**CHAPTER 4**

**INTERGOVERNMENTAL RELATIONS**

**4.1. MUNCIPAL INTERGOVERNMENTAL RELATIONS FRAMEWORK**

**4.1.1. PURPOSE**

Intergovernmental relations (IGR) concern the interaction of the three spheres of government, namely national, provincial and local spheres of government and their institutions. Although the spheres are seen as distinctive and inter-dependent, they are, in fact, inter-related. Meaning that, in a multi-sphere political system, such as the one of South Africa, it is important to ensure co-operation between different spheres. The primary objectives of IGR is the aim to achieve a uniform implementation of policy and legislation, establishment of inter-governmental structures, management of the conduct of inter-governmental relations, monitoring and reporting, as well as the settlement of disputes.

**4.1.2. LEGISLATION**

Intergovernmental Relations is underpinned by:

**The Constitution of the Republic of South Africa (act 108 of 1996**); The Constitution states that the National, Provincial and Local spheres of government are distinctive, interdependent and integrated. Section 41 (1) of the Constitution alludes to cooperation, mutual trust and good faith between the three (3) spheres. The constitution further binds the three spheres of government and organs of state to the basic principles of co-operative government and intergovernmental relations.

**The Intergovernmental Relations Framework Act (13 of 2005);** The IGR framework act was introduced in 2005. Section (5) of the IGR Act makes provision for the three spheres of Government in conducting their affairs to seek to achieve the object of this act, by –

1. Taking into account the circumstances, material interests and budget of other spheres of government and organs of state when exercising their statutory powers or performing their statutory functions;
2. Avoiding unnecessary and wasteful duplication or jurisdictional contests;
3. Taking all reasonable steps to ensure that they have sufficient institutional capacity and effective procedures.

The three Acts that govern the operations of local government viz; Municipal Finance Management Act, (Act No. 117 of 1998), Municipal Structures Act, (Act No. 32 of 2003) and the Municipal Systems Act, (Act No. 32 of 2000) provide for legal co-operation governance to take course, emphasising the monitoring and supporting role that the national and provincial government should play in the affairs of local government.

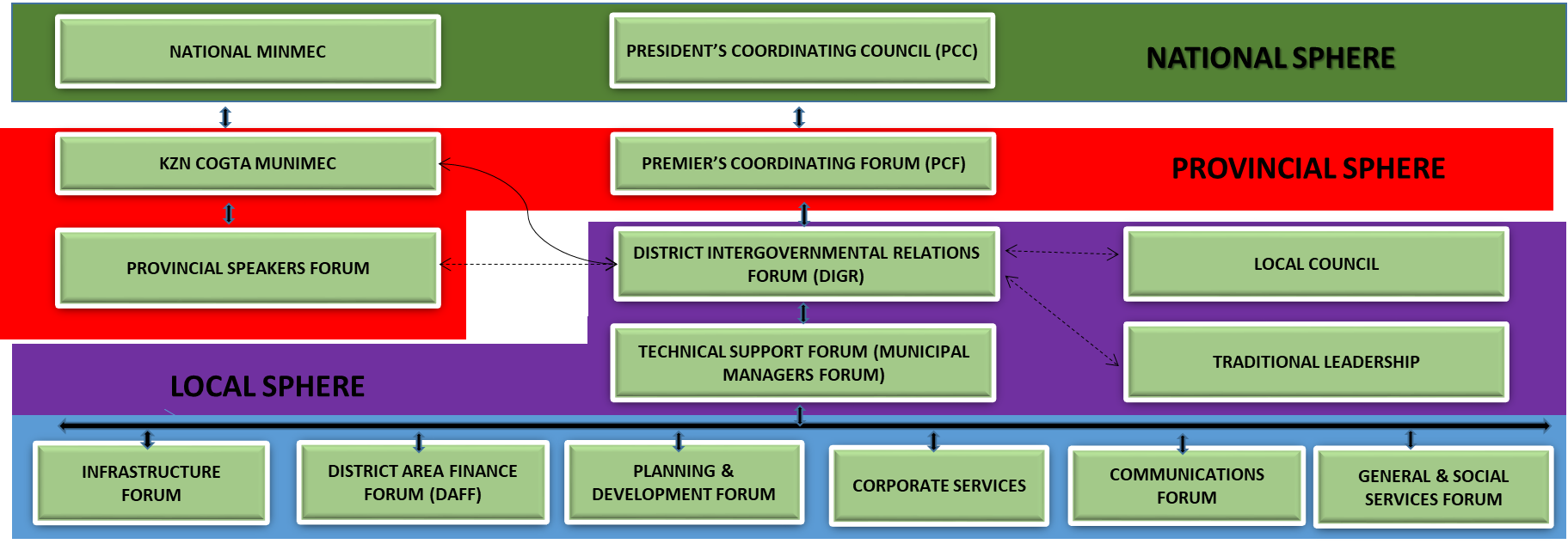
**4.1.3. APPLICATION**

IGR structures are the main coordinating machinery that not only streamline governance in the Province through being functional but also need to be aligned to one another in order to avoid a duplication of roles and responsibilities and ensure accountability. Effective intergovernmental forums are therefore at the heart of a system of intergovernmental relations. They are often complemented and supported by technical structures, where officials of the same spheres of government meet in preparation and support of the political equivalent.

**4.1.3.1. Role of IGR Forums**

The key task of any IGR Forum is to be a platform where the constituent organs of state share information and consult and coordinate their activities. This is particularly important with regard to planning. IGR Forums are key drivers for coordinated planning. Development planning in each sphere of government must be co-ordinated with the development planning of other spheres within the overall framework of national development planning. In addition, IGR Forums are a useful avenue to avert public confrontation and judicial action when there are tensions between spheres of government.

**FORUMS ESTABLISHED IN THE PROVINCE**



**4.1.3.2. Key IGR Forums**

There are a plethora of informal activities and meetings that would constitute an IGR Forum. For example, every time a Member of the Provincial Executive Council meets with a Mayor to discuss an issue of common concern, one could speak of an ‘IGR Forum’.

However, there are quite a number of IGR Forums that have been formalised, either by law or by consistent practice. Some of them include:

(a) President’s Coordinating Council;

(b) MinMECs;

(c) Budget Council;

(d) Premier’s Intergovernmental Forums;

(e) Forum of Municipalities and Members of the Executive Councils; and

(f) District Intergovernmental Forums.

**4.1.3.2.a President’s Co-ordinating Council (PCC)**

The PCC is a consultative forum for the President in which he or she raises matters of national interest with provincial governments and local government and hears their views on those matters.

**4.1.3.2.b. MinMECs**

These are Sectoral policy forums made up of the national ministers responsible for concurrent functions and their provincial counter-parts. SALGA represents local government on a number of these forums.

There are various policy matters that get discussed at MINMEC structures that have a huge impact for the Province.

The Province could enhance its role at these structures by preparing a consolidated position on matters to be discussed at MINMECs.

Furthermore, there is an Executive Council decision taken previously that reports must be tabled following each MINMEC meeting attended by the Member of the Executive Council.

**4.1.3.2.c. Premiers’ Coordinating Forum (PCF)**

The IRFA requires that each Premier must establish a Premier’s Intergovernmental Forum. These Forums have different names in different provinces but exist on the basis of Section 16 of the IRFA (2005).

**4.1.3.2.d MuniMEC**

The MuniMec is an IGR structure which was established by the MEC of the Department of Co-operative Governance and Traditional Affairs in October 2011, as a consultative forum between the Provincial Department responsible for Local Government and Municipalities.

The membership comprises the MEC of the Department of Co-operative Governance and Traditional Affairs, the Mayors of all municipalities, President of ILGM and the Chairperson of SALGA. Municipal Managers and the Head of Department of COGTA attend in an observatory capacity.

The MuniMec structure is scheduled to meet four times per year and is supported by the Technical MuniMec. The MuniMec is a useful mechanism to facilitate dialogue between the MEC for local government and municipalities. If utilised for its intended purpose, MuniMec would facilitate networking and strengthen linkages among the three spheres of government and other relevant stakeholders.

Issues are deliberated on and if necessary are escalated to the Premiers Coordinating Forum for resolution or escalation to the President’s Coordinating Council.

**4.1.3.2.e. Technical MuniMec**

The Technical MuniMEC is chaired by the Head of Department of Co-operative Governance and Traditional Affairs. The membership comprises the Head of Department, Municipal Managers of all municipalities and the Provincial Executive Officer of SALGA. The aim of the forum is to provide technical support to the MuniMEC. The Technical MuniMec is held four times per year and is always scheduled prior to MuniMec.

**4.1.3.2.f. District Intergovernmental Forums**

In terms of S24 of the Intergovernmental Relations Framework Act, a district intergovernmental forum must be established in each district, comprising the Mayor of the district municipality as the chair and the Mayors of the local municipalities as members. In KwaZulu-Natal, 10 district IGR forums have been established to facilitate co-operative governance in the district area as a whole.

The district forums have been established in the Province supported by the Municipal Managers forum (TSF) providing technical support to the Mayors forums.

There is a district intergovernmental forum to promote and facilitate intergovernmental relations between the district Municipality and the local municipalities in the district.

**4.1.4. Role of the District Intergovernmental Forum**

**4.1.4.1.a. District Mayors Forum**

The role of a district intergovernmental forum is to serve as a consultative forum for the district municipality and the local municipalities in the district to discuss and consult each other on matters of mutual interest, including:-

* Draft national and provincial policy and legislation relating to matters affecting local government interests in the district;
* The implementation of national and provincial policy and legislation with respect to such matters in the district;
* Matters arising in the Premier’s intergovernmental forum affecting the district;
* Mutual support in terms of section 88 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);
* The provision of services in the district;
* Coherent planning and development in the district;
* The co-ordination and alignment of the strategic and performance plans and priorities, objectives and strategies of the municipalities in the district; and
* Any other matters of strategic importance which affect the interests of the municipalities in the district.

A district intergovernmental forum may refer a matter arising in the forum to-

* The Premier’s intergovernmental forum; or
* Any other provincial intergovernmental forum established in terms of Section 21

**REFER TO ANNEXURE 1**

**4.1.4.1.b. Technical Support Forum**

The TSF is a forum of Municipal Managers established in terms of the Intergovernmental Frameworks Act of 2005 and is a sub structure accountable to the District Intergovernmental Forum. The TSF shall communicate with the technical structures of the Provincial Intergovernmental Forum.

**4.1.4.2. The Role of the Technical Support Forum**

In providing the technical support to the DIF and implementing decisions on matters where authority has been conferred to it, the forum shall undertake the following functions:

* Provide advice support and recommendations of agenda items of the DIF and ensure that reports are prepared and documented accordingly
* Deal with all matters referred to it by the technical sub committees by taking decision and implementing such decision where authority has been conferred and referring matters to the DIF where such matters require the decision of the DIF
* Deal with technical issues/matters from the Provincial Intergovernmental forums
* Submit reports to the DIF for information on all matters where decision have been taken by it
* Monitor and evaluate all the functions of the technical sub-committee as well as the status and progress in the implementation of its resolutions and those of the DIF.
* Deal with legal issues of a district wide nature
* Provide IGR status reports including budget reports on IGR matters to the DIF
* Deal with all shared services matters
* Ensure effective distribution of resources in building capacity in the entire district to deal timorously with all compliance issues

**REFER TO ANNEXURE 2**

**4.1.4.3. District Area Financial Forum**

The District Area Finance Forum is a forum established as a sub structure accountable to the Technical Services Forum. The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical and expert support advice to the Technical Support Forum (TSF) on district wide Financial and Fiscal matters. .

