



mdb
municipal demarcation board

GENERAL INFORMATION

The Municipal
Demarcation Board

www.demarcation.org.za

GENERAL INFORMATION ON MUNICIPAL DEMARCATION BOARD

Municipal Demarcation Board

WHAT IS MDB?

The Municipal Demarcation Board is an independent authority responsible for the determination of municipal boundaries. The Board's status as an independent authority is also protected by section 3 of The Local Government: Municipal Demarcation Act, 1998, and various judgments by the Constitutional Court.

WHAT LED TO ESTABLISHMENT OF MDB?

The introduction of the Local Government: Municipal Demarcation Act No 27 in 1998 marked an important milestone in the history of constitutional democracy in South Africa. It was a piece of legislation that gave birth to an independent constitutional body, the Municipal Demarcation Board, which was established and mandated to demarcate municipal boundaries of the entire territory of the Republic.

WHAT GOVERNS MDB AND ITS SERVICES

The Constitution provides that the whole territory of the Republic must be covered by municipalities (Section 152) and requires that the determination and re-determination of municipal boundaries must be done by an independent authority (Section 155).

The Board determines municipal boundaries in accordance with the Municipal Demarcation Act and other appropriate legislation enacted in terms of Chapter 7 of the Constitution, and must render an advisory service in respect of matters provided for in this act and other appropriate legislation (MDA Section 4).

The Municipal Demarcation Act, 1998 provides that the Board is a juristic person, is independent and must be impartial and must perform its function without fear, favour or prejudice (MDA sec 3).

The Local Government: Municipal Structures Act, 117 of 1998 provides the framework for the establishment of municipalities in accordance with the requirements and criteria relating to categories and types of municipalities. It further determines the appropriate division of powers and functions between categories of district and local municipalities and regulates governance structures, the electoral system for local government, and the delimitation of wards for local elections.

SERVICES OFFERED

The Constitution mandates the Board to determine and redetermine municipal boundaries, consider the capacity of district and local municipalities to perform their function and to exercise their powers, delimit wards independently (Sections 155(3)(b) and 157(4)(a)) and render an advisory service in respect of matters provided for in this Act and other appropriate legislation.

The Municipal Demarcation Act, 1998 provides, amongst others, for the Demarcation Board as an independent authority as envisaged in Section 155 of the Constitution, and the criteria and procedures for the determination and re-determination of municipal boundaries.

HOW TO GET INVOLVED IN DEMARCATION PROCESSES

To find out more about the Municipal Demarcation Board and its processes contact the Board on:

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