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20.3.4

Greater Louis Trichardt

The PWC appointed team has been dealing with the matter, â\200\230

20.3.5

Greater Vaaiwater

The new office bearers have agreed to resign, but no formal resignation letters have been received.

20.3.6

Roadtan

No letters of resignation has been received from the new office bearers

20.3.7

Greater Northam

No letters of resignations have been received from the new office bearers.

20.4 The PWC appointed Task Team comprising of Cde Collins

Chabane, Ben Mhlongo, Dikeledi Magadzi and Dewet Monakedi is seized with all the above matters to establish whether there were compelling political reasons which necessitates the reorganisation of these TLCâ\200\231s.

20.5 Decision Required

20.5.1

20.5.2

The report is submitted for noting as work in progress.

The PEC should establish clear procedures on how to implement the PEG decision with regard to avoid confusion where those issues drag for very lengthy periods and in many instances paralysis the functioning of the TLCâ\200\231s.

3.2.1 Interdependence of people, communities and economics, indicated by,

(i)

(ii)

(iii)

(iv)

(v)

(vi)

Existing and expected patterns of settlement and migration

Employment

Commuting and transport movements

Spending

The use of amenities, recreational facilities and infrastructure

Commercial and industrial linkages

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4.2.2 Financial Viability and administrative capacity of the

Local Municipality

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Share and redistribute financial and administrative resources

4.2.4 Existing provincial and municipal boundaries

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I Areas of traditional leaders/ communities

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4.2.6 Existing and proposed functional boundaries,

including magisterial, voting, health, transport, police and census enumerator districts/boundaries.

4.2.7 Existing and expected land use, social and economic planning

4.2.8 The need for co-ordinated municipal, provincial and national programmes and services (including justice and health care.)

4.2.9 Topography and physical characteristics

4.2.10The administrative consequences of boundary
determination on,

- (i)
- (ii)

Municipality credit worthiness
Existing Municipalities and its staff etc

4.2.1 1-_The need to rationalise the total number of
municipalities within different categories and types to

p4-

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completed within a reasonable period.

269. .All disciplinary proceedings shall be attended to as speedily as possible.

26.10. Decisions relating to disciplinary proceedings shall be publicly announced

(1) The NEC shall appoint a National Disciplinary Committee from among its membership and from other Structures of the ANC. The decisions of the NDC shall be final except that the NEC may, in its discretion, review a decision. Such a review shall be regulated by standing orders adopted by the NEC.

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(11) The National Disciplinary Committee shall hear and determine violations or offences on appeal from appropriate organs of the ANC. In addition the national office of the NWC or the NEC may refer such violations or offences directly to the NDC. In exceptional situations arising out of serious breaches of the Constitution, 1996 or Codes of Conduct, the NDC itself may exercise jurisdiction to investigate and determine a complaint.

26.12 The NEC may authorise other structures of the ANC to institute disciplinary proceedings and to set up appropriate Structures to apply the provisions of this Rule.

Rule 27 RULES AND REGULATIONS

27 1. The NEC shall have the power to adopt rules and regulations for the better carrying out of the activities of the ANC.

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27.2. The NECs shall have the power to adopt rules and regulations for the 'better functioning of the ANC in their respective provinces.

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73 All such rules and regulations shall be consistent with the constitutional norms of the ANC, and rules and regulations framed by the NEC shall only become operative when approved by the NEC, or, on a provisional basis pending approval by the NEC, by the NWC

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7.4. The NEC shall have the power to frame a code of conduct to cover all sources of income of officials, public representatives, office bearers and members

Rule 28 GENERAL

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The ANC shall have perpetual succession and power, apart from its individual members, to acquire, hold and alienate property enter into agreements and do all things necessary to carry out its aims and objects and defend its members, its property and its reputation.

Rule 29 AMENDMENTS

Any amendments to this Constitution shall be by a two-thirds majority of delegates present

t and voting at the National or Special Conference. Notice of intent to propose any amendments to the Constitution should be forwarded to the Office of the Secretary General at least three months before the National or Special Conference. The NEC shall provide at least one month's notice for any Constitutional amendment.

Rule 30 SPECIAL CONFERENCE

30.1. A special conference of the ANC may be convened by the NEC at any time or at the request of a majority of the Provinces for a stated purpose or purposes.

30.2. Not less than one month's notice of such conference shall be given.

30.3. Participation at the Conference shall be determined by the NEC provided that branches shall be represented at such a conference in proportion to their membership.

Rule 31 CONTRACTUAL LIABILITY

Only the National Officials shall have the authority to bind the ANC or to create any legal relationship. Any other person

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Metropolitan Nodal Points
District Council Nodal Points
Cross boundary areas

This determination is supposed to be completed by the end of July 1999.
As at the writing of this report the Minister of Provincial and Local Government is determining the nodal points for the District Council and metropolitan areas to enable the Board to issue a Section 26 notice calling for the determination of Metropolitan and District council boundaries.

â\200\235 Finalise municipal boundaries by September 1999.
" Finalise ward boundaries by February 2000.

It is submitted that the ANC should take cognisance of the process. Of importance is that the immediate priority of the ANC is to input in the determination of the District boundaries.

The next section deals with the submission of the Committees on the District boundaries.

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DEMARCATIION CRITERIA

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.1 OBJECTIVES

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(iv)

The provision of democratic and accountable government for the local communities
The provision of services to communities in an equitable and sustainable manner
The promotion of social and economic development
The promotion of a safe and healthy environment

3.1.2 Enable integrated development

â\200\231331.3 Enable effective local government

3.1.4 Must have a tax base as inclusive as possible for users

of municipal services

â\200\224

3 .2 FACTORS

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policy.

Be the basic unit of activity for members.

Elect at an annual branch meeting a Branch Executive Committee consisting of Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer, and other committee members, consisting of not less than three and not more than ten persons. A person shall have been a member of the ANC for one year before she or he can be nominated to a Branch Executive Committee of the ANC, provided that where a new branch is being established, the PEC may waive this provision. The Women's League and the Youth League, shall be entitled to two representatives each on the BEC.

Meet at least once per month.

2473. The branch executive committee shall:

Meet as soon as possible after its election and allocate tasks and functions among its members to enable it to carry out the day-to-day activities of the Branch.

Carry out the publicity and organisational work in its area in furtherance of the policy, programme and decisions of the ANC. '

Meet at least once per fortnight.

Submit reports on its work to the branch meeting and at least each month to the Regional Executive Committee.

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Co-opt not more than three persons, if it considers it necessary to ensure greater representativity.

The quorum for each meeting of the Branch Executive Committee shall be 50% + 1 (i.e. fifty percent plus one) of the total BEC membership.

Rule 25 ZONAL STRUCTURES AND SUB REGIONS

25.1. Any three (3) or more branches within a Region for the purpose of co-ordination of activities and better organisational efficiency, may be formed into a Zone at the instance of the Regional Executive Committee after consultation with the relevant branches, or on application to the PEC, by at least two branches within an area of a proposed Zone.

25.2. Whenever a Zone has been established the Branch Executive of constituent Branches shall at a properly convened meeting, elect a Zonal Committee which shall consist of a Chairperson, Secretary, Treasurer and one (1) representative elected per Branch within the Zone

25.3 Where Zonal structures of the Women's League and Youth League exist, they shall be represented by one (1) member each, subject to the same provisions relating to the requirement for ANC membership.

25.4. The tasks of the Zonal Committee will include:

To meet at least once a month.

To co-ordinate the work and activities of the constituent branches and submit reports to the REC.

To see to the implementation of the instructions of the NEC, PEC or the PWC, REC in the Zone.

To participate in the work of the Regional Council

To maintain effective links with all branches in the Zone.

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Otherwise than at the instance of the employer, may not be accumulated. The employee shall not be entitled to payment in lieu of leave except on termination of employment. On termination of employment, the employee shall be entitled to be paid in lieu of only so much leave as is due to him in terms of this clauses. She / he shall not be entitled then to be paid in lieu of leave which was accumulated by her ./ him in contravention of this clause.

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Leave may notâ\200\224 taken in the last month of service.

During the first year of employment, leave will only be granted on a pro rata basis.

Applications for Annual Leave must be made on the approved form and submitted to the specified MP or MPL, within the following time constraints :

More than 3 days leave
But less than 10 days

: 7 days in advance

10 days or more

: 14 days in advance

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All applications for leave must be negotiated with the employeeâ\200\231s supervisor in order to ensure that leave is not taken at when the demands of the CO are particularly heavy.

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Any member of staff who takes long leave (more than 21â\200\230 days leave over a two month period) for any reason (e.g. study leave, maternity leave, compassionate leave or sick leave) may not take more than the leave will be taken) or six months after the long leave. If there are exceptional circumstance, the speciï\201ed MP or MPL may waive this limitation.

Such a decision must be minuted, along with the reasons for the decision.

Should a staff member terminate his / her services having taken more leave than he/ she is entitled to, the excess days must be repaid out of the i\201nal basic salary. The deduction shall be made at the standard rate of basic salary.

7.2 Sick Leave

Except with the consent of the CO Management Committee, sick leave shall not be granted for a period not longer than 36 working days on full pay during any 36 months period service (12 days for each 12 months).

If sick leave beyond the said period of 36 working days during any period of 36 months is granted, then the CO Management Committee, shall have the entire discretion as to:

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..-..

(a) the rate of pay, if any the employee shall receive during the excess of period:
(b) the extent to which such leave shall serve as qualifying for annual leave (ie.

whether annual leave will continue to be accrued during this period).

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3.2

The document was also tabled in the office bearers and PWC meetings respectively. Both structures have not as yet considered the document as they did not have time to peruse it.

3.3

The document is herein attached as Annexure A.

3.4

Decision Required

3.4.1 That the PEG should decide on the fate of the document, i.e. whether to discuss and ratify it or to refer it back to the PWC.

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4.

Demarcations Process

4.1

The PLGU and Demarcations Committee have formulated a response to the demarcations document produced by the Demarcation Board. A meeting was held with the Deputy Chairperson of the Demarcation Committee, Cde Nkaro

Mateta.

4.2

The response document from the Committee is herein attached as Annexure B

4.3

Decision Required

4.3.1 That the document of the PLGU and Demarcations Committee be ratified by the meeting.

4.3.2 That due to the speed of the demarcations process which requires regular comments by the organisation, the committee, in consultation with the office bearers and

PWC, be given a mandate to process the issue with the Demarcation Board, through the mechanisms to be established by the NWC.

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17.3 Decision Required

17.3.1

The report is submitted for noting.

18.

Contradictory Statement by Cde Norman Mashabane on the Greater Potgietersrus Matter.

18.1 A letter was written to Cde Norman Mashabane to clarify his statements in the media, which were in contradiction of the organisational decision, for which he was a member of the PEG.

18.2 No response has been received from him to date.

18.3 Decision Required

18.3.1

The matter has been overtaken by events in Greater

18.3.2

Potgietersrus and should be laid to rest. PEC members, who serve in other capacities, other than the Alliance, should be directed not to issue public pronouncements, which contradicts organisational policies and positions.

19.

Elections Report

19.1 While a detailed report is distributed for perusal by the MEC members, it will suffice to indicate our satisfaction with regard to the involvement of the majority of PEG members in the elections. The full elections report is separately submitted to the PEG for consideration.

Salary review will be undertaken by the CO Management Committee for all staff members each year. Annual salary reviews take place at the beginning of the financial year (April 1). Increases in salary will attempt to compensate staff for increase in the cost of living, but will be dependent on the availability of funds.

The preferred method of paying salaries is for the employee's salary to be paid directly into her bank account by means of a credit transfer on the 15th day of each month other than the month in which he or his employment terminates in which case payments may be made manually. Pay slips will be provided. Pay slips will clearly indicate the employee's gross salary, PAYE, UIF payment, medical Aid deduction, provident Fund deduction, the employer's contributions, and net salary.

Increases and progression to new portfolio will be determined from time to time by the CO Management Committee, on the recommendation of the MP/MPL Team.

6. Hours of Work

6.1. The normal hours of work shall be 08h00 to 16h30 Mondays to Fridays.

6.2

6.3

All Staff members shall be entitled to an hour's lunch break.

Staff members may be required to work in the evenings or over the weekend on the request of their supervisor.

supervisor or member of the MP/ MPL Team.

6.4 As overtime will not be paid, employees are entitled to take a half day off for every seven hours of overtime worked. If an employee works a full weekend they will be entitled to one full working day off. This time off in lieu of overtime must be negotiated with the employee's supervisor and must be taken in the same week in which the overtime was worked. This leave may not be accumulated.

7. Leave

7.1. Annual Leave

All employees are entitled to a total of 18 working days leave per year, plus such working days as fall between Christmas Day and January 2 each year, as annual leave on full pay in respect of each completed 12 (twelve) month cycle of employment.

*

Leave not taken within six months of the date on which it falls due

ANC NORTHERN PROVINCE CONSTITUTIONAL OFFICES

8.12

Matter of Mpheni

8.12.1 The meeting received a report and ratified the recommendations on the resolution

of problems in this branch.

8.12.2 That the REC should consider bringing charges of abuse of office by the Regional

Treasurer.

8.13

Matter of Sinthumule-Kutama

8.13.1 A report on the above matter with regard to Khosi Sinthumule was received and considered by the meeting.

8.13.2 Decision

a.

b.

That consideration should be made to accommodate Khosi Kutama in the Management Committee of the TLC in Greater Louis Trichardt.

That Cde Ben Mhlongo and Norman Mashabane should hold discussions with Khosi Kutama and the REC on the issue.

8.14

Matter of Mamone

8.14.1 It was noted that the Chairperson has not yet visited Mamone.

8.14.2 Decision

a.

That preparations should be made for the Chairperson to Visit Mamone before the elections.

8.15 ANC/CONTRALESA Task Team

8.15.1 The meeting noted that the Task Team has almost concluded its work and that a final report will be presented in the PWC.

8.16

Welfare Policy Document

8.16.1 The meeting noted that while the document has been finalised, it has not yet been

een

considered by the PWC.

8.16.2 It was directed that the matter be considered by the PWC.

8.17 MDM Document

8.17.1 It was noted that the DPET has not yet submitted a reï-\201ned document on the matter.

17.5

Very few committees do submit their monthly reports.

17.6

Recommendations

It is recommended that PEC should ratify the following recommendations:

- a.
- b.
- c.
- d.
- e.
- f.
- g.
- h.

That we should revert back to our meetings scheduled Of PWCâ\200\231s and PECâ\200\231s.

That all Committee Convenors should submit minutes of their meetings on a monthly basis to the Provincial Secretary to prove that they do meet, which should accompany their monthly reports.

That the Premier should direct all MECâ\200\231s to attend Subâ\200\224Committee meetings.

That roll call registers of Sub-Comrnittee meetings be submitted to the Provincial Secretary with (b) above.

That all Committees draw their Programmes of Action based on the resolution of our National and Provincial Conferences, PGC and Speciï-\201c PEC decisions, which are relevant to them.

That all Convenors of Committees should ensure that their committee counter-parts in the regions are established.

That the decision to include members of Portfolio Committees in the PEC Committees be instantly implemented.

That the above should happen within a period of four weeks, and that the Provincial Secretary should submit a report in this regard to the PWC.

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Benny Boshielo
Provincial Secretary

16

- g.
- h.
- i.
- j.
- k.
- l.
- m.

Staff discipline
 Elections campaign
 Revival of ANC branches
 Asset Register for the organisation
 Local Councils matters
 Delegation of powers to regions
 Preparation for the Provincial General Council

9.4

Achievements

- a.
- b.
- c.
- (1.
- e.
- f.

The major achievements are around the improvement and management of our offices
 Development of an organising strategies
 Sharing of experiences
 Development of common administrative and management systems for the regions
 Development of an organisational asset register
 Comments on the delegation of powers to regions

9.5

Problems

- a.

Two Regional Secretaries and their Deputies do not attend the forum, i.e. Bushveld and Western Regions. Only Administrators attend.

9.6

Comments

- a.
- b.

The Forum enables the Provincial Secretary to interact closely with the regions
 The Forum function fairly well

9.7

Recommendations

Similar forums should be convened in the regions on a monthly basis.

10.

Deployment Committee

10.1

Convenor

Cde Robert Malavi

10.2

Meetings and attendance

a.

b.

Four meetings were held
Attendance was fairly good

11

Wherever possible a coherent economic base should be identified around which the district would cohere;
 The Districts should not be too large: in settled areas a radius of 50-100 kilometres was utilised;
 While the population of Districts should not be too large, for economies of scale, it was felt districts should have a base population of at least 100000 persons; and
 Wherever possible, there should be some coherence to the economic and social base of districts.

The Board followed an interactive process in applying these principles in each of the provinces in order to determine possible District Nodal points.

2.5 CROSS BOUNDARY DISTRICT COUNCIL AREAS

The Constitution and Municipal Structures Act make provision for an Act of Parliament authorising the establishment of a Cross Boundary Municipality.

After conducting its research, the Board noted that there were a number of areas in South Africa where fairly large tracts of land, including a number of different communities and settlements, straddled provincial boundaries. As a result, the Board has requested the Minister to consider whether or not further research be conducted into the possibility of Cross Boundary municipalities.

Depending on the decision of government, cross boundary municipalities could be established and the actual configuration of possible District nodal points would then need to be revised.

3. PRELIMINARY FRAMEWORK OF NODAL POINTS FOR DISTRICT/METROPOLITAN COUNCILS IN SOUTH AFRICA:

The draft framework of nodal points for District/Metropolitan Councils is contained on the attached maps as follows:

PROVINCE

1. POSSIBLE

, , NODAL - PGMS

FIGURES
 DISTRICT/METROPOLITAN
 COUNCILS

8
 6
 3
 2
 8
 6
 6
 5

KwaZulu-Natal
Gauteng
Mpumalanga
Northern Province
Western Cape
Northern Cape
Eastern Cape
North-West
Free State

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6
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6

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—\N INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

Minutes of the continuation Provincial Executive Committee Meeting
held on the 17 April 1999.

Constitution of the meeting

I 1.1

Attendance

See Roll Call Register

I 1.2

Apologies

Ngoako Ramatlhodi
Rosina Semenya
Tshenuwani Farisane
Pinkie Kekana
Aaron Motsoaledi
Jerry Ndou

Application for Early Leave

None

Absent

Robert Malavi
Norman Mashabane
Pat Reinecke
Ian Madikoto
Samson Mahada
Abram Mangoato
Eugene Masete

Organisational Report

No report

2. POSSIBLE NODAL POINTS FOR METROPOLITAN AND DISTRICT COUNCIL AREAS

2.1 RELEVANT SECTIONS OF THE MUNICIPAL STRUCTURES ACT:

Chapter 1 of the Local Government: The Municipal Structures Act, 1998 states:

Areas which must have category A municipalities

' 2. An area must have a single category A municipality if that area can reasonably be regarded as â\200\224â\200\224

(a) a conurbation featuring â\200\224-

- (i) areas of high population density;
 - (ii) an intense movement of people, goods, and services;
 - (iii) extensive development; and
 - (iv) multiple business districts and industrial areas;
- (b) a centre of economic activity with a complex and diverse economy;
- (c) a single area for which integrated development planning is desirable; and
- ((1) having strong interdependent social and economic linkages between its constituent units.

,

Areas which must have municipalities of both category C and B

An area that does not comply with the criteria set out in Section 2 must

3.
have municipalities of both category C and category B.

Application of criteria

(1) The Minister must apply the criteria set out in section 2 and

4.
determine whether an area in terms of the criteria must have a single category A municipality or whether it must have municipalities of both category C and category B.

(2) The Minister may determine that an area must have a category A

municipality only after consultation with the MEC for local government in the province concerned, the Demarcation Board, SALGA and organised local government in the province concerned.

Declaration of metropolitan areas

(1) If the Minister determines that an area must have a single category

5.
A municipality, the Minister, by notice in the Government Gazette, must declare that area as a metropolitan area.

(2) When declaring an area as a metropolitan area the Minister

designates the area by identifying the nodal points of the area but must leave the determination of the outer boundaries to the Demarcation Board.

AN INTEGRATED FRAMEWORKâ\200\230FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

Preparations for the Provincial General Council

The PWC has approved the following with regard to the preparations for the P66.

1 .

Credentials

1 .1

Voting Delegates

Five per Regional Executive Committee

Â» Provincial Executive Committee including ex officio

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ANCWL PEC including regional ex-officio members

Two delegates per branch in good standing

ANCYL PEC including regional ex officio

1.2

Non-Voting Delegates

a.

h.

c.

d.

e.

f.

SACP, SANCO, COSATU

SASCO, SUCA, COSAS, YCS

MKMVA

PEC Departments (Technical)

NPLGA (ANC)

MPLâ\200\231s, MPâ\200\231s and NCOP

x

x

x

x

x

x

05 each

02 each

05

02 each
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68

2.

Programme

2.1

The proposed PGC programme will be as follows:

Opening

Credentials

iii.

iv.

Chairpersons Political Report

State of the Organisation Report

Questions, clarifications, discussions

vi.

Commissions

a.

b.

Campaigns

Organising Strategy

6.9

That TLCâ\200\231s should urgently invite traditional leaders in their meetings.

6.10

That MECâ\200\231s should organise regular forums with the Councillors.

6.1 1

That all Councillors should organise report back meetings.

6.12

6.13

That establishment of zonal structures be experienced to allow for accountability of ward Councillors.

That a workshop be organised for Chief Whips, Chairpersons and Regional Leadership 011 how to run the TLC affairs.

6.14

That a team be constituted to meet with all Councillors in the regions.

6.15

That Local Government Department and District Councils should clarify on availability and usage of funds by TLCâ\200\231S.

6.16

That the process of appointment of consultants be speeded up.

6.17

That all TLCâ\200\231S should avoid taking controversial decision which may affect the elections campaign.

6.18

That more attention should be paid on water and electricity.

6.19

That the deployment of comrades to strategic positions in the TLCâ\200\231s be dealt with organisationally.

6.20

That all regions should establish Regional Councillors Forums.

621

That all Councillors be directed to participate fully in elections work.

7.

Closure

The meeting closed by agreeing that an action plan be developed from these recommendations.

Benny Boshielo
Provincial Secretary

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. A conurbation featuring extensive development, featuring multiple business districts and industrial areas and a single area for which integrated development planning is desirable

Using satellite imagery showing different land uses, each of the urban conurbations has been broken down into various land uses. The following table indicates how each urban conurbation ranks in terms of major land uses and the extent of development:

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o A centre of economic activity

Economically Active

The following table indicates the number of people identified in the 1996 Census as being proportions who were Employed and Unemployed. Again, significant differences are found between each of the urban conurbations:

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AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

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7.3

Issues considered

a.

b.

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e.

f.

Security matters during the elections campaign and identifying potential
hot spots.

Workshop for Regional Peace and Stability Committees

Representation of DIS in the Committee

Briefing on the appointment of a Provincial Commissioner

Transformation of the SAPS

Ranks with the SAPS

7.4

Interaction with Government Structures

21.

b.

The link with Government Structures was with Cde Saad Cachalia, who
attend the Committee meetings.

Also had contact with comrades in the DIS.

7.5

Problems

21.

b.

Ranking and grading of integrated comrades from MK.

Lack of attendance of meetings by the MEC.

7.6

Recommendations

21.

A follow-up is required on the problems of ranking.

7.7

Comments

21.

b.

The Committee is performing fairly well

Need for Committee to discuss the implementation of the NCPS,
particularly the establishment of the Community Policing Forums, and
ensure full participation of our structures.

Legislatures and Governance Sub-Committee

8.

8.1

Convenor

Cde Robert Malavi

8.2

Number and attendance of meetings

21.

b.

About eight meetings were held
Attendance was fairly good

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Returning officer. After consultation with elections committee, may add to such list, voting stations and addresses and public and maintain such a list

The Premier (REC : Local Government) may direct returning officer to increase the number or locality of voting stations to 24(1)

24(1)

24(2)

15-9-1999
(11/200/2249-1999-24-9/200/2241999)

16-9-1999
(1 1-9-1999-24-9-1999)

ACTIVITY

REG.
NO.

TARGET DATE

Returning officers publish a list of voting stations and their addresses

24(1)

7-9-1999
(4-9-1999-24-9-1999)

Candidates advise returning officers in writing in writing law ER8 of the names, if any, of agents and messengers appointed to 29(1)

23(1)

14-9/200/2241999
(11-9-1999-24-9-1999)

32

33

29(2)(a)

17-9~1999
(1 1/200/2249-1999-24-9-1999)

Withdrawal or replacement of duly appointed agent by notice to the returning officer

Candidates advise returning officers in writing of the names, if any, of agents and messengers appointed to 29(1) per form ERS

The returning officer supplies by 200/224 election materials for use at voting stations to each presiding officer ie list of candidates of ward, candidates agents and messengers one copy of applicable part of the updated voters' list to 34(1)

29(2)(b)

23-9-1999
(12:00 not later)

35(1)

23-9-1999

35

By-Election Day

40(1)

24-9- 1999

African National Congress

Northern Province

Provincial Executive Committee

14 \200\22415 August 1999

The Ranch Hotel

Draft Agenda

14 August 1999

18h00:

Opening and welcome

1 8h05:

Constitution of the meeting

i.

ii.

iii.

iv.

Signing of roll call register

Apologies

Application for early leave of absence

Absent

(The meeting to be constituted on the basis of a quorum)

1 8h1 5:

Confirmation of the Agenda

1 8h25:

Confirmation of the Minutes

1 8h45:

Announcements and Administrative matters

Draft Agenda

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5.4

Achievements

- a.
- b.

Working relationship with the SACC

Interaction with religious group in the Province during the elections.

5.5

Problems

21.

No formal meetings were held.

Recommendations

- 21.
- b.

The Committee to draw a meeting schedule for the year.

The Committee should expand its membership

5.7

Comment

The work of the Committee is unsatisfactory and it needs to improve.

Campaigns Committee

6.1

Convenor

Cde Aaron Motsoaledi

6.2

Number and attendance of meetings

- a.
- b.
- 0.

Functional more as Training and Mobilisation Task Team under elections and met weekly.

Had very good attendance of meetings

Held about twenty (20) meetings

6.3

Issues considered

- a.

Mainly campaigns around the elections, which included

- i.

ii.
iii.
iv.
V.

Id Campaign
Voter Registration
Campaign Strategies
Setting up of elections structures
Training and Mobilisation

' x

Appomt and recall TLC Ofi-\20lce bearers lh conjUthiOh with the Local
Party Caucus and the Sub-Regioh. Thls ex l:llldestl eapp0llltmeht and
recall 0lDistrlctC0uncil s Staft ll'hlch sh0uld reside llllllllll6 PEC.

Convene and dl330ll'e a Party Caucus ll1 any TLC shou'id lt 10lllllll to
_be disfunctionhal.

AppolntReglOhalLis-â\200\230l 2lll0 Candidate 5 C0lllmlttee lâ\200\23000l Local
Goyemmeht structures 0ll the regulatl0hs draw'll up â\200\2300l' the Pl 0l'1l'10l2ll
Deploiment andlor Ll5l Committee Such Committee shale0p0lâ\200\23l00
the Pl0llll10l2ll Committees, llhlch lllll be the tinal arbiterlll 2llll
dispUte, which may arlse.

Manage and control funds and assets of the ANC ll1 the Region.

Carry 0lll the decision ofthe Pl0l'ihclal and Regiohal Conferences.

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6.6

6.7

6.8

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Benny Boshielo
Proâ\200\230i-\20lncial Secretary
2l June 1999

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--â\200\230 â\200\224- â\200\2308.JUL.1999--12:18' _' SPERKERS OFFICE
SPERKERS OFFICE

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R4

I? OFFICE BEARERS OF THE LEGISLATURE DEPLOYMENT

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=9 Should be informed by the fact that due to the role that they play in the ofi-\20lces
of
deployment, deployment should be such that it does not disadvantage the users of
Constituency Ofi-\20lces.

F6. STAFFING CYCLES
7

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To enable equitable and even stafï-\20lng there should be equitable and even
deployment of MP5 / MPLS per ofï-\20lce.
There should be a living wage.
Comprehensive conditions of service to be pursued.
Clear job description to be evolved.

L7. COST OF RUNNING CONSTITUECY OFFICES

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To be cleaied by the NBC.

1

Ls. ANC OVERSIGHT OVER MPs/ MPLS â\200\224

4)

Regular report to be caused.

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{ 9. CLOSURE

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The meeting closed at 16h25

Compiled by

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ï-\20lachilÃ©ï-\20lThobejane

: ChiefWhip

BY - ELECTION CHECKLIST

CONDITIONS

ACTIVITY

CEO report vacancy to Mayor or
within 7 days after it occurred

REG. NO

2(2)(a)

â\200\230ï¬\201

Chairperson

Mayor/Chairperson or deputy endorses

Publish notice that propose to make an
his/her agreement on 1.

updated vote's roll and to call upon natural
persons to enroll in updated voters â\200\230 roll.

Time period of inclusion in the updated
votersâ\200\231roH.

votersâ\200\231 roll inspections.

Publish notice for preliminary updated

Inspection period on updated votersâ\200\231 roll
within 7 days after receipt of
report
â\200\231
not later than 7 days after
date of declaring vacancy.â\200\230

within 20 days starting on the
day after the date of notice
publication
not later than 7 days after
date of declaring vacancy.â\200\230
period of 10 days starting not
later than 26 days after
publishing date of notice.
not later than 22:00 of the
last day of 10 day inspection.
during identified 7 days
starting not later than 41
days after date of notices
publication.
not later than 22:00 on the
last day of the 7 day
inspection starting not later
than 41 days after date of
noticeâ\200\231s publication.
,

not later than 22:00 on the
last day of the 10 day
inspection period starting not
later than 26 days after
publishing date of notice.
one or more days and places
not later than 30 days after
the expiry of the 10 day
inspection period.
not later than 5 days after the
expiry of 10 day inspection
period shown in 6(1)(a).

not later or more than 5 days
after the expiry of the 7 day
inspection period. 6(1)(c).

Lodging of objections (in writing or verbal)

Inspection of list of names and particulars
during inspection period.

of claimant, objector and person i.r.b whom
objection has been lodged.

Calling upon every person to lodge written

11.

12.

10.

5(1)(e)(iv)

or oral objection to list of names and
particulars of claimant, objector and person
i.r.o whom objection has been lodged to
votersâ\200\231 roll officer
Inviting every claimant whose name is on
preliminary unplaced voterâ\200\231s roll to submit a
further claim or additional information
sufficient enough to pace his/her as a voter
in the ward for by - election.
Fixing of days for the sitting of revision
court to hear ciaims and objections

not less than 5 days before

court and to invite such persons to attend.

14. The voters â\200\230rbll officer shall serve notice on

Votersâ\200\231 roll officer prepares a list setting but
name of and particulars of every claimant,
objector and person i.r.o whom an objection
has been lodged i.t.o (6(1))(b)
Voters' roll officer prepares a list setting but
the name and particulars of every
claimant, objector and person i.r.o whom an
objection has been lodged i.t.o 6(1)(b))

persons specified i.t.o 6(4)(a)(b)(c) setting
out the grounds of such objections or
rejections the date for hearing by revision

13.

the day fixed for the sitting of
the revision court.

14

22.3

The Department of Water Affairs in the Province has been approached with a view to get information about their plans in order to avoid duplications.

22.4

Currently, the donors i.e. SAB and Osman Wholesalers, are ' still to determine the package of the boreholes which they are donating, i.e. whether it is only drilling or is drilling together with the engine. This information will determine areas where we need to go into partnership with the Department of Water Affairs.

22.5 Decision Required

22.5.1

That the Infrastructure Committee should interact with the Department of Water Affairs, SAB and Osman Wholesalers and advice the PWC where the boreholes should be drilled.

23.

Position of Zimbabwean Workers in the Farms

23.1 Our office has received a letter from an NGO, which raises concerns about Government policy with regard to the employment of Zimbabweans in the farms.

23.2 The office bearers have directed that the matter be tabled in the Alliance Secretariat meeting. The Secretariat has not as yet considered the matter.

23.3 Decision Required

23.3.1

That the Economic Transformation Committee should consider the matter and advice the PEC/PWC, before

the matter is tabled in the Alliance Secretariat.

<http://www.anc.org.za/ancdocs/about/200/231consututxon98.htm>

attend ANC conferences, members' or executive meetings of the ANC (unless specially invited), unless he or she is a full member of the ANC.

Rule 7 THE HEADQUARTERS 200/230

The site of the National Headquarters of the ANC shall be determined by the NEC.

Rule 8 PROVINCES

8.1. For purposes of ANC structures, the country shall be divided into the following provinces:

Western Cape, Northern Cape, Eastern Cape, KwaZulu Natal, Free State, Gauteng, Northern Province, Mpumalanga, North West.

200/231

8.2. The provincial headquarters will be determined by the Provincial Conference.

8.3. The National Executive Committee may from time to time alter the number, the boundaries or the names of the Provinces.

Rule 9 THE NATIONAL CONFERENCE

9.1. The National Conference shall be the Supreme ruling and controlling body of the ANC.

It shall be composed of:

9.2. Voting delegates:

At least 90% of the voting delegates at Conference shall be from branches which shall be represented by elected delegates. The number of delegates shall be in proportion to the paid up membership.

—
The number of delegates to be elected to National Conference by each province shall be fixed by the NEC in proportion to the paid up membership of each province.

The remainder of the 10% of voting delegates at the Conference shall be allocated by the NEC from among the Provincial Executive Committees, the ANC Youth League and the ANC Women's League.

All members of the National Executive Committee shall attend ex-officio as invited participants in the conference.

9.3. Non-Voting Delegates:

The NEC may invite individuals, who have made a special contribution to the struggle or who have special skills or experience, to attend the Conference.

9.4. The NEC shall appoint a conference organising committee which will circulate conference information in advance, determine the precise procedure for selection of delegates and indicate how the membership can then ensure their concerns are on the agenda.

9.5. The Conference shall determine its own procedures in accordance with democratic principles.

9.6. Voting on key questions shall be by secret ballot if at least one third of the delegates at National Conference demand it.

9.7. a) The National Conference shall be convened at least every five years. A National General Council may be convened by the NEC from time to time, provided that the NEC shall convene a National General Council not later than 24 months after National Conference.

9.7. b) The NEC shall, after consultation with Provinces, determine the composition of the National Council.

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DENIARCATION. GOVERNMENT AND IEC PROCESS:

latest)

Determine nodal points for Category A municipalities â\200\224â\200\224 This is to be done by the

Minister within the next few weeks: what is the process ofâ\200\230consultation, how is the

decision made, etc. (By 15 July at the latest)

Identify, and then prepare required legislation, for possible Cross Boundary Municipal Areas â\200\224 This must be done over the next few weeks: what is the

process of consultation, how is the decision made. etc; (By late July 1999 at the

Determine 2111 Metropolitan and District boundaries â\200\224 there must be a national

approach to this framework as a lot of provincial vested interests come in. Again.

how is this to be done (To be completed by late October 1999);

Determine all Local municipalities in the District Council areas â\200\224 again, there are

a whole set of issues to deal with: (a) the question of amalgamating small TLCs with rural councils, (b) the question ofâ\200\230municipalities and tribal authority areas,

(c) the question of boundaries to provide effective service provision and not simply boundaries to suit political purposes, etc. (Policy must be finalised by late September 1999)

Determination ofâ\200\230all District Management Area boundaries ("Policy to be determined by late September 1999);

Develop a policy framework for the division of powers and functions between Category B and C municipalities ~ this is a potentially complex and technical area

but quite critical for the functioning of municipalities (by October 1999);

Determine guidelines on types ofâ\200\230municipalities â\200\224 how do we approach the question of

Finalise provincial

province 7 this will have toâ\200\230be monitored from national particularly to ensure provincial legislation does not cause hiccups;

Register voters â\200\224 the one thing learnt by opposition parties is that they did not register well. Is there an ongoing approach to registrationâ\200\230?;

Divide the national voterâ\200\230s roll into municipalities -â\200\230done by [EC] by April 2000;

Determine the formula to be used to determine the number of councillors â\200\224- must be done by September 1999 and requires clearly defined approach including

Deployment committee as implications could be quite severe;

Decide on the number of seats in each municipality ~ follows from above;

Delimit the wards â\200\224- are technical issues and then very local political issues - will

be done mainly during first six months of 2000;

Develop a policy framework for full-time councillors â\200\224 difficult, but critical issue

which will have to be developed by late September 1999;

Divide the municipal voterâ\200\230s roll into wards;

Allow for nomination of candidates;

Evaluate nominations;

Election campaigns and election administration;

Election day;

Demarcation ofâ\200\230ai'eqs ofâ\200\230Metropolitan Sub-councils.

'ism on types of municipalities to be found within each

executive mayors versus executive committees, etc;

AFT AFRICAN NATIONAL CONGRESS CONS'1 1'1â\200\230UTION

[http //www anc org za/ancdocs/aboutucons: innon9gmm](http://www.anc.org.za/ancdocs/aboutucons:innon9gmm)

This i-\201nal draft of the ANC Constitution (1997) is being distributed by the National Executive Committee -

to ANC structures for use while the i-\201nalprinted copy, which will include an index, g
lossary and

procedural guidelines, is being completed.

EXPLANATORY NOTE

Fma] Draft

AFRICAN NATIONAL CONGRESS

CONSTITUTION

â\200\224â\200\224

As amended by and adopted at the National Conference

of the African National Congress, December 1997

PREAMBLE

Whereas the African National Congress was founded in 1912 to defend and advance the right
s of the African people after the
violent destruction oftheir independence and the creation of the white supremacist Union
ofSouth Africa; and

Whereas in the cguâ\200\224rse of fulfilling this historic aim, the ANC has emerged to le
ad the struggle of all democratic and patriotic
forces to destroy the apartheid state and replace it with a united, non-racial, nonâ\200
\224sexist and democratic South Africa in which
the people as a whole shall govern and all shall enjoy equal rights; and

Whereas through the struggles and sacriiï-\201ces of its members over the generations, the
ANC has come to be recognised as the
central organiser and inspirer ofa vast popular upsurge against apartheid, involving a gr
eat array of social, cultural, religious,
trade union, professional and political organisations;

â\200\224â\200\224

Whereas the i-\201mdarnental goal of the ANC remains to construct a non-racial, non-sexis
t, democratic society in South Aï-\201'ica;

And whereas the historic April 1994 election has placed the ANC in the position of respon
sibility for leading the process of
reconstruction and development aimed at eradicating the problems of poverty and Lnequalit
y created by apartheid and creating
ajust and equitable economic and social order;

Now therefore, the 50th Conference of the ANC, duly constituted and assembled, cognisant
Ofthe historic mission ofthe
ANC and of the need to build a mass based democratic structure to enable it to fulfil its
historic mission, hereby adopts this
amended Constitution.

Rule 1 NAME

The name ofthe organisation shall be the African National Congress, hereinaftererrerrâ\200
\230eed to as the ANC.

The logo and the colours of the ANC are as described in the attached schedule.

Rule 2 AIMS AND OBJECTIVES

The aims and objectives of the ANC shall be:

A 2. 1. To unite all the people of South Africa, Africans in particular, for the complete liberation of the country

From all forms of discrimination and national oppression.

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90/02/03 04:21

http://www.aneorgzymbdcccxsacou::onsututzcn98 ~-.....

Subject to paragraph (iv) below, determine and review the policies and programmes of the ANC;

have the right to ratify, alter or rescind any decision taken by any of the constituent bodies. units or officials of the ANC, including the evaluation of the performance of members of the NEC;

Subject to Rule 11.3(g) it may fill vacancies that have arisen in the NEC provided that at such vacancies do not exceed 50% of the Executive;

The National Conference shall:

10.2. Receive and discuss the reports of the NEC which shall include the Presidential Address, the Secretary General's Report which shall include a report on the work and activities of the Women's League and Youth League and the Treasurer General's Report.

â\200\224

10.4. Elect the President, the Deputy President, National Chairperson, the Secretary General, Deputy Secretary General, the Treasurer General and the remaining 60 members of the NEC.

, such commission or committee;

11

1 1.1 Powers

1 1.2 Without prejudice to the generality of its powers, the NEC shall:

Issue and send directives and insructions to and receive reports from the provinces.

Supervise and direct the work of the ANC and all its organs, including national, provincial and local government caucuses.

Ensure that the provincial regional and branch structures of the ANC function democratically and effectively. The NEC may suspend or dissolve a PEC where necessary and call for a new elections within three months. The suspension may not last for more than three months.

Oversee the work of the Women's League and the Youth League.

Establish departments and set up committees as it considers appropriate.

Manage and control all the national and international property and assets of the ANC.

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(V)
(vi)

Lift the state of emergency.
Dismantle the Bantustans.

The MDM was able to mobilise every sector of our community - youth, students, communities, women, churches, etc - in mass action. It was a mass movement because it was able to mobilise masses of people behind a common programme - to end apartheid, to defy segregatory legislation and to defy the state of emergency.

