

**NORTH WEST  
NOORDWES  
EXTRAORDINARY  
PROVINCIAL GAZETTE  
BUITENGEWONE  
PROVINSIALE KOERANT**

**Vol. 254**

**2 AUGUST  
AUGUSTUS 2011**

**No. 6918**

**IMPORTANT NOTICE**

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

---

**CONTENTS • INHOUD**

No.	Page No.	Gazette No.
<b>GENERAL NOTICE</b>		
187 Local Government: Municipal Systems Act (32/2000): Draft Framework/Guidelines for the Establishment and Operation of Municipal Ward Committees in the North West Province.....	3	6918

---

---

## GENERAL NOTICE

---

### NOTICE 187 OF 2011

#### DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

#### DRAFT FRAMEWORK/GUIDELINES FOR THE ESTABLISHMENT AND OPERATION OF MUNICIPAL WARD COMMITTEES IN THE NORTH WEST PROVINCE

I, Mosetlha Paul Sebegoe, Member of the Executive Council responsible for Local Government in the Province of the North West, hereby in terms of section 120, read with section 22, of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), publishes the Draft Guidelines for the Establishment and Operation of Municipal Ward Committees, for public comments.

Any person or party or interested entity who wishes to make any comment or input in relation to the Draft Framework / Guidelines for the establishment and operation of ward committees in the North West Province, is invited to submit written comments or inputs on or before 16<sup>th</sup> August 2011 for the attention of Ms. P Kgomo at the following address:

**The Chief Director  
Attention: Ms P Kgomo  
Department of Local Government and Traditional Affairs  
Private Bag X 2099  
MMABATHO  
2735**

Comments may also be faxed to facsimile number 018 388 3307 or emailed to [MKgomo@nwpg.gov.za](mailto:MKgomo@nwpg.gov.za).

Given under my hand at Mafikeng this 22<sup>nd</sup> day of July 2011.

**M P SEBEGOE  
MEMBER OF THE EXECUTIVE COUNCIL OF THE PROVINCE OF THE NORTH WEST RESPONSIBLE  
FOR LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**

**NORTH WEST PROVINCIAL DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL  
AFFAIRS**

**DRAFT FRAMEWORK/GUIDELINES FOR THE ESTABLISHMENT AND OPERATION OF MUNICIPAL  
WARD COMMITTEES IN THE NORTH WEST PROVINCE**

**TABLE OF CONTENTS**

1. PREAMBLE	2
2. DEFINITIONS	2
3. PURPOSE OF GUIDELINES	2
4. ESTABLISHMENT PROCESS	2
5. STATUS OF WARD COMMITTEES	3
6. FUNCTIONS, DUTIES & RESPONSIBILITIES OF WARD COMMITTEES	4
7. CAPACITY BUILDING AND TRAINING	5
8. COMPOSITION OF WARD COMMITTEES	7
9. ELECTION CRITERIA	7
10. ELECTION PROCEDURE	10
11. CONDUCT OF MEMBERS	11
12. WARD COMMITTEE MEETINGS	14
13. ADMINISTRATIVE SUPPORT	16
14. TERM OF OFFICE	16
15. VACANCIES	16
16. TERMINATION OF MEMBERSHIP	17
17. BUDGET	17
18. ACCOUNTABILITY	18
19. DISPUTE RESOLUTION	19
20. DISSOLVEMENT OF A WARD COMMITTEE	19
ANNEXURE A: SATISFACTION SURVEY QUESTIONS	20
ANNEXURE B: WARD COMMITTEE CODE OF CONDUCT	21
ANNEXURE C: DECLARATION	23
ANNEXURE D: REGISTER OF ALL ACTIVE ORGANISATIONS IN THE WARD	24
ANNEXURE E: WARD COMMITTEE MEMBERS PROFILES	25

## PREAMBLE

Mindful of the legislative responsibility of ward committees in enhancing public participation in local government decision making,

Recognizing the need for ward committees to have guidelines on how to enhance public participation,

Desiring that ward committees engender and maintain the spirit of public participation in the community,

Guidelines to support ward committees in their all important tasks, is hereby published/issued.

### 1. DEFINITIONS

**1.1** In these guidelines a word or phrase to which a meaning has been assigned in the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) and the Local Government: Municipal System Act 2000, (Act 32 of 2000), Provincial Framework on the criteria for determining out of pocket expenses for ward committees, has that meaning unless the context otherwise indicates.

