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PROKLAMASIES**PROVINSIE WES-KAAP:**

NO. 28/1997

**OORGANGSWET OP PLAASLIKE REGERING, 1993
(WET 209 VAN 1993)****TOELAES BETAALBAAR AAN LEDE VAN
VERTEENWOORDIGENDE OORGANGSGRADE**

Kragtens die bevoegdheid my verleen by artikel 10N(4) van die Oorgangswet op Plaaslike Regering, 1993 (Wet 209 van 1993), en met die instemming van die Minister vir Provinsiale Sake en Staatkundige Ontwikkeling, wysig ek hierby die Verteenwoordigende Oorgangsraad Maatregel, 1996 (Proklamamsie No. 18 van 1996), deur na artikel 4 die volgende artikel in te voeg:

"Toelaes betaalbaar aan lede

4A. 'n Lid van 'n raad word deur die distrikraad ingestel by Proklamasie nr. 152 gedateer 15 Desember 1995 wat jurisdiksie het in die gebied waarin hy of sy dien, betaal uit fondse bewillig vir hierdie doel in die goedgekeurde begroting van die betrokke distrikraad: Met dien verstande dat waar geen voorsiening vir enige finansiële jaar voor die datum waarop hierdie proklamasie in werking tree, sal sodanige fondse as oordragbetalings uit die Provinsiale begroting beskikbaar gestel word, die toelaes, insluitend maandelikse toelaes, betaal wat van tyd tot tyd deur die bevoegde gesag bepaal word."

Hierdie maatregel word geag in werking te getree het op 1 Junie 1996.

GEDATEER OP HEDE DIE 17de DAG VAN NOVEMBER 1997.

PJ MARAIS, MINISTER VAN PLAASLIKE BESTUUR

PROVINSIE WES-KAAP:

NO. 29/1997

**OORGANGSWET OP PLAASLIKE REGERING, 1993
(WET 209 VAN 1993)****WYSIGING VAN BEPALINGS AANGAANDE DIE BESOLDIGING
VAN PLAASLIKE OWERHEIDSVERTEENWOORDIGERS**

Kragtens die bevoegdheid my verleen by artikel 10N(4) van die Oorgangswet op Plaaslike Regering, 1993 (Wet 209 van 1993), en met die instemming van die Minister van Provinsiale Sake en Staatkundige Ontwikkeling wysig ek hierby verder die Bepalings aangaande die Besoldiging van Plaaslike Owerheidsverteenvoordigers, afgekondig by Proklamasie 82 van 1995 van 12 Mei 1995, soos gewysig deur Proklamasie 102 van 1995 en Proklamasie 119 van 1995, soos in die Bylae hierby uiteengesit, en bepaal ek dat hierdie Proklamasie geag word in werking te getree het op 1 Maart 1997.

Gedateer te Kaapstad op hierdie 17de dag van November 1997.

PJ MARAIS, MINISTER VAN PLAASLIKE BESTUUR

BYLAE

1. Deur artikels 3.1, 3.2, 4, 5, 6 en 7 te skrap.
2. Deur artikel 8 deur die volgende te vervang:

"Toepassing van toelaes

8. Die toelaes waarvoor voorsiening in die Tabel hieronder gemaak is, is die maksimum alleenlik en die betaling van toelaes moet geregverdig kan word aan die hand van die raad se finansiële posisie. Enige plaaslike oorgangsraad, die Kaapse Metropolitaanse Raad en enige metropolitaanse oorgangsubstruktuur mag by 'n gewone resoluksie besluit om 'n verminderde bedrag te betaal, of om hoegenaamd geen toelaes te betaal nie. Die maksimum toelaes soos bepaal in die Tabel hieronder mag nie oorskry word nie."