**REFER TO ANNEXURE 3**

**4.1.4.4. District Technical Infrastructure Forum**

The District Technical Infrastructure Forum is a forum established as a sub structure accountable to the Technical Services Forum. The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical and expert support advice to the Technical Support Forum (TSF) on infrastructure matters.

**REFER TO ANNEXURE 4**

**4.1.4.5. District Planning and Development Forum**

The District Planning & Development Forum is a forum established as a sub structure accountable to the Technical Services Forum. The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical and expert support advice to the Technical Support Forum (TSF) on district wide planning and development matters.

**REFER TO ANNEXURE 5**

**4.1.4.6. District General and Social Services Forum**

The District General and Social Services Forum is a forum established as a sub structure accountable to the Technical Services Forum. The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical and expert support advice to the Technical Support Forum (TSF) on general and social services matters.

**REFER TO ANNEXURE 6**

**4.1.4.7. District Corporate Services Forum**

The District Corporate Services Forum is a forum established as a sub structure accountable to the Technical Services Forum. The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical and expert support advice to the Technical Support Forum (TSF) on corporate services related issues.

**REFER TO ANNEXURE 7**

**4.1.4.8. District Communications Forum**

The District Communications Forum is a forum established as a sub structure accountable to the Technical Services Forum. The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical and expert support advice to the Technical Support Forum (TSF) on communication related issues.

**REFER TO ANNEXURE 8**

**4.1.4.9. District Speakers Forum**

The District Speakers Forum is a forum established as a sub structure accountable to the District Intergovernmental Relations Forum. The purpose of this Intergovernmental Sub Forum shall be:

* To provide expert support advice to the District Intergovernmental Relations Forum (TSF) on public participation related issues.

**REFER TO ANNEXURE 9**

**4.1.5. GUIDELINES FOR AN EFFECTIVE IGR STRUCTURE**

An effective IGR structure has the following elements:

**4.1.5.1. Delivers on its Mandate**

An IGR structure must have a clearly defined mandate which will clearly outline the need for that structure to exist.

**4.1.5.2. Frequency of Meetings**

Meetings must sit as per the required number of times as indicated in the adopted Terms of Reference.

**4.1.5.3. Effective**

The existence of such a structure should have an impact on its area of focus.

**4.1.5.4. Appropriate Stakeholder Involvement**

An IGR Structure should ensure that it synergises government activities with that of its stakeholders so as to ensure a smooth implementation of government goals and objectives

**4.1.5.5. Composition of the Structure in Terms of the Appropriate People Attending**

Relevant people with the ability to take decisions and command the execution of such decisions within their constituencies, should attend structure meetings

**4.1.5.6 Oversight Mechanism: Strategic Agenda**

There should be an oversight mechanism which measures the functionality of the structure e.g. standing items on agenda and comprehensive reports tabled at strategic meetings [MUNIMEC] etc. The agenda should be strategic meaning that it should be linked to the mandate and reports should be a standing item on the agenda. The purpose of each meeting should be clearly outlined.

**REFER TO ANNEXURE 10**

**4.1.5.7 Resolution Register: Action Plan to Follow Up on Resolutions Taken**

There should be a resolution register which tracks the implementation of resolutions taken at meetings. This function should form part of the core activities of the IGR personnel.

**REFER TO ANNEX 11**

**4.1.5.8. Accountability**

The structure should be accountable to a higher authority where it also has to report on its activities

**4.1.5.9. Proper Administration**

There should be a proper and well trained team that deals with the logistical details of the structure e.g. Supply Chain related matters and a proper Secretariat team that is able to clearly capture the minutes and resolutions.

**REFER TO ANNEXURE 12**

**4.1.5.10. Formats for Reporting**

There should be a proper reporting format or template which is strategic in nature. Submissions to include, at least, the following; purpose, background, discussion, financial implications, recommendations

**REFER TO ANNEXURE 13**

**4.1.5.11. Terms of Reference**

Structures should have clear TORs where its mandate and composition is outlined amongst other key operational guidelines.

**4.1.6. THE OVERARCHING GOALS FOR IGR**

* Improve delivery of government information, products and services
* Engage citizens in government
* Reduce the cost of government operations
* Increase workforce productivity

**4.1.6.1. GUIDING PRINCIPLES**

* Align activities across traditionally separate domains
* No one size fits all – agency-specific implementation plans
* Crawl, walk, run – incremental but forward-leaning approach
* Complement and support national priorities

**4.1.6.2. CORE OBJECTIVES**

* Incorporate the power and possibilities of integration and co-ordination in all government efforts.
* Build platforms, forums, mechanisms, technologies/services for use and share common services among agencies and public developers.
* Efficiently manage resources in acquisition, inventory, and expenses.
* Create a government-wide foundation to provide services and functionality that are needed in all agencies.
* Foster collaboration (among agencies, academia, industry, etc.) to accelerate service delivery across government.
* Establish governance structure for effective service delivery.

**ANNEXURE 1**

**[**NAME OFMUNICIPALITY**]**

**DISTRICT MAYOR’S COORDINATING FORUM**

**PROTOCOL**

**“Strengthening cooperative governance in KwaZulu-Natal”**

**PART A**

**[**NAME OF DISTRICT MUNICIPALITY**]**

**DISTRICT MAYOR’S COORDINATING FORUM**

**PROTOCOL**

**PREAMBLE**

Whereas local government is constituted in the District as the District Municipality and Local Municipalities;

And whereas the District Municipality shares municipal executive and legislative authority with the Local Municipalities in the District;

And whereas the District Municipality and the Local Municipalities must provide effective, transparent, accountable and coherent government in the District;

And whereas the District Municipality and the Local Municipalities must ensure the well-being of all the people in the District, many of whom are subject to poverty, underdevelopment and marginalization;

And whereas these challenges must be addressed through cooperative government and by the coordination of laws, policies and programmes of the District Municipality and the Local Municipalities;

And whereas the Intergovernmental Relations Framework Act of 2005 envisages the establishment of a District Intergovernmental Forum for every district, giving effect to the goals and principles of intergovernmental relations and cooperative government as contained in Chapter 3 of the Constitution;

It is therefore resolved by the Councils of the District Municipality and the Local Municipalities, represented by their Mayors, as follows: -

**Definitions**

**1.** In this Protocol, unless the context otherwise indicates -

“**Committee”** means the District Technical Coordinating Committee established in terms of this Protocol;

“**District”** means the area of jurisdiction of the [name] District Municipality;

**“District Mayor”** means the mayor of the [name] District Municipality;

**“District Municipality**” means the [name] District Municipality;

**“Forum”** means the [name] District Intergovernmental Forum;

“**Local Municipalities**” means the local municipalities falling in the area of the [name] District Municipality;

**“Premier’s Coordinating Forum**” means the Forum established by the Premier of the KwaZulu-Natal, consisting of –

1. the Premier,
2. the Provincial Cabinet,
3. the Mayors of the District Municipalities in KwaZulu-Natal;
4. the Mayor of eThekwini Metropolitan Municipality; and
5. the Chairperson of SALGA

**Establishment of [NAME] District Mayor’s Coordinating Forum**

**2.** The [NAME] District Mayor’s Coordinating Forum is hereby established.

**Membership**

**3.** (1) The District Intergovernmental Forum consists of –

1. the Mayor of the [NAME] District Municipality; and
2. the Mayors of Local Municipalities in the District *to add*: or, if a Local Municipality does not have a Mayor, a Councillor designated by the Municipality;
3. the Administrator of any of those Municipalities if the Municipality is subject to an intervention in terms of Section 139 1(1)(c) of the Constitution; and

(2) The Mayor of the District municipality is the chairperson of the Forum.

(3) The Chairperson of the Forum may invite any person not mentioned in

subsection (1) to a meeting of the Forum.

**Object of Forum**

**4.** The object of the Forum is to promote and facilitate intergovernmental relations and cooperative government between the District Municipality and the Local Municipalities, including

1. to seek unity of purpose and coordination of effort around the District’s development priorities; and
2. to ensure effective and efficient service delivery unhampered by jurisdictional boundaries.

**Functions of Forum**

**5**. The Forum is a consultative forum for the District Municipality and the Local Municipalities to discuss and consult each other on matters of mutual interest, including –

1. draft national and provincial policy and legislation relating to matters affecting local government interests in the District;
2. the implementation of national and provincial policy and legislation with respect to such matters in the District;
3. matters arising in the Premier’s Coordination Forum;
4. matters arising from MuniMec;
5. mutual support in terms of Section 88 of the Municipal Structures Act (Act 117 of 1998);
6. the provision of services in the District;
7. coherent planning and development in the District
8. the co-ordination and alignment of strategic and performance plans and priorities, objectives and strategies of the municipalities in the district; and
9. any other matters of strategic importance which affect the interests of the municipalities in the District.

**Referral of matters**

**6**. The Forum may refer a matter arising in the Forum to

1. the Premier’s Coordinating Forum; or
2. any formal provincial intergovernmental forum established in terms of Section 21 of the IGR Framework Act.

**Meetings of the Forum**

**7.** (1) The Forum must meet at least four times per year at such times as the Chairperson decides.

(2) The Chairperson may call additional meetings when necessary. Any other member of the Forum may request the Chairperson to call an additional meeting.

(3) The Chairperson determines the agenda of meetings. Any other member of the Forum may request the Chairperson to place an item on the agenda.

(4) Members must be given adequate notice of the agenda in order to be properly mandated for the meeting.

(5) The Chairperson of the district intergovernmental forum presides at meetings of the Forum, but if that chairperson is absent from a meeting, the members present must elect another member to preside at the meeting.

(6) The District Municipality is responsible for providing administrative and other support services to the Forum.

(7) A quorum for a meeting of the Forum is a majority of its members.

**Broad consultative meeting**

1. (1) The Forum must meet at least once a year with –
   1. service providers, as invited by the Forum; and
   2. other role players concerned with development in the District to co-ordinate effective provision of services and planning in the District.

**9.** **Procedure**

The Forum determines its own procedure for the conduct of meetings. In this respect – see Parts B of this document.

**10**. **Resolutions and their implementation**

(1) The Forum may take resolutions and make recommendations on any

matter falling within the scope of its object and functions.

(2) The Forum must seek to achieve consensus on any resolution it takes

or recommendations it makes. Where all members of the Forum are not in agreement, the resolution may be taken or recommendation made if there is sufficient consensus among the members.

(3) Members of the Forum must have an appropriate mandate from their respective executive authorities to deal with the matters on the agenda.