### 2. PURPOSE OF THE GUIDELINES / FRAMEWORK

**2.1** To provide uniform and simplified guidelines to ward committee members, ward councillors, local municipalities and the district municipalities on the establishment and operation of ward committees.

### 3. ESTABLISHMENT PROCESS

**3.1** When a local council establishes ward committees in terms of section 73 of the Municipal Structures Act, 1998 (Act 117 of 1998) as amended, it must establish a ward committee for each ward in the municipality, as determined by the MEC through section 12 notices of the Structures Act, 1998, published in the provincial gazette.

### 4. STATUS OF WARD COMMITTEES

**4.1** The object of ward committees is to enhance participatory democracy in local government.

**4.2** A ward committee:

**4.2.1** Is an advisory body to ward councillor and municipal council as provided

for in terms of section 74 of the Structures Act, 1998;

**4.2.2** Is apolitical;

**4.2.3** Must be impartial and perform its functions without fear, favour or prejudice; and

**4.2.4** Is an official municipal participatory structure.

**5. FUNCTIONS, DUTIES AND RESPONSIBILITIES OF WARD COMMITTEES**

**5.1** A ward committee may make recommendations on any matter affecting its ward to the ward councillor; or through the ward councillor to the Speaker, the executive committee, the mayoral committee, the mayor/executive mayor and local council.

**5.2** A ward committee must have such duties and responsibilities as may be delegated to it by the local council in terms of section 59 of the Municipal Systems Act, 2000.

**5.3** The following represents duties and responsibilities that may be delegated to ward committees by municipalities:

**5.3.1** To serve as an official specialized participatory structure in the municipality;

**5.3.2** To create formal unbiased communication channels as well as co-operative partnerships between the community and the council. This may be achieved as follows:

**5.3.2.1** Advise and make recommendations to the ward councillor on matters and policy affecting the ward;

**5.3.2.2** Assist the ward councillor in identifying conditions, challenges and the needs of residents;

**5.3.2.3** Spread information in the ward concerning municipal affairs such as the budget, community based planning, integrated development planning, service delivery improvement plan options and municipal properties;

**5.3.2.4** Receive queries and complaints from ward residents concerning municipal service delivery, communicate it to municipal council and provide feedback to the community on the council's response;

**5.3.2.5** Ensure constructive and harmonious interaction between the municipality and community through the use and coordination of ward residents meetings and other community development forums; and

**5.3.2.6** Interact with other forums and organisations such as police forums and street committees on matters affecting the ward.

- 5.4** To serve as a facilitating agent for community activities. This may be achieved as follows:
- 5.4.1** Attending to all matters that affect and benefit the ward community;
  - 5.4.2** Acting in the best interest of the ward community;
  - 5.4.3** Ensure the active participation of the ward community in:
    - 5.4.3.1** Service payments;
    - 5.4.3.2** The integrated development planning, performance management system and community based planning processes;
    - 5.4.3.3** The municipality's budgetary process;
    - 5.4.3.4** Decisions about the provision of municipal services;
    - 5.4.3.5** Decisions about by-laws;
    - 5.4.3.6** Community based planning process; and
  - 5.4.4** Delimitate and chair zonal meetings.
- 5.5** No executive powers must be delegated to ward committee members;
- 5.6** A ward committee may express dissatisfaction to the Speaker, the Mayor/Executive mayor or municipal council on the non performance of a ward councillor.
- 5.7** A ward committee must subject to availability of capacity and resources, conduct an annual satisfaction survey in order to assist the committee in the execution of its duties and responsibilities. The satisfaction survey should be administered in the ward by ward committee members and Community Development Workers under the supervision of the ward councillor and with the administrative support of the municipality. **Annexure A** represents an example of such a survey.

