



**Ministry: Local Government  
Housing and Traditional Affairs**  
KwaZulu-Natal Provincial Government

**MR KUBHEKA**

**BOX 11**

**UTRECHT**

**2980**

Dear Mr Kubheka

**NOTIFICATION OF INTERVENTION INTO UTRECHT MUNICIPALITY IN  
TERMS OF SECTION 139 OF THE CONSTITUTION**

This letter serves to notify you of a resolution taken by the Executive Council of the Province of KwaZulu-Natal on 22 August 2007 to intervene in Utrecht Municipality as contemplated in section 139(1)(b) of the Constitution.

The Executive Council of the Province of KwaZulu-Natal resolved to intervene in the Utrecht Local Municipality as contemplated in terms of section 139(1)(b) of the Constitution as follows:-

1. The Executive Council appoints a special committee or committees to investigate and make findings on the allegations against the Mayor Councillor Khoza and any other Councillor arising from the Special Investigation Report into Allegations of Mismanagement, Maladministration, Fraud and Corruption at Utrecht Municipality, dated 14 May 2007 ("the Special Investigation Report") and on breaches of the Code of Conduct for Councillors arising therefrom as contemplated in item 14(1)(b)(i) of the Code;

2. The Executive Council appoints a special committee or committees to investigate and make findings on the allegations against municipal employees arising from the Special Investigation Report and on breaches of the Code of Conduct for Municipal Staff Members and all applicable legislation arising therefrom, as contemplated in item 14 of the Code of Conduct for Municipal Staff members, read with section 67(1)(h) of the Local Government: Municipal Systems Act, 32 of 2000, and the Disciplinary Procedure Collective Agreement (if applicable);
3. That I be authorised to appoint the relevant special committee or committees for the purposes of conducting the investigations and making the findings contemplated above;
4. That the Executive Council directs that the special committee or committees appointed by me make recommendations to the Executive Council on the appropriate sanctions to be imposed on the Councillors and municipal employees who are found to have committed a breach of the applicable Code or committed a disciplinary offence;
5. That the Mayor Councillor M E Khoza, the Municipal Manager (V M Kubheka) and municipal employee B Zungu be suspended pending the outcome of the procedures contemplated above.
6. That I be directed to appoint an Acting Municipal Manager to act on behalf of the Municipal Manager pending the outcome of the procedures contemplated above.

In accordance with the resolution of the Executive Council taken in terms of section 139 I confirm that you have been suspended as Municipal Manager of the Municipality and that you may not enter the Municipal buildings or interfere in any municipal matters until the intervention is finalised. Should you require any information or need to access the municipal buildings to obtain personal documents please contact my office to facilitate the necessary assistance. Your suspension will be on full remuneration.

Pursuant to the resolution of the Executive Council, I confirm that I have appointed Advocate M Mkhize and Attorney M E Ngubane to constitute the Special Committee referred to in the resolution. Please ensure that you cooperate with them at all times.

Yours faithfully



**MR M MABUYAKHULU, MPP  
MEC FOR LOCAL GOVERNMENT,  
HOUSING AND TRADITIONAL AFFAIRS**

Date: 22 August 2007