

Kennis word hiermee gegee ingevolge Artikel 29(2) van die Plaaslike Regering: Munisipale Strukture Wet, 1998 (Wet 117 van 1998) soos gewysig, dat 'n **Spesiale Raadsvergadering** van die Munisipaliteit Witzenberg gehou sal word op **Dinsdag, 13 Junie 2023** om **09:00** in die **Stadsaal, Voortrekkerstraat, Ceres.**

Notice is hereby given in terms of Section 29(2) of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) as amended, that a **Special Council meeting** of the Witzenberg Municipality will be held in the **Town Hall, Voortrekker Street, Ceres** on **Tuesday, 13 June 2023** at **09:00.**

Raadslede en Amptenare / Councillors and officials		
Alderman K Adams	Councillor JJ Cloete	Councillor P Daniels
Councillor S de Bruin	Councillor GJ Franse	Councillor JP Fredericks
Councillor AL Gili	Councillor LA Hardnek	Councillor P Heradien
Alderman BC Klaasen	Councillor GG Laban	Councillor JS Mouton
Councillor MJ Ndaba	Councillor N Nogcinisa	Councillor N Phatsoane
Councillor KA Robyn	Alderman HJ Smit (Executive Mayor)	Councillor D Swart
Councillor IL Swartz	Alderman JJ Visagie	Councillor K Yisa
Councillor J Zalie		
Municipal Manager	Director: Finance	Director: Technical Services
Director: Corporate Services	Deputy Director: Finance	Manager: Legal Services
Manager: Communication and Marketing	Manager: Administration	Chief Administrative Officer
Committee Clerk	Interpreter	



**COUNCILLOR EM SIDEGO
SPEAKER**

7 June 2023

A G E N D A

1. OPENING AND WELCOME

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

2.1 Consideration of application for leave of absence, if any (3/1/2/1)

An *Application for leave of absence* form is attached as **annexure 2.1**.

NOTED

2.2 Confidentiality and Conflict of Interest Declaration (3/2/1)

The Confidentiality and Conflict of Interest Declaration is attached as **annexure 2.2**.

NOTED

3. RESERVED POWERS

3.1 Council matters: Council recess for winter break 2023 (3/1/2/3)

RECOMMENDED

(a) *that the recess period of Council for the 2023 winter break will be from 26 June 2023 until 17 July 2023.*

(b) *that if the Speaker needs to call a Council meeting all Councillors must be available for a virtual Council meeting at all times.*

(c) *that the Executive Mayor and Deputy Executive Mayor will be on standby during the recess period.*



3.2. Election of Deputy Executive Mayor (03/1/1/4)

The procedures set out in Schedule 3 of the Structures Act apply to the election of an Executive Mayor and Deputy Executive Mayor and read as follows:

"Act No 117, 1998 LOCAL GOVERNMENT : MUNICIPAL STRUCTURES ACT, 1998

SCHEDULE 3

The election of a Mayor and Deputy Mayor takes place when the Executive Committee is elected or when it is necessary to fill a vacancy.

Election of municipal office-bearers

Application

1. *The procedure set out in this Schedule applies whenever a municipal Council meets to elect a Speaker, an Executive Mayor, an Executive Deputy Mayor, a Mayor or Deputy Mayor.*

LEGAL BACKGROUND

In terms of Section 27(1)(c) of the Local Government : Municipal Structures Act, 1998 (Act 117 of 1998) a Councillor vacates office during a term of office if that Councillor was elected from a party list referred to in Schedule 1 or 2 and ceases to be a member of the relevant party.

Councillor FE Klazen was elected as the Deputy Executive Mayor of Council and vacated the office when her membership to her political party was terminated.

Section 55(2) of the aforesaid Act requires Council in the event of a vacancy in the office of Executive Mayor or Executive Deputy Mayor to fill the vacancy when necessary.

The procedures set out in Schedule 3 applies to the election of an Executive Mayor and Executive Deputy Mayor.

