

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
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**NORTH-WEST
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**PROVINCIAL GAZETTE
PROVINSIALEKOERANT**

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PROCLAMATION

NO. 6

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 LOCAL GOVERNMENT CO-ORDINATING COMMITTEES.

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 Local Government Co-ordinating Committee for the area known as Bloemhof, Christiana and Hartbeespoort and make further enactments as set out in Schedule A, B and C respectively.

Given under my hand at Mmabatho this 19 day of
..... October 1994.


DARKEY EPHRAIM AFRICA

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

SCHEDULE A

ESTABLISHMENT OF A LOCAL GOVERNMENT CO-ORDINATING COMMITTEE

1. A Local Government Co-ordinating Committee, as envisaged in section 7(1)(c) of the Local Government Transition Act 1993 (Act 209 of 1993) is hereby established as from the date on which this Proclamation becomes effective (the effective date) in respect of the government bodies of Bloemhof, Salamat, Coverdale and Boitumelong, under the name Bloemhof Local Government Co-ordinating Committee.

CONTINUED EXISTENCE OF THE LOCAL GOVERNMENT BODIES

2. The Local Government Bodies within the area of the Co-ordinating Committee which is hereby established, shall continue to exist and shall retain their own identity, legal individuality and all the assets they possessed before the effective date and shall remain responsible for their own financial responsibilities which originated before or after the effective date.

POWERS AND DUTIES ENTRUSTED TO COMMITTEE

3. (1) As from the effective date the Committee shall be entitled and compelled to exercise the following powers and duties in respect of the area of jurisdiction for which it is being established:
 - (a) The minimum powers and duties, rights and liabilities of a Co-ordinating Committee contemplated in section 7(1)(c) of the Local Government Transition Act 1993 (Act 209 of 1993)
- (2) As from the effective date the existing local government bodies within the area of jurisdiction of the Committee, shall not have the power to take separate decisions regarding those matters which, in terms of sub-paragraph (1), have been entrusted to the Committee.

STRUCTURE OF THE COMMITTEE

4. (1) The Committee shall consist of 20 members and shall be composed of representatives of the following bodies :
 - (a) Government Body of Bloemhof ----- 4 members
 - (b) Government Body of Boitumelong ----- 1 member
 - (c) Government Body of Salamat ----- 1 members

- (d) Government Body of Coverdale ----- 2 members
- (e) National Party of Bloemhof ----- 1 member
- (f) Those sectors of the society who did not participate in the election process previously, 11 members.

(2) The following persons are hereby appointed as members of the Committee;

SURNAME	INITIALS	IDENTITY NUMBER
Mr Holtzhausen	P J	4611145007001
Pst Laastelê	M	5310205008087
Mr Lambrechts	W	4105255010004
Pst Louw	D B	6610185216082
Mr Moosa	C	4901265050059
Mr Müller	G F	4311085042007
Mr Nel	D	5605035105007
Mr Percival	W B	2806055004004
Mr Visser	C J	5810035080008
Mr Winnertz	P J	4412225035008

Mr Bless	K J	6211115714097
Mr Dikoko	T J	6203165746086
Mr Haffejee	M S	4309125107087
Mr Hank	A T	5512125950088
Mr Kwati	P S	5902175302084
Mr Laastelê	A R	7208065102081
Mr Laastelê	C J	6812145114015
Mr Mmadi	A K	7010115538086
Mr Modise	T S	6310245850083
Mr Mpolokeng	F M	5504045887086

ADMINISTRATION

5. The administrative infra-structure required by the Committee to execute the functions which are hereby entrusted to it shall be provided by the Local Government of Bloemhof and the personnel of Boitumelong Local Government and the expenses incurred thereby, shall be apportioned between the local government bodies within the area in relation to their various annual budget expenses.

