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PROCLAMATION

NO. 1

BY THE MEMBER OF THE EXECUTIVE COUNCIL RESPONSIBLE FOR LOCAL GOVERNMENT,
HOUSING, PLANNING AND DEVELOPMENT.

LOCAL GOVERNMENT TRANSITION ACT, 1993

(ACT NO. 209 OF 1993)

ESTABLISHMENT OF CERTAIN AREAS AS TRANSITIONAL LOCAL COUNCILS.

I, Darkey Ephraim Africa, Member of the Executive Council responsible for Local Government, Housing, Planning and Development of the North West, under sections 10(1)(a) and 10(3) of the Local Government Transition Act, 1993 (Act 209 of 1993 read with Proclamation No. R129, 1994 published in Government Gazette No. 15894 of 15 July 1994), and with the concurrence of the Provincial Committee for Local Government, hereby establish Transitional Local Councils for the areas known as Klerksdorp, Vryburg and Leeudoringstad, and make further enactments as set out in Schedules A, B and C respectively.

Given under my hand at *MMABATHO* this *16th* day of *AUGUST*,
1994.


DARKEY EPHRAIM AFRICA

MEMBER OF THE EXECUTIVE COUNCIL RESPONSIBLE FOR LOCAL GOVERNMENT, HOUSING,
PLANNING AND DEVELOPMENT

SCHEDULE A

ESTABLISHMENT OF A TRANSITIONAL LOCAL COUNCIL

1. (a) A Transitional Local Council, named The City Council of Klerksdorp, is hereby established in terms of section 7(1)(b)(i) of the Local Government Transition Act, 1993 (Act No 209 of 1993).
- (b) The Transitional Local Council established under paragraph (a) shall consist of the local bodies of Klerksdorp, Jouberton, Alabama and Manzilpark and shall be deemed to be a local government body in accordance with the Local Government Ordinance, 1939 (Ordinance No 17 of 1939).

DISBANDMENT OF LOCAL GOVERNMENT BODIES

2. The City Council of Klerksdorp, the Town Council of Jouberton and the Management Committees of Alabama and Manzilpark are hereby disbanded.

AREA OF THE TRANSITIONAL LOCAL COUNCIL

- 3 (1) The area of the Transitional Local Council of Klerksdorp shall consist of the existing areas of jurisdiction of the Disbanded City Council of Klerksdorp which include the areas of Alabama and Manzilpark, and the area of jurisdiction of the Town Council of Jouberton.
- 4 (1) The City Council of Klerksdorp shall consist of 28 members who were duly nominated in accordance with paragraph 5 of Schedule 1 of the Act (See Addendum 1)
- (2) The City Council of Klerksdorp shall, at its first meeting, elect a mayor and deputy-mayor from its members whereafter the provisions of section 17 of the Local Government Ordinance, 1939 (Ordinance No 17 of 1939) shall apply.
- (3) The terms of office of the members of the disbanded local government bodies as detailed in section 2, are hereby terminated.

- (4) Any vacancies that arise, shall be submitted to the Premier within thirty (30) days with a view to filling such vacancies from the list of additional candidates in order of preference as envisaged in paragraph 5 of Schedule 1 of the Act.

ALLOWANCE OF COUNCILLORS

5. All the councillors shall receive a allowance of not more than the maximum allowance paid to councillors of a grade 10 city council. The mayor and deputy-mayor shall receive a allowance of not more than the maximum allowance paid to a mayor and deputy-mayor of a grade 10 city council.

EXECUTIVE COMMITTEE

6. (1) The Council elects, regardless the provisions of the Local Government Ordinance (Administration and Elections), 1960 (Ordinance No 40 of 1960), from its members an executive committee as intended in section 16(6) of the Local Government Transition Act, 1993.
- (2) The Deputy-Mayor shall be the chairperson of the Executive Committee.
- (3) The provisions of the Local Government Ordinance (Administration and Election) 1960 are, in the execution of the provisions of this Proclamation, mutadis matandis applicable to the Executive Committee as intended in sub-section (1).