(4) On the taking of a resolution or making a recommendation, members must seek the ratification of that resolution or recommendation by their respective executive authorities within a reasonable time.

(5) The executive authorities of members must notify the Forum of their ratification of the resolution or recommendation.

(6) Where an executive authority does not ratify a resolution, it must inform the Forum with reasons for its decision.

(7) Where an executive authority ratifies a resolution or recommendation, that executive authority must take all necessary measures within its jurisdiction to implement the resolution or to adhere to the recommendation.

(8) Where an executive authority deviates from or repeals a resolution that it has previously ratified, it must notify the Forum within a reasonable time.

(9) (a) Where a member of the Forum is of the opinion that another

member is acting in a manner that is inconsistent with the letter

and spirit of the Protocol, or is not complying with a resolution of

the Forum that it has ratified, such a member must notify the

Forum.

(b) The Forum, at the first available meeting, must seek to resolve the issue.

(c) Where the issue cannot be resolved at that meeting, the Forum must establish a process through which the issue may be resolved, including –

(i) the appointment of a fact finding commission where there is a dispute over factual issues;

(ii) the appointment of a special task team; or

(iii) the adoption of any other process that may be appropriate in

the circumstances.

**11.** **Settlement of disputes**

(1) A member of the Forum may bring an intergovernmental dispute between the member and another member or members of the Forum to the Forum for settlement where the Forum is a suitable institution to effect a settlement of the dispute through negotiation.

(2) On the referral of an intergovernmental dispute to the Forum, the Forum follows the procedure set out in section 10(9).

(3) Where the Premier’s Coordinating Forum has adopted a Protocol for the settlement of intergovernmental disputes in the Province, the Forum follows the procedure set out in that Protocol.

**12. Technical support structure**

(1) A District Technical Coordinating Committee is hereby established.

(2) The function of the Committee is to provide technical support for the Forum and implement decisions.

(3) The Committee consists of the municipal managers of the [name] District Municipality and the local municipalities.

(4) The Forum may from time to time include on the Committee any other

person who may be useful for the support of the Forum.

(5) The Forum must confer the necessary authority on the Committee to undertake technical tasks on behalf of the Forum.

**13. Funding**

The Forum determines how its functioning is to be financed. The Forum is guided by the principle that all members of the Forum contribute according to their available resources.

**14. Amendment of protocol**

The Protocol may be amended by the agreement of all members of the Forum.

**15. Application**

The Protocol comes into force upon the signature of the Mayor of [name] District Municipality and the Mayors of the Local Municipalities in the District.

**Signed at ………………………..…... on ……………....……………... 20\_\_**

**By:**

**Signatures:**

**For [NAME ] District Municipality**

**Mayor:………………………………………………………………..**

**For -------------------------- Local Municipality**

**Mayor:………………………………………………………………..**

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**For -------------------------------- Local Municipality**

**Mayor:…………………………………………………………………**

**PART B**

**RULES, WORK METHODS AND PROCEDURES**

**Preamble**

**WHEREAS** government in the Republic is constituted as national, provincial and local

spheres of government which are distinctive, interdependent and interrelated;

**AND WHEREAS** all governments must co-operate to govern and provide public services to the Republic for the well-being of the people;

**AND WHEREAS** co-operative government and intergovernmental relations are constitutional principles which form a sub-system of the government system;

**AND WHEREAS** district and localmunicipalities must govern and perform municipal functions to secure the welfare of inhabitants within municipal districts;

**AND WHEREAS** the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Intergovernmental Forum has been established itself in terms of section 24 of the Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005)

**AND WHEREAS \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** Intergovernmental District Forum shall forthwith refer to itself as the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Forum,

**AND WHEREAS** section 33 of the Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005) requires that every intergovernmental structure must adopt rules to govern its internal procedures;

**NOW THEREFORE** the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Forum herewith confirms its establishment in terms of section 24 of the Intergovernmental Relations Framework Act, 2005, Act 13 of 2005 and the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** Inter-Municipal District Forum and its member municipalities adopt the rules as contained herein.

**TABLE OF CONTENTS**

CHAPTER 1

INTERPRETATION AND ADHERENCE TO THE RULES

Interpretation

Adoption of rules

Adherence to rules

CHAPTER 2

NAME, MEMBERSHIP AND TERMS OF REFERENCE

Name and logo

Membership

Terms of reference

CHAPTER 3

FUNCTIONS AND POWERS OF CHAIRPERSON

Chairperson and role

Agenda and meetings of the district forum

Meeting with service providers

Quorum and voting

Resolutions and recommendations

CHAPTER 4

POWERS AND FUNCTIONS OF THE CHAIRPERSON AND EXECUTIVE SUPPORT

Functions and powers of chairperson

Management and administration of the forum

Financing of the forum

Financing of the meetings

Financing of meetings

Secretary

Information

Technical support structure

Service clusters

CHAPTER 5

SETTLEMENT OF DISPUTES AND ADHERENCE TO RULES

Settlement of disputes

Amendment of internal rules

**CHAPTER 1**

**INTERPRETATION, ADOPTION AND ADHERENCE TO THE RULES**

**Interpretation**

1. In these rules, unless the context indicates otherwise –

**“district”** means the jurisdictions of the local municipalities within the district of the District Municipality and the

**“forum”** and **“district forum”** means the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Forum

**“member municipalities”** means the district municipality and its local municipalities which are members of the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Forum.

**“rules”** means the rules of this document which has been adopted by the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Intergovernmental Forum and member municipalities.

**“statutory function”** means a function assigned by –

the Constitution or legislation; or *(b)* an agreement or other instrument emanating from the Constitution or legislation;

**“statutory power”** means a power conferred by –

the Constitution or legislation; or *(b)* an agreement or other instrument emanating from the Constitution or legislation

**Adoption of rules**

1. The District Forum adopts the rules of the forum hereafter, each member municipality must adopt the rules and any subsequent amendments as has been adopted by the District Forum.
2. When a member municipality adopts the rules and any subsequent amendments as approved by the District Forum, such amendments shall not materially alters the rules or be in conflict with the constitution or a statutory provision.

**Adherence to rules**

(4) All member municipalities, persons and any organ of state that attends and participates in the district inter-municipal forum must adhere to the rules.

(5) Any member municipality, person and any organ of state who does not adhere to the rules may be instructed by the chairperson to not attend a meeting of the District Forum and may be subjected to the dispute procedures in terms of Chapter 4 of the Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005).

**CHAPTER 2**

**NAME, LOGO AND TERMS OF REFERENCE**

**Name and logo**

(6) The name of the district intergovernmental forum shall be the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Forum.

(7) The logo as displayed hereunder is the logo of the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Forum

To be determined

**Membership of district forum**

(8) The **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Forum consists of—

1. the mayor of the district municipality;
2. the mayors of the local municipalities in the district or, if a local municipality does not have a mayor, a councillor designated by the municipality; and
3. the administrator of any member municipality if such municipality is subject to an intervention in terms of section 139 (1) (c) of the Constitution.

(9) The chairperson of the forum may invite any person to a meeting of the forum.

**Terms of reference**

(10) The District Forum is a forum for consultation and deliberation.

(11) The District Forum may take resolutions and make recommendations on any matter which two or more municipalities are willing and able to implement, including -

(a) to draft national and provincial policy and legislation relating to matters

affecting the interests of local government in the district;

(b) implement national and provincial policy and legislation in the district;

(c) formulate resolutions and recommendations on matters affecting the district –

(i) arising from the Premier’s intergovernmental forum, and

(ii) arising from inputs from any of the municipalities

(d) providemutual support to one another in terms of section 88 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

(e) deliberate on and commission planning and development in the district;

(f) co-ordinate and align strategic and performance plans and priorities, objectives and strategies of the municipalities in the district;

(12) The District Forum may refer any matter to—

1. the Premier’s intergovernmental forum;
2. any provincial intergovernmental forum, or
3. any Inter-Municipal forum.

**CHAPTER 3**

**CHAIRPERSON AND MEETINGS**

**Chairperson and role**

(13) The Mayor of the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Municipality is the chairperson of the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Forum.

(14) The chairperson of the District Forum -

*(a)* Presides at the meetings;

*(b)* performs ceremonial functions which are related to his or her role, in accordance with the rules, powers and functions of the District Forum; and

*(c)* Provides leadership to the District Forum.

(15) If the chairperson is absent or not available, the members present must elect one of the mayors of the local municipalities to act as a chairperson for the duration of the meeting

**Agenda and meetings of the district forum**

1. The Chairperson –
   1. decides when and where the District Intermunicipal Forum meets, and
   2. approves the agenda of the forum before it is made available to the member municipalities;

(17) Member municipalities may refer items to the Secretary of the Forum to be included in the agenda, provided that such items must reach the Secretary six weeks prior to the date of the meeting.

(18) The majority of the local municipalities in a district may request the chairperson in writing—

*(a)* to convene a meeting of the district intergovernmental forum at a time and place set out in the request; or

*(b)* to include in the agenda for a meeting any specific matter for discussion.

1. The Chairperson of the Forum may reject an agenda item, provided that he/she must include a written motivation in the agenda why an item has been rejected.

**Meeting with service providers**

(20) The forum meets at least once per year with service providers and organs of state, who provide services in the district, to co-ordinate and harmonise effective provision of services and planning.

**Quorum and voting**

(21) A majority of the municipalities which are members of the district forum constitutes a quorum for a meeting.

(22) A question before the committee is decided when there is agreement among the majority of the members present at the meeting.

(23) If on any question there are an equal number of votes, the chairperson or other member presiding must exercise a casting vote in addition to that member's vote as a member.

**Resolutions and recommendations**

(24 The member municipalities of the District Forum may decide on any matter through a resolution or a recommendation or a combination thereof.

(25) A resolution of the District Forum must be considered by the member municipalities at their first council meeting following on the meeting of the District Forum, where they must-

* 1. ratify;
  2. accept,
  3. reject or
  4. accept with amendments

the resolution of the District Forum.

(26) The municipal manager must inform the Secretary of the District Forum in writing within five working days of the outcome of the consideration of the resolution of the member municipality.

(27) A recommendation of the District Forum must be honoured and implemented by the Mayors of District Forum.

**CHAPTER 4**

**POWERS AND FUNCTIONS OF THE CHAIRPERSON AND EXECUTIVE SUPPORT**

**Functions and powers of chairperson of district forum**

(28) The chairperson must-

1. identify the common needs, threats and opportunities of the municipalities which are members of the district forum;
2. recommend to the District Forum strategies, programmes and services to address needs and threats and to capitalize on opportunities in the district;
3. take into account any applicable national and provincial development plans which may present common obligations to or require a response from the member municipalities;
4. recommend or determine the best way, including intermunicipal partnerships to co=operate and implement strategies, programmes and services to the benefit of the inhabitants within the district.

**Management and administration of the forum**

(29) The **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Municipality is responsible for the management and administration of the district forum and to execute its resolutions and recommendations.

**Financing of the district forum**

(30) The **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Municipality must budget annually for the management and administration of the district forum

(31) The District Forum determines how the implementation of its resolutions is to be funded and may request member municipalities for financial contributions.

