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Date: 22 November 2022

**THE SPEAKER OF COUNCIL
CLLR STEFANI LOCKMAN-NAIDOO**

**COUNCIL ITEM: CONSIDERATION AND APPROVAL OF PLACEMENT POLICY
OF 2022 OF MANGAUNG METROPOLITAN MUNICIPALITY**

1. PURPOSE

- 1.1 The purpose of this report is to table before the Municipal Council the Placement Policy for consideration and approval for the purposes of the placement of the former Naledi Local Municipality and Ikhomotseng/Soutpan municipal employees.

2. BACKGROUND

- 2.1 In terms of Free State Provincial Gazette No. 47 of July 2016, the Naledi Local Municipality and the area of Ikhomotseng/Soutpan were disestablished and incorporated in the Mangaung Metropolitan Municipality.
- 2.2 In terms of the Gazette all the employees of the disestablished Naledi Local Municipality and the Area of Ikhomotseng/Soutpan were transferred to the Mangaung Metropolitan Municipality after the municipal elections of August 2016.
- 2.3 Up to this stage no employee of the former Naledi Local Municipality and the municipal area of Ikhomotseng/Soutpan has been placed into the organisational structure of the Mangaung Metropolitan Municipality.
- 2.4 In order for the employees to be placed, the Mangaung Metropolitan Municipal Council has to adopt a placement policy that will serve as a tool in terms of placing the employees into the organogram of the Mangaung Metropolitan Municipality.

- 2.5 There is no existing policy adopted to regulate the placement, hence the submission before the Council to consider and pass the draft policy into the Placement Policy of Mangaung Metropolitan Municipality, 2022.
- 2.6 The draft policy was consulted on with the Organised Labour and they endorsed the draft for it to be adopted by Council.

The copy of the Draft Placement Policy of 2022 has been hereto attached as annexure "A"

- 2.7 The total number of the employees that were transferred and have to be subjected to the placement process is one hundred and forty four (144). The number from Naledi Local Municipality is one hundred and twenty three (123) and from the municipal area of Ikhomotseng/Soutpan is twenty one (21).

The copy of the List of municipal staff (including their employment particulars) of the Naledi Administrative Unit and Soutpan area has been hereto attached as annexure "B"

3. DELIBERATION

- 3.1 Upon transfer of the employees of the former Naledi Local Municipality and Ikhomotseng/Soutpan municipal area into the Mangaung Metropolitan Municipality, their employment has to be regulated in terms of any collective agreement and such agreement will be the adopted Placement Policy
- 3.2 The following provisions of the Provincial Gazette of 2016 are relevant in terms of the transfer of staff, namely:

Sub-paragraph 10A(3) prescribes that the employment of the employees of the metropolitan municipality (Mangaung Metropolitan Municipality) must be regulated in accordance with the any collective agreement.

Sub-paragraph 10A(4) states that until the agreement referred to in sub-paragraph 10A(3) has been reached employees are employed by the metro municipality on the same terms and conditions (including remuneration) applicable to them as employees of the disestablished municipality (Naledi Local Municipality and Soutpan area of Masilonyana Local Municipality) which previously employed them.

The copy of the Provincial Gazette No. 47 of July 2016 has been hereto attached as annexure "C"

4. RECOMMENDATIONS

- 4.1 That the Council takes note of this report and annexures thereto.
- 4.2 That the Council approves the attached draft Placement Policy so that the employees of the former Naledi Local Municipality and Soutpan area can be placed permanently into the organisational structure of the Mangaung Metropolitan Municipality.

Submitted By:


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Thabiso Ramolebo
GM: Labour Relations

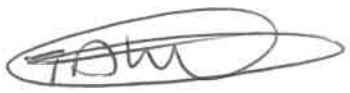
22-11-2022
.....
Date

Recommended / ~~Not Recommended~~


.....
Adv. Nkateko Mpangane
Acting Head: Corporate Services

22/11/2022
.....
Date

Approved / ~~Not Approved~~


.....
Mr Tebogo Motlashuping
Acting City Manager

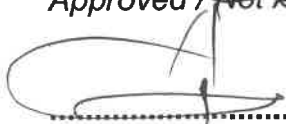
22/11/2022
.....
Date

Ratified / ~~Not Ratified~~


.....
Ms Gugu Malaza
National Cabinet Representative

23/11/2022
.....
Date

Approved / ~~Not Approved~~


.....
Clr Mxolisi Siyonzana
Executive Mayor

23/11/2022
.....
Date



**DRAFT
PLACEMENT POLICY
2022**

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1. MEMORANDUM OF AGREEMENT PREFACE

Made and entered into by and between

THE MANGAUNG METROPOLITAN MUNICIPALITY,
the employer
(hereinafter referred to as 'MMM')

and

THE SOUTH AFRICAN MUNICIPAL WORKER'S UNION, a trade union duly registered in terms of the provisions of die Labour Relations Act (hereinafter referred to as 'SAMWU')

and

THE INDEPENDENT MUNICIPAL AND ALLIED TRADE UNION, a trade union duly registered in terms of the provisions of the Labour Relations Act (hereinafter referred to as 'IMATU')

Whereas the Municipal Structures Act and demarcation results necessitate the incorporation of all former Naledi Local Municipality & Soutpan/Ikhomotseng Community and Mangaung Metropolitan Municipality personnel into one personnel / organisational structure for the newly established Mangaung Metropolitan Municipality.

and

Whereas the establishment of a new personnel / organisational structure for the Mangaung Metropolitan Municipality shall necessitate the transfer and placement of employees from the disestablished municipalities into the newly established Mangaung Metropolitan Municipality.

Now therefore it is agreed as follow/s:

2. STATEMENT OF INTENT

All the above-mentioned parties accept and agree that:

- 2.1 Arising from the need to assume the new metropolitan status and to function as a Category A Municipality within the applicable demarcated areas, the re-organization of the existing staff structures (including geographic redeployment) may be necessary to meet operational objectives in order to satisfy the necessary service delivery standards. All placements and redeployments shall take place in accordance with the principles stipulated and contained in this agreement.
- 2.2 The contracts of employment of all staff of the disestablished municipality of Naledi Local Municipality and Soutpan/Ikhomotseng Community have been transferred as part of a going concern, to the newly established Mangaung Metropolitan Municipality in terms of the Labour Relations Act 66 of 1995 as amended in Section 197 of the Labour Relations Act of 6 December 2000.
- 2.3 While legislation permits the relevant MEC to issue guidelines, it also recognises the primacy of collective agreements on the same issues that have been concluded in the bargaining council.
- 2.4 The placement and redeployment of staff shall be done in a manner that is consistent with the current approved Employment Equity and Skills Development Plan(s) / or the objectives of the Employment Equity Act and the Skills Development Act.

- 2.5 From the date of signature hereof, the Mangaung Metropolitan Municipality shall not finalise a structural organogram other than in terms of this agreement, which may also not be contrary to the SALGBC's National Placement Policy, unless parties at the LLF may request further engagement on the matter.

3. PRINCIPLES

- 3.1 Job security and skills retention are essential.
- 3.2 Employment Equity and Skills Development are essential.
- 3.3 The principle of accountability to the community, all employees and the organisation itself should be adhered to.
- 3.4 The principle that staff follows function and function follows structure, must be based on confirmed job contents for all employees.
- 3.5 Employees in acting positions have no legal claims to be placed in that position / post.
- 3.6 Transparency in terms of all decision-making processes as well as implementation should underpin the agreed upon placement processes.
- 3.7 The placement and redeployment procedures should encourage a high level of organised labour and employer involvement.
- 3.8 Sufficient and adequate resources should be allocated to the placement committee to ensure efficient application and execution of the agreed upon placement and redeployment procedures.
- 3.9 Collective organisational harmonisation and Equity in remuneration should play vital roles and be considered high priorities.

4. ORGANOGRAMS

- 4.1 The new Mangaung Metropolitan Municipality shall prepare the envisaged draft organograms of all directorates and sub-directorates and submit such to the Local Labour Forum for engagement and collective decision-making.
- 4.2 The Integrated Development Plan and the Local Government: Municipal Staff Regulations of 20 September 2021 of the municipality shall inform and direct the organogram and the principle of structures follow strategy shall apply. The Municipal Service Delivery Objectives and the Organisational Strategy must be defined and stipulated in order to be applied into the planning and designing of all new organograms.
- 4.3 New organograms shall be finalised as soon as practically possible but unless agreed otherwise, by no later than 6 months from date hereof. During the process of placement, Management agreed not to advertise any posts externally, unless collectively agreed in the LLF, on the basis of skills shortages that restrain service delivery.
- 4.4 All organograms, whether final or on a 'cut and paste' basis, shall, before implementation, be referred to the Local Labour Forum for consultation and agreement on the implementation of placement before approval by Council.

5. PLACEMENTS

5.1 PLACEMENT CRITERIA

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The parties agree to the following criteria:

- 5.1.1 The Mungaung Metropolitan Municipality shall use its best endeavours to place existing employees that were transferred in terms of Section 197 of the Labour Relations Act into posts created in new structure.
- 5.1.2 The parties are committed to ensure continuity of employment and every attempt will therefore be made to ensure that no retrenchment or redundancy will occur, provided that the effected employees are willing to accept alternative positions that are offered. In this regard every effort will be made to ensure that such alternative offers are reasonable and acceptable.
- 5.1.3 In placing employees in new structures, employees shall be placed on a close-match basis. In close matching a post the job content of the "new" post must be compared with the existing job content of the employees. The employees having the closest match in respect of the job \ content is then the successful employee to be placed e.g a typist will be close matched to a typist, a labourer to a labourer.
- 5.1.4 Where the close match cannot be done one hundred percent, the match must be done on the most matched job content The focus should be on the crux of the job, e.g an accountant's job content will be matched against a post that contains the most stipulations reflecting accounting duties. The close match is done on job content and not job designation. Post designation may however be used as an indicator.
- 5.1.5 The salary, qualifications, skills and experience of an employee shall play a vital role in the placement processes.
- 5.1.6 This close match principle shall apply to unchanged, minor changed and major changed posts.
- 5.1.7 Where more than one employee can be close matched to a post and there are more employees than there are posts, employment equity shall have preference over length of service and the employer may also use his discretion to advertise the post by following the official employment policy.
- 5.1.8 Employees may be placed within the Mungaung Metropolitan Municipality geographical area as demarcated by the Demarcation Board.
- 5.1.9 When placed in a post, such placement shall be final and constitute a permanent position.
- 5.1.10 Employees that cannot be placed in any of the categories of posts or are not offered an alternative post that is not reasonable or acceptable, will remain in the pool of the transferred employees for a period of at least six months from the expiry of the period referred to in paragraph unless otherwise agreed, where after the employee shall be dealt with in terms of existing redundancy policies or section 189 of the Labour Relations Act.

