**2. Report of the Select Committee on Cooperative Governance and Traditional Affairs, Water, Sanitation and Human Settlements on Inspection in Loco in terms of section 139(1)(a) of the Constitution (1996), in Dr Ruth Segomotsi Mompati District Municipality, dated 05 November 2019**

**1. Background and Overview**

1.1 The Select Committee on Cooperative Governance and Traditional Affairs, Water, Sanitation and Human Settlements, having considered the request by the National Council of Provinces (NCOP), to consider and report on the intervention notice issued in the Dr Ruth Segomotsi Mompati District Municipality in terms of section 139(1)(a) of the Constitution, the Select Committee reports as follows:

1.2 On 15 April 2019, the North West MEC for Cooperative Governance, Human Settlements and Traditional Affairs tabled to the Office of the Chairperson of the NCOP the notice of intervention in terms of section 139(1)(a) of the Constitution in Dr Ruth Segomotsi Mompati Local Municipality.

1.3 Subsequent to the tabling, the Office of the Chairperson of the NCOP referred in terms of Rule 101 of the NCOP, the notice of intervention by the Northern Cape MEC, to the Select Committee for consideration and reporting.

1.4. On the 27 August 2019, the Select Committee noted from the briefing by the North West MEC for Cooperative Governance, Human Settlements and Traditional Affair, that the district municipality was not under section 139 (1) (b) of the constitution

**2. Procedural Compliance and Committee’s Opinion**

2.1 The Select Committee has noted that the North West MEC of the Department of Cooperative Governance and Traditional Affairs has issued section 139(1)(a) of the Constitution in Dr Ruth Segomotsi Mompati District Municipality.

2.2 The Select Committee has further noted that the MEC has complied with the procedural requirements as stipulated in the Constitution to notify within 14 days, the Minister for CoGTA intervention in terms of section 139(1)(a).

 2.3 The Select Committee has also observed and noted that the MEC has notified the Municipality, Organised Local Government, and the National Council of Provinces of the content of the directive, indicating that the municipal failure to implement the steps can be followed up by the assumption of the responsibility in terms of section 139 (1) (b) of the constitution.

**3. Recommendations of the Select Committee**

3.1.1 Having considered the notice of intervention issued in terms of section 139 (1) (a) of the Constitution in Dr Ruth Segomotsi District Municipality, the Select Committee on Cooperative Governance and Traditional Affairs, Water, Sanitation and Human Settlements, recommends to the House as follows:

31.1.1 The NCOP notes the intervention in Dr Ruth Segomotsi Mompati District Municipality in terms of section 139(1)(a) of the Constitution.

31.1.2 The North West MEC for Cooperative Governance, Human Settlements and Traditional Affairs should upon noting directive by the NCOP, table quarterly reports on the implementation of the directive

31.1.3 The North West MEC for Cooperative Governance, Human Settlements and Traditional Affairs should, in collaboration with the Minister for CoGTA provide continuous support to the Municipality in terms of section 154 of the Constitution, and show demonstrable portfolio of evidence of the quality support and capacity.

**Report to be considered.**