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# LOCAL AUTHORITY NOTICE

## LOCAL AUTHORITY NOTICE 127

### CITY OF TSHWANE

#### BY-LAWS ON PUBLIC PARTICIPATION: WARD COMMITTEES, PETITIONS, PUBLIC MEETINGS AND HEARINGS

The City of Tshwane Metropolitan Municipality hereby publishes in terms of Section 7 of the Rationalisation of Local Government Affairs Act, 1998 (Act 10 of 1998), read with Section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), section 162 of The Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), and Section 73 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), the City of Tshwane Metropolitan Municipality: By-Laws on Public Participation: Ward Committees, Petitions, Public Meetings and Hearings, as contemplated hereunder and approved by the Municipal Council.

The By-laws will be effective as from date of publication hereof.

**MR JASON NGOBENI**  
CITY MANAGER

(Notice No 185 of 2012)  
1 February 2012

### CITY OF TSHWANE METROPOLITAN MUNICIPALITY

#### BY-LAWS ON PUBLIC PARTICIPATION: WARD COMMITTEES, PETITIONS, PUBLIC MEETINGS AND HEARINGS

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### PREAMBLE

*Mindful* of the legislative responsibility regarding ward committees, petitions, public meetings and hearings to enable a process of public participation in local government;

*Recognising* the legislative stipulations requiring of the City of Tshwane Metropolitan Municipality to make rules on how to execute the process; and

*Desiring* that public participation engender and maintain the spirit of cooperative governance in the community, and substantiate democracy through a management model, the Bylaw on Public Participation: Ward Committees, Petitions, Public Meetings and Hearings, is hereby issued by the City of Tshwane Metropolitan Municipality.

### DEFINITIONS AND ABBREVIATIONS

In this Bylaw a word or a phrase to which a meaning has been assigned in the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), has that meaning, unless the context indicates otherwise.

- Appeals Committee:** the committee appointed by the Speaker to hear appeals against decisions on disciplinary matters with regard to ward committee members
- Assigned:** an instruction to perform a duty
- Area Agent:** an official appointed by the MEO to oversee voting matters in a given area of the Municipality
- CBO:** a community based organisation
- Chairperson:** a ward councillor of the Municipality appointed to chair the ward committee meetings in terms of section 73 (2) (a) of the Municipal Structures Act
- Chief Whip:** a municipal councillor who is appointed to this position by the Municipal Council in terms of section 12 of the Municipal Structures Act
- Community:** residents of, and all stakeholders in, a ward, i.e. the total ward community, duly represented by an elected ward committee
- Council:** the Municipality's body of elected ward councillors and proportionally representative councillors comprising the local government structure as established in terms of the Municipal Structures Act
- Disciplinary Committee:** the committee appointed by the Speaker to assist in decisions of the Speaker on disciplinary matters with regard to ward committee members
- Election Assistant:** a person appointed by the MEO to perform duties under supervision of the presiding officer during a ward committee election
- Election Officer:** any person appointed by the MEO to assume assigned responsibilities during the election of ward committee members
- Electoral Committee:** a committee established by the Speaker to conduct the election for members of the ward committees
- Finance Department:** Municipal department responsible for all financial matters of the Municipality in accordance with the MFMA
- IDP:** the integrated development plan of the Municipality as adopted by the Council in terms of the Systems Act
- IEC:** the Independent Electoral Commission (national body)
- Interest group:** a ward based loosely organised formation that takes an active interest in the affairs of a ward
- LGLAA:** the Local Government Laws Amendment Act, No. 19 of 2008
- Mayoral Committee:** An executive political body of councillors of the Municipality that is appointed by the Executive Mayor as Members of the Mayoral Committee

<b>MDF:</b>	Municipal Development Form
<b>MEO:</b>	the Municipal Electoral Officer operating under the auspices of the IEC and accountable for the administration and functioning of municipal elections
<b>MFMA:</b>	the Municipal Finance Management Act, No. 96 of 2003
<b>Municipality:</b>	the City of Tshwane Metropolitan Municipality, established in terms of section 12 of the Structures Act
<b>Municipal Manager:</b>	the head of administration and accounting officer of the Municipality and appointed by the Council in terms of section 82 of the Municipal Structures Act
<b>Municipal Official:</b>	a person officially appointed by the Municipality to assume administrative responsibility
<b>Municipal Demarcation Board:</b>	the national body responsible for the demarcation of municipal wards
<b>NGO:</b>	a non-governmental organisation
<b>Office of the Speaker:</b>	collective for appointed municipal officials, and the Speaker as the political head, serving in the Office of the Speaker
<b>Petitions:</b>	a statutory process as stipulated in section 17(2) of the Systems Act as a method by which public participation should take place in the affairs of a municipality
<b>PR Councillor:</b>	a proportionally representative municipal councillor appointed in terms of section 22 (1) (a) of the Structures Act, by a political party to represent that party in Council
<b>Presiding Officer:</b>	an official appointed by the MEO to preside during a ward committee election
<b>Public:</b>	The public at large consisting of the general public (persons with no affiliation or no immediate involvement with the issue at hand) and the involved public (participants with an affiliation or personal stake in the issue at hand)
<b>Public Participation:</b>	a statutory process by which public concerns, needs and values are incorporated into the CTMM decision-making process. Public participation is a two-way communication with the overall goal of improved quality of decisions, supported by the public. The participation process may consist of a single event or a series of events embedded in long-term partnerships integrated in a programme of Council that synchronizes CTMM public engagements across all departments.
<b>Public meetings:</b>	Izimbizo, Region -, Zone (Sub-region) – and Ward based meetings
<b>Public hearings:</b>	public events called by all three levels of government. It is usually a fixed period (e.g. day-long) procedure, publicly advertised in the media, taking place in series of geographically spread events
<b>Region:</b>	a geographically demarcated development area of adjacent zones (sub-regions), and containing adjacent wards, of the Municipality in which the ward committees cooperate and integrate in terms of certain key performance indicators of the Municipality
<b>Region Coordinator:</b>	an official in the Office of the Speaker, appointed to coordinate all municipal matters in a demarcated Region of the Municipality
<b>RDF:</b>	a regional development forum
<b>Sector:</b>	a ward based organised formation that takes an active interest in the affairs of a ward.
<b>Section:</b>	a portion of the geographical area of a municipal ward
<b>Section 79 Committees:</b>	committees of Council established in terms of section 79 of the Structures Act (e.g. Petitions Committee)

