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OVERVIEW OF MUNICIPALITIES UNDER SECTION 139 INTERVENTION AS IT RELATES TO SERVICE DELIVERY

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1. INTRODUCTION

Section 40 of the Constitution of the Republic of South Africa, 1996, constitutes Government at national, provincial and local spheres as distinctive, yet interdependent and interrelated entities. It enjoins all spheres of government to observe and adhere to the principles of cooperative government in conducting their activities.

Whilst the executive authority of the national and provincial spheres of government is vested in the President (with Cabinet) and Premier (with provincial Executive Council), respectively, in the local sphere of government this power vests in each municipality. Accordingly, section 152 of the Constitution mandates the local sphere of government to, amongst others, provide democratic and accountable local government to communities; ensure that services are provided to communities in a sustainable manner; and to promote a safe and healthy environment. The Constitution envisages a developmental role for local government. As such, it places an obligation on municipalities to structure their administration, budgeting and planning processes in a manner that prioritises the basic needs of the community, and to promote the social and economic development of the community (section 153). The Constitution also places municipalities at the epicentre of the delivery of essential basic public services, such as water, electricity, refuse and sewerage disposal, public health facilities and public transport facilities.¹ It is thus evident that the local sphere of government (municipalities) operates closest to communities.

The Constitution safeguards the autonomy of municipalities by expressly prohibiting the national and provincial spheres of government from interfering with a municipality's right or ability to exercise its powers or perform its functions (section 151(4)). Instead, it places an obligation on national and provincial government to use legislative and other measures to support and

¹ Schedule 4: Part B; Schedule 5: Part B.



strengthen the capacity of municipalities to manage their own affairs and to exercise their powers and functions (section 154(1)). Notwithstanding the fact that the Constitution is clear about the autonomy of local government, it also limits such autonomy through the provisions of section 139. This provision empowers a provincial executive to intervene in the affairs of a municipality that cannot or does not fulfil an executive or legislative function in terms of the Constitution. An executive obligation could relate to the delivery of basic services, the development of policy and initiation of by-laws, or the implementation and administration of legislation related to local government.

Makoti and Odeku (2018) submit that the ultimate aim of limiting municipal autonomy through section 139 is to ensure that municipalities effectively and efficiently render basic municipal services to communities located in their areas of jurisdiction. However, as interventions by nature encroach upon the autonomy of a municipality, the Constitution sets out specific substantive and procedural requirements a provincial executive has to comply with when intervening in a municipality. This includes oversight by the Minister of Cooperative Governance and Traditional Affairs (CoGTA) and the National Council of Provinces (NCOP), as well as a requirement for consideration and approval or disapproval of interventions by the NCOP.

In 2018, then CoGTA Minister, Hon. Mr Z. Mkhize, noted in a media statement that the performance of the majority of municipalities is below expectation. In particular, the Minister reported that only 7% of the country's municipalities are well functional; approximately 31% are reasonably functional; 31% are almost dysfunctional and 31% are dysfunctional. This could possibly explain the surge in interventions into municipalities during the Fourth and Fifth Democratic Parliaments, the bulk of which related to interventions in terms of section 139(1)(b) of the Constitution, i.e. when a municipality cannot or does not fulfil an executive obligation in terms of the Constitution or legislation.

Many municipalities across the country have been subject to, or are still under intervention, some of them repeat interventions. Ledger and Rampedi (2019) records the following list of interventions per province between 1998 and 2019:

Table 1: Interventions per province: 1998-2019

Province	Number of interventions
Eastern Cape	15 (including 3 set aside)
Free State	14
Gauteng	3
KwaZulu-Natal	40 (including 2 set aside)
Limpopo	2 (including 1 set aside)
Mpumalanga	11
North West	43 (including 7 set aside)
Northern Cape	3
Western Cape	9 (including 2 set aside)



The focus of this brief is however limited to providing an overview of the profiles of those municipalities in respect of whom intervention notices have been tabled in the NCOP in terms of section 139 of the Constitution and that have not been approved or disapproved by the House at the time of writing. It also highlights issues for consideration in arresting the issue of municipal interventions.

2. CONTEXTUAL BACKGROUND

Currently, there is no single law that governs the implementation and monitoring of interventions in municipalities. Instead, the legal framework that regulates such interventions comprises the Constitution, the Local Government Municipal Systems Act, No. 32 of 2000 (Systems Act), the Local Government Municipal Structures Act, No. 117 of 1998 (Structures Act) and the Municipal Finance Management Act, No. 56 of 2003 (MFMA). The table below provides an overview of the relevant provisions.

