Drakenstein, South Africa

Rules of Order Regulating the Conduct of Meetings of the Council By-law, 2014

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Rules of Order Regulating the Conduct of Meetings of the Council By-law, 2014
Contents

Part 1 – General 1
1. Definitions 1
Part 2 – Application of rules 2
2. Application 2
3. Supplementation 2
Part 3 – Meetings 2
4. Commencement of meeting 2
5. Order of business 2
6. Speaker may introduce urgent matter 2
7. Business to be transacted 3
8. Meetings 3
9. Attendance at meetings 3
10. Leave of absence 3
11. Non-attendance 4
12. Minutes 4
13. Quorum 4
Part 4 – Decisions 5
14. Unopposed matters 5
15. Debate prior to decisions 5
16. Manner of voting 5
17. Decisions 5
Part 5 – Public access 6
18. Admittance of public 6
19. Matters In-Committee 6
20. Exclusion of the public and media from meetings 6
21. Re-admission of public and media to meetings 6
22. Deputations and invitations to non-members 7
Part 6 – Order at meetings 7
23. Conduct of members, non-members and members of the public 7
Section 24. 7
25. Offence 7
Part 7 – Rules of debate 8
26. Member to address speaker 8
27. Order of priority 8

28. Precedence of speaker 8
29. Relevance 8
30. Right to speak 8
31. Debate management 9
32. Re-introduction of motion or question 9
33. Notices of motion 9
34. Notices of questions 9
35. Absence of mover or questioner 9
36. Motions and questions on matters dealt with by a committee or executive mayor 10
37. Recommendation by executive mayor or committee regarded as motion 10
38. Questions 10
39. Motion of exigency 10
40. Motions of course 11
41. Points of order 11
42. Points of explanation 11
43. Withdrawal of motion, amendment or question 11
44. Speaker's ruling on points of order and explanation 11
45. Order of debate 11
46. Amendment of motion 12
47. Postponement of consideration of the matter 12
48. Adjournment of meeting to another date 12
49. Adjournment of meeting for a specified time 13
50. Adjournment of debate 13
51. Voting on a matter 13
52. Removal of matter from the agenda 13
Part 8 – Members' tools of trade 14
53. Tools of trade 14
Part 9 – Repeal of by-laws 14
54. Repeal of by-laws 14

Drakenstein
South Africa

Rules of Order Regulating the Conduct of Meetings of the Council By-law, 2014

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Drakenstein Municipality, by virtue of the powers vested in it by section 156(2) of the Constitution of the Republic of South Africa 1996, read with section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), enacts as follows-

Part 1 – General

1. Definitions

In these rules, unless inconsistent with context –

"**code**" means the code of conduct for councillors set out in the Systems Act;

"**committee**" means a portfolio committee established by council in terms of sections 79 or 80 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) or a committee contemplated in section 14 of the Code of Conduct for Councillors;

"**Constitution**" means the Constitution of the Republic of South Africa, 1996;

"**council**" means the municipal council of Drakenstein;

"**MEC**" means the member of the Executive Council responsible for local government in the province of the Western Cape;

"**meeting**" means the meetings of the municipal council;

"**member**" means a member of the municipal council;

"**motion**" means a motion of which written notice is given by a member, but shall not include a motion as contemplated by rules 39 and 40, and order motions as set out in rule 45;

"**municipal manager**" means the person appointed by council in terms of the Local Government: Municipal Systems Act, 2000, or a person delegated by the municipal manager;

"**party**" means a party as defined in the Local Government: Municipal Structures Act, 1998;

"**rules**" means the provisions of this by-law;

"**speaker**" means the member elected as chairperson of the council or any other member acting as chairperson of the council;

"**Systems Act**" means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

"**Structures Act**" means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998).

"**tools of trade**" means the resources or enabling facilities such as furniture, telephones, electronic devices or any other resources or enabling facilities provided by the municipality to a member to enable effective and efficient fulfillment of his or her duties in the most cost effective manner.

Part 2 – Application of rules

2. Application

(1) These rules apply to all meetings of council.

