



ANFRIE TRUST BUILDING 535 PROES STREET ARCADIA 0083

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#### PART A

PROGRAM 07: NATIONAL HOUSE OF TRADITIONAL LEADERS: ANNUAL REPORT 2005-2006

#### FOREWORD BY THE CHAIRPERSON

Hon. Chairperson of the Portfolio Committee and members, it gives me pleasure to present to you our preliminary annual report for 2005-6 financial year. The report is indeed different from the reports that we sent to you previously for the following reasons:

- Provincial Houses are actively participating in the affairs of the National House of Traditional Leaders.
- More cooperation exist between the National House and the Ministry of Provincial and Local Government
- The Human Resource for the National House of Traditional Leaders has been beefed up.
- The National House is much more focused due to its strategic plan, which this report is based on.
- I am today leading a delegation of the Members of the Management Committee of the National House and the Chairpersons of the Provincial Houses of Traditional Leaders, this is indicative of the fact that the National House is working much more closer with the Provincial Houses as its Constituency. This close working relationship will ensure that the mandate of the National House which is to enhance unity and understanding amongst traditional communities; and to enhance cooperation between the National House and the various Houses with a view to addressing matters of common interest, will be adequately achieved.
- The meeting of our mandate will as well indicate that information is flowing from National to Provincial Houses and to their Traditional Councils and subsequently to the Traditional Communities. The flowing of information will assist in the joint planning and joint quarterly reporting in order to evaluate the successes of the Houses in meeting their objectives and have an early warning system that will tell the National House of any underperformance by the Provincial Houses and interventions that must be made.

- The early warning systems mentioned above amongst others includes the success of the Provincial Houses including the National House to be an autonomous body or Provincial / National Public Entity and be listed in the Public Finance Management Act. The status of the Houses must be autonomous from just like the recently established Social Security Agency [SASA], Commissions and other organs of state. It is unfortunate that will not rest until this has been achieved.
- It is indeed an important leap that the National House of Traditional Leaders is taking to ensure that we have knowledge of what is happening in each House of Traditional Leaders in the entire Country. The leap might seem impossible to some but to some we are determined to succeed. If we are able to know the performance of our Provincial and ultimately the envisaged Local Houses, we will then be able to link their performance and good practices to improve the Traditional Leaders of this Continent through our envisaged Continental House of Traditional Leaders (COHTLA).
- Chairperson the Continental House of Traditional Leaders mentioned in the report is no more a theory but a reality. We have visited a number of Countries both in the Continent of Africa and the SADC region with the intention of soliciting their support for the establishment of COHTLA. We have requested meetings with Government Departments and Parliament to share with them our thoughts and establish a working relationship with the intention of getting the knowledge that Parliament has and have used to establish the Pan African Parliament (PAP). I hope that as a committee you will assist us in securing the appointment with both the Speaker and the Chairperson respectively.
- The success of this organization will put yet again a milestone to South African successes in building a better life for the African Continent. We are convinced that acting together with your goodself will guarantee a success in this endeavour. Hon. Chairperson just to mention to the committee that the President has approved the establishment of the body and has requested the Minister to facilitate the acquisition of funds to ensure that we are able to successfully establish the SADC regional House later this year, and next year we establish the full Continental House of Traditional Leaders.
- o The objectives of the COHTLA are as follows:
  - Promote African democratic principles
  - Promote and protect Institutions of Traditional Leadership.
  - Promote and protect African Cultures and Traditions
  - Encourage participation of Traditional Leaders in peaceful conflict resolutions within the continent
  - Promote and protect human rights and gender equality
  - Participate in the peaceful conflict resolutions in Africa

