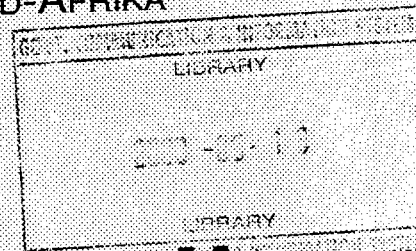


REPUBLIC  
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SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA



# Government Gazette Staatskoerant

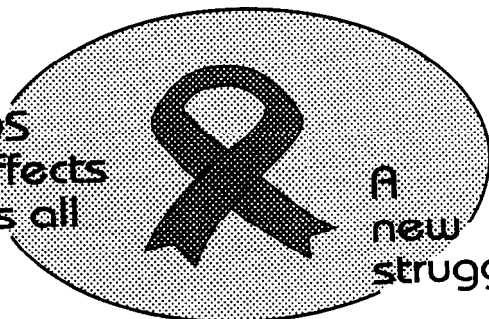
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PRETORIA, 1 SEPTEMBER 2000

No. 21528

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

**AIDS  
HELPUNE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

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**GENERAL NOTICE  
ALGEMENE KENNISGEWING**

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**NOTICE 3091 OF 2000**

**DEPARTMENT OF PROVINCIAL AND LOCAL GOVERNMENT**

**LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998  
POLICY FRAMEWORK FOR EXEMPTIONS FROM CERTAIN PROVISIONS OF  
THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT NO.  
117 OF 1998)**

The Minister for Provincial and **Local** Government has, under Section 91(1) of the **Local** Government: Municipal Structures Act, 1998 (Act No, 117 of 1998), determined the policy framework, set out in the Schedule, for the exemption of municipalities from the provisions referred to in Section 91(1) of the Act.

## SCHEDULE

### Definitions

1. In this Schedule, unless the context otherwise indicates, a word or a phrase to which a meaning has been assigned in the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) (hereinafter referred to as the "Municipal Structures Act"), has that meaning.

### Determination of policy framework

2. The MEC for local government in a province may exempt a municipality from a provision referred to in Section 91(1) of the Municipal Structures Act, within the following policy framework:

(a) The exemption should -

- (i) promote accountability, responsiveness and openness;
- (ii) promote co-operative government;
- (iii) be in the interest of the community;
- (iv) be consistent with the capacity of the relevant municipality to pass its own by-laws with regard to a matter provided for in the exempted provision as contemplated in Section 91(2) of the Municipal Structures Act; and
- (v) be consistent with the category, type and size of the relevant municipality.

(b) If the MEC for local government in a province exempts a municipality from any of the provisions referred to in Section 91(1) of the Municipal Structures Act, -

- (i) the municipality concerned must make a by-law or by-laws regulating the matter from which it has been exempted; and
- (ii) such exemption only takes effect on the date that the relevant by-law is promulgated.