SOUTH AFRICAN LOCAL GOVERNMENT ASSOCIATION
SALGA
Inspiring service delivery

SALGA: MUNICIPAL ACCOUNTABILITY ASSESSMENT TOOL - DELIVERABLE 2 (VERSION 01)

Purpose

The purpose of this document is to assist councils and other key municipal accountability role players to perform their oversight and related responsibilities. The aim is also to improve accountability, transparency, economical, effective and efficient use of public resources in executing municipal functions. The tool will contribute towards holding councils, executive mayors, mayoral committees, Municipal Public Accounts Committees, municipal managers, senior managers and other staff members accountable for their actions.

Following the approval by SALGA of the proposed format, structure, focus and content of the Municipal Accountability Assessment Tool, Version 01 of Deliverable 2 has been prepared. This version 01 of the Municipal Accountability Assessment Tool contains those statutory duties/activities that have clear linkages to specific accountability measures. The carrying out of these duties/activities are allocated to various political office bearers, officials and institutions, as the case may be. Version 01 consists of a systematic synopsis of these accountability-linked duties/activities that are found in the Local Government Municipal Structures Act 17 of 1998 (MSA), the Regulations issued in terms of the MSA, the Local Government: Municipal Systems Act 32 of 2000 and the Regulations issued in terms of the MSySA.

Version 02 of Deliverable 2 will be finalised after receipt of the agreed one consolidated set of signed of written comments on Version 01, and will also contain the accountability-linked duties/activities that are found in the Municipal Finance Management Act 56 of 2003, the Municipal Fiscal Powers and Functions Act 12 of 2007, the Public Administration Management Act 11 of 2014 and the Public Audit Act 25 of 2004.

Self evaluation key:

Y = Complied with
IP = In process of ensuring compliance
P = Partially complied with
N = Not complied with

No	Duty/activity required	Legislative source	Compliance self-evaluation
	COUNCIL		
	The council is directly accountable to the community, provincial and national executive		
1	Council must strive to achieve the objectives set out in section 152 of the Constitution	Municipal Structures Act s 19(1), Constitution s 152	
2	Council must exercise the municipality's executive and legislative authority and use the resources of the municipality in the best interests of the community	Municipal Systems Act s 4(2)(a), s 11(3)-(4), s 15	
3	Council must provide democratic and accountable government	Municipal Systems Act s 4(2)(b)	
4	Council must promote and undertake development in the municipality	Municipal Systems Act s 4(2)(g)	
5	Council must promote gender equity in the exercise of the municipality's executive and legislative authority	Municipal Systems Act s 4(2)(h)	
6	Council must promote a safe and healthy environment in the municipality	Municipal Systems Act s 4(2)(i)	
7	Council must contribute to the progressive realisation of the fundamental rights contained in sections 24, 25, 26, 27 and 29 of the Constitution	Municipal Systems Act s 4(2)(j)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
8	Council must respect the rights of citizens and those of other persons protected by the Bill of Rights	Municipal Systems Act s 4(3)	
9	Council must give effect to the provisions of the Constitution and prioritise basic needs, promote development, and ensure that all community members have access to at least the minimum level of basic municipal services	Municipal Systems Act s 73	
10	Council must undertake planning, adopt, annually review and give effect to the integrated development plan (IDP)	Municipal Systems Act s 23-25, s 34 and s 36	
11	Council must ensure that basic services are provided to the community	Constitution s 152, s 153 and 156	
12	Council must ensure that municipal services are provided to the local community in a financially and environmentally sustainable manner	Municipal Systems Act s 4(2)(d)	
13	Council must deliver municipal services through internal or external mechanisms (through a service delivery agreement)	Municipal Systems Act s 76	
14	Council must, before it takes a decision on any matter directly affecting the area of a traditional authority, give the leader of that authority the opportunity to express a view on that matter	Municipal Structures Act s 81(3)	
15	Council must annually review community needs and priorities, processes for involving the community, organisational and delivery mechanisms, and overall performance	Municipal Structures Act s 19(2)	
16	Council must encourage community involvement	Municipal Systems Act s 4(2)(c), s 16-18, s 21, s 21A	