Amongst many other factors it is the concerted programme of these mass formations of four people that led to the release of comrades Govan Mbeki, Harry Gwala and Oscar Mphetha, the release of the Rivonia Leadership - comrades Walter Sisulu, Wilton Mkwayi, Raymond Mhlaba, Andrew Mlangeni, and Elias Motsoaledi, and the subsequent unbanning of the ANC and all other organisations and the release of comrade Madiba. That is also because by 1988-89 up to the beginning of 1990, the apartheid regime could no longer rule in the same old way without changes due to intensified people's war on all fronts.

Therefore, mass mobilisation, as one of the pillars of struggle as led by the ANC, was being accomplished to an extent whereby the regime faced two options - liquidation or change. The regime was forced by this unequalled mass pressure to change - hence the ANC was unbanned, Mandela released, exiles returned, state of emergency lifted and soon at around February 1990, which process later culminated in the April Democratic breakthrough which we now celebrate as our Freedom Day.

2.

THE IMPACT OF THE APRIL DEMOCRATIC BREAKTHROUGH
ON THE MDLVI.

The unbanning of the ANC and other organisations, the return of the exiled, the release of political prisoners and the April democratic breakthrough impacted on all the MDM formations. We have already indicated that the overall demands of the MDM and the fact that they were united by a common desire and a common programme of action to end apartheid. So when some of the demands were met at around February 1990, there was no longer a basis for existence of the MDM as it was previously established. A factor overshadowing everything else was of course the unbanning of the ANC. A majority of organisations affiliated to the UDF and the UDF itself, which were the core of the MDM which had throughout the years regarded themselves as caretakers for the organisation of the people of South Africa the African National Congress, now that the ANC was unbanned had to allow it to take its leadership role and lead our country and people to freedom. These organisations and the UDF itself took the only and correct decision - to disband and join the ANC.

i

A lot of other things happened to a lot of other organisations which were part of the MDLVI - SAYCO disbanded into the ANC Youth League; SANSCO and NUSAS merged to form SASCO; NOW, UWC, FEDTK-XW and FEDSAW disbanded into the ANC Women's League; community structures established a national civic body called South African National Civic Organisation (SANCO); the SACC and SACBC wanted to assert their impartiality and independence by drifting away from the ANC; NECC transformed itself into National Education Co-ordinating Committee and later disbanded, and CONTRALESA drifted away from the ANC.

Issued by DPET Northern Province

Rudolph Phiso

General Secretary for Political Education and Training

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d.

Governance: Local and Provincial
State of the Province and balance of forces

vii.

Plenary

viii.

Closure

Elections of Deputy Secretary will run concurrently
with the programme.

2.2

Electoral Commission

Northern Province Council of Churches

2.3

Time-Table

2.3.1 Submission of credentials

2.3.2 Submission of names of delegates

:

:

17 August 1999

19 August 1999

Benny Boshielo

Provincial Secretary

1\ E11

"â\200\23051.;03 MUNICIPAL DEMARCATION BOARD:

26 June 1999

Chief Executive Ofi-\201cers
.3111 Municipahties in South Africa

Dear Sir/Madam

NODAL POINTS FOR METROPOLITAN AND DISTRICT COUNCIL
AREAS IN SOUTH AFRICA: A PRELIMINARY FRAMEWORK

Enclosed please i-\201nd a copy ofthe preliminary framework we have developed
dei-\201ning possible nodal points for Metropolitan and District Councils in South Africa

This is nor a Section 26notiCe arid the Board is simply interested in getting comment
on its proposals around the number and possible locati0n Of District/Metropolitan
Counci-\202s

Given the stringent timeframes under which the Board is working. we are only able to
all0w for public comment until 8 July 1999 and such comment must be directed to the
Board as tâ\200\230o110ws:

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By post: Private Bag X28. Hatï-\201eld 0028
By hand: iParioli, Ground Floor. B10cl< BB. 1166 Park Street. Hatï-\201eld.
Pretoria
By fax: 012 3422480
By eâ\200\224Mail: msmdbfomwebeoza
This report is also available on the Boardâ\200\230s web site:
www.demarcationerg.za

It is hOped that the Ministerial determination on Metropohtan nodes will be issued
around the middle OfJuly 1999 and immediately thereafter the Board will issue a
Section 26 notice caning for proposals on Metropohtan and District Councils in South
Africa.

Thank you very much in anticipation.
Sincerely.

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Dr. Michael O. Sutcliffe
CHAIRPERSON
Cellular: 0824405203

Fax: 031 2670395 eâ\200\224Mail: mfsut@wn.npc.org

POLICY STATEMENT 1:

AN INTEGRATED FRAMEWORK FOR

METROPOLITAN AND DISTRICT COUNCILS IN

SOUTH AFRICA

FIRST DRAFT FOR PUBLIC COMMENT

1. INTRODUCTION

Over the past few months the Municipal Demarcation Board has been involved in the development of policy in the following areas:

- . Metropolitan Nodal Points: A strategic framework for assessing metropolitan and other urban conurbations has been developed in order to provide input to the Minister's process of determining nodal points.
- District Council Nodal Points: A strategic framework detailing the number and possible location of District Councils has been developed.
- Cross boundary areas: The Board has been investigating possible Cross Boundary Areas in order to assist national and provincial governments in making a determination on whether or not there should be Cross Boundary District Councils/Metropolitan Councils or Cross Boundary Municipalities.

In addition, the Minister of Constitutional Development and Provincial Affairs requested that the Board provide him with advice on possible metropolitan nodal points.

The Board resolved that an integrated framework be developed within which the Board's views on each of the above areas may be articulated:

- . On 6 June 1999, the first draft of such an integrated framework was adopted at a

Board meeting.

- . On 28 June 1999, the First draft will be presented to the incoming Minister of Provincial and Local Government Affairs and also published for comment.

- . On 5 July 1999, a workshop with the Board's national stakeholders will be held to discuss the contents of the framework.

- . By mid-July 1999, the Board's framework will be finalised.

It is hoped that the Minister will determine nodal points for metropolitan areas by mid-July 1999 in order that the Board will be able to immediately thereafter issue a Section 26 notice calling for the determination of Metropolitan and District Council boundaries.

This report contains the Board's preliminary Views on the possible number and location of Metropolitan and District Councils in South Africa.

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

8.3

Issues considered

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Relocation of Government ofï-\201ces to Lebowakgomo

Payment of rentals by MPLâ\200\231s

Financial â\200\234bleedingâ\200\235 in the Chief Whipâ\200\231s ofï-\201ce
Legislature Programmes

Restructuring of Government Departments

8.4

Problems

No problems are experienced

8.5

Achievements

a.

b.

0.

Resolving the issue of payment of arrear rentals by MPLâ\200\231s

Building a coherent and functional committee

Decentralisation of government ofï-\201ces

8.6

Recommendations

21.

Need to draw a line of roles between the Committee and Deployment
Committee.

8.7

Comments

The Committee is functioning fairly well

Secretariat Forum

9.1

Convenor

Cde Benny Boshielo

9.2

Meetings and attendance

- a.
- b.

Four meetings were held
Attendance fairly good except Western and Bushveld Regions.

9.3

Issues considered

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Training for Regional Secretaries and Administrators
Launching of zones and sub-regions
Mechanisms to improve the running of our offices administratively
Equipment and resources for regional offices
Relationship between RECâ\200\231S and Staff
Organisational management

10

2.2 EXISTING ARRANGEMENT OF TRANSITIONAL METROPOLITAN COUNCILS AND DISTRICT COUNCILS:

Presently, six Transitional Metropolitan Councils and forty-two transitional District Councils (variously called District Councils, Regional Councils and Services Councils) exist, having been established by provincial proclamations.

Whilst the legislation establishing these local governments was national in scope, provincially-based application of the legislation led to enormous variations in size and scope between the Metropolitan and District Councils in different provinces and even within the provinces themselves.

*

Appendix 1 provides a map showing existing boundaries of the District Councils as well as some descriptive statistics of each Metropolitan/District Council.

The Board decided that it would undertake research into possible Category A and B councils through firstly identifying possible nodal points for such municipalities in South Africa. The objective here was to identify points around which the boundaries for Metropolitan or District Councils could be demarcated.

2.3 METROPOLITAN COUNCIL NODAL POINTS:

The research process followed by the Board allowed it to evaluate the existing large urban Transitional Local Councils and Transitional Metropolitan Councils.

Three research reports were compiled and based on this research the Board narrowed its focus to an evaluation of the following urban conurbations:

[illegible]

Greater Johannesburg (including at least the existing MLCs)
Greater Cape Town (including at least the existing MLCS)
Greater Durban (including at least the existing MLCS)
Greater Pretoria (including at least the existing MLCs)
Greater East Rand (including at least Kempton Park-Tembisa MLC, Germiston, Benoni, Alberton, Boksburg)
Greater Port Elizabeth (including Despatch and Uitenhage)
Greater Vereeniging-Kopanong (including at least the existing MLCS)
Greater Pietermaritzburg (including Ashburton, Hilton, Howick)
Greater East London (including King Williamstown)
Greater Bloemfontein (including Botshabelo)
Greater Richardâ\200\231s Bay (including Empangeni)

In section 4 a summary of some of the research into each of these urban conurbations is provided.

2.4 DISTRICT COUNCIL NODAL POINTS

After conducting research into the existing arrangement of 42 District Councils in South Africa, and after considering the functions and powers which will be assigned to the 44 established District Councils, the Board suggested four principles which should underpin the determination of nodal points for District Councils:

African National Congress

Northern Province

Provincial Executive Committee

Continuation Meeting

17 April 1999

OASIS Motel

8.17.2 Decision

That the document be finalised and submitted for consideration in the next meeting.

8.18

Constituency Fund

8.18.1 A report on payment of salaries for Administrators of Constituency Offices was presented in the meeting.

8.18.2 Decision

a.

b.

That mechanisms be found to ensure that the Administrators are paid their salaries.

That guidelines be drawn to improve the operations of our Constituency Offices in our next term.

8.19

Accommodation of Local Government in the PEC

8.19.1 The meeting ratified the recommendation of the PWC that it should be sufficient for Local Government to be accommodated in the Governance and Legislatures Committee.

Adjournment

Due to time constraints, the meeting was adjourned at 00h15 to the 17 April 1999.

Prepared By

Signed

Benny Boshielo
Provincial Secretary

Ngoako Ramatlhodi
Provincial Chairperson

Preparations for the PEG

16.

Constituency Offices/Fund

16.1

The payment of salaries of Administrators is almost resolved. Mechanisms to resolve our debt with Nedbank are also been put in place.

16.2

The Constituency Office Management Team has met to consider our approach to Constituency Offices in this new term. Documents in that regards are attached as Annexure f_.

16.3

A meeting was held with the Secretary General to discuss the National Approach to Constituency Offices. The meeting produced the document attached as Annexure G which will be considered by the NWC.

1 6.4

As a result of 16.3 above, the Provincial processes have been put on hold pending receipt of guidelines from the NWC. The consequence of this is that the current arrangements will continue until the NWC gives further directives.

16.5 Decision Required

16.5.1

The report is submitted as work in progress.

17. ARDC Matter

17.1

The then MEC for Agriculture and Environmental briefed the Office Bearers about the matter, and assured them that retrenchments were not on the cards within the ARDC at that stage.

17.2

He also briefed the meeting about the state of affairs in the ARDC.

DRAFT CONDITIONS OF SERVICE

FOR MEMBERS OF STAFF OF CONSTITUENCY OFFICES

SCOPE

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These Conditions of Employment shall apply to all staff members who are in the full-time employment of the ANC Parliamentary Constituency Office Management Committee 1. of the National and Northern Province ANC Caucuses.

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Effective Date

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These Conditions shall be deemed to have started operating when a staff member is engaged in the employ of ANC Parliamentary CO

Employment

3.1. A prospective staff member shall receive a written offer of employment

Indicating his / her salary, a copy of his /her job description and a copy of these Conditions of Employment.

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) A prospective staff member shall indicate in writing his/her acceptance of

The offer and the date on which he / she will commence service with the CO Management Committee

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. A prospective staff member shall be required to provide certain personal information to the CO Management Committee on a prescribed form.

3.4. All new staff members shall work on a probationary period of three (3)

months, at the end of which period the staff members performance shall be assessed by his/ her MP/ MPL/ team and the CO Management Committee

Confidentiality

0 A staff member may not divulge any confidential information relating to his/ her employment with the Management Committee to any person unless he/ she is required to do in the execution his /her duties.

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Salaries and Salary Increments

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Salaries shall be determined according to the principles laid down in the current salary policy document salary policy document.

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ANC NORTHERN PROVINCE CONSTITUENCY OFFICES

All decisions must be minuted, along with the reasons for the decision.

Should an employee be away from the office for more than two consecutive days, or show a repeated pattern of absence due to illness, a doctor's certificate is required.

Any absence that requires less than half a day's absence from work will NOT be regarded as sick leave and therefore will not be deducted from the annual entitlement.

Should a staff member take ill while at work and have to leave, that day will not be counted as a day of the sick leave.

Upon illness, it is the duty of the staff member or his/her family to report illness immediately to a colleague and the specified MP or MPL.

Claims for injuries incurred by staff whilst performing duties on behalf of the program, and not covered by the Medical Aid Scheme, shall be made to Workmen's Compensation.

Sick leave cannot be accumulated for any purpose.

7.3 Maternity/paternity/adoptive parent leave

(a)

Maternity leave

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The total time allowed for maternity leave will be 15 months leave. By law, a minimum of one month of maternity leave must be taken before the due date of the confinement, and a minimum of two months of maternity leave must be taken after the birth of the child. The remaining two months of maternity leave may be taken at the discretion of the employee either immediately before or after the date of confinement.

During maternity leave, the employee will receive one cent less than one third of her salary for any period during which she is eligible to receive benefits from the Unemployment Insurance fund (UIF). The employer will continue to pay its share and also will pay the employee's share of the retirement fund and medical aid payment. For any period that the employee is not eligible to receive UIF benefits, the employer will pay her salary in full. In such case, the employee will pay her own share of the provident and medical aid payments. If the employee is not eligible for any UIF benefits, the employer will pay her salary for the duration of the maternity leave.

During the 1st year of service, maternity leave is granted on a pro rata basis.

Annual leave will not be accrued during maternity leave.

Employees on maternity leave shall be ensured of re-employment.

A staff member taking a maternity leave must commit herself, in writing, to continued employment by the C 0 Management Committee for at least two months from the agreed date of return to work, otherwise she will forfeit maternity pay.

ANC NORTHERN PROVINCE CONSTITUENCY OFFICES

5.

Matter of Greater Potgietersrus TLC

5.1

5.2

5.3

The Disciplinary Committee concluded its enquiry on the above case See Annexure C.

The process of the replacement of the suspended Councillors has been commenced and is almost concluded.

With regard to suspended ward Councillors, and those who resigned, the ANC Candidates were elected unopposed to the Council. The only outstanding matter is the resignation of Francina Mabeba who is also suspended, but is not yet out of Council.

5.4

The Region has been written to facilitate her resignation and replacement as an ANC PR Councillor.

5.5

The report is submitted for noting and information.

6.

Land Tenure Proposal Workshop

6.1

No progress report was received from the ETC on the matter.

7.

List Process

7.1

The process has now been concluded.

7.2

Cde Lawrence Mushwana has been removed from the Province to National List by Head Office and appointed as

the Deputy Chairperson of the NCOP.

7.3 A meeting was held with the National Deployment Committee to clarify how the Provincial Committees should function.

PROVINCIAL LOCAL GOVERNMENT
UNIT/DEMARCATIONS COMMITTEE

DEMARCATIONS REPORT

1.

INTRODUCTION

The PEC has appointed the Demarcations Committee comprised of cdes Ben Mhlongokogvenor), Dikeledi Magadzi and Norman Mashabane.

The brief of the Committee is to advise the PEC On processes related to the demarcation of District and Municipal boundaries in the Northern Province, suggest options/framework for the ANC with a view to providing mandate for those members that will be representing the ANC in the Provincial Liason Forum and Investigation Committee.

What follows below is the summary of the work done by the Committees to date. The Demarcations Committee has had consultations with most of the regions in the Province. Some regions have, however, not been able to hold consultative forums to input formally into the process. Further consultations would still be necessary. The document should, however, be seen as an aggregate of the views of most regions.

2.

SUBMISSION FORMAT

The submission has been prepared as follows:

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Section 1: process leading to the final demarcations
Section 2 (District Councils)
Exposition of the demarcation criteria
Visual representation (maps) depicting the text in detail
Overall recommendation

2.1

Process Leading to Final Demarcations

The Demarcations Board will follow the following route in determining the final boundaries:

-â\200\224

'3â\200\234 Development of the policy regarding:

.....

25.5. Sub-regions may be formed by 3 or more Zones with similar arrangements and powers as between Zones.

Rule 26 DISCIPLINE

26.1. All members, without exception, must abide by the Constitution of the ANC , the Rules, the Standing Orders and Codes of Conduct as adopted or amended from time to time.

26.2. Disciplinary proceedings against a member shall be confined to violations of the ANC Constitution, Rules, Standing Orders, Codes of Conduct, or the commission of offences as set out in Rule 26.3, and shall not:

Be used as a means of settling debate or denying members their basic democratic rights ;

Be instituted as a means of solving private problems or as a means of interfering in the private lives of members where the norms of the organisation are not directly affected, unless such conduct itself constitutes a violation or an offence affecting the organisation.

26.3. A serious offence shall be committed by any member who:

26.3.1 Prejudices the integrity or reputation of the organisation, its personnel or its operational capacity by:

Impeding the activities of the organisation;

Creating division within its ranks or membership;

Doing any other act which undermines its effectiveness as an organisation.

Acting on behalf of or in collaboration with:

Counter-revolutionary forces;

A political organisation or party other than an organisation or party in alliance with the ANC in a manner contrary to the aims, policies and objectives of the ANC;

Intelligence or the security services of other countries;

Any person or group who seriously interferes with the work of the organisation or prevents it from fulfilling its mission and objectives.

26.3.2 The following shall also be regarded as serious offences, without prejudice to the generality of this provision and the right of the NEC to add to this category of offences:

Conviction in a court of law and sentenced to a term of imprisonment without the option of a fine, for any serious non-political offence;

Misappropriation of the funds of the organisation or destruction of its properties;

Behaving corruptly in seeking or accepting any bribe for performing or for not performing any task;

Engage in sexual or physical abuse of women or children or abuse of office to obtain sexual or any other undue advantage from members or other ;

Abuse of elected or employed office in the organisation or in the State to obtain
any direct or indirect undue advantage or enrichment;

Fighting or behaving in a grossly disorderly or unruly way;

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20.

Restructuring of TLCâ\200\231s

20.1 The office bearers received reports about the reorganisation of the following TLCâ\200\231s.

20.1.1
20.1.2
20.1 .3
20.1 .4
20.1 .5
20.1.6
20.1.7

Eastern Tubatse

Nebo North

Alldays

Greater Louis Trichardt

Vaalwater

Roedtan

Greater Northam

20.2 The office bearers directed that the reorganisation be reversed and that the status quo be returned.

20.3 Letters were written to all the above TLCâ\200\231s, and the current status is as follows:

20.3.1

Eastern Tubatse

The new office bearers have resigned and the date is awaited from the N00 to conduct fresh elections.

20.3.2

Nebo North

The new office bearers have resigned and the status quo has been retained.

20.3.3

Alldays

No letters of resignation have been received from the
new office bearers.

achieve affective service delivery, financial viability and economic stability.

SECTION 1:

PROPOSED DISTRICT COUNCIL AREAS (1â\200\2244):

5.1

EXISTING SITUATION

> Presently the Northern Province consists of two District Council

areas, namely, Northern District Council(NDC) and Bushveld District Council(BDC), each with TLC/RLC'S within their areas of jurisdiction

'1â\200\231 NDC -38, and BBC -13 (see map 1 Existing Demarcation)

V The Northern District Council controls 60,2% Of the total area of the Province with a total of 38 TLC/RLC'S within its area of jurisdiction.

> Total population within Northern District Councilâ\200\231s Area is

4,953,600, representing 89,8 0/0 Of the population of the province.

> The NDC annual income from levys, amount to 1: R42,6m

whereas the income from Bushveld District Council amounts to :t R15m.

From the above information, it becomes clear that an uneven situation is present and a more even distribution in area and population as well as income is necessary.

[It is therefore inevitable (with the demarcation criteria, the municipal Structure Act and the white paper on Local Government in mind) to divide the area of the Northern District Council into three. Thus creating 3 more 1811 Sized District Councils while the Bushveldâ\200\231 District Councilâ\200\231s area remain more or less as is presently.

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DESCRIPTION OF PROPOSED DISTRICT AREAS:

5.2.1 AREA 1: (PROPOSED NAME: CENTRAL DISTRICT

\f'T _.\FRIC.-\.\' NATIONAL CONGRESS CONSTITUTION

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DCiibCTateiV dlsm tinO HlSSCiï-\2020S and interferino With the OFdCTiV functionino Of the organisation.

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26.3.3 If, inâ\200\230the opinion Ofthe NEC or the relevant body exercising its righ to i nvoke disciplinary proceedings under this Constitution. a member is guilty ofthe foiiowing offe nces, disciplinary proceedings may follow:

Behaviour which brings the organisation into disrepute or which manifests a ï-\2020agran violation ofthe moral integrity expected ofmembers or conduct unbecoming that ofa member;

Sowing racism, sexism, tribal chauvinism, reiigious and political intolerance,regionalism or any form ofdiscnmination;

Behaving in such a way as to provoke serious divisions or a break-down ofunity in the organisation;

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Undermining the respect for or impeding the functioning ofthe Str'ucrures of the organisation;

Participating in organised factionai activity that goes beyond the recognised norms offree debate inside the organisation and threatens its unity;

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(a) Disciplinary proceedings shall normally be conduCted at the level where the alleged violation or offence took place, namely the branch, region, province or national, and may be heard by the relevantstructure;

.

(b) The NWC may direct that the disciplinary proceedings should be heard at a higher level from whereâ\200\224the alleged violation or offence took piaceTâ\200\231"

(a) Any person faced with disciplinary proceedings shall receive due written notice of any hearing and ofthe basic allegations and charges against him or her and be afforded a reasonable opportunity to make his or her defence.

(b) The National Disciplinary Committee shall draw up guidelines for the interpretation of this section on discipline and for the rules ofprocedure including time limits to be followed before, during and after a hearing.

26.6. Any person found guilty in a disciplinary proceeding, or the complainant has the ri ght, within a reasonable period, to appeal against the conviction or sentence, to the next higher body

of the ANC. The NWC may direct that any appeal should be heard by a body higher than the one to which the appeal has been made. The PEC may direct that an appeal against the decision by a branch should be heard directly by the Provincial Disciplinary Committee.

267. Penalties for proven violations of the Constitution, principles, norms and decisions of the ANC shall include reprimand, payment of compensation and or the performance of useful tasks, suspension and expulsion.

26.8. Temporary Suspension

The Provincial Disciplinary Committee, the National Disciplinary Committee or the NWC having regard to the nature and seriousness of an alleged violation or offence by a member may summarily suspend the membership of any member pending the preparation of a charge against the member and the finalisation of disciplinary proceedings against the member. The member shall be informed of such suspension. The temporary suspension shall lapse if no disciplinary

proceedings are instituted against the member within 30 days of the date of the temporary suspension. Such disciplinary proceedings shall be attended to as quickly as possible and

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FT AFRICAN NATIONAL CONGRESS CONSTITUTION

<http://www.anc.org.za/ancdocs/about/2002constitution98.html>

2.2. To end apartheid in all its forms and transform South Africa as rapidly as possible into a united, non-racial, non-sexist and democratic country based on the principles of the Freedom Charter and in pursuit of the national democratic revolution.

2.3. To defend the democratic gains of the people and to advance towards a society in which the government is freely chosen by the people according to the principles of universal suffrage on a common voters' role.

2.4. To fight for social justice and to eliminate the vast inequalities created by apartheid and the system of

national oppression.

2.5. To build a South African nation with a common patriotism and loyalty in which the cultural, linguistic and religious diversity of the people is recognised.

2.6. To promote economic development for the benefit of all.

2.7. To support and advance the cause of women's emancipation.

2.8. To support and advance the cause of national liberation, development, world peace, disarmament and environmentally sustainable development.

2.9. To support and promote the struggle for the rights of children and the disabled.

Rule 3 THE CHARACTER OF THE ANC

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3.1. The ANC is a non-racial and non-sexist and democratic liberation movement.

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3.2. The ANC also contests elections as a registered political party drawing its electoral support from all sections of South African society. Its policies are determined by the membership and its leadership is accountable to the membership in terms of the procedures laid down in this Constitution.

3.3. The ANC shall, in its composition and functioning, be non-racial, anti-racist and anti-sexist and against any form of tribalistic exclusivism or ethnic chauvinism.

3.4. While striving for the maximum unity of purpose and functioning, the ANC shall respect the linguistic, cultural and religious diversity of its members.

3.5. The ANC shall support the emancipation of women, combat sexism and ensure that the voice of women is fully heard in the organisation and that women are properly represented at all levels.

3.6. The principles of freedom of speech and free circulation of ideas and information shall operate within the ANC.

3.7. Membership of all bodies of the ANC will be open to all men and women in the organisation without regard to race, colour or creed.

3.8. The ANC co-operates closely with religious bodies in the country and provides, on an interfaith basis, for the recognition of the spiritual needs of its many members who are believers.

MEMBERSHIP

4.1. Membership of the ANC shall be open to all South Africans above the age of 18 years, irrespective of race, colour and creed, who accept its principles, policies and programmes and are prepared to abide by its Constitution and rules.

4.2. Spouses or children of South Africans who have manifested a clear identification with the South African people and its struggle, may apply for membership.

4.3. All other persons who have manifested a clear identification with the South African people and their

--struggle and are resident in South Africa may apply for membership.

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Receive reports, superviseâ\200\230the work of, and delegate such functions to the NWC as it consider necessary.

Issue documents and other policy dLrectives as and when it deems i-\201t

Confer such honours as it may deem appropriate.

Appoint annually a National List Committee ofnot fewer than i-\201ve and act more than ni ne

persons for the selection and adoption ofcandidates for the national Parharnent. The NEC shall

draw up regulations for the procedures to be followed in such a seleCtion. The National L ist

Committee shall report to theNEC prior to the llnplenlentation ofits recommendations.

Provincial Structures for the adoption ofcandidates shall report to the National List Com mittee.

Every candidate for elections must undertake to abide by the ConStitUtton ofthe ANC and t he

relevant Code ofConduct for elected representatives

1 1.3. The National Executive Committee, except where Otherwise stipulated, shah be elect ed by secret ball10t

by the National Conference and shall hold ofi-\201ce for i-\201ve years and shall be cons umed as follows:

"

The President Deputy President,National Champerson, the Secretary Cenel'al,Deputy Secretary General and the Treasurer General who shall be elected separately by the Nation al Conference.

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Sixty (60) members ofthe NEC who shall be elected by secret ballot by the National Conference.

The Chairperson and the Secretary ofeach elected ANC Provincial Executive Committee who

- shall be ex ofi-\201cio members of the NEC.

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The National President and_Secretary ofthe ANC Womenâ\200\230s League who shall be ex ofi -\201cio

membersofthe NEC.

The National President and Secretary of the ANC Youth League who shallbbe ex ofi-\201cio members ofthe NEC

The NEC shall have the power to co-opt not more than i-\201ve (5) additional members at a ny time

during its terrn ofofi-\201ce in order to provide for a balanced representation that rei-\202ects the true

character ofthe South African people, provided that such co-option enjoys the support ofthe he

Provincial Executive Committee ofthe Province from which the proposed person comes.

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Should a vacancy occur on the NEC for any reason,the NEC shall have the power to i-\201ll the

vacancy by appointing a replacement.

The quorum for meetings ofthe NEC shall be 50Â°/o+1 of its total membership.

A person shall have been a paid-up member of the ANC for at least 10 years before she or he can be nominated to the National Executive Committee of the ANC.

11.4 Nominations for the NEC members referred to in Rule 11.3(a) and 11.3(b) above shall be by the following procedure:

a)(i) Nominations for the posts of:

- 0 President
 - Deputy President
 - National Chairperson
- 0 Secretary General
- 0 Deputy Secretary General
- 0 Treasurer General

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shall be made by any Province and placed before the National Conference.

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EMOCRATICWMOVEMENT (VIDM)

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INTRODUCTION

In this paper we will'â\200\230ttempt to deal with a very concise history ofthe gargantu ai

Mass Movement ofthe 1980 3 called Mass Democratic N10Â» ement (MDM) the state Of the NIDMln the current era, and we will attempt to clarify 011 the need and role of the NEDM in the current epoch. We have attempted to be as forthright as possible principally around the role ofMDM formations in the present era of transformation, reconstruction, development and nationâ\200\224building.

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HISTORICAL OVERVTEVV OF THE MDM.

First and foremost it should be clear that the MDM was not an organisation. As the name itselfimplies it was a movement. It composed oforganisations of various kinds which were united by their common desire to end apartheid. These organisations included the South African Youth Congress (SAYCO), the Congress ofSouth African Students- (COSAS), The South African National Students Congress (SANSCO), National Union of South African StudentsGVUSAS), National Education Crisis Committee (NECC), Congress of Traditional Leaders of South Africa ' (CONTRALESA), Natal Organisation of Women (NOW), Federation of Transvaal Women (FEDTRAW), United Womenâ\200\231s Congress (UWC), Transvaal Rural Action Committee (TRAC), Civic Associations, National Medical & Dental Association CNWIDA), Federation of South African Women (FEDSAVW, Health Workers Association (HWA), Five Freedoms Forum (EFF), the South African Council of Churches (SACC), the South African African Catholic Bishops Conference (SACBC), and many others.

At the core ofthis movement was undoubtedly the powerful United Democratic Front (:UDF) and the Congress ofSouth African Trade Unions (COSATU).

As we have already said this very broad movement was united by their common desire to end apartheid and it was not only a desire they were united by a common Struggle and some sort ofa common programme of action It was a programme of mass aetion, of mass deï-\201ance of all apartheid laws. All segregatory legislation around residential areas, hospitals, trains, institutions of higher learning, etc, were deï-\201ed en masse as part ofa programme ofMDM. Mass defiance ofthe state of emergency and its provisions was part thereof.

Besides the speciï-\201c demands in relation to this or that matter, their overall demands included:-

- (i)
- (ii)
- .1111)
- (iv)

Unbari the ANC and all banned organisations.
Return ofall the exiles
Release of all political prisoners and detainees
Troops out 0t townships,

Prmfmcinl Secreur} for Political Education .md Iâ\200\230ruirung

Issued by DPET .â\200\230a'urthem Pruvince

Rudolph Phâ\200\230JJ'J

.F'i' AFRICAN NATIONAL CONGRESS CONSTITUTION

[http/iâ\200\231www_anc.org.wâ\200\231ancdocsxao0uu'con5tituiion98.html](http://iâ\200\231www_anc.org.wâ\200\231ancdocsxao0uu'con5tituiion98.html)

Deepen his or her understanding of the social, cultural, political and economic problems of the

country.

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Combat pro jaganda detrimental to the interests of the ANC and defend the policy, aims and programme of the ANC.

'â\200\235

Fight against racism, tribal chauvinism, sexism, religious and political intolerance or any other form of discrimination or chauvinism.

Observe discipline, behave honestly and carry out loyally decisions of the majority and decisions of higher bodies.

-

inform his or her branch of movement to any other area and report to the branch committee secretary on arriving at any new area.

Refrain from publishing and/or distributing any media without authorisation which purports to be the view of any organised grouping, faction or tendency within the ANC.

All members shall ensure that they are registered as voters in the constituency where they live.

ANC members who hold elective office in any sphere of governance at national, provincial or local level are required to be members of the appropriate caucus, to function within its rules and to abide by its decisions under the general provisions of this Constitution and the constitutional structures of the ANC.

Rule 6

ORGANISATIONAL STRUCTURE

6.1. The ANC shall consist of the following organs:

The National Conference which elects the National Executive Committee.

The Provincial Conference which elects the provincial executive committees.

â\200\224â\200\224

The Regional Conference which elects the regional executive committee.

The branch annual general meeting which elects the branch executive committee.

6.2. Branches may be grouped together in zones and may be subdivided into smaller units such as street committees, and zones may be grouped into sub-regions.

6.3. The ANC Women's League shall be Open to women who are members of the ANC and shall have the same basic structure, namely, national, provincial and branch. Its objectives will be to defend and advance the rights of women, both inside and outside the ANC, against all forms of national, social and gender oppression and to ensure that women play a full role in the life of the organisation, in the peopleâ\200

\231s struggle and in national life.

The Womenâ\200\231s League will ï-\201mction as an autonomous body within the overall Structure of the ANC, of which it will be an integral part, with its own Constitution, rules and regulations, provided that these shall not be in conflict with the Constitution and policies of the ANC.

6.4. The ANC Youth League shall be open to all persons between the ages of 14 and 35. It will operate on a national, provincial and branch basis. Its objectives will be to unite and lead young men and women in confronting and dealing with the problems that face the youth, and in ensuring that the youth make a full and rich contribution to the work of the ANC and the life of the nation. The Youth League will ï-\201anction as an autonomous body within the overall Structure of the ANC, of which it will be an integral part, with its own Constitution, rules and regulations, provided that these shall not be in conflict with the Constitution and policies of the ANC.

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6.5. Members of the Youth League over the age of 18 shall be expected to play a full part in the general political life of the ANC.

6.6. A member of the Youth League shall not be eligible for any position as office-bearer of the ANC or to

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PREPARATIONS AND CONDUCTING OF BY-ELECTIONS: NORTHERN
DISTRICT COUNCIL AREA OF JURISDICTION.
(FILE : 3/1/1/7/1) : DEPARTMENT ADMINISTRATION

Pursuant to Council Resolution No. C1/99/10 of 1999-04-14, notice is hereby given
, that NDC shall be publishing in the local newspapers on the 18 June 1999 its

intention to conduct by-elections at the following wards and TLCâ\200\231sz-

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M01etji-Matlala TLC
Levubwâ\200\231Shingwedzi TLC
Bo10bedwlllanganani TLC
Nebo North TLC
Ngwaiitsi/Makhuduthamaga TLC

The administrators of the above TLCS shall be duly informed of this date so that
preparation for byâ\200\224elections day (24 September 1999) could be commenced with.
Northern District Council management shall assist TLCâ\200\231S administrators in the
process up to its end.

In terms of the regulations concerning by-electibns and votersâ\200\231 rolls of 1997,
funding for the by-election shall be derived from the municipahties themselves. It
is for this reason that the affected municipalities shall fund for their by-elections in
their Own wards. Northern District Council management shall assist in drawing up
checkst time frames and budget (business plan).

-

For Exco and Councilâ\200\231s information.

13

21.

Disciplinary Matters

21.1 The Disciplinary matter in the Greater Potgietersrus was earlier reported as concluded. There is no appeal on the matter.

21.2 The matter of Cde Bogi Mashele was also concluded. See Annexure H for the Disciplinary Committee verdict. There is no appeal on the matter.

21.3 The summary suspension of Cde Josias Mabunda has already been lapsed in terms of Rule 319 - 8 Constitution, as no formal charges were served to him. The Provincial Secretary has sought advice from the of the

Disciplinary Committee on the matter. A response is awaited.

21.4 Cde Mohoa of Thabazimbi has lost his appeal from the National Disciplinary Committee.

21.5 We also report that our Province has been congratulated by the National Disciplinary Committee in the manner in which we handle disciplinary matters in the Province.

21.6 Decision Required

21.6.1

The report is submitted for noting by the PEG.

22.

Donation of Boreholes

22.1

We have received a donation of four boreholes during our fund-raising dinner addressed by Cde Cyril Ramaphosa.

22.2

It has not as yet been determined where the boreholes
should be drilled.

African. National Congress
Constitution

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Checklist

By Elections

Transitional Local Councils

'Il

African National Congress

Northern Province

Provincial Executive Committee

14            August 1999

The Ranch Hotel

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Problems

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(:1.

Lack of attendance of meetings by Regional Treasurers

The one third (1/3) allocation to branches is still a problem

Lack of implementation of allocation to regions from the fund-raising account.

No schedule of meetings by the committee. Only met once (1) in thirteen months.

4.6

Recommendations

a.

b.

c.

d.

e.

That the Welfare Policy be finalised by the PEC.

That the one third allocation to branches be urgently resolved with head office.

That the allocations to regions from the fund-raising account be urgently implemented.

That the Regional Chairpersons and Secretaries should ensure that their Treasurers do attend meetings.

That the Committee should draw schedule of meetings and meet regularly.

.

4.7

Comment

The Committee needs to improve on its work, as its performance is far below expectations.

5.

Commission for Religious Affairs

5.]

Convenor

Cde Benny Boshielo

5.2

Number and attendance of meetings

a.

No formal meetings were held.

5.3

Issues Considered

a.

b.

c.

Familiarisation with the SACC, Northern Province.

Workshops/Seminar on Politics and Religion in transformation.

Possibility off a moral regeneration summit in the Province discussed with the SACC.

SUMMARY CENSUS STATISTICS

In the following tables, selected summary information from the 1996 Census is provided for an area around each of the proposed nodal points. This area is defined by the radius provided in column 2 and the remaining columns indicate totals within the Enumerator Areas in the defined radii: (a) total population; (b) total personal income per month; (c) persons employed in agriculture; (d) persons employed in Manufacturing; (e) persons employed in the Service sector; and (f) persons employed in Commerce and living within that area.

1. KWAZALI U-NATAL:

2. EASTERN CAPE:

3. NORTH-WEST PROVINCE:

4. NORTHERN CAPE: -

Annexure I

PEC Sub-Committee and Departments

Performance Report

PEC Meeting

14 â\200\224 15 August 1999

18h50:

Political overview:

Cde Ngoako Ramatlhodi
Provincial Chairperson

Assessment of Elections: Cde Benny Boshielo
Provincial Secretary

1 9h00:

Discussion

21 h30:

Adjournment

EXISTING DISTRICT COUNCILSMIETROPOLITAN AREAS:

SUMMARY CENSUS STATISTICS

In the following tables, selected summary information is provided for existing Transition al District Councils and Metropolitan Councils.

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4. ADVICE TO THE MINISTER OF PROVINCIAL AFFAIRS ON
LOCAL GOVERNMENT AFFAIRS ON
METROPOLITAN NODAL POINTS

The Minister has requested that the Board provide advice on possible nodal points for Metropolitan Areas in South Africa.

The following sections provide some summary statistics for each of the criteria laid down and which define category A municipalities:

1. A conurbation featuring areas of high population density;

The eleven conurbations researched vary enormously in terms of population size. Greater Cape Town, Johannesburg and Durban are all larger than 2.5 million people followed by Greater East Rand and Pretoria being over 1.2 million people.

Except for Greater Bloemfontein and Richards Bay, all urban conurbations have average densities well over 1000 persons per square kilometre.

In order to further distinguish areas of very high population density, each conurbation was examined in terms of areas where, within 25 kms. of the conurbation's nodal point, the Enumerator Areas (of the 1996 census) had densities over 5000 persons per square kilometre. The Greater East Rand, Johannesburg, Durban and Cape Town had over 100 square kilometres where such high densities were found.

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12. A conurbation featuring an intense movement of people, goods, and services;

A second set of indices were developed using the 1995 October household surveys and which indicated the origin-destination flows of commuters in each of the major urban conurbations. A similar situation to that obtaining for urban densities was found, although it is clear that in the Gauteng conurbations there is significant movement both between and within the urban conurbations.

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

6.4

Interaction with Governance Structures

a.

b.

0.

Convener was part of a team in the Premier's office, which dealt with deployment of civil servants to assist with registration of potential voters. Worked closely with Departments of Home Affairs on the Id Campaign. Convener was also member of the IEC's Party Liaison Committee.

6.5

Problems experienced

a.

b.

Lack of adequate representation of structures in the Committee in the initial stages.
Misinterpretation of our elections manual by our structures.

6.6

Achievements

a.

b.

Ran a successful campaign
Provided training and organisational capacity for our structures to run an elections campaign.

6.7

Recommendations

a.

That the Committee should remain in its current form and proceed with other campaigns.

6.8

Comment

a.

b.

The Committee functions extremely well
Need to initiate other campaigns like COLTS and HIV/AIDS and maintain the momentum.

Peace and Stability

7.

7.1

Convenor

C de Joyce Mabudafhasi

7.2

Meetings and attendance

a.

b.

c.

Several meetings were held

Attendance was fair

Weekly meetings in May and June

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hm;:://Ww-anc-Org-za/lnCdOQSt/abOULâ\200\231ICORSii[utxong8 T'Wl

11111

tendency toward: disruption and factionalism.

4.16. The following acts will be regarded as an abuse of organisational rules, whether committed by individuals or groups:

The payment of membership subscription of the organisation for persons or groups of persons who would otherwise be unwilling or unable to pay their own subscriptions;

The offer of reduced rate membership to those known by the individual or group making the offer to be ineligible for that category of membership;

The recruitment of members who do not reside at an address claimed, where this is done in order to manipulate branch meetings or the outcome of organisational votes.

