



# SWAZILAND

## SUMMARY

Swaziland is a constitutional monarchy with two spheres of government: national and local. Local government is enshrined in the constitution and the main governing legislation is the Urban Government Act 1969. Responsibility for local government rests with the Ministry of Housing and Urban Development and there are 13 urban local authorities and 55 rural councils called tinkhundla. A national decentralisation policy was adopted in 2006. Following the 2012 local elections, 14.4% of councillors were women. In 2013/14, local government expenditure was 2.7% of total government expenditure. The municipalities hold revenue-raising and budget-setting powers whilst the tinkhundla do not. Local government responsibilities include town planning, water and sanitation, waste management and environmental protection.

## 1. NATIONAL GOVERNMENT

Swaziland is a constitutional monarchy with a bicameral parliament whose two chambers: a house of assembly and a senate.<sup>44.1a</sup> The head of state is HM King Mswati III; the king appoints the prime minister, who is usually the leader of the majority party in the house of assembly following an election, for a maximum of two five-year terms, and subsequently the cabinet on the advice of the prime minister. The house of assembly has 65 members; 55 elected by universal suffrage directly from tinkhundla centres and ten appointed by the king for a term of up to five years. The senate is composed of 30 members, of whom ten are elected by the house of assembly and 20 are appointed by the king. Swaziland is divided into four administrative regions, each with a regional administrator appointed by the king as its political head. Following the 2013 national election, 6.2% (4/65) of elected representatives and 33.3% (10/30) of senators were women.<sup>44.1b</sup>

## 2. LEGAL BASIS FOR LOCAL GOVERNMENT

### 2.1 Constitutional provisions

Article 218 (1) in Chapter VIII of the constitution<sup>44.2a</sup> enshrines local government, stating that 'parliament shall within five years of the commencement of this Constitution provide for the establishment of a single country-wide system of local government which is based on the tinkhundla system of government'.

### 2.2 Main legislative texts

The principal relevant legislation is the Urban Government Act 1969,<sup>44.2b</sup> which applies to urban local authorities. Its principles are also used in rural authorities. A national decentralisation policy was adopted in 2006.<sup>44.2c</sup>

### 2.3 Proposed legislative changes

A bill was put before parliament in 2015 which would replace the Urban Government Act with a new piece of all-inclusive local government legislation giving legal status to the rural tinkhundla. In 2015 the Ministry of Housing and Urban Development (MHUD) was also working on two new sets of guidelines: one on local economic development and one on public-private partnerships for local government. No update available.

### 2.4 National urban policy

No information is available.

## 3. STRUCTURE OF LOCAL GOVERNMENT

### 3.1 Local government within the state

Local government is divided into urban and rural councils. The urban councils are municipalities and the rural councils are the tinkhundla. In each of the four regions there are several tinkhundla (singular 'inkhundla', plural 'tinkhundla') managed by a regional administrator through elected members in each inkhundla. There are 13 declared urban areas – comprising two city councils, four town councils and seven town boards, and 55 tinkhundla.