TOWN CLERK

7. (1) The Town Clerk of the disbanded City Council of Klerksdorp is, in the application of this Proclamation, with the exception of the Remuneration of Town Clerks Act 1984 (Act No 115 of 1984), deemed to be the Town Clerk of Klerksdorp, as intended in section 62 of the Local Government Ordinance, 1939.
- (2) The Town Clerk, when enforcing this Proclamation, functions, powers and duties entrusted to the Town Clerk of Klerksdorp under the Local Government Ordinance, 1939, the Local Government Ordinance (Administration and Elections) 1960, the Municipal Elections Ordinance, 1970 or any other law or by-law of the City Council of Klerksdorp.

TRANSFER OF ASSETS, LIABILITIES, RIGHTS AND OBLIGATIONS

8. All assets, liabilities, rights and obligations of the disbanded City Council of Klerksdorp, the disbanded Town Council of Jouberton and the disbanded Management Committee of Alabama and Manzilpark are hereby transferred to the City Council of Klerksdorp.

RESOLUTIONS, BY-LAWS AND REGULATIONS

9. (1) All resolutions which have been taken by the disbanded City Council of Klerksdorp, Town Council of Jouberton and the disbanded Management Committees of Alabama and Manzilpark, and all by-laws and regulations of the said local government bodies are, after the effective date, deemed to be resolutions, by-laws and regulations of the new City Council of Klerksdorp.
- (2) All by-laws and regulations of the disbanded Town Council of Jouberton and City Council of Klerksdorp are repealed with the exception of the by-laws and regulations of the disbanded City Council of Klerksdorp which, as from the effective date, shall be deemed to be by-laws and regulations made by the City Council of Klerksdorp.
- (3) These practical transitional measures shall not be construed as derogating from the powers of the T L C to amend, repeal or add to these measures.

RIGHTS OF EMPLOYEES OF THE LOCAL TRANSITIONAL COUNCIL OF KLERKSDORP

10. (1) All employees of the disbanded City Council of Klerksdorp and the Town Council of Jouberton are, as from the date of the establishment of the Transitional Council, deemed to be employees of the City Council with the retention of present post designations, salary and salary scales, allowances, leave bonuses, confinement leave where applicable, benefits and conditions of employment as contained in legislation, Industrial Council and Council resolutions of the two councils, the contents of the last mentioned mutatis mutandis are deemed to be provisions of this agreement.

(2) GRADING OF THE CITY COUNCIL

All employees of the City Council shall, as from the date of establishment, be remunerated in accordance with the grading of the highest of the two disband local governments, namely Klerksdorp as grade 10 local government.

3. ALLOWANCES

(a) Transport allowances

All benefits which employees receive in terms of the provisions of the various travelling allowance schemes of Remuneration and Industrial Council (Scheme for Town Clerks, Industrial Council schemes, 1989 as well as the 1993 scheme) as accepted by resolutions of the Council, are confirmed and the new City Council shall be bound to the provisions of the schemes.

(b) House-owner allowance scheme

The City Council binds itself to continue the payment of the allowances in terms of the provisions of the house-owner allowance scheme.

(c) Housing Loan Scheme

The City Council shall be bound to the scheme for all employees who qualify.

(d) Housing Help

All employees who receive benefits at present in terms of the housing-help scheme, shall retain the benefits in accordance with Industrial and Council resolutions. Although disparity between the SAAMW and SAMWU-scheme exists at present, the City Council shall take cognizance of the matter and adjustments will, in consultation with trade unions be made in future.

(e) Stand-by Service Allowances

The payment of stand-by service allowances in accordance with Industrial Council resolutions, shall be made.

4. PENSION FUNDS

The existence of the following pension and provident funds are acknowledged and contributions shall be made in accordance with the regulations of the various funds:

- a. Transvaal Municipal Pension Fund.
- b. Transvaal Municipal Retirement Fund.
- c. Transvaal Municipal Gratuity Fund (Provident Fund).
- d. SALA Pension Fund.
- e. Provident Fund endorsed by Alexander Forbes.

5. MEDICAL FUNDS

The existence of the following medical funds are acknowledged and contributions shall be made in accordance with the regulations of the various funds:

- a. Munimed (Transvaal)
- b. Bonitas
- c. Pro Sano
- d. Sanitas

6. GROUP INSURANCE SCHEME

The existing two group insurance schemes (SAAME scheme and Southern Life Scheme) are retained and the City Council shall be bound to the continuation of contributions that are in force at present. The City Council shall endeavour to establish a provident fund for all employees.

