

PROVINCE OF THE EASTERN CAPE  
IPHONDO LEMPUMA KOLONI  
PROVINSIE OOS-KAAP

**Provincial Gazette**  
**Igazethi Yephondo**  
**Provinsiale Koerant**

**Vol. 18**

BISHO/  
KING WILLIAM'S TOWN, 19 OCTOBER 2011

**No. 2646**  
**(Extraordinary)**

**IMPORTANT NOTICE**

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

**CONTENTS • INHOUD**

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
<b>PROVINCIAL NOTICE</b>			
42	Local Government: Municipal Structures Act (117/1998): Identification of traditional leaders who may participate in the proceedings of the municipal councils and regulation of their participation in the municipal councils.....	3	2646

---

## PROVINCIAL NOTICE

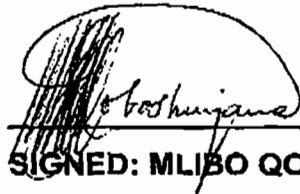
---

No. 42

### DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

#### IDENTIFICATION OF TRADITIONAL LEADERS WHO MAY PARTICIPATE IN THE PROCEEDINGS OF THE MUNICIPAL COUNCILS AND REGULATION OF THEIR PARTICIPATION IN THE MUNICIPAL COUNCILS

I, **Mlibo Qoboshiyane**, Member of the Executive Council responsible for Local Government and Traditional Affairs in the Eastern Cape Province hereby publish in terms of Section 81(2)(a) and (4) of Local Government : Municipal Structures Act, 1998 (Act No. 117 of 1998) the names of the identified traditional leaders who may participate in the proceedings of the municipal council as listed in schedule 1 and also the guidelines regulating the participation of Traditional Leaders in the municipal council as listed in schedule 2 attached herein.



---

**SIGNED: MLIBO QOBOSHIYANE**

**MEMBER OF EXECUTIVE COUNCIL RESPONSIBLE FOR  
LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**

**DATE: 5/10/2011**



Province of the  
**EASTERN CAPE**  
LOCAL GOVERNMENT  
& TRADITIONAL AFFAIRS

**GUIDELINES/ FRAMEWORK FOR  
PARTICIPATION OF TRADITIONAL  
LEADERS IN MUNICIPAL  
COUNCILS**



*Imvume olingqumbiliyo!*



**TABLE OF CONTENTS**

**CHAPTER A: GENERAL**

Table of Contents.....2-3

1. Definitions.....4-5

2. Introduction.....6

3. Legislative and Regulatory Framework.....7-8

4. Objectives of the Guidelines..... 8-9

5. Values and Guiding Principles.....9

6. Application of the Guidelines.....10

7. Status of Traditional Leaders participating in municipal councils....10-11

8. Roles of traditional leaders participating in municipal council proceedings.....11-12

**CHAPTER B: RELATIONSHIP BETWEEN MUNICIPAL COUNCILS AND TRADITIONAL LEADERS PARTICIPATING IN MUNICIPAL COUNCIL PROCEEDINGS**

9. Relationship between municipal councils and traditional leaders participating in municipal council proceedings.....12-13

10. Institutional systems.....14

11. Support and capacity building to traditional leaders participating in municipal council proceedings.....14

12. Code of conduct applicable to traditional leaders participating in municipal council proceedings.....15-21

13. Qualification for participation of Traditional Leaders in municipal councils.....21-22

14. Criteria and procedure for identification of Traditional Leaders for purposes of Section 81.....22-24

15. Review.....24

16. Implementation date.....24

## **CHAPTER A: GENERAL**

### **1. Definitions**

1.1 In these guidelines unless the context indicates otherwise, the following expressions bear the meanings assigned to them below:-

1.1.1 **"Constitution"** means the Constitution of the Republic of South Africa, 1996;

1.1.2 **"Councillor"** means a member of the municipal council.

1.1.3 **"District council"** means the municipal council of a district municipality;

1.1.4 **"Framework Act"** means the Traditional Leadership and Governance Framework Act, 41 of 2003;

1.1.5 **"Local House"** means local house as defined in the Traditional Leadership and Governance Framework Act, 41 of 2003.

1.1.6 **"MEC"** means the MEC responsible for local government in the province;

1.1.7 **"MFMA"** means the Local Government: Municipal Finance Management Act, 56 of 2003;

1.1.8 **"Municipal Council"** or **"council"** means a municipal council referred to in section 157 of the Constitution;

1.1.9 **"Municipal Structures Act"** means the Local Government: Municipal Structures Act, 117 of 1998;

1.1.10 **"Municipal Systems Act"** means the Local Government: Municipal Systems Act, 32 of 2000;

1.1.11 **"Partner"** a person who permanently lives with another person in a manner as if married.

1.1.12 **"Provincial House"** means the Local House of Traditional Leaders as

defined in the **Traditional Leadership and Governance Framework Act, 41 of 2003**;

**1.1.13 "Traditional Leader"** means any person who, in terms of customary law of the traditional community concerned, holds a traditional leadership position, and is recognised in terms of the **Traditional Leadership and Governance Framework Act, 2003**.

**1.1.14 "Traditional Constituency"** means traditional councils falling within the area of jurisdiction of a municipality.



## 2. INTRODUCTION

2.1 With the ushering of a new democratic order in South Africa, it has been and still is the vision of the government that the institution of traditional leadership is transformed and supported so that it plays a role in socio-economic development and nation building. According to the White Paper on Traditional Leadership and Governance, 2003, the transformation of the institution of traditional leadership must, among other things promote sound relationships between itself and other spheres of government, act in partnership with municipalities by creating good relationships in order to enhance service delivery.

