



**DRAKENSTEIN**

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# Intergovernmental and International Relations Policy

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**Signed by the City Manager**

**Signature Date**

29 November 2017

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## ACRONYMS/ ABBREVIATIONS

ASEAN	Association of Southeast Asian Nations
AU	African Union
BRICS	Brazil, Russia, India, China and South Africa
DIRCO	Department of International Relations and Cooperation
DM	Drakenstein Municipality
I&IGR	International and Intergovernmental Relations
IDP	Integrated Development Plan
IIRO	Intergovernmental Officer
MFMA	Municipal Finance Management Act (Act No. 56 of 2003)
MIR	Municipal International Relations
SADC	Southern African Development Community
SALGA	South African Local Government Association

## DEFINITIONS

For purposes of this policy, unless otherwise stated, the following definitions shall apply:

**“Agreement”** refers to a written document wherein the goals, objectives, projects and programmes necessary for achieving benefit from Municipal International Relations, in the knowledge that it does not constitute a legally binding agreement, that is not governed by a specific legal regime and that a party cannot institute legal action on grounds of breach of the agreement

**“Council”** is the Council of Drakenstein Municipality or any of the other political structures, political office bearers, councilors or staff members, of Drakenstein Municipality duly authorized by delegation.

**“Intergovernmental Relations”** means relationships that arise between different governments or between organs of state from different governments within South Africa in the conduct of their affairs;

**“International Relations”** refers to the interaction between a number of stakeholders in the global system. These stakeholders include governments at all spheres, international organizations, international private sector and multinational enterprises.

**“Municipal International Relations (MIR)”** means a link between two or more communities from different nation states, in which one of the key actors is a municipality.

**“Municipality”** is an organ of state within the local sphere of government exercising legislative and executive authority within its legally demarcated area, as envisaged in Section 152 of the Constitution of the Republic of South Africa.

**“Twinning”** means the linking of two municipalities by agreement in writing and the terms “sister-city” cooperation and “twinning” shall have a corresponding meaning.

**“Twinning/ cooperative agreement”** refers to an agreement between Drakenstein Municipality and foreign cities or institutions concerning formalized programmes for cooperation and relations to ensure benefit to the council in achieving its goals and objectives, long term strategy, strategic priorities and priorities in terms of the IDP.

**“BRICS”** BRICS is the acronym for an association of five major emerging national economies, i.e. Brazil, Russia, India, China and South Africa who are all developing or newly industrialized countries.

**“SADC”** The Southern African Development Community is an intergovernmental organization. It's goal is to further socio-economic cooperation and integration as well as political and security cooperation among certain Southern African states.



## **PART A: GENERAL PROVISIONS**

### **1. PREAMBLE**

- 1.1. Drakenstein Municipality (DM) Intergovernmental and International Relations Policy has an important role to play in determining the DM's international relations priorities and objectives, and in delineating the powers, roles, procedures and functions of the relevant role-players. It has the potential to be a powerful tool to enhance the global profile of DM as an attractive place to visit, live, work and do business.
- 1.2. The Policy aims to guide decision making pertaining to the intergovernmental and international relations of the Municipality in a manner that is articulate, and that aligns with the strategic goals of the Municipality as identified in the Integrated Development Plan (IDP).
- 1.3. The Policy is aligned with the key objectives of the Western Cape Government International Relations Strategy focusing on increasing trade, tourism and investment while promoting knowledge sharing to achieve the vision of globally positioning Drakenstein Municipality.
- 1.4. The Policy further intends to reflect a global reality in which local governments will play an increasingly critical role both as regulators and as facilitators of economic growth and development.
- 1.5. In addition, the Policy provides guidance regarding the full range of international relations options available to decision-makers in the Municipality. It therefore recommends mechanisms to evaluate existing relationships, and provide guidance on the manner in which the Municipality could proactively seek to build new relationships with partners that have the potential to enhance DM's economic, social and cultural environment.
- 1.6. Intergovernmental relations promote relationships with a wide range of stakeholders, through multi-sphere dialogue. This includes liaison with local government, provinces, sector departments and other state and non-state actors to promote effective governance, service delivery, economic growth and social upliftment.

### **2. LEGAL AND POLICY FRAMEWORK**

This section provides an overview of the relevant legislation and policies that have a bearing on the international and intergovernmental relations of the Municipality.