PROCLAMATIONS**PROVINCE OF WESTERN CAPE**

NO. 28/1997

**LOCAL GOVERNMENT TRANSITION ACT, 1993
(ACT 209 OF 1993)****ALLOWANCES PAYABLE TO MEMBERS OF
TRANSITIONAL REPRESENTATIVE COUNCILS**

Under section 10N(4) of the Local Government Transition Act, 1993 (Act 209 of 1993), and with the concurrence of the Minister for Provincial Affairs and Constitutional Development, I hereby amend the Transitional Representative Councils Enactment, 1996 (Proclamation No. 18 of 1996), by inserting the following section after section 4:

"Allowances payable to members

4A. A member of a council shall be paid by the district council established by Proclamation No. 152 dated 15 December 1995, which has jurisdiction in the area in respect of which he or she serves, out of monies allocated for this purpose in the approved budget of the district council concerned: Provided that where no such provision was made for any financial year prior to the date on which this Proclamation takes effect, such monies shall be made available as a transfer payment from the Provincial budget, the allowances, including monthly allowances, which may from time to time be determined by the member of the executive council of the Province responsible for local government."

This enactment shall be deemed to have come into operation on 1 June 1996.

DATED ON THIS 17th DAY OF NOVEMBER 1997.

PJ MARAIS, MINISTER OF LOCAL GOVERNMENT

PROVINCE OF WESTERN CAPE:

NO. 29/1997

**LOCAL GOVERNMENT TRANSITION ACT, 1993
(ACT 209 OF 1993)****AMENDMENT OF ENACTMENT REGARDING THE REMUNERATION
OF LOCAL GOVERNMENT REPRESENTATIVES**

By virtue of the powers vested in me by section 10N(4) of the Local Government Transition Act, 1993 (Act 209 of 1993), and with the concurrence of the Minister of Provincial Affairs and Constitutional Development, I hereby further amend the Enactment regarding the Remuneration of Local Government Representatives, promulgated under Proclamation 82 of 1995 dated 12 May 1995, as amended by Proclamation 102 of 1995 and Proclamation 119 of 1995, as set out in the Schedule hereto, and I determine that this Proclamation shall be deemed to have become operative on 1 March 1997.

Dated at Cape Town this 17th day of November 1997.

PJ MARAIS, MINISTER OF LOCAL GOVERNMENT

SCHEDULE

1. By the deletion of sections 3.1, 3.2, 4, 5, 6 and 7.
2. By the substitution for section 8 of the following:

"Application of allowances

8. The allowances provided for in the Table hereunder are maxima only and the payment of allowances should be justified in accordance with the financial position of the council. Any transitional local council, the Cape Metropolitan Council and any transitional metropolitan substructure may by ordinary resolution decide to pay a lesser amount or not to pay any allowances at all. The maximum allowances as determined in the Table hereunder may not be exceeded"

3. Deur artikel 8.1 deur die volgende te vervang:

"Indien 'n raadslid in 'n uitvoerende hoedanigheid (synde as voorsitter of ondervoorsitter van 'n uitvoerende komitee, voorsitter van 'n vaste komitee, lid van 'n uitvoerende komitee, burgemeester of onderburgemeester) in sowel die Kaapse Metropolitaanse Raad as 'n substruktuur dien, is hy of sy slegs geregtig op die toelae van die uitvoerende amp van een van die rade, watter sodanige raad hy of sy ook al kies, plus 'n toelae gelykstaande aan twee maal dié van 'n gewone raadslid van die tweede raad."

4. Deur die volgende artikels na artikel 8.2 in te voeg:

"8.3 'n Plaaslike oorgangsraad, die Kaapse Metropolitaanse Raad en enige metropolitaanse oorgangsubstruktuur kan 'n bykomende toelae gelyk aan 25% van die toelae van 'n burgemeester of voorsitter aan 'n onderburgemeester of ondervoorsitter betaal, bo en behalwe sy of haar vergoeding as 'n lid van 'n uitvoerende komitee of as 'n gewone raadslid: Met dien verstande dat slegs plaaslike owerhede wat ingevolge die Tabel hieronder verplig is om hul burgemeesters/voorsitters teen 'n maksimum bedrag van R4 827 per maand of hoër te vergoed sodanige toelae mag betaal."