2.2 The role of the institution of traditional leadership is therefore not to usurp the role of government in traditional communities but to complement and support the government in improving the quality of life of the rural communities. The recognition of the institution of traditional leadership finds expression in section 211(1) of the Constitution of the Republic of South Africa. Furthermore, section 212(1) stipulates that national legislation may provide for a role for the institution of traditional leadership at local level on matters affecting local communities. Lastly, Section 81 of Local Government; Municipal Structures Act No.117 of 1998 and Section 4 of the Traditional Leadership and Governance Framework Act No.43 of 2003 give effect to Section 212(1) of the *Constitution* by allocating a role to the institution of traditional leadership on governance and development issues at the sphere of local government.

### **3. LEGISLATIVE AND REGULATORY FRAMEWORK**

- 3.1 The legislative framework for the management of relations between municipal councils and traditional councils is contained in a number of pieces of legislation including but not limited to;
- 3.1.1. Sections 40 and 41 (1) (h) of Chapter 3 of the Constitution which deals with the core principles of co-operative government and intergovernmental relations in all spheres of government and organs of the state.
- 3.1.2. Section 81 of the Local Government: Municipal Structures Act, 1998 (Act No.117 of 1998) which lays down the procedure for the participation of traditional councils through their leaders in the proceedings of municipal councils.
- 3.2 Schedule 6 of the Local Government: Municipal Structures Act, 1998 (Act No.117 of 1998) which deals with the identification of traditional leaders for the participation of traditional councils in the proceedings of municipal councils.
- 3.3 Section 121 and Schedule 3 of the Local Government: Municipal Systems Act, 2000 (Act No.32 of 2000) which regulates the conduct of Traditional Leaders when participating in municipal councils.
- 3.4 Sections 4 and 20 of the Traditional Leadership and Governance Framework Act No.43 of 2003 which deals with the functions of traditional councils and the guiding principles for allocation of roles and functions to Traditional Councils or Traditional Leaders respectively.
- 3.5 The Intergovernmental Relations Act, 2005 (Act No. 13 of 2005) which

establishes a framework for national government, provincial governments and local governments to promote and facilitate intergovernmental relations.

- 3.6 Section 3 of the Municipal Finance Management Act, 2003 (Act No. 56 of 2003) which deals with application of the Act to organs of the state to extent of their financial dealings with municipalities.
- 3.7 These guidelines are informed by Section 81 of the Local Government: Municipal Structures Act, 1998 (Act No.117 of 1998) as amended and Section 4 of the Traditional Leadership and Governance Framework Act, 2003 (Act No.41 of 2003) which provides for the participation of traditional councils in municipal council proceedings.

#### **4. OBJECTIVES OF THE GUIDELINES**

The purpose of these guidelines/ framework is to:

- 4.1.1 Provide simple and enabling framework that governs/regulates working relations between the Municipal Councils and Traditional Councils;
- 4.1.2 Give effect to the provisions of Section 81 of the Municipal Structures Act & Section 4 of Traditional Leadership & Framework Act ;
- 4.1.3 Strengthen the relationship between Municipal Councils and Traditional Councils;
- 4.1.4 Enhance good governance, service delivery and stability in traditional community areas;
- 4.1.5 Promote partnerships between Municipal Councils and Traditional Councils.

- 4.1.6 Provide guidelines/framework for uniformity with regard to participation of traditional leaders in all affected municipalities throughout the Province.
- 4.1.7 Regulate and give guidance to the signing of service delivery agreements between municipalities and traditional councils.
- 4.1.8 Promote allocation and roles and functions to traditional councils.
- 4.1.9 Promote joint mobilisation initiatives and public participation drives.
- 4.1.10 Facilitate full participation in all planning processes of municipalities including but not limited to integrated development plans, budget and spatial development.
- 4.1.11 Ensuring seamless protocol mechanism between the two parties.

## **5. VALUES AND GUIDING PRINCIPLES**

### **5.1 VALUES**

The institution of traditional leadership must be transformed to be in harmony with the *Constitution* and Bill of Rights so that:

- 5.1.1 Democratic governance and the values of an open and democratic society may be promoted and
- 5.1.2 Gender equality within the institution of Traditional Leadership to be progressively advanced in line with custom.

## **5.2 GUIDING PRINCIPLES**

The institution of traditional leadership must:

- 5.2.1 Promote freedom, human dignity and the achievement of equality and non sexism;
- 5.2.2 Derive its mandate and primary authority from applicable customary law and practices;
- 5.2.3 Strive to enhance tradition and culture;
- 5.2.4 Promote nation building and harmony and peace amongst people;
- 5.2.5 Promote the principles of co-operative governance in its interaction with all the spheres of government and organs of the state ; and
- 5.2.6 Promote an efficient, effective and fair dispute resolution system, and a fair system of administration of justice, as envisaged in applicable legislation.

## **6. APPLICATION OF THE GUIDELINES**

- 6.1 This policy is applicable to all traditional leaders that are participating in Municipal Councils in terms of section 81 of the Municipal Structures Act.

## **7. STATUS OF TRADITIONAL LEADERS PARTICIPATING IN MUNICIPAL COUNCILS**

- 7.1 Traditional leaders identified by the MEC have the general right to attend and participate in any meeting of the municipal council. He may, subject to the rules and orders of the municipality and any regulation of

the MEC participate in debate, submit motions, make proposals and ask questions.

- 7.2 A traditional leader identified by the MEC must hold a supreme office of authority among all the leaders of a traditional authority and be a resident of the municipality concerned.
- 7.3 Traditional leaders are not *ex officio* members of the municipal council and are not entitled to vote.
- 7.4 A traditional leader identified by the MEC may become a member of the committee of the municipal council.
- 7.5 A traditional leader identified by the MEC cannot become an office-bearer of the municipal council.
- 7.6 A traditional leader identified by the MEC cannot be counted for the purpose of establishing a quorum in the municipal council.
- 7.7 A traditional leader identified by the MEC shall retain his or her status of traditional leader and shall not become a councillor by virtue of his or her participation in municipal proceedings.
- 7.8 A traditional leader of a traditional council has the right to address the municipal council on any matter which directly affects his or her area of jurisdiction.