## KEY FACTS

**POPULATION (2017 estimate):**  
1,145,970

**AREA (UN 2006):**  
17,366 sq km

**CAPITAL:**  
Lobamba (royal and legislative);  
Mbabane (administrative)

**CURRENCY:**  
Swazi lilangeni (SZL)

**HEAD OF STATE:**  
HM King Mswati III

**HEAD OF GOVERNMENT:**  
Prime Minister Barnabas Sibusiso Dlamini

**FORM OF GOVERNMENT:**  
constitutional monarchy

**PARLIAMENTARY SYSTEM:**  
bicameral

**STATE STRUCTURE:**  
unitary

**LANGUAGES:**  
English (official), Siswati

**NATIONAL ELECTIONS:**  
last: Sept 2013, turnout: na; next: 2018

**WOMEN IN PARLIAMENT (2013):**  
6.2%

**LOCAL ELECTIONS:**  
last: 2017, turnout: na; next: 2022

**WOMEN RURAL COUNCILLORS:**  
14.4% (2013)

**LOCAL GOVERNMENT EXPENDITURE as a percentage of total government expenditure 2013/14:**  
2.7%

**Table 44.1a Distribution of councils and population**

| Region       | Urban councils | Tinkhundla (rural) | Population (2007 Census) | Population (2017 estimate) | % rural (2010) |
|--------------|----------------|--------------------|--------------------------|----------------------------|----------------|
| Hhohho       | 4              | 14                 | 282,734                  | na                         | na             |
| Manzini      | 4              | 16                 | 207,731                  | na                         | na             |
| Shiselweni   | 3              | 14                 | 319,530                  | na                         | na             |
| Lubombo      | 2              | 11                 | 208,454                  | na                         | na             |
| <b>TOTAL</b> | <b>13</b>      | <b>55</b>          | <b>1,018,449</b>         | <b>1,145,970</b>           | <b>78.6</b>    |

Source: MHUD communication with CLGF, and 2007 Census with 2017 estimate<sup>44.3a</sup>

### 3.2 Ministerial oversight

Under the Urban Government Act, responsibility for urban local government rests with the ministry of Housing and Urban Development<sup>44,4b</sup> (MHUD), which has power to define urban areas; while responsibility for rural local government rests with the Ministry of Tinkhundla Administration and Development<sup>44,4c</sup> (MTAD). The respective ministers have considerable power granted by parliament. They can call on a local authority to explain its performance and may take punitive measures, including dissolving a council in extreme cases. The minister may appoint an inspector or an auditor, or establish a commission of enquiry to carry out any investigation to assist him or her in making an appropriate decision.

### 3.3 Council types

Local government is divided into differently structured rural and urban councils. Although there are a range of political structures within the local authorities, effectively the urban councils are municipalities and the rural councils are tinkhundla. There are three tiers of government in the urban areas: city councils, town councils and town boards. Similarly, there are three tiers in the rural areas: the regional administration, the tinkhundla and chiefdoms. Decisions are made by full council based on recommendations from the various sub-committees. The town clerk is the chief advisor in each local authority council or town board.

**3.3.1 Urban councils** are required to establish a finance committee. Apart from this they have discretion in the establishment of other committees. The mayor is a part-time post, limited primarily to chairing council meetings and performing ceremonial functions. Remuneration for council members is set by the minister. The urban councils typically have a bureaucracy staffed by qualified personnel exercising independent decision-making from the national government.

**3.3.2 Regional administration:** Administratively, Swaziland is divided into four regions each administered by a regional administrator appointed by the king in line with the constitution. The term of office of the regional administrators is five years and runs concurrently with the term of office of parliamentarians. The regional administrators are the political heads of the region. They however play a more coordinative role in the function of government administration in the region as all the different ministries have direct control of regional departments.

**3.3.3 Tinkhundla:** Below the regional administration are 55 tinkhundla. These are local governments established by the Tinkhundla Administration Order of 1978 and the Constitution of 2005. According to the constitution, and in practice, an inkhundla can be rural or urban, or partly rural and partly urban. These structures are also used as constituencies for the elections of members of parliament. The member of parliament is actively involved in the day-to-day operation of the tinkhundla. The council head is known as the 'induna yenkhundla', while the councillors are known as 'buchopho' and represent chiefdoms, which were the traditional rural local authorities.

### 3.4 Traditional leadership (chiefdoms)

Under each inkhundla are various chiefdoms which are 100% rural. Leadership in the chiefdoms is hereditary. A chief is appointed in line with each chiefdom's protocols and procedures, but can only assume chieftaincy once blessed by the king. Only males may be appointed as chiefs but in the event of a vacancy a female may be appointed to act until an heir to the throne is identified.

## 4. ELECTIONS

### 4.1 Recent local elections

The latest local elections were held in October 2017 and the next scheduled for 2022.

