

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



NHTL

National House of Traditional Leaders

FOREWORD BY THE CHAIRPERSON



The report is indeed different from the reports that we sent to Parliament during the previous years for the following reasons:

- Provincial Houses are actively participating in the affairs of the National House of Traditional Leaders.
- More cooperation exists 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.
- The National House of Traditional Leaders is more focused in the sense that Provinces have made inputs to the Annual Report. This improved working relationship is a sign of progressing to the right direction. 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, to the 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 include 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 the Dept. of Provincial and Local Government and or

Local Government Departments in Provinces just like the recently established Social Security Agency [SASA], Commissions and other organs of state. This is one strategic objective that the National House cannot rest until it has achieved it.



- The establishment of Continental House of Traditional Leaders mentioned in the report is no more a theory but a reality. The NHTL has visited a number of Countries in the Continent of Africa with specific emphasis in the SADC region with the intention of soliciting their support for the establishment of COHTLA. Much network has been done in this regard, the only remaining element is the establishment of steering committees to facilitate such establishment.
- The success of this organization will put yet again a milestone to South African successes in building a better life for the people of Africa. The NHTL is convinced that acting together with all stakeholders will guarantee a success in this endeavor. The President of the Republic of South Africa, Mr. Mbeki has approved the establishment of the COHTLA and has requested the Minister of the Department of Provincial and Local Government to facilitate the acquisition of funds to ensure that the SADC regional House is well established later this year, and next year the full Continental House of Traditional Leaders.
 - 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 resolution in Africa;
 - Advise and recommend to the AU and NEPAD on the 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 extent participate in the AU programs especially on the oversight part of good governance; and

- To establish regional structures of COHTLA.



- The objectives are very clear on what AmaKhosi want to achieve. AmaKhosi need great minds that think alike to accomplish the mission. 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, the House believes that more funds will be appropriated to the NHTL to allow it to contribute meaningfully to the establishment of these international bodies.

- The funds mentioned above will be used for the following:
 - To appoint 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.
 - Maintain the envisaged Chamber and committee rooms of the NHTL.
 - Establish the NHTL legal library.
- The National House has a responsibility to intervene in any Provincial House if so required or requested by the Provincial House or Government. The interventions that can be made by this House should be from an informed position and the position of authority. At the moment the House cannot intervene due to the following:
 - The Act of the National House needs to be amended in order to move towards the autonomy and to give more authority over all Houses and Institutions of Traditional Leadership.
 - The National House may play an oversight role over all Houses of Traditional Leaders
 - The Houses of Traditional Leaders source their mandate from amongst others the National House Act especially on the term of office. All Houses of Traditional Leaders should have their term of office aligned with that of the National House.
 - The National House may intervene in any Provincial or the envisaged Local Houses using the appropriate section of the Act that shall have been amended.
 - The Act makes it possible for the National House of Traditional Leaders to proclaim through the responsible Minister the regulations regulating the business of all Houses including staffing etc.
 - All Houses be given the budget that will at least make them to deliver on their mandate.
- In conclusion, the National House of Traditional Leaders tables this report 2005-6 financial year. With this report Traditional Leaders are challenging everybody to take part in the development of the rural people and to build economy at our rural areas. Nobody is free if our people still live under abject poverty. I thank you.



STATEMENT BY THE SECRETARY (CEO) TO THE NATIONAL HOUSE OF TRADITIONAL LEADERS

The administration of the National House of Traditional Leaders is committed to excellent service delivery. The services that are delivered are about an excellent support to the members of the National House of Traditional Leaders, Provincial Houses of Traditional Leaders and the Institutions of Traditional Leadership.

The National House of Traditional Leaders has a responsibility to ensure that all matters affecting the Institution of Traditional Leadership are taken care off. This responsibility has prompted the House to establish joint committees of all the houses and named them Forums. These forums have various responsibilities and tasks.

The participation of the National House in policy making, strategic planning, conferences and Seminars, partnerships with other organizations requires a sound administrative coordination. The planning, coordination, monitoring and reporting is key in ensuring that the money spent by the House is worth the value of the interaction.

