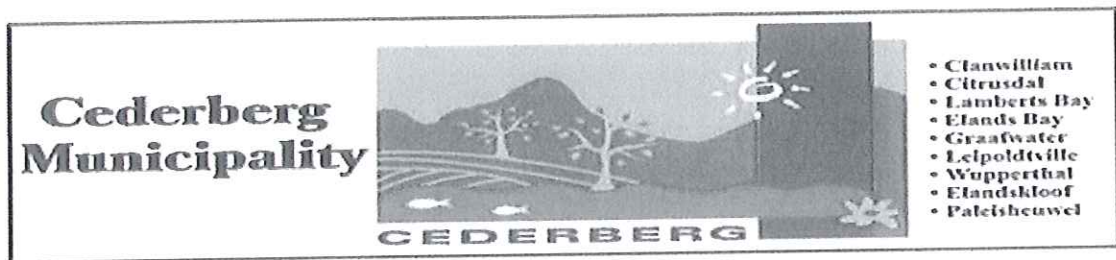


COUNCILLOR PROTECTION AND VEHICLE USE | 2013
POLICY

CEDERBERG MUNICIPALITY



COUNCILLOR PROTECTION AND VEHICLE USE POLICY

1. Purpose

1.1 The purpose of this policy is to provide protection to all councillors (public representatives) of the Cederberg Local Municipal Council (the Council), in particular ward councillors, during the times of violent service delivery protests or political instable situations that threaten their lives relating to their duties as councillors.

2. Objectives

2.1 Violent service delivery protests are increasing countrywide, including the areas within the jurisdiction of the Cederberg Local Municipality (the Municipality). These violent service delivery protests are mainly directed at ward councillors who become targets at the times of the protests.

2.2 These pressing circumstances necessitate the municipality to develop and put in place a regulatory mechanism and measures, within its powers, to provide support to all vulnerable councillors who will from time to time be exposed to attacks from the communities.

3. Who to Protect?

3.1 All councillors including their property and family members who are staying with a councillor concerned during the time of threats or actual attacks.

4. What Type of Protection?

4.1 Protection provided includes, inter alia, escorts, evacuations, armed response, ad hoc patrols and guards, depending on the nature of the threat or attack subject to funds available in terms of the Municipality's annual budget.

Councillor Protection Policy

4.2 No firearm will be issued to any councillor under threat or attack.

4.3 Threat or attack should relate to the councillor's council duties.

5. Who to Authorise or Withdraw Protection?

5.1 Upon the request or recommendation, based on the risk analysis, the Speaker can authorise that protection be provided to a councillor or on the other hand he/she can withdraw the protection if he/she deems necessary.

6. Establishment of Councillor Protection Unit

6.1 Powers and Functions

6.1.1 The Municipality must establish a Councillor Protection Unit (the Unit) whose main purpose is to deal with all matters pertaining to the protection of councillors.

6.1.2 The Unit must play a major role in terms of recommending and advising the Speaker on matters of the protection of councillors. The unit will be managed by the Director Community Development Services and the Chief of Traffic and law enforcement services.

6.1.3 The Unit must advise and recommend the requirements for a person to be trained as a member of the Municipality's Councillor Protection Unit.

6.1.4 Members identified must undergo an intensive training for the purposes of executing their duties effectively and efficiently.

7. Risk Analysis

7.1 Office of the Speaker should conduct a risk analysis profile of all councillors to determine the levels of risk each councillor is exposed to.

7.2 The Office of the Speaker should undertake the risk profiling in consultation but not limited to the SAPS, National Intelligence Authority, Municipality's unit responsible for Protection

services, Municipality's Law Enforcement and leaders of structures in the wards as well as social organizations within the communities.

7.3 The risk analysis should be comprehensive and should factor in the levels of responsibility councillors are given in their respective areas.

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8. No Insurance

8.1 This policy or its provisions must not be interpreted or regarded as an insurance to the councillor's life or his/her property in cases of attacks leading to death or property damage.