### 4.2 Voting system

Local government elections for councillors are conducted under the first-past-the-post secret ballot system, on the basis of universal adult suffrage. Urban local authorities are divided into wards through which voting for councillors takes place. The term of office for a councillor is five years. Mayors are elected from amongst the councillors on an annual basis. Elections of mayors take place within 14 days after the end of the civic year which runs from 1 May to 30 April each year.

### 4.3 Elected representatives

Town boards and town councils are managed by a partly elected and partly appointed board/council. Municipal councils are administered by a fully elected council. The tinkhundla are managed by the regional administrator through elected members in each inkhundla.

### 4.4 Women's representation

In the 2012 rural elections 14.4% (48/334) of buchopho and 9.1% (5/55) of the indvuna yenkhundla were women. In the municipal councils, 13% of councillors and 25% of regional administrators were women.

## 5. SYSTEMS FOR COMMUNITY INVOLVEMENT

### 5.1 Legal requirement

Chapter 58 of the constitution provides that the country shall be 'a democratic country dedicated to principles which empower and encourage the active participation of all citizens at all levels in their own governance'.

### 5.2 Implementation

The ward system is used to consult residents.

### 5.3 ICT use in citizen engagement

Mbabane city council has a webpage.<sup>44,5a</sup>

## 6. ORGANISED LOCAL GOVERNMENT

### 6.1 National local government association

All councils are members of the Swaziland Local Government Association (SWALGA), formerly the Swaziland National Association of Local Authorities. This is a voluntary organisation funded by membership subscriptions. The association is registered in law. The role of SWALGA is to be the representative voice of local government in Swaziland. SWALGA's remit is to develop ways and means of representing the diverse needs of the different types of local authorities in the country, with four key goals: to promote local democracy, to facilitate a sound relationship with national government, to strengthen institutions and to lobby effectively on legislation affecting local government.

### 6.2 Other associations of local government

The Local Authority Managers' Association of Swaziland (LAMAS) is a technical association of professionals with the objective of enhancing capacity and professional development.

## 7. INTERGOVERNMENTAL RELATIONS

Urban local authorities enjoy full autonomy from the national government to the extent necessary for their operation. Nevertheless, the Urban Government Act provides for instances where national government may take a role in local authority administration. The Urban Government Act does not provide for intergovernmental relations.

## 8. MONITORING SYSTEMS

Although there is no local government ombudsman, the Urban Government Act does make provision for appeals from citizens. The Minister of Housing and Urban Development is generally the adjudicator and may use his or her powers under the Act to establish an inspection, audit or commission so that matters are adequately addressed.



Table 44.1b Women councillors and mayors following the last two local elections

| Election                        | 2008/09   |              | 2012/13    |              |
|---------------------------------|-----------|--------------|------------|--------------|
|                                 | #         | %            | #          | %            |
| <b>All councillors</b>          |           |              |            |              |
| All female councillors          | na        | na           | na         | na           |
| All male councillors            | na        | na           | na         | na           |
| <b>Total councillors</b>        | <b>na</b> | <b>100.0</b> | <b>na</b>  | <b>100.0</b> |
| <b>Rural buchopho</b>           |           |              |            |              |
| Female rural buchopho           | na        | na           | 48         | 14.4         |
| Male rural buchopho             | na        | na           | 286        | 85.6         |
| <b>Total rural buchopho</b>     | <b>na</b> | <b>100.0</b> | <b>334</b> | <b>100.0</b> |
| <b>Indvuna yenkhundla</b>       |           |              |            |              |
| Female indvuna yenkhundla       | na        | na           | 5          | 9.1          |
| Male indvuna yenkhundla         | na        | na           | 50         | 90.9         |
| <b>Total indvuna yenkhundla</b> | <b>na</b> | <b>100.0</b> | <b>55</b>  | <b>100.0</b> |
| <b>Municipal councillors</b>    |           |              |            |              |
| Female councillors              | na        | na           | na         | 13           |
| Male councillors                | na        | na           | na         | 87           |
| <b>Total councillors</b>        | <b>na</b> | <b>100.0</b> | <b>na</b>  | <b>100.0</b> |
| <b>Municipal mayors</b>         |           |              |            |              |
| Female mayors                   | na        | na           | na         | na           |
| Male mayors                     | na        | na           | na         | na           |
| <b>Total councillors</b>        | <b>na</b> | <b>100.0</b> | <b>na</b>  | <b>100.0</b> |

