

## Statement Of The Virtual KwaZulu-Natal Provincial Executive Council Meeting

27 JANUARY 2021

The Provincial Executive Council of KwaZulu-Natal, chaired by the Premier Sihle Zikalala, held its first ordinary meeting for the year 2021. During the meeting held virtually, the Executive Council observed that this was the first meeting held in the absence of MEC Bheki Ntuli who was laid to rest last week. The Executive Council once again extends its heartfelt condolences to the Ntuli family and the many families in KwaZulu-Natal who have had to endure the pain of losing their loved ones during these trying conditions of the Covid-19 pandemic.

The Executive Council, wishes to call on all citizens to honour the memories of our departed loved ones by doing everything we can to protect ourselves and to curb the spread of the virus. The Executive Council urges citizens to continue adhering to safety protocols as these remain our most potent weapon in this Great War. They include wearing of masks, constant sanitising of hands, social distancing and presenting early to Health Care facilities when you see unusual symptoms.

### KZN EXECUTIVE COUNCIL PLACES UMKHANYAKUDE AND NQUTHU MUNICIPALITIES UNDER ADMINISTRATION

The Provincial Executive Council of KwaZulu-Natal has resolved to place the two municipalities of uMkhanyakude and Nquthu, under administration in terms of section 139 (1)(b) of the Constitution.

The decision is intended to end the paralysis, prevent the collapse of governance and usher in an era of service to the people first while also bringing back stability and order at these municipalities.

The two municipalities are in flagrant disregard of the Constitution and the law governing the functioning of municipalities. These drastic interventions by the Provincial Government are taken in the best interest of the people of both uMkhanyakude and Nquthu. These interventions have been preceded by various efforts to support the municipalities in line with section 154 of the Constitution.

The decision on uMkhanyakude is informed by the following:

- This Northern KZN District Municipality, has been embroiled in internal strife which has severely compromised key areas of service delivery.
- The Council has failed to hold three consecutive scheduled meetings to consider matters that affect the functioning of the municipality and service delivery. There is a serious challenge with performing executive functions and oversight. Municipalities will not be allowed to deteriorate under the watch of this 6th administration.
- There are allegations and counter-allegations of maladministration, fraud and corruption. The tensions have escalated to a point where the uMkhanyakude District Municipality could not pass the IDP and Budget.
- Forensic reports have not been acted on by the Council of uMkhanyakude District Municipality. The municipality currently operates on the budget that is unfunded in violation of the Municipal Finance Management Act.

### Nquthu Municipality

The synopsis of issues that led to the Nquthu Municipality being placed under administration include:

- The municipality has also failed to investigate Unauthorized, Irregular, Fruitless and Wasteful expenditure. The Municipal Public Accounts Committee (MPAC) is dysfunctional. It is among the 12 municipalities which have been flagged as distressed despite interventions implemented in line with the Municipal Support Plans
- There has been instability in the Municipality since March 2020 when the Municipal Council purported to elect the Mayor, following the resignation of the former Mayor. As a result, the municipality failed to comply with the requirements of the Municipal Systems Act related to the development and approval of the Integrated Development Plan and Budget Process Plan which must be adopted on or before the 31st of August annually. The municipality subsequently adopted this plan albeit after the prescribed timeframe.
- The Mayor of the Municipality has been unlawfully elected in violation of the lockdown regulations.

· The failure of the Council meetings owing to instability resulted in the municipality's failure to adopt its IDP and Budget Process Plan for the year 2021/22 hence compromising a key executive responsibility and prejudicing the people of Nquthu.

Under such circumstances, the Constitution guides the provincial government on what needs to be done. We have taken a decision as the 6th administration that service delivery, good governance, sound financial management and institutional stability are areas of no compromise. We will intervene decisively to prevent things from going wrong.

The Executive Council has subsequently resolved to request the MEC for Cooperative Governance and Traditional Affairs, Mr Sipho Hlomuka, to present to the National Minister, NCOP and Parliament for their approval.

The Provincial Executive Council, would like to send a message to all municipalities and provincial departments that it will not allow the suffering of residents and that it will fearlessly confront, municipal instability and any threat to service delivery in the best interest of the people.

#### KZN ESTABLISHES INTEGRATED LAW ENFORCEMENT TEAM IN RESPONSE TO PUBLIC VIOLENCE

In response to the public violence which occurred in the Durban CBD on 25 January 2021; and the torching of shops. The Provincial Executive Council has resolved to approve the establishment of an integrated law enforcement team to focus on the enforcement of immigration, employment and trade laws in the Durban CBD.

The Executive Council condemns the rampant looting and public violence against foreign nationals which also included South Africans who were victimised as they were mistaken for being foreign nationals.

The government welcomes the arrests of five (5) suspects who participated in public violence. The province will not allow the state of lawlessness; and bail for those who were arrested must be opposed by the state.

The Provincial Government further appeals for engagement and peaceful resolution of any areas of challenges. Violence has never solved any problem in fact it is breaking the law.

#### APPOINTMENTS

##### FORMER FINANCE HOD TO LEAD EZEMVELO KZN WILDLIFE

The KwaZulu-Natal provincial executive council has endorsed the appointment of Simiso Magagula as the accounting authority at Ezemvelo KZN Wildlife.

Mr Magagula, the former Head of Department at the provincial Treasury, brings with him a wealth of experience which will bring stability to the public entity. He has been appointed to the position for a period of 12 months.

##### NEW DEPUTY DIRECTOR-GENERAL FOR THE DEPARTMENT OF SOCIAL DEVELOPMENT

The Executive Council approved the appointment of Mrs Maphile Mhlono as the Deputy Director – General responsible for Social Services. The approval is subject to the verification of qualifications and relevant clearances. The Executive Council wishes those appointed well in their new responsibilities.

Issued by the Provincial Government Communication.

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IMAGE CAPTION : [File Photo] A rare, interior view, of the Executive Council Chambers situated at the KwaZulu-Natal Office of the Premier.