8.2 Councillors are, accordingly, advised to secure their own insurances in this regard.

9. Response During Emergencies

9.1 All councillors should have a telephonic link with the Municipality's Councillor Protection Officer.

9.2 Any councillor under attack should immediately contact the Director Community Development Services to report the incident.

9.3 The Director or his/her designated member should immediately also contact the SAPS to provide a rapid response service.

10. Protection During Normal Circumstances

10.1 Traffic Chief is responsible for coordination of all measures for protection and related matters, including but not limited to calling of Emergency Medical Services and Disaster Management Services.

10.2 Any councillor under threats should report any incident to the Office of the Speaker who will then notify all political parties in Council of the impending threat to the councillor(s).

10.3 Traffic Chief should then ensure that the officers investigating the matter are immediately and put in place any immediate security measures, should so required.

MAYOR, DEPUTY MAYOR, SPEAKER AND MAYCO : NORMAL PROVISION OF SERVICE

1.1 The Mayor, Deputy Mayor, Speaker and Mayco shall be entitled to VIP protection on a permanent basis should such protection be justified;

1.2 Such protection shall consist of not more than two armed escort each for the Mayor, Deputy Mayor and Speaker;

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1.3 Such escorts shall be provided on submission of a request from the Incumbent to the Municipal Manager.

1.4 The escorts will accompany the Mayor, Deputy Mayor, Speaker and Chief Whip to all official and private functions and may remain with at the respective places of residence after hours.

2. MAYOR, DEPUTY MAYOR, SPEAKER AND MAYCO : EMERGENCY SITUATIONS

2.1 In cases of emergency or where a significant additional threat has been established, the Mayor, Deputy Mayor, Speaker and Mayco may request additional security personnel but prior to the allocation thereof the necessary investigations shall be concluded;

2.2 In the event of an emergency situation arising the escort shall take immediate steps to ensure the safety of the Mayor, Deputy Mayor, Speaker and Mayco and advise the respective control centres who shall in turn advise the SAPS of the situation but shall take no further action, unless the SAPS fail to respond;

2.3 The control centre shall in the first instance contact the SAPS and thereafter the Director who shall keep the Municipal Manager informed of all aspects of any particular threatening incident;

2.4 The guarding service provider is required to maintain continuous communication with the SAPS at all times in respect of VIP security.

3. PROTECTION OF COUNCILLORS

3.1 Protection will be provided to any Councillor when under threat subject to the following procedure:-

3.1.1 Such threats being reported to the Speaker, whose duty it will be to in turn notify the Municipal Manager;

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3.1.2 Prior to the approval of such security arrangements, a risk assessment be carried out by the SAPS, the Municipal Manager and any other such structures as may be considered relevant.

3.2 Notwithstanding 3.1.2 above, if the application is well motivated and an imminent life threatening situation exists, security be provided to the Councillor by the SAPS in the interim period while the assessment is taking place at the discretion of the Municipal Manager;

3.3 The period for which the security is provided is dependant upon the outcome of the assessment referred to in 3.1.2 above;

3.4 In the event of an emergency situation arising the same procedure as set out in 3.1 and 3.2 above, be followed.

4. CRITERIA FOR PROTECTION

Unqualified evidence of a physical or verbal threat to a Councillor which may result in an impending consequence must be provided to enable the process referred to in 3.1.2 above to be undertaken but should any of the outcomes divulge that the threats emanate from a private matter, the incumbent will not qualify for security.

5. AUTHORITY FOR APPROVAL OF SERVICE

5.1 Only the Municipal Manager may approve the allocation of VIP escort protection, including any related expenditure, or the discontinuance of, VIP escort protection which must be ratified by the Mayco.

5.2 The final duration of the allocation shall be approved by Mayco having due regard to the outcome of the risk assessment referred to in 3.1.2 above, it being noted that a periodical review may be undertaken.

5.3 All services shall be procured through an approved process in terms of the Councils Supply Chain Management Policy, and emergency in terms of Regulation 36

6. TYPE OF PROTECTION FOR COUNCILLORS

The type of protection offered may be in the form of only

6.1 One armed escort at any particular time and place subject to a clear directive from the SAPS on the numerical allocation.