Source: MHUD communication with CLGF

Table 44.2a Aggregate income and expenditure for local government 2013/14

| Income                        | SZLm       | Expenditure              | SZLm       |
|-------------------------------|------------|--------------------------|------------|
| <b>Centre-local transfers</b> |            | <b>Administration</b>    |            |
| Restricted                    | 100        | Staff                    | 130        |
| <b>Locally raised revenue</b> | <b>230</b> | <b>Services</b>          | <b>213</b> |
| <b>TOTAL INCOME</b>           | <b>330</b> | <b>TOTAL EXPENDITURE</b> | <b>343</b> |

Source: MHUD communication with CLGF

Table 44.2b Local government expenditure as a percentage of total government expenditure 2014/15

|   | 2014/15<br>SZL bn |
|---|-------------------|
| Total government expenditure  | 12.9              |
| Total local government expenditure  | 0.34              |
| <b>Local government expenditure as a percentage of total government expenditure</b> | <b>2.6%</b>       |

Source: Table 44.2a and the national budget statement 2015<sup>44,9</sup>

There is a requirement for all local authorities to submit their accounts and financial statements for external independent audit. The audit report goes to both the council and the minister.

## 9. FINANCE, STAFFING AND RESOURCES

### 9.1 Local government expenditure

In 2013/14 local government expenditure was 2.7% of national government expenditure - see table 44.2b.

### 9.2 Locally raised revenue

Municipalities hold revenue-raising and budget-setting powers but tinkhundla operate with direct funding from government. Municipal councils are permitted to set deficit budgets where they are able to ensure sustainability.

### 9.3 Transfers

Urban councils receive national government transfer payments according to a set formula. Both general and specific grants are allocated. The ministerial supervision of locally raised taxes is conducted through examination of the overall budgets set by municipal councils. The tinkhundla are funded entirely by government grants from an Empowerment Fund (SZL130,000 per council per annum) and a Regional Development Fund (SZL10m per region per annum). These funds are mainly for stimulating local economic development through funding viable projects.

### 9.4 Loans

No information is available.

### 9.5 Local authority staff

Local authorities are responsible for the employment of their staff. However the Urban Government Act 1969 stipulates that the minister must approve the employment and conditions of service for senior staff. Under certain circumstances, especially when capacity-building is required in an authority, national government staff will be deployed until the local authority can assume property-levying or other key functions. The head of the paid service is referred to as either the town clerk or chief executive officer. Councils are required to have a town engineer, a clerk to council and a chief health officer. Typically the urban councils have five department heads, managed by the town clerk. In contrast to urban councils, the tinkhundla do not have managerial staff. The Ministry of Tinkhundla Administration and Development is currently addressing this issue.

## 10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

### 10.1 Overview of local government service delivery responsibility

Local government is responsible for town planning, housing, roads, regulation of water and sanitation, refuse collection and disposal, environmental protection, parks and open spaces, cemeteries and crematoria and slaughterhouses. Authorities have discretionary powers in the provision of sports and leisure facilities, welfare homes and tourism promotion.

