

1. THE BOARD

Members of the present Municipal Demarcation Board (“the Board”) were appointed by the President of the Republic of South Africa (“the President”) for a term of 5 years, effective 1 February 1999. During the 2002/2003 financial year the Chairperson of the Board, who was till then the only full-time member of the Board, was appointed as Municipal Manager of Ethekewini Metropolitan Municipality, leaving the Board with no full time member.

A new Board must now be appointed with effect from 1 February 2004. In order to ensure a smooth transition, the Board made during the 2002/2003 financial year, certain proposals to the Department of Provincial and Local Government (“DPLG”) pertaining to the amendment of the Local Government: Municipal Demarcation Act (No 27 of 1998) (“the Demarcation Act”), to clarify legal uncertainties around the appointment of members. The Board’s proposals were enacted in the Local Government Laws Amendment Act, 2000 (No 51 of 2002). Furthermore, the Board briefed the Minister of Provincial and Local Government (“the Minister”), about the legal position and procedures pertaining to the appointment of Board Members and shared some thoughts with him on the future Board.

The new Board must consist of no fewer than seven and no more than 10 members appointed by the President in accordance with section 8 of the Demarcation Act.

The process in accordance with section 8 of the Demarcation Act referred to above, is time consuming. Amongst others, it requires that the Minister must, after having determined the number of the members of the Board, through advertisements in the media circulating nationally and in each of the provinces, invite persons who comply with section 7 of the same Act, to apply within a specified period for appointment as members. The Minister must also establish a selection panel consisting of-

- the President of the Constitutional Court or another member of that Court designated by the President of that Court, who must also be the convenor of the panel;
- a judge designated by the Chief Justice;
- one member of the Commission for Gender Equality, established by the Constitution, designated by that Commission;
- two persons with specific knowledge of boundary demarcation of whom one must be designated by the Minister in consultation with the Members of the Executive Councils (MECs) for local government and the other person by the South African Local Government Association (SALGA); and
- the Chairperson of the Select Committee of the National Council of Provinces responsible for local government matters.

A person already designated (in 1998) remains designated until replaced.

The selection panel must consider all applications and from amongst the applicants compile a list of nominees taking into account sections 6 (3) and 7 of the Demarcation Act.

According to section 8(5) of the Demarcation Act the list must consist of-

- (a) three more names than the number of appointments that must be made, if six or more appointments must be made; or
- (b) two more names than the number of appointments that must be made, if fewer than six appointments must be made.

The President must then make the required number of appointments from the list.

Although there is no limit to the number of terms that a member of the Board may serve, any reappointment of a member of the Board is subject to section 8 of the Demarcation Act. This means that whether the existing members are to be re-appointed, or not, this tedious process must be complied with before 1 February 2004. In terms of section 11 of the same Act the President must also appoint one of the members of the Board as the chairperson and another member as the deputy chairperson of the Board, and the Minister must determine as to whether a member is a full time or part time member.

Section 11 of the Demarcation Act also provides for a very time consuming process, whereby the Minister is required, with the concurrence of the Minister of Finance, to determine the conditions of appointment of the members of the Board.

Since the Board's establishment on 1 February 1999, the Board has experienced two scenarios: A Board with one full time member, namely the Chairperson, and recently, a Board comprising of only part time members (since the Chairperson's appointment as municipal manager). Both scenarios have advantages and disadvantages. The board shared its views on the advantages and disadvantages of the following scenarios with the Minister:

- A Board of which all members are full time
- A Board of which some members are full time
- A Board of which all members are part time

2. THE ADMINISTRATION

The Board, in carrying out its mandate, is supported by a small complement of staff. All staff, with the exception of the Manager, are permanent. The Manager is on contract for a term, which may be renewed.

An organizational structure of the Board's administration is attached at the back of this report as **Annexure A**.

The Board's staff complement as at 31 March 2003 is made up as follows:

POSITION	
1. Manager	Male, Black (African)
2. Head: Research & Implementation	Male, White
3. Head: GIS	Male, White
4. Head: Finance	Male, Black (African)
5. Head: Admin & HR	Female, Black (Indian)
6. Data Administrator	Male, Black (Indian)
7. Senior Researcher	Male, Black (African)
8. Researcher	Vacant
9. GIS Analyst 1	Female, White
10. GIS Analyst 2	Female, Black (African)
11. GIS Analyst 3	Vacant
12. IT Specialist	Male, White
13. Junior GIS Officer	Female, White
14. Senior Finance Officer	Female, Black (African)
15. Finance Officer	Female, Black (African)
16. Archivist	Female, Black (Indian)
17. Data Capturer	Male, Black (African)
18. Help Desk/Communications Officer	Male, Black (Indian)
19. Admin Assistant	Female, White
20. Receptionist	Female, Black (African)
21. Auxiliary Services Officer	Male, Black (African)

Of the present 19 employees therefore (2 positions are vacant):

- 10 (52.6%) are Male;
- 9 (47.4%) are Female;
- 13 (68.4%) are Black;
- 6 (31.6%) are White;
- 1 (5.3%) is disabled.

3. LABOUR DISPUTES

The Board is presently defending two legal actions by three of its former employees.

The first case is by the former Deputy Manager: Corporate Services and the former Executive Secretary, and has been heard and dismissed by the Labour Court. The complainants have taken it for appeal.

The above complainants are challenging the organizational re-structuring undertaken by the Board in the year 2000, which resulted in three positions being declared redundant, and the incumbents retrenched.

The second case is that of the former Manager of the Board, who was dismissed by the Board in the year 2000, after being found guilty by a disciplinary hearing on various charges of gross misconduct. The former Manager is challenging the dismissal at the CCMA.

This case is now at an arbitration stage at the CCMA, and although a number of sessions have already been held in this regard, indications are that many more sessions would need to be held to bring the case to finality.

4. FUNCTIONS OF THE BOARD

During the 2002/2003 financial year the Board continued to attend to its core business and matters connected to it, in terms of pre-determined objectives for the year. The following comprises the board's core business:

- Determination and re-determination of municipal boundaries;
- Delimitation of ward boundaries;
- Alignment of service delivery boundaries with municipal boundaries;
- Capacity assessments and advice on the division of powers and functions;
- Activities related to the above-mentioned functions.

5. RE-DETERMINATION OF MUNICIPAL BOUNDARIES AND DELIMITATION OF WARDS

The following re-determinations have been considered:

DEM NUMBER	DESCRIPTION	STATUS AT 31 MARCH 2003
GAUTENG		
DEM021	Exclusion of Commercia Ext 9 from Johannesburg and inclusion into Ekurhuleni.	A section 21 notice, Notice No. 104 was published in Gazette No. 5 of 09 January 2003. The objection period had expired and no objections had been received.
DEM050	Northern part of Ramotse village be moved from Moretele (NW371) into Tshwane Metro.	The Board was still awaiting concurrence from the Gauteng and North West provincial legislatures. Letters had been sent to the two MEC's for Local Government on 27 January 2003 requesting them to arrange for the concurrence of the provincial legislatures.
DEM062	Re-determination of the municipal boundaries of	The Board was still awaiting

	Tshwane Metropolitan Municipality (Pretoria Metro), Nokeng Tsa Taemane Local Municipality (GT02b1) and Metsweding District Municipality (CBDC2) by excluding Portions 4, 22 and 23 of the farm Doornpoort No. 295 JR from the municipal area of Tshwane and by including the areas in the municipal areas of Nokeng Tsa Taemane (GT02b1) and Metsweding District Municipality (CBDC2).	concurrence from the 3 provincial legislatures of Gauteng, Northern Cape and North West. In this regard letters had been sent to the MECs for Local Government of the three provinces on 27 January 2003.
DEM063	Re-determination of the municipal boundaries of Tshwane Metropolitan Municipality (Pretoria Metro), Metsweding District Municipality (CBDC2) and Nokeng Tsa Taemane Local Municipality (GT02b1) by excluding a Portion of the Farm Haakdoornlaagte No. 277 JR and a Portion of the Farm Pylpunt No. 276 JR from the municipal area of Tshwane and by including the Portions in the municipal area of Nokeng Tsa Taemane (GT02b1) and Metsweding (CBDC2).	The Board was still awaiting concurrence from the two provincial legislatures of Gauteng and North West. In this regard letters had been sent to the MECs for Local Government of the two provinces on 27 January 2003.
DEM130	Request that extensions 17 and 19 of Tsakane be moved from ward 41 to ward 42 of Ekurhuleni Metropolitan council.	The matter was being held in abeyance for the ward re-delimitation process, for the 2005 local elections. Stakeholders had been duly notified in this regard.
DEM133	Exclusion of Itsoseng Phase 6 and 8 from Tswane Metro and inclusion into Madibeng Municipality.	A recommendation was made to the Board to undertake a section 27 investigation on this matter. The Board accepted the recommendation in April 2003.
DEM135	Inclusion of the Heidelberg Kloof area into the Lesedi Local Municipality.	This was a new application which was to be tabled with the Board for the first time. After it was received the applicants were asked to provide more information on the issues raised before it could be brought to the Board.
DEM136	Inclusion of the Township of Alra Park and the cemetery to its south into Ekurhuleni Metropolitan Council, and exclusion from Lesedi Local Municipality.	This was a new application which was to be tabled with the Board for the first time. After it was received the applicants were asked to provide more information on the issues raised before it could be brought to the Board.
DEM145	Exclusion of the area of the community of Mayibuye from the City of Johannesburg Metro and inclusion into Ekurhuleni Metro.	This was a new application which was to be tabled with the Board for the first time. After it was received the applicants were asked to

		provide more information on the issues raised before it could be brought to the Board.
FREE STATE		
DEM101	Exclusion of the farms Bayswater 558, Morgenzon No. 275, Riviera No. 848, Waterval No. 434, and Zonneschein No. 568 from the municipal area of Ngwathe (FS203) and inclusion into Moqhaka (FS201).	A section 21 notice was published in FS Provincial Gazette No. 3 of 17 January 2003. The objection period had expired and no objections had been received.
KWAZULU-NATAL		
DEM006	Exclusion of certain areas from Msunduzi (KZ225) and inclusion into Wartburg (KZ221).	A section 21 notice, Notice No. 3 was published in Gazette No. 6153 of 23 January 2003. The objection period had expired and no objections had been received.
DEM020	Inclusion of certain areas in Kwa-Nobamba, from Ulundi Municipality (KZ266), into Nquthu Municipality (KZ242).	A section 26 notice was re-published in various newspapers on 18 Feb 2003. A number of submissions had been received.
DEM053	Re-determination of the municipal boundaries of Kwa Sani Local Municipality (KZ5a2) by including a number of areas in the municipal area of Kwa Sani (KZ5a2) and by excluding the areas from district management area KZDMA43, forming part of the municipal area of East Griqualand District Municipality (DC43).	A section 21 notice, Notice No. 26 was published in Gazette 6121 of 22 August 2002. Board had resolved that this matter be considered in relation to the World Heritage Site and that maps be submitted by Board staff to the Board for consideration at its next meeting.
DEM054	Review the traditional authority areas of Amakhabela, Cele, and Hlongwa, which are presently divided between the Umvoti and Maphumulo municipalities.	The Board had approved that a formal section 27 investigation be conducted. The investigation was held on the matter on 18 March 2003. A further meeting was scheduled to be held in Kranskop on 15 April 2003.
DEM056	Exclusion of Isonti Farm from Vulamehlo Municipality and inclusion into Umdoni Municipality.	The matter had been referred back to the two municipalities for further deliberations, whereafter they would come back to the Board on their new joint position regarding this matter.
DEM074	Submission to include into Ingwe Municipality several farms in Ubuhlebezwe Municipality.	Confirmation of the Board's decision was published in terms of section 21(5)(c) in Notice No. 9, Gazette No 6163 of 7 March 2003. The re-

		determination was referred to the IEC on 08 Jan. 2003 for the section 23 process.
DEM097	Submission to include farms Cottingham, Long and Lot 107 from KZ227(Richmond Municipality) into KZ5a1(Ingwe Municipality).	An Investigation had been conducted on 14 February 2003.
DEM102	Submission to include the Montebello Mission and Hospital from Umshwathi Municipality into Ndwedwe Municipality.	Confirmation of the Board's decision was published in terms of section 21(5)(c) in Notice No. 9, Gazette No 6163 of 7 March 2003. The re-determination was referred to the IEC on 08 Jan. 2003 for the section 23 process, and the IEC published its view that the re-determination will not materially affect the representation of voters in Notice No. 361, Gazette 25025 of 7 March 2003. The MEC now had to publish the date in terms of section 23.
DEM116	Submission to re-determine the boundaries between the Mbonambi and Mtubatuba Municipalities.	A letter had been received from Mtubatuba Municipality and nothing from Mbonambi Municipality. The matter was being considered for closure.
DEM125_0	Request to re-determine the municipal boundaries of Imbabazane Local Municipality (KZ236), the Uthukela District Municipality (DC23), the Mooi Mpfana (KZ223) Local Municipality and the Mngeni Local Municipality (KZ222), the District Management Area KZDMA22 and the District Municipality of UMgungundlovu (DC22) by excluding the farm areas mentioned in Schedule I from the municipal area of Imbabazane (KZ236) and the District Municipality of Uthukela (DC23) and by including the mentioned areas in the district management area KZDMA22 forming part of the municipal area of UMgungundlovu District Municipality (DC22).	Section 21 notice No. 2/2003 was published in the Gazette 6153 on 23 January 2003, and no objections were received. Umgungundlovu Municipality expressed their support for the boundary change provided the affected municipalities are not objecting on their letter received 11/02/2003.
DEM125_2	Re-determine the municipal boundary of Okhahlamba Local Municipality (KZ235) by excluding certain areas from the municipal area of Okhahlamba (KZ235) and by including the mentioned areas in district management area of KZDMA23 forming part of the District Municipality of Uthukela (DC23).	The investigation was conducted into the matter on 19 March 2003.
DEM125-3	Re-determine the municipal boundary of	Confirmation of the Board's decision

	Imbabazane Local Municipality (KZ236), by excluding certain areas from the municipal area of Imbabazane (KZ236) and by including the areas in the district management area of KZDMA23 forming part of the municipal area of Uthukela District Municipality (DC23).	was published in terms of section 21(5)(c) in Notice No. 9, Gazette No 6163 of 7 March 2003. The re-determination was referred to the IEC on 08 Jan. 2003 for the section 23 process, and the IEC published its view that the re-determination will not materially affect the representation of voters in Notice No. 362, Gazette 25026 of 7 March 2003. The MEC now had to determine the date in terms of section 23.
DEM131	Request to move Mkhwanazi Traditional Authority from Hlabisa Municipality (KZ274) into Mtubatuba Municipality (KZ 275).	A letter to inform Mtubatuba Municipality that they are given an opportunity to consult with all the stakeholders was sent on 17/03/2003. In their letter dated 19 March 2003 they indicated that since they are not the applicants they are not responsible for convening such a meeting but they are prepared to take part in such a process.
DEM 146	Wasbank currently situated under ward 1 of eNdumeni Municipality (KZ 241) to be moved to ward 6 of Indaka Local Municipality.	a section 21 notice, Notice No.7, was published on 20/02/2003 (Gazette No. 6058). A few objections were received and it was realised that the information depicted on the map is incorrect. A new corrected map was being prepared for republication.
DEM 147	Gannahoek and Ekuthuleni to be moved to ward 25 of Emnambithi Municipality. These areas are close to Colenso, which is in Emnambithi.	This was a new application which was to be tabled with the Board for the first time. After it was received the applicants were asked to provide more information on the issues raised before it could be brought to the Board.
DEM 149	Sand river farms currently under ward 13 of Okhahlamba municipality to be moved to ward 13 of Umnambithi Municipality.	This was a new application which was to be tabled with the Board for the first time. After it was received the applicants were asked to provide more information on the issues raised before it could be brought to the Board.

DEM 150	Part of KZDMA23 to be part of adjacent wards of Imbabazane Municipality. Giant Castle and White Mountain resorts to be part of ward 2 Imbabazane Municipality. Meshland to be moved to ward 8, Dalyon to ward 7, Lindelani to ward 7, Mondi forest and adjacent farms to be moved to ward 1 or 3.	This was a new application which was to be tabled with the Board for the first time. After it was received the applicants were asked to provide more information on the issues raised before it could be brought to the Board.
MPUMALANGA		
DEM120	Submission to exclude the community of Sokhulumi from Thembisile Municipality and include into Kungwini Municipality.	Requests had been sent to the two provinces of Gauteng and Mpumalanga to give the Board their final written inputs.
NORTHERN CAPE		
DEM012	Submission to exclude a portion of VD 65850037 from NC061 and include it into NC062.	This matter was being held in abeyance until re-delimitation of wards for the 2005 local elections. Stakeholders had been duly informed.
DEM070	Submission to exclude the Olifantshoek Community from Tsantsabane Municipality and include it into Gammagara Municipality.	The Board was still awaiting concurrence of the provincial legislatures of Northern Cape and North West. Letters in this regard were sent to the MECs for local government in the two provinces on 27 January 2003.
DEM071	Submission to exclude farming areas from Kgatelopele Municipality and include them into NCDMA09/Frances Baard District Municipality.	The Board was still awaiting concurrence of the provincial legislatures of Northern Cape and North West. Letters in this regard were sent to the MECs for local government in the two provinces on 04 March 2003.
DEM084	Submission for the exclusion of the Boegoeberg Dam from Siyathemba Municipality and inclusion into !Kheis Municipality.	Confirmation of the board's decision was published in terms of section 21(5)(c) in Notice No. 13, Gazette 747 of 5 March 2003. The re-determination was referred to the IEC on 08 Jan. 2003 for the section 23 process.
DEM103	Submission to review the boundaries of //Khara Hais, and !Kheis Municipalities. Farms and communities are split by municipal boundaries and service areas are far removed from service providers.	The section 21 notice, Notice No. 1, Gazette 731 was published on 09 January 2003 and no objections were received.
DEM134	Reconsideration of ward delimitation for Vosburg rural community.	This matter was being held in abeyance until re-delimitation of wards for the 2005 local elections.

