



Province of the
EASTERN CAPE
COOPERATIVE GOVERNANCE
& TRADITIONAL AFFAIRS

GUIDELINES ON THE PERFORMANCE OF STATUTORY AND CUSTOMARY FUNCTIONS BY TRADITIONAL LEADERS

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Executive Authority
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Acting Head of Department
Initials: VA

SIGN OFF:

1. Acting Head of Department:

These Guidelines on the Performance of Legislated and Customary Functions by Traditional Leaders has been recommended by **Mr. V. Mlokothe**, in my capacity as the Acting Head of the Department of Cooperative Governance and Traditional Affairs. I am satisfied and concur with the contents of the Guidelines.

The development of these Guidelines will provide guidance on the performance of statutory and customary functions by Traditional Leaders to ensure effective and efficient delivery of services in traditional communities by government.

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| Sign: |  |
| Designation: | Acting Head of Department: Mr V. Mlokothe Department of Cooperative Governance and Traditional Affairs |
| Date: | 09/04/2025 |

SIGN OFF:

2. Executive Authority:

The Department of Cooperative Governance and Traditional Affairs has unprecedented opportunity to improve the lives of the people by effectively rendering many services that it is expected to provide and provide the necessary support to Traditional Leaders for the same perform their legislated and customary functions. We have envisaged a department that has the required capacity to respond adequately to challenges of its people.

I therefore trust that these Guidelines will be a tool through which Traditional Leaders will ensure effective implementation of the provisions of applicable legislations and compliance with the same thereof.

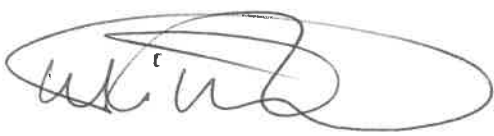
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| Signed: |  |
| Designation: | MEC: Honourable Zolile Williams Department of Cooperative Governance and Traditional Affairs |
| Date: | 23 April 2025 |

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1. ABBREVIATIONS AND ACRONYMS

CDW: Community Development Worker

CoGTA: Cooperative Governance and Traditional Affairs

EC: Eastern Cape

HOD: Head of Department

IDP: Integrated Development Plan

MEC: Member of the Executive Council

TKLA: Traditional and Khoi-San Leadership Act

2. DEFINITION OF CONCEPTS

| TERM | DEFINITION |
|------------------------------------|--|
| Department | means a Provincial Department responsible for Traditional Affairs in the Eastern Cape. |
| Headmen or headwomen | means a traditional leadership position contemplated in section 7 of Traditional and Khoi-San Leadership Act, 2019 (Act No.3 of 2019) (TKLA) which— <i>(a)</i> is under the authority of, or exercise authority within the area of jurisdiction of a Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders in accordance with customary law and customs; and <i>(b)</i> has been recognised as such in terms of section 8 of TKLA. |
| Integrated Development Plan | means a plan envisaged in section 25 of the Municipal Systems Act, Act 32 of 2000. |
| Municipal Structures Act | means Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), as amended. |
| Municipality | means a municipality referred to in section 155 of the Constitution of the Republic of South Africa. |
| Partnership | The Provincial Government may promote partnership between municipalities and all traditional leadership institutions. (Any partnership envisaged must be based on the principles of mutual |

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| | <p>respect and recognition of the status and roles of the respective parties.</p> <p>A traditional council may enter into a service delivery agreement with a municipality in accordance with the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), and any other applicable legislation.</p> |
| Provincial Act | Means the Eastern Cape Traditional Leadership and Governance Act, 2017 (Act No. 1 of 2017). |
| Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders | means a person recognised as a Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders in terms of section 8 of TKLA. |
| The Act | Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019). |
| Traditional community | means a traditional community recognised as in accordance with the provisions of section 3 of TKLA. |
| Traditional Council | means a traditional council established in terms of section 16 of the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 2019) |
| Traditional Leader | means any person, who in terms of customary law of the traditional community holds a traditional leadership position as a Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders, headmen or headwomen and is recognised in terms of the Act. |
| Ward | means a ward mentioned in item 2 of Schedule 1 of Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) (Structures Act), as amended. |
| Ward Committee | means a ward committee established in accordance with the provisions of section 73 of the Local Government: Municipal Structures Act. |

