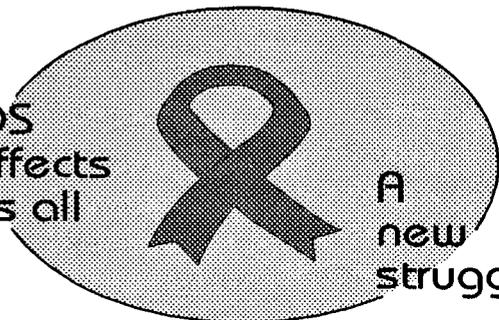
Vol. 9

PRETORIA, 24 JUNE 2003
JUNIE

No. 243

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affects
us all



A
new
struggle

Prevention is the cure

AIDS

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DEPARTMENT OF HEALTH



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GENERAL NOTICE

NOTICE 1983 OF 2003

LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998

AMENDMENT OF NOTICE ESTABLISHING THE WEST RAND DISTRICT MUNICIPALITY (GAUTENG NOTICE NO. 6769 OF 2000 AND NORTH WEST NOTICE NO. 329 OF 2000)

We, Trevor George Fowler and Darkey Ephraim Africa, Members of the Executive Councils responsible for local government in the Provinces of Gauteng and North West respectively, in terms of section 16, read with section 85(1) and (6) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), hereby further amend the notices establishing the West Rand District Municipality (Gauteng Notice No. 6769 of 2000 and North West Notice No. 329 of 2000) as set out in the Schedule hereto.

Given under my hand at Johannesburg this 20th day of June 2003.



T G FOWLER

MEC RESPONSIBLE FOR LOCAL GOVERNMENT: GAUTENG PROVINCE

Given under my hand at Johannesburg this 20th day of June 2003.



D E AFRICA

MEC RESPONSIBLE FOR LOCAL GOVERNMENT: NORTH WEST PROVINCE

SCHEDULE

Notice No. 6769 of 2000, published in the Gauteng Provincial Gazette Extraordinary No. 141 dated 1 October 2000, and Notice No. 329 of 2000, published in the North West Provincial Gazette Extraordinary No. 5580 dated 1 October 2000, as amended, is hereby further amended by amending the Schedule thereto as follows:

AMENDMENT OF PART 8

1. Amendment of clause 48

Clause 48 is hereby amended by the substitution for sub-clause (1) of the following sub-clause:

(1) (a) Subject to any authorisation made by the Minister in terms of section 84(3) of the Municipal Structures Act, the powers and functions of the West Rand District Municipality shall be those as set out in section 84(1) of the Municipal Structures Act excluding those powers and functions mentioned in sub-clause (d).

(b) Notwithstanding the provisions of sub-clause (a) the local municipal functions as set out in **COLUMN "A"** are hereby, in terms of section 85(1) of the Municipal Structures Act, allocated to the West Rand District Municipality to be performed in the areas of the local municipalities mentioned in **COLUMN "B"**:

COLUMN A	COLUMN B
<p>The function as described in Schedule 4 Part B to the Constitution:</p> <ul style="list-style-type: none"> ▪ Fire fighting services. ▪ Municipal public transport. 	<ul style="list-style-type: none"> ▪ Mogale City Local Municipality, Randfontein Local Municipality, Westonaria Local Municipality and Merafong City Local Municipality. ▪ Mogale City Local Municipality, Randfontein Local Municipality, Westonaria Local Municipality and Merafong City Local Municipality.

(c) Subject to any authorisation made by the Minister in terms of section 84(3) of the Municipal Structures Act, the powers and functions of the Merafong City Local Municipality, Mogale City Local Municipality, Randfontein Local Municipality and Westonaria Local Municipality, shall be those as set out in section 84(2) of the Municipal Structures Act.

- (d) Notwithstanding the provisions of sub-clause (c) the following district municipal functions are hereby, in terms of section 85(1) of the Municipal Structures Act, allocated to the Merafong City Local Municipality, Mogale City Local Municipality, Randfontein Local Municipality and Westonaria Local Municipality, to be performed in their respective areas of jurisdiction :-

the functions as described in the following sections of the Municipal Structures Act: -

Section 84 (1) (l)-	(Cemeteries and crematoria);
Section 84 (1) (f)-	(Municipal roads);
Section 84 (1) (e)-	(Solid waste disposal); and
Section 84 (1) (n)-	(Municipal public works relating to the above functions).

- (e) The allocation referred to in sub-clauses (b) and (d) shall take effect on 1 July 2003 and is subject to review and reallocation by the MEC as envisaged in section 85(9) of the Municipal Structures Act.

- (f) The provisions regarding-

- (i) resources;
- (ii) the transfer of assets, liabilities, rights, obligations and administrative and other records;
- (iii) the transfer of staff; and
- (iv) dispute resolution

as contained in this notice shall, with the necessary changes required by the context, apply to the performance of a function or exercise of a power referred to in sub-clauses (a), (b), (c) and (d) where any reference to:-

" a disestablished municipality" must be construed as reference to the district or local municipality from which a function or power has been transferred; and

"a new municipality" must be construed as reference to the district or local municipality to which a function or power has been transferred.

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