- 2.1 Constitution of the Republic of South Africa No. 108 of 1996
- 2.2 Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005)
- 2.3 Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003)

- 2.4 Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998)
- 2.5 Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)
- 2.6 Department of International Relations and Cooperation (DIRCO) Policy Framework
- 2.7 Municipal International Relations Policy Framework of 1999
- 2.8 Western Cape Government International Relations Strategy of 2013
- 2.9 DM's Subsistence and Travel Policy.

### **3. DESIRED OUTCOMES**

- 3.1 To administer and co-ordinate intergovernmental liaison
- 3.2 To promote DM as a competitive global opportunity for economic, social and cultural activity, one that values international connectivity as a means to facilitate job creation through private sector-led economic growth and is recognized for its open and competitive regulatory environment, which is balanced by the Municipality's values and strategic goals.
- 3.3 To utilize its international relations to actively facilitate inward tourism and investment, particularly in the catalytic growth sectors identified in the IDP.
- 3.4 To articulate a clear set of goals and objectives that promote the interests of the Municipality that are aligned with the values and strategic policy objectives of the Western Cape Government and the Department of International Relations and Cooperation.
- 3.5 To clarify powers, functions, roles and responsibilities of role-players.
- 3.6 To set out the criteria and procedures to be followed when establishing formal relations with international parties with the aim of enabling sufficient flexibility so that the Municipality is able to capitalize on ad hoc opportunities when such opportunities are deemed valuable.
- 3.7 To ensure that appropriate controls are in place to curtail fruitless initiatives and onerous and costly commitments where these do not result in tangible benefits.
- 3.8 To integrate international relations within DM's broader development agenda.
- 3.9 To recommend ways by which mechanisms, processes and procedures should be developed and implemented to ensure sound intergovernmental relations between DM, Provincial and National Government, District Municipality and municipalities within the Western Cape Province, organised local government (SALGA) and local stakeholders.

- 3.10 To ensure that interaction between DM and Provincial and National Government, District Municipality and municipalities within the Western Cape Province and organised local government enhances effective alignment in terms of legislation, financial matters, policies, projects and programs, integrated development planning and local government management and ultimately promotes effective and cohesive service delivery.

#### **4. ROLE PLAYERS AND STAKEHOLDERS**

The following INTERNAL role players are identified for the purpose of implementing the Policy:

##### **4.1. The I&IR Forum**

4.1.1. The I&IR Forum is responsible for international relations initiatives;

4.1.2. Comprises relevant political, senior management and staff role-players as identified by the Executive Mayor and City Manager;

4.1.3. Is responsible to advise the Executive Mayor prior to formal consideration of international relations engagements and commitments.

##### **4.2. The Executive Secretary in the Office of the Executive Mayor.**

4.2.1. The Executive Secretary is the entry point of all requests and initiatives to embark on international relations project.

4.2.2. The Executive Secretary is responsible for facilitating and coordinating the international travel arrangements of the Executive Mayor and other assigned office bearers.

##### **4.3. The International and Intergovernmental Relations Officer (IIRO)**

4.3.1. The IIRO situated in the Corporate Services Department of the Municipality is responsible for providing support to the political office bearers and relevant departments/s with respect to intergovernmental and international relations matters.

4.3.2. Is responsible for providing a coordinating and facilitative service for visiting international delegations and to ensure that the policy provisions are complied with.

4.3.3. The IRO is responsible for maintaining a database of all international relations initiatives and agreements entered into by the Municipality.



4.3.4.To report, where necessary, on DM's participation in intergovernmental structures.

#### 4.4. Municipal departments

4.4.1.To advise the I&IR Forum on the benefits of intended relationships;

4.4.2.To implement relevant programmes as agreed upon;

4.4.3.To assign a staff member as liaison with international partners at project level;

4.4.4.To report to the City Manager or Executive Mayor on the status of agreements and partnerships as and when required;

4.4.5.To participate in intergovernmental structures and to report thereon.

#### 4.5. External stakeholders that may be consulted on matters pertaining to the international and intergovernmental relations of the Municipality include:

##### 4.5.1. National and Provincial stakeholders

- The National Department of International Relations and Cooperation (DIRCO);
- Other National Government Departments;
- Provincial Government;
- Provincial MIR coordinating Department;
- South African Mission abroad;
- South African Local Government Association (SALGA);
- Other municipalities; and
- Intergovernmental forums/structures.

##### 4.5.2. International Stakeholders

- South African diplomatic representation abroad;
- Foreign Representative Missions in South Africa; and
- International organizations.