3. PREAMBLE

Whereas:

Mindful of the provisions of section 211 of the Constitution of the Republic of South Africa Chapter 12 of the Constitution which acknowledges the institution of traditional leadership, its place and role in the system of democratic governance.

Mindful also of the provisions of section 212 of the Constitution which make provision for the enactment of a national legislation to among others; provide for a role of traditional leadership as an institution at local level on matters affecting local government, to deal with matters relating to traditional leadership, the role of Traditional Leaders, customary law and customs of communities observing a system of customary law.

Mindful of the functions of Traditional Councils as provided for in section 20 of Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019)

Mindful of the functions of Traditional Leaders as provided for in section 30 of the Eastern Cape Traditional Leadership and Governance, Act, 2017 (Act No. 1 of 2017).

Mindful of the legislated mandate of the Department to provide necessary support and strengthen the capacity of Traditional Councils to fulfil their legislated functions and obligations.

Recognising the need for the development of Guidelines to provide guidance to Traditional Leaders on how they should go about carrying out their statutory and customary functions as well as their legislated obligations within their communities.

Therefore, these Guidelines aim to ensure that Traditional Leaders and Traditional Councils are effective and efficient in the performance and fulfilment of their functions and responsibilities, in line with the provisions of applicable legislation.

4. SCOPE OF APPLICATION OF THE GUIDELINES

The Guidelines are applicable to:-

- 4.1 All recognised Traditional Leaders in the province.
- 4.2 Members of Traditional Councils.
- 4.3 Members of Local Houses of Traditional & Khoi-San Leaders.

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4.4 Departmental staff providing administrative support to the institutions of traditional leadership.

5. PURPOSE OF THE GUIDELINES

The overall purpose of the Guidelines is:

- 5.1 To provide guidance to Traditional Leaders on the performance of their statutory, customary functions and responsibilities legislated and customary functions, to ensure effective implementation of the Act and the Provincial Act, and compliance thereof.
- 5.2 To identify the individual role of Traditional Leaders to contribute towards ensuring the performance of legislated functions by Traditional Councils and ensure functionality of the same.
- 5.3 To ensure effective and efficient performance of statutory, customary, financial and obligations by Traditional Councils.

6. OBJECTIVES OF THE GUIDELINES

The objectives of the Guidelines are to:-

- 6.1 Ensure effective and efficient performance of statutory and customary functions by Traditional Leaders and Traditional Councils.
- 6.2 Ensure the provision of the necessary support by the Department to Traditional Councils for the fulfilment of legislated functions allocated to Traditional Councils:
- 6.3 Enhance good governance, service delivery and stability in traditional communities.
- 6.4 Improve and strengthen the relations between elected leadership (Councillors) and traditional leadership (Traditional Leaders) in the exercise of legislated powers and functions.

7. LEGISLATED AND REGULATORY FRAMEWORK

The development of the Guidelines is informed and guided by, but not limited to the following government statutory / legislated and regulatory frameworks:-

- 7.1 Constitution of the Republic of South Africa.
- 7.2 Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019).
- 7.3 Local Government: Municipal Systems Act, 2000 (Act No. 40 of 2000), as amended.
- 7.4 Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), as amended.

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7.5 Regulations in terms of Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013).

