



CONFIDENTIAL

ANNEXURE

**MANGAUNG METROPOLITAN
COUNCIL**

VOLUME 3

1. ITEM 7.1 – PAGES 1 – A11
 2. ITEM 7.2 – PAGES 1 – 2
 3. ITEM 7.3 – PAGES 1 – 3
-

**WEDNESDAY
AUGUST 31, 2016**

**MANGAUNG
METROPOLITAN
MUNICIPALITY**

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

Bram Fischer Building
BLOEMFONTEIN
AUGUST 26, 2016



MANGAUNG
METRO MUNICIPALITY
METRO MUNISIPALITEIT
LEKGOTLA LA MOTSE

OFFICE OF THE
SPEAKER

PO Box 3704, Bloemfontein, 9300
7th Floor, Bram Fischer Building, De Villiers Street, Bloemfontein
Tel: +27(0)51 405 8667/8642, Fax: +27(0)51 405 8676

Your Ref:

Our Ref:

Room 701, Bram Fischer Building

Date: 24 August 2011

Council Item

Speaker

ESTABLISHMENT AND COMPOSITION OF SECTION 79 COMMITTEES

1. Purpose

The purpose of this report is to submit to Council for its approval a proposal on the terms of reference and the establishment and composition of Sections 79 Council Committees.

2. Introduction

Section 79 of the Municipal Structures Act, No 117 of 1998 (as amended) allows a Council of a municipality 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, a Council may also appoint the members of such a committee from among its members. And finally, depending on the conditions and existing reasons at any given point, the Council may dissolve such a committee at any time. The latter will normally happen if the committee is no longer fulfilling the mandate for its establishment. This first group of Committees are commonly referred to as Section 79 Committees.

3. Deliberations

In line with the provisions of Section 79 mentioned above, MMM intends to establish both the Sections 79 Committees. The committees will have certain authority and powers and will report on their work directly to Council through the Office of the Speaker.

The Committees will be constituted by Councillors from the different political parties represented in Council after consultations between the Chief Whip and the different political parties. Each political party will be represented in the Committee in a proportional manner based on the number of seats that each have gained during the elections and each Committee will have a maximum of ten members.

To regulate each Committee and its functioning, Council must also approve the terms of reference of the Committees. The terms of reference are hereto attached as annexure "A".

4. Recommendations


It is therefore recommended that:

- 4.1 Council approves the attached terms of reference for the Section 79 Committees which are marked as Annexure "A".
- 4.2 Council approves the establishment and composition of the following Sections 79 Committees.
 - 4.2.1 Oversight and Public Accounts.
 - 4.2.2 Public Places and Street Naming.
 - 4.2.3 Remunerations.
 - 4.2.4 Rules.
 - 4.2.5 Petitions and Community Liaison.
- 4.3 Council approves that the chairpersons Section 79 Committees will be full-time designated Councillors as per the report that was approved during the inaugural Council meeting of the 18th August 2016.
- 4.4 Council approves that the Chief Whip together with Whips of political parties represented in Council should finalise the representation of each political party in the Committees.


Adv. Tankiso Mea
Acting City Manager

Date: _____

Approved / not approved


Clr Mxolisi Siyonzana
Speaker

Date: _____

Terms of Reference

1. PUBLIC PLACES AND STREET NAMING COMMITTEE

1.1 Aims and objectives of the Committee

The aim for the establishment of the Committee is to deal with:

- a) The process for the control and regulation of the naming and renaming of geographical features in Mangaung Metropolitan Municipality.
- b) To keep and maintain the names bank, which is a database consisting of existing geographical names within the Mangaung Metropolitan Municipal area.

1.2 Frequency of meetings

- a) The Committee shall meet at least four (4) times per year, provided that the Committee may hold a special meeting to consider a specific matter/s.
- b) The chairperson of the Committee shall convene such a special meeting after receipt of a written request from members that must also include the items that must be discussed.
- c) Council will annually approve a schedule of meetings of the Committee.

