

BERGRIVIER MUNICIPALITY



WARD COMMITTEE POLICY

AMENDED RVN038/05/2018

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1. INTRODUCTION

The Republic of South Africa Constitution, 1996 requires the Municipality to encourage the public participation of community members and community organizations in the matters of local government. The Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) ("*Structures Act*") provides for the establishment of ward committees as formal mechanisms to give effect to this Constitutional obligation. Ward committees play a vital role in bridging the gap between the Community, the Municipality and its Council and also play an important role in:

- a) Enhancing participatory democracy;
- b) Neighbourhood and ward based planning including the encouragement of communities to take charge of their own livelihoods;
- c) Assisting the Municipality in service delivery improvement;
- d) Assisting in the economic empowerment of communities;
- e) Enhancing local democracy and accountability;
- f) Enhancing social cohesion, nation building and integration of communities across class, race, culture and religion; and
- g) Assisting in civic education sharing and dissemination of information.

The Structures Act (Section 73(3)) requires municipalities that have ward committees to make rules to regulate the procedure that they will follow to elect their ward committee members, with due cognisance of the need to have gender and a diversity of needs represented thereon, the circumstances under which members must vacate office and the frequency of meetings. Municipalities may also make administrative arrangements to enable ward committees to perform their functions and exercise their powers effectively; as set out in this policy.

2. POLICY OBJECTIVE

The objective of this policy is to establish uniform rules to regulate the establishment and operation of Ward Committees and define the roles and responsibilities of the Speaker and Ward committee members and Councillors in relation to ward participation in Bergrivier Municipality.

3. DEFINITIONS

In this document, unless the context indicates otherwise:

- a) "**Council**" means the council of Bergrivier Municipality or any structure/politician legally delegated to.
- b) "**Days**" shall mean working days.
- c) "**Members(s)**" mean a person(s) elected onto a ward committee.

- d) **“Municipality”** means Bergrivier Municipality.
- e) **“Municipal Manager”** means an employee of the Bergrivier 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.
- f) **“PR Councillor”** means a proportional representative municipal councillor elected in terms of section 22(1) (a) of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998) to represent a political party on the council of the Municipality.
- g) **“Sector”** means a determinable sector, subsector or interest group within the ward community and may include a geographic sector.
- h) **“Speaker”** means the Speaker of the Council elected in terms of Section 36 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998).
- i) **“Systems Act”** means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), any amendment thereto and any regulations published in accordance therewith.
- j) **“Structures Act”** means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), any amendment thereto and any regulations published in accordance therewith.
- k) **“Ward committee”** means a committee of a municipal ward, established in terms of Part 4 of Chapter 4 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998).
- l) **“Ward Councillor”** means a municipal councillor elected in terms of section 22(1)(b) of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) to represent a ward.

4 LEGISLATIVE FRAMEWORK

Ward Committees are regulated in terms of the following legislative framework:

- a) **The Republic of South Africa Constitution, 1996** which sets out the objectives of local government, including the objective of encouraging communities and community organisations to participate in matters of local government¹.
- b) **The Municipal Structures Act, 1998 (Act 117 of 1998) and regulations published in terms thereof**, which regulate the establishment, vacation of office and meeting frequency of ward committees as well as their term of office². The Municipal Council is responsible for the formulation of its own rules to regulate the election, operation and administration of ward committees.
- c) **The Municipal Systems Act, 2000 (Act 32 of 2000)**; Chapter 4 regulates community participation and makes it clear that communities are an integral part of the municipal governance process. The

¹ Republic of South Africa Constitution, 1996 (S152(1)(e))

² Local Government Municipal Structures Act (Chapter 4, Part 4, Sections 72-78) read together with Regulation R972 (2009)

Municipality is required to develop a culture of municipal governance that complements formal representative government with a system of participatory governance by encouraging and creating conditions for the local community to participate in the affairs of the municipality (Section 16). The Municipality must also establish appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the municipality (section 17). The Act also sets out specific areas where community participation is required, including the formulation and review of Integrated Development Plans (IDPs) and performance management. The Municipality must promote public participation and build the capacity of residents, Councillors and municipal officials to engage in participatory processes.