**Financing of meetings**

(32) The mayors, political representatives and officials of the member municipalities who attend the meetings of the district forum, must claim all subsistence and travel expenses from the municipalities whom they represent.

(33) The member municipality which hosts the meeting of the forum is responsible to provide sustenance to all in attendance and such technical equipment as may be necessary to conduct the meeting.

(34) Meetings of the district forum are held at the member municipalities, provided that not two meetings of the forum will be held in succession at the same member municipality, unless the district forum agrees to such an exception.

**Secretary**

(32) The Municipal Manager of the **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** District Municipality, or an official designated by him/her is the secretary of the district forum.

(33) The secretary of the forum must ensure that all resolutions and recommendations are implemented, honoured and adhered to.

(34) The secretary of the forum may, in accordance with Section 30 (2) (b) of the Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005) after consulting with the chairperson of the forum, procure specialist services to assist him/her with –

1. performing executive functions;
2. implementing resolutions and recommendations, and
3. conducting research and to carry out assignments.

**Information**

(35) The District Forum may request reports from the member municipalities on any matter which the District Forum has resolved, member municipalities have ratified and are implementing or has implemented.

(36) Member municipalities must submit their Integrated Development Plans, annual budgets, EXCO and Council agendas and minutes to the secretary of the district forum, as soon as they have been published.

(37) The secretary of the district forum must submit all the agendas and minutes of meetings of the district forum to the Municipal Managers of the member municipalities.

**Technical support structure**

(38) The municipal managers of the member municipalities, and officials designated by them, form the technical support structure of the intergovernmental forum.

(39) The secretary of the district forum convenes the meetings of the technical support structure of the intergovernmental support forum –

* + 1. before the district forum meets to exchange information on the agenda items and
    2. after the district forum has met, to agree on co-operation and harmonising implementation of the resolutions and recommendations.

**Service clusters**

(40) The district forum may establish working groups among the member municipalities which reflect the national and provincial service clusters.

**CHAPTER 5**

**SETTLEMENT OF DISPUTES AND AMENDMENT OF RULES**

**Inter-municipal agreements**

(41) The District Intergovernmental Forum may request member municipalities to form an inter-municipal committee consisting of councillors to draft an inter-municipal agreement, on inter alia, the following matters:

* to share resources for the mutual benefit of the member municipalities;
* execution of district municipal functions within the jurisdictions of local municipalities;
* prioritisation and the funding of implementation of district municipality projects;
* any co-operative or joint venture.

(42) For the purpose of assisting the inter-municipal committees to draft inter-municipal agreements, the District Intergovernmental Forum may-

* consult with organs of state within the Provincial sphere of government;
* provide policy guidelines, and
* appoint independent facilitators.

(43) An inter-municipal agreement which has been adopted by member municipalities serves as a policy document for the District Intergovernmental Forum.

**Settlement of disputes**

(44) The settlement of disputes among the member municipalities of the district municipal forum will be in accordance with Chapter 4 of the Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005).

**Amendment of internal rules**

(45) The district forum may amend the rules, provided that at least 75% of the member municipalities are in favour of the amendment.

(46) Any member of the district forum may submit an agenda item to the secretary to amend the rules, provided that –

(a) a copy of the proposed amendment must be delivered to the secretary at least six weeks prior to the meeting at which the proposed amendment will serve;

(b) council resolution of the municipality whom the member represents, must endorse the proposed amendment.

**PART C**

**PRINCIPLES FOR POSSIBLE INCLUSION IN AN INTER-MUNICIPAL AGREEMENT ON THE RELATIONS BETWEEN DISTRICT AND LOCAL MUNICIPALITIES**

**RECOGNISING** that a Premier’s Coordinating Forum (PCF) has been establish in accordance with the provisions of the Intergovernmental Relations Framework Act, 2005 and that in terms of such protocol a District Mayor’s Coordinating Forum has been established.

**AND FURTHER RECOGNISING** that the objects of local government, as envisaged in the Constitution and other legislation, are to -

* provide democratic and accountable government for local communities;
* ensure the provision of services to communities in a sustainable manner;
* promote social and economic development;
* promote a safe and healthy environment; and
* encourage the involvement of communities and community organizations in the matters of local government;

**AND FURTHER ACKNOWLEDGING** that municipalities have a joint responsibility of ensuring the progressive realisation of the said objectives;

**NOW THEREFORE** the municipalities that are party to the District Mayor’s Coordinating Forum have agreed on certain principles and arrangements in order that the Constitutional precepts of co-operative governance and intergovernmental relations can be realised and institutional and service delivery arrangements be developed on the basis of equality, honesty, transparency, mutual trust and integrity; have accordingly concluded this agreement to that end.

**ARTICLE 1**

**LEGISLATIVE MANDATE**

Section 3(1) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) provides that municipalities must exercise their executive and legislative authority within the constitutional system of co-operative government envisaged in section 41 of the Constitution.

Section 88 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) states as follows:

(a) A district municipality and the local municipalities within the area of that district municipality mustco-operate with one another by assisting and supporting each other.

(b) (i) A district municipality on request by a local municipality within its area may provide financial, technical and administrative support services to that local municipality to the extent that the district municipality has the capacity to provide those support services.

(ii) A local municipality on request of a district municipality in whose area that local municipality falls may provide financial, technical and administrative support services to that district municipality to the extent that the local municipality has the capacity to provide those support services.

(iii) A local municipality may provide financial, technical or administrative support services to another local municipality within the area of the same district municipality to the extent that it has the capacity to provide those support services, if the district municipality or that local municipality so requests.

(iv) Section 37(1) of the Local Government: Municipal Finance Management Act, 2003 provides that municipalities must in their financial and fiscal relations with other municipalities promote co-operative government and co-operate and communicate with one another in all financial undertakings.

**ARTICLE 2**

**MUNICIPAL POLITICAL FUNCTIONARIES**

(a) Both district and local municipalities form part of the local sphere of government.

(b) District and local municipalities as well as their functionaries have equal status amongst each other and no municipality is superior to another.

(c) 60% of the councillors in the district council are local municipality councilors, representing their local municipality;

(d) 40% of the councillors in the district council proportionally represent their political parties in the district municipality.

(e) Both Proportional Representatives and local municipality councillors that are members of a district council should be equitably represented on all standing committees of the district council and are able to participate in all debates of the council and the committees of which they are members.

(f) Elected woman and disabled persons should be equitably represented on all standing committees of the district council.

**ARTICLE 3**

**CHANNELS OF COMMUNICATION**

(a) Properly structured and transparent communication channels between local municipalities and the district municipality should prevail.

(b) Agendas and minutes of meetings of all meeting of the local municipalities will be provided to the district municipal manager and those of the district municipality will be provided to the representatives of the local municipality on the district council, and also to the municipal managers of the local municipalities.

(c) The municipal manager of the district municipality must inform the municipal manager of the relevant local municipality of any service delivery agreement *or* activity that is planned by the district municipality in the area of a specific local municipality beforehand.

(d) The municipal manager of the local municipality must ensure that the information is shared with the ward councillor in whose ward the service delivery agreement or activity will take place.

(e) A PR councillor from a district municipality or a local municipalitymay only establish municipal structures in the area of a local municipality in consultation with the Ward Councillor of the respectivelocal municipality. A councillor from a district municipality may not establish municipal structures in the area of a local municipality without consultation with such local municipality.

(f) Joint sessions of the executive committees of the district and local municipalities take place, at least quarterly, to discuss matters of

common interest. In the case of plenary type councils, two representatives of the council attend such meetings.

**ARTICLE 4**

**MANAGING THE IMPACT OF THE ALLOCATION OF POWERS AND FUNCTIONS**

(a) The district municipal manager shall communicate with the local municipal manager in respect of the execution of functions for which the district municipality is responsible. It is the responsibility of the local municipal manager to communicate with the ward councillor in respect of such matters.

(b) Ward councillors will facilitate the interaction between the district municipality and local communities through the local municipality in respect of district municipal functions and local municipal functions performed by the district municipality.

(c) The terms of reference of standing committee(s) will contain clear lines of communication between the district municipality and the local municipality regarding the performance of district municipal functions in the areas of local municipalities.

(d) Local municipalities will continue to incorporate matters related to a district municipality function in their integrated development plans (IDP’s).

(e) Revision of the IDP’s will be done with the full involvement of the recognized municipal structures.

**ARTICLE 5**

**INFRASTRUCTURE PROJECTS**

**Definition**:For the purpose of this article, municipal projects refer to capital projects funded from district municipality funds as well as projects funded from MIG, INEP, DWS and any other conditional grant, or any future changed version thereof.

(a) Both district and local municipal projects must be identified through the ward councillor, ward committee system or recognized municipal structures.

(b) A project application received by the local municipality must in the first instance be referred to the ward committee where such a committee is in place or to a recognized municipal structure.

(c) A project application received directly from an applicant by the district municipality, shall be referred to the local municipality which will consult the ward committee or a recognized municipal structure from where the application originated.

(d) The ward committee or another recognized municipal structure, must decide whether the application is in accordance with the priorities in that ward and the local municipality must then consider the application in terms of the priorities reflected in its IDP.

(e) The ward committee*,* through the ward councillor, or another recognized municipal structure,will make a recommendation/sto the local municipality which will in turn, if it is a district municipality’s responsibility, make a recommendation to the district municipality.

(f) The district municipality, in consultation with the local municipalities through the Mayoral Forum, must develop criteria for the prioritization for the funding of projects.

(g) The district municipality, after consultation with the Mayoral Forum, will prioritize projects in terms of the IDP framework and the funds that are available.

(h) All project prioritization and approval shall take place at either –

(i) the statutory district council meeting,

(ii) a special district council meeting, or

(iii) a projects approval committee of the council at which all

the municipalities are represented.

(iv)in cases of urgent ad hoc projects funded by outside

institutions, the projects can be approved by the EXCO of

the District Municipality after consultation with the

relevant local municipality.

(i) All municipalities must always apply their procurement policies in respect of project development and implementation.

(j) The local municipality must prioritize the projects for which it is responsible and may access grant funding made available to the district municipality, in terms of the prioritized lists referred to in (f) above.

(k) The district municipality must on a quarterly basis provide progress reports to the local municipality on projects within its area.

(l) The handing over of a completed project must be a joint initiative of the two municipalities and the ward councillor must play a prominent role in the ceremony. In the case of district projects the mayor of the district municipality as well as the mayor of the local municipality must be involved.

**ARTICLE 6**

**COUNCILLORS REPRESENTING A LOCAL COUNCIL IN THE DISTRICT COUNCIL**

(a) It is their primary responsibility and implied mandate to strive to ensure that they carry out their functions and conduct themselves in the best interest of both the local and the district municipalities.The district municipality must distribute agendas of council meetings at least seven working days prior to the date of the district council meeting.

(b) They are accountable for regular report-backs to their local

Municipalities.

(c) They must impartially prioritize all local municipalities and district municipality project proposals in terms of available funding in the interest of the people in the district as a whole while protecting the interests of their own local municipalities, in accordance with their IDP’s.

