



**CONFIDENTIAL**

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# **ANNEXURE**

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**MANGAUNG METROPOLITAN  
COUNCIL**

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**Pages 50 – 78**

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**THURSDAY  
AUGUST 18, 2016**

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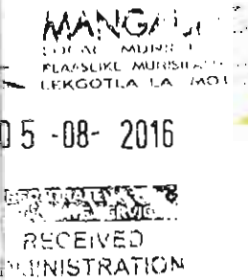
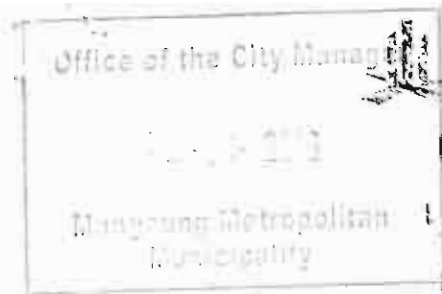
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**MANGAUNG  
METROPOLITAN  
MUNICIPALITY**

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Members are kindly requested  
to retain this annexure for use  
with the minutes

Bram Fischer Building  
BLOEMFONTEIN  
AUGUST 12, 2016



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**Refer to: Ms M Lelosa**  
**Reference/File No:**  
**Telephone Ext: 051 405 8375**  
**Date: June 10, 2016**

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**THE SPEAKER**  
**COUNCIL ITEM**

**THE PRESCRIBED OATH OR AFFIRMATION FOR COUNCILLORS TAKING OFFICE**

**PURPOSE**

The purpose of this report is to allow Councillors to take prescribed oath or affirmation before taking office following the 2016 Local Government Elections. This oath or affirmation is to ensure their commitment to the citizens of the Mangaung Metro, the Republic of South Africa and the Constitution.

**BACKGROUND**

Section 26(2) of the Local Government Municipal Structures Act, (Act 117 of 1998) reads as follows:

*“(2) A person assumes office as a councillor when declared elected or when appointed as the case may be”*

This means that the inaugural meeting of Council should provide the opportunity for all councillors to take the oath before they may exercise the powers of the office and to affirm their faithfulness and obedience to the Constitution.

It is the choice of the councillor whether he/she will be doing an affirmation or an oath.

**PROCEDURE DURING THE INAUGURAL COUNCIL MEETING**

As per Rule 22 of the Mangaung Metro Standing Rules and Orders, the Acting City Manager will preside over the inaugural Council meeting until a Speaker is elected. The Chairperson i.e. the Acting City Manager will declare the meeting opened and deal with the applications of leave of absence as per the provisions of Rule 79 of the Standing Rules and Orders of Council.

The oath of office or affirmation must be taken by all councillors and for the purposes of this item, the Chairperson will request all councillors to sign the copies of either the oath or the affirmation. These are attached as annexure A and Annexure B.

After signing the oath or affirmation, Councillors will be requested to approach the stage alphabetically as per the list of councillors where the Chief Magistrate will assist them in taking either the oath or affirmation.

By convention, councillors taking the oath will be requested to raise their right hand and place their left hand on a bible or other book of their faith while taking the oath. This will be provided by the Secretariat for this purpose. The signed oath or affirmation must then be handed to the Secretariat before the councillor returns to his/her seat.

It is only after all the councillors have been sworn into office will the Chairperson deal with the next item on the agenda, namely the Election of the Speaker.

#### RECOMMENDATIONS

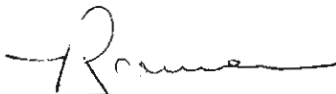
- a) That the oath and affirmation attached hereto as Annexures A and B be approved as the Council's prescribed oath and affirmation and
- b) That all councillors be requested to take either the prescribed oath or solemn affirmation.

Regards,



**GENERAL MANAGER: CORPORATE SECRETARIAT  
MR MOTETE MOTHEKHE**

**RECOMMENDED / NOT RECOMMENDED**

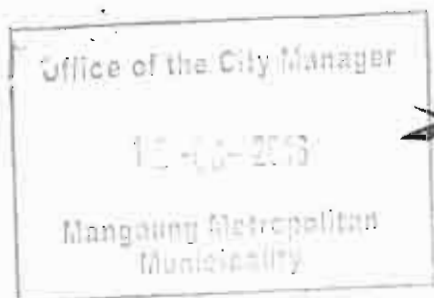


**HEAD: CORPORATE SERVICES  
MS MJ RAMAEMA**

**APPROVED / NOT APPROVED**



**ACTING CITY MANAGER  
ADV. TB MEA**



**MANGAUNG**  
METRO MUNICIPALITY  
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LEKGOTLA LA MOTSE

10-08-2016

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METRO MUNISIPALITEIT  
LEKGOTLA LA MOTSE

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CORPORATE SERVICES

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Refer to: Mr. M Mothekhe  
Reference/File No: 4/4/1  
Telephone Ext: 051 405 8543  
Date: August 01, 2016

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## THE CITY MANAGER COUNCIL ITEM (INAUGURAL MEETING)

### ELECTION OF THE SPEAKER

#### 1. PURPOSE

The purpose of this report is two-fold, firstly to appraise the Metropolitan Council on the responsibilities and functions of the Speaker and secondly to request the Council to elect one member to serve on a full time basis as the Metropolitan Speaker for the term of office.

#### 2. BACKGROUND

The Speaker is a statutory office bearer in terms of section 36(5) of the Municipal Structures Act, Act No. 117 of 1998. The Act strictly determines that the Speaker is in charge of the legislative arm of the municipal council. This means that he or she must guard the integrity and credibility of the legislative process. Further the Speaker must protect the checks and balances between legislature and the executive, in other words, the "oversight" that the council must exercise over the actions of the executive.

The Speaker is the custodian or guardian of the integrity of the council and guardian of the privileges and interests of members. The privileges and interests of councillors include freedom of speech, councillors allowance and benefits, councillors personal development and training as well as the use of council facilities. Importantly, this role, combined with the Speaker's role in terms of schedule 1 to the Municipal Systems Act, Act no 32 of 2000 requires the Speaker to guard against the abuse of councillors privileges and interests.

The Speaker must demonstrate impartiality. The role and responsibilities of the Speaker, requires him/her to be recognised by all parties and all interest groups in the council as the legitimate guardian of the integrity of council and of council members. It should be stressed that the Speaker is accountable to the Council. The Speaker does not stand above the Council. He or she must exercise his or her duties within rules and orders of Council. The Speaker must be able to perform his/her functions independently from the executive arm of council.

A councillor elected as the Speaker does not sit or attend meetings of the Mayoral Committee, or any committees of the Executive Mayor. The purpose is to ensure that matters of oversight over the executive are not compromised but rather strengthened. Politically and administratively the offices of the Speaker and Executive Mayor should be independent of each other, any intermingle will weaken or dilute metropolitan governance. This also relates to the separation of operational budgets or any other matters of financial administration, processing and authorization.

#### 4. COUNCILLOR SUPPORT

In order to facilitate adequate support to councillors, four offices, to be located in the office of the Speaker, and are as follows; namely

- **Councillor Support Office**

This office provide councillors with infrastructural support to perform all their functions;

- **Administration and support to Council Committees**

This office is aimed at strengthening and maximising the operation and meetings of the section 79 committees.

- **Legal office**

Provide the Speaker and councillors with legal advice and a measure of political advise;

- **Community liaison office**

Facilitate the interaction between the council and the community;

#### 5. REPORTS OF THE SPEAKER TO COUNCIL

The Standing Rules and Orders of Council provide a number of reports that the Speaker must prepare and submit council once such reports are requested by the council. Importantly the Speaker is required to prepare an annual report to council about the activities of the council and the Speaker's office. This annual report should contain at least the following matters, namely;

- The implementation of the code of conduct;
- Reports from the Executive Mayor on the implementation of the council resolutions;
- Public participation in council activities;
- List of policies and by-laws passed by the council; and
- Linkages with other speakers

#### 6. WARD COMMITTEES

Ward Committees were introduced after the December 2000 municipal elections to supplement the role of elected councillors. As such they were intended to create a bridge between communities and political and administrative structures of municipalities. Here are the critical responsibilities of the Ward Committees, namely;

- Act as communication channels between communities and municipal councils;
- Ward councillors are critical to the effective functioning of ward committees;
- Ward committees are accountable to the communities they represent; and
- Ward committees complement other spaces for public participation in local government.