-4. 17.. The commission of any of the abuses described in rule 4.16 will be considered as behaviour likely to

invoke disciplinary proceedings.

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4.18 Any member of the ANC who stands in an election for local government, provincial or national government elections or acts as the election agent or canvasser of a person standing for such election in opposition to a candidate duly endorsed by the PEC or NEC shall be ineligible to be or remain a member.

4.19 a) Any member who joins a political organisation or party other than the ANC or a party in alliance with the ANC shall be automatically expelled by the PEG or NEC where applicable.

4.19 b) Any member who supports a political organisation or party other than an organisation in alliance with the ANC in a manner contrary to the aims, objectives and policy of the ANC shall be liable for disciplinary

4.20. Members who fail to pay their subscriptions for three months and having being reminded of their lapse shall not be regarded as members in good standing until they pay their arrears.

RIGHTS AND DUTIES OF THE MEMBERS

5.1 Rights:

A member of the ANC shall have the right to:

Take a full and active part in the discussion, formulation and implementation of the policy of the ANC.

Receive and impart information on all aspects of ANC policy and activities.

Offer constructive criticism of any member, official, policy programme or activity of the ANC within its structures.

Take part in elections and be elected or appointed to any committee, structure, commission or delegation of the ANC.

Submit proposals or Statements to the branchaprovince, region or NEC, provided such proposals or statements are submitted through the appropriate structures.

5.2 Duties:

A member ofthe ANC shall:

Belong to and take an active part in the life ofhis or her branch.

_ Take all necessary Steps to_under5tand and carry out the aims, policy and programme oft he

ANC.

Explain the aims. policy and programme ofthe ANC to the people.

99:03.03 04:21

0 Various mines exist across this area and thus can be regarded as

geologically rich in minerals etc. ie. Ellisras, Thabazimbi, Northam and Leeupoor/Rooiberg.

See Table 3 (4 Bushveld DC) for types and number OfMines

o The area is further characterised by a system Ofnatural drainage course, comprising Ofthe Crocodile, Matiabas, MOkOlo, Lepaiala, Sterk and Nyi Rivers with the Mogalakweng River forming the eastern boundary ofthis District

9 The greater part ofthis area is mainly used for Cattle and Game Ranching

9 A well established network of roads make this area very accessible i.e National Road N11 from Mpumalanga via Groblersdal/Potgietersrust to the Botswana boundary at Grobiers Bridge Border Post. Potgietersrust and Nylstroom is also linked with Ellisras while Warmbaths is linked to Pieterâ\200\231sburg and Thabazimbi with the latter linked to Rustenburg in the North West Province and Ellisras in the North West.

POPULATION DISTRIBUTION IN DISTRICT AREA 4:

V The population distribution is tabled in Table 2 (4 Bushveld District Council)

Motivation:

0 The objectives and factors, as prescribed in the Demarcation Act is met, especially the promotion ofsocial and economical development ie;

Â°IÂ° Existing communities/families and Traditional Authorities could fuxther beneï-\201t from this proposal

'2' More Even Distribution of generated income, (from the District Council), could advance development

0 The existing well eStablished road system could promote commuting and dominant transport movements.

0 The interdependence ofpeople and communities will nOt be disturbed by this proposal

Returning officer determines for each ward and make available a number representing an accurate estimate of 2 % of the voters on the updated Voters' roll for each such ward

Returning officer shall specify that nominations of candidates for the by-elections shall be delivered to the returning officer in 21(1), invite such nominations and indicate the number of vacancies to be filled

No person may become a candidate at a by-election unless a nomination paper (ER4) is duly completed and signed in 21(9)(b) and delivered to returning officer

20(2)
(iii)

09-08-1999 (7-8-99-
24-9-99)

21(1)

09-08~1999
(7-8-99 - 24-9-99)

15

27

20

21

16

22

23

24

25

â\200\2301

NO

ACTIVITY

REG.
NO.

TARGET DATE

The Revision Court shall cause an updated voters' roll to be prepared

8(2)(a)

4-8â\200\22499(29â\200\2247-99-15-8-99)

21(9)

04-08-1999 (2241-08-99)â\200\234

Presiding Officer of Revision Court certifies and signs the updated voters' roll:

10(1)(a)

12-08-1999

Returning Officer posts a list of names and addresses of

21(2)

12-8-1999

(9â\200\2248-99-24-9-99)

19

Nomination Day

21(4)(h)

(1)

18-08-1999

each person in whom a nomination has been received and shall keep such list posted until 12:00 on nomination day

21(4)(h)

(ii)(bb)

23-8-1999

(20-8-99-24-9-99)

Furnishing proof of having a defect remedied to the satisfaction of the returning officer

No nomination shall be rejected on the grounds of any defect in 21(4)(b)(d)(f)(g) or (h) unless the returning officer has served on the particular person a written notice informing him or her of such defect

accepted exceeds the number of vacancies in ward, the

returning Officer must, by notice, post outside the place of nomination in 20(2)(b)(iv) publish the full names of each candidate together with his or her distinguishing mark or symbol, in any, in whom a vote will be held on by-election day

The returning Officer notifies the Premier in writing if insufficient nominations to fill the remaining vacancies in 21(5)(a) are accepted for further by-election

26

If the number of candidates whose nominations have been

20(2)(ii)
Q7237.)

23-8\200\2241999
(21349994494999)

25-8-1999
('23-8- 1999\200\22429\200\2248- 1 999)

25-8-1999
(23-8-1999-29-8-1999)

21(5)(b)

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\\FT AFRICAN NATIONAL CONGRESS CONSTITUTION

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A delegate to the Conference shall, however, have the right to nominate any person whose name has not been proposed in terms of sub-section (i) above. In such event the presiding officer shall call for seconders to the nomination. If such nomination is seconded by a minimum of 25 percent (25%) of Conference delegates, then such nomination shall be regarded as having been duly seconded, in which event the name of such nominee shall be placed on the ballot paper. If the nomination fails to secure the support of a minimum of 25% of conference delegates, such nomination shall fall away.

b) Nominations of candidates for the National Executive Committee other than the above positions shall be carried out by the following procedure:

Subject to sub-section (ii) below, only those candidates who have been proposed by a Province shall appear on the National Conference ballot paper.

A delegate to the conference shall, however, have the right to nominate any person whose name has not been proposed in terms of sub-section (i) above. In such event the presiding officer shall call for seconders to the nomination. If such nomination is seconded by a show of hands by a minimum of 25 percent (25%) of Conference delegates, then such nomination shall be regarded as having been duly seconded, in which event the name of such nominee shall be placed on the ballot paper. If the nomination fails to secure the support of a minimum of 25% of delegates, such nomination shall fall away.

Not more than two persons per province may be successfully nominated in terms of b)(ii) above.

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1 1.5 Voting shall take place by secret ballot. Each voting delegate shall vote once in each ballot.

1 1.6 If any Provincial Chairperson or Secretary is elected to the NEC in his or her own right or as a national official, such person shall vacate the Provincial position, provided that the Province has the right to make representations to the NEC, in a special case, where extraordinary circumstances may warrant an exception to this rule. However, when such a provincial officer is allowed to retain his or her NEC position, the Province shall not be entitled to an additional member on the NEC.

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1 1.7 Subject to the provisions of this Constitution, the Secretary General, the Deputy Secretary General and the Treasurer General shall be full-time functionaries of the ANC.

1 1.8 The NEC shall meet in plenary session at least once every three months and shall provide broad political and organisational perspectives to the National Working Committee.

Rm 1: NATIONAL WORKING COMMITTEE

12.1 As soon as possible after the conclusion of the National Conference, the NEC shall meet and elect a National Working Committee.

12.2. The National Working Committee shall be constituted as follows: The President, Deputy President, National Chairperson, Secretary General, Deputy Secretary General and the Treasurer General.

12.3 In addition, the NEC shall elect additional members to the NWC from among the directly-elected members of the NEC. These shall not exceed one-quarter of the composition of the directly-elected members.

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12.4 The members of the National Working Committee shall not necessarily be full-time functionaries of the ANC. However, the NEC shall determine the extent to which the elected members shall be in-time functionaries who may be allocated specific responsibilities.

12.5 The ANC Women's League and the ANC Youth League shall appoint one representative each to serve on the NWC.

12.6 The National Working Committee shall:

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Carry out decisions and instructions of the National Conference and the NEC.

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(W)

some sections of the MDM have defined their role as being a relationship of both being in contact and co-operation with the ANC-led government and they may be correct to some extent. Therefore we need to be very creative about what becomes the role of each component of the MDM. A

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We have earlier talked about organs of people's power of various kinds, including some organs of civil society. What is significant is what becomes the role of these organs in the new era we are post-apartheid. This is an area where we need to be very creative and innovative if we are serious about this) our revolution. There are many other bodies that are elected publicly and democratically by communities which are central to our democracy which we are not using effectively. Those structures include - Community Policing Forums (CPF's), School Governing Bodies (SGB's), Learners Representative Councils (LRC's), Student Representative Councils (SRC's), Student Representative Assembly (SRA's), Community Assessors (CA's), Steering Committees (SC's) of various kinds and public hearings for numerous legislation. These are organs which have been brought by the April democratic breakthrough and they are key institutions of our governance for which we seem not to have a Strategy of dealing with. Some of these bodies are taken over by reactionary forces of all kinds. The MDM should discuss how to handle this matter.

Another critical issue is that we have left the centre, the area of mass mobilisation to our adversaries, as if there is something essentially wrong with mass mobilisation. Other forces are attempting to take that space like Daba-Lo-Rivhuwa around pensions for civil servants in the former Venda Bantustan, Mapogo-a-Mathamaga around crime and a variety of concerned groups. We should be able, as the NIDIVL to rekindle the culture of mass mobilisation, not mobilisation for its own sake, but around progressive programmes, projects and policies of our government. Demands for the removal of this or that reactionary from this or that position that impedes transformation, is an example.

(Vi)

(Vii)

Clearly one of the key components of the MDM discussions should be recruitment of and mobilisation for membership of each of its components. We are all aware of the very pathetic state in which a majority of MDM formations find themselves, unlike in the 80's or early 90's. Doubtless the April breakthrough has had an impact on these formations. And we must continuously discuss how we deal with that under the new circumstances.

One of the critical points we will have to look at is the importance question of what some comrades refer to the Popular Movement for Transformation (PMT) correctly, in practice, outside the realm of theory, we should have innovative ideas about such a movement. Such a movement will contribute towards defining the role of each individual component. Such a movement will concentrate on transformation, as the core component of the present form of struggle for reconstruction and development. Such a movement will have to take into account that the conduct of struggle post-apartheid is not always clear, the conditions in which that struggle is being discharged are sometimes

Issued by DPET Northern Province

Rudolph Phula

Principul Secretary for Political Education .md Twining

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African National Congress

Northern Province

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Draft Proposal

Delegation of Powers to the RECâ\200\231s

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FT AFRICAN NATIONAL CONGRESS CQNSTTTUTION

<http://www.waneorgzma.ncdocs.abomconsntutzon9a\200\2303.htm>:

The President is the head and chief directing officer of the ANC and the leader of the house at a National Conference. He or she shall:

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Present to the National Conference a comprehensive statement of the state of the nation and the political situation generally.

Make pronouncements for and on behalf of the NEC outlining and explaining the policy or attitude of the ANC on any question.

Preside over meetings of the NEC in conformity with the Constitution, by-laws and rules of procedure adopted by the NEC.

Under the overall supervision of the NEC, orient and direct the activities of the ANC.

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164 Deputy President

The Deputy President shall assist the President, deputise for him or her when necessary and carry out whatever functions are entrusted to him or her by the National Conference, the President or the NEC.

16.5. In the event of death or permanent incapacity of the President and the Deputy President, the NEC shall as soon as possible appoint an Acting President until such time as the National Conference meets.

16.6. The Secretary General.

The Secretary General is the chief administrative officer of the ANC. He or she shall:

Keep the minutes of the National Conference, the NEC, the NWC as well as other records of the ANC.

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[a\200\230-](#)

Conduct the correspondence of the NEC and the NWC and send out notices of all conferences and meetings at the national level.

Convey the decisions and instructions of the National Conference, the NEC and the NWC to the provincial executive committees, and see to it that all units of the ANC carry out their duties properly.

Prepare annual reports on the work of the NEC and the NWC and such other documents which may, from time to time, be required by the NEC and the NWC.

In the absence of the President or the Deputy President, the Secretary General shall assume the functions of the President.

All departments, save those falling directly under the President, shall report on their activities to the Secretary General.

Be an ex officio member of the NWC.

167 Deputy Secretary General

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The Deputy Secretary General shall assist the Secretary General. deputise for him or her when necessary and carry out the functions entrusted to him or her by the National Conference or the NEC and shall be an ex officio member of the NWC.

16.8 Treasurer General

The Treasurer General is the chief custodian of the funds and property of the ANC. He or she shall:

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Receive and bank all monies on behalf of the NEC and shall, together with any two members of

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OFFICE OF THE CHIEF WHIP

TO

: The Provincial Secretary (Benny Boshielo), all members of the ANC Provincial Caucus (Provincial Legislature) and all members of the ANC Provincial Caucus (National Assembly)

' From : The Chief Whip of the Ruling Party (ANC)

Machike Thobejane

Date

: Monday 17 June 2003, 1999

Comrades

The recent meeting of the Provincial Constituency Offices Management Committee resolved as follows:

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that MPs and MPLs be deployed in regions where they come from and/or regions adjacent to their regions of origin (in exception of the Premier, Speaker, Deputy Speaker and MECs). This is with a View to make travelling to constituency offices cost effective and user-friendly.

That an MP and MPL share an office. This is with a View to pull together financial resources with a View of accommodating a national and provincial perspective i.e. the operation of the constituency offices.

That the gross monthly salary for administrators be R 3000. 00 (i.e. R3000 x 44 = R132 000 x 13 = R1 716 000) while the gross monthly salary for the Provincial Constituency Offices Co-Ordinator becomes R3500. 00 (i.e. R3 500 x 13 = R39 500), making it a gross annual salary bill of R 1 733 300).

a--

That partnership in terms of the use of finances be such that the National Chief Whip's Office sees to (carries) payment of salaries of staff while the Provincial Chief Whip's Office sees to (carries) payment of the running costs .

That 4 offices be allocated to each of our 11 regions, making it a total of 44 offices.

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— 8. JUL. 1999 â\200\224123 18 'â\200\224' " 'SPEQKERâ\200\231S OFFICE

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'SPERKERS OFFICE

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Report on National Forum

On Constituency Offices

Luthuli House

c.

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Page 1 of 3

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BY-ELECTIONS CHECKLIST AND TIME FRAMES : NDC AREA OF JURISDICTION

NO

ACTIVITY

REG.
NO.

TARGET DATE

1

CEO reports vacancy to Mayor or Chairperson

Mayor/Chairperson or Deputy endorses their agreement
on item 1

Refer checklist

2(3)(a)

2

2(2)(a)

Refer checklist

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5

3

Notice proposing to make updated votersâ\200\231 roll and to c5111
upon natural persons to enrol or claim in such a votersâ\200\235
roll

4(3)(a)

18-06-1999

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4

Period of inclusion in the updated votersâ\200\231 r011

4(3)(b)

19-06-99 to 8-07-99

5

Public notice for preliminary updated votersâ\200\231 r011
inspection

6(1)(a)

22-06-1999

6

Determining inspection period on updated votersâ\200\231 r011

6(1)(a)

4-07-1999 to 13-07-1999 ;

Lodging objections (in writing or verbal)during
inspection period

6(1)(b)

(ii)

13-07-1999

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6(â\200\2303391

6(U1C)

6(2)(a)

16-07-1999

6(4)

23-07-1999

16-07-1999

{L11 -- 21/0'7/1 444

Inspection of list of names and particulars of claimant,
objector and person iro whom objection has been lodged

Votersâ\200\231 r011 of i-\201cer prepares a list setting out names of
and particulars of every claimant, objector and person iro
whom an objection has been lodged iro (6(1)(b)

The votersâ\200\231 r011 of i-\201cer shall serve notice on persons
speci i-\201ed iro 6(4)(a)(b)(c) setting out the grounds of such
Objection or rejection. the date for hearing by revision
court and to invite such persons to attend

claims and objections

Calling upon every person to lodge written or oral
objection to list of names and particulars Of claimant,
objector and person iro whom objection has been lodged
to votersâ\200\231 r011 of i-\201cer

Votersâ\200\231 r011 ofï-\201cer prepares a list setting Out the name and particulars ofevery objector and person iro whom an objection has been lodged ito 6(1)(d)

Fixing ofday1â\200\231s) for the sitting ofrevision court to hear

02-08-19991â\200\23114-07-1999-12-08-1999)

6(2)(b)

31-07-1999

6(1)(d)
(i)(ii)

28-07-1999

6(1)â\200\234)

Inviting every claimant whose name is on preliminary unplaceed votersâ\200\231 roll to submit a timber claim or additional informatibn sufï-\201cient enough to place him/her as a voter in the ward for by-election

6(1)(e)
(iv)

13-07-1999

7

10

12

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9

13

11

26.

Obituary

From the previous PEC, the following deaths were reported to our office.

26.1 Cde Elias Nongâ\200\231s mother

26.2 Cde Bongi Mabunda

Prepared By

Benny Boshielo

Provincial Secretary

Report on the Functionality Of PEC Committees

1.

Infrastructure Sub Committee

1.1

Convenor

Cde Collins Chabane

1.2

Number of meetings held

a.

b.

Two (2)

One (1) meeting not well attended

1.3

Composition of the Committees

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PEC Members (core)
Technical expertise x three (3) comrades
Regional representatives (Broader Forum)

: A

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Y

Terms of reference dei-\201ned by the Committee

1.4.1
1.4.2
1.4.3

Technical team to do research on behalf of the Committee
Broader forum considers broad policy issues
Core PEC group deals with implementation

1.5

Interaction with Governance Structures

None

1.6

Problems

1.6.1
1.6.2

Lack of coordination of meetings
The passing away of Cde Strike Seoketsa, Head of Public Works affected the
work of the Committee.

1.7

Recommendation

1.7.1

Committee needs more time to get organised.

1.8

Comment

1.8.1
1.8.2

The Committee is not functioning well.
Need for Committee to urgently convene, draw schedule of meeting and identify
critical issues for consideration and recommend to the PEC.

1 5 August 1 999

09h00:

Meeting Resumes

09h05:

i.
ii.

Office Bearers and PWC Report
NEC Report

10h30:

Tea Break

1 0h45:

12h00:

i.
ii.
i.
ii.

State of Organisation Report

Rebuilding the MDM

Governance Report

Local Government Elections

-

-

Dermacations Process

Time Frames

1 3h00:

Lunch Break

1 4h00:

Programme of Action

15h00:

Preparations for the P66

15h30:

Chairpersonâ\200\231s Closing Remarks and Closure

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AFRICAN NATIONAL CONGRESS

NORTHERN PROVINCE

Fmm the Desk of

BENNY BOSHIELO
PROVINCIAL SECRETARY

To:

The NEC Provincial Committee

ATT:

Cde Mavivi Myakayaka-Manzini
Cde Sydney Mufamadi
Cde Alfred Nzo
Cde Suzan Shabangu
Cde Peter Mokaba

Comrades

Regarding: PEC Documents

Notice of a Provincial General Council

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Enclosed herein please find our documentation for our last PEC meeting which includes :

State of the Organisation Report
Elections Report
PEC Package

These are for your information.

Please note that the dates of our PEC meetings as included in our Programme of Action still stands.

Please also take note that our next PGC is scheduled for the 28 August 1999 at the University of the North. Please give an indication on who amongst you will address the PGC especially on the National Programme of Action.

5.

Hoping to hear from you soon.

Kind Regards

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/\ Benny Boshielo

Provincial Secretary

73 Bieeard Street, Pietersburg, 0699 ;

Tet: (0150 297 6951/3 Fax: (015) 297â\200\230 89m

3.6

Achievements

a.

b.

c.

Drafting and recommending to the PEC, a framework document on
Dermacations of district Councils Boundaries in the Province.
Formulating the ANC response on the proposals of the Dermacations
Board 011 District Councils.
Getting our regions to participate in the dermacation process.

3.7

Recommendations

21.

That the PEC should ratify the documents in 3.6 (a and b).

3.8

Comment

The committee is performing extremely well.

4.

Finance Committee

4.1

Convenor

Cde Tshenuwani Farisane

4.2

Number and attendance of meetings

a.

b.

c.

One (1) meeting was held
One (1) meeting aborted due to lack of attendance
Attendance is relatively poor, especially by Regional
Treasurers

4.3

Issues Considered

a.

b.

c.

d.

Provincial Finance Policy document which was approved by the PWC and PEC.

Welfare Policy, which still to be tabled for approved by the PWC/PEC.

Allocations to regions from the Councillors levies.

One third (1/3) allocation to branches.

4.4

Achievements

a.

Finalising the Provincial Finance Policy

MEC for Local Government, Cde Norman Mashabane due to problems

POSSIBLE METROPOLITAN NODAL POINTS

The Board considered the possible nodal points for metropolitan areas and in realising the significant differences between them in terms of size, scale and intensity of economic activity, believes they may be classified into four distinct groups:

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Nodal points which should definitely be considered as Metropolitan Areas:

Greater Johannesburg, Cape Town, and Durban fulfil all the requirements of being classified as category A municipalities and should be declared as such by the Minister;

Nodal points which should probably be considered Metropolitan Areas: Greater East Rand and Pretoria fulfil in large measure all the requirements of being classified as a category A municipality and should probably be considered as Category A municipalities.

Nodal point which could possibly be considered as a Metropolitan Area: Greater Port Elizabeth fulfils in large measure many of the requirements of being classified as category A municipalities, but does not score as highly as the identified and probable urban conurbations.

Nodal aspirant

Metropolitan Areas: The analysis indicates that Greater Vereeniging, Bloemfontein, East London, Pietermaritzburg and Richards Bay are not in the same league as the urban conurbations analysed above when defined as per the Municipal Structures Act and should not be considered as metropolitan areas.

regarded

should

points

which

simply

be

as

Finally, for purposes of proper definition as a nodal point, the Board has suggested the actual nodal point to be declared by the Minister as the nearest intersection to the main civic centre of the urban conurbation under consideration. These have been indicated on the maps provided.

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

5. CONCLUDING COMMENTS:

The Board invites comment on these proposals from:

its stakeholders (National Assembly; National Government (specifically the Minister of Provincial Affairs and Local Government); Provincial Governments (specifically the MEC responsible for local government); SALGA and its affiliates; Houses of Traditional Leaders; Government Departments; Magistrates and the IEC; key roleplayers (political parties, civil society organizations); and the public at large.

The Board specifically requests the public to comment on:

the number and possible location of nodal points for District/Metropolitan Councils in South Africa as indicated on the attached provincial maps; the framework for evaluating metropolitan areas; the advice provided to the Minister on which areas should be declared to be metropolitan areas; and the definition of nodal points for metropolitan areas as the nearest intersection to the main civic centre of the urban conurbation under consideration.

Written comment must be provided to the Board by 8 July 1999 as follows:

By post: Private Bag X28, Hatfield 0028

By hand: iParoli, Ground Floor, Block B2, 1166 Park Street, Hatfield, Pretoria

By fax: 012 3422480

By e-Mail: msmdb@mweb.co.za

This report is also available on the Board's web site: www.demarcationergza

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

Draft Minutes of the Provincial Executive Committee Meeting held on the 09 April 1999.

Attendance

See Roll Call Register

Apologies

Joyce Mabudafhasi
Ace Mamekoa
Collins Chabane
Tshenuwani Farisane
Freddy Mathebula
Jerry Ndou
Ngoako Ramatlhodi

Application for Early Leave

George Phadagi
Matthews Malebana

Absent

Norman Mashabane
Pat Reinecke
Machike Thobejane
Rosina Semenya

Confirmation of Agenda

The following matters were added on the agenda:

5.1
5.2

Report from University of the North
Restructuring of government departments.

Political Input

In the absence of the chairperson, the item was deleted from the agenda.

DEMARCATIION PHASES

Given the urgency of ensuring all municipalities and wards are demarcated in time to hold elections by 1 November 2000, the Board has resolved to finalise boundaries as follows:

TARGET COMPLETION

DATE

mid-July 1999

PHASE

1: Policy

1: Policy

1: Policy

AREA OF WORK-

â\200\230

Development of policy on
metropolitan and district council
nodal points, cross boundary
areas.

Development of policy on
rationalising local
area/municipal boundaries
Advice on functions and powers
Advice on metropolitan sub-
councils

Determination of metropolitan
and district council boundaries

Determination of local
area/municipal boundaries in
Category B areas

Determination of metropolitan
and municipal boundaries

Alignment of all administrative
boundaries

1: Policy

mid-September 1999

mid-September 1999

mid-July 2000

3: Category C Boundaries

2: Category A/B Boundaries

4: Ward Boundaries

5: Alignment of government

boundaries

End-October 1999

End-January 2000

End-May 2000

Ongoing

The Board is considering ad hoc demarcations submitted to it for determination using the following framework:

-
-

Ad hoc demarcations will only be considered if they are urgent, are minor, are for developmental reasons and are unlikely to be controversial. The following information must generally be provided: a map of the relevant area, a point-to-point description, if a traditional authority/magisterial district is affected details of how it is affected, letters from affected municipalities indicating the concurrence of their councils with the proposed exclusions and/or inclusions and any other information which may be useful.

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

Office Bearers and PWC Report

PEC Meeting

14 \200\22415 August 1999

1.

Monitoring the Political Stabilisation Process

The meeting of the ANC, ANCYL and ANCWL office bearers has not as yet taken place to deal with the matter.

2.

Alliance Summit

2.1

2.2

The Alliance Summit has not been able to take place due to our tight elections programmes.

The Alliance Secretariat met on the 02 August 1999 to rediscuss the matter and agreed that the summit be convened before the end of September.

2.3

Decision Required

2.3.1 That the PEG ratify the recommendation of the Alliance Secretariat for the Summit to be convened before the end of September.

2.3.2 That the Alliance Secretariat, in consultation with their office bearers should finalise the date, programme and focus of the Summit.

3.

Devolution of Powers to Regions

3.1

The Provincial Secretary drafted the document and tabled it

in the Secretariat Forum for comments.

AN INTEGRATED FRAMEWORK OF NODAL POINTS FOR
METROPOLITAN AND DISTRICT COUNCIL AREAS IN
SOUTH AFRICA : A PRELIMINARY FRAMEWORK

28 June 1999

8.4.2

Decision

a.

b.

That the Provincial Secretary should make a draft of the powers to be devolved to the Regions and submit them to the PEC.
That the draft should be checked with the Secretary General before they are implemented.

8.5

Dermacation Process

8.5.1

The matter was referred to the PLGU for consideration.

8.5.2

That a report be submitted in the next PWC meeting.

8.6

Matter of Greater Potgietersrus TLC

8.6.1 A report on the defiance of the organisational decision by some councillors was submitted.

8.6.2

Decision

The PEC ratiï\201ed the following recommendations from the ofï\201ce bearers.

a.

.
C.

That the eight (8) Councillors who dei\201ed the organisational decision be summarily suspended from the organisation.
That a disciplinary enquiry be held against the Councilllors.
That all the Councillors be withdrawn from participation in the TLC.

8.7

Award to Cde Zondi Maphanga

8.7.1

The PEC noted that only two contributions of R100 each were made for this event

8.7.2

Decision

a.

That the organisation should assist with funds to ensure the success of the ceremony.

8.8

Land Tenure Proposal Workshop

8.8.1

It was noted that the Economic Transformation Committee has not yet organised the workshop.

15.6

Recommendations

a.

Regions to be workshopped on disciplinary procedures

15.7

Comments

The Committee is functioning very well

16.

Economic Transformation Committee

16.1

Convenor

:

Coordinator :

Cde Sheila Sithole

Cde Abram Mangoato

16.2

Composition of the Committee

The Committee is well constituted by the PEC members, and identified technical persons. It is fully representative of the necessary personnel required to steer it forward.

16.3

Regularity and attendance of meetings

16.3.1 Seven (7) meetings were held by the committee.

16.3.2 Except some few comrades, attendance of meetings has always been relatively good.

16.4

Issues considered by the Committee

The following issues were considered by the Committee

16.4.1 Drawing of a founding and guiding document which was approved by the PEC.

16.4.2 Financial â€˜bleedingâ€™ in the NPDC

16.4.3 Suspension of officials in the Department of Agriculture and Environment Affairs.

- 16.4.4 Provincial Economic Workshop scheduled for the 20th 21 August 1999.
- 16.4.5 Problems of the Northern Training Trust
- 16.4.6 Provincial budget
- 16.4.7 Rationalisation of Policy departments
- 16.4.8 Production of an Economic development document

16.5

Achievements

The following achievements are recorded in the Committee

- 16.5.1 Building a coherent and functional Committee
- 16.5.2 Intervention in government departments
- 16.5.3 Development of a draft Provincial Economic policy framework document

13.

Provincial Executive Committee

The last PEC meeting was held on the 17 April 1999
Th programme was disturbed by the elections campaign.

v
i

14.

Organising

14.1

Convenor

Cde Benny Boshielo

14.2

Meetings

21.

b.

This Committee functional more under the Secretariat Forum and never
had a meeting of its own.
The Committee is being restructured to include the Regional Secretariat at
a broader level.

15.

Disciplinary Committee

15.1

Convenor

Cde Robert Malavi

15.2

Meetings and attendance

21.

b.

Several hearings were held
Full cooperation from members

15.3

Issues considered

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Appeal by Cde Mohoa from Thabazimbi
Disciplinary case of Greater Potgietersrus TCL Councillors
Disciplinary hearing of Cde Bogi Mashele
Matter of Cde Mabunda Of Giyane.

15.4

Achievements

a.

b.

Building a functional Committee
Effective disciplinary process

15.5

Problems

None

13

e.

That we should target small events spread across the Province for April 27 activities.

I 4.

Economic Transformation Committee Document

4.1

The Head of Economic Transformation Committee, Cde Sheila Sithole tabled their draft working document for ratification by the PEC.

4.2

Decision

4.2.1

That the Working Document of the Economic Transformation Committee be ratified, save for a section which deals with Fund-Raising and Finance. as this is the terrain of the Treasurer.

4.2.2

Also that the composition of the committee be reduced to be a manageable size.

4.2.3

Further that the Committee must embark on a programme to Visit the regions with a View to empower them to form functional committees.

I 5.

Announcements

5.1

5.2

That a seminar on the â\200\234balance of forcesâ\200\235 will be held on the 18 April 1999.

That an internal audit is being undertaken in all the regions on the Elections Account.

Prepared By

Benny Boshielo
Provincial Secretary

(b)

Paternity/co-parenting leave

___ Fathers and co-parents are entitled to 10 working days leave per Child (non-accumulative) to be taken at the discretion of the employee within six months of the birth.

(c)

Adoptive parent leave

Adoptive parents are entitled to leave under the same conditions that apply for maternity and paternity leave.

An adoptive parent who will be the primary caregiver to the child is entitled to four months leave under the same condition as those that apply for natural mothers.

An adoptive parent who will not be primary caregiver to the child is entitled to 10 working days leave per child (non-accumulative) under the same conditions as those that apply to a father or co-parent.

7.4. Religious Holidays

The employee shall be entitled to leave on full pay on days determined according to the faith to which she/he subscribes as religious holidays provided that the number of days leave taken by her / him in terms of this sub-paragraph shall not be deducted from the annual leave to which the employee is entitled.

7.5. Public holidays

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—

All employees are entitled to leave on public Holidays. However, some of the public Holidays are of political importance and an employee may be required to work these days. Should this be the case, then the employee will be allowed to take another day as leave in lieu of the public holiday worked.

7.6. Unpaid leave

Unpaid leave may only be granted at the sole discretion of the CO Management Committee and only in exceptional circumstances.

7.7. Compassionate leave

A maximum of five (5) working days of compassionate leave per year will be permitted for the purpose of funerals or serious or life-threatening illness or injury of close family members. Where the problem concerns someone who is not in the immediate family of the employee, this leave may still be granted at the discretion of the MP/MPL who must motivate for the additional days to the CO Management Committee. The CO Management Committee may decide to:

(a)

(b)

(c)

(d)

230

grant the extra leave on full pay;

*224

grant the extra leave as part of the employee's annual leave entitlement; or

grant the extra leave as unpaid leave; or

not grant the extra leave.

,

ANC NORTHERN PROVJCE CONST1TLâ\200\231ENCY OFFICES

7.4

7.5

The process of appeals on the lists, have been clarified to be the sole responsibility of the National Appeals Committee. Comrades who want to appeal interact directly with the ANC.

The threat against Cde Catherine Mabusa has not been pursued and a report will be presented in the next meeting as soon as the matter is attended to.

7.6

The report is submitted for noting.

8.

Resignation of Deputy Secretary

8.1

The vacant position of Deputy Secretary will be filled in the next Provincial General Council.

8.2 A common date on which both Cde Jerry Ndou and Louis

Mguni will be available is in the process of being determined to organise a farewell and congratulatory function for them. Letters have already been dispatched to

them in this regard.

8.3

Decision Required

8.3.1 The report is submitted for noting.

9.

Matter of Vaalwater

9.1

The PEC decision has been communicated to the Region and the branch. Currently the area has totally stabilised and thereby increasing the membership of the branch to over one thousand (1000). No further incidences were reported.

13.4 Decision Required

13.4.1

13.4.2

That the report of the Task Team be ratified by the PEG.

That the implementation process/schedule of the report be ratified by the PEG.

14.

Welfare Policy Document

14.1 The document has not as yet been considered by the PWC.

1 4.2 Decision Required

14.2.1

That the matter be referred back to the PWC and that a report be submitted in the next PEC meeting.

15. MDM Refined Document

15.1 The refined document was submitted and discussed in the MDM forum on the August 1999.

15.2 The meeting agreed in principle with the key points raised and directed that it be tabled in our various PECâ\200\231s. The document will be finalised for implementation in the next MDM Forum. The document is attached as Annexure E.

15.3 Decision Required

15.3.1

That the PEG consider the document, make inputs and provide a mandate to the members who sit in the MDM Forum to finalise the matter.

constituency Offices

Structural Arrangements

Proposal

5.2.3 AREA 3: (PROPOSED NAME: LOWVELD DISTRICT

COUNCIL)

Again, two Options for the area of this District are submitted

OPTION 1

POPULATION DISTRIBUTION IN DISTRICT AREA 3

> Population distribution is tabled in table 2 (Lowveld District Council)

MOTIVATION

'2' The objectives, as prescribed in the Demarcation Act, could easily be adhered to, especially in the provision of democratic Local Government, social and economical development and to create a tax and Levy base.

'3' Quite a number of mines are operational within this proposed District, from which a moderate income, (in the form of levy's) can be generated.

See Table 3 (Lowveld District Council)

'4' Existing spending, commercial and industrial linkages are not disturbed by the proposal.

'5' The infrastructure for establishing a new/ proposed District Council, in the form of accommodation, already exist in Giyani and can, with the necessary negotiations, be used

'6' Approximately R9m from Phalaborwa, R5m from Tzaneen and R1m

from the Agricultural sector are presently earned, (in the form of levy's) by the existing Northern District Council. This can thus be regarded as a potential form of income for a new District Council.

'7' Establishment of this proposed DC will make administration more manageable and existing plus future maintenance more feasible.

OPTION 2:

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PR Councillors are not seen in Community meetings.

That the following issues need our urgent attention.

Participation of Traditional Leaders in the TLCâ\200\231s.

Need to prepare for bye-elections.

Need to reprioritise TLC budgets

Need to improve Councillors visibility on the ground.

Need for a Provincial Workshop for Chief Whipâ\200\231s.

Need for more involvement of Regional Leadership in the TLCâ\200\231S

Need to clarify role of Councillors in the BETâ\200\231S and RETâ\200\231S.

Need to carefully examine the appointment of comrades in IEC structures.

Need to maximise our participation in the PLCâ\200\231s.

Need for our Councillors to get regular briefings from the LEOâ\200\231S who are in many instances TLC CEOâ\200\231s.

5.

Discussion

The above inputs were opened for discussion wherein the meeting admitted to several weaknesses within our TLC structures. Areas which constrain development and budgeting were highlighted. It was agreed that an action plan be developed to deal with all the identified issues.

1, 6.

Recommendations

The meeting recommended as follows:

6.1

That all TLCâ\200\231S should check on availability of funds for projects in their areas

.

6.2

6.3

6.4

6.5

6.6

6.7

That all TLCâ\200\231s should constitute party caucuses urgently.

That delivery audits be done at all caucuses urgently.

That Local Forums be organised in all the wards.

That all Party Caucuses should discuss prioritisation in their areas.

That the Provincial Ofiï-\201ce should interact with the District Councils on TLC budgets.

That all Councillors should participate in elections structures, i.e. BETâ\200\231S and RETâ\200\231S.

6.8

That all Councillors who did not do so should sign the code of conduct.

POPULATION DISTRIBUTION IN DISTRICT AREA 2

> The population is tabled in table 2-(2. Northern District Council)

(Option 1)

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MOTIVATION :

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The objectives, as prescribe in the Demarcation Act, read with the Municipal Structures Act and the White paper on Local Government, could be met with this propoSal, especially where the provision of democratic and accountable Local Government is applicable.

Existing commuting and dominant transport movements, spending and interaction/ inter dependency are not disturbed by this proposal

The proposed reducing in area of the existing Northern District Council, (plus responsibilities), will make local Government administration more effective and accountable.

V

There are quite a number of operational mines and related practices, existing in the area from which levy's could be imposed.

V

The existing levy's, paid, (by Louis Trichardt, Messina, Thohoyandou and the Agricultural sector), to the Northern District Council presently, will assure a signiï-\201cant income to this proposed Council.

Infra structure for establishing a new DC, exists in Thohoyandou, and can, (with negotiations), thus be used.

>

Malamulele could have a positive economical effect (business levy's)

SEE TABLE 3-(2 NORTHERN DISTRICT COUNCIL)

OPTION 2:

The area will remain the same except for the following Changes:

> The entire Levubu/ Shingwedzi RLC plus ward 3, 4 and part

Of ward 2 and 5 (remainder of Mphaphuli T/A that presently falls outside the Thohoyandou TLC area 1) to be excluded from this District Area

The topography and general characteristics is the same for this option.

African National Congress

Northern Province

Report

Meeting between PEC Delegation and
Regional Secretary, TLC Chairpersons and
Chief Whips

17 April 1999
OASIS Motel

12. Retrenchment

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The CO Management Committee will at all times endeavor to avoid or minimize the need for retrenchment and will always consider alternatives to retrenchments.

Should the closure of Constituency Office\201ces or restructuring of staff requirements â\200\230 be decided upon , then the retrenchment procedure that will apply is defined below.

Every effort will be made to relocate affected members within the organization. Should it not be possible to relocate the affected members of the staff within the organization, severance pay will be made to affected members accordingly.

Should any retrenchment be proposed of an individual or individuals, the organization will consult the individual at least three months before retrenching him /her. The information provided shall include:

- (a)
- (b)
- (c)
- (d)

the number of employees to be retrenched;
when the employees are to be retrenched;
the reasons for the retrenchment; and
the alternative solutions which have been considered to avoid or reduce
the number of retrenchment.

â\200\224

The organizationâ\200\224 and the affected individuals can make written representations to the CO Management Committee to review the retrenchment and make a final decision.

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Severance pay will be two weeks pay for every year or part thereof in the CO Management Committee employment.

13. Grievance and Disciplinary Procedures

A copy of the grievance and disciplinary procedures will be provided to staff members together with their contract of employment.

14. Private Work

A Staff member shall not, without the approval of the CO Management Committee, be involved in remunerative private work outside of the Constituency Office\201ce. In particular, no member of staff of a Constituency Office\201ce may engage in consultancy or lobbying work.

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15. Declaring Gifts

All employees of the Constituency Office\201ce are required to declare any gifts they receive which have a value of over R 5 0.00, and which were not received from a family member, on the approved form.

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ANC NORTHER\7 PROVINCE CONSTITUENCY OFFICES

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11:32/www_anc.org.za/ancdocs/about/constituonsa\200\230lg.htm

matter brought before it by the PEC, and may decide on any matter falling Within its competence, subject always to the policies and directives of the National Conference, National General Council, Provincial Conference or the NEC.

18.5. The FCC may fill any vacancy on the PEC provided that his filling of vacancies does not exceed 50% of the membership of the PEC.

Rule 19 PROVINCIAL EXECUTIVE COMMITTEE

19. The Provincial Executive Committee shall be responsible for carrying out the decisions of the Provincial Conference and Provincial General Council always subject to Rule 18.4.

19.2. It shall consist of the Provincial Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer and not more than 13 other persons elected by the Provincial Conference. A person shall have been a paid up member of the ANC for three years before she or he can be nominated to a Provincial Executive Committee of the ANC. Each region shall be equally represented by the Chair and/or the Secretary as determined by the PEC provided that the number of regional representatives on the PEC does not exceed the number of elected members of the PEC.