7. REDEMPTION OF ACCRUED LEAVE

The existing scheme is retained until a better scheme in the Industrial Council is bargained (obtained), in which case employees can exercise a choice between the two schemes. The existing scheme of Klerksdorp shall, mutatis mutandis be applicable to all employees of the City Council.

8. LEAVE BENEFITS

The City Council shall be bound to the retention of existing leave benefits including compassionate leave as well as to the rationalization of leave benefits which will follow after the establishment of the new City Council, that is to say : parity in respect of leave benefits must be implemented taking into consideration the grading of Klerksdorp and be made applicable to all employees of the City Council on the understanding that no employee shall be worse off than before.

9. LONG SERVICE ACKNOWLEDGEMENT SCHEME

The existing scheme of the Industrial Council which is applicable to employees of Klerksdorp is retained and made applicable to all employees of the City Council with no interruption of the years of service owing to the disbandment of the two Councils.

10. WORKING HOURS

The existing working hours, which are the same at both disbanded Councils, shall be adhered to.

11. CONDITIONS OF EMPLOYMENT

The existing conditions of employment for the Chief Executive Officer/Town Clerk, SAAME members and MESHAU members, as bargained in the different Industrial Councils as well as the personnel regulations applicable to employees of Jouberton shall continue and the City Council shall comply therewith

12. ANY OTHER MATTERS NOT REFERRED TO

Any other matters which are not specifically referred to in this schedule and all other matters which is arranged by legislation, is also confirmed and acknowledged by the City Council and will be complied with.

13. COMMITMENT

The City Council shall commit itself to protect the rights and benefits of its employees and no amendments which may influence any employee adversely, shall be made effective without consulting all the trade unions concerned.

14. The rights and benefits of employees of the disbanded local government bodies are hereby confirmed and all employees of the different disbanded local government bodies shall be deemed to be employees of the new City Council of Klerksdorp, with effect from 1 July 1994

Proclamation No 54 of 1944 which stipulates membership of medical schemes, pension funds and provident fund shall be deemed to be applicable to the employees of the City Council of Klerksdorp.

15. Employees in the service of the dissolved local government bodies shall be taken up in the service of the City Council of Klerksdorp, subject to conditions which are not less favourable than those under which they served in the disbanded local government bodies and also subject to the applicable labour legislation and proper consultation between employer and employee bodies.
11. The City Council of Klerksdorp shall, on the effective date, appoint a city council and employees as envisaged in the Local Government Ordinance 1939 subject to section 11 of these enactments.

DATE OF COMING INTO EFFECT

12. This Proclamation shall come into effect on 1 July 1994.

REPEAL

13. Section 15(1) of the Local Government Ordinance (Administration and Election), 1960, - Ordinance 40 of 1960, is hereby repealed.

ADDENDUM 1

SURNAME	INITIALS	IDENTITY NUMBER
Mr Archer	D M	3707145055007
Mr Coetzee	P H	5807295090008
Mr De Kock	D J	5208185112004
Dr De Wit	J J	5104105002088
Mr Douw	J	4706115514018
Mr Engela	T	3408085050005
Mr Gouws	M	6009175001002
Mr Lambrechts	J C S	4511025031008
Mr McGluwa	J J	6308235090082
Mr Randles	T L	3911025001004
Mr Suliman	M S	4708105146058
Mr van der Westhuizen	S	4206085041084
Mr van Deventer	L S D	4104095024002
Mr Visser	A C	3408285024008

SURNAME INITIALS		IDENTITY NUMBER
Ms Benjamin	S M	3911150263080
Mr Brown	J	5409245402019
Mr Hoffman	M N	5009205722081
Ms Leibrandt	E V	5204030155017
Mr Mogale	O M	6312265740087
Mr Mokonopi	S	4210285487089
Ms Molapo	W B	5411120710086
Mr Moleme	H	5009225678081
Mr Mphana	W I	6010075781083
Mr Motala	M I	5701205050055
Ms Nelson	W J	6212250207086
Mr Pakade	S	4408045383081
Mr Sithole	T E	6007015668089
Mr Machwisa	J	5703065512083