## 7. COUNCILLOR TRAINING AND DEVELOPMENT

The Speaker is responsible for training, development and building the capacity of councillors. This may include identifying the training needs of councillors, together with the assistance and contribution from SALGA coordinating training programs and workshops, for which council should budget.

## 8. RESPONSIBILITIES OF THE SPEAKER

The Speaker often has powers that are similar to those one would generally expect to see assigned to the Speaker.

Responsibilities	Reporting Frequency
Preside over and ensure order during council meetings	Quarterly
Ensure that Council at least meets quarterly	Annually
Ensure compliance in the council and council committees with the code of conduct	Quarterly
Enforce compliance by councillors to Standing Rules and Orders of Council (maintain order during council meetings)	Annually
Granting of leave of absence to councillors	Annually
Report on the performance of ward committees	Annually
Report on the capacity training of councillors	Annually
Report on the performance of Council committees	Annually

## 4. RECOMMENDATIONS

It is hereby recommended that the Metropolitan Council elect one councillor, to serve as the Speaker on a full time basis.

Submitted by;



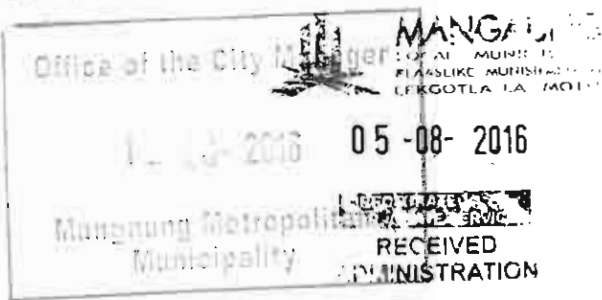
MR. MOTETE MOTHEKHE  
GENERAL MANAGER: SECRETARIAT SERVICES



MS. MJ RAMAEMA  
HOD: CORPORATE SERVICES



ADV. T MEA  
ACTING CITY MANAGER



**Refer to: Ms M Lelosa**  
**Reference/File No:**  
**Telephone Ext: 051 405 8375**  
**Date: June 13, 2016**

## **THE SPEAKER COUNCIL ITEM**

### **ELECTION OF THE EXECUTIVE MAYOR**

#### **PURPOSE**

The purpose of this report is to elect the Executive Mayor of the Mangaung Metro Council in terms of Section 55 of the Local Government Municipal Structures Act, (Act 117 of 1998) and as per Section 79 of the MMM Standing Rules and Orders which sets out the order of business at the inaugural Council meeting after the Local Government Elections.

#### **BACKGROUND**

The Mangaung Metro is a Category A Municipality with a Mayoral Executive System as contemplated in sections 7 and 9 of the Municipal Structures Act.

The Mayoral Executive System allows for the exercise of executive authority through an Executive Mayor in whom the executive leadership of the municipality is vested and who is assisted by a Mayoral committee.

#### **DELIBERATIONS**

The procedure to be followed during the election of an Executive Mayor is prescribed in Schedule 3 of the Municipal Structures Act.

The Executive Mayor is the political leader of the Mangaung Metro and his/her area of responsibility will not be limited to the municipality itself but will extend to involvement in co-operative governance including the participation in provincial structures and organisations such as SALGA.

The Executive Mayor will be required to promote and protect the constitutional status, the powers and functions of the municipality as well as the principles of co-operative governance and intergovernmental relations.

The Municipal Council is to delegate appropriate powers to the Executive Mayor and important power will also be conferred by legislation such as the Structures Act and the MFMA. The Executive Mayor is accountable to the Municipal Council and must report to council on the exercise, performance and discharge of powers, functions and duties of office. The Executive Mayor must report to the Municipal Council on all decisions taken by him/her.

This duty does not only relate to the Executive Mayor's statutory powers, but also his/her delegated powers. The Municipal Council must determine the format of reports, as well as the frequency of reporting.

### FINANCIAL IMPLICATIONS

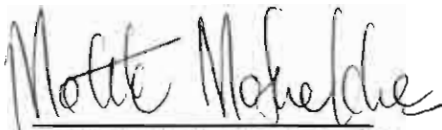
The Mangaung Metro is classified as a Category A Municipality and the municipal council of the metro is classified as Grade 6 as set out in Government Notice No. R 243 of March 25, 2015.

The existing administrative resources and infrastructure which supported the previous Executive Mayor are still available and may be utilised without any additional financial burden on the Council.

### RECOMMENDATIONS

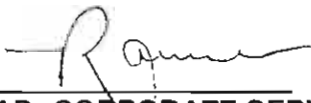
- a) That Council take note of the report and
- b) That the Mangaung Metro elect one councillor to serve as the Executive Mayor on a full-time basis.

Regards,



**GENERAL MANAGER: CORPORATE SECRETARIAT  
MR MOTETE MOTHEKHE**

**RECOMMENDED / NOT RECOMMENDED**



**HEAD: CORPORATE SERVICES  
MS MJ RAMAEMA**

**APPROVED / NOT APPROVED**



**ACTING CITY MANAGER  
ADV. TB MEA**





**MANGAUNG**

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CORPORATE SERVICES

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**Refer to: Ms M Lelosa**  
**Reference/File No:**  
**Telephone Ext: 051 405 8375**  
**Date: June 14, 2016**

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## **THE SPEAKER COUNCIL ITEM**

### **ELECTION OF THE DEPUTY EXECUTIVE MAYOR**

#### **PURPOSE**

The purpose of this report is to elect the Deputy Executive Mayor of the Mangaung Metro Council in terms of Section 55 of the Local Government Municipal Structures Act, (Act 117 of 1998) and as per Section 79 of the MMM Standing Rules and Orders which sets out the order of business at the inaugural Council meeting after the Local Government Elections.

#### **BACKGROUND**

The Mangaung Metro is a Category A Municipality with a Mayoral Executive System as contemplated in sections 7 and 9 of the Municipal Structures Act.

The Mayoral Executive System allows for the exercise of executive authority through an Executive Mayor in whom the executive leadership of the municipality is vested and who is assisted by a Mayoral committee.

#### **DELIBERATIONS**

The procedure to be followed during the election of a Deputy Executive Mayor is prescribed in Schedule 3 of the Municipal Structures Act.

The Deputy Executive Mayor exercises the powers and perform the duties of the Executive Mayor if the Executive Mayor is absent, unavailable or if the office of the Executive Mayor is vacant.

The Executive Deputy Mayor's role is twofold,

- when acting in the stead of the Executive Mayor the role is identical to that of the Executive Mayor;
- when not acting in the stead of the Executive Mayor the role is defined in relation to the extent of powers delegated to the office or as a member of the Mayoral committee.

The Executive Deputy Mayor does not have any statutory powers.

The Executive Deputy Mayor also performs an important role as member of the Mayoral committee, namely:

- the Executive Mayor may delegate specific responsibilities to the Executive Deputy Mayor;
- the Executive Mayor may delegate any of his/her powers to the Executive Deputy Mayor and
- the Executive Deputy Mayor must, as member of the Mayoral committee, together with the other members of the committee, assist the Executive Mayor in the exercise or performance of his/her powers and functions

### **FINANCIAL IMPLICATIONS**

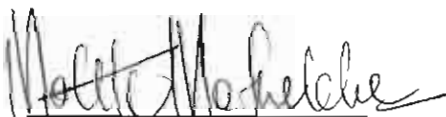
The Mangaung Metro is classified as a Category A Municipality and the municipal council of the metro is classified as Grade 6 as set out in Government Notice No. R 243 of March 25, 2015.

