



Republic of Namibia

STATEMENT BY
DR PEYA MUSHELENGA, MP
MINISTER OF URBAN AND RURAL DEVELOPMENT
ON THE STATE OF AFFAIRS AT THE TOWN COUNCIL OF
RUNDU

16 MARCH 2020

RUNDU, KAVANGO EAST REGION

Hon. Dr. Samuel Mbambo, Governor of Kavango East Region,

Hon. John Thiguru, Chairperson of Kavango East Regional Council,

Your Worship Cllr. Isaac Kandingu, Mayor of Rundu Town and other Hon. Councillors of Rundu Town Council

Management and Staff members of Rundu Town Council

Members of the Media

Ladies and Gentlemen

Good morning to you all. I am here on behalf and delegated by the Honourable Minister to meet with and to announce to the Town Council of Rundu the decision and plan of action of the Minister in response to the ongoing worrisome state of governance and delivery of services at the town.

In keeping with the oversight role assigned to the Minister in terms of the Local Authorities Act, 1992 (Act No. 23 of 1992) as amended, the Ministry of Urban and Rural Development has, for some years now, been closely monitoring the state of affairs in Rundu in terms of governance and service delivery.

From our assessment and the ongoing complaints from the residents, it is my conclusion that all has not been and is not well. The specific reported and noted problems are the persistent lack of the requisite governance structures and consequent lack of proper strategic direction and leadership as well as lack of or or service delivery to the residents.

In recognition of the statutory powers, duties and functions that have been conferred on the Town Council in terms of sections 6(1)(b), 11, 21 (1)(a) and 30 of the Local Authorities Act, 1992 (Act No. 23 of 1992) as amended, the Ministry has for some time now allowed the Council space put its house in order, and the Ministry largely limited its role to that of arm's length support and guidance.

In this regard, the Minister and the Ministry in general have intervened on many occasions and in many ways with the hope of bringing about the needed change and leadership on the part of the Council. The specific interventions, which have been undertaken are:

- Issuance of several Ministerial directives in line with the powers of the Minister as provided for in the Local Authorities Act, 1992 (Act No. 23 of 1992), as amended, and the Constitution;

- **Convening of meetings with the Council (Councillors and management);**
- **Various interventions whereby the Ministry dispatched officials to travel to Rundu to provide hands-on or on-the-spot guidance and assistance; and**
- **As A request by the Minister to the Council to provide a written representation or verifiable proof to the Minister that the Council proof that the Council was performing its statutory powers, duties and functions as set out in the Local Authorities Act, 1992.**

The situation at Rundu Town Council can be summed up as a case of a Council which is unable or failing to exercise the powers and perform the duties and functions assigned to a local authority Council in terms of Section 30 of the Local Authorities Act,1992 (Act No. 23 of 1992) as amended. Specifically, the Council is characterised by the following:

- **Persistent lack of the requisite governance structures and consequent lack of proper strategic direction and leadership as well as lack of or service delivery to the residents largely due to squabbles, division or lack of teamwork within the governing Council as well as between the Councillors and Management. It is regrettable that, from our assessment, the division at the political leadership level of the Council has unfortunately filtered down to the operational levels of the Town Council planting similar seeds of conflicts and disunity, which together is compromising service delivery and accountability to the members of the public who are supposed to be served by this Council;**
- **Secondly, the Ministry has also noted with serious dismay non-compliance to the provisions of the Act in many aspects. This include the statutory requirements for the constitution of functional Council governance structures as well as the holding of Council meetings and submission of minutes of Council meetings to the Minister ; and**

- **Thirdly, there is reason to believe that there is lack of proper financial management and accountability for public resources entrusted to Council (monies paid to Council by residents and/or allocated by the Central Government).**

The combined effect of the above-mentioned instances of lack of functional governance structures, leadership and unity of purpose as well as operational efficiency is that the Town Council is failing to serve its purpose and role as set out in the governing Act and more importantly the provision of requisite services to the residents.

In the public interest and having considered the persistent leadership squabbles and lack of requisite governance structures, which have resulted in the lack or the deprivation of essential basic services to the residents, I am here to announce my decision as published in **Government Gazette Notice 83 issued on 16 March 2020, which reads as follows and I quote:**

***“SUSPENSION FROM OFFICE OF MEMBERS OF TOWN
COUNCIL OF RUNDU***

Under Section 92(2) of the Local Authorities Act (Act No. 23 of 1992), I –

(a) declare that all the powers, duties and functions of the Town Council of Rundu vest in the Minister; and

(b) suspend all the members of the Town Council of Rundu from office, with effect from the date of publication of this notice in the Gazette.

(Signed Dr P. Mushelenga, Minister of Urban and Rural Development)

In view of the suspension of the Town Council of Rundu, I have just announced, I am also hereby announcing my decision to put in place an interim Council governance structure at Rundu as follows:

- The appointment of Mr. Sebastian Kantema to exercise all the powers, duties and functions of the Minister. Mr. Kantema will assume duty with immediate effect and will be supported by the Council’s Management.

- **Given the critical role of the Chief Executive Officer as the chief administrator and Accounting Officer, I am hereby directing my Representative to among others prioritise the filling of this vacancy position.**

I wish to take this opportunity to point out and emphasise the following:

Firstly, that our country is run on a governance system guided by policies, laws and regulations, which must at all times be complied with, failing which there will be consequences and the culprits will be called upon to reckon.

In terms of the Local Authorities Act, 1992 (Act No. 23 of 1992) as amended, the Minister of Urban and Rural Development has a duty and obligation to ensure that the above-mentioned legal instruments are complied with to the latter at all levels of local government. Where these instruments are violated, ignored or contravened, the Minister, in the public interest, is duty bound to ensure compliance, including through penal actions.

For the Ministry, it is immaterial which political party the Councillors involved belong to or what party has the majority of Councillors in an area. As it is self-evident, my action in respect of the Town Council of Rundu is not based on any political considerations or influence but is simply guided by the obligation that is placed on the Minister to ensure order, a functional Council and above all the protection of public interest.

It must be clear to all local authorities that the Ministry in general and the Minister in particular will continue to monitor performance and will not hesitate to take swift action against any local authority in the event of non-compliance to the Law and failure in service delivery to the public.

I thank you all for your attendance and attention.