

Short Learning Programme Course Outline:
Introduction to Local Government Law
Training duration – 24 contact hours

Purpose of short learning programme (SLP)

The purpose of this 3-day short learning programme is to provide municipal officials and councillors with:

1. An understanding of the status, objectives and place of local government within the Constitutional framework, the extent of its powers and functions and its relationship with national and provincial government;
2. An overview of the Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) with specific reference to:
 - Sound financial governance;
 - Financial management roles and responsibilities as legislated in the MFMA; and
 - Specific roles with regard to certain fiscal and financial processes.
3. A legal overview of supply chain management within a prescribed regulatory framework;
4. The necessary skills to detect and prevent corruption and maladministration in public organisations.

***Admission/entrance requirements**

- A National Senior Certificate (NSC);
- A National Certificate (Vocational) Level 4 (NCV4); or
- An appropriate Further Education and Training Certificate or equivalent;
- Good reading and writing skills at NQF level 4 is recommended.

* Please note that the entrance requirements are only applicable, if the student chooses to be assessed.

Attendance requirements

Kindly note students are required to remain in class for the duration of the course.

Course outline

- Historical events
- Constitutional era
- The white paper on local government
- National legislation

Constitution: General characteristics

- Constitutional values
 - Constitutional supremacy
 - Rule of law
 - Democracy
 - Accountability
- Bill of rights
- Separation of powers
- Distribution of governmental power and co-operative government

Local government

- Status
 - It is a distinct form of and partner in government
 - It governs
 - It is an organ of state
 - It is an employer
 - It is a legal person
 - It is a member of organised local government
 - It must consult the community
- Objects of local government
- The municipal area of jurisdiction
- Meaning of municipality
- Political structures
 - Categories and types of municipalities
 - Mayoral executive system
 - Ward participatory system
- Powers and functions
 - Schedules 4 and 5 matters
 - Shared matters

- Fiscal powers and functions
- Assignment
- Subsidiarity
- Division of powers and functions: B and C municipalities

Financial legislative framework

- The role of the MEC for finance and provincial treasury
- The roles of district councils
- Promoting sound financial governance by clarifying roles
- Delegations

Fiscal and financial processes

- Three-year budgeting and planning
- Budget implementation
- Supply chain management
- Asset management

Procurement

- Introduction
 - Meaning of procurement
 - Focus of overview
- Statutory framework
 - Constitutional imperative
 - Regulatory framework
- The supply chain management policy
 - The framework
 - The supply chain management regulations
- Miscellaneous
 - Irregular practices
 - Implementation
 - Deviation from procurement processes
- Legal matters
 - Delegation
 - Appeals
 - Administrative justice
 - Preferential procurement

Anti-corruption

- Defining the scope of corruption
- Establishing the scope of corruption in South Africa
- Forms of corrupt activities
- The indicators of fraud and corruption
- Determining the effects of fraud and corruption

Assessment practice (Optional)

- Students need to obtain a 50% pass mark overall in order to be issued with a university Certificate of Compliance.

Training delivery

Training can take place in Port Elizabeth or on-site.

Contact details

For further information and to request quotations, please contact:

Mrs Marlene Holland

Tel: 041-504 4757

E-mail: Marlene.Holland@mandela.ac.za

Ms Tamrin January

Tel: 041 504 4706

E-mail: Tamrin.January@mandela.ac.za