MEETINGS AND DECISION-MAKING PROCEDURE

6. On the effective date, or as soon as possible thereafter, the Town Clerk of Bloemhof shall convene the first meeting of the Committee for the purpose of electing two co-chairpersons.
7. The chairpersons shall act, on a rotating base, as chairpersons at all the meetings of the Committee, provided that should both chairpersons be absent from such a meeting, a Committee member, elected from the ranks of those members who are present, shall act as chairperson.
8. The Local Government Ordinance, 1939, and the applicable sections of the Standard rules of order promulgated in Administrator's Notice no. 1261 of 26 October 1988 is mutatis mutandis applicable to the meetings and proceedings of the Committee.
9. The quorum for the Committee is 11 (10 + 1) members.

SCHEDULE B

ESTABLISHMENT OF A LOCAL GOVERNMENT CO-ORDINATING COMMITTEE

1. A Local Government Co-ordinating Committee, as envisaged in the section 7(1)(c) of the Local Government Transition Act 1993, (Act 209 of 1993), named Christiana LGCC, is hereby established as from the date on which this Proclamation becomes effective (the effective date) in respect of the government bodies of Christiana, Utlwanang and Geluksoord.

AREA OF THE LOCAL GOVERNMENT CO-ORDINATING COMMITTEE

2. The area of the Local Government Co-ordinating Committee of Christiana shall consist of the existing areas of jurisdiction of the existing Town Council of Christiana which includes the area of Geluksoord and the area of the Town Committee of Utlwanang.

CONTINUED EXISTENCE OF THE LOCAL GOVERNMENT BODIES

3. The Local Government Bodies within the area of the Co-ordinating Committee which is hereby established, shall continue to exist and shall retain their own identity, legal individuality and all the assets they possessed before the effective date and shall remain responsible for their own financial responsibilities which originated before or after the effective date.

POWERS AND DUTIES ENTRUSTED TO THE CO-ORDINATING COMMITTEE

4. (1) As from the effective date the Co-ordinating Committee shall be entitled and compelled to exercise the following powers and duties in respect of the area of jurisdiction for which it is being established :
 - (a) The Christiana Local Government Co-ordinating Committee, shall be vested with the minimum powers and duties, rights and liabilities of a Co-ordinating Committee, contemplated in section 7(1)(c)(i) of the Local Government Transition Act 1993 (Act 209 of 1993).
- (2) As from the effective date the existing local government bodies within the area of jurisdiction of the Co-ordinating Committee, shall not have the power to take separate decisions regarding those matters which in terms of sub-paragraph (1), have been entrusted to the Co-ordinating Committee.

STRUCTURE OF THE COMMITTEE

5. (1) The Local Government Co-ordinating Committee of Schweizer Reneke shall consist of 16 members and shall be composed of representatives of the following bodies

- (a) Government Body of Christiana --- 5 members
- (b) Government Body of Geluksoord --- 1 member
- (c) Government Body of Utlwanang --- 1 member
- (d) National Party --- 1 member
- (e) Those sectors of the society who did not participate in the election process previously, 8 members.

- (2) The following persons are hereby appointed as members of the Committee;

SURNAME	INITIALS	IDENTITY NUMBER
Mr Conradie	W S	2309135013004
Mr De Waal	S W P	2211275012003
Mr Du Preez	W M	4802205082006
Mr Fortuin	S	5301055092016
Mr Mahumapelo	S K	1803075169082
Mr Muller	D J	5010135032005
Mr Rode	R	7111105013088
Mr Uys	G D S	3210075031008

Mr Christie	B H R	2409065080005
Mr Dithejane	T M	6309035774081
Mr Hottie	R R	6609175607086
Mr Lambrecht	C J	3111255027007
Mr Liebenberg	B J	6709195050083
Mr Links	M R	6607050594080
Mr Matshelane	B J	5501025471089
Mr Mókwatjibi	A	5810195819088

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

ADMINISTRATION OF THE LOCAL GOVERNMENT CO-ORDINATING COMMITTEE

6. The administration of the LGCC of Christiana, shall be supplied by the City Council of Christiana and the expenditure incurred in respect thereof shall be for the account of the Co-ordinating Committee.