**ARTICLE 7**

**AMENDMENT OF DOCUMENT**

This document may be reviewed upon request which must be in writing and may only be amended with the consensus of all signatories to the District Mayor’s Coordinating Forum.

**ARTICLE 8**

**DISPUTE RESOLUTION**

The Intergovernmental Relations Framework Act provides for appropriate

mechanisms to facilitate the settlement of intergovernmental disputes.

1. In order to promote and facilitate good relations between the district and local municipalities must use Alternative Dispute Resolution (ADR) procedures which are premised on the principles of negotiation, mediation and arbitration.
2. Principles in terms of dispute avoidance –

(i) Section 41(3) of the Constitution states that an organ of

State in an intergovernmental dispute must make every

reasonable effort to settle the dispute by means of

mechanisms and procedures provided for that

purpose, and must exhaust all other remedies before it

approaches a court to resolve the dispute.

(ii) All dispute resolution principles, mechanisms and

Procedures are contained in Chapter 4 of the IGR

Framework Act, 2005.

(iii) All co-operative ventures must have clearly defined

procedures (protocols) whereby consultation, planning

and implementation are adhered to as this mitigates

against possible disputes.

**ANNEXURE 2**

**TECHNICAL SUPPORT FORUM: MUNICIPAL MANAGERS FORUM**

Terms of Reference

1. **Title**

The name of this Intergovernmental Relations Forum shall be: Technical

Support Forum-Municipal Managers Forum and shall be abbreviates TSF

1. **PURPOSE**

The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical support to the District Intergovernmental Forum and to implement discussions.
* To oversee all the Technical IGR sub structures.

1. **MEMBERSHIP**

This forum shall comprise of the following Officials from the District and each Local Municipality

* Municipal Manager of District Municipality
* Municipal Manager of Local Municipality
* Municipal Manager of Local Municipality
* Municipal Manager of Local Municipality
* Municipal Manager of Local Municipality
* Municipal Manager of Local Municipality

The committee may from time to time invite the Chairpersons from each technical sub structure and any other person who may be useful for the support of the forum.

The DIF shall confer the necessary authority on the forum for it to undertake technical tasks on its behalf.

1. **Chairperson**

The Chairperson of this Forum shall be Municipal Manage of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ District Municipality

1. **Minute Taking**
   1. The Chairperson shall provide a Secretary who will be responsible for the following:
   2. Prepare agendas and issuing notices for meetings, and ensuring all necessary documents requiring discussion or comment are attached to the agenda.
   3. Distributing the Agenda one week prior to the meeting
   4. Taking notes of proceedings and preparing minutes of meeting.
   5. Distributing the minutes to all committee members one week after the meeting and be made available to all staff.
   6. The minutes shall be checked by the chairperson and accepted by committee members as a true and accurate record at the commencement of the next meeting.
   7. Update the IGR database
   8. Ensure that all the reports required for the meeting are submitted by the relevant person 2 weeks before the meeting
2. **Reporting and Communication lines**

The TSF is a forum of Municipal Managers established in terms of the Intergovernmental Frameworks Act of 2005 and is a sub structure accountable to the District Intergovernmental Forum.

The TSF shall communicate with the technical structures of the Provincial Intergovernmental Forum

1. **The Functions of the Forum**

In providing the technical support to the DIF and implementing decisions on matters where authority has been conferred to it, the forum shall undertake the following functions:

* Provide advice, support and recommendations of agenda items to the DIF and ensure that reports are prepared and documented accordingly.
* Deal with all matters referred to it by the technical sub committees by taking decisions and implementing such decisions where authority has been conferred and referring matters to the DIF where such matters require the decision of the DIF.
* Deal with technical issues/matters from the Provincial Intergovernmental forums
* Submit reports to the DIF for information on all matters where decision have been taken by it.
* Monitor and evaluate all the functions of the technical sub committee as well as the status and progress in the implementation of its resolutions and those of the DIF.
* Deal with legal issues of a district wide nature.
* Provide IGR status reports including budget reports on IGR matters to the DIF.
* Deal will all shared services matters.
* Ensure effective distribution of resources in building capacity in the entire district to deal timorously with all compliance issues.

1. **Quorum**

A majority of its members present shall constitute a quorum – 50 + 1

1. **Standing Items of the Agenda**

The agenda for the TSF should have the following standing items:

1. Implementation of the Radical Economic transformation Programme
2. Back to Basics.
3. Participation of Traditional Leaders in IGR Structures .
4. Implementation of resolutions (Cabinet Lekgotla, PCF (Technical and Political) & MuniMec (Technical & Political)
5. Prioritization of Human Settlements (Technical and MuniMec)
6. EPWP (Technical MuniMec & Cabinet Lekgotla resolutions)
7. Operation Sukuma Sakhe (Technical MuniMec and Political MuniMec)
8. Functionality of District IGR Structures

**Reports from Municipal Sub Technical Forums**

1. District Corporate Services Forum
2. District Are Finance Forum
3. Infrastructure Forum
4. Planning and Development Forum
5. District Communications Forum
6. General & Social Services Forum
7. District Development Agency
8. Shared Services
9. District wide Integrated Calendar.
10. District Development Model
11. **Frequency of Meetings**

The forum shall meet not less than four times per year at least 14 days before the DIF meeting. Any member may call a meeting of this forum through the Chairperson as and when a need arises and the meeting may be convened if a majority of members agree to convene.

1. **Amendments**

The terms of reference shall be reviewed annually from the date of approval. They may be altered to meet the current needs of all forum members, by agreement of the majority of members.

1. **Agreement**

The above Terms of Reference for the Technical Support Forum have been agreed to by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Municipal Manager of District Municipality

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Municipal Manager of Local Municipality

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Municipal Manager of Local Municipality

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Municipal Manager of Local Municipality

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Municipal Manager of Local Municipality

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Municipal Manager of Local Municipality

1. **Effective Date**

These terms of reference shall be in effect as from the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 2020.

**ANNEXURE 3**

**DISTRICT AREA FINANCIAL FORUM**

Terms of Reference

**1. Title**

The name of this IGR Forum shall be: District Area Financial Forum and shall be abbreviated DAFF.

**2. PURPOSE**

The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical and expert support advice to the Technical Support Forum (TSF) on district wide Financial and Fiscal matters.

**3. MEMBERSHIP**

This forum shall comprise of the following Officials from the District and its Local Municipality

* Chief Financial Offices (CFO)
* Supply Chain Management
* Internal Audit

The Forum may from time to time invite the Chairpersons from other IGR forums and any other person who may be useful for the support of the forum.

The TSF shall confer the necessary authority on the forum for it to undertake technical tasks on its behalf.

**4. Chairperson**

The Chairperson shall be elected by the forum. The responsibilities of the chairperson include:

* + Scheduling meetings and notifying committee members;
  + Inviting specialists to attend meetings when required by the committee;
  + Guiding the meeting according to the agenda and time available;
  + Ensuring all discussion items end with a decision, action or definite outcome; and
  + Review and approve the draft minutes before distribution;

**5. Minute Taking**

* 1. The Chairperson shall provide a Secretary who will be responsible for the following:
     1. Prepare agendas and issuing notices for meetings, and ensuring all necessary documents requiring discussion or comment are attached to the agenda.
     2. Distributing the Agenda 10 days prior to the meeting
     3. Taking notes of proceedings and preparing minutes of meeting.
     4. Distributing the minutes to all committee members one week after the meeting and be made available to all staff.
     5. The minutes shall be checked by the chairperson and accepted by committee members as a true and accurate record at the commencement of the next meeting.
     6. Update the IGR database
     7. Ensure that all the reports required for the meeting are submitted by the relevant person 21days before the meeting.

**6. Reporting and Communication lines**

The DAFF is a forum established in to be a sub structure accountable to the TSF.

The DAFF shall communicate with the technical sub structures of its line function within the Provincial Intergovernmental Forum or Intermunicipality Forum.

**7. The Functions of the Forum**

The DAFF will be monitored by the TSF and will refer all the matters which it cannot resolve or those of strategic, implementation or management nature to the TSF. The DAFF will also provide specialized financial and fiscal related support to the TSF and the chairperson of the forum may be required to make presentation to the TSF or the DIF on issues of their field of specialization.

**8. Quorum**

A majority of its members present shall constitute a quorum

**9. Standing Items of the Agenda**

The agenda for the DAFF should have the following standing items:

1. Budget
2. SDBIP
3. Audit General report
4. Annual Financial Statement
5. Internal Audit report
6. MScOA compliance
7. Grants expenditure (spending, cash back and expenditure)
8. IDP priorities
9. Annual Report
10. District report on implementation of strategic pronouncements.
11. Back to Basics

**10. Frequency of Meetings**

The forum shall meet not less than four times per year at least 14 days before the DIF meeting

**11. Amendments**

The terms of reference shall be reviewed annually from the date of approval. They may be altered to meet the current needs of all forum members, by agreement of the majority of members.

**12. Agreement**

The above Terms of Reference for the District Area Financial Forum have been agreed to by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chief Financial Officer of District Municipality

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Chief Financial Officer of Local Municipality

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Chief Financial Officer of Local Municipality

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Chief Financial Officer of Local Municipality

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Chief Financial Officer of Local Municipality

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Chief Financial Officer of Local Municipality

**13. Effective Date**

These terms of reference shall be in effect as from the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 202.

**ANNEXURE 4**

**DISTRICT TECHNICAL INFRASTRUCTURE FORUM**

Terms of Reference

**1. Title**

The name of this IGR Forum shall be: Infrastructure Forum and shall be abbreviated IF

**2. PURPOSE**

The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical and expert support advice to the Technical Support Forum (TSF) on district wide infrastructure matters.

**3. MEMBERSHIP**

This forum shall comprise of the following Officials from the District and its Local Municipality

* The Following Heads
  + Technical Services
  + Disaster Management
  + Water & Sanitation

The Forum may from time to time invite the Chairpersons from other IGR forums and any other person who may be useful for the support of the forum.

The TSF shall confer the necessary authority on the forum for it to undertake technical tasks on its behalf.

**4. Chairperson**

The Chairperson shall be elected by the forum. The responsibilities of the chairperson include:

* + Scheduling meetings and notifying committee members;
  + Inviting specialists to attend meetings when required by the committee;
  + Guiding the meeting according to the agenda and time available;
  + Ensuring all discussion items end with a decision, action or definite outcome; and
  + Review and approve the draft minutes before distribution;

**5. Minute Taking**

a. The Chairperson shall provide a Secretary who will be responsible for the following:

i. Prepare agendas and issuing notices for meetings, and ensuring all necessary documents requiring discussion or comment are attached to the agenda.

ii. Distributing the Agenda 10 days prior to the meeting

iii. Taking notes of proceedings and preparing minutes of meeting.

iv. Distributing the minutes to all committee members one week after the meeting and be made available to all staff.

v. The minutes shall be checked by the chairperson and accepted by committee members as a true and accurate record at the commencement of the next meeting.

vi. Update the IGR database

vii. Ensure that all the reports required for the meeting are submitted by the relevant person 21days before the meeting

**6. Reporting and Communication lines**

The IF is a forum established in to be a sub structure accountable to the TSF.

