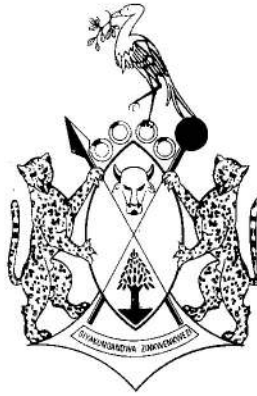


**IRIPHABLIKI
YECISKEI**

**REPUBLIC OF
CISKEI**

**IGAZETHI
YOBURHULUMENTE**



**GOVERNMENT
GAZETTE**

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No. 82

**DEPARTMENT OF INTERNAL AFFAIRS AND
LAND TENURE**

GOVERNMENT NOTICE No. 89 OF 1988

**IT IS HEREBY NOTIFIED THAT THE PRESIDENT HAS
ASSENTED TO THE FOLLOWING ACT WHICH IS HEREBY
PUBLISHED FOR GENERAL INFORMATION:-**

MUNICIPAL AMENDMENT ACT, 1988

ACT No. 25 OF 1988

MUNICIPAL AMENDMENT ACT, 1988

ACT

To amend the Municipal Act, 1987.

(English text signed by the President. Assented to on 9 September 1988).

BE IT ENACTED by the National Assembly of the Republic of Ciskei, as follows:-

1. Amendment of section 1 of Act 17 of 1987. - Section 1 of the Municipal Act, 1987 (hereinafter in this Act referred to as the principal Act) is hereby amended —

- (a) by the deletion of the definition of "calendar year";
- (b) by the substitution in paragraph (a) of the definition of "due date" for the words "January" and "year" of the words "July" and "financial year" respectively;
- (c) by the insertion after the definition of "fictitious person" of the following definition:
" 'financial year' means the period extending from the first day of July in each year up to and including the thirtieth day of June in the following year;";
- (d) by the insertion after the definition of "municipal area" of the following definition:
" 'municipal council' means a municipal council established in terms of section 6;".

2. Amendment of section 55 of Act 17 of 1987. - Section 55 of the principal Act is hereby amended by the substitution in subsection (4) for the words "three thousand five hundred rand" of the words "twelve thousand rand".

3. Amendment of section 58 of Act 17 of 1987. - Section 58 of the principal Act is hereby amended by the substitution in subsection (3) for the words "three thousand five hundred rand" of the words "six thousand rand".

4. Substitution of section 61 of Act 17 of 1987. - The following section is hereby substituted for section 61 of the principal Act:

"**61. Termination of service.** - Subject to the provisions of this chapter, a council may terminate the services of an employee upon notice of not less than three months unless otherwise provided in the conditions of appointment or service."

5. Amendment of section 62 of Act 17 of 1987. - Section 62 of the principal Act is hereby amended by the substitution in subsection (3)(b) for the word "apply" of the word "pay".

6. Amendment of section 69 of Act 17 of 1987. - Section 69 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

- "(1) Every council shall annually, at a special meeting held not later than the thirty-first day of May, after at least fourteen days' notice thereof has been given, adopt estimates of —
- (a) the probable income and expenditure on revenue account for the financial year next ensuing and make and levy a rate to balance such estimates; and
 - (b) the capital expenditure to be incurred by the council during such financial year, indicating therein the funds from which such capital expenditure is to be met."

7. Amendment of section 70 of Act 17 of 1987. - Section 70 of the principal Act is hereby amended —

- (a) by the substitution in subsections (1) and (2) for the word "year", wherever it occurs, of the words "financial year";
- (b) by the substitution in paragraph (b) of subsection (1) for the word "January" of the word "July"; and
- (c) by the substitution in paragraph (b) of subsection (2) for the word "June" of the word "September".

8. Substitution of section 73 of of Act 17 of 1987. - The following section is hereby substituted for section 73 of the principal Act:

"**73. Ratable property.** - Subject to the provisions of sections 74 and 75 and any other law, all immovable property within a municipal area, including State property and railway property as defined in section 1 of the Rating of Railway Property Act, 1959 (Act 25 of 1959), shall be ratable: Provided that the President may by proclamation in the *Gazette* declare that, as from a specified date, immovable property or any particular immovable property owned by the State shall not be ratable."

