



MPGNC MANAGEMENT OF OBJECTIONS POLICY FRAMEWORK

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SECTION 1: INTERPRETATION OF TERMS

“ACT or SAGNC ACT 118 of 1998” - The South African Geographical Names Council Act 118 of 1998

“SAGNC” - South African Geographical Names Council

“MPGNC” - Mpumalanga Provincial Geographical Names Committee

“RGNC” - Regional Geographical Names Committee

“LGNC” - Local Geographical Names Committee

“Council or Local Council” - Municipal Council

“Local Feature” - A geographic feature under the jurisdiction or Local municipality

“Provincial Feature”- A geographic feature under the jurisdiction or owned by a provincial department

“National Feature” - A geographic feature under the jurisdiction of national government or governed by national legislation.

“Objector” – Person or party dissatisfied with proposed or adopted geographic name changes

“Applicant” – A party making the application for a name to be reviewed

“Informant” – Person or party that is knowledgeable on the background information on the feature being considered for change

“LGNC Jurisdiction” – Municipal boundaries under which the LGNC operates

“Party/ Parties” – Individual/s, organization/s or any interested party

SECTION 2: BACKGROUND

The Mpumalanga provincial geographical names committee is entrusted by the SAGNC Act 118 of 1998 to facilitate the process of standardizing geographical names in the Mpumalanga province.

This mandate extends to engaging in all possible processes or activities that will ensure that the objectives of the Act are attained.

The process of standardizing geographical names is in nature driven by inputs of the community members either as individuals or as part of established structures that advance their interest in the different spheres of their lives as citizens of the province in particular and the country at large.

The process allows that members of the public be given an opportunity to voice displeasure against any of the changes that may be under consideration as part of shaping the nature of any such changes moving forward and also as a vehicle to promote nation building and social cohesion.

SECTION 3: PURPOSE OF THE POLICY

In this document, the MPGNC seeks to establish the framework within which all the structures involved in the standardization of geographical names in the province can address concerns or objections encountered in the implementation of their day to day programmes as it relates to proposed name changes within their respective areas of jurisdiction.

The framework will provide a guide to individuals or organizations wishing to seek recourse against perceived shortcomings by the designated structures in adhering to prescribed procedures governing the geographical names standardization process in the Mpumalanga province.

The policy will seek to state the levels at which different matters can be raised and resolved and the subsequent levels at which recourse can be sought should the prior level fall short of the outcome desired by the objecting party.

The objective of this policy is to provide an instrument for utilization by the structures involved in the standardization of geographical names in resolving potential objections that may arise out of the process.

SECTION 4: SCOPE OF OPERATION

The following levels will be affected by the policy blueprint contained in this document:-

- a. Local Geographical Names Committees (LGNC)
- b. Regional Geographical Names Committees (RGNC)
- c. Mpumalanga Provincial Geographical Names Committee (MPGNC)

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The policy will also apply to any other structure outside of the ones listed above, set-up by any government department, or resulting from any process aimed at advancing the process of standardizing geographical names in Mpumalanga so long as the affected structure will feed into the work of the LGNC under whose jurisdiction is the feature under consideration for possible change.

SECTION 5: OBJECTIONS

5.1. What is an objection?

An objection is an expression of dissatisfaction, in writing, by a party/ parties against a process to standardize a geographical feature lodged with any of the structures responsible for the process of standardizing geographical names in a jurisdictional area about either of the following:-

- a. Procedure followed when a process (*refer to number 5*) is undertaken in handling submissions and the approval of proposed changes to the name of a geographical feature
- b. Dissatisfaction with the meaning ascribed to a geographical feature as contained in the submission for a possible change of name or as per the changes adopted by any of the structures involved in the geographical name standardization process.
- c. It is a written statement of dissent by a party/ parties which seeks to alter the course of events or the choice made by the juristic body in so far as it relates to a proposed name change to a geographical feature under its control.
- d. In the case of an individual who cannot read or write, the individual will be allowed to submit a sworn statement taken before a commissioner of oaths stating the nature of the objection and the desired results.
- e. An objection of a similar nature in content, lodged by more than one party who cannot write, may be written in one document making provision for multiple signatures from all other parties who share the same view.

5.2 What is a valid objection?

A valid objection should meet the following criteria:-

- a. It must be lodged in writing
- b. It should state if the objection is about **process** or the **substance** of the proposed change/s
- c. It must be lodged against a proposed name change to a geographical feature
- d. It must be lodged by a party with direct interest in the proposed change
- e. It must be lodged at the designated address within the period prescribed by the structure with jurisdiction over the matter
- f. It must be submitted to the structure responsible for facilitating the geographical name standardization process in the area concerned
- g. It should be submitted before the deadline specified in the published notice.
- h. It should have an address and contact details of the objector
- i. It should clearly indicate if the objector is an individual or an organization (*objections written by individuals using organizational letterheads will be disqualified*)

- j. If lodged by an organization, the objection should be accompanied by the following:-
 - I. Minutes of the meeting at which the decision to object to the standardization of that particular geographic feature was taken or, the relevant extract thereof signed by the chairperson of the organization or an official authorized to do so with a covering letter confirming the validity of the minutes attached and the content therein.
 - II. The objection should be on the organization's letterhead
 - III. The letter should contain the names and addresses of the top three officials of the organization and their contact details
 - IV. An attendance register of the meeting that took the decision to object must be attached. The register must have the organization's official stamp or be on a letterhead

5.3 Who qualifies to lodge an objection?

An objection can be lodged by either of the following:-

- a. Member of the public, residing in the area concerned on a full-time basis, in his/her individual capacity
- b. An organization operating in the area concerned or an organization that represents the interests of people living in the area.
- c. A government department / parastatal that stand to suffer direct prejudice or negative consequences as a result of the proposed change/s.

