Ilizwi lakho. Uluntu lwakho. Amandla akho

UTHOTHO LWEENCWADANA ZOORHULUMENTE BEENGINGQI

UXanduva lokuPhendula nokoNgamela kooMasipala

ACCOUNTABILITY AND OVERSIGHT IN MUNICIPALITIES

MY MUNICIPALITY compact PARTICIPATE PLAN ACCOUNT

Le ncwadana ibonelela ngengcaciso emalunga noorhulumente beengingqi eMzantsi Afrika.

Oomasipala babaluleke kakhulu kwaye babonelela ngeenkonzo ezisenza ukuba siphile ubomi obundilisekileyo nobunempilo.

Bonke ooceba, amagosa oomasipala namalungu eekomiti zeewadi anoxanduva lokuqinisekisa ukuba kukho **uxanduva lokuphendula, ukongamela noqinisekiso** koomasipala bawo. Sinelungelo lokwazi ukuba umasipala usebenza ngokufanelekileyo kwaye angabonelela ngeenkonzo.

Xa ucela umngeni kwinyathelo likarhulumente wengingqi okanye ekwaleni korhulumente wengingqi lowo ukuthatha amanyathelo, kukho imibuzo emibini ekufuneka uyibuze:

1. Ngowuphi umthetho onika urhulumente igunya lokuthatha amanyathelo?
2. Ingaba urhulumente lowo uwuthobele loo mthetho?

UMgaqosiseko waseMzantsi Afrika ngowona mthetho uphezulu kweli lizwe, kwaye nawuphi na umthetho ongawulandeliyo uMgaqosiseko awusebenzi. Wonke urhulumente, kuquka noorhulumente beengingqi, kufuneka basebenze ngokoMgaqosiseko nemithetho ephunyezwe ngurhulumente.

Ingaba ziintoni uxanduva lokuphendula, ukongamela noqinisekiso?

Uxanduva lokuphendula luthetha ukuba abo baseziofisini ezisebenzela uluntu kufuneka bazimisele ukunika izizathu ngezinto abazikhethayo namanyathelo abawathathayo, baze kananjalo bamelane neziphumo zezo zinto.

Ukongamela yinkqubo yokubeka iliso ekusebenzeni nakwimisebenzi ukuze kuqinisekiswe ukuba iyazifezekisa iinjongo nemigangatho. Uxanduva lokuphendula luxhomekeke ekongameleni ukuze kuqinisekiswe ukuba abo banoxanduva bayaphendula ngezigqibo zabo namanyathelo abawathathayo.

Uqinisekiso yinkqubo yokubonelela ngethemba lokuba ingcaciso okanye ukusebenza oko kuthembekile kwaye kukuko. Amaxesha amaninzi lwenziwa ngeendlela ezifana neenkqubo zophicotho novavanyo. Injongo yoqinisekiso kukuqinisekisa ukuba oomasipala basebenza ngokungafihli nto kwaye ngokunenkathalo.

Ukongamela kusebenzisa uqinisekiso ukuxhobisa ukubekwa kweliso, kwaye uqinisekiso luxhasa uxanduva lokuphendula ngokunika ubungqina bokuba amanyathelo okanye iziphumo ezixeliweyo zinokuthenjwa.

Ukuze oorhulumente beengingqi neenkokheli zabo bathwaliswe uxanduva lokuphendula, ukuthathwa kwezigqibo nokuthathwa kwamanyathelo kufuneka:

- **Kungafihli nto:** Kufuneka wazi ukuba izigqibo zithathwe njani, ngoobani, phi, nini kwaye kuba kutheni.
- **Kube ngentathonxaxheba:** Iinkqubo zokuthathwa kwezigqibo kufuneka ziquke uluntu neeCSO.
- **Kuxhomekeke kwimigaqo yomthetho:** Iziphumo zezigqibo ezingafanelekanga okanye zokuxhatshazwa kwamandla oluntu zinganyanzeliswa kuphela xa imithetho isebenza kumntu wonke.