- d) **The Municipal Finance Management Act, 2003 (Act 56 of 2003) and regulations published in terms thereof;** which requires that communities participate in the budgeting process of the Municipality.

5. STATUS OF WARD COMMITTEES

A ward committee:

- a) Is an advisory body to the ward councillor;
- b) Is a representative structure;
- c) Is an independent a-political committee of the community; and
- d) Must be impartial and perform its function without fear, favour or prejudice.

6. COMPOSITION OF WARD COMMITTEES

A ward committee comprises of:

- a) The Ward Councillor who must be the chairperson of the Ward Committee in terms of section 73(2)(a) of the Structures Act.
- b) Ten (10) other community members living inside the ward, who represent a diversity of sectors and interests in the ward, which may include but not be limited to social, economic and cultural sectors, sub sectors, structures, sub structures or interest groups as well as geographical sectors.
- c) Women must be equitably represented on the Ward Committee.

7 ELECTION CRITERIA

To be eligible for election as a ward committee member, a person must:

- a) Be registered as a voter on the voters' roll of the ward for which he or she is nominated.
- b) Not be a member of the Council.
- c) Not be an employee of the Municipality.
- d) Not be in arrears to the Municipality for rates and service charges for a period longer than three months.
- e) Not be an unrehabilitated insolvent.
- f) Not be under curatorship.
- g) Not have been convicted of an offence and sentenced to imprisonment without the option of a fine for a period of 12 months or longer after February 1997.
- h) Not be a person declared by a competent court as being of unsound mind.
- i) Be an active participant or member of the sector which he or she is nominated to represent, be motivated to work on the Ward Committee and committed to creating a better life for the members of their ward community.

8 NOMINATION OF CANDIDATES

All sectors within the Municipality shall be entitled to nominate eligible persons to represent their sectors on the Ward Committee.

8.1 CALL FOR NOMINATIONS

Call for nominations shall:

- a) Be called for a minimum of one month prior to the date of the election meeting.
- b) Be placed in the local media, and on all official municipal notice boards.
- c) Be invited from sectors known to be represented in the Municipality (it may vary from ward to ward).

8.2 NOMINATION PROCEDURE

- a) Nominees shall be nominated on the official nomination form which is attached to this policy as **Annexure A**.
- b) The nomination form shall be:
 - i. Undersigned by the nominated candidate in acceptance of his or her nomination.
 - ii. Undersigned by a nominator and seconded by a minimum of five (5) other persons.

Or

- iii. Supported by a resolution of a formally constituted meeting of the sector, subsector, interest group or geographic sector that authorises the nominee to represent their interests on the Ward Committee.
- c) Nominations shall be submitted to the Municipal Manager or an official delegated to receive the nominations before the closing date and time specified in the call for nominations.
- d) Sectors may nominate a *secundi* in the event that their nominee is elected to serve on the Ward Committee and is unable to attend meetings.
- e) Should a nominee who is elected to serve on the Ward Committee vacate his or her position on the Ward Committee or no longer be eligible to serve on the Ward Committee, the procedure as set out under Paragraph 12 for the filling of vacancies shall apply.

8.3 REJECTION OF NOMINATIONS

- a) The Municipal Manager or an official delegated by the Municipal Manager shall reject any nomination that does not comply with paragraphs 7 and 8.2 above.
- b) Any person whose nomination is rejected shall not be allowed to be elected as a member of a Ward Committee.

9 ELECTION OF WARD COMMITTEE MEMBERS

The election of ward committees shall take place in the following manner:

9.1 WARD COMMITTEE ELECTION MEETING

- a) The Ward Councillor shall, in cooperation with the Speaker, convene a Ward Committee election meeting for his or her ward.
- b) Notices of the Ward Committee election meetings shall be given at least 7 calendar days prior to the Ward Committee election meeting.
- c) Notice of the Ward Committee election meetings shall be done as comprehensively as possible with due cognisance of the communication preferences of the ward to ensure optimal participation and shall include at least 2 of the following mechanisms:
 - i. Notices in the media;
 - ii. Notices to residents; and
 - iii. Notices on official municipal notice boards.