##### 4.5.3. Other Stakeholders:

- Wesgro- Tourism, Trade and Investment Promoting Agency;
- Drakenstein based businesses;
- Drakenstein Local Tourism Association;
- Local Chambers of Commerce; and
- Non-government institutions.



## PART B: INTERNATIONAL RELATIONS

### 5. PARTNERSHIP CATEGORIZATION SYSTEM

5.1 A categorization system of partnerships between the Municipality and international stakeholders shall apply.

5.1.1 The categorization system will be used to inform DM's participation in possible partnerships.

5.1.2 The categorization system applies to bi-lateral, tri-lateral and multi-lateral agreements between international stakeholders and the Municipality as described in Annexure 3.

5.1.3 These are the categories of partnership, namely:

- Business enhancement partnerships; focusing on facilitating reciprocal trade and investment relations;
- Governance improvement partnerships; focusing on exchanging international best practices regarding good governance principles;
- Social development partnerships; focusing on the social enhancement of especially the most marginalized groups in society; and
- Other objectives that serve the benefit of Drakenstein Municipality as provided in the IDP.

5.1.4 A different set of criteria shall apply to each category when proposals, applications, and existing agreements are assessed or reviewed.

5.1.5 The I&IGR Forum advises the Executive Mayor who shall then have the discretion to decide which of the sets of criteria is most appropriate for evaluating the merits of each case.

5.1.6 For **business enhancement partnerships**, the I&IGR Forum will advise the Executive Mayor by taking the following factors into consideration when evaluating new partnership proposals or reviewing existing partnership agreements:

- Potential to attract inward investment to Drakenstein;
- Market access for goods and services from Drakenstein;
- Existing synergies with Drakenstein based industries;
- Opportunities for skills transfer;
- Opportunities for technology transfer;

- Opportunities for business networking; and,
- Scale of existing trade.

5.1.7 The number of business enhancement partnerships shall be limited to a focused group of partners that most closely align with the factors detailed in Section 5.1.6.

5.18 For **governance improvement partnerships**, the I&IGR Forum will advise the Executive Mayor by taking the following factors into consideration when evaluating new partnership proposals or reviewing existing partnership agreements:

- Track record of excellence and innovation;
- Opportunities for knowledge transfer; and,
- Opportunities for skills transfer, bearing in mind:
  - (i) Opportunities for personnel exchanges and secondments;
  - (ii) Existing local, regional, national or historical ties;
  - (iii) Access to donor funding.
- Best practice sharing of particular interest to DM.

5.1.9 For **social development partnerships**, the I&IGR Forum advises the Executive Mayor by taking the following factors into consideration when evaluating new partnership proposals or reviewing existing partnership agreements:

- Comparable socio-economic challenges;
- Existing historical ties;
- Opportunities for dialogue, networking, exchanges or partnerships for the following types of Drakenstein-based organizations:
  - (i) Community organizations
  - (ii) Non-governmental organizations
  - (iii) Sports organizations
  - (iv) Cultural organizations.
- Funding and support opportunities.

5.2 The I&IGR Forum's advice to the Executive Mayor regarding membership of international organizations shall be guided by one or more of the sets of factors detailed in Section 5.1. Further to these, the Executive Mayor's final decision will also be considerate to the following factors:

- 5.2.1 The international standing of the organization;
- 5.2.2 The benefits to be gained from membership;
- 5.2.3 The cost implications of the relationship.

5.3 Unless otherwise agreed as per 5.3.2 below, the Municipality will only enter into the following types of agreements with international organizations or stakeholders as described in Annexure 3.

5.3.1

- Partnership agreements
- Twinning agreements;
- Membership agreements;
- Memoranda of understanding;
- Grant agreements;
- Development Assistance agreements; and
- Statements of intent.

5.3.2 Other types of agreements may be entered into as a result of a decision by the Executive Mayor.

5.3.3 Guidelines detailing the nature and scope of each type of agreement, and the implications of each for the Municipality, are provided in Annexure 3.

5.4 The following procedures shall be followed with respect to new proposals concerning the international relations of the Municipality:

5.4.1 For partnership proposals generated **by international stakeholders** located either within or outside South Africa, the following procedure applies:

- Consultation sought with the relevant political desk within DIRCO.
- A formal proposal is drafted by the proposing stakeholder that includes its general information and a motivation guided by one of the sets of factors detailed in Section 5.1.
- The proposal must be submitted to the I&IGR Forum for assessment.
- The I&IGR Forum advises the Executive Mayor for a final decision.
- If the proposed relationship has financial implications other than travel expenses, the proposal must be submitted to Council for final approval.