No	Duty/activity required	Legislative source	Compliance self-evaluation
17	Council must consult the local community about the level, quality, range and impact of municipal services provided as well as the available options for service delivery	Municipal Systems Act s 4(2)(e)	
18	Council must give community members equitable access to the municipal services	Municipal Systems Act s 4(2)(f)	
19	Council must develop mechanisms to consult the community and community organisations	Municipal Structures Act s 19(3)	
20	Council must perform functions and exercise powers as assigned to municipality in terms of national or provincial legislation, or by agreement with the municipality, by the national Minister of provincial MEC concerned	Municipal Systems Act s 8, s 9 and s 10, Constitution s 99, s 126, s 156(1)(b)	
21	Council must manage the administration of a Schedule 4 Part A or Schedule 5 Part A matter which has been assigned by agreement to the municipality by the national Minister of provincial MEC concerned	Constitution s 156(4)	
22	Council must organise the administration in a manner that would enable the municipality to assign clear responsibilities for management and co-ordination; delegate appropriate powers and/or instruct performance on any duty; and hold the municipal manager accountable for the overall performance of the administration	Municipal Systems Act s 51(h)-(i); s 59(1)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
23	Council must establish, adopt and implement performance management system, and ensure that performance targets are reached	Municipal Systems Act s 38-39, s 41-44, Local Government: Municipal Planning and Performance Management Regulations GNR.796 of 24 August 2001 Reg 7-12	
24	Council must fulfil all statutory obligations binding on the municipality in the absence of maladministration, fraud, corruption or any other serious malpractice	Municipal Systems Act s 106(1)	
25	Council must maintain a record of staff members dismissed for misconduct and staff members who resigned prior to the finalisation of any disciplinary proceedings, and submit same to the MEC and Minister	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 6-8	
26	Council must provide quarterly reports on the status of disciplinary cases to the MEC	Local Government: Disciplinary Regulations for Senior Managers GN 344 of 21 April 2011 Reg 19(1)	
27	Council must submit to a specified national organ of state such information as may be required as provided for by the Minister by notice in the Gazette	Municipal Systems Act s 107	
	COUNCILLOR		
	A councillor is directly accountable to the community and the council		

No	Duty/activity required	Legislative source	Compliance self-evaluation
1	A councillor, as part of the municipal council, must perform the duties and functions of council	Municipal Structures Act s 19(1), Constitution s 152	
2	A councillor must execute delegated powers and perform duties as instructed by Council, and report thereon	Municipal Systems Act s 59(1), s 63	
3	A councillor must remain qualified to be a councillor by not being appointed by, or being in the service of, the municipality and receiving remuneration for that appointment or service (except if exempted by the MEC)	Municipal Structures Act s 27(b) and s 21(1)(b), Constitution s 158(1)(a)	
4	A councillor must remain qualified to be a councillor by not being disqualified from voting for the National Assembly	Municipal Structures Act s 27(b) and s 21(1)(b), Constitution s 158(1)(c)	
5	A councillor must remain qualified to be a councillor by not being or becoming an unrehabilitated insolvent	Municipal Structures Act s 27(b) and s 21(1)(b), Constitution s 158(1)(c) and s 47(1)(c)	
6	A councillor must remain qualified to be a councillor by not being declared to be of unsound mind by a court	Municipal Structures Act s 27(b) and s 21(1)(b), Constitution s 158(1)(c) and s 47(1)(d)	
7	A councillor must remain qualified to be a councillor by not being convicted of an offence and sentenced to more than 12 months imprisonment without the option of a fine	Municipal Structures Act s 27(b) and s 21(1)(b), Constitution s 158(1)(c) and s 47(1)(e)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
8	A councillor must remain qualified to be a councillor by not being or becoming a member of the National Assembly, a delegate to the National Council of Provinces or a member of a provincial legislature (except if such councillor represents local government in the NCOP)	Municipal Structures Act s 27(b) and s 21(1)(b), Constitution s 158(1)(d)	
9	A councillor must remain qualified to be a councillor by not being or becoming a member of another municipal council (except if such councillor represents such council in another municipal council of a different category)	Municipal Structures Act s 27(b) and s 21(1)(b), Constitution s 158(1)(e)	
10	A councillor must comply with the provisions of Code of Conduct for Councillors relating to general conduct	Municipal Systems Act Schedule 1 Item 2	
11	A councillor must comply with the provisions of Code of Conduct for Councillors relating to attendance of council and committee meetings	Municipal Systems Act Schedule 1 Item 3	
12	A councillor must comply with the provisions of Code of Conduct for Councillors relating to disclosure of interests	Municipal Systems Act Schedule 1 Item 5	
13	A councillor must comply with the provisions of Code of Conduct for Councillors relating to personal gain	Municipal Systems Act Schedule 1 Item 6	
14	A councillor must comply with the provisions of Code of Conduct for Councillors relating to declaration of interests	Municipal Systems Act Schedule 1 Item 7, Local Government: Municipal Systems Regulations GNR.459 of 25 May 2001 Reg 3	