7.6 Eastern Cape Traditional Leadership and Governance Act, 2017

7.7 National Guidelines on the Participation of Traditional Leadership in Municipal Integrated Development Plans.

8. LEGISLATED FUNCTIONS OF TRADITIONAL LEADERS AND TRADITIONAL COUNCILS

8.1 Traditional Leaders

The functions of individual Traditional Leaders as provided for in section 30 of the Eastern Cape of Traditional Leadership and Governance Act, 2017 (Act No. 1 of 2017), include the following:-

- 8.1.1 Performance of functions provided for by the applicable custom and customary law of the relevant traditional community, the Act and other applicable legislation.
- 8.1.2 Uphold the Constitution of the Republic and the law and ensure that members of the community enjoy the rights enshrined in the Constitution.
- 8.1.3 Promote democracy and unity within the traditional community.
- 8.1.4 Administer the affairs of a traditional community.
- 8.1.5 Convene and report to meeting of the relevant Traditional Council.
- 8.1.6 Convene community meetings for the purposes of giving report on his or her activities.
- 8.1.7 When so requested by any sphere of government, inform members of his or her community any new law passed by the relevant legislated body and government programmes aimed at the upliftment of leaving conditions in rural areas.

8.2 Traditional Councils

Section 20 of Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019), assigns legislated functions to all established Traditional Councils. These functions are performed collectively by members of relevant Traditional Councils, and include among others:-

- 8.2.1 Administering the affairs of the traditional community in accordance with applicable customs and tradition.
- 8.2.2 Assisting, supporting, and guiding Traditional Leaders in the performance of their functions.
- 8.2.3 Supporting municipalities in the identification of community needs.

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- 8.2.4 Facilitating the involvement of traditional community in the development of or amendment of the integrated development plan (IDP) of the relevant municipality.
- 8.2.5 Recommending, after consultation with the relevant local and provincial houses, appropriate interventions to government that will contribute to development and service delivery within the area of jurisdiction of the Traditional Council.
- 8.2.6 Participate in the development of policy and legislation at municipal level.
- 8.2.7 Participate in development programmes of the local, provincial, and national spheres of government.
- 8.2.8 Promote the ideals of co-operative governance, integrated development planning, sustainable development, and service delivery.
- 8.2.9 Alert any relevant municipality to any hazard or calamity and contributing to disaster management.
- 8.2.10 Sharing information and co-operating with other Traditional Councils.

9. RESPONSIBILITIES OF TRADITIONAL LEADERS

The applicable legislation and other regulatory frameworks allocate certain responsibilities to Traditional Leaders and Traditional Councils. These responsibilities are allocated at the individual and collective level of both Traditional Leaders and members of Traditional Councils.

9.1 Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders

In terms of Section 30(2) of the Provincial Act, each Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders have the responsibility to amongst others:

- 9.1.1 Convene quarterly meetings with headmen and headwomen under his or her authority.
- 9.1.2 Facilitate and ensure the consolidation of the reports submitted by headmen or headwomen and table the same before members of the Traditional Council during the meetings or sittings of the relevant Traditional Council.
- 9.1.3 Table and submit a written / formal report to the relevant king or queen's council during the quarterly meetings facilitated and hosted by the relevant king or queen.
- 9.1.4 Facilitate the convening of annual meetings (*imbizo*), by the relevant Traditional Councils with members of the traditional community for the purposes of reporting on the activities and finances of the Traditional Councils, in line with the provisions of applicable legislation.

- 9.1.5 Facilitate the compilation of quarterly and annual reports by the Secretary and the endorsement and adoption of the same by members of the relevant Traditional Council.
- 9.1.6 Facilitate the submission of quarterly and annual reports to the Department by the Secretary and relevant regional offices.
- 9.1.7 Formally inform the Department through relevant regional offices of any non-attendance of meetings and non-performance of legislated functions by any member of the Traditional Council or headmen or headwomen under his or her authority.
- 9.1.8 Ensure that all headmen and headwomen under his or her authority disclose receipt of any gift with the value above the amount determined by the Premier.
- 9.1.9 Ensure that the relevant Traditional Council complies with the performance management system as may be determined by the Department in accordance with the provisions of section 22(2) of TKLA.

