



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Local Authorities Act 23 of 1992
section 94A(1)(d)

**Recruitment and Selection Regulations
for Local Authority Councils**

Government Notice 131 of 2019

(GG 6913)

came into force on date of publication: 23 May 2019

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[Note that Form 5 has no title; a title has been added here for ease of reference.]

Definitions

1. In these regulations, a word or an expression to which a meaning has been assigned in the Local Authorities Act, 1992 (Act No. 23 of 1992) has that meaning, and unless the context indicates otherwise -

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“chief executive officer” means the chief executive officer of a municipal council, a town clerk of a town council or a village secretary of a village council;

“demotion” means the placement of a staff member in another position in the local authority council in respect of which the grade applicable to such other position is lower than that applicable to the position the staff member occupied before the placement;

“external candidate” means a candidate who is not -

- (a) a staff member of the local authority council; or
- (b) employed by the local authority council on a fixed term contract of three months or more than three months;

“grading” means the method of placing jobs into a hierarchy of authority and levels of responsibility;

“human resources department” means the human resources department of the local authority council;

“internal candidate” means a candidate who is -

- (a) a staff member of the local authority council; or
- (b) employed by the local authority council on a fixed term contract of three months or more than three months;

“interview panel” means a group of persons appointed in terms of regulation 22, 23 or 24 to interview shortlisted candidates;

“job description” means the document describing the required tasks, knowledge, skills, abilities, and reporting structure required for a position;

“job specification” means a written statement of educational qualifications, specific qualities, level of experience, physical, emotional, technical and communication skills required to perform a job;

“job evaluation and grading committee” means a committee of the local authority council responsible for conducting job evaluation and grading;

“job evaluation” means the process of analysing and assessing various jobs systematically to ascertain their relative worth in the local authority council;

“Labour Act” means the Labour Act, 2007 (Act No. 11 of 2007);

“management cadre” means staff members appointed in management positions and falling under the category d band;

“recruitment and selection process” means the process of attracting, screening, selecting and appointing suitable candidates;

“shortlisting committee” means the committee referred to in regulation 15;

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“the Act” means the Local Authorities Act, 1992 (Act No. 23 of 1992);

“transfer” means the transfer of a staff member from one department to another department or a transfer from one position to another in the same department;

“vacancy” means a position on the local authority council’s establishment which has not been filled.

Application of regulations

2. Unless the Act and the context of these regulations indicates otherwise, these regulations apply to all the local authority councils, their staff members, persons employed by local authority councils on contract or on a temporary basis and persons who intend to apply or who are applying for employment to local authority councils.

[The verb “indicates” should be “indicate” to be grammatically correct.]

Purpose of regulations

3. The purpose of these regulations is to -
- (a) establish a uniform framework for a transparent and effective recruitment and selection process for local authority councils;
 - (b) ensure that the recruitment and selection processes of local authority councils are carried out in the most efficient, professional and cost-effective manner;
 - (c) ensure that the recruitment and selection processes of local authority councils comply with the applicable laws, collective agreements and codes of good practice; and
 - (d) promote the integration of equal employment opportunities, in accordance with the Affirmative Action Act, 1998 (Act No. 29 of 1998), into the human resources policies and practices of local authority councils in line with the local authority councils’ commitment to achieve a workforce that is broadly representative of the Namibian people.

[The correct title of Act 29 of 1998 is the “Affirmative Action (Employment) Act”.]

Objectives of recruitment and selection

4. The objectives of recruitment and selection are -
- (a) to provide minimum standards which will enable a consistent, fair and merit-based approach to the recruitment and selection process in accordance with the local authority council banding methods, job specifications, affirmative action policies, guidelines and applicable laws;
 - (b) to attract suitably qualified candidates with the necessary competencies, traits and attributes to fill a position;
 - (c) to promote accountability and transparency in the recruitment and selection process;

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- (d) to specify the selection requirements to enable local authority councils to employ the best candidates on the basis of merit, abilities and potential;
- (e) to provide the requirements relevant to the screening of candidates in order to gather key information to assess the suitability of a candidate for a position;
- (f) to attract suitably qualified candidates and retain experienced or suitably qualified staff members to ensure that services are available to meet local authority councils with immediate and future human resource needs; and

[There is a problem with the structure of this paragraph. The closing phrase may have been intended to read as follows: "to meet local authority councils' immediate and future human resource needs".]