		Stakeholders had been duly informed.
DEM155	Request that Sending which is part of Riemvasmaak to be demarcated into NCDMA08 together with Vredesvallei.	This was a new application which was to be tabled with the Board for the first time. After it was received the applicants were asked to provide more information on the issues raised before it could be brought to the Board.
DEM154	Requested that Raaswater be demarcated into //Khara Hais Municipality from Kai! Garieb Municipality.	A section 21 notice, Notice No. 6, was published in Gazette 739 on 17/02/2003 and no objection was received.
DEM156	Proposal that Klein Marico should be moved into Zeerust Municipality from Lichtenburg.	This was a new application which was to be tabled with the Board for the first time. After it was received the applicants were asked to provide more information on the issues raised before it could be brought to the Board.
LIMPOPO		
DEM015	Re-determination of the municipal boundaries of Thohoyandou-Malamulele (NP343) and Mutale (NP342) by excluding the farm Khaku No. 195 MT from the municipal area of Thohoyandou-Malamulele (NP343) and by including the farm in the municipal area of Mutale (NP342).	A section 21(5)(c) notice to confirm the Board's decision was published in Gazette No.879 on 05/03/2003. The IEC published its view that the re-determination will not materially affect the representation of voters in Notice No. 7, gazette 864 of 13 January 2003. The MEC now had to determine a date on which the re-determination will take effect.
DEM018	Submission to exclude the Tribal area of Lwamondo from NP343 and to include them into NP344.	This matter was being held in abeyance until re-delimitation of wards for the 2005 local elections. Stakeholders had been duly informed.
DEM075	Submission to include the Loskop Dam area into Greater Sekhukhune Municipality (CBDC3).	The meeting comprising of Political leaders from all affected municipalities was held on 07/03/2003). It had been decided that a joint statement be forwarded to the Board within 14 days, and this had not happened.
DEM087	Submission to exclude Ndengeza RDP houses from Makhado Municipality and to include them into	Confirmation of the board's decision was published in terms of section

	Greater Giyani Municipality.	21(5)(c) in Notice No. 39, Gazette 879 of 5 March 2003. The re-determination was referred to the IEC on 08 Jan. 2003 for the section 23 process, and the IEC published its view that the re-determination will not materially affect the representation of voters in Notice No. 41, Gazette 881 of 7 March 2003. The MEC now had to determine the date in terms of section 23.
DEM137	Request that Balule North Nature reserves (Grietjie) should be included into Maruleng Municipal area(NP 04A1) and excluded from Ba-Phalaborwa Municipal area (NP 334).	An investigation was conducted on 14/03/2003.
NORTH WEST		
DEM025	Submission for Madibeng Community to be excluded from NW391 and included into CBLC1.	The Board had approved a formal section 27 investigation. The investigation was conducted on 10/03/2003.
DEM026	Re-determination of the municipal boundaries of Local Municipality of Madibeng (NW372) and Rustenburg Local Municipality (NW373) by excluding Portions 1 and 2 of the Farm Langrand No. 400 JQ from the municipal area of Rustenburg Local Municipality (NW373) and by including the areas in the municipal area of Local Municipality of Madibeng (NW372).	A section 21(5)(c) notice, Notice No. 79, to confirm the Board's decision was published in Gazette No.5855 on 05/03/2003. The IEC published its view that the re-determination will not materially affect the representation of voters in Notice No. 94, gazette 5857 of 7 March 2003. The MEC now had to determine a date on which the re-determination will take effect.
DEM100	Re-determination of the municipal boundaries of Rustenburg Local Municipality (NW373) and Moses Kotane Local Municipality (NW375) by excluding the Farm Buffelsfontein 85 JQ and the Farm Zanddrift 82 JQ from the municipal area of Rustenburg (NW373) and by including the farms in the municipal area of Moses Kotane (NW375).	Confirmation of the board's decision was published in terms of section 21(5)(c) in Notice No. 79, Gazette 5855 of 5 March 2003. The re-determination was referred to the IEC on 08 Jan. 2003 for the section 23 process, and the IEC published its view that the re-determination will not materially affect the representation of voters in Notice No. 95, Gazette 5858 of 7 March 2003. The MEC now had to determine the

		date in terms of section 23.
WESTERN CAPE		
DEM039	Submission to exclude the Wupperthal missionary station from WC012 and to include it into WCDMA02.	The matter was being held in abeyance whilst an investigation into an appropriate policy on District Management Areas was being undertaken.
DEM041	Re-determination of the municipal boundaries of the City of Cape Town, Stellenbosch Local Municipality (WC024) and Boland District Municipality (DC2) by excluding the areas mentioned in the Schedule from the municipal area of the City of Cape Town and by including the areas in the municipal areas of Stellenbosch (WC024) and Boland District (DC2).	The IEC published its views in Notice No.5 Gazette 5974 dated 14 January 2003. A notice for the publication of decisions in terms of section 21(5)(c) had been sent to government printers on 04/03/2003.
DEM122	Submission to re-determine the municipal boundaries of Oudtshoorn Local Municipality by excluding certain areas from WCDMA04 and including the areas into the Oudtshoorn Municipality.	The matter was being held in abeyance whilst an investigation into an appropriate policy on District Management Areas was being undertaken.
EASTERN CAPE		
DEM001	Submission to exclude Cairns Village from EC124 and to include it into EC134.	An investigation was conducted on 01/03/2003.
DEM002	Submission to exclude Allotment area Xolobe No 11, 10, 9 from EC124 and to include them into EC135.	A section 28 public meeting was conducted on 14 February 2003
DEM004	Submission to review the boundaries of EC141 and EC142 so as not to split the Rhodes Community into two.	Notice No 33 was published in Gazette 984 on 5/3/2003 to confirm the Board's decisions. The section 21 notice was sent to the IEC to proceed with section 23 process on 17/03/2003.
DEM005	Submission to exclude the Cullenswood Community from EC138 and include into EC142.	A meeting was held in Cala town hall on 22 February 2003 to investigate the matter.
DEM008	Submission to exclude an area south of the N2 from EC106 and included into EC105.	This matter was being held in abeyance until re-delimitation of wards for the 2005 local elections. Stakeholders had been duly informed.
DEM010	Submission to exclude Gximza village from EC135 and include into EC136.	A Section 21 Notice No. 3. was published in Gazette No.959 of 10 January 2003. A number of objections were received.
DEM011	Submission for Shukunxa and Emthumasi A/A to be	The matter was closed since no

(linked to DEM112)	excluded from EC 156 and included into EC141.	response was received from the relevant municipalities at the end of February 2003. Reminders had been sent on 15 January 2003.
DEM042	Mbalishweni Traditional authority objected to inclusion in EC156.	An investigation was conducted on 8 March 2003.
DEM059	Re-determination of the municipal boundaries of Ndlambe Local Municipality (EC105) and Makana Local Municipality (EC104) by excluding certain areas from the municipal area of Ndlambe (EC105) and by including the areas in the municipal area of Makana (EC104).	The IEC published its views that the re-determination will not materially affect the representation of voters, in Notice No. 43 Gazette 986 on 7 March 2003. A notice, Notice No. 33, confirming the Board's decisions in terms of section 21(5)(c) was published on 05/03/2003 Gazette No. 984. The MEC now had in terms of section 23 to publish the date on which the re-determination will take effect.
DEM068	See DEM002	
DEM069	Submission for several villages in ward 4 to be excluded from Intsika Yethu Municipality, and included into Sakhisizwe Municipality.	A section 21 notice, Notice No. 21, was published in Gazette 967 of 4 February 2003.
DEM098	Submission to exclude Zingquthu A/A from Lukhanji Municipality, and to include it into Emalahleni Municipality.	This matter was being held in abeyance until re-delimitation of wards for the 2005 local elections. Stakeholders had been duly informed.
DEM112 (linked to DEM011)	Submission to exclude Shukunxa, Detyana, Caba and Luxeni AA from Mhontlo Municipality, and to include them into Elundini Municipality.	The matter was closed since no response was received from the relevant municipalities at the end of February 2003. Reminders had been sent on 15 January 2003.
DEM 132	Inclusion of Mbulukweza A/A in Intsika Yethu Municipality into Amahlathi Municipality in Amatole District Municipality.	A meeting had been scheduled for 12/04/2003 to investigate the matter.
DEM 151	Exclusion of Tlali location from Tabankulu Municipality and inclusion into Umzimvubu Municipality.	This was a new application which was to be tabled with the Board for the first time. After it was received the applicants were asked to provide more information on the issues raised before it could be brought to the Board.
DEM 153	Tafuleni Village (VD 11070458) requested incorporated into Emalahleni Municipality and exclusion from Intsika Yethu Municipality.	A section 21 notice, Notice No. 21, was published on 17/02/2003 (Gazette No. 974) and no

		objections were received.
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Applications for the re-delimitation of wards that do not affect the outer boundaries of municipalities, are being held in abeyance and will be considered during the next general ward delimitations for the 2005 local elections.

6. WARD DELIMITATION

During the 2003/2004 and the 2004/2005 financial years all ward boundaries will have to be reviewed. Despite well motivated submissions to the National Treasury for a reasonable budget of approximately R4000 per ward, National Treasury has only allocated an additional amount of R2 million during 2003/2004 and R3 million for 2004/2005, which is totally inadequate to comply with the relevant legislation for sustaining democracy at the local level. The Board had requested the Medium Term Expenditure Committee (MTEC) for the allocation of an additional amount of R9,4 million during the 2003/2004 financial year, and an additional amount of R17,1 million during the 2004/2005 financial year.

The Board continues to engage the DPLG and Portfolio Committee on Provincial and Local Government ("the Portfolio Committee") on the MTEF issue. Both the DPLG and the Portfolio Committee have expressed and demonstrated willingness to assist the Board in various ways.

The wards for the 2000 local elections were delimited with voting districts as building blocks, and of course subject to the number of registered voters being equal in all wards in a municipality, with a variance of up to 15% allowed. This approach resulted in a number of problems. For example, the approach yielded wards that were insensitive to the position of voting stations, and which failed to capture effectively, catchment areas for voting stations. Furthermore, the approach resulted in very unwieldy wards, which are not in harmony with where the communities live, and with the geography of the area.

To improve ward delimitation the Board has raised with the Independent Electoral Commission (IEC), amongst others, the following issues that require further debate:

- That the voting district be downplayed during the ward delimitation process, but would remain as a 'general' guide for use by IEC officials when registering voters;
- That the new ward boundaries would be combinations of Voting Stations and only after finalising which Voting Stations would be in a ward, would we finalise the ward boundary;
- The new ward boundaries would then be drawn to reflect the catchment areas around voting stations;
- That the new ward boundaries would still be subject to the number of voters being equal (plus or minus 15%) in all wards in a municipality;
- That wards will then become a combination of voting stations, rather than voting districts.

The idea is that the Board (working with the IEC) would approach municipalities and traditional authorities with proposals to combine a number of voting stations into wards, and through these consultations and interactions, ward boundaries would be determined and re-delimited.

The advantages of this proposed approach are that:

- Ward boundaries would become a lot more realistic, as they would revolve around actual communities of voters;
- The approach would promote the principle of people voting at stations that are nearest to them;
- It would be much easier to determine the ward boundaries with communities and we would not have to determine precisely each and every Voting District;
- It would be easier for the ward boundaries to take into account the geography of the area, and we would therefore not have, for example, wards that put together communities divided by a mountain or a river.

The Board envisages the following timeframes:

January – October 2003	Finalise outstanding outer boundaries of municipalities
October – November 2003	Registration of voters
December 2003 – February 2004	Division of national common voters roll into municipal segments and preliminary work on ward boundaries
March 2004	MECs determine the number of councilors
April 2004 – January 2005	Delimitation of wards around voting stations
February 2005 – election date	Electoral process

The above approach would be accompanied by consultations with a large variety of stakeholders and communities, and the Board would tap into the local community knowledge of traditional leaders in rural communities, as well as Municipal Electoral Officers.

The above proposal must still be developed further, particularly with regard to its application on the ground, and in this regard the Board will have to work closely with the IEC and other roleplayers.

7. CATEGORISATION OF MUNICIPALITIES

During the financial year the Board investigated the need to demarcate further metropolitan areas in South Africa. Data on all major conurbations was collected and consolidated into one database to enable analysis. Draft reports were circulated to all the major municipalities in January 2003 for comments. The reports will be published on the Board's web-site for public scrutiny and the Board's decision about this matter will be taken as soon as possible.

In terms of section 2 of the Demarcation Act an area must have a single category A municipality if that area can reasonably be regarded as-

- (a) a conurbation featuring-

- areas of high population density;
 - an intense movement of people, goods, and services;
 - extensive development; and
 - multiple business districts and industrial areas;
- (b) a centre of economic activity with a complex and diverse economy;
- (c) a single area for which integrated development planning is desirable; and
- (d) having strong interdependent social and economic linkages between its constituent units.

In terms of section 4 of the Demarcation Board, the Board must apply the criteria set out in section 2 and determine whether an area in terms of the criteria must have a single category A municipality or whether it must have municipalities of both category C and category B, and determine the boundaries of the area in terms of the Demarcation Act.

The Demarcation Board may determine that an area must have a category A municipality only after consultation with the Minister, the MEC for local government in the province concerned and SALGA.

Should the Board find that certain major cities comply with the criteria for a category A municipality the necessary processes will commence to demarcate more metropolitan areas prior to the 2005 local elections.

8. DISTRICT MANAGEMENT AREAS (DMA'S)

Various investigations have been concluded during the 2002/03 financial year and the Board has also considered a number of requests for the redetermination of some DMAs to bring the boundaries in line with the boundaries of World Heritage areas.

In terms of section 6 of the Local Government: Municipal Structures Act (Act 117 of 1998) (“the Structures Act”), the Board, after consulting the Minister and the MEC for local government in the province concerned, may by notice in the Government Gazette declare a part of an area that must have municipalities of both category C and category B as a district management area, if the establishment of a category B municipality in that part of the area will not be conducive to fulfillment of the objectives set out in section 24 of the Demarcation Act.

Furthermore the Act provides in section 89 that, in district management areas, the district municipality has all the municipal functions and powers.

At least two scenarios can be argued to deal with the future of district management areas:

- A local government system without any DMAs. The fact that district municipalities have all the municipal functions and powers in DMAs implies that a district municipality must provide all municipal services in DMAs – also those pertaining to the functions of local municipalities. This contradicts the division of powers and functions between district and local municipalities as envisaged in section 84 of the Act, and resulting in the duplication of

capacity and service delivery within the same district area. The Act mandates the Board to withdraw a declaration of an area as a district management area.

- An increase in the number of DMAs. The capacity assessments by the board revealed that there are a number of local municipalities with very limited capacity. They will require considerable money, time and effort to build their capacity to function as fully fledged local municipalities. Should a very narrow interpretation be given to section 24 of the Demarcation Act, it may well happen that a number of local municipalities will disappear and become DMAs.

The Board is still considering this matter and the different scenarios, and has not taken a final decision in this regard.

9. CROSS BOUNDARY MUNICIPALITIES (CBMS)

The following cross-boundary municipalities have been established:

MUNICIPALITY AND MDB CODE	NAME (AREAS INCORPORATED)
Ekurhuleni Metro (Mpumalanga and Gauteng)	(Khayalami, Kempton Park/Tembisa, Edenvale/Modderfontein, Brakpan, Greater Germiston, Greater Nigel, Springs, Greater Benoni, Boksburg, Alberton, Eastern Gauteng SC, Greater JHB, Eastern JHB, East Vaal, Midrand/Rabie Ridge/Ivory Park, Suikerbosrand, Randvaal, Bronberg)
Tshwane Metro (North West and Gauteng)	(Greater Pretoria, Pretoria, Centurion, Northern Pretoria, Hammanskraal, Eastern Gauteng SC, Pienaarsrivier, Crocodile River, Western Gauteng, Winterveld, Temba, Ga-Rankuwa, Mabopane, Eastern DC, Roodeplaat)
CBDC 1: Kgalagadi District Municipality (North West and Northern Cape)	(Diamantveld DC, Kimberley, Ritchie, Barkley-West, Ulco, Delpoortshoop, Windsorton, Hartswater, Pampierstad, Jan Kempdorp) See CBLC 7
CBDC 2: Metsweding District Municipality (Mpumalanga and Gauteng)	(Bronkhorstspuit, Cullinan, Eastern Gauteng SC, Roodeplaat, Elands River, Bronberg, Ekangala, Highveld DC, Pienaarsrivier) See CBLC 2
CBDC 3: Sekhukhune Cross Boundary District Municipality (Mpumalanga and Limpopo)	(Northern DC, Bosveld DC, Hlogotlou/Lepelle, Eastern Tubatse, Dilokong, Tubatse/Steelpoort, Ngwaritsi/Makhuduthamaga, Nebo North, Nokotlou/Fetakgomo, Highveld DC, Lowveld Escarpment DC, Groblersdal, Marble Hall, Moutse, Steelpoort/Ohrigstad/Burgersfort) See CBLC 3,4 and 5
CBDC 4: Bohlabela	(Northern DC, Bushbuckridge South/North/Midlands,

District Municipality (Mpumalanga and Limpopo)	Hoedspruit/Makhutswi, Lowveld Escarpment, Kruger Park South, Sabie Park) See CBLC 6
CBDC 8: West Rand District Municipality (North West and Gauteng)	(Carletonville, Krugersdorp, Westonaria, Randfontein, Western Gauteng SC, Magaliesburg RC and TRC, Gatsrant, Vaal River, Fochville, Wedela, Southern DC) See CBLC 8
DC 9: Frances Baard District Municipality (North West and Northern Cape)	(Kuruman, Kathu, Vanzylsrus, Deben, Mothibistadt) See CBLC 1
CBLC1: Ga-Segonyana Municipality (North West and Northern Cape)	(Bankara/Bodulong, Huhudi, Kuruman, Mothibistadt, Rooiberg) See DC 9
CBLC 2: Kungwini Local Municipality (Mpumalanga and Gauteng)	(Bronkhorstspuit, Ekangala, Bronberg) See CBDC 2
CBLC 3: Greater Marble Hall Municipality (Mpumalanga and Limpopo)	(Greater Nebo-North, Groblersdal TRC, Hlogotlou/Lepele, Marble Hall, Moutse, Ngwaritsi/Makhudu-Thamage) See CBDC 3
CBLC 4: Greater Groblersdal Municipality (Mpumalanga and Limpopo)	(Groblersdal TLC and TRC, Hlogotlou/Lepele, Lydenburg TRC, Moutse) See CBDC 3
CBLC 5: Greater Tubatse Municipality (Mpumalanga and Limpopo)	(Dilokong, Hlogotlou/Lepele, Lydenburg TRC, Ngwaritsi/Makhudu-Thamage, Ohrigstad/Eastern Tubatse, Steelpoort/Burgersfort, Thubatse Steelpoort) See CBDC 3
CBLC 6: Bushbuckridge municipality (Mpumalanga and Limpopo)	(Sabie Park, Bushbuckridge Midlands, BBR North, BBR South) See CBDC 4
CBLC 7: Phokwane Municipality (North West and Northern	(Hartswater, Jan Kempdorp, Pampierstad, Vaalharts) See CBDC 1

Cape)	
CBLC 8: Merafong City Local Municipality (North West and Gauteng)	(Carletonville, Fochville, Gatsrant, Southern DC, Wedela) See CBDC 8

Due to a range of problems in applying the single or joint administration model provided for in the Structures Act, an urgent review of the CBMs became a necessity.

