



**RESOLUTIONS ARISING FROM THE COUNCIL MEETING  
HELD ON THURSDAY, 18 AUGUST 2016**

A53/08/2016

**OATH OR SOLEMN AFFIRMATION BY MEMBERS OF THE COUNCIL**

(MFM)

(3/3/1)

**RESOLVED**

That it **BE MINUTED** that the councillors present at the meeting took their oath and made their affirmation of office before Magistrate Du Preez.

**DISCLOSURE AND DECLARATION OF INTERESTS BY MEMBERS OF COUNCIL**

(MFM)

(3/3/1)

**RESOLVED**

1. That in terms of Section 5 of the Code of Conduct for Councillors, a Councillor **MUST DISCLOSE** his/her/their interest(s) in any matter(s) under discussion by Council or any of its committees and withdraw from the proceedings unless the Council or committee decides that the Councillor(s)'s direct or indirect interest in the matter is trivial or irrelevant.
2. That in terms of Section 7 of the Code of Conduct, Schedule 1 to the Local Government Municipal Systems Act, Act 32 of 2000, every Councillor **MUST DECLARE** in writing to the Municipal Manager the financial interests held by that Councillor, before the end of August 2016.
3. That in terms of Section 7(1) of the Code of Conduct for Councillors, every Councillor **MUST DECLARE** within 60 days after the commencement of a new calendar year, in writing to the Municipal Manager, the financial interests held by that Councillor.
4. That in terms of Section 7(2) of the Code of Conduct for Councillors, every Councillor **MUST DECLARE** any change in the nature or detail of the financial interest of a Councillor, in writing to the Municipal Manager, within 30 days of such change.
5. That in terms of Section 7(3) of the Code of Conduct for Councillors, a Councillor **MUST DECLARE** any gift in writing and within 30 days after receipt thereof, where:
  - (a) the value of the gift exceeds R1000-00; and
  - (b) the value of the gifts received from a single source in any calendar year exceeds R1000-00.
6. That a gift declaration received from a Councillor **MUST CONTAIN** a description of such gift or gifts, as the case may be, and the value and source of such gift or gifts, as the case may be.

**A55/08/2016**

**ELECTION OF THE SPEAKER**

**(MFM)**

**(3/3/1)**

**RESOLVED**

1. That Councillor Nhlakanipho Guyborn Zuma **IS DULY ELECTED** as the Speaker of the Govan Mbeki Municipality in terms of Section 36 of the Local Government Municipal Structures Act, Act 117 of 1998, for the term of office as prescribed in Section 38.
2. That the office of the Speaker **IS DESIGNATED** as a full time position in terms of Section 18(4) of the Local Government: Municipal Structures Act, Act 117 of 1998, read with the Section 12 Notice published in Provincial Gazette No. 1905 dated 27 May 2011.
3. That the functions and powers of the Speaker **ARE DETERMINED** as that which are stipulated in Section 37 of the Local Government Municipal Structures Act, Act 117 of 1998 and those contained in the Delegation of Powers / Authorities Document: Fourth Amendment, as approved through Council resolution A37/05/2016.
4. That the Speaker **BE REMUNERATED** in terms of the determination of upper limits of salaries, allowances and benefits of different members of municipal councils as promulgated in Government Gazette No. 39548, dated 21 December 2015, under Government Notice No. 1271 and as adopted through Council resolution A01/01/2016.