- Advise and recommend to the AU and NEPAD on various needs of Traditional Communities of Africa.
- Ensure that there is effective mechanism for policy implementation regarding the achievements of the objectives of the AU
- Act as one organization that popularizes the objectives and programs of Africa's regional and continental bodies.
- To work towards realizing the African Renaissance through appropriate programs.
- To make COHTLA the body that will to a certain extend participate in the AU programs especially on the oversight part of good governance
- To establish regional structures of COHTLA.
- The objectives are very clear on what we want to achieve and surely this cannot be achieved by us working in silos, we need great minds that think alike to make it possible that the mission is accomplished. This House will fuel development and improve socio-economic development amongst the Countries through the involvement of everybody in the Governance of the Continent. Despite the limited budget for our next financial year, we believe that with the ability of the CFO of the Department and yourself as the Committee of Parliament we will hopefully get the budget required to fulfill these needs.
- Chairperson, the Continental House is not the only project that the National House of Traditional Leaders intends to achieve in the next financial year. We are as well intending to get our autonomy and be given the status of the National Public Entity and the Provincial Houses be given the status of being the Provincial Public Entity. We believe that this is possible and is in accordance with the Law that established us. Obviously it will have some teething problems but like our expectations in the launching of the Continental House, the CFO and the Committee will come to our rescue appropriating funds to amongst others:
  - Be able to get enough staff members for the House to take through the administration of the House, which will include our own CFO, House Proceedings, Committees, and House Verbatim Reports etc. We cannot say that the House has achieved its autonomy if our finances and almost all our administrative support services are still performed by the Department of Provincial and Local Government.
  - Maintain our own Chamber and committee rooms that will allow visitors to come and observe our Committee operations and sittings.
  - To have our own legal library that will help us to make sound inputs to the law making processes.
  - · For all members of the House to be full time

- The funds that you shall have appropriated will be used appropriately and the people who still believe in Traditional Leadership like yourselves will appreciate the contribution and the leveling of the playing field for sound participation in Governance, Law making processes and in maintenance of peace and security. As mentioned Chairperson, the National House has a responsibility to intervene in any Provincial House if so required or requested by the Provincial House. The interventions that can be made by this House should be from an informed position and the position of authority. At the moment we cannot intervene due to the following:
  - The Act of the National House needs to be amended in order to move towards the autonomy that we want.
  - The National House should lead by example to Provincial Houses like being the second institution to be addressed by the President just after Parliament before Provincial Houses are being addressed by their Premiers.
  - . The oversight role to be played by the NHTL over Provincial Houses
- Chairperson, we were invited by the Committee of Parliament that was working on Peer Review Mechanism. In our inputs, we summarized that the Government was indeed meeting the requirements of good political governance. We said that because we believe that strides are made by Government to deliver to poor people, but can we say that about our involvement in conflict resolution? What about the cross border legislation? What about receiving all the Bills from Parliament and we comment on them irrespective of the content of the Bill? The answer to the above questions is known to you as Parliamentarians because it is negative due to both Parliament and Government ignoring the role-played by Traditional Leaders in ensuring that the transition from one province to another is smooth or has very little hiccups. The Government is getting resistant because it ignored amongst others key role players, which are Traditional Leaders in the whole cross border saga.
- The transition that one is referring to Chairperson is to ensure that people understand that we have one Government, which is having one vision, which is to make a better life for all. This we can only do by preparing our people to accept the change instead of the present situation. The other transition is that Municipalities (elected councilors) must work closely with Traditional Leaders in order to bring about development. The ideology that they have been elected and cannot work with us is not functioning and will not function in Africa because we are the founders of democracy. We are expecting all councilors in the areas of Traditional Leaders to call a meeting in a central area under a municipality to be introduced to Traditional Leaders in order to get blessings and establish working relationship. We are waiting in anticipation of the day when such a meeting will be called. With your assistance indeed the meetings will be held.
- The successful discussion can only be held if this committee will as well lead by example and attend functions of the National and Provincial Houses of Traditional Leaders. It is better to see your Father visiting your uncle as opposed to him directing people to visit his brother in his absence, the committee should get

involved in the affairs of the National House of Traditional Leaders including attending and participating in the conferences that the National and Provincial Houses hold on an annual basis.

- Chairperson, I will not say everything that I intended to say but suffice to say that the money appropriated by you for the use by the National House was effectively used to ensure that the objects set out in the Act is achieved without compromise. We have agreed with the President that steering committees will be established to amongst others:
  - · Prepare for the establishment of COHTLA
  - Develop a strategy for the implementation of the Framework Act and Provincial pieces of legislation
  - Continuous engagement with the President, FOSAD, SALGA and other structures will improve our chances of meeting the objects of the Act.
- In conclusion Chairperson, the National House have worked very hard to improve from last year and we believe that you will realize the improvement. We are the House at work and we are determined to deliver on our strategic planning. We hope and believe that because of our shared vision with you, we will indeed get the funds and the support from this honourable committee to execute our mandate and aspirations. Traditional Leadership is a sacred institution that the world cannot do without.