- (g) to establish a positive image and the positioning of local authority councils as employers of choice.

Confidentiality and data protection

5. (1) Confidentiality is an important part of the recruitment and selection process and in order to maintain confidentiality during the recruitment and selection process all staff members of the local authority council involved in the recruitment and selection process and the members of an interview panel must ensure that -

- (a) the identity of candidates and all information about candidates, including documents submitted by candidates are treated as strictly confidential; and

[There should be a comma after the phrase "including documents submitted by candidates" to offset that phrase properly.]

- (b) no information about the performance of candidates at an interview or the reasons for the selection or non-selection of candidates is discussed outside the interview.

(2) Before the commencement of an interview all members of the interview panel must sign a confidentiality agreement, in the form substantially corresponding to Form 1, and must submit the agreement to the human resource officer of the local authority council who is facilitating the interview.

[The phrase "the form" should be "a form" to fit its usage in this paragraph.]

PART 2 RECRUITMENT PROCESS

Organisational establishment, job description, job specification and grading

6. To ensure -
- (a) a fair and transparent recruitment and selection process the Minister must, for each municipal council, town council and village council, establish -
 - (i) an organisational structure;
 - (ii) a remuneration, salary and benefits structure; and

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- (iii) conditions of service;
- (b) conformity and uniformity in the recruitment and selection process the Minister must, each third year from the date of commencement of these regulations or at a time determined by the Minister, establish a committee which is representative of municipal councils, town councils and village councils, to

[There is no dash in the *Government Gazette* at the end of paragraph (b), although a dash is normally used in this kind of provision.]

- (i) review and develop the job descriptions for all staff members of the councils to ensure that it accurately reflects the current and future duties of positions;

[The pronoun "it" should be "they" since it refers to "job descriptions", and the verb "reflects" should be "reflect".]

- (ii) update the job descriptions as advised by the respective councils so that the descriptions accurately reflect the current and future qualifications and experience required of a successful candidate or any other requirement that may be necessary for a position;
- (iii) update the job specifications, if necessary;
- (iv) conduct job evaluation and grading of staff members of local authority councils;
- (v) develop the essential and desirable selection criteria based on the job descriptions and job specifications; and
- (vi) conduct a salary survey and the committee may make recommendations to the Minister for the adjustment of the salaries and benefits of the staff members of the local authority councils.

Creation of new positions

7. (1) The head of department in which a need for a new position arises must, on identifying such need, complete the job identification form and submit the form to the human resources department.

- (2) The job identification form must specify -
 - (a) the justification for the creation of the new position on the establishment of the department;
 - (b) the financial implications in respect of the new position to be created;
 - (c) the job description of the position; and
 - (d) the organogram indicating the position and the reporting lines in terms of the organisational structure.

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(3) On receiving the job identification form in terms of subregulation (1), the human resources department -

- (a) must conduct an investigation including a detailed job analysis;
- (b) must compile a report of its investigation and findings;
- (c) may request for more clarity on the position from the head of department, if necessary;

[The word “for” after the verb “request” is superfluous.]

- (d) must submit its report and the job identification form to the head of department before submitting it to the job evaluation and grading committee; and
- (e) must, on reaching agreement with the head of department, submit its report and the job identification form to the job evaluation and grading committee for evaluation and grading.

(4) On receipt of the job identification form and the human resources department’s report under subregulation (3)(e), the job evaluation and grading committee must consider the report, the accompanying documents and the necessity of the position on the local authority council’s establishment and -

- (a) may conduct further investigations, if necessary, to gather more information in respect of the position; and
- (b) must conduct the job evaluation and grading of the position and must submit its recommendations to the human resources department.