No	Duty/activity required	Legislative source	Compliance self-evaluation
15	A councillor must comply with the provisions of Code of Conduct for Councillors relating to not undertaking paid work as a full-time councillor	Municipal Systems Act Schedule 1 Item 8	
16	A councillor must comply with the provisions of Code of Conduct for Councillors relating to rewards, gifts and favours	Municipal Systems Act Schedule 1 Item 9	
17	A councillor must comply with the provisions of Code of Conduct for Councillors relating to unauthorised disclosure of information	Municipal Systems Act Schedule 1 Item 10	
18	A councillor must comply with the provisions of Code of Conduct for Councillors relating to intervention in administration	Municipal Systems Act Schedule 1 Item 11	
19	A councillor must comply with the provisions of Code of Conduct for Councillors relating to not utilising or benefiting from municipal property	Municipal Systems Act Schedule 1 Item 12	
20	A councillor must comply with the provisions of Code of Conduct for Councillors relating to not being in arrears for municipal rates and services for longer than 12 months	Municipal Systems Act Schedule 1 Item 12A	
21	A councillor may not share in any profits or improperly receive any benefits from a service provider providing a municipal service in terms of a service delivery agreement	Municipal Systems Act s 81(5)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
22	A councillor may not attempt to influence the municipal manager, a staff member or an agent of the municipality not to enforce an obligation in terms of any applicable legislation or any by-law or a decision of the council	Municipal Systems Act s 119(1)	
23	A councillor may not be convicted of an offence and sentenced to more than 12 month's imprisonment without the option of a fine	Municipal Systems Act s 119(4)	
	SPEAKER		
	The speaker is directly accountable to the council		
1	The speaker must preside at meetings of the council; ensure that the council meets at least quarterly; maintain order during meetings; and ensure that council meetings are conducted in accordance with the rules and orders of the council	Municipal Structures Act s 37(a), s 37(c) and s 37(d)-(f)	
2	The speaker must execute delegated powers and perform duties as instructed by Council, and report thereon	Municipal Systems Act s 59(1), s 63; Municipal Structures Act s 37(b)	
3	The speaker must ensure compliance in the council and council committees with the Code of Conduct	Municipal Structures Act s 37(e); Municipal Systems Act Schedule 1	
	EXECUTIVE COMMITTEE		
	The executive committee is directly accountable to the council		

No	Duty/activity required	Legislative source	Compliance self-evaluation
1	The executive committee must identify the needs of the municipality, review and evaluate those needs in order of priority, and recommend to the Council strategies, programmes and services to address priority needs through the IDP and estimates of revenue and expenditure	Municipal Structures Act s 44(2)	
2	The executive committee must recommend or determine the best methods to deliver those strategies, programmes and services to the maximum benefit of the community	Municipal Structures Act s 44(2)	
3	The executive committee must monitor the management of the municipality's administration	Municipal Structures Act s 44(3)	
4	The executive committee must oversee the provision of services to communities in the municipality	Municipal Structures Act s 44(3)	
5	The executive committee must exercise the powers and the performance of the duties of the appointed committees of councillors to assist the executive committee or executive mayor	Municipal Structures Act s 80(3)(c)	
6	The executive committee must manage the drafting process of IDP and submit same draft to council for adoption	Municipal Systems Act s 30	
7	The executive committee must receive reports from other committees of the council, and forward same together with recommendations to the council in instances where it cannot dispose of a specific matter in terms of its delegated powers	Municipal Structures Act s 44(1)(b)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
8	The executive committee must ensure that regard is given to public views and report on the effect of consultation on the decisions of the council	Municipal Structures Act s 44(3)	
9	The executive committee must annually report on the involvement of communities and community organisations in the affairs of the municipality	Municipal Structures Act s 44(3)	
10	The executive committee must execute delegated powers and perform duties as instructed by Council, and report thereon	Municipal Systems Act s 59(1), s 63	
11	The executive committee must perform the delegated duties as delegated by the council	Municipal Structures Act s 44(3)	
12	The executive committee must identify and develop criteria in terms of which progress in the implementation of the strategies, programmes and services can be evaluated, including key performance indicators	Municipal Structures Act s 44(3)	
13	The executive committee must evaluate progress against the key performance indicators	Municipal Structures Act s 44(3)	
14	The executive committee must review the performance of the municipality in order to improve the municipality's economy, efficiency and effectiveness; the efficiency of credit control and revenue and debt collection services; and implementation of the by-laws	Municipal Structures Act s 44(3)	
15	The executive committee must annually report to the council on all decisions taken	Municipal Structures Act s 44(4)	
	MAYOR		