I thank you.

## PART B

PROGRAM 07: NATIONAL HOUSE OF TRADITIONAL LEADERS: ANNUAL REPORT 2005-2006

#### 1. AIM

Constitution, Framework Act and the PFMA, CLARA, Structures Act etc.

The National House of Traditional Leaders (the House) is a statutory body established by the National House of Traditional Leaders Act, 1997 (Act No 10 of 1997)(the Act) as amended. Its main objectives are to represent and advance the aspirations of Traditional Leaders and their communities at national level. The advancement of the aspirations of the rural communities is an exercise taken in consideration of the provisions of the Act which clearly stipulate the objects and functions of the National House of Traditional Leaders as follows:

- To promote the role of traditional leadership within a democratic constitutional dispensation;
- o To enhance unity and understanding amongst traditional communities; and
- To enhance cooperation between the National House and the various Houses with a view to addressing matters of common interest.
- May advise the National Government and make recommendations relating to any of the following:
- Matters relating to traditional Leadership;
- The role of traditional leaders;
- o Customary law; and
- The customs of communities observing a system of customary law;
- May investigate and make information available on traditional leadership, traditional authorities, customary law and customs;
- o Shall, at the request of the President, advise him or her in connection with any matter referred to in this section; and
- o Shall present an annual report to Parliament

In order for the House to carry out its objectives and functions, the following committees have been established.

#### Manco seniority

#### 2. Committees of the House

Section 10 of the Act empowers the House to establish Committees whose responsibilities are stated in the Rules and Orders of the House. The operations of Committees of the House are based on transparency, involvement and inputs by stakeholders and Provincial Houses. The House has established seven committees namely:

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N	Name	of	a	Composition	of	the	Responsibilities	of the Committee	100
	Commi	ttee		Committee					283

01	Management Committee (MANCO)	Inkosi MB Mzimela: Chairperson Khosi FP Kutama Kgosi SV Suping Morena MF Mopeli Prince ZS Makaula Kgoshi CE Mathebe	<ul> <li>To implement the decisions of the House and committees.</li> <li>To monitor and evaluate progress of the other committees and to make recommendations to both the House and Committees.</li> <li>To establish and develop a reporting mechanism which will ensure a clear flow of information from the committee to the House and visa versa as follows: <ul> <li>(a) The Chairperson of a committee must submit a report of her / his committee to the office of the Chairperson of the Management Committee</li> <li>(b) No verbal or telephonic response will be accepted; all matters are to be recorded.</li> <li>(c) Where the matter has been referred to the Management Committee, the committee referring such matter must be provided with a resolution taken by MANCO or such matter in question within two weeks after such referral.</li> <li>(d) A matter before the Management Committee is decided when there is a majority agreement between the members of MANCO.</li> <li>To implement the strategic plan of the National House of Traditional Leaders</li> <li>To establish and maintain relationship with relevant structures</li> <li>To address sittings of Provincial Houses at least once a year</li> <li>To implement the code of conduct of members of the House</li> <li>To prepare and submit a quarterly report to the House which must contain amongst others the following:</li> <li>(a) Decisions of the House implemented;</li> <li>(b) The official visit by members of the House to other countries during the reporting period;</li> <li>To review and uphold the Rules and Orders of the National House of Traditional Leaders</li> <li>To ensure that members of the House adhere to the Rules and Orders of the House.</li> <li>To conduct capacity building workshop on the Rules and Orders of the House in order to empower members to conduct proceedings in an orderly and professional manner.</li> <li>To invite experts on Rules and Orders to advise or address the committee.</li> </ul> </li> <li>To promote social welfare of members of the National House.</li></ul>
	Arrangement	Chairperson Morena MI Motloung	To market and promote the image of the National House.     To strive for capacity building for members of the House and staff.