The existing administrative resources and infrastructure which supported the previous Deputy Executive Mayor are still available and may be utilised without any additional financial burden on the Council.

### **RECOMMENDATIONS**

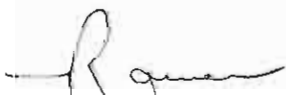
- a) That Council take note of the report and
- b) That the Mangaung Metro elect one councillor to serve as the Deputy Executive Mayor on a full-time basis.

Regards,



**GENERAL MANAGER: CORPORATE SECRETARIAT  
MR MOTETE MOTHEKHE**

**RECOMMENDED / NOT RECOMMENDED**

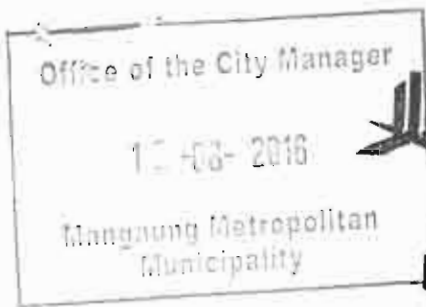


**HEAD: CORPORATE SERVICES  
MS MJ RAMAEMA**

**APPROVED / NOT APPROVED**



**ACTING CITY MANAGER  
ADV. TB MEA**



**MANGAUNG**  
LEKGOOTLA LA MOTSE



**MANGAUNG**  
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10-08-2016

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DIRECTORATE  
CORPORATE SERVICES

Refer to: Mr. M Mothekhe  
Reference/File No: 4/4/1  
Telephone Ext: 051 405 8543  
Date: August 01, 2016

**THE CITY MANAGER  
COUNCIL ITEM**

**ELECTION OF THE COUNCIL WHIP**

**1. PURPOSE**

The purpose of this report is two-fold, firstly to appraise the Metropolitan Council on the responsibilities and functions of the Council Whip and secondly to request the Council to elect one member to serve on a full time basis as the Metropolitan Council Whip for the term of office.

**2. BACKGROUND**

The Council Whip is essentially a political functionary who can mete out political sanctions, determined by the rules of the multi-party whippery. The position of Council Whip is designated by a Members of the Executive Council (MEC) of a province by proclamation in the government gazette and further determines full time or part time provision. Since the 2006 MMM council term, the position of a Council Whip was created and subsequently determined to be full-time. The office of the Council Whip is a fully fledged structure with a component of competent staff members. As a rule and practice, if a political party attains a threshold of twelve (12) council seats, it will appoint a party political assistant who on a daily basis provide party administrative, research and political support to its councillors. Party political assistants are structurally/ administratively a component in the office of the Council Whip.

The office of the Council Whip is not an appendage or extension of the office of the Speaker, it's a stand-alone and independent office with its own budgetary provision and staff component. For the fact that the Council Whip is not a statutory office bearer, a clear distinction is made between a Chief Whip and Council Whip. The Chief Whip is a position found in the statutes of both the National and Provincial legislatures, and in order to create a distinction, a determination and creation of a position of Council Whip is made to clear the synonymy, however with some form or level of similarity, although at a municipal level. Consequently, the role of the Council Whip is an unavoidable political reality. Importantly, an effective and efficient office of the Council Whip strengthens and optimizes qualitative Council contributions and inputs, and in a way mitigates disruptions, incongruence, delays regarding decision-making and political party walkouts.

The glue that binds interaction and harmony between parties is the multi-party whippery and it is the responsibility of the Council Whip to ensure that this platform is maximised and meets periodically. An effective or efficient multi-party whippery gravitates and replicates to positive and fruitful Council meetings.

### 3. RESPONSIBILITIES OF THE COUNCIL WHIP

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The Council Whip often has powers that are similar to those one would generally expect to see assigned to the Speaker.

Responsibilities	Reporting Frequency
Coordinating and convening multi-party Whips Forum prior to Council meetings	At each Council meetings
Calling for Caucuses prior or during meetings of Council or Committee meetings	As and when required
Coordination, review and validation for party representation for Council Committees	Annually
Maintenance of discipline amongst councillors	Quarterly
Providing administrative and support to political parties, with regards to staffing,	As and when required
Liaising with parties regarding speakers at council sittings	As and when required
Coordinating the troika sessions between the Executive Mayor, Speaker and City Manager	

### 4. RECOMMENDATIONS

It is hereby recommended that the Metropolitan Council elect one councillor, to serve as the Council Whip on a full time basis.

Submitted by;



MR. MOTETE MOTHEKHE  
GENERAL MANAGER: SECRETARIAT

Recommended/ Not Recommended



MS MJ RAMAEMA  
HOD: CORPORATE SERVICES



ADV. T MEA  
ACTING CITY MANAGER

---

Refer to: Mr. M Mothekhe  
Reference/File No: 4/4/1  
Telephone Ext: 051 405 8543  
Date: August 01, 2016

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**THE CITY MANAGER  
COUNCIL ITEM (INAUGURAL MEETING)**

**THE MAYORAL COMMITTEE AND WARD PARTICIPATORY SYSTEM**

**1. PURPOSE**

The purpose of this report is two-fold, firstly to appraise the Metropolitan Council on the Mayoral Committee and ward participatory system, secondly to inform and propose endorsement of the Council on the functioning of (Mayco) Mayoral Committee and lastly the portfolios constituting Section 80 Committees.

**2. BACKGROUND**

MMM at its inaugural meeting held on the 11<sup>th</sup> December 2000, resolved in terms of section 7(b) part 2 of the Municipal Structures Act (Act No. 117 of 1998) to adopt a Mayoral Committee System which allows for the exercise of executive Authority through the Executive Mayor in whom the Executive Authority of the municipality is vested and who is assisted by the Mayoral Committee. As a category A municipality, MMM is combined with the Ward Participatory system in order to enhance citizens participation in matters of service delivery. The currently model and type of municipality over the past five years had proven to be working excellently for the reason that decisions are taken and executed with speed to enhance effective efficient service delivery.

**3. APPOINTMENT OF THE MAYORAL COMMITTEE MEMBERS**

The Mayoral Committee is not a committee of Council for the purpose of section 160(8). It is a committee appointed by the Executive and automatically terminates when the Executive Mayor ceases to hold office. It is there to assist the Executive Mayor in the execution of his or her functions. The Executive Mayor can dismiss the members of the mayoral committee, which is directly accountable to the Executive Mayor, not to the Council. The right to appoint members of the Mayoral Committee is part of the privilege of the majority rule, which is the cornerstone of any democratic dispensation.

The Mayoral Committee is equated to the national or provincial cabinets. They are appointed by the President or Premier and their composition at the discretion of these authorities. Where there is an Executive Mayor we have a cabinet-style mayoral committee.

**4. SECTION 80 COMMITTEES FUNCTIONING**

The distinction that the Municipal Structures Act (Act No. 117 of 1998) makes between the Mayoral Committees and the Committees appointed by the Council is a clear indication that the committees are different and that no proportionality is required in terms of the mayoral committee.

The Section 79 committee reports to the Council whereas, Section 80 reports to the Executive Mayor. Section 80 committee is chaired by the Member of the Mayoral Committee, the Executive Mayor may delegate powers and duties to the committee. The deliberations and recommendations of a section 80 meeting are conveyed to the Executive through the member of the Mayoral Committee. Recording of deliberations by all councillors at section 80 committee becomes crucial and it is ideal that the City Manager must ensure that professional and competent secretarial support services should be provided at all section 80 committee meetings. The legal fraternity affords a municipality substantial discretion on how to structure its committee system; for an example a municipality may establish section 80 committees, with limited number of section 79 committees.

## **5. WARD COMMITTEE SYSTEM**

Every Council must comply with the broad principles of participatory democracy, councils have the discretion to decide whether or not they want to establish ward committees. The establishment of the ward committee is primarily to strengthen participatory governance.