5.4.2 For partnership proposals generated **by departments within Drakenstein Municipality**, the following procedure applies:

- A formal proposal, which should be guided by one of the sets of factors identified in Section 5.1 is drafted for consideration by the City Manager.



- The proposal must be submitted to the I&IGR Forum for review.
- The I&IGR Forum advises the Executive Mayor for final decision.
- If the proposed relationship has financial implications, the proposal is submitted to Council for final approval.

5.4.3 In the case of proposals generated **by Mayoral Committee members:**

- A formal proposal, which should be guided by one of the sets of factors identified in Section 5.1, is drafted by the relevant individual.
- The proposal must be submitted to the I&IGR Forum for review.
- The I&IGR Forum makes a recommendation to the Executive Mayor for final decision.
- If the proposed relationship has financial implications other than travel costs, the proposal is submitted to Council for final approval.

5.5 All recommendations and decisions regarding partnerships or memberships on the part of the Municipality shall be taken:

5.5.1 With due regard for costs;

5.5.2 By weighting such costs against the anticipated benefits to the Municipality; and

5.5.3 In accordance with the MFMA and other relevant legislation and policies.

5.6 Where appropriate, the Municipality shall be open to coordination and cooperation with the Western Cape Government on matters relating to international relations.

5.7 A searchable database will be established and managed by the I&IGR Officer. This database will:

5.7.1 Contain details of all existing international agreements and partnerships and pending proposals;

5.7.2 Identify the implementing department(s);

5.7.3 Identify whether a pending proposal is approved, under consideration or declined; and

5.7.4 Activities undertaken in terms of such agreements and/or partnerships.

5.8 International agreements and memberships entered into prior to the adoption of the Policy shall be reviewed keeping in mind one or more of the sets of factors detailed in Sections 5.9 to 5.11 below.

5.9 Business enhancement partnership agreements shall be reviewed as per the

stipulations contained therein. Factors to be taken into consideration during a review may include:

- 5.9.1 The value of new inward investment to Drakenstein attributable to the partnership;
  - 5.9.2 The partner's current economic standing;
  - 5.9.3 New trade or other business opportunities attributable to the partnership;
  - 5.9.4 The continued existence of complementary business sectors;
  - 5.9.5 Whether or not tangible skills, knowledge or technology transfer has occurred; and,
  - 5.9.6 Whether or not representative business organization exchanges and collaboration has taken place.
- 5.10 Governance improvement partnership agreements shall be reviewed as per the stipulations contained therein. Factors to be taken into consideration during a review may include:
- The partner's record of good governance;
  - Whether or not personnel exchanges and secondments have occurred;
  - Whether or not knowledge and skills transfer has occurred;
  - Whether the partnership has facilitated access to donor funding, and the value thereof; and
  - The number and impact of collaborative projects.
- 5.11 Social development partnership agreements shall be reviewed as per the stipulations contained therein. Factors to be taken into consideration during a review may include:
- The partner's demonstrated commitment to democratic values;
  - The number and impact of collaborative projects; and
  - Whether or not dialogue, networking, exchanges or partnerships initiatives have been established for local non-profit organizations, and the positive impact thereof:
- 5.12 A review of the Municipality's memberships of international organizations shall be conducted as per the stipulations contained in the membership agreement with the particular international organization. In the I&IGR Forum's recommendation to, and the final decision by the Executive Mayor, consideration should be given to the factors highlighted in section 5.2.