	(IAC)	Inkosi SS Kunene Inkosi VJ Nhlapo Nkosi TJ Mabandla	<ul> <li>To arrange exposure visits for the House.</li> <li>To initiate the acquisition of assets of the House and develop a policy towards their management.</li> <li>To prepare and participate meaningfully on the budget process of the House.</li> </ul>
03	Tradition, Customs and Culture (TCC)	Kgosigadi AGG Moroka: Chairperson Inkosi TJ Mabandla Inkosi WT Mavundla Kgoshi MS Dikgale Inkosi MS Mahlalela	<ul> <li>To restore, promote and protect indigenous cultures, customs and traditions.</li> <li>To maintain pride and dignity in the institution of traditional leadership.</li> <li>To promote African (indigenous) languages to be on par with other languages.</li> <li>To promote places of African historical importance in order to attract and promote tourism.</li> <li>To promote the preservation of such historical places for posterity in conjunction with the Department of Arts and Culture.</li> <li>To redirect the South African traditional communities in realizing that African Renaissance starts with tradition, culture, custom and language.</li> <li>To commission research on culture and traditional affairs matters.</li> <li>To invite experts on culture and traditional leaders in the new South Africa.</li> <li>To promote modification of those customs which are likely to face extinction or tend to give a negative image of the institution.</li> </ul>
04	Constitutiona I Development (CDC)	Inkosi WT Mavundla: Chairperson Kgosi PP Maubane Inkosi MS Mahlalela Kgosigadi AGG Moroka Hosi PC Ngove	<ul> <li>To consider constitutional issues including amendments to the Act establishing the National House where necessary.</li> <li>To facilitate capacity building programmes on constitutional issues.</li> <li>To make submissions to Parliament on Bills that has a bearing on the administration of justice in traditional communities.</li> <li>To facilitate cooperation between the Provincial Houses and the National House on constitutional matters.</li> <li>To strengthen the functioning of Traditional Courts.</li> <li>To facilitate capacity building programmes for traditional leaders to be trained as Commissioner of Oaths, Marriage Officers and Peace Officers.</li> <li>To have powers to invite experts on constitutional matters to advise or address the committee.</li> <li>To commission research on constitutional matters.</li> <li>To alert the House on new constitutional developments that are likely to affect</li> </ul>

			traditional leadership
05	Agriculture and Land Affairs Committee (LAAC)	Inkosikazi NT Mhlauli: Chairperson Kgoshi MS Dikgale Morena MI Motloung Inkosi SS Kunene Kgosi MJ Pilane	<ul> <li>To comment on and agricultural matters.</li> <li>To invite experts to address the committee on land and agriculture.</li> <li>To conduct capacity building workshops on land and agriculture in order to empower members of the National House.</li> <li>To alert members of the House regarding new Acts promulgated governing land and agriculture.</li> <li>To play a proactive role in conjunction with the Department of Land Affairs and Agriculture in the identification of land historically belonging to rural communities.</li> <li>To fully engage the Department of Land Affairs on the Implementation of the CLARA and other relevant pieces of Legislation.</li> </ul>
06	Social Development Committee (SDC)	Hosi PC Ngove: Chairperson Kgosi MJ Pilane Inkosikazi D Mhlauli Inkosi SS Kunene Inkosi VJ Nhlapo	<ul> <li>To comment on Parliamentary Bills or Departmental Policies that has a bearing on social issues.</li> <li>To identify and with the Houses of traditional leaders.</li> <li>To contribute to the social upliftment of the rural communities by playing a major role in initiating, assisting and participating in rural projects.</li> <li>To liaise with other national departments in fighting rural poverty.</li> <li>Develop a National program on Chronic diseases</li> </ul>
07	Committee of Chairpersons (COCHA)	Khosi FP Kutama Chairperson Hosi PC Ngove Kgosi PP Maubane Inkosi WT Mavundla Kosikazi ND Mhlauli Kgosigadi AGG Moroka	<ul> <li>Draw up the year planner of the NHTL.</li> <li>Recommend the budget of committees to MANCO as tabled by internal arrangement committee.</li> <li>Evaluate each committee's performance.</li> <li>Evaluate each member's performance.</li> <li>Recommend to MANCO the yardstick for performance measurement of the members.</li> <li>To establish a sound feedback mechanism.</li> <li>To conduct disciplinary hearings for members</li> <li>To recommend to MANCO the draft annual and Quarterly reports of Committees</li> </ul>

The success of the House is based on the effective functioning of committees. The House adopted a strategic plan, which guides committees and the House in achieving its objectives. The performance of the House is based on the said strategic plan, which is hereunder reflected.

