

**AGENDA of the
Portfolio Committee : Community Services
17 August 2021
(Also the agenda for the Mayoral Committee : 24 August 2021)**

**3.
WARD COMMITTEE SYSTEM: REVISION OF WARD COMMITTEE RULES**

3/B

**R Williams
3 August 2021**

Director: Community Services

(028) 313 8029

1. Executive Summary

The purpose of this report is for the Council to consider the revised Ward Committee Rules for the Ward Committee System within the Overstrand Municipal area.

2. Service Delivery and Budget Implementation Plan - IGNITE

Directorate : Community Services
Department : Director: Community Services

3. Compliance with Strategic Priorities

Provision of democratic, accountable, and ethical governance.
Provision and maintenance of municipal services.
Creation and maintenance of a safe and healthy environment.
The encouragement of structured community participation in the matters of the Municipality.

4. Delegated Authority

None

5. Legal Requirements

Constitution of SA, 1996
Local Government: Municipal Structures Act 117 of 1998
Local Government Systems Act 32 of 2000
Local Government Municipal Finance Management Act 56 of 2003
Overstrand Public Participation Policy

6. Background/Discussion/Evaluation/Conclusion

Background

The revision of the Ward Committee Rules is to ensure the effective implementation and management of the next generation of ward committees within the Overstrand municipal area. Council revised the Rules previously at their meeting in May 2017.

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Discussion

The Director: Community Services formally consulted, by way of an official notice dated 21 May 2021, directed to the Executive Mayor, Aldermen, Councillors, Ward Committees, the Municipal Manager, Directors and Managers to provide comments/proposals for the purposes of revising the Ward Committee Rules.

Various comments were received, with specific reference to Ward Committees from all 13 wards. Comments were considered and incorporated where necessary. Certain comments however relates to detail and specifics that may hamper internal initiatives/arrangements (within framework of the Ward Committee Rules) by respective Ward Committees.

At least four Ward Committees recommended that the election of the next generation of Ward Committees should be held on a day(s) set aside for the election of a Ward Committee(s) and made proposals on the related election procedures. Historically elections of Ward Committees were held after-hours at indoor venues in the respective wards. The mentioned election events largely received good voter turnouts and in 2016 a total number 2558 voters attended the election meetings. To promote the involvement of the local public and to comply with the Regulation regarding the Corona virus (COVID-19) pandemic, issued in terms of Section 27(2) of the Disaster Management Act, 2002, it is recommended that the elections for Ward Committees take place during the days, from 10:00 until 19:00 announced by the Municipality. During the last-mentioned time frame registered voters, whose names appears on the voters' roll of the IEC for a ward, are eligible to cast their votes in the Ward Committee Elections for Overstrand. The reason for the starting time is to provide for sufficient time for sanitation of venues, screening of personnel to be deployed at respective election venues.

The last-mentioned recommendation resulted in a complete review of the item on election procedure in the Ward Committee Rules that will be applicable for the next generation of Ward Committees to take place after the upcoming Local Government Elections. The proposed overall election procedure is divided into the following stages, namely;

- ✓ Obtain nominations to serve on Ward Committees,
- ✓ Announcement of the election of Ward Committees,
- ✓ Appointment of election officials,
- ✓ Election (voting) process at election venues, and
- ✓ Reporting of results.

The election (voting) process at election venues is contained in Schedule 1 of the proposed, revised Overstrand Ward Committee Rules. Election (voting) process is largely based on the approach followed by the IEC. The Administration has fostered good working relations with the Local/Regional offices of the IEC (also

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with reference to obtain voters' rolls) and several officials are trained to participate in election events of the IEC. The last mentioned is a clear indication that the Overstrand Municipality does have the capacity to successfully conduct the elections of the next generation of Ward Committees, as recommended in the revised Ward Committee Rules.

The Regulations issued in respect of the COVID-19 pandemic provide for five Adjusted Alert Levels that respectively provide for restrictions in order to restrict the spreading of the virus. Since 26 July 2021 the country has been placed on Adjusted Alert Level 3. In terms of the mentioned Adjusted Alert Level, the following protocols apply to the hosting of indoor gatherings:

- ✓ The wearing of face masks,
- ✓ Maintaining of social distancing of at least one and a half metres between two persons,
- ✓ Gathering at community engagements are limited to not more than 50 persons, and
- ✓ Adhering to all health protocols.