5.2 PLACEMENT COMMITTEE

- 5.2.1 Placement of all employees shall be considered by the Local Labour Forum or a sub-committee of that Forum, provided that the Committee is composed of eight (8) persons. Equal representation is expected from the employer (4 delegates) and organised labour (4 delegates). The employer delegates must consist of at least 1 Councillor and 3 Management representatives, provided

that the delegation shall not exceed four members. Organised Labour must consist of 2 representatives from each Labour Union.

5.2.1 The Placement Committee will have the following terms of reference:

5.2.1.1 To consider and reach consensus regarding the placement of existing employees into posts in the new structure.

5.2.1.2 The Placement Committee shall strive to reach consensus on the staff placement

5.2.1.3 The Unions and its members will in no way be disbarred, prejudiced or in any other form impaired.

5.3 NOTIFICATION AND PUBLICATION OF DECISIONS

5.3.1 A letter shall be sent to each employee informing him or her of the placement process and especially the location of the general notice boards or other agreed notification places for placement.

5.3.2 Prior to forwarding submissions to the Local Labour Forum each employee must receive a letter and a copy of the Section of the relevant organogram which indicates their proposed post and classification thereof in which they will be placed.

5.3.3 All decisions on placements, whether agreed to or not shall be communicated to employees.

5.3.4 The individual employee to be placed must also be personally notified in writing. The notification must state whether the placement is by consensus of the Local Labour Forum or not.

5.4 PLACEMENT PROCEDURES

5.4.1 Job profiles must be completed and validated before placement begins.

5.4.2 Marga Manggaung Metropolitan Municipality must continue its business uninterrupted during the creation and establishment of the new structures.

5.4.3 Once the respective level/s in the new organisational design process for the Marga Manggaung Metropolitan Municipality has been completed, those structures will be populated.

5.4.4 CLASSIFICATION OF POSTS

5.4.4.1 The Placement Committee will classify the posts in the structure in the following four categories.

5.4.4.2 Placement in terms of these categories takes place in the following manner:

5.4.4.2.1 UNCHANGED POSTS

These are posts that have had no change to their scheduled duties or geographical location. The Municipality will be required to merely list these posts with the names and other forms of identification used, of the present

incumbents and submit it to Placement Committee for confirmation.

5.4.4.2.2 MINOR CHANGED POSTS

These are posts involving minor changes to the duty schedule, which has no material effect on the level of responsibility. It might also involve a mere change in title without a change in duties or geographic location. The Municipality need to submit the names and other form of identification used of the present incumbents to the Placement Committee for confirmation.

5.4.4.2.3 MAJOR CHANGED POSTS

Those jobs in the new structure that have a materially different job content, geographic location and / or responsibility will be advertised and appointments (including promotions) to those jobs will be on application in accordance with the normal recruitment, selection and appointment procedures and policies.

5.4.4.2.4 NEW POSTS

These are posts, which carry duties and responsibilities that do not exist in any form in the present structures. These posts shall be advertised first internally and after 5.4.4.2.4.1, 5.4.4.2.4.2, has been exhausted and no suitable internal candidate has been identified for appointment; the post(s) will be advertised externally; and the candidates as mentioned in 5.4.4.2.4.3; will be considered:

5.4.4.2.4.1 Internal candidates from designated group.

5.4.4.2.4.2 Internal candidates from non-designated groups.

5.4.4.2.4.3 External candidates.

5.5 PLACEMENT FINALISATION

All placements shall be finalised within a period of six (6) months after the adoption of the organogram. This period can be extended by mutual agreement

6. DISPUTE AND/OR APPEAL PROCESSES

6.1 APPEAL COMMITTEE

Every employee and/or trade union (IMATU/SAMWU) shall have the right to refer his/her grievance on placement or non-placement to the Appeal Committee, within 5 working days after the Placement Committee makes known its results or decisions. The Appeal Committee shall be composed of 4 persons, 2 from management (1 Councillor and 1 Official) and 2 from organised labour. Provided that members of the appeal committee shall not be members of placement committee

The appeal must commence within 10 working days after the appeal has been received unless the parties agree to a longer period. The final decision of the appeal committee

must be made within 5 working days after conclusion of the arbitration. The appeal outcome shall be a final and binding award on the parties. Please note that no placement is final until the appeal process has been exhausted.

- 6.2 Every individual employee and or trade union on behalf of their members shall have the right to refer a dispute about a placement or non-placement to the Bargaining Council, after the appeals process has been exhausted.

7. JOB EVALUATION

- 7.1 New posts or major changed posts shall be evaluated in accordance with the dominant Job Evaluation system in the Mangaung Metropolitan Municipality, unless otherwise agreed to by all the parties.

- 7.2 Within 1 year of the commencement date of this agreement the Job Evaluation Committee of the Bargaining Council shall evaluate all the posts of the newly formed metropolitan authority in accordance with the agreed national job evaluation system.

8. CONDITIONS OF SERVICE

- 8.1 All employees transferred to the newly established municipality shall, from the commencement date of the newly formed municipality, be subjected to the following:

8.1.1 No interruption in Conditions of Employment or services shall occur. All employees shall retain their benefits as if their services were not interrupted.

8.1.2 All staff of the disestablished Naledi Local Municipality and Soutpan/lkgomotseng community shall retain all their current conditions of employment following placement in the new structures.

9. GEOGRAPHICAL RELOCATION

- 9.1 All recommendations on placements are to indicate whether geographical relocation of staff will be required.

- 9.2 Geographical redeployment of staff will only take place for the following sound operational, efficient service delivery and / or economic reasons:

9.2.1 The functions of the post/s are to be delivered in another geographical area.

9.2.2 The functions of the post/s may be reduced and/or combined resulting in a necessity to rationalise resources.

9.2.3 The functions to the post/s may be abolished in that particular geographical area.

- 9.3 Where it is necessary to geographically redeploy only part of a sub-directorate / directorate, the selection of employees for redeployment in each of the affected job categories will be done in terms of the following criteria.

9.3.1 Call for volunteers from employees within each job category.

9.3.2 Should too many affected employees volunteer to be redeployed, then selection will be done on the basis of 'first in, first opportunity' (FIFO).

9.3.3 Should too few affected employees volunteer to be redeployed, then selection will be done on the basis of 'last in, first out* (UFO) i.e. the employees with the shortest service in the job category concerned will be selected for redeployment

9.4 In the event of equivalent vacancies subsequently being advertised at the previous geographic location within a period of 12 months from redeployment, any redeployed employee will receive preference should he/she apply for transfer thereto.

9.5 In the case of an employee accepting geographical relocation, and such employee, moves his / her place of residence in order to reside closer to his new place of work, the council concerned will pay the cost of removal of his/her household goods to his/her new place of residence.

9.6 In the case where the employee does not move his place of residence, additional travelling arrangements or costs may be negotiated with the Municipality.

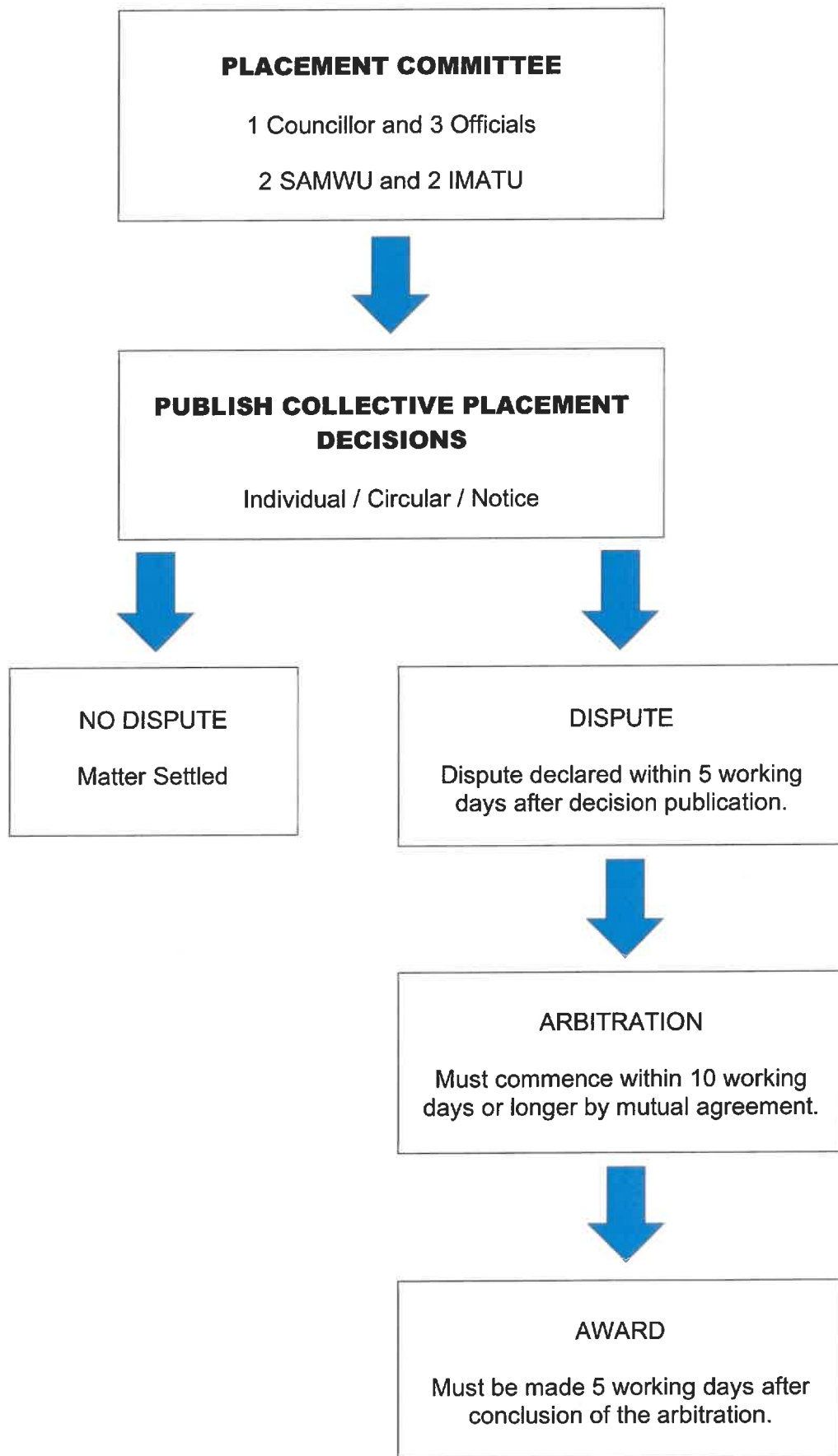
10. OVERSIGHT AND IMPLEMENTATION OF THIS AGREEMENT

The divisions of the SALGBC must ensure adherence and compliance with the agreement in respect of municipalities under its scope of jurisdiction.