No	Duty/activity required	Legislative source	Compliance self-evaluation
	The mayor is directly accountable to council		
1	The mayor must preside at meetings of the executive committee	Municipal Structures Act s 49(a)	
2	The mayor must convene a committee meeting if a majority of the members requests the mayor in writing to do so	Municipal Structures Act s 50	
3	The mayor must execute delegated powers and perform duties as instructed by Council, and report thereon	Municipal Systems Act s 59(1), s 63	
4	The mayor must perform the duties, including any ceremonial functions, and exercise the powers delegated to the mayor by the municipal council or the executive committee	Municipal Structures Act s 49(b)	
	DEPUTY MAYOR		
	The deputy mayor is directly accountable to the mayor and council		
1	The deputy mayor must exercise the powers and performs the duties of the mayor if the mayor is absent or not available or if the office of the mayor is vacant	Municipal Structures Act s 49(2)	
2	The deputy mayor must execute delegated powers and perform duties as instructed by Council, and report thereon	Municipal Systems Act s 59(1), s 63	
3	The deputy mayor must perform the duties as delegated by the mayor	Municipal Structures Act s 49(2)	
	EXECUTIVE MAYOR		
	The executive mayor is directly accountable to the council		

No	Duty/activity required	Legislative source	Compliance self-evaluation
1	The executive mayor must identify the needs of the municipality, review and evaluate those needs in order of priority, and recommend to the Council strategies, programmes and services to address priority needs through the IDP and estimates of revenue and expenditure	Municipal Structures Act s 56(2)	
2	The executive mayor must recommend or determine the best methods to deliver those strategies, programmes and services to the maximum benefit of the community	Municipal Structures Act s 56(2)	
3	The executive mayor must manage the drafting process of IDP and submit same draft to council for adoption	Municipal Systems Act s 30	
4	The executive mayor must receive reports from committees of the council, and forward same together with recommendations to the council in instances where they cannot dispose of a specific matter in terms of their delegated powers	Municipal Structures Act s 56(1)	
5	The executive mayor must monitor the management of the municipality's administration in accordance with the directions of the council	Municipal Structures Act s 56(3)	
6	The executive mayor must oversee the provision of services to communities in the municipality	Municipal Structures Act s 56(3)	
7	The executive mayor must annually report on the involvement of communities and community organisations in the affairs of the municipality	Municipal Structures Act s 56(3)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
8	The executive mayor must ensure that regard is given to public views and report on the effect of consultation on the decisions of the council	Municipal Structures Act s 56(3)	
9	The executive mayor must, If a municipal council has more than nine members, appoint a mayoral committee	Municipal Structures Act s 60(1)	
10	The executive mayor is responsible for the exercise of the powers and the performance of the duties of the appointed committees of councillors to assist the executive committee or executive mayor	Municipal Structures Act s 80(3)(c)	
11	The executive mayor must perform a ceremonial role as the municipal council may determine	Municipal Structures Act s 56(4)	
12	The executive mayor must execute delegated powers and perform duties as instructed by Council, and report thereon	Municipal Systems Act s 59(1), s 63	
13	The executive mayor must perform the delegated duties as delegated by the council	Municipal Structures Act s 56(3)	
14	The executive mayor must identify and develop criteria in terms of which progress in the implementation of the strategies, programmes and services can be evaluated, including key performance indicators	Municipal Structures Act s 56(3)	
15	The executive mayor must evaluate progress against the key performance indicators	Municipal Structures Act s 56(3)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
16	The executive mayor must review the performance of the municipality in order to improve the municipality's economy, efficiency and effectiveness; the efficiency of credit control and revenue and debt collection services; and implementation of the by-laws	Municipal Structures Act s 56(3)	
17	The executive mayor must report to the municipal council on all decisions taken	Municipal Structures Act s 56(5)	
	DEPUTY EXECUTIVE MAYOR		
	The deputy executive mayor is directly accountable to the executive mayor and council		
1	The deputy executive mayor must execute delegated powers and perform duties as instructed by Council, and report thereon	Municipal Systems Act s 59(1), s 63	
2	The deputy executive mayor exercise the powers and performs the duties of the executive mayor if the executive mayor is absent or not available or if the office of the executive mayor is vacant	Municipal Structures Act s 56(6)	
	MAYORAL COMMITTEE		
	The mayoral committee is directly accountable to the executive mayor and council		
1	The mayoral committee must execute delegated powers and perform duties as instructed by the council in terms of the Municipal Systems Act, and report thereon	Municipal Systems Act s 59(1), s 63	

