



Rules and procedures for ward committees

The purpose of the Rules and Procedures for ward committees is to provide a framework and guidelines for council, the administration and members of ward committees on the establishment and functioning of ward committees.

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1. APPLICATION OF THE RULES AND PROCEDURES

- (1) These rules apply to all meetings of ward committees.
- (2) The ruling of the ward councillor/chairperson to the application or interpretation of these rules and other procedural matters not dealt with in the rules is final and binding.

2. DEFINITIONS

In this document, unless the context indicates otherwise, -

“**Council**” means the council of the Municipality;

“**Councillor**” means a member of the council of the Municipality, as well as a member of the council of the West Coast District Municipality who represents the Swartland municipal area;

“**Members**” means persons elected or designated to, or co-opted onto, a ward committee;

“**Municipality**” means the Swartland Municipality;

“**Municipal Manager**” means an employee of the Swartland Municipality appointed as such and includes, for the purpose of these rules, anyone designated or authorised by the Municipal Manager to act or fulfil a duty in terms of these rules;

“**PR Councillor**” means a proportional representative municipal councillor elected in terms of section 22(1)(a) of the Structures Act to represent a party in the council of the Municipality;

“**Presiding officer**” means the person in charge of the election of ward committee members at an extraordinary public meeting, which person shall be an official of the Municipality or an impartial person appointed by the Municipal Manager for this purpose;

“**Speaker**” means the councillor elected as chairperson of the council or any other councillor acting as chairperson of the council in terms of the Structures Act;

“**Structures Act**” means the Local Government: Municipal Structures Act, No. 117 of 1998, and any amendment thereof;

“**Systems Act**” means the Local Government: Municipal Systems Act, No. 32 of 2000, and any amendment thereof;

“**Ward committee**” means a committee of a municipal ward, established in terms of Part 4 of Chapter 4 of the Structures Act; and

“**Ward councillor**” means a municipal councillor elected in terms of section 22(1)(b) of the Structures Act to represent a ward.

3. LEGAL FRAMEWORK

Section 152(1)(e) of the Constitution of the Republic of South Africa, read with sections 72 to 78 of the Structures Act, give a direct mandate to municipalities to encourage the involvement of communities and community organisations in matters of local government and to establish community participatory systems.

Sections 8 (g and h), 9(f) and 72 of the Structures Act, authorise municipalities to establish ward participatory systems as mechanisms to enhance participatory democracy in local government.

4. STATUS OF WARD COMMITTEES

A ward committee –

- (1) Is an advisory body.
- (2) Is a representative committee of the community and not of the ward councillor or the Council.
- (3) Is not politically oriented.
- (4) Is independent and impartial and performs its functions without fear, favour or prejudice.

5. COMPOSITION OF WARD COMMITTEES

- (1) A ward committee consist of -
 - (a) the ward councillor who is, *ipso facto*, chairperson of the committee in terms of section 73(2)(a) of the Structures Act; and
 - (b) ten (10) other persons.
- (2) The ten (10) members are elected on the basis of geographical representation in accordance with the structure set out in Schedule A to represent an equitable spread of the residents in the ward.
- (3) Where there is a geographical area in terms of Annexure A with more than one ward committee member, the ward councillor must divide the relevant geographical area into smaller geographical areas within 30 days after the first meeting of a ward committee and assign elected, nominated or co-opted ward committee members to the respective smaller geographical areas.
- (4) Gender equity may be pursued by ensuring that men and women are accommodated on the ward committee.

6. ELECTION CRITERIA

To be eligible for election as a member of a ward committee, a person -

- (1) Must be registered as a voter on the voters' roll of the ward concerned (for this purpose, the latest updated national voters' roll available on the Independent Electoral Commission's database shall be used to determine whether a person is registered as a voter or not).
- (2) May not be a councillor.
- (3) May not be an employee of the Municipality or the West Coast District Municipality.
- (4) May not, on the closing date for receipt of nominations, be indebted to the Municipality for more than three (3) months, unless it can be proved that arrangements have been made for the repayment of the amount in arrears and such arrangements are respected for the duration of the term.
- (5) May not be an unrehabilitated insolvent;
- (6) May not be nominated if such a person has been placed under curatorship
- (7) May not be nominated if such a person has been convicted of an offence after February 1997 and sentenced to imprisonment without the option of a fine.
- (8) Must declare in advance any family ties with the ward councillor concerned.

7. NOMINATION OF CANDIDATES

- (1) A person must be nominated on a prescribed form which may be obtained from the Municipal Manager.
- (2) Nominations must be submitted to the Municipal Manager, Municipal Offices, Malmesbury by not later than 17:00 on the date fixed by the Municipal Manager to be the closing date for receipt of nominations.
- (3) The closing date for receipt of nominations shall be not less than 7 days or more than 21 days before the date fixed in terms of paragraph 11(1)(a) for the election of members of the ward committee.
- (4) Nominations submitted must be accompanied by a written declaration, duly signed by the person so nominated, indicating such a person's acceptance of the nomination.
- (5) A nomination paper to nominate a member of a ward committee as contemplated by paragraph 5(2) should be completed and signed by not less than 5 persons who are registered voters in that ward.
- (6) A political party, i.e. a party registered in terms of sections 15 and 15A of the Electoral Commissions Act No. 51 of 1996, may not nominate a person as is contemplated by the provisions of sub-paragraph (1).

8. REJECTION OF NOMINATIONS

The Municipal Manager shall reject a nomination -

- (1) That does not conform to the provisions and requirements of paragraphs 6 and 7;
- (2) That is submitted by a political party.

