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GENERAL NOTICE ALGEMENE KENNISGEWING

NOTICE 621 OF 2007

MINISTRY FOR PROVINCIAL AND LOCAL GOVERNMENT

CROSS-BOUNDARY MUNICIPALITIES LAWS REPEAL AND RELATED MATTERS AMENDMENT BILL, 2007

1. I, Fholisani Sydney Mufamadi, Minister for Provincial and Local Government, hereby, in terms of section 154(2) of the Constitution, publish the Cross-boundary Municipalities Laws Repeal and Related Matters Amendment Bill, 2007, for public comment.

2. Comments must be submitted in writing to –

The Director-General
Attention: Mr M Peter
Department of Provincial and Local Government
Private Bag X804
PRETORIA
0001

3. Comments may also be faxed to (012) 334-4828 at the above address, or e-mailed to charmaine@dplg.gov.za.

4. No comments which are received after 19 June 2007 will be considered.

CROSS-BOUNDARY MUNICIPALITIES LAWS REPEAL AND RELATED MATTERS
AMENDMENT BILL

*(As introduced in the National Assembly as a section 75 Bill; Explanatory summary of Bill
published in Government Gazette No..... of) (The English text is the official text of
the Bill)*

(MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT)

[B – 2007]

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

BILL

To amend the Cross-boundary Municipalities Laws Repeal and Related Matters Act, 2005, so as to correct invalid provisions included into that Act; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows: -

Amendment of Schedule 4 to Act 23 of 2005

1. Schedule 4 to the Cross-boundary Municipalities Laws Repeal and Related Matters Act, 2005 (hereinafter referred to as the principal Act), is hereby amended by –

- (a) the substitution for all references related to “**KZ5a6** known as Umzimkulu Local Municipality” in the respective columns, of the following references:

Identified by Map No. 8 of the Schedule to Notice 1257 of 2005	KZ5a6 known as Umzimkulu Local Municipality	KwaZulu-Natal
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- (b) the substitution for all references related to “**DC43** known as Sisonke District Municipality” in the respective columns, of the following references:

Identified by Map	DC43 known as Sisonke District	KwaZulu-Natal
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No. 7 of the Schedule to Notice 1257 of 2005	Municipality	
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- (c) the substitution for all references related to “**DC44** known as Alfred Nzo District Municipality” in the respective columns, of the following references:

Identified by Map No. 11 of the Schedule to Notice 1257 of 2005, read with correction Notice 1496 of 2005	DC44 known as Alfred Nzo District Municipality	Eastern Cape
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- (d) the substitution for all references related to “**EC05b2** known as Umzimvubu Local Municipality” in the respective columns, of the following references:

Identified by Map No. 10 of the Schedule to Notice 1257 of 2005, read with correction Notice 1496 of 2005	EC05b2 known as Umzimvubu Local Municipality	Eastern Cape
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- (e) the substitution for all references related to “**EC05b3** known as Matatiele Local Municipality” in the respective columns, of the following references:

Identified by Map No. 9 of the Schedule to Notice 1257 of 2005, read with correction Notice 1496 of	EC05b3 known as Matatiele Local Municipality	Eastern Cape
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2005		
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Amendment of Schedule 5 to Act 23 of 2005

2. Schedule 5 to the principal Act is hereby amended by –

- (a) the substitution for all references related to “**KZ5a6** known as Umzimkulu Local Municipality” in the respective columns, of the following references:

Notice 1756 of 2005 (KwaZulu-Natal), read with Notice 3253 of 2005 (KwaZulu-Natal)	KZ5a6 known as Umzimkulu Local Municipality (Map No. 8 of the Schedule to Notice 1257 of 2005)	KwaZulu-Natal	EC05b1
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- (b) the substitution for all references related to “**DC43** known as Sisonke District Municipality” in the respective columns, of the following references:

Notice 1756 of 2005 (KwaZulu-Natal), read with Notice 344 of 2000 (KwaZulu-Natal) and Notice 3253 of 2005 (KwaZulu-Natal)	DC43 known as Sisonke District Municipality (Map No. 7 of the Schedule to Notice 1257 of 2005)	KwaZulu-Natal	DC43
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- (c) the substitution for all references related to “**DC44** known as Alfred Nzo District Municipality” in the respective columns, of the following references:

Notice 43 of 2005 (Eastern Cape)	DC44 known as Alfred Nzo District Municipality (Map No. 11 of the Schedule to Notice 1257 of 2005, read with correction Notice 1496	Eastern Cape	DC44
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	of 2005)		
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- (d) the substitution for all references related to “**EC05b2** known as Umzimvubu Local Municipality” in the respective columns, of the following references:

Notice 43 of 2005 (Eastern Cape)	EC05b2 known as Umzimvubu Local Municipality (Map No. 10 of the Schedule to Notice 1257 of 2005, read with correction Notice 1496 of 2005)	Eastern Cape	EC05b2
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- (e) the substitution for all references related to “**EC05b3** known as Matatiele Local Municipality” in the respective columns, of the following references:

Notice 43 of 2005 (Eastern Cape)	EC05b3 known as Matatiele Local Municipality (Map No. 9 of the Schedule to Notice 1257 of 2005, read with correction Notice 1496 of 2005)	Eastern Cape	KZ5a3
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Application of Act 23 of 2005

3. (1) Section 2(4) of the principal Act applies to the municipalities referred to in sections 1 and 2 of this Act in accordance with the provisions of the Constitution Thirteenth Amendment Act of 2007.

(2) Sections 3 to 5 of the principal Act apply to the areas of jurisdiction of the municipalities referred to in sections 1 and 2 of this Act in accordance with the provisions of the Constitution Thirteenth Amendment Act of 2007.

Short title and commencement

4. This Act is called the Cross-boundary Municipalities Laws Repeal and Related Matters Amendment Act, 2007, and takes effect on the same date as the commencement of the Constitution Thirteenth Amendment Act of 2007.

MEMORANDUM ON THE OBJECTS OF THE CROSS- BOUNDARY MUNICIPALITIES LAWS REPEAL AND RELATED MATTERS AMENDMENT BILL

1. BACKGROUND

- 1.1 The Constitution Twelfth Amendment Act of 2005 (hereafter the “Constitution Twelfth Amendment”) and the Cross-boundary Municipalities Laws Repeal and Related Matters Act, 2005 (Act No. 23 of 2005) (hereafter the “Cross-boundary Laws Repeal Act”) were enacted during December 2005. The Constitution Twelfth Amendment amended the Constitution of the Republic of South Africa, 1996, by providing for the re-determination of the geographical areas of the provinces and doing away with the concept of cross-boundary municipalities. The Cross-boundary Laws Repeal Act supported and complimented the Constitution Twelfth Amendment by providing transitional arrangements to ensure a smooth transition from the cross-boundary municipality dispensation to a new dispensation where a municipality would only be located in one particular province.
- 1.2 The constitutionality of the Constitution Twelfth Amendment and the Cross-boundary Laws Repeal Act was challenged in the Constitutional Court by the Matatiele community. The Constitutional Court handed down judgement in the Matatiele matter on 18 August 2006. In essence, the Court declared those provisions of the Constitution Twelfth Amendment that transferred the Matatiele Municipality from the KwaZulu-Natal Province to the Eastern Cape Province to be invalid. As a result of their interdependence, this declaration of invalidity was extended to those provisions of the Cross-boundary Laws Repeal Act that concerned the KwaZulu-Natal Province.
- 1.3 The order of invalidity is suspended for 18 months, during which time Parliament has the opportunity to correct the constitutional defect that led to the order of invalidity.
- 1.4 For various technical reasons, the order of invalidity was formulated with reference to Matatiele only. However, it stands to reason that the failure of the KwaZulu-Natal legislature to consult on the proposed changes to its provincial boundaries (which

gave rise to the order of invalidity), also affects other boundary changes impacting on the Province of KwaZulu-Natal (such as the inclusion of Umzimkulu into KwaZulu-Natal). It also follows, that the “knock-on effect” on municipalities that are now located in the Eastern Cape Province, should also be provided for in any legislative measure that seeks to rectify the constitutional defect that led to the Constitutional Court’s order of invalidity. Put in other words: It would appear that any proposed legislative amendments that are intended to rectify the identified constitutional defect must also include references to the Eastern Cape Province.