#### PERFORMANCE OF THE NATIONAL HOUSE OF TRADITIONAL LEADERS

STRATEGIC GOAL	OBJECTIVE	OUTPUT	PERFORMANCE MEASURE/INDICATOR	Actual against targe	Performance jet	
				Target	Actual	
Advancement of Service Delivery	To facilitate the Implementation of Laws and Policies	Clarification of roles for the successful implementation of the White Paper on Traditional Leadership and the Traditional Leadership and Governance Framework Act, 2003	Stakeholder meeting to discuss and clarify roles in the implementation of the Act and the White Paper	Four meetings	Two stakeholder meetings held	
	Develop partnerships with stakeholders to advance service delivery and promote development.	Developed Partnerships with stakeholders.	A partnership established with National Prosecuting Authority (NPA) and the other partnership with Heritage resource agency to be established	Two partnersh ips	o One partnership entered into with NPA	

Human Immune Deficiency Syndrome (HIV and AIDS)	Creation of awareness non-discrimination against those infected.	0	Meetings to evaluate the successes of the Traditional Leaders HIV and AIDS chapter.  Number of meetings held to create awareness and de-stigmatization of the disease.	o Three meetings of Social Developmen t Committees.	o One meeting held
Enabling Traditional Leaders to participate in development programmes.	To create an atmosphere for Traditional Leaders to participate in the development programs aimed at poverty alleviation	0	Traditional Leaders to actively participate in the IDP, PGDS and National Program of action (conference resolutions)	0 60%	o 20% achieved
To facilitate the establishment of the Continental House of Traditional Leaders (COHTLA)	Development of a plan for the establishment of the COHTLA	0 0 0	Countries visited on the establishment of the COHTLA.  Development of Draft Constitution/Guidelines for the operation of the COHTLA.  Plan for the establishment of the SADC regional House of COHTLA	o 09 Countries Constituti on of COHTLA develope d e	o 05 Counties visited

Custodianship of Culture, Custom, Tradition and values	Strategy and plan	Development of a strategy and plan on preserving the Indigenous Knowledge	0	A meeting of Chairpersons of TCC committees was held to discuss the strategy.	o Three Meetings	Two meetings held
	Development of partnership on culture with Institutions of higher learning	Establishment of a working relationships with Institutions of higher learning with the intention to develop a partnership	0	Communication with Institutions of higher learning is in progress.	o One Universit y identified	Meeting with UNISA is underway
	Facilitate the development of educational programmes	Facilitation of the development of an IKS curriculum	0	IKS curriculum developed.	Currilum to be developed	Meeting still to be held
	Ensure the use of indigenous languages across South Africa and the inculcation of values	Improved use of indigenous languages	0	Improved usage of indigenous languages by Public representatives during their debates and gatherings.	0 20%	○ 10%
Proactive Communication	To develop and implement communication strategy	Improved communication between the National House and stakeholder.	0	Communication Strategy of the National House of Traditional developed	0 100%	0 40%

	To raise the profile of the NHTL	Improvement of the image of the NHTL	0	Relationship is being established with Government Department and NGO's Sharing of ideas and cooperation on matters of common interest	1 1101	ve ganization	S/ S/ H	nree ACC, ALGA, eritage ouncil
	Information dissemination	Distribution of NHTL Annual and other reports to stakeholders and organizations	0	Improved communication and relationships organizations and Government.	0	20 organizati ons	0	35 organizati ons
Targeted Capacity Building to NHTL and Institutions of Traditional Leadership	Development of the Performance Management and Human Resources Systems.	Performance Management and HR's Systems developed	0	Performance management, HRM and HRD Systems is available from the Government and is used by the NHTL	0	Existing policies	0	Existing policies
	Research	Research capacity to support the NHTL in the execution of its duties established.	0	A research unit has been established in the NHTL.	0	50%	0	10%
	Management Systems	Financial and Human Resource Management systems established	0	Financial and Human Resource Management systems of the Government are available and utilized by the NHTL.	0	100%	0	100%

Autonomous HTL	Recognition of the NHTL as an autonomous entity		<ul> <li>Plan to realize the NHTL as a National Public Entity is in progress.</li> </ul>	0 10%
		entity	0	