1.3 Mandate of the Committee

The Committee shall be responsible for the following:

- a) To perform its functions in line with the approved policy of Council.
- b) To receive and process applications for the naming and renaming of all public places, streets and other properties within Mangaung Metropolitan Municipal area.
- c) To receive any objections on the process of naming and renaming and any other processes such as interviews and hearings with the parties lodging such applications or objections and to submit the reports of such interactions to Council.
- d) To ensure that any new development adheres to the policy on naming and renaming of geographical features.
- e) To review on regular basis the Policy for the Naming and Renaming of Geographical Features, with the objective of recommending amendments and/or any relevant changes to Policy and recommend or refer such to the Rules Committee for consideration.
- f) To initiate and set in motion the necessary processes for naming and/or renaming
- g) To provide guidelines for the standardization of the approved names.
- h) To initiate process of naming and renaming based on valid reason including the standardization of names.
- i) To liaise on own initiative and when so requested and/or instructed by Mangaung Metropolitan Municipal Council, with the Provincial Geographical Names Council and/or South African Geographical Names Council.

- j) To promote awareness of the economic and social benefits of the standardization of geographic names.
- k) To ensure the implementation of standardized geographical names in South Africa.
- l) To recommend to Mangaung Metropolitan Municipality Council the approval of proposed new names and/or for renaming.
- m) To communicate with Provincial Geographical Names Council and/or South African Geographical Names Council the decisions and relevant information on names approved by Council.
- n) To communicate to local communities and other stakeholders by using all forms of consultation, including publications and media, the decisions of Council on any approved new name or renaming exercise.
- o) To perform any other functions and exercise any other powers reasonably assigned to it by the Council.

2. REMUNERATIONS COMMITTEE

2.1 Aims and objectives of the Committee

The aim and objective for the establishment of the Committee is:

- a) To deal with matters of remunerations and benefits payable to employees and Councilors.
- b) To set parameters for engagement between the Executive Mayor on the one hand and the City Manager and managers reporting directly to him on the payment of salaries/wages and benefits.
- c) To set guidelines for an equitable and fair procedure for the determination of salaries/wages of employees.
- d) To act in line with the guidelines and procedures provided by Salga and the Bargaining Council on salaries/wages of employees.

2.2 Frequency of meetings

- a) The Committee shall meet at least four (4) times per year, provided that the Committee may hold a special meeting to consider a specific matter/s.
- b) The chairperson of the Committee shall convene such a special meeting after receipt of a written request from members that must also include the items that must be discussed.
- c) Council will annually approve a schedule of meetings of the Committee.

2.3 Mandate of the Committee

The Committee shall be responsible:

- a) To consider reports and considerations from the Local Labour Forum.
- b) To develop, approve and conduct regular reviews of the remuneration and other related human resources policies for employees.
- c) To consider the reports of the Executive Mayor and make recommendations to Council on remuneration (salaries/wages) and other benefits of employees.
- d) To consider the report of the Oversight and Public Accounts Committee on the payment of performance bonuses of senior managers and to make recommendations to Council, if necessary, after the evaluation of such a report.
- e) To develop an incentive scheme for payment to other employees who are not on performance contracts as a method to encourage high performance.
- f) Any other matters which the Council may determine from time to time.

3. RULES COMMITTEE

3.1 Aims and objectives of the Committee

The aim for the establishment of the Committee is:

- a) To develop and administer the implementation of Standing Rules and Orders for the entire operations of Council.
- b) To set up procedural and regulatory policies and framework for Council and its Committees.
- c) To develop and monitor the implementation of rules, policies and other mechanisms for the efficient operations of Council and its Committees.
- d) To monitor Mangaung Metropolitan Municipality's adherence and compliance to national and provincial legislation and regulations.
- e) To diligently perform its powers and functions in terms of these terms of reference.
- f) To be responsible to initiate and implement any changes to any policies of Council.

3.2 Frequency of meetings

- a) The Committee shall meet at least four (4) times per year, provided that the Committee may hold a special meeting to consider a specific matter/s.
- b) The chairperson of the Committee shall convene such a special meeting after receipt of a written request from members that must also include the items that must be discussed.
- c) Council will annually approve a schedule of meetings of the Committee.