9.2 Headmen and Headwomen

A headman or headwoman has the responsibilities to:

- 9.2.1 Convene quarterly meetings with community members under his or her area, for the purposes of discussing the affairs of a traditional community.
- 9.2.2 Compile a report on the discussions and resolution of the meeting.
- 9.2.3 Table and submit a formal report during the meeting convened and hosted by the relevant Traditional Council convened in accordance with the provisions of Section 18 of the Provincial Act or in a meeting of a Traditional Council convened in accordance with the provisions of section 16 (9)(a) of TKLA.
- 9.2.4 Where applicable, represent the relevant Traditional Council in any matter as may be requested by the relevant Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders or by members of the relevant Traditional Council.

10 GUIDANCE ON THE PERFORMANCE OF SOME STATUTORY AND CUSTOMARY FUNCTIONS ALLOCATED TO TRADITIONAL COUNCILS BY TRADITIONAL LEADERS

Traditional Leaders individually and collectively have the duty to ensure that functions assigned to Traditional Councils in terms of applicable laws are effectively implemented by the relevant Traditional Council.

10.1 Administrating the affairs of traditional community

10.1.1 Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders.

A Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders must contribute towards the performance of this by members of Traditional Council and as such he or she must perform but not limited to the following activities: —

- 10.1.1.1 Facilitate and ensure the development of an annual action plan by the relevant Traditional Council, at the beginning of each financial year.
- 10.1.1.2 Ensure that all programmes and projects implemented within the jurisdictional area of his or her Traditional Council are presented before the relevant Traditional Councils by any sector departments, organ of state / spheres of government, or any private party or organisation / body.
- 10.1.1.3 Facilitate and ensure the invitation of relevant Ward Councillor(s) and Community Development Worker(s) to the sittings of the TC for the purposes of reporting and progress update on the activities the Ward Committee and programmes of the relevant municipality which have a bearing on the traditional community.
- 10.1.1.4 Receive monthly updates from headmen / headwomen on progress on the implementation of IDP projects and other programmes implemented in the relevant Headmanship/Haeadwomanships.
- 10.1.1.5 Facilitate the invitation of relevant stakeholders to make presentation on the programmes of projects before members of the Traditional Council.
- 10.1.1.6 Be familiar and up to date with programmes and projects implemented within the jurisdictional areas of Headmanship/Haeadwomanships under hie or her authority and leadership.
- 10.1.1.7 Facilitate and ensure the inclusion of a standing item on the Traditional Council's sitting agendas relating to the reporting of progress on the implementation of Municipal IDP projects and other related matters of the relevant municipality affecting his or her traditional community.
- 10.1.1.8 Facilitate and ensure the invitation of Ward Councillor(s) quarterly to report or give feedback on the implementation of IDP and other programmes of the relevant municipality and any other matter affecting the relevant traditional community.
- 10.1.1.9 Monitoring of the action plans of the Traditional Council.

10.1.2 Headmen / headwomen

Each recognised headmen and headwomen must in respect of the performance of the function contemplated in the item 18.1. of these guidelines, perform but not limited to the following activities: —

- 10.1.2.1 Administer the affairs of his or her Headmanship/Headwomanship.
- 10.1.2.2 Ensure that members of his or her Headmanship/Headwomanship are informed of the programmes and projects implemented within their jurisdictional area.
- 10.1.2.3 Ensure that members of his or her Headmanship/Headwomanship are consulted and aware of the programmes and projects implemented by government.

10.2 Support municipalities in the identification of community needs

10.2.1 Headmen / Headwomen

Headmen or Headwomen at the beginning of each financial year but before the municipality commences with its processes of developing IDP must: —

- 10.2.1.1 Convene quarterly meetings for the purposes of obtaining information on the needs of the relevant traditional community.
- 10.2.1.2 Collect service delivery needs of the community using prescribed format.
- 10.2.1.3 Submit the community needs to a Traditional Council.