# VISITS TO OTHER COUNTRIES

N0	Country visited	Purpose of the visit	Achievements (successes)	Challenges
01	Zambia	To explain the idea of establishment of the Continental House and to get the Traditional Leaders to buy into and to participate in the program	and a further proposal of	
02	Namibia	To explain the idea of establishment of the Continental House and to get the Traditional Leaders to buy into and to participate in the program	The Namibian traditional Leaders agreed to the idea.	To establish the SADC regional House
03	Zimbabwe	To explain the idea of establishment of the Continental House and to get the Traditional Leaders to buy into and to participate in the program		
05	Cameroon	Attending Conference of Traditional Rulers of Africa and a briefing on the Continental House of Traditional Leaders was	The conference was successful and Traditional Leaders welcomed the progress made by South	To organize the launching of the SADC COHTLA

presented	Africa and promised to sell	
	the idea to other countries	

# Administration of the National House of Traditional Leaders

The Administration of the House is composed of the following staff members

01	Staff members	Position
02	AM Sithole Mr.	Secretary (CEO)
03	S. Khandlela Mr.	Senior Manager Planning and Policy
04	M Tshabalala Ms	Manager: Legal Services
05	Z Matebese Mr	Researcher
06	H. Chiloane Mr.	Secretary to the Deputy Chairperson
07	J Molapong Ms	Secretary to the office of the Chairperson
08	N Sibanyoni Ms	Admin Assistant #
09	F Seete Ms	Admin Assistant
10	C Nemalela Mr.	Admin Assistant
11	J Sibanda Mr.	Transport Officer/Driver
12	Vacant	Manager: Communications
	1 3	Communication Manager
		Planner

## THE SITTING OF THE NATIONAL HOUSE

Sitting	All Members	<ul> <li>To pass resolutions that will affect the entire Traditional Leaders and their Communities</li> <li>To consider the inputs from Provinces and other stakeholders in order to take a well informed resolution</li> <li>To take decisions on any matter within its competency</li> </ul>

## FINANCIAL IMPLICATION

Item	2005/06	2006/07	2007/08	2008/09	
	R'000	R'000	R'000	R'000	
Compensation of Employees	2,145	3,489	3,674	3,857	
				100	
Goods and Services	5,657	4,765	5,020	5,516	
Communication	220	200	211	221	
Consultants	1,400	. 500	527	798	
Printing and publications	200	220	232	243	
Travel and subsistence	3,300	3,359	3,539	3,716	
Inventory	50	110	115	122	
Advertising	200	100	105	111	
Other	287	276	291	305	
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Transfers	5	4	-	4 .
Capital		-	-	-
Total	7,807	8,258	8,694	9,373

The budget increases annually over the MTEF period with 5,78%, 5,28% and 7,8% which reflects a limited real growth. The main change to the budget allocation is to allow for the employment of suitably graded staff to support the NHTL in carrying out its mandate,

National House of Traditional Leaders

Expenditure Report: 2005/06 Financial Year

	A	В	С	(B - C)	
Item		Adjusted Budget	Revised Estimates	Variance	
	R'000	R'000	R'000	R'000	
Compensation of Employees	2,145	1,745	1,745	-	
Goods and Services	5,657	6,556	6,556	1 62	
Communication	220	220	220		
Consultants	1,400	1,400	1,087	313	
Printing and publications	200	220	240	(20)	
Travel and subsistence	3,300	4,200	4,074	126	
Inventory	50	30	110	(80)	
Advertising	200	200	150	50	
Other	287	286	675	(389)	
Transfers	5	6	6	(0)	

Capital	-	-		-
Total	7,807	8,307	8,307	(0)

The original budget of the NHTL was supplemented in the Adjustment Estimates by means of a virement from another programme within dplg. This was to cater for the increased travel, particularly in Africa in support of the formation of a Continental House of Traditional Leaders and to further matters of common interest within the SADC region.

The provision for the compensation of employees could also be reduced as the position of Secretary was vacant for some time and the new posts were filled late in the financial year. In view of the fact that members must travel considerable distance to attend meetings and functions, the provision for travel and subsistence is under pressure and will have to be further supplemented before the end of the financial year.