(2) Except where it is clearly inappropriate, a rule applying to members in any proceedings shall also apply to a non-member who takes part in those proceedings with the approval of the speaker.

3. Supplementation

(1) The speaker may give a ruling in respect of any eventuality for which these rules do not provide and no further discussion shall be allowed on the ruling.

(2) The ruling of the speaker must be entered in the minutes.

Part 3 – Meetings

4. Commencement of meeting

The speaker must take the chair at the time for which the meeting is convened and must proceed immediately with the business of the meeting subject to rule 13.

5. Order of business

(1) The business of meetings will appear in the following order on the agenda –

(a) election of acting speaker, if necessary;

(b) applications for leave of absence;

(c) confirmation of minutes;

(d) statements and communications by the executive mayor/executive deputy mayor;

(e) statements and communications by the speaker;

(f) interviews with deputations (if approved by the speaker);

(g) consideration of reports by executive mayor;

(h) matters for consideration/information;

(i) urgent matters submitted by the municipal manager;

(j) consideration of notices of motion;

(k) consideration of notices of questions;

(l) consideration of motions of exigency;

(m) matters In-Committee.

(2) The speaker may change the order of the business appearing on the agenda.

(3) A member who wishes to have the order of business on the agenda changed must approach the speaker prior to the meeting. The decision of the speaker in this regard will be final.

6. Speaker may introduce urgent matter

The speaker may at any time and without notice make any statement or introduce urgent matters.

7. Business to be transacted

Except as otherwise provided in these rules, no matter not specified in the agenda of a meeting of the council shall be transacted at such meeting.

8. Meetings

(1) Council must meet at least quarterly.

(2) The speaker shall decide when and where the council meets, but if a majority of the members request him or her in writing to convene a meeting, he or she must convene a meeting at a time as set out in the request.

(3) If the position of speaker is vacant, the municipal manager must —

(a) convene a special meeting to elect a speaker or an acting speaker; and

(b) give notice of the meeting to each councillor and to the public.

(4) If the speaker fails to convene a special council meeting referred to in sub rule (2) the majority of councillors may request the municipal manager to convene such meeting and the municipal manager must convene such meeting at a time set out in the request.

(5) A notice by the majority of councillors must indicate the business that will be conducted at the special meeting. No other business, except with the approval of a majority of councillors, may be conducted at such special meeting.

(6) The municipal manager must give notice in writing or by electronic media to each member of every meeting decided upon in terms of sub rules (2), (3) and (4).

(7) The municipal manager must give public notice of the day, time and venue of every meeting by publishing a notice in a local newspaper determined by him or her, provided that he or she may depart from this requirement due to time constraints in respect of urgent meetings.

(8) The municipal manager must notify each member of every meeting by providing him or her with an agenda in writing or by electronic media at least seventy two (72) hours before the hour of the meeting, provided that should time constraints make this impossible, a shorter notice period may apply.

9. Attendance at meetings

(1) Every member attending a meeting must sign his or her name in the attendance register kept for such purpose.

(2) A member must attend each meeting except when –

(a) leave of absence is granted in terms of rule 10; or

(b) the member is required to withdraw in terms of law.

10. Leave of absence

(1) A member who wishes to absent himself or herself from a meeting or during a meeting of council must submit an application, stating the reasons therefore to the speaker, or in his or her absence, to the chief whip of the council in writing at least 48 hours before the meeting. An e-mail directed to the speaker in this regard will be acceptable.

(2) Upon receipt of the application referred to in sub rule (1), the speaker must consider the application and may approve or reject the application. The member must be notified of the decision, and reasons in case of refusal, at least 24 hours before the meeting.

(3) The speaker may grant leave of absence to a member who has been prevented by special circumstances from applying for leave of absence in accordance with sub rule (1).

(4) The special circumstances referred to in sub rule (3) may include –

(a) illness of the member; or

(b) illness or death of close relatives of the member; or

(c) a member being on official business of council.

(5) If the speaker wishes to absent himself or herself from a meeting, he or she must apply to the executive mayor in which case the provisions of sub rules (1) to (4) shall apply with the necessary changes.