The IF shall communicate with the technical sub structures of its line function within the Provincial Intergovernmental Forum or Intermunicipality Forum.

**7. The Functions of the Forum**

This forum should be established to consult and share best practices on all infrastructural related plans and developments.

The IF shall be monitored by the TSF and will provide specialized support to the TSF on infrastructure related matters. Issues which cannot be resolved at this forum should be escalated to TSF.

**8. Quorum**

A majority of its members present shall constitute a quorum

**9. Standing Items of the Agenda**

The agenda for the IF should have the following standing items:

1. Roads (construction/tarring/maintenance)
2. Storm water drainage
3. Water (reticulation / supply)
4. Sanitation
5. Electrification programme
6. Street lighting
7. Housing programme
8. EPWP
9. All related sector plans
10. District report on implementation of strategic pronouncements.
11. Shared Infrastructure Services
12. Back to Basics
13. Compliance Issues

**10. Frequency of Meetings**

The forum shall meet not less than four times per year at least 14 days before the TSF meeting

**11. Amendments**

The terms of reference shall be reviewed annually from the date of approval. They may be altered to meet the current needs of all forum members, by agreement of the majority of members.

**12.Agreement**

The above Terms of Reference for the Infrastructure Forum have been agreed to by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Head Technical Services of District Municipality

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Head Technical Services of Local Municipality

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Head Technical Services of Local Municipality

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Head Technical Services of Local Municipality

**13. Effective Date**

These terms of reference shall be in effect as from the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 202 -.

**ANNEXURE 5**

**DISTRICT PLANNING AND DEVELOPMENT FORUM**

Terms of Reference

**1. Title**

The name of this IGR Forum shall be: Planning and Development Forum and

shall be abbreviated PDF

**2. PURPOSE**

The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical and expert support advice to the Technical Support Forum (TSF) on district wide planning and development matters.

**3. MEMBERSHIP**

This forum shall comprise of the following Officials from the District and its

Local Municipality

* Town and Regional planners
* IDP Managers
* LED Managers
* Officials responsible for large programs and projects
* Tourism Managers

The Forum may from time to time invite the Chairpersons from other IGR forums and any other person who may be useful for the support of the forum.

The TSF shall confer the necessary authority on the forum for it to undertake technical tasks on its behalf.

**4. Chairperson**

The Chairperson shall be elected by the forum. The responsibilities of the chairperson include:

* + Scheduling meetings and notifying committee members;
  + Inviting specialists to attend meetings when required by the committee;
  + Guiding the meeting according to the agenda and time available;
  + Ensuring all discussion items end with a decision, action or definite outcome; and
  + Review and approve the draft minutes before distribution;

**5. Minute Taking**

a. The Chairperson shall provide a Secretary who will be responsible for the following:

i. Prepare agendas and issuing notices for meetings, and ensuring all necessary documents requiring discussion or comment are attached to the agenda.

ii. Distributing the Agenda 10 days prior to the meeting

iii. Taking notes of proceedings and preparing minutes of meeting.

iv. Distributing the minutes to all committee members one week after the meeting and be made available to all staff.

v. The minutes shall be checked by the chairperson and accepted by committee members as a true and accurate record at the commencement of the next meeting.

vi. Update the IGR database

vii. Ensure that all the reports required for the meeting are submitted by the relevant person 21days before the meeting

**6. Reporting and Communication lines**

The PDF is a forum established in to be a sub structure accountable to the TSF.

The PDF shall communicate with the technical sub structures of its line function within the Provincial Intergovernmental Forum or Intermunicipality Forum.

**7. The Functions of the Forum**

Planning and development is one of the main services which need to be coordinated across the district, all the IDP, budgets and LED plans need to be synchronized. To ensure that these talk to each other a forum of this nature is required to form a platform whereby all planning and developmental matters can be deliberated upon.

**8. Quorum**

A majority of its members present shall constitute a quorum

**9. Standing Items of the Agenda**

The agenda for the PDF should have the following standing items:

1. Framework and Process Plans
2. Provincial IDP Management and Support Plan
3. SPLUMA
4. IDP alignment, review and format
5. Environment management
6. OPMS matters
7. GIS
8. Transport planning / integrated transport
9. LED strategy
10. Support provided to Amakhosi (Rural LED)
11. Disaster Management
12. SDF
13. LUMS
14. Ward Based Plans
15. Tourism
16. DGDS (development and alignment)
17. Alignment of IDP/Budget/SDBIP
18. Shared Services
19. District Development Agencies
20. Conditional grants (sourcing and expenditure)
21. Status of all sector plans
22. District report on implementation of strategic pronouncements.
23. District Development Model

**10. Frequency of Meetings**

The forum shall meet not less than four times per year at least 14 days before the TSF meeting

**11. Amendments**

The terms of reference shall be reviewed annually from the date of approval. They may be altered to meet the current needs of all forum members, by agreement of the majority of members.

**12. Agreement**

The above Terms of Reference for the Planning and Development Forum have been agreed to by:

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Municipal Manager of District Municipality

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Municipal Manager of Local Municipality

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Municipal Manager of Local Municipality

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Municipal Manager of Local Municipality

**13. Effective Date**

These terms of reference shall be in effect as from the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 2020.

**ANNEXURE 6**

**DISTRICT GENERAL AND SOCIAL SERVICES FORUM**

Terms of Reference

**1. Title**

The name of this IGR Forum shall be: General and Social Services Forum

and shall be abbreviated GSSF

**2. PURPOSE**

The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical and expert support advice to the Technical Support Forum (TSF) on district wide matters.

**3. MEMBERSHIP**

This forum shall comprise of the following Officials from the District and its Local Municipality

* Head of Community Services
* Local Economic Development
* Tourism

The Forum may from time to time invite the Chairpersons from other IGR forums and any other person who may be useful for the support of the forum.

The TSF shall confer the necessary authority on the forum for it to undertake technical tasks on its behalf.

**4. Chairperson**

The Chairperson shall be elected by the forum. The responsibilities of the chairperson include:

* + Scheduling meetings and notifying committee members;
  + Inviting specialists to attend meetings when required by the committee;
  + Guiding the meeting according to the agenda and time available;
  + Ensuring all discussion items end with a decision, action or definite outcome; and
  + Review and approve the draft minutes before distribution;

**5. Minute Taking**

a. The Chairperson shall provide a Secretary who will be responsible for the following:

i. Prepare agendas and issuing notices for meetings, and ensuring all necessary documents requiring discussion or comment are attached to the agenda.

ii. Distributing the Agenda 10 days prior to the meeting

iii. Taking notes of proceedings and preparing minutes of meeting.

iv. Distributing the minutes to all committee members one week after the meeting and be made available to all staff.

v. The minutes shall be checked by the chairperson and accepted by committee members as a true and accurate record at the commencement of the next meeting.

vi. Update the IGR database

vii. Ensure that all the reports required for the meeting are submitted by the relevant person 21days before the meeting

**6. Reporting and Communication lines**

The GSSF is a forum established in to be a sub structure accountable to the TSF.

The GSSF shall communicate with the technical sub structures of its line function within the Provincial Intergovernmental Forum or Intermunicipality Forum.

**7. The Functions of the Forum**

To discuss other issues of common interest it is proposed that a General Forum be established so that it can be a platform to discuss all matters not included in all the other sub committees

**8. Quorum**

A majority of its members present shall constitute a quorum

**9. Standing Items of the Agenda**

The agenda for the GSSF should have the following standing items:

1. Municipal Health Services
2. Refuse removal
3. Sewage collection and disposal
4. Verge maintenance
5. IWMP (Sector Plan)
6. Municipal parks and recreation
7. Cemeteries
8. HIV/AIDS programme
9. Youth Programmes
10. Disability programme
11. Senior Citizens programme
12. Sports Development Programmes
13. Social Cohesion and Moral Regeneration
14. EPWP
15. District report on implementation of strategic pronouncements.

**10. Frequency of Meetings**

The forum shall meet not less than four times per year at least 14 days before the TSF meeting

**11. Amendments**

The terms of reference shall be reviewed annually from the date of approval. They may be altered to meet the current needs of all forum members, by agreement of the majority of members.

**12. Agreement**

The above Terms of Reference for the General and Social Services Forum have been agreed to by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Head of Community Services of District Municipality

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Head of Community Services of Local Municipality

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Head of Community Services of Local Municipality

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Head of Community Services of Local Municipality

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Head of Community Services of Local Municipality

**13. Effective Date**

These terms of reference shall be in effect as from the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 2020.

**ANNEXURE 7**

**DISTRICT CORPORATE SERVICES FORUM**

Terms of Reference

**1. Title**

The name of this IGR Forum shall be: Corporate Services Forum and shall be abbreviated CSF

**2. PURPOSE**

The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical and expert support advice to the Technical Support Forum (TSF) on district wide corporate services matters.

**3. MEMBERSHIP**

This forum shall comprise of the following Officials from the District and its Local Municipalities;

* The Following Heads
  + Corporate Services
  + Human Resources
  + Performance Management
  + Legal Services
  + Capacity Building

The Forum may from time to time invite the Chairpersons from other IGR forums and any other person who may be useful for the support of the forum.

The CSF shall confer the necessary authority on the forum for it to undertake technical tasks on its behalf.

**4. Chairperson**

The Chairperson shall be elected by the forum. The responsibilities of the chairperson include:

* + Scheduling meetings and notifying committee members;
  + Inviting specialists to attend meetings when required by the committee;
  + Guiding the meeting according to the agenda and time available;
  + Ensuring all discussion items end with a decision, action or definite outcome; and
  + Review and approve the draft minutes before distribution;

**5. Minute Taking**

a.The Chairperson shall provide a Secretary who will be responsible for the following:

i. Prepare agendas and issuing notices for meetings, and ensuring all necessary documents requiring discussion or comment are attached to the agenda.

ii. Distributing the Agenda 10 days prior to the meeting

iii. Taking notes of proceedings and preparing minutes of meeting.

iv. Distributing the minutes to all committee members one week after the meeting and be made available to all staff.

v. The minutes shall be checked by the chairperson and accepted by committee members as a true and accurate record at the commencement of the next meeting.

vi. Update the IGR database

vii. Ensure that all the reports required for the meeting are submitted by the relevant person 21days before the meeting

**6. Reporting and Communication lines**

The CSF is a forum established in to be a sub structure accountable to the TSF.

The CSF shall communicate with the technical sub structures of its line function within the Provincial Intergovernmental Forum or Intermunicipality Forum.

**7. The Functions of the Forum**

This forum should be established to consult and share best practices on all corporate services related plans and developments.

The CSF shall be monitored by the TSF and will provide specialized support to the TSF on corporate services related matters. Issues which cannot be resolved at this forum should be escalated to TSF.

