

REPUBLIC OF SOUTH AFRICA

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PORTFOLIO COMMITTEE AMENDMENTS  
TO

**LOCAL, GOVERNMENT: MUNICIPAL  
STRUCTURES AMENDMENT BILL**

[B 51B—2000]

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*(As agreed to by the Portfolio Committee on Provincial and Local Government (National Assembly))*

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[B 51 C—2000]

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REPUBLIEK VAN SUID-AFRIKA

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PORTEFEULJEKOMITEE-AMENDEMENTE  
OP

**WYSIGINGSWETSONTWERP OP  
PLAASLIKE REGERING:  
MUNISIPALE STRUKTURE**

[W 51 B—2000]

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*(Soos goedgekeur deur die Portefeuljekomitee oor Provinsiale en Plaaslike Regering  
(Nasionale Vergadering))*

[W 51 C—2000]

ISBN 0621 29621 X

**AMENDMENTS AGREED TO**  


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**LOCAL GOVERNMENT MUNICIPAL STRUCTURES**  
**AMENDMENT BILL**  
**[B 51 B-2000]**

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CLAUSE 11

1. On page 12, after line 15, to add the following subsection:

(6) A district municipality or a metropolitan municipality may levy and claim a regional services levy and a regional establishment levy referred to in section 12(1)(a) of the Regional Services Councils Act, 1985, or section 16(1)(a) of the KwaZulu and Natal Joint Services Act, 1990.

CLAUSE 15

Clause rejected.

NEW CLAUSE

1. That the following be a new Clause:

Transitional application of section 14 of Act 117 of 1998

15. For purposes of the transition—

- (a) section 14(2)(b) of the Structures Act must be regarded as permitting the regulation of any legal, practical and other consequences of the disestablishment of an existing municipality, to be effected by way of an amendment to the section 12 notice disestablishing the existing municipality, provided the notice is amended before the date on which the disestablishment of the existing municipality takes effect; and
- (b) section 14(5) of the Structures Act must be regarded to read as follows:

“(5)(a) The MEC for local government in a province, by notice in the *Provincial Gazette*, may make provision for transitional measures to facilitate the disestablishment of an existing municipality and the establishment of a new municipality.

(b) The measures contemplated in paragraph(a) may include measures—

- (i) establishing a committee to advise the MEC on any matter affecting the transition; or
  - (ii) in relation to the existing municipality, restricting or regulating the—
    - (aa) alterations to the staff establishment;
    - (bb) appointment of staff or the filling of vacancies;
    - (cc) upgrading of posts or promotions;
    - (old) increases in salaries or wages;
    - (ee) disposal or acquisition of assets;
    - (ff) conclusion of contracts with a duration longer than one year or the renewal of such contracts;
- or

- (gg) use of reserve capital.
- (c) The MEC must consult the existing municipality before publishing the notice contemplated in paragraph (a).”.