9. ELECTION OF WARD COMMITTEE MEMBERS

- (1) At the onset of an extraordinary public meeting, as is contemplated by the provisions of paragraph 11(1), the presiding officer shall –
 - (a) reveal to the persons present details of -
 - (i) nominations received;
 - (ii) nominations rejected and the reason for rejection thereof;
 - (iii) the names of persons whose nominations have been accepted and for which geographical area listed in Schedule A they have been nominated;
 - (b) inform those present on the composition of a ward committee in term of paragraph 5.
- (2) Election of members to represent a specific geographical area -
 - (a) if the permitted number of nominations have been received for a particular geographical area, listed in Schedule A, the nominee(s) concerned shall be deemed to have been duly elected as member(s) of the ward committee.
 - (b) if more nominations have been received for a particular geographical area as permitted for in Schedule A, a vote shall be taken in respect of each such area.
- (3) Wherever a vote has to be taken to elect members in the geographical areas, the nominees elected will be determined by the nominee that receives the greatest number of votes.
- (4) In the event of an equality of votes the presiding officer must by lot determine who is to be regarded as elected.
- (5) A voter may cast one vote only in respect of each geographical area where he/she is registered.
- (6) Voters will vote by ballot paper.
- (7) The presiding officer of a meeting held to elect members of the ward committee, must after the poll has been taken:
 - (a) declare the results of the poll;
 - (b) announce the total votes cast on each of the nominees that took part in the election;
 - (c) ensure that the results and the number of votes cast on the nominees concerned are properly recorded in the minutes of the meeting.

10. DESIGNATION AND CO-OPTATION OF WARD COMMITTEE MEMBERS

- (1) If, following an election of members as contemplated in paragraph (9)(2), fewer than five members have been elected to the ward committee, the Speaker shall, with due regard to paragraphs 5 and 6 and prior to the first ward committee meeting, designate (in consultation with the relevant ward councillor) the number of members required to make up five ward committee members, for any of the geographical areas in regard to which vacancies exist.
- (2) The remaining vacancies must be filled as soon as possible following the first meeting of the ward committee, by way of co-optation by the ward committee, with due regard to the provisions of paragraphs 5 and 6.
- (3) Should a vacancy arise for the position of ward committee member during the term of a ward committee, such vacancy must be filled as soon as possible after it has been reported, by way of a by-election, with due regard to the provisions of paragraphs 5 and 6.
- (4) Should a ward committee for whatever reason fail or be unable to co-opt or elect a person/persons as contemplated by subparagraphs (2) and (3) to fill the vacancy/vacancies within 45 days after the date of its first meeting or after the vacancy has been reported as stipulated in subparagraphs (2) and (3),

whatever the case may be, Council will be entitled to identify suitable persons and to appoint them to fill the vacancies in such ward, with due regard to the provisions of paragraphs 5 and 6 hereof.

11. PUBLIC AND WARD COMMITTEE MEETINGS

- (1) Extraordinary public meetings
 - (a) An extraordinary public meeting of residents in the ward for the sole purpose of electing ward committee members must be convened by the Municipal Manager within 120 days after Council has resolved to establish ward committees in terms of section 72 of the Structures Act.
 - (b) Any resident in a ward has the right to attend an extraordinary public meeting, but only residents registered on the voters roll for that particular ward may vote (for this purpose the latest updated national voter's roll, available on the Independent Electoral Commissioner's database shall be used to determine whether a person is registered as a voter or not).
 - (c) The presiding officer, whose decision will be final, will decide on any question of order during the meeting.
 - (d) The quorum for an extraordinary public meeting is the registered voters in that ward present at that particular meeting.
 - (e) The presiding officer shall cause minutes to be kept of the proceedings of an extraordinary public meeting.
 - (f) The Municipal Manager shall be responsible for the safe keeping of the minutes of the meeting.
- (2) Ordinary Public Meetings
 - (a) In addition to the ward councillor's obligation in terms of Schedule 7 of the Structures Act to report at least quarterly to his/her constituency on council matters, including the performance of the Municipality in accordance with set targets, an ordinary public meeting of residents in the ward –
 - (i) must be held at least once per annum;
 - (ii) may be convened by the ward councillor at any time as and when the need arises for such a meeting;
 - (iii) must be convened by the ward councillor on receipt in the office of the Municipal Manager of a written request for such a meeting signed by –
 - at least 5 members of the ward committee; or
 - at least 50 voters registered in the ward;
 stating the reason for such a request and the matters to be discussed.
 - (b) The ward councillor chairs the ordinary public meeting.
 - (c) If the ward councillor is for whatever reason prevented from attending a meeting or refuses or fails to convene and/or attend such a meeting, another councillor, as designated by the ward councillor or Speaker, may fulfil the duties of the ward councillor and/or chair such a meeting.
 - (d) The chairperson, whose decision will be final, will decide on any question of order during the meeting.
 - (e) The chairperson shall cause minutes to be kept of the proceedings of an ordinary public meeting.
 - (f) The Municipal Manager shall be responsible for the safe keeping of the minutes of the meeting.
 - (g) Public meetings are mainly held in order to –
 - (i) register the concerns and inputs of the community with regard to service delivery, general development of the community, disaster management and any other municipal concern the community may have; and
 - (ii) report back to the public on issues that affect it.
 - (h) Public meetings are not political platforms and the chairperson at such meetings must ensure that ward committee members and the public refrain from making party political statements, campaigning and canvassing.