## **6. CAPACITY BUILDING AND TRAINING**

- 6.1** Ward committee should prepare an annual capacity building and training needs assessments for members of the committee.
- 6.2** An annual capacity building programme should be developed for each member of the ward committee.
- 6.3** An annual budget for the capacity building and training programme must be prepared according to the needs assessment. The ward committees funding model framework has reference, Notice no. 6 of 2010 dated 12/7/2010.
- 6.4** The following requirements may be included in the training and capacity building programme of municipalities:

**6.4.1 Generic training needs, including:****6.4.1.1 Basic literacy****6.4.1.2 Communication;****6.4.1.3 Interpersonal skills;****6.4.1.4 Community upliftment;****6.4.1.5 Conflict management and negotiation skills;****6.4.1.6 Democracy and community participation;****6.4.1.7 Identification, monitoring and prioritization of needs ; and****6.4.1.8 Leadership.****6.4.2 Training needs on municipal policy and processes, including****6.4.2.1 Principles of good governance;****6.4.2.2 The establishment of ward committees, its terms of reference, nature and functions;****6.4.2.3 Municipal structures, legislation & processes (including CMIP, Community Based Planning(CBP) and Integrated Development Planning IDP))****6.4.2.4 Intergovernmental community development;****6.4.2.5 Municipal service partnerships; and****6.4.2.6 Payment for services (credit control).****6.4.3 Specialized training needs, including:****6.4.3.1 Meeting procedures and secretariat services, including minute taking, report writing, letter writing and computer literacy;****6.4.3.2 Administration, including clerical / administrative skills, bookkeeping and basic accounting;****6.4.3.3 Budgeting;****6.4.3.4 Monitoring and evaluation;****6.4.3.5 Policy development;****6.4.3.6 Project management;****6.4.3.7 Stress management; and****6.4.3.8 Performance management.****7. COMPOSITION OF WARD COMMITTEES**

- 7.1** A ward committee consists of the councillor representing that ward in the council who must also be the chairperson of the committee, and not more than ten other persons.

- 7.2** The procedure for electing members must take into account the need for women to be equally represented in a ward committee and for a diversity of interests in the ward to be represented.
- 7.3** Gender equity may be pursued by ensuring that there is an even spread of men and women on a ward committee.
- 7.4** A diversity of interests may be pursued by ensuring the inclusion of as many as possible of the following interests groups on a ward committee:
- 7.4.1** Youth;
  - 7.4.2** Women;
  - 7.4.3** Religious groupings;
  - 7.4.4** Health and welfare;
  - 7.4.5** Business;
  - 7.4.6** Environment;
  - 7.4.7** Education;
  - 7.4.8** Senior citizens;
  - 7.4.9** Community safety forums;
  - 7.4.10** Community based organizations;
  - 7.4.11** Traditional leaders;
  - 7.4.12** Agricultural associations;
  - 7.4.13** Informal traders association;
  - 7.4.14** The disabled;
  - 7.4.15** Employed;
  - 7.4.16** Unemployed;
  - 7.4.17** Rate payers association/civic association; and
  - 7.4.18** Tourism.
- 7.5** The ward committee should nominate among themselves a person to serve as secretary of the committee. Internal arrangements must be made for the training of ward committees' secretaries by the secretary of the council.
- 7.6** A ward councillor may delegate the chairing of a meeting in his/her absence to any member of the ward committee or to a proportional councillor who is resident within the ward. However, in the absence of the ward councillor, the committee may nominate any member to chair the meetings procedure. Section 68(2) of the Structures Act, 1998 has reference.
- 7.7** A ward committee may establish one or more sub-committees necessary for the performance of its functions and to involve organizations more broadly.

- 7.8** A ward committee must appoint the members of such a sub-committee, appoint a chairperson from among its members and determine the function of such a committee.
- 7.9** The ward committee and sub-committees may meet together as a ward forum for major discussions.
- 7.10** All stakeholders in the ward are encouraged to participate in the sub-committees that are relevant to their fields of interests and to their day-to-day functioning as a sector.

## **8. ELECTION CRITERIA**

- 8.1** A council is required to make rules regulating the procedures and criteria to elect members of the ward committees.
- 8.2** The following election criteria may be applied for electing ward committee members:
- 8.2.1** To be elected as a member of a ward committee, a person must be a registered voter in the ward;
- 8.2.2** A person is not eligible for election if he or she is employed by the local municipality or the district municipality within which the local municipality is demarcated, but such a person may be co-opted;
- 8.2.3** A person should not be in arrears to the municipality for rates and service charges for a period longer than three months;
- 8.2.4** A person should not be an unrehabilitated insolvent;
- 8.2.5** A person should not be elected who has been placed under curatorship;
- 8.2.6** A person should not be elected who after February 1997 has been convicted of an offence and sentenced to imprisonment without the option of a fine for a period of not less than twelve months;
- 8.2.7** Persons of unsound mind who have been declared so by a competent court cannot be elected;
- 8.2.8** Members should be active in the sector or geographic area they represent and should be motivated to work on the ward committee by their commitment to working for a better life for their constituency.

