

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

**NORTH-WEST
NOORDWES**

**PROVINCIAL GAZETTE
PROVINSIALE KOERANT**

Price

Prys

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NOTICE NO. 298

It is hereby notified that the Premier has
assented to the following Act which
is hereby published for general information:

**Act No. 4 of 2000: North West Municipal Structures
Amendment Act, 2000**

Hierby word bekend gemaak dat die Premier
sy goedkeuring geheg hef aan die
Onderstaande Wet wat hierby ter algemene
inligting gepubliseer word:-

**Wet No. 4. van 2000 : Noordwes Wysigings Wet Op
Munisipale Strukture, 2000**

ACT

To provide for the amendment of the North-West Municipal Structures Act, 2000, by further regulating the determination of the different types of municipality that may be established for each category of municipality in the Province of the North-West; and to provide for incidental matters. *(English text signed by the Premier on 12 September 2000)*

BE IT ENACTED by the Legislature of the Province of the North-West, as follows:-

Definitions

1. In this Act any word or expression to which a meaning has been assigned in the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), shall, unless clearly inappropriate, bear that meaning.

Amendment of section 2 of Act 3 of 2000

2. Section 2 of the North-West Municipal Structures Act, 2000 (Act No. 3 of 2000), is hereby amended by the insertion of the following paragraph after paragraph (b) of subclause (1):

"(c) establish the following types of metropolitan municipality:

(i) a metropolitan municipality with a collective executive system contemplated in section 8(a) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), which allows for the exercise of executive authority through an executive committee in which the executive leadership of the municipality is collectively vested;

(ii) a metropolitan municipality with a collective executive system combined with a subcouncil participatory system contemplated in section 8(b) of the Local Government: Municipal Structures Act, 1998, which allows for delegated powers to be exercised by subcouncils established for parts of the municipality;

(iii) a metropolitan municipality with a collective executive system combined with a ward participatory system contemplated in section 8(c) of the Local Government: Municipal Structures Act, 1998, which allows for matters of local concern to wards to be dealt with by committees

established for wards;

(iv) a metropolitan municipality with a collective executive combined with both a subcouncil and a ward participatory system contemplated in section 8(d) of the Local Government: Municipal Structures Act, 1998;

(v) a metropolitan municipality with a mayoral executive system contemplated in section 8(e) of the Local Government: Municipal Structures Act, 1998, which allows for the exercise of executive authority through an executive committee in which the executive leadership of the municipality is collectively vested;

(vi) a metropolitan municipality with a mayoral executive system combined with a subcouncil participatory system contemplated in section 8(f) of the Local Government: Municipal Structures Act, 1998, which allows for delegated powers to be exercised by subcouncils established for parts of the municipality;

(vii) a metropolitan municipality with a mayoral executive system combined with a ward participatory system contemplated in section 8(g) of the Local Government: Municipal Structures Act, 1998, which allows for matters of local concern to wards to be dealt with by committees established for wards;

(viii) a metropolitan municipality with a mayoral executive system combined with both a subcouncil and ward participatory system contemplated in section 8(h) of the Local Government: Municipal Structures Act, 1998."

Short title and commencement

3. This Act shall be called the North-West Municipal Structures Amendment Act, 2000, and takes effect on the date of commencement of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998).

**MEMORANDUM ON THE OBJECTS
OF THE
NORTH-WEST MUNICIPAL STRUCTURES AMENDMENT ACT, 2000**

After the North-West Municipal Structures Act, 2000 (Act No. 3 of 2000), was passed by the Legislature, it became apparent that an amendment of that Act would be necessary to cater for the establishment of the metropolitan municipality: Pretoria which is a cross boundary municipality to be established in terms of the national Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), extending across the Province of the North-West and Gauteng Province.

As no metropolitan municipalities were originally envisaged in the North-West Province, the North-West Municipal Structures Act, 2000, did not authorise the responsible MEC to establish a metropolitan municipality in the province. The envisaged establishment of the above-mentioned metropolitan municipality (as a result of the decision of the Municipal Demarcation Board) extending across the provincial boundary of the North-West Province now necessitates this technical and consequential amendment to the North-West Municipal Structures Act, 2000. This amendment is contained in section 2 of the Amendment Act.

Section 1 of the Amendment Act contains a definition provision and section 3 contains the short title and commencement of the Amendment Act. Both these sections are self-explanatory.

The Combined Working Group of the Municipal Demarcation Board on which all interested national and provincial departments as well as organised local government (SALGA) are represented, proposed that the Amendment Act be drafted.

