

Bergvriev, South Africa

## Property Rates By-law, 2012

Legislation as at 8 June 2012

There may have been updates since this file was created.

PDF created on 15 April 2025 at 07:43.

*Collection last checked for updates: 11 April 2025.*

[View online](#)



### About this collection

The legislation in this collection has been reproduced as it was originally printed in the Government Gazette, with improved formatting and with minor typographical errors corrected. All amendments have been applied directly to the text and annotated. A scan of the original gazette of each piece of legislation (including amendments) is available for reference.

This is a free download from LawLibrary and is presented in collaboration with the African Legal Information Institute, the Judicial Institute for Africa and the Laws.Africa Legislation Collection, a collection of African legislation that is digitised by Laws.Africa and made available for free.

[www.lawlibrary.org.za](http://www.lawlibrary.org.za) | [info@lawlibrary.org.za](mailto:info@lawlibrary.org.za)

[www.laws.africa](http://www.laws.africa) | [info@laws.africa](mailto:info@laws.africa)

FRBR URI: /akn/za-wc013/act/by-law/2012/property-rates/eng@2012-06-08

There is no copyright on the legislative content of this document.

This PDF copy is licensed under a Creative Commons Attribution 4.0 License (CC BY 4.0). Share widely and freely.

Property Rates By-law, 2012  
Contents

1. Preamble ..... 1

2. Interpretation ..... 1

3. Adoption and implementation of rates policy ..... 1

4. Contents of rates policy ..... 1

5. Enforcement of rates policy ..... 2

6. Repeal of by-law ..... 2

7. Operative date ..... 2

# Bergrivier South Africa

## Property Rates By-law, 2012

Published in Western Cape Provincial Gazette 7003 on 8 June 2012

**Commenced on 1 July 2012**

*[This is the version of this document from 8 June 2012 and includes any amendments published up to 11 April 2025.]*

### 1. Preamble

- (1) Section [229\(1\)](#) of [the Constitution](#) authorises a municipality to impose rates on property and surcharges on fees for services provided by or on behalf of the Municipality.
- (2) In terms of section 3 of the Property Rates Act, a municipal council must adopt a policy consistent with the Property Rates Act on the levying of rates on rateable property in the Municipality.
- (3) In terms of section 6(1) of the Property Rates Act, a municipality must adopt by-laws to give effect to the implementation of its rates policy.
- (4) In terms of section 6(2) of the Property Rates Act, by-laws adopted in terms of section [6\(2\)](#) may differentiate between different categories of properties; and different categories of owners of properties liable for the payment of rates.

### 2. Interpretation

In this by-law, the English text prevails in the event of any conflict with the Afrikaans text, and, unless the context otherwise indicates:

"**Municipality**" means Bergrivier Municipality;

"**Bergrivier Rates Policy**" means a rates policy adopted by the Bergrivier Municipality in terms of this by-law;

"**Constitution**" means [the Constitution](#) of the Republic of South Africa;

"**Credit Control and Debt Collection By-Law and Policy**" means Bergrivier Municipality's Credit Control and Debt Collection By-Law and Policy as required by sections 96(b), 97 and 98 of the Systems Act;

"**Property Rates Act**" means the Local Government: Municipal Property Rates [Act, 6 of 2004](#);

"**rate**" or "rates" means a municipal rate on property as envisaged in section [229](#) of [the Constitution](#).

### 3. Adoption and implementation of rates policy

- (1) The Municipality shall adopt and implement a rates policy consistent with the Property Rates Act on the levying of rates on rateable property in the Municipality.
- (2) The Municipality shall not be entitled to levy rates other than in terms of a valid rates policy.

### 4. Contents of rates policy

The Municipality's rates policy shall, *inter alia*:

- (1) Apply to all rates levied by the Municipality pursuant to the adoption of the Municipality's annual budget;

- (2) Comply with the requirements for:
  - (a) The adoption and contents of a rates policy specified in terms of section 3 of the Property Rates Act;
  - (b) The process of community participation specified in section 4 of the Property Rates Act;
  - (c) The annual review of a rates policy specified in terms of section 5 of the Property Rates Act;
- (3) Specify any further principles, criteria and implementation measures consistent with the Property Rates Act for the levying of rates which the Municipality may wish to adopt;
- (4) Include such further enforcement mechanisms, if any, as the Municipality may wish to impose in addition to those contained in the Credit Control and Debt Collection By-Laws and Policy.

## **5. Enforcement of rates policy**

The Municipality's rates policy shall be enforced through the Credit Control and Debt Collection By-Law and Policy and any further enforcement mechanisms stipulated in the Municipality's rates policy.

## **6. Repeal of by-law**

Repeal of Property Rates By-Law amended on 3 June 2011 Provincial Gazette 6879.

## **7. Operative date**

This By-Law shall take effect on 1 July 2012.