SCHEDULE 6

1. ESTABLISHMENT OF A TRANSITIONAL LOCAL COUNCIL

- (a) A Transitional Local Council, named the Transitional Local Council of Vryburg, is hereby established in terms of Section 7(1)(b)(i) of the Local Government Transition Act, 1993 (Act No 209 of 1993, as from the date that this Proclamation becomes effective (herein referred to as the effective date) and shall have the powers, duties and functions of a Municipality governed and represented by a council as contemplated in the Municipal Ordinance, 1974 (Ordinance 20 of 1974).
- (b) The Transitional Local Council established under paragraph (a) shall consist of the local bodies of Vryburg, Huhudi, Colridge and Kismet Park and shall be deemed to be a local government body in accordance with the Local Government Transition Act 1993 (Act No 209 of 1993).

2. DISBANDMENT OF LOCAL GOVERNMENT BODIES

The COUNCIL OF THE MUNICIPALITY OF VRYBURG established in terms of Section 5(1)(a) of the Municipal Ordinance, 1974, (Ordinance 20 of 1974) (hereafter referred to as the "MUNICIPAL COUNCIL");

the COLDRIDGE MANAGEMENT COMMITTEE established in terms of Section 2(1) of the Local Authorities (development according to community) Ordinance, 1963 (Ordinance 6 of 1963) and in terms of a notice published under Provincial Notice P.K. 356 dated 22 May 1964 (hereafter referred to as the "MANAGEMENT COMMITTEE");

the KISMET PARK MANAGEMENT COMMITTEE established in terms of Section 2(1) of the Local Authorities (development according to community) Ordinance, 1963 (Ordinance 6 of 1963) and in terms of a notice published under Provincial Notice P.K. 186 of 18 February 1972 (hereafter referred to as the "MANAGEMENT COMMITTEE");

the HUHUDI TOWN COUNCIL established in terms of Section 2(1) of the Black Local Authorities Act, 1982 (Act 102 of 1982) (hereafter referred to as the "TOWN COUNCIL");

are hereby disbanded on the effective date.

3. AREA OF THE TRANSITIONAL LOCAL COUNCIL

The area of the Transitional Local Council of Vryburg shall consist of the existing combined areas of jurisdiction of the disbanded Municipal Council, the Management Committees of Kismet and Colridge and the Town Council.

4. COUNCILLORS

- 4.1 The terms of Office of the members of the disbanded local government bodies as detailed in clause 2, are hereby terminated.
- 4.2 The Transitional Local Council of Vryburg shall consist of the following 30 members (who were duly nominated in accordance with paragraph 5 of Schedule 1 of the Act) :

SURNAME	ADDRESS
STATUTORY	
Mr C R Opperman	17 Theiler Street, Vryburg
Mr R J Swanepoel	1 Zebra Road, Vryburg
Mr I A Mollentze	56 Moffat Street, Vryburg
Mr W J Pieterse	7 Koedoe Road, Vryburg
Mrs S Cornforth	54 Edwin Frylinck Street, Vryburg
Mr P R Retief	4 Molopo Road, Vryburg
Mr A J Swanepoel	81 MacKenzie Street, Vryburg
Mr D R Van Tonder	Bernauw Plot, Vryburg
Mr J H De Jager	10 Voortrekker Street, Vryburg
Mr D J M Botes	1 Du Toit Street, Vryburg
Mr J A Adonis	6 William Street, Colridge
Mrs M W Kruger	6 First Avenue, Colridge
Mrs D S Lockey	26 Wilger Street, Colridge
Mr E Khan	19 Dale Street, Kismet Park
Mr A H Kokatay	20 MacBeth Street, Kismet Park

NON-STATUTORY

Mr J P Van Neel	32 Wilger Street, Colridge
Mrs L R Van Neel	32 Wilger Street, Colridge
Mr H Visagie	18 Skool Street, Colridge
Mrs F Cajee	26 Disa Street, Colridge
Mr H Galeng	1741 Sejake Street, Huhudi
Mrs S N Pheelwane	1056 Strydom Street, Huhudi
Mr A I Kekesi	44 Royden Road, Vryburg
Mr D Setlhauno	2512 Segawana Street, Huhudi
Mrs M Moroka	1875 Moratshidi Street, Huhudi
Mrs Z Sejake	256 Maruping Street, Huhudi
Ms B Fuleni	2274 Lebone Street, Huhudi
Mr W Schalk	437 Bareki Street, Huhudi
Mr E Motlhaleemang	103 Voyi Street, Huhudi
Rev S Maphalle	2668 Semomu Street, Huhudi
Mr W Seimelo	3153 Tebogo Kebotlhale Street, Huhudi

- 4.3 The Transitional Local Council of Vryburg shall, at its first meeting, elects a mayor and deputy-mayor from the members whereafter the provisions of the Local Government Transition Act, Act No 209, 1993, shall apply.