(3) Ward Committee Meetings

- (a) A ward committee should meet on a monthly basis but shall meet at least quarterly on a suitable date and at a venue to be determined by the ward councillor in collaboration with the Speaker and Municipal Manager.
- (b) The ward councillor chairs meetings of the ward committee.
- (c) If the ward councillor is for whatever reason prevented from attending a meeting or refuses or fails to convene and/or attend such a meeting, any other councillor, as designated by the ward councillor or Speaker, may fulfil the duties of the ward councillor and/or chair such a meeting. If, however, the ward councillor has to recuse himself/herself from discussion of an item at the committee, he/she must arrange with any other councillor or another member to chair the meeting during such recusal.
- (d) A ward committee shall endeavour to take decisions based on consensus. If consensus on any matter cannot be achieved, such matter may be determined with the supporting vote of a majority of the members present.
- (e) The quorum at any meeting of the ward committee shall be the ward committee members present at the meeting.
- (f) Voting shall be by show of hands.
- (g) In the event of an equality of votes the result will be minuted and the item will be tabled to the relevant committee of Council for consideration.
- (h) All meetings of the ward committee shall be open to the public. Members of the public may not participate in the debates and proceedings of a meeting of the ward committee unless the chairperson has given permission to such a person to address the committee and then only on such conditions as the chairperson may permit.
- (i) The chairperson, whose decision will be final, will decide on any question of order during a meeting.
- (j) Members of the committee must submit items to be discussed, well in advance to the chairperson.
- (k) The chairperson will be responsible to prepare an agenda for ward committee meetings.
- (l) The chairperson shall cause minutes to be kept of the proceedings of Ward Committee meetings.
- (m) The Municipal Manager shall be responsible for the safekeeping of the minutes of the meeting.
- (n) No items from the agenda of the Municipality marked confidential by the Municipal Manager or a political body of the Municipality may be discussed at a ward committee meeting.
- (o) If a member has a direct or indirect financial or personal interest in a matter serving before the committee, unless that interest is the same as any other person in the ward, such person must recuse himself/herself from such discussion.
- (p) PR councillors, members of the Executive Mayoral Committee and chairpersons of Portfolio Committees shall be allowed to attend ward committee meetings and to participate in the deliberations, but will not have the right to vote.

(4) Block meetings in geographical areas

- (a) Block meetings, being the convening of meetings within the respective geographical areas, are mainly held in order:
 - (i) to register the concerns and inputs of the community with regard to service delivery, general development of the community, disaster management and any other municipal concern the community may have.
 - (ii) to report back to the community on issues that effects them.
 - (iii) to ensure active participation of the community in campaigns and processes initiated by the Municipality.
- (b) Block meetings must be chaired by the ward committee member representing the geographical area or smaller geographical area.
- (c) Block meetings must at least be held quarterly on a suitable date and venue determined by the ward committee member in consultation with the ward councillor.
- (d) Block meetings are open for the public to attend.

- (e) Block meetings are not political platforms and the chairperson must ensure that members of the public refrain from making party political statements, campaigning and canvassing.
- (f) The ward committee member must provide feedback on the quarterly block meetings at the next ward committee meeting.

12. FUNCTIONS AND POWERS OF WARD COMMITTEES

- (1) A ward committee may –
 - (a) make recommendations on any matter affecting its ward to the ward councillor; or through the ward councillor to a standing committee of the council; and
 - (b) have such duties and powers as may be delegated to it by the council in terms of Section 59 of the Systems Act. No executive powers will however be delegated to ward committees.
- (2) A ward committee serves as the official public participatory structure of the Municipality and must as such –
 - (a) assist the ward councillor in identifying challenges and needs of residents;
 - (b) disseminate information in the ward concerning municipal affairs such as the budget, the integrated development plan (IDP) and service delivery options;
 - (c) obtain inputs from residents regarding municipal affairs such as the budget, the integrated development planning and service delivery options;
 - (d) assist the Municipality and ward councillor with actions to improve the payment rate of municipal service accounts;
 - (e) receive queries and complaints from residents concerning municipal service delivery;
 - (f) interact with other forums and organisations on matters affecting the ward.
- (3) A ward committee member may be instructed by the ward councillor to represent an interest in accordance with the interests of the Portfolio Committees of the Council in order to align ward committees with the functions of the Municipality.
- (4) A ward committee member must at least on a quarterly basis give feedback on ward committee matters to the geographic area/interest he/she represents.
- (5) A ward committee must draw up an annual work program (Ward Operational Plan) before 31 May for the ensuing financial year which must be submitted to the Speaker during July.
- (6) In terms of section 16(2) of the Systems Act the above functions and powers conferred upon a ward committee should not be interpreted as permitting interference with the Council's right to govern and to exercise its executive and legislative authority.

13. SUBCOMMITTEES AND OBSERVERS

- (1) A ward committee may, in collaboration with the Speaker establish one or more subcommittees necessary for the performance of its functions.
- (2) Subcommittees may be standing or ad hoc committees.
- (3) The ward committee must appoint the members of such a subcommittee, appoint a chairperson from among its members and determine the brief and functions of the subcommittee.
- (4) The ward committee and subcommittee(s) may meet together as a ward forum for major discussions.
- (5) The ward committee must encourage interest groups in the ward to participate in subcommittees that are relevant to their field of work.
- (6) A ward committee may extend a standing invitation to a maximum of two persons which in their opinion will contribute to a better representativity of the committee, to attend the ward committee meetings as observers.
- (7) The observers mentioned in subparagraph (6) above will have no voting rights.

