



## MEMORANDUM

**DATE:** 03 May 2023  
**TO:** EThekweni Municipality Speaker  
**FROM:** ActionSA  
**SUBJECT** Immediate removal of ANC murder-accused councillor in the Metro, and Municipal payroll

ActionSA notes with great concern the lack of decisive action taken from you as the Speaker of eThekweni Metro Municipality, regarding the issue of an ANC ward 101 councillor who has been on the Municipality's payroll, receiving his remuneration for an entire year despite missing numerous council meetings, as he was denied bail and remained behind bars.

Further noting that ,the eThekweni ANC regional secretary was on national TV two days ago where he blamed you as the Speaker for not taking decisive action on this particular matter.

During last councillor meeting on the 26th April 2023, as ActionSA we asked you to confirm whether the councillor in jailed was still receiving a salary or not , you did confirm on record that indeed he does get full benefits every month.

Therefore, we are calling on you to exercise your powers as per the *Local Government Municipal Structures Act, Code of Conduct for Councillors* and EtheKweni Municipality Standing Rules of order where there are relevant sections that empowers you as the Speaker to remove the murder-accused councillor Ngiba from the council.

As ActionSA we have made the conscious decision to picket outside your office and hand over the memorandum to you, where we demand the following within the next 14 days:


- 1- You exercise your power as the Speaker of the eThekweni Municipality and immediately remove the councillor from the Metro, due to contravening multiple provisions of the *Code of Conduct for Councillors* under section 4(2), which states that:  
"A councillor who is absent from three or more consecutive meetings of a municipal council, must be removed from office as a councillor".
- 2- Apologize publicly that your failure to act has resulted to rate-payer funds payed to the jailed councillor that amounts to R541 681 which is the gazetted total


remuneration package of Metro councillor. This should be regarded and recorded as wasteful expenditure by your own office.


- 3- As the Speaker, you owe the residents of eThekweni an explanation about status of ward 54 councillor whom also was arrested for murder. Although the councillor was granted bail but he has been on step aside as per ANC decision. Councillor Mnguni continues to receive a salary for more than a year without doing community work as a councillor.
- 4- There be immediate discussions between the Municipality, COGTA and IEC to begin the process of a by-election in ward 101.
- 5- You immediately engage with the ANC about ward 54 councillor who has been on step aside for more than a year.

Thank you.

The office of the Speaker in the eThekweni Metro Municipality receives and acknowledges this memorandum and agrees to heed and pursue the demands.

This memorandum is received by:  
Name & Surname: Thuzani Nyawo  
Signature:   
Date: 03/05/2023

This memorandum is handed over by:  
Name & Surname: Zwako Mnguni  
Signature:   
Date: 03/05/2023

Signature of witness number 1:   
Signature of witness number 2: 