(5) On receipt of the job evaluation and grading committee’s recommendations in terms of subregulation 4(b), the human resources department must -

- (a) inform the head of department accordingly; and
- (b) in the case the position has been recommended by the job evaluation and grading committee, make a submission for the creation of the position to the local authority council.

(6) The submission referred to in subregulation (5)(b), must include the job identification form, the report of the human resources department and the recommendations of the evaluation and grading committee.

(7) On receipt of the submission from the human resource department in terms of subregulation (6) the local authority council must consider the information contained in the documents referred to in that subregulation and may request further information or documents before making a decision and may -

- (a) approve the creation of the new position; or
- (b) decide not to approve the creation of the new position,

and must inform the human resources department accordingly.

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(8) On the approval of the creation of a new position as contemplated in subregulation (7), the human resources department of the local authority council must make a submission to the Minister for the inclusion of the position in the local authority council's structure.

(9) The submission referred to in subregulation (8) must include the job identification form, the report of the human resources department, the recommendations of the job evaluation and grading committee and the local authority council's resolution.

(10) The job grading and evaluation exercise in terms of this regulation must be conducted in accordance with the local authority council's job evaluation and grading policy guidelines.

Filling of vacancies

8. (1) If a vacancy arises within a department in a local authority council, the head of the department in which the vacancy arises must re-examine the structure of the department to recommend whether it will be efficient to fill or to freeze the vacancy and must in writing inform the human resources department accordingly.

(2) On receipt of information in terms of subregulation (1), the human resources department must investigate and evaluate whether it will be efficient to fill or to freeze the vacancy and must submit its findings to the job evaluation and grading committee.

(3) On receipt of the human resources department's findings in terms of subregulation (2), the job evaluation and grading committee must review the job status, band and grade in respect of the vacancy and must recommend whether the position must be filled or be frozen.

(4) After making a decision in terms of subregulation (3), the job evaluation and grading committee must submit its recommendations to the human resources department and -

- (a) the human resources department must prepare a submission on the job evaluation and grading committee's recommendation for a decision by the chief executive officer; and
- (b) the chief executive officer must make the final decision whether the vacancy must be filled or be frozen.

(5) The chief executive officer may only exercise the powers referred to in subregulation (4) where such powers or functions have been delegated to the chief executive officer in terms of the Act.

(6) If a position changes as a result of a job re-design, the human resources department must in writing inform the staff member who may be affected by the proposed changes and must also notify the trade union of which the staff member is a member.

(7) If a local authority council does not have an experienced job evaluation and grading committee in place, the chief executive officer of the local authority council may in writing request the assistance of the Ministry in that regard and a staff member or staff members of the Ministry designated by the Minister or a person designated by the Minister must carry out the functions of the job evaluation and grading committee for the purpose of this regulation.

Advertisement of positions

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9. (1) All vacancies for positions on a to c bands must first be advertised internally and may only be advertised externally if no suitably qualified candidates are available internally.

(2) For transparency purposes an advertisement for a position whether internally or externally must include -

- (a) the position designation and grade;
- (b) the job specification;
- (c) the basic salary, allowances and other benefits applicable to the position as determined in local authority council's remuneration structure;
- (d) any special requirements applicable to the position; and
- (e) details of the contact person to obtain further information about the position.

Internal advertisement procedure

10. (1) The human resources department must place or cause to be placed all internal advertisements on the notice board at the head office of the local authority council.

(2) Internal advertisements must remain published on the notice board referred to in subregulation (1) for a period of five days.

(3) If only one internal candidate has applied for an internally advertised position and the candidate complies with all the requirements the local authority council may approve that the candidate be interviewed.

Responsibility of internal candidates

11. An internal candidate who wishes to be considered for a position at a local authority council must submit an application to the local authority council's human resources department.

