



Member of the Executive Council  
for Co-operative Governance and Traditional Affairs  
**MPUMALANGA PROVINCIAL GOVERNMENT**

Samora Machel Building, Ext 2, No 7 Government Boulevard, Riverside Park, Mbombela, Mpumalanga Province, Private Bag X 1 1304, Mbombela, 1200.  
Tel: +27 (13) 766 0000, Int Tel: +27 (13) 766 6321, Tel: +27 (13) 766 766 6321, Int: +27 (13) 766 8438, Int Fax: +27 (13) 766 8438

Litiko  
Lekubusa  
ngekubambisana  
netebuholi bendzabuko

Departement van  
Koöperatiewe Regering  
en Tradisionele Sake

umNyango  
wezekubusa  
ngokuHlanganyela  
neeNdaba zamaKhos!

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Ref No : 10/1  
Enquiries : Ms L Mohlala  
Telephone : 013 766 6321

Ms Shereen Cassiem  
The Committee Secretary  
Portfolio Committee on Co-operative Governance and Traditional Affairs  
P. O. Box 15  
**CAPE TOWN**  
8000

Dear Madam

**COMMENTS ON THE AMENDMENT OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS AMENDMENT BILL (B2-2019)**

1. Reference is made to your letter dated 19 February 2019.
2. I, Speed Katishi Mashilo, in my capacity as the MEC for Co-operative Governance and Traditional Affairs, welcome the amendment of the Local Government: Municipal Systems Amendment Bill and herewith are my inputs:

**Proposed amendment of section 54A (6)(a)**

- 2.1 It is Department's submission that a suitable person seconded to the municipality must be within the employment of the State and a duration for secondment should be inserted to ensure that the critical position of the municipal manager is prioritised.
- 2.2 Therefore, it will read as follows "the municipal council may request the MEC for local government to second a suitable person within the employment of the State, on such condition as prescribed to act in the advertised position [until such time as a suitable candidate has been appointed] for a period not exceeding 6 months.

**Proposed amendment of section 56:**

- 2.3 There seems to be a contradiction between subsection 1(b) and subsection 2(a) wherein subsection 1(b) does not provide specific requirements for an acting municipal manager directly accountable to the municipal manager whereas subsection 2(a) nullifies the appointment of an acting municipal manager directly accountable to the municipal manager who does not have the required prescribed skills.

2.4 It is, therefore, the considered view of the Department that the reference to subsection 1(a)(ii) is erroneously inserted and it is the Department 's submission that the legislator intended to refer to subsection 1(a)(i).

2.5 The Department further proposes that the MEC should have the powers to second a suitable acting manager directly accountable to the municipal manager on the same grounds applicable to the secondment of municipal manager contemplated in section 54A(6)

**Proposed amendment section 75**

2.6 The municipal council must adopt By-laws, and by notice in the Provincial Gazette, give effect to the implementation and enforcement of its tariff policy.

**Proposed amendment to section 106**

2.7 In the instance where the MEC has initiated the investigation, the MEC must be empowered to table the report detailing the outcome of the investigation to the municipal council, within 90 days from date of completion of the investigation,

3 I hope the above-mentioned inputs reach your favourable consideration.

Regards,



**HON. SK MASHILO (MPL)**  
**MEC: CO-OPERATIVE GOVERNANCE**  
**AND TRADITIONAL AFFAIRS**

25/02/19  
DATE