### 10.2 ICT use in service delivery and 10.3 The role of local government in achieving the UN Sustainable Development Goals (SDGs)

The national e-government strategy identifies Tinkhundla's as key intermediaries to ensure accessibility to e-Government services by rural and remote areas as well as by persons who may not be literate or technology literate. This derives from the devolution process that the Government of Swaziland has embarked upon – that of empowering regions through Tinkhundlas (and chiefdoms) to: Facilitate the coordination and implementation of government priorities as outlined in the National Development Strategy, PRSPs, SDGs and other national priorities within the portfolio of the Ministry for Tinkhundlas Administration (MTA); provide financial and technical support to the Regional and Tinkhundla Centres and Committees to help address and reduce the impact of poverty; improve the capacity of Regional, Tinkhundla and Chiefdoms to plan, implement, manage and monitor development programmes and the delivery of services for their constituencies; coordinate

and facilitate an integrated approach of all developmental programmes, projects, activities and other initiatives by Development Agencies, Government Departments and Non-Governmental organisations at Regional, Sub-Regional, and Tinkhundla and chiefdom levels; facilitate and implement the decentralisation of all basic services from the national government to the grassroots level; build and strengthen community capacities and skills to participate in the country's socio-economic development for the attainment of sustainable development and poverty alleviation; efficiently disburse and monitor development funds aimed at poverty reduction (Regional Development Fund, Empowerment Fund and Community Poverty Reduction Fund); coordinate the implementation of the regional multi-sectoral HIV / AIDS response and strategies; establish mechanisms to develop, coordinate and disseminate information on regional and Tinkhundla activities and programmes; and, undertake research that will inform local economic development planning.<sup>44,10</sup>

### REFERENCES AND USEFUL WEBSITES

- 44.1a Government of Swaziland [www.gov.sz](http://www.gov.sz)
- 44.1b Women in national parliaments. Inter-Parliamentary Union <http://archive.ipu.org/wmn-e/classif.htm>
- 44.2a Constitution of Swaziland [www.gov.sz/images/stories/Constitution%20of%20%20SD-2005A001.pdf](http://www.gov.sz/images/stories/Constitution%20of%20%20SD-2005A001.pdf)
- 44.2b Urban Government Act 1969 <http://faolex.fao.org/docs/pdf/swa12415.pdf>
- 44.2c Decentralisation Policy 2006 [www.infocenter.nercha.org.sz/sites/default/files/DecentrPolicy.pdf](http://www.infocenter.nercha.org.sz/sites/default/files/DecentrPolicy.pdf)
- 44.3a 2007 Census (page 6) and 2017 population estimate (page 20) <http://ccm.org.sz/documents/reports/hiv/Population-Projections-Report-2007-2030.pdf>
- 44.3b Ministry of Housing and Urban Development [www.gov.sz/index.php?option=com\\_content&view=article&id=272&Itemid=975](http://www.gov.sz/index.php?option=com_content&view=article&id=272&Itemid=975).
- 44.3c Ministry of Tinkhundla Administration and Development [www.gov.sz/index.php?option=com\\_content&view=article&id=505&Itemid=430](http://www.gov.sz/index.php?option=com_content&view=article&id=505&Itemid=430)
- 44.4 Elections and Boundaries Commission [www.elections.org.sz](http://www.elections.org.sz)
- 44.5 Mbabane City Council [www.mbabane.org.sz](http://www.mbabane.org.sz)
- 44.6 Swaziland Local Government Association [www.swalga.org.sz](http://www.swalga.org.sz)
- 44.7 No reference for this section
- 44.8 No reference for this section
- 44.9 Based on figure of SZL343m for local government expenditure in Table 2a and SZL12.9bn for total government expenditure in national government's 2014/15 budget speech [www.gov.sz/images/Health/budget speech 2015.pdf](http://www.gov.sz/images/Health/budget%20speech%202015.pdf)
- 44.10 No reference for this section
- 44.11a UN statistics surface area <http://unstats.un.org/unsd/demographic/products/dyb/dyb2006/Table03.pdf>
- 44.11b Commonwealth Local Government knowledge hub [www.clgf.org.uk/resource-centre/knowledge-hub](http://www.clgf.org.uk/resource-centre/knowledge-hub)
- 44.11c UNDP HDR Swaziland country profile <http://hdr.undp.org/en/countries/profiles/SWZ>