## **8. ROLES OF TRADITIONAL LEADERS PARTICIPATING IN MUNICIPAL COUNCILS**

8.1 Traditional Leaders have the following functions:

- 8.1.1 Influence municipalities in embracing and promoting heritage, language, Customs and Traditions;
- 8.1.3 Supporting municipalities in the identification of community

needs;

- 8.1.4 Facilitating the involvement of the traditional communities in the development or reviews of the integrated development plans of a municipality in whose area that community resides;
- 8.1.5 Promoting indigenous knowledge systems for sustainable development;
- 8.1.6 Influence municipalities in developing programmes that assist in curbing initiation deaths during initiation schools season, working hand in hand with all relevant stakeholders;
- 8.1.7 Influence municipalities in developing moral regeneration programmes; and municipalities must commit and incorporate these programmes in their plans
- 8.1.8 Alerting any relevant municipalities to any hazard or calamity that threatens their area of jurisdiction and contributing to a disaster management programmes.

## **CHAPTER B: RELATIONSHIP BETWEEN MUNICIPAL COUNCILS AND TRADITIONAL LEADERS PARTICIPATING IN MUNICIPAL COUNCIL PROCEEDINGS**

### **9. RELATIONSHIP BETWEEN MUNICIPAL COUNCILS AND TRADITIONAL LEADERS**

- 9.1 The municipality and Traditional Leaders participating in municipal Councils must respect the status, roles, powers and functions of each other as public office bearers so as to give effect to the principles of co-operative governance.
- 9.2 The Municipality and traditional leaders participating in municipalities must co-operate with one another in mutual trust and good faith by:-

- 9.2.1 **Fostering sound working relations with one another;**
- 9.2.2 **Assisting and supporting one another in the execution of their roles and responsibilities;**
- 9.2.3 **Development of a communication strategy and mutually agreed protocol for information sharing, co-ordination and consultation purposes;**
- 9.2.4 **Adopting agreed upon procedures and internal dispute resolution mechanisms.**
- 9.2.5 **Participating Traditional Leaders shall be non partisan.**
- 9.2.6 **Identification of a Traditional Leader to coordinate all activities and ensuring meaningful participation and attendance.**
- 9.3.7 **Advising the Provincial House of Traditional Leaders of any conduct contrary to the applicable code of conduct and ethics; such conduct shall be dealt with in terms of code of conduct as envisaged in the Traditional Leadership and Governance Act, (Act No. 4 of 2005)**
- 9.4 **The MEC for Local Government and Traditional Affairs and the Chairpersons of both the Provincial and Local Houses of Traditional Leaders must be informed of any dispute between the Municipality and Traditional Leaders participating in municipalities before approaching a court of law.**



**10. INSTITUTIONAL SYSTEMS**

**10.1** The municipality shall pay from its own budget, out of pocket expenses to Traditional Leaders for participating in municipality proceedings.

**10.2 ACCOUNTABILITY OF TRADITIONAL LEADERS PARTICIPATING IN MUNICIPALITIES**

**10.2.1** Traditional Leaders participating in municipalities must conduct themselves in line with the code of conduct in Schedule 5 of Municipal Structures Act.

**10.2.2** Traditional Leaders participating in municipalities must table reports of their meetings at least once a month at the meeting of the Traditional Constituency and Local House concerned.

**10.2.3** The meeting shall be held at the seat of the municipality.

**11. SUPPORT AND CAPACITY BUILDING TO TRADITIONAL LEADERS PARTICIPATING IN MUNICIPALITIES**

**11.1** The Department and Municipalities shall support and strengthen the capacity of Traditional Leaders participating in Municipal Councils by providing skills development programmes and any other support deemed reasonable to make their participation effective.

## **12. CODE OF CONDUCT FOR TRADITIONAL LEADERS PARTICIPATING IN MUNICIPAL COUNCILS**

### **12.1 Application of the Code of Conduct for Councillors to Traditional Leaders.-**

#### **12.2 General conduct of traditional leaders: - A traditional leader must-**

- (a) perform the functions of office in good faith, honestly and in transparent manner ; and
- (b) at all times act in the best interests of the municipality and in such a way that the credibility and integrity of the municipality are not compromised.

#### **12.3 Attendance at meetings:**

A traditional leader must attend each meeting of the municipal council and of a committee of which that traditional leader is a member and remain in attendance, except when-

- a) Leave of absence is granted in terms of an applicable law or as determined by the rules and orders of the council;
- b) That traditional leader is required in terms of this Code to withdraw from the meeting.

#### **12.4 Disclosure of interests: - (1) A traditional leader must:-**

- (a) disclose to the municipal council, or to any committee of which that traditional leader is a member, or any direct or indirect personal or private business interest that traditional leader, any spouse, partner or business associate of that traditional leader may have in any matter before the council or the committee: and

- (b) withdraw from the proceedings of the council or committee when that matter is considered by the council or committee, unless the council or committee decides that the traditional leader's direct or indirect interest in the matter is trivial or irrelevant.
- (2) A traditional leader who or whose spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a contract concluded with the municipality, must disclose full particulars of the benefit of which the traditional leader is aware at the first meeting of the municipal council at which it is possible for the traditional leader to make the disclosure.
- (3) this section does not apply to an interest or benefit which a traditional leader, or a spouse, partner, business associate or close family member, has or acquires in common with other residents of the municipality.

**12.5 Personal gain.-** (1) A traditional leader may not use the position or privileges of a traditional leader, or confidential information obtained as a traditional leader, for private gain or to improperly benefit another person.

- (2) Except with the prior consent of the municipal council, a traditional leader may not-
- (a) be a party to or beneficiary under a contract for :-
- (i) the provision of goods or services to the municipality; or
- (ii) the performance of any work otherwise than as a traditional leader for the municipality;
- (b) obtain a financial interest in any business of the municipality; or

(c) for a fee or other consideration appear on behalf of any other person before the council or a committee.

- (3) if more than one quarter of the councillor object to consent being given to a traditional leader in terms of sub-item (2), such consent may only be given to the traditional leader with the approval of the MEC for local government in the province.