- d) The MEO, Municipal Manager or an official of the Municipality delegated to do so by the Municipal Manager shall preside over the election process.
- e) No quorum is required at a Ward Committee election meeting.
- f) Only voters who are registered on the ward portion of the voters roll may vote at a Ward Committee election meeting.
- g) Attendance registers must be completed for Ward Committee election meetings.

9.2 ELECTION PROCEDURES

- a) It is acknowledged that the profile and geographical composition of wards may differ and that the policy needs to make provision for different ward compositions.
- b) The election of Ward Committee members shall take place on a sectoral and/or geographical basis.
- c) In the absence of sectors per ward, the geographical criteria may prevail.
- d) A maximum of 10 sectors can be represented on the Ward Committee.
- e) The sectors per definition will include, but not be limited to, the following:
 - Business
 - Agriculture
 - Health, Welfare & Disabled
 - Senior Citizens
 - Youth
 - Women/Disadvantage Groups as per national legislation
 - Faith Based
 - Sports & Culture
 - Education
 - Community Safety
- f) Where there are no more than 10 sectors with eligible nominees, these sectors shall be regarded as the sectors from which Ward Committee members shall be elected.
- g) Where there is only one duly nominated nominee per sector, that nominee shall be declared as elected unopposed and a duly elected member of the Ward Committee.
- h) Where there is more than one nominee per sector, a vote shall be held by means of a ballot
- i) All persons eligible to vote shall have one vote to elect a representative in respect of each sector (10 votes in total).
- j) In the case of equal number of votes for any nominated candidate, there shall be a drawing of a lot by a delegated official.

10 TERM OF WARD COMMITTEES

The term of office of Ward Committee members shall be equal to the term of office of the Council and shall terminate on the day preceding the date of the following municipal election.

11 VACANCIES

- a) A Ward Committee Member shall cease to be a member of the ward committee if that member:
 - i. Resigns in writing;
 - ii. Moves to another ward/geographical area;
 - iii. Is not on the voters roll for the ward;
 - iv. Ceases to be a member of the sector that he or she represents;
 - v. Dies; and
 - vi. Is removed from office by the Council.
- b) The Council shall remove a Ward Committee Member from office by a resolution if such member:
 - i. Has been absent without leave of the Ward Committee for three or more official consecutive meetings;
 - ii. Is proven to be involved in any form of corruption;
 - iii. Fails to adhere to meeting procedures or misconducts him/herself during meetings;
 - iv. Fails to submit priorities as mandated by the sector;
 - v. Becomes involved in activities that undermine the Council or Ward Councillors authority;
 - vi. Contravenes the Code of Conduct for Ward Committee Members; and
 - vii. Is in arrears with his/her municipal services account for more than 90 days.

12 FILLING OF VACANCIES

- a) When a vacancy occurs, nominations shall be called for from the sectors as outlined in paragraph 9.
- b) When the vacancy occurs, the nomination and election process as set out in paragraphs 8 and 9 shall be followed.
- c) Should the sector not wish to nominate a candidate, the ward councillor in consultation with the Speaker and the Department of Strategic Services may restructure the composition of the Ward Committee after which call for nominations for the restructured ward committee shall be made in

terms of paragraph 8.1 where after the procedure as set out in paragraphs 8.2, 8.3 and 9 shall be followed.

13 POWERS OF WARD COMMITTEES

- a) Ward Committees may make recommendations to the Ward Councillor and/or through their ward councillor to the Executive Mayoral Committee and Council on any matter affecting their ward.
- b) The Council may delegate additional powers to Ward Committees in terms of Section 59 of the Systems Act.