19.3. The Women's League and the Youth League in the Province shall be represented by two representatives with full voting rights.

19.4. The PEC shall:

Meet as soon as possible after its election to elect the Provincial Working Committee and thereafter at least once a month.

,

Carry out the decisions of the Provincial Conference and the NEC.

Manage and control the funds and assets of the ANC in the Province

Submit reports to the NEC Provincial Conference and Provincial General Council as often as is required, on the state of the organisation, the financial position of the province, and such other matters as may be specified.

Appoint the regional organiser and staff as required.

Organise, establish and service branches in the Province and supervise the work of the regions in the Province; suspend, dissolve, and re-launch branch executive committees and regional executive committees where necessary, subject to any directives from the provincial conference provided that where a BBC or REC has been suspended or dissolved there shall be a right of appeal to the NEC. A suspension shall not exceed a period of three months. Elections for dissolved structures shall be called within three months.

Carry out the policy and programme of the ANC and do all things necessary to further the interests, aims and objectives of the organisation.

Have the right to co-opt up to 3 persons subject to confirmation by the Provincial General

Council.

The quorum for any meeting of the PEC shall be 50% (fifty percent) of its total membership.

Have the duty to appoint annually a Provincial List and Candidates Committee which will identify regulations for the drawing up of the Provincial List of candidates for national elections, provincial elections and for the selection of candidates for local government elections.

The Provincial Executive Committee shall report to the NEC and shall be bound by the recommendations of the National List Committee. Every candidate for elections must undertake, in writing, prior to the elections to abide by the Constitution of the ANC and the relevant Code of Conduct for elected representatives.

Rule 20 PROVINCIAL WORKING COMMITTEE

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Minutes

Minutes of the last meeting were read and adopted with the following corrections.

7.1

7.2

7.3

Sentence in 2.3.3 to be suffixed by 'on the day only'.

The name of Cde Joyce Mashamba be added in 7.3.2.

The word 'not' be removed from item 7.9.4.

Mover:

Seconder:

Benny Boshielo

Aaron Motsoaledi

Office Bearers and Secretariat Report

8.1

Monitoring the Political Stabilisation Process

a.

The PEC noted that a meeting of the ANC, ANCYL and ANCWL office bearers is being organised to examine the political stabilisation process in the Province.

8.2

Alliance

8.2.1

The PEC noted that the scheduled Alliance Summit did not take place as a result of our unpreparedness.

8.2.2

Decision

a.

That the Alliance Secretariat should proceed to identify a date and organise the summit.

8.3

Arrears Rental payment by MPLs/MPs

8.3.1

The PEC noted a report by the Head of Infrastructure Committee on progress made with regard to payment of arrear rentals by the MPLs/MECs.

8.4

Devolution of Powers to Regions

8.4.1

The meeting noted that guidelines are still awaited from the Secretary General on the above matter.

. A complex and diverse economy;

The number of persons employed in the Finance Sector provides a good measure of the degree to which an economy is complex and diverse.

In addition, numbers employed in the primary and secondary sectors is also a useful measure of complexity and diversity:

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Further measures of the effects of a complex and diverse economy may be found simply through examining the size of local governments in the various conurbations, and as indicated in the following table:

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Having strong interdependent social and economic linkages between its constituent units.

Comparable data which indicates strong interdependent linkages is difficult to find, but the table of commuter flows indicated earlier indicates the extent to which people move within each of the urban conurbations in getting to work each morning:

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

2.7

Comment

The Committee is performing very well.

Demarcations Committee

3.

3.1

Convenor

Cde Ben Mhlongo

3.2

Number and attendance of meetings

21.

b.

0.

Eight meetings were held

Two (2) meetings aborted due to lack of attendance

Nonâ\200\224attendance by MEC for Local Government, Cde Norman Mashabane due to problems.

3.3

Issues considered

a.

b.

c.

d.

Position paper on demarcation of district councils.

Response to the Dermacations Board proposals on District Councils.

Participations in the Provincial Liason Forum and Investigations

Committees of the demarcations Board, i.e.

i.

ii.

Cde Dikeledi Magadzi and Cde Dickson Masemola in the PLF.

Cde Risenga Maluleke coopted into the Dermacations Committees.

Consultations and drafting a document on municipal boundaries by August 1999.

3.4

Interaction with Governance Structures

3.

b.

c.

MEC for Local Government and Housing is a member and participate in the Committee.

Also robed in are comrades from Trade and Industry, South Africa, Premier's Office and Public Works Department.

Two meetings held with members of the Demarcations Board.

3.5

Problems

a.

b.

Irregular attendance of meetings, especially by the then MEC for Local Government and Traditional Affairs.

Lack of adequate coordination of meetings

2.

Provincial Local Government

2.1

Convenor

Cde Ben Mhlongo

2.2

Number of attendance of meetings

- a.
- b.
- 0.
- d.

Five (5) meetings were held

Meetings held once a month

Attendance is fair

Several extra ordinary meetings held

2.3

Issues considered

- a.
- b.
- 0.
- d.
- e.

- f.
- g.

PLGU programme of action

Workshop for chief Whips of Local Authorities

Problems of TLCâ\200\231S

Bye-elections for TLCâ\200\231s and PR vacancies

Establishment of Regional Local Government Units and Councillors

Forums

Drafting Of demarcations documents

Work commissioning preparations for Municipal elections in 2000.

2.4

Problems

- a.
- b.
- 0.

Lack of efï-\201cient coordination of meetings

Lack of sufï-\201cient attendance of meetings

Several matters processed by the Committee reversed by the ofï-\201ce bearers

e.g. Nebo North, Alldays and Eastern Tubatse.

2.5

Achievements

- a.
- b.

Relative stability in TLCâ\200\231S
Functional Local Government Units in some regions

2.6

Recommendations

- 21.
- b.
- c.
- d.
- e.

That a deadline be set for all regions to form the PLGUâ\200\231S.
That PEC members deployed to regions should play an active role in attending to local government problems.
That the Policy Coordinator should improve on Coordination of meetings.
That a Provincial Consultative Forum on Local Government along the lines of the NFC, be established in the Province.
That clear guidelines be set on mechanisms, functioning role and powers of the committees setâ\200\224up by the PEC.

African National Congress

Northern Province

Provincial Executive Committee

09 April 1999

OASIS Motel

Draft Minutes

ACTIVITY

The Revision Court shall cause an updated voters' roll to be prepared

REG. NO

8(2)(a)

10(1)(a)

Presiding Officer of Revision Court certifies and signs the updated voters' roll.

20(1)

The determination and or holding of by - election day

20(2)(b)

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20(2)(ii)

NO

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16.

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19.

20.

CONDITIONS

not later than 18 days after the 7 day inspection period i.t.06(1)(a).

by noon not later than 18 days after the 7 day inspection period (to. 6(1)(a).

not more than 136-days after declaration i.t.o 2(3), 1(3)(b) 21 (8) or 21(7).*

not later than 7 days after the declaration referred to in item 17. "

not less than 30 days and not more than 35 days

before by - election day.

not later than noon 12:00) on

a date which shall be not less than 44 days and not

more than 49 days before by
- election day.

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not later than noon 12:00) on
a date which shall be not
less than 44 days and not
more than 49 days before by
- election day.

not less than 42 days and not
more than 47 days before by
- elections day.

"

Returning officer shall publish notice of the
date of the by - election and the hours of
voting.

Returning Officer shall specify and
determine the date of nomination day i.to.
21(3)

Returning Officer shall specify that
nominations of candidates for the by -
election shall be delivered to the returning
officer Ltb 2(1), invite such nominations
and indicate the number of vacancies to be
filled.

No person may become a candidate at a by
- election unless a nomination paper (ER4)
is duly completed and signed i.t.c 21 (a)(b)
and delivered to returning officer.

20(2)(iii)

21 (1)

21.

23.

22.

24.

21(2)

21(4)(h)

(i)

not less than 7 days before
nomination day.

Returning Officer posts a list of names and
addresses of each person i.r.o whom a
nomination has been received and shall
keep such list posted until 12:00 on
nomination day.

No nomination shall be rejected on the

grounds of any defect i.t.o 21 (4)(b)(d)(f)(g) or (h) unless the returning officer has served on the particular person a written notice informing him or her of such defect. Furnishing proof of having a defect remedied to the satisfaction of the returning officer

writing if insufficient nominations to fill the

not later than 12:00 on a date specified by returning officer which shall be not less than 31 days and not more than 36 days before by - election day. within 7 days of the declaration i.t.o 21 (3) i.r.o such further by - election.

remaining vacancies i.t.o 21(5)(a) are accepted for further by - election.

25.

The returning officer notifies the Premier in

21((5)(b)

21(4)(h)

(ii)(bb)

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24.

Local Government Matters

24.1 Bye-elections

24.1.1 Several bye-elections are due in a number of our TLCs.

The PWC considered the matter and decided that first

preference should be given to out-gone MP/MPL when

we select our candidates in order to source their

legislative experiences. 3 e e.

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24.1.2 Further that a proposal should be made to the NEC to

review the selection of our candidates in the next

elections.

24.2 Decision Required

24.2.1 That the PEG should ratify the above PWC

recommendations.

25.

Cooption of MECs in the PEG

25.1 The Office Bearers and PWC has mandated the Provincial

Secretary to raise the issue of the cooption of MECs in the

Province who are not elected into the PEG.

25.2 The matter was raised in the NEC where a formal decision

was taken that the comrades should be invited as

permanent observers in the PEG.

25.3 Decision Required

25.3.1

The report is submitted for noting by the PEG.

African National Congress

Northern Province

Proposal On the Devolution of Powers to Regions

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The PEC decided that the Provincial Secretary should work 611a5.
proposal on the devolution of powers to regions.

The document would be presented to the PWC, and if approved be,
send to the Secretary General for ratification before implementation.

In terms of Rule 22.6 the REC shall be accountable to the PEC and

. shall have its powers as delegated by the PEC.

Rule 22.7 indicates that the â\200\234Regional Executive Committeesâ\200\235 may
recommend to the PEC the suspension of â\200\230t dissolution of:3 BEC, Zonal
Committee or Subâ\200\224 Regional Committees.

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it is clear from the above that the REC only have powers to
recommend.

It is therefore proposed that the PEC should delegate the following
powers to the RECâ\200\231S

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To decide any matter as may be referred to the RECâ\200\231S by the PEC.

Organise, establish
Sub-Region and the Organiser.

and service branches on recommendation of the

Retain the powers to recommend the dissolution of any branch and
Subâ\200\224 Region to the PEC, and not have the powers to finally decide.

Deal with disciplinary matters save for the powers to summarily
suspend or dismiss any member from the organisation
In a case where a summary, suspension or dismissal
required, such be recommended with a full motion to the
Provincial Disciplinary Committee.

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the NEC, operate a banking account.

Keep such books of account as may be necessary to record clearly the financial position of the ANC.

Submit to the National Conference 21 report showing the Income and Expenditure Account and Balance Sheet of the ANC for the period since the previous National Conference, and shall submit periodic reports to the NEC and the NWC.

Be responsible, with the National Finance Committee, for working out and executing plans for fund raising.

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Be an ex officio member of the NWC.

16.9. The National Chaplaincy

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There shall be a National Chaplaincy appointed by the NEC on an interfaith basis to provide spiritual guidance.

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Rule 17 PROVINCIAL STRUCTURES

17.1. Subject to the overall guidance of the NEC, the Provincial Conference shall be the highest organ of the ANC in each Province.

17.2. The Provincial Conference shall:

Be held at least once every three years and more often if requested by at least one third of all branches in the Province.

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Be a delegatesâ\200\231 conference attended by delegate chosen on a democratic basis by 311 branches in the Province with representation in proportion to membership, with attention being paid to ensuring representation of areas where membership is reduced.

Be attended by members of the Provincial Executive Committee who shall have full voting and speaking rights as ex officio participants-

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Be attended by representatives of the Women's League and Youth League with voting rights.

Carry out the decisions of the National Conference, the NEC and the NWC.

Receive and consider reports by the Provincial Executive Committee.

Elect the Provincial Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer and other members of the Provincial Executive Committee who will hold office for 3 years. The

Provincial Secretary shall be a full-time i-\201maionary ofthe organisation.

Carry out and develop the policy and programme ofthe ANC in the Province.

Rule 18 THE PROVINCIAL GENERAL COUNCIL

18.1 A Provincial General Council shall be convened between Provincial Conferences.

18.2. The Provincial General Council consists ofalI members of the Provincial Executive C ommittee and delegates representing branches in proportion to membership, with a minimum ofone delegat e per branch. The Women's and Youth Leagues shal-I be represented by their PECS. The RECS shall be appropri ately represented as determined by the PEC.

18.3. The FCC shall meet at least once a year. A PGC shall, for good cause shown, be conv ened by the PEC upon the request ofone-third (1/3) ofbranches in the Province.

18.4. The Provincial General Council may discuss and decide any issue it deems necessary: including any

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confusing. Thence some sections of the democratic movement define their relationship with our government as of both conflict and co-operation.

We are confident that we will succeed in this mammoth task of nation-building. Our country, South Africa, has a long history such that we will finally be able to place properly the role, the character, and place of the movement of a new type, with a programme of a new type in this different dispensation. Transformation, Reconstruction, Development and Nation-formation remain our key task. We are confident we will succeed.

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We rest our case.

FORWARD TO THE YEAR OF MASS MOBILISATION FOR THE
RENEWAL OF THE DEMOCRATIC MOVEMENT

issued by DPET Northern Province

Rudolph Phisoane

for the year of mass mobilisation for the renewal of the democratic movement

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SPEQKERS OFFICE

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SPEQKERS OFFICE

Eeport on National Forum on Constituency Office:

: 03 July 1999

. ' 13h00

Date

Time

Venue . ' Luthuli House (BoardRaom 1021)

Attendants:

Secretary General, anz'ncial Secretaries,
National Assembly Chief Whip, NCOP Chief Whip
and Provincial Chief Whips.

L1. DEMARCATION OF CONSTITUENCY Aims
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Inĩ-\202uencingfactors are:

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TLC demarcations= (IEC Voting Districts).
ANC structural demarcation.
Population density.
Residence of MPs/ MPLs
Current redemarcation processes.
Accessibility by users.
2 June 1999 election results.

2. ALLOCATION OF MPS/ MPLS (ROBING IN COUNCILLORS) TO

CONSTITUENCY OFFICES

Inĩ-\202uencingfactors are:

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Even and equitable distribution.
Needs of the province, region and sub- regions.

Effectiveness and efficiency.
Cost implications.
Co-Operative governance.
Language.
Synchronisation of structural deployments and Constituency deployment.

[3. NCOP CYCLES
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Should be such that they assist that the objectives of Constituency outreach are realised.

[I NEC MEMBERS DEPLOYMENT
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To be synchronised With the Constituency deployment approach.

Page 2 of 3

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Conduct the current work of the ANC and ensure that provinces, regions, branches and all other

ANC structures such as parliamentary caucuses carry out the decisions of the ANC.

Submit a report to each NEC meeting.

Rule 13 THE ELECTORAL COMMISSION

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1 The NEC shall appoint an Electoral Commission of not fewer than three members whose task it will be:

To prepare the ballot papers as directed by the Constitution.

To make provision for ballot boxes or other means of secret voting.

To create machinery for the counting of ballot papers and the effective counting of votes.

Provision of the

To announce the results of all ballots and make known the number of votes received by each successful candidate.

To establish procedures for voting and to determine any dispute raised in regard to elections

and election procedures, and to determine how any tied vote should be resolved.

13.2 The names of the electoral commission whose work shall commence before Conference opens shall be

submitted to the Conference for endorsement and they shall then be reinforced by a representative appointed

by each Provincial delegation.

Rule 14 GENDER AND AFFIRMATIVE ACTION

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14 In an endeavour to ensure that women are adequately represented in all decision-making structures, the

ANC shall implement a programme of affirmative action, including the provision of a quota of at least

one third (1/3) in all its structures to enable such effective participation.

The method of such implementation shall be addressed in all ANC structures immediately and on a

14.

continuing basis.

Rule 15 THE NATIONAL FINANCE COMMITTEE

15 The NEC shall appoint the National Finance Committee.

15.2. The NEC shall determine the composition and powers of the National Finance Committee.

15.3. The National Finance Committee shall report to the NEC at least twice a year on the finances and budget of the ANC.

Rule 16 DUTIES AND FUNCTIONS OF OFFICIALS

1 The National Chairperson shall:

Preside over the National Conference.

Remain the custodian of the decisions taken by the National Conference and ensure that all organs of the ANC implement these decisions and operate within the parameters of policy set out by Conference.

Carry out such additional tasks as the Conference or NEC may instruct.

Be an ex officio member of the NWC.

3. In the absence or incapacity of the National Chairperson, the President shall assume his or her functions.

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16.3. The President

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Another matter that needs consideration in relation to this aspect is the fact that when the ANC was unbanned, its congress allies were also unbanned, so that, the revolutionary alliance, later called the tripartite alliance, the leader of the South African Freedom struggle for many decades, was now at home and had responsibility to lead our entire people to the final liquidation of apartheid and to the establishment of a non-racial, non-sexist, democratic South Africa.

Taking the above factors into account you will then note that naturally, what we called the MDM could not conduct struggle in the same old way without changes.

The principal job post the April democratic breakthrough is doubtlessly the mobilisation of our entire people behind a programme of transformation, reconstruction, development and nation-building.

3.

THE NEED AND ROLE OF THE MDM IN THE CURRENT EPOCH.

When we were conducting struggle particularly in the eighties and early nineties, there were structures we called rudimentary organs of popular self-government. These structures included street committees, people's courts, self-defence units, civic bodies, Student Representative Councils (SRCs), and many others of various kinds.

These were structures through which our people were able to take decision about their own lives and how they should run their affairs at local level, hence they were called organs of people's power. Our people wielded their collective power through these structures. Other people correctly referred to some of these structures as organs of civil society, but principally they were organs of civil disobedience. One of the things we may need to do is to redefine the role of some of these bodies and others which exist now, as part of the broader process of redefining the role of the MDM post April 1994.

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(iii)

Our view is that we need to continue to interact and co-operate with those structures that compose what we may call the MDM. Whether we are involved in general mobilisation work for elections or in governance we need to bring them on board as much as possible.

Those organisations which may form part of the MDM include the ANC, the SACP, COSATU, as the core (the Tripartite Alliance as the centre), also SANCO, SASCO, COSAS, SUCA, YCS, and the AVCYL & ANCWL. Thus therefore implies that the ANC-led Alliance takes its rightful place as the leader of our people and government to be at the centre, as it should be, of these mass formations of our people popularly referred to as the Mass Democratic Movement. Mechanically speaking therefore it flows that the ANC leads the Alliance, and then the Alliance as a whole, leads the MDM.

In our view we should be very creative when we deal with the question of the role of the MDM post-April 1994. As we have said earlier the situation has changed not only drastically, but also dramatically. It is a situation in which we are in power and we have unfolded a programme of transformation, reconstruction, development and nation-building. It is a situation in which

Issued by DPET Northern Province

Rudolph Phulu

Principal Secretary for Political Education and Training

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4.4. The National Executive Committee may, acting on its own or on the recommendation of branch or provincial executive committees grant honorary membership to those men and women who do not qualify for membership under Rules 4.1 4.7 or 4..2, but who have demonstrated an unwavering commitment to the ANC and its policies.

4.5. Applications for membership shall be considered by the branch executive committee where such exists, and by the regional executive committee, if no branch executive committee exists. The branch executive committee, the regional executive committee, or such interim structures as the Provincial Executive Committee or the NEC may create from time to time to decide on applications, shall have the power to accept or refuse any application for membership provided such acceptance or refusal shall be subject to review by the next higher organ of the ANC.

4.6. Membership cards shall be issued to registered members of the ANC and to persons whose application for membership has been accepted, subject to review as aforesaid, and, in all cases, subject to payment of the prescribed subscription.

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An applicant shall be issued with an acknowledgement of provisional membership and the details of the branch and constituency/area in which the applicant resides and any available information about the local branch structures.

4.7. a) Provisional membership shall apply to persons who wish to join the organisation for the first time or who wish to rejoin the organisation after a considerable lapse of time.

4.7. b) Provisional membership rights commence from the date of production of the acknowledgement following receipt of the application and the appropriate membership subscription. A provisional member shall have the right to attend branch meetings only in a non-voting capacity.

4.8. Any objection to any application for membership may be made by the membership to the branch, regional or provincial secretary within eight weeks of the notification.

4.9. At any time before the individual is accepted as a full member of the organisation, or in exceptional circumstances even after the member has been admitted, the Secretary-General may rule that the application or the membership may be rejected if it was invalidly obtained.

4.10. In the absence of any objection from the Structures and/or any ruling by the Secretary-General, the applicant shall, on the expiry of eight weeks from the date of notification of provisional membership, become a full member. The provisional member shall then be transferred to the national membership list as a full member as soon as is practicable.

4.1.1. The reasons for the rejection of an application for membership by the Secretary-General or the objection by the membership to the application for membership must be sent to the individual applicant in writing.

4.12. Membership cards shall be issued to registered members of the ANC and to persons whose application for membership have been accepted, subject to review and subject to payment of the prescribed subscription in all cases.

4.13. Members shall pay an annual subscription fee as determined by the National Executive Committee.

4.14. Non-paying members or those on reduced terms will pay such fees as are determined by the NEC.

4.15 On being accepted in the ANC, a new member shall, in a language he or she knows well, make the following solemn declaration to the body or person designated to administer such oaths:

[..... solemnly declare that I will abide by the aims and objectives of the African National Congress as set out in the Constitution, the Freedom Charter and other duly adopted policy positions, that I am joining the organisation voluntarily and without motive of material advantage or personal gain, that I agree to respect the Constitution and the structures and to work as a loyal member of the organisation, that I will place my energies and skills at the disposal of the organisation and carry out tasks given to me, that I will work towards making the ANC an even more effective instrument of liberation in the hands of the people, and that I will defend the unity and integrity of the organisation and its principles, and combat any

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Existing areas of Traditional Authorities within this proposed area will not be divided

This proposed boundary demarcation (the Tolwe area excluded), will have no adverse effect on the administration of existing Municipalities, neither on their credit worthiness

As already mentioned, there are quite a number of operational Mines, ie Swartklip, Amandelbult, Koedoeskop, Iscor, Rooiberg and Ellisras, from which levies could be obtained.

(Approximately R5m income are annually received from this source and this could be increased in future if some of the mines, which are presently registered outside the Northern Province/Bushveld Region could be made liable for payment within this area).

Nylstroom is the existing Headquarters of Bushveld District Council

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RECOMMENDATION

> It is recommended that these proposals be favourably considered as it will create a more evenly and balanced distribution of population, economical development and use of natural resources

> It is also recommended that three(3) additional District Councils (Municipalities) be established

> That the following centres be used for the proposed 4 District Councils;

Pietersburg/Polokwane
Thohoyandou
Giyani
Nylstroom

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Area 1
Area 2
Area 3
Area 4

V It is further recommended that special and separate attention be given to the future of the following areas:

1â\200\230 Bushbuck Ridge
â\200\2311' Middle Lepelle
v Tafelkop / Motetema
v Southern part of Ohrigstad

Manoke area

Â°iÂ° Tubatse â\200\224- Steelpoort

Eastern Tubatse (especially the

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not less than 14 days before
by - election day.

CONDITIONS
within 7 days after
nomination day

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i not less than 54 days before?
i by - election day.
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REG. NO
21(6)

21(9)

ACTIVITY
If the number of candidates whose
nominations have been accepted exceeds
the number of vacancies in ward, the
returning officer must, by notice, post
outside the place of nomination i.t.o 20
(2)(b)(iv) publish the fu_l| names of each
candidate together with his or her
distinguishing mark or symbol, if any, i.r.o
whom a vote will be held on by - election
day.
The returning officer determines i.r.o each
ward and make available a number
representing an accurate estimate of 2% of
the voters on the updated votersâ\200\231 roll for
each such ward.
Candidates advise returning ofï-\201cer in
writing i.a.w. ER 8 of the names, if any, of
agents and messengers appointed i.t.o
29(1).
Returning officer publish a list of voting
stations and their addresses
Returning officer, after consultation with
election committee, may add to such list,
voting station and addresses and publish
and maintain such a list.
The Premier (MEC : Local Government)
may direct returning officer to increase the
number or locality of voting stations i.t.o
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24(1).

Candidates advise returning officer in writing of the names, if any, of agents and messengers appointed i.t.o 29(1) per form ER8.

Withdrawal or replacement of duty appointed agent by notice to the returning officer.

The returning officer supplies by - election materials for use at voting stations to each presiding officer i.e. list of candidates agents and messengers, one copy of applicable part of the updated voters list. etc Mo 35(1)(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k)(l)(m) The voting hours applicable on by - election

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day

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not less than 14 days before
by - election day.

29(2)(a)

not later than noon (12:00)
on 2nd day before by -
election day.
not later than 17h00 on the
day before by - election day.

not less than 21 days before
by - election day.

Y not less than 14 days before

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200/230 not less than 14 days before
by - election day.

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23(1)

24(1)

24(1)

24(2)

29(2)(b)

35(1)

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40(1)

by ~ election day.

NO
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16. Termination of Service

16.1 Resignation and Dismissal

Not less than thirty (30) days notice shall be given in writing by a staff member of the CO Management Committee to terminate employment, provided that this shall effect:

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16.2. Desertion

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the right of the employer or the employee to terminate the employment without notice for any good cause recognized by law;

The right of the employer to pay the staff member in lieu of the prescribed period of notice

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A staff member who fails to report the reason for his / her absence from work within five (5) consecutive working days, unless physically prevented from doing so, shall be deemed to have left the employment of the CO Management Committee without permission and his/her employment shall be deemed to have terminated on the last day on which he / she worked for the CO.

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16.3. Exit Interviews

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A staff member who resigns from the employment of the CO Management Committee shall be granted an exit interview by a person appointed by the CO Management Committee on or before the effective date of termination of employment

16.4. Certificate of Service

Certificate of Service shall be issued to all staff members upon termination of employment, except those whose employment is terminated on grounds of desertion.

5. WESTERN CAPE:

6. NORTHERN PROVINCE:

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8. GAUTENG:

9. FREE STATE:

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20.1. The Provincial Working Committee shall be a core group of the PEC and shall consist of not less than one quarter of its members, including the Chairperson, Secretary and Treasurer of the Province and the Chair or Secretary of the ANC Women's League and the ANC Youth League in that Province.

20.2. It shall perform the duties and functions of the PEC to which it shall report.

20.3. it shall meet at least once a week.

Rule 21 FUNCTIONING OF THE PROVINCIAL EXECUTIVE COMMITTEE

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21.1. Provincial offices shall, with due allowance for differences of scale and level of work, perform the same functions as their national counterparts.

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1.2. The PEC shall, wherever possible, set up provincial departments in line with national departments.

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21.3. The PEC shall determine the boundaries of regions within the Provinces, in consultation with the NEC.

Rule 22 PROVINCIAL REGIONS

22.1. The PEC, under the supervision of the NEC, shall divide the Province into regions for the more efficient and democratic functioning of the ANC.

22.2. The maximum number of regions shall be determined by the PEC but shall not exceed 13 in number.

22.3. Each region shall hold a regional conference every two years which shall elect: the Chairperson, Deputy Chairperson, Secretary, Deputy Secretary and Treasurer and a committee of not more than fifteen members; in addition the Chair and Secretary of the ANC Women's League and the ANC Youth League in that Region shall be members of the Regional Executive Committee. A person shall have been a member of the ANC for at least two years before she or he can be nominated to a Regional Executive Committee of the ANC.

22.4. Each branch within a region shall be entitled to send delegates to the biennial regional conference in proportion to its members.

22.5 There shall be at least one regional council meeting in the course of each year with each branch being entitled to send at least one delegate. Additional regional council meetings may be convened by the regional executive committee or the PEC or on the request of at least one-third of the branches.

22.6. The regional executive committee shall be accountable to the PEC for its functioning. The powers of the regional executive committee are such powers delegated to it by the PEC.

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22.7. Regional Executive Committees may recommend to the PEC the suspension or dissolution of a BEC, Zonal Committee or Sub-Regional Committees.

Rule 23 PROVINCIAL CHAPLAINCIES

Provincial Chaplains may be appointed by the PEC on the same basis as National Chaplaincy.

Rule 24 BRANCHES

Every member of the ANC shall belong to a branch, which shall be the basic unit of the organisation.

24.1. The branch shall:

a) be registered with the PEC and have a minimum of 100 members, provided that the PEC may confer special recognition, where due to exceptional circumstances, the branch has fewer than 100 members.

b) be the place where members exercise their basic democratic rights to discuss and formulate

c) be the place where members exercise their basic democratic rights to discuss and formulate

d) meet as provided for in the rules and regulations.

e) be the place where members exercise their basic democratic rights to discuss and formulate

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COUNCIL

This proposed area will have Pietersburg/ Polokwane as the focal point with the existing Central and Southern District's to be amalgamated/ consolidated

POPULATION DISTRIBUTION IN DISTRICT AREA 1:

> The area's population distribution is tabled in table 2 (1. Central District Council as adjusted for 1998)

MOTIVATION OF DISTRICT AREA 1:

In evaluating this proposal one should measure it against the Demarcation Objectives and factors as outlined in section 24 and 25 of Act 27/ 1998.

> We are of the opinion that the objectives are met, especially the

provision of democratic and accountable government. Income from levy's by the Northern District Council in 1998, amounted to R19,3m from Pietersburg/ Polokwane Town alone.

> By decreasing the area of responsibility of the NDC the Objectives of

"promotion of social and economic development and a healthy environment" could be met.

> Existing commuting and dominant transport movements, spending

commercial and industrial linkages are not disturbed by this proposal i.e. Pietersburg, Lebowakgomo, Potgietersrus Groblersdal/ Mable Hall and Burgersfort/ Steelpoort.

Various mines and related operations exist in this proposed area, from which a levy income is possible.

(See table 3-1. Central District)

5.2.2 AREA 2: (PROPOSED NAME : NORTHERN DISTRICT

COUNCIL)

The topography and physical characteristics of the area do play a significant role in the demarcation process, i.e. Types of farming settling of people and employment.

Report

Meeting held with ANC Councillors

11.2 A report will be submitted in the next meeting.

12.

Chairperson's visit to Mamone

12.1

12.2

The initial meeting to organise the Chairperson/Premier to Mamone was discontinued as the tribe was raising very serious concerns regarding the fact that Cde Mandela would be going to Jane Furse without paying a courtesy call to them.

Cde Aaron Motsoaledi and Sophy Mogotlane paid visits to the tribe separately. In the case of Cde Sophy Mogotlane, she was well received and even given a 'praise' name. Cde Motsoaledi's visit which was meant to announce the visit of Cde Mandela's visit to Jane Furse was punctuated with lots of dissatisfaction from the Royal Family.

12.3 Decision Required

12.3.1

That a dedicated team of PEG members consisting of Cde Motsoaledi, the Provincial Secretary and Cde Ben Mhlongo be charged with the responsibility to arrange the visit, which should take place before the middle of September 1999.

13. ANC/CONTRALESA Task Team

13.1

The final report and recommendations of the Task Team were not considered by the PWC.

13.2

However due to the urgency of the matter, elements of it are already in the process of implementation.

13.3

The report is attached as Annexure D.

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I stand ready to clarify any matter containedâ\200\230herein and/or to meet with you on s ame.

Hoping to receive your known co-operation.

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Chief Whip

Machike Iliobejane (015 633 5017)

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See map 2â\200\224 (proposed Re-Demarcation 3/99)

Topography and Physical Characteristics:

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Delivering and budgeting in the TLCâ\200\231s.
Problems in the TLCâ\200\231s.

Attendance

See attached register.

J

Apologies

3.1

3.2

Makhuduthamaga TLC r

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Elim Tshitale TLC

4.

Inputs

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Input by Cde Aaron Motsoaledi

In his input, Cde Aaron Motsoaledi alluded to the following.

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That TLC priorities are not in line with the RDP objectives.

That a concept called â\200\234wardismâ\200\235 is developing in our TLCâ\200\231s which affect their budgetary process.

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That common problems identified in the TLCâ\200\231s are the following:

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2023

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With regard incidences were reported bearers directed that the process of reorganisation be reversed. While the region and the comrades have agreed to resign to return the status quo, no formal letters of resignation were received. The Region has requested the PEG to come in with the management of the reversal of the reorganisation as this may lead to the reemergence of the problems in this area.

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The Team comprising of Cde Collins Chabane, Dewet Monakedi, Ben Mhlongo and Dikeledi Magadzi has been appointed to deal with this and other similar situations.

9.4

Decision Required

9.4.1 The report is submitted as work in progress.

10.

Matter of Mpheni Branch

10.1 The decision of the PEG has been communicated to the Region and the branch, and is the process of being implemented.

10.2 The situation has relatively stabilised in the branch.

10.3 No further communication was received from the Region on the possible filing of charges of misuse of office by the Regional Treasurer.

10.4 Decision Required

10.4.1

The report is submitted for noting.

1 1 .

Matter of Sinthumule-Kutama

1 1.1 No further reports were received from Cde Norman Mashabane and Ben Mhlongo on the matter.

10.3

Issues considered

- a.
- b.
- c.
- d.
- e.
- f.

Guidance for deployment

Appointment of Public Service Commissioner

Appointment of Legislature Officers/Bearers

Interviews for MPs and MPLs who are not in the lists

Director for Security at UNIN

Audit of strategic vacancies

10.4

Achievements

- a.
- b.

Building a coherent and functional committee

Smooth appointment of Legislature Officers/Bearers

10.5

Problems

- a.
- b.
- c.
- d.

Concerns raised by Cde Thembi Ngwendamutsu that she is being
Victimised

Weakness with some Government Departments which does not submit
vacant management posts to the Committee

No adequate link with the Director General

ANCYL raised a concern about the slow pace of the Committee with
regard to its mandate.

10.6

Recommendation

- a.
- b.

The Premier to impress upon the MECs to submit list of strategic
positions to the Committee.

The Committee should accelerate the process of the deployment of
outgoing MPs/MPLs.

10.7

Comments

The Committee is very efficient, save for the issues raised at 10.6 above.

11.

Office Bearers

1 1.1

The office bearers continue to meet weekly on Mondays.

11.2

This programme was disturbed by the elections, but it is now back on track.

12.

Provincial Working Committee

12.1

12.2

12.3

The PWC meet fortnightly

However with the campaign it only met in 20 June 1999

The adopted programme of meetings is being reverted back to.

12

Governance Matters

3.1.

ARDC Matters

3.1.1

The meeting raised the following concerns with regard to the ARDC matter.

i.

ii.

iii.

iv.

That the statements released by the MEC are damaging to the organisation in our elections campaign.

That members of the PEC only came to know about the matter in the media.

That the timing of the matter is ill-advisable.

That the issue of retrenchments and dissolution of the board may have a negative impact on the organisation.

3.1.2

Decision

a.

That the Provincial Secretary should get a full report from the MEC on the matter and table it in the PWC for decision.

Greater Potgietersrus: Statement by Cde Norman Mashabane

The PEC raised a concern about the statements released by Cde Norman Mashabane on the issue, since he is a member of the PEC.

That there seems to be many processes that are dealing with the issue.

3.2.2

3.2.3

Decision

a.

b.

That the Provincial Secretary should take up the matter with Cde Norman Mashabane.

That whatever government does should not contradict the organisational decision.

3.3.

Elections Report

3.3.1

A report of the PET was held in the meeting with recommendations.

3.3.2

The recommendations of the PET were ratified by the PEC with the following additions.

a.

b.

c.

(1.

That it should be ensured that our regions have elections programmes.

That Cde Koti Nyama should follow on the PEC members and ensure that they attend RET meetings.

That Greater Potgietersrus be prioritised for elections work.

That the Provincial Secretary should remind all MPâ\200\231s/MPLâ\200\231S to dedicate their work and time on elections work.

8.8.2

Decision

That the Economic Transformation Committee should organise the workshop as a matter of urgency.

8.9

List Process

8.9.1

The meeting noted the advice of the Secretary General that the List Committee be dissolved.

8.9.2

Decision

- a.
- b.

- c.

- (1.
- e.

That issues of deployment be dealt with holistically in this Province.
That a meeting be organised with the National Deployment Committee to examine how the Provincial Committees should function in relation to the National Committee.
That the issues of Public Servants and Councillors who are on our lists with regard to their resignations be investigated. Also that the PWC should examine their inclusion in the lists.
That the process of appeals be clarified with Head Office.
That the threats against Cde Catherine Mabuza be followed up by the office bearers.

8.10

Matter of the Deputy Secretary

8.10.1 It was reported that it has internally been confirmed that Cde Jerry Ndou, the Deputy

Provincial Secretary, will be redeployed to a foreign mission.

8.10.2 Decision

- a.
- b.
- c.

That a formal farewell be organised for the Deputy Secretary.
That the farewell should also include Cde Louis Mnguni
That the filling of the Deputy Secretary's position be finalised in the next PEC in terms of process.

8.11

Matter of Vaalwater

8.11.1 The PEC received a report and ratified the recommendations of resolving the problems of Vaalwater.

8.11.2 That the issue of the restructuring of the Vaalwater TLC be investigated and a report be submitted in the next meeting.

16.6

Interaction with Government structures

16.6.1 This was only done successfully on specific issues.

16.7

Problems

16.7.1 Comrades who do not attend meetings regularly

16.7.2 Lack of adequate coordination with the National ETC

16.8

Recommendations

16.8.1 The PEC should begin to take action against comrades who fail to attend meetings.

16.8.2 An RDP Council should be convened to assess government performance.

16.9

Comments

16.9.1 The work of the Committee is satisfactory.

16.9.2 There is however a need to

i.

ii.

Build capacity in the Regions

Improve on interaction with Government and the National ETC

17.

Summary and Recommendations

17.1

The following Sub-Committees did not submit their reports despite three reminders which were sent out severally.

a.

b.

(2.

d.

Social Transformation

Political Education and Training

Media, Information and Publicity

Gender

Confusion arose during elections over the convenorship of the Media, Information and Publicity Committee.

17.2

It is however known that some of them have been meeting regularly and processing issues.

17.3 A transversal weakness of most committees is lack of attendance of meetings by the MECâ\200\231s lack of programme of Action and adequate interaction with Government structures.

17.4

Most of the Committees have not as yet started implementing Conference and PGC resolutions, which makes them to work in an ad hoc manner.

15

PREFACE

Local Government in South Africa

The Constitution of the Republic of South Africa 1996 states that the objects of local government are:

- (a) to provide democratic and accountable government for local communities;
- (b) to ensure the provision of services to communities in a sustainable manner;
- (c) to promote social and economic development;
- (d) to promote a safe and healthy environment; and
- (e) to encourage the involvement of communities and community organizations in the

matters of local government.

Municipal Demarcation Board

The President appointed the following persons to serve as members of the Municipal Demarcation Board, established in terms of the Local Government: Municipal Demarcation Act, 1998, for a term of five years and with effect from 1 February 1999:

Dr Michael Sutcliffe as Chairperson
Ms Mlamateta as Deputy Chairperson
Mr Vuyo Mlokoti
Ms Renee Hartsliet
Mr Prince Dladla
Ms Rosemary Monyamane
Mr Abraham Marais
Mr Kaobitsa Maape
Ms Jacqueline Subban
Khosinani Tshililo Ramoahale
Professor Robert Cameron.

Functions and Powers of the Municipal Demarcation Board

The main function of the Board is to determine and if necessary re-determine, all municipal and ward boundaries throughout South Africa. In addition, Cabinet has resolved that the Board will work with all government departments to try and ensure administrative boundaries are aligned with municipal boundaries.

of

municipalities

Transitional local government in South Africa has resulted in a plethora of different kinds

Transitional

Metropolitan Substructures, Transitional Local Councils, Remaining Areas, District Rural

Councils,

Councils, Transitional Representative Councils. Before the next municipal elections (due to be held by 1 November 2000) these will be rationalised into three Categories

Regional Services

Metropolitan

-â\200\224

Transitional

Services

Councils,

Councils,

Councils,

Transitional

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

1

prescribed by the Constitution - Metropolitan Municipalities (Category A), District Municipalities (Category B) and Local areas/municipalities (Category C).

The authority of the Board derives from the following sections of the Constitution:

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155(3) National legislation must establish criteria and procedures for the determination of municipal boundaries by an independent authority. .

157(4) If the electoral system includes ward representation, the delimitation of wards must be done by an independent authority appointed in terms of, and operating according to, procedures and criteria prescribed by national legislation.

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National legislation defining functions and powers of the Board includes:

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Local Government: Municipal Demarcation Act, 1998.

Local Government: Municipal Structures Act, 1998.