## **PART C: INTERGOVERNMENTAL RELATIONS**

### **6. ROLES AND RESPONSIBILITIES OF LOCAL GOVERNMENT**

- 6.1 Local Government has a vital role to play and has many responsibilities with regard to intergovernmental relations. All Portfolios/Departments of the DM should take note of the system of intergovernmental relations that have the following strategic objectives:
  - 6.1.1 To enhance effective service delivery to all residents;
  - 6.1.2 To promote and facilitate cooperative decision-making;
  - 6.1.3 To coordinate and align priorities, budgets, policies and activities across interrelated functions and sectors;
  - 6.1.4 To ensure a smooth flow of information within government and between government and communities, with a view to enhancing the implementation of policies and programs;
  - 6.1.5 To give effect to the legal prescripts contained in various pieces of legislation relative to intergovernmental relations.
- 6.2 Horizontal cooperation and coordination of activities between Portfolios/Departments of the DM and the relevant National and Provincial Departments are vital to the integrity and effectiveness of Local Government. Mechanisms and processes should be identified and developed by each Portfolio/Department of the Council to enhance the effectiveness of intergovernmental relations between the role-players mentioned in this policy.
- 6.3 In order for cooperative role-players to succeed, DM should:
  - 6.3.1 Collectively harness public resources behind common goals and within a framework of mutual support and cooperation;
  - 6.3.2 Develop a cohesive, multi-sectoral perspective on the interests of the country as a whole and to respect the discipline of national goals, policies and operating principles;
  - 6.3.3 Coordinate activities in Drakenstein to avoid wasteful competition and costly duplication;
  - 6.3.4 Settle disputes constructively without resorting to costly and time-consuming litigation.
  - 6.3.5 Each Department of DM must link-up with their counterparts at Provincial and where necessary, National level to promote and facilitate intergovernmental relations. Appropriate mechanisms and procedures should be developed by each Department of DM in this regard. All legislation, policies, plans and projects of DM, generic to a department at National or Provincial Government, should be aligned to enhance the effectiveness of all spheres of government.



## **7. ALIGNMENT WITH NATIONAL GOVERNMENT**

- 7.1 DM will maintain open, cooperative and constructive relations with National Government. All Portfolios/Departments of Council will therefore participate in programs and structures such as the Municipal Manager's Forum, established on national level to address issues of service delivery in terms of:

- 7.1.1 Legislation;
- 7.1.2 Integrated Development Planning;
- 7.1.3 Financial Matters;
- 7.1.4 Policies;
- 7.1.5 Projects and programmes.

## **8. ALIGNMENT WITH PROVINCIAL GOVERNMENT**

- 8.1 Provincial Government has a number of roles and responsibilities with respect to local government that are "interrelated" in the sense that each must exercise its autonomy to the common good of the province by cooperating with one another.
- 8.2 The Municipal Systems Act ("Systems Act"), Municipal Structures Act ("Structures Act") and the Municipal Finance Management Act ("MFMA") place legal instruments at the disposal of provincial government to enter into relationships with DM.
- 8.3 DM should, inter alia, ensure that the Municipal IDP forms a viable development framework across the district and is vertically integrated with the Provincial Strategies. Provincial Government is also responsible for processing of grants to municipalities to promote strategies of local and provincial interest.
- 8.4 Provincial Government also has a major intergovernmental role to play with respect to local government. It should establish forums and processes for the purpose of including local government in decision-making processes affecting it in terms of:
- 8.4.1 Good governance;
  - 8.4.2 Integrated Development Planning;
  - 8.4.3 Financial matters;
  - 8.4.4 Policies;
  - 8.4.5 Projects and programmes; and
  - 8.5.6 Growth and Development programmes.
- 8.6 DM participate in structures and programs established to promote intergovernmental relations on a provincial level, with the view to enhance effective and efficient service delivery. These are:
- Provincial Ministers Mayoral Technical Forum (MinMay Tech)

- Premiers Coordinating Forum (PCF)
- 8.7 There are also special purpose IGR structures which were instituted for the alignment of provincial and municipal priorities and service delivery. These are:
  - Provincial and Municipal Top Management Retreat between Heads of Departments and Municipal Managers.
  - Annual “meet and greet between Ministers and Executive Mayors.
- 8.8 DM participates in a range of other line specific IGR Forums and platforms that meet regularly. To name a few, these are:
  - IDP Managers Forum
  - Municipal Accounting Officer’s Forum
  - HR Practitioners Forum
  - Records Management Forum
  - Constitutional Task Team

## **9. ALIGNMENT WITH DISTRICT AND LOCAL MUNICIPALITIES WITHIN THE WESTERN CAPE PROVINCE**

- 9.1 The Intergovernmental Relations Framework Act, 2005 aims to foster friendly relationships within government but also to ensure that each sphere performs its functions as required by the Constitution.
- 9.2 The objective of the Act is to give effect to the constitutional requirements regarding the structures and institutions to promote IGR and mechanisms and procedures to facilitate dispute resolution.
- 9.3 The purpose of the legislation is to encourage coordination across the three spheres of government in the implementation of policy and legislation, but also to ensure proper coordination within district municipalities. The Act establishes a broad statutory framework dealing with:
- Key principles of co-operative government and IGR;
  - Intergovernmental forums that form the institutional spine of IGR;
  - Implementation protocols that facilitate integrated service delivery; and
  - Rules for the settlement of intergovernmental disputes.
- 9.4 Section 24(1) of the Local Government Systems Act, 2000 provides as follows:

*“24(1) The planning undertaken by a municipality must be aligned with, and complement, the development plans and strategies of other affected municipalities and other organs of state so as to give effect to the principles of cooperative government contained in section 41 of the Constitution.”*

- 9.5 This clearly requires the neighbouring municipalities to interact as regards to planning matters. DM will interact and cooperate with neighbouring municipalities as required from time to time to promote service delivery.

