



**PRESENTATION**  
**TO THE**  
**4<sup>TH</sup> NATIONAL GENERAL COUNCIL**

**COMMISSION 4:**

**REPORT OF THE LEGISLATURE AND**  
**GOVERNANCE COMMISSION**

**SUNDAY, 11 OCTOBER 2015**  
**GALLAGHER ESTATE**

# CONTEXT

- In order to transform South Africa ANC needs to win elections;
- ANC needs votes to stay in power;
- Building confidence of people in the ANC government;
- Occupy moral high ground and deal decisively with fraud and corruption.
- Respond and deliver on peoples immediate needs;
- Delivery is depended on how we use finance and economic growth;
- Delivery is also depended on appointment of capable, disciplined individuals with humility and interest of communities at heart.

# (i) Legislatures

## RECOMMENDATIONS

- The Strategy discussion document that was initiated separately by the Chief Whip and Speakers forum was noted.
- **It was further agreed that a single discussion document should be developed to combine the two initiatives.**
- The urgent finalisation of the matter within 12 months.

## (ii) Provinces

### RECOMMENDATIONS

- **Review of Provinces must commence.**
- **Establishment of the Presidential Commission should be fast-tracked.**
- **Changes in provincial boundaries require a change to the Constitution, and a change thereto requires a two-thirds majority.**

# (iii) Local Government (1/2)

## RECOMMENDATIONS

### PUTTING PEOPLE FIRST:

- Ward committees – must come from community constituencies / structures, and not represent individual interests.

### GOVERNANCE:

- Troika - there must be continuous cooperation among the troika. Clarify role of the Chief Whip.
- Councillor performance - regular evaluation of councillor performance
- Strengthen Councillor training and support.
- Oversight – Municipal Councils must ensure continuous oversight; accountability; and alignment of structures.

### LG FINANCES:

- National Treasury, SALGA, CoGTA are reviewing the LG financing model, including LG Equitable Share and Grants.

## (iii) Local Government (2/2)

### RECOMMENDATIONS

- **Councillor support** - The Remuneration Commission is currently reviewing allowances of tools of trade for councillors.
  - **Review of the LG Model:**
    - Amending the Structures Act to deal with:
      - Formula for allocation of PR / Ward seats;
      - Review types of municipalities, e.g. Category A municipalities, plenary;
      - Management of LG elections; etc.

# (iv) Cooperative Governance

## RECOMMENDATIONS

- **Intergovernmental Relations** - amend legislation to ensure integrated planning and optimal delivery in local government.
- All planning must have a direct link to Integrated Development Plans.
- In order to give effect to the resolution on integrated planning and service delivery the NEC should review the coordination and integration of allocation of focus areas of different NEC Sub-committees to strengthen co-ordination of policy and oversight of service delivery.

# (v) Public Administration

## RECOMMENDATIONS

- **Public Administration Management Act, 2014** – provides for a regulatory framework to set Human Resource norms and standards across spheres. The L&G Sub-Committee must monitor the operationalisation of PAMA as a step towards creation of a Single Public Service.
- **Single Public Service** – need to look at mobility of staff across the spheres of government.
- **Building state capacity** – is key to state delivery. National School of Government – must create thought leadership between the private sector and government. Resolve allocation of funding.
- **Service delivery ethos and attitude** - The public service must adopt a service delivery ethos and attitude.
- **The Presidential Review Commission** - should finalise the review of all salaries.



## (vi) Traditional Leaders

### RECOMMENDATIONS

- The Traditional Leadership and Governance Framework Amendment Bill was officially introduced into Parliament on 23 September 2015.
  - The Bill provides for recognition of Khoi and San communities.
- First briefing of the Committee will be on 27 October 2015.

# (viii) Municipal Boundary Demarcation

## RECOMMENDATIONS

- South African LG system is still evolving.
- Continue to address financially and economically non-viable municipalities after the 2016 LG elections.
- Consider the views of communities when determining municipal boundaries and delimiting wards.
- Consider the time-period between the demarcation and delimitation of boundaries.
- The redetermination of municipal boundaries has resulted in a change of ward boundaries – this impacts on ANC Branches.

# Immediate Actions by ANC - the LG 2016 Elections

## RECOMMENDATIONS

- The 60% retention of Councillors should be linked to performance.
- Consider nominations from the leagues.
- Deployees must have minimum requirements.
- Utilise National and Provincial ANC deployees to support and work with Councillors in priority / high risk municipalities in elections campaign work.
- Increase public participation and community report-backs and door-to-door campaign.
- ANC Branches to develop programmes that respond to the immediate needs of communities.
- NEC to consider announcing Mayoral Candidates before the elections in Metro and other big municipalities.

# IMPLEMENT OUTSTANDING L&G SUB-COMMITTEE RESOLUTIONS

## RECOMMENDATIONS

- Noted substantial progress made in the implementation of previous conference resolutions;
- Deployees to continue with the implementation of outstanding resolutions and provide regular feedback to the appropriate structures of the ANC; and
- ANC structures to strengthen their capacity to monitor and evaluate on-going government work and the performance of deployees.

# Intensify Back-to-Basics - LG 2016 Elections

## RECOMMENDATIONS

- LG Election Manifesto to be premised on the pillars of the Back to Basics programme.
- Within the context of the Back-to-Basics campaign, all spheres must respond swiftly to issues raised by communities.
- Identify low hanging fruit / quick wins in all governments departments.
- Massify implementation of programmes with direct impact on youth, women and communities, such as EPWP & CWPs.
- Extend programme such as Tirisano / Sukuma-sakhe to address protests and immediate community needs.
- Develop mechanisms to address underspending of infrastructure grants by weak municipalities.

# NEW ISSUES FOR NEXT POLICY CONFERENCE

## RECOMMENDATIONS

- Representation of youth on LG Structures;
- Traineeship opportunities for youth in LG;
- Create employment opportunities for young professionals in government administration;
- Consider report on the review the allocation of powers and functions between local and district municipalities.

# IMPLEMENT L&G OUTSTANDING RESOLUTIONS

- Special attention to spatial transformation and integration measures to reverse apartheid spatial patterns that characterises our municipal spaces;
  - The IUDF must provide a government-wide policy framework on how urbanisation should be managed to ensure resilience and inclusion;
- Strengthen monitoring of implementation of spatial integration in all spheres – by regulating cooperative governance through the IGR Act (as amended)
- In order to give effect to the resolution on integrated planning and service delivery the NEC should review the allocation of focus areas of different NEC Sub-committees to strengthen co-ordination of policy and oversight of service delivery.