- 1.5 It stands to reason that the invalid provisions of the Constitution Twelfth Amendment and the Cross-boundary Laws Repeal Act have to be addressed by two separate Bills, viz. a Constitution Amendment Bill and an Amendment Bill that amends the Cross-boundary Laws Repeal Act. Although the Ministry of Justice and Constitutional Development would be processing the Constitution Thirteenth Amendment Bill of 2007 and the Ministry for Provincial and Local Government would be processing the Cross-boundary Municipalities Laws Repeal and Related Matters Amendment Bill, 2007, these two Bills must be read together. These two Bills are premised on the principle that only those provisions in the Twelfth Constitution Amendment and the Cross-boundary Laws Repeal Act that refer directly to the provinces of the Eastern Cape and KwaZulu-Natal are to be substituted and re-enacted.

2. OBJECTS OF THE BILL

The Cross-boundary Municipalities Laws Repeal and Related Matters Amendment Bill, 2007 (hereafter “the Bill”), seeks to amend the Cross-boundary Laws Repeal Act by substituting and re-enacting those provisions of the said Act that were declared invalid by the Constitutional Court.

3. BODIES/ ORGANISATIONS CONSULTED

- The Department of Justice and Constitutional Development
- The Bill was published for public comment in terms of section 154(2) of the

Constitution.

4. FINANCIAL IMPLICATIONS FOR THE STATE

None, since the Bill seeks to re-enact provisions of the Cross-boundary Laws Repeal Act that were found to be invalid.

5. IMPLICATIONS FOR PROVINCES

In so far as the Bill is dependent on the passing of the Constitution Thirteenth Amendment Bill of 2007, the legislatures of the Eastern Cape Province and the Province of KwaZulu-Natal has to approve the Constitution Thirteenth Amendment Bill of 2007 as required by section 74(8) of the Constitution.

6. IMPLICATIONS FOR MUNICIPALITIES

The configuration of municipalities in the Eastern Cape Province and the Province of KwaZulu as preserved by the suspension order of the Constitutional Court in the Matatiele matter would be maintained.

7. PARLIAMENTARY PROCEDURE

7.1 The State Law Advisers and the Department of Provincial and Local Government are of the opinion that the Bill must be dealt with in accordance with the procedure prescribed by section 75 of the Constitution since it contains no provision to which the procedure set out in section 74 or 76 of the Constitution applies.

7.2 The State Law Advisers are of the opinion that it is not necessary to refer this Bill to the National House of Traditional Leaders in terms of section 18(1)(a) of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003), since it does not contain provisions pertaining to customary law or customs of traditional communities.

KENNISGEWING 621 VAN 2007**MINISTERIE VIR PROVINSIALE EN PLAASLIKE REGERING****WYSIGINGSWETSONTWERP OP DIE HERROEPING VAN WETTE BETREFFENDE
OORGRENSMUNISIPALITEITE EN AANVERWANTE AANGELEENTHEDE, 2007**

1. Ek, Fholisani Sydney Mufamadi, Minister vir Provinsiale en Plaaslike Regering, publiseer hierby, ingevolge artikel 154(2) van die Grondwet, die Wysigingswetsontwerp op die Herroeping van Wette Betreffende Oorgrensmunisipaliteite en Aanverwante Aangeleenthede, 2007, vir openbare kommentaar.
2. Kommentaar moet skriftelik voorgelê word aan–

Die Direkteur-Generaal

Vir aandag: Mnr M Peter

Departement van Provinsiale en Plaaslike Regering

Privaatsak X804

PRETORIA

0001

3. Kommentaar kan ook gefaks word na (012) 334-4828 by bogenoemde adres, of per e-pos gestuur word aan charmaine@dplg.gov.za.
4. Geen kommentaar wat na 19 Junie 2007 ontvang word, sal oorweeg word nie.