10.2.2 Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders

Each recognised Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders shall—

- 10.2.2.1 Ensure the convening of quarterly meetings by Headmen and Headwomen for the purposes of collecting service delivery needs of the relevant Headmanship/Headwomanship.
- 10.2.2.2 Ensure that all Headmen and Headwomen under the jurisdictional area of his or her Traditional Council submit service delivery community needs on the prescribed format and timeframe.
- 10.2.2.3 Receive community service delivery needs from relevant Headmen and Headwomen collected from relevant Headmanship/Headwomanship under the jurisdiction his or her Traditional Council.
- 10.2.2.4 Facilitate and ensure the consolidation of service delivery needs of the traditional community by the Traditional Council.

- 10.2.2.5 Ensure that consolidated traditional community service delivery needs are tabled before members of the Traditional Council for discussion, endorsement, and adoption by members of the relevant Traditional Council.
- 10.2.2.6 Facilitate and ensure the convening of a meeting between a Traditional Council and relevant Ward Committee(s) for the purpose of engagement on the consolidated traditional community service delivery needs.
- 10.2.2.7 Ensure that integrated traditional community service delivery needs are incorporated with community service delivery needs collected by relevant Ward Committee(s).
- 10.2.2.8 Once the relevant municipality adopts an IDP for a particular financial year, ensure the monitoring of the implementation of projects, by members of a Traditional Council in Headmanship/Haeadwomanships falling under the jurisdiction of the Traditional Council.
- 10.2.2.9 Ensure that relevant municipality is informed about the development taking place within the jurisdictional area of his or her traditional community.

In addition to the roles contemplated in paragraph 10.2.2, a Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders must—

- 10.2.2.10 Facilitate the establishment of sound working relationship by a Traditional Council and relevant Ward Committee(s).
- 10.2.2.11 Ensure the development of structured engagement by a Traditional Council and Ward Committee(s).
- 10.2.2.12 Facilitate the selection of Headmen / Headwomen for the purposes of representing the relevant Traditional Council in the relevant Ward Committee(s) and attend meetings of the same relating to IDPs or any other matter of the relevant municipality affecting his or her traditional community.
- 10.2.2.13 Where necessary, ensure that all queries and complaints from members of the traditional community concerning the delivery of services are brought to the attention of a Traditional Council.
- 10.2.2.14 Ensure that queries and complaints received by a Traditional Council are communicated to the relevant Ward Committee(s).
- 10.2.2.15 Facilitate feedback to the traditional community by a Traditional Council on the municipal response.

10.3 Facilitating the involvement of traditional community in the development of or amendment of the integrated development plan (IDP) of the relevant municipality.

10.3.1 Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders

Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders as far as mobilising the traditional community in the development or amendment of IDP must be: —

- 10.3.1.1 Facilitate the involvement of the traditional community in the IDP process of a municipality.
- 10.3.1.2 Coordinate the process of obtaining IDP process plan from the relevant municipality.
- 10.3.1.3 Facilitate the compilation of comments / input, and formulation of a position of the relevant Traditional Council on the draft IDP.
- 10.3.1.4 Liaise with the relevant Ward Councillor(s) to discuss the venue(s) for IDP sessions which will be held in the area.
- 10.3.1.5 Ensure mobilisation of members of the community by headmen or headwomen and all other members of the relevant Traditional Council (60% and 40% membership).
- 10.3.1.6 Ensure compulsory attendance by all members of the relevant Traditional Council of IDP session(s) conducted under the jurisdictional area of the Traditional Council.
- 10.3.1.7 Liaise with the relevant Ward Councillor(s) to discuss logistical arrangements in respect of venue(s), transportation, and pick-up points of community members to IDP sessions.
- 10.3.1.8 Facilitate the communication of transportation and pick-up points by headmen or headwomen with members of their relevant area.
- 10.3.1.9 Where there were IDP roadshows that were conducted after the relevant Traditional Council has convened its ordinary sitting in terms of its annual sitting calendar, the relevant Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders must convene a meeting of all headmen or headwomen in terms of Section 18 of the Provincial Act.