5. TRANSFER OF ASSETS, LIABILITIES, RIGHTS AND OBLIGATIONS

All assets, liabilities, rights and obligations of the disbanded Municipal Council of Vryburg, the disbanded Town Council of Huhudi and the disbanded Management Committees of Colridge and Kismet Park, are hereby, after the effective date, transferred to the Transitional Local Council of Vryburg; Provided that no outstanding debt up to and including the day before the date on which the Proclamation comes into operation, in respect of service charges or service owed by the residents of Huhudi Town to the former council of Huhudi or any other person, body or institution shall devolve upon, be assigned to or become the liability, debt or obligation of the Vryburg Transitional Local Council.

6. RESOLUTIONS, BY-LAWS AND REGULATIONS

Any resolution taken, or notice, certificate or other document issued, any direction, approval, consent or authority given, any exemption, licence or permit granted or issued, any appointment or by-law made, any person elected or nominated or any other action taken or thing done by the Municipal Council or the Management Committee or the Town Council prior to the date on which the Proclamation comes into operation shall, unless clearly inappropriate, be deemed to have been taken, issued, given, granted, made, elected, nominated or done by the transitional local council and shall remain in force and effect until rescinded, carried or amended by the aforesaid council.

7. EMPLOYEES

7.1 The employees of the Municipal Council, shall be transferred without prejudice and with continuation of their rights and benefits to the services of the transitional local council with effect from the date on which the Proclamation comes into operation.

7.2 No employee referred to a subclause (1) who on the date on which the Proclamation comes into operation was in the employment of the Municipal Council, shall have his employment terminated merely by reason of his having been transferred to the service of the transitional local council.

7.3 All employees of the disbanded Municipal Council of Vryburg and the Town Council of Huhudi are, as from the date of the establishment of the Transitional Council, deemed to be employees of the Transitional Local Council with the retention of present post designations, salary and salary scales, allowances, leave bonuses, confinement leave where applicable, benefits and conditions of employment as contained in

legislation, Industrial Council and Council resolutions of the two councils, the contents of the last mentioned mutatis mutandis are deemed to be provisions of this agreement.

7.4 Upon the date on which the Proclamation comes into operation, every employee referred to in subclause (1) shall -

- (a) on such date be credited with all the vacation and sick leave standing to his credit;
- (b) in respect of pensionable service performed in the service of his previous employer, be deemed to have performed that pensionable service in the service of the Transitional Local Council.

7.5 All employees of the Transitional Local Council shall, as from the effective date, be remunerated in accordance with the grading of the highest of the two disbanded local governments, namely Vryburg as Grade 8 local government.

7.6 PENSION FUNDS

The Transitional Local Council acknowledges the existance of the following pension funds and binds itself to contributions in accordance with the regulations of the various funds :

- (a) Cape Joint Pension Fund.
- (b) SALA.

7.7 MEDICAL FUNDS

The Transitional Local Council acknowledges the existance of the following medical funds and binds itself to contributions in accordance with the regulations of the various funds :

- (a) Medical Aid Fund for Local Authorities (Cape).
- (b) Bonitas.
- (c) Pro Sano.

7.8 Any other matters which are not specifically referred to in this agreement and all other matters which is arranged by legislation, is also confirmed and acknowledged by the Transitional Local Council and will be complied with.

7.9 The Transitional Local Council commits itself to protect the rights and benefits of its employees and no amendments which may influence any employee adversely, shall be made effective without consulting all the trade unions concerned.

8. SUCCESSION

From the effective date the Transitional Local Council shall for all purposes be deemed to be the successor in law of the Municipal Council, the Management Committee and the Town Council.