Iindlela elusebenza ngazo uxanduva lokuphendula nokongamela ngaphakathi koomasipala

Ngaphakathi koomasipala, kukho iinkqubo zangaphakathi ezininzi ekufuneka zidlale indima yokongamela neyoxanduva lokuphendula. Ziquka oku kulandelayo:

- **IYunithi yoPhicotho lwangaPhakathi** kufuneka ibonelele ngeemvavanyo ezizimele geqe nezingakhethi cala kwimisebenzi kamasipala yezemali neyezokusebenza ukuze iqinisekise ukusebenza kakuhle, ukusebenza ngokufanelekileyo, nothotyelo lomthetho nemigqaliselo. Inceda ekuchongeni imingcipheko, icebisa malunga noko kudinga ukuphuculwa, ize iqinisekise umiliselo lwamanyathelo olungiso.
- **Ikomiti yoPhicotho** liqumrhu leengcebiso elizimele geqe elongamela iinkqubo zokuxelwa kwezemali kumasipala, ulawulo lwangaphakathi, imisebenzi yolawulo lwemingcipheko, nolawulo lweendlela zokusebenza.
- **IKomiti yeeAkhawunti zikaRhulumente kuMasipala (iMPAC)** ibaluleke kakhulu kumasipala kwaye iqinisekisa ukuba iimali zikarhulumente zisetyenziswa ngeendlela ezifanelekileyo. Ithwalisa amagosa kamasipala nooceba uxanduva ngolawulo lwezemali nohanjiso lweenkonzo. Amaxanduva ayo aphambili aquka ukuhlalutya iingxelo zophicotho nolwezemali, ukulandelela umiliselo lweengcebiso zoMphicothi Jikelele, ukuhlola iimeko zenkcithomali engagunyaziswanga, engafanelekanga, engenaziphumo zifanelekileyo, neyinkcitho, nokuthi thaca phambi kwebhunga iingxelo zokongamela.

ICandelo 79 okanye iiKomiti ezingokusisiGxina zizo ezibonelela ngokongamela kumiliselo lwezigqibo zebhunga okanye ziphande imiba eziingxaki. Zinika iingxelo kwibhunga. ICandelo 80 okanye iiKomiti zeePotifoliyo zicebisa abakulawulo zize zongamele amacandelo angqalileyo ngaphakathi kumasipala, njengeziseko zophuhliso neenkonzo zoluntu.

>> Jonga icandelo 4.5 lesikhokelo seCOMPACT ukuze ufumane ingcaciso ethe vetshe malunga neekomiti zeepotifoliyo neekomiti zokongamela.

Inkqubo yophicotho lwangaphakathi neMPAC zizinto ezibaluleke kakhulu, kodwa amaxesha amaninzi kubakho iinzame zokuzenza zibe buthathaka. Uluntu, imibutho yoluntu neekomiti zeewadi kufuneka zibeke iliso kula masebe nomsebenzi wawo wokuqinisekisa uxanduva lokuphenula kumasipala!

Ukongamela noxanduva lokuphendula kukarhulumente kazwelonke nowamaphondo

Amasebe asemaphondweni nakazwelonke nowisomthetho zizinto ezidlala iindima ezibalulekileyo ekuphuculeni ukongamela noxanduva lokuphendula koorhulumente beengingqi. **Ukongeza kwiinkqubo zangaphakathi koomasipala, la maqumrhu angaphandle anamandla okubeka iliso nokuphanda oorhulumente beengingqi, nokunceda ekubathwaliseni uxanduva lokuphendula**. Ingakumbi xa oomasipala bengenaziphumo zibonakalayo, kungayiwa kuwo la maziko ukuze ancedise, kwaye iingxelo zawo zingaba yimithombo ebalulekileyo yeengcaciso namajelo othethelelo nobandakanyo.

