

# NORTHERN CAPE PROVINCE

PROFENSIYA KAPA-BOKONE



NOORD-KAAP PROVINSIE

IPHONDO LOMNTLA KOLONI

## EXTRAORDINARY • BUITENGEWOON

Provincial Gazette  
Kasete ya Profensi

iGazethi YePhondo  
Provinsiale Koerant

Vol. 22

KIMBERLEY  
12 NOVEMBER 2015  
12 NOVEMBER 2015

No. 1969

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



**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

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

ISSN 1682-4549



9 771682 454009

01969



# Government Printing Works

## Notice submission deadlines

Government Printing Works has over the last few months implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submit your notice request.

In line with these business rules, GPW has revised the notice submission deadlines for all gazettes. Please refer to the GPW website [www.gpwonline.co.za](http://www.gpwonline.co.za) to familiarise yourself with the new deadlines.

### CANCELLATIONS

Don't forget!

Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above.

Non-compliance to these deadlines will result in your request being failed. **Please pay special attention to the different deadlines for each gazette.**

**Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.**

Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

### AMENDMENTS TO NOTICES

take note!

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

### CUSTOMER INQUIRIES



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

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

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

### PROOF OF PAYMENTS



GPW reminds you that all notice submissions **MUST** be submitted with an accompanying proof of payment (PoP) or purchase order (PO). If any PoP's or PO's are received without a notice submission, it will be failed and your notice will not be processed.

When submitting your notice request to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za), please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email.

A reminder that documents must be attached separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment/purchase order – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment).

### REMINDER OF THE GPW BUSINESS RULES

- ☐ Single notice, single email – with proof of payment or purchase order.
- ☐ All documents must be attached separately in your email to GPW.
- ☐ 1 notice = 1 form, i.e. each notice must be on a separate form
- ☐ Please submit your notice **ONLY ONCE**.
- ☐ Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- ☐ The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.

**DISCLAIMER:**

Government Printing Works reserves the right to apply the 25% discount to all Legal and Liquor notices that comply with the business rules for notice submissions for publication in gazettes.

National, Provincial, Road Carrier Permits and Tender notices will pay the price as published in the Government Gazettes.

For any information, please contact the eGazette Contact Centre on 012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

**ADVERTISEMENT**

*Gazette*    *Page*  
*No.*        *No.*

**OFFICIAL NOTICES • AMPTELIKE KENNISGEWINGS**

13	Local Government: Municipal Structures Act (117/1998): Transitional measures to facilitate the disestablishment of Mier and //Khara Hais Local Municipalities and the establishment of a new municipality in terms of the Re-determination of Boundaries in terms of section 21 (5) (b) of the Act .....	1969	4
----	--	------	---

---

**OFFICIAL NOTICES • AMPTELIKE KENNISGEWINGS**

---

**OFFICIAL NOTICE 13 OF 2015****DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS****NOTICE IN TERMS OF SECTION 14(5) OF THE LOCAL GOVERNMENT:  
MUNICIPAL STRUCTURES ACT, 1998:****TRANSITIONAL MEASURES TO FACILITATE THE DISESTABLISHMENT OF MIER  
AND //KHARA HAIS LOCAL MUNICIPALITIES AND THE ESTABLISHMENT OF A  
NEW MUNICIPALITY IN TERMS OF THE RE-DETERMINATION OF BOUNDARIES  
IN TERMS OF SECTION 21(5)(b) OF THE LOCAL GOVERNMENT: MUNICIPAL  
DEMARCATON ACT, 1998 (ACT NO. 27 OF 1998)**

I, Alvin Botes, in my capacity as Member of the Northern Cape Provincial Government Executive Council responsible for local government / cooperative governance, and under powers vested in me by section 14(5) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), after having consulted the affected municipalities in the Province, hereby provide for the transitional measures contained in the Schedule hereto.

Given under my Hand at Kimberley on this 2<sup>nd</sup> day of November, Two Thousand and Fifteen (2015).

**MR AL BOTES, MPL****Member of the Executive Council of the Northern Cape Province responsible  
for Local Government /cooperative governance**

## SCHEDULE

### 1. DEFINITIONS

In this Schedule a word or expression, to which a meaning has been assigned in the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), has the same meaning, and unless the context indicates otherwise –

**"affected municipalities"** means the following municipalities affected by the re-determination of boundaries in terms of section 21 of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998), as set out in Provincial Notice No. 69 published in the Northern Cape Provincial Gazette No. 1911 of 07 July 2015:

- (a) Mier Local Municipality; and
- (b) //Khara hais Local Municipality;

**"committees"** means the **Provincial Transitional Management Committee, Municipal Political Transitional Management Committee, Municipal Technical Transitional Management Committee and Municipal Task Teams**, established in terms of this notice; and

**"MEC"** means the Northern Cape Member of the Executive Committee responsible for local government / cooperative governance.