Eligible internal candidates

12. An internal candidate may only apply for an internally advertised position if he or she -

- (a) is not on probation; and
- (b) meets the minimum requirements of the position.

External advertisement procedure

13. (1) If a vacancy arises at a local authority council the human resources department must obtain permission from the chief executive officer to advertise the vacancy externally.

(2) External advertisements must -

- (a) be published twice in one national newspaper widely circulating in Namibia; and

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- (b) be displayed on the notice board at the head office of the local authority council and the website of the local authority council, if a local authority council has a website.

(3) The closing date for applications must be 21 working days from the date of first advertisement or publication of a notice referred to in subregulation (2).

Applications for advertised positions

14. (1) Applications for positions advertised internally or externally must be made on a form determined by the Minister unless the Minister approves otherwise.

- (2) Candidates must -
 - (a) complete the application form in full and attach their curriculum vitae; and
 - (b) submit the application form and supporting documents to the human resources department.

PART 3
SELECTION PROCESS

Shortlisting committee

15. (1) A member of a local authority council may not be a member of a shortlisting committee.

- (2) The shortlisting committee must consist of the following individuals -
 - (a) a staff member of the human resources department;
 - (b) an expert from the department in which the vacancy exists; and
 - (c) a labour union representative, as an observer.

Shortlisting of candidates

16. (1) For the purpose of this regulation, “relative” means, the -

[The comma after “means” is superfluous.]

- (a) child, including a step child, a child adopted in terms of any law, custom or tradition;
- (b) spouse;
- (c) parent, grandparent, brother or sister;
- (d) father-in-law or mother-in-law; or
- (e) brother-in-law or sister-in-law.

(2) The human resources department must compile a list of all candidates who have applied for a position.

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(3) If a candidate who applied for an advertised position is a relative, a friend or a business associate of a member of a shortlisting committee, that member must recuse himself or herself from sitting on the committee and the human resources department, with the agreement of the head of the department, must appoint another person as a member of the committee.

(4) The shortlisting committee must at a meeting shortlist the candidates using the requirements specified in the advertisement.

(5) Taking into account that -

- (a) not all candidates meeting the advertised requirements will automatically be shortlisted and guaranteed an interview; and
- (b) there will be occasions where numerous candidates meet the advertised requirements but that it will not practical to interview all of them,

[The word “be” appears to have been omitted before the word “practical”.]

the shortlisting committee must shortlist not more than five candidates for each position unless that is impracticable, and in such case the candidates which the shortlisting committee consider to best meet the advertisement requirements must be shortlisted for an interview.

[The word “impracticable” is misspelt in the *Government Gazette*, as reproduced above.]

(6) Candidates, whether internal or external, who do not meet the advertisement requirements may not be shortlisted or be interviewed.

(7) The human resources department must keep minutes of the meetings and decisions of the shortlisting committee.

Notifying shortlisted candidates

17. (1) The human resources department must arrange the date, time and venue for the interview and must notify the members of the interview panel and the shortlisted candidates.

(2) The process of inviting candidates for interviews may be done by phone, fax or e-mail and the human resources department must -

- (a) confirm interviews by way of an invitation letter in the form substantially corresponding to Form 2; and

[The phrase “the form” should be “a form” to fit its usage in this paragraph.]

- (b) ensure that the candidate to be interviewed has received the invitation.

(3) The human resources department must give candidates not less than five working days’ notice of interviews.

Responsibilities of human resources department

18. The human resources department must -

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- (a) administer the recruitment and selection process and must apply the applicable laws, policies and practises of the local authority council in a consistent manner;
- (b) timeously and in writing inform candidates not selected for advertised positions; and
- (c) provide the members of the interview panel with the necessary materials and training to enable them to conduct effective interviews.

PART 4
INTERVIEWS AND APPOINTMENT

Assessment tools

19. (1) The suitability of candidates for positions must be judged in terms of qualification, relevant experience, prior learning and the potential to acquire the relevant skills and competencies required in respect of a specific position.