11. INDUCTION AND TRAINING

All employees including supervisors and managers shall be inducted in order for all officials to understand the whole placement process.

12. PLACEMENT FLOWCHART



13. SIGNATURES

Signed at on this day of 2022 on behalf of the South African Municipal Workers Union (SAMWU).		
CHAIRPERSON	SECRETARY	WITNESS

Signed at on this day of 2022 on behalf of the Independent Municipal and Allied Trade Union (IMATU).		
CHAIRPERSON	SECRETARY	WITNESS

Signed at on this day of 2022 on behalf of the Mangaung Metropolitan Municipality (MMM).		
CHAIRPERSON	SECRETARY	WITNESS



MANGAUNG
METRO MUNICIPALITY
METRO MUNISIPALITEIT
LEKGOTLA LA MOTSE

**DIRECTORATE
CORPORATE SERVICES**

Annexure "B"

LIST OF NALEDI ADMIN UNIT AND SOUTPAN (ikgomotseng) SALARY SCALES

	SURNAME AND INITIALS	EMPLOYEE NR	DESIGNATION/RANK FROM	SALARY SCALE	DEPARTMENT		AREA/OFFICE
						PREVIOUS	
1	CHAKA P	150002	Administration Clerk	T6	Corp & Social Services		Dewetsdorp
2	MOCHE RJ	150015	Administration Officer	T11	Corp & Social Services		Dewetsdorp
3	MAPITSE P	150031	Committee Clerk	T6	Corp & Social Services		Dewetsdorp
4	MAZANGWANA PT	150086	HR Manager	T15	Corp & Social Services		Dewetsdorp
5	NKAKI FL	150099	HR Officer	T12	Corp & Social Services		Dewetsdorp
6	MOROBELA ML	150109	Librarian	T11	Corp & Social Services		Dewetsdorp
7	VAN HEERDEN T	150112	Librarian	T11	Corp & Social Services		Dewetsdorp
8	MASOOA NG	150125	Librarian	T11	Corp & Social Services		Vanstadensrus
9	SEEKOEI LS	150138	Librarian	T11	Corp & Social Services		Wepener
10	THAPONG NY	150141	Receptionist	T6	Corp & Social Services		Dewetsdorp
11	RANKHOLO RO	150028	Secretary to Corp services	T7	Corp & Social Services		Dewetsdorp
12	SEMPE P	150167	Skills Development Facilitator	T12	Corp & Social Services		Dewetsdorp
13	MOHAPI LI	150170	Waste Manager	T15	Corp & Social Services		Dewetsdorp

14	MTHEMBU J	150183	Security Manager	T15	Office of the MM	Dewetsdorp
15	MIDLULI BE	150196	IDP Manager	T15	Office of the MM	Dewetsdorp
16	TEKANE NJ	150206	Internal Auditor	T14	Office of the MM	Dewetsdorp
17	KHOLOANYANE TA	150219	LED Manager	T15	Office of the MM	Dewetsdorp
18	MALETE LF	150222	LED Officer	T11	Office of the MM	Dewetsdorp
19	MOTHABI MP	150248	Secretary - Municipal Manager	T10	Office of the MM	Dewetsdorp
20	MOLOTSI MC	150251	Security Supervisor	T10	Office of the MM	Dewetsdorp
21	LILCHANE MJ	150264	Dissaster Officer	T10	Dissaster	Dewetsdorp
22	MALINGA B	150277	Accountant Budget	T12	Finance	Dewetsdorp
23	LEDIBANE T	150280	Accountant Expenditure	T12	Finance	Dewetsdorp
24	VAN ZYL WM	150293	Accountant Income	T12	Finance	Dewetsdorp
26	JAMBA M	150316	Cashier	T5	Finance	Dewetsdorp
27	MAJOANG MJ	150329	Cashier	T5	Finance	Dewetsdorp
28	SEBATLI KQ	150332	Cashier	T5	Finance	Wepener
29	MAKALA N	150345	Cashier	T5	Finance	Wepener
30	DAMANE ME	150358	Customer Care	T6	Finance	Dewetsdorp
31	KHUELE MO	150361	Data capture	T6	Finance	Dewetsdorp
32	HAMMOND ML	150374	Financial Manager	T15	Finance	Dewetsdorp
33	MOTHUPI NA	150387	Meter reader	T2	Finance	Dewetsdorp
34	LITSESANE LI	150400	Meter reader	T2	Finance	Wepener
35	RAMATLOTLO TJ	150413	Meter reader supervisor	T7	Finance	Dewetsdorp
36	NTSANE TT	150426	Payroll Officer	T10	Finance	Dewetsdorp
37	KHOLOANYANE K	150439	Secretary to CFO	T6	Finance	Dewetsdorp
38	POBE PE	150442	Senior Debtors Clerk	T11	Finance	Dewetsdorp
39	FOBANE MB	150455	Senior Expenditure Clerk	T11	Finance	Dewetsdorp
40	NTAMANE KD	150468	senior Income Clerk	T11	Finance	Dewetsdorp
41	RASEBOKA MA	150471	Accountant Supply Chain	T12	Finance	Dewetsdorp
42	DIAMOND TS	150484	Supply Chain Officer	T10	Finance	Dewetsdorp
43	MATTHEWS TB	150235	Manager Internal Audit	T15	Office of the MM	Dewetsdorp

44	KHALIMANE C	150536	Area Manager	T12	Technical	Wepener
45	MOKHATLA TJ	150549	Building Officer	T11	Office of the MM	Wepener
46	TSEMANE NL	150522	Cashier	T5	Finance	Vanstadensrus
47	SIYOKO YG	150581	Supervisor	T11	Technical	Dewetsdorp
49	MOLUPE MD	151140	Housing Officer	T11	Office of the MM	Dewetsdorp
50	TSEKEDI TM	151153	infrastructure Manager	T15	Technical	Dewetsdorp
51	LIEFO MK	151166	Meter reader	T2	Technical	Vanstadensrus
53	NKETLE MC	151182	Meter reader	T2	Technical	Wepener
54	RAMATSABANE TE	151195	PMS Officer	T12	Office of the MM	Dewetsdorp
55	MORWE MM	151205	PMU Data Capture	T11	Technical	Dewetsdorp
58	MAKHABA MA	151234	Team leader	T5	Technical	Dewetsdorp
59	MOFOKENG TE	151247	Team leader	T5	Technical	Dewetsdorp
60	MATSABA MA	151250	Team leader	T5	Technical	Dewetsdorp
61	MOKHOAETSANE DT	151263	Team leader	T5	Technical	Vanstadensrus
62	MAKALA MD	151276	Team leader	T5	Technical	Wepener
63	HANTSINYANE S	151289	Team leader	T5	Technical	Wepener
64	MAPHISA L	151292	Technician	T13	Technical	Dewetsdorp
65	HLOELE PK	1501302	Transport Officer	T10	Technical	Dewetsdorp
66	PALO MC	151315	Water Sampler	T10	Technical	Dewetsdorp
67	MATSOSO MJ	150976	General Worker	T2	Technical	Vanstadensrus
68	ADOONS MP	150950	General Worker	T2	Technical	Vanstadensrus
69	ELIAS MJ	151551	general Worker	T2	Technical	Vanstadensrus
70	LESEKELE MM	150905	Cleaner	T2	Corporate	Vanstadensrus
71	RANKOE RB	150963	General Worker	T2	Technical	Vanstadensrus
72	MAROLLOANE MJ	150934	General Worker	T2	Technical	Vanstadensrus
73	MOKATI TP	150921	General Worker	T2	Technical	Vanstadensrus
74	SIOKO B	150659	general worker	T2	Technical	Dewetsdorp
75	SIMA T	150714	General Worker	T2	Technical	Dewetsdorp
76	LEMPETJE IE	150895	General Worker	T2	Technical	Dewetsdorp

77	RABOLINYANE KJ	150811	General Worker	T2	Technical	Dewetsdorp
78	MOTHIBI RJ	150785	General Worker	T2	Technical	Dewetsdorp
79	LETSIPA T	150837	General Worker	T2	Technical	Dewetsdorp
80	JAMES AP	150565	General Worker	T2	Technical	Dewetsdorp
81	MOAHLOLI C	150798	General Worker	T2	Technical	Dewetsdorp
82	RASEBOKA DA	150772	General Worker	T2	Technical	Dewetsdorp
83	SEBONYANE D	150594	General Worker	T2	Technical	Dewetsdorp
84	PHUMUOA K	150879	General Worker	T2	Technical	Dewetsdorp
86	RABOLINYANE PP	150617	General Worker	T2	Technical	Dewetsdorp
87	NKATI MP	150882	General Worker	T2	Technical	Dewetsdorp
88	RAMOHLABI T	150646	General Worker	T2	Technical	Dewetsdorp
89	NKATI LS	150840	General Worker	T2	Technical	Dewetsdorp
90	LEMPE TJ	150701	General Worker	T2	Technical	Dewetsdorp
91	MATLI S	150756	General Worker	T2	Technical	Dewetsdorp
92	MBEDLA M	150727	General Worker	T2	Technical	Dewetsdorp
93	MOFOKENG TP	150853	General Worker	T2	Technical	Dewetsdorp
94	KOMANE TJ	150730	General Worker	T2	Technical	Dewetsdorp
95	MAHOOA	150688	Meter reader	T2	Technical	Dewetsdorp
96	PHALA JN	150633	General Worker	T2	Technical	Dewetsdorp
97	MOFOKA T	150866	General Worker	T2	Technical	Dewetsdorp
98	MOKHOEEA MJ	150691	General Worker	T2	Technical	Dewetsdorp
99	TSOAFJA J	150390	Meter reader	T2	Technical	Wepener
100	ETLAI J	151027	General Worker	T2	Technical	Wepener
101	LEBAJOA T	151030	General Worker	T2	Technical	Wepener
102	SHALE M	151108	General Worker	T2	Technical	Wepener
103	MATJALANE M	151072	General Worker	T2	Technical	Wepener
104	TAIWE P	151098	General Worker	T2	Technical	Wepener
105	MAROU MM	151111	General Worker	T2	Technical	Wepener
106	MOKHATLA LF	150992	General Worker	T2	Technical	Wepener