Table 2: Interventions legislative framework

Constitution	Systems Act	Structures Act	MFMA
<p>Section 139 (1), (4) and (5): Empowers the provincial executive to intervene in a municipality if:</p> <p>(1): A municipality cannot or does not fulfil an executive obligation in terms of the Constitution or legislation.</p> <p>(4): A municipality cannot or does not fulfil an obligation in terms of the Constitution or legislation to approve a budget or any revenue-raising measures necessary to give effect to the budget.</p> <p>(5): A municipality, because of a crisis in its financial affairs, is in serious or persistent material breach of its</p>	<p>Provides for the core principles, mechanisms and processes necessary to enable municipalities to forge progressively towards social and economic development of local communities. It includes setting in place standards and systems guiding local government performance. It establishes an enabling framework for the core processes of planning for every undertaking, performance management, resource mobilisation and organisational transformation for sustainable service delivery and efficient performance. As it defines municipal powers</p>	<p>Section 34 (3)(b): Empowers the MEC for local government in a province to dissolve the municipal council in the province if an intervention in terms of section 139 of the Constitution has not resulted in the Council being able to fulfil its obligations in terms of legislation.</p>	<p>Chapter 13: Sets out procedures and processes for the resolution of financial problems in a municipality.</p> <p>Section 135: vests the primary responsibility for the resolution of financial problems in a municipality and that it must meet its financial commitments.</p> <p>Section 136: If the MEC for local government in a province becomes aware that there is a serious financial problem in a municipality, he/she must promptly:</p> <ul style="list-style-type: none"> • Consult the mayor of the municipality to determine the facts.



Constitution	Systems Act	Structures Act	MFMA
obligations to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments.	and functions, it sets procedures and processes for community participation, Integrated Development Planning (IDP), performance management, local public administration and human resource management. It also sets standards regarding provincial and national monitoring of local government performance, as well as the intervention where necessary.		<ul style="list-style-type: none"> Assess the seriousness of the situation and the municipality's response to the situation. Determine whether the situation justifies or requires an intervention in terms of section 139 of the Constitution.

As mentioned before, interventions, by their very nature, intrude on the autonomy of a municipality. Thus, consistent with the principles of the separation of powers and cooperative government, the Constitution does not grant a provincial executive unfettered power to intervene in the affairs of a municipality. Through the provisions of section 139, it subjects any decision by a provincial executive to intervene in the affairs of a municipality to a number of substantive and procedural requirements. Substantively, it sets out the circumstances under which a particular type of intervention may be invoked and defines the extent of the provincial executive's power whilst the intervention is in place. At procedural level, the Constitution puts in place checks and balances by subjecting a provincial executive's decision to intervene in a municipality to oversight by the Minister of CoGTA, as well as to oversight and approval or disapproval by the NCOP.²

The substantive requirements for intervention by a provincial executive into the affairs of a municipality are set out in section 139(1), (4) and (5). Together, these provisions permit intervention in three types of instances, namely:

- **General interventions** when a municipality cannot or does not fulfil an executive obligation in terms of the Constitution or legislation. In such cases, the Constitution empowers the relevant provincial executive to either issue a directive to the municipality outlining the steps required to meet its obligations; assume responsibility for the relevant obligation or to dissolve the municipal council and appoint an administrator until a new council is elected.
- **Interventions relating to budget or revenue raising measures** - i.e. if a municipality cannot or does not fulfil an obligation in terms of the Constitution or

² De Visser and November (2017).



legislation to approve a budget or any revenue-raising measures necessary to give effect to the budget. In such cases, the provincial executive may take any appropriate steps to ensure that the budget or revenue-raising measures are approved. This includes dissolving a municipal council and appointing an administrator until a new council is elected and approving a temporary budget or revenue-raising measures to provide for the continued functioning of the municipality.

- **Financial emergency interventions** - i.e. if a municipality is in serious or persistent material breach of its obligations to provide basic services or to meet its financial commitments because of a crisis in its financial affairs. Intervention tools at the disposal of the provincial executive in such a case include the imposition of a recovery plan to ensure that the relevant municipality is able to meet its obligations to provide basic services or meet its financial obligations, and the dissolution of the municipal council.