At the meeting of the Presidential Co-ordinating Council (PCC) held on 14 December 2001 the following resolution regarding CBMs was adopted:

- **Resolution 2.3(b)**
“To support the process initiated by DPLG and the affected Premiers to speedily resolve the issue of cross-boundary municipalities and report progress by March 2002”.

At the request of the Minister the Board submitted an alternative model to the Department of Provincial and Local Government (DPLG) on 31 May 2002. The Board recommended that:

- The Model providing for the amendment of provincial boundaries be accepted
- The principle be accepted that the areas of provinces be determined by the clustering of municipal areas demarcated in terms of the Local Government: Municipal Demarcation Act, 1998
- The Municipal Demarcation Board be mandated to investigate and make recommendations on which municipal areas should be clustered to form each of the nine provinces
- Draft legislation be prepared to amend the Constitution and the relevant local government legislation
- The new system be implemented on the date of the next national elections

On 1 November 2002 the PCC adopted the following resolutions regarding cross-boundary municipalities:

- (a) the notion of cross-boundary municipalities be done away with;
- (b) provincial boundaries be reviewed so that all municipalities fall in one province or the other;
- (c) the DPLG undertake investigations and develop an implementation plan that will allow affected municipalities to be located within the jurisdiction of one province; and
- (d) the Constitution be amended to provide for boundary changes in respect of the areas affected by cross-boundary municipalities.

As part of the process to develop recommendations in this regard, a task team comprised of officials from national departments and other statutory institutions has been established by the

DPLG. The Board has been invited to participate in the process and has attended meetings of the task team.

In its abovementioned report to the DPLG on dealing with cross boundary municipalities, the Board also provided information indicating that, in addition to the cross boundary municipalities, several other technical alignments to the Provincial boundaries need to be effected. These are largely areas outside of Cross Boundary Municipalities, but impact on communities who have been split by provincial boundaries. It appears that this matter was not addressed by the PCC when it took the resolution on doing away with cross boundary municipalities.

Furthermore, due to the fact that magisterial districts were demarcated in accordance with the apartheid system, provincial boundaries sometimes follow a natural feature (e.g. a river) and then deviate along farm boundaries before linking up to the natural features again. Very often accessibility across these features is difficult, and therefore will create service delivery problems for municipalities.

The DPLG has appointed the Board to carry out an investigation for them, and to submit a technical report by 13 June 2003, with recommendations on how to move provincial boundaries to incorporate municipalities wholly into single provinces. Sticking to tight timeframes is critical in this regard, so that the municipal boundaries can be re-determined by August 2003. The idea behind these deadlines is that, to remain within the timeframes for the 2005 elections, maps of all municipal boundaries for the 2005 municipal elections, must be submitted to the IEC by September 2003.

The ideal situation in doing away with cross boundary municipalities, would be not to affect municipal boundaries at all during the correction of provincial boundaries. However, practically, it might become necessary to cluster local municipalities instead of district municipalities to form provinces. Some local municipalities in district areas fall solely within the existing boundaries of one province and it may be desirable to maintain the status quo in this regard, which means that the boundaries of the cross-boundary district municipalities will have to be re-determined. This could entail the inclusion of parts of a cross-boundary district municipality into another adjacent district municipality or the creation of additional district areas on both sides of the provincial boundary. The criteria as provided for in sections 24 and 25 of the Demarcation Act, will have to be applied in such circumstances.

10. TECHNICAL ALIGNMENT OF BOUNDARIES AND MAPPING

Following the 5 December 2000 local elections, the Municipal Demarcation Board started a process to improve municipal boundaries, employing advanced technology. Some 600 – 1000 technical corrections to municipal boundaries are being effected.

Evaluation of the municipal boundaries superimposed upon satellite and orthophoto imagery has indicated that there are numerous cases where the municipal boundaries are 'splitting' villages and smaller settlements and are furthermore not aligned to natural features such as rivers, fences and roads.

The only way to rectify the above problem is through a threefold process:

- Using orthophoto imagery to align the municipal boundaries, especially in cases where natural features should be followed by the digital parent cadastre, but do not, due to inaccuracies;
- Capture the cadastre to coordinate accuracy in areas where orthophoto imagery is not available, and then re-aligning the boundaries;
- Initiating a boundary re-determination process in terms of Section 26 of the Municipal Demarcation Act to ensure that communities are not split by the municipal boundary, and verifying this with the affected municipalities.

Boundary Assessment

A crucial component of the technical boundary alignment process, is to carry out a boundary assessment.

The boundary assessment and rectification carried out, has been based on 'rules for alignment' formulated by the 'Technical Alignment Boundary Sub-Committee' consisting of various stakeholders, and with the MDB, IEC and Stats SA forming the core of the sub-committee.

The following data sets are being used in the assessment and rectification of boundaries:

1. Orthophoto imagery
2. 1:50000 scanned topographic maps
3. 2001 Census Enumerator Areas (where they deviated from the municipal boundary)
4. Capture diagrams
5. Surveyor-General (SG) Cadastral Data
6. Voting Districts
7. Traditional Authorities
8. Current Section 21 & 26 boundary re-determinations

The boundaries are assessed to ensure alignment along the following features:

- Cadastral
- Rivers
- Road
- Fence
- Township/Suburb/Village

Rules for Alignment

Below are some general rules that have been decided upon:

1. Provincial Boundaries

The process of technical alignment does not intend to generate or assess the provincial boundaries, but if certain problems become evident, then the Board can recommend or highlight the issue to the DPLG. In cases where it is a cross boundary municipality (and in

these cases, provincial boundaries will split areas, hence CROSS BOUNDARY) and we can see that the current MUNICIPAL BOUNDARY still splits an area, then we assess, recommend and flag as Section 26.

2. *Cadastral Data*

Because of the fact that cadastral data supplied by the SG is not the most accurate data for the farm/rural data, the original intention was to recapture the boundaries. As this is now not possible, the assessment is based on the imagery available as the primary data source. Based on random tests across all provinces, it has been established that the 1:50000 topographic maps can be a reliable source to assess the 'correctness' of the digitized SG data. If in the assessment, the topo cadastral boundary is within 50-100 meters of the feature (fence/boundary line) identified on the ortho image, the feature of the imagery must then be digitized. In cases where this is not clear, the diagram must be captured to verify the accuracy of the topo cadastral line. A team leader is consulted in cases of uncertainty.

3. *Orthophoto Imagery*

The larger area of a split community must always be assessed, and there must be a check if the boundary should be changed to include the entire community. We are not adjusting boundaries to prevent municipal boundaries from simply splitting single households, but assessing the situation of split communities as well.

The following data sets must be used for assessment:

- Imagery (all WGS 84 Geographic)
 - Orthophotos from Stats SA (Telkom/CDSM)
 - 1:50000 Topographic Maps
- Rivers

If ortho imagery is available then it is treated as most accurate, otherwise 1:50000 topo maps are used. Names are extracted from 1:50000, and if no name, metadata is captured as 'Unnamed'.

- Cadastral
 - Data provided by Municipalities
 - Captured Cadastral
 - SG Data

The Parent farm dataset has a unique ID called “**Rec no**” for each parent farm, and this number must be used for entering left or right Parent farm description. The data will be joined later to obtain the actual farm name and grant number. Where a subdivision of a parent is used as the municipal boundary, “**Portion**” is captured when entering left or right Rural farm description.

➤ Traditional Authority Areas (TAs)

In different provinces the traditional authority datasets have different levels of reliability. Only KwaZulu-Natal has actually surveyed the TA boundaries, and all the other provinces have the TA dataset derived from the SG cadastral data.

➤ Place Names to determine settlement patterns

➤ 2001 Census Enumerator Areas (EAs)

4. Roads

When digitising a **road**, the **side of the road** not the center of the road, must be digitised. In cases where roads are ‘digitised’ as the municipal boundary, this must be flagged as Section 26

5. Metadata

Metadata must be captured for every ‘segment’ of the municipal boundary, with the ultimate aim to produce a ‘point-to-point’ description of the boundary. The Metadata will be captured for each line segment (arc) that makes up the boundary, and will have the following fields:

➤ **Source**

- Ortho Image
- 1:50000 Topo
- Captured Cadastral
- SG Cadastral
- Municipal Cadastral

➤ **Features**

- Cadastral
- Rivers
- Road
 - Fence
 - Settlement

➤ **Original Boundary**

➤ **TA’s**

➤ **Point Description**

- Left Farm
- Right Farm

- Left Farm
- Right Farm
- Middle Feature
- Settlement
- Position
- **Alignment Code**
- Technical
- Section 26
- Investigation
- **JPEG name**

The aim is to have the technical alignment completed by end May/June 2003 after which a 'Version 2' of the municipal boundaries will be released.

11. ALIGNMENT OF SERVICE DELIVERY BOUNDARIES WITH MUNICIPAL BOUNDARIES

The Board has been mandated by Cabinet to facilitate the alignment of all service delivery boundaries that are used by line function departments, with municipal boundaries. Such departments include Justice, SAPS, Health, Education, Social Welfare etc.

On 24 June 1998 Cabinet approved that:

- All departments endeavour to align their functional/service-delivery boundaries with constitutional boundaries.
- Functional/service-delivery boundaries should be finalised by departments in consultation with the to-be-established Municipal Demarcation Board.
- Departments supply data for the establishment of an information technology system for demarcation purposes.
- All departments prepare to provide maps and information on their functional/service-delivery boundaries via the demarcation steering committee to the to-be-established Board.

During the year 2002/2003 considerable progress has been made in assisting government departments to align their service delivery boundaries with municipal boundaries.

In 2002, the Board conducted a comprehensive survey with the following national and provincial departments, in order to establish progress and nature of service delivery boundary alignment of current national and provincial boundaries, and to facilitate service delivery boundary alignment work:

DEPARTMENT	PROVINCE
Agriculture	National
Arts, Culture, Science And Technology	National

Communications	National
Correctional Services	National
Education	Eastern Cape
Housing, Local Government and Traditional Affairs	Eastern Cape
Finance, Economic Affairs, Environment and Tourism	Eastern Cape
Health	Eastern Cape
Provincial Safety, Liaison and Transport	Eastern Cape
Roads and Public Works	Eastern Cape
Provincial Director-General	Eastern Cape
Agriculture and Land Affairs	Eastern Cape
Sport, Recreation, Arts and Culture	Eastern Cape
Welfare	Eastern Cape
Education	National
Environmental Affairs And Tourism	National
Finance	National
Foreign Affairs	National
Agriculture	Free State
Provincial Director-General	Free State
Local Government and Housing	Free State
Education	Free State
Environmental Affairs and Tourism	Free State
Finance, Expenditure and Economic Affairs	Free State
Health Services	Free State
Public Works, Roads and Transport	Free State
Public Safety, Security and Liaison	Free State
Social Services	Free State
Sport, Arts, Culture, Science and Technology	Free State
Social Services and Population Development	Gauteng
Provincial Director-General	Gauteng
Development Planning and Local Government	Gauteng
Agriculture, Conservation, Environment and Land Affairs	Gauteng
Education	Gauteng
Finance and Economic Affairs	Gauteng
Health	Gauteng
Housing	Gauteng
Provincial Safety and Liaison	Gauteng
Public Transport, Roads and Works	Gauteng
Sport, Recreation, Arts and Culture	Gauteng
Government Communications (GCIS)	National
Health	National
Home Affairs	National
Housing	National

Intelligence	National
Justice And Constitutional Development	National
Housing	KwaZulu-Natal
Economic Development and Tourism	KwaZulu-Natal
Finance	KwaZulu-Natal
Health	KwaZulu-Natal
Transport	KwaZulu-Natal
Welfare and Population Development	KwaZulu-Natal
Provincial Director-General	KwaZulu-Natal
Traditional Affairs, Local Government and Safety and Security	KwaZulu-Natal
Agriculture and Environmental Affairs	KwaZulu-Natal
Education and Culture	KwaZulu-Natal
Works	KwaZulu-Natal
Labour	National
Land Affairs	National
Minerals And Energy	National
Local Government and Traffic	Mpumalanga
Education	Mpumalanga
Health	Mpumalanga
Housing and Land Administration	Mpumalanga
Public Works, Roads, Transport, Safety and Security	Mpumalanga
Provincial Director-General	Mpumalanga
Agriculture, Conservation and Environment	Mpumalanga
Economic Affairs, Gaming and Tourism	Mpumalanga
Finance	Mpumalanga
Social Services and Population Development	Mpumalanga
Sport, Recreation, Arts and Culture	Mpumalanga
National Treasury	National
Agriculture, Conservation and Environment	North West
Provincial Director-General	North West
Developmental Local Government and Housing	North West
Traditional and Corporate Affairs	North West
Economic Development and Tourism	North West
Education	North West
Finance	North West
Health	North West
Safety and Liaison	North West
Social Services, Arts and Culture	North West
Transport, Roads and Public Works	North West
Director-general	Northern Cape
Housing and Local Government	Northern Cape
Agriculture, Land Reform, Environment And Conservation	Northern Cape

Education	Northern Cape
Sport, Arts and Culture	Northern Cape
Transport, Roads and Public Works	Northern Cape
Economic Affairs and Tourism	Northern Cape
Finance	Northern Cape
Health	Northern Cape
Safety and Liaison	Northern Cape
Social Welfare and Population Development	Northern Cape
Director-general	Limpopo
Local Government and Housing	Limpopo
Education	Limpopo
Finance, Economic Affairs and Tourism	Limpopo
Health and Welfare	Limpopo
Public Works	Limpopo
Safety, Security and Liaison	Limpopo
Sport, Arts and Culture	Limpopo
Transport	Limpopo
Agriculture and Environment	Limpopo
Provincial And Local Government	National
Public Enterprises	National
Public Service And Administration	National
Public Works	National
Social Development	National
South African Police Service (SAPS)	National
South African Revenue Service (SARS)	National
Sport And Recreation South Africa (SRSA)	National
Trade And Industry	National
Transport	National
Water Affairs And Forestry	National
Agriculture, Property Management and Works	Western Cape
Social Services and Poverty Relief	Western Cape
Director-general	Western Cape
Community Safety (SAPS)	Western Cape
Community Safety (Traffic)	Western Cape
Education	Western Cape
Environmental and Cultural Affairs and Sport	Western Cape
Finance, Business Promotion and Tourism, Office of the Premier	Western Cape
Health	Western Cape
Housing and Corporate Services, Leader of the House	Western Cape
Local Government and Development Planning	Western Cape
Transport, Sport and Recreation	Western Cape

The Board was able to establish that the majority of the line departments have their service delivery aligning well with municipal boundaries, particularly district municipality boundaries.

The Board became closely involved in 2002 with the demarcation and alignment of the boundaries in the following departments:

- Department of Justice (magisterial districts);
- SAPS (police station wards and police areas/districts);
- Some of the Metro Police Departments;
- Department of Correctional Services.

The Board continued to actively engage with the Department of Justice and the South African Police Services (SAPS) for the first quarter of 2003, in aligning the magisterial districts, the police station wards and the police area districts with the municipal boundaries.

While the magisterial district boundaries are essentially finalised, proclamation of the boundaries was put on hold in the latter part of 2002, to ensure that there is proper alignment with the police station wards and area districts. This is due to the close functional linkage between the two role players.

The Board provides information and maps to the role players and acts as co-ordinator in the process.

The Board is also for 2003 in the process of developing a boundary alignment database, containing all the functional boundaries captured to date. This database will form the basis for establishing the relationship between the municipal and all other service delivery boundaries. This will also be linked to the boundary re-determinations database.

