

LAW

**IRIPHABLIKI  
YECISKEI**

**REPUBLIC OF  
CISKEI**



**IGAZETHI  
YOBURHULUMENTE**



DIMBAZA PRINTERS — 44847

**Umq. 21**

**eBISHO  
03/09/93**

**No. 100**

**Vol. 21**

**BISHO  
03/09/93**

**No. 100**

**DEPARTMENT OF THE COUNCIL OF STATE**

**GOVERNMENT NOTICE No. 71 OF 1993**

**It is hereby notified that the Chairman of the Council of State has assented to the following decree which is hereby published for general information:-**

**MUNICIPAL AMENDMENT DECREE, 1993  
(Decree No. 18 of 1993)**

# COUNCIL OF STATE — REPUBLIC OF CISKEI

## MUNICIPAL AMENDMENT DECREE, 1993

### DECREE

To amend the Municipal Act, 1987 and to provide for incidental matters.

*[English text signed by the Chairman of the Council of State. Assented to on 24 August 1993.]*

BE IT DECREED by the Council of State of the Republic of Ciskei, as follows:-

**1. Substitution of section 21 of Act 17 of 1987.** — The following section is hereby substituted for section 21 of the Municipal Act, 1987:

"21. Appointment of commissioner to act as council. — (1) If at any time there are no councillors of a municipality, the Minister may, by commission in writing under his hand, appoint as a commissioner to act as the council of such municipality -

(a) any one or more persons, or

(b) any board or other body established by or under any law,

and such commissioner shall, subject to the provisions of subsection (2), exercise the powers and perform the duties and functions which by this Act or other law are conferred or imposed, in respect of the municipality concerned, on the council and the mayor.

(2) Every person appointed under subsection (1) and, in the case of a commissioner consisting of more than one person every such person, shall hold office during the pleasure of the Minister, and the Minister may at any time and without assignment of reasons terminate any such appointment and withdraw the commission of the person or body concerned: Provided that every such commission shall in any event lapse, and the holder thereof be deemed to have completed his duty thereunder, on the election of one or more councillors under the provisions of Chapter 7."

(2) Every person appointed as a commissioner in terms of section 21 of the Municipal Act, 1987 prior to the commencement of this decree shall be deemed to have been commissioned by the Minister of Internal Affairs and Land Tenure as contemplated in the said section 21 as amended by this decree.

**2. Amendment of Decree 45 of 1990.** — The Republic of Ciskei Constitution Decree, 1990 is hereby amended in accordance with the Schedule.

**3. Short title.** — This decree shall be called the Municipal Amendment Decree, 1993.

### SCHEDULE

#### AMENDMENT OF DECREE 45 OF 1990

1. Section 35 repealed.

2. Section 37 amended by the addition of the following paragraph, the existing section becoming paragraph (a):

"(b) All rights, powers, authorities, duties, obligations and functions which were vested in or devolved upon a Minister or other authority or person under any law which continues to apply in Ciskei in terms of paragraph (a) shall vest in or devolve upon the corresponding Minister, authority or person exercising similar powers or performing similar duties or functions in Ciskei after the commencement of this decree."

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*The price of publication is:*

1972-1981.....	R10,50
1982.....	7,50
1983.....	7,50
1984.....	7,50
1984/85.....	30,00
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