**8. Quorum**

A majority of its members present shall constitute a quorum

**9. Standing Items of the Agenda**

The agenda for the IF should have the following standing items:

1. Employment Equity Plan
2. Skills Development Plan
3. Development of, and Approved Policies
4. Section 56 and 54 A posts and current state of vacancies
5. By-Laws
6. Organograms
7. Human Resource Development plan
8. Capacity Building
9. Legal & Compliance Issues
10. Performance Management
11. Back to Basics
12. Monitoring & Evaluation
13. District report on implementation of strategic pronouncements.

**10. Frequency of Meetings**

The forum shall meet not less than four times per year at least 14 days before the TSF meeting

**11. Amendments**

The terms of reference shall be reviewed annually from the date of approval. They may be altered to meet the current needs of all forum members, by agreement of the majority of members.

**12. Agreement**

The above Terms of Reference for the Infrastructure Forum have been agreed to by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Head Corporate Services of District Municipality

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Head Corporate Services of Local Municipality

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Head Corporate Services of Local Municipality

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Head Corporate Services of Local Municipality

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Head Corporate Services of Local Municipality

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Head Corporate Services of Local Municipality

**13. Effective Date**

These terms of reference shall be in effect as from the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 202- .

**ANNEXURE 8**

**DISTRICT COMMUNICATIONS FORUM**

Terms of Reference

**1. Title**

The name of this IGR Forum shall be: District Communications Forum and shall be abbreviated DCF

**2. PURPOSE**

The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical and expert support advice to the Technical Support Forum (TSF) on district wide communication related matters.

**3. MEMBERSHIP**

This forum shall comprise of the following Officials from the District and its Local Municipality

* Officials responsible for Communication

The Forum may from time to time invite the Chairpersons from other IGR forums and any other person who may be useful for the support of the forum.

The TSF shall confer the necessary authority on the forum for it to undertake technical tasks on its behalf.

**4. Chairperson**

The Chairperson shall be elected by the forum. The responsibilities of the chairperson include:

* + Scheduling meetings and notifying committee members;
  + Inviting specialists to attend meetings when required by the committee;
  + Guiding the meeting according to the agenda and time available;
  + Ensuring all discussion items end with a decision, action or definite outcome; and
  + Review and approve the draft minutes before distribution;

**5. Minute Taking**

a.The Chairperson shall provide a Secretary who will be responsible for the following:

i. Prepare agendas and issuing notices for meetings, and ensuring all necessary documents requiring discussion or comment are attached to the agenda.

ii.Distributing the Agenda 10 days prior to the meeting

iii. Taking notes of proceedings and preparing minutes of meeting.

iv. Distributing the minutes to all committee members one week after the meeting and be made available to all staff.

v. The minutes shall be checked by the chairperson and accepted by committee members as a true and accurate record at the commencement of the next meeting.

vi. Update the IGR database

vii.Ensure that all the reports required for the meeting are submitted by the relevant person 21days before the meeting

**6. Reporting and Communication lines**

The DCF is a forum established in to be a sub structure accountable to the TSF.

The DCF shall communicate with the technical sub structures of its line function within the Provincial Intergovernmental Forum or Intermunicipality Forum.

**7. The Functions of the Forum**

District communication forums have been established as per the governments’ mandates to co-ordinate and facilitate all communications within the district. The roles and functions of the DCF should be as follows:

* The chairperson of the DCF should participate in provincial meetings and work with provinces in organizing meetings with SANEF
* The DCF should ensure that there is capacity in the district to carry out communication activities.

It should also coordinate and organize a calendar of events for the district and ensure that these activities are streamlined

**8. Quorum**

A majority if its members present shall constitute a quorum

**9. Standing Items of the Agenda**

The agenda for the DCF should have the following standing items:

1. Municipal websites
2. Communication strategy
3. Newsletter
4. ICT
5. Shared Communication Services
6. Social media
7. Communication budget
8. District wide communication calendar
9. District report on implementation of strategic pronouncements.

**10. Frequency of Meetings**

The forum shall meet not less than four times per year at least 14 days before the TSF meeting

**11. Amendments**

The terms of reference shall be reviewed annually from the date of approval. They may be altered to meet the current needs of all forum members, by agreement of the majority of members.

**12. Agreement**

The above Terms of Reference for the District Communication Forum have been agreed to by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Communication Officer of District Municipality

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Communication Officer of Local Municipality

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Communication Officer of Local Municipality

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Communication Officer of Local Municipality

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Communication Officer of Local Municipality

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Communication Officer of Local Municipality

**13. Effective Date**

These terms of reference shall be in effect as from the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 202-.

**ANNEXURE 8**

**DISTRICT COMMUNICATIONS FORUM**

Terms of Reference

**1. Title**

The name of this IGR Forum shall be: District Communications Forum and shall be abbreviated DCF

**2. PURPOSE**

The purpose of this Intergovernmental Sub Forum shall be:

* To provide technical and expert support advice to the Technical Support Forum (TSF) on district wide communication related matters.

**3. MEMBERSHIP**

This forum shall comprise of the following Officials from the District and its Local Municipalities;

* Officials responsible for Communication

The Forum may from time to time invite the Chairpersons from other IGR forums and any other person who may be useful for the support of the forum.

The TSF shall confer the necessary authority on the forum for it to undertake technical tasks on its behalf.

**4. Chairperson**

The Chairperson shall be elected by the forum. The responsibilities of the chairperson include:

* + Scheduling meetings and notifying committee members;
  + Inviting specialists to attend meetings when required by the committee;
  + Guiding the meeting according to the agenda and time available;
  + Ensuring all discussion items end with a decision, action or definite outcome; and
  + Review and approve the draft minutes before distribution;

**5. Minute Taking**

a. The Chairperson shall provide a Secretary who will be responsible for the following:

i. Prepare agendas and issuing notices for meetings, and ensuring all necessary documents requiring discussion or comment are attached to the agenda.

ii. Distributing the Agenda 10 days prior to the meeting

iii. Taking notes of proceedings and preparing minutes of meeting.

iv. Distributing the minutes to all committee members one week after the meeting and be made available to all staff.

v. The minutes shall be checked by the chairperson and accepted by committee members as a true and accurate record at the commencement of the next meeting.

vi. Update the IGR database

vii.Ensure that all the reports required for the meeting are submitted by the relevant person 21days before the meeting

**6. Reporting and Communication lines**

The DCF is a forum established in to be a sub structure accountable to the TSF.

The DCF shall communicate with the technical sub structures of its line function within the Provincial Intergovernmental Forum or Intermunicipality Forum.

**7. The Functions of the Forum**

District communication forums have been established as per the governments’ mandates to co-ordinate and facilitate all communications within the district. The roles and functions of the DCF should be as follows:

* The chairperson of the DCF should participate in provincial meetings and work with provinces in organizing meetings with SANEF;
* The DCF should ensure that there is capacity in the district to carry out communication activities.

It should also coordinate and organize a calendar of events for the district and ensure that these activities are streamlined

**8. Quorum**

A majority if its members present shall constitute a quorum

**9. Standing Items of the Agenda**

The agenda for the DCF should have the following standing items:

1. Municipal websites
2. Communication strategy
3. Newsletter
4. ICT
5. Shared Communication Services
6. Social media
7. Communication budget
8. District wide communication calendar
9. District report on implementation of strategic pronouncements.

**10. Frequency of Meetings**

The forum shall meet not less than four times per year at least 14 days before the TSF meeting

**11. Amendments**

The terms of reference shall be reviewed annually from the date of approval. They may be altered to meet the current needs of all forum members, by agreement of the majority of members.

**12. Agreement**

The above Terms of Reference for the District Communication Forum have been agreed to by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Communication Officer of District Municipality

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Communication Officer of Local Municipality

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Communication Officer of Local Municipality

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Communication Officer of Local Municipality

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Communication Officer of Local Municipality

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Communication Officer of Local Municipality

**13 Effective Date**

These terms of reference shall be in effect as from the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 202-.

**ANNEXURE 9**

**DISTRICT SPEAKERS FORUM**

1. **Purpose**

To establish a framework for managing the procedures of the District Speakers Forum.

1. **Name of Intergovernmental Structure**

The District Speakers Forum is hereby established by the District Speaker in terms of Section 21 of the Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005).

1. **Composition of the District Speakers Forum**

**3.1 Permanent members of the District Speakers Forum:**

The membership of the District Speakers Forum will consist of the following permanent members:

1. District Speaker
2. The Speakers of all Local Districtities

The District Speaker may invite any person not mentioned in paragraph 3.1 above to a meeting of the District Speakers Forum. (Consideration could be given to inviting or including as permanent members, the Executive committee of the House of Traditional Leaders or Speaker of the House of Traditional Leaders)

**4 Objectives of the District Speakers Forum**

* + The objectives of the District Speakers Forum will be informed by the overarching strategic priorities for the current term of Local Government.

**5. Functions of the Chairperson**

5.1 The Speaker of the District will be the Chairperson of District Speakers Forum. The Chairperson will:

1. Convene District Speakers Forum meetings; and
2. Determine the agenda for District Speakers Forum meetings.
3. Invite the Chairpersons of the district intergovernmental for a to place matters on the agenda in terms of Section 26 (2) (b) of the Intergovernmental Relations Framework Act, 2005, (Act No 13 of 2005)

5.2 The Chairperson of District Speakers Forum will in addition to the above:

1. Appoint any other Speaker as the acting Chairperson of District Speakers Forum should any circumstance prevent the Chairperson from presiding at District Speakers Forum meetings; and
2. Include any matter for discussion on the District Speakers Forum agenda.
   1. **The District Speakers Forum Agenda and Agenda Setting**

**6.1 Role of District Speakers Forum**

The role of the District Speakers Forum will be as follows:

1. Ensure that sufficient technical processes have been conducted with other relevant intergovernmental forums and stakeholders prior to submission of an agenda item to the District Speakers Forum;
2. To monitor the implementation of District Speakers Forum decisions;
3. Ensure that the District Speakers Forum agenda and documentation is distributed by the Secretariat to members at least seven days before a meeting;
4. To advise the District Speakers Forum on instances where joint District Speakers Forum meetings (between two or more provincial intergovernmental forums established in terms of the Act) is required to discuss and consult on issues which are intersectoral in nature; and
5. Discuss a programme and approach for the District Speakers Forum agenda at the beginning of the financial year.

**6.2 Standing items on the Agenda**

1. Functionality of Council Forums
2. Public participation
3. Rapid response
4. Development of policies
5. Implementation of Code of Conduct
6. Ward Committees Functionality
7. War rooms
8. Mayor’s Outreach programme
9. District report on implementation of strategic pronouncements.

**7. District Speakers Forum Documentation**

7.1 The following criteria will apply for the submission of documentation to the District Speakers Forum:

1. District Speakers Forum agenda items must be supported by a submission in the standard format not exceeding one page;
2. Where supporting documentation in addition to the one pager is to be submitted the document should not exceed 10 pages.
3. PowerPoint presentations could also accompany the one page submission and should be limited to not more than 10 slides;
4. Classification of District Speakers Forum documents will be the responsibility of departments and Districtities on the basis of the principles and requirements as contained in the Minimum Information Security Standards (MISS).

