

PROVINCE OF THE WESTERN CAPE

STANDING COMMITTEE AMENDMENTS

TO

**WESTERN CAPE PRIVILEGES AND IMMUNITIES
OF COUNCILLORS BILL**

[B 7 – 2011]

(As agreed to by the Standing Committee on Governance)

[B 7A-2011]

PROVINSIE WES-KAAP

STAANDE KOMITEE-AMENDMENTE

OP

**WES-KAAPSE WETSONTWERP OP VOORREGTE EN
IMMUNITEITE VAN RAADSLEDE**

[W 7 – 2011]

(Soos goedgekeur deur die Staande Komitee oor Regeringsake)

[W 7A-2011]

IPHONDO LENTSHONA KOLONI

IZILUNGISO ZEKOMITI ESISIGXINA

**KUMTHETHO OSAYILWAYO WAMALUNGELO
NOKHUSELEKO LOOCEBA WENTSHONA KOLONI**

[B 7 – 2011]

(Njengoko kuvunyelwene yiKomiti eSisigxina kwezoLawulo)

[B 7A-2011]

AMENDMENTS AGREED TO

WESTERN CAPE PRIVILEGES AND IMMUNITIES OF COUNCILLORS BILL
[B 7 – 2011]

CLAUSE 1

1. On page 2, from line 8, to omit the definition of “**committee**”, and to substitute the following definition:

“**committee**”, in relation to a council, means a committee established by the council in terms of any law and of which one or more councillors are members, including—

- (a) an executive committee established in terms of section 42 of the Municipal Structures Act;
- (b) an appeal committee established in terms of section 62(4)(c)(ii) of the Local Government: Municipal Systems Act, 2000;
- (c) a special committee established in terms of item 14 of the Code of Conduct; and
- (d) a ward committee established in terms of section 73 of the Municipal Structures Act;

2. On page 2, after line 21, to insert the following definition:

“**mayoral committee**” means a committee appointed by an executive mayor in terms of section 60 of the Municipal Structures Act;

3. On page 2, in line 25, after “subcouncils” to insert “or its mayoral committee”.
4. On page 2, in line 28, to omit “referred to in section 61” and to substitute with “established in terms of section 62”.
5. On page 2, in line 29, after “Act” to insert:

and includes a committee appointed in terms of section 71 of that Act

CLAUSE 2

1. On page 2, in line 32, after “subcouncil” to insert “or mayoral committee”.
2. On page 2, in line 36, after “subcouncils” to insert “or its mayoral committee”.

CLAUSE 3

1. On page 3, in line 5, after “subcouncil” to insert “or mayoral committee”.
2. On page 3, in line 9, after “subcouncils” to insert “or its mayoral committee”.

3. On page 3, in line 11, after “subcouncil” to insert “or mayoral committee”.

CLAUSE 4

1. On page 3, in line 21, after “subcouncils” to insert “or its mayoral committee”.
2. On page 3, in lines 21 and 22, to omit “of which the councillor is a member,”.

AMENDEMENTE GOEDGEKEUR

WES-KAAPSE WETSONTWERP OP VOORREGTE EN IMMUNITEITE VAN RAADSLEDE

[B 7 – 2011]

KLOUSULE 1

1. Dat op bladsy 5, na reël 4, die volgende omskrywing ingevoeg word:

“burgemeesterskomitee” ’n komitee wat ingevolge artikel 60 van die Wet op Munisipale Strukture deur ’n uitvoerende burgemeester aangestel is;

2. Dat op bladsy 5, in reël 6, na “subrade” ingevoeg word “of sy burgemeesterskomitee”.
3. Dat op bladsy 5, vanaf reël 9, die omskrywing van **“komitee”** geskrap en deur die volgende omskrywing vervang word:

“komitee”, met betrekking tot ’n raad, ’n komitee wat ingevolge enige wet deur die raad ingestel is en waarvan een of meer raadslede lede is, met inbegrip van—

- (a) ’n uitvoerende komitee ingestel ingevolge artikel 42 van die Wet op Munisipale Strukture;
 - (b) ’n appèlkomitee ingestel ingevolge artikel 62(4)(c)(ii) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000;
 - (c) ’n spesiale komitee ingestel ingevolge item 14 van die Gedragskode; en
 - (d) ’n wykskomitee ingestel ingevolge artikel 73 van die Wet op Munisipale Strukture;
4. Dat op bladsy 5, in reël 24, “bedoel in artikel 61” geskrap en vervang word deur “ingestel ingevolge artikel 62”.
 5. Dat op bladsy 5, in reël 25, na “Strukture” ingevoeg word:

en ook ‘n komitee wat ingevolge artikel 71 van daardie Wet aangestel is

KLOUSULE 2

1. Dat op bladsy 5, in reël 30, na “subraad” ingevoeg word “of burgemeesterskomitee”.
2. Dat op bladsy 5, in reël 34, na “subrade” ingevoeg word “of sy burgemeesterskomitee”.