At procedural level, section 139(2)(a) and (b) places an obligation on a provincial executive who intervenes in a municipality to provide the Minister of CoGTA and the NCOP with written notice of its decision to intervene in a municipality within 14 days after it began. The NCOP has 180 days from the day the intervention began to approve or disapprove it. In processing notices of interventions, NCOP Rule 101 requires the Chairperson of the NCOP to forward the notice of intervention to the appropriate Committee (in this instance the Select Committee on Cooperative Governance and Traditional Affairs, Water and Sanitation and Human Settlements) for consideration and processing in accordance with any applicable prescribed procedures.³ This may include conducting in loco oversight in a municipality, in order to arrive at a determination as to whether to recommend that the House approve the intervention or not. The intervention must end if the Minister of CoGTA disapproves it. It must also end if the NCOP disapproves it within 180 days after the intervention began or if by the end of that period the NCOP has not approved it.

Furthermore, the Constitution envisages an ongoing oversight function for the NCOP in respect of interventions by obliging it to review an intervention on a regular basis while it continues, with the view to making appropriate recommendations to the provincial executive.⁴ Finally, the Constitution envisages an oversight and developmental role for the provinces in relation to municipalities. In particular, section 155(6) of the Constitution places an obligation on provinces to monitor and support municipalities through legislation and other measures and to promote the development of municipalities' capacity to enable them to perform their functions and manage their own affairs.

³ NCOP, (2008).

⁴ Section 139(2)(c)



3. SECTION 139 INTERVENTION NOTICES CURRENTLY BEFORE THE NCOP

During the Fourth and Fifth Democratic Parliaments, there was a surge in interventions in terms of section 139 of the Constitution. During the fourth parliamentary term provincial executives intervened in municipalities in all but three provinces, i.e. Limpopo, the Northern Cape and the Western Cape. During this period, the NCOP received 17 notices of interventions, 85% of which related to cases where provincial executives assumed responsibility for the municipalities' executive obligations in terms of section 139(b) of the Constitution. The number of intervention notices received by the NCOP almost doubled by the middle of the Fifth Democratic Parliament to 30 notices, including repeat interventions in three local municipalities and one district municipality. As was the case during the Fourth Democratic Parliament, all but three provinces, i.e. Gauteng, Mpumalanga and the Northern Cape, experienced section 139 interventions midway through the term of the Fifth Democratic Parliament. Interventions in terms of section 139(1)(b) of the Constitution once again dominated (68%).⁵

During the Fourth Democratic Parliament, the majority of interventions occurred in the North West Province (30%), followed by Mpumalanga (20%), KwaZulu-Natal and Free State (15%, respectively), and the Eastern Cape and Gauteng (10%, respectively). Almost half of the interventions that occurred by the middle of the Fifth Democratic Parliament were in KwaZulu Natal (48%), followed by the North West Province (23%) and the Eastern Cape and Free State (10%, respectively). Whilst the Western Cape and Limpopo provinces did not experience any interventions during the Fourth Democratic Parliament, by the middle of the Fifth Democratic Parliament, they experienced 6% and 3% of all interventions, respectively.⁶

Since the beginning of the Sixth Democratic Parliament, the NCOP has received 13 notices of interventions in municipalities spread across six provinces, i.e. Free State, Gauteng, Limpopo, Mpumalanga, Northern Cape and the North West. The intervention in Johannesburg was overtaken by events and therefore not proceeded with. Of this amount, eight local municipalities are under repeat interventions. These are Phokwane (Northern Cape); Tswaing, Madibeng, JB Marks, Ramotshere Moiloa and Mamusa (North West); Lekwa (Mpumalanga); and Metsimaholo (Free State). The Tshwane metropolitan municipality in Gauteng is also under repeat intervention. It should also be noted that at the time of writing, interventions in two local municipalities have expired, namely the Mogalakwena Local Municipality in Limpopo (expired on 1 June 2020) and the Metsimaholo Local Municipality in the Free State (expired on 9 August 2020).⁷ Also, the NCOP approved the intervention invoked in the Tshwane Metro on 19 March 2020.⁸

⁵ Mahlangeni (2018).

⁶ Ibid.

⁷ NCOP work in strengthening cooperative government: Interventions by the NCOP (n.d.).

⁸ Interventions (n.d.).



