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DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

NO. 8209 **24 November 2026**

DEPARTMENT OF COOPERATIVE GOVERNANCE

LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT,2000 MUNICIPAL STAFF AMENDMENT REGULATIONS, 2026

1. The Minister of Cooperative Governance and Traditional Affairs intends, in terms of section 72 read with section 120 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (the Act), and after consultation with the bargaining council established for municipalities and the Minister of Public Service and Administration and organised local government representing local government nationally, to make the regulations set out in the Schedule hereto. In accordance with section 120(4) of the Act the regulations are made available for public comment.

2. The draft Regulations seek to amend the Municipal Staff Regulations, 2021 to align them with the requirements of the Metro Trading Services Reform Programme;; to provide a targeted regulatory dispensation to allow for flexibility in the extent of control of the Municipal Manager, where required to implement the reform; to support the implementation of the Single Point of Management Accountability (SPoMA) model; to strengthen administrative and professional accountability in the management of trading services; and to promote the broader objective of professionalising local government administration in line with the constitutional principles of public administration.

3. Electronic copies of the draft Regulations may be obtained from the CoGTA website www.cogta.gov.za or may be requested by or at:
Email: nakedim@cogta.gov.za or johnt@cogta.gov.za

4. Hard copies of the draft Regulations may be collected at: Directorate: Municipal Human Resources Systems
Department of Cooperative Governance
509 Pretorious Street,
Pencardia 1 Building, 4th Floor,
Pretoria, Arcadia, 0001

5. All interested parties and organisations are invited to submit written comments on the draft Regulations by no later than 30 days after the publication date of this notice in the *Gazette* by-

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(a) Emailing comments to:
nakedim@cogta.gov.za or johnt@cogta.gov.za

(b) Posting comments to:
Director-General
Department of Cooperative Governance
Attention: Municipal Human Resources Systems
Private Bag X804
Pretoria 0001

6. Kindly provide the name, address, telephone number and the email address of the person or organisation submitting the comments.

_____

VELENKOSINI HLABISA
MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

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GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

SCHEDULE

Definitions

1. In this Schedule, "the Regulations" means the Regulations published under Government Notice No. 890 of 2021 in the Government Gazette No. 45181 on 20 September 2021.

Amendment of regulation 5 of the Regulations

2. Regulation 5 of the Regulations is hereby amended—

(a) by the substitution for the sub-regulation preceding sub-regulation (4) of the following sub-regulation:

"

[(3)] (3A) Unless specified, personal security of **[POBs]** public officer bearers is subject to a threat and risk analysis conducted by the South African Police Service.";

(b) by the substitution in sub-regulation (4) for the words preceding paragraph

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(a) of the following words:

"(4) A municipality may, in exceptional circumstances and upon good cause shown, and **[in]** after consultation with the relevant MEC for local government, deviate from the requirements of **[sub-regulation]** sub-regulations (1), (2) and (3) after considering the following factors:";

(c) by the substitution in sub-regulation (4) for paragraph *(d)* of the following paragraph:

"*(d)* the financial capacity of the municipality, with the wage and salary bill not exceeding financial ratios and norms as set out in terms of the Municipal Finance Management Act; and

"; and

(d) by the addition of the following sub-regulation after sub-regulation (4):

" (5) In determining the extent of the deviation contemplated in sub-regulation (4), the following factors must be applied:

(a) The need to apply evidence-based organisational design principles which are linked to the integrated development plan and the performance outcomes; and

(b) the need to acknowledge fit-for-purpose differentiation, based on metro-specific considerations of scale or complexity, where a Category A municipality is concerned.

".

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Short title and commencement

3. These Regulations are called the Local Government: Municipal Staff Amendment Regulations, 2026, and shall come into operation on the date of publication in the *Gazette.*

VELENKOSINI HLABISA

Minister of Cooperative Governance and Traditional Affairs

Date: