

**ANNUAL REPORT: OFFICE OF THE SPEAKER  
(2002/2003 FINANCIAL YEAR)**

**by**

**Cllr. T.V MATSEPE**

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## **1. EXECUTIVE SUMMARY**

This annual report entails the performance of the Office of the Speaker relative to his statutory duties and other roles played by him in areas such as:

- Public consultation and participation
- Concillor training
- Political governance and Councillors' Code of Conduct
- Speaker's delegated ceremonial duties

In conclusion, the evaluation of the qualitative nature of concepts such as 'public participation' is briefly explored.

## **2. FOCUS AREAS AND MILESTONES OF THE OFFICE OF THE SPEAKER: 2003/2004**

The Speaker has statutory powers and duties that are assigned to it such as:

- Presiding over council meetings
- Ensuring that the councils meets at least quarterly
- Maintaining order during council meetings
- Ensuring compliance with the Code of Conduct for Councillors, in the meetings of the council and council's committee
- Ensuring that the meetings of the council are conducted in accordance with the rules and orders of the council
- Determining the date and venue of ordinary council meetings
- Convening special council meetings at the venue determined by her/him and at the time set out in ant request that such a meeting be convened in terms of section 29(1) of the Structures Act; and
- Ensuring that the provisions in respect of privileges and immunities of Councillors, as set out in section 28 of the Structures Act or any other applicable legislation are adhered to.

The following were the focus areas of the Office of the Speaker for the 2002/2003 financial year:

- (a) Promote public consultation and participation
- (b) Capacitate councillors and members of the ward committees
- (c) Strengthen political governance and adherence to the councillors' Code of Conduct
- (d) Execute all ceremonial duties delegated by the Executive Mayor.

The following exhaustive efforts were made to give effect to the above-cited focus areas:

## 2.1 PROMOTE PUBLIC CONSULTATION AND PARTICIPATION

Public participation is central to any democracy and needs to go beyond voting at national, provincial or local level. A dynamic process of engagement should be facilitated to allow the electorate to participate in the processes that may affect their lives.

The role of the Office of the Speaker also entails the deepening of local democracy and good governance in line with the provisions of the Constitution of South Africa such as:

- Section 195(f) and (g): It demands that public administration must be accountable; and that transparency must be fostered by providing the public with timely, accessible and accurate information.
- Section 215(1): Provides that national, provincial and municipal budgets and budgetary processes must promote transparency, accountability and the effective financial management of the economy, debt and the public sector.
- Section 152(a): It seeks to ensure *democratic and accountable government for local communities*
- Section 152(e): It promotes the involvement of communities in local government matters.

The Municipal Systems Act gives meaning to the aforementioned prescripts of the Constitution. The Act requires council to annually review community needs and the processes to involve communities as well as its organizational and delivery mechanisms.

Section 5(1)(a) and (b) of the Municipal Systems Act directs:

*“Members of the local community have the right-*

*(a) through mechanisms and in accordance with processes and procedures provided for in terms of this Act or other applicable legislation to ... submit ... complaints to the municipal council or to another structure or political office-bearer or the administration of the municipality.*

*(b) to prompt responses to their ... complaints.”*

Simply put, the council must consult communities.

### 2.1.1 WARD COMMITTEES

In adherence to the above-cited legal requirements, the Office of the Speaker became instrumental in the establishment and the functionality of the Ward Committees within the municipality of Matjhabeng. The cardinal function of these ward committees was to assist the democratic representatives (Ward Councillors) to carry out their respective political mandates and to promote an ongoing process of debate, dialogue and communication between the Matjhabeng municipal council and the community. Various ward committee meetings were subsequently convened to discuss basic service delivery issues and business activity matters including:

- The provision of water, health services and electricity
- Pipe leakages
- Rezoning of residential sites into business sites
- Nutrition programmes
- Waste recycling
- Child support grants
- Application of the Identity Documents
- Payment of services, etc.

## 2.1.2 PUBLIC MEETINGS AND HEARINGS

Section 17(2) of the Municipal Systems Act enjoins the Matjhabeng council to involve our community by actively seeking input to our policy and decision-making and take every opportunity to promote our strengths as a municipality. Numerous municipal consultative meetings were held throughout the municipality to afford the community the opportunity to consider the draft budget before adoption by the council. Such meetings were held on 17 - 26 March 2003 at:

(a) 17 March 2003

- Allanridge
- Nyakallong
- Odendaalsrus
- Kutloanong
- Welkom

(b) 18 March 2003

- Riebeeckstad
- Bronville and Hani Park
- Thabong East
- Thabong West

(c) 19 March 2003

- Ventersburg
- Meloding
- Virginia

(d) 26 March 2003

- Hennenman

The consultative public hearing process on the budget of the 2002/2003 financial year was finalized between the 19<sup>th</sup> and 21<sup>st</sup> May 2003. At these meetings, members of the public raised points of concern to which prompt actions were given by the councilors and the municipal manager. The overall evaluation of the process was described as a success.