This section provides an overview of the municipalities in respect of which Section 139 notices of intervention were tabled in the NCOP, but that have not yet been approved or disapproved at the time of writing. It also highlights the service delivery challenges giving rise to such interventions.⁹

3.1. Mpumalanga

Mpumalanga Province has 20 municipalities. This includes three District and 17 Local municipalities. The Lekwa Local Municipality is one of seven municipalities in the Gert Sibande District. The municipality covers an area of 4 557km² and includes the Towns of Morgenzon and Standerton. The main economic sectors in the municipality are agriculture, forestry and fishing; community, social and personal services; and private households. As mentioned before, this municipality is under repeat intervention.

Table 4: Mpumalanga municipalities under intervention

Municipality	Type of Intervention	Date started	Service delivery challenges
Lekwa Local Municipality	139(1)(b)	19 March 2020	<p>Governance and administration:¹⁰</p> <ul style="list-style-type: none"> • Vacancies of more than a year in key posts, such as the Chief Financial Officer and Director Corporate Services. The Director: Technical Services also left the municipality within five months of being appointed. • Inability of the Council to convene ordinary sittings (last ordinary sitting was on 31 October 2019). • The TROIKA (Whip of Council, Executive Mayor and Speaker) is not meeting as it should due to

⁹ Demographic information used in this section is primarily sourced from Municipalities South Africa, available online at www.municipalities.co.za

¹⁰ Msibi M.J. (2020).



Municipality	Type of Intervention	Date started	Service delivery challenges
			<p>poor working relations.</p> <ul style="list-style-type: none"> • The Executive Mayor and Speaker of the Municipality were removed by resolution of the Council in a special sitting held on 10 February 2020. The Council is unable to fill these vacancies, due to failure to constitute a quorum. • Allegations of intimidation against Councillors, which prevents the Council from convening in sitting and which creates an unsafe environment for both officials and Councillors in the Municipality.

3.2. Northern Cape

The Northern Cape has 32 municipalities. Of this amount, 27 are Local municipalities and the remaining five are District municipalities. The Renosterberg Local Municipality is located in the Pixley Ka Seme District, known as the Karoo region. It is the smallest of eight municipalities in the district, making up only 5% of its geographical area. The municipality covers a land area of 5 529km² and includes the Towns of Petrusville, Philipstown, Van der Kloof. Demographically, the municipality had a population of almost 12 000 in 2016, which included approximately 3500 households.

The Phokwane Local Municipality is situated in the Frances Baard District. It is the smallest municipality in the District, covering a land area of 828km². It includes the towns of Hartswater, Jan Kempdorp, Pampierstat and its main economic sectors are agriculture, community development, retail, private household, and informal trade. As at 2016 the municipality had a population of just over 60 000, which included nearly 20 000 households. The Phokwane Local Municipality is under repeat intervention. Restrictions in place due to the outbreak of the Covid-19 pandemic prevented the NCOP from attending to the intervention.¹¹

¹¹ Interventions (n.d.).



Table 5: Northern Cape municipalities under intervention

Municipality	Type of Intervention	Date started	Service delivery challenges
Renosterberg Local Municipality	139(1)(c) & (5)	20 August 2020	<p>Governance and administration:¹²</p> <ul style="list-style-type: none"> • Legal battles amongst Councillors for the position of Mayor, at the expense of prioritising the service delivery issues of the community. • Abdication of responsibilities by Municipal Council by paying a consultant to negotiate municipal business issues with Eskom. • Higher remuneration for Councillors than the prescribed amounts. • Councillors allegedly involved in SCM¹³ processes, against the prescripts of the MFMA.¹⁴ • Vacancies in critical positions, such as CFO and other senior managers. • The Municipal manager performs the functions of the CFO and Director: Corporate Services, in contravention of the MFMA and the Directive by the MEC of CoGHSTA.

¹² Vass B.G. (2020a).

¹³ Supply Chain Management.

¹⁴ Municipal Finance Management Act.



Municipality	Type of Intervention	Date started	Service delivery challenges
			<ul style="list-style-type: none"> • Allegations of irregular payments and/or salary adjustments to the remuneration of the municipal manager and other officials. • Irregular appointments take place at a huge financial cost to the municipality without ensuring that effective, efficient and transparent process are followed and human resources policies are implemented. <p>Service delivery:</p> <ul style="list-style-type: none"> • Communities of Keurtjiekloof and van der Kloof are constantly without electricity for extended periods. • Eskom transformers are not serviced. • Electricity crisis has adversely affected service delivery. The police station has no electricity, which makes their working conditions unbearable during summer and winter. The police station is inaccessible to the community through telephones.
Phokwane Local Municipality	139(1)(c)	12 March 2020	Governance and administration: ¹⁵

¹⁵ Vass B.G. (2020b).