### **a) What are the functions of ward committees**

- Ward committees are communication channel for the ward community;
- Ward committee can be an important mobilising agent for community action;
- Ward committee advise ward councillors on the policy matters affecting the ward;
- Ward committee help identify the needs and challenges that the ward face;
- Ward committees can also play an important in mobilising partnerships for the development of local projects;

### **b) Administrative Support and term of office**

Municipalities are required to make administrative arrangements to support ward committees in performing their functions. More importantly, allocation of resources and funds should be appropriately budgeted. The term of office of the members of the ward committee is as per the approved policy and should not exceed a period of three years.

### **c) Vacancies and termination of membership**

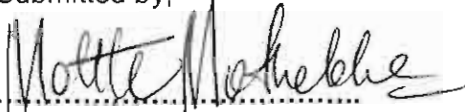
In line with the MMM Ward Committee policy, termination of membership occurs as a consequence of the following circumstances, namely

- Resignation;
- Death;
- Relocation from the ward;
- Election to a position of a councillor;
- Failure to attend three consecutive meetings without apology;
- Proven involvement in corruption;
- Involvement in proven activities that undermine the council or ward councillor;
- Ceasing to be a member of the political party/ organization the member represents
- Being declared insolvent or mentally incompetent by a court

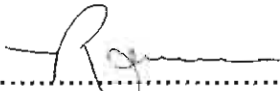
4. RECOMMENDATIONS

- a) That the Metropolitan Council re-affirm the Mayoral Committee System combined with the Ward participatory system.

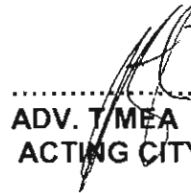
Submitted by;



.....  
**MR. MOTETE MOTHEKHE**  
**GENERAL MANAGER: SECRETARIAT**



.....  
**MS. MJ RAMAEMA**  
**HOD CORPORATE SERVICES**



.....  
**ADV. T. MEA**  
**ACTING CITY MANAGER**

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**Refer to: Ms M Lelosa**  
**Reference/File No:**  
**Telephone Ext: 051 405 8375**  
**Date: June 14, 2016**

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**THE SPEAKER  
COUNCIL ITEM**

**DESIGNATION OF MANGAUNG METRO OFFICE BEARERS AS FULL-TIME  
COUNCILLORS**

**PURPOSE**

The purpose of this report is to consider the appointment of the elected office bearers as full-time councillors

**BACKGROUND**

Section 18(4) of the Local Government Municipal Structures Act, (Act 117 of 1998) reads as follows:

*“(4) A municipality has the power to designate councillors determined by the MEC for local government as full-time. An MEC’s determination must be in accordance with a policy framework as may be determined by the Minister after consulting the MEC’s for local government.”*

This policy framework for the designation of full-time councillors was gazetted in 2002 when Notice 2073 of 2002 was published and the MEC for local government determined that the councillors who had been elected to the following offices would be designated as full-time:

- Speaker;
- Executive Mayor;
- Deputy Executive Mayor
- Members of the Mayoral Committee
- Council Whip.

This policy framework was amended by way of Government Notice 1064 dated December 14, 2011 where Section 79 Committee Chairpersons were also designated as full-time councillors

A councillor who is a full-time councillor may not undertake any other paid work, except with the consent of the Mangaung Metro Municipal Council which consent shall not unreasonably be withheld.



The Council may not designate any Councillor as full-time Councillor, unless it has received and considered a report from the Municipal Manager in terms of the provisions of Rule 70 of the Council's Standing Rules and Orders. The report of the Municipal Manager must be submitted at the first meeting of the Council after a general election of Councillors and reflect on the issues mentioned under Rule 71 of the Council's Standing Rules and Orders.

## **THE POWERS AND FUNCTIONS OF FULL-TIME COUNCILLORS**

### **The Speaker**

It is the role of the Speaker

- to preside over Municipal Council meetings so that its business can be carried out efficiently and effectively;
- to provide information and recommendations to the Municipal Council with respect to the role of Council;
- to carry out the duties of Chairperson of the Municipal Council under the Structures Act, Systems Act, the Municipality's Rules of Order, common law and tradition;
- to enforce the Code of Conduct; and
- to exercise delegated authority.

### **The Executive Mayor**

The election of an individual executive leader in the person of the Executive Mayor, has several advantages of which the key advantage is that it puts a "face" to Local Government. The Councillor who accounts for the performance of the Municipality is well known to residents and in this regard it would be necessary for the Council to delegate sufficient powers and functions to the Executive Mayor to enable him or her to take decisions regarding issues that affect the from day to day life of the community of Mangaung.

### **The Deputy Executive Mayor**

The Executive Deputy Mayor's role is twofold

- when acting in the stead of the Executive Mayor the role is identical to that of the Executive Mayor;
- when not acting in the stead of the Executive Mayor the role is defined in relation to the extent of powers delegated to the office or as a member of the Mayoral committee.

### **The Members of the Mayoral Committee**

The Mayoral Committee has no power on its own; it is an instrument to assist the Executive Mayor, to offer him/her advice and to take decisions together with the Executive Mayor with regard to designated powers. Decisions are those of the Executive Mayor but individual members of the Mayoral Committee may however be granted delegated powers. The Executive Mayor may delegate specific responsibilities to each member of the committee;

### **The Council Whip**

The Council Chief Whip's role spans both the political and administrative domains of the Council, with the emphasis on the political aspect. A range of political parties has representation on Council and the Council Chief Whip has to ensure that relationships are constructive and focused on the key issues at hand. This requires an approach in which the efficient functioning of the City has to be prioritised.

The Council Chief Whip also collaborates on a regular basis with the Council Speaker on issues of conduct, councillor benefits and governance. Furthermore, the Council Chief Whip acts as an interface between the Speaker, the Mayoral Committee and the Executive Mayor. Diplomacy and a thorough understanding of the Council system are therefore integral to successful communication and decision-making.

### **The Chairpersons of Section 79 Committees**

This report proposes that the role fulfilled by the Chairpersons of Section 79 Committees be recognized through their designation as a full-time councillors.

## **FINANCIAL AND ADMINISTRATIVE RESOURCES IN SUPPORT OF FULL-TIME COUNCILLORS**

The existing administrative resources and infrastructure which supported the previous full-time Councillors, are still available and may be used without any additional financial burden on Council.

## **OFFICE FACILITIES, OFFICE EQUIPMENT AND SECRETARIAL SUPPORT TO FULL-TIME COUNCILLORS**

The existing office accommodation in the Bram Fischer Building is suitable for utilisation by full-time Councillors and suitable supporting administrative staff is available.

The existing office equipment and furniture are also suitable and no real need for additional equipment should arise on the short term. A sufficient number of offices for full - time Councillors to serve on the Mayoral Committee, are available within the Bram Fischer Building.

Adequate office space has been allocated for use by the Section 79 Committee Chairpersons at the Leslie Monnanyane Building

Clerical support with regard to the preparation of agendas and minutes of the meetings of the Executive Mayor will be provided by the Sub-Directorate Secretariat Services.

**RECOMMENDATIONS**

- (a) that the Council designate the Speaker, Executive Mayor, Deputy Executive Mayor, Members of the Mayoral Committee, the Chairpersons of Section 79 Committees as well as the Council Whip as full-time Councillors;
- (b) that in order to maintain continuity and co-ordination, it will be proposed that the official working hours of full-time Councillors be the same as those of the administrative employees of the Council and
- (c) that full-time Councillors not be allowed to conduct any form of employment other than that of the Council.