9. EFFECTIVE DATE

This proclamation shall come into operation with effect from 1 August 1994.

10. REPEAL

The laws referred to in column 1 hereunder shall not apply or such laws shall be applied to the body referred to in paragraph 1. above to the extent stated in column 2.

COLUMN 1

Local Authorities (Development according to Community) Ordinance, 1963 (Ordinance 6 of 1963).

Promotion of Local Government Affairs Act, 1983 (Act 91 of 1983).

COLUMN 2

The whole shall not apply.

Sections 7A-7H shall not apply.

SCHEDULE

ESTABLISHMENT OF A TRANSITIONAL LOCAL COUNCIL

1. A Transitional Local Council, named The Transitional Local Council of Leeudoringstad, is hereby established as envisaged in section 7(1)(b)(i) of the Local Government Transition Act, 1993 (Act no 209 of 1993), as from the date that this Proclamation becomes effective (herein referred to as the effective date), consisting of the Local bodies of Leeudoringstad and Kgakala which Transitional Local Council be deemed to be a Local Government body in accordance with the Local Government Ordinance, 1939 (Ordinance No 17 of 1939).

DISBANDMENT OF LOCAL GOVERNMENT BODIES

2. The Town Council of Leeudoringstad and the Town Committee of Kgakala are hereby disbanded on the effective date.

AREA OF THE TRANSITIONAL LOCAL COUNCIL

3. The area of the Transitional Local Council of Leeudoringstad consists of the former areas of jurisdiction of the Village Council of Leeudoringstad and the Town Committee of Kgakala respectively.

COUNCILLORS

4. (1) The Transitional Local Council of Leeudoringstad consists of 12 members and the following persons who were duly nominated in accordance with paragraph 5 of Schedule 1 of the Act, are appointed as members of the Transitional Local Council.

SURNAME	INITIALS	IDENTITY NUMBER
Mr De Villiers	C	380404 5009 00 0
Mr Roets	J W	450318 5020 80 4
Mr V D Westhuizen	S J C	470803 5072 00 2
Mr Oldewage	P A M	540122 5112 00 7
Mrs Pieterse	A J	381021 0032 00 8
Mr Du Preez	H P	511031 5036 00 6
Mr Mogogane	G	631015 5743 08 8
Mr Mogotsi	M	511121 5414 08 7
Mr Tladi	S	691120 5823 08 3
Mr Pieterse	T C H	330326 5026 00 0
Mr Modibedi	M	710502 0422 08 5
Mr Mophuleng	F	731018 5502 08 1

(2) Additional members appointed;

STATUTORY

Esterhuizen	A J
Brits	C A
Oosthuizen	L

NON-STATUTORY

Selebalo	S
Madibo	M
Selebalo	M
Medupe	B

(3) The terms of office of the members of the disbanded Local Government bodies as set out in paragraph 2 above, are terminated with the effective date.

(4) Any vacancies that arise, must be submitted to the Premier within thirty (30) days with a view to filling such vacancies from the list of additional candidates in order of preference as envisaged in paragraph 5 of Schedule 1 of the Act.

ALLOWANCE OF COUNCILLORS

3. After the effective date, all the councillors shall receive an allowance of not more than the maximum allowance paid to councillors of a grade 4 Local Council. The Mayor and Deputy-Mayor shall receive an allowance of not more than the maximum allowance paid to a Mayor and Deputy-Mayor of a grade 4 Local Council.

EXECUTIVE COMMITTEE

6. The Transitional Local Council has elected from its members the following members to form an executive committee as intended in Section 16 (6) of the Local Government Transitional Act 1993,
Clr J.W. Roets - Chairperson
Clr F. Mophuleng - Deputy-Chairperson
Clr H.P. Du Preez - Member

DUTIES AND POWERS OF THE COUNCIL

7. The Transitional Local Council of Leeudoringstad is hereby established with all the duties, rights and powers and responsibilities as determined in all laws which are applicable to a Local Government body.

TRANSFER OF ASSETS, LIABILITIES, RIGHTS AND OBLIGATIONS

8. All assets, liabilities, rights and obligations of the disbanded Town Council of Leeudoringstad, the disbanded Town Committee of Kgakala are hereby, after the effective date, transferred to the Transitional Local Council of Leeudoringstad.