"8.4 Die betaling van toelaes aan raadslede van die Kaapse Metropolitaanse Raad en Metropolitaanse substrukture soos vervat in die Tweede Bylae by die Verdere Kaapse Metropolitaanse Maatregel, 1996 (Proklamasie No. 27 van 1996 gedateer 28 Mei 1996) word voortaan aangepas soos aangedui in die Tabel vervat in hierdie Wetsbepaling."

5. Deur artikel 9 te skrap.

6. Deur artikel 11 deur die volgende te vervang:

"11. Waar enige plaaslike oorgangsraad, die Kaapse Metropolitaanse Raad of enige metropolitaanse oorgangsubstruktuur by resoluë of andersins besluit het om te betaal, of reeds betaal het of in die toekoms enige of sommige of al hul lede—

(a) enige toelae meer as die maksimum wat in Provinsiale Omsendbrief C/38/1993 neergelê is of die Tabel soos in hierdie Wetsbepaling vervat; of

(b) enige toelaes meer as die maksimum wat ingevolge hierdie Wetsbepaling toelaatbaar is,

sal sodanige betaling onwettig wees."

7. Deur Tabel 1 deur die volgende Tabel te vervang:

MAKSIMUM TOELAE BETAALBAAR

Plaaslike Owerhede	Burge-meesters en Voorsitters van Uitvoerende Komitees	Lede van Uitvoerende Komitees	Lede
	Per Maand R	Per Maand R	Per Maand R
Kaapse Metropolitaanse Raad, Stad Kaapstad, Stad Tygerberg	10 922	8 192	2 731
George, Helderberg Munisipaliteit, Blaauwberg Munisipaliteit, Oostenberg Munisipaliteit, Suid-Skiereiland Munisipaliteit	7 973	5 980	1 993
Mosselbaai, Stellenbosch, Worcester, Oudtshoorn	6 498	4 874	1 624
Knysna, Wellington, Weskus Skiereiland	5 761	4 321	1 441

3. By the substitution for section 8.1 of the following:

"If a councillor serves on the Cape Metropolitan Council as well as on a substructure in an executive capacity (that is, as chairperson or deputy chairperson of an executive committee, chairperson of a standing committee, member of an executive committee, mayor or deputy mayor), he or she shall be entitled to the allowance of the executive position of one of the councils only, whichever such council he or she may choose, plus an allowance equal to double that of an ordinary councillor of the second council."

4. By insertion of the following sections after section 8.2:

"8.3 A transitional local council, the Cape Metropolitan Council and any metropolitan substructure may pay a further allowance equal to 25% of the remuneration of a mayor or chairperson to a deputy mayor or deputy chairperson in addition to his or her remuneration as a member of an executive committee or as an ordinary councillor: Provided that only local authorities who in terms of the Table hereunder are permitted to remunerate their mayors/chairpersons at a maximum rate of R4 287 per month or higher may pay such allowances."

"8.4 The payment of allowances to councillors of the Cape Metropolitan Council and Metropolitan substructures as contained in the Second Schedule to the Cape Metropolitan Further Enactment, 1996, (Proclamation No. 27 of 1996 dated 28 May 1996) are henceforth adjusted as indicated in the Table contained in this Enactment."

5. By the deletion of section 9.

6. By the substitution of section 11 of the following:

"11. Where any transitional local council, the Cape Metropolitan Council or any transitional metropolitan substructure has decided by resolution or otherwise to pay, and has paid, or in the future pays to any or some or all of their members—

(a) any allowances in excess of the maximum stipulated in Provincial Circular C/38/1993 or the Table contained in this Enactment; or

(b) any allowance in excess of the maximum permitted in terms of this Enactment,

such payment remain unauthorised."