## **9. ELECTION PROCEDURE**

- 9.1** A local municipality must make rules regulating the procedure to elect members to the ward committee taking into account the need for women to be equally represented and for a diversity of interests to be represented.

- 9.2** Two different election models may be applied by municipalities. These models are respectively based on sectoral and geographic representation. It is the responsibility of municipalities to decide on the applicability of each model. Since these models only represent frameworks, municipalities may decide to combine or adapt it according to specific circumstances.
- 9.3** Sectoral election model
- 9.3.1** Identification of interests groups:
- 9.3.1.1** The council identifies the key performance areas of each ward, for example, local economic development, job creation and basic services. The list of key areas of interest provided for under "Composition of ward committees" may be used for this purpose;
- 9.3.1.2** The council invites interests groups to state their interests in and concern with any of the key performance areas;
- 9.3.1.3** The council identifies the groups that have a demonstrable interest in any of the key performance areas and represent residents of the area; and
- 9.3.1.4** The council identifies the cluster of interest groups (no more than ten) that qualify for election.
- 9.3.2** Election should take place as follows (option 1 – within the ward):
- 9.3.2.1** The ward councillor calls a meeting in the ward for the election of a ward committee;
- 9.3.2.2** Only residents who are registered voters may vote at the meeting;
- 9.3.2.3** In each cluster, identified groups nominate a representative;
- 9.3.2.4** The meeting votes by majority (50% plus one) for a representative of that cluster. If no one obtains the majority the three candidates who received the most votes proceed to the next round.
- 9.3.3** Election should take place as follows (option 2- within the council)
- 9.3.3.1** The municipal council calls a meeting of all councillors for the election of ward committees to which all residents have been invited to attend;
- 9.3.3.2** All councillors are entitled to vote at the meeting;
- 9.3.3.3** In each cluster, an identified group will have nominated a representative;
- 9.3.3.4** The meeting votes by majority (50% plus one) for a representative of that cluster. If no one obtains the majority, the three candidates who received the most votes proceed to the next round.
- 9.4** Geographic election model

**9.4.1** Identification of interests groups should take place as follows:

**9.4.1.1** The council identifies the villages and farms that will represent an equitable spread of the residents in the ward;

**9.4.1.2** Each village or cluster of farms is requested to nominate a representative; and

**9.4.1.3** If five or less villages are identified, a male and female representative should be nominated by each village.

**9.4.2** Election should take place as follows (option 1-within the ward):

**9.4.2.1** The ward councillor calls a meeting in the ward for the election of a ward committee;

**9.4.2.2** Only residents who are registered voters may vote at the meeting;

**9.4.2.3** Each village nominates a representative; and

**9.4.2.4** The meeting votes by majority (50% plus one) for a representative of a village.

**9.4.3** Election should take place as follows (option 2-within the council):

**9.4.3.1** The municipal council calls a meeting of all councillors for the election of ward committees to which all ward residents have been invited to attend;

**9.4.3.2** All councillors are entitled to vote at the meeting;

**9.4.3.3** Each village would have nominated a representative; and

**9.4.3.4** The meeting votes by majority (50% plus one) for a representative of a village.

**9.5** The type of election process conducted is left to the discretion of the municipality and subject to respective levels of capacity. However, it is encouraged that in those wards where communities /structures are known to be highly politicized, a formal ballot process is to be followed. In the medium to long term, all municipalities should aim to follow formal ballot processes for ward committee election. Where necessary, IEC should be involved.

**9.6** The election process is to be coordinated by the administrative division of the municipality with the consent of the municipal council.

