

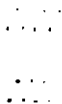
ITEM NUMBER : C 37/03/11

RECOMMENDATION FROM THE EXECUTIVE MAYOR: 15 MARCH 2011

MC 49/03/11 REVIEW AND PROPOSED AMENDMENT OF SYSTEM OF DELEGATIONS OF THE CITY OF CAPE TOWN

RECOMMENDED that:

- (a) Council adopts the proposed amendments explained/motivated in Annexure A and set out in Annexure B to the report on the agenda
- (b) should the System of Delegation contain any duplication of a power, duty or function, the power, duty or function conferred on the higher authority will take preference
- (c) the amendments to the System of Delegation be published on the City's website
- (d) all delegating authorities who are affected by the amendments and who have previously delegated or sub-delegated these powers, duties or functions, must ensure that the necessary amendments are conveyed to the delegates.



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CITY OF CAPE TOWN | ISIXEKO SASEKAPA | STAD KAAPSTAD

COUNCIL OF THE CITY OF CAPE TOWN

1 ITEM NUMBER: MC 49/03/11

2 SUBJECT:

REVIEW AND PROPOSED AMENDMENT OF SYSTEM OF DELEGATIONS OF THE CITY OF CAPE TOWN

HERSIENING EN VOORGESTELDE WYSIGING VAN STAD KAAPSTAD SE STELSEL VAN DELEGASIES

**UPHENGULULO NESIPHAKAMISO SOKULUNGISWA KWENKQUBO
YEZIGUNYAZISO/YOKUNIKEZELWA KWAMAGUNYA YESIXEKO SASEKAPA**

LSUB0941

3 PURPOSE

This report seeks approval for further refinements and amendments to the System of Delegation.

4 STRATEGIC INTENT

This report is aligned with the strategies of the City.

5 FOR DECISION BY

COUNCIL

6 EXECUTIVE SUMMARY

As part of the ongoing process of revision and review to ensure operational and administrative efficiency, certain sections of Council's System of Delegations require review and amendment.

A number of amendments to the System which affect both the political as well as the administrative delegations is now proposed and submitted for decision by Council.

7 RECOMMENDATIONS

It is recommended that:

- (a) Council adopts the proposed amendments explained/motivated in Annexure A and set out in annexure B;
- (b) Should the System of Delegation contain any duplication of a power, duty or function, the power, duty or function conferred on the higher authority will take preference;
- (c) The amendments to System of Delegation is published on the City's website.
- (d) All delegating authorities who are affected by the amendments and who have previously delegated or sub-delegated these powers, duties or functions, must ensure that the necessary amendments are conveyed to the delegates.

AANBEVELINGS

Daar word aanbeveel dat:

- (a) Die Raad die voorgestelde wysigings verduidelik/gemotiveer in bylae A en uiteengesit in bylae B, goedkeur;
- (b) Sou die stelsel van delegasies enige duplisering van 'n mag, plig of funksie bevat, die mag, plig of funksie wat aan die hoër gesag toegeken is, voorrang geniet;
- (c) Die wysigings aan die stelsel van delegasies op die Stad se webwerf gepubliseer word;

- (d) Alle delegerende gesagte wat deur die wysigings geraak word en voorheen hierdie magte, pligte of funksies gedelegeer of subdelegeer het, moet verseker dat die nodige wysigings aan die gedelegeerde persone oorgedra word.

IZINDULULO

Kundululwe ukuba:

- (a) IBhunga malimisele/malamkele izilungiso njengoko zicacisiwe kwisiHlomelo-A kwaye zaqulunqwa kwisiHlomelo-B;
- (b) Ukuba iNkqubo yeziGunyaziso iye yaqulatha naluphina uphinda-phindo lwegunya, uxanduva okanye umsebenzi; igunya, uxanduva okanye umsebenzi oye wanikezelwa kwabasemagunyeni abaphezulu uya kuthi ibengowona osetyenziswa kuqala;
- (c) Izilungiso kwiNkqubo yeziGunyaziso ziye zabhengezwa kwiwebhusaythi yesiXeko.
- (d) Bonke abanikezela ngamagunya abathe bachaphazeleka zezi zilungiso kwaye abaye ngaphambili banikezela okanye banikezela kwabanye ngala magunya, uxanduva okanye imisebenzi, kufuneka baqinisekise ukuba izilungiso ezifanelekileyo zigqithiselwa kwabo banikezelwa amagunya.

8 DISCUSSION

As part of the ongoing exercise of review and amendment of Council's System of Delegations to ensure effective and efficient administration and service delivery, the Administrative Delegations Task Team compiled a set of proposed amendments/refinements based on inputs from various departments and councillors. This proposal was considered by the Political Delegations Task Team on 11 March 2011 and the finalised proposal is now submitted for consideration by Council. In the interests of saving paper and costs, only those pages affected by the proposals have been printed and are contained in Annexure B attached to this report. Explanatory notes motivating the specific amendments proposed are set out on Annexure A.

Once all the amendments proposed with this report are considered and resolved on by Council, they will be incorporated into the System of Delegations and published on the Council Website.

It will be necessary for those delegating authorities who are affected by the amendments and who have previously delegated or subdelegated these powers, duties

or functions, to re-issue delegations or subdelegations to delegates in writing based on the amendments attached hereto.

It is to be noted that in terms of section 64 of the Municipal Systems Act 32 of 2000:

"The withdrawal, amendment or lapsing of a delegation or subdelegation does not invalidate anything done as a consequence of a decision taken in terms of that delegation or sub-delegation."

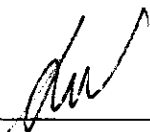
ANNEXURES

Annexure A: Notes of explanation

Annexure B: Proposed amendments to the City of Cape Town System of Delegation
9 December 2010 edition

FOR FURTHER DETAILS CONTACT:

NAME	G Kenhardt
CONTACT NUMBERS	400 1223
E-MAIL ADDRESS	Gillian.Kenhardt@capetown.gov.za
DIRECTORATE	City Secretariat



LEGAL COMPLIANCE

- REPORT COMPLIANT WITH THE PROVISIONS OF COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS AND ALL LEGISLATION RELATING TO THE MATTER UNDER CONSIDERATION.
- NON-COMPLIANT

NAME LES BACHMAN
 TEL 021 400 4840
 DATE 2011/03/14

Comment:
RESERVED FOR COUNCIL
DECISION.

G Kenhardt 14/03/2011

DIRECTOR: EXECUTIVE SUPPORT: OFFICE OF THE CITY MANAGER
 G Kenhardt