14 FUNCTIONS OF WARD COMMITTEES

Ward Committees shall perform the following functions:

- a) To support and assist the Ward Councillor in execution of his/her duties and responsibilities.
- b) Participate in the Integrated Development Plan (IDP) development and review process by:
 - i. Gathering information on the developmental needs of the ward.
 - ii. Identifying priorities / reprioritizing / proposing projects.
 - iii. Attending strategic planning and review exercises.
 - iv. Serving on representative forums that may be established to liaise with residents.
 - v. Overseeing development projects emerging from the IDP including ward / town based plans.
 - vi. Attending public IDP / ward / town based planning meetings.
- c) Participate in the budget process by:
 - i. Attending public budget meetings.
 - ii. Attending and participating in Council outreach programmes.
 - iii. Entering into discussions on the town / ward budget with the Ward Councillor.
 - iv. Attend and influence municipal budget meetings and processes.
- d) Participate in the performance management of the Municipality by:
 - i. Monitoring the performance of the Ward Councillor when requested.
 - ii. Engage in performance reviews of the IDP.
 - iii. Providing inputs regarding off-schedule capital projects and service delivery targets.
 - iv. Through the IDP and Annual Report reviews provide written comments/feedback on the level of development in the Municipality, service delivery and reporting.
 - v. Assist in the monitoring of the Customer Service Charter

- e) Attend meetings of the Ward Committee, Council, Community and sector consultations as well as feedback meetings.
- f) Receive and record complaints, queries and requests from the community within the ward to the Municipality (Client Services Officers).
- g) Submission and tabling of reports and plans addressing the needs and priorities of the ward and provide feedback on the functions rendered by the Municipality that impact on the ward, in order to formulate recommendations to be submitted to the Municipality through the Ward Councillor.
- h) Provide feedback to the Community on the Council's resolutions.
- i) Visit relevant sector organizations and communities for the purpose of information gathering, information sharing, Council feedback, intervention, networking, community mobilization, conflict resolution or any other reasons.
- j) Participate in stakeholder cluster forums.
- k) Coordinate ward programmes.
- l) Create formal unbiased communication channels and co-operation partnerships between the Municipality and the community within a ward.
- m) Create harmonious relationships between the residents of the ward, the Ward Councillor and the Municipality.
- n) Facilitate and encourage participation by the community in Municipal processes and all affairs of the Municipality.
- o) Act as an advisory body on the Municipality, Council policies and matters affecting communities in the ward.
- p) Serve on officially recognized and specialized participatory structures of the Municipality.
- q) Serve as a constructive mobilizing agent for community action
- r) Monitor the implementation of ward plans, programmes and ward discretionary funds (where available).
- s) Conduct or assist with customer satisfaction surveys in the ward.
- t) Maintain a register of all active organisations in the ward.
- u) Distribute publications approved by the Municipal Manager or an official delegated to do so, on Ward Committee activities and ward programmes as requested.
- v) Participation in plans and programmes of the Municipality and other spheres of government impacting on the ward development.
- w) Any additional functions that the Council may delegate to the Ward Committees in terms of Section 59 of the Systems Act.

15 CONDUCT OF WARD COMMITTEES MEMBERS

A member of a Ward Committee must subscribe to the Municipality's Code of Conduct for Ward Committees (**Annexure B**) which requires members to amongst others:

- a) Perform the functions of the Ward Committee in good faith and without favour or prejudice.
- b) Not use the position or privileges of membership for private gain or to improperly benefit another person.
- c) Accept the principle of accountability to the community.
- d) Not compromise the credibility and integrity of the Ward Committee and the Council.
- e) Function in support of the Ward Councillor and the Municipal Council.
- f) Be accessible to the community.
- g) Ensure that the operations of the Ward Committee are open and transparent.
- h) Ensure that all views and opinions are taken cognizance of.
- i) Be punctual for meetings and submit an apology to the chairperson twenty four hours prior to the meeting if it cannot be attended.