### 2.1.3 Conflict Resolution

The eviction of families from the Re-a-Hola Housing Project was averted through the intervention of the Office of the Speaker.

Also, a Thabong hostel delegation approached the Speaker and the Executive Mayor on 17 June 2003 to discuss matters pertaining to hostel dwellers' residence and accommodation; much to the delight and satisfaction of all present.

## 2.2 CAPACITATE COUNCILLORS AND WARD COMMITTEE COUNCILLORS

### 2.2.1 TRAINING OF COUNCILLORS

SALGA presented the following courses to 70% of our councillors between the 17<sup>th</sup> April 2002 and 13 November 2002:

- Managerial Roles and Responsibilities
- Municipal Legislation
- Human Resource Management
- Integrated Development Planning
- Financial Management Module 1: Budgeting and Finance
- Land and Housing
- Financial Management
- Financial Management Module 2: Financing a Municipality: Sources of Operating
- Revenues and Capital Finance;

## 2.2.2 INFORMATION TECHNOLOGY TRAINING: MAYORAL COMMITTEE MEMBERS

All members of the Mayoral Committee undergone IT training presented at the Community Information Technology Centre (CITC) which was funded by the Central Municipal Infrastructure Programme (CMIP).

## 2.2.3 TRAINING OF WARD COMMITTEE COUNCILLORS

A workshop presented by Kagiso Trust Consultance (KTC) on Participatory Development through ward committees and ward councilors was held on 06 and 07 August 2002. The aim thereof was to support and enhance the capacity of local government efforts to accelerate service delivery and to develop practical developmental plans.

## 2.3 STRENGTHEN POLITICAL GOVERNANCE AND ADHERENCE TO THE CODE OF CONDUCT

### 2.3.1 Establishment of Political Structures

Section 33 of the Municipal Structures Act provides that a municipality may establish committees, taking into account the extent of its functions and powers, the need for delegations and the resources available. Therefore, section 79 committees are established by the council from among its members and the functions, functions and duties thereof are determined by the council. The following section 79 committees were established:

- Tender Committee
- Audit Committee
- Rules and Ethics Committee
- Disciplinary Committee
- Petitions and Public Participation Committee; and
- Language Committee.

Section 80 committees, on the other hand, are established by the council from its members to assist the Executive Mayor. The following section 80 committees were established:

- Community Services and Social Development
- Corporate Services
- Economic Development and Spatial Planning
- Finance
- Housing Development and Environmental Management
- Human Resource
- Public Safety and Transport
- Engineering Services

The difference between the sections 79 and 80 committees can be presented as follows:

<b>SECTION 79</b>	<b>SECTION 80</b>
Council determines functions and may delegate powers and duties	Executive Mayor delegates powers and duties
Council appoints the chairperson	Executive Mayor appoints the chairperson
Committee may co-opt non-councillors	Committee only consists of councillors
Committee is established for the effective performance of functions of council	Committee is established to assist the Executive Mayor.

### 2.3.2 Attendance of Council Meetings

The Speaker is the legal guardian of the Schedule 5 councillors conduct and is responsible for to the council for the implementation of the councillors Code of Conduct in terms of the Municipal Systems Act. The Speaker must therefore report breaches of the Code. Schedule 5 covers, among other things, *'attendance at meetings'*.

The average attendance by the councillors of the ordinary meetings of the council totaling **xxxx** in number was **XXXX%** during the 2002/2003 financial year. The total number of council resolutions taken was **xxxx**; the breakdown thereof is as follows:

## 2.4 DELEGATED CEREMONIAL DUTIES

The Executive Mayor can request the Speaker to assist in his duties when he is unable to attend certain, or allocate certain duties to the Speaker. The Speaker (Cllr. T.V Matsepe) performed numerous ceremonial duties on behalf of the Executive Mayor. The most significant of these delegated ceremonial duties were:

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## 3. CONCLUSION

In an attempt to promote public participation as required by the Constitution and the Municipal Systems Act, we remain confronted by the reality of seeking to understand and evaluate non-material objectives of community development. Conventional evaluation is dominated by a concern to measure organizational performance; but how can we 'measure' qualitative change?

Concepts of community development such as, for example, *public participation* are difficult to define solely in specific, numerical or quantifiable terms. 'Participation', for example, is an abstract concept and, although we can attribute material characteristics to the process involved (such as 'X or Y' number of meetings held or resolutions taken during the 2002/2003 financial year), such characteristics are inadequate as the only means of explaining its many potential dimensions. In other words, in dealing with non-material objectives of community development, we are concerned not only with *results* which are quantitative, but more importantly with *processes* which are *qualitative*.

Although it became traditional not to evaluate public participation as an IDP priority, the qualitative evaluation thereof is an intricate part of effective social and economic development; and it remains a challenge not to be ignored.