<b>Section 80 Committees:</b>	committees of Council established in terms of section 80 of the Structures Act (e.g. Finance Committee)
<b>Speaker:</b>	the chairperson of Council and a municipal councillor elected in this position by Council in terms of section 36 of the Structures Act
<b>Structures Act:</b>	the Local Government: Municipal Structures Act, No. 117 of 1998, as amended
<b>Sub-committees:</b>	sub-committees of ward committees established by each ward committee, in such a way as to answer to the planning and development needs of the ward, and in accordance with the existing section 79 and section 80 committees of Council, and also functioning in the broader context of a zone (sub-region) or a region of the Municipality
<b>Systems Act:</b>	the Local Government: Municipal Systems Act, No. 32 of 2000
<b>Unorganised Sector:</b>	any sector of specialised activity that is not structurally organised within a ward – ref <i>Interest Group</i>
<b>Ward:</b>	a geographically demarcated area in the Municipality as stipulated by the Municipal Demarcation Board
<b>Ward Committee:</b>	a public committee, duly elected in terms of this Bylaw, representing a municipal ward and established in terms of Part 4 of the Municipal Structures Act
<b>Ward Committee Meeting:</b>	A public meeting, where only the ten elected (or their substitute co-opted replacements) members have voting rights, with the Ward Councillor having the balancing vote in the event of a draw.
<b>Ward Committee Member:</b>	a person elected by each ward community during a series of specially publicised metro-wide meetings; or co-opted by the ward councillor in consultation with the ward committee to serve voluntarily in a ward committee of the Municipality in terms of this bylaw
<b>Ward Committee System:</b>	the ward committee system of the Municipality, comprising of the collective of political, official and community incumbents, enabling the collective functioning of the ward committees, the zone (sub-region) - and the metropolitan development forums and maintaining public participation as one of the key performance areas of the Municipality
<b>Ward Co-ordinator:</b>	a member of the ward committee appointed by the ward councillor in consultation with the ward committee to ensure the integrated functioning of the ward committee in the ward community it represents in terms of this bylaw
<b>Ward Councillor:</b>	a municipal councillor elected in terms of section 22 (1) (b), of the Structures Act, to represent the population of a demarcated council ward
<b>ZDF:</b>	a zone (sub-region) development forum
<b>Zone (sub-region):</b>	a cluster of municipal wards in which the ward committees cooperate and integrate in terms of certain key performance indicators of the Municipality
<b>Zone Liaison Specialist:</b>	an official appointed in the Office of the Speaker, tasked with liaising all municipal matters in a demarcated zone (sub-region) of the Municipality

## LEGISLATION

### 1. LEGITIMACY AND ESTABLISHMENT OF WARD COMMITTEES AND THE PROCESS OF PUBLIC PARTICIPATION

- 1.1 The obligation of local government to secure democracy in governance through statutory public participation is engendered in the Constitution, Act No.108 of 1996; the Local Government: Municipal Structures Act, No 117 of 1998, as amended; the Local Government: Municipal Systems Act, No 32 of 2000; as well as the Local Government Laws Amendment Act, No19 of 2008.

- 1.2 The Municipal Structures Act, section 72 (3) states: "The object of a ward committee is to enhance participatory democracy in local government", and as such it provides the legal basis for the existence of ward committees.
- 1.3 The Municipal Structures Act, section 73 (1), (2), (3) and (4) state that:
1. *If a metro or local council decides to have ward committees, it must establish a ward committee for each ward in the municipality,*
  2. *A Ward committee consists of –*
    - a. *The councillor representing that ward in the council, who must also be the chairperson of the committee: and*
    - b. *Not more than 10 other persons.*
  3. *A metro or local council must make rules regulating –*
    - a. *The procedure to elect the subsection (2) (b) members of ward committee, taking into account the need –*
      - i. *For women to be equitably represented in a ward committee; and*
      - ii. *For a diversity of interests in the ward to be represented*
    - b. *The circumstances under which those members must vacate office; and*
    - c. *The frequency of meetings of ward committees.*
  4. *A metro or local council may make administrative arrangements to enable ward committees to perform their functions and exercise their powers effectively*

## 2. COMPOSITION OF WARD COMMITTEES

- 2.1 In view of the above legislative stipulations, each ward committee must comprise of the ward councillor as chairperson and a maximum of 10 (ten) members elected by and from the ward community members.
- 2.1.1 Each of the 10 (ten) ward committee members must be a registered voter (that is 18 years or older) and a legitimate resident or employer/employee in the ward. Or own a business or property in the ward or must represent an interest group/sector located in the ward.
  - 2.1.2 No person may be a member of more than 1 (one) ward committee at the same time.
- 2.2 The composition of a ward committee should reflect the following factors -
- 2.2.1 gender equity - at least 5 (five) members must be women;
  - 2.2.2 geographic representation;
  - 2.2.3 representation of people with disabilities;
  - 2.2.4 population diversity and interests
- 2.3 The ward committee members must assume office upon election, each taking responsibility for a portfolio that corresponds with a different core-function of the Municipality, as reflected in the portfolios of the Mayoral Committee.
- 2.4 When less than 10 (ten) persons are nominated in terms of paragraph 2.1.1 during an election process, the election may proceed, provided that –
- 2.4.1 There are no less than 6 (six) people elected; and
  - 2.4.2 That the ward councillor undertakes to co-opt the rest of the ward committee members as soon as possible after the ward committee election, and provide them each with a written statement of co-option.
- 2.5 If the ward councillor does not succeed in co-opting enough ward committee members, this failure must be reported to the Speaker within 3 months after the election date.

2.6 Proportionally represented councillors assigned to specific wards by their political parties shall serve as *ex officio* members of the ward committee or of any other ward committee assigned to them -

2.6.1 In any action regarding the ward committee, PR Councillors are subjected to the Code of Conduct contained in section 23 of this Bylaw, and must at all times respect the position of the ward councillor as chairperson of the ward committee.

2.6.2 Ward Councillors must allow PR Councillors allocated to their ward committees the right to freely participate in the activities of the ward committee but may not participate in internal committee votes.

2.7 In the term of office of a ward committee any person deemed to be necessary for the success of the committee, or who could add value to the ward committee can be co-opted by the Ward Councillor in consultation with the ward committee to serve as *ex officio* member; in an advisory capacity, to that ward committee.

### 3. POLITICAL AFFILIATION IN WARD COMMITTEES

3.1 Ward committee members must not be elected to represent political parties or for the benefit of any political party.

3.2 Canvassing or advocacy for election of ward committee members must not be motivated by political party concerns.

### 4. ESTABLISHMENT, ROLE AND FUNCTIONS OF THE ELECTORAL COMMITTEE

#### 4.1 *Establishment of the electoral committee*

4.1.1 The Speaker will, in consultation with the City Manager and the MEO, appoint an independent electoral committee chaired by the Departmental Head in the Office of the Speaker. The electoral committee will be constituted before a round of ward committee elections is due.

