



ADDENDUM

SECTION C		
ITEMS FROM THE OFFICE OF THE MUNICIPAL MANAGER / ITEMS VANAF DIE KANTOOR VAN DIE MUNISIPALE BESTUURDER / IMIBA EVELA KWI OFISI YOMPHATHI MASIPALA		
C.2	INAUGURATION OF ANC COUNCILLOR: GARDEN ROUTE DISTRICT COUNCIL: CLLR: M.G. MATIWANE / INHULDIGING VAN ANC RAADSLID: GARDEN ROUTE DISTRICT COUNCIL : M.G MATIWANE <i>Refer: Report dated 29 September 2020 from the Municipal Manager (MG Stratu)</i>	2 - 6

<p style="text-align: center;">INAUGURATION OF ANC COUNCILLOR: GARDEN ROUTE DISTRICT COUNCIL: CLLR: M.G. MATIWANE / INHULDIGING VAN ANC RAADSLID: GARDEN ROUTE DISTRICT COUNCIL : M.G. MATIWANE</p>
--

29 September 2020

REPORT FROM THE MUNICIPAL MANAGER (MG STRATU)

2. PURPOSE

To inform Council of the replacement of Councilor N. Tsengwa who ceased to hold office as a councilor in the Garden Route District Council on 31 August 2020.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

A vacancy occurred on the Garden Route District Council as a result of the resignation of the Knysna Municipal Council Representative on Garden District Council, Cllr. N.A Tsengwa. This report serves before Council to seek approval to inaugurate Cllr M.G. Matiwane.

5. RECOMMENDATIONS

5.1.1. That cognizance be taken of the notice from the IEC, dated 28 September 2020.

5.1.2 That Cllr G.M. Matiwane, be inaugurated as a Councilor of Garden Route District Council with effect from 28 September 2020.

5.1.3 That Cllr. G.M. Matiwane, be requested to take the Oath of Office, as required in terms the Municipal Structures Act, 1998.

AANBEVELINGS

5.2.1 *Dat kennis geneem word van die kennisgewing ontvang vanaf die OVK gedateer, 28 September 2020.*

5.2.2 *Dat Rdl G.M. Matiwane ingehuldig word effektief 28 September 2020.*

5.2.3 *Dat Rdl G.M. Matiwane versoek word om 'n eed van die kantoor te neem, soos vereis ingevolge die Wet op Munisipale Strukture, 1998.*

6. DISCUSSION / CONTENTS

6.1. Background

A vacancy occurred on the Garden Route District Council as a result of the resignation of the Knysna Municipal Council Representative on Garden District Council, Cllr. N Tsengwa.

Section 11(1)(a) of Schedule 2 of the Municipal Structures Act, 1998 Act 117 of 1998, the Electoral Commission determines as follows;

“11 Filling of vacancies

(1)(a) If a councillor elected from a party list ceases to hold office, the chief electoral officer, must subject to item 13, declare in writing the person whose name is on top of the applicable party list to be elected in the vacancy.”

Section 13 of the said Act reads as follows;

“13 Filling of vacancies and changing the order

(1) A party may supplement, change or increase its list at any time, provided that if a councillor elected according to a party list, ceases to hold office, the party concerned may supplement, change or increase its list by not later than 21 days after the councillor has ceased to hold office.

- (2) The vacancy must be filled as soon as the party in question has supplemented, changed or increased its list, but not later than 14 days expiry of the 21-day period.”

On 31 August 2020, the Provincial IEC was informed of the vacancy as prescribed by section 11 of Schedule 2 of the Municipal Structures Act, Act 117 of 1998.

Annexure A.

6.2 Discussion

The Independent Electronic Commission has advised Council that Cllr. G.M. Matiwane (ID No 790423 5494 081) being the councillor for the African National Congress (ANC) in Knynsa Local Municipality, has been declared elected to the Garden Route District Council with effect from 28 September 2020. A copy of the notice from the IEC is attached as

6.3 Financial Implications

As per the notice on the determination for upper limits for councillors.

6.4 Relevant legislation

Schedule 2 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998).

6.5 Staff Implications

There will be no Staff implications.

6.6 Previous / Relevant Council Resolutions:

There are no previous or relevant Council resolutions related to this matter.

6.7 Risk Implications

There are no foreseen risks associated with the proposed decision for Council to not implement.

6.8 Comments from Senior Management:

6.8.1 Executive Manager: Roads and Transport Services

None

6.8.2 Executive Manager: Planning and Economic Development

None

6.8.3 Executive Manager: Community Services

None

6.8.4 Executive Manager: Corporate Services

None

6.8.5 Chief Financial Officer

None

Annexure A



SOUTH AFRICA

Memorandum

To: The Municipal Manager: Garden Route Municipality

From: M Sheburi

CC: B Heuvel; C Sampson; D Marco; B Mbeleni; K Simelane
The Municipal Manager: WC048 - Knysna Local Municipality

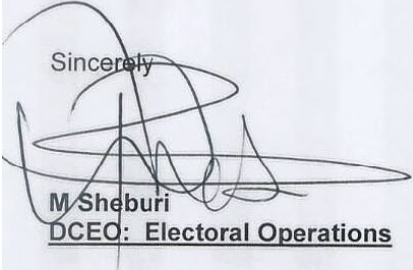
Date: 28 September 2020

Re: **Replacement of the African National Congress (ANC) Councillor to District Council: WC048 - Knysna Local Municipality to DC4 – Garden Route Council**

Urgent For Review Please Comment Please Reply Please Recycle

Please note that **Mandla Goodman Matiwane, ID No. 790423 5494 081**, being the councillor for the **African National Congress (ANC)** in **Knysna Local Municipality**, has been declared elected to the **Garden Route Council**, as prescribed in item 23 of Schedule 2 of the Municipal Structures Act, 1998 (Act. No. 117 of 1998).

Sincerely


M Sheburi
DCEO: Electoral Operations

Electoral Commission

Ensuring Free and Fair Elections

Commissioners: Mr V.G. Mashinini (Chairperson) | Ms J.Y. Love (Vice-Chairperson) | Dr N.P. Masuku | Mr M. Moepya | Judge D. Pillay
National Office: Election House, Riverside Office Park, 1303 Heuvel Avenue, Centurion, 0157 | P/Bag X112, Centurion, 0046
info@elections.org.za | www.elections.org.za
Tel (+27) 12 622 5700 | Fax (+27) 622 5784