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LEGAL NOTICE

105	Local Government (Transfer of Functions) 1163 (Amendment) Regulations, 2023
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LEGAL NOTICE NO. 105 OF 2023

**Local Government (Transfer of Functions) (Amendment)
Regulations, 2023**

Pursuant to section 5 and 84 of the Local Government Act, 1997¹, I,

LEBONA FABIAN LEPHEMA

Minister responsible for local government, chieftainship, home affairs and police make the following regulations:

Citation and commencement

1. These Regulations may be cited as the Local Government (Transfer of Functions) (Amendment) Regulations, 2023 and shall come into operation on the date of publication in the Gazette.

Amendment of Schedule

2. The Local Government (Transfer of Functions) Regulations, 2015² are amended by deleting First Schedule and substituting the following Schedule:

DATED:

**LEBONA FABIAN LEPHEMA
MINISTER OF LOCAL GOVERNMENT, CHIEFTAINSHIP,
HOME AFFAIRS AND POLICE**

NOTE

1. Legal Notice No. 6 of 1997 as amended
2. Legal Notice No. 138 of 2015

“SCHEDULE

Functions to be transferred to Local Councils

PART I - NATURAL RESOURCES**1. Rural Water Supply**

- (a) Operation, maintenance and rehabilitation of all existing water systems;
- (b) Feasibility Study & Detailed Design of new systems; and
- (c) Construction of new systems.

2. Water Resources Management

- (a) Administration of applications for water use and construction permits for small scale water users;
- (b) Protection and conservation of water resources (wetlands, rivers, springs, dams and boreholes);
- (c) Rehabilitation of water resources (boreholes, wetlands and springs); and
- (d) Drilling and monitoring of boreholes.

3. Small scale licensing of Industrial Minerals

- (a) Sandstone;
- (b) Sand;
- (c) Dolerite (Gravel);
- (d) Basalt (Gravel); and
- (e) Clay

PART II - LAND MANAGEMENT

1. **Land Tenure**

- (a) Land acquisition and compensation;
- (b) Development and maintenance of land tenure database;
- (c) Maintenance of valuation roll;
- (d) Land allocation;
- (e) Establishment and maintenance of database on land tenure within district;
- (f) Tenurial investigations;
- (g) Land disputes resolution; and
- (h) Preparation and management of tenancy agreements between; government and private sector on immovable property.

2. **Physical Planning**

- (a) Preparation, maintenance and implementation of district and local spatial, and land use plans;
- (b) Development Controls;
- (c) Land Classification and Suitability; and
- (d) Development and maintenance of physical planning and land use database.

3. **Survey**

- (a) Conduct cadastral and topographic survey (in fill and layout surveys);

- (b) Field disputes resolutions; and
- (c) Maintenance of district and survey data and other spatial data sets.

PART III - ENVIRONMENT

1. **Environmental Coordination**

Coordination of local stakeholders on the protection and management of the environment.

2. **Environmental Inspection and Monitoring**

Inspection of the environment to ensure compliance.

3. **Awareness and Education**

Promotion and dissemination of information on the protection and management of the environment.

4. **Pollution Control**

Control and management of environmental pollution.

5. **Data Management**

Collection and management of environmental data.

6. **Biodiversity Resource Management**

- (a) Mapping, restoration and protection of biodiversity resources;
- (b) Rehabilitation and restoration of areas at risk;
- (c) Development and implementation of biodiversity management plans;
- (d) Prevention and control of wildfires; and

- (e) Eradication of alien and invasive species where they have been identified.

7. **Forestry, Range and Soil Conservation**

(1) **Forestry Development and Outreach**

- (a) Establishment of nursery networks;
- (b) Establishment and management of forests;
- (c) Establishment and management of orchards and vineyards;
- (d) Utilisation of forest and forest products; and
- (e) Establishment of forest-based cottage industries.

(2) **Land Management and Water Conservation**

- (a) Planning of soil and water conservation operational areas;
- (b) Survey and design of soil and water conservation works;
- (c) Construction of soil and water conservation structures; and
- (d) Rehabilitation of marginal lands.

3. **Management of Rangeland resource and Utilisation**

- (a) Promotion of community-based natural resources management;
- (b) Adjudication of cattle-post;
- (c) Management and protection of wetland areas; and
- (d) Crazing control and range management.

PART IV - HEALTH

1. **Health Education and Promotion**

- (a) Advocacy;
- (b) Communication (face to face training, IEC material, radio);
- (c) Social Support; and
- (d) School Health.

2. **Environmental Health**

- (a) Food Hygiene and Safety;
- (b) Water, Sanitation and Hygiene (WASH);
- (c) Occupational Health and Safety;
- (d) Port Health;
- (e) Pollution Control;
- (f) Vector and rodent Control;
- (g) Housing and Building; and
- (h) Health Care Waste Management.

3. **Maternal and Child Health**

- (1) Child Health
 - (a) Immunization
 - (i) Expanded Programme on Immunisation (EPI) Management;

- (ii) Cold Chain Management;
 - (iii) Surveillance;
 - (iv) Vaccine and logistics management; and
 - (v) Data management;
- (b) Integrated Management of Childhood Illnesses; and
- (c) Infant and Young Child feeding.

(2) **Adolescent Health**

- (a) Peer Health Education (Youth Groups);
- (b) Pre-natal Care; and
- (c) Integrated school health.

(3) **Maternal Health**

- (a) Ante Natal Care;
- (b) Child Birth;
- (c) Post Natal Care;
- (d) Prevention of Mother To Child Transmission (P.M.T.C.T);
- (e) Family Planning;
- (f) Cancer Screening (Cervix and breast); and
- (g) Communicable and Non-Communicable Diseases.

4. **Communicable and Non-Communicable diseases**

- (a) Communicable diseases (Tuberculosis, HIV and Sexu-

ally Transmitted Infections and other communicable diseases)

- (i) Screening;
 - (ii) Counselling and testing;
 - (iii) Diagnosis;
 - (iv) Treatment, Care and support; and
 - (v) Disease surveillance and response.
- (b) Non-communicable diseases (Diabetes Mellitus, Cancer, High Blood Pressure, Trauma and Injuries, Mental Health, Oral Health)
- (i) Screening;
 - (ii) Counselling and testing;
 - (iii) Diagnosis;
 - (iv) Treatment, Care and Support; and
 - (v) Disease surveillance and response.

5. **Procurement and supply of medicines**

- (a) Medicines and supplies will be procured at community council level; and
- (b) Distribution of preventive medicines and supplies will also be done at community council level.

6. **Health Legal Frameworks and Policy Regulation**

Implementation and enforcement of Health related laws, policies and related standards.

7. **Health Human Resources Management and Information System**

- (a) Reporting;
- (b) Planning;
- (c) Data entry and analysis;
- (d) Dissemination of data;
- (e) Feedback; and
- (f) Deployment.

8. **Quality Assurance**

- (a) Compliance (Standards, protocols and guidelines); and
- (b) Customer services (satisfaction of both staff and patients).

PART V - ROADS INFRASTRUCTURE

- 1. Construction of new community roads.
- 2. Upgrading and maintenance of existing rural roads.
- 3. Construction and maintenance of foot and vehicular bridges.
- 4. Construction, upgrading and maintenance of urban paved and gravel roads.”.