The proposed election (voting) process at election venues is designed to host less than 50 persons inside an election venue (mainly community halls) at any given point in time during the process. A small number of eligible voters will be allowed to enter the voting venue at a time, follow a walk-through voting process and immediately thereafter exit the venue. Only election personnel, the Ward Councillor and other observers will be allowed to remain inside the election venue for the duration of the election (voting) process.

7. Financial Implications

Source of Funding eg. Operating Budget Provisions

Unique Key	: 20210629094467
Cost Account	: 10010222490000
Item Description	: Remuneration to Ward Committees
Budget Provision 2021/2022	: R729,216.00
Spent to Date/Committed	: R0.00
Balance Available	: R729,216.00
<i>(140 Ward Committee Members)</i>	

Unique Key	: 20210629094414 & 20210629094215
Cost Account	: 10500222470000 & 10500221500000
Item Description	: Printing, Publications and Books, Municipal Newsletters
Budget Provision 2021/2022	: R56,905.00
Spent to Date/Committed	: R0.00
Estimated Cost	: R50,000.00

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8. Staff Implications

Existing Municipal staff members.

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

Annexure A: Revised Ward Committee Rules for the Overstrand Municipality

RECOMMENDATION TO THE COUNCIL:

that the revised Ward Committee Rules for Overstrand Municipality **be adopted.**

RESPONSIBLE OFFICIAL :

**R WILLIAMS
F MYBURGH
D LAKEY
A WYNGAARD
B PLAATJIES**

TARGET DATE FOR IMPLEMENTATION :

1 SEPTEMBER 2021

Annexure A
1/20



Ward Committee Rules

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Approved by Council
31-May-2017 [24 August 2021]

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1. PREAMBLE

- 1.1. It is essential for good governance that citizens are actively involved in the processes with regard to planning, budgeting, monitoring and evaluation of programmes/projects.
- 1.2. Ward committees are regarded as the vehicle to promote good governance at local government level and must, in conjunction with the Council, execute the constitutional objects for government.
- 1.3. The Overstrand Municipality is governed as a municipality with a mayoral executive system combined with a ward participatory system as per Section 9(d) of the Local Government: Municipal Structures Act, 1998.
- 1.4. The establishment and operation of a Ward Committee must be in accordance with Section 72 to 78 of the Local Government: Municipal Structures Act, 1998.

2. OBJECTIVES

- 2.1. The objective of a ward committee is to enhance participatory democracy in local government.
- 2.2. Ward Committees must participate in the following:
 - 2.2.1. preparing, implementation and review of the Integrated Development Plan (IDP),
 - 2.2.2. establishment, implementation, and review of a Performance Management System (PMS),
 - 2.2.3. preparation of the budget,
 - 2.2.4. strategic decisions of the Municipality relating to the provision of municipal services in terms of Chapter 8 of the Systems Act, 2000.
- 2.3. A Ward Committee is the official channel of communication between the community and municipality regarding municipal matters in a particular Ward.
- 2.4. A ward committee is an advisory body without any executive powers to assist the Ward Councillor[s] in their duties.
- 2.5. Ward Committees must perform their functions impartially without fear, favour, or prejudice.

3. DEFINITIONS

Budget	Refer to the annual budget of a municipality in terms of the Local Government: Municipal Finance Management Act, 2003.
Code of Conduct	Code of conduct means Code of Conduct applicable to Ward Committee Members as set out per schedule 4 [2].
Constitution	The Constitution of the Republic of South Africa, 1996, which is the supreme law of the country.
Council	Refers to the Council of Overstrand Municipality
[Election officer]	[Person responsible to supervise and co-ordinate an election venue to ensure that the election (voting) of Ward Committees is conducted in terms of this Rules.]
Geographical Block/Area	Represents the interests of an identified geographical area [block] (for example neighbourhood, extension, village) in a particular ward.
Integrated Development Plan	The principle strategic planning instrument which guides and informs all planning and development, and all decisions with regard to planning, management and development in a municipality.
Municipal Manager	Head of administration and accounting officer of the Municipality and appointed by Council in terms of Section 54A of the Local Government: Municipal Systems Act, No 32 of 2000.
Organisation	Representing a specific interest of the community resident in the particular ward, for example youth, women, religious grouping, ratepayers' associations, etc, [but not a political party].
Performance Management System (PMS)	A two-way communication process between the Municipality and the community that measures specific targets, standards and priorities that were agreed upon during the IDP process.
PR Councillor	A proportional representative municipal councillor elected in terms of Section 22(a) of the Local Government Municipal Structures Act No. 117 of 1996 to represent a party on the Council of a municipality.
Sector	Representing a broader scope of similar interests (umbrella body/structure) of the community for example, Sport & Recreation, Health & Welfare, etc.
Speaker	The Speaker of the Council elected in terms of Section 36 of Local Government: Municipal Structures Act 117 of 1998.
[Voters' roll]	The national common voters' roll compiled in terms of the Electoral Act, 1998.]
Ward Operational Plan	Annual plan of activities to be performed/executed by Ward Committee Member's representative in a ward committee.