### 2. OBJECT OF TRANSITIONAL MEASURES

The object of the transitional measures set out in this Schedule is to facilitate the disestablishment of the existing municipalities and the establishment of a new municipality.

### 3. ESTABLISHMENT OF TRANSITIONAL COMMITTEES

To ensure a smooth transition the following facilitation committees are hereby established called the:

- 3.1 Provincial Transitional Management Committee;
- 3.2 Municipal Political Transitional Management Committee;
- 3.3 Municipal Technical Transitional Management Committee; and



### 3.4 Municipal Task Teams.

## 4. PROVINCIAL TRANSITIONAL MANAGEMENT COMMITTEE

4.1 The Provincial Transitional Management Committee shall comprise of members from the following sectors: -

- (a) the Department of Co-operative Governance, Human Settlements and Traditional Affairs;
- (b) the Department of Provincial Treasury;
- (c) the Organised local government (SALGA NC); and
- (d) the Provincial unions of IMATU and SAMWU.

4.2 The representatives from the sectors shall be constituted as follows:

- a) the Chief Director: Cooperative Governance, who will act as Chairperson of the Provincial Transitional Committee;
- b) the Chief Director: Human Settlements, who will act as Chairperson;
- c) the Chief Director: Provincial Treasury, who will act as Chairperson;
- d) the Departmental Transitional Facilitator;
- e) the Director: Municipal Governance;
- f) the Director: Budget (PT);
- g) the Director: Policy and Planning (HS);
- h) the Director: Municipal Finance;
- i) the Director: Municipal Planning & Disaster Management;
- j) the Director: Municipal Infrastructure;
- k) the Director: Support Services (Communication Purposes);
- l) two representatives from SALGA Northern Cape; and
- m) two Provincial representatives from IMATU and SAMWU.

4.3 The Provincial Transitional Management Committee may co-opt or invite such other officials to serve on the said committee as it may deem necessary from time to time in order to assist it in the performance of its functions and duties.

4.4 The Provincial Transitional Management Committee may establish subcommittees to attend to any matters: Provided that any decision taken by a subcommittee must be ratified by the

Provincial Transitional Management Committee at its next meeting.

- 4.5 The Provincial Transitional Management Committee will report to all the Provincial Political structures of government namely the Governance and Administration Cluster and Executive Committee (Cabinet).

## **5. FUNCTIONS OF THE PROVINCIAL TRANSITIONAL MANAGEMENT COMMITTEE**

5.1 The main functions of the Provincial Transitional Committee are to:

- (a) act as a consultative, advisory and policy making forum for the MEC and affected municipalities concerning the disestablishment of the existing municipalities and establishment of a new municipality in the new municipal areas;
- (b) exercise oversight, support and guide the committees in the transitional process;
- (c) ratify or amend recommendations made by the committees, before the recommendations are adopted by the respective affected municipal councils;
- (d) act as a dispute resolution body in those instances where municipal councils deviate from the recommendations made in terms of paragraph (c) above: Provided that in the event that the dispute is not resolved within 14 days, the matter must be submitted to the MEC, whose decision will be final and binding on the affected municipalities; and
- (e) to advise the MEC on the legal, practical and other consequences of the transitional process;

5.2 The Provincial Transitional Management Committee has all the powers necessary for the effective performance of its functions and the affected municipalities must co-operate with the said Committee with a view to assist it in the performance of its functions.

5.3 Any committee or entity that was appointed or came into being in anticipation of, but prior to the publication of this Notice, is, for all intents and purposes, deemed to be the Provincial Transitional

Committee, and to have met and performed any functions contemplated in this Notice, as if it had been established in terms of this Notice.

## **6. CONDUCT OF MEMBERS**

6.1 A member of the Provincial Transitional Management Committee must perform the functions of office: -

- (a) in good faith; and
- (b) without fear, favour or prejudice.

6.2 A member of the Provincial Transitional Committee may not act in any other way that compromises the credibility, impartiality or integrity of the said Committee.

## **7. MEETINGS OF THE PROVINCIAL TRANSITIONAL COMMITTEE**

7.1 The Chairperson of the Provincial Transitional Management Committee decides where and when the said Committee will meet.

7.2 The Chairperson and/or Co-Chairpersons presides at the meetings of the Provincial Transitional Management Committee: Provided that in the event of the Chairperson or Co-Chairpersons being absent from a meeting, the members present must elect another member to preside at the meeting.