12. CAPACITY ASSESSMENTS AND ADVICE ON THE DIVISION OF POWERS AND FUNCTIONS

Since July 2002, the Board has been actively preparing its recommendation to the MECs for local government, for the adjustment of powers and functions for municipalities. A number of sub-projects have been undertaken which include the following:

- Drafting of reports to assess the impact of the proposed Ministers' authorisations on the MECs adjustment process;
- The preparation of a "Definitions Report" for all the powers and functions contained in Schedules 4B and 5B of the Constitution;
- The preparation of a Norms and Standards Report to identify the minimum service level per function
- Preparation of a powers and function questionnaire and concomitant database development to facilitate the assessment of municipal capacity to perform powers and functions;
- Field visits to ensure the completion of the questionnaires;

- Generation of assessment schedules for the preparation of the draft recommendations.
- Municipal profiles generated from the capacity questionnaires and distributed accordingly;
- Release of draft recommendations to Board Members, municipalities and the powers and functions committee (a committee comprising board members, representatives from all provincial departments of local government, DPLG, IEC, SALGA and other relevant significant line function national departments) for comments;
- Provincial based workshops to discuss the draft recommendations with municipalities;
- Amendments to the draft recommendations;
- Board approval and submission to the MECs for comments and review based on capacity.

At the outset of the Board's process the "Ministers' functions" were assessed and the possible implications of the draft authorisations determined. However, the Board's work was completed before the authorisations for the Ministers' functions were finalised, and also with some legal uncertainty regarding the amendment of the Structures Act to extend the transition period to 30 June 2003. All profiles and draft recommendations have been made available to the Powers and Functions Committee, which includes the DPLG and other significant line function national departments.

13. REPORTS ON THE FOUR NATIONAL FUNCTIONS

Three reports were prepared by the Board, on:

- Water and sanitation
- Electricity, and
- Health

The following aspects were covered in each of the reports:

- A brief assessment of the status quo pertaining to the performance of the functions within each district area;
- Current national government approach toward each function, which includes an analysis of the DPLG and the line function department's approach;
- The financing of the function;
- Assessment of the available statistics (number of population/households being provided with the service etc);
- The social, financial and other implications for the performance of MECs functions if a local municipality is authorised to perform the water, sanitation, electricity and municipal health function;
- Other information/motivation/recommendations which would be of value to the Board in deciding on the recommendations for the adjustments to the MECs powers and functions.

Issues emerging from the Water and Sanitation Report

The "Water and Sanitation Report", having assessed the individual district municipalities, made a number of general concluding comments and recommendations for consideration by the Board.

The report concluded that, what was clear when examining the spatial configuration of the possible authorisations and the district results, is that South Africa is likely to be characterised by two systems of local government. Areas or provinces having a high percentage of the poor rural population will have a strong district system as envisaged in the legislation. For the remaining parts of the country, the category B Municipalities will be strong. The DPLG argues that this variation is also provided for in the Structures Act.

Furthermore, the DPLG has indicated that the ministers' authorisations are "final" i.e. there will be no further authorisations. The strengthening of the category B municipalities with these authorisations will therefore be permanent. However, no provision for permanency exists within the legislation. Hence the DPLG approach should be regarded as a policy one as opposed to a legal one. During the debate in the Portfolio Committee on the Local Government Laws Amendment Bill, the Chairperson of the Portfolio Committee also argued that the authorisations should not be regarded as permanent and should be phased out over years.

It is worth noting that uneven development, including the access to Municipal facilities, service standards and resources varies significantly between category B Municipalities within a district. Section 83(3)(d) clearly states that a responsibility of the district is to promote the equitable distribution of resources between the local municipalities in its area to ensure appropriate levels of municipal services within one area.

For those districts where the emphasis is now placed on strengthening the category B municipality, it will not be possible for the district to fulfil its legislative requirement, which will result in further entrenchment of the existing patterns of inequity. Furthermore, with a "permanent" tag on an authorisation, a district would be reluctant to build the capacity within the district to eventually perform the function allocated to a local. Likewise the local capacity will be strengthened over years, which would make reallocation impossible. A system of weak districts would therefore be entrenched.

In some provinces, the role of the district is not consistent as is illustrated in the table below.

PROVINCE	STRONG C	STRONG B
Western Cape		All category B's
Northern Cape		All category B's
Eastern Cape	DC12, 13, 14, 15 and 44	Buffalo City, DC10
Free State		All category B's
KZN	All districts	KZ225, KZ282, KZ252
Mpumalanga		All category B's
Limpopo Province	DC33, 34, 35, CBDC3, CBDC4	DC36 and NP354
North West	DC38, DC39	CBDC1, DC40 and DC 37
Gauteng		All category B's

Traditionally, water and sanitation is a function which has generated a “profit” for municipalities with the “surplus” being used to cross subsidise other functions. Given the data available for the drafting of “Water and Sanitation Report” it was not possible to determine the extent of cross subsidisation. However, given the current trends in the water and sanitation function, it is necessary to examine the remaining Section 84(1) functions in relation to their ability to raise or depend on income.

SECTION 84(1) FUNCTIONS

	Function	Minister's Responsibility	MEC Responsibility	Income Generating	Income Dependant	To be considered for adjustments
b	Potable water supply system	x		X		n/a
c	Electricity	x		X		n/a
d	Waste water	x		X		n/a
e	Solid waste		x	X	X	Yes
f	Municipal roads		x		X	Yes
g	Regulation of passenger transport		x	X	X	No
h	Airports		x	X	X	No
i	Municipal health services	x			X	n/a
j	Fire Fighters		x		X	Yes
k	Fresh Produce/ Abattoirs		x		X	Maybe
l	Cemeteries/ Crematoria		x	X	X	Yes
m	Local tourism		x		X	No

In the case where a category B has been authorised to perform the water and sanitation function, the "Water and Sanitation Report" recommended that the Board considers the following options:

Option	Description	Risk District Council (DC)	Risk Local Municipality (LM)
1	No adjustments are made but service provider agreements are concluded with the category B for all the income dependant functions	High - LM may refuse to enter into an agreement.	Low
2	Limited number of adjustments made with service provider agreements for the remaining income dependent functions	Medium	Low - Medium
3	Adjustments made for the following functions: <ul style="list-style-type: none"> • Roads 	Low	High

	<ul style="list-style-type: none">• Solid Waste• Fire Fighting• Cemeteries• Public Works• Markets/ Abattoirs		
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Way Forward - Implications of the Water and Sanitation authorizations

Given the pace and extent of the preparation for the MDB powers and functions recommendations to the MECs', it was not possible to examine the above options in detail. Furthermore, the proposed recommendations were prepared strictly according to municipal capacity and bear no relation to the Minister's authorizations. The Minister published the revised authorizations on 3 January 2003 and the Board has commenced a process to re-examine the income dependent functions. Reports in this regard should be ready by April 2003.

Issues emerging from the Health Sector Report

The "Health Sector Report" concluded that the Municipal Structures Act, Act 117 of 1998, determines that the function "Municipal health services" as the responsibility of a district municipality. However this function has recently been defined in meetings between the Departments of Health and Provincial and Local Government as "Environmental Health" only. By restricting the definition of municipal health services to the rendering of environmental health services, the Department of Health has removed the medical element of the function.

Section 83(1) of the Municipal Structures Act acknowledges the constitutional imperative by indicating that a municipality has the powers and functions assigned to it in terms of sections 156 and 229 of the Constitution. However, Section 84(3) of the Municipal Structures Act allocates to a local municipality the functions and powers referred to in Section 83(1), excluding those functions and powers vested in terms of Section 84(1) in the district municipality in whose area it falls (one of which is municipal health services). The Municipal Structures Act therefore, determines municipal health services as a district municipal function and the environmental health aspects in Schedules 4 Part B and 5 Part B as being local municipality functions. The proposed narrow definition of municipal health services as environmental health services, therefore, cannot stand unless there is also an amendment to the Municipal Structures Act. It may also be necessary to amend Part B of Schedules 4 and 5 of the Constitution and the impact of such amendments on service delivery should also be investigated.

By limiting the municipal health services to environmental health services, the Department of Health indicates that the balance of the primary health care package becomes the responsibility of the provincial health authorities in each province. The rendering of health services at a local municipality level is currently supposed to be a fully funded mandate. The "Health Sector Report" noted that the largest component of health services revenue at a local municipality level is the health subsidy received from the provincial health authorities. Assuming that most local municipalities do not budget for health services at a loss, the level of health expenditure equates to the level of health services income. In the 2001 / 2002 financial year, however, local municipalities, nationally, only actually generated 43,5% of their health services revenue budgets, largely as a consequence of the non realisation of health subsidy budgets. The shortfall is made up at local municipality level from assessment rates. This is estimated to be an amount of R200m per annum.

The Department of Health has indicated that funding for the balance of the primary health care package may be sourced from either assessment rates or equitable share payments. In terms of the Municipal Structures Act, the fiscal authority relating to assessment rates (Section 229 of the Constitution) is vested in the local municipality. In addition, in most local municipalities presently, the equitable share is used for the funding of free services in terms of national policy and for subsidising indigent households for basic services (water, electricity, sanitation and refuse removal). The extent to which health services can access funding from the equitable share mechanism is open to question.

Meeting with the National Department of Health

After the drafting of the report, a meeting was held between the National Department of Health and the Board to discuss the implications of the definition of “municipal health services” and the implications for the adjustment process.

The participants in the meeting examined the MINMEC definition for municipal health services which is:

“Municipal Health Services to be defined as environmental health services, as defined in the latest draft of the National Health Bill, namely: water quality monitoring, food control, waste management, control of premises, communicable disease control, vector control, environmental pollution control, disposal of the dead, chemical safety and noise control, but excluding port health, malaria control and control of hazardous substances.”

The meeting concluded that the definition made both direct and indirect reference to a number of the schedule 4B and 5B functions. However, the Board’s representative pointed out that merely making reference to certain functions such as environmental pollution control, which would include air and noise pollution, would not automatically make these district functions.

All the schedule 4B and 5B functions were examined and those which had a direct linkage to environmental health (municipal health services) and those, which had an environmental health responsibility in the delivery of the service were extracted.

The meeting agreed that the functions that would fall under municipal health services would be:

- Air pollution
- Child care facilities
- Control of public nuisances
- Licensing and control of undertakings that sell food to the public
- Noise pollution

Functions having an indirect impact on environmental health would be:

- Water and sanitation
- Cemeteries, funeral parlours and crematoria
- Markets

- Municipal abattoirs
- Refuse removal, refuse dumps and solid waste.

Based on the discussion, the Department of Health agreed to re look at the MINMEC definition for “municipal health services” (environmental health services) in order to make the definition clearer and in line with the wording contained in the Constitution.

Furthermore, it was suggested that an amendment be made to the Municipal Structures Act, which may read as follows:

Municipal health services, which includes, but is not limited to the following:

- Air pollution
- Child care facilities
- Control of public nuisances
- Licensing and control of undertakings that sell food to the public
- Noise pollution

Certainly, the legislation would need to be changed as soon as possible to ensure that the current uncertainties be removed.

The Board’s representative undertook to ensure that, as far as possible, the Board would make the recommendation that the above functions be adjusted to the district. However, in any case where clear capacity could be demonstrated, the Board could not make a recommendation for an adjustment. Such a recommendation would have been ultra vires.

Press Statement Issued by the Minister – November 2002

In light of the then pending publication of the Ministers authorizations, the department issued a press statement to explain some of the key aspects and implications thereof.

The following information was included with respect to municipal health services:

With regard to health, the function will be performed at a ‘C’ level. However, it must be emphasized that a decision has been taken to define municipal health as ‘environmental health services’. Within the health sector, specific considerations had to be made within the broader vision for health delivery within the country in terms of the district health system.

The decision, therefore, is to withdraw all authorizations for category B municipalities to perform environmental health services. However, a ‘C’ municipality could choose to appoint a ‘B’ municipality as its service provider.

Municipalities that are currently performing health services beyond the accepted definition of municipal health should continue to do so, but should enter into service agreements with provincial government in this regard. To facilitate the transition within

this sector, a two-year transitional period has been allowed. This means that the status quo for municipal health will continue until the 1 July 2004. Municipalities are compelled to continue providing services to the current levels until then.

Based on the information contained in the press statement, it would appear that DPLG has assumed that, with “municipal health services” being defined as environmental health, the Minister now has jurisdiction over a number of the MECs’ functions such as air pollution, noise pollution etc.

In terms of the legislation all local functions that can possibly be classified as environmental health functions are MECs functions for adjustment and not for the Minister to revoke any “so called” authorizations. No such authorizations exist as it is not necessary to authorize or adjust a function to a local municipality if it is a local function in terms of section 84(2) of the Municipal Structures Act. Furthermore, any adjustment of an environmental health function to a district can only be based on capacity. Should the national policy be to centralise all the environmental health functions at the district level, the local municipalities with capacity can enter into an agreement with the district to perform the function. Alternatively, the same recommendation made by the Board to the Department of Health regarding the amendment to the Constitution or the Municipal Structures Act would be applicable if the Minister were to have the authority over the environmental health functions contained in schedule 4B and 5B of the Constitution.

With regard to the announcement that “*Municipalities are compelled to continue providing services to the current levels until then*” it should be noted that municipalities are only “*compelled*” to perform the functions vested or assigned or delegated to them by agreement or by legislation.

Way Forward - Implications of the Health authorizations

The full impact regarding the definition of municipal health services and the MECs’ adjustments requires further investigation. While an attempt was made during the preparation of the Board’s recommendations to the MECs to adjust as many of the environmental health functions to the DC, very few were indeed adjusted given that the existing capacity resides at local level. In instances where no capacity exists at either the local or the district level, the environmental functions were left at the local level given that an adjustment could only be made on capacity. The Board is re-examining this matter and will address it in district reports to be completed by April 2003.

Issues emerging from the Electricity Sector Report

The Electricity sector report mainly examined the implications of the implementation of the Regional Electricity Distributors (REDS) for local government. The report concluded the following:

- The delays and uncertainties with respect to the financial impact will certainly impact on the:
 - adjustment to the MECs' powers and functions; and
 - slow down service delivery as municipalities and ESKOM do not want to make long term investment under the current circumstances.
- Weaker credit-control within municipalities and loss of revenue
- Contradictions in the legal provisions contained in the Systems Act, Structures Act and the Constitution with respect to the executive authority role for determining service providers. According to the legal opinion obtained by the Board, if the Minister for the Department of Minerals and Energy (DME) was to compel municipalities to use the REDs as service providers, then the situation would have an effect of usurping the executive authority in respect of electricity reticulation guaranteed by s 156 (1) of the Constitution.
- The Constitutional role of Local Government to reticulate electricity is being compromised.
- Amendment to Local Government legislation to address issues pertaining to the establishment of the REDs may only indirectly impact on other legislation.
- The question was asked if municipalities were going to be compelled to use the REDs as a service provider. Furthermore, it was argued that this may compromise their service authority role.

The "Electricity Report" noted that the findings of the study conducted by National Treasury and SALGA are key to the decisions that will be taken on how municipalities would deliver services in future. In addition, the fiscal relations review among the three spheres of Government and the rationalisation of future Local Government funding regime will require attention. The delays in implementing the REDs will only cause uncertainties. In addition, there is a need to develop a new policy on the role trading services play in funding non-trading services and bridging the fiscal gap in the cash flow arrangements.

Way forward – Electricity Authorisations

In the drafting of the district reports the electricity function will be examined specifically focusing on the financial implications and possible loss of revenue for municipalities.

PREPARATION OF THE DEFINITIONS REPORT

In order to assess the capacity of a municipality to perform a function, it is necessary to have a common definition of the function to be performed. In the absence of any national regulations in this regard, the Board commenced a process to provide such definitions.

The consultants appointed in July 2002 were required to undertake the following work:

- Identify the concurrent functions between district and local municipalities and develop clear definitions for each aspect of the function
- Unpack authorizations, assignments and possible devolution aspects pertaining to the power and function as defined

- Consult with the relevant national departments and other stakeholder organisations

In drafting the consolidated definitions report, the consultants made use of work previously undertaken by the Board with the new information contained in the consultants' reports. The report provided the status quo definition for each function followed by the recommended definition and the responsibilities for the province, district municipality and local municipality for the performance of thereof.

In summary, the definitions contained in the report are as follows:

Schedule 4 - Part B

Air pollution means:

Any change in the quality of the air that adversely affects human health or well-being or the ecosystems useful to mankind, now or in the future.

Building regulations means

The regulation, through by-laws, of any temporary or permanent structure attached to, or to be attached to, the soil within the area of jurisdiction of a municipality, which must at least provide for:

- *Approval of building plans,*
- *Building inspections, and*
- *Control of operations and enforcement of contraventions of building regulations*

if not already provided for in national and provincial legislation.

Child care facilities means:

Facilities for early childhood care and development which fall outside the competence of national and provincial government

Electricity reticulation means:

Bulk supply of electricity, which includes for the purposes of such supply, the transmission, distribution and, where applicable, the generation of electricity, and also the regulation, control and maintenance of the electricity reticulation network, tariff policies, monitoring of the operation of the facilities for adherence to standards and registration requirements, and any other matter pertaining to the provision of electricity in the municipal areas.

Gas reticulation means:

Bulk supply of gas, which includes for the purposes of such supply, the transmission, distribution, regulation and control of the gas, including tariff policies, the maintenance of any gas network, and any other matter pertaining to the provision of gas in the municipal areas.

Fire fighting means:

*In relation to **District Municipality:***

- *Planning, co-ordination and regulation of fire services;*
- *specialised fire fighting services such as mountain, veld and chemical fire services;*
- *co-ordination of the standardisation of infrastructure, vehicles, equipment and procedures;*
- *training of fire officers.*

*In relation to **Local Municipality:***

Any function not included in the definition applicable to a district municipality, including fighting and extinguishing of all fires; the rescue and protection of any person, animal or property in emergency situations not covered by other legislation or powers and functions

Local tourism means:

The promotion, marketing and, if applicable, the development, of any tourist attraction within the area of the municipality with a view to attract tourists; to ensure access, and municipal services to such attractions, and to regulate, structure and control the tourism industry in the municipal area subject to any provincial and national legislation, and without affecting the competencies of national/provincial government pertaining to "nature conservation", "museums", "libraries" and "provincial cultural matters".