3.3 Mandate of the Committee

The Committee shall be responsible for:

- a) The development and any subsequent reviews or amendments of the Council's Standing Rules and Orders.
- b) The development of rules and procedures for all section 79 Committees and ward committees.
- c) The determination and/or formulation of policy and procedures regarding the appointment of Councilor as members of any committee including substitute/replacement as well as alternates.
- d) The determination or formulation of policies regarding privileges and benefits of and use of facilities by Councillors.
- e) The determination and/or formulation of policy guidelines and procedure in respect of local and international conferences, overseas and other trips undertaken by Councilors, including the consideration of financial implications thereof.

- f) To consider and spearhead on behalf of Mangaung Metropolitan Municipality the process of making inputs or comments regarding the introduction, possible amendments or repeal of any legislation pertaining to Local Government.
- g) To oversee and monitor proper and efficient implementation of Mangaung Metropolitan Municipal by-laws.
- h) The co-ordination and streamlining of all policies approved by the Council with a view to ensure consistency.
- i) The appointment to, substitution or cancellation of membership of the Council's representatives to outside bodies.
- j) The development and monitoring of the implementation of policy on allowances for Councilors who are representing Council outside of the jurisdiction of Mangaung Metropolitan Municipality.
- k) To develop procedural guidelines for the management and operation of Section 79 Committees and submit them to Council for approval.
- l) Any other matters which the Council may determine from time to time.

4. PETITIONS AND COMMUNITY LIAISON COMMITTEE

4.1 Aims and objectives of the Committee

The aim for the establishment of the Committee is:

- a) To receive and process any petition or serious complaints submitted to it by a Councillor and community members or group/s as may be referred by the Speaker or City Manager provided that the City Manager must first inform the Speaker of any petition he or she receives.
- b) To engage with community members or group/s who have submitted a petitions to ensure with the intention to resolve the issues that have been raised.

4.2 Frequency of meetings

- a) The Committee shall meet at least four (4) times per year, provided that the Committee may hold a special meeting to consider a specific matter/s.
- b) The chairperson of the Committee shall convene such a special meeting after receipt of a written request from members that must also include the items that must be discussed.
- c) Council will annually approve a schedule of meetings of the Committee.

4.3 Mandate of the Committee

The Committee shall be responsible for:

- a) To receive and process petition/s or serious complaints submitted to it by a Councillor and community members or a group.
- b) To refer any petition or a serious compliant that could not be resolved to Executive Mayor or the Council.
- c) To periodically submit its report and recommendations on any matter handled and resolved to Council.
- d) To follow up on actions and progress with regard to handling of issues and matters raised in the petition by the responsible persons or Committees of the Municipality.
- e) To provide feedback to community members or group/s who submitted a petition to the Municipality.
- f) To regularly interact with MMM officials responsible for processing of applications for marches and petitions.
- g) To regularly interact with stakeholders including SAPS members who are usually referred to as Section 4 on issues of marches and petitions.
- h) To regularly interact with the City Manager and/or members of the EMT on issues raised in petitions by community members or group/s.
- i) To regularly interact with relevant state security agencies on the potential security risks and challenges facing the Municipality.

5. MUNICIPAL PUBLIC ACCOUNTS COMMITTEE (MPAC)

5.1 Composition

In line with the Guideline on "the Establishment of Municipal Public Accounts Committees (MPACs" issued by the Department of Co-operative Governance and National Treasury on 12 August 2011. The municipalities with more than 60 Councillors may nominate up to 13 Councillors. The said guide further provide as follows:

- a) No office bearer/ executive Councillors in the municipality may serve on the Committee;
- b) The Executive Mayor, Deputy Executive Mayor, the Speaker and Chief Whip of Council, Member of the Mayoral/Executive Committee may not be a member of MPAC but can serve in *ex officio* capacity;
- c) Members should be appointed for the term of Council, however, this is subject to the right of the Council to remove committee members by way of Council resolution;
- d) Consistent with the provision of section 160(8) of the Constitution of South Africa, membership of the committee must be such that it allows parties and interests reflected within Council to be fairly represented in the MPAC;
- e) MPAC Members should preferably not serve in other Committees; and
- f) Councillors appointed to the Committee should have a wide range of experiences and expertise in order to enable the Committee to exercise its oversight functions optimally

5.2 Appointment of Chairperson

The Chairperson of the Committee is appointed by Council resolution.

