



The local government system in

Swaziland



Key facts

POPULATION (Census 2007): 1,018,449
AREA: 17,364 sq km
CAPITAL: Lobamba (royal and legislative); Mbabane (administrative)
LOCAL GOVERNMENT CONTRIBUTION TO GDP: -
CURRENCY: Emalengeni (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: September 2008; turnout: - next: 2013
LOCAL ELECTIONS: no information provided

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 12 municipalities and 55 rural councils called tinkundla. The municipalities hold revenue-raising and budget-setting powers whilst the tinkundla

do not. Local government responsibilities include town planning, water and sanitation, waste management and environmental protection.

1. CENTRAL GOVERNMENT

Swaziland is a constitutional monarchy with a bicameral parliament comprising the House of Assembly and the Senate. The hereditary head of state is HM King Mswati III. Of the 65 members of the House of Assembly, 55 are elected by universal suffrage directly from tinkundla centres

and ten are appointed by the king for a term of up to five years. The Senate comprises ten members elected by the Assembly and 20 appointed by the monarch. The king appoints the prime minister from the elected members of the Assembly on the recommendation of his advisory council and also appoints the cabinet on the advice of the prime minister. Swaziland is divided into four administrative regions, each with a regional administrator appointed by the king as its political head.

**Table 1.** A Distribution of councils and population (Census 2007)

District	No. of authorities						Population	% rural
	Urban			Rural				
	City	Town* council	Town* boards	Reg. admin	Tinkundla	Chiefdoms		
-							-	-
Hhohho	1	2		1	14	n/a	282,734	n/a
Manzini	1	2		1	16	n/a	319,530	n/a
Shiselweni		3		1	14	n/a	208,454	n/a
Lubombo		3		1	11	n/a	207,731	n/a
TOTAL	2	10	7	4	55	360	1,018,449	78.9

*District breakdown of towns not available Source: Central Statistical Office¹

2. LEGAL BASIS FOR LOCAL GOVERNMENT

2.1 Constitutional provisions:

Chapter VIII of the constitution enshrines local government.

2.2 Main legislative texts:

The principal relevant legislation is the Urban Government Act 1969.

3. STRUCTURE OF LOCAL GOVERNMENT

3.1 Local government within the state:

In each of the four regions there are several tinkundla (singular 'inkundla', plural 'tinkundla') managed by a regional administrator through elected members in each inkundla. There are 12 declared urban areas, comprising two city councils, three town councils and seven town boards.

3.2 Ministerial oversight:

The responsibility for local government rests with the Ministry of Housing and Urban Development, which has power to define urban areas. The minister has considerable power granted by parliament. He or she can call for explanation on local authority 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 in the taking of an appropriate decision.

3.3 Council types:

Local government is divided into differently structured rural and urban councils. 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. 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: the regional administration, tinkundla and chiefdoms. Decisions are made by full council based on recommendations made by 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 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 central government.

3.3.2 Tinkundla: Each inkundla has a development committee (bucopho) elected from the various constituency chiefdoms in its area for a five-year term. Bucopho bring to the inkundla all matters of interest and concern to their various chiefdoms, and take back to the chiefdoms the decisions of the inkundla. The chairman of the bucopho is elected at the inkundla and is called indvuna ye nkundla.

3.4 Traditional leadership:

The importance of traditional leadership is acknowledged within the constitution, not only within the local government structure (Chapter XIII) but also within a specific chapter, Chapter XIV, as follows: 'The Swazi traditional government is administered according to Swazi law and custom and the traditional institutions that are pillars of the monarchy.'

4. ELECTIONS

4.1 Recent local elections:

No information provided for this edition.

Table 2. Aggregate revenue and expenditure for local government (2009/2010)

Revenue	Em ,000,000	Expenditure	Em ,000,000
Government transfer		Admin and operational	
Conditional grants	25	Elected representatives	3
Unconditional grants	15	Staff	78
Locally raised revenue		Facilities total	16
Local taxes	0	Operational Costs	48
Property taxes	102	Service delivery	
User fees and charges	35	Infrastructure	20
		lighting	5
		Civic offices	14
Miscellaneous/ other	21.4	loan repayments	16
TOTAL	198.5	TOTAL	200

Source: Ministry of Physical Development, Housing, Urban Renewal and Local Government



4.2 Voting system:

Local government elections for councillors are conducted under a 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 indirectly from amongst the councillors on an annual basis.

4.3 Elected representatives:

No information provided for this edition.

4.4 Women's representation:

In 2009, approximately 8% of councillors were women, including one mayor.

5. SYSTEMS FOR COMMUNITY INVOLVEMENT

5.1 Legal requirement:

No information provided for this edition.

5.2 Implementation:

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

5.3 E-government:

There is no e-government strategy for local government, though Mbabane and Manzini have web pages and electronic communication is used in many of the urban councils.

6. ORGANISED LOCAL GOVERNMENT

6.1 National local government association:

The Swaziland Local Government Association (SWALGA), formerly the Swaziland National Association of Local Authorities, is open to membership by local councillors. It is a voluntary organisation funded through membership subscriptions. The association is registered in law. The role of SWALGA is to promote local democracy, facilitate a sound relationship with central government, strengthen institutions and lobby on legislation affecting local government.

6.2 Other local government associations:

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

7. INTERGOVERNMENTAL RELATIONS

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

8. MONITORING SYSTEMS

Although there is no local government ombudsman, the Urban Government Act 1969 does make provision for appeals from citizens.

The minister 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.

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 Locally raised revenue:

The municipalities hold revenue-raising and budget-setting powers whilst the tinkundla do not. Municipal councils are responsible for setting and collecting taxes and user fees. Municipal councils are permitted to set deficit budgets where they are able to ensure sustainability.

9.2 Transfers:

Urban councils receive central 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.

9.3 Local authority staff:

The municipalities have the authority to hire and dismiss staff whilst the tinkundla do not, the minister however must approve the employment and conditions of service for senior staff. 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 or other key functions.

The head of the paid service is referred to as either the town clerk or chief executive officer and councils are required to also have a town engineer, a clerk to council and a chief health officer. In contrast to urban councils, the tinkundla have minimal staff and are funded entirely by government grants, in the form of emalangeni (SZL) 130,000 – the Empowerment Fund – and the Regional Development Fund, SZL10m per annum per region. These funds are mainly for stimulating local economic development through funding viable projects.

10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

Local government is responsible for town planning, housing, roads, water and sanitation, refuse collection and disposal, environmental protection, parks and open spaces, cemeteries and crematoria and slaughter-houses. Authorities have discretionary powers in the provision of sports and leisure facilities, welfare homes and tourism promotion. Swaziland has a very active

Alliance of Mayors and Municipal Leaders on HIV in Africa (AMICAALL) programme and local HIV/AIDS response is now a core service delivery function of all LAs.

References and useful websites

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9. World Bank 2002 'The role of local government in effective service delivery in Swaziland'
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11. Association of Finnish L&RA 2009 'Salombabane cooperation programme'
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12. Association of Finnish L&RA 2009 'Aspects of Local Self-Government in Swaziland'
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13. AFLRA Swaziland Local Government Association factsheet
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14. Constitution of Swaziland
<http://aceproject.org/ero-en/regions/africa/SZ/CONSTITUTION%20OF%20THE%20KINGDOM%20OF%20SWAZILAND%202005.pdf>
15. Swaziland Local Government Project 'Environmental and Social Management Framework'
www.gov.sz/SiteResources/documents/Swaziland%20Environmental%20and%20Social%20Management%20Framework.pdf



Annex A. Summary of service provision in different spheres of government

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