

FRAMEWORK FOR DISTRICT
INTERGOVERNMENTAL RELATIONS

2006

MOPANI DISTRICT

1. INTRODUCTION

This document provides a framework for intergovernmental relations in Mopani District municipal area. This comes as a result of the commitment demonstrated by the three spheres of government in ensuring that there is an accelerated service delivery.

The policy decision made by cabinet with regard to this matter has come a long way bearing in mind the challenges we are facing as government such as the backlog in basic services and the issue of the limited resources that do not match the needs of majority of our people. In ensuring that there is integration and coordination amongst the three spheres of government, it is considered necessary to implement the Constitutional obligation around cooperative governance if we are to address the delivery of basic services to the communities.

2. BASIC ASSUMPTIONS UNDERLYING INTERGOVERNMENTAL RELATIONS

An intergovernmental relation as a buzz word that is used largely within the government sector refers to the relationships that arise between different governments or between organs of state from different governments in the conduct of their affairs. As this definition outlines, it is quite clear that there is a need to coordinate and integrate activities of government in delivering services to the communities and that forms the basis why intergovernmental relation is so crucial. Some of the basic assumptions underlying intergovernmental relation include:

- ❖ Coherent government;
- ❖ Effective provision of service;
- ❖ Monitoring implementation of policy and legislation;
- and
- ❖ Realisation of National priorities.

3. **LEGISLATIVE FRAMEWORK**

Since the new dispensation, the issue of co-operation amongst the spheres of government has been top on the agenda and a number of policy frameworks geared towards ensuring integration and coordination has been put in place.

The notion of intergovernmental relations is embedded in the South African Constitution. Chapter 3 of the Constitution emphasises the issue of co-operative governance and it states as follows:

- *“Section 41(1) (h) (i) – (vi) – obliges all spheres of government to co-operate with one another in mutual trust and good faith by-*
 - *fostering friendly relations;*
 - *assisting and supporting one another;*
 - *informing one another of, and consulting one another on, matters of common interest;*
 - *co-ordinating their actions and legislation with one another;*
 - *adhering to agreed procedures; and*
 - *avoiding legal proceedings against one another.*
- *Section 3 (1) – municipalities must exercise their executive and legislative authority within the constitutional system of co-operative government envisaged in the Constitution.*
- *Section 3 (2) – national and provincial spheres of government must, within the constitutional system of co-operative government, exercise their executive and legislative authority in a manner that does not compromise or impede a municipality’s ability or right to exercise its executive and legislative authority.”*

In the White Paper on Local Government – 1998 the spirit of co-operative government is outlined focusing on the cohesion required if government was to meet its challenges. This involves:

- ❖ *Collectively harnessing all public resources behind common goals and within a framework of mutual support;*
- ❖ *Developing a cohesive, multi-sectoral perspective on the interest of the country as a whole, and respecting the discipline of national goals, policies and operating principles;*
- ❖ *Coordinating their activities to avoid wasteful competition and costly duplication;*
- ❖ *Utilising human resources effectively;*
- ❖ *Settling disputes constructively without resorting to costly and time-consuming litigation;*
- ❖ *Rationally and clearly dividing between them the roles and responsibilities of government, so as to minimise confusion and maximise effectiveness.*

The White Paper on Local Government – 1998 goes further by identifying the following as strategic purposes of a system of intergovernmental relations:

- *To promote and facilitate cooperative decision making;*
- *To coordinate and align priorities, budgets, policies and activities across interrelated functions and sectors;*
- *To ensure a smooth flow of information within government, and between government and communities, with a view to enhancing the implementation of policy and programmes;*
- *The prevention and resolution of conflicts and disputes.*

4. PROVINCIAL INTERGOVERNMENTAL RELATION IN PRACTICE

The arrangement in terms of promoting the intergovernmental relation in the province and district is as follows:

- *Structures for intergovernmental relations (Premier Mayors and District Mayors Forum);*
- *Mechanisms for integrated planning (Integrated Development Forum);*
- *Information sharing and coordination (District Mayors Forum and Chief Executive Officers Forum).*

5. **PRINCIPLES AROUND INTERGOVERNMENTAL RELATIONS**

In order to achieve the constitutional mandate on co-operative government, there must be a set of guiding principles that everyone must embrace without compromise. The guiding principles are as follows:

- *Accountability – the assumption by all participants of full responsibility for their actions and conduct;*
- *Transparency – promoting openness, sincerity and honesty among all role players;*
- *Inclusivity – embracing all views and opinions.*
- *Trust, commitment and respect – promoting honesty, sincerity and integrity.*
- *Integration – that intergovernmental relations is integrated into mainstream policies and services such as the IDP process and PGDS.*

6. **SCHEDULE OF ACTIVITIES**