

## **CIRCULAR 1 OF 2022**

**To: Minister of Cooperative Governance and Traditional Affairs  
MECs of Provincial Departments responsible for Local Government  
Chairpersons of National & Provincial Houses of Traditional Leaders  
President of South African Local Government Association  
Chairperson of Independent Electoral Commission  
Mayors of affected Metropolitan, District and Local Municipalities**

**Speakers of all Metropolitan, District and Local Municipalities  
HOD's of Provincial Departments responsible for Local Government  
PEO's of Independent Electoral Commission  
Municipal Managers Metropolitan, District and Local Municipalities  
Chief Surveyor General  
Chief Electoral Officer  
Chief Executive Officer of SALGA  
Statistician – General  
Members of extended Boundaries, Powers and Function Committee  
Members of Local Elections Technical Committee**

Dear Sir/Madam,

### **CIRCULAR 1/2022: GENERAL INFORMATION CIRCULAR**

#### **PURPOSE**

1. To share the Board approved broad plans for the municipal boundary redetermination process from 2021 to 2024.

#### **INTRODUCTION AND BACKGROUND**

2. The Municipal Demarcation Board (MDB) determines municipal boundaries in accordance with the Municipal Demarcation Act, 1998 (MDA) and other appropriate legislation enacted in terms of Chapter 7 of the Constitution.
3. The MDB had released Circular 1/2021, where it was indicated that the MDB will be opening the municipal boundary redeterminations process after the local government elections (LGE) in 2021.

4. Circular 2/2021 provided the exact period for making proposals and provided the relevant information form required to submit proposals for municipal boundary redeterminations.

## **BROAD PLAN FOR MUNICIPAL BOUNDARY REDETERMINATION PROCESS**

5. To ease the processing of municipal boundary redetermination proposals, the MDB will be analysing the proposals and placing them in the following classes or types:
  - a. **Class 1** - Technical and minor boundary re-determinations - This re-determination entails a small-scale boundary adjustment and/or alignment with a minor impact on the geographic area, a negligible or no impact on the number of voters and no impact on the capacity of the affected municipalities.
  - b. **Class 2** - Consolidation and Annexations - This is a medium scale boundary re-determination that may impact on a sizable geographic area, and number of voters in one or all the municipalities affected. This type of determination may impact on ward arrangements but will not materially, impact on the capacities of the affected municipalities to deliver services.
  - c. **Class 3 – Amalgamations** - This type of re-determination entails a major and large-scale municipal boundary re-determination which will have a significant impact on the geographic areas, the number of voters, and the capacities of the affected municipalities. The re-determination includes the merging of adjacent municipalities or the splitting of municipal areas to create other municipal areas. It will result in the MEC needing to disestablish an existing municipality or municipalities, and establish a new municipality or municipalities.
  - d. **Class 4 – Categorization** - This is a type of re-determination that involves the categorisation of any new Category A Metropolitan, Category C District and Category B Local municipalities with or without boundary changes. Category A must satisfy Section 2 of the Municipal Structures Act (MSA) and Section 24 and 25 of the MDA and after consultation with National Minister responsible for

local government, the MEC for local government in the provinces concerned, and South African Local Government Association (SALGA).

### **PROGRAMME FOR CLASS 1 RE-DETERMINATION PROPOSALS**

6. The legal process for class 1 re-determination proposals will commence in June 2022 and conclude in March 2023. The programme for class 1 cases is outlined in table 1 below:

**TABLE1: BROAD PLAN FOR THE LEGAL PROCESS FOR CLASS 1 RE-DETERMINATION PROPOSALS**

<b>NO</b>	<b>TASK</b>	<b>START DATE</b>	<b>END DATE</b>
A	The intention to consider proposals in terms of section 26 of the MDA by Ward Delimitation & Boundary Determination Committee (WDBDC) and BOARD	June 2022	July 2022
B	Consideration of views received by WDBDC and BOARD	August 2022	September 2022
C	Decision to re-determine boundaries in terms of section 21 of the MDA by WDBDC and BOARD	October 2022	December 2022
D	Consideration of Objections by WDBDC and BOARD	January 2023	February 2023
E	Confirm, vary or withdraw re-determination in terms of section 21(5) of the MDA	March 2023	
F	The IEC, Minister of Finance and MECs for local government and all other stakeholders must be notified of the final decision	April 2023	May 2023

