



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

CITY OF CAPE TOWN CAPE TOWN SUB-COUNCIL AMENDMENT BY-LAW, 2024

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To amend the Cape Town Sub-council By-law, 2003 as amended by the Cape Town Sub-Council Further Amendment By-law, 2011 published in Provincial Gazette No 6896 of 5 August 2011, as amended by the Cape Town Sub-council Amendment By-law, 2016 published in Provincial Gazette No. 7698 of 4 November 2016 and as amended by the Cape Town Sub-council Amendment By-law 2022; to disestablish 21 metropolitan sub-councils; to establish 20 metropolitan sub-councils in the area of jurisdiction of the Municipality of Cape Town; to cluster wards for the area of each sub-council; and to provide for matters incidental thereto.

BE IT ENACTED by the Council of the City of Cape Town, as follows: —

GENERAL EXPLANATORY NOTE;

[] words in bold square brackets indicate omissions from existing enactments.

_____ underlined words indicate insertions in existing enactments.

Amendment of section 1 of the Cape Town Sub-council By-law, 2003

1. Section 1 of the Cape Town Sub-council By-law, 2003 is amended by the substitution for the definition of “City Manager” of the following definition::

“**City Manager**” means the municipal manager referred to in section [82 of the Structures Act] 54A of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) and who has been appointed as the City Manager;

Substitution of section 2 of the Cape Town Sub-council By-law, 2003

2. The following section is hereby substituted for section 2 of the Cape Town Sub-council By-law 2003:

"2. DISESTABLISHMENT

With effect from midnight on the day before the effective date the twenty-one sub-councils set out in column 1 of Schedule 1 and consisting of the cluster of wards set out in column 2 of Schedule 1 shall be disestablished."

Substitution of section 3 of the Cape Town Sub-council By-law, 2003

3. The following section is hereby substituted for section 3 of the Cape Town Sub-council By-law, 2003:

"3. ESTABLISHMENT

With effect from the effective date, the twenty sub-councils set out in column 1 of Schedule 2, shall be established for the area consisting of the cluster of adjoining wards set out in column 2 of Schedule 2."

Substitution of section 5 of the Cape Town Sub-council By-law, 2003

4. The following section is hereby substituted for section 5 of the Cape Town Sub-council By-law 2003:

"5. COMPOSITION

(1) A sub-council is composed of:

(a) the elected ward councillors of wards contained in the sub-council, and

(b) the proportional councillors allocated to a sub-council in terms of Section 63(1) **[of the Structures Act read with Section 62(cA)(where applicable)]** and Schedule 4 of the Structures Act.

[(2) The mechanism referred to in Section 62(cA) for the appointment of councillors to sub-councils shall be as follows:

The speaker, after consultation with the chief whips of the parties represented in council will recommend to council the allocation of the Section 63(1)(b) seats to the parties in a manner that reasonably reflects the governing majority in council.]

Substitution of Schedules 1 and 2 of the Cape Town Sub-council By-law, 2003

5. Schedules 1 and 2 of the Cape Town Sub-council By-law, 2003 are hereby substituted by Schedules 1 and 2, respectively, as set out in the Annexure to this By-law.

SHORT TITLE

6. This By-law is called the Cape Town Sub-council Amendment By-law, 2024.

ANNEXURE

SCHEDULE 1

COLUMN 1	COLUMN 2
SUBCOUNCIL DESIGNATION	WARD NUMBERS
1	23, 29, 32 and 107
2	6, 7, 8, 101, 102 and 111
3	1, 4, 5, 104 and 113
4	25, 26, 27, 28 and 42
5	12, 13, 20, 22, 24 and 106
6	2, 3, 9 and 10
7	21, 70, 103, 105 and 112
8	15, 83, 84, 85, 86 and 100
9	18, 87, 89, 90, 91, 93 and 114
10	94, 95, 96, 97, 98 and 99
11	47, 48, 58, 59 and 60
12	35, 76, 82, 92 and 116
13	34, 36, 37, 38, 39, 41 and 80
14	30, 40, 44, 46 and 49
15	31, 50, 51, 52, 53 and 56
16	54, 55, 57, 77 and 115
17	33, 43, 75, 78, 79, 81 and 88
18	65, 66, 67, 68, 72 and 110
19	45, 61, 64 and 69
20	62, 63, 71, 73 and 74
21	11, 14, 16, 17, 19, 108 and 109