AMASEBE AMAPHONDO

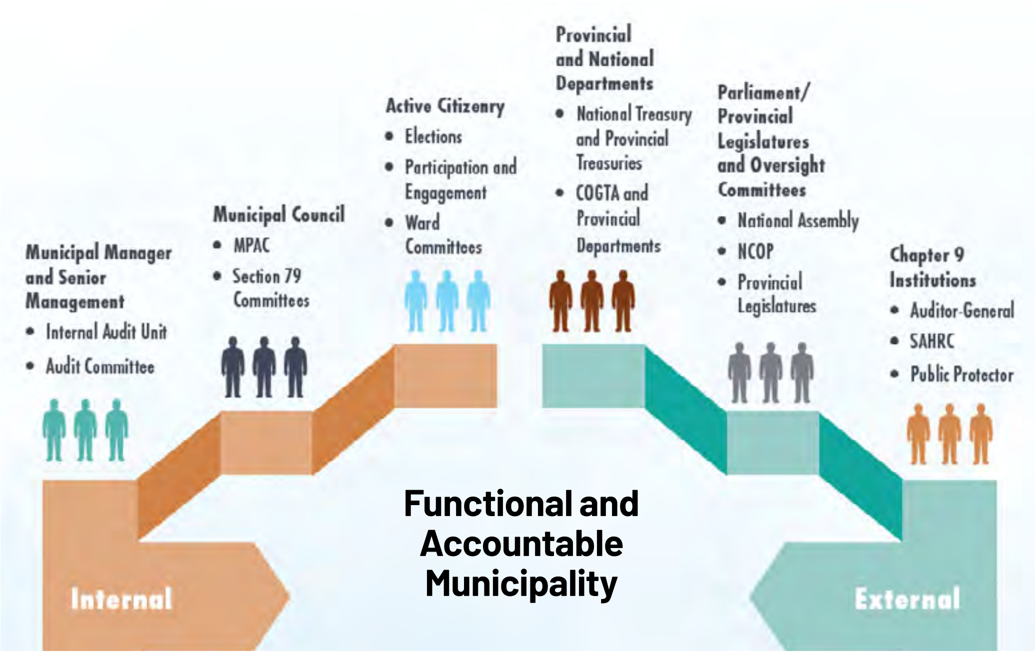
IiCOGTA zasemaPhondweni (zinika iingxelo kwiiMEC zamaphondo): Zibeka iliso koomasipala zize zibaxhase, zibe ziqinisekisa ukuba bayazifezekisa iimbopheleleko zabo zangokwasemthethweni. IiMEC zingaphanda ulawulo olugwenxa, ubuqhophololo, okanye urhwaphilizo, zibeke iliso kwiinkqubo zesiCwangciso soPhuhliso esiHlangeneyo (IDP), zize zingenise iingxelo zeendlela zokusebenza zonyaka kuwisomthetho lwasemaphondweni, ngxelo ezo zichonga oomasipala abangasebenzi kakuhle kwaye zenza iziphakamiso zamanyathelo olungiso.

OoNondyebo basemaPhondweni (banika iingxelo kwiiMEC zasemaphondweni): Babeka iliso ekusebenzeni kwemali, babonelela ngenkxaso (umzekelo ulungiselelo lohlahlolwabiwomali, uthotyelo lweMFMA), ze benze ulungelelaniso nooNondyebo bakuZwelonke ngokujoliswe kwiinkqubo zongenelelo ngokwezemali, bexela ukungafaneleki kwiiCOGTA zasemaphondweni ukulungiselela ungenelelo lweCandelo 139 olunokubakho.

AMASEBE KAZWELONKE

I-COGTA kaZwelonke (inika iingxelo kuMphathiswa weCOGTA): Yongamela ulawulo loomasipala, ifuna iingxelo zeendlela zokusebenza kwaye imilisela iinkqubozikhokelo zemigaqonkqubo kazwelonke. UMphathiswa weCOGTA unika iingxelo zaminyaka le kwiPalamente nakwiiMEC zamaphondo ngokujoliswe kwiindlela zokusebenza koomasipala beengingqi namanyathelo akhawulelana neenkxalabo zoMphicothi Jikelele. Ilungelelanisa iinkqubo zongenelelo zasemaphondweni, ivavanya izakhono zoomasipala nohanjiso lweenkonzo, ize icebise malunga nenkxaso kazwelonke okanye iinguqu kuwisomthetho.

UNondyebo kaZwelonke (unika iingxelo kuMphathiswa wezeMali): Ulawula ukongamela lweemali zoomasipala, efumana iingxelo zohlahlo lwabiwomali zenyanga neeNgxelo zezeMali zoNyaka. Unyanzelisa uthotyelo lwemithetho yemali, uyangenelela kwiimeko zoxinzelelo ngokwezemali, kwaye ugcina uVimba weeNkcukacha wabaBoneleli abaThintelwayo neRejista yabanikazi beeThenda abanamaTyala eMthethweni.



