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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

GENERAL NOTICE

ALGEMENE KENNISGEWING

NOTICE 1876 OF 2003

MINISTRY FOR PROVINCIAL AND LOCAL GOVERNMENT

DRAFT GOVERNMENT NOTICE PERTAINING TO REQUIREMENTS FOR DISTRICT MUNICIPALITIES IN RESPECT OF CERTIFICATES REQUIRED BY SECTION 118 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000

1. I, Fholisani Sydney Mufamadi, Minister for Provincial and Local Government, in terms of section 120, read with section 118, of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), hereby publish a Draft Government Notice pertaining to Requirements for District Municipalities in respect of Certificates required by section 118 of the Act, for public comment.
2. Comments must please be submitted in writing to –

The Director-General
Attention: Adv S Kholong
Department of Provincial and Local Government
Private Bag X 804
PRETORIA
0001
3. Comments may also be faxed to facsimile number (012) 323 3349 at the above address.
4. Comments must be received by no later than **8 August 2003**.

DRAFT GOVERNMENT NOTICE

DEPARTMENT OF PROVINCIAL AND LOCAL GOVERNMENT

REQUIREMENTS FOR DISTRICT MUNICIPALITIES IN RESPECT OF CERTIFICATES REQUIRED BY SECTION 118 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000

Under section 120, read with section 118, of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), I, Fholisani Sydney Mufamadi, after consultation with organised local government representing local government nationally, hereby make the regulations in the Schedule.

F. S. MUFAMADI

Minister for Provincial and Local Government

SCHEDULE

Definitions

1. In this Schedule a word or a phrase to which a meaning has been assigned in the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) has that meaning, and "Systems Act" refers to that Act.

Requirements for district municipality in respect of certificate required by section 118 of Act 32 of 2000

2. A district municipality that imposes municipal service fees, surcharges on fees, property rates or other municipal taxes, levies or duties in respect of any property situated in that municipality, must annually before 1 July submit the following information to the relevant registrar of deeds:

- (a) The official description of the property in question; and
- (b) which of the following are imposed on that property:
 - (i) municipal service fees;
 - (ii) surcharges on fees;
 - (iii) property rates; or
 - (iv) other municipal taxes, levies or duties.

Deeming provision

3. (1) A district municipality that does not submit the information as required by regulation 2, is deemed not to be imposing municipal service fees, surcharges on fees, property rates or other municipal taxes, levies or duties, and a registrar of deeds may register the transfer of property situated in that district municipality without a certificate issued by the district municipality in terms of section 118 of the Systems Act.

(2) The provisions of subregulation (1) do not absolve a local municipality from complying with section 118 of the Systems Act.