10.3.2 Headmen and headwomen

A headmen or headwomen must: —

- 10.3.2.1 Attend the meeting convened by the relevant Senior Traditional Leader and the Local House of Traditional & Khoi-San Leaders.
- 10.3.2.2 Inform members of his or her area about the IDP roadshows to be conducted by the relevant municipality.

- 10.3.2.3 Mobilise members of his or her area to attend IDP sessions on the identified date and venue.
- 10.3.2.4 Inform members of his or her area about the transportation and pick-points to the IDP session.
- 10.3.2.5 Facilitate attendance of IDP session and active participation by members of his or her area.
- 10.3.2.6 Attend IDP session(s) conducted under the jurisdiction of the relevant Traditional Council.

10.4 Participate in the development of policy and legislation at a municipality level.

10.4.1 Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders must:

- 10.4.1.1 Ensure the relevant municipal council refers a draft policy or by-law to the relevant Local House for comments and inputs.
- 10.4.1.2 Present a draft policy or by-law before the members of the relevant Local House.
- 10.4.1.3 Facilitate the consideration of the draft policy or by-law by Traditional Councils under the jurisdiction of the relevant municipality.
- 10.4.1.4 Facilitate the consolidation of comments and inputs made by members of Traditional Councils and formulation of the position of the relevant Local House on the draft policy or by-law.
- 10.4.1.5 Present the comments, inputs, and position of the relevant Local House on the draft policy or by-law in the relevant municipal council for consideration by council.
- 10.4.1.6 Give feedback to the relevant Local House on the discussion and resolutions of the relevant municipal council in respect of the submissions made.
- 10.4.1.7 Where a municipal council has referred a draft policy or by-law to the relevant Local House for comments, a Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders must: —
 - a) Request and obtain a copy of the draft policy or by-law from the Secretary of the relevant Local House.
 - b) Facilitate the inclusion of the draft policy or by-law in the agenda item of the sitting of the relevant Traditional Council.
 - c) Facilitate the discussion, comments and inputs on the draft policy or by-law by members of the relevant Traditional Council.

- d) Facilitate the formulation of the position of the relevant Traditional Council on the content of the draft policy or by-law.
- e) Table the position of the relevant Traditional Council before members of the relevant Local House.
- f) Report back to the relevant Traditional Council on the consolidated comments or inputs and the position of the relevant Local House on the draft policy or by-law.

10.5 Alert any relevant municipality to any hazard or calamity and contributing to disaster management.

10.5.1 Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders must: —

- 10.5.1.1 Ensure that the climate change and disaster management become part of agenda items of Traditional Council meetings.
- 10.5.1.2 Facilitate awareness campaigns that should be conducted by a Traditional Council.
- 10.5.1.3 Participate in disaster management forum of a municipality.
- 10.5.1.4 Facilitate the disseminate information on disaster management programmes by headmen/headwomen in their areas.
- 10.5.1.5 Ensure that land identified by headmen/headwomen for residential, commercial and agricultural purposes are not prone to floods.
- 10.5.1.6 Facilitate and ensure the coordination of disaster preparedness by the relevant Traditional Council within its area of jurisdiction.
- 10.5.1.7 Encourage and ensure the sharing of indigenous knowledge and applicable cultural approaches by elders used to reduce disaster incidents.
- 10.5.1.8 Ensure the conduction of regular awareness on deforestation and environmental degradation by the relevant Traditional Council.
- 10.5.1.9 Quickly inform the relevant municipality of any hazardous situation which may result in disaster.
- 10.5.1.10 In times of disaster, ensure the mobilisation of relevant disaster centre, departments, and agents at local level for the disaster relief to the affected households.
- 10.5.1.11 When invited or designated, participate in local disaster emergency centre's during the planning and implementation of disaster programmes in rural areas.