The Council should take into account the skills required to perform the functions of public accounts when selecting the Chairperson

5.3 Authority

The MPAC has the authority to:

- a) Develop and implement mechanisms to ensure that all Councillors fully understand and participate in the processes and activities initiated and conducted by the Committee during the *review of the Annual Report for the purpose of developing an Oversight Report*.
- b) Call any Councillor to report on any matter reported in terms of finances to ensure that every cent is accounted for.
- c) Request, access information and monitor such based on suspicion of imprudent financial management.
- d) Have unrestricted access to employees of Council, (through the Office of the Accounting Officer), information relating to all personnel, books of account, records, assets and liabilities of the Council and to any other sources of relevant information that may be required from the Council for the purpose of carrying out its duties and responsibilities.

- e) Seek any information (and have access) it requires from any MMC/Councillor. All MMCs and Councillors are expected to co-operate with any request made by the Committee.
- f) Request committee members, management and other employees of the Council to be present at a given meeting for possible interview and input regarding items on the agenda;
- g) Have direct access to internal and external auditors and may request investigations in any matter when necessary.
- h) Request any person to give evidence before it, or to require any person or institution to report to it. In the interest of accountability, the Committee may call individuals who were responsible at the time of the events, even though they may since have resigned from the municipality.
- i) Receive technical support from the Internal Audit Division.
- j) Monitor the extent to which its recommendations and those of the Auditor-General are carried out.
- k) Invite and receive submissions from the public in relation to the Annual Report.
- l) Consider recommendations and reports from the Audit Committee.
- m) Consider any financial reports or financial statements jointly with the Audit committee
- n) Continuously make follow-ups on previously made recommendations and resolutions as well as current in-year reports, inclusive of quarterly, mid-year and annual report in order to finalise all outstanding matters.

5.4 MPAC is not authorized to

- a) Discuss matters that are still under investigation or *sub-judice*, but can 'in-committee' receive progress reports on matters under investigation;
- b) Report to Council on allegations not investigated; and
- c) Call any person outside Council (*e.g. contractor, service provider, etc*) to account for the monies of the municipality and the municipal entity where such outside person is implicated in the forensic investigation report.

5.5 Role of MPAC

The Committee is accountable to Council and has an independent role, operating as an advisor and make recommendations to the Council for its consideration and final approval. The Committee does not assume the functions of management which remain the responsibility of the Accounting Officer, Heads of Departments, officers and other members of senior management. The role of the Committee is to assist the Council/ayoral Committee to that ensure that:

- a) The municipality fulfils its constitutional mandate of service delivery to the community and achieves the set objectives.
- b) The municipality is managed in an efficient, effective and ethical, corruption and fraud free manner.
- c) The municipal resources are utilized in an economic manner.

5.6 Responsibilities and functions

The Committee must perform all the following functions:

- a) Develop the oversight report on the annual report (Section 129)
 - The MPAC must consider the annual report and prepare an oversight report (as guided by the National Treasury Circular 32) to be submitted to Council for the purposes of adopting the oversight report.
 - In preparing the oversight report, the MPAC must consider all representations in connection with the annual report received from the local community.
 - The meeting of the MPAC must be open to the public and members of the local community must be allowed to make representations in connection with the annual report at the meeting.
- b) Examine the Auditor-General's report on the financial statements and responses thereto with a view of ensuring satisfactory responses and corrective action;
- c) Examine specific reports of the Auditor General ;
- d) Examine reports in respect of any disciplinary actions taken in term of the Municipal Finance Management Act (MFMA);
- e) Examine the report of the Audit Committee and ensure that the municipality at all times has an operational audit committee;
- f) Consider improvements from previous financial statements/reports and evaluate the extent to which the Audit Committee and the Auditor-General's recommendations have been implemented;
- g) Review past recommendations on Annual Report (track resolutions of Council thereon)
- h) Work very closely with the Audit Committee, an independent body that reports to Mayoral Committee and Council;
- i) Report to Council on the activities of the Committee;
- j) Promote good governance, transparency and accountability on the use of municipal resources;
- k) Perform any other functions assigned to the Committee by resolution of Council in its area of competence;
- l) Deliberate on the following financial reports as permanent referrals to the MPAC after having served before Council as addressed in the Municipal Finance Management Act:
 - Unforeseen and unavoidable expenditure (section 129);
 - Unauthorised, irregular or fruitless and wasteful expenditure (section 32)
 - Monthly budget statement (section 71)
 - Quarterly report on the budget and the financial state of affairs of the municipality (section 52)
 - Mid-Year budget and performance assessment (section 72);
 - Mid-year budget and performance assessment of municipal entities (section 88);
 - Register of Financial Interest of Councillors, Directors and Officials (section 124);
 - Quarterly reports on Councillors' arrears
- m) Engage the Executive Mayor in relation to the following matters as outlined in the Municipal Systems Act:

- Review of the IDP post elections (section 25)
 - Annual review of the IDP (section 34); and
 - Performance Management Plan (section 39)
- n) Monitor that the annual budget is informed by the IDP; and
- o) To monitor that all declaration of interest forms are completed by Councillors on an annual basis.

5.7 Reporting

- a) Reports of the MPAC submitted to the Council and once Council has consideration, thereafter, copies should be forwarded to the Provincial Legislature, National Treasury and the Department of Co-operative Governance and Traditional Affairs;
- b) MPAC should report to full Council at least quarterly;
- c) The names of people implicated during deliberations should not be included in the report, except in exceptional circumstances and only if all members of the MPAC and Rules Committee agree;
- d) The Internal Audit and legal division should advise on the technical content and legal implications of MPAC reports; and
- e) The MPAC reports should be communicated to the Accounting Officer and the Rules Committee prior to submission to Council.

5.8 Monitoring

- a) The Committee shall develop a monitoring mechanism in line with the approved *annual work plan*;
- b) The Committee should monitor and follow-up on the resolutions taken by Council to ensure implementation. It must also give time-frames as to when those resolutions should be implemented and reported on in terms of progress;
- c) The Committee has the right to calling of evidence, including requesting Councillors and officials to appear before the Committee and to produce any required documents.

5.9 Frequency and procedures of meeting

The Committee must hold sufficient scheduled meetings to discharge all its duties as set out in these terms of reference, but subject to a minimum of four meetings per year.

The Chairperson of the Committee may meet with the Accounting Officer, Chief Audit Executive, Chief Risk Officer and the GM: Secretariat prior to a Committee meeting to discuss important issues and to finalize the agenda.

5.10 Attendance

- a) The MMC, Accounting Officer (City Manager), Heads of Departments, Chief Risk Officer, Chief Audit Executive or other members of senior management, as may be required,

other assurance providers and Councillors may be in attendance at Committee meetings, but by invitation only and they may not vote;

- b) Committee members must attend all scheduled meetings of the Committee, including meetings called on an ad hoc basis for special matters, unless prior written apology, with reasons, has been submitted to the Chairperson or Secretariat of the Committee; and
- c) If the appointed Chairperson of the Committee is absent from the meeting, the members present shall elect one of the members present to act as Chairperson.