Process to be followed in determining boundaries

Before the determination of a municipal boundary the Board will publish a Section 26 notice in a newspaper circulating in that area stating the Board's intention to consider

the matter and inviting written representations and views from the public within a period of at least 21 days. The board will also send a copy of the notice to the MEC, each municipality affected by the Board's consideration; the magistrate, if the magisterial district is affected, and the provincial House of Traditional Leaders, if the boundary of a traditional authority is

The Board will consider all representations and views submitted to it and, if necessary, also hold a public meeting, conduct a formal investigation or do both.

affected.

After completion of the abovementioned processes the Board will publish its determination or redetermination in the Provincial Gazette and allow any person aggrieved by the determination to submit his/her objections in writing to the Board within 30 days of publication of the determination. The Board will then consider all objections and will either confirm, vary or withdraw its determination.

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

7

African National Congress

Northern Province

Office Bearers and PWC Report

PEC Meeting

14 â\200\22415 August 1999

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ANC NORTHERN PROVINCE CONSTITUTIONAL OFFICES

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Matter of Sinthumule-Kutama

1 1.1 No further reports were received from Cde Norman Mashabane and Ben Mhlongo on the matter.

11.2 A report will be submitted in the next meeting.

12.

Chairperson's visit to Mamone

12.1

12.2

The initial meeting to organise the Chairperson/Premier to Mamone was discontinued as the tribe was raising very serious concerns regarding the fact that Cde Mandela would be going to Jane Furse without paying a courtesy call to them.

Cde Aaron Motsoaledi and Sophy Mogotlane paid visits to the tribe separately. In the case of Cde Sophy Mogotlane, she was well received and even given a 'praise' name. Cde Motsoaledi's visit which was meant to announce the visit of Cde Mandela's visit to Jane Furse was punctuated with lots of dissatisfaction from the Royal Family.

12.3 Decision Required

12.3.1

That a dedicated team of PEG members consisting of Cde Motsoaledi, the Provincial Secretary and Cde Ben Mhlomo be charged with the responsibility to arrange the visit, which should take place before the middle of September 1999.

13. ANC/CONTRALESA Task Team

13.1

The final report and recommendations of the Task Team were not considered by the PWC.

13.2

However due to the urgency of the matter, elements of it are already in the process of implementation.

13.3

The report is attached as Annexure D.

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COUNCIL

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See map 2â\200\224 (proposed Re-Demarcation 3/99)

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Report

Meeting held with ANC Councillors

COUNCIL

This proposed area will have Pietersburg/ Polokwane as the focal point with the existing Central and Southern District's to be amalgamated/ consolidated

POPULATION DISTRIBUTION IN DISTRICT AREA 1:

> The area's population distribution is tabled in table 2 (1. Central District Council as adjusted for 1998)

MOTIVATION OF DISTRICT AREA 1:

In evaluating this proposal one should measure it against the Demarcation Objectives and factors as outlined in section 24 and 25 of Act 27/ 1998.

> We are of the opinion that the objectives are met, especially the

provision of democratic and accountable government. Income from levy's by the Northern District Council in 1998, amounted to R19,3m from Pietersburg/ Polokwane Town alone.

> By decreasing the area of responsibility of the NDC the Objectives of

"promotion of social and economic development and a healthy environment" could be met.

> Existing commuting and dominant transport movements, spending

commercial and industrial linkages are not disturbed by this proposal i.e. Pietersburg, Lebowakgomo, Potgietersrus Groblersdal/ Mable Hall and Burgersfort/ Steelpoort.

Various mines and related operations exist in this proposed area, from which a levy income is possible.

(See table 3-1. Central District)

5.2.2 AREA 2: (PROPOSED NAME : NORTHERN DISTRICT

COUNCIL)

The topography and physical characteristics of the area do play a significant role in the demarcation process, i.e. Types of farming settling of people and employment.

16. Termination of Service

16.1 Resignation and Dismissal

Not less than thirty (30) days notice shall be given in writing by a staff member of the CO Management Committee to terminate employment, provided that this shall effect:

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the right of the employer or the employee to terminate the employment without notice for any good cause recognized by law;

The right of the employer to pay the staff member in lieu of the prescribed period of notice

16.2. Desertion

A staff member who fails to report the reason for his / her absence from work within five (5) consecutive working days, unless physically prevented from doing so, shall be deemed to have left the employment of the CO Management Committee without permission and his/her employment shall be deemed to have terminated on the last day on which he / she worked for the CO.

16.3. Exit Interviews

.._.,,â\200\224â\200\224.

A staff member who resigns from the employment of the CO Management Committee shall be granted an exit interview by a person appointed by the CO Management Committee on or before the effective date of termination of employment

16.4. Certificate of Service

Certificate of Service shall be issued to all staff members upon termination of employment, except those whose employment is terminated on grounds of desertion.

httpyï-\202/wwwaanrg.zax'andccsxabcucconstztutzoni-\201 22:71;

20.1. The Provincial Working Committee shall be a core group of the PEC and shall consist of not less than one quarter of its members, including the Chairperson, Secretary and Treasurer of the Province and the Chair or Secretary of the ANC Women's League and the ANC Youth League in that Province.

20.2. It shall perform the duties and functions of the PEC to which it shall report.

20.3. it shall meet at least once a week.

Rule 21 FUNCTIONING OF THE PROVINCIAL EXECUTIVE COMMITTEE

21.1. Provincial offices shall, with due allowance for differences of scale and level of work, perform the same functions as their national counterparts.

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21.2. The PEC shall, wherever possible, set up provincial departments in line with national departments.

21.3. The PEC shall determine the boundaries of regions within the Provinces, in consultation with the NEC.

Rule 22 PROVINCIAL REGIONS

22.1. The PEC, under the supervision of the NEC, shall divide the Province into regions for the more efficient and democratic functioning of the ANC.

22.2. The maximum number of regions shall be determined by the PEC but shall not exceed 13 in number.

22.3. Each region shall hold a regional conference every two years which shall elect: the Chairperson, Deputy Chairperson, Secretary, Deputy Secretary and Treasurer and a committee of not more than fifteen members; in addition the Chair and Secretary of the ANC Women's League and the ANC Youth League in that Region shall be members of the Regional Executive Committee. A person shall have been a member of the ANC for at least two years before she or he can be nominated to a Regional Executive Committee of the ANC.

22.4. Each branch within a region shall be entitled to send delegates to the biennial regional conference in proportion to its members.

22.5 There shall be at least one regional council meeting in the course of each year with each branch being entitled to send at least one delegate. Additional regional council meetings may be convened by the regional executive committee or the PEC or on the request of at least one-third of the branches.

22.6. The regional executive committee shall be accountable to the PEC for its functioning. The powers of the regional executive committee are such powers delegated to it by the PEC.

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22.7. Regional Executive Committees may recommend to the PEC the suspension or dissolution of a REC,

Zonal Committee or Sub-Regional Committees.

Rule 23 PROVINCIAL CHAPLAINCIES

Provincial Chaplains may be appointed by the PEC on the same basis as National Chaplaincy .

Rule 24 BRANCHES

Every member of the ANC shall belong to a branch, which shall be the basic unit of the organisation.

24.1. The branch shall:

Be registered with the PEC and have a minimum of 100 members, provided that the PEC may confer special recognition, where due to exceptional circumstances, the branch has fewer than 100 members.

Meet as provided for in the rules and regulations.

Be the place where members exercise their basic democratic rights to discuss and formulate

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6. NORTHERN PROVINCE:

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9. FREE STATE:

prescribed by the Constitution - Metropolitan Municipalities (Category A), District Municipalities (Category B) and Local areas/municipalities (Category C).

The authority of the Board derives from the following sections of the Constitution:

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155(3) National legislation must establish criteria and procedures for the determination of municipal boundaries by an independent authority. .

157(4) If the electoral system includes ward representation, the delimitation of wards must be done by an independent authority appointed in terms of, and operating according to, procedures and criteria prescribed by national legislation.

.

National legislation defining functions and powers of the Board includes:

0

0

Local Government: Municipal Demarcation Act, 1998.

Local Government: Municipal Structures Act, 1998.

Process to be followed in determining boundaries

Before the determination of a municipal boundary the Board will publish a Section 26 notice in a newspaper circulating in that area stating the Board's intention to consider

the matter and inviting written representations and views from the public within a period of at least 21 days. The board will also send a copy of the notice to the MEC, each municipality affected by the Board's consideration; the magistrate, if the magisterial district is affected, and the provincial House of Traditional Leaders, if the boundary of a traditional authority is

The Board will consider all representations and views submitted to it and, if necessary, also hold a public meeting, conduct a formal investigation or do both.

affected.

After completion of the abovementioned processes the Board will publish its determination or redetermination in the Provincial Gazette and allow any person aggrieved by the determination to submit his/her objections in writing to the Board within 30 days of publication of the determination. The Board will then consider all objections and will either confirm, vary or withdraw its determination.

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

7

African National Congress

Northern Province

Office Bearers and PWC Report

PEC Meeting

14 â\200\22415 August 1999

PREFACE

Local Government in South Africa

The Constitution of the Republic of South Africa 1996 states that the objects of local government are:

- (a) to provide democratic and accountable government for local communities;
- (b) to ensure the provision of services to communities in a sustainable manner;
- (c) to promote social and economic development;
- (d) to promote a safe and healthy environment; and
- (e) to encourage the involvement of communities and community organizations in the

matters of local government.

Municipal Demarcation Board

The President appointed the following persons to serve as members of the Municipal Demarcation Board, established in terms of the Local Government: Municipal Demarcation Act, 1998, for a term of five years and with effect from 1 February 1999:

Dr Michael Sutcliffe as Chairperson
Ms Mlamateta as Deputy Chairperson
Mr Vuyo Mlokoti
Ms Renee Hartsliet
Mr Prince Dlodla
Ms Rosemary Monyamane
Mr Abraham Marais
Mr Kaobitsa Maape
Ms Jacqueline Subban
Khosin Tshililo Ramovha
Professor Robert Cameron.

Functions and Powers of the Municipal Demarcation Board

The main function of the Board is to determine and if necessary re-determine, all municipal and ward boundaries throughout South Africa. In addition, Cabinet has resolved that the Board will work with all government departments to try and ensure administrative boundaries are aligned with municipal boundaries.

of

municipalities

Transitional local government in South Africa has resulted in a plethora of different kinds

Transitional

Metropolitan Substructures, Transitional Local Councils, Remaining Areas, District Rural

Councils,

Councils, Transitional Representative Councils. Before the next municipal elections (due to be held by 1 November 2000) these will be rationalised into three Categories

Regional Services

Metropolitan

-â\200\224

Transitional

Services

Councils,

Councils,

Councils,

Transitional

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

1

8.8.2

Decision

That the Economic Transformation Committee should organise the workshop as a matter of urgency.

8.9

List Process

8.9.1

The meeting noted the advice of the Secretary General that the List Committee be dissolved.

8.9.2

Decision

- a.
- b.

- c.

- (1.
- e.

That issues of deployment be dealt with holistically in this Province.
That a meeting be organised with the National Deployment Committee to examine how the Provincial Committees should function in relation to the National Committee.
That the issues of Public Servants and Councillors who are on our lists with regard to their resignations be investigated. Also that the PWC should examine their inclusion in the lists.
That the process of appeals be clarified with Head Office.
That the threats against Cde Catherine Mabuza be followed up by the office bearers.

8.10

Matter of the Deputy Secretary

8.10.1 It was reported that it has internally been confirmed that Cde Jerry Ndou, the Deputy

Provincial Secretary, will be redeployed to a foreign mission.

8.10.2 Decision

- a.
- b.
- c.

That a formal farewell be organised for the Deputy Secretary.
That the farewell should also include Cde Louis Mnguni
That the filling of the Deputy Secretary's position be finalised in the next PEC in terms of process.

8.11

Matter of Vaalwater

8.11.1 The PEC received a report and ratified the recommendations of resolving the problems of Vaalwater.

8.11.2 That the issue of the restructuring of the Vaalwater TLC be investigated and a report be submitted in the next meeting.

16.6

Interaction with Government structures

16.6.1 This was only done successfully on specific issues.

16.7

Problems

16.7.1 Comrades who do not attend meetings regularly

16.7.2 Lack of adequate coordination with the National ETC

16.8

Recommendations

16.8.1 The PEC should begin to take action against comrades who fail to attend meetings.

16.8.2 An RDP Council should be convened to assess government performance.

16.9

Comments

16.9.1 The work of the Committee is satisfactory.

16.9.2 There is however a need to

i.

ii.

Build capacity in the Regions

Improve on interaction with Government and the National ETC

17.

Summary and Recommendations

17.1

The following Sub-Committees did not submit their reports despite three reminders which were sent out severally.

a.

b.

(2.

d.

Social Transformation

Political Education and Training

Media, Information and Publicity

Gender

Confusion arose during elections over the convenorship of the Media, Information and Publicity Committee.

17.2

It is however known that some of them have been meeting regularly and processing issues.

17.3 A transversal weakness of most committees is lack of attendance of meetings by the MECâ\200\231s lack of programme of Action and adequate interaction with Government structures.

17.4

Most of the Committees have not as yet started implementing Conference and PGC resolutions, which makes them to work in an ad hoc manner.

15

10.3

Issues considered

- a.
- b.
- c.
- d.
- e.
- f.

Guidance for deployment

Appointment of Public Service Commissioner

Appointment of Legislature Officers/Bearers

Interviews for MPs and MPLAs who are not in the lists

Director for Security at UNIN

Audit of strategic vacancies

10.4

Achievements

- a.
- b.

Building a coherent and functional committee

Smooth appointment of Legislature Officers/Bearers

10.5

Problems

- a.
- b.
- c.
- d.

Concerns raised by Cde Thembi Ngwendamutsu that she is being
Victimised

Weakness with some Government Departments which does not submit
vacant management posts to the Committee

No adequate link with the Director General

ANCYL raised a concern about the slow pace of the Committee with
regard to its mandate.

10.6

Recommendation

- a.
- b.

The Premier to impress upon the MECs to submit list of strategic
positions to the Committee.

The Committee should accelerate the process of the deployment of
outgoing MPs/MPLAs.

10.7

Comments

The Committee is very efficient, save for the issues raised at 10.6 above.

11.

Office Bearers

1 1.1

The office bearers continue to meet weekly on Mondays.

11.2

This programme was disturbed by the elections, but it is now back on track.

12.

Provincial Working Committee

12.1

12.2

12.3

The PWC meet fortnightly

However with the campaign it only met in 20 June 1999

The adopted programme of meetings is being reverted back to.

12

Governance Matters

3.1.

ARDC Matters

3.1.1

The meeting raised the following concerns with regard to the ARDC matter.

- i.
- ii.
- iii.
- iv.

That the statements released by the MEC are damaging to the organisation in our elections campaign.

That members of the PEC only came to know about the matter in the media.

That the timing of the matter is ill-advisable.

That the issue of retrenchments and dissolution of the board may have a negative impact on the organisation.

3.1.2

Decision

a.

That the Provincial Secretary should get a full report from the MEC on the matter and table it in the PWC for decision.

Greater Potgietersrus: Statement by Cde Norman Mashabane

The PEC raised a concern about the statements released by Cde Norman Mashabane on the issue, since he is a member of the PEC.

That there seems to be many processes that are dealing with the issue.

3.2.2

3.2.3

Decision

a.

b.

That the Provincial Secretary should take up the matter with Cde Norman Mashabane.

That whatever government does should not contradict the organisational decision.

3.3.

Elections Report

3.3.1

A report of the PET was held in the meeting with recommendations.

3.3.2

The recommendations of the PET were ratified by the PEC with the following additions.

a.

b.

c.

(1.

That it should be ensured that our regions have elections programmes.

That Cde Koti Nyama should follow on the PEC members and ensure that they attend RET meetings.

That Greater Potgietersrus be prioritised for elections work.

That the Provincial Secretary should remind all MPâ\200\231s/MPLâ\200\231S to dedicate their work and time on elections work.

2.

Provincial Local Government

2.1

Convenor

Cde Ben Mhlongo

2.2

Number of attendance of meetings

- a.
- b.
- 0.
- d.

Five (5) meetings were held
Meetings held once a month
Attendance is fair
Several extra ordinary meetings held

2.3

Issues considered

- a.
- b.
- 0.
- d.
- e.
- f.
- g.

PLGU programme of action
Workshop for chief Whips of Local Authorities
Problems of TLCâ\200\231S
Bye-elections for TLCâ\200\231s and PR vacancies
Establishment of Regional Local Government Units and Councillors
Forums
Drafting Of demarcations documents
Work commissioning preparations for Municipal elections in 2000.

2.4

Problems

- a.
- b.
- 0.

Lack of efï-\201cient coordination of meetings
Lack of sufï-\201cient attendance of meetings
Several matters processed by the Committee reversed by the ofï-\201ce bearers
e.g. Nebo North, Alldays and Eastern Tubatse.

2.5

Achievements

- a.
- b.

Relative stability in TLCâ\200\231S
Functional Local Government Units in some regions

2.6

Recommendations

- 21.
- b.
- c.
- d.
- e.

That a deadline be set for all regions to form the PLGUâ\200\231S.
That PEC members deployed to regions should play an active role in attending to local government problems.
That the Policy Coordinator should improve on Coordination of meetings.
That a Provincial Consultative Forum on Local Government along the lines of the NFC, be established in the Province.
That clear guidelines be set on mechanisms, functioning role and powers of the committees setâ\200\224up by the PEC.

African National Congress

Northern Province

Provincial Executive Committee

09 April 1999

OASIS Motel

Draft Minutes

2.7

Comment

The Committee is performing very well.

Demarcations Committee

3.

3.1

Convenor

Cde Ben Mhlongo

3.2

Number and attendance of meetings

21.

b.

0.

Eight meetings were held

Two (2) meetings aborted due to lack of attendance

Nonâ\200\224attendance by MEC for Local Government, Cde Norman Mashabane due to problems.

3.3

Issues considered

a.

b.

c.

d.

Position paper on demarcation of district councils.

Response to the Dermacations Board proposals on District Councils.

Participations in the Provincial Liason Forum and Investigations

Committees of the demarcations Board, i.e.

i.

ii.

Cde Dikeledi Magadzi and Cde Dickson Masemola in the PLF.

Cde Risenga Maluleke coopted into the Dermacations Committees.

Consultations and drafting a document on municipal boundaries by August 1999.

3.4

Interaction with Governance Structures

3.

b.

c.

MEC for Local Government and Housing is a member and participate in the Committee.

Also robed in are comrades from Trade and Industry, South Africa, Premier's Office and Public Works Department.

Two meetings held with members of the Demarcations Board.

3.5

Problems

a.

b.

Irregular attendance of meetings, especially by the then MEC for Local Government and Traditional Affairs.

Lack of adequate coordination of meetings

. A complex and diverse economy;

The number of persons employed in the Finance Sector provides a good measure of the degree to which an economy is complex and diverse.

In addition, numbers employed in the primary and secondary sectors is also a useful measure of complexity and diversity:

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Johannesburg

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â\200\230Vereeniging

Pietemianrzburg

Further measures of the effects of a complex and diverse economy may be found simply through examining the size of local governments in the various conurbations, and as indicated in the following table:

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Having strong interdependent social and economic linkages between its constituent units.

Comparable data which indicates strong interdependent linkages is difficult to find, but the table of commuter flows indicated earlier indicates the extent to which people move within each of the urban conurbations in getting to work each morning:

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

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Minutes

Minutes of the last meeting were read and adopted with the following corrections.

7.1

7.2

7.3

Sentence in 2.3.3 to be suffixed by 'on the day only'.

The name of Cde Joyce Mashamba be added in 7.3.2.

The word 'not' be removed from item 7.9.4.

Mover:

Seconder:

Benny Boshielo

Aaron Motsoaledi

Office Bearers and Secretariat Report

8.1

Monitoring the Political Stabilisation Process

a.

The PEC noted that a meeting of the ANC, ANCYL and ANCWL office bearers is being organised to examine the political stabilisation process in the Province.

8.2

Alliance

8.2.1

The PEC noted that the scheduled Alliance Summit did not take place as a result of our unpreparedness.

8.2.2

Decision

a.

That the Alliance Secretariat should proceed to identify a date and organise the summit.

8.3

Arrears Rental payment by MPLs/MPs

8.3.1

The PEC noted a report by the Head of Infrastructure Committee on progress made with regard to payment of arrear rentals by the MPLs/MECs.

8.4

Devolution of Powers to Regions

8.4.1

The meeting noted that guidelines are still awaited from the Secretary General on the above matter.

Existing areas of Traditional Authorities within this proposed area will not be divided

This proposed boundary demarcation (the Tolwe area excluded), will have no adverse effect on the administration of existing Municipalities, neither on their credit worthiness

As already mentioned, there are quite a number of operational Mines, ie Swartklip, Amandelbult, Koedoeskop, Iscor, Rooiberg and Ellisras, from which levies could be obtained.

(Approximately R5m income are annually received from this source and this could be increased in future if some of the mines, which are presently registered outside the Northern Province/Bushveld Region could be made liable for payment within this area).

Nylstroom is the existing Headquarters of Bushveld District Council

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RECOMMENDATION

> It is recommended that these proposals be favourably considered as it will create a more evenly and balanced distribution of population, economical development and use of natural resources

> It is also recommended that three(3) additional District Councils (Municipalities) be established

> That the following centres be used for the proposed 4 District Councils;

Pietersburg/Polokwane
Thohoyandou
Giyani
Nylstroom

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Area 1
Area 2
Area 3
Area 4

V It is further recommended that special and separate attention be given to the future of the following areas:

1â\200\230 Bushbuck Ridge
â\200\2311' Middle Lepelle
v Tafelkop / Motetema
v Southern part of Ohrigstad

Manoke area

Â°iÂ° Tubatse â\200\224- Steelpoort

Eastern Tubatse (especially the

<http://www.ancorg.zwâ\200\231ancdocs/aboutâ\200\230const:tutlonQR mm>

4.4. The National Executive Committee may, acting on its own or on the recommendation of branch or provincial executive committees grant honorary membership to those men and women who do not qualify for membership under Rules 4.1 4.7 or 4..2, but who have demonstrated an unwavering commitment to the ANC and its policies.

4.5. Applications for membership shall be considered by the branch executive committee where such exists, and by the regional executive committee, if no branch executive committee exists. The branch executive committee, the regional executive committee, or such interim structures as the Provincial Executive Committee or the NEC may create from time to time to decide on applications, shall have the power to accept or refuse any application for membership provided such acceptance or refusal shall be subject to review by the next higher organ of the ANC.

4.6. Membership cards shall be issued to registered members of the ANC and to persons whose application for membership has been accepted, subject to review as aforesaid, and, in all cases, subject to payment of the prescribed subscription.

An applicant shall be issued with an acknowledgement of provisional membership and the details of the branch and constituency/area in which the applicant resides and any available information about the local branch Structures.

4.7. a) Provisional membership shall apply to persons who wish to join the organisation for the first time or who wish to rejoin the organisation after a considerable lapse of time.

4.7. b) Provisional membership rights commence from the date of production of the acknowledgement following receipt of the application and the appropriate membership subscription. A provisional member shall have the right to attend branch meetings only in a non-voting capacity.

4.8. Any objection to any application for membership may be made by the membership to the branch, regional or provincial secretary within eight weeks of the notification.

4.9. At any time before the individual is accepted as a full member of the organisation, or in exceptional circumstances even after the member has been admitted, the Secretary-General may rule that the application or the membership may be rejected if it was invalidly obtained.

4.10. In the absence of any objection from the Structures and/or any ruling by the Secretary-General, the applicant shall, on the expiry of eight weeks from the date of notification of provisional membership, become a full member. The provisional member shall then be transferred to the national membership list as a full member as soon as is practicable.

4.1.1. The reasons for the rejection of an application for membership by the Secretary-General or the objection by the membership to the application for membership must be sent to the individual applicant in writing.

4.12. Membership cards shall be issued to registered members of the ANC and to persons whose application

for membership have been accepted, subject to review and subject to payment of the prescribed subscription in all cases.

4.13. Members shall pay an annual subscription fee as determined by the National Executive Committee.

4.14. Non-earning members or those on reduced incomes will pay such fees as are determined by the NEC.

4.15 On being accepted in the ANC, a new member shall, in a language he or she knows well, make the following solemn declaration to the body or person designated to administer such oaths:

[..... solemnly declare that I will abide by the aims and objectives of the African National Congress as set out in the Constitution the Freedom Charter and other laws and policies adopted, that I am joining the organisation voluntarily and without motive of material advantage or personal gain, that I agree to respect the Constitution and the structures and to work as a loyal member of the organisation, that I will place my energies and skills at the disposal of the organisation and carry out tasks given to me, that I will work towards making the ANC an even more effective instrument of liberation in the hands of the people, and that I will defend the unity and integrity of the organisation and its principles, and combat any

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27.

28.

29.

30.

not less than 14 days before
by - election day.

CONDITIONS
within 7 days after
nomination day

.
i not less than 54 days before?
i by - election day.
â\200\230

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REG. NO
21(6)

21(9)

ACTIVITY
If the number of candidates whose
nominations have been accepted exceeds
the number of vacancies in ward, the
returning officer must, by notice, post
outside the place of nomination i.t.o 20
(2)(b)(iv) publish the fu_l| names of each
candidate together with his or her
distinguishing mark or symbol, if any, i.r.o
whom a vote will be held on by - election
day.
The returning officer determines i.r.o each
ward and make available a number
representing an accurate estimate of 2% of
the voters on the updated votersâ\200\231 roll for
each such ward.
Candidates advise returning ofï-\201cer in
writing i.a.w. ER 8 of the names, if any, of
agents and messengers appointed i.t.o
29(1).
Returning officer publish a list of voting
stations and their addresses
Returning officer, after consultation with
election committee, may add to such list,
voting station and addresses and publish
and maintain such a list.
The Premier (MEC : Local Government)
may direct returning officer to increase the
number or locality of voting stations i.t.o
â\200\230
24(1).

Candidates advise returning officer in writing of the names, if any, of agents and messengers appointed i.t.o 29(1) per form ER8.

Withdrawal or replacement of duty appointed agent by notice to the returning officer.

The returning officer supplies by - election materials for use at voting stations to each presiding officer i.e. list of candidates agents and messengers, one copy of applicable part of the updated voters list. etc Mo 35(1)(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k)(l)(m) The voting hours applicable on by - election

1
200/230
L

day

200/230
A
1 35.

not less than 14 days before
by - election day.

29(2)(a)

not later than noon (12:00)
on 2nd day before by -
election day.
not later than 17h00 on the
day before by - election day.

not less than 21 days before
by - election day.

Y not less than 14 days before

31.

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200/230 32.
200/230
E
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t 33.

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34

,
200/230 not less than 14 days before
by - election day.

200/230
t

â\200\230 07:00 to 22:00

23(1)

24(1)

24(1)

24(2)

29(2)(b)

35(1)

J
â\200\230

40(1)

â\200\230

by ~ election day.

NO
26.

13.

Provincial Executive Committee

The last PEC meeting was held on the 17 April 1999
Th programme was disturbed by the elections campaign.

v
i

14.

Organising

14.1

Convenor

Cde Benny Boshielo

14.2

Meetings

21.

b.

This Committee functional more under the Secretariat Forum and never
had a meeting of its own.
The Committee is being restructured to include the Regional Secretariat at
a broader level.

15.

Disciplinary Committee

15.1

Convenor

Cde Robert Malavi

15.2

Meetings and attendance

21.
b.

Several hearings were held
Full cooperation from members

15.3

Issues considered

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s
â\200\230
9
9
9

Appeal by Cde Mohoa from Thabazimbi
Disciplinary case of Greater Potgietersrus TCL Councillors
Disciplinary hearing of Cde Bogi Mashele
Matter of Cde Mabunda Of Giyane.

15.4

Achievements

a.
b.

Building a functional Committee
Effective disciplinary process

15.5

Problems

None

13

J
D

3.2

The document was also tabled in the office bearers and PWC meetings respectively. Both structures have not as yet considered the document as they did not have time to peruse it.

3.3

The document is herein attached as Annexure A.

3.4

Decision Required

3.4.1 That the PEG should decide on the fate of the document, i.e. whether to discuss and ratify it or to refer it back to the PWC.

â\200\231

4.

Demarcations Process

4.1

The PLGU and Demarcations Committee have formulated a response to the demarcations document produced by the Demarcation Board. A meeting was held with the Deputy Chairperson of the Demarcation Committee, Cde Nkaro

Mateta.

4.2

The response document from the Committee is herein attached as Annexure B

4.3

Decision Required

4.3.1 That the document of the PLGU and Demarcations Committee be ratified by the meeting.

4.3.2 That due to the speed of the demarcations process which requires regular comments by the organisation, the committee, in consultation with the office bearers and

PWC, be given a mandate to process the issue with the Demarcation Board, through the mechanisms to be established by the NWC.

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policy.

Be the basic unit of activity for members.

Elect at an annual branch meeting a Branch Executive Committee consisting of Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer, and other committee members, consisting of not less than three and not more than ten persons. A person shall have been a member of the ANC for one year before she or he can be nominated to a Branch Executive Committee of the ANC, provided that where a new branch is being established, the PEC may waive this provision. The Women's League and the Youth League, shall be entitled to two representatives each on the BEC.

Meet at least once per month.

2473. The branch executive committee shall:

Meet as soon as possible after its election and allocate tasks and functions among its members to enable it to carry out the day-to-day activities of the Branch.

Carry out the publicity and organisational work in its area in furtherance of the policy, programme and decisions of the ANC. '

Meet at least once per fortnight.

Submit reports on its work to the branch meeting and at least each month to the Regional Executive Committee.

,

Co-opt not more than three persons, if it considers it necessary to ensure greater representativity.

The quorum for each meeting of the Branch Executive Committee shall be 50% + 1 (i.e. fifty percent plus one) of the total BEC membership.

Rule 25 ZONAL STRUCTURES AND SUB REGIONS

25.1. Any three (3) or more branches within a Region for the purpose of co-ordination of activities and better organisational efficiency, may be formed into a Zone at the instance of the Regional Executive Committee after consultation with the relevant branches, or on application to the PEC, by at least two branches within an area of a proposed Zone.

25.2. Whenever a Zone has been established the Branch Executive of constituent Branches shall at a properly convened meeting, elect a Zonal Committee which shall consist of a Chairperson, Secretary, Treasurer and one (1) representative elected per Branch within the Zone

25.3 Where Zonal structures of the Women's League and Youth League exist, they shall be represented by one (1) member each, subject to the same provisions relating to the requirement for ANC membership.

25.4. The tasks of the Zonal Committee will include:

To meet at least once a month.

To co-ordinate the work and activities of the constituent branches and submit reports to the REC.

To see to the implementation of the instructions of the NEC, PEC or the PWC, REC in the Zone.

To participate in the work of the Regional Council

To maintain effective links with all branches in the Zone.

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Metropolitan Nodal Points
District Council Nodal Points
Cross boundary areas

This determination is supposed to be completed by the end of July 1999.
As at the writing of this report the Minister of Provincial and Local Government is determining the nodal points for the District Council and metropolitan areas to enable the Board to issue a Section 26 notice calling for the determination of Metropolitan and District council boundaries.

â\200\235 Finalise municipal boundaries by September 1999.
" Finalise ward boundaries by February 2000.

It is submitted that the ANC should take cognisance of the process. Of importance is that the immediate priority of the ANC is to input in the determination of the District boundaries.

The next section deals with the submission of the Committees on the District boundaries.

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DEMARCATIION CRITERIA

3.1 OBJECTIVES

3.1.1 (1)

(11)

(111)

(iv)

The provision of democratic and accountable government for the local communities
The provision of services to communities in an equitable and sustainable manner
The promotion of social and economic development
The promotion of a safe and healthy environment

3.1.2 Enable integrated development

â\200\231331.3 Enable effective local government

3.1.4 Must have a tax base as inclusive as possible for users

of municipal services

3 .2 FACTORS

12

20.3.4

Greater Louis Trichardt

The PWC appointed team has been dealing with the matter, â\200\230

20.3.5

Greater Vaaiwater

The new office bearers have agreed to resign, but no formal resignation letters have been received.

20.3.6

Roadtan

No letters of resignation has been received from the new office bearers

20.3.7

Greater Northam

No letters of resignations have been received from the new office bearers.

20.4 The PWC appointed Task Team comprising of Cde Collins

Chabane, Ben Mhlongo, Dikeledi Magadzi and Dewet Monakedi is seized with all the above matters to establish whether there were compelling political reasons which necessitates the reorganisation of these TLCâ\200\231s.

20.5 Decision Required

20.5.1

20.5.2

The report is submitted for noting as work in progress.

The PEC should establish clear procedures on how to implement the PEG decision with regard to avoid confusion where those issues drag for very lengthy periods and in many instances paralysis the functioning of the TLCâ\200\231s.

p4-

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:37

completed within a reasonable period.

269. .AH disciplinary proceedings shall be attended to as speedily as possible.

26.10. Decisions relating to disciplinary proceedings shall be publicly announced

(1) The NEC shall appoint a National Disciplinary Committee from amongst its membership and from other Structures of the ANC. The decisions of the NDC shall be final except that the NEC may, in its discretion, review a decision. Such a review shall be regulated by standing orders adopted by the NEC.

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(11) The National Disciplinary Committee shall hear and determine violations or offences on appeal from appropriate organs of the ANC. In addition the National Executive Committee or the NEC may refer such violations or offences directly to the NDC. In exceptional situations arising out of serious breaches of the Constitution, Rules or Codes of Conduct, the NDC itself may exercise jurisdiction to investigate and determine a complaint.

26.12 The NEC may authorise other structures of the .ANC to constitute disciplinary proceedings and to set up appropriate Structures to apply the provisions of this Rule.

Rule 27 RULES AND REGULATIONS

27 1. The NEC shall have the power to adopt rules and regulations for the better carrying out of the activities of the .ANC.

27.2. The NECs shall have the power to adopt rules and regulations for the 'better functioning of the .ANC' in their respective provinces.

â\200\230

q3 All such rules and regulations shall be consistent with the constitutional norms of the .ANC, and rules and regulations framed by the NEC shall only become operative when approved by the NEC, or, on a provisional basis pending approval by the NEC, by the NWC

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7.4 The NEC shall have the power to frame a code of conduct to cover all suoâ\200\230umre s officiâ\200\230als public representatives of office bearers and members

Rule 28 GENERAL

The ANC shall have perpetual succession and power, apart from its individual members, to acquire, hold and alienate property enter into agreements and do all things necessary to carry out its aims and objects and defend its members, its property and its reputation.

Rule 29 AMENDMENTS

Any amendments to this Constitution shall be by a two-thirds majority of delegates present and voting at the National or Special Conference. Notice of intent to propose any amendments to the Constitution should be forwarded to the Office of the Secretary General at least three months before the National or Special Conference. The N

EC shall provide at least one
month's notice for any Constitutional amendment.

Rule 30 SPECIAL CONFERENCE

30.1. A special conference of the ANC may be convened by the NEC at any time or at the request of a majority of the Provinces for a stated purpose or purposes.

30.2. Not less than one month's notice of such conference shall be given.

30.3. Participation at the Conference shall be determined by the NEC provided that branches shall be represented at such a conference in proportion to their membership.

Rule 31 CONTRACTUAL LIABILITY

Only the National Officials shall lay the authority to bind the ANC or to create any legal relationship. Any other person

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3.2.1 Interdependence of people, communities and economics, indicated by,

(i)

(ii)

(iii)

(iv)

(v)

(vi)

Existing and expected patterns of settlement and migration

Employment

Commuting and transport movements

Spending

The use of amenities, recreational facilities and infrastructure

Commercial and industrial linkages

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4.2.2 Financial Viability and administrative capacity of the

Local Municipality

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Share and redistribute financial and administrative resources

4.2.4 Existing provincial and municipal boundaries

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I Areas of traditional leaders/ communities

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4.2.6 Existing and proposed functional boundaries,

including magisterial, voting, health, transport, police and census enumerator districts/boundaries.

4.2.7 Existing and expected land use, social and economic planning

4.2.8 The need for co-ordinated municipal, provincial and national programmes and services (including justice and health care.)

4.2.9 Topography and physical characteristics

4.2.10The administrative consequences of boundary
determination on,

- (i)
- (ii)

Municipality credit worthiness
Existing Municipalities and its staff etc

4.2.1 1- The need to rationalise the total number of
municipalities within different categories and types to

Preparations for the Provincial General Council

The PWC has approved the following with regard to the preparations for the P66.

1 .

Credentials

1 .1

Voting Delegates

Five per Regional Executive Committee

Â» Provincial Executive Committee including ex officio

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9

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9

9

ANCWL PEC including regional ex-officio members

Two delegates per branch in good standing

ANCYL PEC including regional ex officio

1.2

Non-Voting Delegates

a.

h.

c.

d.

e.

f.

SACP, SANCO, COSATU

SASCO, SUCA, COSAS, YCS

MKMVA

PEC Departments (Technical)

NPLGA (ANC)

MPLâ\200\231s, MPâ\200\231s and NCOP

x

x

x

x

x

x

05 each

02 each

05

02 each
1 1
68

2.

Programme

2.1

The proposed PGC programme will be as follows:

Opening

Credentials

iii.

iv.

Chairpersons Political Report

State of the Organisation Report

Questions, clarifications, discussions

vi.

Commissions

a.

b.

Campaigns

Organising Strategy

6.9

That TLCâ\200\231s should urgently invite traditional leaders in their meetings.

6.10

That MECâ\200\231s should organise regular forums with the Councillors.

6.1 1

That all Councillors should organise report back meetings.

6.12

6.13

That establishment of zonal structures be experienced to allow for accountability of ward Councillors.

That a workshop be organised for Chief Whips, Chairpersons and Regional Leadership 011 how to run the TLC affairs.

6.14

That a team be constituted to meet with all Councillors in the regions.

6.15

That Local Government Department and District Councils should clarify on availability and usage of funds by TLCâ\200\231S.

6.16

That the process of appointment of consultants be speeded up.

6.17

That all TLCâ\200\231S should avoid taking controversial decision which may affect the elections campaign.

6.18

That more attention should be paid on water and electricity.

6.19

That the deployment of comrades to strategic positions in the TLCâ\200\231s be dealt with organisationally.

6.20

That all regions should establish Regional Councillors Forums.

621

That all Councillors be directed to participate fully in elections work.

7.

Closure

The meeting closed by agreeing that an action plan be developed from these recommendations.

Benny Boshielo
Provincial Secretary

2. POSSIBLE NODAL POINTS FOR METROPOLITAN AND DISTRICT COUNCIL AREAS

2.1 RELEVANT SECTIONS OF THE MUNICIPAL STRUCTURES ACT:

Chapter 1 of the Local Government: The Municipal Structures Act, 1998 states:

Areas which must have category A municipalities

2. An area must have a single category A municipality if that area can

reasonably be regarded as a

(a) a conurbation featuring a-

- (i) areas of high population density;
 - (ii) an intense movement of people, goods, and services;
 - (iii) extensive development; and
 - (iv) multiple business districts and industrial areas;
- (b) a centre of economic activity with a complex and diverse economy;
- (c) a single area for which integrated development planning is desirable; and
- ((1) having strong interdependent social and economic linkages between its constituent units.

Areas which must have municipalities of both category C and B

An area that does not comply with the criteria set out in Section 2 must

3.
have municipalities of both category C and category B.

Application of criteria

(1) The Minister must apply the criteria set out in section 2 and

4.
determine whether an area in terms of the criteria must have a single category A municipality or whether it must have municipalities of both category C and category B.

(2) The Minister may determine that an area must have a category A

municipality only after consultation with the MEC for local government in the province concerned, the Demarcation Board, SALGA and organised local government in the province concerned.

Declaration of metropolitan areas

(1) If the Minister determines that an area must have a single category

5.
A municipality, the Minister, by notice in the Government Gazette, must declare that area as a metropolitan area.

(2) When declaring an area as a metropolitan area the Minister

designates the area by identifying the nodal points of the area but must leave the determination of the outer boundaries to the Demarcation Board.

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

- g.
- h.
- i.
- j.
- k.
- l.
- m.

Staff discipline
Elections campaign
Revival of ANC branches
Asset Register for the organisation
Local Councils matters
Delegation of powers to regions
Preparation for the Provincial General Council

9.4

Achievements

- a.
- b.
- c.
- (1.
- e.
- f.

The major achievements are around the improvement and management of our offices
Development of an organising strategies
Sharing of experiences
Development of common administrative and management systems for the regions
Development of an organisational asset register
Comments on the delegation of powers to regions

9.5

Problems

- a.

Two Regional Secretaries and their Deputies do not attend the forum, i.e. Bushveld and Western Regions. Only Administrators attend.

9.6

Comments

- a.
- b.

The Forum enables the Provincial Secretary to interact closely with the regions
The Forum function fairly well

9.7

Recommendations

Similar forums should be convened in the regions on a monthly basis.

10.

Deployment Committee

10.1

Convenor

Cde Robert Malavi

10.2

Meetings and attendance

a.

b.

Four meetings were held
Attendance was fairly good

11

e.

That we should target small events spread across the Province for April 27 activities.

I 4.