Municipal airport means:

A demarcated area on land or water or a building which is used or intended to be used, either wholly or in part, for the arrival or departure of aircraft which includes the establishment and maintenance of such facility including all infrastructure and services associated with an airport, and the regulation and control of the facility, but excludes airports falling within the competence of national and provincial governments

Municipal Planning means:

The compilation and implementation of and integrated development plan in terms of the Systems Act.

Municipal Health Services means

Subject to an arrangement with MECs to do the necessary authorizations, or alternatively, subject to amendments to the Structures Act, Municipal Health Service means environmental health services performed by a district municipality and includes:

- Air pollution*
- Child care facilities*
- Control of public nuisances*
- Control of undertakings that sell liquor to the public*
- Facilities for the accommodation, care and burial of animals*
- Licensing and control of undertakings that sell food to the public*
- Licensing of dogs*
- Markets*
- Municipal abattoirs*
- Noise pollution*
- Pounds*

Municipal public transport means:

The regulation and control, and where applicable, the provision of:

- Services for the carriage of passengers, whether scheduled or unscheduled, operated on demand along a specific route or routes or, where applicable, within a particular area*
- Scheduled services for the carriage of passengers, owned and operated by the municipality, on specific routes*

Pontoons and ferries means:

Pontoons, ferries, jetties, piers and harbours, excluding the regulation of international and national shipping and matter related thereto, and matters falling within the competence of national and provincial governments

Municipal public works means:

Any supporting infrastructure or services to empower a municipality to perform its functions

Storm water means:

The management of systems to deal with storm water in built-up areas

Trading regulations means:

The regulation of any area facility and/or activity related to the trading of goods and services within the municipal area not already being regulated by national and provincial legislation

Potable water supply systems means:

The establishment, operation, management and regulation of a potable water supply system, including the services and infrastructure required for the regulation of water conservation, purification, reticulation and distribution; bulk supply to local supply points, metering, tariffs setting and debt collection so as to ensure reliable supply of a sufficient quantity and quality of water to households, including informal households, to support life and personal hygiene.

Domestic waste-water and sewage disposal systems means

The establishment, provision, operation, management, maintenance and regulation of a system, including infrastructure, for the collection, removal, disposal and/or purification of human excreta and domestic waste-water to ensure minimum standard of services necessary for safe and hygienic households.

Schedule 5 – Part B

Beaches means:

The area for recreational opportunities and facilities along the sea shore available for public use and any other aspect in this regard which falls outside the competence of the national and provincial government.

Amusement facilities means:

A public place for entertainment.

“Billboards and the display of advertisements in public places” means:

The display of written or visual descriptive material, any sign or symbol or light that is not intended solely for illumination or as a warning against danger which:

- *promotes the sale and / or encourages the use of goods and services found in:*
 - *streets*
 - *roads*
 - *throughfares*
 - *sanitary passages*
 - *squares or open spaces and or*
 - *private property*

“Cemeteries, funeral parlours and crematoria” means:

The establishment, conduct and control of facilities for the purpose of disposing of human and animal remains.

“Cleansing” means

The cleaning of public streets, roads and other public spaces either manually or mechanically

“Control of public nuisance” means

The regulation, control and monitoring of any activity, condition or thing that may adversely affect a person or a community

“Control of undertakings that sell liquor to the public” means:

The control of undertakings that sell liquor to the public that is permitted to do so in terms of provincial legislation, regulation and licenses , and includes an inspection service to monitor liquor outlets for compliance to license requirements in as far as such control and regulation are not covered by provincial legislation

“Facilities for the accommodation, care and burial of animals” means:

The provision of and/or the regulation, control and monitoring of facilities which provide accommodation and care for well or sick animals and the burial or cremation of animals, including monitoring of adherence to any standards and registration requirements and/or compliance with any environmental health standards and regulations

“Fencing and fences” means:

The provision and maintenance and/or regulation of any boundary or deterrents to animals and pedestrians along streets or roads

“Licensing of dogs” means:

The control over the number and health status of dogs through a licensing mechanism.

“Licensing and control of undertakings that sell food to the public” means:

Ensuring the quality and the maintenance of environmental health standards through regulation, a licensing mechanism and monitoring of any place that renders in the course of any commercial transaction, the supply of refreshments or meals for consumption on or to be taken away from the premise at which such refreshments or meals are supplied. Implement policy and regulations;

“Local amenities” means:

The provision, manage, preserve and maintenance of any municipal place, land, and building reserved for the protection of places or objects of scenic, natural, historical and cultural value or interest and the provision and control of any such or other facility for public use but excludes such places, land or buildings falling within competencies of national and provincial governments.

“Local sport facilities” means:

The provision, management and/or control of any sport facility within the municipal area.

“Fresh Produce Markets” means:

The establishment, operation, management, conduct, regulation and control of markets restricted to the selling of fresh products, vegetables, fruit, flowers, fish and meat .

“Markets” means:

The establishment, operation, management, conduct, regulation and/or control of markets other than fresh produce markets including market permits, location, times, conduct etc.

“Municipal abattoirs” means:

The establishment, conduct and/or control of facilities for the slaughtering of livestock.

“Municipal parks and recreation” means:

The provision, management, control and maintenance of any land, gardens or facility set aside for recreation, sightseeing and/or tourism and includes playgrounds but excludes sport facilities.

“Municipal roads” means:

The construction, maintenance, and control of a road which the public has the right to and includes, in addition to the roadway the land of which the road consists or over which the road extends and anything on that land forming part of, connected with, or belonging to the road, and also, for purposes of a local municipality, includes a street in a build-up areas.

“Noise pollution” means:

The control and monitoring of any noise that adversely affects human health or well-being or the ecosystems useful to mankind, now or in the future.

“Pounds” means:

The provision, management, maintenance and control of any area or facility set aside by the municipality for the securing of any animal or object confiscated by the municipality in terms of its by laws.

“Public places” means:

The management, maintenance and control of any land or facility owned by the municipality for public use

“Refuse removal, refuse dumps and solid waste disposal” means

the removal of any household or other waste and the disposal of such waste in an area, space or facility established for such purpose, and includes the provision, maintenance and control of any infrastructure or facility to ensure a clean and healthy environment for the inhabitants of a municipality

“Street trading” means:

The control, regulation and monitoring of the selling of goods and services along a public pavement or road reserve

“Street lighting” means:

The provision and maintenance of lighting for the illuminating of streets

“Traffic and parking” means:

The management and regulation of traffic and parking within the area of the municipality including but not limited to, the control over operating speed of vehicles on municipal roads.

The “Definitions Report” has been widely distributed for comments. Inputs have been received from the National Department of Health, IMASA, and others but in general, the response was disappointing. All suggestions were considered and if relevant, amendments were made to the report. However, the definitions are still debatable and it is necessary to prioritise a process with all affected national and provincial departments, organised local government and professional institutions to ensure maximum consensus so that the Minister can be requested to legalise the definitions by way of regulation.

A number of provinces are using the report extensively in the absence of any other guide being available on the definitions for municipal powers and functions. However, there are a number of areas, which require further development and research. For example, the definition for “child care facilities” is unsatisfactory. This is a new function for local government and as such there is no guidance on what should be considered for this function. Furthermore, there are grey areas or possible overlaps in relation to functions such as “public places”, “local amenities” and “amusement facilities”. Having completed the capacity questionnaire process, it would appear that there is

confusion between what is considered “markets” and “street trading facilities”. As previously discussed in this report, the issues pertaining to municipal health services and the relationship to the “environmental health” functions requires further examination.

Way forward – Definitions Report

- The definitions document needs to be reviewed, specialist organisations consulted and further workshopped with the Board’s Powers and Functions Committee.
- Once finalized by the Board, the report should be submitted to DPLG with the recommendation that it be used to form the basis of the regulations to be published.

PREPARATION OF THE NORMS AND STANDARDS REPORT

Having completed the draft definitions report, the Board undertook an investigation to determine the following:

- The minimum service level for each function
- Norms and standards to measure compliance with the minimum service levels
- The associated district and local municipality responsibilities for ensuring compliance.

The researchers were required to:

- Gather relevant information for each function by meeting with the relevant departments and organisations
- Check all the relevant legislation, schedules, regulations, policy documents such as the IDP, existing programmes – such as CMIP, the Municipal Infrastructure Investment Framework, FFC documents on local government etc.
- Provide information on the following aspects for each function:
 - the minimal level of service for the function
 - a measurement to establish to what extent a district or a local municipality complies with each aspect of the municipality’s responsibility as indicated in the “definitions” tables

While a draft “Norms and Standard Report” was completed, it has not been circulated to date. It is the first of its kind on the Schedule 4B and Schedule 5B functions and consequently has been a challenge to draft and now requires a reworking. Though, the report already contains useful information, the minimum service level and measurement of compliance for a number of functions requires further investigation and workshopping. Existing policies and legislation should also be examined in this process.

Work on the "Norms and Standards Report" was halted due to the need to urgently proceed with the municipality capacity assessments.

Way forward – Norms and Standards Report

- The Norms and Standards report needs to be reviewed, specialist organisations consulted and further workshopped with the powers and functions steering committee.
- Based on the consultation process, the document should be amended
- The report should then be widely circulated for comment and released on the MDB website
- Once completed, the Board should consider combining this documents with the definitions document and publishing the document as a "Tool" for municipalities.

DEVELOPMENT AND ADMINISTRATION OF THE QUESTIONNAIRE

During September 2002, a questionnaire was developed to facilitate the MDB's assessment of municipal capacity to perform the powers and functions contained in Schedule 4B and 5B of the Constitution. Previous MDB questionnaires for this purpose focused on municipal capacity generally without gathering information on specific functions. Given the changes in the Municipal Structures Act and the process required for the adjustment of the MECs' functions, a far more detailed questionnaire was developed.

It was sent out to the Powers and Functions Steering Committee for comment with some useful responses received back. Furthermore, a meeting was held with KwaZulu Natal's Department of Local Government to discuss their data collection process. Some of their ideas were incorporated in the MDB's questionnaire.

Once finalized, the following process was undertaken toward ensuring that the municipalities completed questionnaire:

- Questionnaires were tailor made for each municipality and existing Board data inserted
- The questionnaire was then emailed, fax or posted to municipalities accordingly
- Twenty two consultants were appointed
- A compulsory one day training session was held to explain the requirements of the questionnaire and address all logistically matters
- Provincial co-ordinators were appointed to address problems in the field and to quality control completed questionnaires
- All municipalities were visited by the allocated consultant who assisted the municipal manager or other senior officials in providing the necessary information.
- The consultants also collected as far as possible the 2002/2003 Budgets, IDPs, organograms and other relevant information

- Once completed, the municipal manager was required to sign the front sheet indicating agreement with the information provided – the questionnaire could not be submitted for capturing until it was appropriately signed off.
- Questionnaires were then submitted by the field staff to the provincial co-ordinators for checking before being sent for capturing.

The information contained in the questionnaire was captured in to an “access” data base and a profile generated per municipality.

The field work method worked well with a 100% return of questionnaires was obtained.

The collection was successful for the following reasons:

- There was a compulsory one day training session;
- The consultants were paid per municipality completed and not by the hour;
- Work programmes were required from all consultants before commencing the field work to confirm that all municipalities would be visited;
- The Municipal manager or a senior official was required to sign off the questionnaire in agreement with the information provided
- Questionnaires were checked by the provincial co-ordinators before being submitting for capturing.

The workshop process did however indicate some problems. If a municipality had not taken the time to complete the questionnaire comprehensively, it sometimes resulted in recommended “adjustments” which were not required. In a number of instances, municipalities provided further information at the workshops thereby rectifying the problems experienced.

Furthermore, the questionnaire was designed to test the capacity per function. Many municipalities do not organize or budget according to each function. Rather, this is done broadly in functional areas making it difficult to establish the resources available for performing some functions. The lack of understanding about definitions also appeared to provide obstacles in some cases.

PREPARATION OF MECS’ RECOMMENDATIONS – November 2002

General Comments

In October 2002, the Board received a letter from the Minister requesting the Board to meet the “December” deadline so as to assist with the process of finalising the fiscal and financial arrangements for district and local municipalities. For the purpose of complying with this request, the Board continued with its assessment of capacity and preparation of the recommended adjustments of powers and functions for the MECs. Draft recommendations were submitted to the Chairperson and relevant provincial Board member on 19 November 2002 and sent to MECs on 20 November 2002 for comments by 29 November 2002 so that final recommendations could be sent to MECs on 30 November 2002 in compliance with the Minister’s request.

During November 2002 Parliament adopted the Local Government Laws Amendment Bill providing for the extension of the transition phase to the end of the 2002/2003 financial year. The Local

government Laws Amendment Act, 2002 (Act 51 of 2002) extended the transition period until 30 June 2003.

Adjustments by MECs will thus take effect on 1 July 2003. The Board recommended the following adjustments:

KWAZULU-NATAL

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC21	Ugu District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Local tourism (KZ211, KZ212, KZ213, KZ214, KZ215, KZ216) • Municipal planning (KZ211, KZ213, KZ215)
KZ211	Vulamehlo Municipality	No district functions allocated to the local municipality to perform in its local area
KZ212	Umdoni Municipality	84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
KZ213	Umzumbe Municipality	No district functions allocated to the local municipality to perform in its local area
KZ214	uMuziwabantu Municipality	84(1)(j) 84(1)(h) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
KZ215	Ezingoleni Municipality	No district functions allocated to the local municipality to perform in its local area
KZ216	Hibiscus Coast Municipality	84(1)(h) 84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e)

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
		84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC22	uMgungundlovu District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <p>Building regulations (KZ221, KZ224, KZ226, KZ227) Local tourism (KZ221, KZ222, KZ223, KZ224, KZ225, KZ226, KZ227) Fire fighting (KZ221, KZ222, KZ223, KZ224, KZ226, KZ227) Municipal planning (KZ221, KZ223, KZ224, KZ226, KZ227) Municipal public transport (KZ221, KZ222, KZ223, KZ224, KZ225, KZ226, KZ227) Stormwater management systems in built-up areas (KZ221, KZ224, KZ226, KZ227)</p> <p>Schedule 5 Part B</p> <p>Cemeteries, funeral parlours and crematoria (KZ221, KZ224, KZ226) Municipal roads (KZ221, KZ224) Refuse removal, refuse dumps and solid waste disposal (KZ221, KZ224, KZ226)</p>
KZ221	uMshwathi Municipality	No district functions allocated to the local municipality to perform in its local area
KZ222	uMngeni Municipality	84(1)(h) 84(1)(k) Markets only 84(1)(n) - relating to the above functions.
KZ223	Mooi Mpofana Municipality	No district functions allocated to the local municipality to perform in its local area
KZ224	Impendle Municipality	84(1)(k) Markets only 84(1)(n) - relating to the above functions.
KZ225	The Msunduzi Municipality	84(1)(h) 84(1)(k) Markets only 84(1)(n) - relating to the above functions.
KZ226	Mkhambathini Municipality	No district functions allocated to the local municipality to perform in its local area
KZ227	Richmond Municipality	No district functions allocated to the local municipality to perform in its local area

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC23	Uthukela District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Stormwater management systems in built-up areas (KZ236) <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> • Municipal roads (KZ236)
KZ232	Emnambithi/ Ladysmith Municipality	84(1)(j) 84(1)(m) 84(1)(h) 84(1)(e) 84(1)(n) - relating to the above functions.
KZ233	Indaka Municipality	84(1)(e) 84(1)(n) - relating to the above functions.
KZ234	Umtshezi Municipality	84(1)(j) 84(1)(h) 84(1)(e) 84(1)(n) - relating to the above functions.
KZ235	Okhahlamba Municipality	84(1)(j) 84(1)(m) 84(1)(e) 84(1)(n) - relating to the above functions.
KZ236	Imbabazane Municipality	No district functions allocated to the local municipality to perform in its local area

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC24	Umzinyathi District Municipality	No local functions allocated to the district to perform on behalf of the local municipalities in the local area
KZ241	Endumeni Municipality	84(1)(h) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
KZ242	Nquthu Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
KZ244	Msinga Municipality	84(1)(e) 84(1)(n) - relating to the above functions.
KZ245	Umvoti Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC25	Amajuba District Municipality	The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets: Schedule 4 Part B Municipal airports (KZ252, KZ253, KZ254)
KZ252	Newcastle Municipality	No district functions allocated to the local municipality to perform in its local area
KZ253	Utrecht Municipality	No district functions allocated to the local municipality to perform in its local area
KZ254	Dannhauser Municipality	No district functions allocated to the local municipality to perform in its local area

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC26	Zululand District Municipality	No local functions allocated to the district to perform on behalf of the local municipalities in the local area
KZ261	eDumbe Municipality	No district functions allocated to the local municipality to perform in its local area
KZ262	uPhongolo Municipality	No district functions allocated to the local municipality to perform in its local area
KZ263	Abaqulusi Municipality	No district functions allocated to the local municipality to perform in its local area
KZ265	Nongoma Municipality	No district functions allocated to the local municipality to perform in its local area
KZ266	Ulundi Municipality	No district functions allocated to the local municipality to perform in its local area

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC27	Umkhanyakude District Municipality	No local functions allocated to the district to perform on behalf of the local municipalities in the local area
KZ271	Umhlabuyalingana Municipality	84(1)(e) 84(1)(n) - relating to the above functions.
KZ272	Jozini Municipality	84(1)(e) 84(1)(n) - relating to the above functions.
KZ273	The Big 5 False Bay Municipality	84(1)(e) 84(1)(n) - relating to the above functions.
KZ274	Hlabisa Municipality	84(1)(e) 84(1)(n) - relating to the above functions.
KZ275	Mtubatuba Municipality	84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC28	Uthungulu District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Building regulations (KZ281, KZ283, KZ286) • Local tourism (KZ281, KZ283, KZ285, KZ286) • Trading regulations (KZ281, KZ283, KZ286) <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> • Licensing and control of undertakings that sell food to the public (KZ281, KZ283, KZ286) • Refuse removal, refuse dumps and solid waste disposal (KZ283)
KZ281	Mbonambi Municipality	No district functions allocated to the local municipality to perform in its local area
KZ282	uMhlathuze Municipality	84(1)(j) 84(1)(h) 84(1)(k) Abattoirs only 84(1)(n) - relating to the above functions.
KZ283	Ntambanana Municipality	No district functions allocated to the local municipality to perform in its local area
KZ284	uMlalazi Municipality	84(1)(j) 84(1)(n) - relating to the above functions.
KZ285	Mthonjaneni Municipality	No district functions allocated to the local municipality to perform in its local area
KZ286	Nkandla Municipality	No district functions allocated to the local municipality to perform in its local area

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC29	Ilembe District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Local tourism (KZ291, KZ293) • Stormwater management systems in built-up areas (KZ293)
KZ291	eNdongakusuka Municipality	84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
KZ292	KwaDukuza Municipality	84(1)(j) 84(1)(l) 84(1)(k) Markets only 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
KZ293	Ndwedwe Municipality	No district functions allocated to the local municipality to perform in its local area
KZ294	Maphumulo Municipality	84(1)(j) 84(1)(k) Markets only 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC43	Sisonke District Municipality	No local functions allocated to the district to perform on behalf of the local municipalities in the local area
KZ5a1	Ingwe Municipality	No district functions allocated to the local municipality to perform in its local area
KZ5a2	Kwa Sani Municipality	No district functions allocated to the local municipality to perform in its local area
KZ5a3	Matatiele Municipality	No district functions allocated to the local municipality to perform in its local area
KZ5a4	Greater Kokstad Municipality	No district functions allocated to the local municipality to perform in its local area
KZ5a5	Ubuhlebezwe Municipality	84(1)(j) 84(1)(m) 84(1)(l) 84(1)(k) 84(1)(n) - relating to the above functions.

