



09 May 2018

Dear Chairperson,

**NOTICE OF INTERVENTION IN TERMS OF SECTION 100(1) OF THE
CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996**

This letter serves to inform the National Council of the Provinces about a decision taken by Cabinet on 09 May 2018, following the report of the of the Inter-Ministerial Task Team on the North-West Province, to invoke section 100(1) of the Constitution of the Republic of South Africa, 1996, to address challenges which are currently facing the North West Provincial Government.

Section 100(1) of the Constitution provides that:

- (1) When a province cannot or does not fulfill an executive obligation in terms of the Constitution or legislation, the national executive may intervene by taking any appropriate steps to ensure fulfillment of that obligation, including—
 - (a) issuing a directive to the provincial executive, describing the extent of the failure to fulfill its obligations and stating any steps required to meet its obligations; and
 - (b) assuming responsibility for the relevant obligation in that province to the extent necessary to—
 - (i) maintain essential national standards or meet established minimum standards for the rendering of a service;
 - (ii) maintain economic unity;
 - (iii) maintain national security; or
 - (iv) prevent that province from taking unreasonable action that is prejudicial to the interests of another province or to the country as a whole.

An Inter-Ministerial Task Team led by Minister in the Presidency: Planning, Monitoring and Evaluation, Dr Nkosazana Dlamini Zuma was established, amongst others, to oversee the intervention.

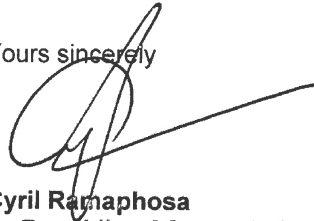
The Inter-Ministerial Task Team is comprised of the following members of the National Executive:

Minister of Planning, Monitoring and Evaluation (Convener)
Minister of Health
Minister of Finance
Minister of Cooperative Governance and Traditional Affairs
Minster of Public Works
Minister of Agriculture, Forestry and Fisheries
Minister of Police
Minister of Defence and Military Veterans
Minister of State Security
Minister of Justice and Correctional Services
Minister for Public Service and Administration
Minister of Basic Education

Section 100(2)(a) of the Constitution requires the National Executive, if it intervenes in the province in terms of section 100(1)(b) of the Constitution, to submit a written notice of the intervention to the National Council of Provinces within 14 days after intervention began.

I take the liberty of alerting you to the obligations of the National Council of Provinces as set out in section 100(2)(b) and (c) of the Constitution.

Yours sincerely



Mr Cyril Ramaphosa
President of the Republic of South Africa

Ms T R Modise, MP
Chairperson of the National Council of Provinces
Parliament of the Republic of South Africa
P O Box 15
CAPE TOWN

Referred to the *Ad Hoc* Committee on intervention in North West Provincial Government for consideration and report. The *Ad Hoc* Committee to confer with relevant Select Committees in terms of Rule 105(2) of the Council Rules.