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GOVERNMENT NOTICE

DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

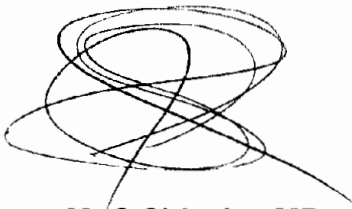
No. 973

8 October 2009

LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT No 117 OF 1998) AS AMENDED

NATIONAL FRAMEWORK: CRITERIA FOR DETERMINING OUT OF POCKET EXPENSES FOR WARD COMMITTEE MEMBERS, 2009

The Minister for Cooperative Governance and Traditional Affairs has in terms of section 73(5) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) published a national framework in the Schedule.



Mr S Shiceka, MP
Minister for Cooperative Governance and Traditional Affairs

PREAMBLE

This National Framework seeks to provide criteria for the calculation of the out of pocket expenses for ward committee members.

CHAPTER 1

INTERPRETATION

1. Definitions

In this National Framework a word or phrase to which a meaning has been assigned in the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998, as amended) has that meaning and, unless the context otherwise indicates-

“**Minister**” means the National Minister responsible for Local Government;

“**the Act**” means the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998);

“**ward committee**” means a ward committee as contemplated in section 73 of the Local Government Municipal Structures Act, 1998 (Act No 117 of 1998);

“**out of pocket expenses**” means payment as contemplated in section 73 of the Local Government Act, 1998 (Act No. 117 of 1998)

CHAPTER 2

2. Object of the National Framework

- 2.1 To improve ward committee functionality by ensuring that ward committee members are more active and able to effectively support their elected ward councillors to serve the community.
- 2.2 To reimburse ward committee members with any 'out of pocket' expenses that they may have reasonably incurred in undertaking their duties.
- 2.3 To provide guidelines for provinces to develop provincial specific frameworks within which metropolitan and local councils should set policies for the payment of out of pocket expenses for ward committee members.

3. The Role of Municipalities in Supporting Ward Committees

Municipalities must ensure that ward committees are effectively supported. This support ought to include:

- (i) Access to office space and equipment;
- (ii) Technical and administrative assistance through dedicated municipal staff;
- (iii) Communication material and community interaction systems and campaigns; and
- (iv) Out of pocket expenses for ward committee members.

4. Criteria for the Calculation of Out of Pocket Expenses

The following criteria must be taken into consideration when determining out of pocket expenses for a member of a ward committee:

4.1 Ward Size

The size of the ward is a factor that influences democratic representation and participation as well as transport costs.

| Province | No. of Wards | Average no. of People per ward | Average ward size (km ²) |
|---------------|--------------|--------------------------------|--------------------------------------|
| Eastern Cape | 636 | 10 263 | 265.7 |
| Free State | 300 | 9 243 | 432.7 |
| Gauteng | 423 | 24 708 | 39 |
| KwaZulu-Natal | 771 | 13 306 | 122 |
| Limpopo | 513 | 10 211 | 245 |
| Mpumalanga | 365 | 9 982 | 209 |
| Northern Cape | 174 | 6 080 | 3292 |
| North West | 365 | 8 964 | 291 |
| Western Cape | 348 | 15 168 | 372 |
| Total | 3 895 | 12 452 | 585.4 |

4.2 Population Size

| Province | Population | No. of Metros | No. of LMs | No. of Wards | Average no. of people per ward |
|---------------|-------------------|---------------|------------|--------------|--------------------------------|
| Eastern Cape | 6 527 747 | 1 | 38 | 636 | 10 263 |
| Free State | 2 773 059 | - | 20 | 300 | 9 243 |
| Gauteng | 10 451 713 | 3 | 8 | 423 | 24 708 |
| KwaZulu-Natal | 10 259 230 | 1 | 50 | 771 | 13 306 |
| Limpopo | 5 238 286 | - | 25 | 513 | 10 211 |
| Mpumalanga | 3 643 435 | - | 18 | 365 | 9 982 |
| Northern Cape | 1 058 060 | - | 27 | 174 | 6 080 |
| North West | 3 271 948 | - | 21 | 365 | 8 964 |
| Western Cape | 5 278 585 | 1 | 24 | 348 | 15 168 |
| Total | 48 502 063 | 6 | 231 | 3 895 | 12 452 |

Population density correlates with the ward committee's ability to manage social dynamics presented by different population groups as they relate to service delivery and social cohesion.