#### **12.6 Declaration of interests:-**

- 1) when identified by the MEC to participate in the council, a traditional leader must within sixty (60) days declare in writing to the municipal manager the following financial interests held by that traditional leader:
- a) shares and securities in any company;
  - b) membership of any close corporation;
  - c) interest in any trust;
  - d) directorship;
  - e) partnerships;
  - f) other financial interests in any business undertaking;
  - g) interests in property;
  - h) subsidies, grants and sponsorships by any organisation;
  - i) employments and remuneration;
  - j) pension
- 2 Any change in the nature or detail of the financial interest of a traditional leader must be declared in writing to the municipal manager annually.
4. Gifts received by a traditional leader above the prescribed amount (as prescribed in the municipal rules and orders) must also be declared in accordance with sub item 1.

5. The municipal council must determine which of the financial interest referred in sub-item 1 must be made public having regard to the need for confidentiality and the public interest for disclosure.

**12.7 Rewards, gifts and favours.-** A traditional leader may not request, solicit or accept any reward, gift or favour for:-

- (a) persuading the council or any committee in regard to the exercise of any power, function or duty;
- (b) making a representation to the council or any committee of the council; or
- (c) disclosing privileged or confidential information.

**12.8 Unauthorised disclosure of information.-** (1) A traditional leader may not without the permission of the municipal council or a committee disclose any privileged or confidential information of the council or committee to any unauthorised person.

(2) For the purpose of this item 'privileged or confidential information' of the council includes any information:-

- (a) determined by the municipal council or committee to be privileged or confidential;
- (b) discussed in closed session by the council or committee;
- (c) disclosure of which would violate a person's right to privacy; or
- (d) declared to be privileged, confidential or secret in terms of law.

(3) This item does not derogate from the right of any person to access to information in terms of national legislation.

**12.9 Intervention in administration.-** A traditional leader may not, except as provided by law:-

- (a) interfere in the management or administration of any department of the municipal council unless mandated by council;
- (b) give or purport to give any instruction to any employee of the council except when authorised to do so;
- (c) obstruct or attempt to obstruct the implementation of any decision of the council or a committee by an employee of the council; or
- (d) encourage or participate in any conduct which would cause or contribute to maladministration in the council.

**12.10 Council property.-** A traditional leader may not use, take, acquire or benefit from any property or asset owned, controlled or managed by the municipality to which that traditional leaders has no right.

**12.11 Duty of chairpersons of municipal councils.-** (1) If the chairperson of a municipal council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the chairperson must:-

- (a) authorise an investigation of the facts and circumstances of the alleged breach; and
  - (b) give the traditional leader a reasonable opportunity to reply in writing regarding the alleged breach; and
  - (d) report the matter to a meeting of the municipal council after paragraphs (a) and (b) have been complied with.
- (2) A report in terms of sub-item 1(c) is open to the public.
- (3) The chairperson must report the outcome of the investigation to the MEC for local government in the province.
- (4) The chairperson must ensure that each traditional leader is given a copy of this Code and that a copy of the Code is available in every room or place where the council meets.

**12.12 Breaches of the Code:- (1) A municipal council may:-****(a) establish a special committee:-**

- (i) to investigate or make a finding on any alleged breach of this Code; and**
- (ii) make appropriate recommendations to the council.**

**(2) If a municipal council or a special committee in terms of item 8.4.11(1) finds that a traditional leader has breached a provision of this Code, the council may:-**

- (a) Issue a formal warning to the traditional leader; or**
- (b) request the MEC for local government to suspend or cancel the traditional leader's right to participate in the proceedings of the council.**

**(3) The MEC for local government may appoint a person or committee to investigate any alleged breach of a provision of this Code and to make a recommendation on whether the right of the traditional leader to participate in the proceedings of the municipal council should be suspended or cancelled.****(4) In the absence of applicable provincial legislation, the Commission Act, 1947 may be applied to an investigation in terms of sub-item (4).****(5) If the MEC is of the opinion that the traditional leader has breached a provision of this Code, and that such breach warrants a suspension or cancellation of the traditional leader's right to participate in the council's proceedings, the MEC may:-**

- (a) suspend that right for a period and on conditions determined by the MEC; or**

(b) cancel that right.

- (6) Any investigation in terms of this item must be in accordance with the rules of natural justice.
- (7) The suspension or cancellation of a traditional leader's right to participate in the proceedings of a council does not affect that

### **13. QUALIFICATION FOR PARTICIPATION OF TRADITIONAL LEADERS IN MUNICIPAL COUNCILS**

13.1 A traditional leader who is selected to participate in the proceedings of the municipal councils shall be a person who:-

- (a) is above the age of 21 years;
- (b) has not been convicted of an offence and sentenced to more than 12 months imprisonment without the option of a fine;
- (c) is not an un-rehabilitated insolvent;
- (d) is a South African citizen;
- (e) is ordinarily resident within the jurisdiction of the traditional council and the municipal council concerned;
- (f) is able to read, understand and write the English language.

#### **13.2 WHO**

**In addition to the above the person selected must:-**

- ⇒ be willing to abide with the protocol applicable to the councillors
- ⇒ be developmental
- ⇒ Vast knowledge in Traditional Leadership & Governance
- ⇒ Gender sensitive
- ⇒ accountable
- ⇒ good standing



⇒ be of sober habits

#### **14. CRITERIA AND PROCEDURE FOR IDENTIFICATION OF**

##### **TRADITIONAL LEADERS FOR PURPOSES OF SECTION 81**

**14.1** Schedule 6 of the Municipal Structures Act applies for identification of Traditional Leaders for purposes of section 81.

