

R01 of 2018

CONDUCT OF A COUNCILLOR (SPEAKER) (3/1/2/4/2)

PURPOSE

This item seeks the advice of the Rules and Ethics Committee regarding the situation where a Councillor is involved in a land grab process.

BACKGROUND

Recently, there have been cases of sporadic land grabs around Matjhabeng. In some cases there have been some allegations of some Councillors being involved and some being arrested. The critical issue is that Council has never delegated the land adjudication to anybody, therefore it remains being a power of Council to decide on.

The Rules and Ethics Committee needs to advise as to how best should Council deal with a situation where a Councillor gets involved in the process of land grabs.

LEGAL FRAMEWORK

Standard Rules and Orders

Municipal Systems Act, No 32 of 2000 - Code of conduct for Councillors

SUBMITTED FOR CONSIDERATION

R02 of 2018

RE-AFFIRMATION OF THE STANDARD RULES AND ORDERS (SPEAKER) (3/1/B)

PURPOSE

To submit the input of EFF to the Rules Committee for reviewal of the rules.

BACKGROUND

The Speaker in the last Rules Committee meeting held on the 14th November 2017 informed members that the EFF Councillors wrote to his Office stating that the enforcement of Rule 32 pertaining to the approved dress code was putting their constituencies at a disadvantage as they were unable to engage in matters that are discussed in Council. He therefore requested members to deliberate on the proposal submitted by EFF Councillors.

The members indicated that it would not be fair for them to deliberate on a proposal that was not made available in advance and advised that the Committee should be afforded an opportunity to look at the proposal first and the matter should be discussed at the next meeting.

The members also requested EFF Councillors, as a matter of principle, to show their commitment to the cause of good governance by:

- Complying with the adopted dress code at the Council meeting scheduled for the 30th August 2017.
- Confirming that they will not take the Municipality to Court after a final resolution on the matter had been taken by Council, as the Municipality spends money to defend Court cases.

*** The EFF made its submission which **is attached on page 1 to page 8 of the Annexures.**

LEGAL FRAMEWORK

Standard Rules and Orders

SUBMITTED FOR CONSIDERATION

R03 of 2018

**PUBLIC PARTICIPATION ENHANCEMENT: OFFICE OF THE SPEAKER
(SPEAKER)**

PURPOSE

To highlight the gaps and shortfalls within the system of the Public Participation in our Communities.

BACKGROUND

The Municipalities are constituted by the Politicians at local levels, Administration and communities in a particular Municipal jurisdiction. According to Systems Act, a municipality must develop a culture of Municipal Governance that complements formal representative Government with a system of participatory governance and must for this purpose encourage and create conditions for the local community to participate in the affairs of the municipality.

The Speaker therefore having considered the above, realised that the only time where the community gets involved in the affairs of the Municipality is when the municipality is dealing with the budget and the IDP. Yes there are also Imbizos and Constituency meetings but the above is not enough. In terms of the Section 17(4) of Systems Act, a municipality may establish one or more advisory Committee Consisting of persons who are not Councillors to advise the Council on any matter within the Council's Competence. On the same vein the municipality have to communicate to its community information concerning the available mechanism, processes and procedures to encourage and facilitate community participation.

It is against this background that the Speaker is suggesting that to comply with Systems Act, there is a need to navigate through our communities, identifying organised community formations like Community Based Organisations, NGO's, Rate Payers, Business Chamber and others. Having identified these organisations, then the Council to give them a chance to make input under deputations and interviews for about ten minutes once there is an Ordinary Council Meeting.

LEGAL FRAMEWORK

Municipal System Act No32 of 2000
Municipal Structures Act

RECOMMENDATIONS

1. That Rules Committee to recommend to Council to invite identified Community Based Organisations per Council meeting to come and raise issues in an advisory capacity.
2. That this to be done without Council bearing costs of such an exercise.