4.1.2 The Municipal Manager will immediately notify the members of the electoral committee through a letter, of the date and venue of the first meeting of the electoral committee.

#### 4.2 *Role and functions of the electoral committee*

4.2.1 The electoral committee will draw up a time frame and meet regularly to manage and administer the ward committee elections.

4.2.2 An action plan containing the date time frame must be presented in writing to the Speaker 1 (one) month after the meeting.

4.2.3 The electoral committee must instruct the Public Participation and Ward Committees Division in the Office of the Speaker to set the dates secure the venues and compile a schedule for the elections in all municipal wards.

4.2.3.1 The time span on the date schedule for the individual wards should not exceed 4 (four) weeks from start to finish.

4.2.3.2 The Public Participation and Ward Committees Division must make the schedule available to all incumbents of the electoral committee at least 14 calendar days before the first election date.

4.2.4 The electoral committee must instruct the MEO to -

4.2.4.1 appoint election officers to oversee the ward committee elections;

4.2.4.2 submit a report on each ward committee election for presentation to the Speaker once the election process is finished.

#### 4.3 *Appointment of, control over and general provisions concerning election officers*

4.3.1 The MEO must, in consultation with the Chairperson of the electoral committee appoint area agents, presiding officers and election assistants as election officers for each of the Municipal wards;



- 4.3.2 The MEO must make an official list of all allocated election officers and their contact particulars and duty posts available;
- 4.3.3 Upon receiving the election schedule from the Public Participation and Ward Committees Division, the MEO must establish an official list of the election officers on duty at each election, their allocated positions, contact particulars and duty stations and make the list available to the Office of the Speaker 1 month (30 days) before the first election.
- 4.3.4 The MEO must provide a written set of rules and training for the election officers before the ward committee elections commence and exercise of control over election officers.
- 4.3.5 General provisions concerning appointment of election officers -
- A person may not be appointed as an election officer in a ward committee election if that person -
- 4.3.5.1 is a ward committee member contesting the election; or
- 4.3.5.2 holds a political Council office;
- 4.3.6 *Remuneration and conditions of appointment and duties of election officers.* The electoral committee must instruct the MEO to determine in writing the terms and conditions of appointment of an election officer, including remuneration payable to that officer

## 5. DUTIES OF ELECTION OFFICERS

The election officers (area agents, presiding officers, and election assistants) must manage and administer ward committee elections in the wards assigned to them by the MEO, and they must -

- 5.1 exercise the powers and perform the duties conferred on or assigned to that officer by the MEO and the electoral committee subject to the directions, control and disciplinary authority of the electoral committee;
- 5.2 perform the tasks allocated to them by the MEO;
- 5.3 declare the voting process open and closed;
- 5.4 manage, co-ordinate and supervise the voting process at the voting station concerned;
- 5.5 take all reasonable steps to ensure orderly conduct at the voting station;
- 5.6 may order a member of the security services on duty (Metro Police) to assist in ensuring orderly conduct at the voting station;
- 5.7 may order any person within the boundary of the voting station the conduct of whom is not conducive to a free and fair election or interferes with the impartiality of the electoral processes at that voting station, to leave the premises;
- 5.8 may declare the voting process closed in case of disorderly conduct and submit a report to the electoral committee;
- 5.9 must count and announce the votes received for each nominee from the ward community members present at the voting station;
- 5.10 must secure the number of votes received by each nominee in writing on the relevant nomination form;
- 5.11 must submit the election results and a report on the election process that was followed for each ward committee election to MEO;
- 5.12 If a person refuses to comply with an order of an election officer on duty during a ward committee election, any officer-in-charge may order a member of the security services (Metro Police) to forcefully remove that person or declare the voting process closed and submit a report to the Election Committee.

**6. NOMINATIONS FOR WARD COMMITTEE CANDIDATES****6.1** *Sectoral, geographical and individual representation by candidates for ward committees -*

The electoral committee must invite all CBO's and NGO's as well as individual stakeholders in every ward to nominate candidates as their representatives on the ward committee.

**6.2** *Notice of nominations to the ward communities*

The electoral committee must give public notice of the time, venue and mode whereby nominations for ward committee members will be received. This notice must be published in at least 1 (one) news-paper of general circulation at least 10 (ten) calendar days before the first ward committee election.

**6.3** *Nominees***6.3.1** Nominations must comply with section 2.1.1

**6.3.2** The nominees should be a resident or employer/employee in the ward or own a business or property in the ward or must represent an interest group/sector located in the ward.

**6.3.3** Only persons 18 years and older and who owns a legitimate business or registered property in the ward will have the right to nominate candidates for the ward committee of the ward.

**6.4** *Nomination - and Acceptance of Nomination forms*

**6.4.1** The electoral committee must request the MEO to prepare and make available, the official nomination form for the *nomination - and acceptance of nomination forms*;

**6.4.2** Official nomination forms must be freely available to the ward communities as indicated and advertised by the electoral committee

**6.4.3** *Nomination forms and acceptance of nomination forms* must contain the following information –

**6.4.3.1** The full names (as per ID) of the nominee and the nominator;

**6.4.3.2** The ID numbers of the nominee and his/her nominator;

**6.4.3.3** The residential or business addresses of the nominee and the nominator;

**6.4.3.4** The specialist sector or geographic area that the nominee and nominator represent;

**6.4.3.5** A designated space where the presiding officer will enter the number of votes the candidate received during the election.

**6.4.4** Each *nomination form* and *acceptance of nomination form* must be accompanied by a certified photocopy of the RSA ID Document (photograph) of the nominee.

**6.4.5** A sufficient supply of the forms must be made available by the electoral committee, and assistance should be provided by the MEO and the Office of the Speaker to communities, NGO's and CBO's to complete the forms as prescribed by paragraph 7.4.3.

**6.4.6** The Office of the Speaker and the Office of the MEO must keep sufficient supply of the forms in decentralised Council offices and freely assist individual, communities, NGO's and CBO's to complete the forms as prescribed by par. 7.4.2.

**6.4.7** After completion of each *nomination form* and its accompanying *acceptance of nomination form*, it must be handed over to the MEO who will designate election officers for this purpose. The assigned officer will formally acknowledge and keep receipt of each completed form.