14. TERM OF OFFICE OF WARD COMMITTEE MEMBERS

- (1) The term of office of a member of the ward committee (excluding the ward councillor) shall, subject to the provisions of paragraph 15 and 22(2), be equal to the term of the Council.
- (2) Members shall assume office on the date they are elected or co-opted in terms of paragraph 8, paragraph 9 and/or paragraph 22(2) hereof and shall retire from office on the date to be fixed in terms of paragraph 10(1)(a).
- (3) The term of office of the ward councillor as a member of the ward committee terminates on the date that such a ward councillor ceases to be a councillor for that ward.

15. VACANCIES

- (1) A member vacates office during a term of office of the ward committee if that member –
 - (a) resigns in writing;
 - (b) no longer qualifies as a member in terms of the provisions and requirements contained in paragraph 6 hereof;
 - (c) is removed from office in terms of sub-paragraph (2); or
 - (d) dies.
- (2) The Council must remove a member from office if that member –
 - (a) has been absent without leave of the committee from three consecutive meetings of the ward committee, or
 - (b) has been absent with or without leave of the committee from four meetings of the ward committee during the course of one calendar year, or
 - (c) fails to be actively involved in the geographical area he/she represents by failing to give feedback at least once in a quarter at a ward committee meeting on the operations of the relevant geographical area and further to fail to submit evidence of such involvement, e.g. agendas, minutes, attendance registers, etc, or
 - (d) is proven to be actively involved in campaigns for the removal of the ward councillor from office without having raised grievances against the ward councillor in the ward committee meeting or written complaints to the Speaker, or
 - (e) fails to perform the functions of office in good faith, honestly and in a transparent manner, or
 - (f) fails to act in the best interest of the Municipality and in such a way that the credibility and integrity of the Municipality are compromised, or
 - (g) acts in a manner which seeks to undermine the authority of the ward Councillor, the Council and/or the ward committee, or
 - (h) commits a crime that results in an imprisonment without the option of a fine for a period of not less than twelve months; or
 - (i) consistently interferes in the administration of the Municipality; members should be warned twice and be removed the third time, or
 - (j) consistently exhibits violent or abusive or intimidating behaviour towards other members and/or the community, or
 - (k) attends a meeting under the influence of alcohol and/or illegal drugs, or
 - (l) is proven to have accepted a bribe from any party that has an interest in a development project for that particular ward, or
 - (m) is proven to have used his/her membership of the ward committee to extract, or attempt to extract, favours of any kind, or
 - (n) is indebted to the Municipality for more than three months during any period of time in his/her term of office, without an installment-payment agreement.

16. CONDUCT OF MEMBERS

- (1) A member of the committee –
 - (a) must perform the functions of the committee in good faith and without fear, favour or prejudice;
 - (b) may not use the position or privileges of a member for private gain, or to improperly benefit another person;
 - (c) may not act in any other way that compromises the credibility, impartiality, independence or integrity of the committee;
 - (d) must adopt the principle of accountability to the community and all political parties represented in Council;
 - (e) must be accessible for the community and ensure that all role players can participate in the process and the issues at hand and are able to make their inputs with respect to the work of the committee;
 - (f) must adopt the principle of transparency to promote openness, sincerity and honesty among all the role-players in a participative process and promote trust and respect for the integrity of each role-player and a commitment by all to the overriding objectives of the process in the interest of the common good;
 - (g) must recognise diversity and understand the differences associated with race, gender, religion, ethnicity, language, age, economic status and sexual orientation, among others;
 - (h) must embrace all views and opinions in the process of community participation.
 - (i) must provide an apology with a valid reason to the chairperson of the committee if a meeting cannot be attended.
- (2) The code of conduct in Schedule C will be applicable to members of the ward committee and must be signed within 30 days of his or her election of co-optation on the ward committee.
- (3) If the majority of the members of a ward committee express in writing their dissatisfaction to the Speaker of the poor performance of the ward councillor, the conduct of the ward councillor concerned shall be investigated by the Speaker in terms of the Code of Conduct for Councillors.

17. MAINTENANCE OF ORDER AT WARD COMMITTEE MEETINGS

- (1) If a member misconducts him/herself or obstructs the business of any meeting of the ward committee or challenges the ruling of the chairperson on any point of order or declines to withdraw any expression when required to do so by the chairperson, or indulges in tedious repetition or unbecoming language or commits any breach of these Rules, the chairperson will direct such member to conduct him/herself properly and resume his/her seat.
- (2) In the event of a persistent disregard of the directions of the chairperson, the chairperson will direct such member to retire from the meeting venue for the remainder of the meeting and may, if necessary, cause him/her to be expelled there from.
- (3) Any such member who:
 - (a) refuses or fails to comply with a direction of the chairperson given in terms of paragraph 17(2); or
 - (b) returns to the place of meeting prior to the conclusion of the meeting from which he/she was directed to retire; or
 - (c) offers resistance whilst being expelled from the place of meeting, will be guilty of an offence and will receive a formal written warning and a one-meeting suspension, which will be deemed to be an absence without leave.
- (4) Should such member commit the same or similar offence twice, he/she will be disqualified as a member of the ward committee.
- (5) If a non-member or a member of the public is guilty of misconduct, misbehaving or obstructing the affairs of any meeting, the chairperson may order that he/she be removed from the meeting venue.

