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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

National Treasury

NO. 452

28 May 2021

CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996; MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO. 56 OF 2003); AND THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998, (ACT NO. 117 OF 1998).

**DISSOLUTION OF LEKWA MUNICIPAL COUNCIL AND APPOINTMENT OF AN
ADMINISTRATOR AT LEKWA LOCAL MUNICIPALITY**

I, **Tito Mboweni**, Minister for Finance, acting under powers bestowed on me and the resolution to dissolve the municipal Council of Lekwa local municipality located in Mpumalanga province by the national executive on 12 May 2021 in terms of section 139(7) of the Constitution of the Republic of South Africa, 1996 ("the Constitution") read with of section 139(5)(a) and (b) of the Constitution, hereby give notice of dissolution of the Municipal Council in terms of section 146(4) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) read together with section 34(3) and (4) of the Municipal Structures Act, 1998 (Act No. 117 of 1998) which dissolution comes into effect on the date of this notice in the provincial gazette.

That with the powers vested in me as per cabinet resolution and in terms of section 35(1) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) hereby appoint **Mr Johann Mettler** as the Administrator for the municipality with effect from date of this notice.

Under the powers vested in me in terms of section 146(3)(a)(i) of the Municipal Finance Management Act, 2003 (Act No. 56 of 2003); and in compliance with the provisions of section 35(2) of the Local Government: Municipal Structures Act, 1998, (Act No. 117 of 1998), determine that the Administrator must exercise and perform the following powers and functions:

- (i) undertake all functions that are the executive obligations and all the legislative powers and functions of the Municipal Council; (ii) undertake all statutory executive obligation functions of the Mayor; (iii) undertake all fiscal and financial management functions at the municipality, including being signatory to all primary and secondary municipal banking account; (iv) undertake all steps of section 54 and section 56 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), including the removal of acting senior managers where applicable; (v) undertake the functions referred to in section 67(1)(h) and Schedule 2 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), read with any other relevant legislative provisions dealing with disciplinary matters, including criminal, disciplinary and civil action; (vi) implement all governance systems and procedures including oversight over the administration; (vii) ensure implementation of financial systems, policies and procedures; (viii) approve all decisions taken by the Municipal Manager and section 56 Managers in terms of delegated or original authority; (ix) undertake the implementation of forensic report of the municipality; (x) work closely with Municipal Financial Recovery Services (MFRS) in the National Treasury in the development and implementation of Municipal Financial Recovery Plan for the municipality; (xi) implement a system for the control and approval of all expenditure; (xii) set out a specific strategy to address the financial and service delivery problems of the municipality, including a strategy to reduce unnecessary expenditure and to increase the collection of revenue; (xiii) oversee

all budgetary processes and approve temporary budget and revenue raising mechanism until new council is duly elected; (xii) review the organisational structure of the municipality to ensure it is fit for purpose; ensure community engagement and collaborations in the affairs of the municipality; and co-ordinate programmes and visits by all national and provincial Cabinet members and Provincial Government Departments at the municipality in order to fast-track service delivery and prepare progress reports in this respect for approval by the Minister of Finance and Minister of Cooperative Governance and Traditional Affairs.

Given under my Hand at Pretoria on this 26 day of May Twenty Twenty-One.



TT MBOWENI, MP
MINISTER OF FINANCE

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