6.5 *Safe keeping of nominations*

- 6.5.1 The MEO must assign officials to keep a register of all the nominations received, and also keep the completed *nomination forms* and *acceptance of nomination forms* in a safe place until the day of the ward committee election, when it will be handed over to the presiding officer at the voting station;
- 6.5.2 The names of the nominees for each ward is not privileged information and will be made available on request to interested parties;
- 6.5.3 After the elections the *nomination forms*, with the number of votes received for the specific candidate added in the designated space and signed by the presiding officer must be kept safe by the MEO, and if a dispute arises copies of these forms must be made available to the ward councillor and relevant official in the Section Ward Committees in the Office of the Speaker.

7. **ELECTION PROCESS**

7.1 *Notice of elections*

The electoral committee must give written notice of the election date, time of commencement of meeting and venue of the election of ward committee members in each council ward at least 30 (thirty) calendar days before the election. This notice must be published in at least 1 (one) newspaper of general circulation at least 30 (thirty) calendar days before each ward committee election and announced on local radio stations.

7.2 *Postponement of elections*

- 7.2.1 The MEO in consultation with the Ward Councillor and the Office of the Speaker may postpone the election if it is satisfied that it is not reasonably possible to conduct a free and fair election on that day.
- 7.2.2 If an election is postponed, written public notice of the time and venue of the postponed elections must be given and also be published in at least 1 (one) newspaper of general circulation at least 15 (fifteen) calendar days before the new date of the ensuing ward committee election.

7.3 *Election Procedure*

The election must be conducted in accordance with the statutory requirements of the Independent Electoral Committee (IEC) as well as the following specific regulations -

- 7.3.1 The presiding election officer and the ward councillor act as main office bearers during a particular ward committee election. They must meet at the voting station at least 1 (one) hour before the election commences, to ensure that the –
  - 7.3.1.1 *Nomination - and acceptance of nomination forms* of the ward committee candidates were completed correctly;
  - 7.3.1.2 Forms are accompanied by certified copies of the candidates' ID document photographs;
  - 7.3.1.3 Nominations are clustered according to sector, section, or interest group active in the ward.
- 7.3.2 On the day of the election the presiding election officer must -
  - 7.3.2.1 Ensure that the official attendance register requesting name, home or business address in the ward is made available to, completed and signed by everybody present at the election meeting;
  - 7.3.2.2 Allow an allotted time before the voting procedure starts for last minute presenting of nominations. These nominations must answer to the stipulations of par. 7.4.3 and the candidate nominated must also sign an acceptance of nomination form in the prescribed manner.

- 7.3.3 In the event that there are more than 10 sectors, sections, or interest groups according to the nominations received, a consensus decision must be reached between the office bearers on clustering the nominations into only 10 sectors, sections/, or interest groups. This decision must be put before the house for ratification before the election process can proceed.
- 7.3.4 The candidates nominated for each sector/, section/ or interest group must be presented to the electorate before voting commences for the relevant sector, section or interest group.
- 7.3.5 After the voting process has taken place and the votes counted, the successful candidate for each sector, section or interest group must be announced to the electorate by the presiding election officer.
- 7.3.6 The presiding election officer must prepare a report to the MEO containing the ward number, location of the election, date and time, procedure that was followed and the names and contact particulars of each ward committee member. The report must be signed and validated by the presiding officer.
- 7.3.7 The MEO must validate the report and present it to the Office of the Speaker to serve as official record of the newly elected ward committees for all the wards.
- 7.4 *Voting rights*
- 7.4.1 Only persons 18 years and older, who are registered voters, residents or registered owners of property or owners of legitimate businesses in each ward have the right to vote.
- 7.4.2 Before the election process starts, the presiding election officer must make it clear to the assembly who the people with voting rights are, and ensure by the procedure that visitors or observers have official clearance and refrain from voting.
- 7.4.3 The electorate will decide through a show of hands, the type of election (secret ballot or not) that should be undertaken
- 7.5 *Representation*
- The presiding officer must ensure that the outcome of the election shows -
- 7.5.1 a balanced representation of gender and people with disabilities on the ward committee;
- 7.5.2 at least 5 members of a ward committee must be women;
- 7.5.3 proper sectoral and sectional representation.
- 7.5.4 that each elected member understands their responsibility to represent the sector/interest group that supported their election, and that they express a willingness and ability to meet with the demands of the sub-committee that they will be responsible for.
- 7.6 *Keeping of records*
- 7.6.1 The MEO must keep the records of nominations, ballot papers and election report of each of the Municipal wards in a safe place for submission to the Office of the Speaker after the election;
- 7.6.2 The Office of the Speaker must assist, coordinate and observe in the election process and obtain copies of the outcomes and records of the ward committee elections;
- 7.6.3 The records must be kept for at least two terms of office of the ward committees.
- 7.7 *Prohibited conduct during election process*
- 7.7.1 No person may compel or persuade any person to vote or not to vote for a candidate of choice or interfere with the impartiality of the electoral processes.

7.7.2 Because only people who reside in the ward in Council acknowledged dwellings or structures, or who owns a business in the ward are allowed to vote for the ward committee of a specific ward, nobody else will be allowed into the voting venue, unless they act in official capacity. Proof of residence may be requested by the presiding election officer.

7.7.3 Any person attempting to disrupt the procedure should be disciplined by the presiding officer with the assistance of the Metro Police (ref 6.6).

**7.8 Offence and penalties for unlawful acts during elections**

The penalty for ward committee electoral offences will be determined by the Speaker in consultation with the MEO.

**8. TERM OF OFFICE OF AN ELECTED WARD COMMITTEE**

As decreed in the Government Gazette No. 32626 (Regulation No. R 972 of 8 October 2009) -

8.1 Ward committee members will be elected following each local government election.

8.2 A ward committee so elected will serve until the day on which a local government election is held.

8.3 Ward Committee members are eligible for re-election once their term expires.

8.4 Over and above the stipulations of the Code of Conduct for ward committees in this Bylaw; non-performing, negligent or unsuitable ward committee members will be subjected to the scrutiny of the Ward Councillor, the other members of the ward committee and the Speaker of Council.

**9. VACATION OF OFFICE BY A WARD COMMITTEE MEMBER**

A ward committee member must vacate his/her office:

**9.1 If a member -**

9.1.1 Absents him/herself from 3 (three) consecutive meetings without rendering an apology; his/her membership will be terminated in writing in consultation with the Office of the Speaker.