MEETING AND DECISION-MAKING PROCEDURE

7. On the effective date, or as soon as possible, the Town Clerk of Christiana shall convene the first meeting of the Co-ordinating Committee for the purpose of electing co-chairpersons for the Co-ordinating Committee.

ANY OTHER MATTERS NOT REFERRED TO

8. 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 Co-ordinating Committee and will be complied with.
9. The Local Government Ordinance, 1939 and the applicable sections of the Standard Rules of Order promulgated in Administrator's Notice no. 1261 of 26 October 1988 is mutatis mutandis applicable to the meetings and proceedings of the Co-ordinating Committee.

DATE OF COMING INTO EFFECT

10. This proclamation shall come into effect on date of the publication thereof in the Official Gazette.

SCHEDULE C

ESTABLISHMENT OF A LOCAL GOVERNMENT CO-ORDINATING COMMITTEE

- 1(a) A Local Government Co-Ordinating Committee (hereinafter referred to as "The Committee") is hereby established in terms of section 7(1)(c) of the Local Government Transition Act, 1993 (Act no 209 of 1993) under the name HARTBEESSPOORT DAM LOCAL GOVERNMENT CO-ORDINATING COMMITTEE.
- (b) The Committee thus established shall be representative of the LGAC (De Rust, Hartbeeshoek and Simon's View), the Hartbeespoort Town Council, the Kosmos Village Council as well as the Local Area Committees for Scheerpoort and Broederstroom.
- (c) The Committee shall be a local authority in terms of section 16(1) of the Local Government Transition Act, 1993 (Act no 209 of 1993) and will have full legal status. The administration of any Act which places a liability or function on a local authority shall be exercised by the Committee as part of the execution of the functions.
- (d) The Committee shall be an authorized local authority for the purposes of Chapter II, III and IV of the Town Planning and Townhsip Scheme in so far as it is necessary for the execution by the Committee of its specified functions.
- (e) The Committee shall be an authorized local authority for the purposes of Chapter IV of the Subdivision of Land Ordinance, 1986.
- (f) The Committee shall be deemed to be a local authority contemplated in the Sixth Schedule to the Local Government Ordinance, 1939.

STATUS OF PARTICIPATING LOCAL GOVERNMENT BODIES

- 2(a) The status and autonomy of the participating local government bodies shall, for the duration of the Committee-option, remain unchanged subject to the provisions of paragraph hereof.
- (b) The members of the participating local government bodies shall, for the duration of the Committee-option, retain their current positions together with allowances and other benefits currently due to them.

AREA OF THE COMMITTEE

3. The area of jurisdiction of the Committee is defined per Annexure "A" hereto.

MEMBERSHIP

- 4(a) The Committee shall consist of the following 18 members; duly nominated and agreed upon in accordance with paragraph 5 of Schedule 1 of the Act :

<u>SURNAME</u>	<u>FULL NAME</u>	<u>ID NUMBER</u>
CARTWRIGHT	CORNELIA ADRIANA	3212280009083
DE VILLIERS	PIERRE (DR)	4603245014003
DE WET	HENDRIK TERBLANCHE	3410285093082
DU PREEZ	WILHELM BOUWER (DR)	5106025007006
GREEN	BASIL IVAN	3805305001009
GROBLER	HANS JURGENS	5508185033088
MELIN	LARS JOHAN AGNAR	3610245049088
MOLEFE	WILLIAM FELLO (REV)	6722277 (PASSPORT)
PHAKWE	MOSES	5609135422080
SCHOLTZ	JOHAN LEON	5502035066000
SCROOBY	OCTAVIUS BENJAMIN	2806015028002
STRYDOM	MATTHYS JOHANNES (DR)	4312175014005
STRYDOM	METHYS	2503215064008
VAN NIEKERK	STEPHANUS ANDRIES PETRUS	5104185099087
VOIGT	KARL ANTON (DR)	4802275035009
VILJOEN	HENDRIK WILLEM	5809195004089
WERTH	WILLIAM LEOPOLD	2511115020087
WOLMARANS	LOUIS ALBERTS	2404045027002

- (b) Any vacancies shall be filled in accordance with the provisions of paragraph 5 of section 1 of the Local Government Transition Act, 1993 (Act no 209 of 1993) and for this purpose, the necessary lists of additional candidates together with the formal application shall be submitted to the Premier within 30 days after date of occurrence of such vacancy.
- (c) The Committee shall at its first meeting elect a mayor and deputy mayor from its members to be known as Chairman and Deputy Chairman respectively.