(6) A member who fails to remain in attendance at a meeting without permission of the speaker shall be regarded as being absent without leave.

(7) The names of all members to whom leave of absence from any meeting have been granted and those of all members who absent themselves without leave from any meeting, or who fail to remain in attendance at a meeting, must be recorded in the minutes or report(s) relating to such meeting.

(8) Rule 24(5) shall apply to members who fail to comply with any provision of this rule.

11. Non-attendance

(1) The speaker or his or her nominee must inspect the attendance register for council meetings on a regular basis and the speaker must, if deemed fit, take the appropriate steps in terms of the Code of Conduct for councillors against members who are absent on a regular basis.

(2) Non-attendance by a member means failure to-

(a) attend a meeting that the member is required to attend in terms of rule 9(2) of this by-law;

(b) be in attendance at the commencement of a meeting; or

(c) remain in attendance until the end of a meeting;

12. Minutes

(1) Minutes of the proceedings of meetings must be compiled in printed form and be confirmed by the council at the next ordinary meeting and signed by the speaker.

(2) For the purpose of confirmation, the minutes shall be taken as read if a copy thereof was sent to each member within a reasonable period of time before the next meeting.

(3) No motion or discussion shall be allowed on the minutes, except in connection with the correctness thereof.

13. Quorum

(1) A majority of the members shall constitute a quorum.

(2) If there is no quorum at the time for which the meeting is scheduled, the speaker must take the chair as soon as a quorum is present.

(3) Whenever there is no quorum, the start of the meeting must be delayed for no longer than 30 minutes and if at the end of that period there is no quorum, the speaker must adjourn the meeting to another time, date and venue at his or her discretion and record the names of those members present.

(4) Whenever the speaker is not present and there is no quorum, the start of the meeting must be delayed for no more than 30 minutes and if there is no quorum at the end of that period, no

meeting shall take place and the municipal manager must record the names of the members present.

(5) Whenever a resolution has to be taken on any matter before a meeting and there is no quorum, the speaker must suspend the proceedings until a quorum is present, provided that if after 10 minutes, or such longer time the speaker may allow, there is still no quorum, the speaker must adjourn the meeting.

(6) Whenever a meeting is adjourned owing to the absence of a quorum, the time of such adjournment, as well as the names of the members present, must be recorded in the minutes.

Part 4 – Decisions

14. Unopposed matters

Whenever council is called upon to consider a matter and there is no opposition from any member, a unanimous vote shall be recorded in the minutes.

15. Debate prior to decisions

(1) Before any matter is debated, the speaker must indicate that the matter is open for discussion.

(2) In the event of an opposed matter, the speaker shall not allow any proposal or amendment to be moved until the matter has in his or her view been adequately debated by the meeting.

(3) An item on the agenda shall be deemed to be opposed business if a member signifies his or her intention to discuss such item immediately after the speaker has indicated that such item is open for discussion, provided that no item shall be deemed to be opposed by reason only of questions being asked in connection therewith.

16. Manner of voting

(1) The speaker must put every opposed motion to the vote by calling upon the members to indicate by a show of hands, unless otherwise prescribed by law, whether they are for such motion or against it, whereupon the speaker must declare the result of such vote.

(2) The speaker may, at the request of a majority of the members present, rule that a matter be decided by secret ballot. In such an event the municipal manager shall ensure that a duly marked ballot paper is handed to each member.

(3) If there is an equality of votes in respect of a motion on which voting takes place in accordance with sub rules (1) and (2), the speaker must exercise his casting vote in addition to his deliberative vote, provided that he or she may not exercise a casting vote in terms of any matter set out in section 160(2) of the Constitution of the Republic of South Africa, 1996.

(4) Upon the speaker's declaration of the result of a vote, a member may demand for his or her vote to be recorded against the decision concerned and the municipal manager shall ensure that such vote is recorded in the minutes.

(5) A member may abstain from voting on any matter. Upon indication that a member wishes to abstain from voting, it shall be entered in the minutes.