107	MLONGENI T	150989	General Worker	T2	Technical	Wepener
108	MATITI ME	151001	General Worker	T2	Technical	Wepener
109	MOTJOPE KA	150824	General Worker	T2	Technical	Wepener
110	SENTEHBANE P	151069	General Worker	T2	Technical	Wepener
111	SEKATI T	151043	General Worker	T2	Technical	Wepener
112	LEBITSA SI	150808	General Worker	T2	Technical	Wepener
113	RATLOU M	151056	General Worker	T2	Technical	Dewetsdorp
114	JAMBA T	150662	General Worker	T2	Technical	Dewetsdorp
115	MNCANGISA L	150675	General Worker	T2	Technical	Dewetsdorp
116	LEBOEA MK	150044	General Worker/Cleaner	T2	Corporate	Dewetsdorp
117	MAKUTSU DP	150073	General Worker/Cleaner	T2	Corporate	Dewetsdorp
118	KHALATA TP	150743	General Worker	T2	Technical	Dewetsdorp
119	RANKHOLO ME	150028	General Worker/Cleaner	T2	Corporate	Dewetsdorp
120	MOHLAKOANA MF	151124	General worker	T2	Technical	Wepener
121	MGWADLEKA PS	150057	General Worker/Cleaner	T2	Corporate	Dewetsdorp
122	MAKASI B	150497	Council support officer	T6	Corporate	Wepener
123	SELIANE TP	150523	Special Programme Coordinator	T10	OCM	Dewetsdorp
SOUTPAN/IKGOMOTSENG						
1	Boleme Ms	151328	Cashier	L5	Finance	Soutpan
2	Mogosi	151331	Unit Manager	L13	Office of the MM	Soutpan
4	Olifant NM	151386	Sewer Plant Operator	L6	Infrastructure	Soutpan
5	Moroosele MS	151399	Sewer Plant Operator	L6	Infrastructure	Soutpan
6	Masia TI	151438	Water Plant: Process Controller	L6	Infrastructure	Soutpan
7	Oerson WT	151441	Sewer Plant Operator	L6	Infrastructure	Soutpan
8	Moleufi DA	151467	Process Controller	L6	Infrastructure	Soutpan
9	Swart DC	151470	Process Controller	L6	Infrastructure	Soutpan

10	Daniels PM	151483	Cleaner	L3	Corp Services	Deceased						
11	Speelmam KS	151506	HR Clerk	L5	Corp Services	Soutpan						
12	Mophete SS	151548	Tractor Driver	L6	Soc & Comm	Soutpan						
13	Dichakane SS	151522	Labour	L3	Soc & Comm	Soutpan						
14	Moseki NP	151357	Labour	L3	Soc & Comm	Soutpan						
15	Mokalake FS	151535	Labour	L3	Soc & Comm	Soutpan						
16	Meraj SP	151519	Labour	L3	Soc & Comm	Soutpan						
17	Maine KM	151496	Labour	L3	Infrastructure	Soutpan						
18	Makgalemela LA	151373	Labour	L3	Infrastructure	Soutpan						
19	Mokgothu	151409	Labour	L3	Infrastructure	Soutpan						
20	Booi NB	151360	Labour	L3	Infrastructure	Soutpan						
21	Oliphant KP	151454	Labour	L3	Infrastructure	Soutpan						

Prepared by

FL Nkaki
HR Officer

Date : 17 August 2022

Annexure "C"

Provincial Gazette

Free State Province



Provinsiale Koerant

Provinsie Vrystaat

Published by Authority

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NO. 47	FRIDAY, 22 JULY 2016	NR. 47	VRYDAG, 22 JULIE 2016
PROVINCIAL NOTICES			
151	Notice in Terms of Sections 12 and 16, read with Sections 14,15 and 17 of the Local Government: Municipal Structures Act, 1998: Implementation of the Municipal Demarcation Board Determination No. Dem 387, published as Notice No. 231 in the Free State Provincial Gazette of 1 August 2008.....		2
152	Notice in Terms of Sections 12 and 16, read with Sections 14, 15 and 17 of the Local Government: Municipal Structures Act, 1998: Implementation of the Municipal Demarcation Board Determination Dem Number 4542, published as Notice 36 of 7 July 2015 in the Free State Provincial Gazette.....		3
153	Notice in Terms of Sections 12 And 16, read with Sections 14, 15 and 17 of the Local Government: Municipal Structures Act, 1998: Implementation of the Municipal Demarcation Board Determination Dem Number 308, published as Notice Number 58 of 18 October 2013.....		5
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[PROVINCIAL NOTICE NO.151 OF 2016]**NOTICE IN TERMS OF SECTIONS 12 AND 16, READ WITH SECTIONS 14, 15 AND 17 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: IMPLEMENTATION OF THE MUNICIPAL DEMARCATION BOARD DETERMINATION NO. DEM 387, PUBLISHED AS NOTICE NO 231 IN THE FREE STATE PROVINCIAL GAZETTE OF 1 AUGUST 2008**

I, **MS. MLAMLELI**, Member of the Executive Council responsible for Cooperative Governance, Traditional Affairs and Human Settlements in the Free State Province, acting in terms of sections 16 and 17 of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) hereby publishes the notice as set out in the Schedule for public notice.

.....
SCHEDULE

PART 1**PREAMBLE****GENERAL**

The Municipal Demarcation Board has, in terms of section 21 of the Local Government: Municipal Demarcation Act, 1998 by means of Provincial Notice No. 58 of 18 October 2013 published its decision to re-determine the municipal boundaries as set out in Circular 3/2013. The MDB has re-determined the municipal boundaries of Lejweleputswa District Municipality (DC 18) by including, in its municipal area of jurisdiction, the Aldam Aventura Holiday Resort with effect from the Local Government Elections (LGE) on 3 August 2016.

1. The determination and re-determinations of the Municipal Demarcation Board as mentioned above, has impacted the outer boundaries of Lejweleputswa District Municipality (DC 18). The following are hereby published:
 - 1.1 The municipal boundaries of Lejweleputswa District Municipality (DC 18) are re-determined to include, in its area of jurisdiction, the Aldam Aventura Holiday Resort and exclude Ikgomotseng / Soutpan community;
 - 1.2 The effect of the above re-determination is that the Aldam Aventura Holiday Resort is included into Ikgomotseng / Soutpan community and excluded from the municipal area of Lejweleputswa District Municipality (DC 18) from the effective date.
2. To implement these re-determinations:
 - 2.1 Provincial Notice No 182 of 28 September 2000 as amended, is hereby repealed and replaced by the provisions contained in Part 2;

DEFINITIONS

3. In this Schedule, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act has the same meaning and:
 - “**affected district municipalities**” means the district municipalities of Xhariep (DC16);
 - “**demarcation notice**” means Provincial Notice No. 56 of 2015 as published in the Free State Provincial Gazette No. 79 of 25 August 2015;
 - “**incorporated municipality**” means the Naledi Local Municipality as encapsulated in Sec 14(5) Notice No 94 of 18 September 2015;
 - “**effective date**” means –
 - (1) the day on which the results of the next general municipal elections are declared in terms of the applicable electoral legislation; or
 - (2) if the results cannot be declared, and a re-election must be held, the day on which the results of the re-election are declared;
 - “**proportionally elected councillors**” means councillors elected to proportionally represent the parties that contested the election in the municipality concerned;
 - “**the Act**” means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
 - “**ward councillor**” means a councillor elected to represent a ward.

PART 2**RE-ESTABLISHMENT OF LEJWELEPUTSWA DISTRICT MUNICIPALITY**

4. (1) The re-establishment of boundaries of Lejweleputswa District Municipality (DC 18) by including the Aldam Aventura Holiday Resort and excluding Ikgomotseng / Soutpan community in its area of jurisdiction. The re-establishment is with effect from the effective date.

VACATION OF OFFICE

5. The councillors of the Lejweleputswa District Municipality (DC 18) vacate office on the effective date.

RE-ESTABLISHMENT OF MUNICIPALITY

6. (1) The municipal boundaries of Lejweleputswa District Municipality (DC 18) are re-determined to include the Aldam Aventura Holiday Resort and exclude Ikgomotseng / Soutpan community in its area of jurisdiction.

CATEGORY

7. The Lejweleputswa District Municipality (DC 18) is a Category C municipality as determined by the Demarcation Board in terms of section 4 of the Act.

TYPE

8. The Lejweleputswa District Municipality (DC 18) is a municipality with a mayoral executive system combined with a ward participatory system as contemplated in section 2(g) of the Types Act.

BOUNDARIES

9. The boundaries of the Lejweleputswa District Municipality (DC 18) are as indicated by DEM 475 of the demarcation notice.

NAME

10. The name of the Lejweleputswa District Municipality (DC 18) remains unchanged.

COUNCILLORS

11. The council of the District Municipality consists of 36 proportionally elected councillors.

[PROVINCIAL NOTICE NO. 152 OF 2016]

NOTICE IN TERMS OF SECTIONS 12 AND 16, READ WITH SECTIONS 14,15 AND 17 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: IMPLEMENTATION OF THE MUNICIPAL DEMARCATION BOARD DETERMINATION DEM NUMBER 4542, PUBLISHED AS NOTICE 36 OF 7 JULY 2015 IN THE FREE STATE PROVINCIAL GAZETTE.

I, **M.S MLAMLELI**, Member of the Executive Council responsible for Cooperative Governance, Traditional Affairs and Human Settlements in the Free State Province, acting in terms of sections 16 and 17 of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) hereby publishes the notice as set out in the Schedule for public notice.

SCHEDULE

PART 1

PREAMBLE

GENERAL

The Municipal Demarcation Board has, in terms of section 21 of the Local Government: Municipal Demarcation Act, 1998 by means of Provincial Notice No. 56 of 2015 as published in the Free State Provincial Gazette No. 79 of 25 August 2015 confirmed its earlier decision to re-determine the municipal boundaries as set out in Provincial Notice No. 27 published in the Free State Provincial Gazette No. 36 of 7 July 2015. The MDB has re-determined the municipal boundaries of Mangaung Metropolitan Municipality (MAN) by including the municipal area of the Naledi Local Municipality in its area of jurisdiction with effect from the Local Government Elections (LGE) on 3 August 2016.

