



MANGAUNG

METRO MUNICIPALITY
METRO MUNISIPALITEIT
LEKGOTLA LA MOTSE

DIRECTORATE
CORPORATE SERVICES

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Refer to : Mr M Mothekhe
Reference No : 4/4/1
Extension : 8543/8780
Date : November 09, 2021

**TO 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 2021 Local Government Elections. This oath or affirmation is to ensure their commitment to the citizens of 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 the Rules 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 or 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 oath. This will be provided by the Secretariat for this purpose. The signed oath or affirmation must be then be handed to the Secretariat before the councillor returns his/her seat.

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AT THE HEART OF IT ALL



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 and oath and affirmation and
- b) That all councillors be requested to take either the prescribed oath or solemn affirmation.

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**ACTING CITY MANAGER
MR SELLO MORE**