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To: The Director-General  
Attention: Mr. T. Motlashuping  
Department of Provincial & Local Government  
Republic of South Africa  
Cc: Mr. Makgatle Jackals  
Deputy Manager: Institutional Development Systems  
Department of Provincial & Local Government  
Republic of South Africa

Sir,

Re: **COMMENTS ON THE CROSS-BOUNDARY  
MUNICIPALITIES LAWS REPEAL AND RELATED  
MATTERS AMENDMENT BILL, 2008 (NOTICE 1538 OF  
2008)**

1. This letter has reference to the abovementioned.
2. The aim & purpose of this letter is to comment on the mentioned Bill as published in the Government Gazette.
3. Comments & remarks on the Bill:
  - a. The technical standard of the Bill is far below any acceptable standard. The document as published is full of spelling & grammatical errors. It seems that nobody has taken time or made any effort to check & inspect the document before it was finalized & published.
  - b. The following aspects have conveniently been disregarded during the process to create the Bill & are totally ignored by the involved government departments, as highlighted in the "Background"-paragraph of the Bill:
    - i. Fochville, Kokosi, Greenspark & Wedela have never been a part of Gauteng. These areas have historically always been part the North West Province & the old Western Transvaal.
    - ii. The residents of Fochville, Kokosi, Geenspark & Wedela have not at all been informed in detail of their proposed transfer to the WRDM & Gauteng Province. Nobody in national, provincial or local government has seen the need to publicly inform us of the

- proposed transfer, the advantages & disadvantages, as well as the related consequences & costs.
- iii. A political decision made by the African National Congress (ANC), endorsed by the Mr. Gwede Mantashe (Secretary General of the ANC) & the Premier of Gauteng Province in public, regarding the position of Khutsong & its residents are now forcibly applied to all residents of MCLM.
  - iv. The lack of recognition of the interests of the residents of Fochville, Kokosi, Greenspark & Wedela are a fundamental infringement of their constitutional rights & shows a definite disregard for our countries democratic basis.
- c. Due to the lack of open & honest communication, as well as public participation, the views & concerns of the following people are totally ignored & was not considered or addressed in the Bill:
- i. All residents of Fochville, Kokosi, Greenspark & Wedela; this equals to about 40% of the residents of the MCLM.
  - ii. All businesses in Fochville, Kokosi, Greenspark & Wedela; this equals to about 35% of all business activities within the MCLM.
4. It seems to me that the ANC & the respective government departments are again following the same illegal & non-democratic avenues to enforce a political decision, which lead the way for & initiated the struggle of the residents of Khutsong. The only difference this time around is that it is now being applied to Fochville, Kokosi, Greenspark & Wedela.
5. I therefore urge you to reconsider the process that was followed to establish the mentioned Bill. In its current form the Bill is exposed by numerous legal & constitutional hazards by means of the flawed process that was followed.
6. We eagerly await your quick & positive feedback & response.

Regards



(L.J. NEL)  
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