**14.2 Manner of identification.-** (1) if it comes to the notice of the MEC for local government that one or more traditional councils traditionally observe a system of customary law in the area of a municipality, the MEC-

(a) must inform the provincial House of Traditional Leaders of the maximum number of traditional leaders that may be identified in terms of section 81 to participate in the proceedings of the council of that municipality;

(b) must request the provincial House of Traditional Leaders to recommend which leaders of that traditional council or of those traditional councils can be identified for purposes of section 81;

(c) on receipt of the recommendation, or if no recommendation is received within 30 days after the request in terms of paragraph (b) has been made, may identify the leaders of that traditional council, or traditional councils; and

(d) if any traditional leaders have been identified in terms paragraph (c), must submit the names of those traditional leaders to the municipal manager of that council.

(2) in a province in which no provincial House of Traditional Leaders has been established, the MEC must consult the traditional council concerned before identifying any leader for the purposes of section 81.

**14.3. Guidelines for identification.-** The traditional leader to be identified must-

(a) hold the supreme office of authority among all the leaders of the traditional council referred to in item 1; and

(b) be ordinarily resident within the area of the municipality concerned.

**14.3.1** Traditional Leaders within the boundaries of a municipality shall select Traditional Leaders who will participate in municipal councils.

**14.3.2.** The Provincial House of Traditional Leaders will convene consultative meetings in municipal areas to facilitate selection processes.

**14.3.4** The Traditional Leaders of the area will provide the names of those selected as per the set out criteria

**14.3.5** Selection will be reached through consensus and in cases where consensus is not reached an option of voting through a show of hand will be explored.

**14.3.6** Traditional Leaders selected for purposes of section 81 shall not exceed

the maximum number (20% of total number of councillors in that council) as set out in section 81(2) (b) of the Municipal Structures Act.

**14.3.7** Members selected must include women representation.

**14.3.8** The Chairperson of the Provincial House of Traditional Leaders or his delegated person must convene and preside over a meeting of all traditional leaders falling within the boundaries of a municipality for the purposes of selecting Traditional Leaders who will participate in municipal councils.

**14.3.9** The Traditional Leader so selected must indicate his/her acceptance in writing.

14.3.10 The names of the selected Traditional Leaders must be published by the MEC by notice in the government gazette.

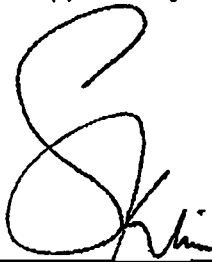
14.3.11 The Traditional Leaders so selected must be sworn in by a person so designated by the Municipal Structures Act.

## 15. REVIEW

15.1 These regulations shall be reviewed as and when the need arises to determine effectiveness and appropriateness as well as to be responsive to new challenges and circumstances.

## 16. IMPLEMENTATION DATE

16.1 These regulations shall be effective and applicable from the date of approval by the Honourable Member of The Executive Council.



**S. Khanyile**  
Superintendent – General

29/08/2011  
Date



**M. Qhoboshiyane**  
Member of the Executive Council  
Department of Local Government and Traditional Affairs

5/September 2011  
Date

## LIST OF 20% OF TRADITIONAL LEADERS IDENTIFIED FOR PARTICIPATION IN MUNICIPALITIES

## 1. SENQU MUNICIPALITY

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL COUNCIL
Nkosana	Buften Pitso	M	4506215122088	Hlubi
Nkosana	Khethephi A. Nombula	M	5404145909080	Amavundle
Nkosana	Tsebang Khakhudi	M	8005185564086	Batlokoa
Nkosana	Ntepele J. Tikiso	M	5004075731080	Basotho
Nkosana	Isaac lafta	M	6912166204081	Hlubi
Nkosana	Nkosayithethi H. Binza	M	5012185680089	Hlubi
Nkosana	Zandisile Mphambo	M	5603175860085	Hlubi

## 2. MZIMVUBU MUNICIPALITY

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL COUNCIL
Inkosi	Tembisile Makaula	F	6506290826080	Makaula
Inkosana	Fikile Makaula	M	5703106092087	Ncwela
Inkosi	Phila Mdutyana	M	7104265763089	Mpoza
Inkosi	Thandeka Nota-Stephen	F	5105040692081	Amahlubi
Inkosana	Mdutyana Sogoni	M	5406145738088	KwaBhaca
Inkosi	Nomathemba N. Fikeni	F	5708260147080	Fikeni
Inkosana	Bambelela Jojo	M	7208185931088	KwaXesibe
Inkosana	Nothembile Ncapayi	F	6008210896087	Mzimvubu
Inkosana	Vuma Sontsi	M	7210107484089	Makaula
Inkosana	Mziwamaxesibe Sodladla	M	6804115924085	Makaula
Inkosana	Nomvumo Jojo	F	5012280131087	Maxesibe

## 3. NYANDENI MUNICIPALITY

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL COUNCIL
Inkosana	Celuxolo Mbono	M	8201235760085	Gibisela
Inkosana	Nosizwe Ndamase	F	6211270931089	Ngxangule
Inkosana	Lungelo Hlomendlini	M	5712042165086	Ngqubusini
Inkosana	Landela Gwadiso	M	6803066238081	Amakhonjwayo
Inkosana	Mbeko Thakatha	M	5310135138087	Mayibenye
Inkosana	Nombasa Vava	F	5810300949085	Mthakanye
Inkosana	Loyiso Mtingane	M	7403215672089	Mchwebeni
Inkosana	Zolani Ndamase	M	6308215840084	Simanzi
Inkosana	Mkhuseli Ndamase	M	7405245784081	Mhlanga
Inkosi	Dumolakhe Ndamase	M	6701125370087	Zwelihie
Inkosana	Mthawelanga Ndamase	M	8401195965084	Mhlanga
Inkosana	Sizwe Mgcotyeiwa	M	7304156212085	Amasame

## 4. SAKHISIZWE MUNICIPALITY

**LIST OF 20% OF TRADITIONAL LEADERS IDENTIFIED FOR PARTICIPATION IN MUNICIPALITIES**

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL COUNCIL
Inkosi	S. Stokwe	M	8812125810085	Emaqwathini
Inkosana	Z.H. Gungqa	M	6906145992089	Emaqwathini
Inkosana	M.W. Ma-Awu	M	6107065193085	Egolombeni