(2) For the purpose of recruitment and selection the local authority council may use the following assessment tools, together with the verbal interviews -

- (a) psychometric tests; and
- (b) practical tests.

Prohibition on membership to interview panel

[This heading should be "Prohibition on membership of interview panel".]

20. A member of the local authority council may not be a member of an interview panel.

Responsibilities of members of interview panel

21. Each member of the interview panel must -

- (a) be fully conversant with the selection and appointment procedures and the affirmative action policy of the local authority council concerned;
- (b) ensure that he or she is provided with the advertisement, job description and job specification and must be satisfied that the selection criteria is based on these documents;

[The verb "is" following the phrase "the selection criteria" should be "are" to match the plural noun "criteria".]

- (c) ensure that all matters relating to the functions and work of the interview panel are kept strictly confidential;
- (d) without bias and the use of irrelevant criteria examine advertisements and other relevant requirements and qualifications carefully; and
- (e) recommend candidates with the most merit as it relates to the requirements of the position.

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Interview panel for position of chief executive officer

22. (1) The interview panel for the position of the chief executive officer must consist of not less than five and not more than seven members.

(2) The following persons must be part of the interview panel for the position of a chief executive officer -

- (a) a senior staff member from the human resources department;
- (b) expert or experts on the position concerned, if required, from any other local authority council;
- (c) a staff member from the Ministry designated by the Minister; and
- (d) two or three persons from any other relevant institution identified by the local authority council, with expertise in policy, strategic, financial and human resources decisions.

(3) The human resources department must recommend the members contemplated in subregulation (2)(d) to the village council or to the management committee of the municipal council or town council for approval.

(4) A member of a trade union, an affirmative action representative or a member or staff member of the local authority council may attend interviews for the position of a chief executive officer as observers and with prior notice to the human resources department.

Interview panel for position of head of department and other management cadres

23. (1) The interview panel for a position of a head of department and other management cadres must consist of not less than five and not more than seven members.

(2) The following persons must be part of the interview panel for a position of a head of department -

- (a) the chief executive officer;
- (b) a senior staff member or staff members from the human resources department; and

[The word "and" at the end of this paragraph is superfluous.]

- (c) an expert or experts on the position concerned, if required, from any other local authority council or a head of department,

[The comma at the end of paragraph (c) should be a semicolon.]

- (d) a staff member from the Ministry designated by the Minister, when necessary;
- (e) a staff member senior to the position being interviewed, from a regional council, when necessary; and
- (f) a person or persons senior to the position to be interviewed, from any other relevant institution identified by the local authority council, when necessary.

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(3) The human resources department, through the relevant head of department, must recommend the members contemplated in subregulation (2)(f) to -

- (a) the village council or to the management committee of the municipal council or town council; or
- (b) the chief executive officer, where such power has been delegated in terms of the Act to the chief executive officer.

(4) A member of a trade union, an affirmative action representative or a member or staff member of the local authority council may attend an interview for the position of a head of department as observers and with prior notice to the human resources department.

Interview panel for positions at a to c band

24. (1) The interview panel for positions at a to c band must consist of not less than five and more than seven members.

[The word “not” appears to have been omitted before the phrase “more than seven members”. Compare sections 22(1) and 23(1).]

(2) The following persons must be part of the interview panel for positions at a to c band -

- (a) the chief executive officer or his or her delegate;
- (b) the head of department or any staff member on management cadre;
- (c) a senior staff member or staff members from the human resources department;
- (d) an expert or experts on the position concerned, if required, from any other local authority council,

[The comma at the end of paragraph (d) should be a semicolon.]

- (e) a person or persons senior to the position being interviewed, from any other relevant institution identified by the local authority council, when necessary.

(3) The human resources department, through the relevant head of department, must recommend the members contemplated in subregulation (2)(e) to -

- (a) the village council or to the management committee of the municipal council or town council for approval;
- (b) the chief executive officer, where such power has been delegated in terms of the Act to the chief executive officer.