18. COMMUNICATION MEASURES

- (1) The Municipal Manager must in each year in which an election of members of the ward committee has to take place as contemplated by the provisions of paragraph 9 at least 30 days before the closing date for receipt of nominations as is contemplated by the provisions of paragraph 7(3) cause a notice to be published in a newspaper circulated in the municipal area.
- (2) Whenever an extraordinary public meeting is convened in a ward, the Municipal Manager in collaboration with the ward councillor concerned, shall at least 10 days before the date fixed for such a meeting, publish a notice to such effect in a newspaper circulating in the area concerned, stating the time, date and place of the meeting as well as the purpose thereof, inviting the public to attend the meeting.
- (3) In the event an ordinary public meeting is convened in a ward, the Municipal Manager in collaboration with the ward councillor shall give notice of such meeting in any way they may deem fit.
- (4) Other ways and means of publicising a public meeting, be it an extraordinary or ordinary meeting, may include radio, social media, eg. facebook or other appropriate means of communication such as direct mail outs, posters or notices in key areas such as clinics, schools, bus stops, taxi ranks and libraries.
- (5) The Municipal Manager shall give written notice of meetings of a ward committee to all the members of such a committee at least seven days before the date fixed for such a meeting.
- (6) The ward councillor must report in writing quarterly to the Speaker on the activities of the ward committee in order to enable the Speaker to deal with those issues that need to be addressed by him or the Council.

19. GENERAL AND ADMINISTRATIVE MEASURES

- (1) In terms of section 77 of the Structures Act no remuneration is payable to members of a ward committee – neither shall a member be entitled to be reimbursed for any expenditure incurred by him or her, be it expenditure incurred in the course of the execution of his or her duties or not.
- (2) The Council shall adopt a policy with regard to –
 - (a) out of pocket expenses of ward committee members in respect of their participation in ward committees;
 - (b) payment of such expenditure that may be necessary to ensure that a ward committee functions properly;
 - (c) capacity building and training programmes for ward committee members; and
 - (d) the compensation whether or not of subcommittee members and observers in terms of paragraph 13.
- (3) The Municipality shall make available its staff members for administrative back-up to assist the ward councillors and committee members in fulfilling their clerical and administrative functions. In particular staff shall be made available to attend ward meetings as well as Public meetings, inter alia, to take the minutes at such meetings and also to act as election officers at ward committee elections.
- (4) The ward committee must, whenever called upon by the Municipality, elect two persons from its own ranks to serve on the Swartland Municipal Advisory Forum (SMAF) to represent the wards viewpoint and to participate when they are consulted by the Municipality on matters affecting the Swartland municipal area in general.

20. ROLE OF MEMBERS OF THE EXECUTIVE MAYORAL COMMITTEE, CHAIRPERSONS OF PORTFOLIO COMMITTEES AND PR COUNCILLORS

- (1) The Speaker may, in consultation with the Mayor and whips of the different political parties in Council, allocate members of the Executive Mayoral Committee, chairpersons of Portfolio Committees and PR councillors for the respective ward committees.
- (2) Members of the Executive Mayoral Committee, chairpersons of Portfolio Committees and PR councillors shall in their capacity as members of the Council, be allowed to attend meetings of the

ward committee and shall be allowed to participate in the deliberations but shall not have the right to vote.

- (3) In general PR councillors must be allowed to assist and complement the work of the ward councillors.
- (4) Both the ward councillor and PR councillor(s) in a ward should develop mutually respectful working relations, such that there is a role for the PR councillors, but on the other hand, PR councillors are expected to respect the legal prerogative of ward councillors and not interfere.

21. DISPUTE RESOLUTION

The following dispute resolution mechanism must be applied:

- (1) Every possible effort should be made to deal with disputes internally if the ward councillor is not involved.
- (2) When a dispute arises, the ward councillor must appoint a person or persons (maximum two), to attempt and resolve the dispute through mediation;
- (3) If the attempt at mediation fails, the matter is then submitted to the Speaker for arbitration;
- (4) If the matter involves the ward councillor, it must be referred to the Council directly.
- (5) If the matter involves the Speaker (where he/she is also a ward councillor), it must be referred to the Executive Mayor.

22. DISSOLUTION OF WARD COMMITTEES

- (1) The Council may in terms of section 78 of the Structures Act dissolve a ward committee if it fails to fulfil its object. The following will serve as an indication that a committee fails to fulfil its object:
 - (a) when it fails to meet three consecutive times;
 - (b) when the members decide to dissolve it; and
 - (c) when maladministration, fraud, corruption or any serious malpractices have occurred or is occurring in a committee.
- (2)
 - (a) The Council may also at any time dissolve a ward committee if the boundaries of a ward are amended, extended or changed by virtue of a demarcation process by the Demarcation Board, to such an extent that the ward committee concerned, in the opinion of the Council cannot be considered to be representative anymore of the original ward or the new demarcated ward;
 - (b) In the event of the dissolution of a ward committee in terms of the provisions of this paragraph, the Council shall be obliged to take the necessary steps to establish a new ward committee for such an effected ward and shall cause an election to be held in such a ward within 60 days from the dissolution of such a committee, to elect a new representative ward committee.
 - (c) The term of office of the members of a newly elected ward committee, shall be determined in accordance with the provisions of paragraph 14(2) read with paragraph 11(1)(a).
- (3) The Council shall give written notice of at least 30 days to a ward committee informing such a committee that the Council intends to dissolve the committee.
- (4) A committee shall be considered finally dissolved when written notice under the signature of the Municipal Manager is served on the ward councillor concerned to inform him/her of the Council's decision in this regard.

