
GENERAL NOTICES

NOTICE 362 OF 2009

DEPARTMENT OF PROVINCIAL AND LOCAL GOVERNMENT

REGULATIONS IN TERMS OF SECTION 75 (2) OF THE LOCAL GOVERNMENT MUNICIPAL STRUCTURES ACT, 1998 (ACT No. 117 OF 1998) AS AMENDED IN 2008

The Minister for Provincial and Local Government intends making the regulations as set out in the schedule.


The regulations are hereby published for public comment. Any person wishing to comment on the proposed regulations is invited to submit written comments to:

The Director General
Department of Provincial and Local Government
Private Bag x804
PRETORIA
0001

Attention: Mr Yusuf Patel

Comments may be faxed to: 012 3344842 or 0866964745 or emailed to
wardcommittees@dplg.gov.za

Comments received after 15 May 2009 will not be considered.



Mr S Shiceka, MP

Minister for Provincial and Local Government

PREAMBLE

These regulations seek to regulate the implementation of section 75 of the Local Government Municipal Structures Act, 1998 (Act No. 117 of 1998) as amended in 2008, which provides for the alignment of the term of office of ward committees to the term of municipal council (5 years). The current dispensation provides that the term of office for ward committees be set by metropolitan and local councils. Thus currently there may be different terms for ward committees in different municipalities. These regulations therefore in the interim, seek to align all the terms of ward committees to the term of municipal councils with effect from the next local government elections in 2011.

CHAPTER 1

INTERPRETATION

Definitions

1. In these regulations a word or phrase to which a meaning has been assigned in the Local Government Municipal Structures Act, 1998 (Act No. 117 of 1998), has that meaning and, unless the context otherwise indicates-

“**Minister**” means the national Minister responsible for Local Government

“**the Act**” means the Local Government Municipal Structures Act, 1998 (Act No. 117 of 1998) as amended in 2008

“**ward committee**” means a ward committee as contemplated in Sections 73 of the Local Government Municipal Structures Act, 1998 (Act No. 117 of 1998).

CHAPTER 2

Commencement of term of ward committees

2. The term of ward committees as contemplated in section 75(1) of the Act commences / takes effect from the day following the date set by the Minister for the 2011 local government elections.

Transitional Arrangements

3. A ward committee remains competent to function from the date on which its term expires until the date contemplated in regulation 2.
4. Councils of Metropolitan and Local Municipality must adopt a resolution to align the current term of office of members of a ward committee to end on the day preceding the date set by the Minister for the 2011 local government elections.

Date of effect of the regulations

18 May 2009.
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