1. The determination and re-determinations of the Municipal Demarcation Board as mentioned above, has impacted the outer boundaries of Mangaung Metropolitan Municipality. The following are hereby published:
 - 1.1 The municipal boundaries of Mangaung Metropolitan Municipality are re-determined to include, in its area of jurisdiction, the municipal area of Naledi Local Municipality (FS 164);
 - 1.2 The municipal boundaries of Mangaung Metropolitan Municipality are re-determined to include, in its area of jurisdiction, the municipal area of the Ikgomotseng / Soutpan community;
 - 1.3 The re-determination of the current boundaries of Mangaung Metropolitan Municipality as category A municipal area;
 - 1.4 The effect of the above re-determination is that the municipal area of Naledi Local Municipality (FS 164) and Ikgomotseng / Soutpan community will be included in the municipal area of Mangaung Metropolitan Municipality (MAN) and excluded from Xhariep District Municipality (DC16) and Masilonyana Local Municipality (DC 181) respectively on the effective date.
2. To implement these re-determinations:
 - 2.1 Provincial Notice No 182 of 28 September 2000 as amended, is hereby repealed and replaced by the provisions contained in Part 2;

DEFINITIONS

3. In this Schedule, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act has the same meaning and:
 - “**affected district municipalities**” means the district municipalities of Xhariep (DC16);
 - “**demarcation notice**” means Provincial Notice No. 56 of 2015 as published in the Free State Provincial Gazette No. 79 of 25 August 2015;
 - “**incorporated municipality**” means the Naledi Local Municipality as encapsulated in Sec 14(5) Notice No 94 of 18 September 2015;
 - “**effective date**” means –
 - 1) the day on which the results of the next general municipal elections are declared in terms of the applicable electoral legislation; or
 - 2) if the results cannot be declared, and a re-election must be held, the day on which the results of the re-election are declared;
 - “**proportionally elected councillors**” means councillors elected to proportionally represent the parties that contested the election in the municipality concerned;
 - “**the Act**” means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
 - “**ward councillor**” means a councillor elected to represent a ward.

PART 2

RE-ESTABLISHMENT OF MANGAUNG METROPOLITAN MUNICIPALITY**DISESTABLISHMENT OF EXISTING MUNICIPALITY AND INCLUSION OF IKGOMOTSENG / SOUTPAN COMMUNITY**

- 4A. (1) The Naledi Local Municipality (FS164) is disestablished with effect from the effective date.
 (2) Until it is disestablished on the effective date, the council of the disestablished municipality referred to in paragraph (1) remains competent to function for its area.
 (3) A newly demarcated Metropolitan Municipality which includes the municipal area of the former Naledi Local Municipality (FS164) and Ikgomotseng / Soutpan community is hereby established.
- 4B. (1) The Ikgomotseng / Soutpan community is included into the municipal area of Mangaung Metropolitan Municipality (MAN).
 (2) Until it is included into the municipal area of Mangaung Metropolitan Municipality (MAN), the Ikgomotseng / Soutpan unit remains the business unit of the Masilonyana Local Municipality (FS181).

VACATION OF OFFICE

5. The councillors of the disestablished municipality vacate office on the effective date

RE-ESTABLISHMENT OF MUNICIPALITY

6. (1) The municipal boundaries of Mangaung Metropolitan Municipality are re-determined to include the municipal area of the disestablished Naledi Local Municipality (FS164) as set out in the Demarcation Notice.
 (2) The municipal boundaries of Mangaung Metropolitan Municipality are re-determined to include the Ikgomotseng / Soutpan community.

LEGAL SUCCESSION

7. (1) (a) The metropolitan municipality supersedes the disestablished municipality to the extent that the disestablished municipality falls within that area. The metropolitan municipality becomes the successors in law of the disestablished municipality and inherits specific assets, liabilities, rights and obligations as allocated to the metropolitan municipality in terms of this Part.
 (b) The Metropolitan Municipality becomes the successor-in-law of the Naledi Local Municipality (FS164).
 (2) The municipal manager of the disestablished municipality must, not later than two days after the publication of this notice, compile and submit to the Head: Cooperative Governance and Traditional Affairs:-
 (a) a list containing the names and particulars of all persons who, on the date of the list being submitted, are in the employ of the disestablished municipality; and
 (b) an inventory of all the assets and liabilities of the disestablished municipality as at that date: Provided that-
 (i) the name and other particulars of any person whose employment terminates before or on the effective date in terms of a contractual operation, must be omitted from such list; and
 (ii) such list and inventory must, in respect of each entry there-on, indicate the specific function or power in respect of which an employee, asset and liability, as the case may be, is deployed and utilised.

TRANSFER OF ASSETS, RIGHTS, LIABILITIES AND OBLIGATIONS

8. (1) The assets, rights, liabilities and obligations (excluding investments, cash and cash balances) in so far as they were, immediately before the effective date, predominantly deployed in respect of, or related to, the performance by the disestablished municipality of a function or functions in a specific area, are hereby transferred to the metropolitan municipality which, on the effective date, has sole responsibility for the performance of the said function or functions in the said area.
 (2) For the purpose of sub-paragraph (1), "function" includes a power.
 (3) Administrative and other records (including minutes) relating to the assets, rights, liabilities and obligations referred to in sub-paragraph (1) vest, as from the effective date, in the metropolitan municipality to which the respective assets, rights, liabilities and obligations are transferred in terms of the said sub-paragraph.
 (4) Assets, rights, liabilities obligations and administrative records other than those referred to in sub-paragraph (1) are hereby transferred to the metropolitan municipality.

TRANSFER OF STAFF

- 9A. A person who on the effective date is an employee of the disestablished municipality becomes an employee of the Mangaung Metropolitan Municipality. The transfer of staff of the disestablished municipality will be implemented in terms of the Human Resource policies of the superseding municipality as well as applicable legislative frameworks.
 9B. A person who on the effective date is an employee of the Masilonyana Local Municipality (FS 181) becomes an employee of the Mangaung Metropolitan Municipality. The transfer of staff of the Masilonyana Local Municipality (FS 181) will be implemented in terms of the Human Resource policies of the superseding municipality as well as applicable legislative frameworks.

TRANSITIONAL PROVISIONS RELATING TO EXISTING BY-LAWS AND RESOLUTIONS

10. (1) By-laws and resolutions (including standing delegations) of the disestablished municipality that are in force on the effective date, continue in force in the area in which they were applicable subject to rationalisation processes have been finalised.

ESTABLISHMENT OF METROPOLITAN MUNICIPALITY

11. For the Metropolitan Municipal area as a whole as set out in the demarcation notice, a new Metropolitan Municipality which includes the municipal area of the former Naledi Local Municipality (FS164) is hereby established.

CATEGORY

12. The Metropolitan Municipality is a Category A municipality as determined by the Demarcation Board in terms of section 4 of the Act.

TYPE

13. The Metropolitan Municipality is a municipality with a mayoral executive system combined with a ward participatory system as contemplated in section 2(g) of the Types Act.

BOUNDARIES

14. The boundaries of the Metropolitan Municipality are as indicated by DEM 4542 of the demarcation notice.

NAME

15. The name of the Mangaung Metropolitan Municipality remains unchanged.

COUNCILLORS

16. The council of the Metropolitan Municipality consists of 50 proportionally elected councillors and 50 ward councillors.

WARDS

17. The newly demarcated Metropolitan Municipality has 50 wards.

[PROVINCIAL NOTICE NO. 153 OF 2016]

NOTICE IN TERMS OF SECTIONS 12 AND 16, READ WITH SECTIONS 14,15 AND 17 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: IMPLEMENTATION OF THE MUNICIPAL DEMARCATION BOARD DETERMINATION DEM NUMBER 308, PUBLISHED AS NOTICE NUMBER 58 OF 18 OCTOBER 2013

I **M.S MLAMLELI** Member of the Executive Council responsible for Cooperative Governance, Traditional Affairs and Human Settlements in the Free State Province, acting in terms of sections 16 and 17 of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) hereby publishes the notice as set out in the Schedule for public notice.

.....
SCHEDULE

PART 1**PREAMBLE****GENERAL**

The Municipal Demarcation Board has, in terms of section 21 of the Local Government: Municipal Demarcation Act, 1998 by means of Provincial Notice No. 58 of 18 October 2013 published its decision to re-determine the municipal boundaries as set out in Circular 3/2013. The MDB has re-determined the municipal boundaries of Matjhabeng Local Municipality (FS 184) by including, in its municipal area of jurisdiction, the Aldam Aventura Holiday Resort in its area of jurisdiction with effect from the Local Government Elections (LGE) on 3 August 2016.

1. The determination and re-determinations of the Municipal Demarcation Board, as mentioned above, has impacted the outer boundaries of Matjhabeng Local Municipality (FS 184). The following are hereby published:
 - 1.1 the re-determination of boundaries by including Aldam Aventura Holiday Resort into the municipal area of Matjhabeng Local Municipality (FS 184);
 - 1.2 the re-determination of the current boundaries of Matjhabeng Local Municipality as category B municipal area;
2. To implement these re-determinations:
 - 2.1 Provincial Notice No 182 of 28 September 2000 as amended, is hereby repealed and replaced by the provisions contained in Part

DEFINITIONS

3. In this Schedule, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act has the same meaning and:
 - “**affected local municipalities**” means the district municipalities of Masilonyana (FS 181);
 - “**demarcation notice**” means Provincial Notice No. 56 of 2015 as published in the Free State Provincial Gazette No. 79 of 25 August 2015;
 - “**effective date**” means –
 - (1) the day on which the results of the next general municipal elections are declared in terms of the applicable electoral legislation; or

- (2) if the results cannot be declared, and a re-election must be held, the day on which the results of the re-election are declared;
"proportionally elected councillors" means councillors elected to proportionally represent the parties that contested the election in the municipality concerned;
"the Act" means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
"ward councillor" means a councillor elected to represent a ward.

PART 2

RE-ESTABLISHMENT OF MATJHABENG LOCAL MUNICIPALITY (FS 184)

4. (1) The re-establishment of boundaries of Matjhabeng Local Municipality (FS 184) by including Aldam Aventura Holiday Resort into the municipal area of Matjhabeng Local Municipality (FS 184). The re-establishment is with effect from the effective date.
 (2) Until it is included into the municipal area of Matjhabeng Local Municipality (FS 184), the Aldam Aventura Holiday Resort remains incompetent to function in the municipal area of Setsoto Local Municipality (FS 191).

VACATION OF OFFICE

5. The councillors of the disestablished municipality vacate office on the effective date

RE-ESTABLISHMENT OF MUNICIPALITY

6. (1) The municipal boundaries of Matjhabeng Local Municipality (FS 184) are re-determined to include the Aldam Aventura Holiday Resort as set out in the Demarcation Notice.

CATEGORY

7. The Matjhabeng Local Municipality (FS 184) is a Category B municipality as determined by the Demarcation Board in terms of section 4 of the Act.