RESOLUTIONS, BY-LAWS AND REGULATIONS

9. All resolutions which have been taken by the disbanded Town Council of Leeudoringstad and the disbanded Town Committee of Kgakala, and all by-laws and regulations of the said Local Government bodies are, after the effective date, deemed to be resolutions, by-laws and regulations of the new Transitional Local Council of Leeudoringstad.

RIGHTS OF EMPLOYEES OF THE LOCAL TRANSITIONAL COUNCIL OF LEEUDORINGSTAD

10. (1) All employees of the Town Council of Leeudoringstad and the Town Committee of Kgakala are, as from the date of the establishment of the Transitional Local Council, deemed to be employees of the Transitional Local Council with the retention of present post designations, salary and salary scales, allowances, leave bonuses, confinement leave where applicable, benefits and conditions of employment as contained in legislation, Industrial Council and Council resolutions of the two Councils, the contents of the last mentioned will be mutatis mutandis provisions of this agreement.

(2) ALLOWANCES

a. Transport allowances

All benefits which employees receive in terms of the provisions of the various travelling allowance schemes of Remuneration and Industrial Council (Scheme for Town Clerks, Industrial Council schemes, 1989 as well as the 1993 scheme) as accepted by resolutions of the Council, are confirmed and the new Transitional Local Council binds itself to the provisions of the schemes.

b. House-owner allowance scheme

The Transitional Local Council binds itself to continue the payment of the allowances in terms of the provisions of the house-owner allowance scheme.

c. Housing Loan Scheme

The Transitional Local Council binds itself to the scheme for all employees who qualify.

d. Stand-by Service Allowances

The payment of stand-by service allowances is confirmed in accordance with Industrial Council resolutions.

(3) PENSION FUNDS

The Transitional Local Council acknowledges the existence of the following pension and provident funds and binds itself to the contributions in accordance with the regulations of the various funds:

- a. Transvaal Municipal Pension Fund.
- b. Transvaal Municipal Retirement Fund.
- c. Transvaal Municipal Gratuity Fund (Provident Fund).
- d. SALA Pension Fund.
- e. Provident Fund endorsed by Alexander Forbes

(4) MEDICAL FUNDS

The Transitional Local Council acknowledges the existence of the following medical funds and binds itself to the contributions in accordance with the regulations of the various funds :

- a. Munimed (Transvaal)
- b. Bonitas
- c. Pro Sano
- d. Sanitas

(5) GROUP INSURANCE SCHEME

The existing two schemes (SAAME scheme and Southern Life Scheme) are retained and the Transitional Local Council binds itself to the continuation of the contributions that are in force at present.

(6) LEAVE BENEFITS

The Transitional Local Council binds itself to the retention of all existing leave benefits.

(7) CONDITIONS OF EMPLOYMENT

The conditions of employment for the Executive Chief/Town Clerk and SAAME members, as bargained in the different Industrial Councils as well as the personnel regulations applicable to employees of Kgakala is confirmed and the Transitional Local Council will comply with the provisions thereof.

(8) ANY OTHER MATTERS NOT REFERRED TO

Any other matters which are not specifically referred to in this agreement and all other matters which are arranged by legislation, are also confirmed and acknowledged by the Transitional Local Council and will be complied with.

(9) COMMITMENT

The Transitional Local Council commits itself to protect the rights and benefits of its employees and no amendments which may influence any employee adversely, will be made effective without consulting all the trade unions concerned.

- (10) The rights and benefits of employees of the disbanded Local Government bodies are hereby confirmed and all employees of the different disbanded Local Government bodies shall, taking the effective date into consideration, be deemed to be employees of the new Transitional Local Council of Leeudoringstad.
- (11) Employees in the service of the disbanded Local Government bodies are taken up in the service of the Transitional Local Council of Leeudoringstad, subject to conditions which are not less favourable than those under which they served in the disbanded Local Government bodies and also subject to the applicable labour legislation and proper consultation between employer and employee bodies.
- (12) The Transitional Local Council of Leeudoringstad must, on the effective date, appoint a city council and employees as envisaged in the Local Government Ordinance 1939 subject to section 7 of these enactments.

EFFECTIVE DATE

11. This Proclamation shall come into effect on 1 July 1994.

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