

**MINISTRY**

**COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTIONS FOR WRITTEN REPLY**

**QUESTION NUMBER PQ 2724/2015**

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**QUESTION**

**PQ2724/2015. Mr K J Mileham (DA) to ask the Minister of Cooperative Governance and Traditional Affairs:**

(1) Whether the appointment of the municipal manager of Lekwa-Teemane Local Municipality in the North West complied with relevant legislation and regulations; if not, (a) why not and (b) what action will he take in this regard; if so, what (i) are the qualifications of the specified municipal manager and (ii) process was followed in the municipal manager’s appointment;

(2) What is the gross annual remuneration, total cost to company, of the municipal manager of Lekwa-Teemane Local Municipality;

(3) Whether such remuneration is within the Upper Limits for the Total Remuneration of Municipal Manager as promulgated in the *Government Gazette*; if not, why not; if so, what are the relevant details;

(4) Whether the contract of the municipal manager was approved by the municipal council of Lekwa-Teemane Local Municipality prior to the signing thereof; if not, (a) why not and (b) what action will he take in this regard; if so, (i) when was it tabled before council for consideration, (ii) what was the resolution of the council in this regard, (iii) when was the contract signed and (iv) by whom?

**REPLY:**

1. (a) The Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers, which came into effect on 17 January 2014, requires that a person appointed as the municipal manager of a municipality must have a Bachelor degree in Public Administration/ Social Sciences/ Law, or equivalent. According to information at the disposal of the Department, the municipal manager of Lekwa Teemane Local Municipality holds a National Diploma in Town and Regional Planning, Certificate in Local Government Finance Management and a short course certificate in Public Management and Governance. As it stands, the Minister is not able to make a conclusive decision whether the qualifications of the municipal manager comply with the prescribed requirements due to lack of evidence or proof that his qualifications were subjected to an evaluation by the South African Qualifications Authority (SAQA) to determine if his qualifications are equivalent to a Bachelor’s degree.
2. The MEC for local government in the North-West Province has been requested to investigate this matter, which will include an evaluation of the municipal manager’s qualifications by SAQA. Upon conclusion of the investigation, the MEC will submit a formal report to the Minister in terms of section 54A(7)(b) of the Municipal Systems Act, whereafter the Minister will determine the course of action, if any.
3. National Diploma in Town and Regional Planning, Certificate in Local Government Finance Management and a short course certificate in Public Management and Governance.

(ii) The process followed in the municipal manager’s appointment will be determined once a full report on the appointment of the municipal manager has been received from the MEC.

1. The total annual remuneration package of the Municipal Manager of Lekwa Teemane is R970 920-00.
2. Yes, the total remuneration of the Municipal Manager is within the upper limits for the total remuneration payable to municipal managers, inclusive of the 20% market premium allowance as provided for in clause 10(4) of the Notice on upper limits of the total remuneration packages payable to senior managers under Government Notice No. 225 as published in Government Notice No. 37500 of 29 March 2014.
3. Section 57 of the Municipal Systems Act requires that a person may be appointed as a municipal manager of a municipality only in terms of a written employment contract with the municipality complying with the provisions of this section and that the employment contract be entered into with the municipality represented by the mayor or executive mayor. On 3 March 2015, the Lekwa Teemane municipal council resolved to appoint a successful candidate and further directed that the employment contract be entered into between the successful candidate and the municipality represented by the mayor.
4. There is no legal requirement for the employment contract to be tabled before council prior to the signing thereof.
5. (i) and (ii) Not applicable.
6. The employment contract was signed on 16 April 2015.
7. The contract was entered into between the municipal manager and municipality represented by the mayor.