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**GENERAL NOTICE**

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**NOTICE 292 OF 2009****DEPARTMENT OF PROVINCIAL AND LOCAL GOVERNMENT****LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES  
ACT, 2004 (ACT NO.6 OF 2004): AMENDMENT OF THE  
MUNICIPAL PROPERTY RATES REGULATIONS, 2006**

The Minister of Provincial and Local Government intends amending the Municipal Property Rates Regulations as published in Government Notice No. R. 1036 of 18 October 2006, as set out in the Schedule. The amendments are hereby published for public comment in accordance with section 84 of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004). Any person wishing to comment on the proposed amendment is invited to submit written comments to:

The Director-General  
Attention: Ms Veronica Mafoko  
Department of Provincial and Local Government  
Private Bag X804  
**PRETORIA**  
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Comments may be faxed to (012)334-4811 or emailed to [mpra@dplg.gov.za](mailto:mpra@dplg.gov.za)

No comments, which are received after 25 March 2009 will be considered.

## SCHEDULE

Amendment of the Municipal Property Rates Regulations (hereinafter referred to as the “Regulations”)

1. The Arrangement of Regulations is hereby amended by the addition of the following Chapter after Regulation 11 of Chapter 11:

### **“CHAPTER 12**

#### **FRAMEWORK FOR CONDONATION OF NON-COMPLIANCE WITH PROVISIONS OF THE ACT**

12. Framework contemplated in section 80 of the Act.
13. Short title”

2. The Regulations are hereby amended by the insertion of the following new Chapter 12 after regulation 11:

### **CHAPTER 12**

#### **FRAMEWORK FOR CONDONATION OF NON-COMPLIANCE WITH PROVISIONS OF THE ACT**

##### **Framework contemplated in section 80**

12(1)An MEC for local government may, within the framework set out hereunder, condone the non-compliance with a provision of the Act requiring any act to be done within a specified period or permitting any act to be done only within a specified period, having regard to -

- (a) the fair and effective administration of the Act (good governance);
- (b) the merits of each case (reasonableness)

- (c) the institutional, financial and other matters having a bearing on the capacity of the municipality to discharge its duties in relation to the implementation of the Act,
- (d) whether the municipality is progressively making improvements on matters of compliance related to the meeting of timeframes in terms of the Act, including where applicable, the fulfilment of previously imposed conditions by the MEC; or
- (e) any other matter that is considered relevant and is not inconsistent with the provisions of the Act

(2) An application for condonation for the submission of a valuation roll after the period referred to in regulation 3(1), must be made where possible, as soon as the municipality becomes aware that it will fail to comply with the provisions of the period for the submission of a valuation roll. Such application must reach the MEC not later than 90 days before the date of implementation of the valuation roll.

(3) The condonation of an MEC for the late submission of a valuation roll to the Municipal Manager must not result in the provisions of section 32(1)(a) of the Act not being complied with.