17. Decisions

(1) In accordance with the Constitution of the Republic of South Africa, 1996, a supporting vote of a majority of the members is necessary to decide on –

(a) the passing of by-laws;

(b) the approval of the budget;

(c) the imposition of rates and other taxes, levies and duties;

(d) the raising of loans

(2) In accordance with the Structures Act a supporting vote of at least two-thirds of the members is necessary to adopt a decision to dissolve the council.

(3) Save for rule 39, all other questions are decided by a majority of votes cast.

Part 5 – Public access

18. Admittance of public

The speaker must take reasonable steps to regulate public access to, and public conduct at meetings.

19. Matters In-Committee

(1) Whenever the municipal manager has provisionally placed any matter on a part of the agenda which will not be disclosed to the public before the meeting, the speaker, when such matters are to be considered, must –

(a) direct that the members consider whether it would be reasonable for any or all of the items on such part of the agenda to be considered without the presence of the public, with due regard to section 160(7) of the Constitution of the Republic of South Africa, 1996, which requires that the public and media may be excluded from being present at a meeting only when it is reasonable to do so, having regard to the nature of the business being transacted; and

(b) direct that all members of the public leave the venue of the meeting in respect of those items to be dealt with In-Committee.

(2) The motivation for the exclusion of the public must be minuted in full.

(3) Any items from which the public will not be excluded, shall be considered directly after the procedure as set out in sub rule (1).

20. Exclusion of the public and media from meetings

(1) The public, including the media, may be excluded from the meeting –

(a) where so directed by the speaker in terms of rule19; or

(b) where so decided by council in terms of sub rule (3).

(2) If a motion to exclude the public is seconded, it shall be put to the vote forthwith without discussion.

(3) If, after due consideration by council of the reasons stated, and with due regard to section 160(7) of the Constitution of the Republic of South Africa, 1996, such motion is carried, the place of meeting shall be cleared of all members of the public, including media.

21. Re-admission of public and media to meetings

(1) A member may during the course of the meeting from which the public and the media were excluded, move "that the meeting again be opened" and state the reasons for such motion.

(2) If such motion is seconded it shall be put to the vote forthwith without discussion.

22. Deputations and invitations to non-members

Members of the public and deputations will as a general rule be interviewed by the executive mayor or committees. Under special circumstances, the speaker may-

(a) grant approval for a deputation to be interviewed by council;

(b) allow a member of the public to address council; or

(c) to attend a meeting in order to state his or her views on a matter before council.

Part 6 – Order at meetings

23. Conduct of members, non-members and members of the public

If a non-member or member of the public misbehaves, behaves in an unseemly manner or obstructs the business of any meeting, the speaker may order that he or she should be removed from the meeting.

24.

(1) If a member –

(a) misbehaves;

(b) behaves in an unseemly manner;

(c) obstructs the business of a meeting;

(d) challenges the ruling of the chairperson on any point of order or ruling in terms of rule 3(1);

(e) declines to withdraw any expression when required to do so by the chairperson;

(f) indulges in tedious repetition or unbecoming language, or

(g) commits any breach of these rules,

the speaker must direct such member to conduct himself or herself properly and, if speaking, to discontinue his or her speech.

(2) In the event of a persistent disregard of the directions of the speaker, he or she shall direct such member to retire from the place of meeting for the remainder of the meeting and may, if necessary, cause him to be removed there from.

(3) A proper dress code of members during meetings, as approved by council, shall be enforced by the speaker and the display of any party political branding or wording on any clothing or item in possession of a member who publicly displays it, shall be considered as behaviour in an unseemly manner.

(4) The taking of photographs or visual or audio recordings at a meeting is prohibited unless authorised by the speaker.

(5) In the event of a breach by a member of any provision of this by-law, the speaker may, in addition to any direction given as authorised in terms of these rules, act against such member in terms of Item 13 of the Code of Conduct for councillors.

25. Offence

Any member, non-member or member of the public who –

(a) refuses or fails to comply with a direction of the speaker given in terms of rule 22 and 23;

(b) returns to the place of meeting prior to the conclusion of the meeting from which he was directed to retire;

(c) offers resistance whilst being removed from the place of meeting; or

(d) contravenes rule 24(4); shall be guilty of an offence and liable on conviction to a fine not exceeding R2 000 (two thousand rand).