TYPE

8. The Matjhabeng Local Municipality (FS 184) is a municipality with a mayoral executive system combined with a ward participatory system as contemplated in section 2(g) of the Types Act.

BOUNDARIES

9. The boundaries of the Matjhabeng Local Municipality (FS 184) are as indicated by DEM 475 of the demarcation notice.

NAME

10. The name of the Matjhabeng Local Municipality (FS 184) remains unchanged.

COUNCILLORS

11. The council of the Matjhabeng Local Municipality (FS 184) consists of 72 elected councillors with effect from the effective date

[PROVINCIAL NOTICE NO. 154 OF 2016]

NOTICE IN TERMS OF SECTIONS 12 AND 16, READ WITH SECTIONS 14,15 AND 17 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: IMPLEMENTATION OF THE MUNICIPAL DEMARCATION BOARD DETERMINATION DEM NUMBER 308, PUBLISHED AS NOTICE NUMBER 58 OF 18 OCTOBER 2013

I **M.S MLAMLELI** Member of the Executive Council responsible for Cooperative Governance, Traditional Affairs and Human Settlements in the Free State Province, acting in terms of sections 16 and 17 of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) hereby publishes the notice as set out in the Schedule for public notice.

SCHEDULE

PART 1

PREAMBLE

GENERAL

The Municipal Demarcation Board has, in terms of section 21 of the Local Government: Municipal Demarcation Act, 1998 by means of Provincial Notice No. 58 of 18 October 2013 published its decision to re-determine the municipal boundaries as set out in Circular 3/2013.

The MDB has re-determined the municipal boundaries of Setsoto Local Municipality (FS 191) by excluding, in its municipal area of jurisdiction, the Aldam Aventura Holiday Resort in its area of jurisdiction with effect from the Local Government Elections (LGE) on 3 August 2016.

1. The determination and re-determinations of the Municipal Demarcation Board, as mentioned above, has impacted the outer boundaries of Setsoto Local Municipality (FS 181). The following are hereby published:

- 1.1 the re-determination of boundaries by excluding Aldam Aventura Holiday Resort from the municipal area of Setsoto Local Municipality (FS 191);
- 1.2 the re-determination of the current boundaries of Setsoto Local Municipality as category B municipal area;
2. To implement these re-determinations:
- 2.1 Provincial Notice No 182 of 28 September 2000 as amended, is hereby repealed and replaced by the provisions contained in Part 2;

DEFINITIONS

3. In this Schedule, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act has the same meaning and:
 - “**affected district municipalities**” means the district municipalities of Lejweleputswa District Municipality and Thabo Mofutsanyane (DC 18);
 - “**demarcation notice**” means Provincial Notice No. 56 of 2015 as published in the Free State Provincial Gazette No. 79 of 25 August 2015;
 - “**effective date**” means –
 - (1) the day on which the results of the next general municipal elections are declared in terms of the applicable electoral legislation; or
 - (2) if the results cannot be declared, and a re-election must be held, the day on which the results of the re-election are declared;
 - “**proportionally elected councillors**” means councillors elected to proportionally represent the parties that contested the election in the municipality concerned;
 - “**the Act**” means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
 - “**ward councillor**” means a councillor elected to represent a ward.

PART 2**RE-ESTABLISHMENT OF SETSOTO LOCAL MUNICIPALITY (FS 191)**

4. (1) The re-establishment of boundaries of Setsoto Local Municipality (FS 191) by excluding Aldam Aventura Holiday Resort from the municipal area of Setsoto Local Municipality (FS 191). The re-establishment is with effect from the effective date.
- (2) Until it is included into the municipal area of Matjhabeng Local Municipality (FS 184), the Aldam Aventura Holiday Resort remains competent to function in the municipal area of Setsoto Local Municipality (FS 191).

VACATION OF OFFICE

5. The councillors of the disestablished municipality vacate office on the effective date

RE-ESTABLISHMENT OF MUNICIPALITY

6. (1) The municipal boundaries of Setsoto Local Municipality (FS 191) are re-determined to exclude the Aldam Aventura Holiday Resort as set out in the Demarcation Notice.

CATEGORY

7. The Setsoto Local Municipality (FS 191) is a Category B municipality as determined by the Demarcation Board in terms of section 4 of the Act.

TYPE

8. The Setsoto Local Municipality (FS 191) is a municipality with a mayoral executive system combined with a ward participatory system as contemplated in section 2(g) of the Types Act.

BOUNDARIES

9. The boundaries of the Setsoto Local Municipality (FS 191) are as indicated by DEM 475 of the demarcation notice.

NAME

10. The name of the Setsoto Local Municipality (FS 191) remains unchanged.

COUNCILLORS

11. The council of the Setsoto Local Municipality (FS 191) consists of 33 elected councillors with effect from the effective date.

[PROVINCIAL NOTICE NO. 155 OF 2016]

NOTICE IN TERMS SECTION 14(5) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: IMPLEMENTATION OF THE MUNICIPAL DEMARCATION BOARD DETERMINATION NO DEM 4542, PUBLISHED AS NOTICE NO 27 IN THE FREE STATE PROVINCIAL GAZETTE OF 7 JULY 2015

I, **S.M. Mlamleli**, Member of the Executive Council responsible for Cooperative Governance, Traditional Affairs and Human Settlements in the Free State Province, and under powers vested in me by section 14(5) of the Local Government: Municipal Structures Act 1998 (Act no 17 of 1998) and after having consulted the affected municipalities in the Province, hereby make the transitional measures contained in the Schedule hereto.

**MRS SARAH MATAWANA MLAMLELI
MEMBER OF THE EXECUTIVE COUNCIL
OF THE FREE STATE PROVINCE RESPONSIBLE FOR LOCAL GOVERNMENT**

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SCHEDULE

PART 1**PREAMBLE****GENERAL**

The Municipal Demarcation Board has in terms of the provisions of section 21(5) of the Local Government: Municipal Demarcation Act, 1998 (Act No 27 of 1998), read with sections 2 and 4 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) by means of Notice 29 Of 2015 as published in the Free State Provincial Gazette of 07 July 2015 confirmed its earlier decision to determine and redetermine certain municipal boundaries as set out in Determination No DEM 4542 published in Notice No 29 of 2015 in Free State Provincial Gazette of 7 July 2015.

1. The determination and re-determinations of the Municipal Demarcation Board as mentioned above, include the following:
 - 1.1 the disestablishment of the Naledi Local Municipality (FS 164);
 - 1.1.1 the re-determination of the boundaries of the Mangaung Metropolitan Municipality (MAN) by including the area of the disestablished Naledi Local Municipality;
 - 1.2 the re-determination of the boundaries of Xhariep District Municipality (DC16) by excluding the area of Naledi (FS164) from Xhariep (DC16);
2. The effect of the above determination is that the municipal area of Naledi Local Municipality (FS1641) be included in the municipal area of Mangaung Metro (MAN) and excluded from the Xhariep District Municipality (DC16) municipal area. The effect of the above determination is that the Ikgomoseng / Soutpan community from the municipal areas of Masilonyana Local Municipality (FS 181) and Lejweleputswa District Municipality (DC 18) and by including it into the municipal area of Mangaung Metropolitan Municipality (MAN).
3. To implement these determinations:
 - 3.1 Provincial Notice No 181 of 28 September 2000 as amended, is hereby amended as provided for in Part 2;
 - 3.2 Provincial Notice No 184 of 28 September 2000 as amended is hereby amended as provided for in Part 3

DEFINITIONS

4. In this Schedule, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act has the same meaning and:
 - “**demarcation notice**” means Provincial Notice No.29 of 2015 as published in the Provincial Gazette, Free State Province of 07 July 2015.
 - “**disestablished municipality**” means the Naledi Local Municipality disestablished in terms of paragraph 7;
 - “**effective date**” means -
 - (1) the day on which the results of the next general municipal elections are declared in terms of the applicable electoral legislation; or
 - (2) if the results cannot be declared, and a re-election must be held, the day in which the results of the re-election are declared;
 - “**proportionally elected councillors**” means councillors elected to proportionally represent the parties that contested the election in the municipality concerned;
 - “**the Act**” means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
 - “**the Types Act**” means the Determination of Types of Municipalities Act, 2009 (Act No.2 of 2009)
 - “**ward councillor**” means a councillor elected to represent a ward.

PART 2

DISESTABLISHMENT OF NALEDI LOCAL MUNICIPALITY**DISESTABLISHMENT OF EXISTING MUNICIPALITY**

5. (1) The Naledi Local Municipality is disestablished with effect from the effective date.
 (2) Until it is disestablished on the effective date, the councils of the disestablished municipality referred to in sub-paragraph (1) remain competent to function for its area.

VACATION OF OFFICE

6. The councillors of the disestablished municipality vacate office on the effective date.

LEGAL SUCCESSION

7. (1) The metropolitan municipality supersedes the disestablished municipality to the extent that the disestablished municipality fall within that area. The metropolitan municipality becomes the successors in law of the disestablished municipality and depend on the specific assets, liabilities, rights and obligations allocated to the metropolitan municipality in terms of this Part.

TRANSFER OF ASSETS, RIGHTS, LIABILITIES AND OBLIGATIONS

8. (1) The assets, rights, liabilities and obligations (excluding investments, cash and cash balances) in so far as they were, immediately before the effective date, predominantly deployed in respect of, or related to, the performance by the disestablished municipality of a function or functions in a specific area, are hereby transferred to the metropolitan municipality which, on the effective date, has sole responsibility for the performance of the said function or functions in the said area.
 (2) For the purpose of sub-paragraph (1), "function" includes a power.
 (3) Administrative and other records (including minutes) relating to the assets, rights, liabilities and obligations referred to in sub-paragraph (1) vest, as from the effective date, in the metropolitan municipality to which the respective assets, rights, liabilities and obligations are transferred in terms of the said sub-paragraph.
 (4) Assets, rights, liabilities obligations and administrative records other than those referred to in sub-paragraph (1) are hereby transferred to the metropolitan municipality.

