

MUNICIPAL AMENDMENT ACT, 1988

Act No. 3, 1988

EXPLANATORY NOTE:

- _____ Words underlined with solid line indicate insertions proposed.
- [] Words in bold type in square brackets indicate omissions proposed.

ACT

To amend the Municipal Ordinance, 1963, so as to provide that any council may, by the granting of tenders, give preference to any tenderer whose business is permanently established in the Territory; any council may distinguish between different tenderers in the Territory; and to provide for incidental matters.

*(Afrikaans text signed by the Administrator-General
on 24 March 1988)*

BE IT ENACTED by the National Assembly, as follows:-

1. Section 225 of the Municipal Ordinance, 1963, is hereby amended by the substitution for subsection (2) of the following subsection:

Amendment of section 225 of Ordinance 13 of 1963, as amended by section 3 of Act 18 of 1985.

- “(2) (a) The council shall accept the tender, or any portion of a tender, which in all the circumstances appears to it to be the most advantageous to the municipality: Provided that –
- [a] (i) nothing herein contained shall prevent the council from rejecting all tenders; **[and]**
- [b] (ii) the tender of any person who canvasses or solicits or causes to be canvassed or solicited the support of any councillor in favour of his tender shall not be considered; and

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(iii) nothing herein contained shall prevent the council to give, as it may deem fit, by the granting of tenders preference to the tender of a tenderer whose business is permanently established in the Territory, and to distinguish between different tenderers in the Territory.

(b) For the purposes of paragraph (a) "tenderer" shall mean any manufacturer, supplier or contractor."

2. This Act shall be called the Municipal Amendment Act, 1988.

Short title.