Part 7 – Rules of debate

26. Member to address speaker

A member who speaks at a meeting must address the speaker and may do so in any one of the three official languages of the Province of the Western Cape.

27. Order of priority

(1) A member may address the council, with the permission of the speaker.

(2) A member shall raise his or her hand in order to obtain the necessary permission to speak.

28. Precedence of speaker

Whenever the speaker addresses the meeting, all members must be silent.

29. Relevance

(1) A member who speaks must direct his or her speech to the subject or matter under discussion or to an explanation or to a point of order.

(2) No discussion shall be permitted –

(a) which will anticipate any matter on the agenda; or

(b) on any matter in respect of which a decision by a judicial or quasi-judicial body or a commission of enquiry is pending.

30. Right to speak

(1) A member may only speak once –

(a) to the matter before the council;

(b) to any amendments to the matter before the council;

(c) to a matter or an amendment proposed or to be proposed by himself or herself;

(d) to a point of order or a question of privilege;

unless authorised by the speaker or as provided for in terms of these rules.

(2) The mover of an original motion may speak to the motion and reply but in reply he or she shall confine himself or herself to answering previous speakers and shall not introduce any new matter into the debate.

(3) The right of reply shall not extend to the mover of an amendment which, having been carried, has become the substantive motion.

31. Debate management

(1) The political whips of the parties in council must, at least 24 hours prior to a meeting, provide the chief whip with a list of the items on the agenda that will be debated;

(2) Based on the lists provided in terms of sub rule (1), each party must deliver to the chief whip before a meeting, a list of the councillors who will speak on an item, provided that the time allocated to each councillor as well as the total time allocated to all members shall be at the discretion of the speaker.

(3) The speaker may deviate from the provisions of the lists.

(4) All matters not listed in terms of sub rule (1) must be put individually to the meeting for adoption without debate.

(5) Except with the consent of the speaker, no member may speak for more than five minutes on any matter.

(6) The mover of an original motion or of any amendment may, however, speak for five minutes on such motion or amendment.

32. Re-introduction of motion or question

No motion which has been rejected by the council and no question asked in terms of the rules and dealt with at any meeting may again be moved or asked within a period of three months of such meeting except with the consent of the speaker.

33. Notices of motion

(1) The speaker may not accept any motion on a matter that is not on the agenda unless notice thereof has been given in terms of sub rule (2).

(2) A notice of intention to introduce a motion shall be motivated, signed and dated and delivered to the municipal manager in writing at least six working days before the date of the meeting on which it is intended to be introduced.

34. Notices of questions

(1) The speaker may not accept any question on a matter that is not on the agenda unless notice thereof has been given in terms of sub rule (2).

(2) A notice of intention to introduce a question must be delivered to the municipal manager in writing at least six working days before the date of the meeting on which it is intended to be introduced.

35. Absence of mover or questioner

A motion or question shall lapse if-

(a) the mover or questioner is absent when called upon by the speaker to move a motion or ask a question standing in his or her name on the agenda; and

(b) the mover or questioner has not notified the speaker in writing of a substitute to move the motion or ask the question.

36. Motions and questions on matters dealt with by a committee or executive mayor

(1) A member may not give notice of a motion or question in regard to any matter assigned to a committee or the executive mayor, unless –

(a) such motion has previously been submitted to such committee or the executive mayor without any response;

(b) such motion is in the form of a reference to such committee or the executive mayor for consideration and report;

(c) such committee or executive mayor has failed to finalise or report on such matter within a time period as specified by council; or

(d) the speaker authorised such motion to be included in the agenda.

(2) The chairperson of a portfolio committee or the executive mayor may, if he or she is of opinion that the matter is one of urgency, give notice of his or her intention to introduce a motion or ask a question on a matter assigned to such committee or the executive mayor, notwithstanding the fact that such motion or question has not received the prior consideration of the committee or the executive mayor.

(3) Any motion intended in terms of sub rules (1) and (2) must comply with the provisions of rule 33(2).