No	Duty/activity required	Legislative source	Compliance self-evaluation
2	The mayoral committee must exercise and perform those powers and functions of the executive mayor as may be designated by the council in terms of the Municipal Structures Act	Municipal Structures Act s 60(3)	
	METROPOLITAN SUBCOUNCIL		
	The metropolitan subcouncil is directly accountable to council		
1	The metropolitan subcouncil must execute delegated powers and perform duties as instructed by Council, and report thereon	Municipal Systems Act s 59(1), s 63	
2	The metropolitan subcouncil must exercise and perform those duties and powers as the metro council may delegate to the metropolitan subcouncil	Municipal Structures Act s 64(1)(a)	
	WARD COMMITTEE		
	The ward committee is directly accountable to the community and the council		
1	The ward committee must exercise and perform such powers and duties as the metro or local council may delegate to the ward committee, and report thereon	Municipal Structures Act s 74(b), Municipal Systems Act s 59(1), s 63, Guidelines for the establishment and operation of Municipal Ward Committees GN 964 of 24 June 2005 Reg 5	

No	Duty/activity required	Legislative source	Compliance self-evaluation
2	The ward committee must comply with the provisions regulating the conduct of members of ward committees	Guidelines for the establishment and operation of Municipal Ward Committees GN 964 of 24 June 2005 Reg 10	
	COMMITTEE OF THE MUNICIPAL COUNCIL		
	A committee of the municipal council is directly accountable to council		
1	A committee of the council must, If the municipality does not have an executive committee or executive mayor, manage the drafting process of IDP and submit same draft to council for adoption	Municipal Systems Act s 30	
2	A committee of the council must execute delegated powers and perform duties as instructed by Council, and report thereon	Municipal Systems Act s 59(1), s 63	
3	A committee of the council must exercise and perform such functions and duties as determined and delegated by council	Municipal Structures Act s 79(2)	
	COMMITTEE TO ASSIST THE EXECUTIVE COMMITTEE OR EXECUTIVE MAYOR		
	A committee established to assist the executive committee or executive mayor is directly accountable to such executive committee or executive mayor, as the case may be		

No	Duty/activity required	Legislative source	Compliance self-evaluation
1	A committee established to assist the executive committee or executive mayor must exercise and perform such powers and duties as delegated by the executive committee or executive mayor, and report to the executive committee or executive mayor thereon	Municipal Structures Act s 80(3)(b)	
2	A committee established to assist the executive committee or executive mayor must execute delegated powers and perform duties as instructed by Council, and report thereon	Municipal Systems Act s 59(1), s 63	
	TRADITIONAL LEADER IN MUNICIPAL COUNCILS		
	A traditional leader participating in the proceedings of a municipal council is directly accountable to the traditional community they represent and to the council		
1	A traditional leader must, when participating in the proceedings of a municipal council, comply with the relevant provisions of the Code of Conduct for Councillors	Municipal Structures Act s 81(5)(a), Municipal Systems Act Schedule 1 Item 15	
	MUNICIPAL MANAGER		
	The municipal manager is the head of administration and the accounting officer of the municipality, and is directly accountable to the council		
1	The municipal manager must manage the municipal administration and service provision in a responsible and accountable manner	Municipal Systems Act 55(1)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
2	The municipal manager must manage the income, expenditure, assets, liabilities in a responsible and accountable manner; take measures to prevent corruption; and ensure compliance with the Municipal Finance Management Act	Municipal Systems Act s 6(2)(c), s 55(2)	
3	The municipal manager must implement the credit control and debt collection policy and by-laws and report thereon	Municipal Systems Act s 99-100	
4	The municipal manager must facilitate a culture of public service and accountability amongst staff	Municipal Systems Act s 6(2)(b)	
5	The municipal manager must ensure responsiveness to the needs of the community; establish clear relationships with the community; facilitate co-operation and communication with the community; give community members full and accurate information about the level and standard of municipal services they are entitled to receive; Inform the community how the municipality is managed, the costs involved and the persons in charge; and give the community notice of all meetings	Municipal Systems Act s 6(2)(a), s 6(2)(d)-(f), s 19	
6	The municipal manager must execute delegated powers and perform duties as instructed by Council, and report thereon	Municipal Systems Act s 59(1), s 63	