SCHEDULE 2

COLUMN 1	COLUMN 2
SUBCOUNCIL DESIGNATION	WARD NUMBERS
1	23, 29, 32 and 107
2	6, 7, 8, 101, 102 and 111
3	4, 55, 56, 104 and 113
4	25, 26, 27 and 28
5	12, 13, 20, 22, 24 and 106
6	2, 3, 9 and 10
7	1, 5, 21, 70, 103, 105 and 112
8	15, 83, 84, 85, 86, 100 and 109
9	18, 87, 89, 90, 91 and 93
10	94, 95, 96, 97, 98 and 99
11	30, 44, 46, 47, 48, 49 and 60
12	35, 76, 82, 92 and 116
13	34, 36, 37, 38, 39, 40, 41 and 80
14	11, 14, 16, 17, 19, 108 and 114
15	31, 42, 50, 51 and 52
16	53, 54, 57, 77 and 115
17	33, 43, 75, 78, 79, 81 and 88
18	65, 66, 67, 68, 72 and 110
19	45, 61, 64 and 69
20	58, 59, 62, 63, 71, 73 and 74

STAD KAAPSTAD

WYSIGINGSVERORDENING OP KAAPSTAD-SUBRADE, 2024

Om die Verordening op Kaapstad-subrade, 2003, soos gewysig deur die Verdere Wysigingswet op Kaapstad-subrade, 2011, gepubliseer in Provinsiale Koerant no. 6896 van 5 Augustus 2011, soos gewysig deur die Wysigingsverordening op Kaapstad-subrade, 2016, gepubliseer in Provinsiale Koerant no. 7698 van 4 November 2016 en soos gewysig deur die Wysigingsverordening op Kaapstad-subrade, 2022 te wysig; om 21 metropolitaanse subrade te ontbind; om 20 metropolitaanse subrade in die regsgebied van die Munisipaliteit van Kaapstad in te stel; om wyke vir die gebied van elke subraad saam te groepeer; en om voorsiening te maak vir aangeleenthede wat daarmee verband hou.

HIERMEE WORD soos volg deur die Raad van die Stad Kaapstad **VERORDEN**: —

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vetdruk tussen vierkantige hakies dui op weglatings uit die bestaande wetgewing.

_____ onderstreepte woorde dui op byvoegings by die bestaande wetgewing.

Wysiging van artikel 1 van die Verordening op Kaapstad-subrade, 2003

1. Artikel 1 van die Verordening op Kaapstad-subrade, 2003 word hiermee gewysig deur die omskrywing van “stadsbestuurder” met die volgende omskrywing te vervang:
“**stadsbestuurder**” die munisipale bestuurder ooreenkomstig artikel [82 van die Wet op Strukture] 54A van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) en wat as Stadsbestuurder aangestel is;

Vervanging van artikel 2 van die Verordening op Kaapstad-subrade, 2003

2. Artikel 2 van die Verordening op Kaapstad-subrade, 2003 word hiermee met die volgende artikel vervang:

"2. HERROEPING EN ONTBINDING

Met ingang van middernag op die dag voor die effektiewe datum word die een-en-twintig subrade soos uiteengesit in kolom 1 van skedule 1 en bestaande uit die groep wyke soos uiteengesit in kolom 2 van skedule 1, ontbind."

Vervanging van artikel 3 van die Verordening op Kaapstad-subrade, 2003

3. Artikel 3 van die Verordening op Kaapstad-subrade, 2003 word hiermee met die volgende artikel vervang:

"3. INSTELLING

Met ingang van die effektiewe datum word die twintig subrade soos uiteengesit in kolom 1 van skedule 2 en bestaande uit die groep aangrensende wyke soos uiteengesit in kolom 2 van skedule 2, ingestel."

Vervanging van artikel 5 van die Verordening op Kaapstad-subrade, 2003

4. Artikel 5 van die Verordening op Kaapstad-subrade, 2003 word hiermee met die volgende artikel vervang:

"5. SAMESTELLING

(1) 'n Subraad bestaan uit:

(a) die verkose wyksraadslede van die wyke vervat in die subraad, en

(b) die raadslede wat proporsioneel aan 'n subraad toegeken is ingevolge artikel 63(1) **[van die Wet op Strukture saamgelees met artikel 62(cA) (waar toepaslik)]** en Bylae 4 van die Wet op Strukture.

[(2) Die meganisme met betrekking tot artikel 62(cA) vir die aanstelling van raadslede op subrade is as volg:

Die speaker, na oorlegpleging met die hoofsepe van die partye wat in die raad verteenwoordig is, beveel by die raad die toekenning van die artikel 63(1)(b)-setels aan die partye aan op 'n wyse wat die regerende meerderheid in die raad weerspieël.]"