BYLAE / ANNEXURE A

WYK / WARD 1			
Stemdistrik / Voting District	Stemlokaal / Voting Station	Aantal geregistreeerde kiesers / Total registered voters	Aantal wykskomiteelede* / Total ward committee members*
97670010	VGK-saal, Koringberg	762	2
97720016	Moorreesburg Stadsaal	2,180	6
97830074	Broodkraal Gemeenskapsaal	386	1
97830085	Withoogte Ontspanningsaal	223	1
97830096	Middel Swartland Boereverenigingsaal	300	

Totaal / Total = 3,851

Norm = 1 lid vir elke 400 geregistreeerde kiesers (op- of afgerond en/of aangepas volgens die aantal stemdistrikte)
1 member for each 400 registered voters (rounded and/or adjusted according to the number of voting districts)

* Voorgestelde geografiese verteenwoordiging wat deur die wyksraadslid aangepas kan word, in oorleg met die Speaker.

* *Proposed geographical representation that may be amended by the ward councillor in collaboration with the Speaker.*

BYLAE / ANNEXURE A

WYK / WARD 2			
Stemdistrik / Voting District	Stemlokaal / Voting Station	Aantal geregistreeerde kiesers / Total registered voters	Aantal wykskomiteelede* / Total ward committee members*
97720027	Koringbedryf Museum, Moorreesburg	845	2
97720038	Rosenhof Gemeenskapsaal	3,486	8

Totaal / Total = 4,331

Norm = 1 lid vir elke 400 geregistreeerde kiesers (op- of afgerond en/of aangepas volgens die aantal stemdistrikte)
1 member for each 400 registered voters (rounded and/or adjusted according to the number of voting districts)

* Voorgestelde geografiese verteenwoordiging wat deur die wyksraadslid aangepas kan word, in oorleg met die Speaker. /

**Proposed geographical representation that may be amended by the ward councillor in collaboration with the Speaker.*

BYLAE / ANNEXURE A

WYK / WARD 3			
Stemdistrik / Voting District	Stemlokaal / Voting Station	Aantal geregistreeerde kiesers / Total registered voters	Aantal wykskomiteelede* / Total ward committee members*
97710082	Riebeek-Wes Stadsaal	2,192	7
97830052	Weltevrede Primêre Skool	250	2
97830131	Klein Karmelksvlei Primêre Skool	295	
97830142	Grootvlei Primêre Skool	258	
97830153	Langgewens Proefplaas	221	
97830210	PPC Ontspanningsaal	322	1

Totaal / Total = 3,538

Norm = 1 lid vir elke 400 geregistreeerde kiesers (op- of afgerond en/of aangepas volgens die aantal stemdistrikte)
1 member for each 400 registered voters (rounded and/or adjusted according to the number of voting districts)

* Voorgestelde geografiese verteenwoordiging wat deur die wyksraadslid aangepas kan word, in oorleg met die Speaker. /

* *Proposed geographical representation that may be amended by the ward councillor in collaboration with the Speaker.*

BYLAE / ANNEXURE A

WYK / WARD 4			
Stemdistrik / Voting District	Stemlokaal / Voting Station	Aantal geregistreeerde kiesers / Total registered voters	Aantal wykskomiteelede* / Total ward committee members*
97710071	Riverlands Primêre Skool	728	2
97710138	AME Kerk	1,583	4
97830108	Goedehoop NGK Sendingskool	712	2
97830041	Riverlands Natuurbewaringsaal	340	2
97830186	Bloemendal Primêre Skool	272	
97830232	Phola Park Tent	282	

Totaal / Total = 3,927

Norm = 1 lid vir elke 400 geregistreeerde kiesers (op- of afgerond en/of aangepas volgens die aantal stemdistrikte)
1 member for each 400 registered voters (rounded and/or adjusted according to the number of voting districts)

* Voorgestelde geografiese verteenwoordiging wat deur die wyksraadslid aangepas kan word, in oorleg met die Speaker.
Proposed geographical representation that may be amended by the ward councillor in collaboration with the Speaker.

BYLAE / ANNEXURE A

WYK / WARD 5			
Stemdistrik / Voting District	Stemlokaal / Voting Station	Aantal geregistreeerde kiesers / Total registered voters	Aantal wykskomiteelede* / Total ward committee members*
97610025	Darling Metodiste Kerk	1,881	5
97810016	Yzerfontein Gemeenskapsaal	1,775	4
97830030	!Khwa TTu Galery	690	1

Totaal / Total = 4,346

Norm = 1 lid vir elke 400 geregistreeerde kiesers (op- of afgerond en/of aangepas volgens die aantal stemdistrikte)
1 member for each 400 registered voters (rounded and/or adjusted according to the number of voting districts)

* Voorgestelde geografiese verteenwoordiging wat deur die wyksraadslid aangepas kan word, in oorleg met die Speaker.

Proposed geographical representation that may be amended by the ward councillor in collaboration with the Speaker.

BYLAE / ANNEXURE A

WYK / WARD 6			
Stemdistrik / Voting District	Stemlokaal / Voting Station	Aantal geregistreeerde kiesers / Total registered voters	Aantal wykskomiteelede* / Total ward committee members*
97610014	VGK Darling	1,752	4
97610036	Morawiese Kerk Darling	1,794	5
97830120	Korhaansrug Primêre Skool	369	1

Totaal / Total = 3,915

Norm = 1 lid vir elke 400 geregistreeerde kiesers (op- of afgerond en/of aangepas volgens die aantal stemdistrikte)
1 member for each 400 registered voters (rounded and/or adjusted according to the number of voting districts)

* Voorgestelde geografiese verteenwoordiging wat deur die wyksraadslid aangepas kan word, in oorleg met die Speaker.

