**MEDIA STATEMENT**

**SELECT COMMITTEE ON PETITIONS AND EXECUTIVE UNDERTAKINGS RESOLVES TO SUMMON THE MASILONYANA LOCAL MUNICIPALITY**

**Parliament, Thursday, 24 September 2020 –**The Select Committee on Petitions and Executive Undertakings has resolved to summon the Masilonyana Local Municipality to appear before the committee within the next seven days.

The committee expressed its concern with the absence of the Executive Mayor of the Municipality, Councillor (Cllr) Kunatu Koalane, during its meeting on the Lesawell petition, which seeks the intervention of the National Council of Provinces (NCOP) about the alleged service delivery challenges facing the municipality.

The committee believes that the absence of Cllr Koalane and the failure to delegate any other member of the Mayoral committee to attend the meeting to represent the municipality, indicates a great level of disrespect towards the committee.

The Chairperson of the committee, Ms Zukiswa Ncitha, said the committee will also invite the Municipal Manager, the South African Local Government Association (Salga), the Department of Cooperative Governance and Traditional Affairs (CoGTA), the office of the Auditor-General (AG); as well as members of the Municipal Public Accounts Committee (MPAC) to provide answers on the vast number of challenges raised in the petition.

The petition, which was raised by Mr Michael Landsman, the Director of a local non-profit organisation called Lesawell, contends that the municipality has a lack of adequate infrastructure and maintenance thereof. Amongst the issues raised during the committee’s meeting is the lack of effective communication between the municipality and community members, payment of municipal accounts into two different accounts, one of which is an alleged fraudulent account and the effectiveness of the financial department at the municipality.

The committee also adopted its report on the Abathembu petition, which sought the intervention of the NCOP in the alleged persecution and ostracisation of the Thembuland Royal Empire. In the report, the committee recommends, among other things, the Land Claims Commissioner, which indicated that it can only operate within the parameters of the current legislation,  await the outcome of the Parliamentary process as introduced in the Land Access Movement of South Africa (Lamosa) 1 and 2 judgment. The committee concludes that it lacks jurisdiction to preside and decide on matters of restitution.

These views were augmented by one of Parliament’s legal advisers, Adv Nathi Mjenxane, who said the committee would not be best placed to make decisions on the matter. The petitioner, he said, lacks the necessary locus standi to act on behalf of the Abathembu, particularly regarding the extent of the claims that have been made on land reforms. (Locus standi means the right or capacity to bring an action or to appear in a court.)

The committee has been advised that there are other processes in Parliament, including the amendment of Section 25 and the amendment of the Restitution of Land Rights Act, where the petitioner could engage in.

**ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF THE SELECT COMMITTEE ON PETITIONS AND EXECUTIVE UNDERTAKINGS, MS Zukiswa Ncitha.**