## Annex 44a Summary of service provision in different spheres of government in Swaziland

| Services                                 | Delivering authority |                |            | Remarks |
|--|----------------------|----------------|------------|---------|
|  | National government  | Urban councils | Tinkhundla |         |
| <b>GENERAL ADMINISTRATION</b>            |                      |                |            |         |
| Police                                   | ■                    |                |            |         |
| Fire protection                          | ■                    |                |            |         |
| Civil protection                         | ■                    |                |            |         |
| Criminal justice                         | ■                    |                |            |         |
| Civil status register                    | ■                    |                |            |         |
| Statistical office                       | ■                    |                |            |         |
| Electoral register                       | ■                    | ■              | ■          |         |
| <b>EDUCATION</b>                         |                      |                |            |         |
| Pre-school (kindergarten and nursery)    |                      |                |            |         |
| Primary                                  | ■                    |                |            |         |
| Secondary                                | ■                    |                |            |         |
| Vocational and technical                 |                      |                |            | Private |
| Higher education                         | ■                    |                |            |         |
| Adult education                          | ■                    |                |            |         |
| <b>SOCIAL WELFARE</b>                    |                      |                |            |         |
| Family welfare services                  | ■                    | ■              | ■          |         |
| Welfare homes                            | ■                    |                |            |         |
| Social security                          | ■                    |                |            |         |
| <b>PUBLIC HEALTH</b>                     |                      |                |            |         |
| Primary care                             | ■                    | ■              | ■          |         |
| Hospitals                                | ■                    |                |            | Private |
| Health protection                        |                      |                |            |         |
| <b>HOUSING AND TOWN PLANNING</b>         |                      |                |            |         |
| Housing                                  | ■                    | ■              | ■          |         |
| Town planning                            |                      | ■              | ■          |         |
| Regional planning                        |                      |                |            |         |
| <b>TRANSPORT</b>                         |                      |                |            |         |
| Roads                                    | ■                    |                |            |         |
| Transport                                | ■                    |                |            |         |
| Urban roads                              | ■                    | ■              | ■          |         |
| Urban rail                               | ■                    |                |            |         |
| Ports                                    | na                   |                |            |         |
| Airports                                 | ■                    |                |            |         |
| <b>ENVIRONMENT AND PUBLIC SANITATION</b> |                      |                |            |         |
| Water and sanitation                     | ■                    |                |            |         |
| Refuse collection and disposal           |                      | ■              | ■          |         |
| Cemeteries and crematoria                |                      | ■              | ■          |         |
| Slaughterhouses                          |                      | ■              | ■          |         |
| Environmental protection                 | ■                    | ■              | ■          |         |
| Consumer protection                      | ■                    |                |            |         |
| <b>CULTURE, LEISURE AND SPORTS</b>       |                      |                |            |         |
| Theatres and concerts                    |                      |                |            |         |
| Museums and libraries                    | ■                    |                |            |         |
| Parks and open spaces                    |                      | ■              | ■          | Private |
| Sports and leisure facilities            | ■                    | ■              | ■          |         |
| Religious facilities                     | ■                    | ■              | ■          |         |
| <b>UTILITIES</b>                         |                      |                |            |         |
| Gas services                             |                      |                |            |         |
| District heating                         |                      |                |            |         |
| Water supply                             | ■                    |                |            |         |
| Electricity                              | ■                    |                |            |         |
| <b>ECONOMIC</b>                          |                      |                |            |         |
| Agriculture, forests and fisheries       | ■                    | ■              |            |         |
| Local economic development/promotion     | ■                    | ■              | ■          |         |
| Trade and industry                       | ■                    | ■              | ■          |         |
| Tourism                                  | ■                    | ■              | ■          |         |

■ sole responsibility service ■ joint responsibility service ■ discretionary service