**9.7** The following election procedures are proposed:

**9.7.1** The ward councillor and office of the speaker must coordinate a schedule of meetings for election purposes;

**9.7.2** The ward councillor and administrative assistant must ensure that:

**9.7.2.1** Meetings are fully representative of almost all villages/stakeholders within the ward, although no quorum for the elections is required;

**9.7.2.2** An attendance register is completed;

**9.7.2.3** All people taking part should be registered voters of that ward; and

**9.7.2.4** Women are equitably represented.

**9.7.3** Voting may take place by a majority show of hands or formal ballot.

## **10. CODE OF CONDUCT FOR WARD COMMITTEE MEMBERS**

**10.1** A member of the ward committee:

**10.1.1** Must perform the functions of the committee in good faith and without fear, favour or prejudice;

**10.1.2** May not use the position or privileges of a member for private/personal gain, or to improperly benefit another person;

**10.1.3** May not act in any way that compromises the credibility, impartiality, independence or integrity of the committee;

**10.1.4** Must adopt the principle of accountability to the community and all political parties represented in council;

**10.1.5** Must be accessible for the community and ensure that all role players can relate to the process and the issues at hand and are able to make their input into the processes of the committee;

**10.1.6** Must adopt the principle of transparency to promote openness, sincerity and honesty among all the role players in a participative process and promote trust and respect for the integrity of each role player and a commitment by all to the overriding objectives of the process in the in the interest of the common good;

**10.1.7** Must recognize diversity and understand the differences associated with race, gender, religion, ethnicity, language, age, economic status and sexual orientation, among others;

**10.1.8** Must embrace all views and opinions in the process of community participation. Special effort should be made to include previously disadvantaged persons and groups, with special reference to women and youth in the activities of the ward committees;

**10.1.9** Must provide apology with a valid reason to the chairperson/secretary of the committee if a meeting cannot be attended.

- 10.2 Ward committee members must sign a Declaration on Code of Conduct which should be administered by the ward councillor or speaker. A draft Code of Conduct, which may be amended and adopted by a ward committee meeting, is contained in **Annexure B**.

## **11. WARD COMMITTEE MEETINGS**

### **11.1 Chairperson:**

11.1.1 Ward committee meetings are convened and chaired by the ward councillor;

11.1.2 Members of ward committee must submit items to be discussed, well in advanced to the chairperson or secretary;

11.1.3 The chairperson in conjunction with the secretary is responsible to prepare an agenda for ward committee meetings;

### **11.2 Frequency of meetings:**

11.2.1 A local municipality must make rules regulating the frequency of meetings of ward committees;

11.2.2 Ward committees must determine a programme for ward committee meetings at the beginning of each year to precede meetings of the municipal council;

11.2.3 Regular meeting intervals need to be determined;

11.2.4 A ward committee must meet at least quarterly;

11.2.5 All ward committees in a municipality should as far as reasonably possible adhere to the scheduled meeting intervals;

### **11.3 Quorum and decisions:**

11.3.1 A majority of ward committee members must be present before a vote may be taken on any matter (50% plus one member);

11.3.2 A ward committee shall endeavour to take decisions based on consensus;

11.3.3 If consensus on any matter cannot be achieved, such matter may be determined by a supporting vote of at least the majority of members of the ward committee (50% plus one of the ward committee members present).

### **11.4 Ward public/community meetings**

11.4.1 Public/community meetings are mainly held in order:

11.4.1.1 To register the concerns and inputs of the community with regard to service delivery, general development of the community, disaster management and any other municipal concern the community may have; and

11.4.1.2 To report back to the public/communities on issues that affects them.

11.4.2 Ward public meetings should be chaired by a ward councillor. A ward councillor may delegate the chairing of the meeting in his/her absence to a proportional councillor resident in the ward or any member of the ward committee.

11.4.3 If the ward committee decides to hold a ward public/community meeting, it may publish a notice in a newspaper circulating in the area concerned stating the time, date and place of the meeting and inviting the public to attend.

11.4.4 The schedule date, time and place of the ward/public meeting should be convenient so as to encourage the greatest number of people to attend. The venue-

11.4.4.1 Must be in a well known place;

11.4.4.2 Must be easily accessible and where possible, also disabled-friendly; and

11.4.4.3 Must be large enough to accommodate all people present.

11.4.5 Where the jurisdiction of a traditional leader authority extends to the ward where a public meeting is to be held, the relevant traditional authority should be informed of the ward public meeting.

11.4.6 When the committee publishes a notice, it must convey, where appropriate, by radio or other appropriate means of communication, such as direct mail outs and posters or notices in key areas such as clinics, schools, bus stops and libraries, etc, the contents of the notice in the area concerned.