**8. Implementation of District Speakers Forum resolutions**

8.1 The following criteria will apply with regard to the implementation of District Speakers Forum resolutions:

**Step 1:** The secretariat will draft the District Speakers Forum minutes within 7 days after the meeting;

**Step 2:** Copies of the draft minutes will be submitted to District Speakers Forum members;

**Step 3:** Accompanying the District Speakers Forum resolutions will be a standard format letter requesting the relevant department or Districtity to indicate what follow-up actions it will take to implement a resolution;

**Step 4:** One page progress reports will be requested from District Speakers Forum members and stakeholders on the implementation of District Speakers Forum resolutions.

**9. Scheduling of District Speakers Forum meetings**

9.1 The following criteria will apply with regard to the scheduling of District Speakers Forum meetings:

1. District Speakers Forum should convene at least 4 x per annum; quarterly
2. The District Speakers Forum Secretariat will determine a schedule containing dates for District Speakers Forum meetings at the end of the preceding financial year;
3. District Speakers Forum meetings must take place as scheduled and should not be cancelled unless there are exceptional circumstances; and
4. Only the Chairperson may cancel or postpone a meeting. If this situation arises it is proposed that the meetings be reconvened within seven days of the scheduled date.

**10. Role of the District Speakers Forum Secretariat**

10.1 The Office of the Director: Intergovernmental Relations is responsible for the District Speakers Forum Secretariat and will be responsible for:

1. Preparing draft agendas District Speakers Forum meetings;
2. Structure the District Speakers Forum agenda in accordance with key priorities of the local government sector;
3. Informing stakeholders that new or additional matters can only be placed on the agenda by the Chairperson or Speakers of the District Districtities when approving the agenda during a meeting;
4. Ensuring that the following timeframes for the submission and distribution of District Speakers Forum documentation is communicated:

* Submission of District Speakers Forum documentation is 10 days before the meetings;
* The District Speakers Forum agenda and documentation will be finalised 9 days prior to meetings and copied on the 8th day before District Speakers Forum meetings;
* The District Speakers Forum agenda will be emailed to members 7 days prior to meetings;

1. Sending invitations and coordinating attendance of District Speakers Forum members;
2. Logistical arrangements (e.g. venue’s, equipment and catering for meetings);
3. Preparing a budget for District Speakers Forum meetings at the end of the preceding financial year;
4. Ensuring that processes relating to protocol and security are followed.

**11. Frequency of Meetings**

The forum shall meet not less than four times per year at least 14 days before the TSF meeting

**12. Amendments**

The terms of reference shall be reviewed annually from the date of approval. They may be altered to meet the current needs of all forum members, by agreement of the majority of members.

**13. Agreement**

The above Terms of Reference for the District Speakers Forum have been agreed to by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

District Speaker of District Municipality

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Local Speaker of Local Municipality

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Local Speaker of Local Municipality

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Local Speaker of Local Municipality

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Local Speaker of Local Municipality

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Local Speaker of Local Municipality

1. **Effective Date**

These terms of reference shall be in effect as from the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ 202- .

**ANNEXURE 10**

**PROPOSED AGENDA ITEMS FOR IGR**

**TECHNICAL FORUM**

1. **DISTRICT INTERGOVERNMENTAL RELATIONS FORUM**

**Matters recommended by province for discussion**

1. Implementation of the Radical Economic transformation Programme

2. Back to Basics

3. Participation of Traditional Leaders in IGR Structures

4. Implementation of resolutions (Cabinet Lekgotla, PCF (Technical and Political) & MuniMec (Technical & Political)

5. Prioritization of Human Settlements (Technical and MuniMec)

6. EPWP (Technical MuniMec & Cabinet Lekgotla resolutions)

7. Operation Sukuma Sakhe (Technical MuniMec and Political MuniMec)

8. Functionality of District IGR Structures

**Reports from Municipal Sub Technical Forums**

9. District Corporate Services Forum

10. District Area Finance Forum

11. Infrastructure Forum

12. Planning and Development Forum

13. District Communications Forum

14. General & Social Services Forum

15. District Development Agency

16. Shared Services

17. District wide Integrated Calendar.

18. District Development Model

1. **DISTRICT INFRASTRUCTURE SERVICES FORUM**
2. Roads (construction/tarring/maintenance)
3. Storm water drainage
4. Water (reticulation / supply)
5. Sanitation
6. Electrification programme
7. Street lighting
8. Housing programme
9. EPWP
10. All related sector plans
11. District report on implementation of strategic pronouncements.
12. **DISTRICT PLANNING AND DEVELOPMENT & LED FORUM**

1. Framework and Process Plans

2. Provincial IDP Management and Support Plan

3. JMPT ito SPLUMA

5. IDP alignment, review and format

6. Environment management

7. OPMS matters

8. GIS

9. Transport planning / integrated transport

10. LED strategy

11. Support provided to Amakhosi (Rural LED)

12. Disaster Management

13. SDF

14. LUMS

15. Ward Based Plans

16. Tourism

17. DGDS (development and alignment)

18. Alignment of IDP/Budget/SDBIP

19. Shared Services

20. District Development Agencies

21. Conditional grants (sourcing and expenditure)

22. Status of all sector plans

23. District report on implementation of strategic pronouncements.

1. District Development Model
2. **DISTRICT CFOS FORUM**

1. Budget

2. SDBIP

3. Audit General report

4. Annual Financial Statement

5. Internal Audit report

6. MScOA compliance

7. Grants expenditure (spending, cash back and expenditure)

8. IDP priorities

9. Annual Report

10. District report on implementation of strategic pronouncements.

1. **DISTRICT GENERAL SERVICES FORUM**

1. Municipal Health Services

2. Refuse removal

3. Sewage collection and disposal

4. Verge maintenance

5. IWMP (Sector Plan)

6. Municipal parks and recreation

7. Cemeteries

8. HIV/AIDS programme

9. Youth Programmes

10. Disability programme

11. Senior Citizens programme

12. Sports Development Programmes

13. Social Cohesion and Moral Regeneration

14. EPWP

15. District report on implementation of strategic pronouncements.

1. **DISTRICT COMMUNICATIONS FORUM**

1. Municipal websites

2. Communication strategy

3. Newsletter

4. ICT

5. Shared Communication Services

6. Social media

7. Communication budget

8. District wide communication calendar

9. District report on implementation of strategic pronouncements.

1. **DISTRICT SPEAKERS’ FORUM**

1. Functionality of Council Forums

2. Public participation

3. Rapid response

4. Development of policies

5. Implementation of Code of Conduct

6. Ward Committees Functionality

7. War rooms

8. Mayor’s Outreach programme

9. District report on implementation of strategic pronouncements.

1. **DISTRICT CORPORATE SERVICES**
2. Employment Equity Plan
3. Skills Development Plan
4. Development of, and Approved Policies
5. Section 56 and 54 A posts and current state of vacancies
6. By-Laws
7. Organograms
8. Human Resource Development plan
9. Capacity Building
10. Legal & Compliance Issues
11. Performance Management
12. Back to Basics
13. Monitoring & Evaluation
14. District report on implementation of strategic pronouncements.

**ANNEXURE 11**

**CONFIDENTIAL**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **DECISION MATRIX OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **DATE, TIME VENUE** | | | | | | | | |
|  | | | | | |  | |
| **1.** | **NAME OF PRESENTATION** | | | | | |  | |
|  | **RESOLUTION(S)** | | **TARGET DATE** | | **RESPONSIBILITY** | | **PROGRESS** | |
|  |  | |  | |  | |  | |
| **2.** | **NAME OF PRESENTATION** | | | | | | | |
|  | **RESOLUTION(S)** | **TARGET DATE** | | **RESPONSIBILITY** | | | **PROGRESS** | |
|  |  |  | |  | | |  | |
| **3.** | **NAME OF PRESENTATION** | | | | | | | |
|  | **RESOLUTION(S)** | **TARGET DATE** | | **RESPONSIBILITY** | | | **PROGRESS** | |
|  |  |  | |  | | |  | |
| **4.** | **NAME OF PRESENTATION** | | | | | | | |
|  | **RESOLUTION(S)** | **TARGET DATE** | | **RESPONSIBILITY** | | | **PROGRESS** | |
|  |  |  | |  | |  | | |
| **13.** | **MENTIONS** | | | | | | | |
|  | **RESOLUTION(S)** | **TARGET DATE** | | **RESPONSIBILITY** | | **PROGRESS** | | |
|  |  |  | |  | |  | | |

**ANNEXURE 12**

**CONFIDENTIAL**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **DRAFT MINUTES OF THE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  (2ND MEETING OF 2017)  **Date, Time Venue** | | | | | | |
| **PART ONE: PROCEDURAL MATTERS** | | | | | | |
| Meeting was officially opened at: | | | | | | |
| 1. **Welcome and Opening Address: Chairperson,** | | | | | | |
| 1. **Apologies** | | | | | | |
| 1. **Adoption of Agenda** | | | | | | |
| **PART TWO: PRESENTATIONS** | | | | | | |
| **4.** | **NAME OF PRESENTATION, PRESENTER & DEPARTMENT** | | | | | |
|  | **The Meeting was informed the meeting that:**  **The following issues were raised during the discussion**: | | | | | |
| **RESOLUTION(S)** | | | **TARGET DATE** | | **RESPONSIBILITY** | |
|  | **The following resolutions were endorsed.** | |  | |  | |
| **5** | **NAME OF PRESENTATION, PRESENTER & DEPARTMENT** | | | | | |
|  | **The Meeting was informed the meeting that:**  **The following issues were raised during the discussion:** | | | | | |
| **RESOLUTION(S)** | | **TARGET DATE** | | | **RESPONSIBILITY** | |
|  | **The following resolutions were endorsed.** |  | | | All Municipalities | |
| **WAY FORWARD AND RECAP OF RESOLUTIONS** | | | | | | |
|  |  | | | | | |
| **ANNOUNCEMENTS AND CLOSURE** | | | | | | |
|  | The meeting adjourned at | | |  | |  |

**ANNEXURE 13**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Enquiries:  Imibuzo:  Navrae: |  | My Reference:  Inkomba Yami:  My Verwysin |  | E-mail: |  | Date:  Usuku:  Datum: |  |

**REPORTING TEMPLATE**

**TO :**

**FROM :**

**SUBJECT :**

**DATE**  **:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **PURPOSE**

The purpose of this Submission is to request the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to:

1. ;
2. ; and
3. **BACKGROUND**
4. **DISCUSSION**
5. **FINANCIAL IMPLICATIONS**
6. **POTENTIAL RISKS**
7. **RECOMMENDATION**

**IT IS RECOMMENDED THAT THE:**

1. **;**
2. **; AND**

**Prepared by**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**AUTHOR**

**DESIGNATION**

**DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**RECOMMENDED/ NOT RECOMMENDED/ VARIED**

**------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**NAME OF SUPERVISOR**

**DESIGNATION**

**DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**APPROVED/ VARIED/ NOT APPROVED**

**------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**NAME OF ACCOUNTING OFFICER**

**DESIGNATION**

**DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**