(4) A member of a trade union, an affirmative action representative or a member or members of the local authority council may attend an interview for positions at a to c band as observers and with prior notice to the human resources department.

Preparation of interview questions

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25. (1) The interview panel must jointly and before the commencement of an interview prepare the interview questions -

- (a) on the day scheduled for interviews;
- (b) addressing the essential and desirable criteria contained in the job specification and job advertisement; and
- (c) which are relevant to the position.

(2) The interview panel must before the commencement of an interview decide which panel member will ask which questions.

- (3) Equal time must be scheduled for each candidate to be interviewed.

Conducting interviews

26. (1) The interview panel must ensure that each candidate is made to feel comfortable at the interview and treated equally during the interview in accordance with the Namibian Constitution, the Affirmative Action Act and the applicable laws of Namibia.

[The correct title of the Act referred to is the “Affirmative Action (Employment) Act”.]

(2) During an interview each candidate must be asked the same questions and the eliciting of further information from applicants is permissible only in relation to the question being asked.

(3) A member of an interview panel may not ask a candidate a question which is not relevant to the position for which the interview is held.

(4) If a particular skill, attitude or knowledge is essential or a desirable requirement of the position and the skill or knowledge can be tested, such as for typing speed, a test may be arranged and conducted before the interview, but the candidate must be informed at the time of arranging the interview that a competency test will form a component of the interview process.

Ranking and recommendation of candidates

27. (1) The members of the interview panel must at the conclusion of interviews independently, rank each of the candidates on the interview score sheet in the form substantially corresponding to Form 3, based on the individual rating of each candidate on every established essential and desirable criterion and must submit the interview score sheet to the staff member from the human resources department facilitating the interview, for calculation.

[The phrase “the form” should be “a form” to fit its usage in this paragraph.]

(2) The chairperson of the interview panel must complete the summary of evaluation in the form substantially corresponding to Form 4 and must give the signed evaluation form to the staff member from the human resources department facilitating the interview.

[The phrase “the form” should be “a form” to fit its usage in this paragraph.]

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(3) Candidates must be ranked according to the order of preference from the highest to the lowest.

(4) The appointment of a successful candidate must be done in order of preference from the highest to the lowest.

(5) The minimum score at the interview is sixty percent (60%) and if a candidate does not meet the minimum score of sixty percent (60%) or above he or she may not be considered for appointment.

(6) At the conclusion of an interview, the interview panel must -

- (a) in the case an appointment is to be made by the local authority council, make a recommendation for appointment of a candidate to the local authority council;
- (b) in the case an appointment is to be made by the management committee, make a recommendation for appointment of a candidate to the management committee; and
- (c) in the case an appointment is to be made by the chief executive officer on the basis of powers delegated to the chief executive officer in terms of the Act, recommend the appointment of a candidate to the chief executive officer.

(7) If the local authority council, management committee or the chief executive officer is satisfied that the interview panel has taken all issues or matters into consideration and is in agreement with such recommendations, the local authority council, management committee or the chief executive officer must accept the recommendations of the interview panel.

(8) If the local authority council, management committee or the chief executive officer has reason to believe that the interview panel has not been transparent or that there have been irregularities in the recruitment and selection process or that the recommendation made by the interview panel is not in the best interest of the local authority council, the local authority council, management committee or the chief executive officer may -

- (a) with written reasons, request the human resources department to start the recruitment and selection process afresh; or
- (b) with written reasons, refer the recommendation back to the interview panel to re-interview the candidates or to reconsider its recommendation.

Appointment of chief executive officer

28. (1) In terms of section 27(1) of the Act, the chief executive officer of a municipal council or a town council is appointed on the recommendation of the management committee of the municipal council or town council and with the prior approval of the Minister.

(2) In terms of section 27(1) of the Act, the chief executive officer of a village council is appointed by the village council with the prior approval of the Minister.

