

Update from the Municipal Demarcation Board

REPORT TO MINMEC OF 8 SEPTEMBER 2000

by Dr. Michael Sutcliffe (Chairperson), Mrs. Nkaro Mateta (Deputy Chairperson) of Municipal Demarcation Board

Municipal boundary changes

The Board will continue to consider boundary changes but for purposes of the elections the Board is only considering submissions which clearly should be made now. In these cases the MECs and IEC are consulted and the Board is endeavouring to ensure that only complete Voting Districts are moved between jurisdictions.

Ward boundary changes

The same general approach is being undertaken with regard to submissions being received with requests to amend ward boundaries.

Traditional leaders

Arising out of the letter from President Mbeki to traditional leaders the Board is engaged in the following process:

- A letter has been sent to Premiers, MECs, Chairpersons of the National and Provincial Houses of Traditional Leaders, CONTRALESA, Kings and Queens. This letter requested that any further submissions they wish the Board to consider must be provided in writing by 8 September 2000.
- The Board is reviewing all submissions made around traditional areas which the Board has not acceded to with a view to ensuring that they meet sections 24 and 25 of the Municipal Demarcation Act. Where the Board is able to make adjustments within the law it will do so.
- The Board is involved in a number of meetings with traditional leaders to address specific concerns and these will be communicated to MECs.
- The Board will meet the IEC on 11 and 12 September 2000 to review the process and ensure that whatever changes are made will promote the efficient holding of free and fair elections.
- The Board will provide a report to Minister Mufamadi and President

Mbeki updating them on the above.

Updates on capacity assessments

The Board has been updating its capacity assessments based on information which has been received subsequent to the draft reports having been made available to MECs. These updated reports will be sent to each MEC on 12 September 2000 and a full set will be provided to Minister Mufamadi.

Financing municipalities

The Board has completed a report outlining its views on the financing of municipalities and it will be circulated to Ministers Mufamadi and Manuel as well as MECs for Local Government and SALGA.

Court cases

The St. Francis Bay TLC has decided not to proceed with court action against the Board. With respect to the cases of Chief Manganyi (Northern Province), Bestbier (Western Cape) and Impenjati (KwaZulu-Natal) the Board has provided a record of proceedings and in some cases a replying affidavit. No court dates have been set. In the Hartbeespoort case the Board is taking action itself and hopes that the matter will be set down for the last week of September 2000.

Establishment process

Together with the Department of Provincial and Local Government (DPLG) the Board is continuing its work in providing assistance to MECs around the establishment process. A serious area of concern is that particularly in the case of the four provinces which have Cross Boundary Municipalities different drafting approaches are being used.

Cross boundaries Amendment Bill

Arising out of the objection process in the case of the the Cross Boundary Municipalities a number of small adjustments have been proposed. The Board requests MECs to assist it in ensuring that the resolutions are passed by the legislatures in order that the Amendment Act may be fast-tracked through the National Assembly.

Municipal Structures Act Amendment Bill

This process should be finalised in time for the Portfolio Committee to vote on the Bill. The Board appreciates the efforts made by the National Portfolio Committee and the Department to fast-track what are important amendments to the Act to ensure that practical problems are properly addressed and that more legal certainty is provided.

Government alignment

The Board is beginning a process to work with Government Departments around the question of the alignment of government boundaries with the new municipal boundaries.

Municipal census

In order to ensure that the information on municipalities required by not only the Municipal Demarcation Board, but Government and SALGA, is accurate, reliable and representative, the Board has been holding discussions with DPLG and SALGA. Arising out of this the Board will be conducting a pilot census of municipalities in January 2001 to obtain base data on capacity, finances and administration. These data will then be updated on an annual basis.

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