WYSIGINGSWETSONTWERP OP DIE HERROEPING VAN WETTE BETREFFENDE
OORGRENSMUNISIPALITEITE EN AANVERWANTE AANGELEENTHEDE

*(Soos by die Nasionale Vergadering ingedien as 'n artikel 75-Wetsontwerp; 'n
Verduidelikende opsomming van die Wetsontwerp is in Staatskoerant No. van
..... gepubliseer.) (Die Engelse teks is die amptelike teks van die Wetsontwerp)*

MINISTER VIR PROVINSIALE EN PLAASLIKE REGERING

[B -2007]

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skrapings uit bestaande verordenings aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WETSONTWERP

Om die Wet op die Herroeping van Wette Betreffende Oorgrensmunisipaliteite en Aanverwante Aangeleenthede, 2005, te wysig ten einde ongeldige bepalings wat in daardie Wet ingesluit is, reg te stel; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

DAAR WORD BEPAAL deur die Parlement van die Republiek van Suid-Afrika soos volg: -

Wysiging van Bylae 4 by Wet 23 van 2005

1. Bylae 4 by die Wet op die Herroeping van Wette Betreffende Oorgrensmunisipaliteite en Aanverwante Aangeleenthede, 2005 (hieronder die Hoofwet genoem), word hierby gewysig –

- (a) deur al die verwysings in die onderskeie kolomme wat betrekking het op “**KZ5a6** bekend as Umzimkulu Plaaslike Munisipaliteit” deur die volgende verwysings te vervang:

Geïdentifiseer deur Kaart No. 8 van die Bylae by Kennisgewing 1257 van 2005	KZ5a6 bekend as Umzimkulu Plaaslike Munisipaliteit	KwaZulu-Natal
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- (b) deur al die verwysings in die onderskeie kolomme wat betrekking het op “**DC43** bekend as Sisonke Distriksmunisipaliteit” deur die volgende verwysings te vervang:

Geïdentifiseer deur Kaart No. 7 van die Bylae by Kennisgewing 1257 van 2005	DC43 bekend as Sisonke Distriksmunisipaliteit	KwaZulu-Natal
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- (c) deur al die verwysings in die onderskeie kolomme wat betrekking het op “**DC44** bekend as Alfred Nzo Distriksmunisipaliteit” deur die volgende verwysings te vervang:

Geïdentifiseer deur Kaart No. 11 van die Bylae by Kennisgewing 1257 van 2005, gelees met regstellende Kennisgewing 1496 van 2005	DC44 bekend as Alfred Nzo Distriksmunisipaliteit	Oos-Kaap
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- (d) deur al die verwysings in die onderskeie kolomme wat betrekking het op “**EC05b2** bekend as Umzimvubu Plaaslike Munisipaliteit” deur die volgende verwysings te vervang:

Geïdentifiseer deur Kaart No. 10 van die Bylae by Kennisgewing 1257 van 2005, gelees met regstellende Kennisgewing 1496 van 2005	EC05b2 bekend as Umzimvubu Plaaslike Munisipaliteit	Oos-Kaap
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- (e) deur al die verwysings in die onderskeie kolomme wat betrekking het op “**EC05b3** bekend as Matatiele Plaaslike Munisipaliteit” deur die volgende verwysings te vervang:

Geïdentifiseer deur Kaart No. 9 van die Bylae by Kennisgewing 1257 van 2005, gelees met regstellende Kennisgewing 1496 van 2005	EC05b3 bekend as Matatiele Plaaslike Munisipaliteit	Oos-Kaap
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Wysiging van Bylae 5 by Wet 23 van 2005