**5. MNQUMA MUNICIPALITY**

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL COUNCIL
Inkosana	Sonwabo Mpetha	M	7106016265082	Amazizi-Ngqamakwe
Inkosana	Siyabulela Sobhekwa	M	5903035976083	Amabhele-Ngqamakwe
Inkosana	Dumile Ndzimela	M	4507015429087	Amahlubi-Ngqamakwe
Inkosana	Tandiwe C. Magodla	F	5407220852083	Amazizi-Ngqamakwe
Inkosana	OM Tsipa	M	5412305137087	Amazizi-Gcuwa
Inkosana	LK Bulube	M	5003036278082	Amazizi-Gcuwa
Inkosana	NW Mtulu	M	5408025798083	Amabhele-Gcuwa
Inkosana	CM Luzipho	M	5406015686086	Amahlubi Gcuwa
Inkosana	Zonwabele Dyantyi	M	5910115219086	Theko- Centane
Inkosi	Vivian N. Kona	F	6212290826085	Ngqwana-Centane
Inkosana	Mbulaleko Dondolo	M	4204105161081	Gcaleka-Centane
Inkosana	Monwabisi Mcothama	M	5903015879083	Mcothama-Centane

**6. NGQUSHWA MUNICIPALITY**

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL COUNCIL
Inkosana	Ntombizandile V. Njokweni	F	7212050824089	Dabi
Inkosana	Gladness L. Zitshu	M	5109035628084	Msuthu
Inkosana	Bonisile Matomela	M	4506085167080	Amarheledwane
Inkosi	Sizakele S. Ngwekazi	M	6408165152082	Amabhele
Inkosi	MW Kaulela	M	6308045709087	Amabhele-Asembuthweni

**7. TSOLWANA MUNICIPALITY**

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL COUNCIL
Inkosi	Lungelwa C. Hinana	F	5908080363087	Amaqwathi
Inkosi	Leepo Jonas Malefane	M	581019519080	Basotho

**8. LUKHANI MUNICIPALITY**

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL
----------	--------------	--------	-----------	-------------

**LIST OF 20% OF TRADITIONAL LEADERS IDENTIFIED FOR PARTICIPATION IN MUNICIPALITIES**

				<b>COUNCIL</b>
Nkosana	Obrien Bennlow Hebe	M	6107195584088	Thembu
Nkosana	Matata Hebe	M	4003045244084	Thembu
Nkosana	Fikile Mtingeni	M	5104235588089	Thembu
Inkosi	Fikile Xanti Zimema	M	5807045958082	Zulukama
Nkosana	Mninawa Ngoma	M	7007166039089	Zulukama
Nkosana	Nomlisela Vinah Zimema	F	7104180456080	Zulukama
Inkosi	MWJ Gungubele	M	5111245130083	Tshatshu
Inkosana	Mbuyiselo Ntsukumbini	M	4106285453081	Tshatshu
Inkosana	Lulama Jaceni Madlongwana	M	580109550109082	Zulukama
Inkosana	Nkosemntu Boo	M		

**9. INTSIKA YETHU MUNICIPALITY**

<b>POSITION</b>	<b>NAME SURNAME</b>	<b>GENDER</b>	<b>ID NUMBER</b>	<b>TRADITIONAL COUNCIL</b>
Nkosana	Mabaso Mpemba	M	5303155658084	Hala
Nkosana	Nkosinathi Wellington Njova	M	5311065658086	Mtshanyana
Nkosana	Bambo Bandile M. Qongqo	M	5402225826083	Qwebeqwebe
Nkosana	Onke Matanzima	M	7508045835084	Qamata
Nkosana	Mzukisi Ndarala	M	8304235592084	Ndungwana
Nkosana	Makenke Shulman Jeneto	M	5906155195087	Ncuncuzo
Inkosi	Nkosohlanga Wellington Zulu	M	6506056230089	Mahlubini
Inkosi	Langaletu Nkwenkwezi	M	7708035923086	Amabhele

**10. EMALAHLENI MUNICIPALITY**

<b>POSITION</b>	<b>NAME SURNAME</b>	<b>GENDER</b>	<b>ID NUMBER</b>	<b>TRADITIONAL COUNCIL</b>
Inkosana	Zingisile D. Koto	M	5004175731087	Nonesi
Inkosana	Zamukufungisa N. Mtubu	M	5612105846086	Machubeni
Inkosana	Mzwakhekile Kamteni	M	5501185658085	Hala
Inkosana	Vete Petros Gili	M	4704045407080	Guba
Inkosana	Nkxamleko P. Mzandisi	M	5304065931080	Gcina
Inkosana	Mzimasi Nqwenani	M	5501075726085	Mhlontlo
Inkosana	Mtaki Somdaka	M	4009055369083	Mhlontlo

**11. NTABANKULU MUNICIPALITY**

<b>POSITION</b>	<b>NAME SURNAME</b>	<b>GENDER</b>	<b>ID NUMBER</b>	<b>TRADITIONAL COUNCIL</b>
-----------------	---------------------	---------------	------------------	----------------------------

**LIST OF 20% OF TRADITIONAL LEADERS IDENTIFIED FOR PARTICIPATION IN MUNICIPALITIES**

Inkosana	Zoko Zweliphela Morrison	M	5103015162081	Lwandlelubomvu
Inkosana	Nompokwe Mbulelo Johnson	M	5704146064086	Lwandlelubomvu
Inkosana	Tantsi Zwelethu King	M	6305025225084	Lwandlelubomvu
Inkosana	Diko Makosandile	M	4903155882088	Manci
Inkosana	Mkhuzo Sibonakaliso	M	8509126301089	Manci
Inkosana	Yedwa Mtuwekhaya	M	5506185852085	Ntlenzi
Inkosana	Mkhomanzi Nosisa	F	7702070559087	Xesibe

