

F. OFFICE OF THE CITY MANAGER

COUNCILLORS TAKING THE PRESCRIBED OATH OR AFFIRMATION



1. PURPOSE

The purpose of this report is to allow Councillors, as they take office following the 2011 Local Government Elections, to take a prescribed oath or affirmation as a commitment to the Republic and the Constitution.

2. STRATEGIC OBJECTIVE

This report addresses Strategic Objectives –

1. Provide quality basic services and infrastructure;
2. facilitate higher and shared economic growth and development;
3. fight poverty, build clean, healthy, safe and sustainable communities;
4. foster participatory democracy and Batho Pele principles through a caring, accessible and accountable service; and
5. ensure good governance, financial viability and optimal institutional transformation with capacity to execute its mandate.

3. BACKGROUND

Section 1.B(2) of the City of Tshwane's Rules and Orders By-laws reads as follows:

(Unaltered)

"1.B(2) Before taking a seat after the first Council meeting following a general municipal election, each member may, if he or she so wishes, take the prescribed oath as determined by Council."

4. DISCUSSION

Although Section 26(2) of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) provides that a person assumes office as a Councillor when declared elected or when appointed, the First Council meeting should ideally provide for all Councillors to swear or affirm faithfulness to the Republic and obedience to the Constitution. It is the choice of the Councillor which of the two (swear or affirm) will be done. The oath (Annexure A) and the affirmation (Annexure B) are attached hereto.

5. PROCEDURE DURING FIRST COUNCIL MEETING

At the First Council meeting the Chairperson (Acting City Manager of the City of Tshwane) will open the meeting and ask for a moment of silence for personal "Prayer or Meditation". The Chairperson will thereafter deal with "Applications for Leave of Absence", followed by the "Purpose of the meeting" and then the "Declaration of City of Tshwane Metropolitan Municipality's 2011 Election Results and Introduction of Traditional Leader(s)".

The next item on the agenda will be the "Rules and Orders By-Laws, Councillors' Code of Conduct and Councillors' Leave Administration".

Hereafter, the Chairperson will deal with this item, Item F. "Councillors taking the

prescribed oath or affirmation". For purposes of this item the Chairperson must request all Councillors to sign the copies of either the oath or the affirmation, before approaching the podium.

Councillors will then be requested to approach the podium alphabetically in groups of ten, as per the list provided to Councillors before the meeting, where a judge or Chief Magistrate will assist them in taking either the oath or the affirmation.

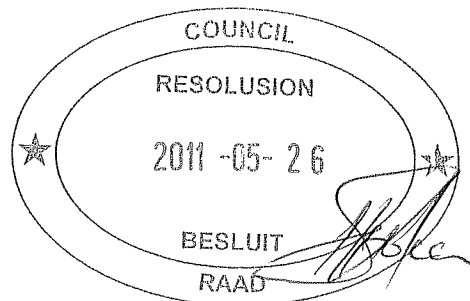
After taking the oath or affirmation, Councillors must, as they return to their seats, drop the oath or affirmation so signed by them in a box provided for this purpose by the Secretariat (seated in front of the podium).

ANNEXURES:

- A. Oath
- B. Affirmation

RESOLVED:

1. That the oath and affirmation attached hereto as Annexures A and B respectively be approved as the Council's prescribed oath and affirmation.
2. That all Councillors be requested to take either the prescribed oath or solemn affirmation.



ANNEXURE A

OATH

I Councillor (full names and surname)
swear that I will be faithful to the Republic of South Africa and will obey, respect and uphold the
Constitution and all other laws of the Republic of South Africa, and I solemnly promise to
perform my functions and duties as a Councillor of the City of Tshwane Metropolitan
Municipality to the best of my ability.

So help me God.

Signed at on this day of 2011

.....
Signature of Councillor

Signed before me Judge / Chief Magistrate

on this day of 2011

ANNEXURE B

SOLEMN AFFIRMATION

I Councillor (full names and surname)

solemnly declare that I will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic of South Africa, and I solemnly promise to perform my functions and duties as a Councillor of the City of Tshwane Metropolitan Municipality to the best of my ability.

Signed at on this day of 2011

.....
Signature of Councillor

Signed before me Judge / Chief Magistrate
on this day of 2011