37. Recommendation by executive mayor or committee regarded as motion

(1) A recommendation contained in a report submitted by the executive mayor or a committee is considered to have been moved by the executive mayor or the chairperson of such committee or their delegates, as the case may be.

(2) A motion referred to in sub rule (1) does not need to be seconded.

(3) The executive mayor or the chairperson of the committee may exercise his or her right to speak or reply on such a matter.

38. Questions

(1) After a motion or amendment has been moved and seconded or at the conclusion of a speech thereon, a member may ask any question relevant to such motion or amendment.

(2) No supplementary questions may be asked except by the member asking the original question and then only in respect of matters arising out of the reply to such original question.

(3) The speaker may not disallow such question, provided that the member to whom the question is directed may either reply thereto forthwith or require that notice thereof be given in terms of rule (34).

39. Motion of exigency

(1) A member may direct the attention of the council to any matter which does not appear on the agenda and of which no previous notice has been given by stating briefly the subject of the matter and without comment thereon moving "that the motion to which attention has been directed be considered forthwith as a matter of exigency."

(2) Such motion is herein referred to as a motion of exigency.

(3) If such motion is seconded and carried by a majority of two thirds of the members present, the mover shall be permitted without notice to bring the matter under consideration by way of motion or question.

40. Motions of course

(1) In addition to those provided for elsewhere in these rules, the following shall be regarded as motions of course –

(a) that any report referred to in the agenda be noted, adopted, acted upon or referred back;

(b) that any document before the council be acted upon in the manner specified in the motion;

(c) that action be taken in regard to any item submitted for consideration in the manner specified in the motion.

(2) Any motion of course as stipulated above and elsewhere in these rules, shall be subject to rule 15 hereof.

41. Points of order

A member may raise a point of order to draw attention to a departure from these rules by stating the particular rule he or she relies on, whereupon he or she shall immediately be heard.

42. Points of explanation

The speaker may allow a member to raise a point of explanation provided that such explanation shall be confined to some material part of the debate which may have been misunderstood.

43. Withdrawal of motion, amendment or question

(1) A motion or amendment may without debate and with the permission of the seconder and council, be withdrawn by the mover.

(2) A member may not speak on such motion or amendment after council has agreed to the withdrawal of such motion.

(3) A question may be withdrawn by the member intending to put it.

44. Speaker's ruling on points of order and explanation

(1) The ruling of the speaker on a point of order or an explanation shall be final and not open to discussion.

(2) The ruling of the speaker on any point of order raised as to the interpretation of these rules shall be entered in the minutes.

45. Order of debate

When a matter is under debate, no further motion shall be received except that-

(a) the motion be amended;

(b) consideration of the matter be postponed;

(c) the public and the media be excluded;

(d) the public and the media be re-admitted;

(e) the meeting adjourn to another date;

(f) the meeting adjourn for a specified time;

(g) the debate be adjourned;

(h) the matter be put to the vote;

(i) the meeting proceed to the next business.

46. Amendment of motion

(1) Every amendment shall be relevant to the motion on which it is moved.

(2) An amendment shall, if required by the speaker, be in writing, signed by the mover and handed to the speaker and such amendment shall be read before being moved.

(3) An amendment shall not be discussed or put to the council until it has been seconded.

(4) If there is more than one amendment to a motion the amendment last proposed shall be put to the vote first and if carried the matter shall be resolved accordingly.

(5) If the amendment last proposed is rejected, the amendment proposed immediately prior to the last amendment shall be put to the vote.

(6) No further amendment shall be moved to a motion or amendment after the speaker has commenced to take the vote upon such motion or amendment.

47. Postponement of consideration of the matter

(1) A member may at the conclusion of a speech move that the consideration of the matter be postponed to a fixed or undetermined date.

(2) Such motion must be seconded but need not be in writing, provided that the seconder shall not be permitted to speak. The mover shall be permitted to speak to the motion for a period not exceeding five minutes and the seconder shall not speak for seconding the motion.