Economic Transformation Committee Document

4.1

The Head of Economic Transformation Committee, Cde Sheila Sithole tabled their draft working document for ratification by the PEC.

4.2

Decision

4.2.1

That the Working Document of the Economic Transformation Committee be ratified, save for a section which deals with Fund-Raising and Finance. as this is the terrain of the Treasurer.

4.2.2

Also that the composition of the committee be reduced to be a manageable size.

4.2.3

Further that the Committee must embark on a programme to Visit the regions with a View to empower them to form functional committees.

I 5.

Announcements

5.1

5.2

That a seminar on the â\200\234balance of forcesâ\200\235 will be held on the 18 April 1999.

That an internal audit is being undertaken in all the regions on the Elections Account.

Prepared By

Benny Boshielo
Provincial Secretary

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Wherever possible a coherent economic base should be identified around which the district would cohere;
The Districts should not be too large: in settled areas a radius of 50-100 kilometres was utilised;
While the population of Districts should not be too large, for economies of scale, it was felt districts should have a base population of at least 100000 persons; and wherever possible, there should be some coherence to the economic and social base of districts.

The Board followed an interactive process in applying these principles in each of the provinces in order to determine possible District Nodal points.

2.5 CROSS BOUNDARY DISTRICT COUNCIL AREAS

The Constitution and Municipal Structures Act make provision for an Act of Parliament authorising the establishment of a Cross Boundary Municipality.

After conducting its research, the Board noted that there were a number of areas in South Africa where fairly large tracts of land, including a number of different communities and settlements, straddled provincial boundaries. As a result, the Board has requested the Minister to consider whether or not further research be conducted into the possibility of Cross Boundary municipalities.

Depending on the decision of government, cross boundary municipalities could be established and the actual configuration of possible District nodal points would then need to be revised.

3. PRELIMINARY FRAMEWORK OF NODAL POINTS FOR DISTRICT/METROPOLITAN COUNCILS IN SOUTH AFRICA:

The draft framework of nodal points for District/Metropolitan Councils is contained on the attached maps as follows:

PROVINCE

1. POSSIBLE

2. NODAL POINTS

3. DISTRICT/METROPOLITAN COUNCILS
4. DISTRICT/METROPOLITAN COUNCILS
5. DISTRICT/METROPOLITAN COUNCILS

8
6
3
2
8
6
6
5

KwaZulu-Natal
Gauteng
Mpumalanga
Northern Province
Western Cape
Northern Cape
Eastern Cape
North-West
Free State

1 1
6
6
8
6
4
9
5
6

Minutes of the continuation Provincial Executive Committee Meeting
held on the 17 April 1999.

Constitution of the meeting

I 1.1

Attendance

See Roll Call Register

I 1.2

Apologies

Ngoako Ramatlhodi
Rosina Semenya
Tshenuwani Farisane
Pinkie Kekana
Aaron Motsoaledi
Jerry Ndou

Application for Early Leave

None

Absent

Robert Malavi
Norman Mashabane
Pat Reinecke
Ian Madikoto
Samson Mahada
Abram Mangoato
Eugene Masete

Organisational Report

No report

8.12

Matter of Mpheni

8.12.1 The meeting received a report and ratified the recommendations on the resolution

of problems in this branch.

8.12.2 That the REC should consider bringing charges of abuse of office by the Regional

Treasurer.

8.13

Matter of Sinthumule-Kutama

8.13.1 A report on the above matter with regard to Khosi Sinthumule was received and considered by the meeting.

8.13.2 Decision

a.

b.

That consideration should be made to accommodate Khosi Kutama in the Management Committee of the TLC in Greater Louis Trichardt.

That Cde Ben Mhlongo and Norman Mashabane should hold discussions with Khosi Kutama and the REC on the issue.

8.14

Matter of Mamone

8.14.1 It was noted that the Chairperson has not yet visited Mamone.

8.14.2 Decision

a.

That preparations should be made for the Chairperson to Visit Mamone before the elections.

8.15 ANC/CONTRALESA Task Team

8.15.1 The meeting noted that the Task Team has almost concluded its work and that a final report will be presented in the PWC.

8.16

Welfare Policy Document

8.16.1 The meeting noted that while the document has been finalised, it has not yet been

een

considered by the PWC.

8.16.2 It was directed that the matter be considered by the PWC.

8.17 MDM Document

8.17.1 It was noted that the DPET has not yet submitted a reï-\201ned document on the matter.

17.5

Very few committees do submit their monthly reports.

17.6

Recommendations

It is recommended that PEC should ratify the following recommendations:

- a.
- b.
- c.
- d.
- e.
- f.
- g.
- h.

That we should revert back to our meetings scheduled Of PWCâ\200\231s and PECâ\200\231s.

That all Committee Convenors should submit minutes of their meetings on a monthly basis to the Provincial Secretary to prove that they do meet, which should accompany their monthly reports.

That the Premier should direct all MECâ\200\231s to attend Subâ\200\224Committee meetings.

That roll call registers of Sub-Comrnittee meetings be submitted to the Provincial Secretary with (b) above.

That all Committees draw their Programmes of Action based on the resolution of our National and Provincial Conferences, PGC and Speciï-\201c PEC decisions, which are relevant to them.

That all Convenors of Committees should ensure that their committee counter-parts in the regions are established.

That the decision to include members of Portfolio Committees in the PEC Committees be instantly implemented.

That the above should happen within a period of four weeks, and that the Provincial Secretary should submit a report in this regard to the PWC.

—

Benny Boshielo
Provincial Secretary

16

8.4.2

Decision

a.

b.

That the Provincial Secretary should make a draft of the powers to be devolved to the Regions and submit them to the PEC.
That the draft should be checked with the Secretary General before they are implemented.

8.5

Dermacation Process

8.5.1

The matter was referred to the PLGU for consideration.

8.5.2

That a report be submitted in the next PWC meeting.

8.6

Matter of Greater Potgietersrus TLC

8.6.1 A report on the defiance of the organisational decision by some councillors was submitted.

8.6.2

Decision

The PEC ratiï\201ed the following recommendations from the ofï\201ce bearers.

a.

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C.

That the eight (8) Councillors who dei\201ed the organisational decision be summarily suspended from the organisation.
That a disciplinary enquiry be held against the Councilllors.
That all the Councillors be withdrawn from participation in the TLC.

8.7

Award to Cde Zondi Maphanga

8.7.1

The PEC noted that only two contributions of R100 each were made for this event

8.7.2

Decision

a.

That the organisation should assist with funds to ensure the success of the ceremony.

8.8

Land Tenure Proposal Workshop

8.8.1

It was noted that the Economic Transformation Committee has not yet organised the workshop.

15.6

Recommendations

a.

Regions to be workshopped on disciplinary procedures

15.7

Comments

The Committee is functioning very well

16.

Economic Transformation Committee

16.1

Convenor

:

Coordinator :

Cde Sheila Sithole

Cde Abram Mangoato

16.2

Composition of the Committee

The Committee is well constituted by the PEC members, and identified technical persons. It is fully representative of the necessary personnel required to steer it forward.

16.3

Regularity and attendance of meetings

16.3.1 Seven (7) meetings were held by the committee.

16.3.2 Except some few comrades, attendance of meetings has always been relatively good.

16.4

Issues considered by the Committee

The following issues were considered by the Committee

16.4.1 Drawing of a founding and guiding document which was approved by the PEC.

16.4.2 Financial â€˜bleedingâ€™ in the NPDC

16.4.3 Suspension of officials in the Department of Agriculture and Environment Affairs.

- 16.4.4 Provincial Economic Workshop scheduled for the 20th 21 August 1999.
- 16.4.5 Problems of the Northern Training Trust
- 16.4.6 Provincial budget
- 16.4.7 Rationalisation of Policy departments
- 16.4.8 Production of an Economic development document

16.5

Achievements

The following achievements are recorded in the Committee

- 16.5.1 Building a coherent and functional Committee
- 16.5.2 Intervention in government departments
- 16.5.3 Development of a draft Provincial Economic policy framework document

AN INTEGRATED FRAMEWORK OF NODAL POINTS FOR
METROPOLITAN AND DISTRICT COUNCIL AREAS IN
SOUTH AFRICA : A PRELIMINARY FRAMEWORK

28 June 1999

DEMARCATIION PHASES

Given the urgency of ensuring all municipalities and wards are demarcated in time to hold elections by 1 November 2000, the Board has resolved to finalise boundaries as follows:

TARGET COMPLETION

DATE

mid-July 1999

PHASE

1: Policy

1: Policy

1: Policy

AREA OF WORK-

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Development of policy on
metropolitan and district council
nodal points, cross boundary
areas.

Development of policy on
rationalising local
area/municipal boundaries
Advice on functions and powers
Advice on metropolitan sub-
councils

Determination of metropolitan
and district council boundaries

Determination of local
area/municipal boundaries in
Category B areas

Determination of metropolitan
and municipal boundaries

Alignment of all administrative
boundaries

1: Policy

mid-September 1999

mid-September 1999

mid-July 2000

3: Category C Boundaries

2: Category A/B Boundaries

4: Ward Boundaries

5: Alignment of government

boundaries

End-October 1999

End-January 2000

End-May 2000

Ongoing

The Board is considering ad hoc demarcations submitted to it for determination using the following framework:

-
-

Ad hoc demarcations will only be considered if they are urgent, are minor, are for developmental reasons and are unlikely to be controversial. The following information must generally be provided: a map of the relevant area, a point-to-point description, if a traditional authority/magisterial district is affected details of how it is affected, letters from affected municipalities indicating the concurrence of their councils with the proposed exclusions and/or inclusions and any other information which may be useful.

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

Office Bearers and PWC Report

PEC Meeting

14 \200\22415 August 1999

1.

Monitoring the Political Stabilisation Process

The meeting of the ANC, ANCYL and ANCWL office bearers has not as yet taken place to deal with the matter.

2.

Alliance Summit

2.1

2.2

The Alliance Summit has not been able to take place due to our tight elections programmes.

The Alliance Secretariat met on the 02 August 1999 to rediscuss the matter and agreed that the summit be convened before the end of September.

2.3

Decision Required

2.3.1 That the PEG ratify the recommendation of the Alliance Secretariat for the Summit to be convened before the end of September.

2.3.2 That the Alliance Secretariat, in consultation with their office bearers should finalise the date, programme and focus of the Summit.

3.

Devolution of Powers to Regions

3.1

The Provincial Secretary drafted the document and tabled it

in the Secretariat Forum for comments.

12.

Retrenchment

The CO Management Committee will at all times endeavor to avoid or minimize the need for retrenchment and will always consider alternatives to retrenchments.

Should the closure of Constituency Office\201ces or restructuring of staff requirements be decided upon , then the retrenchment procedure that will apply is defined below.

Every effort will be made to relocate affected members within the organization. Should it not be possible to relocate the affected members of the staff within the organization, severance pay will be made to affected members accordingly.

Should any retrenchment be proposed of an individual or individuals, the organization will consult the individual at least three months before retrenching him /her. The information provided shall include:

- (a)
- (b)
- (c)
- (d)

the number of employees to be retrenched;
when the employees are to be retrenched;
the reasons for the retrenchment; and
the alternative solutions which have been considered to avoid or reduce the number of retrenchment.

The organizationâ\200\224 and the affected individuals can make written representations to the CO Management Committee to review the retrenchment and make a final decision.

Severance pay will be two weeks pay for every year or part thereof in the CO Management Committee employment.

Grievance and Disciplinary Procedures

A copy of the grievance and disciplinary procedures will be provided to staff members together with their contract of employment.

14.

Private Work

A Staff member shall not, without the approval of the CO Management Committee, be involved in remunerative private work outside of the Constituency Office\201ce. In particular, no member of staff of a Constituency Office\201ce may engage in consultancy or lobbying work.

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Declaring Gifts

All employees of the Constituency Office\201ce are required to declare any gifts they receive which have a value of over R 5 0.00, and which were not received from a family member, on the approved form.

11:32/www_anc.org.za/ancdocs/about/constituonsa\200\230lg.htm

matter brought before it by the PEC, and may decide on any matter falling Within its competence, subject always to the policies and directives of the National Conference, National General Council, Provincial Conference or the NEC.

18.5. The FCC may fill any vacancy on the PEC provided that his i-\201lling of vacancies does not exceed 50% of the membership of the PEC.

Rule 19 PROVINCIAL EXECUTIVE COMMITTEE

19. The Provincial Executive Committee shall be responsible for carrying out the decisions of the Provincial Conference and Provincial General Council always subject to Rule 18.4.

19.2. It shall consist of the Provincial Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer and not more than 13 other persons elected by the Provincial Conference. A person shall have been a paid up member of the ANC for three years before she or he can be nominated to a Provincial Executive Committee of the ANC. Each region shall be equally represented by the Chair and/or the Secretary as determined by the PEC provided that the number of regional representatives on the PEC does not exceed the number of elected members of the PEC.

19.3. The Women's League and the Youth League in the Province shall be represented by two representatives with full voting rights.

19.4. The PEC shall:

Meet as soon as possible after its election to elect the Provincial Working Committee and thereafter at least once a month.

,

Carry out the decisions of the Provincial Conference and the NEC.

Manage and control the funds and assets of the ANC in the Province

Submit reports to the NEC Provincial Conference and Provincial General Council as often as is required, on the state of the organisation, the financial position of the province, and such other matters as may be specified.

Appoint the regional organiser and staff as required.

Organise, establish and service branches in the Province and supervise the work of the regions in the Province; suspend, dissolve, and re-launch branch executive committees and regional executive committees where necessary, subject to any directives from the provincial conference provided that where a BBC or REC has been suspended or dissolved there shall be a right of appeal to the NEC. A suspension shall not exceed a period of three months. Elections for dissolved structures shall be called within three months.

Carry out the policy and programme of the ANC and do all things necessary to further the interests, aims and objectives of the organisation.

Have the right to co-opt up to 3 persons subject to confirmation by the Provincial General

Council.

The quorum for any meeting of the PEC shall be 50% (fifty percent) of its total membership.

Have the duty to appoint annually a Provincial List and Candidates Committee which will identify regulations for the drawing up of the Provincial List of candidates for national elections, provincial elections and for the selection of candidates for local government elections.

The Provincial Executive Committee shall report to the NEC and shall be bound by the recommendations of the National List Committee. Every candidate for elections must undertake, in writing, prior to the elections to abide by the Constitution of the ANC and the relevant Code of Conduct for elected representatives.

Rule 20 PROVINCIAL WORKING COMMITTEE

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Possible Menu Node
TMC/TLC Boundaries

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Another matter that needs consideration in relation to this aspect is the fact that when the ANC was unbanned, its congress allies were also unbanned, so that, the revolutionary alliance, later called the tripartite alliance, the leader of the South African Freedom struggle for many decades, was now at home and had responsibility to lead our entire people to the final liquidation of apartheid and to the establishment of a non-racial, non-sexist, democratic South Africa.

Taking the above factors into account you will then note that naturally, what we called the MDM could not conduct struggle in the same old way without changes.

The principal job post the April democratic breakthrough is doubtlessly the mobilisation of our entire people behind a programme of transformation, reconstruction, development and nation-building.

3.

THE NEED AND ROLE OF THE MDM IN THE CURRENT EPOCH.

When we were conducting struggle particularly in the eighties and early nineties, there were structures we called rudimentary organs of popular self-government. These structures included street committees, people's courts, self-defence units, civic bodies, Student Representative Councils (SRCs), and many others of various kinds.

These were structures through which our people were able to take decision about their own lives and how they should run their affairs at local level, hence they were called organs of people's power. Our people wielded their collective power through these structures. Other people correctly referred to some of these structures as organs of civil society, but principally they were organs of civil disobedience. One of the things we may need to do is to redefine the role of some of these bodies and others which exist now, as part of the broader process of redefining the role of the MDM post April 1994.

(i)

(ii)

(iii)

Our view is that we need to continue to interact and co-operate with those structures that compose what we may call the MDM. Whether we are involved in general mobilisation work for elections or in governance we need to bring them on board as much as possible.

Those organisations which may form part of the MDM include the ANC, the SACP, COSATU, as the core (the Tripartite Alliance as the centre), also SANCO, SASCO, COSAS, SUCA, YCS, and the AVCYL & ANCWL. Thus therefore implies that the ANC-led Alliance takes its rightful place as the leader of our people and government to be at the centre, as it should be, of these mass formations of our people popularly referred to as the Mass Democratic Movement. Mechanically speaking therefore it flows that the ANC leads the Alliance, and then the Alliance as a whole, leads the MDM.

In our view we should be very creative when we deal with the question of the role of the MDM post-April 1994. As we have said earlier the situation has changed not only drastically, but also dramatically. It is a situation in which we are in power and we have unfolded a programme of transformation, reconstruction, development and nation-building. It is a situation in which

Issued by DPET Northern Province

Rudolph Phulu

Principal Secretary for Political Education and Training

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b

African National Congress

Northern Province

Report

Meeting between PEC Delegation and

Regional Secretary, TLC Chairpersons and

Chief Whips

17 April 1999

OASIS Motel

POPULATION DISTRIBUTION IN DISTRICT AREA 2

> The population is tabled in table 2-(2. Northern District Council)

(option 1)

MOTIVATION :

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r

The objectives, as prescribe in the Demarcation Act, read with the Municipal Structures Act and the White paper on Local Government, could be met With this proposal, especially where the provision of democratic and accountable Local Government is applicable.

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Existing commuting and dominant transport movements, spending and interaction/ inter dependency are not disturbed by this proposal

v

The preposed reducing in area of the existing Northern District Council, (plus responsibilities), will make local Government administration more effective and accountable.

v

v

>

There are quite a number of operational mines and related practices, existing in the area from which levy's could be imposed.

The existing levy's, paid, (by Louis Trichardt, Messina, Thohoyandou and the Agricultural sector), to the Northern District Council presently, will assure a significant income to this preposed Council.

Infra structure for establishing a new DC, exists in Thohoyandou, and can, (with negotiations), thus be used.

Malamulele could have a positive economical effect (business levy's)

SEE TABLE 3-(2 NORTHERN DISTRICT COUNCIL)

OPTION 2:

The area will remain the same except for the following Changes:

> The entire Levubu/ Shingwedzi RLC plus ward 3, 4 and part

of ward 2 and 5 (remainder of Mphaphuli T/A that presently falls outside the Thohoyandou TLC area 4) to be excluded from this District Area

The topography and general characteristics is the same for this option.

13.4 Decision Required

13.4.1

13.4.2

That the report of the Task Team be ratified by the PEG.

That the implementation process/schedule of the report be ratified by the PEG.

14.

Welfare Policy Document

14.1 The document has not as yet been considered by the PWC.

1 4.2 Decision Required

14.2.1

That the matter be referred back to the PWC and that a report be submitted in the next PEC meeting.

15. MDM Refined Document

15.1 The refined document was submitted and discussed in the MDM forum on the August 1999.

15.2 The meeting agreed in principle with the key points raised and directed that it be tabled in our various PECâ\200\231s. The document will be finalised for implementation in the next MDM Forum. The document is attached as Annexure E.

15.3 Decision Required

15.3.1

That the PEG consider the document, make inputs and provide a mandate to the members who sit in the MDM Forum to finalise the matter.

constituency Offices

Structural Arrangements

Proposal

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PR Councillors are not seen in Community meetings.

That the following issues need our urgent attention.

Participation of Traditional Leaders in the TLCâ\200\231s.

Need to prepare for bye-elections.

Need to reprioritise TLC budgets

Need to improve Councillors visibility on the ground.

Need for a Provincial Workshop for Chief Whipâ\200\231s.

Need for more involvement of Regional Leadership in the TLCâ\200\231S

Need to clarify role of Councillors in the BETâ\200\231S and RETâ\200\231S.

Need to carefully examine the appointment of comrades in IEC structures.

Need to maximise our participation in the PLCâ\200\231s.

Need for our Councillors to get regular briefings from the LEOâ\200\231S who are in many instances TLC CEOâ\200\231s.

5.

Discussion

The above inputs were opened for discussion wherein the meeting admitted to several weaknesses within our TLC structures. Areas which constrain development and budgeting were highlighted. It was agreed that an action plan be developed to deal with all the identified issues.

1, 6.

Recommendations

The meeting recommended as follows:

6.1

That all TLCâ\200\231S should check on availability of funds for projects in their areas

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6.2

6.3

6.4

6.5

6.6

6.7

That all TLCâ\200\231s should constitute party caucuses urgently.

That delivery audits be done at all caucuses urgently.

That Local Forums be organised in all the wards.

That all Party Caucuses should discuss prioritisation in their areas.

That the Provincial Ofiï-\201ce should interact with the District Councils on TLC budgets.

That all Councillors should participate in elections structures, i.e. BETâ\200\231S and RETâ\200\231S.

6.8

That all Councillors who did not do so should sign the code of conduct.

5.2.3 AREA 3: (PROPOSED NAME: LOWVELD DISTRICT

COUNCIL)

Again, two Options for the area of this District are submitted

OPTION 1

POPULATION DISTRIBUTION IN DISTRICT AREA 3

> Population distribution is tabled in table 2 (Lowveld District Council)

MOTIVATION

'2' The objectives, as prescribed in the Demarcation Act, could easily be adhered to, especially in the provision of democratic Local Government, social and economical development and to create a tax and Levy base.

'3' Quite a number of mines are operational within this proposed District, from which a moderate income, (in the form of levy's) can be generated.

See Table 3 (Lowveld District Council)

'4' Existing spending, commercial and industrial linkages are not disturbed by the proposal.

'5' The infrastructure for establishing a new/ proposed District Council, in the form of accommodation, already exist in Giyani and can, with the necessary negotiations, be used

'6' Approximately R9m from Phalaborwa, R5m from Tzaneen and R1m

from the Agricultural sector are presently earned, (in the form of levy's) by the existing Northern District Council. This can thus be regarded as a potential form of income for a new District Council.

'7' Establishment of this proposed DC will make administration more manageable and existing plus future maintenance more feasible.

OPTION 2:

(b)

Paternity/co-parenting leave

___ Fathers and co-parents are entitled to 10 working days leave per Child (non-accumulative) to be taken at the discretion of the employee within six months of the birth.

(c)

Adoptive parent leave

Adoptive parents are entitled to leave under the same conditions that apply for maternity and paternity leave.

An adoptive parent who will be the primary caregiver to the child is entitled to four months leave under the same condition as those that apply for natural mothers.

An adoptive parent who will not be primary caregiver to the child is entitled to 10 working days leave per child (non-accumulative) under the same conditions as those that apply to a father or co-parent.

7.4. Religious Holidays

The employee shall be entitled to leave on full pay on days determined according to the faith to which she/he subscribes as religious holidays provided that the number of days leave taken by her / him in terms of this sub-paragraph shall not be deducted from the annual leave to which the employee is entitled.

7.5. Public holidays

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All employees are entitled to leave on public Holidays. However, some of the public Holidays are of political importance and an employee may be required to work these days. Should this be the case, then the employee will be allowed to take another day as leave in lieu of the public holiday worked.

7.6. Unpaid leave

Unpaid leave may only be granted at the sole discretion of the CO Management Committee and only in exceptional circumstances.

7.7. Compassionate leave

A maximum of five (5) working days of compassionate leave per year will be permitted for the purpose of funerals or serious or life-threatening illness or injury of close family members. Where the problem concerns someone who is not in the immediate family of the employee, this leave may still be granted at the discretion of the MP/MPL who must motivate for the additional days to the CO Management Committee. The CO Management Committee may decide to:

(a)

(b)

(c)

(d)

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grant the extra leave on full pay;

*224

grant the extra leave as part of the employee's annual leave entitlement; or

grant the extra leave as unpaid leave; or

not grant the extra leave.

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ANC NORTHERN PROVJCE CONST1TLâ\200\231ENCY OFFICES

7.4

7.5

The process of appeals on the lists, have been clarified to be the sole responsibility of the National Appeals Committee. Comrades who want to appeal interact directly with the ANC.

The threat against Cde Catherine Mabusa has not been pursued and a report will be presented in the next meeting as soon as the matter is attended to.

7.6

The report is submitted for noting.

8.

Resignation of Deputy Secretary

8.1

The vacant position of Deputy Secretary will be filled in the next Provincial General Council.

8.2 A common date on which both Cde Jerry Ndou and Louis

Mguni will be available is in the process of being determined to organise a farewell and congratulatory function for them. Letters have already been dispatched to

them in this regard.

8.3

Decision Required

8.3.1 The report is submitted for noting.

9.

Matter of Vaalwater

9.1

The PEC decision has been communicated to the Region and the branch. Currently the area has totally stabilised and thereby increasing the membership of the branch to over one thousand (1000). No further incidences were reported.

BY-ELECTIONS CHECKLIST AND TIME FRAMES : NDC AREA OF JURISDICTION

NO

ACTIVITY

REG.
NO.

TARGET DATE

1

CEO reports vacancy to Mayor or Chairperson

Mayor/Chairperson or Deputy endorses their agreement
on item 1

Refer checklist

2(3)(a)

2

2(2)(a)

Refer checklist

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3

Notice proposing to make updated votersâ\200\231 roll and to c5111
upon natural persons to enrol or claim in such a votersâ\200\235
roll

4(3)(a)

18-06-1999

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4

Period of inclusion in the updated votersâ\200\231 r011

4(3)(b)

19-06-99 to 8-07-99

5

Public notice for preliminary updated votersâ\200\231 r011
inspection

6(1)(a)

22-06-1999

6

Determining inspection period on updated votersâ\200\231 r011

6(1)(a)

4-07-1999 to 13-07-1999 ;

Lodging objections (in writing or verbal)during
inspection period

6(1)(b)

(ii)

13-07-1999

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6(2)(a)

16-07-1999

6(4)

23-07-1999

16-07-1999

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Inspection of list of names and particulars of claimant,
objector and person iro whom objection has been lodged

Votersâ\200\231 r011 of i-\201cer prepares a list setting out names of
and particulars of every claimant, objector and person iro
whom an objection has been lodged ito (6(1)(b)

The votersâ\200\231 r011 of i-\201cer shall serve notice on persons
speci i-\201ed ito 6(4)(a)(b)(c) setting out the grounds of such
Objection or rejection. the date for hearing by revision
court and to invite such persons to attend

claims and objections

Calling upon every person to lodge written or oral
objection to list of names and particulars Of claimant,
objector and person iro whom objection has been lodged
to votersâ\200\231 r011 of i-\201cer

Votersâ\200\231 r011 ofï-\201cer prepares a list setting Out the name and particulars ofevery objector and person iro whom an objection has been lodged ito 6(1)(d)

Fixing ofday1â\200\231s) for the sitting ofrevision court to hear

02-08-19991â\200\23114-07-1999-12-08-1999)

6(2)(b)

31-07-1999

6(1)(d)
(i)(ii)

28-07-1999

6(1)â\200\234)

Inviting every claimant whose name is on preliminary unplaceed votersâ\200\231 roll to submit a timber claim or additional informatibn sufï-\201cient enough to place him/her as a voter in the ward for by-election

6(1)(e)
(iv)

13-07-1999

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26.

Orbituary

From the previous PEC, the following deaths were reported to our office.

26.1 Cde Elias Nongâ\200\231s mother

26.2 Cde Bongî Mabunda

Prepared By

Benny Boshielo

Provincial Secretary

ht::..â\200\231/www.aneorgza/ancdocsxabom'consuzunonQR htm

Conduct the current work of the ANC and ensure that provinces, regions, branches and all other

ANC structures such as parliamentary caucuses carry out the decisions of the ANC.

Submit a report to each NEC meeting.

Rule 13 THE ELECTORAL COMMISSION

-

1 The NEC shall appoint an Electoral Commission of not fewer than three members whose task it will be:

To prepare the ballot papers as directed by the Constitution.

To make provision for ballot boxes or other means of secret voting.

To create machinery for the counting of ballot papers and the effective counting of votes.

Provision of the

To announce the results of all ballots and make known the number of votes received by each successful candidate.

To establish procedures for voting and to determine any dispute raised in regard to elections

and election procedures, and to determine how any tied vote should be resolved.

13.2 The names of the electoral commission whose work shall commence before Conference opens shall be

submitted to the Conference for endorsement and they shall then be reinforced by a representative appointed

by each Provincial delegation.

Rule 14 GENDER AND AFFIRMATIVE ACTION

.In an endeavour to ensure that women are adequately represented in all decision-making structures the

14

ANC shall implement a programme of affirmative action, including the provision of a quota of at least

one third (1/3) in all its structures to enable such effective participation.

14.2. The method of such implementation shall be addressed in all ANC structures immediately and on a

continuing basis.

Rule 15 THE NATIONAL FINANCE COMMITTEE

5. The NEC shall appoint the National Finance Committee

15.2. The NEC shall determine the composition and powers of the National Finance Committee.

15.3. The National Finance Committee shall report to the NEC at least twice a year on the finances and budget

of the ANC.

Rule 16 DUTIES AND FUNCTIONS OF OFFICIALS

1 The National Chairperson shall:

Preside over the National Conference.

Remain the custodian of the decisions taken by the National Conference and ensure that all

1
organs of the ANC implement these decisions and operate within the parameters of policy set
out by Conference.

Carry out such additional tasks as the Conference or NEC may instruct.

Be an ex officio member of the NWC.

) . In the absence or incapacity of the National Chairperson, the President shall assume his or her functions.

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16.3. The President

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African National Congress

Northern Province

Draft Proposal

Delegation of Powers to the RECâ\200\231s

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OFFICE OF THE CHIEF WHIP

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: The Provincial Secretary (Benny Boshielo), all members of the ANC Provincial Caucus (Provincial Legislature) and all members of the ANC Provincial Caucus (National Assembly)

' From : The Chief Whip of the Ruling Party (ANC)

Machike Thobejane

Date

: Monday 1 June 2000 23:00, 1999

Comrades

The recent meeting of the Provincial Constituency Offices Management Committee resolved as follows:

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that MPs and MPLs be deployed in regions where they come from and/or regions adjacent to their regions of origin (in exception of the Premier, Speaker, Deputy Speaker and MECs). This is with a View to make travelling to constituency offices cost effective and user friendly.

That an MP and MPL share an office. This is with a View to pull together financial resources with a View of accommodating a national and provincial perspective i.e. the operation of the constituency offices.

That the gross monthly salary for administrators be R 3000. 00 (i.e. R3000 x 44 = R132 000 x 13 = R1 716 000) while the gross monthly salary for the Provincial Constituency Offices Co-Ordinator becomes R3500. 00 (i.e. R3 500 x 13 = R39 500), making it a gross annual salary bill of R 1 733 300).

a--

That partnership in terms of the use of finances be such that the National Chief Whip's Office sees to (carries) payment of salaries of staff while while the Provincial Chief Whip's Office sees to (carries) payment of the running costs .

That 4 offices be allocated to each of our 11 regions, making it a total of 44 offices.

FT AFRICAN NATIONAL CONGRESS CONSTITUTION

<http://www.anc.org.za/docs/special/constitution/2002/2303.htm>:

The President is the head and chief directing officer of the ANC and the leader of the house at a National Conference. He or she shall:

Present to the National Conference a comprehensive statement of the state of the nation and the political situation generally.

Make pronouncements for and on behalf of the NEC outlining and explaining the policy or attitude of the ANC on any question.

Preside over meetings of the NEC in conformity with the Constitution, by-laws and rules of procedure adopted by the NEC.

Under the overall supervision of the NEC, orient and direct the activities of the ANC.

164 Deputy President

The Deputy President shall assist the President, deputise for him or her when necessary and carry out whatever functions are entrusted to him or her by the National Conference, the President or the NEC.

16.5. In the event of death or permanent incapacity of the President and the Deputy President, the NEC shall as soon as possible appoint an Acting President until such time as the National Conference meets.

16.6. The Secretary General

The Secretary General is the chief administrative officer of the ANC. He or she shall:

Keep the minutes of the National Conference, the NEC, the NWC as well as other records of the ANC.

Conduct the correspondence of the NEC and the NWC and send out notices of all conferences and meetings at the national level.

Convey the decisions and instructions of the National Conference, the NEC and the NWC to the provincial executive committees, and see to it that all units of the ANC carry out their duties properly.

Prepare annual reports on the work of the NEC and the NWC and such other documents which may, from time to time, be required by the NEC and the NWC.

In the absence of the President or the Deputy President, the Secretary General shall assume the functions of the President.

All departments, save those falling directly under the President, shall report on their activities to the Secretary General.

Be an ex officio member of the NWC.

167 Deputy Secretary General

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The Deputy Secretary General shall assist the Secretary General, deputise for him or her when necessary and carry out the functions entrusted to him or her by the National Conference or the NEC and shall be an ex officio member of the NWC.

16.8 Treasurer General

The Treasurer General is the chief custodian of the funds and property of the ANC. He or she shall:

Receive and bank all monies on behalf of the NEC and shall, together with any two members of

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SPERKERS OFFICE

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Report on Nationai Forum

On Constituency Offices

Luthuli House

(W)

some sections of the MDM have defined their role as being a relationship of both being in contact and co-operation with the ANC-led government and they may be correct to some extent. Therefore we need to be very creative about what becomes the role of each component of the MDM. A

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We have earlier talked about organs of people's power of various kinds, including some organs of civil society. What is significant is what becomes the role of these organs in the new era we are post-apartheid. This is an area where we need to be very creative and innovative if we are serious about this) our revolution. There are many other bodies that are elected publicly and democratically by communities which are central to our democracy which we are not using effectively. Those structures include - Community Policing Forums (CPF's), School Governing Bodies (SGB's), Learners Representative Councils (LRC's), Student Representative Councils (SRC's), Student Representative Assembly (SRA's), Community Assessors (CA's), Steering Committees (SC's) of various kinds and public hearings for numerous legislation. These are organs which have been brought by the April democratic breakthrough and they are key institutions of our governance for which we seem not to have a Strategy of dealing with. Some of these bodies are taken over by reactionary forces of all kinds. The MDM should discuss how to handle this matter.

Another critical issue is that we have left the centre, the area of mass mobilisation to our adversaries, as if there is something essentially wrong with mass mobilisation. Other forces are attempting to take that space like Daba-Lo-Rivhuwa around pensions for civil servants in the former Venda Bantustan, Mapogo-a-Mathamaga around crime and a variety of concerned groups. We should be able, as the NIDIVL to rekindle the culture of mass mobilisation, not mobilisation for its own sake, but around progressive programmes, projects and policies of our government. Demands for the removal of this or that reactionary from this or that position that impedes transformation, is an example.

(Vi)

(Vii)

Clearly one of the key components of the MDM discussions should be recruitment of and mobilisation for membership of each of its components. We are all aware of the very pathetic state in which a majority of MDM formations find themselves, unlike in the 80's or early 90's. Doubtless the April breakthrough has had an impact on these formations. And we must continuously discuss how we deal with that under the new circumstances.

One of the critical points we will have to look at is the importance question of what some comrades refer to the Popular Movement for Transformation (PMT) correctly, in practice, outside the realm of theory, we should have innovative ideas about such a movement. Such a movement will contribute towards defining the role of each individual component. Such a movement will concentrate on transformation, as the core component of the present form of struggle for reconstruction and development. Such a movement will have to take into account that the conduct of struggle post-apartheid is not always clear, the conditions in which that struggle is being discharged are sometimes

Issued by DPET Northern Province

Rudolph Phula

Principul Secretary for Political Education .md Twining

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\FT AFRICAN NATIONAL CONGRESS CONSTITUTION

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A delegate to the Conference shall, however, have the right to nominate any person whose name has not been proposed in terms of sub-section (i) above. In such event the presiding officer shall call for seconders to the nomination. If such nomination is seconded by a minimum of 25 percent (25%) of Conference delegates, then such nomination shall be regarded as having been duly seconded, in which event the name of such nominee shall be placed on the ballot paper. If the nomination fails to secure the support of a minimum of 25% of conference delegates, such nomination shall fall away.

b) Nominations of candidates for the National Executive Committee other than the above positions shall be carried out by the following procedure:

Subject to sub-section (ii) below, only those candidates who have been proposed by a Province shall appear on the National Conference ballot paper.

A delegate to the conference shall, however, have the right to nominate any person whose name has not been proposed in terms of sub-section (i) above. In such event the presiding officer shall call for seconders to the nomination. If such nomination is seconded by a show of hands by a minimum of 25 percent (25%) of Conference delegates, then such nomination shall be regarded as having been duly seconded, in which event the name of such nominee shall be placed on the ballot paper. If the nomination fails to secure the support of a minimum of 25% of delegates, such nomination shall fall away.

Not more than two persons per province may be successfully nominated in terms of b)(ii) above.

1.5 Voting shall take place by secret ballot. Each voting delegate shall vote once in each ballot.

1.6 If any Provincial Chairperson or Secretary is elected to the NEC in his or her own right or as a national officer, such person shall vacate the Provincial position, provided that the Province has the right to make representations to the NEC, in a special case, where extraordinary circumstances may warrant an exception to this rule. However, when such a provincial officer is allowed to retain his or her NEC position, the Province shall not be entitled to an additional member on the NEC.

1.7 Subject to the provisions of this Constitution, the Secretary General, the Deputy Secretary General and the Treasurer General shall be full-time functionaries of the ANC.

1.8 The NEC shall meet in plenary session at least once every three months and shall provide broad political and organisational perspectives to the National Working Committee.

Rm 1: NATIONAL WORKING COMMITTEE

12.1 As soon as possible after the conclusion of the National Conference, the NEC shall meet and elect a National Working Committee.

12.2. The National Working Committee shall be constituted as follows: The President, Deputy President, National Chairperson, Secretary General, Deputy Secretary General and the Treasurer General.

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12.3 In addition, the NEC shall elect additional members to the NWC from among the directly-elected members of the NEC. These shall not exceed one-quarter of the composition of the directly-elected members.

12.4 The members of the National Working Committee shall not necessarily be full-time functionaries of the ANC. However, the NEC shall determine the extent to which the elected members shall be full-time functionaries who may be allocated specific responsibilities.

12.5 The ANC Women's League and the ANC Youth League shall appoint one representative each to serve on the NWC.

12.6 The National Working Committee shall:

Carry out decisions and instructions of the National Conference and the NEC.

12.7 (230)

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90/0103 04:31

9 Various mines exist across this area and thus can be regarded as

geologically rich in minerals etc. ie. Ellisras, Thabazimbi, Northam and Leeuport/Rooiberg.

See Table 3 (4 Bushveld DC) for types and number of Mines

o The area is further characterised by a system of natural

drainage course, comprising of the Crocodile, Matlabas, Mooko, Lepalala, Sterk and Nyl Rivers with the Mogalakweng River forming the eastern boundary of this District

9 The greater part of this area is mainly used for Cattle and Game Ranching

9 A well established network of roads make this area very accessible i.e National Road N1 from Mpumalanga via Groblersdal/Potgietersrus to the Botswana boundary at Groblers Bridge Border Post. Potgietersrus and Nylstroom is also linked with Ellisras while Warmbaths is linked to Pietetfsburg and Thabazimbi with the latter linked to Rustenburg in the North West Province and Ellisras in the North West.

POPULATION DISTRIBUTION IN DISTRICT AREA 4:

\/ The population distribution is tabled in Table 2 (4 Bushveld District Council)

Motivation:

0 The objectives and factors, as prescribed in the Demarcation Act is met, especially the promotion of social and economical development ie;

• Existing communities/families and Traditional Authorities

could further benefit from this proposal

'2' More Even Distribution of generated income, (from the District Council), could advance development

0 The existing well established road system could promote commuting and dominant: transport movements.

0 The interdependence of people and communities will not be disturbed by this proposal

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tendency toward: disruption and factionalism.

4.16. The following acts will be regarded as an abuse of organisational rules, whether committed by individuals or groups:

The payment of membership subscription of the organisation for persons or groups of persons who would otherwise be unwilling or unable to pay their own subscriptions;

The offer of reduced rate membership to those known by the individual or group making the offer to be ineligible for that category of membership;

The recruitment of members who do not reside at an address claimed, where this is done in order to manipulate branch meetings or the outcome of organisational votes.

-4. 17.. The commission of any of the abuses described in rule 4.16 will be considered as behaviour likely to

invoke disciplinary proceedings.

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4.18 Any member of the ANC who stands in an election for local government, provincial or national government elections or acts as the election agent or canvasser of a person standing for such election in opposition to a candidate duly endorsed by the PEC or NEC shall be ineligible to be or remain a member.

4.19 a) Any member who joins a political organisation or party other than the ANC or a party in alliance with the ANC shall be automatically expelled by the PEG or NEC where applicable.

4.19 b) Any member who supports a political organisation or party other than an organisation in alliance with the ANC in a manner contrary to the aims, objectives and policy of the ANC shall be liable for disciplinary

4.20. Members who fail to pay their subscriptions for three months and having being reminded of their lapse shall not be regarded as members in good standing until they pay their arrears.

RIGHTS AND DUTIES OF THE MEMBERS

5.1 Rights:

A member of the ANC shall have the right to:

Take a full and active part in the discussion, formulation and implementation of the policy of the ANC.