9.1.2 Absents him/herself in an *ad hoc* fashion from 6 (six) meetings in a financial year with or without an apology acceptable to the ward committee members and the ward councillor;

9.1.3 Is proven to be actively involved in campaigns for the removal of the ward councillor without having raised grievances against the ward councillor in a ward committee meeting;

9.1.4 Acts in a manner which seeks to undermine the authority of the ward councillor, the Council and/or the ward committee;

9.1.5 Commits a crime that results in a conviction without the option of a fine;

9.1.6 Consistently exhibits violent, abusive and intimidating behaviour towards other committee members and/or the community;

9.1.7 Attends a meeting under the influence of alcohol and/or illegal drugs;

9.1.8 Is proven to have accepted a bribe from any party that has an interest in a development project for that particular ward;

9.1.9 Is proven to have used his/her membership of the ward committee to extract, or attempt to extract, favours of any kind;

9.1.10 is elected as a councillor in the Municipality;

9.1.11 is appointed as a staff member of the Municipality;

9.1.12 without good cause, acts against the decision(s) of the ward committee;

- 9.1.13 is involved in party political canvassing or similar activity during ward committee meetings;
  - 9.1.14 After being found guilty of an infringement of this Bylaw is ordered by the Speaker to vacate his/her office;
  - 9.1.15 Is ordered to vacate the office by an order of the Supreme Court of South Africa;
  - 9.1.16 Resigns;
  - 9.1.17 Dies.
- 9.2 In case of a decision taken that a ward committee member must vacate office, the member must be informed in writing by –
- 9.2.1 the Ward Councillor, if the decision is taken in accordance with 9.1.1 and 9.1.2; and
  - 9.2.2 the Speaker, in the case of a decision taken in accordance with 9.1.3 to 9.1.15, in which case the Speaker must be also be in possession of valid documentation to prove the changed circumstances or the complaints about the ward committee member's conduct.
  - 9.2.3 A copy must be kept by the relevant office holder for the duration of office of service in the Municipality.
- 9.3 Any member who has been instructed to vacate his or her office as ward committee member may appeal to the appeals committee against the dismissal.
- 9.4 The disciplinary and appeals committee appointed by the Speaker (*Code of Conduct 17.6*) will assist the Speaker in all matters of discipline.

## 10. FILLING OF VACANCIES AND CO-OPTION OF ADDITIONAL MEMBERS IN WARD COMMITTEES DURING TERM

### 10.1 *Filling of vacancies*

If less than 10 (ten) but not more than 4 (four) suitable ward committee members cannot be appointed during the election procedure, the election officer must instruct the ward councillor and elected members to canvass suitable members from the ward community within 2 (two) months after the election.

The councillor must also, in consultation with the ward committee fill ad hoc vacancies that occur during a term of office of the ward committee with other suitable people answering to the criteria as stated in Section 7.

- 10.1.1 When a vacancy occurs as a result of the departure of a sector representative, the affected sector must be requested to nominate a replacement. The sector nominee will then form part of the ward committee and have full voting rights in the ward committee;
- 10.1.2 When a vacancy occurs as a result of the departure of an unorganised sector (interest group or geographic section) representative, the ward councillor must nominate 2 (two) people from the affected group, which will be put before the ward committee for a decision. The ward committee must appoint 1 (one) person whom will then form part of the ward committee and have full voting rights in the ward committee;
- 10.1.3 The councillor and ward committee must fill vacancies of voting ward committee members only if the number of vacancies does not exceed the majority of elected members. In the event of 50 % (fifty percent) plus 1 (one) of elected members simultaneously ceasing to be ward committee members, the ward councillor must notify the Speaker to arrange for an election of a new ward committee.
- 10.1.4 Ward committee members will be appointed to fill specific vacancies in the ward committee membership of 10 (ten) people
- 10.1.5 The councillor must appoint members in this fashion by issuing a formal letter to the new member, after the decision is formally minuted when a quorum of ward committee members is present.

**10.2** *Co-option of additional members in a ward committee*

The councillor, in consultation with the ward committee, can co-opt any person deemed to be necessary for the success of the committee, or who could add value to the ward committee to serve as an *ex officio* member, or act in an ad hoc advisory capacity to that ward committee. Members so co-opted shall not have voting rights during formal ward committee meetings.

**11. OFFICE BEARERS IN A WARD COMMITTEE**

**11.1** *The ward councillor*

The Ward Councillor must be the chairperson of the ward committee;

**11.2** *The ward coordinator*

11.2.1 The councillor must appoint a ward coordinator from among the ranks of the elected ward committee in consultation with the ward committee;

11.2.2 The ward coordinator will assist the ward councillor in the administration of the committee and ensure that the committee is functioning properly.

**11.3** *Ward committee members as convenors of the sub-committees of the ward committee and responsible for a sub-committee of sectoral, sectional, interest group representatives to act in advisory capacity for the ward committee*

11.3.1 Following an election, ward committee members shall act as convenor of sub-committees as envisaged in paragraph 2.3 taking into account the skills and interests of the members elected.

**12. POWERS, FUNCTIONS, DUTIES AND OBLIGATIONS OF WARD COMMITTEES**

The ward committee has the following powers, functions, duties and an obligation to assist, monitor, advise and recommend in the following duties of municipal officials

**12.1** The ward committees must -

12.1.1 make recommendations on matters affecting their ward through the ward councillor;

12.1.2 act in an advisory capacity to the ward councillor;

12.1.3 act as a resource through which Council and its departments, provincial and national governments must consult with, and obtain community opinion on any matter;

12.1.4 act as a resource for NGO's and CBO's to consult with ward communities, with no resultant liability to the Municipality

12.1.5 in consultation with the councillor co-opt non-voting members with specialist skills to the ward committee; and

12.1.6 In terms of section 74 (as amended) of the Structures Act, ward committees "has such duties and powers as the metro or local council may delegate to them" in writing "in terms of section 59" of the Systems Act, "Part 3: Delegation system", which deals with *Delegations* of municipal councils.

**12.2** The ward committees must comment on the –

12.2.1 Preparation, implementation and review of the IDP;

12.2.2 Establishment, implementation and review of the Municipality's management system;

12.2.3 Monitoring and review of the Municipality's performance including the outcomes and impact of such performance;

12.2.4 Municipality's budget;

12.2.5 Strategic decisions relating to the provision of municipal services.

12.3 The ward committees must make their inputs in the form of recommendations to the Municipality –

12.3.1 through the Ward Councillor;

12.3.2 through their participation in public meetings called by the office of the Speaker in request of the various departments of Council.

12.4 The above-mentioned duties and powers must not interfere with the Council's right to govern and to exercise its executive and legislative authority.