(3) The mover of the motion may, without prejudice to his or her right of reply if the motion is not carried, be heard in reply for five minutes, after which the motion shall be put without further debate.

(4) If the motion is carried, the matter shall be placed first on the agenda of matters to be considered at the meeting to which it has been postponed, provided that rule 5(2) and (3) shall not apply to such matter.

48. Adjournment of meeting to another date

(1) A member who has not yet participated in the debate on a matter may at any time, except during the course of a speech by another member, or while a vote is being taken, move "that the meeting adjourn to another date".

(2) Such motion must be seconded but need not be in writing.

(3) The mover may speak to the motion for a period not exceeding five minutes but the seconder shall not speak except for seconding the motion.

(4) If the motion is carried the meeting shall forthwith adjourn unless the speaker directs that the meeting proceed first to dispose of business other than opposed business.

(5) If the motion is not carried the speaker shall not accept another such motion until half an hour has elapsed.

(6) Subject to sub rule (3), no discussion on such motion shall be permitted, except that a member who has first indicated his or her opposition to such motion, may speak in opposition of the motion for not more than five minutes.

(7) No amendment to such motion may be moved except in relation to the period of adjournment.

(8) If the motion is carried during a debate but the debate is not concluded, then, upon re-opening of the matter at the adjourned meeting, the member who moved the adjournment shall be entitled to speak first.

(9) No business shall be transacted at an adjourned meeting except such business set out in the agenda for the meeting which is adjourned.

49. Adjournment of meeting for a specified time

(1) A member may at any time except during the course of a speech by another member or while a vote is being taken, move "that the meeting now adjourn for a specified time, up to one hour".

(2) Such motion must be seconded and need not be in writing.

(3) If the motion is carried the meeting shall forthwith adjourn for the specified time.

(4) The speaker may limit the number of such motions.

50. Adjournment of debate

(1) A member who has not yet participated in a debate may at the conclusion of any speech move "that the debate be adjourned".

(2) Such motion must be seconded but need not be in writing.

(3) The mover of such motion may speak to it for five minutes, but the seconder may not speak beyond formally seconding it.

(4) Subject to sub rule (3) no discussion may be permitted on such motion except in relation to the period of adjournment and that the member who first indicated his or her opposition against such motion may speak in opposition thereto for five minutes.

(5) If such motion is carried, the meeting proceeds to the next business on the agenda, and the discussion of the adjourned debate, unless otherwise resolved, is resumed at the next meeting.

(6) On the resumption of the adjourned debate the member who moved the adjournment is entitled to speak first.

(7) If the motion is not carried the speaker shall not accept another such motion until half an hour has elapsed.

(8) A member may not move or second more than one motion for the adjournment of the debate during the course of that debate.

51. Voting on a matter

(1) A member who has not yet participated in the debate on a matter may, at the conclusion of a speech on the matter, move that "the matter be now put to the vote".

(2) Subject to the provisions of sub rule (3), no motion put in terms of sub rule (1) shall be open to discussion.

(3) The mover of a matter under discussion may, when a motion has been put in terms of sub rule (1), speak on such motion for not more than five minutes, whereupon the said motion shall be put to the vote without any further debate.

52. Removal of matter from the agenda

(1) A member who has not yet participated in the debate on a matter may, at the conclusion of any speech on that matter, move "that the matter be removed from the agenda".

(2) Subject to the provisions of sub rule (3), no motion put in terms of sub rule (1) shall be open to discussion.

(3) The mover of a matter under discussion may, when a motion has been put in terms of sub rule (1), speak on such motion for not more than five minutes, whereupon the said motion shall be put to the vote without any further discussion.

(4) If such a motion is carried, the matter under discussion shall not be further pursued.

Part 8 – Members' tools of trade

53. Tools of trade

It is the responsibility of members to have the tools of trade provided to them by the municipality available and in a working condition at all times.

Part 9 – Repeal of by-laws

54. Repeal of by-laws

By-Law 20/2007: Rules of Order regulating the Conduct of Meetings of the Council of the Municipality of Drakenstein promulgated in *Provincial Gazette* 6426 dated 16 March 2007, is hereby repealed.