11.4.7 At a ward public meeting a representative of the ward committee must:-

11.4.7.1 Explain the meeting procedures, such as adoption of agenda and time allowed for questions;

11.4.7.2 Explain the issues the committee has to consider, including any options open to the ward committee;

11.4.7.3 Allow members of the public/community attending the meeting to present their views on these issues;

11.4.7.4 Answer relevant questions;

11.4.7.5 Keep minutes of the meeting and inform the ward public/community that ward committee meeting and ward public/community meeting minutes are public documents and that the community has access to these documents and may make copies at their own cost; and

11.4.7.6 Give feedback on previous issues, including reasons if there is a lack of progress;

11.4.8 Ward public/community meetings are not political platforms and ward committee members and the public/community should refrain from making party political statements, campaigning and canvassing;

11.4.9 For purposes of participation in public/community meetings, a ward committee may keep a register of interest groups and organizations that are active in the ward. An example of such a register is contained in **Annexure C**.

#### 11.5 Procedures

11.5.1 A ward committee with a supporting vote of the majority of its members may determine its own procedures subject to any directions of the ward councillor

#### 11.6 Work programme/ Annual operational plan

11.6.1 The ward committee must:

11.6.1.1 Submit an annual programme with specific outputs, indicators and targets to the office of the Speaker in July of each year;

11.6.2 Perform the functions as set out to achieve outputs indicated in the work programme/annual operational plan:

11.6.2.1 On own initiative;

11.6.2.2 On requests by the ward councillor;

11.6.2.3 On requests by the speaker; and

11.6.2.4 In accordance with priorities and reasonable time frames determined by the speaker.

#### 11.7 Ward councillors Responsibilities:

11.7.1 The ward councillor must ensure that the scheduled ward committee's meetings and ward public/communities meetings are held regularly;

11.7.2 Should a scheduled meeting fail to take place due to non formation of a quorum, another arrangements must be made to hold the meeting;

11.7.3 The ward councillor to ensure that the ward committee is provided with written feedback on key issues referred to council for its resolution;

11.7.4 Mobilize resources for the effective operation of ward committees.

#### 11.8 Responsibilities of the speaker's office:

11.8.1 The office of the speaker should implement appropriate monitoring mechanism to ensure that ward committees' meetings takes place as scheduled;

11.8.2 A Performance Agreement should be entered into between the speaker and the ward councillor with regard to functionality and effectiveness of the ward committee; and

11.8.3 The speaker should ensure the establishment of the Ward Committees' forum at municipal level and at the district level, both the speaker of the local and the district are responsible for the establishment of the Ward Committees District forum.

11.8.4. The office of the Speaker must attend some of the ward committee meetings for purposes of monitoring and providing guidance;

11.8.5 The finance department must provide the speaker's office with the status of expenditure report on MSIG.

#### 11.9 Responsibilities of the District Municipalities

11.9.1 The district municipalities are required to provide resources, financial and otherwise, to its local municipalities towards ensuring functional and effective ward committees.

11.9.2 The speaker of the district municipality jointly with the speakers of the local municipalities should ensure the establishment of the District Ward Committees forums.

#### 11.10 Responsibilities of the Provincial department of local government

11.10.1 Officials from the Provincial department of Local Government and Traditional Affairs should attend some ward committee meetings for purposes of monitoring and to provide guidance.

11.10.2 The department of local government should provide resources, financial and otherwise, to local municipalities towards ensuring functional and effective ward committees.

### 12. ADMINISTRATIVE SUPPORT

12.1 Municipalities must make administrative arrangements to enable ward committees to perform their functions and exercise their duties and responsibilities effectively.

12.2 Section 16(1)(c) of the Municipal Systems Act, 2000 (Act 32 of 2000) also requires that municipalities use their resources and allocate funds in their annual budgets for community participation.

12.3 Administrative support may include the following:

12.3.1 The promotion or popularization of ward committees in the community – informing the communities of the roles and responsibilities of ward committees. A practical example in this regard may be the provision of formal identification cards to ward committee members in order for them to be recognized as legitimate ward committee members amongst the community;

12.3.2 The permanent availability of an administrative staff capacity to attend all scheduled / non scheduled ward committee meetings and to assist the ward councillor and ward committee members in fulfilling their clerical and administrative functions. The exact nature and extent of such capacity may differ from municipality to municipality. In larger municipalities this could take the form of a staff member to co-ordinate the work of ward committees as well as support the constituency work or ward related activities of a number of ward councillors. In smaller municipalities this could mean a portion of the work time of one administrator to deal with bookings, arrangements and minutes of meetings;