Regards,



**GENERAL MANAGER: CORPORATE SECRETARIAT  
MR MOTETE MOTHEKHE**

**RECOMMENDED / NOT RECOMMENDED**



**HEAD: CORPORATE SERVICES  
MS MJ RAMAEMA**

**APPROVED / NOT APPROVED**



**ACTING CITY MANAGER  
ADV. TB/MEA**



Refer to: Mr. M Mothekhe  
 Reference/File No: 4/4/1  
 Telephone Ext: 051 405 8543  
 Date: August 01, 2016

**THE ACTING CITY MANAGER  
 COUNCIL ITEM (INAUGURAL COUNCIL MEETING)**

**ROLE, RESPONSIBILITIES AND ELECTION OF THE CHAIRPERSON OF MPAC**

**1. PURPOSE**

The purpose of this report is two-fold, firstly to appraise the Metropolitan Council on the responsibilities and functions of the Chairperson of MPAC and secondly to request the Council to elect one member to serve on a full time basis as the Chairperson of MPAC for the term of office.

**2. BACKGROUND**

Municipal Accounts Committees is a committee of the Council and structurally different from standing committees on public accounts, (SCOPA's), but by their nature and oversight role they are to resemble SCOPA's. The main purpose of the MPAC is to create a process of accounting that is more transparent, effective and efficient, thus enhancing political oversight and accountability in the use of municipal financial resources. Municipal Public Account Committee is a section 79 committee and fall within the domain of the speaker, who acts as the link between the MPAC and other municipal committees and structures.

The chairperson of MPAC has a responsibility of ensuring that MPAC (which is comprised of all political parties in council) meetings are held at regularly.

It has been a practice in the council that, membership of MPAC is based on a proportional representation from parties and membership only limited to this committee, this is the only committee which has more than ten (10) members due to the need to accommodate variety of inputs from political parties in Council. MPAC reports directly to the Municipal Council.

**3. SYNERGY BETWEEN MPAC AND OTHER COMMITTEES**

MPAC should develop working relations with other committees, especially the audit committee and finance section 80 committee. While guarding its independence, it should have right to refer matters to and receive matters from those committees. As part of the oversight function the committee must monitor the extend to which its recommendations and those of the Auditor-General are carried out. And in order to create transparency it is important that all the outcomes and resolutions of this committee be reported to the Council and made public.

3. **RESPONSIBILITIES OF MPAC**

<b>Responsibilities</b>	<b>Reporting Frequency</b>
Evaluate and assess all financial statements of all executive organs of the council;	Annually
Evaluate and monitor any audit reports issued on these statements;	Annually
Ensure compliance to reports issued by the Auditor-General on the affairs of the municipality entity	Annually
Investigate and assess any other financial statements or reports referred to it by the Council	Quarterly
Ensure compliance on the annual report on behalf of the Council, and then make recommendations to the Council;	Annually
Consider the Annual Report and submitting an Oversight Report to Council	Annually
Liaising and conducting public hearings on the Annual Report and reporting back to Council	As and when required
Submitting reports to council on the performance of municipal entities	Twice annually

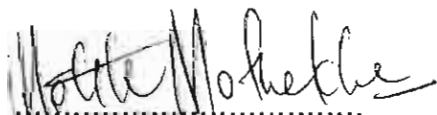
4. **COMPOSITION AND REPRESENTATION FROM POLITICAL PARTIES**

It is recommended that composition and membership from political parties be submitted and considered by the Council in the next ensuing ordinary Council meeting.

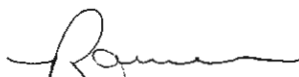
5. **RECOMMENDATIONS**

It is hereby recommended that the Metropolitan Council elect one councillor, to serve as the Chairperson of MPAC on a full time basis.

Submitted by;



.....  
**MR. M MOTHEKHE**  
**GENERAL MANAGER: SECRETARIAT SERVICES**



.....  
**MS. MJ RAMAEMA**  
**HOD CORPORATE SERVICES**



.....  
**ADV. T MEA**  
**ACTING CITY MANAGER**



---

Refer to: Mr. M Mothekhe  
Reference/File No: 4/4/1  
Telephone Ext: 051 405 8543  
Date: August 01, 2016

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**THE ACTING CITY MANAGER  
COUNCIL ITEM (INAUGURAL COUNCIL MEETING)**

**ELECTION OF THE CHAIRPERSONS OF THE OTHER SECTION 79 COMMITTEES**

**1. PURPOSE**

The purpose of this report is to request the Municipal Council to elect one (1) member to serve as the Chairperson of the Section 79: Rules Committee, one (1) member to serve as the Chairperson of the Remunerations and Benefits Committee and one (1) member to serve as the Chairperson of the Geographical and Street Naming committee for the 2016 - 2021 Council term of office.

**2. INTRODUCTION**

Section 79 of the Municipal Structures Act (Act No. 117 of 1998) as amended, allows a municipal council to establish one or more committees necessary for the effective and efficient performance of any of its functions or the exercise of any of its powers. Secondly councils may also appoint members of such committees from amongst its members. Depending on the conditions and prevailing reasons at any given point, the council may dissolve such committee at any time. The latter will normally happen if the committee is no longer fulfilling the mandate that necessitated its establishment.

**3. BACKGROUND**

The capacity of the municipal council to hold its executive accountable is also affected by particular of the committee system that the municipality opts for. Section 33 of the Municipal Systems Act provides that a municipality, taking into account the extent of its functions and powers, the need for delegation and the resources available, may establish committees.

The committee system is made up of Section 79 and Section 80 committees, which are named after the provisions of the Structures Act that regulate their establishment. Important, the municipal council determines the functions of these committees and may delegate powers and duties to them.

**4. LEGAL FRAMEWORK**

The legal framework affords the municipality substantial discretion on how to structure its committees its committee system, in our case it is propose that Council establish at least four (4) Section 79 committees which are as follows, namely:

NAME	OVERSIGHT AREA	COMPOSITION
<b>MPAC</b>	Municipal performance, Annual Reports and Audits	All parties represented on the committee
<b>RULES</b>	Council meeting rules & procedures	Proportional with a limit of 10 committee members
<b>REMUNERATION AND BENEFITS</b>	Remuneration Benefits of councillors and officials	Proportional with a limit of 10 committee members
<b>GEOGRAPHICAL AND STREET NAMING</b>	Naming of streets, new areas, other features	Proportional with a limit of 10 committee members

#### Proportional Representation by parties in the Section 79 Committees

PARTY	REPRESENTATION
<b>ANC</b>	5 members
<b>DA</b>	2 members
<b>EFF</b>	1 member
<b>ANA, COPE, AIC &amp; FF PLUS</b>	1 member representing the four parties
<b>TOTAL MEMBERSHIP</b>	10 members including the chairperson

#### Composition of MPAC

PARTY	REPRESENTATION
<b>ANC</b>	7 members
<b>DA</b>	2 members
<b>EEF</b>	1 member
<b>FF PLUS</b>	1 member
<b>ANA</b>	1 member
<b>COPE</b>	1 member
<b>AFRICAN INDEPENDENT CONGRESS</b>	1 member
<b>TOTAL MEMBERSHIP</b>	15 members including the chairperson

**4. RECOMMENDATION**

It is hereby recommended that

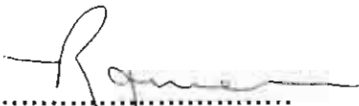
- 1) the Metropolitan Municipal Council elect chairpersons of the following Section 79 Committees, namely;
  - a) **Rules Committee**
  - b) **Remunerations and Benefits Committee**
  - c) **Geographical and Street Naming Committee**
- 2) that the composition and terms of reference of the above-mentioned Section 79 Committees be submitted in the next ensuing Municipal Council meeting and
- 3) that the Chairpersons of each Section 79 Committee be designated as full-time councillors.