## **10. ALIGNMENT WITH ORGANISED LOCAL GOVERNMENT**

- 10.1 The Constitution allows for municipalities to organise and to form municipal associations. A National organisation, The South African Local Government Association (SALGA) and nine Provincial associations have been established.
- 10.2 Section 3(3) of the Local Government: Municipal Systems Act, 2000 provides as follows with regard to the role of organised local government:

*“3(3) For the purpose of effective cooperative government, organised local government must seek to:*

- 1. develop common approaches for local government as a distinct sphere of government;*
- 2. enhance cooperation, mutual assistance and sharing of resources among municipalities;*
- 3. find solutions for problems relating to local government generally; and*
- 4. Facilitate compliance with the principles of cooperative government and intergovernmental relations.”*

- 10.3 SALGA’s key role is the effective representation of local government in the legislative processes of all spheres of government and in intergovernmental executive processes.
- 10.4 SALGA also represents focal government interests in forums such as the National Council of Provinces, the Financial and Fiscal Commission, the Budget Forum dealing with intergovernmental transfers, MINMEC, and in the drafting of legislation that affects the status, institutions, powers and functions of municipalities.
- 10.5 It is imperative that SALGA should develop strong internal mandating and consultative processes with municipalities. SALGA is also an employers’ organisation and constitutes the employer component of the South African Local Government Bargaining Council.
- 10.6 SALGA’s role is, inter alia:

- 10.6.1 The provision of specialised services to supplement and strengthen the capacity of municipalities;
- 10.6.2 Research and information dissemination;
- 10.6.3 Facilitating shared learning between municipalities;



- 10.6.4 Human resource development;
- 10.6.5 Councillor training.
- 10.7 The provincial SALGA establishes working groups on which DM must be represented by councillors as deployed by the DM.
- 10.8 Technical Committees are also established for each of the working groups on which DM must be represented by officials as assigned by the DM.
- 10.9 DM will participate in these structures to promote service delivery and will cooperate with SALGA on matters as required from time to time.

## **11. ADHERENCE TO THE ALIGNMENT TO AVOID FUTURE DISPUTES**

- 11.1 In terms of the Intergovernmental Relations Framework Act, all organs of state must make every reasonable effort –
  - 11.1.1 To avoid intergovernmental disputes when exercising their statutory powers or performing their statutory functions; and
  - 11.1.2 To settle intergovernmental disputes without resorting to judicial proceedings.
- 11.2 The Act requires that any formal agreement between two or more organs of state in different governments regulating the exercise of statutory powers or performance of statutory functions, including any implementation protocol or agency agreement, must include dispute-settlement mechanisms or procedures that are appropriate to the nature of the agreement and the matters that are likely to become the subject of a dispute.
- 11.3 DM will, as required by the Act, make every reasonable effort to settle any dispute with another organ of state, and should such reasonable efforts fail, follow due processes as prescribed by the relevant legislation.

## **12. MONITORING, EVALUATION AND REVIEW**

- 12.1 The implementation of this Policy will be monitored by IIRO.
- 12.2 The Policy will be reviewed after each political term of 5 years.

