



MUNICIPAL DEMARCATION BOARD

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**MUNICIPAL DEMARCATION BOARD RESPONDS TO HIGH COURT RULING IN DA vs MDB
COURT INTERDICT**

Gauteng, November 06, 2015 – The Municipal Demarcation Board (MDB) wishes to inform the media, its stakeholders and communities across the country of the North Gauteng High Court’s ruling regarding the Democratic Alliance (DA’s) court application for an interdict against the Board (Part A of the DA’s application).

At the beginning of the year the MDB received a request in terms of section 22(2) of the Municipal Demarcation Act, Act No. 27 of 1998 from the Minister of Cooperative Governance and Traditional Affairs, Mr. Pravin Gordhan. The Minister requested the Board to consider the determination and re-determination of certain municipal boundaries amounting to a total of 34 cases, of which only 13 cases were re-determined. In July the Board published in provincial gazettes of all the affected provinces confirming the re-determinations and inviting objections the affected communities, individuals and other stakeholders.

Having considered all objections, the MDB had completed the re-determination of all 13 cases but one by the end of August 2015. The final re-determination to amalgamate Baviaans, Ikwezi and Camdeboo was only completed in the second week of October 2015. The Board’s final decisions are as follows:

PROVINCES	AFFECTED MUNICIPALITIES
EASTERN CAPE	Amalgamate Gariep and Maletswai local municipalities into one municipal area
	Amalgamate Nxuba and Nkonkobe local municipalities into one municipal area
	Amalgamate Tsolwana, Lukhanji and Inkwanca local municipalities into one municipal area
	Amalgamate Baviaans, Ikwezi and Camdeboo local municipalities into one municipal area
KWAZULU NATAL	Move the Cadham voting district from the municipal areas of Mpofana and Umgungundlovu, and include it into the municipal area of Umvoti and Umzinyathi,
FREE STATE	Include Naledi local municipality into Mangaung metropolitan municipal area
LIMPOPO	Amalgamate Fetakgomo and Greater Tubatse local municipalities into one municipal area
	Amalgamate Modimolle and Mookgopong local municipalities into on municipal area

	Disestablish Mutale, create a new local municipality, and reconfigure the boundaries of the local municipalities within the Vhembe district.
	Disestablish Aganang municipality with its portions incorporated into areas of Polokwane, Molemole and Blouberg municipalities
MPUMALANGA	Amalgamate Mbombela and Umjindi local municipalities into one municipal area
NORTHERN CAPE	Amalgamate Mier and //Khara Hais local municipalities into one municipal area
NORTH WEST	Amalgamate Tlokwe and Ventersdorp local municipalities into one municipal area

On 04 September 2015 the Board received an urgent court application by the DA to, firstly as indicated in their litigation papers as Part A, interdict the Board and other affected respondents from implementing the Board's decisions regarding the requests from the Minister until, Part B (seeking the review and set aside of the decisions of the Board) is heard and concluded.

Specifically, the DA alleged that the Board was biased and targeted municipalities falling under the DA's control and those where the party has prospects to control in the near future; the Board was not supposed to have entertained the Minister's proposals without establishing with certainty the motives behind the proposals; the Board capitulated to the Minister's dictates and the DA therefore questioned the independence and integrity of the Board in dealing with the Section 22 proposals from the Minister.

"Attempts by the DA to interdict and stop the Board from executing its constitutional mandate in this regard have not succeeded. As the Board we are happy that the aspersions cast upon the Board's independence and integrity through inferences that we bowed to pressure from external forces are baseless as confirmed by the judgement today." Said Jane Thupana, Chairperson of the Board.

In light of the Court's decision the Board will continue with the process of ward delimitation in the affected municipalities in order to ensure that wards are delimited in these municipalities and the citizens are, like the rest of their counterparts, able to participate in the upcoming local government elections. To this end, the remaining community participation meetings will be concluded by Friday, 13 November 2015. In addition, the public will be given another opportunity to air their views and concerns or objections during the 14 day period that they will be afforded following the determinations by the Board.

The MDB would like to thank all stakeholders for their assistance and cooperation during both the ward delimitation and the boundary determination and re-determination processes.

END

For further information, kindly contact:

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