No	Duty/activity required	Legislative source	Compliance self-evaluation
7	The municipal manager must exercise and perform the functions and duties as described in the employment contract and in line with the performance agreement	Municipal Systems Act s 57, Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers GNR.805 of 1 August 2006 Reg 2	
8	The municipal manager must act in a manner that avoids misconduct	Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers GNR.805 of 1 August 2006 Reg 17(1)(c)	
9	The municipal manager may not accede to any attempt to be influenced by a councillor, staff member or an agent of the municipality to not enforce an obligation in terms of any applicable legislation or any by-law or a decision of the council	Municipal Systems Act s 119(2)	
10	The municipal manager may not abuse sick leave	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 25(6)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
11	The municipal manager may not be absent from work without permission	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 33	
12	The municipal manager must disclose benefits and interests within the prescribed periods and when circumstances change	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 36	
13	The municipal manager must remain healthy and injury-free to the extent that work can be performed to the required standards	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 43(2)	
	MANAGERS DIRECTLY ACCOUNTABLE TO MUNICIPAL MANAGERS		
	A manager directly accountable to the municipal manager is accountable to the municipal manager		
1	A manager directly accountable to the municipal manager must execute the delegated powers and perform duties as instructed by Council, and report thereon	Municipal Systems Act s 59(1), s 63	

No	Duty/activity required	Legislative source	Compliance self-evaluation
2	A manager directly accountable to the municipal manager must exercise and perform the functions and duties as described in the employment contract and in line with the performance agreement	Municipal Systems Act s 57, Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers GNR.805 of 1 August 2006 Reg 2	
3	A manager directly accountable to the municipal manager must act in a manner that avoids misconduct	Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers GNR.805 of 1 August 2006 Reg 17(1)(c)	
4	A manager directly accountable to the municipal manager may not abuse sick leave	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 25(6)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
5	A manager directly accountable to the municipal manager may not be absent from work without permission	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 33	
6	A manager directly accountable to the municipal manager must disclose benefits and interests within the prescribed periods and when circumstances change	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 36	
7	A manager directly accountable to the municipal manager must remain healthy and injury-free to the extent that work can be performed to the required standards	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 43(2)	
	MUNICIPAL STAFF MEMBERS		
	A municipal staff member is directly accountable to senior management		
1	A municipal staff member must perform functions and duties as provided for in job description and conditions of service	Municipal Systems Act s 66(1)(b) and (c), 67(1), Schedule 2	
2	A municipal staff member must execute delegated powers and perform duties as instructed by Council, and report thereon	Municipal Systems Act s 59(1), s 63	

No	Duty/activity required	Legislative source	Compliance self-evaluation
3	A municipal staff member may not share in any profits or improperly receive any benefits from a service provider providing a municipal service in terms of a service delivery agreement	Municipal Systems Act s 81(5)	
4	A municipal staff member may not accede to any attempt to be influenced by a councillor, staff member or an agent of the municipality to not enforce an obligation in terms of any applicable legislation or any by-law or a decision of the council	Municipal Systems Act s 119(2)	
5	A municipal staff member must comply with the provisions of Code of Conduct for Municipal Staff Members relating to general conduct	Municipal Systems Act Schedule 2 Item 2	
6	A municipal staff member must comply with the provisions of Code of Conduct for Municipal Staff Members relating to commitment to serving the public interest	Municipal Systems Act Schedule 2 Item 3	
7	A municipal staff member must comply with the provisions of Code of Conduct for Municipal Staff Members relating to personal gain	Municipal Systems Act Schedule 2 Item 4	
8	A municipal staff member must comply with the provisions of Code of Conduct for Municipal Staff Members relating to disclosure of benefits	Municipal Systems Act Schedule 2 Item 5	
9	A municipal staff member must comply with the provisions of Code of Conduct for Municipal Staff Members relating to declaration of interests	Municipal Systems Act Schedule 2 Item 5A	