Receive and impart information on all aspects of ANC policy and activities.

Offer constructive criticism of any member, official, policy programme or activity of the ANC within its structures.

Take part in elections and be elected or appointed to any committee, structure, commission or delegation of the ANC.

Submit proposals or Statements to the branchaprovince, region or NEC, provided such proposals or statements are submitted through the appropriate structures.

5.2 Duties:

A member ofthe ANC shall:

Belong to and take an active part in the life ofhis or her branch.

_ Take all necessary Steps to_under5tand and carry out the aims, policy and programme oft he

ANC.

Explain the aims. policy and programme ofthe ANC to the people.

99:03.03 04:21

Returning officer determines for each ward and make available a number representing an accurate estimate of 2 % of the voters on the updated Voters' roll for each such ward

Returning officer shall specify that nominations of candidates for the by-elections shall be delivered to the returning officer in 21(1), invite such nominations and indicate the number of vacancies to be filled

No person may become a candidate at a by-election unless a nomination paper (ER4) is duly completed and signed in 21(9)(b) and delivered to returning officer

20(2)
(iii)

09-08-1999 (7-8-99-
24-9-99)

21(1)

09-08~1999
(7-8-99 - 24-9-99)

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NO

ACTIVITY

REG.
NO.

TARGET DATE

The Revision Court shall cause an updated voters' roll to be prepared

8(2)(a)

4-8â\200\22499(29â\200\2247-99-15-8-99)

21(9)

04-08-1999 (2241-08-99)â\200\234

Presiding Officer of Revision Court certifies and signs the updated voters' roll:

10(1)(a)

12-08-1999

Returning Officer posts a list of names and addresses of

21(2)

12-8-1999

(9â\200\2248-99-24-9-99)

19

Nomination Day

21(4)(h)

(1)

18-08-1999

each person in whom a nomination has been received and shall keep such list posted until 12:00 on nomination day

21(4)(h)

(ii)(bb)

23-8-1999

(20-8-99-24-9-99)

Furnishing proof of having a defect remedied to the satisfaction of the returning officer

No nomination shall be rejected on the grounds of any defect in 21(4)(b)(d)(f)(g) or (h) unless the returning officer has served on the particular person a written notice informing him or her of such defect

accepted exceeds the number of vacancies in ward, the

returning Officer must, by notice, post outside the place of nomination in 20(2)(b)(iv) publish the full names of each candidate together with his or her distinguishing mark or symbol, in any, in whom a vote will be held on by-election day

The returning Officer notifies the Premier in writing if insufficient nominations to fill the remaining vacancies in 21(5)(a) are accepted for further by-election

26

If the number of candidates whose nominations have been

20(2)(ii)
Q7237.)

23-8â\200\2241999
(21349994494999)

25-8-1999
('23-8- 1999â\200\22429â\200\2248- 1 999)

25-8-1999
(23-8-1999-29-8-1999)

21(5)(b)

5. CONCLUDING COMMENTS:

The Board invites comment on these proposals from:

its stakeholders (National Assembly; National Government (specifically the Minister of Provincial Affairs and Local Government); Provincial Governments (specifically the MEC responsible for local government); SALGA and its affiliates; Houses of Traditional Leaders; Government Departments; Magistrates and the IEC; key roleplayers (political parties, civil society organizations); and the public at large.

The Board specifically requests the public to comment on:

the number and possible location of nodal points for District/Metropolitan Councils in South Africa as indicated on the attached provincial maps; the framework for evaluating metropolitan areas; the advice provided to the Minister on which areas should be declared to be metropolitan areas; and the definition of nodal points for metropolitan areas as the nearest intersection to the main civic centre of the urban conurbation under consideration.

Written comment must be provided to the Board by 8 July 1999 as follows:

By post: Private Bag X28, Hatfield 0028

By hand: iParoli, Ground Floor, Block B2, 1166 Park Street, Hatfield, Pretoria

By fax: 012 3422480

By e-Mail: msmdb@mweb.co.za

This report is also available on the Board's web site: www.demarcationergza

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

African National Congress

Northern Province

Proposal On the Devolution of Powers to Regions

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The PEC decided that the P10V1nc1a1 Sec1eta1}: 511011111 \Â»011\â\200\231 Onaa p10p05a1 On the dev0h1110n of powers t0 leg10ns.

The document w0111d be presented 10 the PWC, and 1f app10ved be, send t0 the Secretary Genelal f01 latii-\201cat10n bef01e 11nple1nentati0n.

In terms 01Rule 22.6, the REC Shall be accountable 10 the PEC and

. shah have 1ts powers as delegated by the PEC.

Rule 2.7 1nd10ate s that the â\200\234Regional Executive Committeesâ\200\235 mav 1e001111nendt0the PEC the suspens10n 01 c11ss0111110n ofa BEC Zonal C01n1n1ttee 01 Sub- Regional C01n1n1ttees

113 clear fronzth e'eab0\. that the REC 0n1Â» ha\3 p011 e15 10 recommend.

1t 13 thelef01e p10p05ed that the PEC sh0uld delegate the f0110w1ng p0we15 10 the RECâ\200\231S

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To decide any matter as may be 1efelled 10 the RECâ\200\231S by the PEC.

Organise, eStab ' Sub-Reg10n and the Organiser.

Iand serv10e branches on 1e00mlnenclat10n 0fthe

Retain 10 powers to recommend the d15501ut10n of any branch and Sub-Region t0 the PEC, and not have the powers to i-\201nahy decide.

Deal w1th d1501p11naly matters save 101 the powers to summanly suspend, suspend and/01 d131niss any membel 110m the 0lgan1sall0n. 111 a case where a summary suspens10n, suspens10n 01 d1smissal 15 required, such be recommended with a 11111 1110111'at10n t0 the P10v1n01a1 Dlscip11naly C0mm1ttee.

Draft Minutes of the Provincial Executive Committee Meeting held on the 09 April 1999.

Attendance

See Roll Call Register

Apologies

Joyce Mabudafhasi
Ace Mamekoa
Collins Chabane
Tshenuwani Farisane
Freddy Mathebula
Jerry Ndou
Ngoako Ramatlhodi

Application for Early Leave

George Phadagi
Matthews Malebana

Absent

Norman Mashabane
Pat Reinecke
Machike Thobejane
Rosina Semenya

Confirmation of Agenda

The following matters were added on the agenda:

5.1
5.2

Report from University of the North
Restructuring of government departments.

Political Input

In the absence of the chairperson, the item was deleted from the agenda.

POSSIBLE METROPOLITAN NODAL POINTS

The Board considered the possible nodal points for metropolitan areas and in realising the significant differences between them in terms of size, scale and intensity of economic activity, believes they may be classified into four distinct groups:

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Nodal points which should definitely be considered as Metropolitan Areas:

Greater Johannesburg, Cape Town, and Durban fulfil all the requirements of being classified as category A municipalities and should be declared as such by the Minister;

Nodal points which should probably be considered Metropolitan Areas: Greater East Rand and Pretoria fulfil in large measure all the requirements of being classified as a category A municipality and should probably be considered as Category A municipalities.

Nodal point which could possibly be considered as a Metropolitan Area: Greater Port Elizabeth fulfils in large measure many of the requirements of being classified as category A municipalities, but does not score as highly as the identified and probable urban conurbations.

Nodal aspirant

Metropolitan Areas: The analysis indicates that Greater Vereeniging, Bloemfontein, East London, Pietermaritzburg and Richards Bay are not in the same league as the urban conurbations analysed above when defined as per the Municipal Structures Act and should not be considered as metropolitan areas.

regarded

should

points

which

simply

be

as

Finally, for purposes of proper definition as a nodal point, the Board has suggested the actual nodal point to be declared by the Minister as the nearest intersection to the main civic centre of the urban conurbation under consideration. These have been indicated on the maps provided.

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

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AFRICAN NATIONAL CONGRESS

NORTHERN PROVINCE

Fmm the Desk of

BENNY BOSHIELO
PROVINCIAL SECRETARY

To:

The NEC Provincial Committee

ATT:

Cde Mavivi Myakayaka-Manzini
Cde Sydney Mufamadi
Cde Alfred Nzo
Cde Suzan Shabangu
Cde Peter Mokaba

Comrades

Regarding: PEC Documents

Notice of a Provincial General Council

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Enclosed herein please find our documentation for our last PEC meeting which includes :

State of the Organisation Report
Elections Report
PEC Package

These are for your information.

Please note that the dates of our PEC meetings as included in our Programme of Action still stands.

Please also take note that our next PGC is scheduled for the 28 August 1999 at the University of the North. Please give an indication on who amongst you will address the PGC especially on the National Programme of Action.

5.

Hoping to hear from you soon.

Kind Regards

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/\ Benny Boshielo

Provincial Secretary

73 Bieeard Street, Pietersburg, 0699 ;

Tel: (0150 297 6951/3 Fax: (015) 297â\200\230 89m

3.6

Achievements

a.

b.

c.

Drafting and recommending to the PEC, a framework document on
Dermacations of district Councils Boundaries in the Province.
Formulating the ANC response on the proposals of the Dermacations
Board 011 District Councils.
Getting our regions to participate in the dermacation process.

3.7

Recommendations

21.

That the PEC should ratify the documents in 3.6 (a and b).

3.8

Comment

The committee is performing extremely well.

4.

Finance Committee

4.1

Convenor

Cde Tshenuwani Farisane

4.2

Number and attendance of meetings

a.

b.

c.

One (1) meeting was held
One (1) meeting aborted due to lack of attendance
Attendance is relatively poor, especially by Regional
Treasurers

4.3

Issues Considered

a.

b.

c.

d.

Provincial Finance Policy document which was approved by the PWC and PEC.

Welfare Policy, which still to be tabled for approved by the PWC/PEC.

Allocations to regions from the Councillors levies.

One third (1/3) allocation to branches.

4.4

Achievements

a.

Finalising the Provincial Finance Policy

MEC for Local Government, Cde Norman Mashabane due to problems

Report on the Functionality Of PEC Committees

1.

Infrastructure Sub Committee

1.1

Convenor

Cde Collins Chabane

1.2

Number of meetings held

a.

b.

Two (2)

One (1) meeting not well attended

1.3

Composition of the Committees

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PEC Members (core)
Technical expertise x three (3) comrades
Regional representatives (Broader Forum)

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Y

Terms of reference dei-\201ned by the Committee

1.4.1
1.4.2
1.4.3

Technical team to do research on behalf of the Committee
Broader forum considers broad policy issues
Core PEC group deals with implementation

1.5

Interaction with Governance Structures

None

1.6

Problems

1.6.1
1.6.2

Lack of coordination of meetings
The passing away of Cde Strike Seoketsa, Head of Public Works affected the
work of the Committee.

1.7

Recommendation

1.7.1

Committee needs more time to get organised.

1.8

Comment

1.8.1
1.8.2

The Committee is not functioning well.
Need for Committee to urgently convene, draw schedule of meeting and identify
critical issues for consideration and recommend to the PEC.

1 5 August 1 999

09h00:

Meeting Resumes

09h05:

i.

ii.

Office Bearers and PWC Report

NEC Report

10h30:

Tea Break

10h45:

12h00:

i.

ii.

i.

ii.

State of Organisation Report

Rebuilding the MDM

Governance Report

Local Government Elections

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Dermacations Process

Time Frames

1 3h00:

Lunch Break

1 4h00:

Programme of Action

1 5h00:

Preparations for the P66

15h30:

Chairpersonâ\200\231s Closing Remarks and Closure

African. National Congress
Constitution

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Checklist

By Elections

Transitional Local Councils

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PREPARATIONS AND CONDUCTING OF BY-ELECTIONS: NORTHERN
DISTRICT COUNCIL AREA OF JURISDICTION.
(FILE : 3/1/1/7/1) : DEPARTMENT ADMINISTRATION

Pursuant to Council Resolution No. C1/99/10 of 1999-04-14, notice is hereby given
, that NDC shall be publishing in the local newspapers on the 18 June 1999 its

intention to conduct by-elections at the following wards and TLCâ\200\231sz-

- 1.
- 2.
- 3.
- 4.
- 5 .

CMO4
N184
L134
SNN4
SNM2

-
-
-
-
-

M01etji-Matlala TLC
Levubwâ\200\231Shingwedzi TLC
Bo10bedwllllanganani TLC
Nebo North TLC
Ngwaiitsi/Makhuduthamaga TLC

The administrators of the above TLCS shall be duly informed of this date so that
preparation for byâ\200\224electi0ns day (24 September 1999) could be commenced with.
Northern District Council management shall assist TLCâ\200\231S administrators in the
process up to its end.

In terms of the regulations concerning by-electibns and votersâ\200\231 rolls of 1997,
funding for the by-electi0n shall be derived from the municipahties themselves. It
is for this reason that the affected municipalities shall fund for their by-electi0ns in
their Own wards. Northern District Council management shall assist in drawing up
checkhst time frames and budget (business plan).

For Exco and Councilâ\200\231s information.

21.

Disciplinary Matters

21.1

The Disciplinary matter in the Greater Potgietersrus was earlier reported as concluded. There is no appeal on the matter.

21.2

The matter of Cde Bogi Mashele was also concluded. See

Annexure H for the Disciplinary Committee verdict. There is no appeal on the matter.

21.3

The summary suspension of Cde Josias Mabunda has already been lapsed in terms of Rule 2.19 . 8 Constitution, as no formal charges were served to him. The Provincial Secretary has sought advice from the

of the

Disciplinary Committee on the matter. A response is awaited.

21.4

21.5

Cde Mohoa of Thabazimbi has lost his appeal from the National Disciplinary Committee.

We also report that our Province has been congratulated by the National Disciplinary Committee in the manner in which we handle disciplinary matters in the Province.

21 .6 Decision Required

21.6.1

The report is submitted for noting by the PEG.

22.

Donation of Boreholes

22.1

We have received a donation of four boreholes during our fund-raising dinner addressed by Cde Cyril Ramaphosa.

22.2

It has not as yet been determined where the boreholes should be drilled.

confusing. Thence some sections of the democratic movement define their relationship with our government as of both conflict and co-operation.

We are confident that we will succeed in this mammoth task of nation-building. Our country, South Africa, has a long history such that we will finally be able to place properly the role, the character, and place of the movement of a new type, with a programme of a new type in this different dispensation. Transformation, Reconstruction, Development and Nation-formation remain our key task. We are confident we will succeed.

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We rest our case.

FORWARD TO THE YEAR OF MASS MOBILISATION FOR THE
RENEWAL OF THE DEMOCRATIC MOVEMENT

issued by DPET Northern Province

Rudolph Phisoane

for the year of mass mobilisation for the renewal of the democratic movement

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1999 PrOV|nC|O| Elections Results
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<http://www.anc.org.za/docs/xao00u/con5titution98.html>

Deepen his or her understanding of the social, cultural, political and economic problems of the country.

Combat pro jaganda detrimental to the interests of the ANC and defend the policy, aims and programme of the ANC.

Fight against racism, tribal chauvinism, sexism, religious and political intolerance or any other form of discrimination or chauvinism.

Observe discipline, behave honestly and carry out loyally decisions of the majority and decisions of higher bodies.

inform his or her branch of movement to any other area and report to the branch committee secretary on arriving at any new area.

Refrain from publishing and/or distributing any media without authorisation which purports to be the view of any organised grouping, faction or tendency within the ANC.

All members shall ensure that they are registered as voters in the constituency where they live.

ANC members who hold elective office in any sphere of governance at national, provincial or local level are required to be members of the appropriate caucus, to function within its rules and to abide by its decisions under the general provisions of this Constitution and the constitutional structures of the ANC.

Rule 6 ORGANISATIONAL STRUCTURE

6.1. The ANC shall consist of the following organs:

The National Conference which elects the National Executive Committee.

The Provincial Conference which elects the provincial executive committees.

The Regional Conference which elects the regional executive committee.

The branch annual general meeting which elects the branch executive committee.

6.2. Branches may be grouped together in zones and may be subdivided into smaller units such as street committees, and zones may be grouped into sub-regions.

6.3. The ANC Women's League shall be Open to women who are members of the ANC and shall have the same basic structure, namely, national, provincial and branch. Its objectives will be to defend and advance the rights of women, both inside and outside the ANC, against all forms of national, social and gender oppression and to ensure that women play a full role in the life of the organisation, in the people's struggle and in national life. The Women's League will function as an autonomous body within the overall Structure of the ANC, of which it will be an integral part, with its own Constitution, rules and regulations, provided that these shall not be in conflict with the Constitution and policies of the ANC.

6.4. The ANC Youth League shall be open to all persons between the ages of 14 and 35. It will operate on a national, provincial and branch basis. Its objectives will be to unite and lead young men and women in

confronting and dealing with the problems that face the youth, and in ensuring that the youth make a full and rich contribution to the work of the ANC and the life of the nation. The Youth League will function as an autonomous body within the overall Structure of the ANC, of which it will be an integral part, with its own Constitution, rules and regulations, provided that these shall not be in conflict with the Constitution and policies of the ANC.

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6.5. Members of the Youth League over the age of 18 shall be expected to play a full part in the general political life of the ANC.

6.6. A member of the Youth League shall not be eligible for any position as office-bearer of the ANC or to

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FT AFRICAN NATIONAL CONGRESS CONSTITUTION

<http://www.anc.org.za/docs/abou/200/231consttmtion98.htm>

2.2. To end apartheid in all its forms and transform South Africa as rapidly as possible into a united, non-racial, non-sexist and democratic country based on the principles of the Freedom Charter and in pursuit of the national democratic revolution.

2.3. To defend the democratic gains of the people and to advance towards a society in which the government is freely chosen by the people according to the principles of universal suffrage on a common voters' role.

2.4. To fight for social justice and to eliminate the vast inequalities created by apartheid and the system of

national oppression.

2.5. To build a South African nation with a common patriotism and loyalty in which the cultural, linguistic and religious diversity of the people is recognised.

2.6. To promote economic development for the benefit of all.

2.7. To support and advance the cause of women's emancipation.

2.8. To support and advance the cause of national liberation, development, world peace, disarmament and environmentally sustainable development.

2.9. To support and promote the struggle for the rights of children and the disabled.

Rule 3 THE CHARACTER OF THE ANC

3.1. The ANC is a non-racial and non-sexist and democratic liberation movement

3.2. The ANC also contests elections as a registered political party drawing its electoral support from all sections of South African society. Its policies are determined by the membership and its leadership is accountable to the membership in terms of the procedures laid down in this Constitution.

3.3. The ANC shall, in its composition and functioning, be non-racial, anti-racist and anti-sexist and against any form of tribalistic exclusivism or ethnic chauvinism.

3.4. While striving for the maximum unity of purpose and functioning, the ANC shall respect the linguistic, cultural and religious diversity of its members.

3.5. The ANC shall support the emancipation of women, combat sexism and ensure that the voice of women is fully heard in the organisation and that women are properly represented at all levels.

3.6. The principles of freedom of speech and free circulation of ideas and information shall operate within the ANC.

3.7. Membership of all bodies of the ANC will be open to all men and women in the organisation without regard to race, colour or creed.

3.8. The ANC co-operates closely with religious bodies in the country and provides, on an interfaith basis, for the recognition of the spiritual needs of its many members who are believers.

MEMBERSHIP

4.1. Membership of the ANC shall be open to all South Africans above the age of 18 years,

irrespective of
race, colour and creed, who accept its principles, policies and programmes and are prepared to abide by its
Constitution and rules.

4.2. Spouses or children of South Africans who have manifested a clear identification with the South African people and its struggle, may apply for membership.

4.3. All other persons who have manifested a clear identification with the South African people and their

--struggle and are resident in South Africa may apply for membership.

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EMOCRATICWMOVEMENT (VIDM)

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INTRODUCTION

In this paper we will'â\200\230ttempt to deal with a very concise history ofthe gargantu ai

Mass Movement ofthe 1980 3 called Mass Democratic N10Â» ement (MDM) the state Of the NIDMln the current era, and we will attempt to clarify 011 the need and role of the NEDM in the current epoch. We have attempted to be as forthright as possible principally around the role ofMDM formations in the present era of transformation, reconstruction, development and nationâ\200\224building.

1.

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HISTORICAL OVERVTEVV OF THE MDM.

First and foremost it should be clear that the MDM was not an organisation. As the name itselfimplies it was a movement. It composed oforganisations of various kinds which were united by their common desire to end apartheid. These organisations included the South African Youth Congress (SAYCO), the Congress ofSouth African Students- (COSAS), The South African National Students Congress (SANSCO), National Union of South African StudentsGVUSAS), National Education Crisis Committee (NECC), Congress of Traditional Leaders of South Africa ' (CONTRALESA), Natal Organisation of Women (NOW), Federation of Transvaal Women (FEDTRAW), United Womenâ\200\231s Congress (UWC), Transvaal Rural Action Committee (TRAC), Civic Associations, National Medical & Dental Association CNWIDA), Federation of South African Women (FEDSAVW, Health Workers Association (HWA), Five Freedoms Forum (EFF), the South African Council of Churches (SACC), the South African African Catholic Bishops Conference (SACBC), and many others.

At the core ofthis movement was undoubtedly the powerful United Democratic Front (:UDF) and the Congress ofSouth African Trade Unions (COSATU).

As we have already said this very broad movement was united by their common desire to end apartheid and it was not only a desire they were united by a common Struggle and some sort ofa common programme of action It was a programme of mass aetion, of mass deï-\201ance of all apartheid laws. All segregatory legislation around residential areas, hospitals, trains, institutions of higher learning, etc, were deï-\201ed en masse as part ofa programme ofMDM. Mass defiance ofthe state of emergency and its provisions was part thereof.

Besides the speciï-\201c demands in relation to this or that matter, their overall demands included:-

- (i)
- (ii)
- .1111)
- (iv)

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Unbari the ANC and all banned organisations.
Return ofall the exiles
Release of all political prisoners and detainees

Troops out 0t townships,

Prmfmcinl Secreur} for Political Education .md Iâ\200\230ruirung

Issued by DPET .â\200\230a'urthem Pruvince

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Receive reports, superviseâ\200\230the work of, and delegate such functions to the NWC as it consider necessary.

Issue documents and other policy dLrectives as and when it deems i-\201t

Confer such honours as it may deem appropriate.

Appoint annually a National List Committee ofnot fewer than i-\201ve and act more than ni ne

persons for the selection and adoption ofcandidates for the national Parharnent. The NEC shall

draw up regulations for the procedures to be followed in such a seleCtion. The National L ist

Committee shall report to theNEC prior to the llnplenlentation ofits recommendations.

Provincial Structures for the adoption ofcandidates shall report to the National List Com mittee.

Every candidate for elections must undertake to abide by the ConStitUtton ofthe ANC and t he

relevant Code ofConduct for elected representatives

1.3. The National Executive Committee, except where Otherwise stipulated, shah be elected by secret ball10t

by the National Conference and shall hold ofi-\201ce for i-\201ve years and shall be cons umed as follows:

The President Deputy President,National Champerson, the Secretary Cenel'al,Deputy Secretary General and the Treasurer General who shall be elected separately by the Nation al Conference.

Sixty (60) members ofthe NEC who shall be elected by secret ballot by the National Conference.

The Chairperson and the Secretary ofeach elected ANC Provincial Executive Committee who shall be ex ofi-\201cio members of the NEC.

The National President and_Secretary ofthe ANC Womenâ\200\230s League who shall be ex ofi -\201cio membersofthe NEC.

The National President and Secretary of the ANC Youth League who shallbbe ex ofi-\201cio members ofthe NEC

The NEC shall have the power to co-opt not more than i-\201ve (5) additional members at a ny time

during its terrn ofofi-\201ce in order to provide for a balanced representation that rei-\202ects the true

character ofthe South African people, provided that such co-option enjoys the support oft he

Provincial Executive Committee ofthe Province from which the proposed person comes.

Should a vacancy occur on the NEC for any reason,the NEC shall have the power to i-\201lll the vacancy by appointing a replacement.

The quorum for meetings ofthe NEC shall be 50Â°/o+1 of its total membership.

A person shall have been a paid-up member ofthe ANC for at least i-\201ve years before sh e or he

can be nominated to the National Executive Committee ofthe ANC.

11.4 Nominations for the NEC members referred to in Rule 11.3(a) and 11.3(b) above shall be by the following procedure:

a)(i) Nominations for the posts of:

- 0 President
- Deputy President
- 0 National Chairperson
- 0 Secretary General
- 0 Deputy Secretary General
- 0 Treasurer General

shall be made by any Province and placed before the National Conference.

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4. ADVICE TO THE MINISTER OF PROVINCIAL AFFAIRS
LOCAL GOVERNMENT AFFAIRS ON
METROPOLITAN NODAL POINTS

The Minister has requested that the Board provide advice on possible nodal points for Metropolitan Areas in South Africa.

The following sections provide some summary statistics for each of the criteria laid down and which define category A municipalities:

1. A conurbation featuring areas of high population density;

The eleven conurbations researched vary enormously in terms of population size. Greater Cape Town, Johannesburg and Durban are all larger than 2.5 million people followed by Greater East Rand and Pretoria being over 1.2 million people.

Except for Greater Bloemfontein and Richards Bay, all urban conurbations have average densities well over 1000 persons per square kilometre.

In order to further distinguish areas of very high population density, each conurbation was examined in terms of areas where, within 25 kms. of the conurbation's nodal point, the Enumerator Areas (of the 1996 census) had densities over 5000 persons per square kilometre. The Greater East Rand, Johannesburg, Durban and Cape Town had over 100 square kilometres where such high densities were found.

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12. A conurbation featuring an intense movement of people, goods, and services;

A second set of indices were developed using the 1995 October household surveys and which indicated the origin-destination flows of commuters in each of the major urban conurbations. A similar situation to that obtaining for urban densities was found, although it is clear that in the Gauteng conurbations there is significant movement both between and within the urban conurbations.

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

6.4

Interaction with Governance Structures

a.

b.

0.

Convener was part of a team in the Premier's office, which dealt with deployment of civil servants to assist with registration of potential voters. Worked closely with Departments of Home Affairs on the Id Campaign. Convener was also member of the IEC's Party Liaison Committee.

6.5

Problems experienced

a.

b.

Lack of adequate representation of structures in the Committee in the initial stages.
Misinterpretation of our elections manual by our structures.

6.6

Achievements

a.

b.

Ran a successful campaign
Provided training and organisational capacity for our structures to run an elections campaign.

6.7

Recommendations

a.

That the Committee should remain in its current form and proceed with other campaigns.

6.8

Comment

a.

b.

The Committee functions extremely well
Need to initiate other campaigns like COLTS and HIV/AIDS and maintain the momentum.

Peace and Stability

7.

7.1

Convenor

C de Joyce Mabudafhasi

7.2

Meetings and attendance

a.

b.

c.

Several meetings were held

Attendance was fair

Weekly meetings in May and June

EXISTING DISTRICT COUNCILSMIETROPOLITAN AREAS:

SUMMARY CENSUS STATISTICS

In the following tables, selected summary information is provided for existing Transitional District Councils and Metropolitan Councils.

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PROPOSED DISTRICT/METROPOLITAN NODES:

SUMMARY CENSUS STATISTICS

In the following tables, selected summary information from the 1996 Census is provided for an area around each of the proposed nodal points. This area is defined by the radius provided in column 2 and the remaining columns indicate totals within the Enumerator Areas in the defined radius: (a) total population; (b) total personal income per month; (c) persons employed in agriculture; (d) persons employed in Manufacturing; (e) persons employed in the Service sector; and (f) persons employed in Commerce and living within that area.

1. KWAZULU-NATAL:

2. EASTERN CAPE:

3. NORTH-WEST PROVINCE:

4. NORTHERN CAPE: -

Annexure I

PEC Sub-Committee and Departments

Performance Report

PEC Meeting

14 â\200\224 15 August 1999

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the NEC, operate a banking account.

Keep such books of account as may be necessary to record clearly the financial position of the ANC.

Submit to the National Conference 21 report showing the Income and Expenditure Account and Balance Sheet of the ANC for the period since the previous National Conference, and shall submit periodic reports to the NEC and the NWC.

Be responsible, with the National Finance Committee, for working out and executing plans for fund raising.

Be an ex officio member of the NWC.

16.9. The National Chaplaincy

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There shall be a National Chaplaincy appointed by the NEC on an interfaith basis to provide spiritual guidance.

Rule 17 PROVINCIAL STRUCTURES

17.1. Subject to the overall guidance of the NEC, the Provincial Conference shall be the highest organ of the ANC in each Province.

17.2. The Provincial Conference shall:

Be held at least once every three years and more often if requested by at least one third of all branches in the Province.

Be a delegatesâ\200\231 conference attended by delegate chosen on a democratic basis by 31 branches in the Province with representation in proportion to membership, with attention being paid to ensuring representation of areas where membership is reduced.

Be attended by members of the Provincial Executive Committee who shall have full voting and Speaking rights as ex officio participants-

Be attended by representatives of the Women's League and Youth League with voting rights.

Carry out the decisions of the National Conference, the NEC and the NWC.

Receive and consider reports by the Provincial Executive Committee.

Elect the Provincial Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer and other members of the Provincial Executive Committee who will hold office for 3 years. The Provincial Secretary shall be a full-time full-time official of the organisation.

Carry out and develop the policy and programme of the ANC in the Province.

Rule 18 THE PROVINCIAL GENERAL COUNCIL

18.1 A Provincial General Council shall be convened between Provincial Conferences.

18.2. The Provincial General Council consists of all members of the Provincial Executive Committee and

delegates representing branches in proportion to membership, with a minimum of one delegate per branch. The Women's and Youth Leagues shall be represented by their RECS. The RECS shall be appropriately represented as determined by the PEC.

18.3. The FCC shall meet at least once a year. A PGC shall, for good cause shown, be convened by the PEC upon the request of one-third (1/3) of branches in the Province.

18.4. The Provincial General Council may discuss and decide any issue it deems necessary: including any

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18h50:

Political overview:

Cde Ngoako Ramatlhodi
Provincial Chairperson

Assessment of Elections: Cde Benny Boshielo
Provincial Secretary

1 9h00:

Discussion

21 h30:

Adjournment

African National Congress

Northern Province

Provincial Executive Committee

14 â\200\22415 August 1999

The Ranch Hotel

Volume I

4.5

Problems

21.

b.

0.

(:1.

Lack of attendance of meetings by Regional Treasurers

The one third (1/3) allocation to branches is still a problem

Lack of implementation of allocation to regions from the fund-raising account.

No schedule of meetings by the committee. Only met once (1) in thirteen months.

4.6

Recommendations

a.

b.

c.

d.

e.

That the Welfare Policy be finalised by the PEC.

That the one third allocation to branches be urgently resolved with head office.

That the allocations to regions from the fund-raising account be urgently implemented.

That the Regional Chairpersons and Secretaries should ensure that their Treasurers do attend meetings.

That the Committee should draw schedule of meetings and meet regularly.

4.7

Comment

The Committee needs to improve on its work, as its performance is far below expectations.

5.

Commission for Religious Affairs

5.]

Convenor

Cde Benny Boshielo

5.2

Number and attendance of meetings

a.

No formal meetings were held.

5.3

Issues Considered

a.

b.

c.

Familiarisation with the SACC, Northern Province.

Workshops/Seminar on Politics and Religion in transformation.

Possibility off a moral regeneration summit in the Province discussed with the SACC.

8.17.2 Decision

That the document be finalised and submitted for consideration in the next meeting.

8.18

Constituency Fund

8.18.1 A report on payment of salaries for Administrators of Constituency Offices was presented in the meeting.

8.18.2 Decision

a.

b.

That mechanisms be found to ensure that the Administrators are paid their salaries.

That guidelines be drawn to improve the operations of our Constituency Offices in our next term.

8.19

Accommodation of Local Government in the PEC

8.19.1 The meeting ratified the recommendation of the PWC that it should be sufficient for Local Government to be accommodated in the Governance and Legislatures Committee.

Adjournment

Due to time constraints, the meeting was adjourned at 00h15 to the 17 April 1999.

Prepared By

Signed

Benny Boshielo
Provincial Secretary

Ngoako Ramatlhodi
Provincial Chairperson

Preparations for the PEG

8.3

Issues considered

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Relocation of Government ofï-\201ces to Lebowakgomo

Payment of rentals by MPLâ\200\231s

Financial â\200\234bleedingâ\200\235 in the Chief Whipâ\200\231s ofï-\201ce
Legislature Programmes

Restructuring of Government Departments

8.4

Problems

No problems are experienced

8.5

Achievements

a.

b.

0.

Resolving the issue of payment of arrear rentals by MPLâ\200\231s

Building a coherent and functional committee

Decentralisation of government ofï-\201ces

8.6

Recommendations

21.

Need to draw a line of roles between the Committee and Deployment
Committee.

8.7

Comments

The Committee is functioning fairly well

Secretariat Forum

9.1

Convenor

Cde Benny Boshielo

9.2

Meetings and attendance

- a.
- b.

Four meetings were held

Attendance fairly good except Western and Bushveld Regions.

9.3

Issues considered

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Training for Regional Secretaries and Administrators

Launching of zones and sub-regions

Mechanisms to improve the running of our offices administratively

Equipment and resources for regional offices

Relationship between RECâ\200\231S and Staff

Organisational management

10

2.2 EXISTING ARRANGEMENT OF TRANSITIONAL METROPOLITAN COUNCILS AND DISTRICT COUNCILS:

Presently, six Transitional Metropolitan Councils and forty-two transitional District Councils (variously called District Councils, Regional Councils and Services Councils) exist, having been established by provincial proclamations.

Whilst the legislation establishing these local governments was national in scope, provincially-based application of the legislation led to enormous variations in size and scope between the Metropolitan and District Councils in different provinces and even within the provinces themselves.

*

Appendix 1 provides a map showing existing boundaries of the District Councils as well as some descriptive statistics of each Metropolitan/District Council.

The Board decided that it would undertake research into possible Category A and B councils through i-\201rstly identifying possible nodal points for such municipalities in South Africa. The objective here was to identify points around which the boundaries for N'ietropolitan or District Councils could be demarcated.

2.3 METROPOLITAN COUNCIL NODAL POINTS:

The research process followed by the Board allowed it to evaluate the existing large urban Transitional Local Councils and Transitional Metropolitan Councils.

Three research reports were compiled and based on this research the Board narrowed its focus to an evaluation of the following urban conurbations:

.....

Greater Johannesburg (including at least the existing MLCs)
Greater Cape Town (including at least the existing MLCS)
Greater Durban (including at least the existing MLCS)
Greater Pretoria (including at least the existing MLCs)
Greater East Rand (including at least Kempton Park-Tembisa MLC, Germiston, Benoni, Alberton, Boksburg)
Greater Port Elizabeth (including Despatch and Uitenhage)
Greater Vereeniging-Kopanong (including at least the existing MLCS)
Greater Pietermaritzburg (including Ashburton, Hilton, Howick)
Greater East London (including King Williamstown)
Greater Bloemfontein (including Botshabelo)
Greater Richardâ\200\231s Bay (including Empangeni)

In section 4 a summary of some of the research into each of these urban conurbations is provided.

2.4 DISTRICT COUNCIL NODAL POINTS

After conducting research into the existing arrangement of 42 District Councils in South Africa, and after considering the functions and powers which will be assigned to the 44 established District Councils, the Board suggested four principles which should underpin the determination of nodal points for District Councils:

African National Congress

Northern Province

Provincial Executive Committee

Continuation Meeting

17 April 1999

OASIS Motel

POLICY STATEMENT 1:

AN INTEGRATED FRAMEWORK FOR

METROPOLITAN AND DISTRICT COUNCILS IN

SOUTH AFRICA

FIRST DRAFT FOR PUBLIC COMMENT

1. INTRODUCTION

Over the past few months the Municipal Demarcation Board has been involved in the development of policy in the following areas:

- . Metropolitan Nodal Points: A strategic framework for assessing metropolitan and other urban conurbations has been developed in order to provide input to the Minister's process of determining nodal points.
- District Council Nodal Points: A strategic framework detailing the number and possible location of District Councils has been developed.
- Cross boundary areas: The Board has been investigating possible Cross Boundary Areas in order to assist national and provincial governments in making a determination on whether or not there should be Cross Boundary District Councils/Metropolitan Councils or Cross Boundary Municipalities.

In addition, the Minister of Constitutional Development and Provincial Affairs requested that the Board provide him with advice on possible metropolitan nodal points.

The Board resolved that an integrated framework be developed within which the Board's views on each of the above areas may be articulated:

- . On 6 June 1999, the first draft of such an integrated framework was adopted at a

Board meeting.

- . On 28 June 1999, the First draft will be presented to the incoming Minister of Provincial and Local Government Affairs and also published for comment.

- . On 5 July 1999, a workshop with the Board's national stakeholders will be held to discuss the contents of the framework.

- . By mid-July 1999, the Board's framework will be finalised.

It is hoped that the Minister will determine nodal points for metropolitan areas by mid-July 1999 in order that the Board will be able to immediately thereafter issue a Section 26 notice calling for the determination of Metropolitan and District Council boundaries.

This report contains the Board's preliminary Views on the possible number and location of Metropolitan and District Councils in South Africa.

AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

c.

d.

Governance: Local and Provincial
State of the Province and balance of forces

vii.

Plenary

viii.

Closure

Elections of Deputy Secretary will run concurrently
with the programme.

2.2

Electoral Commission

Northern Province Council of Churches

2.3

Time-Table

2.3.1 Submission of credentials

2.3.2 Submission of names of delegates

:

:

17 August 1999

19 August 1999

Benny Boshielo

Provincial Secretary

-- â\200\224- 8. JUL. 1999 "12: 18

SPEQKERS OFFICE

SPEQKERS OFFICE

N0. 993

P. 3

Eeport on National Forum on Constituency Office:

: 03 July 1999

.' 13h00

Date

Time

Venue .' Luthuli House (BoardRaom 1021)

Attendants:

Secretary General, anz'ncial Secretaries,
National Assembly Chief Whip, NCOP Chief Whip
and Provincial Chief Whips.

L1. DEMARCATION OF CONSTITUENCY Aims
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Inĩ-\202uencingfactors are:

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TLC demarcations= (IEC Voting Districts).
ANC structural demarcation.
Population density.
Residence of MPs/ MPLs
Current redemarcation processes.
Accessibility by users.
2 June 1999 election results.

2. ALLOCATION OF MPS/ MPLS (ROBING IN COUNCILLORS) TO

CONSTITUENCY OFFICES

Inĩ-\202uencingfactors are:

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Even and equitable distribution.
Needs of the province, region and sub- regions.
Effectiveness and efiĩ-\201ciency.
Cost implications.

Co-Operative governance.

Language.

Synchronisation of structural deployments and Constituency deployment.

[3. NCOP CYCLES

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59

Should be such that they assist that the objectives of Constituency outreach are realised.

[I NEC MEMBERS DEPLOYMENT

=â\202¬>

To be synchronised With the Constituency deployment approach.

Page 2 of 3

1\ EH

26 June 1999

Chief Executive Officer
All Municipalities in South Africa

Dear Sir/Madam

NODAL POINTS FOR METROPOLITAN AND DISTRICT COUNCIL
AREAS IN SOUTH AFRICA: A PRELIMINARY FRAMEWORK

Enclosed please find a copy of the preliminary framework we have developed
defining possible nodal points for Metropolitan and District Councils in South Africa

This is not Section 26 notice and the Board is simply interested in getting comment
on its proposals around the number and possible location of District/Metropolitan
Councils.

Given the stringent timeframes under which the Board is working, we are only able to
allow for public comment until 8 July 1999 and such comment must be directed to the
Board as follows:

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By post: Private Bag X28 Hatfield 0028
By hand: iParoli, Ground Floor Block B21166 Park Street, Hatfield,
Pretoria
By fax: 012 3422480
By e-Mail: msmdbi@co221
This report is also available on the Board's web site:
www.demarcation.org.za

It is hoped that the Ministerial determination of Metropolitan nodes will be issued
around the middle of July 1999 and immediately thereafter the Board will issue a
Section 26 notice calling for proposals on Metropolitan and District Councils in South
Africa.

Thank you very much in anticipation.
Sincerely,

â\200\2301â\200\224

Dr. Michael O. Sutcliffe
CHAIRPERSON
Cellular: 0824405203 Fax: 031 2670395 eâ\200\224Mail: mfsut@wn.apc.org

11

20.

Restructuring of TLCâ\200\231s

20.1 The office bearers received reports about the reorganisation of the following TLCâ\200\231s.

20.1.1
20.1.2
20.1 .3
20.1 .4
20.1 .5
20.1.6
20.1.7

Eastern Tubatse

Nebo North

Alldays

Greater Louis Trichardt

Vaalwater

Roedtan

Greater Northam

20.2 The office bearers directed that the reorganisation be reversed and that the status quo be returned.

20.3 Letters were written to all the above TLCâ\200\231s, and the current status is as follows:

20.3.1

Eastern Tubatse

The new office bearers have resigned and the date is awaited from the N00 to conduct fresh elections.

20.3.2

Nebo North

The new office bearers have resigned and the status quo has been retained.