(3) Before appointing a chief executive officer in terms of section 27(1), the local authority council must make a written submission to the Minister and the submission must be accompanied by -

- (a) the relevant resolutions of the local authority council;

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- (b) the relevant recommendation of the management committee, in the case of municipal councils and town councils;
- (c) proof of advertisement of the position;
- (d) the list of candidates who applied for the position and the list of candidates interviewed candidates;
- (e) the application, curriculum vitae and qualifications of the candidates who were interviewed and any other relevant documents;
- (f) the names and designation of members of shortlisting committee and interview panel;

[The article “the” appears to have been omitted before the phrase “shortlisting committee and interview panel”.]

- (e) the minutes of the meeting of the shortlisting committee;
- (f) the minutes of the meeting of the interview panel;
- (g) a summary of any issues of dispute between the local authority council and the interview panel, if any, and whether the issues of dispute have been resolved or not;
- (h) a copy of the draft employment contract of the chief executive officer.

[The final four paragraphs above are mislettered in the *Government Gazette*, as reproduced above. They should be paragraphs (g), (h), (i) and (j).]

Reference checking

29. (1) Subject to subregulation (2), the human resources department must conduct the relevant reference checks in respect of the candidate who have applied for a position at the local authority council.

[The word “candidate” should be “candidates”.]

- (2) The reference checks referred to in subregulation (1) -
 - (a) must be based on the ability of a candidate to carry out the duties of an advertised position in accordance with the essential and desirable criteria;
 - (b) may generally only be done in respect of the candidate ranked number one after the interview process but if two or more applicants are ranked closely, reference checking in respect of more than one candidate may be done after the interview; and
 - (c) may be done with persons other than those indicated by the candidate for reference purposes including the current employer, if any.

(3) The human resources department may disqualify a candidate, if the candidate does not permit or refuses to allow the human resources department to conduct reference checks as required by these regulations.

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Notifying successful candidates

- 30.** (1) The human resources department must -
- (a) in writing notify the successful candidate that he or she has been selected for appointment; and
 - (b) communicate a written offer containing the employment conditions of service to the successful candidate who must accept or decline the offer in writing within the stated period.
- (2) If the successful candidate has accepted the offer referred to in subregulation (1)(b), the human resources department must -
- (a) confirm with the successful candidate on the date of assumption of duty and must also notify the head of department concerned; and
 - (b) the successful candidate must sign the employment agreement.
- (3) The human resources department must inform the unsuccessful applicants of the outcome of the interview in the form substantially corresponding to Form 5.

[The phrase “the form” should be “a form” to fit its usage in this paragraph.]

- (4) The human resource department as advised by the local authority council must retain the documents of the second highest scoring candidate for further consideration on condition that the required percentage has been obtained and based on the recommendation of the interview panel.

Appointing authority for staff members other than chief executive officer

- 31.** Staff members of a local authority council, other than the chief executive officer must -

[There should be a comma after the phrase “other than the chief executive officer” to offset that phrase properly.]

- (a) in the case of a municipal council or town council, be appointed by the management committee of the municipal council or town council;
- (b) in the case of a village council, be appointed by the village council; and
- (c) be appointed by the chief executive officer, in the case that the village council or the management committee of the municipal council or town council has in terms of the Act delegated the power of appointment in respect of positions below management cadres to the chief executive officer.

Demotion and transfer

- 32.** For the purpose of good governance, proper administration and for discipline, the local authority council may in accordance with the demotion and transfer guidelines provided by the Minister -

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- (a) demote a staff member in line with the relevant disciplinary rules, for a good cause as an alternative to dismissal or for the purpose of correcting a staff member's behaviour; or
- (b) transfer a staff member from one department, division or section to another department, division or section in the local authority council, if it considers it appropriate in order to improve service delivery.

PART 6
GENERAL PROVISIONS

Induction, advice and assistance

33. (1) On the commencement of employment of a new staff member the direct supervisor of the new staff member must ensure that the staff member successfully completes an induction programme.