No	Duty/activity required	Legislative source	Compliance self-evaluation
10	A municipal staff member must comply with the provisions of Code of Conduct for Municipal Staff Members relating to unauthorised disclosure of information	Municipal Systems Act Schedule 2 Item 6	
11	A municipal staff member must comply with the provisions of Code of Conduct for Municipal Staff Members relating to undue influence	Municipal Systems Act Schedule 2 Item 7	
12	A municipal staff member must comply with the provisions of Code of Conduct for Municipal Staff Members relating to rewards, gifts and favours	Municipal Systems Act Schedule 2 Item 8	
13	A municipal staff member must comply with the provisions of Code of Conduct for Municipal Staff Members relating to not utilising or benefiting from municipal property	Municipal Systems Act Schedule 2 Item 9, Regulations regarding Participation of Municipal Staff Members in Elections GNR.210 of 10 March 2011 Reg 4	
14	A municipal staff member must comply with the provisions of Code of Conduct for Municipal Staff Members relating to relating to not being in arrears for municipal rates and services for longer than 12 months	Municipal Systems Act Schedule 2 Item 10	
15	A municipal staff member must comply with the provisions of Code of Conduct for Municipal Staff Members relating to participation in elections	Municipal Systems Act Schedule 2 Item 11	
16	A municipal staff member must comply with the provisions of Code of Conduct for Municipal Staff Members relating to sexual harassment	Municipal Systems Act Schedule 2 Item 12	

No	Duty/activity required	Legislative source	Compliance self-evaluation
17	A municipal staff member must comply with the provisions of Code of Conduct for Municipal Staff Members relating to reporting duties	Municipal Systems Act Schedule 2 Item 13	
	MUNICIPAL ENTITY - PRIVATE COMPANY		
	A private company which is a municipal entity is directly accountable to its parent municipality(s)		
1	A private company must exercise the powers and perform the duties necessary for the attainment of such private company's purpose in a satisfactory manner	Municipal Systems Act 93A(a)(ii)	
2	A director of the private company must exercise their powers and perform their duties in a satisfactory manner; be able to do so effectively; comply with all legislation regulating the conduct of directors (including the Code of Conduct); and not be convicted of fraudulent conduct	Municipal Systems Act s 93G-93H, s 93L(1)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
3	A director of the private company must remain qualified to be a director by not holding office as a councillor of any municipality; not being a member of the National Assembly or a provincial legislature; not being a permanent delegate to the NCOP; not being an official of the parent municipality; not being convicted of any offence and sentenced to imprisonment without the option of a fine; and not being declared by a court as being of unsound mind or as an unrehabilitated insolvent.	Municipal Systems Act s 93F(1)	
4	The chief executive officer of the private company is responsible for the management of the private company	Municipal Systems Act s 93(J)2	
5	A senior manager of the private company must act in a manner that avoids misconduct	Municipal Systems Act 93L(2)	
6	A senior manager of a private company may not abuse sick leave	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 25(6)	
7	A senior manager of a private company may not be absent from work without permission	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 33	

No	Duty/activity required	Legislative source	Compliance self-evaluation
8	A senior manager of a must disclose benefits and interests within the prescribed periods and when circumstances change	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 36	
9	A senior manager of a must remain healthy and injury-free to the extent that work can be performed to the required standards	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 43(2)	
10	A staff member of the private company must act in a manner that avoids misconduct	Municipal Systems Act 93L(2)	
	MUNICIPAL ENTITY - SERVICE UTILITY		
	A service utility is directly accountable to its parent municipality		
1	A service utility must exercise the powers and perform the duties necessary for the attainment of service utility's purpose in a satisfactory manner	Municipal Systems Act s 86H(2)(a)-(b)	
2	A director of the service utility must exercise their powers and perform their duties in a satisfactory manner; be able to do so effectively; comply with all legislation regulating the conduct of directors (including the Code of Conduct); and not be convicted of fraudulent conduct	Municipal Systems Act s 93G-93H, s 93L(1)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
3	A director of the service utility must remain qualified to be a director by not holding office as a councillor of any municipality; not being a member of the National Assembly or a provincial legislature; not being a permanent delegate to the NCOP; not being an official of the parent municipality; not being convicted of any offence and sentenced to imprisonment without the option of a fine; and not being declared by a court as being of unsound mind or as an unrehabilitated insolvent.	Municipal Systems Act s 93F(1)	
4	The chief executive officer of the service utility is responsible for the management of the service utility	Municipal Systems Act s 93(J)2	
5	A senior manager of the service utility must act in a manner that avoids misconduct	Municipal Systems Act 93L(2)	
6	A senior manager of a service utility may not abuse sick leave	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 25(6)	
7	A senior manager of a service utility may not be absent from work without permission	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 33	