### 13. WARD COMMITTEE MEETINGS

The Office of the Speaker must assist the ward councillors and ward committees to prepare and coordinate Ward, Zone (sub-region), Region and City-wide-based event calendars to regulate ward committee and other official consultative meetings.

#### 13.1 *Regular ward committee meetings*

(a) The ward councillor must convene monthly meetings of the ward committee with not less than 10 meetings per financial year;

(b) A list of the ward committee meeting dates, venues, time and duration for the Fiscal Year must be supplied to the Office of the Speaker not later than 31 July;

(c) The list of meeting dates can be revised and re-supplied to the Office of the Speaker not later than 31 January for inclusion in the official Calendar of Council.

#### 13.2 *Venue, date & time of meetings*

The ward councillor must negotiate on the place, dates and times of ward committee meetings in consultation with members of the ward committee and the Office of the Speaker.

#### 13.3 *Cancelling of meetings*

The ward councillor, in consultation with the ward committee, may cancel a scheduled ward committee meeting if the agenda is lacking any necessary ward matters.

#### 13.4 *Notice of meetings*

13.4.1 The calendar of meetings should be supplied to each ward committee member as soon as it is finalised.

13.4.2 Notice of any change in the time and place of every meeting of the ward committee must be served on every member at least 7 (seven) days before the meeting.

#### 13.5 *Validity of meeting if noticed is not served*

The validity of the cancelling of a meeting is not affected if the notice of the cancellation is accidentally not served on a member.

#### 13.6 *Record of attendance*

Every member attending a meeting must sign his or her name in the attendance register kept for this purpose.

#### 13.7 *A Quorum*

A quorum for a duly constituted ward committee meeting consists of 50 percent plus one member of the ward committee elected at the founding meeting.

13.7.1 If a quorum is not formed within 10 minutes after the time appointed for a meeting, the meeting will not be held unless it is decided by the chairperson that a further ten minutes should be allowed to enable a quorum to be formed.



13.7.2 If a quorum is still not present after the extended time contemplated in subsection

13.7.3 the chairperson may rule to postpone the meeting to a later date.

13.7.4 Notice of a postponed meeting must be given in accordance with 13.4.2.

### 13.8 *Decision making in ward committee meetings*

13.8.1 The ward committee must strive to reach decisions on a basis of consensus.

13.8.2 If a matter remains unresolved after thorough discussion, the matter will be decided by a vote.

13.8.3 If the votes are equal, the chairperson will have the deciding vote.

### 13.9 *Inclusiveness*

Ward committee meetings are open to all interested parties to attend in observer capacity.

## 14. **DISSOLUTION OF WARD COMMITTEES**

In the normal cause of events a ward committee will dissolve on the day local government elections take place. A new ward committee will be elected as soon as the new Council is formed after the local government elections. Individual ward committee members may avail themselves for re-election only after one term was served in office in a particular ward.

The Council may dissolve a ward committee on the basis of a recommendation from the Speaker.

### 14.1 *Instances under which a ward committee can be dissolved*

14.1.1 The failure to fulfil its objectives as set out in this Bylaw and other legislation;

14.1.2 Non-adherence to this Bylaw;

14.1.3 Resignation of more than 50% (fifty percent) of the members of the ward committee.

### 14.2 *Procedure for dissolution of a Ward Committee*

The Speaker must investigate the circumstances surrounding actions of a ward committee accused of failing in the manner stipulated by 13.1, and report his/her findings to the ward committee and the ward councillor.

14.2.1 If 50% plus 1 of the ward committee in question objects to the findings, they must do so formally to the appeals committee, which must decide on the matter within a month and forward their decision with a copy of the minutes of the hearing to the Speaker.

14.2.2 The Speaker must make a final decision on the matter and if the decision is to dissolve the ward committee he/she must report the findings to Council within 3 months of the formal lodging of the complaint.

14.2.3 After Council has resolved to dissolve a ward committee, notice of the dissolution of the ward committee must be given to the Ward Councillor and the ward committee in writing by the Office of the Speaker, at which time the ward committee will cease to exist;

### 14.3 *Procedure for reconstitution of a Ward Committee*

Notice of the reconstitution of the ward committee must be given in terms of section 7.1 of this Bylaw; if and when the ward committee members appointed at the ward committee election to represent sections, sectors and/or interest groups in the community, for any reason fail to fulfil this obligation.

14.3.1 Members, with exception of the ward councillor, of the ward committee that has been dissolved will not be eligible for re-election to the ward committee for a period of one year after its dissolution;

14.3.2 The requirements for the composition of the reconstituted ward committee are the same as those set out in section 2.4 of this Bylaw.

**15. SUB-COMMITTEES OF WARD COMMITTEES LINKING TO REGIONAL FORUMS AND METROPOLITAN DEVELOPMENT FORUM**

- 15.1 Each ward committee must form sub-committees in accordance with the Mayoral Committee Portfolios to advise the ward committee on special issues, handle sectoral matters or form working groups to research any matter that needs special attention in the ward;
- 15.2 The individual ward sub-committees, assisted by the Zone Liaison Specialist, must liaise within a zonal structure to elect representatives from that zone (sub-region) to serve on the Regional Development Forum (RDF), and Municipal Development Forum (MDF);
- 15.3 The Office of the Speaker must, through the Region Coordinators, activate the RDF's of the Regions if and when their input is required for the IDP, or any other matter. The MDF must consist of representatives from the RDF's, and other Metro-wide bodies and organisations serving according to the Mayoral Committee Member's Portfolios, and any other grouping the Speaker considers necessary.

**16. ROLE OF COUNCIL OFFICIALS IN WARD COMMITTEES**

- 16.1 No serving municipal official is eligible to stand for election on a ward committee;
- 16.2 Any Council official can be assigned to, or be requested to attend a ward committee meeting in line with assigned duties;
- 16.3 The request should be made to the ward councillor or the official responsible for the meeting agenda of the relevant ward committee, with dual responsibility for proper communication;
- 16.4 Ward committees must invite municipal officials, within their scope of work, and other people with specialised knowledge, to advise them on matters affecting their wards when deemed necessary;
- 16.5 When the need arises for municipal officials or their departments to consult with the ward communities on ad hoc issues, or for the purposes of the Budget and IDP consultation and other key performance indicators; they must arrange these consultations with the Office of the Speaker in adherence to sections 12 and 13 of this Bylaw;
- 16.6 The conduct and duty of Council officials with regard to deployment in the ward committees shall be subject to the CTMM Human Resource Regulations.