Proposed geographical representation that may be amended by the ward councillor in collaboration with the Speaker.

BYLAE / ANNEXURE A

WYK / WARD 7			
Stemdistrik / Voting District	Stemlokaal / Voting Station	Aantal geregistreeerde kiesers / Total registered voters	Aantal wykskomiteelede* / Total ward committee members*
97710060	OJ Erasmus Primêre Skool Kalbaskraal	1,263	3
97710116	Abbotsdale Gemeenskapsaal	1,969	5
97710149	MESS Gebou	544	1
97830164	Welgemeend Gemeenskapsaal	371	1
98430217	Môrewag Plaas	301	

Totaal / Total = 4,448

Norm = 1 lid vir elke 400 geregistreeerde kiesers (op- of afgerond en/of aangepas volgens die aantal stemdistrikte)
1 member for each 400 registered voters (rounded and/or adjusted according to the number of voting districts)

* Voorgestelde geografiese verteenwoordiging wat deur die wyksraadslid aangepas kan word, in oorleg met die Speaker.

* *Proposed geographical representation that may be amended by the ward councillor in collaboration with the Speaker.*

BYLAE / ANNEXURE A

WYK / WARD 8			
Stemdistrik / Voting District	Stemlokaal / Voting Station	Aantal geregistreeerde kiesers / Total registered voters	Aantal wykskomiteelede* / Total ward committee members*
97710026	Malmesbury Stadsaal	2,256	6
97710059	Wesbank Sekondêre Skool	1,490	4

Totaal / Total = 3,746

Norm = 1 lid vir elke 400 geregistreeerde kiesers (op- of afgerond en/of aangepas volgens die aantal stemdistrikte)

1 member for each 400 registered voters (rounded and/or adjusted according to the number of voting districts)

* Voorgestelde geografiese verteenwoordiging wat deur die wyksraadslid aangepas kan word, in oorleg met die Speaker.

* *Proposed geographical representation that may be amended by the ward councillor in collaboration with the Speaker.*

BYLAE / ANNEXURE A

WYK / WARD 9			
Stemdistrik / Voting District	Stemlokaal / Voting Station	Aantal geregistreeerde kiesers / Total registered voters	Aantal wykskomiteelede* / Total ward committee members*
97710048	Thusong Sentrum Ilinge Lethu	3,302	6
97710150	IlingeLethu Sekondêre Skool	1,495	4

Totaal / Total = 4,797

Norm = 1 lid vir elke 400 geregistreeerde kiesers (op- of afgerond en/of aangepas volgens die aantal stemdistrikte)
1 member for each 400 registered voters (rounded and/or adjusted according to the number of voting districts)

* Voorgestelde geografiese verteenwoordiging wat deur die wyksraadslid aangepas kan word, in oorleg met die Speaker.

* *Proposed geographical representation that may be amended by the ward councillor in collaboration with the Speaker.*

BYLAE / ANNEXURE A

WYK / WARD 10			
Stemdistrik / Voting District	Stemlokaal / Voting Station	Aantal geregistreeerde kiesers / Total registered voters	Aantal wykskomiteelede* / Total ward committee members*
97710015	NGK Swartland Noord	2,691	6
97710037	Schoonspruit Hoërskool	1,850	4

Totaal / Total = 4,541

Norm = 1 lid vir elke 400 geregistreeerde kiesers (op- of afgerond en/of aangepas volgens die aantal stemdistrikte)
1 member for each 400 registered voters (rounded and/or adjusted according to the number of voting districts)

* Voorgestelde geografiese verteenwoordiging wat deur die wyksraadslid aangepas kan word, in oorleg met die Speaker.

* *Proposed geographical representation that may be amended by the ward councillor in collaboration with the Speaker.*

BYLAE / ANNEXURE A

WYK / WARD 11			
Stemdistrik / Voting District	Stemlokaal / Voting Station	Aantal geregistreeerde kiesers / Total registered voters	Aantal wykskomiteelede* / Total ward committee members*
97710105	Wesbank Gemeenskapsaal	1,236	3
97710127	Binnehuise Sport Sentrum	3,052	7

Totaal / Total = 4,288

Norm = 1 lid vir elke 400 geregistreeerde kiesers (op- of afgerond en/of aangepas volgens die aantal stemdistrikte)
1 member for each 400 registered voters (rounded and/or adjusted according to the number of voting districts)

* Voorgestelde geografiese verteenwoordiging wat deur die wyksraadslid aangepas kan word, in oorleg met die Speaker.

* *Proposed geographical representation that may be amended by the ward councillor in collaboration with the Speaker.*

BYLAE / ANNEXURE A

WYK / WARD 12			
Stemdistrik / Voting District	Stemlokaal / Voting Station	Aantal geregistreeerde kiesers / Total registered voters	Aantal wykskomiteelede / Total ward committee members*
97710093	Esterhof CUM Bewaarskool	2,855	8
97830018	Goedgedacht Jeugsentrum	453	1
97830209	Anne Pienaar Primêre Skool, Jakkalsfontein	720	1

Totaal / Total = 4,028

Norm = 1 lid vir elke 400 geregistreeerde kiesers (op- of afgerond en/of aangepas volgens die aantal stemdistrikte)
1 member for each 400 registered voters (rounded and/or adjusted according to the number of voting districts)

* Voorgestelde geografiese verteenwoordiging wat deur die wyksraadslid aangepas kan word, in oorleg met die Speaker.