EASTERN CAPE

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC44	Alfred Nzo District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Firefighting services (EC05b1, EC05b2)
EC05b1	Umzimkulu Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC05b2	Umzimvubu Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC10	Cacadu District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Building regulations (EC107) • Municipal planning (EC103) <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> • Licensing and control of undertakings that sell food to the public (EC103, EC106, EC107, EC109) • Noise pollution (EC103, EC106, EC107, EC109)
EC101	Camdeboo Local Municipality	84(1)(j) 84(1)(h) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC102	Blue Crane Route Local Municipality	84(1)(l) 84(1)(j) 84(1)(m) 84(1)(e) 84(1)(n) - relating to the above functions.
EC103	Ikwezi Local Municipality	84(1)(l) 84(1)(j) 84(1)(e) 84(1)(n) - relating to the above functions.
EC104	Makana Local Municipality	84(1)(l) 84(1)(j) 84(1)(h) 84(1)(e) 84(1)(n) - relating to the above functions.
EC105	Ndlambe Local Municipality	84(1)(l) 84(1)(j) 84(1)(e) 84(1)(n) - relating to the above functions.
EC106	Sunday's River	84(1)(l)

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
	Valley Local Municipality	84(1)(e) 84(1)(n) - relating to the above functions.
EC107	Baviaans Local Municipality	84(1)(l) 84(1)(j) 84(1)(m) 84(1)(e) 84(1)(n) - relating to the above functions.
EC108	Kouga Local Municipality	84(1)(l) 84(1)(j) 84(1)(h) 84(1)(e) 84(1)(n) - relating to the above functions.
EC109	Kou-Kamma Local Municipality	84(1)(l) 84(1)(j) 84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC12	Amatole District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Building regulations (EC121, EC122, EC127) • Municipal public transport (EC121, EC122, EC123, EC124, EC126, EC127, EC128) <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> • Local amenities (EC121, EC122, EC123, EC126, EC127, EC128)
EC121	Mbhashe Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
EC122	Mnquma Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
EC123	Great Kei Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
EC124	Amahlathi Local Municipality	84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
EC125	Buffalo City Local Municipality	84(1)(j) 84(1)(l) 84(1)(k) 84(1)(g) 84(1)(f) 84(1)(m) 84(1)(e)

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
		84(1)(n) - relating to the above functions.
EC126	Ngqushwa Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC127	Nkonkobe Local Municipality	84(1)(j) 84(1)(l) 84(1)(k) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
EC128	Nxuba Local Municipality	84(1)(j) 84(1)(k) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC13	Chris Hani District Municipality	No local functions allocated to the district to perform on behalf of the local municipalities in the local area
EC131	Inxuba Yethemba Local Municipality	84(1)(j) 84(1)(m) 84(1)(h) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC132	Tsolwana Local Municipality	84(1)(j) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC133	Inkwanca Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC134	Lukanji Local Municipality	84(1)(h) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC135	Intsika Yethu Local Municipality	84(1)(m) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC136	Emalahleni Local Municipality	84(1)(j) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC137	Engcobo Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC138	Sakhisizwe Local Municipality	84(1)(j) 84(1)(m) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC14	Ukhahlamba District Municipality	The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets: Schedule 5 Part B Licensing and control of undertakings that sell food to the public (EC141)
EC141	Elundini Local Municipality	No district functions allocated to the local municipality to perform in its local area
EC142	Senqu Local Municipality	No district functions allocated to the local municipality to perform in its local area
EC143	Maletswai Local Municipality	84(1)(m) 84(1)(h) 84(1)(n) - relating to the above functions.
EC144	Gariiep Local Municipality	84(1)(m) 84(1)(h) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC15	O.R.Tambo District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <p>Municipal planning (EC155)</p> <p>Schedule 5 Part B</p> <p>Municipal abattoirs (EC152, EC154, EC157)</p>
EC151	Mbizana Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC152	Ntabankulu Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC153	Qaukeni Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC154	Port St Johns Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC155	Nyandeni Local Municipality	84(1)(j) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC156	Mhlontlo Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
EC157	King Sabata Local Municipality Dalindyebo	84(1)(j) 84(1)(l) 84(1)(k) Markets only 84(1)(e) 84(1)(n) - relating to the above functions.

MPUMALANGA**CROSS BOUNDARY: MPUMALANGA AND LIMPOPO PROVINCE**

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
CBDC3	Sekhukhune Cross Boundary District Municipality	The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets: Schedule 4 Part B <ul style="list-style-type: none"> • Stormwater management systems in built-up areas (CBLC5, NP03A2, NP03A3) • Firefighting services (CBLC3, CBLC4, CBLC5, NP03A2, NP3A3)
CBLC3	Greater Marble Hall Municipality	84(1)(h) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
CBLC4	Greater Groblersdal Municipality	84(1)(h) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions
CBLC5	Greater Tubatse Municipality	84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions
NP03A2	Makhudutamaga Municipality	84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions
NP03A3	Fetakgomo Municipality	No district functions allocated to the local municipality to perform in its local area

CROSS BOUNDARY: MPUMALANGA AND LIMPOPO PROVINCE

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
CBDC4	Bohlabela Municipality	<ul style="list-style-type: none"> • Firefighting services (CBLC6, NP04A1)
CBLC6	Bushbuckridge Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
NP04A1	Maruleng Municipality	84(1)(k) Markets only 84(1)(e) 84(1)(n) - relating to the above functions

CROSS BOUNDARY: GAUTENG AND MPUMALANGA

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
CBDC2	Metsweding District Municipality	No local functions allocated to the district to perform on behalf of the local municipalities in the local area
CBLC2	Kungwini Local Municipality	84(1)(j) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
GT02b1	Nokeng tsa Taemane Local Municipality	84(1)(j) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC30	Eastvaal District Council	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Local tourism (MP304, MP305, MP306) • Municipal public transport (MP301, MP302, MP304, MP305, MP306, MP307)
MP301	Albert Luthuli Local Municipality	84(1)(j) 84(1)(h) 84(1)(l) 84(1)(k) Abattoirs only 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
MP302	Msukaligwa Local Municipality	84(1)(j) 84(1)(h) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
MP303	Mkhondo Local Municipality	84(1)(j) 84(1)(h) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
MP304	Seme Local Municipality	84(1)(j) 84(1)(l) 84(1)(k) Markets only 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
MP305	Lekwa Local Municipality	84(1)(j) 84(1)(h) 84(1)(l) 84(1)(f)

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
		84(1)(e) 84(1)(n) - relating to the above functions.
MP306	Dipaleseng Local Municipality	84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
MP307	Highveld East Local Municipality	84(1)(j) 84(1)(h) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC31	Nkangala District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Local tourism (MP311, MP312, MP314, MP315) • Municipal planning (MP314, MP315, MP316) • Firefighting services (NP315)
MP311	Delmas Local Municipality	84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
MP312	Emalahleni Local Municipality	84(1)(j) 84(1)(h) 84(1)(l) 84(1)(k) Markets only 84(1)(e) 84(1)(n) - relating to the above functions.
MP313	Middelburg Local Municipality	84(1)(j) 84(1)(h) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
MP314	Highlands Local Municipality	84(1)(j) 84(1)(l) 84(1)(k) Markets only 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
MP315	Thembisile Local Municipality	84(1)(e) 84(1)(n) - relating to the above functions.
MP316	Dr JS Moroka Local Municipality	84(1)(k) 84(1)(l) 84(1)(f)

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
		84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC32	Ehlanzeni District Municipality	No local functions allocated to the district to perform on behalf of the local municipalities in the local area
MP321	Thaba Chweu Local Municipality	84(1)(m) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
MP322	Mbombela Local Municipality	84(1)(h) 84(1)(j) 84(1)(m) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
MP323	Umjindi Local Municipality	84(1)(m) 84(1)(j) 84(1)(e) 84(1)(l) 84(1)(n) - relating to the above functions.
MP324	Nkomazi Municipality	84(1)(j) 84(1)(m) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.

FREE STATE

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC16	Xhariep District Municipality	No adjustments to perform local municipality functions
FS161	Letsemeng Local Municipality	84(1)(j) 84(1)(e) 84(1)(n) - relating to the above functions.
FS162	Kopanong Local Municipality	84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
FS163	Mohokare Local Municipality	84(1)(j) 84(1)(l) 84(1)(k) Abattoirs only 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC17	Motheo District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p><i>Schedule 4 Part B</i></p> <ul style="list-style-type: none"> - Local Tourism (FS171) - Municipal Planning (FS171)
FS171	Naledi Local Municipality	84(1)(j) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions
FS172	Mangaung Local Municipality	84(1)(j) 84(1)(h) 84(1)(l) 84(1)(k) – Markets only 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions
FS173	Mantsopa Local Municipality	84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC18	Lejweleputswa District Municipality	No adjustments to perform local municipality functions
FS181	Masilonyana Local Municipality	84(1)(m) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
FS182	Tokologo Local Municipality	84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
FS183	Tswelopele Local Municipality	84(1)(l) 84(1)(k) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
FS184	Matjhabeng Local Municipality	84(1)(j) 84(1)(h) 84(1)(l) 84(1)(k) Markets only 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
FS185	Nala Local Municipality	84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC19	Thabo Mofutsanyane District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <p>Local tourism (FS191, FS193, FS195)</p>
FS191	Setsoto Local Municipality	<p>84(1)(j) 84(1)(l) 84(1)(k) 84(1)(f) 84(1)(n) - relating to the above functions.</p>
FS192	Dihlabeng Local Municipality	<p>84(1)(j) 84(1)(h) 84(1)(l) 84(1)(f) 84(1)(n) - relating to the above functions.</p>
FS193	Nketoana Local Municipality	<p>84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.</p>
FS194	Maluti a Phofung Local Municipality	<p>84(1)(j) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.</p>
FS195	Phumelela Local Municipality	<p>84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.</p>

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC20	Northern Free State District Municipality	<i>No adjustments</i>
FS201	Moghaka Local Municipality	84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions
FS203	Ngwathe Local Municipality	84(1)(j) 84(1)(h) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions
FS204	Metsimaholo Local Municipality	84(1)(l) 84(1)(f) 84(1)(n) - relating to the above functions
FS205	Mafube Local Municipality	84(1)(m) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions

NORTHERN CAPE

CROSS BOUNDARY: NORTH-WEST AND NORTHERN CAPE

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
CBDC1	Kgalagadi District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> - Fire Fighting (NW1a1) - Stormwater (NW1a1) <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> - Cleansing (NW1a1)
CBLC1	Ga-Segonyana Municipality	No district functions allocated to the local municipality to perform in its local area
NC01B1	Gammagara Municipality	84(1)(l) 84(1)(n) relating to the above-mentioned function.
NW1a1	Moshaweng Municipality	No district functions allocated to the local municipality to perform in its local area

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC6	Namakwa District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> - Fire Fighting (NC061, NC062, NC066, NC067) - Local Tourism (NC62, NC65) - Trading Regulations (NC061, NC65) <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> - Licensing etc for the selling food to the public (NC061, NC063, NC064, NC065) - Public Places (NC66)
NC061	Richtersveld Municipality	84(1)(e) 84(1)(l) 84(1)(n) - relating to the above functions.
NC062	Nama Khoi Municipality	84(1)(e) 84(1)(h) 84(1)(l) 84(1)(m) 84(1)(n) - relating to the above functions.
NC064	Kamiesberg Municipality	84(1)(e) 84(1)(l) 84(1)(n) - relating to the above functions.
NC065	Hantam Municipality	84(1)(l) 84(1)(n) - relating to the above functions.
NC066	Karoo Hoogland Municipality	84(1)(l) 84(1)(n) - relating to the above functions.
NC067	Khâi-ma Municipality	84(1)(e) 84(1)(l) 84(1)(m) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC7	Karoo Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> - Building regulations (NC071,NC075,NC076) - Local Tourism (NC076, NC077, NC078)
NC071	Ubuntu Municipality	84(1)(e) 84(1)(K) – Abattoirs only 84(1)(l) 84(1)(n) - relating to the above functions.
NC072	Umsobomvu Municipality	84(1)(e) 84(1)(l) 84(1)(n) - relating to the above functions.
NC073	Emthanjeni Municipality	84(1)(e) 84(1)(l) 84(1)(n) - relating to the above functions.
NC074	Kareeberg Municipality	84(1)(e) 84(1)(k) 84(1)(l) - Abattoirs only 84(1)(m)
NC075	Renosterberg Municipality	84(1)(e) 84(1)(l) 84(1)(n) - relating to the above functions.
NC076	Thembehle Municipality	84(1)(e) 84(1)(l) 84(1)(n) - relating to the above functions.
NC077	Siyathemba Municipality	84(1)(e) 84(1)(l) 84(1)(n) - relating to the above functions.
NC078	Siyancuma Municipality	84(1)(e) 84(1)(l) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC8	Siyanda District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> - Building regulations (NC081, NC082, NC085, NC086) - Local Tourism (NC084) <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> - Cemeteries, funeral Parlours and Crematoria (NC081, NC084) - Licensing etc for the selling food to the public (NC081, NC084, NC085, NC086) - Local sport facilities (NC084) - Public Places (NC086)
NC081	Mier Municipality	No district functions allocated to the local municipality to perform in its local area
NC082	Kai !Garib Municipality	84(1)(f) 84(1)(n) - relating to the above functions.
NC083	//Khara Hais Municipality	84(1)(f) 84(1)(j) 84(1)(n) - relating to the above functions.
NC084	!Kheis Municipality	84(1)(f) 84(1)(n) - relating to the above functions.
NC085	Tsantsabane Municipality	84(1)(f) 84(1)(j) 84(1)(n) - relating to the above functions.
NC086	Kgatelopele Municipality	84(1)(f) 84(1)(j) 84(1)(n) - relating to the above functions.

CROSS BOUNDARY: NORTH-WEST AND NORTHERN CAPE

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC9	Frances Baard District Municipality	The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets: <i>Schedule 4 Part B</i> - Fire fighting services (CBLC7, NC092, NC093) - Air pollution (NC091, NC092, NC093, CBLC7) <i>Schedule 5 Part B</i> - Licensing and control of undertakings that sell food to the public (NC092, NC093, CBLC7)
CBLC7	Phokwane Municipality	84(1)(e) 84(1)(n) - relating to the above functions.
NC091	Sol Plaatje Municipality	84(1)(j) 84(1)(k) - fresh produce markets only. 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
NC092	Dikgatlong Municipality	84(1)(e) 84(1)(n) - relating to the above functions.
NC093	Magareng Municipality	84(1)(e) 84(1)(n) - relating to the above functions.