Vervanging van bylae 1 en 2 van die Verordening op Kaapstad-stadsrade, 2003

5. Bylae 1 en 2 van die Verordening op Kaapstad-subrade, 2003 word hiermee vervang met onderskeidelik skedule 1 en 2, soos uiteengesit in die bylae wat by hierdie Verordening aangeheg is.

KORT TITEL

6. Hierdie verordening word die Wysigingsverordening op Kaapstad-subrade, 2024 genoem.

BYLAE**SKEDULE 1**

KOLOM 1	KOLOM 2
SUBRAADNOMMER	WYKNOMMERS
1	23, 29, 32 en 107
2	6, 7, 8, 101, 102 en 111
3	1, 4, 5, 104 en 113
4	25, 26, 27, 28 en 42
5	12, 13, 20, 22, 24 en 106
6	2, 3, 9 en 10
7	21, 70, 103, 105 en 112
8	15, 83, 84, 85, 86 en 100
9	18, 87, 89, 90, 91, 93 en 114
10	94, 95, 96, 97, 98 en 99
11	47, 48, 58, 59 en 60
12	35, 76, 82, 92 en 116
13	34, 36, 37, 38, 39, 41 en 80
14	30, 40, 44, 46 en 49
15	31, 50, 51, 52, 53 en 56
16	54, 55, 57, 77 en 115
17	33, 43, 75, 78, 79, 81 en 88
18	65, 66, 67, 68, 72 en 110
19	45, 61, 64 en 69
20	62, 63, 71, 73 en 74
21	11, 14, 16, 17, 19, 108 en 109

SKEDULE 2

KOLOM 1	KOLOM 2
SUBRAADNOMMER	WYKSNOMMERS
1	23, 29, 32 en 107
2	6, 7, 8, 101, 102 en 111
3	4, 55, 56, 104 en 113
4	25, 26, 27 en 28
5	12, 13, 20, 22, 24 en 106
6	2, 3, 9 en 10
7	1, 5, 21, 70, 103, 105 en 112
8	15, 83, 84, 85, 86, 100 en 109
9	18, 87, 89, 90, 91 en 93
10	94, 95, 96, 97, 98 en 99
11	30, 44, 46, 47, 48, 49 en 60
12	35, 76, 82, 92 en 116
13	34, 36, 37, 38, 39, 40, 41 en 80
14	11, 14, 16, 17, 19, 108 en 114
15	31, 42, 50, 51 en 52
16	53, 54, 57, 77 en 115
17	33, 43, 75, 78, 79, 81 en 88
18	65, 66, 67, 68, 72 en 110
19	45, 61, 64 en 69
20	58, 59, 62, 63, 71, 73 en 74

ISIXEKO SASEKAPA

UMTHETHO KAMASIPALA WEZILUNGISO ONGAMABHUNGANA WASEKAPA, WANGO2024

Ukuba kulungiswe uMthetho kaMasipala oLungisiweyo ongamaBhungana waseKapa, wango2003 njengoko ulungiswe ngoMthetho kaMasipala owaphinda walungiswa ongamaBhungana waseKapa, wango2011 owathi wabhengezwa kwiGazethi yePhondo engunomb. 6896 yangomhla we5 kweyeThupha 2011, njengoko ulungiswe ngoMthetho kaMasipala oLungisiweyo ongamaBhungana waseKapa, wango2016 owathi wabhengezwa kwiGazethi yePhondo engunomb. 7698 wangomhla we4 kweyeNkanga 2016 kwakhona njengoko ulungiswe ngoMthetho kaMasipala waseKapa oLungisiweyo ongamaBhungana, wango2022; ukubhangisa amabhungana enqila angama21; kumiselwe amabhungana enqila angama20 kummandla ogunyaziselwe uMasipala waseKapa; ukudibanisa iiwadi zommandla weBhungana ngalinye; kunye nokubonelela ngemiba ehambelana noku.

MAWUMISELWE liBhunga leSixeko saseKapa, ngolu hlobo: —

INKCAZELO GABALALA;

[] amagama akwizibiyeli ezisikwere angqindilili abonisa izinto ezicinyiweyo kwimithetho ekhoyo.