No	Duty/activity required	Legislative source	Compliance self-evaluation
8	A senior manager of a must disclose benefits and interests within the prescribed periods and when circumstances change	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 36	
9	A senior manager of a must remain healthy and injury-free to the extent that work can be performed to the required standards	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 43(2)	
10	A staff member of the service utility must act in a manner that avoids misconduct	Municipal Systems Act 93L(2)	
	MUNICIPAL ENTITY - MULTI-JURISDICTIONAL SERVICE UTILITY		
	A multi-jurisdictional service utility is directly accountable to its parent municipalities		
1	A multi-jurisdictional service utility must exercise the powers and perform the duties necessary for the attainment of such multi-jurisdictional service utility's purpose in a satisfactory manner	Municipal Systems Act s 89(b)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
2	A director of the multi-jurisdictional service utility must exercise their powers and perform their duties in a satisfactory manner; be able to do so effectively; comply with all legislation regulating the conduct of directors (including the Code of Conduct); and not be convicted of fraudulent conduct	Municipal Systems Act s 93G-93H, s 93L(1)	
3	A director of the multi-jurisdictional service utility must remain qualified to be a director by not holding office as a councillor of any municipality; not being a member of the National Assembly or a provincial legislature; not being a permanent delegate to the NCOP; not being an official of the parent municipality; not being convicted of any offence and sentenced to imprisonment without the option of a fine; and not being declared by a court as being of unsound mind or as an unrehabilitated insolvent.	Municipal Systems Act s 93F(1)	
4	The chief executive officer of the multi-jurisdictional service utility is responsible for the management of the multi-jurisdictional service utility	Municipal Systems Act s 93(J)2	
5	A senior manager of the multi-jurisdictional service utility must act in a manner that avoids misconduct	Municipal Systems Act 93L(2)	

No	Duty/activity required	Legislative source	Compliance self-evaluation
6	A senior manager of a multi-jurisdictional service utility may not abuse sick leave	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 25(6)	
7	A senior manager of a multi-jurisdictional service utility may not be absent from work without permission	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 33	
8	A senior manager of a must disclose benefits and interests within the prescribed periods and when circumstances change	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 36	
9	A senior manager of a must remain healthy and injury-free to the extent that work can be performed to the required standards	Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers GN 21 of 17 January 2014 Reg 43(2)	
10	A staff member of the multi-jurisdictional service utility must act in a manner that avoids misconduct	Municipal Systems Act 93L(2)	

GENERAL NOTE:

1. The table includes all accountability activities in respect of which the statutory source of such activities, in the event of non-compliance or lack of fulfilment of the activity concerned, contains an explicit provision in relation to –
    a. administrative steps that must or may be taken; and/or
    b. the criminalisation of such conduct by the creation of a statutory offence.

2. The table excludes all accountability activities in respect of which the statutory source of such activities, in the event of non-compliance or lack of fulfilment of the activity concerned, does not contain an explicit provision relating to –
    a. administrative steps that must or may be taken; and/or
    b. the criminalisation of such conduct by the creation of a statutory offence.

    In such cases, the remedial actions provided for in section 139 and 100 of the Constitution apply.

3. The table excludes the constitutional power to intervene in local government vested in –
    a. the various MECs responsible for local government, as provided for section 139 ("Provincial intervention in local government"); and
    b. the Minister responsible for local government, as provided for in section 100 ("National intervention in provincial administration").

4. The table excludes the general constitutional obligation vested by section 156(6) of the Constitution in the various provincial governments to –

    "by legislative or other measures …
    (a) provide for the monitoring and support of local government in the province; and
    (b) promote the development of local government capacity to enable municipalities and perform their functions and manage their own affairs."

5. The table excludes the general constitutional power of national government and the provincial governments, as set out in section 155 (7) of the Constitution, to regulate the exercise by municipalities of the executive authority –

    "The national government, subject to section 44, and the provincial governments have the legislative and executive authority to see to the effective performance by municipalities of their functions in respect of matters listed in Schedules 4 and 5, by regulating the exercise by municipalities of their executive authority referred to in section 156 (1)."