10.5.2 A headmen or headwomen must: —

- 10.5.2.1 Ensure that the identified land for residential, commercial and agricultural purposes is not prone to floods.
- 10.5.2.2 Conduct regular awareness on deforestation and environmental degradation in the traditional communities.
- 10.5.2.3 Ensure the protection of grass and grazing land against uncontrolled burning by members of the community.
- 10.5.2.4 In times of disaster, inform the relevant Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders regarding the facilitation and mobilisation of the provisioning of disaster relief to the affected households.
- 10.5.2.5 Promote risk reduction by members of the traditional community.
- 10.5.2.6 Inform the relevant Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders about any hazardous situation in their area of jurisdiction which may result in disaster.

10.6 Administration and Management of Communal Land

10.6.1 The role of the headmen and headwomen in the allocation of land shall be to: —

- 10.6.1.1 Convene quarterly meetings of members of his or her area for the identification of land to be allocated for residential, commercial and agricultural purpose.
- 10.6.1.2 Facilitate the application of land by members and non-members of the traditional community.
- 10.6.1.3 Facilitate the identification of land for residential, commercial, and agricultural purpose.
- 10.6.1.4 Submit all land applications to the relevant Traditional Council for consideration.
- 10.6.1.5 Refer all applications and applicants for commercial land to the relevant Traditional Council.
- 10.6.1.6 Ensure that all non-members of a traditional community who apply for land are introduced to the Traditional Council.
- 10.6.1.7 Ensure that all fees payable for land applications are deposited to the account of the relevant Traditional Council.

10.6.2 Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders are responsible for the overall administration and management of communal land must: —

- 10.6.2.1 Ensure the effective and efficient administration and management of land by headmen and headwomen under his or her authority.
- 10.6.2.2 Guide headmen and headwomen on the allocation of land in their areas.
- 10.6.2.3 Facilitate the consolidation of applications for land for submission to the Traditional Council.
- 10.6.2.4 Facilitate the submission of applications to relevant departments for the conducting of assessment of the identified land, approval of the applications, and demarcation of sites.
- 10.6.2.5 Where there are cases of land invasion, he or she must report the matter with the Dept of Land Affairs.
- 10.6.2.6 Ensure that all funds generated from the rentals of land are deposited to the account of the Traditional Council.
- 10.6.2.7 Facilitate the pre-assessment of land by competent Department, for proper allocation and demarcation.

10.7 The role of Senior Traditional Leader and the Local House of Traditional and Khoi-San Leaders in development of traditional community:

The Traditional Leader and the Local House of Traditional & Khoi-San San Leaders must ensure that the relevant Traditional Council has developmental plan, and it enters into partnerships with relevant stakeholders for implementation of development plans,

11 Approval of the policy

The Guidelines shall be approved by the Executive Authority on the recommendation of the Acting Head of Department as per the updated departmental delegations.

12 Administration of the policy

Responsibility and accountability for implementing of the Guidelines rests with the Acting Head of Department and ultimately the Executive Authority.

Executive Authority
Initials: Z.A.W

Acting Head of Department
Initials: th

13 Effective date of the policy

The Guidelines shall become effective on the date it is signed by the Executive Authority (MEC) responsible for Cooperative Governance and Traditional Affairs.

14 Procedure of the policy

There is no separate procedure for the implementation of the Guidelines as the Guidelines will be incorporated into the daily activities of the management of all affected directorates and programmes. It is therefore critical that the management of affected programmes or directorates familiarise themselves with the contents of the policy.

15 Review of the Policy

These Guidelines will be reviewed in five (5) years from the date of its approval by the Executive Authority or when the need arises.

Executive Authority
Initials: E.A.W

Acting Head of Department
Initials: vh