## ANNEXURE 1: PARTNERSHIP CATEGORY SUMMARY TABLE

Category	Priority criteria
<b>Business enhancement partnerships</b>	<ol style="list-style-type: none"> <li>1. Potential to attract inward investment to Drakenstein;</li> <li>2. Depth of capital markets;</li> <li>3. Access to markets for goods and services produced in Drakenstein;</li> <li>4. Existing synergies with Drakenstein-based industry sectors, particularly the catalytic growth sectors;</li> <li>5. Opportunities for skills transfer;</li> <li>6. Opportunities for technology transfer;</li> <li>7. Opportunities for representative business organization exchanges and collaboration; and,</li> <li>8. Scale of existing trade;</li> <li>9. Enhance export opportunities for Drakenstein-based businesses.</li> </ol>
<b>Governance improvement partnerships</b>	<ol style="list-style-type: none"> <li>1. Track record of excellence and innovation;</li> <li>2. Comparable socio-economic challenges;</li> <li>3. Opportunities for knowledge transfer;</li> <li>4. Opportunities for skills transfer;</li> <li>5. Opportunities for personnel exchanges and secondments;</li> <li>6. Comparable size, population and Gross Domestic Product;</li> <li>7. Existing local, regional, national or historical ties;</li> <li>8. Access to donor funding; and,</li> <li>9. National membership of BRICS, AU, SADC, Commonwealth of Nations, ASEAN or MERCOSUR member states.</li> </ol>
<b>Social development partnerships</b>	<ol style="list-style-type: none"> <li>1. Comparable socio-economic challenges;</li> <li>2. Shared democratic values;</li> <li>3. Existing local, regional, national or historical ties;</li> <li>4. National membership of BRICS, AU, SADC, Commonwealth of Nations, ASEAN or Mercosur; and,</li> <li>5. Opportunities for dialogue, networking, exchanges or partnerships for the following types of Drakenstein-based organizations: <ol style="list-style-type: none"> <li>i. Community organizations</li> <li>ii. Non-governmental organizations</li> <li>iii. Sports organizations</li> <li>iv. Cultural organizations.</li> </ol> </li> </ol>

## ANNEXURE 2: SUMMARY TABLE OF ROLES AND RESPONSIBILITIES

Applicant	High Level Summary of Roles and Procedures.
<b>International stakeholder</b>	<ol style="list-style-type: none"> <li>1. Consult DIRCO and South African Missions abroad;</li> <li>2. A formal proposal is drafted by the proposing stakeholder that includes its general information and a motivation guided by one of the sets of factors detailed in Section 5.1;</li> <li>3. The proposal must be submitted to the I&amp;IGR Forum for review and to make a recommendation to the Executive Mayor for final decision; and,</li> <li>4. If financial implications, the proposal is submitted to Council after consultation with the Accounting Officer.</li> </ol>
<b>Municipal department</b>	<ol style="list-style-type: none"> <li>1. A formal proposal is drafted for consideration by the relevant Executive Director. This proposal should be guided by one of the sets of factors detailed in Section 5.1;</li> <li>2. The proposal must be submitted to the I&amp;IGR Forum for review and to make a recommendation to the Executive Mayor for final decision; and,</li> <li>3. If financial implications, the proposal is submitted to Council after consultation with the Accounting Officer.</li> </ol>
<b>I&amp;IGR section</b>	<ol style="list-style-type: none"> <li>1. I&amp;IGR and CRM section must acknowledge receipt of the proposal.</li> <li>2. Proposal is scrutinized in terms of policy.</li> <li>3. Verify proposal in liaison with the Provincial Department of the Premier, Department of Local Government, SALGA and DIRCO in accordance with policy guidelines.</li> <li>4. Submit proposal to I&amp;IGR Forum for review and make recommendations to the Executive Mayor for final decision.</li> </ol>
<b>Mayco</b>	<ol style="list-style-type: none"> <li>1. Relevant individual drafts a formal proposal, which is guided by one of the sets of factors detailed in Section 5.1;</li> <li>2. The proposal must be submitted to the I&amp;IGR Forum for review and to advise the Executive Mayor for a decision; and,</li> <li>3. If financial implications, the proposal is submitted to Council after consultation with the Accounting Officer.</li> </ol>



### ANNEXURE 3: TYPES OF AGREEMENT SUMMARY TABLE

Type of Agreement	Details
Partnership Agreements	<ol style="list-style-type: none"><li>1. Formal agreement entered into between DM and one or more international stakeholders;</li><li>2. Focuses on addressing a specific issue or set of issues of mutual concern;</li><li>3. Factors detailed in Section 5.1 apply;</li><li>4. Entails a commitment to action by all parties for the duration of the partnership;</li><li>5. Commitment to action may include financial commitments, and;</li><li>6. The benefits of each partnership must be reviewed according to factors detailed in Sections 5.9 -5.11 of the Policy.</li></ol>

