

Short Learning Programme Course Outline: The Law Governing Decisions & Decision-Making in LG Training duration - 8 contact hours

Purpose of short learning programme (SLP)

This 1-day short learning programme is designed to give councillors an overview of the legal requirements for taking valid and lawful decisions in order to minimise the risk of legal action being taken against the municipality.

***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

Author of the decision

- The municipal council
 - Principal decision maker
 - Properly constituted and convened
- Committees of the council
- Mayoral committee
- Statutory committees
- The executive mayor
- The deputy executive mayor
- The speaker

- The municipal official
- Other municipal staff

Jurisdiction

- Geographical jurisdiction
- Functional jurisdiction

Form and procedure

Administrative justice

- Lawfulness
 - Authority
 - Jurisdiction
 - Error for law
 - Abuse of discretion
 - Unauthorised reason
 - Ulterior purpose or motive
 - Irrelevant considerations
 - Dictates of another
 - Mala fides
 - Arbitrarily or capriciously
 - Failure to take a decision
 - Timeous decision
 - Bias
 - Rationality
- Reasonableness
- Procedural fairness
- Reasons

Legality

Consequences of unlawful decisions

- Judicial review
- The author
- Correction of unlawful decisions

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 at the Nelson Mandela University's Bird Street campus in PE or on-site.

Contact details

For further information and to request quotations, please contact:

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