ALLOWANCES TO COMMITTEE MEMBERS

- 5(a) the Committee shall decide on allowances and other benefits payable to its members in terms of the prescriptions issued in this regard from time to time by the relevant governing authority.

EXECUTIVE COMMITTEE

- 6(a) The Committee shall elect from its members an executive committee as provided for in section 16(6) of the Local Government Transition Act, 1993 (Act no 209 of 1993); the latter to function on the same basis as a Management Committee provided for in the Local Government Ordinance (Administration and Elections) 1960 (Ordinance no 40 of 1960) for the Committee.
- (b) The Committee shall elect one of its members as Chairperson of such executive committee.
- (c) The Committee shall, furthermore, appoint investigating committees under the executive committee, subject thereto that a member of the Committee, designated to do so by the Committee shall act as Chairperson of such investigating committee and that such investigating committees shall act

to advise the executive committee; the provisions of section 59 of the Local Government (Administration and Elections) Ordinance, 1960 (Ordinance no 40 of 1960) shall be in force.

DUTIES AND POWERS OF THE COUNCIL

7. The Committee shall have the following duties / functions:

- a) To compile a budget for the Committee in accordance with the legal prescriptions, to authorize expenditure provided for in the approved budget of the Committee and to levy and manage the following sources of income in accordance with statutory provisions :
 - i) Contributions by the relevant local government bodies provided for under section 7(1) (c) (i) (bb) (ccc).
 - ii) Inter-governmental grants as well as funds provided for by Services Boards.
 - iii) Other sources that legally may become available to the Committee.
- b) To rationalize the administration and staff of the participating local government bodies on a basis approved by the Committee taking full cognisance of applicable legislation and agreements reached between employer and employee organizations in the Industrial Council as well as the following basic premises :
 - i) That the service of no employee transferred to another local government body or incorporated into the service of another local government body may be terminated solely for this purpose unless the employee consents thereto or unless such

employee resigns from the service.

- ii) That each employee referred to in sub clause (i) be employed at conditions, and enjoys rights and privileges, including membership of a trade union and allowances, which may not be less favourable than those applicable to him on the day preceding the day he is incorporated into / transferred to the service of the other local government body.
- iii) That, on the day of transfer to / incorporation into the service of the other local government body :
 - aa) he be credited with all the holiday and sick leave to his credit;
 - bb) pensionable service in the employ of the former employer, be accepted as pensionable service in the employ of the new local government body;
 - cc) he, in respect of any accusation of misconduct against him existing on the day preceding the date of his transfer to / incorporation into the service of the new local government body may exercise a choice whether the accusations be heard in terms of the service conditions of his former employer or that of his new employer.
- d) To give access to all persons living within the area of jurisdiction of the Committee to the following services as soon as possible and in the most cost effective way :

Water supply
Sanitary services
Electricity
Refuse removal
Roads and stormwater
Health services
Emergency services and traffic control
Financial administration
Environmental conservation
Tourism Development
Library services
Community facilities
Pounds
Town and Regional Planning as well as development
control
Provision of low cost housing
Control of the dam surface

subject thereto that, in the case of electricity supply, the status quo will be maintained until another arrangement can be negotiated with current electricity suppliers.

- d) To, as a matter of urgency decide on the name, modes of identification and symbols as well as the operationalization of the Committee and the Transitional Local Council to be created in terms of section 7(1)(b)(1) of the Local Government Transition Act, 1993 (Act no 209 of 1993).
- e) To, on an ongoing basis, seek and promote active community participation in the activities of the Committee and to make use of the investigating committees provided for in paragraph 6(c) hereof for this purpose.