[Youth] [Persons within the age group of 18 to 30 years elected onto a ward committee to represent the interest of young people between the age group of 14 to 35 years. The mentioned age group eligible for election will ensure that representative can be registered on the voters' roll and are able to serve a term of five years on a ward committee.]

4. LEGAL FRAMEWORK

The Constitution, 1996

Municipal Structures Act, Local Government: Municipal Structures Act, No. 117 of 1998

Municipal Systems Act, Local Government: Municipal Systems Act No. 32 of 2000

Municipal Finance Management Act (MFMA) - Local Government: Municipal Finance Management Act, No. 56 Of 2003

Guidelines for the establishment and operation of Municipal Ward Committees Notice 965 of 2005

National Policy Framework for Public Participation, 2007

National Framework: Criteria for Determining out of pocket expenses for Ward Committee Members, 2009

Overstrand Municipality: Public Participation Policy

5. MEMBERSHIP

- 5.1 A Ward Committee consists of the Ward Councillor and not more than ten other persons elected to represent organisations/sectors or geographical blocks resident within the boundaries of the particular municipal ward.
- 5.2 The Ward Councillor, as a representative of [representing the Ward in] the Council must be the chairperson of the Ward Committee.
- 5.3 In the absence of the Ward Councillor, a Councillor must be nominated by the Speaker to act as chairperson of the Ward Committee.
- 5.4 The members represented in a ward committee can be elected based on sectorial model (organisation/sector) or geographical (block) model or a combination of both models to accommodate circumstances prevailing in a particular ward.
- 5.5 The election of Ward Committee Members described in 5.4 above must take into account the need:
 - for women to be equitably represented in a ward committee, [with a minimum of three (3) women per Ward Committee].

- for diversity of interests in the Ward to be represented.

- 5.6 No individual representation will be allowed in a ward committee.
- 5.7 A person to be elected to represent a sector/organisation/geographical interest on a ward committee must:
- 5.7.1 be a registered voter and whose name appears on the voters' roll for the particular ward,
 - 5.7.2 not be a member of the [a Municipal] Council.
 - 5.7.3 not be permanently or contractually employed by the Municipality.
 - 5.7.4 not be a Community Development Worker or employed by another sphere (Provincial/National) of Government.
 - 5.7.5 not have been indebted with the Municipality for a period longer than three (3) calendar months, with the exception that proof can be provided that the necessary arrangements have been made to settle the debt and continue to remain in good standing for the duration of the term of office.
 - 5.7.6 Not have [been] convicted of an offence and sentenced for a period of ~~not less~~ [more] than twelve (12) months.
- 5.8 Close family members (husband, wife, child, parent) may not serve on the same ward committee.
- 5.9 The Code of Conduct for Ward Committee Members will be applicable to members of the committee during their term of office.

6. FUNCTIONS OF WARD COMMITTEES

- 6.1. Ward Committees together with the Overstrand Municipal Advisory Forum (OMAF) will act as the official liaison mechanism on all strategic municipal matters affecting the community.
- 6.2. Ward Committees will be the official body with which the Ward Councillors will liaise regarding any matter affecting their respective wards and more specifically items on the agenda of the Municipality affecting the particular ward.
- 6.3. The Ward Councillor[s] must give ~~regular~~ feedback at ward committee meetings [and at least on a quarterly basis to constituencies] on Council matters, as required in the Code of Conduct for Councillors.
- 6.4 Ward Committees must annually compile their respective ward operational plans which include a range of activities to be executed during the following financial year.
- 6.5 Ward Committee Members must attend official meetings scheduled in terms of Council's meeting cycle or upon special request by the ~~municipal~~ Council or Speaker.