LIMPOPO**CROSS BOUNDARY: MPUMALANGA AND LIMPOPO**

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
CBDC3	Sekhukhune Cross Boundary District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Stormwater management systems in built-up areas (CBLC5, NP03A2, NP03A3) • Firefighting services (CBLC3, CBLC4, CBLC5, NP03A2, NP3A3)
CBLC3	Greater Marble Hall Municipality	84(1)(h) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
CBLC4	Greater Groblersdal Municipality	84(1)(h) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions
CBLC5	Greater Tubatse Municipality	84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions
NP03A2	Makhudutamaga Municipality	84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions
NP03A3	Fetakgomo Municipality	No district functions allocated to the local municipality to perform in its local area

CROSS BOUNDARY: MPUMALANGA AND LIMPOPO PROVINCE

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
CBDC4	Bohlabela Municipality	<p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Firefighting services (CBLC6, NP04A1)
CBLC6	Bushbuckridge Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
NP04A1	Maruleng Municipality	84(1)(k) Markets only 84(1)(e) 84(1)(n) - relating to the above functions

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC33	Mopani District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Municipal public transport (NP332, NP333) • Firefighting services (NP331, NP332, NP333, NP334)
NP331	Greater Giyani Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
NP332	Greater Letaba Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions
NP333	Greater Tzaneen Municipality	84(1)(h) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions
NP334	Ba-Phalaborwa	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC34	Vhembe District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Firefighting services (NP341, NP342, NP343, NP344)
NP341	Musina Local Municipality	<p>84(1)(m) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) – relating to the above functions.</p>
NP342	Mutale Local Municipality	<p>84(1)(m) 84(1)(f) 84(1)(e) 84(1)(n) – relating to the above functions</p>
NP343	Thulamela Local Municipality	<p>84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) – relating to the above functions</p>
NP344	Makhado Local Municipality	<p>84(1)(m) 84(1)(h) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) – relating to the above functions</p>

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC35	Capricorn District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Municipal public transport (NP351, NP352, NP353, NP355) • Firefighting services (NP351, NP352, NP353, NP354, NP355)
NP351	Blouberg Local Municipality	84(1)(m) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
NP352	Aganang Local Municipality	84(1)(e) 84(1)(f) 84(1)(l) 84(1)(m) 84(1)(n) - relating to the above functions.
NP353	Molemole Local Municipality	84(1)(h) 84(1)(l) 84(1)(k) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions
NP354	Polokwane Local Municipality	84(1)(k) 84(1)(m) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions
NP355	Lepele-Nkumpi	84(1)(m) 84(1)(l) 84(1)(f) 84(1)(e)

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
		84(1)(n) - relating to the above functions

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC36	Waterberg District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Firefighting services (NP361, NP362, NP364, NP365, NP366, NP367) <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> • Municipal abattoirs (NP361, NP362, NP364, NP365, NP366, NP367)
NP361	Thabazimbi Local Municipality	No district functions allocated to the local municipality to perform in its local area
NP362	Lephalale Local Municipality	No district functions allocated to the local municipality to perform in its local area
NP364	Mookgopong Local Municipality	No district functions allocated to the local municipality to perform in its local area
NP365	Modimolle Local Municipality	No district functions allocated to the local municipality to perform in its local area
NP366	Bela Bela Local Municipality	No district functions allocated to the local municipality to perform in its local area
NP367	Mogalakwena Local Municipality	No district functions allocated to the local municipality to perform in its local area

GAUTENG

CROSS BOUNDARY: GAUTENG AND MPUMALANGA

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
CBDC2	Metsweding District Municipality	No local functions allocated to the district to perform on behalf of the local municipalities in the local area
CBLC2	Kungwini Local Municipality	84(1)(j) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
GT02b1	Nokeng tsa Taemane Local Municipality	84(1)(j) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.

CROSS BOUNDARY: GAUTENG AND NORTH-WEST:

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
CBDC8	West Rand District Municipality	The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets: Schedule 4 Part B - Firefighting services (GT411, GT412, GT414, CBLC8) - Municipal public transport (CBLC8, GT411, GT412, GT414)
CBLC8	Merafong City Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
GT411	Mogale City Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
GT412	Randfontein Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
GT414	Westonaria Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC42	Sedibeng District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> - Child care facilities (GT422) - Municipal airports (GT421, GT422, GT423) - Municipal public transport (GT421, GT422, GT423) <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> - Amusement facilities (GT421, GT422, GT423) - Billboards and the display of advertisements in public places (GT422) - Control of public nuisances (GT422) - Control of undertakings that sell liquor to the public (GT421) - Local amenities (GT421)
GT421	Emfuleni Local Municipality	No district functions allocated to the local municipality to perform in its local area
GT422	Midvaal Local Municipality	No district functions allocated to the local municipality to perform in its local area
GT423	Lesedi Local Municipality	84(1)(j) 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.

NORTH WEST**CROSS BOUNDARY: NORTH-WEST AND NORTHERN CAPE**

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
CBDC1	Kgalagadi District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> - Fire Fighting (NW1a1) - Stormwater (NW1a1) <p>Schedule 5 Part B</p> <ul style="list-style-type: none"> - Cleansing (NW1a1)
CBLC1	Ga-Segonyana Municipality	No district functions allocated to the local municipality to perform in its local area
NC01B1	Gammagara Municipality	84(1)(l) 84(1)(n) relating to the above-mentioned function.
NW1a1	Moshaweng Municipality	No district functions allocated to the local municipality to perform in its local area

CROSS BOUNDARY: NORTH-WEST AND NORTHERN CAPE

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC9	Frances Baard District Municipality	The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets: <i>Schedule 4 Part B</i> - Fire fighting services (CBLC7, NC092, NC093) - Air pollution (NC091, NC092, NC093, CBLC7) <i>Schedule 5 Part B</i> - Licensing and control of undertakings that sell food to the public (NC092, NC093, CBLC7)
CBLC7	Phokwane Municipality	84(1)(e) 84(1)(n) - relating to the above functions.
NC091	Sol Plaatje Municipality	84(1)(j) 84(1)(k) - fresh produce markets only. 84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
NC092	Dikgatlong Municipality	84(1)(e) 84(1)(n) - relating to the above functions.
NC093	Magareng Municipality	84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC37	Bojanala District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Firefighting services (NW371, NW375)
NW371	Moretele Local Municipality	84(1)(l) 84(1)(n) - relating to the above function.
NW372	Local Municipality of Madibeng	84(1)(j) 84(1)(l) 84(1)(k) Abattoirs only 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
NW373	Rustenburg Local Municipality	84(1)(j) 84(1)(l) 84(1)(k) Abattoirs only 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
NW374	Kgetleng-Rivier Local Municipality	No district functions allocated to the local municipality to perform in its local area
NW375	Moses Kotane Local Municipality	84(1)(l) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC38	Central District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Firefighting services (NW381) <p><i>Schedule 5 Part B</i></p> <ul style="list-style-type: none"> • Municipal roads (NW381)
NW381	Setla-Kgobi Local Municipality	84(1)(l) 84(1)(n) - relating to the above functions.
NW382	Tswaing Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
NW383	Mafikeng Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
NW384	Ditsobotla Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.
NW385	Zeerust Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC39	Bophirima District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B</p> <ul style="list-style-type: none"> • Firefighting services (NW391, NW394, NW395) • Local tourism (NW391, NW393, NW394, NW395)
NW391	Kagisano Local Municipality	84(1)(l) 84(1)(n) - relating to the above function.
NW392	Naledi Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
NW393	Mamusa Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
NW394	Greater Taung Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
NW395	Molopo Local Municipality	84(1)(l) 84(1)(n) - relating to the above function.
NW396	Lekwa-Teemane Local Municipality	84(1)(l) 84(1)(e) 84(1)(n) - relating to the above functions.

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC40	Southern District Municipality	No adjustments to perform local municipality functions
NW401	Ventersdorp Local Municipality	84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
NW402	Potchefstroom Local Municipality	84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
NW403	City Council of Klerksdorp	84(1)(j) 84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
NW404	Maquassi Hills Local Municipality	84(1)(j) 84(1)(l) 84(1)(n) - relating to the above functions.

CROSS BOUNDARY: GAUTENG AND NORTH-WEST:

Municipality No.	Name of Municipality	Recommended that the district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
CBDC8	West Rand District Municipality	Schedule 4 Part B - Firefighting services (GT411, GT412, GT414, CBLC8) - Municipal public transport (CBLC8, GT411, GT412, GT414)
CBLC8	Merafong City Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
GT411	Mogale City Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
GT412	Randfontein Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.
GT414	Westonaria Local Municipality	84(1)(l) 84(1)(f) 84(1)(e) 84(1)(n) - relating to the above functions.

WESTERN CAPE

The MEC decided that no adjustments will be gazetted.

Process Followed

The preparation of the Board's "November 2002" recommendations to the MECs for the adjustment of powers and functions was a phased process:

- Preliminary assessment – based on broad criteria
- Provincial wide workshops with municipalities
- Review of preliminary assessment and workshop outcomes

- Recommendations for Board approval and submission to MECs.

A broad approach was adopted towards assessing the municipal capacity to perform their functions during the preliminary phase. Four aspects were reviewed per municipality:

- Does the municipality perform the function – yes or no
- Does the municipality have a budget for performing the function – yes or no
- Does the municipality have staff performing the function – yes or no
- Does the municipality have infrastructure to perform the function – yes or no

Sixteen options contained in the table were then applied to determine if the municipality had some capacity to perform a function.

Option	Performs Function	Has Budget	Have Staff	Have Infrastructure	Capacity Assessment
0					No
1	Yes	Yes	Yes	Yes	Yes
2	Yes	Yes	Yes	No	Yes
3	Yes	Yes	No	No	No
4	Yes	Yes	No	Yes	Yes
5	Yes	No	Yes	Yes	Yes
6	Yes	No	No	Yes	No
7	No	Yes	Yes	Yes	Yes
8	No	No	Yes	Yes	No
9	No	No	No	Yes	No
10	No	Yes	Yes	No	Yes
11	No	Yes	No	Yes	No
12	No	No	No	No	No
13	Yes	No	No	No	No
14	Yes	No	Yes	No	No
15	No	Yes	No	No	No
16	No	No	Yes	No	No

A schedule was then produced per province indicating the capacity ranking per municipality. An example of the schedule is contained below:

Function	DC17							FS172						
	Performs	Budget	Staff	Infrastructure	Option	Capacity Assessment	Review	Performs	Budget	Staff	Infrastructure	Option	Capacity Assessment	Review
Air pollution	No	No	No	No	12	No		Yes	No	Yes	Yes	5	Yes	
Building regulations	Yes	No	No	No	13	No		Yes	Yes	Yes	No	2	Yes	
Child care facilities	No	No	No	No	12	No		Yes	Yes	Yes	Yes	1	Yes	
Fire Fighting	No	No	No	No	12	No		Yes	Yes	Yes	Yes	1	Yes	
Local tourism	Yes	Yes	Yes	Yes	1	Yes		Yes	Yes	Yes	No	2	Yes	
Municipal airport	No	Yes	No	No	15	No		Yes	Yes	No	Yes	4	Yes	
Municipal Planning	Yes	Yes	Yes	Yes	1	Yes		Yes	Yes	Yes	No	2	Yes	
Municipal public transport	No	Yes	No	No	15	No		No	No	No	No	12	No	
Pontoons and ferries	No	No	No	No	12	No		No	No	No	No	12	No	
Storm water	No	No	No	No	12	No		Yes	Yes	Yes	Yes	1	Yes	
Trading regulations	No	No	No	No	12	No		No	No	No	No	12	No	
ETC														

The schedules were scrutinized by the assessment team who in turn prepared the preliminary draft of the Board’s recommendations for the MECs.

In all instances the legislation was applied. Any recommended adjustment was based on capacity only to perform the function. Capacity is defined in the Municipal Structures Act as:

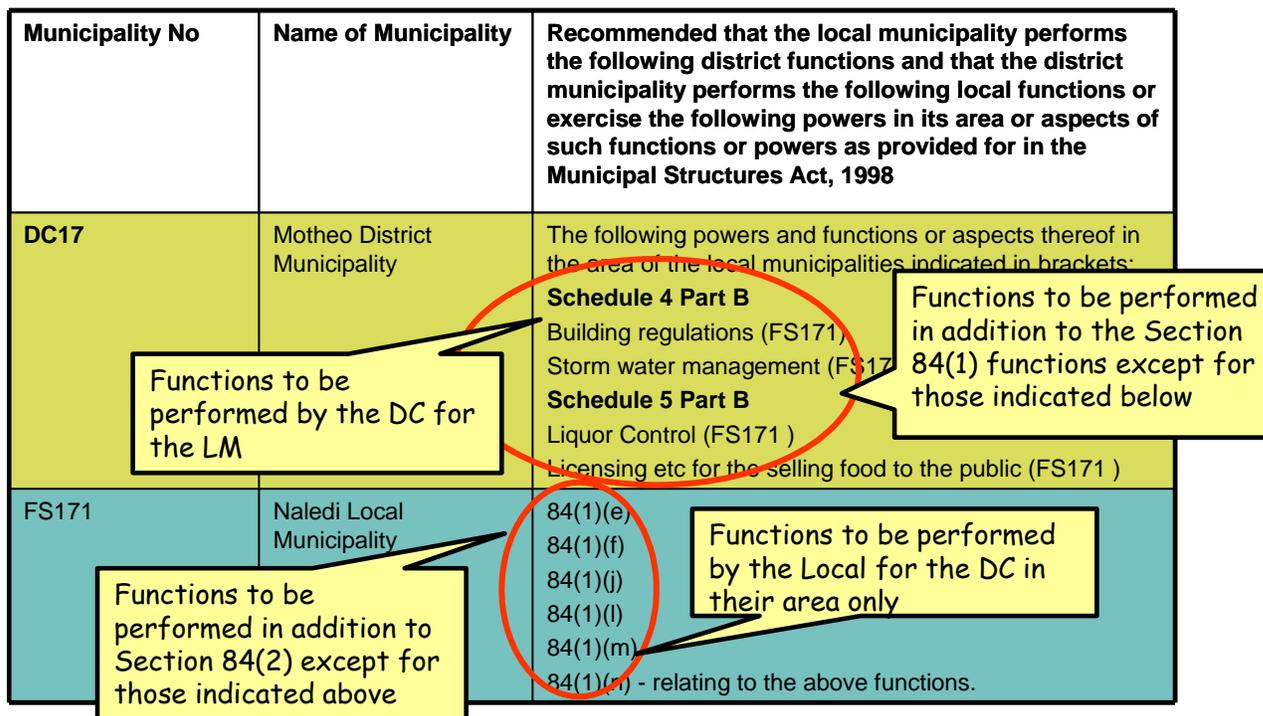
“The administrative and financial management capacity and infrastructure that enables a municipality to collect revenue and to govern on its own initiative the local government affairs of its community”

The table below indicates when an adjustment was recommended.

Example – Local municipality function

Local Capacity	District Capacity	Adjustment
Yes	Yes or No	No
No	Yes	Yes
No	No	No

An example of draft recommendations to the MECs is contained in the diagram below:



During the process of determining the draft recommendations, a number of issues were identified. Firstly, there are a number of functions which are not being performed by either the district or the local municipality within an area. Secondly, there are a number of the districts that perform local municipality functions in areas where all the locals are performing the function. Thirdly, complying

with the legislation and only proposing adjustment for municipalities that lacked capacity, resulted in district and provincial distortions in the future rendering of the service.

Given the time constraint in preparing the recommendations, it was not possible to examine the following aspects:

- The possible MECs' adjustments in relation to the Minister's authorizations
- The general pattern for the environmental health functions
- Municipality capacity in detail
- The overall pattern emerging for the MECs within the districts, province and nationally
- Other strategic issues which may emerge from the adjustment process.

Section 85(9)(a) of the Municipal Structures Act provides that if a function or power has been allocated in terms of subsection (1) of the same Act, the MEC for local government in the province must regularly review the capacity of the relevant municipality and reallocate that function or power to that municipality when that municipality acquires the capacity to perform that function or exercise that power. In terms of the Constitution and the Structures Act, it is incumbent on the provincial government to monitor and build the capacity of a municipality to perform its functions, and then to revoke an adjustment when a municipality in which a function is vested, has the necessary capacity to perform that function. A reallocation must be made with the concurrence of the receiving municipality or, in the absence of such concurrence, after having consulted the Demarcation Board. The MECs were advised that the Board would gladly assist in monitoring the capacity of municipalities and advise the MECs on the review of adjustments.

WAY FORWARD - MDB RECOMMENDATIONS TO THE MECs

- Detailed district reports are being prepared and are scheduled to be complete and available by end April 2003.