**A56/08/2016**

**ELECTION OF THE EXECUTIVE MAYOR**

**(MFM)**

**(3/3/1)**

**RESOLVED**

1. That it **BE ACKNOWLEDGED** that the Govan Mbeki Municipality is a Category B municipality with a mayoral executive system, combined with a ward participatory system, in terms of the Section 12 Notice published in Provincial Gazette No. 1905 dated 27 May 2011.
2. That Councillor Noliqwa Florah Maboja-Boltman **IS DULY ELECTED** as the Executive Mayor of the Govan Mbeki Municipality in terms of Section 55 of the Local Government Municipal Structures Act, Act 117 of 1998, for the term of office as prescribed in Section 57.
3. That the office of Executive Mayor **IS DESIGNATED** as a full time position in terms of Section 18(4) of the Local Government: Municipal Structures Act, Act 117 of 1998, read with the Section 12 Notice published in Provincial Gazette No. 1905 dated 27 May 2011.
4. That all powers are **DELEGATED** to the Executive Mayor except those powers referred to in Section 160(2) of the Constitution, Act 108 of 1996, read with Section 56 of the Local Government Municipal Structures Act, Act 117 of 1998 and the Delegation of Powers / Authorities Document: Fourth Amendment, as approved through Council resolution A37/05/2016.
5. That the Executive Mayor **BE REMUNERATED** in terms of the determination of upper limits of salaries, allowances and benefits of different members of municipal councils as promulgated in Government Gazette No. 39548, dated 21 December 2015, under Government Notice No. 1271 and as adopted through Council resolution A01/01/2016.

**FULL-TIME DESIGNATION: MEMBERS OF THE MAYORAL COMMITTEE**

(MFM)

(3/3/1)

**RESOLVED**

1. That the positions of the members of the mayoral committee (MMC Councillors) **ARE DESIGNATED** as full-time in terms of Section 18(4) of the Local Government: Municipal Structures Act, Act 117 of 1998, read with the Section 12 Notice published Provincial Gazette No. 1905 dated 27 May 2011.
2. That it **BE ACKNOWLEDGED** that the Executive Mayor appointed the following councillors as members of her Mayoral Committee in terms of Section 60 of the Local Government: Municipal Structures Act, Act 117 of 1998,
  - MMC Councillor for Community Services : Nomgqibelo Ethel Nkosi
  - MMC Councillor for Corporate Services : Betty Bawinile Ndaba
  - MMC Councillor for Finance : Thembinkosi Abram Mtsweni
  - MMC Councillor for Planning & Development : Yvonne Thandiwe Ngxonono
  - MMC Councillor for Technical Services : Siphon Antony Makhaye
  - MMC Councillor for Special Projects : Thandi Portia Mtsweni

A58/08/2016

**ELECTION OF A WHIP FOR COUNCIL**

(MFM)

(3/3/1)

**RESOLVED**

1. That Councillor Philemon Doctor Mtshali **IS DULY ELECTED** as the Whip for Council in terms of Section 18(4) of the Local Government Municipal Structures Act, Act 117 of 1998.
2. That the office of the Whip for Council **IS DESIGNATED** as a full time position in terms of Section 18(4) of the Local Government: Municipal Structures Act, Act 117 of 1998, read with the Section 12 Notice published in Provincial Gazette No. 1905 dated 27 May 2011.
3. That the functions and powers of the Whip of Council **ARE DETERMINED** as those contained in the Delegation of Powers / Authorities Document: Fourth Amendment, as approved through Council resolution A37/05/2016.
4. That the Whip of Council **BE REMUNERATED** in terms of the determination of upper limits of salaries, allowances and benefits of different members of municipal councils as promulgated in Government Gazette No. 39548, dated 21 December 2015, under Government Notice No. 1271 and as adopted through Council resolution A01/01/2016.

**A59/08/2016**

**ELECTION OF REPRESENTATIVES TO THE GERT SIBANDE DISTRICT MUNICIPALITY**

**(MFM)**

**(3/3/1)**

**RESOLVED**

1. That the following councillors **ARE ELECTED** to serve as the municipality's representatives on the Gert Sibande District Municipality in terms of Section 16 of Schedule 2 of the Local Government: Municipal Structures Act, Act 117 of 1998.
  - Noliqwa Florah Maboja-Boltman
  - Mamokgekge Ben Makola
  - Sifiso Isaac Sibanyoni
  - Mfanufikile Johan Nkosi
  - Khehla Daniel Mazibuko
  - Ciska Botha
  - Sibongile Brenda Mathebula
  - Auntony Oriel Mukhwanazi
  - Gideon Rudolph De Vries
  