- 6.6 Members of the Ward Committee must submit items for discussion to the Administration at least fourteen (14) days before the official ward committee meeting
- 6.7 Ward Committee Members must report back to their respective constituencies (organisations/sector/geographical blocks) at least on a quarterly basis.
- 6.8 Formal minutes of quarterly report back meeting of constituencies (referred to in 6.7) must [should] be submitted to the municipal administration via the Ward Councillor within 21 days after the aforementioned meeting.
- 6.9 Ward Committee Members must report issues pertaining to maintenance of infrastructure to the respective municipal customer care help desks or emergency control room located in or closest to their particular ward, using their allocated unique reference numbers.
- 6.10 A Ward Committee may establish task team(s) to perform specific task(s) on behalf of the committee, for example monitoring projects within the Ward.
- 6.11 It is required of Ward Committee Members to attend training/capacity building sessions scheduled by the local municipality or other sphere (provincial/national) of government.
- 6.12 It is the responsibility of all Ward Committee Members or nominated Ward Committee Members to attend the Overstrand Municipal Advisory Forum (OMAF) or forums outside the Municipality upon formal request by the Speaker /Municipality Administration.
- 6.13 Geographical blocks must conduct their business in accordance with standardised rules of order (regulating documents) to be provided by the municipal administration [, where necessary.]
- 6.14 Ward Committees must sign a Code of Conduct to be administered by the respective Ward Councillors and the Speaker of the Council.

7. [OVERALL] PROCEDURE FOR ELECTION

7.1 [Obtain nominations to serve on Ward Committees]

- 7.1.1 [The Municipal Manager will advertise in the local newspaper(s) a notice for the establishment of a ward committee in all respective wards of the Municipality or a Ward Committee Member by inviting nominations for organisations, sectors, and geographical blocks (including the names of representatives and secundus of the last-mentioned structures).]
- 7.1.2 [The organisations/sectors eligible for election must have been operational in the particular ward for at least six (6) months, except for newly established organisations that directly represent the interest of women, youth, disabled and the elderly.]

- 7.1.3 [Representatives nominated by sectors/organisations/geographical blocks on respective Ward Committee must represent a diversity of interest located in a particular ward and also comply with requirements listed under item 5 above.]
- 7.1.4 [Notice referred to in 7.1.1 above must be given at least thirty (30) days prior to the date when the date(s) for the elections of Ward Committees are announced.]
- 7.1.5 [Nominations referred to in 7.1.1 above must be submitted to the Municipal Manager or his delegate(s) on a pro-forma form to be provided by the Administration) by not later than closing date for nominations provided in the notice referred to in 7.1.1 above.]
- 7.1.6 [Lists of nominations received for respective Ward Committees (referred to 7.1.1 above) must be compiled and finalised to inform the ballot papers for each ward by the delegatee(s) of the Municipal Manager, in consultation with the newly elected Ward Councillors at least 7 (seven) calendar days prior to the first date of the elections of Ward Committees for the Municipality.]
- 7.1.7 [If an organisation/sector is to be represented on the Ward Committee, no other member of the executive of [that] the particular organisation/sector is eligible to be elected as a geographical block representative for the particular Ward Committee. "Executive" means, for the purposes of this paragraph, a person elected or co-opted to manage the affairs of that organisation/sector.]
- 7.1.8 [Information of nominations received for organisations, sectors and geographical blocks for each Ward Committee (refer to [7.1.6] above) can be verified and revised by registered organisations/sectors and geographical block where necessary prior to announcement of Ward Committee election dates for the Municipality.]
- 7.2 [Announcement of the election of Ward Committees]**
- 7.2.1 [The election (voting) for Ward Committees will be conducted from 10:00 until 19:00 on dates and at election venues determined by the Municipal Manager.]
- 7.2.2 [The Municipal Manager must give notice inclusive of the timetable (dates, venues and timeframe) for the voting of the respective Ward Committees of the Municipality to the local community.]
- 7.2.3 [Notice referred to in 7.2.2 above must be given at least seven (7) calendar days prior to the first date of the elections of Ward Committees.]
- 7.2.4 [More than one election venues can be established in a ward due to the geographical nature of the Ward, based on the discretion of the Municipal Manager. In this case the number of Ward Committee Members to be elected at the respective election venues, will be determined proportionally according to the number of eligible voters registered in the latest voters' roll residing in the neighbourhoods which the respective election venues will be serving.]

7.3 [Appointment of Election Officials]

7.3.1 [The Municipal Manager will appoint Senior- Managers and Manager of the respective Administrations (Area- and Deputy Area Managers) or other Line Manager(s) to act as election officers at particular election venues, where election of Ward Committees will be conducted.]

7.3.2 [The appointed election officers will nominate team(s) of election assistants, respectively from the Municipal Administration to assist with the elections at the various election venues for approval by the Municipal Manager.]

[7.4] [Election (voting) process at election venues]

7.4.1 [The elections will be conducted in accordance with the election (voting) process at election venues as contained in Schedule 1 of this Rules].