4.3 Ward Committee Functionality

The payment of out of pocket expenses must be linked to the ward committee functionality taking into account the following functionality indicators:

- (i) Number of ward committee management meetings held and percentage attendance by members.
- (ii) Number of community meetings organized by the ward committee and percentage attendance by the ward community.
- (iii) Submission and tabling of ward reports and plans to the council covering: needs and priorities for the ward, feedback on the performance of the Councils various line/service functions and their impact on the ward.
- (iv) Number of door-to-door campaigns and/or interactions with sub structures including street committees.
- (v) Number of complaints, queries, and requests registered from the community and attended to (checklist of met needs against registered needs and turn-around-time).
- (vi) Distributed publications (information brochures, flyers, newsletters, emails, sms, and others) over a period of time.
- (vii) Management and updating of ward profiles and database of indigent households.
- (viii) Participation in plans and programmes of municipalities and other spheres of government impacting on the ward development and monitoring thereof.

4.4 Financial Viability

The financial viability of municipalities must be a key consideration in determining the amount that should be budgeted for “out of pocket” expenses. However, proper community participation is integral to service delivery and must be treated as a key priority for municipalities. It must be budgeted for as part of the core business of municipalities

5. Payment and Budgeting

- (i) The proposed out of pocket expenses that may be paid as a monthly allowance is R1000.00 per ward committee member excluding the ward councilor. This is aimed at avoiding the administrative burden of tracking and managing submission of claims by individual ward committee members.
- (ii) This amount may be adjusted to the extent that a particular municipality covers some of these costs itself up front by arranging transport and refreshment for ward committee members.
- (iii) It should however be noted that the work of ward committee is not limited to attending ward committee meetings or meetings of the municipality. The implications of the above ward functionality indicators are that ward committees are expected to be much more active in undertaking voluntary community representation. This includes meetings with the community, engaging with stakeholder's structures such as street committees, managing grievances and complaints, and doing door-to-door work in the community.

- (iv) The proposed out of pocket expenses taking the above into account may include the following:

| Description | Estimated Costs per person | Total Costs per ward |
|--------------------|----------------------------|----------------------|
| Transport | R300.00 | R3000.00 |
| Tele/Mobile phone | R500.00 | R5000.00 |
| Refreshments/Meals | R200.00 | R2000.00 |
| TOTAL | R1000.00 | R10 000.00 |

- (v) Over and above own revenue sources (service charges, rates, etc) municipalities must prioritise funding for community participation including effective support to ward committees from two important sources:

(a) **Local Government Equitable Share (LGES)**

Municipalities receive allocations from the local government equitable share on an annual basis. Therefore, municipalities should use a portion of this allocation for supporting ward committees, which is critical in speeding up and facilitating better service delivery.

(b) **Municipal Systems Improvement Grant (MSIG)**

- The purpose of the MSIG is to assist municipalities in building in-house capacity to perform their functions and stabilise institutional and governance systems as required in the Municipal Systems Act. One of the key measurable outputs for this grant is the number of municipalities with strengthened administrative systems for effective implementation of the ward participatory system.

- A portion of the MSIG allocation to municipalities is specifically dedicated for community participation and good governance
- The Department of Cooperative Governance & Traditional Affairs is responsible for the management of the grant. All receiving municipalities are expected to comply with the normal procedure followed when applying for the allocation of funds from MSIG

6. Date of effect of the National Framework

The National Framework as contemplated in section 73(5) of the Act commences with immediate effect.