16 MEETINGS OF WARD COMMITTEES

- a) The Ward Councillor chairs all the meetings of the Ward Committee. The Speaker shall act as chairperson in the absence of a councillor.
- b) A minimum of 4 formal meetings per ward shall be held per annum.
- c) Meetings may, subject to the approval of the Speaker and availability of funds, be held more frequently should circumstances necessitate it.
- d) The Ward Councillor must accept responsibility for the compilation of a programme of meetings at the beginning of the financial year which must be submitted to the Speaker of the Municipality.
- e) Ward Committees, with a supporting vote of the majority of their members, may determine their own procedures, subject to any directives of the Chairperson. In this event, 50% of members of filled positions is a prerequisite for the sitting of a meeting.
- f) The Ward Councillor and Speaker shall be responsible for ensuring that full and proper records are kept of all Ward Committee Meetings and/or activities.
- g) The Municipality shall provide secretarial services for all formally constituted Ward Committee Meetings.

17 SUBCOMMITTEES

- a) A Ward Committee may establish one or more subcommittees that may be necessary for the performance of its functions which may include other organisations.
- b) The Ward Committee must appoint the members of the subcommittee, the chairperson and determine the functions of the subcommittee.
- c) Ward Committees and sub committees may meet collectively as a Ward Forum when so required by the Ward Councillor and/or Speaker.
- d) Sub-committee members will not be remunerated.

18 WORK PROGRAMME

The Ward Committee must submit a programme for the new financial year with specific outputs of work for one year to the office of the Speaker by June of each year. The Ward Committee must perform the functions as set out to achieve the outputs indicated on the programme by own initiative, or at the request of the Ward Councillor and Speaker.

19 DISPUTE RESOLUTION

Disputes shall be resolved in the following manner:

- a) Every effort shall be made to resolve the dispute through consensus within the Ward Committee.
- b) When a dispute cannot be resolved in this way, the Speaker shall appoint a person to resolve the dispute through mediation.
- c) If the dispute cannot be resolved through mediation, the Speaker shall arbitrate the dispute and make a final and binding decision (except for disputes as indicated in (d) below).
- d) If the dispute involves the Ward Councillor, and if the majority of the elected members of the Ward Committee remain aggrieved following the arbitration, the matter shall be taken to the Council through the Office of the Speaker for a final and binding decision.

20 DISSOLUTION OF WARD COMMITTEES

The Municipal Council may dissolve a Ward Committee on the recommendation of the Speaker if the Committee fails to fulfil its duties and objectives. A new ward committee will be elected as per paragraph 8 and 9 above.

21 BUDGET

21.1 Monthly stipend

- a) A stipend will be paid to ward committee members on a monthly basis from the ward grant as allocated via the Equitable Shares;
- b) The stipend will be paid on the following conditions:
 - Full attendance of all official meetings of the ward committee and municipality where ward committees are involved;
 - The submission of a bi-monthly report submitted to the ward councillor and will be a sector specific report as represented by the ward committee members. A template attached (Annexure D) will to be used for these purposes;
- c) The monthly stipend will be determined on an annual basis given affordability;
- d) No additional stipend will be paid when attending any other meetings other than the formal ward committee meetings;
- e) Fuel costs will be paid from the Municipality's ward grant in accordance with the SARS framework and tariffs and as adjusted on an annual basis;
- f) It is expected of ward committee members to co-ordinate transport to meetings to ensure cost savings mechanisms. Where more than 1 vehicle was used to attend a meeting, no fuel cost will be paid; and
- g) Stipends shall be paid to the officially elected Ward Committee member.

21.2 Ward committee projects

- a) The Municipal Council may allocate funds to enable Ward Committees to perform their functions, exercise their powers and undertake development in their wards within the framework of the law;
- b) The funding by the Municipality to ward committees for the purposes of approved projects may only be done according to legislative guidelines and must include:
 - Enhancing participatory democracy;
 - Neighbourhood and ward based planning including the encouragement of communities to take charge of their own livelihoods;
 - Assisting the Municipality in service delivery improvement;
 - Assisting in the economic empowerment of communities;
 - Enhancing local democracy and accountability;