7.4.2 [Only registered voters, whose names appear on the voters' roll of the Ward, where election of a particular Ward Committee are conducted will be eligible to participate in the elections of the particular Ward Committee.]

7.4.3 [A registered person can only vote for one organisation/sector and/ one geographical block representative during the election process of a particular Ward Committee.]

7.4.4 [A minimum of not less than 5 (five) organisations/sectors to be elected as members of a particular ward committee whilst the balance must be elected from geographical blocks.]

7.4.5 [The ratio between organisations/sectors and geographical block representation, also taking into consideration [7.4.4] above, will be determined by the newly elected Ward Council[lor], in consultation with the appointed election officer, taking into consideration the nominations received for the particular ward, upon finalising the list of nominations (refer to 7.1.8 above).]

7.5 [Reporting of results]

7.5.1. [The election results for the establishment of Ward Committees must be officially reported to the Council by the Municipal Administration.]

8. TERM OF OFFICE

8.1. The term of office of a ward committee shall coincide with the term of office of the Council.

9. CONDUCTING OF WARD COMMITTEE MEETINGS

9.1. A ward committee must meet at least monthly, except for period(s) when Council is in recess.

9.2. A quorum of a committee must consist of at least 50% plus one (1) member (excluding the Chairperson).

- 9.3. All meetings of the committee must be open to the public.
- 9.4. A member of the public who is not a member of the committee may address a committee with the permission of the chairperson.
- 9.5. The Ward Committee adopts its protocol arrangements in terms of language preference, meeting dates, commencement times of meetings, etc. at the first official meeting after the election of Ward Committees.
- 9.6. The timeframes for meetings must not exceed the following number of hours, namely:
- 9.6.1 Quarterly public report back meetings: three (3) hours
- 9.6.2 Other meetings: two (2) hours
- 9.7. All quarterly report back meetings must be conducted after municipal office hours.
- 9.8. An employee and councillor of the Municipality must be present at a meeting of a committee before it can be constituted.
- 9.9. If a member has a direct or indirect financial interest in any 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.
- 9.10. If the Ward Councillor must recuse himself/herself from discussion of an item at the committee, he/she must arrange with another councillor to chair the meeting during such recusal.
- 9.11. Any Councillor of the Overstrand Municipality may attend any meetings of a Ward Committee.
- 9.12. No items from the agenda of the political structures of the Municipality marked as confidential by the Municipal Manager may be discussed at a ward committee meeting.
- 9.13. Any Ward Committee Member whose representative(s) (organisation/sector/geographical area [block]) is absent without an acceptable reason from three (3) consecutive meetings of the committee during its term of office will be replaced in terms of the Rules for the filling of vacancies.
- 9.14. Any Ward Committee Member whose representative(s) (organisation/sector/geographical area [block]) is absent, ~~irrespective of any~~ [without an] apology tendered, from six (6) meetings of the committee during its term of office will be replaced in terms of the Rules for the filling of vacancies.

10. TERMINATION OF MEMBERSHIP

- 10.1. A member vacates office during a committee's terms of office if that member:

- 10.1.1 Resigns in writing,
- 10.1.2 No longer qualifies,
- 10.1.3 Is removed from office,
- 10.1.4 Dies,
- 10.1.5 Is indebted to the Municipality for more than 3 (three) calendar months and where no agreement was entered into and honoured for payment of mentioned debt,
- 10.1.6. Is no longer capable to perform the duties attached to the office by majority decision of all members of the committee,
- 10.1.7. Is convicted of a criminal offence and sentenced to imprisonment without the option of a fine,
- 10.1.8 Represents an organisation/sector/geographical block which fails to adopt a constitution or to provide minutes of at least three meetings per annum. Minutes must be submitted to the Administration via the Ward Councillor,
- 10.1.9 Is absent from Ward Committee meetings as described per/in terms of 9.13 and 9.14 above,
- 10.1.10 Disciplined and expelled in terms of the Code of Conduct for Ward Committee Members. Once a member has been expelled from a ward committee, he/she may not be re-elected during the same term of office for Ward Committees.

11. FILLING OF VACANCIES

- 11.1 Vacancies will be filled from the replacement list available from the initial or previous election of Ward Committee Members, [by the Ward Councillor in consultation with the Ward Committee.]
- 11.2 In the absence of such a replacement list, vacancies shall be filled by following the election procedure set out per [Item] Section 7 of the Rules.
- 11.3 The process set out in 11.1 and 11.2 above must:
 - 11.3.1 take into consideration the agreed ratio as described per clause 7-8 [7.1.4 and 7.1.5] above.
 - 11.3.2 promote/maintain women equity of at least ~~two~~ [three (3)] women per Ward Committee.
 - 11.3.3 promote/maintain diversity of interests in the Ward to be represented.