2. Bylae 5 by die Hoofwet word hierby gewysig –

- (a) deur al die verwysings in die onderskeie kolomme wat betrekking het op “**KZ5a6** bekend as Umzimkulu Plaaslike Munisipaliteit” deur die volgende verwysings te vervang:

Kennisgewing 1756 van 2005 (KwaZulu-Natal), gelees met Kennisgewing 3253 van 2005 (KwaZulu-Natal)	KZ5a6 bekend as Umzimkulu Plaaslike Munisipaliteit (Kaart No. 8 van die Bylae by Kennisgewing 1257 van 2005)	KwaZulu-Natal	EC05b1
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- (b) deur al die verwysings in die onderskeie kolomme wat betrekking het op “**DC43** bekend as Sisonke Distriksmunisipaliteit” deur die volgende verwysings te vervang:

Kennisgewing 1756 van 2005 (KwaZulu-Natal), gelees met Kennisgewing 344 van 2000 (KwaZulu-Natal) en Kennisgewing	DC43 bekend as Sisonke Distriksmunisipaliteit (Kaart No. 7 van die Bylae by Kennisgewing 1257 van 2005)	KwaZulu-Natal	DC43
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3253 van 2005 (KwaZulu-Natal)			
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- (c) deur al die verwysings in die onderskeie kolomme wat betrekking het op “**DC44** bekend as Alfred Nzo Distriksmunisipaliteit” deur die volgende verwysings te vervang:

Kennisgewing 43 van 2005 (Oos-Kaap)	DC44 bekend as Alfred Nzo Distriksmunisipaliteit (Kaart No. 11 van die Bylae by Kennisgewing 1257 van 2005, gelees met regstellende Kennisgewing 1496 van 2005)	Oos-Kaap	DC44
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- (d) deur al die verwysings in die onderskeie kolomme wat betrekking het op “**EC05b2** bekend as Umzimvubu Plaaslike Munisipaliteit” deur die volgende verwysings te vervang:

Kennisgewing 43 van 2005 (Oos-Kaap)	EC05b2 bekend as Umzimvubu Plaaslike Munisipaliteit (Kaart No. 10 van die Bylae by Kennisgewing 1257 van 2005, gelees met regstellende Kennisgewing 1496 van 2005)	Oos-Kaap	EC05b2
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- (e) deur al die verwysings in die onderskeie kolomme wat betrekking het op “**EC05b3** bekend as Matatiele Plaaslike Munisipaliteit” deur die volgende verwysings te vervang:

Kennisgewing 43 van 2005 (Oos-Kaap)	EC05b3 bekend as Matatiele Plaaslike Munisipaliteit (Kaart No. 9 van die Bylae by Kennisgewing 1257 van 2005, gelees met regstellende Kennisgewing 1496 van 2005)	Oos-Kaap	KZ5a3
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Toepassing van Wet 23 van 2005

3. (1) Artikel 2(4) van die Hoofwet is ooreenkomstig die bepalings van die “Constitution Thirteenth Amendment Act of 2007” op die munisipaliteite bedoel in artikels 1 en 2 van hierdie Wet van toepassing.

(2) Artikels 3 tot 5 van die Hoofwet is ooreenkomstig die bepalings van die “Constitution Thirteenth Amendment Act of 2007” op die regsgebiede van die munisipaliteite bedoel in artikels 1 en 2 van hierdie Wet van toepassing.

Kort titel en inwerkingtreding

4. Hierdie Wet heet die Wysigingswet op die Herroeping van Wette Betreffende Oorgrensmunisipaliteite en Aanverwante Aangeleenthede, 2007, en tree in werking op dieselfde dag as wat die “Constitution Thirteenth Amendment Act of 2007” in werking tree.