MUNICIPAL AMENDMENT ACT, 1988

9. Amendment of section 74 of Act 17 of 1987. - Section 74 of the principal Act is hereby amended —

- (a) by the deletion of paragraph (d) of subsection (4); and
- (b) by the deletion in subsection (7) of the words "or the State".

10. Amendment of section 75 of Act 17 of 1987. - Section 75 of the principal Act is hereby amended by the substitution in subsection (1) for the words "first day of January of the year" of the words "first day of July of the financial year".

11. Amendment of section 80 of Act 17 of 1987. - Section 80 of the principal Act is hereby amended by the substitution in subsection (6) —

- (a) for the word "January" of the word "July"; and
- (b) for the word "year" wherever it occurs, of the words "financial year".

12. Amendment of section 81 of Act 17 of 1987. - Section 81 of the principal Act is hereby amended by the substitution in subsection (2) —

- (a) for the word "year", wherever it occurs, of the words "financial year"; and
- (b) for the word "May" of the word "November".

13. Amendment of section 82 of Act 17 of 1987. - Section 82 of the principal Act is hereby amended by the substitution in subsection (2) for the words "six months" of the words "three months".

14. Amendment of section 83 of Act 17 of 1987. - Section 83 of the principal Act is hereby amended by the substitution for the words "calendar year" and "calendar years" of the words "financial year" and "financial years" respectively.

15. Amendment of section 84 of Act 17 of 1987. - Section 84 of the principal Act is hereby amended —

- (a) by the substitution in subsection (2) for the words "year or years" and "year" of the words "financial year or years" and "financial year", respectively; and
- (b) by the substitution in subsection (3) for the word "six" of the word "three".

16. Amendment of section 85 of Act 17 of 1987. - Section 85 of the principal Act is hereby amended —

- (a) by the substitution in subsection (1) for the words "thirtieth day of November or such later date in such year" and "calendar year" of the words "thirty-first day of May or such later date in that financial year" and "financial year", respectively;
- (b) by the insertion in that part of subsection (2) preceding paragraph (a) after the words "seventh day" of the words "or such later day as the council may by special resolution determine";
- (c) by the insertion in paragraph (a) of subsection (2) after the words "seven days" of the words "or such other number of days, as the case may be"; and
- (d) by the substitution in subparagraphs (i) and (ii) of paragraph (b) of subsection (2) for the words "six months" of the words "three months".

17. Amendment of section 98 of Act 17 of 1987. - Section 98 of the principal Act is hereby amended by the substitution for the words "thirty-first day of December of the year" and "year" of the words "thirtieth day of June of the financial year" and "financial year" respectively.

18. Amendment of section 100 of Act 17 of 1987. - Section 100 of the principal Act is hereby amended by the substitution for the words "year ending on the immediately preceding thirty-first day of December" of the words "financial year which ended on the thirtieth day of June of the previous year".

MUNICIPAL AMENDMENT ACT, 1987

19. Amendment of section 169 of Act 17 of 1987. - Section 169 of the principal Act is hereby amended —

(a) by the substitution in paragraphs (2) and (3) for the word “annually” of the words “during each financial year”; and

(b) by the substitution in the proviso to subsection (2) for the word “year” of the words “financial year”.

20. Substitution of word in certain sections of Act 17 of 1987. - Sections 76, 77, 79 and 87 of the principal Act are hereby amended by the substitution for the word “year”, wherever it occurs, of the words “financial year”.

21. Amendment of Schedule 1 of Act 17 of 1987. - Schedule 1 of the principal Act is hereby amended —

(a) by the deletion in Part 1 of the word “Peddie”; and

(b) by the substitution for Group 2 of Part 2 of the following:

“Group 2
Balfour
Frankfort
Hamburg
Keiskammahoek
Middledrift
Peddie
Seymour
Whittlesea”.

22. Short title. - This Act shall be called the Municipal Amendment Act, 1988.

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**DEPARTMENT OF INTERNAL AFFAIRS AND
LAND TENURE**

GOVERNMENT NOTICE No. 89 OF 1988

MUNICIPAL AMENDMENT ACT, 1988

(ACT No. 25 OF 1988)