5.11 Agenda and minutes

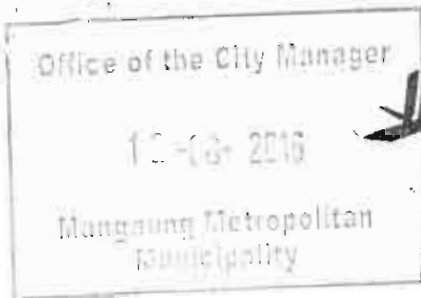
- a) The Committee must establish an annual work plan for each year to ensure that all relevant matters are covered by the agendas of the meetings planned for the year.
- b) The annual work plan must ensure proper coverage of the matters laid out in these terms of reference – the more critical matters will need to be attended to each year while other matters may be dealt with on a rotation basis over a three-year period.
- c) The number, timing and length of meetings, and the agendas are to be determined in accordance with the annual work plan.
- d) Committee members must be fully prepared for Committee meetings, to provide appropriate and constructive input on matters for discussion.
- e) The minutes of the meeting must be produced 7 days after the meeting.
- f) The minutes must be formally approved by the Committee at its next scheduled ordinary meeting.

5.12 Quorum

- A quorum for meetings is fifty percent of the members of the Committee plus one. Individuals in attendance at Committee meetings by invitation may participate in discussions but do not form part of the quorum for the Committee meetings.
- Should the required quorum not be present within fifteen minutes after the time scheduled for the meeting to start, the meeting shall stand adjourned until a time to be determined.

5.13 Evaluation

The Council must perform an evaluation of the effectiveness of the Committee every year.



10-08-2016
DIRECTORATE CORPORATE SERVICES
RECEIVED
ADMINISTRATION

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

Responsibilities	Reporting Frequency
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

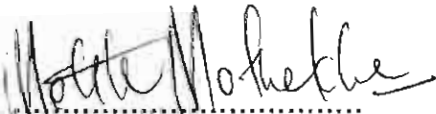
4. COMPOSITION AND REPRESENTATION FROM POLITICAL PARTIES

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

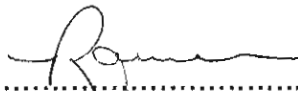
5. RECOMMENDATIONS

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



MANGAUNG

METRO MUNICIPALITY
METRO MUNISIPALITEIT
LEKGOTLA LA MOTSE

DIRECTORATE
CORPORATE SERVICES

Refer to: Mr. M Mothekhe
Reference/File No: 4/4/1
Telephone Ext: 051 405 8543
Date: August 26, 2016

**SPEAKER
COUNCIL ITEM**

**ELECTION OF THE CHAIRPERSONS OF THE OTHER SECTION 79 COMMITTEES:
RULES, REMUNERATIONS AND BENEFITS, THE GEOGRAPHICAL AND STREET
NAMING COMMITTEE & PETITIONS AND COMMUNITY LIAISON COMMITTEE**

1. PURPOSE

The purpose of this report is to request the Municipal Council to elect one member to serve as the chairperson of the section 79: Rules committee, one member to serve as the chairperson of the Remunerations and Benefits committee and one member to serve as the chairperson of the Geographical and Street Naming committee for the 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. And finally, 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 for 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 section 79 committees which are as follows; namely



NAME	OVERSIGHT AREA	COMPOSITION
MPAC	Municipal performance, Annual Reports and Audits	All parties represented on the committee
RULES	council meeting rules & procedures	Proportional with a limit of 10 committee members
REMUNERATION AND BENEFITS	Remuneration Benefits of councillors and officials	Proportional with a limit of 10 committee members
GEOGRAPHICAL AND STREET NAMING	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
ANC	6 members
DA	2 members
EEF	1 member
ANA, COPE, AIC & FF	1 member representing the four parties
TOTAL MEMBERSHIP	10 members including the chairperson

Composition of MPAC

Party	Representation
ANC	7 members
DA	2 members
EEF	1 member
FF PLUS	1 member
ANA	1 member
COPE	1 member
AFRICAN INDEPENDENT CONGRESS	1 member
TOTAL MEMBERSHIP	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
 - d) Petitions and Community Liaison Committee

Recommended/ ~~Not Recommended~~


.....
ADV. T. M. M. A.
ACTING CITY MANAGER 26/08/2016

Approved/ Not Approved


.....
COUNCILLOR MA SIYONZANA
SPEAKER