**Submitted by;**



.....  
**MOTETE MOTHEKHE**  
**GM: SECRETARIAT SERVICES**

**Recommended/ Not Recommended**



.....  
**MJ RAMAEMA**  
**HOD: CORPORATE SERVICES**

**Approved/ Not Approved**



.....  
**ADV. T MEA**  
**ACTING CITY MANAGER**





Refer to: Mr. M Mothekhe  
 Reference/File No: 024345  
 Telephone Ext: 051 405 8543  
 Date: August 10, 2016

The Acting City Manager  
 Adv. T Mea

**REPORT ON THE COUNCIL REPRESENTATIVES TO SERVE ON THE LOCAL LABOUR FORUM**

**1. PURPOSE**

The purpose of this report is to request the Municipal Council to elect representatives who will serve on the Local Labour Forum (LLF)

**2. BACKGROUND**

The LLF was established in terms of circular number 01/2005 of the South African Local Government Bargaining Council as a platform for bargaining at municipal level and secondly, to promote national uniformity on how employers and organized labour address labour matters. The LLF functions within the framework of circular 01/2005 and also in terms of section 23 of the Labour Relations Act (Act No. 66 of 1995).

**3. DELIBERATIONS**

The purpose and objectives of the LLF is to provide for and regulate organizational rights for the organized labour within the Local Government sector. Secondly, to promote the following critical goals, namely;

- to create an environment conducive to establishment of sound working relations;
- to encourage orderly collective bargaining;
- to encourage greater levels of worker participation in the workplace within the sector;
- to encourage parties to seek reasonable and satisfactory solutions to disputes that may arise

**4. COMPOSITION**

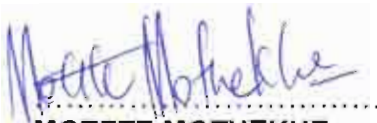
- a) the LLF should be established with equal representatives from the employer and organized labour;
- b) organized labour representation shall be divided in proportion to their respective membership;
- c) employer representation shall consist of councillors and management team, provided that councillors make up no less one third of the delegation;

- d) a total of 24 members constitute the LLF plenary which is divided into 12 members from each that is 12 members representing organized labour and 12 members representing employer.
- e) The following standing sub-committees are recommended, namely;
- Basic Conditions;
  - Human Resource Development; and
  - Work place and Service Restructuring

## 5. RECOMMENDATION

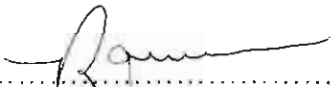
- a) that the Municipal Council nominate six (5) councillors who will serve as members of the LLF representing the employer; and
- b) that quarterly reports on the performance and functioning of the LLF be submitted to Municipal Council.

Submitted by;



**MOTETE MOTHEKHE**  
**GENERAL MANAGER: SECRETARIAT SERVICE**

Recommended/ Not Recommended



**MS MJ RAMAEMA**  
**HOD: CORPORATE SERVICES**



**ADV. T MEA**  
**ACTING CITY MANAGER**

---

Refer to: Mr. M Mothekhe  
Reference/File No: 4/4/1  
Telephone Ext: 051 405 8543  
Date: August 1, 2016

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**THE ACTING CITY MANAGER  
ADV. T MEA**

## **COUNCIL ITEM**

### **ADOPTION OF THE LANGAUGE POLICY AND PROMOTION OF MULTILINGUALISM WITHIN THE CITY**

#### **1. Purpose**

The purpose of this report is to appraise the Council on the reviewed Language Policy and to request the Municipal Council to endorse and advocate the principle of multilingualism in line with the bill of rights.

#### **2. Introduction**

The Constitution, together with the Municipal Systems Act (Act 32 of 2000), require Local Governments to *"take into account the language preferences and usage in their municipality and the special needs of people who cannot read or write"* for internal communication and external communication.

Municipal Councils are responsible for determining the official languages for the municipality based on local "language preferences and usage" and all public notifications must be communicated in these languages. In addition Councils must provide for the language needs of those who are not proficient in the official languages and render assistance to people who cannot read or write. How a municipality provides for additional language needs and assistance is left to the municipality's discretion

#### **3. Background**

The Mangaung Metro Council approved and adopted a Language Policy in November 2003. The purpose and objective of the adoption of the Language Policy was aimed at promoting effective participation and civic engagement by removing the language barriers to communication between the city administration and its communities.

This policy was adopted with the aim to further improve communication within the administration and enhance the promotion of cultural and linguistic diversity through the greater use of African languages.

During the 2011 community language survey, the language profiles and preferences of the community of Mangaung depicted the language preferences within the municipality as follows;

LANGUAGE	PERCENTAGE	PREFERENCE AMONGST YOUTH	MANGAUNG PREFERENCE	PROVINCIAL PREVALENCE
Sesotho	51,9%	40%	Across the city	60%
Afrikaans	15,8%	12%	Dominance in Heidedal & suburbs	15%
English	4.20%	22%	Business language	5%
Setswana	12,3%	8%	Spoken mainly in & around Thaba Nchu and Batho location	9%
isiXhosa	9.6%	5%	Spoken mainly in Phahameng & Rocklands	6%
Sign Language	1,1%	1%	Across the city	1,2%
Other	0.6%	1%	Across the city	0.9%

The above schematic representation provided a platform and rationale for the Municipal Council to make a determination regarding language classification and utilisation.

#### 4. Mangaung Metropolitan Language Policy

The Mangaung Municipality has developed a language policy in line with the prescripts of the Constitution and the policy covers internal and external form of spoken and written communication, including language of record, labour relations, workplace training, translation and interpretation, monitoring and evaluation and mechanisms for engaging the public on language-related issues.

The policy further enhances and ensures that a Language Unit is established whose main purpose and responsibility is overall language-related needs, including conducting language needs related to communication, interpretation and translation.

This policy also helps to mainstream language policies into municipal strategies and processes by raising awareness of multilingualism.

An annual review of the policy is conducted to enforce broad compliance by all municipal departments.

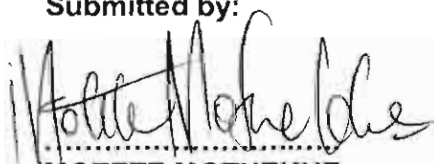
Language	Official	Administrative	Business Language
Sesotho	Yes	No	No
Afrikaans	Yes	No	No
English	Yes	No	Yes
Setswana	No	Yes	No
IsiXhosa	No	Yes	No

**5. Recommendation**

It is hereby recommended that

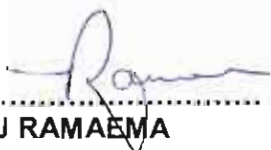
- a) The Council endorsed three official languages, Sesotho, Afrikaans and English;
- b) Council endorse the two Administrative Languages namely Setswana and isiXhosa.

**Submitted by:**



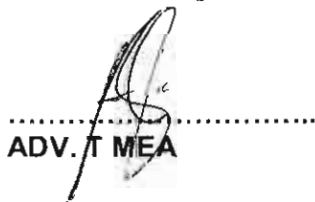
**MOTETE MOTHEKHE  
GENERAL MANAGER: CORPORATE SECRETARIAT**

Recommended/ ~~Not Recommended~~



**MJ RAMAEMA  
HOD: CORPORATE SERVICES**

Approved/ ~~Not Approved~~



**ADV. T MEA**

## MOTETE.MOTHEKHE

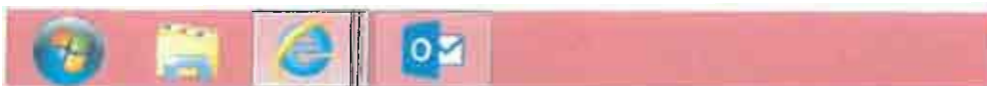
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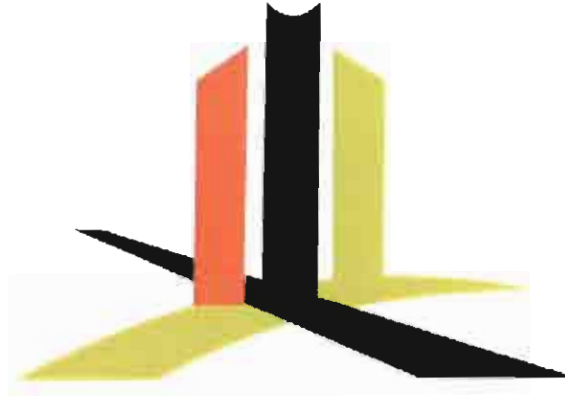
**From:** Mpolokeng M. Lelosa  
**Sent:** Friday, August 12, 2016 10:31 AM  
**To:** MOTETE.MOTHEKHE