Nominations

2. *The person presiding at a meeting to which this schedule applies must call for the nomination of candidates at the meeting.*

Formal requirements

3. (1) *A nomination must be made on the form determined by the Municipal Manager.*



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- (2) *The form on which a nomination is made must be signed by two members of the municipal Council.*
- (3) *A person who is nominated must indicate acceptance of the nomination by signing either the nomination form or any other form of written confirmation.*

Announcement of names of candidates

4. *At a meeting to which this Schedule applies, the person presiding must announce the names of the persons who have been nominated as candidates, but may not permit any debate.*

Single candidate

5. *If only one candidate is nominated, the person presiding must declare that candidate elected.*

Election procedure

6. *If more than one candidate is nominated –*
- (a) *a vote must be taken at the meeting by secret ballot;*
- (b) *each Councillor present at the meeting may cast one vote; and*
- (c) *the person presiding must declare elected the candidate who receives a majority of the votes*

Elimination procedure

7. (1) *If no candidate receives a majority of the votes, the candidate who receives the lowest number of votes must be eliminated and a further vote taken on the remaining candidates in accordance with Item 6. This procedure must be repeated until a candidate receives a majority of the votes.*
- (2) *When applying sub item (1), if two or more candidates each have the lowest number of votes, a separate vote must be taken on those candidates, and repeated as often as may be necessary to determine which candidate is to be eliminated.*

Further meetings

8. (1) *If only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, a further meeting must be held within seven days at a time determined by the person presiding.*



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- (2) *If a further meeting is held in terms of sub item (1), the procedure prescribed in this Schedule must be applied at that meeting as if it were the first meeting for the election in question.*
- (3) *If at the further meeting held in terms of sub item (1) only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, the person presiding at such meeting must determine by lot who of the two candidates will hold the office for which the election has taken place."*

The prescribed nomination form is attached as **annexure 3.2**.

RECOMMENDED

That the Speaker calls for nominations for Deputy Executive Mayor.

**3.3 Inauguration of Deputy Executive Mayor by Speaker
(3/1/1/4)**

The inauguration of the Deputy Executive Mayor will be done by the Speaker.

NOTED

**3.4 Acceptance speech by Deputy Executive Mayor
(3/1/1/4)**

RECOMMENDED

That the Deputy Executive Mayor be granted the opportunity to address the Council.

4. ADJOURNMENT

UA

Verwysing / Reference: 3/1/2/1/

MUNISIPALITEIT WITZENBERG MUNICIPALITY

AANSOEK OM VERLOF TOT AFWESIGHEID / APPLICATION FOR LEAVE OF ABSENCE
 (Moet by kantoor van Munisipale Bestuurder ingedien word voor aanvang van vergadering / Must be handed in at office of Municipal Manager before commencement of meeting)

Naam van raadslid / Name of councillor: _____

Ek doen hiermee aansoek om verlof tot afwesigheid van / I hereby apply for leave of absence from:

VERGADERING / WERKSWINKEL / FORUM MEETING / WORKSHOP / FORUM	DATUM / DATE
Rede vir afwesigheid / Reason for absence:	

 DATUM / DATE

 HANDTEKENING / SIGNATURE



CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

**Special Council meeting, held in the Town Hall, Voortrekker Street, Ceres on
Tuesday, 13 June 2023**

I, the undersigned, hereby declare:

- That as a Councillor and a participant of this meeting, I shall maintain strict confidentiality in respect of any information of a confidential nature to which I may become privy at meetings of the Witzenberg Council and shall only disclose such information as may become necessary or required for the proper performance of my duties and functions.
- That as a Councillor and a participant of this meeting, I shall declare any conflict of interest that may arise at every meeting and remove myself from any proceedings, in relation to that matter, giving rise to that conflict.

COUNCILLORS

Surname	Initials	Signature
Adams	K	
Cloete	JJ	
Daniels	P	
De Bruin	S	
Franse	GJ	
Fredericks	JP	
Gili	AL	
Hardnek	LA	
Heradien	P	

Surname	Initials	Signature
Klaasen	BC	
Laban	GG	
Mouton	JS	
Ndaba	MJ	
Nogcinisa	N	
Phatsoane	N	
Robyn	K	
Sidego	EM	
Smit	HJ	
Swart	D	
Swartz	IL	
Visagie	JJ	
Yisa	K	
Zalie	J	



**NOMINASIEVORM VIR DIE AMP VAN UITVOERENDE ONDERBURGEMEESTER
NOMINATION FORM FOR OFFICE OF DEPUTY EXECUTIVE MAYOR**

Ek, die ondergetekende, nomineer hiermee die volgende raadslid vir die amp van Uitvoerende Onderburgemeester:

I, the undersigned, hereby nominate the following councillor for the office of Deputy Executive Mayor:

Naam van nomineerder / Name of nominator	
Handtekening van nomineerder / Signature of nominator	
Datum / Date	

Ek, die ondergetekende, aanvaar hiermee my nominasie as Uitvoerende Onderburgemeester
I, the undersigned, hereby accept my nomination as Deputy Executive Mayor

Naam van genomineerde / Name of nominee	
Handtekening van genomineerde / Signature of nominee	
Datum / Date	