MEMORANDUM OOR DIE OOGMERKE VAN DIE WYSIGINGSWETSONTWERP OP DIE HERROEPING VAN WETTE BETREFFENDE OORGRENSMUNISIPALITEITE EN VERWANTE AANGELEENTHEDE

1. AGTERGROND

1.1 Die "Constitution Twelfth Amendment Act of 2005" (hieronder die "Constitution Twelfth Amendment"), en die Wet op die Herroeping van Wette Betreffende Oorgrensmunisipaliteite en Aanverwante Aangeleentehede, 2005 (Wet No. 23 van 2005) (hieronder die "Herroepingswet op Oorgrensmunisipaliteite") is gedurende Desember 2005 gepromulgeer. Die "Constitution Twelfth Amendment" het die Grondwet van die Republiek van Suid-Afrika, 1996, gewysig deur voorsiening te maak vir die herbepaling van die geografiese gebiede van die provinsies en om met die konsep van oorgrensmunisipaliteite weg te doen. Die Herroepingswet op Oorgrensmunisipaliteite het die "Constitution Twelfth Amendment" ondersteun en aangevul deur voorsiening te maak vir oorgangsreëlings ten einde 'n gladde oorgang te verseker van die oorgrensmunisipaliteits-bedeling na 'n nuwe bedeling waar 'n munisipaliteit slegs in een besondere provinsie geleë sal wees.

1.2 Die grondwetlikheid van die "Constitution Twelfth Amendment" en die Herroepingswet op Oorgrensmunisipaliteite is deur die Matatiele gemeenskap in die Grondwetlikehof aangeveg. Die Grondwetlikehof het op 18 Augustus 2006 uitspraak gelewer. Die Hof het in kort, daardie bepalings van die "Constitution Twelfth Amendment" wat die Matatiele Munisipaliteit van die KwaZulu-Natal Provinsie na die Oos-Kaap Provinsie oorgedra het, ongeldig verklaar. As gevolg van hulle interafhanklikheid, is hierdie verklaring van ongeldigheid uitgebrei na die daardie bepalings van die Herroepingswet op Oorgrensmunisipaliteite wat die KwaZulu-Natal Provinsie raak.

1.3 Die bevel van ongeldigheid is opgeskort vir 18 maande, gedurende welke tydperk die Parlement die geleentheid het om die grondwetlike tekortkoming wat tot die bevel van ongeldigheid aanleiding gegee het, reg te stel.

1.4 Vir verskeie tegniese redes, is die bevel van ongeldigheid slegs met verwysing na Matatiele geformuleer. Dit spreek egter vanself dat die nalate van die KwaZulu-Natal wetgewer om rondom die voorgestelde wysiging van sy provinsiale grense te konsulteer (welke nalate tot die bevel van ongeldigheid aanleiding gegee het), ook ander

grensaanpassings affekteer wat op die Provinsie van KwaZulu-Natal inwerk (soos die insluiting van Umzimkulu in KwaZulu-Natal). Gevolglik moet daar ook vir die “kettering effek” op munisipaliteite wat nou in die Oos-Kaap Provinsie geleë is voorsiening gemaak word in enige wetgewende maatreël wat ten doel het om die grondwetlike tekortkoming wat tot die Grondwetlikehof se bevel van ongeldigheid aanleiding gegee het, reg te stel. Met ander woorde, dit wil voorkom asof enige voorgestelde wetswysiging wat ten doel het om die geïdentifiseerde grondwetlike tekortkoming reg te stel, ook verwysings na die Oos-Kaap Provinsie moet insluit.

1.5 Dit spreek vanself dat die ongeldige bepalings van die “Constitution Twelfth Amendment” en die Herroepingswet op Oorgrensmunisipaliteite by wyse van twee afsonderlike wetsontwerpe aangespreek moet word, nl. ‘n Grondwet Wysigingswetsontwerp en ‘n Wysigingswetsontwerp wat die Herroepingswet op Oorgrensmunisipaliteite wysig. Alhoewel die Ministerie van Justisie en Staatkundige Ontwikkeling die “Constitution Thirteenth Amendment Bill of 2007” sal bevorder, en die Ministerie vir Provinsiale en Plaaslike Regering die Wysigingswetsontwerp op die Herroeping van Wette Betreffende Oorgrensmunisipaliteite en Aanverwante Aangeleenthede, 2007, sal bevorder, moet hierdie twee Wetsontwerpe saamgelees word. Hierdie twee Wetsontwerpe is gebaseer op die beginsel dat slegs daardie bepalings van die “Constitution Twelfth Amendment” en die Herroepingswet op Oorgrensmunisipaliteite wat daadwerklik na die provinsies van die Oos-Kaap en KwaZulu-Natal verwys, vervang en her-verorden word.