12.4 To provide or identify a suitable venue, or build an appropriate structure accessible to communities for the accessing of information and for the submission of complaints/concerns and, where the ward committee meets and able to fulfill its functions and responsibilities;

12.5 To provide the necessary logistical resources, including furniture, computers and stationery for ward committees to fulfill their functions. The allocated resources remain the property of the municipality;

12.6 To assist with the translation of information and documentation for the community;

12.7 To assist the ward committees in fulfilling their tasks, including the provision of additional capacity and advertising campaigns required for purposes of arranging larger public meetings, if necessary;

12.8 To provide municipal transport to ward councillors and ward committee members in particular circumstances at the requests of the ward councillor, especially in rural areas;

12.9 To develop and provide capacity building and training programmes for ward committees on an ongoing basis during their term of office;

12.10 To facilitate ward committee elections.

**13. TERM OF OFFICE**

13.1 Members of a ward committee are elected for a term of five years coinciding with the term of councillors as provided for in section 75 of the Municipal Structures Act, 1998, as amended.

**14. VACANCIES**

14.1 If a vacancy occurs among members of a ward committee, it must be filled at least within a period of three months in accordance with procedure determined by the local council.

14.2 The following procedure may be considered in this regard:

14.2.1 The ward councillor must fill the vacancy by declaring as elected the person who received the second highest number of votes in terms of the previous election; and

14.2.2 If nobody can be declared elected in the above manner, the election process must be repeated.

**15. TERMINATION OF MEMBERSHIP**

15.1 The following may serve a sufficient motivation to terminate the membership of a ward committee member:

15.1.1 Death;

15.1.2 Resignation;

15.1.3 Relocation from the ward;

15.1.4 Election to position of councillor;

15.1.5 Failure to attend three consecutive meetings of the ward committee without apology;

15.1.6 Proven involvement in corruption;

15.1.7 Failure to adhere to meeting procedures or misconduct during ward committee meetings;

15.1.8 Not submitting priorities with the mandate of the community;

15.1.9 Being involved in proven activities that undermine the council authority;

15.1.10 Dismissed in accordance with a recommendation of the ward committee or based on the decision of the mayor/executive mayor and the speaker in consultation with the ward councillor;

15.1.11 Ceases to be a member of the organization/interests group he/she represents;

15.1.12 Is insolvent or declared mentally incompetent by a competent court.

## **16. BUDGET**

16.1 The provisions of the Provincial Framework on the criteria for determining out of pocket expenses for ward committee members are applicable.

16.2 A municipal council must develop a municipal framework on the criteria for developing out of pocket expenses for ward committee members.

16.3 The municipality must develop capacity building training programmes for the ward committee members.

16.4 The municipality must provide for administrative expenses to ensure functionality of ward committees.

## **17. ACCOUNTABILITY**

17.1 As the accounting person for the ward committee, the ward councillor must:

17.1.1 Keep full and proper records of:

17.1.1.1 Minutes of the meetings, copies of which must be forwarded to the office of the Speaker;

17.1.1.2 Information relating to all income and expenditure of the ward committee; and

17.1.1.3 Information relating of all assets, liabilities and financial transactions of the ward committee.

17.2 Ensure that the ward committee's available resources are properly safeguarded and used in the most effective and efficient way.

17.3 Ensure that all statutory measures applicable to the ward committee are complied with.

17.4 Ensure the preparation of financial statements in accordance with general accepted accounting practice within a month after the end of each financial year.

17.5 Ensure that all decisions taken by the ward committee are formalized and submitted to the office of the speaker for presentation to the council at intervals determined by the speaker.

17.6 Must report a view adopted by the ward committee to the council but may indicate his/her disagreement with the view of the report.

17.7 Ensure the production of a progress report on major achievements and areas of failure, with reasons, within two months after the end of the financial year.

17.8 Submit the progress report to the speaker for a review of the performance of the ward committee.

17.9 Implement any corrective measures to ensure effective and efficient performance of the ward committee as suggested by the speaker.

## **18. DISPUTE RESOLUTION**

18.1 The following mechanisms are recommended when disputes arise within ward committees;

18.1.1 Every effort should be made to deal with disputes;

18.1.2 When a dispute arises, the ward councillor should appoint a person or persons, the maximum being two, and attempt and resolve the dispute through mediation;

18.1.3 If the attempt at mediation fails, the matter is then submitted to the ward councillor who should arbitrate, provide that the matter does not involve the councillor and the majority of the members of the ward committee;

18.1.4 If the majority of ward committee members remain aggrieved, the matter should be taken to the council through a channel decided upon by council or through the office of the speaker. However, this should be avoided as far as possible.