* *Proposed geographical representation that may be amended by the ward councillor in collaboration with the Speaker.*



**CODE OF CONDUCT
FOR
WARD COMMITTEE MEMBERS**

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1. PROLOGUE

Ward Committee members are elected to represent geographical areas in the community within their ward. They must report on matters affecting their ward or emanating from the Municipality, through their Ward Councillors in accordance with processes determined by the Municipality. This Code of Conduct lists the responsibilities of members of Ward Committees and recommends standards of ethical conduct which each member of a Ward Committee must comply with. These standards are applicable to Ward Committee members when dealing with:

- (a) The Ward Councillor of their ward and all other Councillors of the Municipality.
- (b) Other ward committee members.
- (c) The community represented on the ward committee.
- (d) The constituents of the Municipality, including civil society, trade unions, NGO's, vulnerable communities and other role players in the ward.
- (e) Service providers of the Municipality rendering services in the ward, where required.
- (f) Traditional leaders where applicable.
- (g) Other stakeholders.

2. AIMS AND OBJECTIVES OF THE CODE OF CONDUCT

The aims and objectives of the Code of Conduct are to:

- (a) Set out the functions of a member of a Ward Committee and to specify the standards of integrity and conduct to be observed by Ward Committee members in their role of assisting the Municipality to meet its objectives and standards, in accordance with its IDP.
- (b) Inform the public about the responsibilities of Ward Committee members in a specific ward.
- (c) Enhance the image, credibility and accountability of the Council to the community in a specific ward where such a member serves.
- (d) Maintain trust, respect and co-operation between members of the Ward Committee and all members of the community represented on the Ward Committee.

3. ACCOUNTABILITY

Members of Ward Committees are primarily accountable to the community that elected them. Members of Ward Committees are also required to act in accordance with the National Framework: Criteria for the Determining of Out of Pocket Expenses for Ward Committee Members, 2009 and any additional policies and frameworks in this regard adopted by the Swartland Municipality.

4. FUNCTIONS OF WARD COMMITTEE MEMBERS

The functions of Ward Committees are to effectively support the elected Ward Councillor, serve their community and perform the functions as set out in the Swartland Municipality's Rules and Procedures for Ward Committees.

5. GENERAL PRINCIPLES OF GOOD GOVERNANCE TO BE COMPLIED WITH BY WARD COMMITTEE MEMBERS

5.1 COMMUNITY INTEREST

Members of Ward Committees should strive to serve the best interests of the community from which they are elected, by recommending municipal programmes that are community centred, driven and implemented and recognising any diversity in the ward.

5.2 INTEGRITY

Members of Ward Committees should always act with integrity in the execution of their functions, without fear, favour or prejudice. Members may not use their positions as Ward Committee members for private gain or to improperly benefit any third party.

5.3 OBJECTIVITY

Members of Ward Committees should make recommendations on merit, based on the mandate received from their ward. They may not act in any manner that will compromise the credibility, impartiality or independence of their Ward Committee.

5.4 ACCOUNTABILITY

Members are accountable to the ward community that they serve.

5.5 REGULAR REPORT BACK

The Ward Councillor and members of the Ward Committee are responsible for feedback to the community and the constituency of their ward.

5.6 TRANSPARENCY

Members of Ward Committees must promote transparency and should be open and honest about their actions and those of the Ward Councillor and should welcome community enquiries, thereby creating trust and respect between role-players.

5.7 CONSENSUS

Ward Committee members should work on the basis of consensus reached in the committee, failing which, a majority decision will prevail.

5.8 LEADERSHIP

Members of Ward Committees should provide leadership to the ward and set a good example of responsible citizenship.

5.9 BATHO PELE

Members of Ward Committees must apply the Batho Pele principles when dealing with members of the public.

5.10 PUBLIC PARTICIPATION

Members of Ward Committees must deepen and strengthen public participation and local democracy in all their actions.

5.11 MEETINGS

Meetings of Ward Committees shall be held in accordance with the framework set by the Municipality. Ward committee members shall attend all meetings, unless a written apology is submitted to the Ward Councillor no less than twenty four hours prior to such a meeting.

5.12 WEARING OF POLITICAL ATTIRE AT WARD COMMITTEE MEETINGS

Ward Committee members are encouraged not to wear any symbols, T-shirts or badges of political parties to Ward Committee meetings.

5.13 SANCTIONS FOR NON-ATTENDANCE OF MEETINGS

In the event of a Ward Committee member failing to attend three (3) consecutive scheduled meetings without any prior apology, or fail to fulfil any of his/her other functions as set out above, a report should be submitted to the Municipal Council.

5.14 DISPUTES

Ward Committee members must avoid conflict between themselves as well as between themselves and the Ward Councillor. In the event of a dispute, the procedure as set in the Swartland Municipality Ward Committee Policy shall be adhered to.

5.15 Pledge by ward committee members/...

5.15 PLEDGE BY WARD COMMITTEE MEMBERS

I solemnly declare:

I pledge to advance and act in the best interests of Ward and the Swartland Municipality. I confirm that I am residing within the jurisdiction of Swartland Municipality, and am a dedicated resident and registered voter of the aforesaid Ward.

I further declare that I have read and understand the Code of Conduct for Ward Committee Members.

I commit to comply by attending meetings of the ward committee and the sector I represents.

I have carefully studied this Code of Conduct unimpeded and freely, and I cannot claim ignorance of it. I fully agree that I shall be bound by the Code of Conduct in the execution of my duties and function as a loyal and disciplined member of my Ward Committee.

Signature:

Signed at on this day of 2022.

Witness 1

Name:

Signature:

Date:

Witness 2:

Name:

Signature:

Date:

.....
Municipal Manager

.....
Date