7.3 A majority of the members of the Provincial Transitional Committee constitutes a quorum for a meeting.

## **8. MUNICIPAL POLITICAL TRANSITIONAL MANAGEMENT COMMITTEE**

8.1 The Municipal Political Transitional Management Committee shall comprise of the following members: -

- (a) District Mayor / Deputy Mayor – Chairperson;
- (b) Mayors of existing municipalities;
- (c) Speakers of existing municipalities;
- (d) 2 X Executive Committee Members, or 2 X designated councillors in a case of a plenary executive system;
- (e) 3 X Maximum Traditional Leaders from existing municipalities, as determined by a local house of Traditional Leaders;
- (f) A representative of Provincial SALGA;
- (g) A Departmental Transitional Facilitator;



- (h) The MECs of CoGHSTA and Provincial Treasury will be ex-officio members of the Municipal Political Transitional Management committee; and
- (i) The Chief Directors will also be ex-officio members of the Municipal Political Transitional Management Committee and will provide advice as and when requested.

## **9. FUNCTIONS OF THE MUNICIPAL POLITICAL TRANSITIONAL MANAGEMENT COMMITTEE**

- 9.1 The Political Transitional Management Committee is to provide overall guidance within the restructuring process of amalgamating municipalities. The purpose of the committees are to provide political, guidance for the restructuring process and to express on specific policy matters, to be chaired by the District Mayor or Deputy District Mayor;
- 9.2 To support and guide municipalities in the restructuring process, unblocking blockages where occurring and ensuring compliance with regard to laid down time frames and legislative requirements.

## **10. MUNICIPAL TECHNICAL TRANSITIONAL MANAGEMENT COMMITTEE**

**10.1** The municipal technical transitional management committee shall comprise of the following members:-

- (a) District Municipal Manager – Chairperson;
- (b) Municipal Managers of existing municipalities;
- (c) Heads of Departments of existing municipalities;
- (d) 1 X local representative of each municipal union in existing municipalities;
- (e) A Departmental Transitional Facilitator;
- (f) A representative of Provincial SALGA; and
- (g) The Chairpersons of the Provincial Transitional Committee will be ex-officio members of this Committee.

## **11. FUNCTIONS OF THE TECHNICAL TRANSITIONAL MANAGEMENT COMMITTEE**

- 11.1 The Technical Transitional Management Committee drives the restructuring process at municipal level and needs to ensure that the restructuring process plan is being followed.

- 11.2 The Municipal Technical Transitional Management Committee must ensure that although municipalities are still autonomous entities when the restructuring process starts, municipalities are working towards a new structure and all resolutions passed by the municipality and all actions of affected municipalities must support the restructuring process.
- 11.3 The major preparatory work for the restructuring is done by the Municipal Technical Transitional Management Committee.
- 11.4 The Technical Transitional Management Committee will make recommendations to the Political Committee on the implementation of directives.

## **12. MUNICIPAL TASK TEAMS**

- 12.1 Municipal Task Teams will be established in accordance with the following municipal disciplines:
- (a) Human Resource;
  - (b) Finance;
  - (c) IDP;
  - (d) Legal;
  - (e) Technical;
  - (f) Institutional;
  - (g) Communication;
- 12.2 The Municipal Task Teams must be chaired by the relevant District Municipality: Heads of Departments. For example the CFO of the District will chair the Finance Task Team meeting with the affected Local municipal officials.
- 12.3 The relevant Provincial official(s) must also be in attendance at the Municipal Task Team meeting to provide support and guidance. The Provincial official must also provide feedback to the Provincial Transitional Facilitator and Provincial Management Transitional Committee.
- 12.4 The Municipal Task Teams shall develop directives to deal with the following issues: -
- (a) Filling of vacancies
  - (b) Budget and IDP
  - (c) PMS

- (d) Organogram
- (e) Office and accommodation
- (f) ITC
- (g) Transfer and placement of staff
- (h) Delegation
- (i) Rationalization of policies and By-Laws
- (j) SDBIP
- (k) Disestablishment of current municipalities
- (l) Appropriate type of municipality Legal succession
- (m) Assets and Liabilities
- (n) Transfer of moveable and immoveable property
- (o) Municipal powers and functions
- (p) Institutional arrangements
- (q) Preparation of financial statements

# IMPORTANT *Information* from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

## GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – [www.gpwonline.co.za](http://www.gpwonline.co.za))
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za))
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za).



Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001.  
Contact Centre Tel: 012-748 6200. eMail: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)  
Also available at the **Northern Cape Provincial Legislature**, Private Bag X5066, Nobengula Extension, Kimberley, 8301. Tel. : (053) 839-8073. Fax: (053) 839-8094.