2. OOGMERKE VAN DIE WETSONTWERP

Die Wysigingswetsontwerp op die Herroeping van Wette Betreffende Oorgrensmunisipaliteite en Aanverwante Aangeleenthede, 2007 (hieronder “die Wetsontwerp”), het ten doel om die Herroepingswet op Oorgrensmunisipaliteite te wysig deur daardie bepalings van gemelde Wet wat deur die Grondwetlikehof ongeldig verklaar is, te vervang en te her-verorden.

3. LIGGAME/ORGANISASIES GERAADPLEEG

- Departement van Justisie en Staatkundige Ontwikkeling

- Die Wetsontwerp was gepubliseer vir openbare kommentaar ingevolge artikel 154(2) van die Grondwet.

4. FINANSIËLE GEVOLGE VIR DIE STAAT

Geen, aangesien die Wetsontwerp ten doel het om bepalings van die Herroepingswet op Oorgrensmunisipaliteite wat ongeldig bevind is, te her-verorden.

5. GEVOLGE VIR PROVINSIES

Vir sover die Wetsontwerp afhanklik is van die aanname van die “Constitution Thirteenth Amendment Bill of 2007”, is dit nodig vir die wetgewers van die Oos-Kaap Provinsie en die KwaZulu-Natal Provinsie om die “Constitution Thirteenth Amendment Bill of 2007” goed te keur soos vereis deur artikel 74(8) van die Grondwet.

6. GEVOLGE VIR MUNISIPALITEITE

Die samestelling van munisipaliteite in die die Oos-Kaap Provinsie en die KwaZulu-Natal Provinsie soos in stand gehou deur die opskortingsbevel van die Grondwetlikehof in die Matatiele aangeleentheid, sal voortgesit word.

7. PARLEMENTÊRE PROSEDURES

7.1 Die Staatsregsadviseurs en die Departement van Provinsiale en Plaaslike Regering is van mening dat die Wetsontwerp ooreenkomstig die prosedure deur artikel 75 van die Grondwet voorgeskryf mee gehandel moet word, aangesien dit nie bepalings bevat waarop die prosedures wat in artikel 74 of 76 van die Grondwet uiteengesit is, van toepassing is nie.

7.2 Die Staatsregsadviseurs is van mening dat dit nie nodig is om hierdie Wetsontwerp na die Nasional Huis van Tradisionele Leiers ingevolge artikel 18(1)(a) van die “Traditional Leadership and Governance Framework Act”, 2003 (Wet No. 41 van 2003) te verwys nie, aangesien dit nie bepalings bevat wat op inheemse reg of gewoontes van tradisionele gemeenskappe van toepassing is nie.

IMPORTANT NOTICE

GPW wishes to apologise for any confusion created by our previous notice concerning the method of payment (*herewith the corrected version of the notice*):

ACCEPTABLE PAYMENT FOR SERVICES AND GOODS IN GOVERNMENT PRINTING WORKS

**WITH IMMEDIATE EFFECT ALL
PAYMENTS FOR SERVICES RENDERED AND GOODS DIS-
PATCHED SHOULD BE BY MEANS OF CASH, ELECTRONIC
TRANSFER OR BANK GUARANTEED CHEQUES**

**IMPLEMENTATION OF THIS
CIRCULAR IS WITHOUT EXCEPTION**

**S. MBHELE
EXECUTIVE DIRECTOR: MARKETING**

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