12. REIMBURSEMENT OF OUT-OF-POCKET EXPENSES

- 12.1 Ward Committee Members or their secundus will be reimbursed for out-of-pocket expenses in accordance with the schedule [developed and from time-to-time amended for the last-mentioned purpose] ~~included in the current municipal operational budget~~. The Ward Committee Members will be obliged to:
- 12.1.1 Attend formal scheduled ward committee meetings (per Council's meeting cycle) and to be present for the duration of such meeting. Communicate regular service delivery request (if any) via the customer care helpdesks and emergency control room.
 - 12.1.2 Attend possible training and capacity building programmes and be present for the duration of such training and capacity building programmes.
 - 12.1.3 Ensure that quarterly report-back meetings are held with their respective organisations, sectors, and geographical blocks. Minutes of meetings will serve as proof of meetings held.
 - 12.1.4 Attend and/or participate in other forums formally communicated by the municipal administration (for example Overstrand Municipal Advisory Forum, etc.) and other spheres of government and to be present for the duration of such meetings.
- 12.2 The reimbursement in respect of travelling costs for all Ward Committee Members, residing outside a 20km radius of the meeting venues within the Ward will be in accordance with the schedule included in the current municipal operational budget. Ward Committee Members will be reimbursed for travelling costs outside a radius of 30km of the meeting venue within or outside the Ward at the rates applicable to Councillors.
- 12.3 Elected Ward Committee Members (excluding Councillors) will be reimbursed for out-of-pocket expenses as per the following guidelines, namely:
- 12.3.1 That the reimbursement amount will be paid to the Ward Committee Members in person and not to the organisation/sector/geographical block that he/or she represents.
 - 12.3.2 That secundus for representatives of organisations/sectors will be reimbursed for attendance in the absence of the first/second nominated representatives at a particular, official ward committee meeting.
 - 12.3.3 That reimbursement only be paid on verification of attendance register of meetings attended and that reimbursement will only be electronically transferred to the bank account of the relevant Ward Committee Member(s).
 - 12.3.4 That Ward Committee Members may elect not to be reimbursed by informing the administration in writing to such effect.

13. RESPONSIBILITIES OF THE MUNICIPAL ADMINISTRATION

- 13.1 Provide administrative support to Ward Councillors and Ward Committees to arrange official ward committee meeting by:
 - 13.1.1 Compiling agendas of respective Ward Committees.
 - 13.1.2 Attending to logistic arrangements for example venues, equipment, etc.
 - 13.1.3 Communicating ~~Serving~~ of notices of [public] meetings to residents in respective Wards on a quarterly basis.
 - 13.1.4 Recording minutes [ward committee meeting, including meetings with the public] and circulating with agendas to Ward Councillors, Ward Committees and other affected parties.
 - 13.1.5 Attending all official ward committee meetings with regard to responsible staff.
 - 13.1.6 Attending ward committee meetings on request to resolve outstanding matters.
- 13.2 Provide technical support to Ward Councillors and Ward Committee Members in their official capacity, relating to municipal services.
- 13.3 Assist with the interpretation of information/translations in official languages applicable to the Municipality, where necessary.
- 13.4 Prepare and submit budget requests for administration of Ward Committees.
- 13.5 Facilitate and assist with involvement of Ward Committees in [obtaining its objectives] ~~of Ward Committees~~ for example IDP, budget processes, Performance Management, etc.
- 13.6 Implement or assist with projects directly affecting Ward Committees.
- 13.7 Facilitate and monitor the completion of all recommendations forwarded by Ward Committees.
- 13.8 Develop and provide capacity building and training programmes for Ward Committees when necessary, during their term of office.
- 13.9 Assist with arrangement and/or provide municipal transport to Ward Councillors and Ward Committee Members to attend to official business where necessary.
- 13.10 Facilitate and ensure the payment of out-of-pocket expenditure to Ward Committee Members where applicable.
- 13.11 Record and monitor performance of respective Ward Committees as per the Municipality's administrative and performance management systems.