### **PROGRAMME FOR CLASS 2- 4 RE-DETERMINATION PROPOSALS**

7. The programme for classes 2-4 is outlined in table 2 below:

**TABLE 2: PROGRAMME FOR CLASS 2- 4 RE-DETERMINATION PROPOSALS**

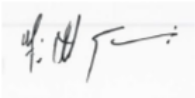
<b>FINANCIAL YEAR</b>	<b>NO</b>	<b>TASKS</b>	<b>START DATE</b>	<b>END DATE</b>
<b>21/22</b>	A	Preliminary Analysis on proposals recorded until 31 March 2021	Apr-21	Mar-22
	B	Preliminary Analysis on proposals recorded until 31 March 2022	Apr-21	Apr-22

FINANCIAL YEAR	NO	TASKS	START DATE	END DATE
	C	Official opening for submission of Re-determination Proposals	Nov-21	Mar-22
22/23	D	Conduct studies on class 2 – 4 re-determination proposals	Apr-22	Sept-22
	E	Assess Capacity of affected municipalities	Apr-22	Sept-22
	F	Intention to consider the re-determination of municipal boundaries in terms of Section 26 of the MDA (Publication of Notice in Newspaper)	Oct-22	Dec-22
	G	The Board must consider all views and representations and resolve to determine or re-determine municipal boundaries, decide to hold public meetings, conduct investigation committee hearings, or do both.	Jan-23	Feb-23
23/24	H	Hold Public Meetings	Mar-23	May-23
	I	Conduct Investigation committee hearings in terms of Section 29 and 30 of MDA	Jun-23	Aug-23
	J	The Board must consider all inputs from research studies, public meetings and investigation hearings and resolve to determine or re-determine municipal boundaries in terms of Section 21 of the MDA ( Publication in Provincial Gazettes)	Sep-23	Oct-23
	K	The Board must consider all objections received and resolve to confirm, vary or withdraw the determination or re-determination. The final decision must be published in the provincial gazette in terms of Section 21(5) of the MDA.	Nov-23	Jan-24
	L	The IEC, Minister of Finance and MECs for local government and all other stakeholders must be notified of the final decision	Nov-23	Jan-24

8. **The MDB will like to take this opportunity to reiterate that it does not have the mandate to re-determine boundaries straddling provincial boundaries. Such proposals will not be considered.**

9. The proposals for municipal boundary re-determinations must be emailed to [registry@demarcation.org.za](mailto:registry@demarcation.org.za), or faxed to 012 342 2480, or posted to Private Bag X123, Centurion, 0046 or hand delivered to Eco Origins Office Park, Block C1, 349 Witch-Hazel Avenue, Highveld, 0157. The proposals must be addressed for the attention of the Chairperson of the MDB.
10. The closing date for stakeholders and members of the public to submit proposals is 31<sup>st</sup> of March 2022. No proposals will be accepted after the closing date.
11. All proposals submitted must be motivated in terms of section 24 and 25 of the (MDA) and section 2 of the Municipal Structures Act (MSA) for re-categorization of municipalities. Please find Annexure 1 attached, this requires to be completed for your motivation.
12. Attached as Annexure 2, is the document outlining the municipal boundary redetermination process for ease of reference.
13. More information on the municipal boundary re-determination process and both Annexures 1 and 2 are available on the MDB website, [www.demarcation.org.za](http://www.demarcation.org.za). For any further queries please contact the MDB at [info@demarcation.org.za](mailto:info@demarcation.org.za) or Mr Fazel Hoosen at 012 342 2481.

**Regards,**



**MR TM MANYONI**

**CHAIRPERSON: MUNICIPAL DEMARCATION BOARD**

**DATE: 31 JANUARY 2022**

**IMPORTANT INFORMATION**

The Municipal Demarcation Board

Private Bag X123

Centurion

0046

South Africa: Telephone: +2712 342 2481

Fax: +2712 342 2480

Website: [www.demarcation.org.za](http://www.demarcation.org.za)

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