IZISHAYAMTHETHO

- **IziNdlu zoWisomthetho zamaPhondo (ziqulathe iiMPL[1]):** Zihlola iingxelo zeCOGTA, zibamba iindibano noluntu, ziqhuba iinkqubo zophando, kwaye zigunyazisa okanye zikhabe iinkqubo zongenelelo zeCandelo 139 ukuze zikhawulelane nemiba yohanjiso lweenkonzo zoomasipala.
- **IBhunga lamaPhondo likaZwelonke (iNCOP):** Limela iimfuno zamaphondo, lihlola uwisomthetho loorhulumente beengingqi, libeka iliso kwiindlela zokusebenza koomasipala ngokusebenzisa iingxelo zeeMEC, liqhuba iinkqubo zokongamela, lize liququzelele iingxoxompikiswano. Ligunyazisa okanye likhabe iinkqubo zongenelelo zeCandelo 139 ukuze likhawulelane nemiba yohanjiso lweenkonzo nolawulo loomasipala. **IKomiti eKhethekileyo yoLawulo ngeNtsebenziswano neMicimbi yeMveli** igxila ekongameleni kuzwelonke oorhulumente bamaphondo nabeengingqi.
- **INdlu yoWisomthetho kaZwelonke (iqulathe iiMP[2]):** Iphumeza uwisomthetho loorhulumente beengingqi kwaye yongamela iCOGTA nooNondyebo bakazwelonke. **IKomiti yePotifoliyo yoLawulo ngeNtsebenziswano neMicimbi yeMveli** ibeka iliso kwiindlela zokusebenza koomasipala, kwimigaqonkqubo yoomasipala, nohlahlo lwabiwomali loomasipala, ibe iqinisekisa ulawulo olungenkathalo lweemali zoluntu nohanjiso lweenkonzo olusebenzayo.

1 MPL = iLungu leNdlu yoWisomthetho kwiPhondo
2 MP= iLungu lePalamente

AmaZiko eSahluko 9

Amaziko eSahluko 9 ngamaqumrhu abalulekileyo nathi kananjalo asebenzele ukuthwalisa oomasipala uxanduva lokuphendula ngeendlela ezahlukahlukeneyo. Nanjengoko emiselwe ngokweSahluko 9 soMgaqosiseko, la maqumrhu azimele geqe anomsebenzi wokuxhasa inkqubo yethu yolawulo ngentando yesininzi engokomgaqosiseko kwaye awaphenduli kulo naliphi na isebe likarhulumente, iqela lezopolitiko, okanye amanye amaqela eemfuno. Amaziko eSahluko 9 angawona afanaleke kakhulu ekongameleni oorhulumente beengingqi achazwa ngokweenkcukacha ezithe vetshe apha ngezantsi.

UMPHICOTHINCWADI JIKELELE (IAG)

Injongo yeAG kukubonelela ngovavanyo oluzimele geqe lokuba ingaba urhulumente uyichitha imali yakhe ngokwemigaqo kusini na. I-AG kufuneka iphicothe inkcithomali leyo nendlela yokusebenza kwazo zonke iiofisi zikarhulumente, kuquka noomasipala. Ingxelo yeAG ixela ukuba:

- Umasipala lowo uwulandele kusini na umthetho xa elawula iimali neenkqubo zakhe. Oku kubizwa ngokuba luthotyelo.
- Iingxelo zezemali zikamasipala zibonakalisa ngokuchanekileyo imeko yezeimali nendlela athe umasipala lowo wayisebenzisa ngayo imali yakhe. Oku kubizwa ngokuba bubulungisa.

UMKHUSELI WOLUNTU (PP)

IOfisi yoMkhuseli woLuntu iphanda izikhalazo ezijoliswe kumasebe karhulumente okanye kumagosa karhulumente, kuquka nakoomasipala. Oku kuquka ulawulo olugwenxa, ukungaziphathi ngokufanelekileyo kwamagosa okanye kwabantu abenza imisebenzi yoluntu, ukuxhatshazwa kwamandla, urhwaphilizo, ukusetyenziswa gwenxa kwemithombo yoncedo yesizwe, nokuzityebisa kwamagosa okungekho mthethweni okanye okungafanelekanga.