**12. NGCOBO MUNICIPALITY**

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL COUNCIL
Inkosi	Zululiyazongoma Mngqanqeni	M	4801095084080	Moshi
Inkosi	Zwelakhe Dalasile	M	6508245846080	Amaqwathi
Inkosi	Dumellisuthu Gungubele	M	5402035913089	Gcuwa
Inkosi	Bangixhanti Dalasile	M	4106125099086	Upper Gqobonco
Inkosi	Sandile Mgudlwa	M	5609015958088	Jumba
Inkosi	Zwelokhanyo Mbhekeni	M	8009106261087	Dumalisile
Inkosi	Jongsizwe Kwekwana	M	7706206040086	Gqutyini
Inkosi	Zwelodumo Mtirara	M	6411116202089	Hala

**13. MBIZANA MUNICIPALITY**

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL COUNCIL
Inkosana	Thembisile R. Maqutu	M	5812056007084	Imizizi
Inkosana	Gwebizilwane L. Sigcau	M	4701115137084	Ntlenzi
Inkosi	Zamekile Langasiki	M	7508255941085	Amangutyana
Inkosana	Thulani Mjanyelwa	M	6411245925089	Imizizi
Inkosana	Funisile H. Mlindazwe	M	5802126141088	Amampisi
Inkosi	Bhekabambo O. Ntola	M	7701245563087	Amatshangase
Inkosana	Zanele P. Langasiki	F	7903201102082	Amangutyana
Inkosi	Nolizwi C. Makunze	F	8011250410080	Amandengane
Inkosi	Nomvuzo Madkizela	F	7708010789080	Isikelo
Inkosana	Nontembeko Sontsele	F	7812280922080	Ntshamate
Inkosi	Lunga Baleni	M	7610285768080	Amadiba
Inkosi	Ndumiso Gazula	M	5803245939089	Isikelo

**14. ELUNDINI MUNICIPALITY**

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL
----------	--------------	--------	-----------	-------------

**LIST OF 20% OF TRADITIONAL LEADERS IDENTIFIED FOR PARTICIPATION IN MUNICIPALITIES**

				<b>COUNCIL</b>
Inkosi	Tshlamo J. Sejoseng	M	7006206440083	Lower Tsitsana
Inkosi	Masentle C. Setloboko	F	6804230764085	Batlokoa
Inkosana	Lekgetho S. Lebenya	M	8302106005087	Bakoena
Inkosana	Christopher Z. Sibizo	M	6703235955088	Amahlubi
Inkosi	MS Moshoeshoe	M	5910035218085	Basotho
Inkosi	Phumelele Ntaba	M	6910235086083	Ngxaza-Hlubi
Inkosana	Nceba L. Mabandla	M	5808206024086	Sixhotyeni

**15. MATATIELE MUNICIPALITY**

<b>POSITION</b>	<b>NAME SURNAME</b>	<b>GENDER</b>	<b>ID NUMBER</b>	<b>TRADITIONAL COUNCIL</b>
Inkosi	Themani J. Tyhall	M	5407135690081	Nkosana
Inkosana	Victoria N. Spambo	F	6301101009088	Moshoeshoe
Inkosana	Ntando P. Zibi	M	5110115557086	Amahlubi
Inkosana	Kuali Thabang	M	7807125531088	Bakoena
Inkosana	Nomthandazo Ludidi	F	4205280097081	Ludidi
Inkosana	Rapana J. Makexela	M	4809085600088	Nkosana
Inkosana	Meko Lebenya	M	7610015830085	Bakoena
Inkosana	Letuka R. Kutloano	M	8203045618081	Malubaluba
Inkosi	Jeremiah D. Moshoeshoe	M	3208155088087	Moshoeshoe
Inkosi	Makaula P. Ntlole	M	6507085907085	Ludidi

**16. NGQUZA HILL MUNICIPALITY**

<b>POSITION</b>	<b>NAME SURNAME</b>	<b>GENDER</b>	<b>ID NUMBER</b>	<b>TRADITIONAL COUNCIL</b>
Inkosana	Mongi Rula	M	7209135906089	Mxopo
Inkosana	Soyiso E. Mdutshane	M	7511185807087	Xopoza
Inkosana	Mzwandile M. Njisane	M	5311055812081	Nkoko
Inkosana	Mhleri Y. Gontsana	M	5802016076089	Bhala
Inkosi	Zuziwe V. Sigcau	F	4812251172080	Ndimakude
Inkosi	Luthando Dinwayo	M	7408165958081	Amantlane
Inkosi	Masobhuza Sigcau	F	4710190111088	Qaukeni
Inkosi	Zwelxolle Sigcau	M	6204126366080	Gunyeni
Inkosana	Lindile Mgwili	M	7204035264085	Taweni
Inkosi	Makhosandile Sigcau	M	7303046503083	Mtshayelo
Inkosana	Mandisa R. Ngqobe	F	7401060008086	Taweni
Inkosana	Ntokozo Ntarta	M	6606195755085	Mxopo

**17. KSD MUNICIPALITY**

<b>POSITION</b>	<b>NAME SURNAME</b>	<b>GENDER</b>	<b>ID NUMBER</b>	<b>TRADITIONAL</b>
-----------------	---------------------	---------------	------------------	--------------------



## LIST OF 20% OF TRADITIONAL LEADERS IDENTIFIED FOR PARTICIPATION IN MUNICIPALITIES

				COUNCIL
Inkosana	Pongomile Mlungisi	M	6706135276083	Qiya
Inkosi	Dalasile Vuyisa	M	7408066189083	Tshomane
Inkosana	Sandile Nobangile Nomfundiso	F	5204031102082	Nqabe
Nkosana	Mdunyelwa Priscilla	F	5009120164088	Hegebe
Inkosana	Dalibango Lungisani	M	7650521584088	Tshomane
Inkosi	Mtwa Tina	M	8409036011083	Xesibe
Inkosana	Dinizulu Lizo Julius	M	5601018530089	Qiya
Inkosi	Mgolombane Sakiwo Ngangenyati	M	4610145146082	Upper Ncise Kambi
Inkosana	Maxwele Nomthandazo Gloria	F	6106170159080	Oqokolweni Zimbane
Inkosi	Mandela Rose Rayn Perry	F	5001180231089	Mvezo
Inkosana	Mdalu Jonguxolo	M	5511095590080	Jumba
Inkosana	Mtirara Wiseman Loyiso	M	6001225774084	Xhongora
Inkosana	Tswina Sakumzi Epapharus	M	5205225212083	Masizakhe
Inkosana	Mtirara Dumakuhle Dorrington	M	4409025109082	Botwe