The plan of the National House requires a well sound administration to push it to success and ensure that it yields the fruits. The aim is to build a sound working relationship between all the institutions of traditional leadership in the country. The plan as mentioned about has started to yield results, more communication and interaction is happening between the institutions of traditional leadership. It is the responsibility of administration to ensure that members get the necessary resources to further the objects of the Act of the NHTL through the implementation of the plan.

The National House of Traditional Leaders cannot be effective if the public is not involved in its activities. The Public must seek information and guidance from the National House regarding any cultural matter that they seek to understand. It is the responsibility of each and every public institution to supply information to the Public and to make sure that the public is made aware of such. The National House through the Provincial Houses is pledging more direct interaction with the public than what it did in previous years.

One of the critical objectives of the NHTL is to transform from being part of the DPLG to an autonomous body. The de-linking process will ensure that the NHTL operates as an Autonomous body (National Public Entity) like any organization established by the Act of Parliament. The de-linking has its own responsibilities which the National House is prepared to tackle.

The challenges facing the optimal functioning of the administration of the National House of Traditional Leaders includes the lack of approved organizational structure that gives proper support to the NHTL. Theses challenges can only be overcome when a well researched

work study investigation has been conducted and a structure of the NHTL approved. The administration of the NHTL is convinced that the NHTL has performed beyond expectations noting the size of its human resource.

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1.



AIM

The National House of Traditional Leaders derives its mandate from amongst others the following pieces of legislation:

- The Constitution of the Republic of South Africa
- National House of Traditional Leaders Act, 1997 (Act N0 10 of 1997)
 - Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003)
- Communal Land Rights Act, 2004 (Act N0 11 of 2004)
- Local Government Municipal Structures Act, 1998 (Act N0 117 of 1998)
- Disaster Management Act, 2002 (Act N0 57 of 2002)
- Other pieces of Legislation and policies

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;
- To enhance unity and understanding amongst traditional communities;
- 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;
 - 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, a number of committees have been established.

2. **Committees of the National House of Traditional Leaders**

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 six committees namely:

Committee	the Committee	
<p data-bbox="326 107 539 189">Management Committee</p> <p data-bbox="326 223 482 264">(MANCO)</p> 	<p data-bbox="555 107 769 148">06 Members</p>	<ul style="list-style-type: none"> • To implement the decisions of the House and committees. • To monitor and evaluate progress of the other committees and to make recommendations to both the House and Committees. • To establish and develop a reporting mechanism which will ensure a clear flow of information from the committees to the House and visa versa as follows: <ul style="list-style-type: none"> (a) The Chairperson of a committee must submit a report of her / his committee to the office of the Chairperson of the Management Committee (b) No verbal or telephonic response will be accepted. (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 on such matter in question within two weeks after such referral. (d) A matter before the Management Committee is decided when there is a majority agreement between the members of MANCO. • To implement the strategic plan of the National House of Traditional Leaders • To establish and maintain relationships with relevant structures • To address sittings of Provincial Houses at least once a year • To implement the Code of Conduct of members of the House • To prepare and submit a quarterly report to the House which must contain amongst others the following: <ul style="list-style-type: none"> (a) Decisions implemented by the House; (b) The official visit by members of the House to other countries during the reporting period; (c) The overall expenditure of the House. • To review and uphold the Rules and Orders of the National House of Traditional Leaders • To ensure that members of the House adhere to the Rules and Orders of the House. • To conduct a capacity building workshop on the Rules and Orders of the House • To invite experts on Rules and Orders to advise or address the committee. • To commission a research on any matter that is deemed necessary by the National House
<p data-bbox="326 1301 539 1412">Internal Arrangement Committee</p> <p data-bbox="326 1453 424 1495">(IAC)</p> 	<p data-bbox="555 1301 769 1338">05 Members</p>	<ul style="list-style-type: none"> • To promote the social welfare of members of the National House. • To market and promote the image of the National House. • To facilitate capacity building for members of the House and staff. • To arrange exposure visits for the House. • To initiate the acquisition of assets of the House and develop a policy towards their management. • To prepare and participate meaningfully on the budget process of the House.
<p data-bbox="326 1577 482 1612">Tradition.</p>	<p data-bbox="555 1577 769 1612">04 Members</p>	<ul style="list-style-type: none"> • To restore, promote and protect indigenous cultures, customs and traditions