



Mr. A. Ndlovu      Mr. Ndlovu      Mr. Ndlovu      Mr. Ndlovu      Mr. Ndlovu

THE MAYOR - NKANDLA LOCAL MUNICIPALITY  
 Private Bag X181  
 3855

FAX: 031-632 0926

Attention: Cdr. Mr A.T. Molo

Dear Mayor

**APPOINTMENT OF THE MUNICIPAL MANAGER AT NKANDLA LOCAL MUNICIPALITY**

I hereby acknowledge receipt of your submission received on 09<sup>th</sup> February 2017, in respect of the appointment of Mr. L.S. Jili as the Municipal Manager. The information provided although incomplete has been assessed and based on such information it appears that the appointment is not in compliance with the legislation because of the following reason:

- In terms of the Regulations and the Council's advertisement, a minimum of five year relevant experience at senior management level is required for this position. Mr L.S. Jili does not have a minimum of five years' experience at senior management level, therefore he does not meet the stipulated 5 years' relevant experience at senior management requirement as per Regulations and Council's advertisement.

I would like to refer you to definition of senior management contained in in the Regulations, where it is indicated that the word "senior manager" means a municipal manager or acting municipal manager, appointed in terms of section 54A of the Act, and includes a manager directly accountable to a municipal manager appointed in terms of section 56 of the Act;

In the submitted letter of appointment, the Council has offered Mr. Jili a total remuneration package of R942 569.00, which is above the minimum point package in terms of the 2016 Upper Limits' Notice. It is not clear how Nkandla Council arrived at this package because Mr. Jili's experience does not meet requirements prescribed in the Regulations; and

Regulation 14(1) stipulates that "screening of the shortlisted candidates must take place within 21 days of the finalization of the shortlisting by:

- (a) conducting the necessary reference checks;
- (b) contacting a candidate's current or previous employer;
- (c) determining the validity of a candidate's qualifications; and
- (d) verifying whether a candidate has been dismissed previously for misconduct or poor performance by another employer

(2) A written report on the outcome of the screening process must be compiled by the mayor, in the case of the municipal manager, or the municipal manager, in the case of the manager directly accountable to the municipal manager, before the interviews take place.

17(1) "Before making a decision on the appointment, a municipal council must satisfy itself that:


- (b) screening of the candidates has been conducted in terms of regulation 14; and
- (c) the candidate does not appear on the record of staff members dismissed for misconduct as set out in Schedule 2 to these Regulations."

17(4)(c) "a report contemplated in regulation 14(2) on the screening process and the outcome thereof" should form part of a report submitted by Council to the MEC and it was not submitted, despite the request sent on 14 February 2017.

Please advise my Department of remedial action to be taken in order to rectify this matter by submitting a report to Ms. P.P. Ngubane of this Department to the e-mail address: [phumelele.ncubane@kzniccode.gov.za](mailto:phumelele.ncubane@kzniccode.gov.za) or fax to 033 - 355 6554, within seven days of the receipt of this letter.

Your co-operation and compliance in this regard is appreciated.

Yours in service delivery

  
N. DUBE-NCUBE, MPL  
C FOR COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

E: 07/03/2017