<b>Twinning Agreements</b>	<ol style="list-style-type: none"> <li>1. Formal arrangement, indicating mutual intentions and goodwill, but does not entail a legally binding document.</li> <li>2. The purpose is to provide an opportunity for contact on as wide scale as possible with local communities of other countries.</li> <li>3. The agreement must be aimed at real socio-economic interaction,</li> <li>4. Funding must be available as the interaction increases the effectiveness of projects arising from such an arrangement;</li> <li>5. The agreement creates opportunities for the extension of mutual understanding, visits, contact and co-operation, as well as an exchange of knowledge.</li> <li>6. The benefits of each partnership must be reviewed according to factors detailed in Sections 5.9 -5.11 of the Policy.</li> <li>7. Formal acceptance of the agreement should be arranged in one of the participating cities/ towns. The acceptance ceremony should take any form, preferably during a Council or Special Council meeting. The ceremony may include a formal signing of the proposed agreement by both Mayors.</li> <li>8. The acceptance date should be planned carefully to ensure maximum publicity. The National Policy Framework recommends that the date should where possible correspond with an important event of national or local interest.</li> </ol>
<b>Membership Agreements</b>	<ol style="list-style-type: none"> <li>1. Formal agreement committing DM to membership of an international organization;</li> <li>2. Organizations may include, but are not limited to, international organizations, alliances, networks, forums, associations and platforms;</li> <li>3. May entail financial commitments;</li> <li>4. May include commitment to attend organization meetings, and;</li> <li>5. The benefits of each membership must be reviewed according to factors detailed in Sections 5.9 -5.11 of the Policy.</li> </ol>

<b>Memoranda of Understanding</b>	<ol style="list-style-type: none"> <li>1. Formal agreement entered into between DM and one or more international stakeholders;</li> <li>2. Generally takes the form of an expression of shared understanding pertaining to a specific issue;</li> <li>3. May include a commitment to action by one or more parties;</li> <li>4. May entail financial commitments;</li> <li>5. Variations may include, but are not limited to, Memoranda of Agreement, Friendship Agreements, Cooperation Agreements and Collaboration Agreements, and;</li> <li>6. The benefits of each Memorandum must be reviewed according to factors detailed in Sections 5.9 -5.11 of the Policy.</li> </ol>
<b>Grant Agreements</b>	<ol style="list-style-type: none"> <li>1. Formal agreement pertaining to grant monies entered into between DM and one or more international stakeholders;</li> <li>2. Entails financial commitments on the part of one or more of the parties to the agreement;</li> <li>3. Conditions of grant may entail commitments to action on the part of one or more of the parties, and;</li> <li>4. The benefits of each Agreement must be reviewed according to factors detailed in Sections 5.9- 5.11 of the Policy.</li> </ol>
<b>Official Development Assistance (ODA) Agreements</b>	<ol style="list-style-type: none"> <li>1. Formal agreement entered into between DM and one or more international stakeholders from outside South Africa</li> <li>2. Entails commitments by Donor to commit funding and/ or technical assistance and DM who is responsible for specified obligations imposed under the Agreement;</li> <li>3. Conditions of Agreement always entail commitments to action on the part of both parties, i.e. the Donor being solely accountable for project expenditure and the IA (i.e. DM) to manage received resources, and;</li> <li>4. The benefits of each Agreement must be reviewed according to factors detailed in Sections 5.9- 5.11 of the Policy.</li> </ol>



<b>Statements of Intent</b>	<ol style="list-style-type: none"> <li>1. Formal statement referring to intended future actions, or a statement of values;</li> <li>2. May be issued unilaterally to together with one or more partner international stakeholders;</li> <li>3. Generally does not entail financial commitments;</li> <li>4. Includes joint declarations, charters and accords, and;</li> <li>5. The benefits of each Statement must be reviewed according to factors detailed in Sections 5.9- 5.11 of the Policy.</li> </ol>
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**MINUTES: COUNCIL/RAAD/IBHUNGA**  
**29 NOVEMBER 2017**

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<b>7.15 INTERNATIONAL AND INTERGOVERNMENTAL RELATIONS POLICY</b>
<b>INTERNASIONALE EN INTEROWERHEIDSVIRHOUDINGE BELEID</b>
<b>UMGAQO NKQUBO WAMAZWE NEMICIMBI YAMASEBE KARHULUMENTE ANGAPHAKATI</b>

**UNANIMOUSLY RESOLVED**

that the International and Intergovernmental Relations Policy be approved.

Meeting: Council – 31/10/2017		Submitted by Directorate: Corporate Services	
Ref No: 2/B		Author/s: L Nonjozi	
Coll Nr: 1259404		Referred from: MC- 22/11/2017	
<u>PAR:</u>	<u>ACTION:</u>	<u>RESPONSIBLE DEPT:</u>	<u>DUE DATE:</u>
	1. Implement decision 2. Update policy register, 3. Intranet and website	1. ED: Corporate Services (IGR) 2-3 Admin	