2. That it **BE ACKNOWLEDGED** that these representatives will be remunerated by the Gert Sibande District Municipality.



**A60/08/2016**

**CODE OF CONDUCT FOR COUNCILLORS**

**(MFM)**

**(3/3/1)**

**RESOLVED**

1. That all Councillors of the Govan Mbeki Municipality shall **SIGN** and **COMPLY** with the Code of Conduct contained in Schedule 1 of the Local Government Municipal Systems Act, Act 32 of 2000.
2. That Councillors **SUBMIT** their signed copies of the Code of Conduct to the Office of the Speaker before the end of August 2016.
3. That the Office of the Speaker **KEEP** a register to be able to account that each and every councillor has signed a copy of the code of conduct.
4. That the Code of Conduct, as contained in Schedule 1 of the Local Government Municipal Systems Act, Act 32 of 2000, **FORM PART** of the councillor workshop to be held on the 25<sup>th</sup> and 26<sup>th</sup> of August 2016.

**A61/08/2016**

**STANDING ORDERS**

**(MFM)**

**(3/3/1)**

**RESOLVED**

1. That the Standing Orders approved through resolution A48/05/2016 **FORM PART** of the councillor workshop to be held on the 25<sup>th</sup> and 26<sup>th</sup> of August 2016.
2. That an explanation **BE GIVEN** at the above-mentioned workshop as to why a different set of the Standing Orders was tabled.

**A62/08/2016**

**REMUNERATION OF COUNCILLORS IN TERMS OF THE REMUNERATION OF  
PUBLIC OFFICE BEARERS ACT**

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(MFM)

(6/11/2)

**RESOLVED**

That resolution A01/01/2016, passed by the previous Council concerning the determination of upper limits of salaries, allowances and benefits of different members of municipal councils, as promulgated in Government Gazette No. 39548, dated 21 December 2015, under Government Notice No. 1271, **BE RECONFIRMED.**

**A63/08/2016**

**COUNCIL WORK PROGRAMME FOR THE 2016/2017 FINANCIAL YEAR**

**(MFM)**

**(4/1/5/1)**

**RESOLVED**

That this matter be referred to the Council meeting to be held on Monday, 29 August 2016.

**A64/08/2016**

**REPLACEMENT OF MAYORAL CAR (HNP 428 MP)**

(MHM)

(7/2/1)

**RESOLVED**

That this matter **BE HELD** in abeyance.

**A65/08/2018**

**ELECTION OF CHAIRPERSON OF THE MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

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**(MFM)**

**(3/3/1)**

**RESOLVED**

1. That Councillor Cyril Vuyani Gwiji **IS DULY ELECTED** as Chairperson of the Municipal Public Accounts Committee on a full-time basis in terms of Section 18(4) of the Local Government: Municipal Structures Act, Act 117 of 1998, read with the Government Notice 904 of 2011 published in Government Gazette No. 34868 dated 14 December 2011.
2. That the position of Chairperson of the Municipal Public Accounts Committee **IS DESIGNATED** as full-time in terms of Section 18(4) of the Local Government: Municipal Structures Act, Act 117 of 1998, read with the Section 12 Notice published in Provincial Gazette No. 1905 dated 27 May 2011.
3. That the functions and powers of the Chairperson of the Municipal Public Accounts Committee **ARE DETERMINED** as that which are contained in the Delegation of Powers / Authorities Document: Second Amendment, as approved through Council resolution A37/05/2016.
4. That the Chairperson of the Municipal Public Accounts Committee **BE REMUNERATED** in terms of the determination of upper limits of salaries, allowances and benefits of different members of municipal councils as promulgated in Government Gazette No. 39548, dated 21 December 2015, under Government Notice No. 1271 and as adopted through Council resolution A01/01/2016.