_____ amagama akrwelelwe umgca ngaphantsi abonisa izinto ezifakelweyo kwimithetho ekhoyo.

Ukulungiswa kwecandelo 1 loMthetho kaMasipala ongaMabhungana waseKapa, wango2003

1. Icandelo 1 loMthetho kaMasipala ongaMabhungana waseKapa, wango2003 lilungiswe ngokuthi kufakwe endaweni yengcaciso yegama “uManejala weSixeko” le ngcaciso ilandelayo:

“**uManejala weSixeko**” ubhekisele kumanejala kamasipala okhankanywe kwiCandelo [82 loMthetho oyiStructures Act], 54A loMthetho kaMasipala wobuRhulumente boMmandla ongeeNkqubo zikaMasipala, wango2000 (uMthetho 32 wango2000) nobekwe njengeManejala yeSixeko;

Ukutshintshwa kwecandelo 2 loMthetho kaMasipala ongaMabhungana waseKapa, wango2003

2. Eli candelo lilandelayo lingena endaweni yecandelo 2 loMthetho kaMasipala ongaMabhungana waseKapa, wango2003:

"2. UBHANGISO

Ukususela ezinzulwini zobusuku kumhla ophambi kowomiselo amabhungana angamashumi amabini ananye adweliswe kwikholam 1 yeShedyuli 1 nequlethe imbumba zewadi ezidweliswe kwikholam 2 yeShedyuli 1 aya kubhangiswa."

Ukutshintshwa kwecandelo 3 loMthetho kaMasipala ongaMabhungana waseKapa, wango2003

3. Eli candelo lilandelayo lingena endaweni yecandelo 3 loMthetho kaMasipala ongaMabhungana waseKapa, wango2003:

"3. UMISELO

Ukususela kumhla womiselo, amabhungana angamashumi amabini adweliswe kwikholam 1 yeShedyuli 2, aya kumiselwa kummandla onembumba yeewadi ezisondeleleneyo ezichazwe kwikholam 2 yeShedyuli 2."

Ukutshintshwa kwecandelo 5 loMthetho kaMasipala ongaMabhungana waseKapa, wango2003

4. Eli candelo lilandelayo lingena endaweni yecandelo 5 loMthetho kaMasipala waMabhungana waseKapa, ka2003:

"5. AMALUNGU EYENZIWE NGAWO

(1) Ikhansile yesiphalukana ime ngolu hlobo ngokwamalungu:

(a) ooceba beewadi abanyuliweyo kwiwadi zaloo khansile yesiphalukana.

(b) Ooceba ababelwe loo khansile yesiphalukana ngokwenani leevoti (propotional) ngokwemiqathango yeCandelo 63(1) **[loMthetho oyiStructures Act lifundwe neCandelo 62(cA) (xa kufanelekile)]** noShedyuli 4 woMthetho oyiStructures Act.

[(2) Laa ndlela ikhankanywe kwiCandelo 62(cA) yokunyulwa kooceba, kwiikhansile zezithili ooceba, iya kuhamba ngolu hlobo lulandelayo:

Usomlomo, asakuba edlene iindlebe nababhexeshi bamaqela amelweyo kwikhansile, uya kwenza isindululo kwikhansile malunga nokwabelwa kwamaqela izihlalo zeCandelo 63(1)(b) ngendlela eya kuthi isibonise ngokucacileyo isininzi esilawulayo kwikhansile.]

Ukutshintshwa kwecandelo 1 no2 loMthetho kaMasipala ongaMabhungana waseKapa, wango2003

5. IiShedyuli 1 no2 zoMthetho kaMasipala ongaMabhungana waseKapa, wango2003 zingena endaweni yeeShedyuli 1 no2, ngokulandelana, njengoko zidweliswe kwisihlomelo salo Mthetho kaMasipala.

ISIHLOKO ESIFUTSHANE

6. Lo Mthetho kaMasipala ubizwa ngokuba nguMthetho kaMasipala weZilungiso ongaMabhungana waseKapa, wango2024.

ISIHLOMELO

ISHEDYULI 1

IKHOLAM 1	IKHOLAM 2
INOMBOLO YEBHUNGANA	IINOMBOLO ZEWADI
1	23, 29, 32 and 107
2	6, 7, 8, 101, 102 and 111
3	1, 4, 5, 104 and 113
4	25, 26, 27, 28 and 42
5	12, 13, 20, 22, 24 and 106
6	2, 3, 9 and 10
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14	30, 40, 44, 46 and 49
15	31, 50, 51, 52, 53 and 56
16	54, 55, 57, 77 and 115
17	33, 43, 75, 78, 79, 81 and 88
18	65, 66, 67, 68, 72 and 110
19	45, 61, 64 and 69
20	62, 63, 71, 73 and 74
21	11, 14, 16, 17, 19, 108 and 109

ISHEDYULI 2

IKHOLAM 1	IKHOLAM 2
INOMBOLO YEBHUNGANA	IINOMBOLO ZEWADI
1	23, 29, 32 and 107
2	6, 7, 8, 101, 102 and 111
3	4, 55, 56, 104 and 113
4	25, 26, 27 and 28
5	12, 13, 20, 22, 24 and 106
6	2, 3, 9 and 10
7	1, 5, 21, 70, 103, 105 and 112
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