SECTION 6: PROCEDURE TO BE FOLLOWED WHEN OBJECTING

6.1 Introduction

When applying themselves to the task of resolving any dispute arising out of the process of standardizing geographic names in cases brought to their attention, the LGNCs, RGNCs and the MPGNC shall at all times seek to advance the objectives of the SAGNC Act and all other applicable guidelines/ regulations as may have been adopted by the MPGNC or the SAGNC.

Objections will be processed in terms of the following stages:-

- a. Local features = stages 1 – 2
- b. Provincial & National features = stages 1 – 3

6.2 Process Timelines

The following timelines will be applicable to all objections that will be considered at all three stages of the process as stipulated below in 6.3.1; 6.3.2 & 6.3.3.

6.2.1 Acknowledgement of receipt

Receipt of the objections will be acknowledged in writing to the objector within **14 working days** from the deadline set for such objections

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6.2.2 Resolving of objections

- a. The LGNC/RGNC/MPGNC will address all objections received either through considering the written objection only, or calling for oral hearings where it deems it necessary and respond to the objector within **14 working days** from the date of the hearing
- b. All objections received will be processed within **30 working days** from the cut-off date set by the LGNC/RGNC/MPGNC.
- c. In the event that an objection is not addressed by the relevant level within the stipulated timelines, an objector may refer the objection to the next level and copy the preceding level of their intention to do so.

6.3 Parties involved in an Objection Process

Parties to a Hearing

The following parties may be invited to participate at an oral hearing on proposed changes to a geographic feature:-

- a. The objector
- b. The informant
- c. The applicant
- d. Any other party that may be deemed relevant to the proceedings

6.3.1 Stage 1 (local level)

- a. The LGNC will set up a process, led by its own members whose task will be to receive and process objections against any geographical feature under consideration for possible name change. The LGNC may decide to co-opt other individuals outside of its own members for the purpose of complimenting its members in dealing with the task before them where it deems such a move necessary.
- b. The LGNC will, on completion of its task, report to Council with recommendations on the objections placed before it.
- c. The Council will then make a ruling on the merits of the objection and communicate its decision in writing to the objector through the LGNC.
- d. The LGNC will then forward a report to the RGNC on the objections received and the resolution thereof within seven (7) working days from the day following the one (day) on which the last of the objections of the same batch was concluded by Council.
- e. If not satisfied with the decision of the LGNC, an objector may take the matter on review with the RGNC.

6.3.2 Stage 2 (Regional/District level)

- a. The RGNC will set up a process, led by its own members whose task will be to receive and process objections against any geographical feature under consideration for possible name change. The RGNC may decide to co-opt other individuals outside of its own members for the purpose of complimenting its efforts in dealing with the task before them where it deems such a move necessary.
- b. The RGNC will, on completion of its task, report to the concerned Local Council in whose jurisdiction the matter resides with recommendations on the objections placed before it.
- c. The Local Council will have an opportunity to consider the inputs of the RGNC after which it may decide to either rescind or uphold its earlier decision on a specific issue and communicate its decision in writing to the objector through the RGNC.
- d. The RGNC will then forward a report to the MPGNC on the objections received and the resolution thereof within seven (7) working days from the day following the one (day) on which the objection/s was concluded by the Local Council.
- e. All objections against the standardization of local features shall be finalized at this level after which a municipality will reserve the right to implement the changes adopted as per Council resolution.
- f. In the case of national features an objector who will still be dissatisfied with the decision of Council, as would have been communicated by the RGNC, can take the matter on review with the MPGNC.

6.3.3 Stage 3 (provincial level)

- a. The MPGNC will set up a subcommittee, consisting in part or whole its own members, whose task will be to receive and process objections against any national geographic feature under consideration for possible name change. The MPGNC may decide to co-opt other individuals outside of its own members for the purpose of complimenting the subcommittee where it deems such a move necessary.
- b. The subcommittee will, on completion of its task, report to the full Committee with recommendations on the objections placed before it.
- c. The MPGNC will then make a ruling on the merits of the objection and communicate its decision in writing to the objector.
- d. On concluding the process, the MPGNC will then forward a final report to the MEC on the objections received and the resolution thereof within 30 days from the day following the one (day) on which last of the objections of the same batch, has been resolved.
- e. If not satisfied with the decision of the MPGNC, an objector may appeal to the SAGNC, *as per section 8 below.*

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SECTION 7: FINALIZATION OF AN OBJECTION

Local & Regional levels

On stages 1 & 2 above, as stipulated in numbers **6.3.1 & 6.3.2**, an objection shall be deemed to have been finalized if an objector fails to refer the matter to the next level within seven (7) working days following the one (day) on which a response was received from the lower level.

Provincial Level

See second paragraph of section 8 below.

SECTION 8: APPEALS TO THE SAGNC

1. In the event that the MPGNC resolve against the objection/s received, to the dissatisfaction of the objector/s, the parties concerned will be free to refer the objection to the SAGNC following a notice from the MPGNC on its conclusion regarding the matter.
2. The objector will have 30 days from the day following the one (day) on which a response from the MPGNC was received, within which to lodge an appeal with the SAGNC.

SECTION 9: CORRESPONDENCE BETWEEN THE PARTIES

The following correspondence methods will be used between the objectors and the LGNC/RGNC/MPGNC and shall be deemed to be sufficient and exhaustive:-

- registered post
- courier and,
- door or hand delivery

APPROVAL



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