INVESTMENTS, CASH AND CASH BALANCES

9. As from the effective date all investments and all cash and cash balances in a bank account of the disestablished municipality accrue to the metropolitan municipality as follows:
 The investments, cash and cash balances of the disestablished municipality accrue to the metropolitan municipality: The metropolitan municipality continues remunerating any employee of the disestablished municipality referred to in sub-paragraph 13(a) until the end of the financial year during which the new metropolitan municipality was established

TRANSFER OF STAFF

- 10A. A person who on the effective date is an employee of the disestablished municipality becomes an employee of the metropolitan municipality in accordance with the following rules:
- (1) Employees of the disestablished municipality become employees of the metropolitan municipality which as from the effective date is responsible for the performance of that specific function;
 - (2) For the purposes of sub-paragraph (1) "function" includes a power;
 - (3) The employment of employees by the metropolitan municipality must be regulated in accordance with any collective agreement;
 - (4) Until an agreement referred to in sub-paragraph (3) has been reached employees are employed by the metropolitan municipality on the same terms and conditions (including remuneration) applicable to them as employees of the disestablished municipality which previously employed them;
 - (5) Service by a person so transferred is deemed to be service as an employee of the metropolitan municipality to which the person is transferred and any leave, pension and other benefits that may have accrued to that person by virtue of service with the disestablished municipalities shall be deemed to have accrued in favour of such a person by virtue of service with the metropolitan municipality to which she or he is transferred;
 - (6) where an employee transferred in terms of sub-paragraph (1) was a member of a medical aid scheme, pension or provident fund immediately before the effective date –
 - (a) that employee continues as such a member unless continued membership is contrary to the rules of the scheme or fund in question or unless the new metropolitan municipality to which the employee is transferred and the employee, after consultation with the fund or scheme, agree otherwise;
 - (b) The metropolitan municipality must deduct the necessary employee's contributions to the scheme or fund from the remuneration of the employee and pay it over to the scheme or fund in question together with the employer's contribution.
- 10B. A person who on the effective date is an employee of the Masilonyana Local Municipality (FS 181) and his / her place of work is the Ikgomtseng / Soutpan unit of the Masilonyana Local Municipality becomes an employee of the Metropolitan Municipality in accordance with the following rules:

- (1) Employees of the Masilonyana Local Municipality (FS 181) become employees of the metropolitan municipality which as from the effective date is responsible for the performance of that specific function;
- (2) For the purposes of sub-paragraph (1) "function" includes a power;
- (3) The employment of employees by the metropolitan municipality must be regulated in accordance with any collective agreement;
- (4) Until an agreement referred to in sub-paragraph (3) has been reached employees are employed by the metropolitan municipality on the same terms and conditions (including remuneration) applicable to them as employees of the Masilonyana Local Municipality (FS 181) which previously employed them;
- (5) Service by a person so transferred is deemed to be service as an employee of the metropolitan municipality to which the person is transferred and any leave, pension and other benefits that may have accrued to that person by virtue of service with the Masilonyana Local Municipality (FS 181) shall be deemed to have accrued in favour of such a person by virtue of service with the metropolitan municipality to which she or he is transferred;
- (6) where an employee transferred in terms of sub-paragraph (1) was a member of a medical aid scheme, pension or provident fund immediately before the effective date –
 - (a) that employee continues as such a member unless continued membership is contrary to the rules of the scheme or fund in question or unless the new metropolitan municipality to which the employee is transferred and the employee, after consultation with the fund or scheme, agree otherwise;
 - (b) The metropolitan municipality must deduct the necessary employee's contributions to the scheme or fund from the remuneration of the employee and pay it over to the scheme or fund in question together with the employer's contribution.

TRANSITIONAL PROVISIONS RELATING TO EXISTING BY-LAWS AND RESOLUTIONS

11. (1) By-laws and resolutions (including standing delegations) of the disestablished municipality that are in force on the effective date continue in force in the area in which they were applicable subject to any amendment or repeal by the metropolitan municipality.
- (2) A by-law or resolution (including standing delegations) other than those referred to in subparagraph (1) to the extent that they apply to the metropolitan municipality of the disestablished municipality must be applied by the metropolitan municipality to the extent to which that by-law or resolution (including standing delegations) continues in force in terms of sub-paragraph (1) in the area of the metropolitan municipality
- (3) Unless inconsistent with the context or clearly inappropriate, a reference in any such by-law or resolution (including standing delegations) to the disestablished municipalities must be construed as a reference to the metropolitan municipality which has to apply the by-law or resolution (including standing delegations).

DUTIES OF MUNICIPAL MANAGER

12. The municipal manager of the disestablished municipality must not later than two days after the effective date compile and submit to the municipal manager of the metropolitan municipality –
 - (1) a list containing the names and particulars of all persons who on that date were in the employ of that municipality; and
 - (2) an inventory of all the assets and liabilities of that municipality as at that date.

ADMINISTRATIVE UNIT

13. All the employees of the disestablished Naledi local municipality will, on the effective date, be transferred to an administrative unit, which will function as such until the Mangaung metropolitan municipality has established a staff structure and has appointed staff to the positions on that staff structure. The administrative unit will function in terms of the budgets systems, rules and policies, which applies to the metropolitan municipality.
 - (1) The administrative unit will function under the control of the municipal manager of the metropolitan municipality
 - (2) The municipal manager of the metropolitan municipality shall designate a head for the administrative unit; and
 - (3) The head of the administrative unit shall, subject to the directions and instructions of the municipal manager-
 - (a) Be responsible and accountable for the management of the administrative unit and
 - (b) For the purposes of section 16 of the Occupational Health and Safety Act 1993 (Act No 82 of 1993) be deemed to be the chief executive officer in respect of the activities of the administrative unit.
 - (4) The metropolitan council may disestablish the administrative unit.

TRANSITIONAL FACILITATION COMMITTEE

14. (1) A Transitional Facilitation Committee (TFC) is hereby established.
- (2) The TFC automatically ceases to exist and dissolves on the day immediately preceding the local government elections.
- (3) The TFC must advise the MEC with regard to the exercise of her powers, performance of her functions and discharge of her duties in terms of this notice.
- (4) The TFC consists of-
 - (a) The Chairperson of SALGA Free State, who must be the chairperson; and
 - (b) The mayors of the disestablished municipality, the Mangaung Metro and the affected district municipality.
- (5) The TFC must be assisted by a Technical Task Team consisting of-
 - (a) The Head: Cooperative Governance and Traditional Affairs who must be the chairperson;
 - (b) The Provincial Director of SALGA Free State;
 - (c) The municipal managers of the disestablished municipality, the affected district municipality and Mangaung Metro; and
 - (d) Such officials of the Department of Cooperative Governance and Traditional Affairs as the head of that department may designate.
- (6) The Department of Cooperative Governance and Traditional Affairs must provide an administrative service to the TFC.

FUNCTIONS OF THE TFC

15. The functions of the TFC are, subject to and for the purposes of section 14 of the Act, be to recommend to the MEC for Cooperative Governance and Traditional Affairs:
- (1) Which of the assets, rights, liabilities and obligations that have been transferred from the disestablished municipality should be transferred to the metropolitan municipality;
 - (2) Subject to sub-paragraph (1), the implication of a process of reorganizing the employees transferred to the metropolitan municipality;
 - (3) The legal, practical and other consequences of the disestablishment of the local municipality and the establishment of the metropolitan municipality and also including vacation of office by councillors and implications thereof.

PROCEDURES OF THE TFC

16. The TFC may determine its own procedures, subject to the following:
- (1) A question before the TFC is decided with supporting vote of the majority of the members present at the meeting;
 - (2) At least one half of the members must be present at a meeting before a vote may be taken on any matter.

DISPUTE RESOLUTION

17. (1) Whenever the TFC cannot resolve a question before it for any reason, the matter must be submitted to the MEC who may, in her discretion-
- (a) Resolve the matter; or
 - (b) Submit it to arbitration by an arbitrator appointed by her,
- (2) A decision by an arbitrator must be deemed a decision of the TFC.

EXPENSES OF THE TFC

18. Any expense incurred by the TFC in the discharge of its functions or in respect of the costs of mediation in terms of paragraph 16 must be borne, in equal in proportion by the municipalities and the department who are members of the TFC.

AMENDMENT OF ESTABLISHMENT NOTICE NO 181 OF 2000 OF THE DC 16 DISTRICT MUNICIPALITY AND THE FS 161, FS 162 AND FS 163 LOCAL MUNICIPALITIES

19. Part 2 of Provincial Notice 181 of 2000 is hereby substituted for the following Part 2 and Part 6 of Provincial Notice 181 of 2000 is hereby repealed with effect from the effective date.

PART 3

GENERAL VALUATION ROLL

20. The current General Valuation Roll (GVR) for Mangaung Metropolitan Local Municipality and Naledi Local Municipality are valid until 30 June 2017 and 30 June 2019 respectively. The consolidation of the two (2) GVRs will take place with the implementation of the new GVR for Mangaung Metropolitan Municipality which will come into effect on 1 July 2017. Effective from 3 August 2016, the Mangaung Metropolitan Municipality will:
- Continue to use a General Valuation Roll (GVR) that was in force in the area of Naledi Local Municipality.
 - Proceed to levy rates against Property Values as shown on that GVR of the former Naledi Local Municipality until the implementation of the new GVR for the newly demarcated Municipality which will come in to effect on 1 July 2017.

PART 4

AMENDMENT OF ESTABLISHMENT NOTICE NO 7 OF 2011 OF THE MANGAUNG METROPOLITAN MUNICIPALITY

ESTABLISHMENT OF METROPOLITAN MUNICIPALITY

21. For the metropolitan municipal area as a whole as set out in the demarcation notice, a metropolitan municipality is hereby established.

CATEGORY

22. The metropolitan municipality is a Category A municipality as determined by the Demarcation Board in terms of section 4 of the Act.

TYPE

23. The metropolitan municipality is a municipality with a mayoral executive system combined with a ward participatory system as contemplated in section 2(g) of the Types Act.

BOUNDARIES

24. The boundaries of the metropolitan municipality are as indicated by Map DEM 4542 of the demarcation notice.

NAME

25. The name of the Metropolitan Municipality is Mangaung.

COUNCILLORS

26. The council of the metropolitan municipality consists of 100, both proportional and ward as determined in Provincial Gazette.

FULL-TIME COUNCILLORS

27. The council of the metropolitan municipality may designate the executive mayor, speaker, members of the mayoral committee and council whip as full-time.

ANNEXURE "C"

[PROVINCIAL NOTICE NO. 156 OF 2016]

NOTICE IN TERMS OF SECTIONS 12 AND 16, READ WITH SECTIONS 14,15 AND 17 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: IMPLEMENTATION OF THE MUNICIPAL DEMARCATION BOARD DETERMINATION DEM NUMBER 4542, PUBLISHED AS NOTICE 36 OF 7 JULY 2015 IN THE FREE STATE PROVINCIAL GAZETTE .

I, **M.S MLAMLELI**, Member of the Executive Council responsible for Cooperative Governance, Traditional Affairs and Human Settlements in the Free State Province, acting in terms of sections 16 and 17 of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) hereby publishes the notice as set out in the Schedule for public notice.

