

**MINISTRY**

**COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NUMBER 1683**

**DATE OF PUBLICATION: 12 MAY 2023**

**1683. Mr R A Lees (DA) to ask the Minister of Cooperative Governance and Traditional Affairs:**

(1) With reference to traditional leaders in the Republic as they are recognised in Chapter 12 of the Constitution of the Republic of South Africa, 1996, what were the total costs of the Council of Traditional Leaders in the (a) 2019-20, (b) 2020-21 and (c) 2021-22 financial years;

(2) what were the total costs of the administration and support services for traditional leaders in each province, including but not exclusively, (a) staff salaries, (b) offices including but not exclusively office construction costs and/or rentals, (c) services delivered, (d) printing and stationery and (e) all other costs;

(3) by what constitutional processes and/or legislation is relied on for each hierarchy of traditional leadership that is elected in each province? NW1924E

**REPLY:**

1. The Council of Traditional Leaders as contemplated in section 212(2)(b) of the Constitution, 1996, was established under the Council of Traditional Leaders Act, 1997 (Act No. 10 of 1997). However, this Act was repealed by the National House of Traditional Leaders Act, 2009 (Act No. 22 of 2009) which Act established the National House of Traditional Leaders in accordance with the provisions of section 212(2)(a) of the Constitution. This 2009-Act was subsequently repealed by the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019) (TKLA). The TKLA provides for the National House of Traditional and Khoi-San Leaders. There is thus, currently no Council of Traditional Leaders as contemplated in section 212(2)(b) of the Constitution and referred to by the Honourable Member.

1. to (c): Fall away.
2. The Honourable Member should note that the information on costs and expenditure related to the operations of traditional leadership institutions and support provided to traditional leaders resides with the relevant provinces. However, from the information that the Department received from four provinces (Eastern Cape, Gauteng, KwaZulu Natal and Limpopo) the costs of staff salaries, offices (office construction and rentals) printing and stationery is as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **ITEMS** | **EASTERN CAPE** | **GAUTENG** | **KZN** | **LIMPOPO** |
| **Staff salaries** | R 6 089 280 | R260 000 | R6 332 000 | R95 383 788 |
| **Offices: office construction and rentals (once off costs)** | R6 010 920 | R410 000 | R575 000 | R600 000 |
| **Office furniture (once off costs)** | R190 000 | R0 | R0 | R1 912 000 |
| **Printing** | R0 | R0 | R22 000 | R2 580 000 |
| **Stationery** | R263 750 | R50 000 | R0 | R501 600 |
| **Other administration and support services costs** | R19 180 124 | R250 000 | R3 979 000 | R29 958 194 |
| **TOTAL** | **R31 714 074** | **R970 000** | **R10 908 000** | **R130 933 582** |

Accordingly, we have approached provincial governments to provide the information as per the Honourable Member’s request and as soon as the information from the provinces is received, the Department will share it with the Honourable Member.

1. Section 7(1)(a) of the Traditional and Khoi-San Leadership Act (TKLA) makes provision for the following traditional leadership positions: King or queen, principal traditional leader, senior traditional leader and headman or headwoman. These positions apply throughout the country since the TKLA is a national law that prevails in the case of conflict with a provincial law dealing with the same matter. The Honourable Member should note that the majority of traditional leadership positions are hereditary in nature. It is only in some instances where the position of a headman or headwoman is an elected position in which case the provisions of section 8(2)(b) of the TKLA must be complied with.

**End.**