Municipality	Type of Intervention	Date started	Service delivery challenges
			<ul style="list-style-type: none"> • Failure to support the Administrator appointed to implement the intervention invoked on 8 April 2019, as well as the Minister of CoGTA and the NCOP's conditions for approval of such intervention. • The Municipal Council as two Speakers and two Mayors. The Council therefore fails to convene in ordinary session, as per the relevant statutory prescripts (section 18(2) of the Structures Act).
Phokwane Local Municipality	139(4)	29 July 2020	<p>Financial management:¹⁶</p> <p>To approve the draft 2020/21 Consolidate Budget of the municipality (operating and capital) with the requisite revenue-raising measures (temporary budget and revenue-raising measures).</p>

3.3. North West

The North West Province has 23 municipalities, including four district and 19 local municipalities. The Ramotshere Moiloa Local Municipality (previously Zeerust Local Municipality) is situated within the Ngaka Modiri Molema District. It is the largest municipality of the five municipalities that make up the district, covering a land area of 7 323km². The municipality includes the towns of Groot Marico and Zeerust. As of 2016 the municipality had a population of just under 158 000, which included nearly 50 000 households.

The Tswaing Local Municipality is situated in the Ngaka Modiri Molema District. The municipality covers a land area of 5 875km² and includes the towns of Delareyville, Ottosdal and Sannieshof.

¹⁶ Vass B.G. (2020c).



As of 2016, the municipality had a population of just over 129 000, which included approximately 35 000 households. Its main economic sectors are agriculture and small-scale mining.

The Madibeng Local Municipality is located within the Bojanala Platinum District. It covers a land area of 3 720km² and includes the towns of Brits, Hartbeespoort and Mooinoi. As of 2016, the municipality had a population of just more than half a million, which included approximately 193 000 households. The main economic sectors of the municipality are mining, manufacturing, agriculture and tourism.

The JB Marks Local Municipality was established by the amalgamation of Ventersdorp Local Municipality and Tlokwe City Council Local Municipality on 3 August 2016. It is the largest of three municipalities in the district, covering a land area of 6 398km² and including the towns of Potchefstroom and Ventersdorp. As of 2016, the municipality had a population of 243 527, which translated into 80 572 households. The main economic sectors of the municipality are agriculture, community services, manufacturing, trade, finance, transport and mining. As mentioned earlier, all the municipalities listed in the table below are under repeat intervention.

Table 6: North West municipalities under intervention

Municipality	Type of Intervention	Date started	Service delivery challenges ¹⁷
Ramotshere Moiloa Local Municipality	139(1)(b)	3 August 2020	Lack of service delivery caused by systematic failure to carry out its executive and other legislative mandates, as articulated in Sections 152(1), 152(2) and 153 of the Constitution of the Republic of South Africa, including the supporting legislative mandates.
Tswaing Local Municipality	139(1)(b)	3 August 2020	Governance and Administration: divisions in the Council; weak oversight of municipal performance and poor audit outcomes. Dysfunctional Municipal Public Accounts Committee; weak internal controls, as well as inattention to municipal oversight reports and failure

¹⁷ Rosho M. (2019).



Municipality	Type of Intervention	Date started	Service delivery challenges ¹⁷
			<p>to comply with section 129 of the MFMA regarding Annual Reports on the performance of the municipality per its annual budget, Service Delivery and Budget Implementation Plan and the Integrated Development Plan (IDP).</p> <p>Service Delivery: lack of refuse removal; interruptions in its water supply and delivery; poor maintenance of its motor vehicle fleet, as well as general lack of maintenance of its operational infrastructure.</p>
Madibeng Local Municipality	139(1)(b)	3 August 2020	<p>Governance and Administration: vacancies in key senior management positions due to the resignation of the Municipal Manager, the Chief Financial Officer (CFO) and the Director for Technical Services. In addition, the municipality suffers from administrative incapacity and low staff morale; poor audit outcomes for three successive years, as well as unauthorised, irregular, wasteful and fruitless expenditure from R1.2m in 2016/17 to R1.3 billion in the 2017/18 financial year.</p> <p>Service Delivery: insufficient bulk water supply; interruptions of water supply</p>