## **19. DISSOLUTION OF A WARD COMMITTEE**

19.1 A council may dissolve a ward committee if it fails to fulfill its object.

19.2 The following may serve as indication that a ward committee has exceeded its functions and fails to fulfill its object:

19.2.1 When it fails to meet in three consecutive meetings;

19.2.2 When members decide to dissolve; and

**19.2.3 When maladministration, fraud, corruption or any serious malpractice has occurred or is occurring in a ward committee.**

**19.3 There must be due notice before a council proceeds to dissolve a ward committee.**

**ANNEXURE A**

**Satisfaction Survey Questionnaire**

Name of the municipality:.....

Name of the ward councillor.....

Ward:.....

Name of the ward committee member administering the questionnaire:.....

.....

1. What is the important need(s) in your area?

Water

Electricity

Refuse removal

Sewerage systems Telephones

Roads

Any other need not listed

2. Do you think that the municipality is responding to the needs identified above?

3. Are you satisfied with the services and quality of services provided by the municipality?

4. Is there any significant development or improvement of your area since the inception of the current municipal council?

Name such development(s).....

5. Are you happy about the general development in your ward since the inception of the current municipal council?

Yes or No (tick the appropriate box)

If No, state the reason.....

.....

**ANNEXURE B****Ward Committees Code of Conduct**

- 1. Interest of the community**
  - 1.1 Ward committee members must at all times advance and act in the interests of the ward community;
  - 1.2 Ward committee members must not use their position to promote personal or private interest;
  - 1.3 Conduct of ward committee members should not be influenced or dictated by improper motives;
  - 1.4 Ward committee members must advance the interests of the ward as a body; and
  - 1.5 In the execution of their functions, committee members must not favour any individuals, groups or organizations.
- 2. Ward committee meetings**
  - 2.1 Ward committee members must strive to attend all ward committee meetings including ward public meetings;
  - 2.2 Ward committee members must not fail to attend ward committee meetings without a legitimate excuse;
  - 2.3 Ward committee member who are unable to attend ward committee meeting must tender an apology stating reasons why he/she is unable to attend;
  - 2.4 Ward committee member may not be absent from ward committee meetings for three consecutive meetings without a legitimate excuse;
  - 2.5 Failure to attend three consecutive ward committee meetings without a legitimate excuse will result in a member losing his/her membership;
  - 2.6 Ward committee members must refrain from engaging in disruptive behavior during meetings; and
  - 2.6 Political discussions must not be entertained during ward committee meetings.

**3. Political Matters**

- 3.1 Ward committee members should avoid political conflicts among themselves and must avoid political conflicts between themselves and the ward councillor;
- 3.2 In their interaction with the ward community, ward committee members must not discriminate on the grounds of political affiliation, culture, race, gender, sexual orientation, disability, religion or on any other grounds that would constitute unfair discrimination;
- 3.3 In the execution of their duties, ward committee members must not advance the interests of any political party; and
- 3.4 Ward committee members may not use ward committee meetings as a political platform or forum or to canvass for political support for re-election as ward committee member or as a ward councillor in the next local government elections.

**4. Conflicts**

- 4.1 Committee members must avoid conflicts among themselves and between themselves and the ward councillor; and
- 4.2 Conflicts should be dealt with as provided for in the guidelines.

**ANNEXURE C**

**Code of Conduct Declaration on appointment as Ward Committee Member**

**Declaration**

Name of municipality:.....

Number of ward:.....

I (names in full)..... hereby declare that I have read the Code of Conduct for Members of Ward Committees and that I understood it and agree to be bound by its contents in the execution of my duties and functions as a ward committee member.

Signature:.....

Date:.....

Signature of ward councillor:.....

Date:.....

Signature of the Speaker:.....

Date:.....



**ANNEXURE E**

**WARD COMMITTEE MEMBERS PROFILES**

**Name of municipality:**.....

**Name of ward committee member:**.....

**Ward number:**.....

**Name of ward councillor:**.....

Item no.	Name of ward committee member	ID no.	Residential address	Gender	Qualification/s	Tel / Cell	Postal address	Sector represented
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								