**Chart** Data

Language	Percentage
Afrikaans	15,8%
English	4,2%
IsiNdebele	0,4%
IsiXhosa	9,6%
IsiZulu	0,9%
Sepedi	0,3%
Sesotho	51,9%
Setswana	12,3%
Sign Language	1,1%
SiSwati	0%
Tshivenda	0,1%
Xitsonga	0,1%
Other	0,6%
Not Applicable	2,6%





# MANGAUNG

AT THE HEART OF IT ALL

**MANGAUNG METROPOLITAN MUNICIPALITY  
LANGUAGE POLICY**

<b>MANGAUNG METROPOLITAN MUNICIPALITY</b>	
<b>POLICY TITLE: MMM LANGUAGE POLICY</b>	<b>POLICY NO:</b>
<b>DIRECTORATE: CORPORATE SERVICES</b>	<b>COUNCIL ITEM:</b>
<b>SUB-DIRECTORATE: CORPORATE SECRETARIAT</b>	<b>DATE APPROVED:</b>
<b>GENERAL MANAGER: Mr. MOTETE MOTHEKHE</b>	<b>EFFECTIVE DATE:</b>

## MMM LANGUAGE POLICY

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MMM LANGUAGE POLICY

**PREAMBLE**

**WHEREAS** the use of South African official languages must be promoted and pursued in accordance with the Republic's Constitution of 1996;

**AND WHEREAS** the Constitution of the Republic of South Africa 1996 provides 11 official languages of South Africa and also requires the Government to take positive measures of elevating the status and advance the use of indigenous languages;

**AND WHEREAS** the Constitution of the Republic of South Africa, 1996, requires all official languages to enjoy parity of esteem and be treated equitably,

## MMM LANGUAGE POLICY

### 1. INTRODUCTION AND BACKGROUND

The language barrier has been a dominant factor before the democracy of South Africa in 1994 particularly in the Free State where only two languages – Afrikaans and English have been officially used in the socio - economic and political domains of our society. After 1994, the Constitution of South Africa recognized other nine languages to make all eleven official languages.

It was then that the Local Government took an initiative of establishing the Municipal Systems Act in 2000 (Act 32 of 2000) which emphasized community participation whereby residents would have to be served in the language they understand best and access all the municipal services irrespective of language.

While the Constitution provides further that everyone has a right to use their language and to participate in the cultural life of their choice – section 30, the Mangaung Metropolitan Municipality Language Policy provides guidelines on how the Municipality should implement multilingualism in its communication processes to ensure that all residents are served with languages they understand. It also encourages and support employees to learn at least two official languages other than their own to promote national unity and to acknowledge and appreciate cultural diversity.

#### 1.1 Mandate

Municipalities must take into account the language usage and preferences of their residents – The Constitution of the Republic of South Africa Section 6(3) (b) and the following relevant Bill of Rights, Chapter 2.

- Equality and language (Section 9 (3))
- Language and Culture (Section 30)
- Cultural, religious and linguistic communities (Section 31 (1))

## MMM LANGUAGE POLICY

**The Mangaung Metropolitan Municipality Language Policy is informed by:**

- 1.1.1 The Constitution of the Republic of South Africa, 1996:
- 1.1.2 The National Language Policy Framework (NLPF) and Implementation Plan, 2003
- 1.1.3 The Pan South African Language Board Act, 1995 (Act No. 59 of 1995)
- 1.1.4 The Use of Official Languages Act, 2012
- 1.1.5 The Batho Pele White Paper, October 1997.

## MMM LANGUAGE POLICY

### 2. DEFINITIONS

In this policy, unless the context indicates otherwise-

**“Administrative Languages”** means the Municipal Languages – Setswana and IsiXhosa that are used within Mangaung but not referred as official languages;

**“Constitution”** means the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)

**“Council”** means the Metropolitan Council of the Municipality;

**“Interpreter”** means a person who transposes or interprets an utterance from the source language into the target language;

**“Language Unit”** means an entity within the Municipality that will ensure the implementation of the language policy and will be responsible for translation, interpreting and production of documents in official languages;

**“Multilingualism”** means the use of several official languages of the Municipality in the written or oral communication of the Municipality;

**“Municipality”** means the Mangaung Metropolitan Municipality which covers the three former Transitional Local Council of Thaba Nchu, Botshabelo and Bloemfontein and then Mangaung Local Municipality in 2000 until 2011 when it became Mangaung Metropolitan Municipality.

**“Official Language”** means an official language in terms of section 6(1) of the Constitution;

**“PanSALB”** means the Pan South African Language Board established in terms of the Pan South African Language Board Act, 1995 (Act No. 59 of 1995);

**“Policy”** means the Official Language Policy of Mangaung Metropolitan Municipality;

**“Translation”** means the transposing of a text from the source language into the target language in a form of writing;

**“Working Language”** means an official language chosen by the Municipality as the language most practicable to use in a communication;

## MMM LANGUAGE POLICY

### 3. AIMS

The aims of the MMM Language Policy are:

- 3.1 To designate the official languages which must be used for the purpose of the Municipality;
- 3.2 To promote the equitable use of the designated official languages of the Mangaung Metropolitan Municipality;
- 3.3 To facilitate equitable access to the Municipality services, knowledge and information for all the people of the Mangaung Region, including hearing impaired and visually impaired people in the spirit of Batho Pele;
- 3.4 To foster respect for and protect the language rights of the people of Mangaung.
- 3.5 To promote and encourage multilingualism;
- 3.6 To ensure social cohesion and contribute towards nation building by promoting all the languages used in the region of Mangaung for them to enjoy parity of esteem;
- 3.7 To promote collaboration with all language stakeholders to ensure effective management of resources;
- 3.8 To recognize, empower and affirm speakers of the previously marginalized languages;
- 3.9 To promote access to Information Act, 2000 (Act 2 of 2000) gives freedom to receive or impart information or ideas with own language usage. A requester whose request for access to a record of a public body must be given access in the language of their preference;

The promotion of equitable use of the official languages of the Municipality and the redress of the linguistic inequalities of the past which resulted in the underdevelopment of the African languages

### 4 Internal Spoken Communication

Due to the influx of different people moving into Mangaung, this Policy aims to ensure that the Municipality promotes multilingualism for the effective administration and communication within the Municipality which will enable the smooth facilitation of equitable access to municipal services and information.

## MMM LANGUAGE POLICY

It should protect language diversity and promote respect for multilingualism and unity within this Municipality bearing in mind that Sesotho is the predominant language in Mangaung. Therefore all the informative documents of the Council should be translated into Sesotho, i.e.

- 4.1.1 Minutes of the Council
- 4.1.2 IDP documentations
- 4.1.3 The conditions of service
- 4.1.4 Mangaung Website, Leave Forms
- 4.1.5 Standing Rules and Orders of the Council and
- 4.1.6 Other administration and official documents of MMM as and when required

### **4.2 Provision of Sign Language and Braille/ Computers with Jaws software**

This policy should make provision of Sign Language for the hearing impaired people and Braille for the visually impaired people if and when considered necessary as the Constitution of the Republic of South Africa States in section 6 5(a)(iii). This plan should be accessible within this Municipality.

It should implement and give effect to the provisions of Section 6 of the Constitution as well as the Batho Pele Principles and related service charters.

The disciplinary hearings, trainings and performance assessment in the Municipality will be conducted in the working language (English) also with the services of an interpreter and sign language available for those who cannot speak, understand or even hear the target language.