(2) The human resources department must ensure that the induction programme referred to in subregulation (1) is successfully implemented.

(3) Any enquiries relating to the induction programme referred to in subregulation (1) must be directed to the human resources department.

No allowance payable for attending interviews

34. A candidate who is invited for an interview in respect of an advertised position must attend the interview at his or her own cost, unless the recruitment policy applicable provides otherwise.

Provisions in respect of people living with disabilities

[The heading is misleading as the text of the provision covers other persons as well.]

35. The human resources department must ensure that the recruitment and selection process is fair and non-discriminatory and that all candidates, especially people with living with disabilities are treated with respect and dignity.

[There should be a comma after the phrase "especially people with living with disabilities" to offset that phrase properly.]

Recruitment of persons on temporary basis or on contract

[In the Arrangement of Regulations, this heading is "Recruitment of persons on a temporary basis or on contract".]

36. (1) The head of department must identify the need for recruitment of persons on a temporary basis or on contract and such request including the number, duration, level and description must be forwarded to the human resources department for submission to the chief executive officer for consideration and decision.

(2) Recruitment of persons on a temporary basis must be done through the human resources department and advertisements for temporary work must be placed on notice board at the head office of local authority council for period of five days.

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[There should be an article such as “a” or “the” before the term “notice board”.
The article “a” should appear before the phrase “period of five days”.]

(3) Every local authority council must keep a job seeker data base.

(4) Emergency projects where the need for work on a contract arises must be filled from a job seeker data base referred to in subregulation (3).

(5) A local authority council may only employ persons on contract for the duration of the period of the project and may not extend the employment beyond the life span of the project.

(6) If the project contemplated in subregulation (5) is extended, the persons who were employed on contract under that project must be given the first chance to refuse the offer before the offer is given to any other person.

(7) The basic conditions of employment as stipulated in the Labour Act are applicable to persons employed by a local authority council on a temporary basis or on contract.

Non-interference with recruitment and selection process by local authority council members

37. A member of a local authority council may not in any manner -

- (a) interfere or be allowed to interfere; or
- (b) solicit for any person or candidate,

either individually or collectively in the recruitment and selection process until such time that a submission is made to local authority council for its decision.

FORMS

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Forms 1-5

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FORM 3

INTERVIEW SCORE SHEET

(Regulation 27(1))

Name of candidate

Date of interview

Position applied for

Present job

Current employer

<i>Rating Scale</i>	1	2	3	4	5	Total
Personality and career orientation:						
Technical knowledge:						
Financial management:						
Operational management:						
Interpersonal relations and teamwork:						
<i>Total</i>						

(Descriptions are subject to change)

Remarks:

.....

.....

.....

Rating scale keys:

1 = does not meet the requirements

2 = partly meets the requirements

3 = meets the requirements

4 = exceeds the requirements

5 = significantly above the requirements

Name of member of interview panel:

Signature:

Date:

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FORM 4
SUMMARY OF EVALUATION
(Regulation 27(2))

Summary of evaluation by the interviewing committee for the position of

Number of points allocated by:

Names of the candidates	Chairperson 1	Member 2	Member 3	Member 4	Member 5	Member 6	Total	Average	In order of Preference
1.									
2.									
3.									
4.									
5.									
6.									

Comments by the Chairperson with regard to the suitability of the nominated candidate:

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Name in block letters:	_____
Chairperson 1:	_____
Member 2:	_____
Member 3:	_____
Member 4:	_____
Member 5:	_____
Member 6:	_____
Secretary:	_____
Signature:	_____
Date:	_____

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FORM 5

(Regulation 30(3))

Enquiries:

Our Ref:

Date:

Tel:

Your Ref:

Fax:

Mr/Mrs/Ms

.....

.....

.....

Dear Sir/Madam,

We regret to inform you that your application for the position of
..... has been unsuccessful.

Thank you very much for the interest shown in the Local Authority Council.

Yours Faithfully,

.....
Human Resources Department