## 18. BUFFALO CITY METRO

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL COUNCIL
Nkosana	Nkosinathi Pako	M	6105215773087	Imingqalasi
Inkosana	Khunjulwa M. Tshatshu	F	5003110766085	Amantinde
Inkosana	Kama Maurice Sebe	M	6510075364085	Amantinde
Inkosi	Bonakele Tsheke	M	4309255494081	Amahleke
Inkosana	Mlandeli Clifford Vazi	M	4807065688081	Amahleke
Inkosi	Nondenze Alice Pato	F	4705060426087	Pato
Inkosana	Mandisa Miranda Jongilanga	F	7705040570084	Imidushane Yaselwandle
Inkosana	Khulile Eric Jongilanga	M	6710106611088	Imidushane Yaselwandle
Inkosi	Zwelizolile W. Toise	M	5505035523086	Amagasela
Inkosana	Melumzi M. Nqwala	M	6804235772083	Amagasela
Inkosana	Phakamile Stanley	M	7402095360088	Amandlambe
Inkosana	Mvuzo Makinana	M	8102065700086	Amandlambe
Inkosana	Barney Richard Kubashe	M	5802015371085	Imidange
Nkosana	Mphuthumi Gladman Bentshu	M	6108205590081	ImiDushane
Nkosana	Mphumzi Honeybrook Sityo	M	5402095159086	ImiDushane
Nkosana	Msondezi Mdunyelwa	M	6306025519088	ImiQhayi
Nkosana	Bangumzi Sebe	M	5206295584088	ImiQhayi
Nkosana	Kansile Mkokeli	M	6212125494083	Pato

**N.B** Imingqalasi and Imidange have 1 rep each due to the number of inkosana that they have and the unavailability of the Senior Traditional Leaders to partake in the Municipality.

**LIST OF 20% OF TRADITIONAL LEADERS IDENTIFIED FOR PARTICIPATION IN MUNICIPALITIES****19. AMAHLATHI MUNICIPALITY**

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL COUNCIL
Inkosana	Bonga Hleli	M	5707016071081	Amahlathi
Inkosi	Siyabonga Ulana	M	8610085817086	Amazizi
Inkosana	Zukisa Ngudle	M	7110115908089	Ngqika
Inkosi	Ntombekhaya Sandile	F	6907160898086	Amazibula
Inkosana	Khumzi Sandile	M	5603315646089	Amazibula
Inkosi	Jongisizwe Ngcongolo	M	7306106570082	Amazizi
Inkosana	Kholekile Mphumzi	M	5801025189081	Amazizi
Inkosana	Jeremiah Matuba	M		Amahlathi

**20. NKONKOBÉ MUNICIPALITY**

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL COUNCIL
Inkosi	S. S. G. Burns-Ncamashe	M	5406225769086	AmaGwali
Inkosi	Mzimasi Tyali	M	5102185143087	Anta
Inkosi	Sibulele Mhlambiso	M	7208016149082	Ngqika-Mbo
Inkosi	Nkosikazi Nomalungelo Ndlazi	F	7412200943082	Ndlazi
Inkosi	Nkosi Vullisango Zibi	F	6509165816087	Mgwalana
Inkosi	Nkosi Siseko Maqoma	M	7501145862082	Amajingqa
Inkosi	Nosizwe Tyali	F	5312060530080	Imingcangathelo
Inkosi	N. L. Mabandla	M	6010238561088	AmaBhele aseTyume

**22. PORT ST JOHNS MUNICIPALITY**

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL COUNCIL
Inkosi	Vakele Ndabeni	M	6709285084083	Mvumelwano
Inkosi	Sinikile Ndamase	M	7609256006084	Mhlanganisweni
Inkosi	Nomntu C. Mditshwa	F	7606180718089	Mtweni
Inkosi	Ngubesizwe V. Sigcau	M	7105215637083	Bomvini
Inkosana	Mamsiza A. Lalu	F	6903121325087	Gunyeni
Inkosana	Sivuyile Msungubali	M	7805075596085	Manzambahophe
Inkosana	Zweloxolo Langa	M	7312156092084	Zwaligugi
Inkosana	Duma Ndamase	M	6507025870088	Ndlazula

**23. MHLONTLO MUNICIPALITY**

POSITION	NAME SURNAME	GENDER	ID NUMBER	TRADITIONAL
----------	--------------	--------	-----------	-------------

**LIST OF 20% OF TRADITIONAL LEADERS IDENTIFIED FOR PARTICIPATION IN MUNICIPALITIES**

				<b>COUNCIL</b>
Inkosana	N. Matshanda	M	7003026412087	Maqakambeni
Inkosi	L. Mditshwa	M	8202225658081	Khethani
Inkosana	J.J. Groom	M	6512075873081	Amacwera
Inkosana	S. Siyoyo	M	6808145913083	Amacwera
Inkosana	V.L. Majeke	M	4108145486087	Bhele
Inkosana	T.D. Dutywa	M	4703265207089	Ebhotwe
Inkosana	V.E. Ludidi	M	5502105656086	Hlubi
Inkosana	S. Mcelu	M	8001018314088	Ebhotwe
Inkosana	L. Ngudle	F	5401230709083	Khambi 20
Inkosana	G.S. Tyali	M	7709095613088	Amampondomise Asentshonalanga