

Project overview

- Project / process title: SALGA'S REPRESENTATION ROLE IN INTERGOVERNMENTAL RELATIONS (IGR)
- Name/s of the involved institution/s: NATIONAL & PROVINCIAL GOVERNMENT, INCLUSIVE OF BOTH LEGISLATIVE AND EXECUTIVE ARMS.
- Three-line project description:

1. INSTITUTIONAL SETTING

Intergovernmental Relations

- Despite each sphere having different roles and responsibilities the Constitution recognises that the spheres **cannot work independently** of each other.
- Furthermore the constitution provides for **co-operative governance** - each sphere of government is constitutionally bound by the basic principles of co-operative government.

Constitution of RSA:-

Provides clearly that OLG will take the form of a national organisation as well as provincial organisations to:

1. consult with the national or a provincial government:
2. designate representatives to participate in the **National Council of Provinces**.

2. STARTING POINT

- Historically IGR have been largely **unregulated & informal** in nature and practices have evolved pragmatically as government across the spheres sought to give effect to the founding principles of co-operative government.
- A range of IG Forums were established at national and provincial level, most (except for the financial and educational sectors) of which were **non-statutory**.
- Non-statutory nature allowed the “establisher” thereof to decide its internal arrangements, business and proceedings.
- In a number of instances, this has given rise to the **exclusion of local government** as participants, at times intentionally, in other instances purely through genuine lack of understanding the role of local government and uncertainty as to when to, and when not to, include local government.

3. Approach

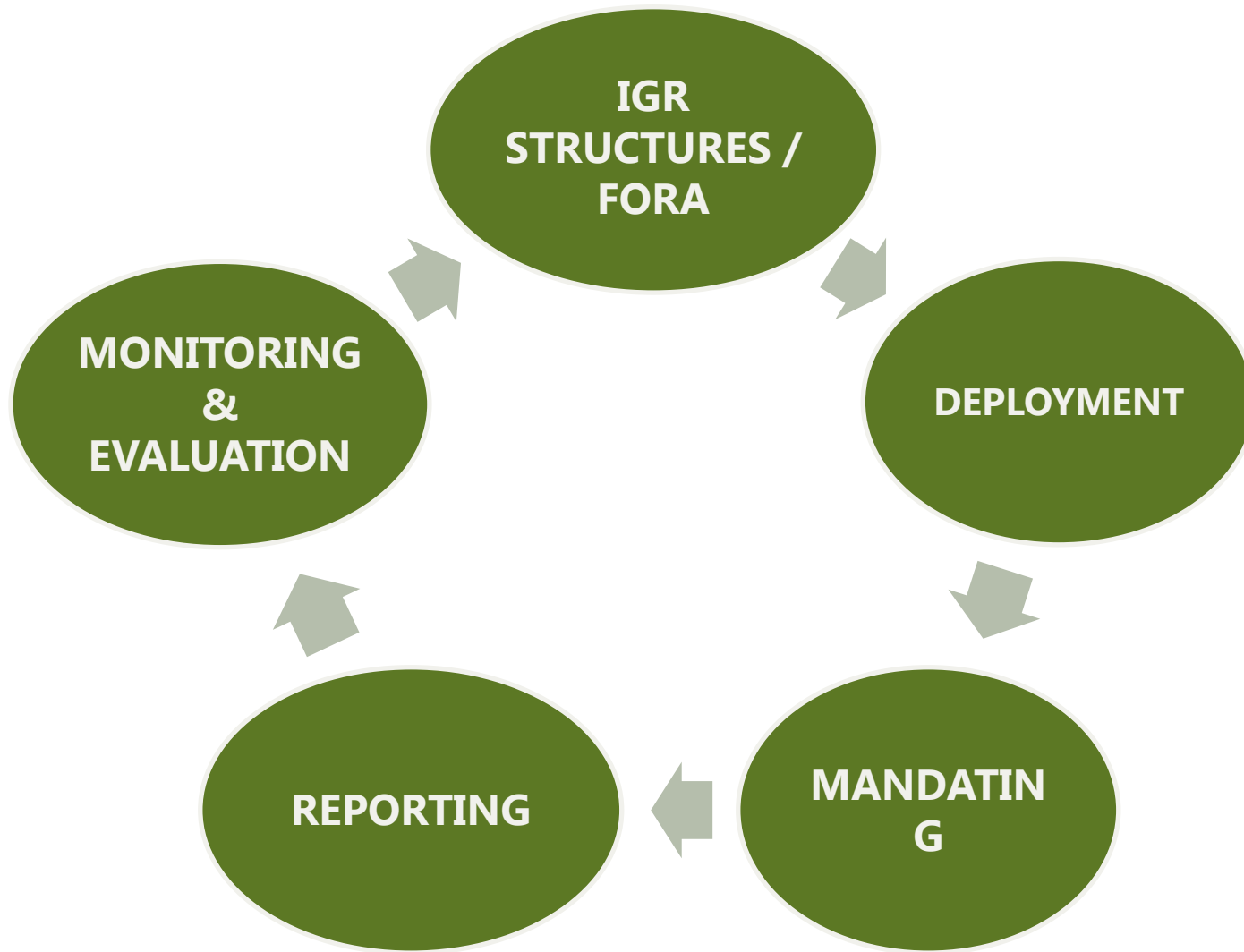
Intergovernmental Relations Framework Act (2005)

- provides for an institutional framework for interaction between national, provincial and local governments and all organs of state within those spheres;
- Provide greater predictability and uniformity in core IGR areas such as:-
 - intergovernmental development planning;
 - coordinated implementation and service delivery;
 - uniform approaches to IGR forums; and
 - predictable approaches to addressing IGR disputes.
- Specific provision for participation by SALGA government in national and provincial intergovernmental processes; and
- SALGA to be consulted by both provincial and national government and those organs of state on all matters that materially affect local government's functions.

4. Implications for SALGA

- SALGA now has a very clear and strategic role to play in representing the interests of local government within the system of IGR.
- SALGA identified a number of challenges it faces, both internally and externally, when it plays its advocacy and lobbying role.
- In order to overcome the challenges, SALGA identified a number of requirements that will put it on course to become an effective and purposeful representative of local government.
- SALGA constitution, as amended, makes specific provision for the NEC to “exclusively determine representation of SALGA in all Intergovernmental structures and other forums”.

5. Lessons: Introduction of SALGA Cycle of Representation



5. Outcomes

Generally, for SALGA to effectively and meaningfully participate in IGR structures, it continuously strives for the following:-

- Overall Strong political leadership;
- Consistent representation on structures;
- Coordination and integration of positions;
- Well researched and informed position papers or briefing notes;
- Effective and speedy mandating;
- Active rather than reactive role;;
- Capacitated, specialist representatives with oral and written advocacy skills;
- Effective feedback to decision-making structures and members;
- Clearly defined roles of political and technical representatives.