Municipality	Type of Intervention	Date started	Service delivery challenges ¹⁷
			service; lack of maintenance and non-payment for services; poor infrastructure maintenance and inability to spend its Municipal Infrastructure Grant allocations.
JB Marks Local Municipality	139(1)(b)	3 August 2020	<p>Governance and Administration: municipal political instability; weak oversight of municipal performance; failure to hold monthly Council Statutory Meetings; dysfunctional Municipal Public Accounts Committee (MPAC) and vacant senior management positions in key skills areas, for example, the Post of Director Infrastructure Services.</p> <p>Service Delivery: community unrest and closure of access roads; deteriorating level of cleanliness due to lack of refuse removal or collection; deteriorating water supply and delivery; poor maintenance of streets, roads and other public amenities, as well as inability to spend allocated conditional grants.</p>

As can be seen from the tables above, the majority of interventions currently before the NCOP were instituted in terms of Section 139(b) of the Constitution, i.e. where the provincial executive assumes responsibility for performing an executive obligation where a municipality cannot or does not fulfil such obligation. This begs the question: how effective are the national and provincial spheres of government in discharging their constitutionally mandated function of supporting and strengthening the capacity of municipalities to manage their own affairs and to exercise their powers and functions (section 154(1))? Moreover, if provinces routinely monitor the work of



municipalities and provide support where shortcomings are identified, as required by section 155(6) of the Constitution, why have so many municipalities become either partly or fully dysfunctional?

4. Issues for consideration

This section highlights some key considerations for Members of the NCOP and possible discussion during Local Government Week 2020.



Table 7: Some key issues for consideration

Issues for consideration
<p>Service delivery at the center: The Constitution, together with the Local Government Municipal Systems Act, assigns important service delivery functions to municipalities. This includes the provision of services such as water, refuse and sewerage disposal, public health and transport services, electricity, etc. Non-or-inadequate provision of such services poses a danger to public health and compromises the dignity of those intended beneficiaries of services. As the poor and marginalised rely exclusively on public services provided by municipalities, they are worst affected when municipalities become dysfunctional. This, in turn, works negatively against the vision of the National Development Plan to reduce inequality in the country by 2030. The ideal should thus be to proactively support municipalities to enable them to deliver on their constitutionally mandated functions.</p>
<p>Early detection and support: Interventions, by their very nature, encroach on the autonomy of municipalities. It should thus only be considered as a matter of last resort. The Constitution mandates national and provincial government to support and strengthen the capacity of municipalities to manage their own affairs and to exercise their powers and functions (section 154(1)). Consideration should be given to how best national and provincial government can provide such support to avoid municipalities deteriorating to such a state of dysfunction that intervention must be invoked.</p>
<p>Oversight and capacity-building: The Constitution requires provinces to play an oversight and developmental role in relation to municipalities. To this end, section 155(6) of the Constitution places an obligation on provinces to monitor and support municipalities through legislation and other measures and to promote the development of municipalities' capacity to enable them to perform their functions and manage their own affairs. Consideration should be given to measures developed by all provinces to give effect to this mandate, with a view to identifying and emulating best practice models.</p>
<p>Effectiveness and sustainability: A number of municipalities have undergone multiple interventions. This could be an indication that interventions are not effective in yielding the expected outcomes. Consideration should be given to identifying some of the root causes for interventions failing and mechanisms to respond to such failures. This should include a focus on mechanisms in place to set clear objectives for interventions and to monitor and manage the implementation of these interventions.</p>
<p>Comprehensive and integrated mitigation: It is important to note that intervention in a municipality, as defined in the Constitution, has to be holistic in order to be sustainable during its implementation. It requires collective effort, involving various role-players with appropriate skills and expertise. Moreover, it should focus strategically on a wide range of issues over the short, medium and long term. Every intervention should have regard to the requirements of co-operative government, inter-governmental relations and Integrated Development Planning (IDP) to achieve synergy, functional co-ordination and collaboration.</p>
<p>Proactive oversight by the NCOP: The Constitution envisages a very specific oversight role for the NCOP in the interventions process. Consideration should be given to how the NCOP can fulfil the role of overseeing local government performance proactively, instead of conducting oversight in response to notices of intervention received.</p>



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