### **4.3 Language use and sequence as per Census statistics in Mangaung**

The Mangaung official languages in its sequence are Sesotho, Afrikaans and English and administration languages stated as Setswana and IsiXhosa. Therefore these official languages should be regarded as working languages that must be used for communication during meetings, interviews information sessions, conferences, consultations and workshops.

## MMM LANGUAGE POLICY

### 5. External Spoken communication

- 5.1 Members of the Public would be allowed to exercise their right to use any of Mangaung official language to ask questions verbally or in writing and the Municipality should respond to the public in the language that was used by the public during public meetings, imbizo, campaigns, etc.
- 5.2 Language technical means such as simultaneous interpreting and translation services should be provided from source official language to target official language within the Municipality to avoid miscommunications and unnecessary language barriers during meetings, discussions, etc
- 5.3 This policy should allow informative documents communicating to the public be available in at least three of the designated official languages allowing Municipality's interaction with the public, those are:
- 5.3.1 Municipal water, lights and rates accounts,
  - 5.3.2 Municipal application forms and vacancy adverts, tender adverts and forms;
  - 5.3.3 Official notices for general information to the public i.e. water disruptions, load shedding, road constructions, IEC voting information, Municipal budget speeches, etc

### 6. **Branding**

All identification signage, directions signs and road signs relating to municipal buildings, services, facilities, infrastructure and vehicles must be in all the official languages of the Municipality where practicable. Where this is practicable owing to financial constraints, a bilingual policy (English and another official language of the Municipality) may be adopted, provided that English is the one language and the other is Sesotho as the dominant language of this area. (Make provision for both Internal and External Written communications as recommended in the table of content).

### 7. **SCOPE OF APPLICATION**

This policy applies to employees directorates within the administration of the City.

The Mangaung Municipality should encourage and support private enterprise to develop and implement their own policies aligned and in accordance with this MMM Language Policy.

## 8. LEGISLATIVE CONTEXT

- (i) **The Constitution of South Africa, Chapter 2: Bill of Rights**  
Equality: The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, color, sexual orientation, age, disability, religion, conscience, belief, culture, **language** and birth. Section 30: Everyone has the right to use their language “enjoy parity of esteem” and participate in the life of their choice, but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights.

The protection of language diversity and the promotion of respect for multilingualism and unity in diversity – Section 9 (3) protect citizens’ unfair discrimination on the grounds of language.

- (ii) **Systems Act 32 of 2000.** The Municipality should keep record of all the systems, procedures and key information of the Council and of the employees in all the Municipal working languages as the section 57 of this Act dictates. All the Bargaining Council agreements stated in the Municipal Systems Act section 71 (1) should be applicable in multilingual – the budgets of the Municipality, National Economic Policies and the others. All the training, competency skills development of staff members of the municipality, including the in-house training, should be facilitated in three municipal working languages – Act 1 of The Skills Development Act, 1998.
- (iii) **Records Management Act** was regulated to provide Municipal Archives and Record Service the proper management and care of the records of the Municipality, Records Management Act No 36 of 2001.  
All the Municipal information about the Organization itself and the employees should be archived in the Records Services and should be available in all the Municipal working languages as per their sequence.

Some of the Municipal Records should be accessible to the public and should be accessible in their (the public’s) own language. A non-public record in the custody of the Municipal Archives shall be available for public access subject to any conditions agreed upon at its acquisition in terms of section 14 (1) of this Act.



## MMM LANGUAGE POLICY

This Act should together with this Language Policy, should make possible that all the documents of the Municipality are archived at the Records Management and those documents are translated into three working languages of the Municipality. No Institutional Record or Public Record at this Municipality should be transferred to an archives repository, should be destroyed, erased or otherwise disposed of without the written authorization of the General Manager Corporate Secretariat and the City Manager.

- (iv) **Municipal Finance Management Act 56 of 2003** has an objective which is to secure sound and sustainable management of the fiscal and financial affairs of the Municipal entities by establishing norms and standards and other requirements for; ensuring transparency, accountability and appropriate lines of responsibility using all working languages of the Municipality.

The Municipality should have a separate budget reserved for the Corporate Secretariat Sub Directorate with a unique vote allocated to all the expenses in as far as Municipal working languages are concerned. Section 87 5(a) of the MFMA states clearly that the budget of the Municipality should be balanced and in that manner, it should in all the means also cover all the interpreting devices such as mikes and ear pieces; the laptops with Jaws software installed and also Braille documentations for the visually impaired people.

The MFMA Act with this Language Policy should assist this Division to have and utilize its own services and refrain from outsourcing as this will help the Municipality to utilize the finances effectively, efficiently, economically and transparently according to the chapter 10 6(a) of the MFMA 56 OF 2003.

- (v) **Electronic Communications Act of 2014** and this Language Policy should assist the Municipality to have the Multilingual Call Centre. The Human Resource Management Team should have the services of computers that have the Jaws software for their interviews and prioritize the candidates who have the knowledge of more than two working languages during the interviews and the City Manager should appoint such candidates for vacant positions within the Municipality. This is key.

## MMM LANGUAGE POLICY

All the Municipal advertisements that will be sent to any assigned radio spectrum, should be advertised in all Municipal working languages according to section 5 (b (a)) of the Electronic Communications Act of 2005. All the enquiries and complaints regarding the improper use of the official languages of the Municipality should be directed to ICASA according to section 4B of the LSA Act, and may also be directed to the involved Municipality as well.

- (vi) **The Implementation Plan: National Language Policy Framework 2003, section 1.2.4** states that the local government will determine the languages use and preferences of their communities within an enabling provincial language policy framework. Upon determination of a language use and preference of communities, local government must, in broad consult with their communities, develop, publicize and implement a multilingual policy.
- (vii) **The Pan South African Language Board (PanSALB)** as the dynamic body that governs the implementation of the use of language promotes linguistic diversity multilingual languages, further, Section 6(5) provides for the promotion of multilingualism and see to it the development and use not only of the official languages but of the Khoi, Nama and San Languages as well as the **SA Sign Language**.

## 10. LANGUAGE UNIT

- 10.1 The Language Unit will facilitate, coordinate and monitor the implementation of this policy by providing translations, editing, interpreting, language training and terminology development services within the Municipality;
- 10.2 Raise awareness about the policy within the Municipality and ensure compliance and raise awareness among the residents about their language rights;
- 10.3 Report to the relevant language bodies i.e. The National Language Forum and Pan SALB as the official watchdog and protector of the language rights, on progress with the implementation of the policy, when requested;
- 10.4 Promote multilingualism within the Municipality and Mangaung as a whole and assess the implementation of the policy and effect the required changes.

## MMM LANGUAGE POLICY

10.5 The implementation of the language policy will increase the demand for translation and editing work and interpreting services especially in the indigenous languages. Therefore the core of translation expertise in these languages will have to be expanded. At least, the Unit should comprise of the following staff members for the effective and efficient administration within the Municipality:

10.5.1 Senior Language Practitioner

10.5.2 Language Practitioner: Afrikaans into Sesotho and vice versa

10.5.3 Language Practitioner: English into Sesotho and vice versa

10.5.4 Language Practitioner: Afrikaans into English and vice versa

10.5.5 Interpreters X 3 (Afrikaans into Sesotho, English into Sesotho & English into Afrikaans.

All the staff members from Language Unit should be professionals with valued certificates from accredited institutions – Universities or Central Universities as this Unit is a specialty on its own.

## 11. MONITORING

10.1 The Office of the Executive Mayor must monitor the implementation of the MMM Language Policy and report to the relevant Compliance Committees and to the Executive Council.

10.2 The Pan South African Language Board and the Free State Provincial Language Committee must also monitor the implementation of the MMM Language Policy and act according to their mandate.

## 12. COMPLIANCE

All the Municipal Departments must comply with the provisions of this policy.

## 13. REVIEW

The MMM Language Policy will be reviewed every five years.

## 14. CLOSING

This policy would be implemented thirty days after approval.