14. DISSOLUTION OF WARD COMMITTEES

- 14.1 The Council may dissolve a ward committee if the committee fails to fulfil its object, based on the following indications:
- 14.1.1 A ward committee fails to convene three (3) consecutive official meetings in terms of Council's meeting cycle.
- 14.1.2 In the event of fraud, corruption, or any serious malpractice in which the particular ward committee is found to be involved.
- 14.2 There should be due notice before a Council proceeds to dissolve a ward committee.

POLICY SECTION:	DIRECTORATE: COMMUNITY SERVICES
CURRENT UPDATE:	3 August 2021
PREVIOUS REVIEW:	31 May 2017
PREVIOUS REVIEW:	25 MAY 2016
PREVIOUS REVIEW:	29 FEBRUARY 2012
PREVIOUS REVIEW:	4 MAY 2011
PREVIOUS REVIEW:	26 MAY 2010
PREVIOUS REVIEW:	27 MAY 2009
PREVIOUS REVIEW:	16 MAY 2007
APPROVAL BY COUNCIL:	4 JUNE 2003

[SCHEDULE 1]**[ELECTION (VOTING) PROCESS AT ELECTION VENUES]**

1. [Election for members of a Ward Committee will take place by secret ballot on ballot papers prepared by the Municipal Administration.]
2. [The local elected Ward Councillor and observers will oversee the election process of the Ward Committee Members in the Ward.]
3. [The respective nominated representative(s) or one other representative from the organisations/sectors and geographical block participating in the election will be allowed as observers for the duration of the election process and are to be seated in a designated space inside the venue.]
4. [The protocols to restrain the spreading of the Coronavirus (COVID-19) as per the applicable Regulations issued in terms of Section 27(2) of the Disaster Management Act, 2002 must be complied with at all election venues.]
5. [On election day eligible voters must visit the election venue(s) in the Ward where they are registered to vote as per the voters' roll.]
6. [Eligible voters must show their green bar-coded South African identity book/ identity card/ temporary identity card to the responsible election assistant.]
7. [An Election assistant will check the name of the potential voter against the voter's roll, and]
 - 7.1. [if the name of the potential voter appears on the voters' roll the name will be marked off the roll and the eligible voter must place his/her signature next to his/her name on the voters' roll.]
 - 7.2. [if the name of the potential voter does not appear on the voters' roll the last mentioned will not be allowed to vote.]
8. [Eligible voters will be issued with two ballot papers in order to vote for an organisation and a geographical block in the event of electing a ward committee and only one ballot paper in the event of electing one Ward Committee member.]
9. [Eligible voters will be directed to an empty ballot booth to exercise their vote(s) by:]
 - 9.1 [making a mark(s) on the ballot paper(s) next to the organisation/sector and geographical blocks with its respective candidates of his/her choice,]
 - 9.2 [fold the ballot papers once, so that the choice(s) exercised is not visible, and]
 - 9.3 [place the ballot papers in the ballot box.]

10. [Physically disabled or visually impaired voters must be assisted by the Election Officer at the voting.]
11. [A voter may require for a replacement ballot paper from the Election Officer if he/she incorrectly marked a ballot paper before placing the last-mentioned ballot paper in the ballot box.]
12. [Once a ballot paper has been placed in a ballot box it cannot be removed.]
13. [The counting of ballot papers will commence after the last eligible voter that was inside the venue before the scheduled closing time for voting has cast his/her vote(s).]
14. [The venue will be closed with only election officials, Ward Councillor, and observers from organisations/sectors and geographical blocks present inside the venue.]
15. [Ballot box(es) will be opened, and ballot papers will be placed on table(s) prepared for counting purposes.]
16. [A ballot paper marked in more than one block on the same ballot paper or marked outside blocks provide for on a ballot paper will not be counted as a valid vote, but rather as a spoiled ballot paper.]
17. [The Election Officer will record results for organisations/sectors and geographical blocks respectively in the order of the highest to the lowest number of votes achieved during the election.]
18. [If the same number of votes is cast during election for organisations/sectors or geographical blocks the result will be determined by way of casting the lot in instances where it is required to finalise the ten (10) Ward Committee Members and the order of the rating on the possible replacement list.]
19. [The Election Officer must prepare the list of the ten (10) elected Ward Committee Members, taking into consideration the agreed ratio between organisations/sector and geographical blocks for the Ward Committee and ensure that preference be given to at least three (3) women representatives and where possible, at least one (1) organisation representing the interest of the youth, disabled and elderly.]
20. [If more nominations than the mentioned ten (10) Ward Committee Members received votes, at the elections, the particular organisations/sectors/geographical blocks must be placed on a replacement list for the particular Ward Committee, rated in order of the highest to the lowest number of votes achieved during the election.]
21. [Voters or observers may lodge an objecting against possible irregularities observed during the election process with the Election Officer at the election venue.]

