



NORTH WEST NOORDWES

EXTRAORDINARY • BUITENGEWOON

**PROVINCIAL GAZETTE
PROVINSIALE KOERANT**

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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**PROVINCIAL NOTICE 530 OF 2023**

CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996; MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO. 56 OF 2003) AND THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998, (ACT NO. 117 OF 1998)

PROVINCIAL NOTICE**PROVINCIAL TREASURY**

CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996; MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT NO. 56 OF 2003) AND THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998, (ACT NO. 117 OF 1998)

PROVINCIAL INTERVENTION IN EIGHT (08) MUNICIPALITIES WITHIN THE NORTH WEST PROVINCE AND TERMS OF REFERENCE PROVINCIAL EXCO REPRESENTATIVE AND SUPPORT TEAM

I, **Motlalepula Ziphora Rosho**, Member of the Executive Council for Finance, acting under powers bestowed on me in terms of the resolution of the North-West Executive Council dated 24 November 2021 to intervene in the following municipalities: Madibeng Local Municipality, Kgetlengrivier Local Municipality, Ditsobotla Local Municipality, Ramotshere Molloa Local Municipality, Mafikeng Local Municipality, Tswaing Local Municipality, Naledi Local Municipality and Dr Ruth Segomotsi Mompati District Municipality, located in the North-West province hereby give notice of the terms of reference for provincial executive representatives appointed in terms of 139(5)(c) of the Constitution read together with section 146(3)(b) of the Local Government: Municipal Finance Management Act, 2003.

1. TERMS OF REFERENCE FOR THE ASSUMPTION OF RESPONSIBILITY FOR THE IMPLEMENTATION OF THE RECOVERY PLAN BY PROVINCIAL EXECUTIVE REPRESENTATIVE

The Provincial Exco Representative (PER) in executing his/her responsibilities will consult with the Speaker, Executive/Mayor and the Municipal Manager depending on the nature of the subject-matter.

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1.1 Responsibilities of the Provincial Exco Representative (PER):

- a) Providing the strategic leadership and guidance necessary to ensure the effective and efficient implementation of the Financial Recovery Plan;
- b) Reporting to the Member of the Executive Council for Finance and Cooperative Governance, Human Settlement and Traditional Affairs(COGHSTA), Municipal Council and the Provincial Executive Council (EXCO)(where necessary) on progress made;
- c) Engaging with internal and external stakeholders;
- d) Develop and approve protocols and intervention plan for execution of terms of reference;
- e) Assess and ensure that reports required for decision-making in the municipality are aligned to the Financial Recovery Plan and the objectives of this intervention;
- f) Undertake quality assurance processes required to submit monthly performance progress reports in terms of the prescribed framework to Member of the Executive Council for Finance, NT MFRS, EXCO and Municipal Council on implementation of the FRP;
- g) Attend meetings of Council, Mayoral/Executive Committee and Top Management to ensure decisions are consistent with the strategic objectives of the recovery plan;
- h) Maintain a record of decisions taken by the Council and the Executive/Mayor on implementation of the FRP;
- i) All reports for decision making by any delegated authority including Municipal Council and Executive/Mayor must be processed by the Executive/Mayor and or Accounting Officer with the concurrence of the Provincial Executive Representative (PER);
- j) PER must analyse the monthly bank and budget statements of the municipality for monitoring purposes and as an internal control measure;
- k) Consult and provide strategic leadership and direction to the Accounting Officer and relevant staff in the implementation of the financial recovery plan;
- l) Responsible for developing and ensuring implementation of appropriate governance systems, processes, and procedures;
- m) Work closely with Municipal Financial Recovery Services (MFRS) and other Government stakeholders in the revision and implementation of Municipal Financial Recovery Plan for the municipality;
- n) Development of specific strategies and plans including the Budget in consultation with the Accounting Officer to give effect to the implement the Financial Recovery Plan of the municipality;

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- o) Provide strategic guidance, assistance and leadership to the Accounting Officer on the review and re-allocation of resources and responsibilities to municipal staff with regard to implementation of the financial recovery plan;
- p) Ensure and oversee the execution by the Accounting Officer of the functions referred to in Section 67(1)(h) and Schedule 2 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), read with any other relevant legislative provisions dealing with disciplinary matters, including criminal, disciplinary and civil action;
- q) Assist the Executive/Mayor and the Accounting Officer in the development of human resource capacity to a level that enables it to perform its functions and exercise its functions in an economic, transparent, effective, efficient, and accountable ways;
- r) Assist in the recruitment and selection process for the appointment of Senior Managers including the Accounting Officer in the municipality;
- s) Provide strategic and technical support to ensure meaningful public participation and stakeholder engagement in the affairs of the municipality;
- t) To confirm and certify in the periodic reports to the Member of the Executive Council for Finance on progress with the provincial intervention and the implementation of the financial recovery plan that all decisions of Council, Executive/Mayor and Accounting Officer are consistent with the approved financial recovery plan;
- u) To identify challenges and propose solutions to ensure provision of uninterrupted basic services to the community and prudent financial management;
- v) To optimise the reduction of operational expenditure and increase of revenue for the municipality;
- w) To approve and ensure implementation of internal controls, procedures and systems for good governance, prudent financial management and effective service delivery in compliance with statutory prescripts;
- x) To prepare and present progress at meetings of the oversight and inter-governmental relations structures of government;
- y) To review policies, by-laws, strategies, programmes and plans; and

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MANAGEMENT ACT, 2003 (ACT NO. 56 OF 2003) AND THE LOCAL GOVERNMENT:
MUNICIPAL STRUCTURES ACT, 1998, (ACT NO. 117 OF 1998)**

z) To assign and delegate responsibilities to any appointed support team.

Given under my Hand at Matikeng on this 24th day of April 2023.



Ms. M.Z Rosho
MEC for Finance

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