

15.
REAPPOINTMENT OF COUNCILLORS ON PORTFOLIO COMMITTEES

3/2/3/5

H van Tonder
4 May 2017

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Council Support Services

1. Executive Summary

The purpose of the report is to grant Council an opportunity to reappoint Councillors on Portfolio Committees.

2. Service Delivery and Budget Implementation Plan - IGNITE

Not applicable

3. Compliance with Strategic Priority

Provision of democratic, accountable and ethical governance

4. Delegated Authority

None

5. Legal Requirements

- Section 79 and 80 of the Local Government: Municipal Structures Act, No 117 of 1998 (Structures Act)
- Section 160(8) of the Constitution of the Republic of South Africa, 1996 (Constitution)

6. Discussion

Council resolved on 29 March 2017 as follows:

“RESOLVED (SUPPORTED BY 24 COUNCILLORS):

1. that resolution 2 under Item 8 adopted on 26 September 2016, **be revoked**;
2. that Committees (so-called Portfolio Committees), in terms of section 80, read with section 79, of the Local Government : Municipal Structures Act, No 117 of 1998, **be reappointed** as follows:

Portfolio Committee :
Finance

Members :
Ald D Coetzee, Cllrs G Cohen, K Brice,
S Tebele, X Msweli and B Molefe

Portfolio Committee : Management Services	Members : Ald M Sapepa, Cllrs J Kloppers- Lourens, R de Coning, M Opperman and N Nqinata
Portfolio Committee : Community Services	Members : Ald N Botha-Guthrie, Cllrs A Komani, L Ntsabo, V Pungupungu and S Kalolo
Portfolio Committee : Protection Services	Members : Cllrs K Brice, A Klaas, F Africa, V Macotha and S Kalolo
Portfolio Committee : Economic Development & Tourism	Members : Cllrs E Gillion, F Krige, L Ntsabo, S Tebele and C Tafu-Nwonkwo
Portfolio Committee : Infrastructure and Planning	Members : Cllrs, G Cohen, D Botha, F Krige, S Tebele and V Pungupungu

3. that a simple majority of members of any one of the Committees constitutes **a quorum.**"

In view of Cllr A Klaas' resignation with effect from 12 April 2017 and the replacement by Cllr C A May with effect from 20 April 2017, Council needs to reconsider the appointment of Councillors to the respective Portfolio Committees.

7. Financial Implications

None

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

Annexure A : Section 79 and 80 of the Structures Act

RECOMMENDATION TO THE COUNCIL:

1. that resolution 2 under Item 5.23 adopted on 29 March 2017, **be revoked**;
2. that Committees (so-called Portfolio Committees), in terms of section 80, read with section 79, of the Local Government : Municipal Structures Act, No 117 of 1998, **be reappointed**; and
3. that a simple majority of members of any one of the Committees constitutes a **quorum**.

RESPONSIBLE OFFICIAL:

H VAN TONDER

TARGET DATE FOR IMPLEMENTATION:

31 MAY 2017

79. Establishment.—(1) A municipal council may—

- (a) establish one or more committees necessary for the effective and efficient performance of any of its functions or the exercise of any of its powers;
- (b) appoint the members of such a committee from among its members; and
- (c) dissolve a committee at any time.

(2) The municipal council—

- (a) must determine the functions of a committee;
- (b) may delegate duties and powers to it in terms of section 32;
- (c) must appoint the chairperson;
- (d) may authorise a committee to co-opt advisory members who are not members of the council within the limits determined by the council;
- (e) may remove a member of a committee at any time; and
- (f) may determine a committee's procedure.

80. Committees to assist executive committee or executive mayor.—(1) If a municipal council has an executive committee or executive mayor, it may appoint in terms of section 79, committees of councillors to assist the executive committee or executive mayor.

(2) Such committees may not in number exceed the number of members of the executive committee or mayoral committee.

(3) The executive committee or executive mayor—

- (a) appoints a chairperson for each committee from the executive committee or mayoral committee;
- (b) may delegate any powers and duties of the executive committee or executive mayor to the committee;
- (c) is not divested of the responsibility concerning the exercise of the power or the performance of the duty; and
- (d) may vary or revoke any decision taken by a committee, subject to any vested rights.

(4) Such a committee must report to the executive committee or executive mayor in accordance with the directions of the executive committee or executive mayor.