6.2 The allocation of escorts will be subject to availability of funds in an appropriate vote.

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7. PROVISION OF DRIVERS FOR MAYOR

- 7.1 The Mayor in office shall be entitled to a chauffeuring service on a permanent basis;
- 7.2 Such service shall consist of one driver/protector for an 8-hour shift and will be provided for on the Council's staff structure;
- 7.3 The driver will accompany the Mayor to both official and private functions

POLICY FOR THE USE OF MUNICIPAL VEHICLES BY COUNCILLORS

Municipal vehicles are the property of the municipality, funded by the ratepayers of Cederberg and should only be used for municipal purposes. The Municipal Manager, as accounting officer of the municipality, is accountable for the property of Cederberg Municipality. In terms of the determination of upper limits of salaries, allowances and benefits of municipal councillors by the Minister of Provincial and Local Government, a travelling allowance covering **500** kilometers forms part of the remuneration package of councillors.

The distance of 500 kilometers is deemed to be sufficient for a councillor to cover traveling within the municipal area as part of his/her day-to-day activities as a councillor in the applicable constituency. Councillors will be reimbursed for travelling expenses outside the municipal boundaries of Cederberg Municipality in terms of the Subsistence and Travel Policy of the council.

2. Circumstances under which councillors may use official vehicles Council vehicles may only be used for official purposes under the following conditions:

2.1 To destinations outside the boundaries of Cederberg Municipality

- For traveling to destinations outside the municipal area of Cederberg when the councilor is delegated to attend a meeting on behalf of Cederberg Municipality
- After completion of a Trip Authorization Form and obtaining the approval of the Municipal Manager in terms of the procedure stipulated in section 3.

2.2 Within the boundaries of Cederberg Municipality

- Where the councillor's private vehicle is not suitable to reach certain destinations within Cederberg Municipality's boundaries

- Upon providing authorization that the cost for such usage be deducted from the Councillor's allowance at the next payment of salaries and allowances, calculated as follows:

2 x Distance travelled X applicable Department of Transport tariff for the use of privately owned vehicles

- After completion of a Trip Authorization Form and obtaining the approval of the Municipal Manager in terms of the procedure stipulated in section 3.

2.3 Mayoral vehicle

The following conditions for the use of the mayoral vehicle will apply:

- The official mayoral vehicle may only be used by the Mayor and his/her companion attending functions, to which he/she in his/her capacity of Mayor of Cederberg has been formally invited; or

- A councillor representing the Mayor, with his/her companion, at a function whereto the Mayor was invited in his/her capacity as Mayor of Cederberg;

- Usage is subject to prior completion of a Trip Authorization Form and obtaining the approval of the Municipal Manager in terms of the procedure stipulated in section 3.

- No passengers, other than the Mayor's companion, aide or bodyguard, councillors or municipal officials may be transported in this vehicle

- The logbook for this vehicle must be submitted to the Municipal Manager at the end of each month

3. Procedure to obtain approval for the use of a municipal vehicle

3.1. Arrangements for use of a municipal vehicle must be made timeously.

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- 3.2. Before any Councillor is handed a municipal vehicle an official Trip Authorization Form must be completed, in order to clearly indicate the official nature of such trip and further specify a destination and duration of usage.
- 3.3. All supporting documents/invitations are to be appended to the Trip Authorization Form in support of the trip to be undertaken.
- 3.4. In the event of no supporting documents being available the Councillor is to indicate full detail on the Trip Authorization Form in order to specify the reasons why such trip should be deemed as official council business.
- 3.5. On completion of the foregoing documentation the Municipal Manager or designated official will endorse the Trip Authorization Form authorizing the trip.
- 3.6. On completion of the trip vehicle keys together with the odometer readings indicating the actual distance travelled are to be handed to Municipal Manager's Secretary.
- 3.7. The vehicle is to be inspected for any damage prior to departure and at the return of the vehicle to the administration.