- Enhancing social cohesion, nation building and integration of communities across class, race, culture and religion; and
 - Assisting in civic education sharing and dissemination of information.
- c) An annual allocation for each ward may be made during the annual budget processes subject to affordability;
 - d) The ward committee project fund is not a discretionary fund of/for the ward councilor and may not be used for political campaigns;
 - e) The allocation is specifically intended for **ward committee projects as identified by the ward committees** and all projects need to be duly minuted in formal ward committee meetings. Any changes to projects must be officially discussed at a formal ward committee meeting and must also be duly minuted;
 - f) No funds will be paid for projects if an official minute of the ward committee is not attached;
 - g) In the event of a change in project(s) and/or ad hoc project(s) and the ward committee minutes are not available, the Speaker then can approve the project within the framework of this policy;
 - h) The ward committee project fund will be subject to the cost containment measures as applicable to municipalities and may not be used for donations and/or to support individuals and organisations;
 - i) Ward committee project allocations can thus be used for inter alia:
 - a. Awareness campaigns (if not sufficiently budgeted for under any other budget vote and/or when awareness campaign will enhance other initiatives in the ward);
 - b. Infrastructure development that the ward committee wants to implement, such as entrance walls into towns or neighbourhoods, play parks, signage etc (that has not sufficiently been budgeted for already in any other budget vote);
 - c. Studies to be conducted for the development of the ward;
 - d. Visits for ward committees to areas (within limit) to learn more about a specific project;
 - e. Invite guest speakers to conduct workshops on specific themes in the ward;
 - f. Cost of workshops to be conducted;
 - g. Educational programmes;
 - h. Greening and beautification;
 - i. Sport or youth programmes (if not sufficiently budgeted for in any other budget vote);
 - j. Awareness in waste management and/or composting (if not already budgeted for in any other budget vote);
 - k. Skills development programmes; and
 - l. Any other project in line with the goals of the ward plan.

- j) Proper planning will be essential to ensure that no duplication of projects takes place, with specific reference to awareness campaigns such as LDAC and/or social projects budgeted in the Office of the Mayor.
- k) Items of a capital nature may be provided for and should be included in the capital budget of the Strategic Services section in consultation with the responsible Portfolio councillor and Director.

22 THE ROLE OF THE SPEAKER

The Speaker:

- a) Must assert an oversight role on Ward Councillors.
- b) Is an *ex-officio* member of all Ward Committees.
- c) Must ensure that ward participatory structures are established in line with the set guidelines and legislation.
- d) Must through his or her office ensure full functionality of Ward Committees.
- e) Must in collaboration with Ward Councillors, regulate and monitor the frequency of Ward Committee meetings, community and sector report back meetings.
- f) Must ensure that local environment is conducive to active citizen participation in local governance.
- g) Must ensure the provision of dedicated municipal support and resources to Ward Committees.
- h) Must facilitate ongoing training and capacity building programmes in various areas of management and should ensure that Ward Councillors are part of all Ward Committee capacity building and training programmes.
- i) Set deadlines for submission of Ward Committee reports.
- j) Improve communication with Ward Committees and ensure feedback meetings and reports are submitted.
- k) Deploy PR Councillors to support the Ward Councillor.
- l) Ward Councillors who do not perform their duties will be subjected to the Code of Conduct for Councillors.

23 THE ROLE OF THE PR COUNCILLOR

The PR Councillor:

- May attend Ward Committee Meetings in the Ward where he or she permanently resides.
- May, at the request of the Ward Councillor, assist with the implementation of projects.

- May support the Ward Councillor if based in the same ward and by request of the Ward Councillor.
- May not undermine the authority of the Ward Councillor.

ANNEXURE A: NOMINATION FORM



**BERGRIVIER MUNICIPALITY
NOMINATION FORM FOR ELECTION AS A WARD COMMITTEE MEMBER**

PART A: NOMINATION

Name	
ID Number:	

duly authorized by the _____ Sector* hereby nominate the following person:

Name	
ID Number:	

to represent the above mentioned Sector on the Bergrivier Municipality Ward Committee for Ward _____.

