



**University of Fort Hare**  
*Together in Excellence*

**LGA: 112 – LOCAL GOVERNMENT  
ADMINISTRATION 1B**

**Main Degree Examination, May/June 2023**

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<b>Time:</b>	<b>3 Hours</b>
<b>Paper:</b>	<b>Local Government Administration 1</b>
<b>Marks:</b>	<b>100</b>
<b>Subject:</b>	<b>Public Administration</b>

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**This paper consists of 3 pages including the cover page**

**INTERNAL EXAMINER**  
Mr S. Lungisa [UFH]

**INTERNAL EXAMINER**  
Dr M. Ndlovu [UFH]

### **INSTRUCTIONS**

- (i) QUESTION 1 IS COMPULSORY.
- (ii) CHOOSE ONLY ONE FROM THE TWO QUESTIONS
- (iii) All questions carry equal Marks.
- (iv) You are advised to spend at most, 1<sup>1/2</sup> hour on each of the questions.
- (v) You are expected to draw relevant examples and illustrations from research in the study and practice of Public Administration and South African Local Governmen.
- (vi) Credit will be given for answers that clearly articulate the relevance and applicability of various research and epistemic traditions in the study and practice of Public Administration and South African municipal governance drawing from its legislative and regulatory framework.

## QUESTION 1

50 Marks

### **Eastern Cape councillor fired for 'selling RDP house' and 'giving food parcels to friends'**

#### **Malibongwe Dayimani News 24**

An Eastern Cape ward councillor was fired on Monday for misconduct over allegations that he had sold an RDP house to a resident and for dishing out food parcels to friends, among other charges.

The Department of Cooperative Governance and Traditional Affairs announced on Monday that MEC Xolile Nqatha had dismissed Mbongeni Mabaso with immediate effect.

Mabaso, a Ward 4 councillor in King Sabatha Dalindyebo Municipality in Mthatha, was fired over allegations of selling an RDP house for R25 000 to a resident, submitting a list of housing beneficiaries without consulting residents, giving food parcels to friends and claiming stipends for non-functioning ward committee members.

Cogta spokesperson Makhaya Komisa said Mabaso was dismissed for allegedly violating the Code of Conduct for Councillors of the Municipal Systems Act.

Mabaso's charge sheet was as follows:

- **Fraud and corruption:** A resident of Ward 4 alleged Mabaso owes her R25 000 which was transferred to his account after he promised to sell her an RDP house and evidence to this effect is available.
- **Housing development projects:** It is alleged a housing project for 50 beneficiaries was identified for Ward 4 in 2016 upon which Mabaso submitted a list without consultation from ward stakeholders.
- **Food parcels:** The community alleges Mabaso favoured his friends and political associates for provision of food parcels. There was no consultation with ward committees and CDW when selecting beneficiaries.
- **Remuneration of non-functional ward committees:** It is alleged Mabaso failed to convene ward committee meetings as from early 2019, thereby making the ward committee structure redundant. Irrespective of this, all ward committees still get their out-of-pocket expenses at the end of the month although there are no ward committee meetings convened as prescribed by law.

Nqatha said: "I decided to take up these cases after the failure of the council to act, despite the gravity of the cases and negative impact to government renewal and good governance.

“The need to take action against wrongdoing is in the deepest interest of building public confidence to government institutions.”

The speaker of the municipality, has been informed about the suspension of the councillor, said Komisa.

**Question 1** **(50 marks)**

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In view of the narrative/s in the News 24 article.

**1.1** What Section/s of the Municipal Code of Conduct for Councillors of the Municipal Systems Act has Councillor Mbongeni Mabaso violated? **(15 marks)**

**1.2** MEC Nqatha accuses Municipal Councils of sluggish, slow and zero reaction on cases of misconduct by councillors despite the gravity of the cases and negative impact they have on good governance. **In your detailed response clearly outline the process as outlined in the Code of Conduct of Councillors the Municipal Council should undertake to act on the conduct of councillor Mbongeni Mabaso.** **(20 marks)**

**1.3** Discuss whether MEC Nqatha was within the confines of Local Government legislative framework to dismiss/fire councillor Mbongeni Mabaso before the Municipal Council has acted on the councillor? If yes, what Section/s of the Code of Conduct of Councillors he applied/envoked? **(15 marks)**

**QUESTION 2** **(50 Marks)**

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**2.1** Discuss critically the characteristics of Local Government **(20 Marks)**

**2.2** Discuss the Distinctive, Interrelated, and Interdependent relationship that exist between the three spheres of government in South Africa. **(15 marks)**

**2.3** Provide objectives of Local Government in South Africa as enshrined in the Constitution of 1996. **(15 marks)**

**QUESTION 3** **(50 Marks)**

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Discuss the Types of municipalities in South Africa as detailed in the Municipal Structures Act. As part of the discussion detail types of that may be established in each category of the municipalities.