Naliphi na ilungu loluntu lingakhalaza kuMkhuseli woLuntu. Noko kunjalo, ngaphambi kokwenza njalo, kuyacetyiswa ukuba umntu aqale enze isikhalazo kwiofisi kasomlomo kunye/okanye neyeMEC yoorhulumente beengingqi okanye kwiqela lezopolitiko likaceba lowo.

IKOMISHONI YAMALUNGELO OLUNTU YOMZANTSI AFRIKA (ISAHRC)

Ukuba umasipala akazihambisi iinkonzo ezibalulekileyo, isikhalazo singathunyelwa ngobuxhakaxhaka bale mihla okanye sisiwe kwenye yeeofisi zeSAHRC zephondo. I-SAHRC ingathi:

- Inike iingcebiso zomthetho.
- Iphande izikhalazo.
- Isebenzise iinkundla zamatyala, kuquka neeNkundla zamaTyala zikamakuLinganwe, ukufuna ulungiso.

IKOMISHONI YONYULO EZIMELE GEQE YOMZANTSI AFRIKA (I-IEC)

I-IEC liqumrhu elilawula unyulo kuwo onke amanqanaba karhulumente, kuquka noorhulumente beengingqi.

Ingaba ungenza ntoni ukuba umasipala akalawulwa kakuhle?

1. **Zibandakanye namasebe kamasipala.** Inyathelo lokuqala lihlala likukufumana umntu okumasipala oza kukumamela. Ngelishwa, kungenzeka ukuba umasipala lowo ulawulwa kakubi kangangokuba akukho namnye kwabo bantu oza kuphendula okanye okwaziyo ukukunceda.

2. **Sebenzela ukuba iphondo liphande umasipala lowo lize lithathe amanyathelo koko kuthe kwafunyanwa lolo phando.** IiMEC zoorhulumente beengingqi zinamandla okuphanda oomasipala ngokwahluleka kwabo ukuhambisa iinkonzo, ngokusebenzisa kwabo iimali gwenxa, ngorhwaphilizo, okanye ngezinye iindlela zokuziphatha ezingenakunyaniseka okanye ngokwenza kwabo okugwenxa.

3. **Phalaza imbilini kwindlu yowisomthetho kazwelonke neyephondo.** Zombini izindlu zowisomthetho ekazwelonke neyephondo zifumana iingxelo ezisuka kumphathiswa kazwelonke neeMEC zamaphondo malunga nobume boorhulumente beengingqi noomasipala abangqalileyo. IiMEC zoorhulumente beengingqi kufuneka zenze iingxelo zanyaka nanyaka kwizindlu zowisomthetho zamaphondo azo malunga nobume babo bonke oomasipala abakwelo phondo zize zidize oomasipala abangasebenzi kakuhle.

4. **Ququzelela indibano enenzolo.** Ngokuququzelela uqhankqalazo olunenzolo, uluntu lungagqamisa imiba efana nokungahanjiswa kakuhle kweenkonzo okanye urhwaphilizo, nto leyo ibangela ukuba ezo ngxaki zihoyeke.

5. **Sebenzisa ezosasazo.** Ukuqhagamshelana nabezosasazo abafana nabamaphephandaba, amajelo kamabonakude, iintatheli, okanye ukusebenzisa amaqonga ezonxibelelwano kungabangela ukuba kuhoyeke imiba eziingxaki engahoywanga ukuze kukhawuleziswe ukuthathwa kwamanyathelo nokwenziwa kwezisombululo.

6. **Wuse enkundleni yamatyala umba lowo.** Iinkundla zamatyala zineendlela zokuqinisekisa ukuba iinkokheli zoomasipala ziyaluthwala uxanduva lokungahanjiswa kakuhle kweenkonzo nokusilela kulawulo. Le indlela isebenza kakuhle kakhulu xa isetyenziswe njengendlela yokugqibela.

ISahluko 2 sesikhokelo seCOMPACT enesihloko esithi UkuSebenzela ooRhulumente beeNgingqi abangeNtsebenziswano (*Working Towards Collaborative Local Government*) sibonelela ngengcaciso ethe vetshe malunga nokongamela noxanduva lokuphendula.

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