Signature of nominator

Date

The above nomination is seconded by members of the specific sector:-

	Name	ID Number	Telephone no	E -Mail	Signature
1					
2					
3					

* A sector is defined as a determinable sector, subsector or interest group within the ward community and may include _____ a _____ geographic _____ sector.

PART B: ACCEPTANCE OF NOMINATION AND DECLARATION

I _____ ID _____ hereby accept my nomination to represent the _____ Sector on the Ward Committee of Ward _____.

I hereby declare that I;

- a) Am registered as a voter on the voter’s roll of the ward for which I am nominated.
- b) Am not a member of the Bergrivier Municipal Council.
- c) Am not an employee of the Bergrivier Municipality or the West Coast District Municipality.
- d) Am not in arrears to the Bergrivier Municipality for rates and service charges for a period longer than three months.
- e) Am not an unrehabilitated insolvent.
- f) Am not under curatorship.
- g) Have not been convicted of an offence and sentenced to imprisonment without the option of a fine for a period of not less than 12 months after February 1997.
- h) Have not been declared by a competent court as being of unsound mind.
- i) Am an active participant / member of the sector which I am nominated to represent, am motivated to work on the Ward Committee and committed to creating a better life for the community of my ward.

Signature of Nominee

Date

Contact details of nominee:

Residential address:	
Telephone no: Home	
Telephone no: Work	
Cell Number:	
E Mail:	

ANNEXURE B: CODE OF CONDUCT

BERGRIVIER MUNICIPALITY



CODE OF CONDUCT

FOR

WARD COMMITTEE MEMBERS

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1. PROLOGUE

Ward Committee members are elected to represent various sectors represented 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) Other ward committee members.
- b) The Ward Councillor of their ward and all other Councillors of the Municipality.
- 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 Bergvriër 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 Bergrivier Municipality Ward Committee Policy.

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 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.

5.13 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 Bergrivier Municipality Ward Committee Policy shall be adhered to.

5.14 PLEDGE BY WARD COMMITTEE MEMBERS

I solemnly declare:

I pledge to advance and act in the best interests of Ward and the Bergrivier Municipality. I confirm that I am residing within the jurisdiction of Bergrivier 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 as informed by the provision of the Local Government : Municipal Structures Act, 1998, the National Framework : Criteria for the Determining of Out of Pocket Expensed for Ward Committee Members, 2009 and all relevant policies of Bergrivier Municipality. 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. I further acknowledge that my remuneration for out of pocket expenses for meeting attendance and petrol claims is subject to me fulfilling my obligations as set out above.

Signature:

Signed at..... on thisday of

Witness 1

Name:

Signature:

Date:

Witness 2:

Name:

Signature:

Date:

Ward Councillor:

Name:

Signature:

Date:

ANNEXURE C: CLAIM FORM



CLAIM FORM - WARD COMMITTEE MEETING ATTENDANCE
(Resolution 977 of 26 August 2011)

Name: _____

Ward: _____

Sector: _____

Meeting costs:

Date of meeting: _____

Time: Arrival: _____ Departure: _____

Total cost: _____

Petrol costs:

From: _____ To _____ Km _____

From: _____ To _____ Km _____

Total Km _____ Minus 5 Km _____ = _____ Km x SARS tariff

Total cost: R _____

Signature of claimant

Date

Approval:

Ward Councillor

Municipal Manager

ANNEXURE D: WARD COMMITTEE MONTHLY REPORT

	Please answer the following questions and attach documents to report when required
Month of Report	
Ward	
Area	
Ward Councillor	
Sector	
Date of Ward Committee Meeting	
Date(s) of meeting(s) with sector	
Organisations present at meeting	
What feedback have you given on agenda of ward committee meetings, opportunities, bursaries and/or other issues communicated to you as a ward committee member	
Please attach minutes or notes to report	
What needs have been discussed?	
What complaints have been raised?	

Are there any projects in your sector?	
What needs for assistance has been identified for the project?	

.....
SIGNATURE

.....
DATE

.....
CELLPHONE NUMBER

.....
EMAIL ADDRESS