**17. ADMINISTRATIVE ARRANGEMENTS, FUNDING AND REIMBURSEMENT**

- 17.1 No remuneration is payable to members of the ward committee in terms of section 77 of the Municipal Structures Act;
- 17.2 Membership and duties of the ward committee members must therefore be regarded as voluntary service for the benefit of the community;
- 17.3 However, in terms of section 73 (4) of the Municipal Structures Act, as amended by section 6 of the LGLAA "out of pocket expenses incurred by ward committee members in their line of duty must be paid from the budget of the municipality in question, based on a provincial framework determined by the MEC subject to paragraph (e)" - where paragraph (e) states, "The Minister must determine a national framework including criteria for the calculation of the out of pocket expenses referred to in paragraph (b)".
- 17.4 The Tshwane Council decided that -
  - 17.4.1 All administrative services to enable effective functioning of the ward committees must be located in the Office of the Speaker.
  - 17.4.2 The expenses must be budgeted for and paid out by the Office of the Speaker in co-operation with the Finance Department;
  - 17.4.3 In doing so Council will use its resources and allocates funds in its budget to the Office of the Speaker to further the objectives of ward committees; and
  - 17.4.4 Ward committee members will be reimbursed for travelling and out-of-pocket costs incurred.

**18. DISPUTE RESOLUTION MECHANISMS FOR WARD COMMITTEES**

The following dispute solving mechanism must be applied:

- 18.1 Every effort must be made to deal with disputes internally if they do not involve the ward councillor;
- 18.2 When a dispute arises, the ward councillor should appoint a person or persons to try and resolve the dispute through mediation;
- 18.3 If the attempt at mediation fails, the ward councillor must arbitrate;
- 18.4 If one of the parties is still aggrieved, the matter must be referred to the Speaker;
- 18.5 If the matter involves the ward councillor the matter must be referred to the Office of the Speaker, where the Speaker will be the arbiter;
- 18.6 The Speaker must appoint a disciplinary committee and an appeals committee to deal with matters of dispute on his/her decisions.

**19. AD HOC ABSENCE AND VACATION OF OFFICE BY WARD COUNCILLORS****19.1 Appointment of acting chairperson**

- 19.1.1 In special circumstances when the ward councillor is unable to attend a ward committee meeting, he/she must appoint a ward committee member to chair the meeting.
- 19.1.2 If the ward councillor is unable to appoint a substitute chairperson, the ward committee must do so at the start of the meeting.
- 19.2 When the ward councillor is no longer in office, the ward committee will continue to function for the rest of its term as determined by Council.
- 19.3 A temporary chairperson must be appointed by the political party of the original councillor. If the councillor was an independent candidate, the Chief Whip must appoint an interim chairperson from the PR Councillors assigned to the ward.
- 19.4 The new or interim chairperson/councillor and the ward committee must re-appoint a co-ordinator for the ward committee. It can be the same member who previously occupied the position.

**20. ROLE OF PROPORTIONALLY REPRESENTATIVE COUNCILLORS IN WARD COMMITTEES (Ref. section 3.5.2 and section 20.3)**

The Chief Whip of each political party must assign proportionally representative councillors of their respective parties to specific wards and make the list of assignments available to the Office of the Speaker on request.

**21. DECLARATION OF INTERESTS BY WARD COMMITTEE MEMBERS (Ref section 23.)**

- 21.1 A member must declare his/her personal interests in any matter serving before the ward committee;
- 21.2 The Office of the Speaker shall be responsible for the maintenance of the register of declared interests.
- 21.3 A copy of the register of declared interests for each ward in the zone (sub-region) must be kept and updated in the office of the Zone Liaison Specialist.

**22. CODE OF CONDUCT FOR WARD COMMITTEE MEMBERS**

Ward committee members are elected to represent local communities in their respective wards, to ensure that wards have mechanisms of accountability to local communities, and to meet the priority needs of the community on ward matters, including the performance of the Municipality in terms of established indicators. In order to ensure that ward committee members fulfil their obligations to their communities, and support the achievements of the ward, the following Code of Conduct is established.

**22.1 Definitions**

In this context "partner" means a person who permanently lives with another person in a manner as if married.

**22.2 General conduct of members**

A member must –

- (a) Perform the functions of office in good faith, honestly and in a transparent manner; and
- (b) at all times act in the best interest of the ward committee and the community it represents and in such a way that the credibility and integrity of the ward committee are not compromised.

**22.3 Meeting attendance**

A member must attend each meeting of the ward except when –

- (a) an apology is rendered before or at the meeting;
- (b) leave of absence is granted by the chairperson of the ward committee;
- (c) a member is required in terms of this Code to withdraw from the meeting.

**22.4 Disclosure of interests –**

(1) A member must –

- (a) Disclose to the ward committee, or to any sub-committee of which that member is a member, any direct or indirect personal or private business interest that that member, or any spouse, partner or business associate of that member may have in any matter before the ward committee; and
- (b) Withdraw from the proceedings of the ward committee when the matter is considered by the ward committee.

**22.5 Personal gain –**

- (1) A member may not use the position or privileges of a ward member, or confidential information obtained as a member, for private gain or to improperly benefit another person.
- (2) Except with the prior consent of the Speaker, a member may not –
  - (a) be a party to or beneficiary under a contract for –
    - (i) the provision of goods or services to the ward; or
    - (ii) the performance of any work done in the ward.
  - (b) obtain a financial interest in any business of the ward committee; or
- (3) If more than one quarter of the members object to consent being given to a member in terms of sub item (2), such consent may only be given to the member with the written approval of the Speaker of the Municipality.

**22.6 Rewards, gifts and favours – a member may not request solicit or accept any reward, gift or favour in return for-**

- (a) voting or not voting in a particular manner or any matter before the ward committee;
- (b) persuading the ward committee with regard to the exercise of any power, function or duty;
- (c) disclosing privileged or confidential information.

**22.7 Unauthorised disclosure of information –**

This item does not derogate from the right of any person to access to information in terms of national legislation (Section 32 of the Constitution; Schedule 5.10. (c)(d) of the Structures Act).

- (1) A member may not without the permission of the ward councillor or a committee of Council disclose any privileged or confidential information of the ward or ward committee to any unauthorised person.
- (2) For the purpose of this item "privileged or confidential information" includes any information –
  - (a) Declared by the Municipal Council or ward committee to be privileged or confidential
  - (b) disclosure of which would violate a person's right to privacy; or
  - (c) declared to be privileged, confidential or secret in terms of law.

**22.8 Municipal property –**

A member may not use, take, acquire or benefit from any property or asset owned, controlled or managed by the Municipality to which he/she has no right.