SCHEDULE

PART 1**PREAMBLE****GENERAL**

The Municipal Demarcation Board has, in terms of section 21 of the Local Government: Municipal Demarcation Act, 1998 by means of Provincial Notice No. 58 of 18 October 2013 published its decision to re-determine the municipal boundaries as set out in Circular 3/2013. The MDB has re-determined the municipal boundaries of Thabo Mofutsanyane District Municipality (DC 19) by excluding, in its municipal area of jurisdiction, the Aldam Aventura Holiday Resort with effect from the Local Government Elections (LGE) on 3 August 2016.

1. The determination and re-determinations of the Municipal Demarcation Board, as mentioned above, has impacted the outer boundaries of Thabo Mofutsanyane District Municipality (DC 19). The following are hereby published:
 - 1.1 the re-determination of boundaries by excluding Aldam Aventura Holiday Resort from the municipal area of Thabo Mofutsanyane District Municipality (DC19);
 - 1.2 the re-determination of the current boundaries of Thabo Mofutsanyane District Municipality (DC 19) as category C municipal area;
2. To implement these re-determinations:
 - 2.1 Provincial Notice No 182 of 28 September 2000 as amended, is hereby repealed and replaced by the provisions contained in Part 2;

DEFINITIONS

3. In this Schedule, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act has the same meaning and:
 - "**affected district municipalities**" means the district municipalities of Thabo Mofutsanyane (DC19) ;
 - "**demarcation notice**" means Provincial Notice No. 56 of 2015 as published in the Free State Provincial Gazette No. 79 of 25 August 2015;
 - "**effective date**" means –
 - (1) the day on which the results of the next general municipal elections are declared in terms of the applicable electoral legislation; or
 - (2) if the results cannot be declared, and a re-election must be held, the day on which the results of the re-election are declared;
 - "**proportionally elected councillors**" means councillors elected to proportionally represent the parties that contested the election in the municipality concerned;
 - "**the Act**" means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
 - "**ward councillor**" means a councillor elected to represent a ward.

PART 2**RE-ESTABLISHMENT OF THABO MOFUTSANYANE DISTRICT MUNICIPALITY**

4. (1) The re-establishment of boundaries of Thabo Mofutsanyane District Municipality (DC19) by excluding Aldam Aventura Holiday Resort from the municipal area of Thabo Mofutsanyane District Municipality (DC19). The re-establishment is with effect from the effective date.
- (2) Until it is included into the municipal area of Matjhabeng Local Municipality (FS 184), the Aldam Aventura Holiday Resort remains competent to function in the municipal area of Setsoto Local Municipality (FS 191).

VACATION OF OFFICE

5. The councillors of the disestablished municipality vacate office on the effective date

RE-ESTABLISHMENT OF MUNICIPALITY

6. (1) The municipal boundaries of Thabo Mofutsanyane District Municipality (DC 19) are re-determined to exclude the Aldam Aventura Holiday Resort as set out in the Demarcation Notice.

CATEGORY

7. The Thabo Mofutsanyane District Municipality (DC 19) is a Category C municipality as determined by the Demarcation Board in terms of section 4 of the Act.

TYPE

8. The Thabo Mofutsanyane District Municipality (DC 19) is a municipality with a mayoral executive system combined with a ward participatory system as contemplated in section 2(g) of the Types Act.

BOUNDARIES

9. The boundaries of the Thabo Mofutsanyane District Municipality (DC 19) are as indicated by DEM 4752 of the demarcation notice.

NAME

10. The name of the Thabo Mofutsanyane District Municipality (DC 19) remains unchanged.

COUNCILLORS

11. The council of the District Municipality consists of 41 proportionally elected councillors and

[PROVINCIAL NOTICE NO.157 OF 2016]

NOTICE IN TERMS OF SECTIONS 12 AND 16, READ WITH SECTIONS 14,15 AND 17 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: IMPLEMENTATION OF THE MUNICIPAL DEMARCATION BOARD DETERMINATION DEM NUMBER 4542, PUBLISHED AS NOTICE 36 OF 7 JULY 2015 IN THE FREE STATE PROVINCIAL GAZETTE .

I, **M.S MLAMLELI**, Member of the Executive Council responsible for Cooperative Governance, Traditional Affairs and Human Settlements in the Free State Province, acting in terms of sections 16 and 17 of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) hereby publishes the notice as set out in the Schedule for public notice.

SCHEDULE

PART 1

PREAMBLE

GENERAL

The Municipal Demarcation Board has, in terms of section 21 of the Local Government: Municipal Demarcation Act, 1998 by means of Provincial Notice No. 56 of 2015 as published in the Free State Provincial Gazette No. 79 of 25 August 2015 confirmed its earlier decision to re-determine the municipal boundaries as set out in Provincial Notice No. 27 published in the Free State Provincial Gazette No. 36 of 7 July 2015. The MDB has re-determined the municipal boundaries of Mangaung Metropolitan Municipality (MAN) by including the municipal area of the Naledi Local Municipality in its area of jurisdiction with effect from the Local Government Elections (LGE) on 3 August 2016.

1. The determination and re-determinations of the Municipal Demarcation Board, as mentioned above, has impacted the outer boundaries of Xhariep District Municipality. The following are hereby published:
- 1.1 the re-determination of boundaries by excluding Naledi local Municipality (FS164) from the municipal area of Xhariep District Municipality (DC16);
- 1.2 the re-determination of the current boundaries of Xhariep District Municipality as category C municipal area;
2. To implement these re-determinations:
- 2.1 Provincial Notice No 182 of 28 September 2000 as amended, is hereby repealed and replaced by the provisions contained in Part 2;

DEFINITIONS

3. In this Schedule, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act has the same meaning and:
- “**affected district municipalities**” means the district municipalities of Xhariep (DC16);
- “**demarcation notice**” means Provincial Notice No. 56 of 2015 as published in the Free State Provincial Gazette No. 79 of 25 August 2015;
- “**effective date**” means –
- (1) the day on which the results of the next general municipal elections are declared in terms of the applicable electoral legislation; or
- (2) if the results cannot be declared, and a re-election must be held, the day on which the results of the re-election are declared;
- “**proportionally elected councillors**” means councillors elected to proportionally represent the parties that contested the election in the municipality concerned;
- “**the Act**” means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);
- “**ward councillor**” means a councillor elected to represent a ward.

PART 2**RE-ESTABLISHMENT OF XHARIEP DISTRICT MUNICIPALITY**

4. (1) The re-establishment of boundaries of Xhariep District Municipality (DC16) by excluding Naledi local Municipality (FS164) from the municipal area of Xhariep District Municipality (DC16). The re-establishment is with effect from the effective date.

VACATION OF OFFICE

5. The councillors of the re-established municipality vacate office on the effective date

RE-ESTABLISHMENT OF MUNICIPALITY

6. (1) The municipal boundaries of Xhariep District Municipality are re-determined to exclude the municipal area of the Naledi Local Municipality (FS164) as set out in the Demarcation Notice.

CATEGORY

7. The Xhariep District Municipality is a Category C municipality as determined by the Demarcation Board in terms of section 4 of the Act.

TYPE

8. The Xhariep District Municipality is a municipality with a mayoral executive system combined with a ward participatory system as contemplated in section 2(g) of the Types Act.

BOUNDARIES

9. The boundaries of the Xhariep District Municipality are as indicated by DEM 4542 of the demarcation notice.

NAME

10. The name of the Xhariep District Municipality remains unchanged.

COUNCILLORS

11. The council of the District Municipality consists of 15 proportionally elected councillors and
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PROVINCIAL GAZETTE
(Published every Friday)

All correspondence, advertisements, etc. must be addressed to the Officer in charge of the Provincial Gazette, P.O. Box 517, Bloemfontein, Tel.: (051) 403 3139. Free Voucher copies of the Provincial Gazette or cuttings of advertisements are NOT supplied.

Subscription Rates (payable in advance)

The subscription fee for the Provincial Gazette (including all Extraordinary Provincial Gazettes) are as follows:

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PRICE PER COPY	R 27.00
HALF-YEARLY	R678.00
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All advertisements must reach the Officer in Charge of the Provincial Gazette **not later than 16:00, three working days** prior to the publication of the Gazette. Advertisements received after that time will be held over for publication in the issue of the following week, or if desired by the advertiser, will be inserted in the current issue as a "Late Advertisement". In such case the advertisement must be delivered to the Officer in Charge **not later than 08:00 on the Tuesday** preceding the publication of the Gazette and double rate will be charged for that advertisement.

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Notices required by Law to be inserted in the Provincial Gazette: **R31.50** per centimeter or portion thereof, single column.

Advertisement fees are payable in advance to the Officer in charge of the Provincial Gazette, P.O. Box 517, Bloemfontein, 9300, Tel.: (051) 403 3139.

NUMBERING OF PROVINCIAL GAZETTE

You are hereby informed that the numbering of the Provincial Gazette /Tender Bulletin and notice numbers will from 2010 coincide with the relevant financial year. In other words, the chronological numbering starting from one will commence on or after 1 April of every year.

Printed and published by the Free State Provincial Government

PROVINSIALE KOERANT
(Verskyn elke Vrydag)

Alle korrespondensie, advertensies, ens. moet aan die Beampte Belas met die Provinsiale Koerant, Posbus 517, Bloemfontein, Tel.: No. (051) 403 3139 geadresseer word. Gratis eksemplare van die Provinsiale Koerant of uitknipsels van advertensies word NIE verskaf nie.

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Alle advertensies moet die Beampte Belas met die Provinsiale Koerant bereik **nie later nie as 16:00 drie werksdae** voordat die Koerant uitgegee word. Advertensies wat na daardie tyd ontvang word, word oorgehou vir publikasie in die uitgawe van die volgende week, of as die adverteerder dit verlang, sal dit in die Koerant wat op die pers is as 'n "Laat Advertensie" geplaas word. In sulke gevalle moet die advertensie aan die Beampte oorhandig word **nie later nie as 08:00 op die Dinsdag** voordat die Koerant gepubliseer word en dubbeltarief sal vir dié advertensie gevra word.

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NOMMERING VAN PROVINSIALE KOERANT

U word hiermee in kennis gestel dat die nommering van die Provinsiale Koerant / Tender Bulletin en kennisgewingnummers vanaf 2010 met die betrokke boekjaar sal ooreenstem. Met ander woorde, die kronologiese nommering beginnende met een, sal op of na 1 April van elke jaar begin.

Gedruk en uitgegee deur die Vrystaatse Provinsiale Regering