

Office of the City Manager

12-00-2021

Mangaung Metropolitan
Municipality



MANGAUNG

METRO MUNICIPALITY
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LEKGOTLA LA MOTSE

DIRECTORATE
CORPORATE SERVICES

Corporate Secretariat

Ref: Mr M Mothekhe

Ext: 8095/8543

Date: August 12, 2021

**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 resignation 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 remaining 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, councillor's 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 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 the 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.

3. REPORTS OF THE SPEAKER TO COUNCIL

AT THE HEART OF IT ALL

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
- Report from the Executive Mayor on the implementation of the council resolutions;
- Public participation in council activities; and
- Linkages with other Speakers

4. COUNCIL TRAINING AND DEVELOPMENT

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

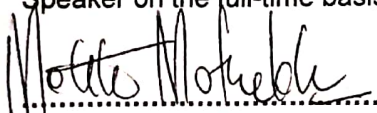
5. RESPONSIBILITY OF THE SPEAKER

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

Responsibilities	Reporting Frequency
Presides over and ensure order during council meeting	Quarterly
Ensure that Council at least meets quarterly	Annually
Ensure compliance in the council and council committee with the code of product	Quarterly
Enforce compliance by councillor to Standing Rules and Orders of Council (maintain orders during council meeting)	Annually
Granting of leave of absence to councillor	Annually
Report on the performance of ward committee	Annually
Report on the Capacity training of Councillors	Annually
Report on the performance of Council committee	Annually

6. RECCOMENDATION

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



MR. M MOTHEKHE
GENERAL MANAGER: SECRETARIATE SERVICES



MR. S MORE
ACTING CITY MANAGER