

National Framework for Managing Powers and Functions of Sub-National Government



Recognising shortcomings in the governance, policy and legislative arrangements for managing the allocation of powers and functions across the three spheres of government, DCoG launched an initiative to review these arrangements and prepare a new framework for the way powers and functions are allocated and regulated.

PDG undertook to draft the new framework discussion. An extensive literature review and an in-depth appraisal of policy and legislative prescripts together with key stakeholder engagements.

On differentiation

- The current system does not provide for across the widely varying spectrum of municipalities resulting in functions being poorly targeted with too little provision for specialisation.

On the rational division of functions

- Two tier local government currently has considerable inefficiency with districts being inefficient where there is strong local government and district municipalities unable to perform functions allocated to them.
- Assignment framework ineffective: assignment legislation is ignored and is often in conflict with sector legislation.
- Unclear cut off between province/LM/DM functions: many functions are split between local and district municipalities which causes uncertainty and makes allocation of financial resources difficult.

Lines of authority and accountability

- Overlaps between national/provincial regulation of local government.
- Coordination is substituted for accountable structures and has not been effective.
- Weak accountability incentives for provinces & DMs: Most

of their funding from the national fiscus, meaning that citizens and enterprises have little recourse for non-performance, and they not have direct representation at community level.

Alignment of the fiscal arrangements

- Sources of revenue not matching functions in districts. Also there is insufficient finance for functions to be performed effectively, particularly in 'mostly rural' municipalities.
- Fiscal arrangements hamper accountability in some cases

Ability to 'detect and correct'

- Reporting requirements of provinces and municipalities to national sphere is unclear.
- Intervention mechanisms are inadequate

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P&F8 PROJECT:

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