NEW NAMES OF MUNICIPALITIES

To assist the public overcoming the confusion about new municipal names and to ensure that the Board's maps reflect the latest names of municipalities the Board maintains a database on the new municipal names:

MDB CODE	COMMON NAME	NEW NAME
NMA	Port Elizabeth	Nelson Mandela
EC05b1	Umzimkulu	Umzimkhulu Local Municipality
EC05b2	Mount Ayliff	Umzimvubu Local Municipality
EC101	Graaff-Reinet	Camdeboo Local Municipality
EC102	Somerset East	Blue Crane Route
EC103	Jansenville	Ikwezi
EC104	Grahamstown	Makana

EC105	Port Alfred	Ndlambe
EC106	Kirkwood	Sunday's River Valley
EC107	Willowmore	Baviaans
EC108	Humansdorp	Kouga
EC109	Kareedouw	Kou-Kamma
EC121	Idutywa	Mbhashe
EC122	Butterworth	Mnquma
EC123	Komga	Great Kei
EC124	Stutterheim	Amahlathi Local Municipality
EC125	East London	Buffalo City
EC126	Peddie	Ngqushwa
EC127	Alice	Nkonkobe
EC128	Adelaide	Nxuba
EC131	Cradock	Inxuba Yethemba
EC132	Tarkastad	Tsolwana
EC133	Molteno	Inkwanca
EC134	Queenstown	Lukanji
EC135	Cofimvaba	Intsika Yethu
EC136	Lady Frere	Emalahleni
EC137	Engcobo	Engcobo
EC138	Elliot	Sakhisizwe
EC141	Mount Fletcher	Elundini
EC142	Barkly East	Senqu Local Municipality
EC143	Aliwal North	Maletswai Local Municipality
EC144	Burgersdorp	Gariep
EC151	Bizana	Mbizana
EC152	Ntabankulu	Ntabankulu
EC153	Flagstaff (Ingquza Hill)	Qaukeni
EC154	Port St Johns	Port St Johns (EC154)
EC155	Libode	Nyandeni
EC156	Qumbu	Mhlontlo
EC157	Umtata	King Sabata Dalindyebo Local Municipality
DC10	Western District	Cacadu District Municipality
DC12	Amatola District	Amatole
DC13	Stormberg District	Chris Hani District Municipality
DC14	Drakensberg District	Ukhahlamba District Municipality
DC15	Transkei District	O.R.Tambo
DC44		Alfred Nzo District Municipality
FS161	Koffiefontein	Letsemeng Local Municipality
FS162	Trompsburg	Kopanong Local Municipality
FS163	Zastron	Mohokare Local Municipality
FS171	Dewetsdorp	Naledi Local Municipality
FS172	Bloemfontein	Mangaung Local Municipality
FS173	Ladybrand	Mantsopa Local Municipality
FS181	Theunissen	Masilonyana Local Municipality

FS182	Dealesville	Tokologo Local Municipality
FS183	Hoopstad	Tswelopele Local Municipality
FS184	Welkom	Matjhabeng Local Municipality
FS185	Bothaville	Nala Local Municipality
FS191	Senekal	Setsoto Local Municipality
FS192	Bethlehem	Dihlabeng Local Municipality
FS193	Reitz	Nketoana Local Municipality
FS194	Qwa-Qwa	Maluti a Phofung Local Municipality
FS195	Vrede	Phumelela Local Municipality
FS201	Kroonstad	Moqhaka Local Municipality
FS203	Parys	Ngwathe Local Municipality
FS204	Sasolburg	Metsimaholo Local Municipality
FS205	Frankfort	Mafube Local Municipality
DC16		Xhariep District Municipality
DC17		Motheo District Municipality
DC18		Lejweleputswa District Municipality
DC19		Thabo Mofutsanyane District Municipality
DC20		Northern Free State District Municipality
EKU	East Rand	Ekurhuleni Metropolitan Municipality
JHB	Johannesburg	City of Johannesburg Metropolitan Municipality
TSH	Pretoria	City of Tshwane Metropolitan Municipality
CBLC2	Bronkhorstspuit	Kungwini Local Municipality
CBLC8	Carletonville	Merafong City Local Municipality
GT02b1	Cullinan	Nokeng tsa Taemane Local Municipality
GT411	Krugersdorp	Mogale City Local Municipality
GT412	Randfontein	Randfontein Local Municipality
GT414	Westonaria	Westonaria Local Municipality
GT421	Vereeniging	Emfuleni Local Municipality
GT422	Meyerton	Midvaal Local Municipality
GT423	Heidelberg	Lesedi Local Municipality
CBDC2		Metsweding District Municipality
CBDC8		West Rand District Municipality
DC42		Sedibeng District Municipality
GTDMA41	Sterkfontein DMA	West Rand District Municipality
ETH	Durban Metro	Ethekwini Municipality
KZ211	Dududu	Vulamehlo Municipality
KZ212	Scottburgh	Umdoni Municipality
KZ213	Umzumbe	Umzumbe Municipality
KZ214	Harding	uMuziwabantu Municipality
KZ215	Izingolweni	Ezingoleni Municipality
KZ216	Port Shepstone	Hibiscus Coast Municipality
KZ221	Wartburg	uMshwathi Municipality
KZ222	Howick	uMngeni Municipality
KZ223	Moorivier	Mooi Mpofana Municipality
KZ224	KZ224 Municipality	Impendle
KZ225	Pietermaritzburg	The Msunduzi Municipality
KZ226	Camperdown	Mkhambathini Municipality
KZ227	Richmond	Richmond Municipality
KZ232	Ladysmith	Emnambithi/Ladysmith Municipality

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KZ233	Waaihoek	Indaka Municipality
KZ234	Estcourt	Umtshezi Municipality
KZ235	Bergville	Okhahlamba Municipality (KZ235)
KZ236	Loskop	Imbabazane Municipality (KZ236)
KZ241	Dundee	Endumeni Municipality
KZ242	KZ242 Municipality	Nquthu
KZ244	Pomeroy	Msinga Municipality
KZ245	Greytown	Umvoti Municipality
KZ252	Newcastle	Newcastle Municipality
KZ253	Utrecht	Utrecht Municipality
KZ254	Durnacol	Dannhauser Municipality (KZ254)
KZ261	Paulpietersburg	eDumbe Municipality
KZ262	Pongola	UPhongolo Municipality
KZ263	Vryheid	Abaqulusi Municipality
KZ265	Nongoma	Nongoma Municipality (KZ265)
KZ266	Ulundi	Ulundi Municipality
KZ271	Emangusi	Umhlabuyalingana Municipality
KZ272	Mkuze	Jozini Municipality
KZ273	Hluhluwe	The Big 5 False Bay Municipality
KZ274	Somkele	Hlabisa Municipality
KZ275	Mtubatuba	Mtubatuba Municipality
KZ281	KwaMbonambi	Mbonambi Municipality
KZ282	Richards Bay	uMhlathuze Municipality
KZ283	Ntambanana	Ntambanana Municipality
KZ284	Eshowe	uMlalazi Municipality
KZ285	Melmoth	Mthonjaneni Municipality
KZ286	Nkandla	Nkandla Municipality
KZ291	Mandeni	eNdondakusuka
KZ292	Stanger	KwaDukuza Municipality
KZ293	Ndwedwe	Ndwedwe Municipality
KZ294	Maphumulo	Maphumulo Municipality
KZ5a1	Creighton	Ingwe Municipality
KZ5a2	Underberg	Kwa Sani Municipality
KZ5a3	Matatiele	Matatiele Municipality
KZ5a4	Kokstad	Greater Kokstad Municipality
KZ5a5	Ixopo	Ubuhlebezwe Municipality
DC21	Ugu DC	Ugu District Municipality
DC22	Indlovu DC	UMgungundlovu District Municipality
DC23	Uthukela DC	Uthukela District Municipality
DC24	(South) Umzinyathi DC	Umzinyathi District Municipality
DC25	North Umzinyathi	Amajuba District Municipality
DC26	Zululand DC	Zululand District Municipality
DC27	North Uthungulu	Umkhanyakude District Municipality
DC28	(South) Uthungulu DC	Uthungulu District Municipality
DC29	Ilembe DC	iLembe District Municipality
DC43		Sisonke District Municipality
CBLC3	Marble Hall	Greater Marble Hall Municipality
CBLC4	Groblersdal	Greater Groblersdal Municipality
CBLC5	Burgersfort/Ohrigstad/Eastern Tubatse	Greater Tubatse Municipality

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MP301	Elukwatini/Carolina	Albert Luthuli
MP302	Ermelo	Msukaligwa
MP303	Piet Retief	Mkhondo
MP304	Volksrust	Seme
MP305	Standerton	Lekwa
MP306	Balfour	Dipaleseng
MP307	Highveld Ridge	Highveld East
MP311	Delmas	Delmas
MP312	Witbank	Emalaheni
MP313	Middelburg	Middelburg
MP314	Belfast	Highlands
MP315	KwaMhlanga	Thembisile
MP316	Mdutjana	Dr JS Moroka
MP321	Sabie	Thaba Chweu
MP322	Nelspruit	Mbombela
MP323	Barberton	Umjindi
MP324	Nkomazi	Nkomazi
CBDC3	Southern	Sekhukhune Cross Boundary District Municipality
DC30		Eastvaal District Council
DC31		Nkangala
DC32		Ehlanzeni
NW371	Temba	Moretele Local Municipality
NW372	Brits	Local Municipality of Madibeng
NW373	Rustenburg	Rustenburg Local Municipality
NW374	Koster	Kgetlengrivier Local Municipality
NW375	Mogwase	Moses Kotane Local Municipality
NW381	Setlagole	Setla-Kgobi Local Municipality
NW382	Delareyville	Tswaing Local Municipality
NW383	Mafikeng	Mafikeng Local Municipality
NW384	Lichtenburg	Ditsobotla Local Municipality
NW385	Zeerust	Zeerust Local Municipality
NW391	Ganyesa	Kagisano Local Municipality
NW392	Vryburg	Naledi Local Municipality
NW393	Schweizer-Reneke	Mamusa Local Municipality
NW394	Reivilo	Greater Taung Local Municipality
NW395	Pomfret	Molopo Local Municipality
NW396	Christiana	Lekwa-Teemane Local Municipality
NW401	Ventersdorp	Ventersdorp Local Municipality
NW402	Potchefstroom	Potchefstroom Local Municipality
NW403	Klerksdorp	City Council of Klerksdorp
NW404	Wolmaransstad	Maquassi Hills Local Municipality
DC37		Bojanala District Municipality
DC38		Central District Municipality
DC39		Bophirima District Municipality
DC40		Southern District Municipality
NWDMA37	Pilansberg National Park	
CBLC1	Kuruman	GA-SEGONYANA Municipality
CBLC7	Hartswater	PHOKWANE Municipality
NC01B1	Kathu	GAMAGARA Municipality

NC061	Port Nolloth	RICHTERSVELD Municipality
NC062	Springbok	NAMA KHOI Municipality
NC064	Garies	KAMIESBERG Municipality
NC065	Calvinia	HANTAM Municipality
NC066	Fraserburg	KAROO HOOGLAND Municipality
NC067	Pofadder	KHâl-MA Municipality
NC071	Victoria West	UBUNTU Municipality
NC072	Colesberg	UMSOBOMVU Municipality
NC073	De Aar	EMTHANJENI Municipality
NC074	Carnarvon	KAREEBERG Municipality
NC075	Phillipstown	RENOSTERBERG Municipality
NC076	Hopetown	THEMBELIHLE Municipality
NC077	Prieska	SIYATHEMBA Municipality
NC078	Griekwastad	SIYANCUMA Municipality
NC081	Mier	MIER Municipality
NC082	Keimoes	KAI !GARIB Municipality
NC083	Upington	//KHARA HAIS Municipality
NC084	Groblershoop	!KHEIS Municipality
NC085	Postmasburg	TSANTSABANE Municipality
NC086	Danielskuil	KGATELOPELE Municipality
NC091	Kimberley	SOL PLAATJE Municipality
NC092	Barkley West	DIKGATLONG Municipality
NC093	Warrenton	MAGARENG Municipality
NW1a1	Kgalagadi	MOSHAWENG Municipality
CBDC1	Kalahari District Council	KGALAGADI District Municipality
DC6		NAMAKWA District Municipality
DC7	Bo-Karoo Municipality	KAROO District Municipality
DC8		SIYANDA District Municipality
DC9		FRANCES BAARD District Municipality
CBL6	Bushbuckridge	Bushbuckridge municipality
NP03A2	Ngwaritsi	Makhuduthamaga Municipality
NP03A3	Fetakgomo	Fetakgomo Municipality
NP04A1	Hoedspruit	Maruleng Municipality
NP331	Giyani	Greater Giyani Municipality
NP332	Duiwelskloof	Greater Letaba Municipality
NP333	Tzaneen	Greater Tzaneen Municipality
NP334	Phalaborwa	Ba-Phalaborwa
NP341	Messina	MUSINA (Messina)
NP342	Mutale-Masisi	Mutale
NP343	Thohoyandou	Thulamela Municipality
NP344	Louis Trichardt	Makhado
NP351	Bochum/My Darling	Blouberg Municipality
NP352	Moletji/Matlala	Aganang Municipality
NP353	Dendron/Dikgale	Molemole Municipality
NP354	Pietersburg/Polokwane	Polokwane Municipality
NP355	Lebowakgomo	Lepele-Nkumpi Municipality
NP361	Thabazimbi	Thabazimbi Municipality
NP362	Ellisras	Lephalale Municipality
NP364	Naboomspruit	Mookgopong Municipality

NP365	Nylstroom	Modimolle Municipality
NP366	Warmbad	Bela-Bela Municipality
NP367	Potgietersrus	Mogalakwena Municipality
CBDC4	Eastern	Bohlabela District Municipality
DC33	Lowveld	Mopani District Municipality
DC34	Far North	Vhembe District Municipality
DC35	Central	Capricorn District Municipality
DC36	Bosveld	Waterberg District Municipality
CBDMA4	Kruger Park	
CPT	Cape Town	City of Cape Town
WC011	Vredendal	Matzikama Municipality
WC012	Citrusdal	Cederberg Municipality
WC013	Velddrif	Bergrivier Municipality
WC014	West Coast Peninsula	Saldanha Bay Municipality
WC015	Malmesbury	Swartland Municipality
WC022	Ceres	Witzenberg Municipality
WC023	Paarl	Drakenstein Municipality
WC024	Stellenbosch	Stellenbosch Municipality
WC025	Worcester	Breede Valley Municipality
WC026	Robertson	Breede River/Winelands Municipality
WC031	Caledon	Theewaterskloof Municipality
WC032	Greater Hermanus	Overstrand Municipality
WC033	Bredasdorp	Cape Agulhas Municipality
WC034	Barrydale/Swellendam	Swellendam Municipality
WC041	Ladismith	Kannaland Municipality
WC042	Heidelberg/Riversdale	Langeberg Municipality
WC043	Mossel Bay	Mossel Bay Municipality
WC044	George	George Municipality
WC045	Oudtshoorn	Oudtshoorn Municipality
WC047	Greater Plettenberg Bay	Plettenberg Bay Municipality
WC048	Knysna	Knysna Municipality
WC051	Laingsburg	Laingsburg Municipality
WC052	Prins Albert	Prince Albert Municipality
WC053	Beaufort West	Beaufort West Municipality
DC1	West Coast DC	West Coast District Municipality
DC2	Brede River DC	Boland District Municipality
DC3	Overberg DC	Overberg District Municipality
DC4	South Cape DC/ Garden Route/Klein Karoo District Municipality	Eden District Municipality
DC5	Central Karoo DC	Central Karoo District Municipality

INTERNATIONAL COOPERATION

During the 2002/2003 financial year considerable progress was made with international cooperation.

Norway

The Norwegian Development Agency (NORAD) allocated an amount of NOK6 million to the Board for 2002 to 2004 projects.

The Norwegian assistance to the Municipal Demarcation Board, Phase Two, makes provision for:

- Data Capturing and Collection
- Conversion to Oracle 9i, ISO Implementation, Quality Assurance and Metadata
- Update, Customization and Enhancement of SA Explorer and Implementation of a Web Site Version
- Satellite and Orthophoto Imagery Analysis
- Cartographic Principles, Spatial Analysis and GIS Modeling
- Information Support to, and Capacity Building of Local Government
- Cooperation on Local Government Matters

Denmark

The Danish Ministry of Foreign Affairs/Danida is contributing to the project on the alignment of service delivery boundaries, as described earlier in this report, a total amount of DKK 4.5 million between 2002-2005. This was equivalent to Rand 4.5 million at the time of budgeting.

Malawi

At the request of the Malawi Electoral Commission a delegation of the Demarcation Board attended a workshop in Mangochi, Malawi.

During a workshop held in Malawi on 22 and 23 August 2002 the Malawi Electoral Commission decided to formally approach the Municipal Demarcation Board to assist with the following:

- The drafting of demarcation legislation
- The drafting of a business plan to access donor funding for this project
- GIS assistance
- Any other advice or assistance that may be required in the demarcation process.

The Board provided the Commission with a draft Demarcation Act for Malawi, and a framework to access donor funding. Further discussion with the Commission is being arranged.

The World Book Encyclopedia

Mike Lewis, World Geography and History Editor, The World Book Encyclopedia, approached the Board to assist preparing the 2004 edition of The World Book Encyclopedia, the most widely used encyclopedia in the United States and Canada, and a frequently used encyclopedia in the rest of the English-speaking world. As part of the work South Africa maps, and articles on individual South Africa's new municipalities, will be updated.

COOPERATION WITHIN SOUTH AFRICA

In addition to the Board's own Boundary Committee and Powers and Functions Committee on which major roleplayers such as the provinces, the IEC, Salga and various national departments are represented, the Board, amongst others, participated in the following:

- DPLG's IDP assessment panel
- DPLG's task Team on powers and functions
- DPLG's IDP Nerve Centre Steering Committee
- DPLG's Cross- boundary Task Team
- DME's Electricity Distribution Industry Restructuring Committee

REPORT OF THE AUDIT COMMITTEE

Activities of the Committee

During the year, the Audit Committee held meetings as follows:

- 16 April 2002
- 19 July 2002
- 26 February 2003
- 26 March 2003.

A variety of issues were addressed by the Committee during the year, in the following areas :

- Evaluation of the Board Annual Reporting and Financial systems
- The 2001/2002 External Audit
- Setting up of the Internal Audit Function at the Board
- Risk Assessment
- Audit of the Norwegian Donor Funding
- Audit Plan for 2002/2003
- Preparation and approval of the Internal Audit Charter
- Preparation and approval of the Internal Audit Plan
- Review of the Audit Committee Charter.

Audit Committee Assessment of the Year

The Audit Committee notes, from the Audit Findings of 2002/2003, that there are still a number of issues that must be addressed to further improve the operations of the Administration.

There were some logistical problems in concluding the financial statements for the year, which resulted in the Auditor-General raising authenticity questions about the statements, and consequently late submission of the statements by the Accounting Officer, and an extension of the Audit.

While the Internal Audit function was not established during the year, considerable steps were taken to establish the function. This function will now be fully operational in 2003/2004.

The following areas still require attention in the new financial year:

- Fine tuning of leadership in the Finance cluster
- Ensuring that there is the necessary technical expertise in the Finance Cluster
- Regular preparation of necessary reports and reconciliations;
- Refinement and further enforcement of internal policies and procedures throughout the organization
- Refinement of the budgeting and expenditure processes.

Chairperson: Audit Committee

FINANCIAL MATTERS

General

With regard to the MTEF, the following amounts have been allocated to the Board:

2003/2004	R14 311 000
2004/2005	R16 023 000
2005/2006	R13 802 000

The Board will continue to liaise with the Department of Provincial and Local Government, to seek additional funding so as to ensure that the Board has sufficient funding, particularly with regard to the years 2004/2005 and 2005/2006. The Department of Provincial and Local Government has demonstrated willingness to assist the Board in this regard.

Compliance with Treasury Regulations

During the financial year, there were some regulations that the Municipal Demarcation Board did not fully comply with. These omissions have now been addressed in the new financial year.