7. By the substitution of Table 1 of the following Table:

MAXIMUM ALLOWANCES PAYABLE

Local Authorities	Mayors and Chairpersons of Executive Committees	Members of Executive Committees	Members
	Per Month R	Per Month R	Per Month R
Cape Metropolitan Council, City of Cape Town, City of Tygerberg	10 922	8 192	2 731
George, Helderberg Municipality, Blaauwberg Municipality, Oostenberg Municipality, South Peninsula Municipality	7 973	5 980	1 993
Mossel Bay, Stellenbosch, Worcester, Oudtshoorn	6 498	4 874	1 624
Knysna, Wellington, West Coast Peninsula	5 761	4 321	1 441

Plaaslike Owerhede	Burge-meesters en Voorsitters van Uitvoerende Komitees	Lede van Uitvoerende Komitees	Lede
	Per Maand R	Per Maand R	Per Maand R
Beaufort-Wes, Ceres, Robertson, Groter Hermanus, Groter Plettenbergbaai, Malmesbury	5 024	3 768	1 256
Bredasdorp, Gansbaai, Montagu, Riversdal, Swellendam, Vredendal	4 287	3 215	1 072
Ashton, Caledon, Clanwilliam, Grabouw, Groot Brak-Rivier, Hangklip/Kleinmond, Heidelberg, Ladismith, Stilbaai, Moorreesburg, Piketberg, Sedgefield, Tulbagh, Velddrif	3 550	2 663	887
Albertinia, Bonnievale, Calitzdorp, Citrusdal, Darling, De Doorns, Franschhoek, Lambertsbaai, Langebaan, Porterville, Prince Albert, Struisbaai, Touwsrivier, Villiersdorp, Yzerfontein, Wolseley	2 813	2 109	704
Doringbaai/Strandfontein, Hopefield, Klawer, Laingsburg, Napier, Riviersonderend, Stanford, Vanrhynsdorp, Zoar	2 075	1 556	519
Belvidere, Barrydale, De Rust/Blomnek, Gouritsmond, Graafwater, Prince Alfred Hamlet, Haarlem, Dysselsdorp, Leeu-Gamka, Greyton, Pniel, Rheenendal, Van Wyksdorp, Wildernis Stanford, Murraysburg, Lutzville	1 338	1 004	500
Botrivier, Brenton, Aurora, Biterfontein/Nuwerus, Ebenhaezer, Friemersheim, Herbertsdale, Genadendal, Infanta, Knoetzie, Koringberg, Rhedelinghuys, Rietpoort, Saron, Slangrivier, Suurbraak, Uniondale, Vanwyksdorp	601	500	500

8. Deur Tabel 2, 3 en 4 te skrap.

Local Authorities	Mayors and Chairpersons of Executive Committees	Members of Executive Committees	Members
	Per Month R	Per Month R	Per Month R
Beaufort-West, Ceres, Robertson, Greater Hermanus, Greater Plettenberg Bay, Malmesbury	5 024	3 768	1 256
Bredasdorp, Gansbaai, Montagu, Riversdale, Swellendam, Vredendal	4 287	3 215	1 072
Ashton, Caledon, Clanwilliam, Grabouw, Great Brak River, Hangklip/Kleinmond, Heidelberg, Ladismith, Still Bay, Moorreesburg, Piketberg, Sedgefield, Tulbagh, Velddrif	3 550	2 663	887
Albertinia, Bonnievale, Calitzdorp, Citrusdal, Darling, De Doorns, Franschhoek, Lamberts Bay, Langebaan, Porterville, Prince Albert, Struisbaai, Touws River, Villiersdorp, Yzerfontein, Wolseley	2 813	2 109	704
Doringbaai/Strandfontein, Hopefield, Klawer, Laingsburg, Napier, Riviersonderend, Stanford, Vanrhynsdorp, Zoar	2 075	1 556	519
Belvidere, Barrydale, De Rust/Blomnek, Gouritsmond, Graafwater, Prince Alfred Hamlet, Haarlem, Dysselsdorp, Leeu-Gamka, Greyton, Pniel, Rheenendal, Van Wyksdorp, Wildernis Stanford, Murraysburg, Lutzville	1 338	1 004	500
Bot River, Brenton, Aurora, Biterfontein/Nuwerus, Ebenhaezer, Friemersheim, Herbertsdale, Genadendal, Infanta, Knoetzie, Koringberg, Rhedelinghuys, Rietpoort, Saron, Slangrivier, Suurbraak, Uniondale, Vanwyksdorp	601	500	500

8. By the deletion of Table 2, 3 and 4.