



THE LOCAL GOVERNMENT SYSTEM IN

SWAZILAND



members whilst the House of Assembly is made up of 55 elected members. The latter are elected by universal suffrage directly from tinkundla centres. Their term of office is up to five years. The Senate comprises ten members elected by the Assembly and 20 appointed by the monarch. Political parties are illegal.

Swaziland is divided into four regions, Hhohho, Manzini, Lubombo and Shiselweni. The regional administrator is the political head of a region. In each region there are several tinkundla that are managed by him/her. Each tinkundla has a development committee elected from the various chiefdoms, called bucopho, which is elected for a term of five years. Local government contributed 3% to GDP in 2000.

2 POLITICAL AND ORGANISATIONAL STRUCTURE OF SWAZILAND

The last general election was held in October 2003. Following the election Absolom Dlamini was appointed prime minister. The next election is due to be held before November 2008.

2.1 Position of local government in the state

Local government areas are defined in the Urban Government Act 1969. The Minister of Housing and Urban Development defines urban areas under Section 6 of the Urban Government Act. There are 12 declared urban areas, comprising two city councils, three town councils and seven town boards. The minister enjoys considerable power granted to him by parliament. The minister can call for explanation on local authority performance and may take punitive measures, including dissolving a council under extreme cases. These powers are often

1 INTRODUCTION

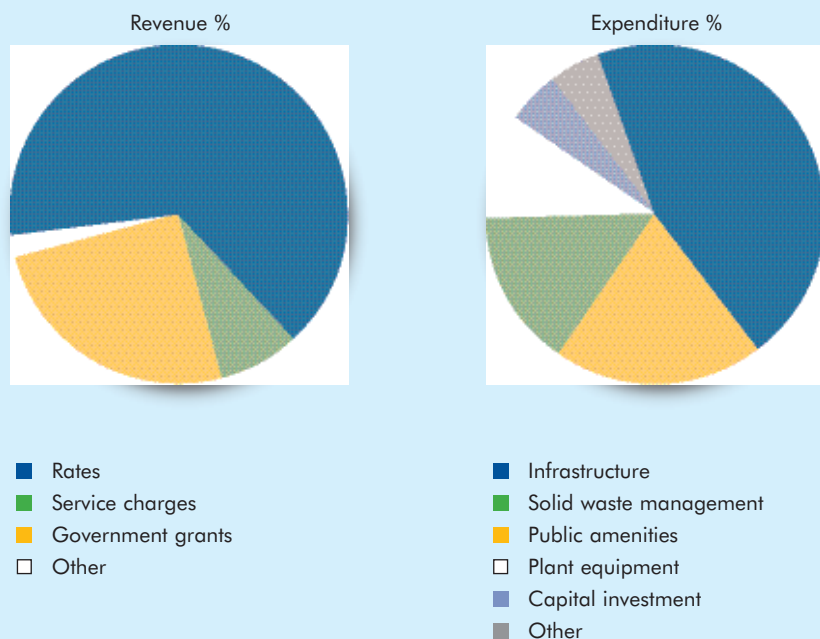
The Kingdom of Swaziland is a landlocked country in southern Africa bordered by South Africa to the north, west and south and Mozambique to the east. Its area is 17,366 sq km and its population is 1,133,066.¹

Swaziland is a unitary state, with HM King Mswati III as head of state. The King appoints the prime minister and cabinet. The legislature, sitting in the capital Mbabane, is bicameral comprising the House of Assembly and the Senate. The Senate is composed of 30

Table 1. Distribution of local authorities

District	Number of authorities		Population	% rural
	Urban	Tinkundla		
Hhohho	4	14	295,000	
Manzini	4	16	360,000	
Shiselweni	2	14	210,000	
Lubombo	2	11	305,000	
Total	12	55	1,170,000	78

Figure 1. The financial structure of local government in Swaziland



exercised arbitrarily without a proper investigation and establishment of facts on the matter. The minister may appoint an inspector or an auditor, or establish a commission of enquiry to carry out the investigation to assist in the taking of an appropriate decision.

3 LEGAL BASIS FOR LOCAL GOVERNMENT

3.1 Constitutional provisions

Local government is currently regulated by legislation. However, the draft constitution includes a section that will entrench local government. This will require the redefinition of local government areas and the establishment of a dedicated ministry for local government.

3.2 Main legislative texts

The main legislative text governing local government is the Urban Government Act 1969, amended in 2001 and 2003. The Department for Urban Government in the Ministry of Housing and Urban Development is responsible for the administration of this Act.

4 LOCAL GOVERNMENT ORGANISATIONAL STRUCTURE

4.1 Main divisions

Local government is divided into rural and urban councils. These are structured differently. Although there are different political structures to the local authorities, effectively the urban councils are municipalities and the rural councils are the tinkundla. There are 12 municipalities and 55 tinkundla. The municipalities have the authority to hire and

dismiss staff and also hold revenue-raising and budget-setting powers; the tinkundla do not.

