

For immediate release

Media Statement on the Northern Gauteng High Court Ruling: Section 139 (1) b- Mogalakwena Local Municipality

04 May 2014

Good Afternoon

On Friday 02 May 2014 the Northern Gauteng High Court has set aside the earlier Court Interdict to prevent CoGHSTA to apply section 139 (1) b of the Constitution of the Republic of South Africa on the Mogalakwena Local Municipality. The department would like to take this opportunity to welcome the said court ruling as it will assist in addressing the problems and challenges facing that municipality. This court ruling means that the Mogalakwena Municipality is effectively under section 139 (1) b of the Constitution of the Republic (Act 108 of 1996).

On the 17th of March, as the MEC, Mr Ishmael Kgetjepe was announcing the decision taken by the Executive Council of the Limpopo Province to place this Municipality under section 139 (1) b of the Constitution, he made an undertaking to appoint and announce an Administrator as a matter of urgency. Mr Dikgape Herskovits Makobe has been appointed as the Administrator of the Mogalakwena Local Municipality. He has since assumed his responsibilities as Head Administration of that Municipality.

Mr Makobe is not new to the local sphere of government, administration in general and this municipality in particular. He worked in this municipality as a Municipal Manager from the period 2001 to 2008, the South African Local Government Association from 1999 to 2001, the South African National Defence Force from 1995 to 1997 and the Limpopo Legislature from 1997 to 1999. We hope that, his experience ranging for all these years in various institutions will go a long in addressing the challenges facing this municipality. We would like to take this opportunity to wish him all the best in this responsibility.

He is appointed as the Administrator for a period of six (6) months, subject to the terms and conditions as contained in the Service Level Agreement signed with the MEC.

What then are the duties of the Administrator?

The Administrator assumes the functions of Municipal Head of Administration. In performing his functions, the Administrator will-

- a) Undertake all fiscal and financial management functions at the municipality, including being a signatory on the municipal banking account;
- b) Ensure that the provisions of the duties of the Provincial Executive in terms of Section 139 (1) (b) are realised;
- c) Advise Council on all policy matters in respect of development and implementation;
- d) Review all systems and policies (delegated powers, supply chain management policies, etc.) to ensure that they are in line with legislation;

- e) Undertake all steps in terms of section 54A and section 56 of the Municipal Systems Act;
- f) Develop a turn - around strategy for the municipality;
- g) Implement a system to control and approve all expenditure;
- h) Implement all governance systems and procedures including appropriate council oversight mechanisms;
- i) Ensure implementation of proper financial systems, policies and procedures;
- j) Ensure implementation of the Municipal Property Rates Act;
- k) Set out a specific strategy for addressing the municipalities financial problems, including a strategy for reducing unnecessary expenditure and increasing the collection of revenue;
- l) Finalise the preparation of the IDP and approval of the Municipal Budget for the 2014/2015 financial year before 30 June 2014

Place of work and reporting

The Administrator's ordinary place of work will be the demarcated area of the Mogalakwena Local Municipality and will report monthly in writing on the performance of the Municipality to the MEC for Cooperative Governance, Human Settlements and Traditional Affairs

In Conclusion

We are looking forward to all of us, to support and work closely with Mr Makobe as he will be assuming this responsibility of being Administrator. In particular, we would like to thank the community of Mogalakwena for the patience exercised during this trying period. We hope all stakeholders will give Mr Makobe the necessary co-operation as he will be striving to stabilise the affairs of the Mogalakwena Local Municipality.

I thank you

Issued by the Department of Co-operative Governance, Human Settlements and Traditional Affairs

[For more information kindly contact](#)

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