**22.9 Duty of chairpersons of ward committees regarding the Disciplinary Code –**

- (1) If the chairperson of a ward committee, 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;
  - (b) give the member a reasonable opportunity to reply in writing regarding the alleged breach;
  - (c) report the matter to a meeting of the ward committee after paragraphs (a) and (b) have been complied with.
- (2) A report in terms of sub item 22.9 (1) (c) is open to the public.
- (3) The chairperson must ensure that each member when taking office is given a copy of this Code and that a copy of the Code is available in every room or place where the ward committee meets.

**22.10 Breaches of the Code –**

- (1) The Speaker may
  - (a) Investigate and make a finding on any alleged breach of a provision of this Code;
  - (b) Establish a special disciplinary committee or appoint a person –
    - (i) to investigate and make a finding on any alleged breach of this Code;
    - (ii) to make appropriate recommendations to the Speaker.
- (2) If the disciplinary committee finds that a member has breached a provision of this Code, the special committee may -
  - (a) issue a formal warning to the member;
  - (b) reprimand the member;
  - (c) request the Speaker to suspend the member for a period;
  - (d) request the Speaker to remove the member from the ward committee.
- (3) If the Speaker is of the opinion that the member has breached a provision of this Code, and that such contravention warrants a suspension or removal from office, the Speaker may –
  - (a) suspend the member for a period and on conditions determined by the Speaker;
  - (b) remove the member from office.

- (4) Any member who has been warned or reprimanded in terms of paragraph (3) may -
- (a) Within 14 days of having been notified of the decision of Speaker appeal to the Speaker in writing, setting out the reasons on which the appeal is based. The Speaker will then convene an appeals committee to finalise the matter.
  - (b) The appeal must be secured in the Office of the Speaker and a copy supplied to the appeals committee.
- (5) A register of all disciplinary actions taken against individuals will be kept by the Office of the Speaker.

## PETITIONS

### 23. ORGANISATIONAL PROCEDURE OF PETITIONS SECTION

#### 23.1 Object of Petitions

23.1.1 Petitions relate to the service delivery within the Municipality's jurisdiction; and are usually on issues that relate to the administration of the Municipality; or are on issues relating to the Municipality that cannot necessarily be dealt with on a political level

23.1.2 The Petitions Committee (a Section 79 Committee of Council) was established on 30 May 2002 by the CTTM Council. The current procedure was finalized on 29 January 2003 by the Petitions Committee and approved on 27 February 2003 by the Council

#### 23.2 Legislative requirements regarding petitions:

Section 17(2)(a) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) determines that a Municipality must establish appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the Municipality and must provide for the receipt, processing and consideration of petitions and complaints lodged by members of the local community.

#### 23.3 Actions taken by personnel in the Petitions Section

23.3.1 Acknowledge receipt of the petition

23.3.2 Administrative matters (allocation of file number; determination of jurisdiction; determination of relevant Departments)

23.3.3 Refer to relevant Departments for technical inputs

23.3.4 Refer to Ward Committees for inputs on behalf of the community

23.3.5 After receipt of all the comments, a report is drafted and submitted to the Petitions Committee for consideration

#### 23.4 Procedure during the meeting of the Petitions Committee:

23.4.1 The petitioners or representatives are invited to attend the meeting

23.4.2 Inform petitioner after finalization of the petition by the Petitions Committee, Mayoral Committee or Council (depending on the delegated power) of the outcome

23.4.3 Arrange for the archiving of the petitions file.

#### 23.5 A petitions register must be kept

#### 23.6 When a petition is received by the Section Petitions it must be numbered and registered under the date received

#### 23.7 Return date for finalisation of petitions

No more than 90 days should expire before a report back on the outcome of a petition is given by way of a letter from the Speaker's Office to the petitioner(s).

24. **ROLE OF WARD COMMITTEES, WARD AND PROPORTIONALLY ELECTED COUNCILORS IN PETITIONS**

24.1 When a petition is handed to the ward councillor, PR Councillors or any of the members of the ward committee, or to the sub-committee of the ward committee tasked with petitions, they must submit it to the ward committee by way of an item on the agenda of the next ward committee meeting.

24.2 The Office of the Speaker must submit the petition to the official responsible for the registration of the petition on the next working day after the ward committee meeting took place.

25. **MEETINGS AND HEARINGS**

The Office of the Speaker must prepare a list (data base) with the contact particulars and field of interest and activity of all stakeholder organisations residing and/or active in their assigned zone (sub-region).

26. **PUBLIC MEETINGS**

26.1 Scheduled public meetings

Key performance areas of the Municipality are subjected to a documented public participation process to comply with official scorecards, therefore -

26.1.1 Municipal Departments must supply the Office of the Speaker with their requirements for public participation for each financial year not later than 31 August.

26.1.2 The Office of the Speaker must then prepare a year calendar corresponding with the Financial Year to accommodate these meetings on regional level for inclusion in the official municipal calendar.

26.1.3 All Ward Councillors must convene public meetings on a quarterly basis, covering all areas in their respective wards as part of involving communities in the affairs of the Municipality.

26.2 *Ad Hoc* Public - and Consultation Meetings

26.2.1 Should the need arises for Council officials or their departments to consult with a ward committee on an *ad hoc* ward - or zonal (sub-region) issue, they must arrange with the ward councillor and/or relevant WCS official to attend a scheduled ward committee or zonal meeting with inclusion of their item on the agenda for the meeting.

26.2.2 Ward committees must invite officials within their scope of work, and other people with specialised knowledge to advise them on matters affecting their wards when deemed necessary.

27. **PUBLIC HEARINGS**

27.1 Public hearings on local level will be requested from time to time by all levels of government, and should be dealt with in the same way as *ad hoc* public meetings.

27.2 Over and above the invitation to Councillors and ward committee members to public hearings, the Office of the Speaker will invite the people and/or organisations registered in their zone (sub-region) stakeholders' lists to all public hearings

28. **THE MANNER OF ASSISTANCE PROVIDED BY THE OFFICE OF THE SPEAKER AND THE WARD COMMITTEE SYSTEM**

28.1 The Office of the Speaker must assist in the organisation of all ward committees.

28.2 The assistance must be provided with the organising of various public hearings as needed by other CTMM Departments and Provincial and National Government and any other body.

The assistance must be with regard to -

28.2.1 planning the events on managerial level;

28.2.2 identifying and booking of venues;

28.2.3 keeping records of all attendance registers;

28.2.4 providing report back to the Speaker on a regular basis.