There are three tiers of government in the urban areas: city councils, town councils and town boards. Equally there are three tiers in the rural areas where there is the regional administration, tinkundla and chiefdoms.

4.2 Distribution of local governments and population

The tinkundla have an average population of 18,000 ranging in size from five to ten chiefdoms. The municipalities average 7,000 residents ranging in size from 1,400 residents to 68,000 residents. 22% of the population lives in urban areas.

5 DEMOCRATIC AND POLITICAL STRUCTURES IN LOCAL GOVERNMENT

Local government elections for councillors are conducted under the first-past-the-post 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 councillors is three years.

Mayors are elected indirectly from amongst the councillors on an annual basis.

The ward system is used to consult residents on council matters.

Decisions are made by full council based on recommendations made by the various committees established under the Urban Government Act. The town clerk is the chief advisor in each local authority council or town board.

Currently about 8% of councillors are women, and there is one female mayor.

5.1 Urban councils

The municipal 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 to chairing council meetings and performing ceremonial functions. The remuneration for the council and its committees is set by each local authority but must be approved by the minister.

The urban councils typically have a bureaucracy staffed by qualified personnel exercising independent decision-making from the central government.

5.2 Tinkundla

Each tinkundla has *bucopho* elected from the various constituency chiefdoms in its area. *Bucopho* bring to the tinkundla all matters of interest and concerns of their various chiefdoms, and take back to the chiefdoms the decisions of the tinkundla. Allowances for *bucopho* members are determined by the deputy prime minister's office.

The tinkundla have minimal staff and are funded entirely by government grants, in the form of Emalangi (E)70,000 empowerment fund and the *inhlangelo* fund, a seed capital fund (E40m per annum).

5.3 Local government staffing

The local authorities are responsible for the employment of their staff. The Urban Government Act however stipulates that the employment and conditions of service for senior staff must be approved by the minister. Under certain circumstances, especially when capacity-building is required in an authority, central government staff will be deployed until the local authority can assume property-levying functions.

Councils are required to have a town clerk, a town engineer, clerk to council and a chief health officer.

The head of the paid service is referred to as either the town clerk or chief executive officer.

Typically, the urban councils have five department heads managed by the town clerk. The tinkundla do not have managerial staff, in contrast to urban councils. This issue is currently being addressed by the deputy prime minister's office.

5.4 Independent scrutiny

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

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

6 DISTRIBUTION OF SERVICE DELIVERY COMPETENCE

Local government in Swaziland is responsible for town planning, housing, roads, 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 (see Annex A).

7 FINANCE

7.1 Revenue

The total aggregate revenue of local government in 2003/2004 was Emalangeni 8.28m (US\$785,837). The main sources of revenue were:

1. Rates	65%
2. Service charges	8%
3. Government grants	25%
4. Other	2%

Municipal councils are responsible for setting and collecting taxes and user fees.

7.2 Revenue-sharing

Urban councils receive central government transfer payments according to a formula set in policy. 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.

7.3 Expenditure

The total aggregate expenditure by local government in 2003/2004 was Emalangeni 7.93m (US\$752,184). The main items of expenditure were:

1. Infrastructure	45%
2. Solid waste management	20%
3. Public amenities	15%
4. Plant equipment	10%
5. Capital investment	5%
6. Other	5%

Municipal councils are permitted to set deficit budgets where they are able to ensure sustainability.

8 ORGANISATIONS OF LOCAL GOVERNMENT

The Swaziland National Association of Local Authorities (SNALA) is open for membership to local politicians (councillors). It is a voluntary organisation funded through membership subscriptions. The association is registered in law and is recognised for its operation in the country.

The role of SNALA is to promote local democracy, facilitate a sound relationship with central government, strengthen institutions and lobby on legislation affecting local government.

SNALA is currently affiliated to the African Union of Local Authorities (AULA).

9 INTERGOVERNMENTAL RELATIONS

Intergovernmental relations in Swaziland are formal and governed by legislation requiring dialogue between central, regional and local government structures.

10 E-GOVERNMENT

The national government is implementing an e-government strategy that is linked with the major cities in Swaziland. In the cities themselves, individual authorities have achieved different levels of sophistication in the use of the internet. Currently senior staffs of the major towns and cities are accessible by email, and Mbabane and Manzini have web pages.

In 2005 there were 36,000 internet users in Swaziland, representing 3.1% of the population.²

11 ENVISAGED REFORMS

A comprehensive review of both local government policy and the Local Government Act is expected to be enacted. Among other measures it is expected to unify the local government system, removing the urban/rural split that exists currently.

12 MISCELLANEOUS

12.1 Traditional leaders

The chiefs play an important role in the environment of local government in Swaziland. Their future role will also be affected by the constitutional changes.

13 SUMMARY

Local government in Swaziland is divided between rural and urban authorities. The urban authorities, municipalities, have substantially more autonomy than their rural counterpart, the tinkundla. The major responsibilities of urban councils are in the areas of housing and town planning, the environment and public sanitation.

References

1 & 2 CIA World Factbook 2007

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

● = discretionary service by the local authority