22. [An appeal may be lodged on the same day of the specific elections (before results is finalised) to the Municipal Manager or deligatee if an objection cannot be resolved by the Election Officer. The ruling by the Municipal Manager or deligatee will be final.]
23. [The results of a ward committee election will be declared by the local Ward Councillor at the election venue, after counting and finalising of list of elected Ward Committee Members and possible replacement list for the particular Ward.]

SCHEDULE 4 [2]**CODE OF CONDUCT FOR WARD COMMITTEE MEMBERS****1. Preamble:**

- 1.1 The purpose of the code is to ensure that Ward Committee Members fulfil their obligations to the respective wards they represent.
- 1.2 The code is furthermore a set of guidelines to promote improvement of good behaviour of individual Ward Committee Members and to foster good relations with the community, administration and Council.
- 1.3 This code is based on the Code of Conduct for Councillors and needs to be read in conjunction with the mentioned Code.

2. General:

Ward Committee Members must at all times:

- 2.1 Perform their responsibilities/obligations with integrity, honesty and in a transparent manner.
- 2.2 Not in any way compromise the stability of the particular Ward Committee/local Ward Committee system.
- 2.3 Not compromise the integrity and credibility of the Municipality.

3. Attendance of meetings:

- 3.1 Ward Committee Members and/or their respective secundus must strive to attend all officially scheduled Ward Committee meetings.
- 3.2 Organisations/sectors/geographical areas [block] (block representatives) will automatically be dismissed from affected Ward Committee(s) if their Ward Committee Member(s) and secundi (secundus) fail to comply with clauses 9.13 or 9.14 in terms of the Overstrand Ward Committee Rules.

4. Disclosure of interest:

- 4.1 A Ward Committee Member must disclose direct or indirect personal or private interest in any matter serving before the Committee.
- 4.2 It is expected of a Ward Committee Member to recuse him/herself from the discussion of an item before the Ward Committee in situations described in 4.1 above.

5. Personal gain:

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A Ward Committee Member:

- 5.1 Must not use his/her position as a Ward Committee Member for private gain or to improperly benefit from another person.
- 5.2 Must not accept any gifts, rewards, and favours for their involvement in responsibilities/activities with regard to the Ward Committee.

6. Intervention in administration:

A Ward Committee Member must not:

- 6.1 Interfere in the administration or any department of the Municipality.
- 6.2 Give instruction(s) to employee(s) of the Municipality.
- 6.3 Obstruct or attempt to obstruct the implementation of any decision of Council or administration.
- 6.4 Encourage participation in any action that would result in maladministration within the Municipality.

7. Council property:

A Ward Committee Member may not misuse, take, acquire or benefit from any property or asset under control or owned by the Municipality.

8. Disciplinary action:

- 8.1 If reasonable suspicion exists that provision of this Code of Conduct has been transgressed the Chairperson of the Ward Committee must:
 - 8.1.1 Provide a written report with the facts to the Speaker;
 - 8.1.2 The Speaker will give the affected Ward Committee Member a reasonable chance to respond to the alleged breach of the code;
 - ~~8.1.3 That the Ward Councillor also be afforded the opportunity by the Speaker to respond in writing to the submission of the affected Ward Committee Member. [Speaker will take an informed decision on the matter based on the evidence available to him/her.]~~
 - ~~8.1.4 Speaker will take an informed decision on the matter based on the evidence available to him/her.~~
 - ~~8.1.5 The secundus of the Speaker will perform the duties of the Speaker set out in this disciplinary process in instances where the Speaker indicated in writing that he/she is unavailable to deal with a possible transgression.~~
- 8.2 The Mayor will act as the appeal authority.

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DECLARATION

I, _____

Solemnly declare that I have carefully studied the Ward Committee Rules for Overstrand Municipality and the related Code of Conduct for Ward Committee Members. I fully agree that I shall be bound by the last-mentioned Rules and Code of Conduct in the execution of my functions and duties.

Signed at _____ on this _____ day of _____ 2016.

.....
SIGNATURE OF WARD COMMITTEE MEMBER

.....
WARD NO.

.....
WARD COMMITTEE MEMBER *(name in printed capital letters)*

.....
DATE

.....
AREA MANAGER/DIRECTOR: COMMUNITY SERVICES

.....
DATE

AS WITNESSES:

.....
Signature

.....
Date

.....
Signature

.....
Date