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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

NO. 108

01 FEBRUARY 2019

**DEPARTMENT OF COOPERATIVE GOVERNANCE PUBLICATION OF EXPLANATORY SUMMARY OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS AMENDMENT BILL, 2019**

The Minister of Cooperative Governance and Traditional Affairs intends introducing the Local Government: Municipal Systems Amendment Bill, 2019, in the National Assembly. The explanatory summary of the Amendment Bill is hereby published in accordance with Rule 241(1)(c) of the Rules of the National Assembly.

The Amendment Bill seeks to amend the Local Government: Municipal Systems Act; 2000 (the Systems Act") to build an efficient, effective and transparent local public administration that conforms to constitutional principles and to strengthen the capacity of municipalities to perform their functions by setting uniform standards for municipal staff systems and procedures, as well as to align the relevant provisions of the legislation relating to local public administration and human resources so as to -

- (a) insert and amend certain definitions;
- (b) make further provision for the appointment of municipal managers and managers directly accountable to municipal managers;
- (c) provide for procedures and competency criteria for such appointments, and for the consequences of appointments made otherwise than in accordance with such procedures and criteria;
- (d) determine timeframes within which performance agreements of municipal managers and managers directly accountable to municipal managers must be concluded;
- (e) make further provision for the evaluation of the performance of municipal managers and managers directly accountable to municipal managers;
- (f) require employment contracts and performance agreements of municipal managers and managers directly accountable to municipal managers to be consistent with the Systems Act and any regulations made by the Minister;
- (g) require all staff systems and procedures of a municipality to be consistent with uniform standards determined by the Minister by regulation;
- (h) prohibit municipal managers and managers directly accountable to municipal managers from holding political office in a political party;
- (i) regulate the employment of municipal employees who have been dismissed;

- (j) provide for the Minister to make regulations relating to the duties, remuneration, benefits and other terms and conditions of employment of municipal managers and managers directly accountable to municipal managers;
- (k) provide for the approval of staff establishments of municipalities by the respective municipal councils; to prohibit the employment of a person in a municipality if the post to which he or she is appointed is not provided for in the staff establishment of that municipality;
- (l) enable the Minister to prescribe frameworks to regulate human resource management systems for local government and mandates for organised local government;
- (m) extend the Minister's powers to make regulations relating to municipal staff matters;
- (n) make a consequential amendment to the Local Government: Municipal Structures Act, 1998, by deleting the provision dealing with the appointment of municipal managers; and
- (o) provide for matters connected therewith.

Once the Amendment Bill has been tabled in Parliament, a copy can be obtained from:

- (a) the Government Printers - Cape Town and Pretoria;
- (b) the Director: Municipal Human Resource Management Systems, Department of Cooperative Governance, 87 Hamilton Street, Pretoria, Tel: (012) 334 0600/ 4915