KLOUSULE 3

1. Dat op bladsy 6, in reël 5, na “subraad” ingevoeg word “of burgemeesterskomitee”.

2. Dat op bladsy 6, in reël 9, na “subrade” ingevoeg word “of sy burgemeesterskomitee”.
3. Dat op bladsy 6, in reël 11, na “subraad” ingevoeg word “of burgemeesterskomitee”.

KLOUSULE 4

1. Dat op bladsy 6, in reël 23, na “subrade” ingevoeg word “of sy burgemeesterskomitee”.
2. Dat op bladsy 6, in reël 23, “waarin die raadslid dien,” geskrap word.

IZILUNGISO EKUVUNYELENWE NGAZO

UMTHETHO OSAYILWAYO WAMALUNGELO NOKHUSELEKO LOOCEBA
WENTSHONA KOLONI
[B 7 – 2011]

IGATYA 1

1. Kwiphepha 8, ukusuka kumgca 9, izakushiya inkcazelo ye“**komiti**”, ze kufakelwe le nkcazelo ilandelayo:

“**ikomiti**”, ngokunxulumene nebhunga, ithetha ikomiti esekwe libhunga ngokwemigaqo yalo nawuphi na umthetho kunye apho uceba omnye nangaphezulu bengamalungu, kuquka—

- (a) ikomiti esisigqeba esekwe ngokwemigaqo yecandelo 42 lomthetho oyiMunicipal Structures Act;
- (b) ikomiti yezibheni esekwe ngokwemigaqo yecandelo 62(4)(c)(ii) lomthetho oyiLocal Government: Municipal Systems Act, 2000;
- (c) ikomiti eyodwa esekwe ngokwemigaqo yomba 14 of the Code of Conduct; kunye
- (d) ikomiti yewadi esekwe ngokwemigaqo yecandelo 73 lomthetho oyiMunicipal Structures Act;

2. kwiphepha 8, emva komgca 23, kuzakufakelwa le nkcazelo ilandelayo:

“**ikomiti kasodolophu**” ithetha ikomiti eyonyulwe ngusodolophu osisigqeba ngokwemigaqo yecandelo 60 lomthetho oyiMunicipal Structures Act;

3. kwiphepha 8, kumgca 28, emva “kwamabhungana” kuzakufakelwa “okanye ikomiti kasodolophu yayo”.
4. kwiphepha 8, kumgca 32 no 33, kuzakushiya “ekubhekiselwe kuyo kwicandelo 61” ze kufakelwe “esekwe ngokwemigaqo yecandelo 62”.
5. kwiphepha 8, kumgca 34, emva “uMthetho” kuzakufakelwa:

ze kuqukwe ikomiti eyonyulwe ngokwemigaqo yecandelo 71 yoMthetho

IGATYA 2

1. kwiphepha 8, kumgca 36, emva “kwebhungana” kuzakufakelwa “okanye ikomiti kasodolophu yayo”.
2. kwiphepha 9, kumgca 3, emva “kwamabhungana” kuzakufakelwa “okanye ikomiti kasodolophu yayo”.

IGATYA 3

1. kwiphepha 9, kumgca 10, emva “kwebhungana” kuzakufakelwa “okanye ikomiti kasodolophu yayo”.
2. kwiphepha 9, kumgca 14, emva “kwamabhungana” kuzakufakelwa “okanye ikomiti kasodolophu yayo”.
3. kwiphepha 9, kumgca 16, emva “kwebhungana” kuzakufakelwa “okanye ikomiti kasodolophu yayo”.

IGATYA 4

1. kwiphepha 9, kumgca 30, emva “kwamabhungana” kuzakufakelwa “okanye ikomiti kasodolophu yayo”.
2. kwiphepha 9, kumgca 30, kuzakushiywa “apho uceba alilungu,”.