- f) To actively participate in the social and economic upliftment and empowerment of all sectors of the community, be it in the execution of its designated functions or as a lobbyist on other forums. The Reconstruction and Development Program will form the basis of such actions.
- g) To, should the Committee formally so decide, take over any of the services provided for in sub-section (ii) above as well as any other services or functions that may be agreed upon subject thereto that, in the case of Health Services and Town and Regional Planning and Development Control, the taking over of these services currently being rendered by the LGAC shall entail the taking over of two staff members of the LGAC.

ASSETS, LIABILITIES, RIGHTS AND REGULATIONS

- 8. All assets, liabilities, rights and obligations shall remain with the current local government bodies subject thereto that, should any services be taken over by the Committee as provided for in paragraph 7(viii) hereof such action will also entail the taking over of all assets, liabilities, rights and obligations pertaining to those services.

RESOLUTIONS

- 9. Any decisions taken by the Committee will be taken on a consensus basis failing which the procedure provided for in section 7(3) of the Local Government Transition Act, 1993 (Act no 209 of 1993) read together with section 176 of the South African Constitution Act, 1993 (Act no 200 of 1993) shall apply.

BY-LAWS AND REGULATIONS

- 10(a) The By-laws and Regulations currently applicable to the Hartbeespoort Town Council excluding Tariff Structures will, from the effective date be deemed to be By-laws and Regulations made by the Committee in so far as it applies to the execution by the Committee of its functions. The necessary tariffs structures shall be promulgated in accordance with the Committee budget in terms of Section 80B of the Local Government Ordinance, 1939 (Ordinance 17 of 1939).
- (b) The existing By-laws and Regulations applicable to the participating local government bodies and may only be superseded by the By-laws of the Committee in so far it pertains to a service or duty taken over by the Committee.
- (c) These provisions will in no way detract from the powers of the Committee to amend, approve or add to its By-laws.

STAFFING

- 11(a) The Chief Executive / Town Clerk of Hartbeespoort shall on a secondment basis act as Chief Executive Officer thereby accepting all the responsibilities attached to the post of Chief Executive / Town Clerk including that as Accountable Officer.
- (b) The Chief Executive / Town Clerk of Kosmos shall, on a secondment basis act as Deputy Chief Executive Officer and Chief Executive Office in the absence of the Chief Executive Officer.

- (c) Pending a comprehensive staffing report based on the most effective and most affordable service rendering in the Committee's area of jurisdiction, the Chief Executive Officer may in consultation with the Chief Executive Officer of the local government bodies, use staff in the employ of those local government bodies on a secondment basis to further the interests of the Committee.

DISSOLUTION

- 12(a) The Committee shall dissolve at 23:59 on the evening preceding elections for transitional bodies provided for under section 9 of the Local Government Transition Act, 1993 (Act 209 of 1993) or such earlier date as can be agreed upon by the Committee and proclaimed under the Local Government Transition Act, 1993 (Act 209 of 1993).
- (b) The Committee shall be replaced by a Transitional Local Council for the entire area or any other constitutional model that may be agreed to by the Committee and approved by the Provincial Legislative subject thereto that the body replacing the Committee as well as all functional aspects thereof must be proclaimed in terms of the Local Government Transition Act, 1993 (Act no 209 of 1993).

ANCILLIARY MATTERS

- 13(a) Any aspect not provided for in this proclamation but which falls within the ambit of the Local Government Transition Act, 1993 (Act no 209 of 1993) shall be decided upon by the Committee and when necessary proclaimed under the said Act.

DATE OF IMPLEMENTATION

This proclamation shall come into operation on date of publication thereof in the Official Gazette.

INTERPRETATION

In this proclamation any reference to the male gender must be read as to include the female gender, and vice versa the singular shall include the plural and vice versa and any titles to clauses contained herein merely serve as information and does not form part of the Proclamation.

