

The Administrator has approved the subjoined by-law framed by the Municipal Council of Hermanus.

HERMANUS MUNICIPALITY: BY-LAW RELATING TO THE ADVISORY BOARD
FOR THE FERNKLOOF NATURE RESERVE

1. In this by-law, unless inconsistent with the context-

“Advisory Board” means the Advisory Board appointed by the Council in terms of section 8 (1) of the Nature and Environmental Conservation Ordinance, 19 of 1974;

“Council” means the Municipal Council of Hermanus;

“Councillor” means a member of the Council, and

“first meeting” means the first meeting after all the members of the Advisory Board have been appointed, whether such appointment be the first appointment of the members to an Advisory Board or an appointment in terms of section 3(2).

2. The Advisory Board shall consist of not less than seven or more than nine members, at least four of whom shall be appointed by the Council and three by the Administrator of the Cape Province.

3. (1) Members of the Advisory Board shall hold office for a period of three years. A vacancy occurring on the Advisory Board during such period shall be filled in the manner prescribed by section 2 and the person thus appointed shall hold office for the unexpired period of office of his predecessor.

(2) The Administrator and the Council shall within 3 months of the expiration of the term of office of members of the Advisory Board appoint new members in the manner prescribed by section 2.

4. (1) The Advisory Board shall elect a Chairman and a Vice-Chairman for the term of office of the members of the Advisory Board at the first meeting of the Advisory Board and as often as the office of Chairman or Vice-Chairman shall become vacant. If both the Chairman and Vice-Chairman of the Advisory Board are not present at any meeting, the members of the Advisory Board present shall elect one of their number to act as Chairman for that meeting.

(2) The Council shall appoint a person, not being a member of the Advisory Board, to be the Secretary to the Advisory Board. Should the Secretary or his substitute not be present at any meeting, the members of the Advisory Board present shall elect one of their number to act as Chairman for that meeting.

5. The Secretary shall keep the minutes of every meeting of the Advisory Board in a book set aside for that purpose and such minutes shall be submitted by the Secretary for confirmation at the next Advisory Board meeting and, if confirmed, shall be signed by the person presiding thereat.

6. (1) The Advisory Board shall hold such meetings as it may deem fit and may adjourn a meeting from time to time, provided that it shall meet at least once every 3 months. The Advisory Board shall control and regulate its meetings in such a manner as it may deem fit.

(2) All questions before a meeting of the Advisory Board shall be decided by a majority of the members voting thereat and in the event of an equality of votes the chairman shall have a casting vote in addition to his deliberative vote.

(3) The first meeting of the Advisory Board shall be held at a date, hour and place fixed by the Town Clerk, but not later than one month after the appointment of all members of the Advisory Board.

(4) The Secretary shall at least 7 days before a meeting of the Advisory Board notify all members of the place, date and hour of such meeting.

7. (1) Three members, of the Advisory Board, at least one of whom shall be a member appointed by the Administrator, shall form a quorum, and no business shall be transacted unless a quorum is present.

(2) Whenever the Council is of the opinion that there are urgent matters which require the attention of the Advisory Board, the Council may instruct the Secretary to convene a special meeting of the Advisory Board; alternatively, the Secretary shall convene a special meeting of the Advisory Board if so requested by at least three members of the Advisory Board.

8. A member of the Advisory Board who is absent without leave of the Advisory Board from 3 consecutive meetings of the Advisory Board shall cease to be a member of the Advisory Board unless the Advisory Board at the following meeting condones such absence; provided that such person may be re-appointed to be a member of the Advisory Board.

9. A member of the Advisory Board who is also a Councillor shall on ceasing to be a Councillor, cease to be a member of the Advisory Board; provided that such person may be re-appointed to be a member of the Advisory Board.

10. A member of the Advisory Board who desires to resign there-from shall lodge his resignation in writing with the Secretary of the Advisory Board.

11. The Advisory Board shall be entitled to appoint from amongst its members such committees as it may deem desirable to assist it.

12. This by-law promulgated under Provincial Notice 245 dated 10 March 1961 is hereby repealed.

NBD