

**MINISTRY FOR COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTIONS FOR WRITTEN REPLY**

**QUESTION NUMBER 2019/400**

**DATE OF PUBLICATION: 01 MARCH 2019**

**400. Mr M L Shelembe (NFP) to ask the Minister of Cooperative Governance and Traditional Affairs:**

Whether, in light of the lack of information in communities regarding service delivery budget and implementation that often results in angry protests, he has found that all municipalities are complying with section 77 of the Municipal Structures Act, Act 117 of 1998, as required by law to ensure that there are frequent meetings with communities; if not; what is the position in this regard; if so; what are the relevant details?NW428E

1. **REPLY:**
	1. Certainly, municipalities are required by law to put in place mechanisms and processes to encourage communities to participate in the affairs of municipality. This is provided for in chapter 4 of the Local Government: Municipal Systems Act, 2000.
	2. Furthermore, Schedule 1 of the Local Government: Municipal Systems Act, 2000 makes provision for councillors as elected public representatives to be accountable to local communities and report back at least quarterly to their constituencies on council matters, including the performance of the municipality in terms of established indicators.
	3. In order to ensure that councillors fulfil their obligation to communities, a Code of Conduct has been developed and makes provision for the following:
2. Attendance of meetings-A councillor must attend each meeting of the municipal council and a committee which that councillor is a member (i.e. Ward Committee meetings and Community feedback meetings); and
3. Sanctions for not attending meetings-A municipal council may impose a fine as determined by the standing rules and orders of the municipal council on a councillor for not attending to meetings which that councillor is required to attend.
	1. Although the legislation requires of councillors to convene community feedback meetings quarterly, the norm across most of the municipalities is that feedback meetings are convened on a monthly basis and councillors are required to produce portfolio of evidence to that effect i.e. attendance registers, minutes/reports of such meetings. Reports indicate that, of the total 4392 wards across the country, feedback meetings have been convened in approximately 90% of wards. Other community engagement mechanisms being used by municipalities are i.e. Integrated Service Delivery Models (War Rooms), IDP forums and ICT platforms i.e. social media platform.
	2. In an effort to provide support and monitor performance in municipalities, the department introduced the Back to Basics Programme (B2B) that is anchored on five pillars, which involve putting people and their concerns first, creating conditions for delivering quality municipal services, good governance, among other things.
	3. The following is an analysis report conducted through B2B by municipalities on the frequency of Ward Committee meetings:
* The average number of Ward Committee meetingsfor the municipalities that reported in terms of the monthly B2B reporting was 15,09 per month in 2017/18, which was an increase from the 7,18 in 2016/17. This was to be expected given that Ward Committees first had to be established in the 2016/17 financial year after the August 2016 local government elections.
* Per province, the lowest average of meetings per month in 2017/18 was reported by Free State municipalities (5.15) and Northern Cape (5,67). The Northern Cape municipalities were also the lowest in 2016/17 (1,49) followed by Free State municipalities (4,40).
	1. The following is an analysis report on the frequency of Ward Councillor Report back meetings:
* The average number of Ward Councillor Report Back meetingsfor reporting municipalities in the country was an average of 6.17 meetings per month in 2016/17, which increased to an average of 10.75 in 2017/18.
* Per province, the lowest average of meetings per month in 2017/18 was reported by Free State municipalities (4.21), followed by Northern Cape municipalities (6.03) and they were also amongst the lowest in 2016/17, 5.20 for Free State and 2,03 for Northern Cape. Western Cape (3.23) municipalities also reported a low average of monthly meetings in 2016/17 with 3,23 but this increased to an average of 8,19 in 2017/18.
1. **BACKGROUND**
	1. Chapter 4 of the Local Government: Municipal Systems Act, 2000 requires of municipalities to develop a culture of community participation that complements formal representative government with a system of participatory governance and must for this purpose-
* Encourage, and create conditions for, the local community to participate in the

affairs of the municipality, including in—

* the preparation implementation and review of its integrated development plan in terms of Chapter 5;
* the establishment, implementation and review of its performance management system in terms of Chapter 6:
* the monitoring and review of its performance, including the outcomes and impact of such performance, the preparation of its budget; and strategic decisions relating to the provision of municipal services in
	1. Councillors and staff to foster community participation; and use its resources, and annually allocate funds in its budget for this purpose.

Ends…