

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
MUNICIPAL FISCAL POWERS
AND FUNCTIONS BILL**

[B 9—2007]

*(As agreed to by the Portfolio Committee on Finance
(National Assembly))*

[B 9A—2007]

ISBN 1-920200-94-7

No. of copies printed 800

AMENDMENTS AGREED TO

MUNICIPAL FISCAL POWERS AND FUNCTIONS BILL

[B 9—2007]

CLAUSE 1

1. On page 3, in line 14, after “means the” to insert “municipality or the”.
2. On page 3, in line 28, to omit paragraph (e).
3. On page 3, from line 31, to omit the definition of “municipal service” and to substitute:

“municipal service” means—

 - (a) any of the local government matters listed in Part B of Schedule 4 and Part B of Schedule 5 to the Constitution; and
 - (b) any function assigned to a municipality in accordance with section 9 or 10 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), identified by the Minister by notice in the *Gazette*;
4. On page 3, in line 44, to omit “section” and to substitute “sections 6, 8 or”.

CLAUSE 3

1. On page 4, in line 19, after “(Act No. 6 of 2004)” to insert “, and municipal base tariffs regulated under the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), or sector legislation”.

CLAUSE 4

1. On page 4, in line 26, after “municipal tax” to insert “in terms of subsection (1)”.
2. On page 4, in line 28, after “government” to insert “, affected municipalities”.
3. On page 4, after line 31, to insert:

(3) The Commission must within three months from the date of any consultation referred to in subsection (2)(a)(ii) submit its views on the proposed municipal tax in writing to the Minister.

CLAUSE 5

1. On page 5, from line 20, to omit paragraph (b) and to substitute:

(b) by not later than six months after that notification or such longer period as may be necessitated in complying with section 10(4)(c), prescribe the regulations contemplated in section 6.

CLAUSE 9

1. On page 6, from line 35, to omit “of” up to and including “5” in line 36, and to substitute:

“, where practicalities impede strict compliance with the norms and standards prescribed in terms of section 8, of his or her own accord or on application”.

CLAUSE 10

1. On page 7, in line 27, after “Parliament” to insert “when in session”.

SCHEDULE

1. In the third column, opposite Act No. 56 of 2003, to omit item 2 and to substitute:
 2. The substitution for subsection (6) of section 28 of the following subsection:

“(6) Municipal tax and tariffs may not be increased during a financial year **[except when required in terms of a financial recovery plan]**.”.

Printed by Creda Communications

ISBN 1-920200-94-7