20.3.3

Alldays

No letters of resignation have been received from the
new office bearers.

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the organisation.

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26.3.3 If, inâ\200\230the opinion Ofthe NEC or the relevant body exercising its right to i
nvoke
disciplinary proceedings under this Constitution. a member is guilty ofthe foiiowing offe
nces,
disciplinary proceedings may follow:

Behaviour which brings the organisation into disrepute or which manifests a
ï-\202agran violation ofthe moral integrity expected ofmembers or conduct
unbecoming that ofa member;

Sowing racism, sexism, tribal chauvinism, reiigious and political
intolerance,regionalism or any form ofdiscnmination;

Behaving in such a way as to provoke serious divisions or a break-down ofunity
in the organisation;

Undermining the respect for or impeding the functioning ofthe Str'ucrures of the
organisation;

Participating in organised factionai activity that goes beyond the recognised
norms offree debate inside the organisation and threatens its unity;

(a) Disciplinary proceedings shall normally be conduCted at the
level where the alleged violation or offence took place, namely
the branch, region, province or national, and may be heard by the
relevantstructure;

(b) The NWC may direct that the disciplinary proceedings should
be heard at a higher level from whereâ\200\224the alleged violation or
offence took piaceTâ\200\231"

(a) Any person faced with disciplinary proceedings shall receive
due written notice of any hearing and ofthe basic allegations and
charges against him or her and be afforded a reasonable
opportunity to make his or her defence.

(b) The National Disciplinary Committee shall draw up
guidelines for the interpretation of this section on discipline and
for the rules ofprocedure including time limits to be followed
before, during and after a hearing.

26.6. Any person found guilty in a disciplinary proceeding, or the complainant has the ri
ght, within a
reasonable period, to appeal against the conviction or sentence, to the next higher body
ofthe ANC. The NWC
may direct that any appeal should be heard by a body higher than the one to which the app
eal has been made.
The PEC may direct that an appeal against the decision by a branch should be heard direct
ly by the Provincial
Disciplinary Committee.

267. Penalties for proven violations of the Constitution, principles, norms and decisions of the ANC shall include reprimand, payment of compensation and or the performance of useful tasks, suspension and expulsion.

26.8. Temporary Suspension

The Provincial Disciplinary Committee, the National Disciplinary Committee or the NWC having regard to the nature and seriousness of an alleged violation or offence by a member . may summarily suspend the membership of any member pending the preparation of a charge against the member and the institution of disciplinary proceedings against the member. The member shall be informed of such suspension. The temporary suspension shall lapse if no disciplinary

proceedings are instituted against the member within 30 days of the date of the temporary suspension. Such disciplinary proceedings shall be attended to as quickly as possible and

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achieve affective service delivery, financial viability and economic stability.

SECTION 1:

PROPOSED DISTRICT COUNCIL AREAS (1â\200\2244):

EXISTING SITUATION

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, Presently the Northern Province consists Of two Distriet Conncil

areas, namely, Northern District Council(MNDC) and Bushveld District Council(BDC), each with TLC/RLC'S within their areas ofjurisdiction

NDC -38, and BBC â\200\22413 (see map 1 Existing Demarcation)

The Northern District Council controls 60,2% ofthe total area ofthe Province with a total Of 38 TLC/RLC'S within its area of jurisdiction.

Total population within Northern District Councilâ\200\231s Area is 4,953,600, representing 89,8 % Ofthe population Ofthe province.

The NDC annual income form levys, amount to â\200\231: R42,6m whereas the income from Bushveld District Council amounts to :t R1 5m.

Fmm the above information, it becomes clear that an uneven situation is present and a more even distribution in area and population as well as income is necessary.

[t is therefore inevitable (with the demarcation criteria, the municipal structure Act and the white paper on Local Government in mind) to divide the area Ofthe Northern District Council into three. Thus creating 3 more gen Sized District Councils while the Bushvelaâ\200\231 District CozmCIL â\200\2315 area remain mere 07' less a5 is presently.

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DESCREPTION OF PROPOSED DISTRICT AREAS:

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[.1 AREA 1: (PROPOSED NAME: CENTRAL DISTRICT

.....

25.5. Sub-regions may be formed by 3 or more Zones with similar arrangements and powers as between Zones.

Rule 26 DISCIPLINE

26.1. All members, without exception, must abide by the Constitution of the ANC , the Rules, the Standing Orders and Codes of Conduct as adopted or amended from time to time.

26.2. Disciplinary proceedings against a member shall be confined to violations of the ANC Constitution, Rules, Standing Orders, Codes of Conduct, or the commission of offences as set out in Rule 26.3, and shall not:

Be used as a means of stifling debate or denying members their basic democratic rights ;

Be instituted as a means of solving private problems or as a means of interfering in the private lives of members where the norms of the organisation are not directly affected, unless such conduct itself constitutes a violation or an offence affecting the organisation.

26.3. A serious offence shall be committed by any member who:

26.3.1 Prejudices the integrity or reputation of the organisation, its personnel or its operational capacity by:

Impeding the activities of the organisation;

Creating division within its ranks or membership;

Doing any other act which undermines its effectiveness as an organisation.

Acting on behalf of or in collaboration with:

Counter-revolutionary forces;

A political organisation or party other than an organisation or party in alliance with the ANC in a manner contrary to the aims, policies and objectives of the ANC;

Intelligence or the security services of other countries;

Any person or group who seriously interferes with the work of the organisation or prevents it from fulfilling its mission and objectives.

26.3.2 The following shall also be regarded as serious offences, without prejudice to the generality of this provision and the right of the NEC to add to this category of offences:

Conviction in a court of law and sentenced to a term of imprisonment without the option of a fine, for any serious non-political offence;

Misappropriation of the funds of the organisation or destruction of its properties;

Behaving corruptly in seeking or accepting any bribe for performing or for not performing any task;

Engage in sexual or physical abuse of women or children or abuse of office to obtain sexual or any other undue advantage from members or other ;

Abuse of elected or employed office in the organisation or in the State to obtain

any direct or indirect undue advantage or enrichment;

Fighting or behaving in a grossly disorderly or unmly way;

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PROVINCIAL LOCAL GOVERNMENT
UNIT/DEMARCATIONS COMMITTEE

DEMARCATIONS REPORT

1.

INTRODUCTION

The PEC has appointed the Demarcations Committee comprised of
cdes Ben Mhlongo (cogvenor), Dikeledi Magadzi and Norman
Mashabane.

The brief of the Committee is to advise the PEC on processes related
to the demarcation of District and Municipal boundaries in the
Northern Province, suggest options/framework for the ANC with a
view to providing mandate for those members that will be
representing the ANC in the Provincial Liason Forum and
Investigation Committee.

What follows below is the summary of the work done by the
Committees to date. The Demarcations Committee has had
consultations with most of the regions in the Province. Some regions
have, however, not been able to hold consultative forums to input
formally into the process. Further consultations would still be
necessary. The document should, however, be seen as an aggregate of
the views of most regions.

2.

SUBMISSION FORMAT

The submission has been prepared as follows:

- > Section 1: process leading to the final demarcations
- > Section 2 (District Councils)
- > Exposition of the demarcation criteria
- > Visual representation (maps) depicting the text in detail
- > Overall recommendation

2.1

Process Leading to Final Demarcations

The Demarcations Board will follow the following route in determining
the final boundaries:

1. Development of the policy regarding:

2. Development of the policy regarding:

All decisions must be minuted, along with the reasons for the decision.

Should an employee be away from the office for more than two consecutive days, or show a repeated pattern of absence due to illness, a doctor's certificate is required.

Any absence that requires less than half a day's absence from work will NOT be regarded as sick leave and therefore will not be deducted from the annual entitlement.

Should a staff member take ill while at work and have to leave, that day will not be counted as a day of the sick leave.

Upon illness, it is the duty of the staff member or his/her family to report illness immediately to a colleague and the specific MP or MPL.

Claims for injuries incurred by staff whilst performing duties on behalf of the program, and not covered by the Medical Aid Scheme, shall be made to Workmen's Compensation.

Sick leave cannot be accumulated for any purpose.

7.3 Maternity/paternity/adoptive parent leave

(a)

Maternity leave

The total time allowed for maternity leave will be five months leave. By law, a minimum of one month of maternity leave must be taken before the due date of the confinement, and a minimum of two months of maternity leave must be taken after the birth of the child. The remaining two months of maternity leave may be taken at the discretion of the employee either immediately before or after the date of confinement.

During maternity leave, the employee will receive one cent less than one third of her salary for any period during which she is eligible to receive benefits from the Unemployment Insurance fund (UIF). The employer will continue to pay its share and also will pay the employee's share of the retirement fund and medical aid payment. For any period that the employee is not eligible to receive UIF benefits, the employer will pay her salary in full. In such case, the employee will pay her own share of the provident and medical aid payments. If the employee is not eligible for any UIF benefits, the employer will pay her salary for the duration of the maternity leave.

During the first year of service, maternity leave is granted on a pro rata basis.

Annual leave will not be accrued during maternity leave.

Employees on maternity leave shall be ensured of re-employment.

A staff member taking a maternity leave must commit herself, in writing, to continued employment by the C O Management Committee for at least two months from the agreed date of return to work, otherwise she will forfeit maternity pay.

ANC NORTHERN PROVINCE CONSTITUENCY OFFICES

5.

Matter of Greater Potgietersrus TLC

5.1

5.2

5.3

The Disciplinary Committee concluded its enquiry on the above case See Annexure C.

The process of the replacement of the suspended Councillors has been commenced and is almost concluded.

With regard to suspended ward Councillors, and those who resigned, the ANC Candidates were elected unopposed to the Council. The only outstanding matter is the resignation of Francina Mabeba who is also suspended, but is not yet out of Council.

5.4

The Region has been written to facilitate her resignation and replacement as an ANC PR Councillor.

5.5

The report is submitted for noting and information.

6.

Land Tenure Proposal Workshop

6.1

No progress report was received from the ETC on the matter.

7.

List Process

7.1

The process has now been concluded.

7.2

Cde Lawrence Mushwana has been removed from the Province to National List by Head Office and appointed as

the Deputy Chairperson of the NCOP.

7.3 A meeting was held with the National Deployment Committee to clarify how the Provincial Committees should function.

16.

Constituency Offices/Fund

16.1

The payment of salaries of Administrators is almost resolved. Mechanisms to resolve our debt with Nedbank are also been put in place.

16.2

The Constituency Office Management Team has met to consider our approach to Constituency Offices in this new term. Documents in that regards are attached as Annexure f_.

16.3

A meeting was held with the Secretary General to discuss the National Approach to Constituency Offices. The meeting produced the document attached as Annexure G which will be considered by the NWC.

1 6.4

As a result of 16.3 above, the Provincial processes have been put on hold pending receipt of guidelines from the NWC. The consequence of this is that the current arrangements will continue until the NWC gives further directives.

16.5 Decision Required

16.5.1

The report is submitted as work in progress.

17. ARDC Matter

17.1

The then MEC for Agriculture and Environmental briefed the Office Bearers about the matter, and assured them that retrenchments were not on the cards within the ARDC at that stage.

17.2

He also briefed the meeting about the state of affairs in the ARDC.

DRAFT CONDITIONS OF SERVICE

FOR MEMBERS OF STAFF OF CONSTITUENCY OFFICES

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These Conditions of Employment shall apply to all staff members who are in the full-time employment of the ANC Parliamentary Constituency Office Management committee 1. of the National and Northern Province ANC Caucuses.

Effective Date
0

These Conditions shall be deemed to have started operating when a staff member is engaged in the employ of ANC Parliamentary CO

Employment

3.1. A prospective staff member shall receive a written offer of employment

Indicating his / her salary, a copy of his /her job description and a copy of these Conditions of Employment.

) A prospective staff member shall indicate in writing his/her acceptance of

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The offer and the date on which he / she will commence service with the CO Management Committee

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. A prospective staff member shall be required to provide certain personal

Information to the CO Management Committee on a prescribed form.

3.4. All new staff members shall work on a probationary period of three (3)

months, at the end of which period the staff members performance shall be assessed by his/ her MP/ MPL/ team and the CO Management Committee

Confidentiality

0 A staff member may not divulge any confidential information relating to his/ her employment with the Management Committee to any person unless he/ she is required to do in the execution his /her duties.

Salaries and Salary Increments

.

Salaries shall be determined according to the principles laid down in the current salary policy document salary policy document.

ANC NORTHERN PROVINCE CONSTITUENCY OFFICES

ACTIVITY

The Revision Court shall cause an updated voters' roll to be prepared

REG. NO

8(2)(a)

NO

15.

16.

10(1)(a)

Presiding Officer of Revision Court certifies and signs the updated voters' roll.

18

17

20(1)

The determination and or holding of by - election day

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20(2)(b)

20(2)(ii)

19.

20(2)(iii)

20.

"

Returning officer shall publish notice of the date of the by - election and the hours of voting.

Returning Officer shall specify and determine the date of nomination day i.to.

21(3)

Returning Officer shall specify that nominations of candidates for the by - election shall be delivered to the returning officer Lt 2(1), invite such nominations and indicate the number of vacancies to be filled.

No person may become a candidate at a by - election unless a nomination paper (ER4) is duly completed and signed i.t.c 21 (a)(b)

and delivered to returning officer.

CONDITIONS

not later than 18 days after
the 7 day inspection period
i.t.06(1)(a).
by noon not later than 18
days after the 7 day
inspection period (to.
6(1)(a).
not more than 136-days after
declaration i.t.o 2(3), 1(3)(b)
21 (8) or 21(7).*
not later than 7 days after
the declaration referred to in
item 17. "
not less than 30 days and
not more than 35 days
before by - election day.
not later than noon 12:00) on
a date which shall be not
less than 44 days and not
more than 49 days before by
- election day.

~_

not later than noon 12:00) on
a date which shall be not
less than 44 days and not
more than 49 days before by
- election day.
not less than 42 days and not
more than 47 days before by
- elections day.

21 (1)

21.

23.

22.

24.

21(2)

21(4)(h)
(i)

not less than 7 days before
nomination day.

Returning Officer posts a list of names and
addresses of each person i.r.o whom a
nomination has been received and shall
keep such list posted until 12:00 on
nomination day.
No nomination shall be rejected on the
grounds of any defect i.t.o 21 (4)(b)(d)(f)(g)
or (h) unless the returning officer has
served on the particular person a written

notice informing him or her of such defect.
Furnishing proof of having a defect
remedied to the satisfaction of the returning
officer

writing if insufficient nominations to fill the

not later than 12:00 on a
date specified by returning
officer which shall be not less
than 31 days and not more
than 36 days before by -
election day.
within 7 days of the
declaration i.t.o 21 (3) i.r.o
such further by - election.

remaining vacancies i.t.o 21(5)(a) are
accepted for further by - election.

The returning officer notifies the Premier in

21(4)(h)
(ii)(bb)

21((5)(b)

25.

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Draft Agenda

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5.4

Achievements

- a.
- b.

Working relationship with the SACC

Interaction with religious group in the Province during the elections.

5.5

Problems

21.

No formal meetings were held.

Recommendations

- 21.
- b.

The Committee to draw a meeting schedule for the year.

The Committee should expand its membership

5.7

Comment

The work of the Committee is unsatisfactory and it needs to improve.

Campaigns Committee

6.1

Convenor

Cde Aaron Motsoaledi

6.2

Number and attendance of meetings

- a.
- b.
- 0.

Functional more as Training and Mobilisation Task Team under elections and met weekly.

Had very good attendance of meetings

Held about twenty (20) meetings

6.3

Issues considered

- a.

Mainly campaigns around the elections, which included

- i.

ii.
iii.
iv.
V.

Id Campaign
Voter Registration
Campaign Strategies
Setting up of elections structures
Training and Mobilisation

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Returning officer. After consultation with elections committee, may add to such list, voting stations and addresses and public and maintain such a list

The Premier (REC : Local Government) may direct returning officer to increase the number or locality of voting stations to 24(1)

24(1)

24(2)

15-9-1999
(11/200/2249-1999-24-9/200/2241999)

16-9-1999
(1 1-9-1999-24-9-1999)

ACTIVITY

REG.
NO.

TARGET DATE

Returning officers publish a list of voting stations and their addresses

24(1)

7-9-1999
(4-9-1999-24-9-1999)

Candidates advise returning officers in writing in writing law ER8 of the names, if any, of agents and messengers appointed to 29(1)

23(1)

14-9/200/2241999
(11-9-1999-24-9-1999)

32

33

29(2)(a)

17-9~1999
(1 1/200/2249-1999-24-9-1999)

Withdrawal or replacement of duly appointed agent by notice to the returning officer

Candidates advise returning officers in writing of the names, if any, of agents and messengers appointed to 29(1) per form ERS

The returning officer supplies by 200\224 election materials for use at voting stations to each presiding officer ie list of candidates of ward, candidates agents and messengers one copy of applicable part of the updated voters' list to 34(1)

29(2)(b)

23-9-1999
(12:00 not later)

35(1)

23-9-1999

35

By-Election Day

40(1)

24-9- 1999

African National Congress

Northern Province

Provincial Executive Committee

14 August 1999

The Ranch Hotel

Draft Agenda

14 August 1999

18h00:

Opening and welcome

18h05:

Constitution of the meeting

i.

ii.

iii.

iv.

Signing of roll call register

Apologies

Application for early leave of absence

Absent

(The meeting to be constituted on the basis of a
quorum)

18h15:

Confirmation of the Agenda

18h25:

Confirmation of the Minutes

18h45:

Announcements and Administrative matters

EXISTING DISTRICT COUNCILS

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. A conurbation featuring extensive development, featuring multiple business districts and industrial areas and a single area for which integrated development planning is desirable

Using satellite imagery showing different land uses, each of the urban conurbations has been broken down into various land uses. The following table indicates how each urban conurbation ranks in terms of major land uses and the extent of development:

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o A centre of economic activity

Economically Active

The following table indicates the number of people identified in the 1996 Census as being proportions who were Employed and Unemployed. Again, significant differences are found between each of the urban conurbations:

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AN INTEGRATED FRAMEWORK FOR METROPOLITAN AND DISTRICT COUNCILS IN SOUTH AFRICA

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Issues considered

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f.

Security matters during the elections campaign and identifying potential
hot spots.

Workshop for Regional Peace and Stability Committees

Representation of DIS in the Committee

Briefing on the appointment of a Provincial Commissioner

Transformation of the SAPS

Ranks with the SAPS

7.4

Interaction with Government Structures

21.

b.

The link with Government Structures was with Cde Saad Cachalia, who
attend the Committee meetings.

Also had contact with comrades in the DIS.

7.5

Problems

21.

b.

Ranking and grading of integrated comrades from MK.

Lack of attendance of meetings by the MEC.

7.6

Recommendations

21.

A follow-up is required on the problems of ranking.

7.7

Comments

21.

b.

The Committee is performing fairly well

Need for Committee to discuss the implementation of the NCPS,
particularly the establishment of the Community Policing Forums, and
ensure full participation of our structures.

Legislatures and Governance Sub-Committee

8.

8.1

Convenor

Cde Robert Malavi

8.2

Number and attendance of meetings

21.

b.

About eight meetings were held
Attendance was fairly good

AFT AFRICAN NATIONAL CONGRESS CONS'1 1'1â\200\230UTION

[http //www anc org za/ancdocs/aboutucons: innon9gmm](http://www.anc.org.za/ancdocs/aboutucons:innon9gmm)

This i-\201nal draft of the ANC Constitution (1997) is being distributed by the National Executive Committee -

to ANC structures for use while the i-\201nalprinted copy, which will include an index, g
lossary and

procedural guidelines, is being completed.

EXPLANATORY NOTE

Fma] Draft

AFRICAN NATIONAL CONGRESS

CONSTITUTION

As amended by and adopted at the National Conference

of the African National Congress, December 1997

PREAMBLE

Whereas the African National Congress was founded in 1912 to defend and advance the right
s of the African people after the
violent destruction oftheir independence and the creation of the white supremacist Union
ofSouth Africa; and

Whereas in the cguâ\200\224rse of fulfilling this historic aim, the ANC has emerged to le
ad the struggle of all democratic and patriotic
forces to destroy the apartheid state and replace it with a united, non-racial, nonâ\200
\224sexist and democratic South Africa in which
the people as a whole shall govern and all shall enjoy equal rights; and

Whereas through the struggles and sacrii-\201ces of its members over the generations, the
ANC has come to be recognised as the
central organiser and inspirer ofa vast popular upsurge against apartheid, involving a gr
e'a-tarray of social, cultural, religious,
trade union, professional and political organisations;

â\200\224â\200\224

Whereas the i-\201mdarnental goal of the ANC remains to construct a non-racial, non-sexis
t, democratic society in South Aï-\201'ica;

And whereas the historic April 1994 election has placed the ANC in the position of respon
sibility for leading the process of
reconstruction and development aimed at eradicating the problems of poverty and Lnequalit
y created by apartheid and creating
ajust and equitable economic and social order;

Now therefore, the 50th Conference of the ANC, duly constituted and assembled, cognisant
Ofthe historic mission ofthe
ANC and of the need to build a mass based democratic structure to enable it to fulfil its
historic mission, hereby adopts this
amended Constitution.

Rule 1 NAME

The name ofthe organisation shall be the African National Congress, hereinaftererrerrâ\200
\230eed to as the ANC.

The logo and the colours of the ANC are as described in the attached schedule.

Rule 2 AIMS AND OBJECTIVES

The aims and objectives of the ANC shall be:

A 2. 1. To unite all the people of South Africa, Africans in particular, for the complete liberation of the country

From all forms of discrimination and national oppression.

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(V)
(vi)

Lift the state of emergency.
Dismantle the Bantustans.

The MDM was able to mobilise every sector of our community - youth, students, communities, women, churches, etc - in mass action. It was a mass movement because it was able to mobilise masses of people behind a common programme - to end apartheid, to defy segregatory legislation and to defy the state of emergency.

Amongst many other factors it is the concerted programme of these mass formations of four people that led to the release of comrades Govan Mbeki, Harry Gwala and Oscar Mphetha, the release of the Rivonia Leadership - comrades Walter Sisulu, Wilton Mkwayi, Raymond Mhlaba, Andrew Mlangeni, and Elias Motsoaledi, and the subsequent unbanning of the ANC and all other organisations and the release of comrade Madiba. That is also because by 1988-89 up to the beginning of 1990, the apartheid regime could no longer rule in the same old way without changes due to intensified people's war on all fronts.

Therefore, mass mobilisation, as one of the pillars of struggle as led by the ANC, was being accomplished to an extent whereby the regime faced two options - liquidation or change. The regime was forced by this unequalled mass pressure to change - hence the ANC was unbanned, Mandela released, exiles returned, state of emergency lifted and soon at around February 1990, which process later culminated in the April Democratic breakthrough which we now celebrate as our Freedom Day.

2.

THE IMPACT OF THE APRIL DEMOCRATIC BREAKTHROUGH
ON THE MDLVI.

The unbanning of the ANC and other organisations, the return of the exiled, the release of political prisoners and the April democratic breakthrough impacted on all the MDM formations. We have already indicated that the overall demands of the MDM and the fact that they were united by a common desire and a common programme of action to end apartheid. So when some of the demands were met at around February 1990, there was no longer a basis for existence of the MDM as it was previously established. A factor overshadowing everything else was of course the unbanning of the ANC. A majority of organisations affiliated to the UDF and the UDF itself, which were the core of the MDM which had throughout the years regarded themselves as caretakers for the organisation of the people of South Africa the African National Congress, now that the ANC was unbanned had to allow it to take its leadership role and lead our country and people to freedom. These organisations and the UDF itself took the only and correct decision - to disband and join the ANC.

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A lot of other things happened to a lot of other organisations which were part of the MDLVI - SAYCO disbanded into the ANC Youth League; SANSCO and NUSAS merged to form SASCO; NOW, UWC, FEDTK-XW and FEDSAW disbanded into the ANC Women's League; community structures established a national civic body called South African National Civic Organisation (SANCO); the SACC and SACBC wanted to assert their impartiality and independence by drifting away from the ANC; NECC transformed itself into National Education Co-ordinating Committee and later disbanded, and CONTRALESA drifted away from the ANC.

Issued by DPET Northern Province

Rudolph Phiso

National Secretary for Political Education and Training

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24.

Local Government Matters

24.1 Bye-elections

24.1.1 Several bye-elections are due in a number of our TLCs.

The PWC considered the matter and decided that first

preference should be given to out-gone MPs/MPLs when

we select our candidates in order to source their

legislative experiences. 3 e e.

A 234Mm 1

24.1.2 Further that a proposal should be made to the NEC to

review the selection of our candidates in the next

elections.

24.2 Decision Required

24.2.1 That the PEG should ratify the above PWC

recommendations.

25.

Cooption of MECs in the PEG

25.1 The Office Bearers and PWC has mandated the Provincial

Secretary to raise the issue of the cooption of MECs in the

Province who are not elected into the PEG.

25.2 The matter was raised in the NEC where a formal decision

was taken that the comrades should be invited as

permanent observers in the PEG.

25.3 Decision Required

25.3.1

The report is submitted for noting by the PEG.

http://www.aneorgzymbdcccscxaccou::onsututzcn98 ~-.....

Subject to paragraph (iv) below, determine and review the policies and programmes of the ANC;

have the right to ratify, alter or rescind any decision taken by any of the constituent bodies. units or officials of the ANC, including the evaluation of the performance of members of the NEC;

Subject to Rule 11.3(g) it may fill vacancies that have arisen in the NEC provided that at such vacancies do not exceed 50% of the Executive;

The National Conference shall:

10.2. Receive and discuss the reports of the NEC which shall include the Presidential Address, the Secretary General's Report which shall include a report on the work and activities of the Women's League and Youth League and the Treasurer General's Report.

10.4. Elect the President, the Deputy President, National Chairperson, the Secretary General, Deputy Secretary General, the Treasurer General and the remaining 60 members of the NEC.

, such commission or committee;

1 1.1 Powers

1 1.2 Without prejudice to the generality of its powers, the NEC shall:

Issue and send directives and insructions to and receive reports from the provinces.

Supervise and direct the work of the ANC and all its organs, including national, provincial and local government caucuses.

Ensure that the provincial regional and branch structures of the ANC function democratically and effectively. The NEC may suspend or dissolve a PEC where necessary and call for a new elections within three months. The suspension may not last for more than three months.

Oversee the work of the Women's League and the Youth League.

Establish departments and set up committees as it considers appropriate.

Manage and control all the national and international property and assets of the ANC.

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DENIARCATION. COVE RNMENT AND IEC PROCESS:

Determine n0dal points for Category A municipahties â\200\224â\200\224 This is to be done by the Minister within the next few weeks: what is the process otâ\200\230consuttat'ton, how is the decision made, etc, (By 15 July at the latest)

Identify, and then prepare required legislation, for p0ssible Cross Boundary Municipal Areas -â\200\224 This must be done over the next few weeks: what is the process Ofconsultation, how is the decision made. etc; (By late July 1999 at the latest)

Determine all Metropolitan and District boundaries â\200\224 there must be a national approach to this framework as a lot otâ\200\230proyineial vested interests come in. Again .

how is this to be done (To be completed by late October 1999);

Determine all Local municipahties in the District Council areas â\200\224 again, there ar e

a wh0le set of issues to deal with: (a) the question ofamalgamating small TLCs with rural councils, (b) the question otâ\200\230municipahties and tribal authority areas , (cf)

the question ofboundaries to provide effective service provision and not simply boundaries to suit political purposes, etc. (Pohey must be finalised by late September 1999)

Determination Otâ\200\230all District Management Area boundaries (Policy to be determined by late September 1999);

Develop a policy framework for the division ofpowers and functions between Category B and C municipahties â\200\224â\200\224 this is a p0tentially complex and techn ical area

but quite critical for the functioning ofmunicipalities {by October 1999);

Determine guidehnes on types of municipahties -â\200\224 how do we approach the question 0

Finahse provineia

province :- this will have to â\200\230be monitored from national particularly to ensure provincial legislation does not cause hiccups;

Register voters â\200\224 the one thing learnjt by oppositiiorparties is that they did not register well. Is there an ongoing approach to registrationâ\200\230?;

Divide the national voterâ\200\231s rottâ\200\230ii-\201to municipahties â\200\224~â\200\230d0ne by [EC by April 2000;

Determine the formula to be used to determine the number ofeogneillors â\200\224â\200\224 mu5t

be done by September 1999 and requires clearly dei-\201ned approach including Deployment committee as implicati0ns could be quite severe;

Decide on the number ofseats in each municipality -â\200\224 f0110ws from above;

Delimit the wards â\200\224 are technical issues and then very 10cal p0litical issues â\200\224- will

be done mainly during i-\201rst six months Of2000;

Develop a policy framework for full-time councillors â\200\224 ditâ\200\230i-\201leuh, but critical issue

which will have to be developed by late September 1999;

Divide the municipal voterâ\200\230s r011 into wards;

Allow for nomination otâ\200\230candidates;

Evaluate nominations;

Election campaigns and election administration;

Electi0n day:

Demareation otâ\200\230afeas otâ\200\230 Metropolitan Sub-councils.

isLatQt on types ofmunicipalities to be found within each

ecutive mayors versus executive committees, etc;

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<http://www.anc.org.za/ancdocs/about/200\231consututxon98.htm>

attend ANC conferences, members' or executive meetings of the ANC (unless specially invited), unless he or she is a full member of the ANC.

Rule 7 THE HEADQUARTERS 200\230

The site of the National Headquarters of the ANC shall be determined by the NEC.

Rule 8 PROVINCES

8.1. For purposes of ANC structures, the country shall be divided into the following provinces:

Western Cape, Northern Cape, Eastern Cape, KwaZulu Natal, Free State, Gauteng, Northern Province, Mpumalanga, North West.

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8.2. The provincial headquarters will be determined by the Provincial Conference.

8.3. The National Executive Committee may from time to time alter the number, the boundaries or the names of the Provinces.

Rule 9 THE NATIONAL CONFERENCE

9.1. The National Conference shall be the Supreme ruling and controlling body of the ANC.

It shall be composed of:

9.2. Voting delegates:

At least 90% of the voting delegates at Conference shall be from branches which shall be represented by elected delegates. The number of delegates shall be in proportion to the paid up membership.

—
The number of delegates to be elected to National Conference by each province shall be fixed by the NEC in proportion to the paid up membership of each province.

The remainder of the 10% of voting delegates at the Conference shall be allocated by the NEC from among the Provincial Executive Committees, the ANC Youth League and the ANC Women's League.

All members of the National Executive Committee shall attend ex-officio as invited participants in the conference.

9.3. Non-Voting Delegates:

The NEC may invite individuals, who have made a special contribution to the struggle or who have special skills or experience, to attend the Conference.

9.4. The NEC shall appoint a conference organising committee which will circulate conference information in advance, determine the precise procedure for selection of delegates and indicate how the membership can then ensure their concerns are on the agenda.

9.5. The Conference shall determine its own procedures in accordance with democratic principles.

9.6. Voting on key questions shall be by secret ballot if at least one third of the delegates at National Conference demand it.

9.7. a) The National Conference shall be convened at least every five years. A National General Council may be convened by the NEC from time to time, provided that the NEC shall convene a National General Council not later than 24 months after National Conference.

9.7. b) The NEC shall, after consultation with Provinces, determine the composition of the National Council.

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BY - ELECTION CHECKLIST

CONDITIONS

ACTIVITY

CEO report vacancy to Mayor or
within 7 days after it occurred

REG. NO

2(2)(a)

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Chairperson

Mayor/Chairperson or deputy endorses

Publish notice that propose to make an
his/her agreement on 1.

updated vote's roll and to call upon natural
persons to enroll in updated voters â\200\230 roll.

Time period of inclusion in the updated
votersâ\200\231roH.

votersâ\200\231 roll inspections.

Publish notice for preliminary updated

Inspection period on updated votersâ\200\231 roll
within 7 days after receipt of
report
â\200\231
not later than 7 days after
date of declaring vacancy.â\200\230

within 20 days starting on the
day after the date of notice
publication
not later than 7 days after
date of declaring vacancy.â\200\230
period of 10 days starting not
later than 26 days after
publishing date of notice.
not later than 22:00 of the
last day of 10 day inspection.
during identified 7 days
starting not later than 41
days after date of notices
publication.
not later than 22:00 on the
last day of the 7 day
inspection starting not later
than 41 days after date of
noticeâ\200\231s publication.
,

not later than 22:00 on the
last day of the 10 day
inspection period starting not
later than 26 days after
publishing date of notice.
one or more days and places
not later than 30 days after
the expiry of the 10 day
inspection period.
not later than 5 days after the
expiry of 10 day inspection
period shown in 6(1)(a).

not later or more than 5 days
after the expiry of the 7 day
inspection period. 6(1)(c).

Lodging of objections (in writing or verbal)

Inspection of list of names and particulars
during inspection period.

of claimant, objector and person i.r.b whom
objection has been lodged.

Calling upon every person to lodge written

11.

12.

10.

5(1)(e)(iv)

or oral objection to list of names and
particulars of claimant, objector and person
i.r.o whom objection has been lodged to
votersâ\200\231 roll officer
Inviting every claimant whose name is on
preliminary unplaced voterâ\200\231s roll to submit a
further claim or additional information
sufficient enough to pace his/her as a voter
in the ward for by - election.
Fixing of days for the sitting of revision
court to hear ciaims and objections

not less than 5 days before

court and to invite such persons to attend.

14. The voters â\200\230rbll officer shall serve notice on

Votersâ\200\231 roll officer prepares a list setting but
name of and particulars of every claimant,
objector and person i.r.o whom an objection
has been lodged i.t.o (6(1))(b)
Voters' roll officer prepares a list setting but
the name and particulars of every
claimant, objector and person i.r.o whom an
objection has been lodged i.t.o 6(1)(b))

persons specified i.t.o 6(4)(a)(b)(c) setting
out the grounds of such objections or
rejections the date for hearing by revision

13.

the day fixed for the sitting of
the revision court.

14

22.3

The Department of Water Affairs in the Province has been approached with a view to get information about their plans in order to avoid duplications.

22.4

Currently, the donors i.e. SAB and Osman Wholesalers, are ' still to determine the package of the boreholes which they are donating, i.e. whether it is only drilling or is drilling together with the engine. This information will determine areas where we need to go into partnership with the Department of Water Affairs.

22.5 Decision Required

22.5.1

That the Infrastructure Committee should interact with the Department of Water Affairs, SAB and Osman Wholesalers and advice the PWC where the boreholes should be drilled.

23.

Position of Zimbabwean Workers in the Farms

23.1 Our office has received a letter from an NGO, which raises concerns about Government policy with regard to the employment of Zimbabweans in the farms.

23.2 The office bearers have directed that the matter be tabled in the Alliance Secretariat meeting. The Secretariat has not as yet considered the matter.

23.3 Decision Required

23.3.1

That the Economic Transformation Committee should consider the matter and advice the PEC/PWC, before

the matter is tabled in the Alliance Secretariat.

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6.6

6.7

Appoint and recall TLC Office bearers in COhjtithiOh with the Local Party Caucus and the Sub-Region. This excludes the appointment and recall of District Councilâ\200\231s Staff. whichâ\200\230should reside with the PEC.

Convene and dissolve a Party Caucus in any TLC should it found to _be disfunctional.

Appoint Regional Lis-t arid Candidates Committee for Local Goyemmeht structures on the regulations drawn up by the Provincial Deployment and for List COmmittee.-- Such Committee shall report to the Provincial Committees? which will be the final arbiter in any dispute, which may arise.

6.8

Manage and control funds and assets Ofthe ANC in the Region.

6.9

Carry out the decision ofthe Provincial and Regional Conferences.

Benny Boshielo
Proï-\201ncial Secretary
21 June 1999

-~' â\200\224- â\200\2308.JUL.1999-'12:18' _' SPERKERS OFFICE
SPERKERS OFFICE

No.993

R4

I? OFFICE BEARERS OF THE LEGISLATURE DEPLOYMENT

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=9 Should be informed by the fact that due to the role that they play in the ofi-\20lces
of
deployment, deployment should be such that it does not disadvantage the users of
Constituency Ofi-\20lces.

F6. STAFFING CYCLES
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To enable equitable and even stafï-\20lmg there should be equitable and even
deployment of MP5 / MPLS per ofi-\20lce.
There should be a living wage.
Comprehensive conditions of service to be pursued.
Clear job description to be evolved.

L7. COST OF RUNNING CONSTITUECY OFFICES

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To be clealed by the NBC.

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Ls. ANC OVERSIGHT OVER MPs/ MPLS â\200\224

4)

Regular report to be caused.

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{ 9. CLOSURE

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The meeting closed at 16h25

Compiled by

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: ChiefWhip

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17.3 Decision Required

17.3.1

The report is submitted for noting.

18.

Contradictory Statement by Cde Norman Mashabane on the Greater Potgietersrus Matter.

18.1 A letter was written to Cde Norman Mashabane to clarify his statements in the media, which were in contradiction of the organisational decision, for which he was a member of the PEG.

18.2 No response has been received from him to date.

18.3 Decision Required

18.3.1

The matter has been overtaken by events in Greater

18.3.2

Potgietersrus and should be laid to rest. PEC members, who serve in other capacities, other than the Alliance, should be directed not to issue public pronouncements, which contradicts organisational policies and positions.

19.

Elections Report

19.1 While a detailed report is distributed for perusal by the MEC members, it will suffice to indicate our satisfaction with regard to the involvement of the majority of PEG members in the elections. The full elections report is separately submitted to the PEG for consideration.

Salary review will be undertaken by the CO Management Committee for all staff members each year. Annual salary reviews take place at the beginning of the financial year (April 1). Increases in salary will attempt to compensate staff for increase in the cost of living, but will be dependent on the availability of funds.

The preferred method of paying salaries is for the employee's salary to be paid directly into her bank account by means of a credit transfer on the 15th day of each month other than the month in which he or his employment terminates in which case payments may be made manually. Pay slips will be provided. Pay slips will clearly indicate the employee's gross salary, PAYE, UIF payment, medical Aid deduction, provident Fund deduction, the employer's contributions, and net salary.

Increases and progression to new portfolio will be determined from time to time by the CO Management Committee, on the recommendation of the MP/MPL Team.

6. Hours of Work

6.1. The normal hours of work shall be 08h00 to 16h30 Mondays to Fridays. -

6.2

All Staff members shall be entitled to an hour's lunch break.

6.3

Staff members may be required to work in the evenings or over the weekend on the request of their supervisor or member of the MP/ MPL Team.

6.4 As overtime will not be paid, Employees are entitled to take a half day off for every seven hours of overtime worked. If an employee works a full weekend they will be entitled to one full working day off. This time off in lieu of overtime must be negotiated with the employee's supervisor and must be taken in the same week in which the overtime was worked. This leave may not be accumulated.

7. Leave

7.1. Annual Leave

All employees are entitled to a total of 18 working days leave per year, plus such working days as fall between Christmas Day and January 2 each year, as annual leave on full pay in respect of each completed 12 (twelve) month cycle of employment.

Leave not taken within six months of the date on which it falls due

ANC NORTHERN PROVINCE CONSTITUENCY OFFICES

Otherwise than at the instance of the employer, may not be accumulated. The employee shall not be entitled to payment in lieu of leave except on termination of employment. On termination of employment, the employee shall be entitled to be paid in lieu of only so much leave as is due to him in terms of this clauses. She / he shall not be entitled then to be paid in lieu of leave which was accumulated by her . / him in contravention of this clause.

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Leave may not 200\224 taken in the last month of service.

During the first year of employment, leave will only be granted on a pro rata basis.

Applications for Annual Leave must be made on the approved form and submitted to the specified MP or MPL, within the following time constraints :

More than 3 days leave
But less than 10 days

: 7 days in advance

10 days or more

: 14 days in advance

All applications for leave must be negotiated with the employee's supervisor in order to ensure that leave is not taken at when the demands of the CO are particularly heavy.

Any member of staff who takes long leave (more than 21 200\230 days leave over a two month period) for any reason (e.g. study leave, maternity leave, compassionate leave or sick leave) may not take more than the leave will be taken) or six months after the long leave. If there are exceptional circumstance, the specified MP or MPL may waive this limitation.

Such a decision must be minuted, along with the reasons for the decision.

Should a staff member terminate his / her services having taken more leave than he / she is entitled to, the excess days must be repaid out of the individual basic salary. The deduction shall be made at the standard rate of basic salary.

7.2 Sick Leave

Except with the consent of the CO Management Committee, sick leave shall not be granted for a period not longer than 36 working days on full pay during any 36 months period service (12 days for each 12 months).

If sick leave beyond the said period of 36 working days during any period of 36 months is granted, then the CO Management Committee, shall have the entire discretion as to:

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(a) the rate of pay, if any the employee shall receive during the excess of period:
(b) the extent to which such leave shall serve as qualifying for annual leave (ie.

whether annual leave will continue to be accrued during this period).

ANC NORTHERN PROVINCE CONSTITUENCY OFFICES