

TA Gcotyelwa Manager: Integrated Human Settlements and Development
7 May 2026 (028) 313 8144

The Provincial Minister of Cultural Affairs and Sport, in terms of a written agreement as contemplated in section 36 of the Constitution of the Western Cape Act 1 of 1998 and section 126 of the Constitution of the Republic of South Africa, 1996 intent to assign partially the library function to the municipality as part of the administration of a function. Moreover, in solving the VAT issue going forward, this Assignment Agreement will consolidate the decades long practical

co-operation and co-funding regarding libraries between the Department and the Municipality in a legal co-operation, ensuring the ongoing execution of functions on the government level where it is best performed.

Discussion

The Provincial Department's ongoing obligation to take appropriate steps to ensure adequate funding, as well as to implement capacity-building initiatives, is reflected in the Assignment Agreement. Furthermore, the Provincial Department will continue with its current roles and responsibilities, including the replacement of library materials, the procurement of physical books, and covering the administrative costs of cataloguing, asset management, and the preparation of books.

The annual negotiations with Provincial Department, coupled with the MTREF budgets, do mitigate the municipality's risk to some extent. However, there is no doubt that the Assignment Agreement carries a cost-of-staffing expenditure risk for the municipality. The Provincial Department has made commitment to align staffing costs with the Municipal MTREF budget. The Assignment Agreement is for a duration of three years. Subsequent to this period, the municipality will evaluate and decide whether to continue or terminate the agreement.

7. Financial Implications

Total staff cost to the municipality in the financial year 2026/2027 including benefits is R11,767,188.96

The provincial grant funding is included in the MTREF for the 2026/2027 to 2028/2029 financial years.

PROVINCIAL GRANT	2026/2027	2027/2028	2028/2029
Community Library Services	*R9,288,000	R9,381,000	R9,475,000

***Note:** 2026/2027 includes once off allocation of R190,000 for maintenance of Gansbaai Library.

8. Staff Implications

None

9. Comments from Departments, Divisions and Administrations

None

10. Annexures

Annexure A: Letter from Western Cape Department of Cultural Affairs and Sport (DCAS), Library Services

RECOMMENDATION TO THE COUNCIL:

that the Executive Mayor and Municipal Manager **be authorised** to sign the Assignment Agreement with the Western Cape Department of Cultural Affairs and Sport, Library Services.

RESPONSIBLE OFFICIAL:**TA GCOTYELWA****TARGET DATE FOR IMPLEMENTATION:****1 JULY 2026**



**Western Cape
Government**

Department of Cultural Affairs and Sport

Deon Burger

Office of the Head of Department

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Dear Municipal Manager

ASSIGNMENT AGREEMENT REGARDING THE OPERATION OF PUBLIC LIBRARIES BY MUNICIPALITIES IN THE WESTERN CAPE

1. The purpose of this letter is to present the Municipality with a 3-year Assignment Agreement regarding the operation of public libraries by the Municipality, for consideration.
2. The introduction of the Western Cape Public Library Services Act, 2025 (Act 1 of 2025) enables the Provincial Minister of Cultural Affairs and Sport, in terms of a written agreement as contemplated in section 36 of the Constitution of the Western Cape, 1997 (Act 1 of 1998) (the Provincial Constitution), and section 126 of the Constitution of the Republic of South Africa, 1996, (the Constitution) to assign to the Municipal Council of a municipality all or part of the administration of a function.
3. In addition to solving the VAT issue going forward, this Assignment Agreement will consolidate the decades long practical co-operation and co-funding regarding libraries between the Department and the Municipality in a legal co-operation, ensuring the ongoing execution of functions on the government level where it is best performed.
4. This Assignment Agreement stipulates the following in respect of the assigned functions:
 - the role and responsibilities of the Municipality.
 - the roles and responsibilities of the Department; and
 - the funding arrangements for the Municipality in respect of the assigned functions.
5. The commencement date for the assignment will be the date on which the assignment is brought into operation by a proclamation issued in accordance with section 36 of the Provincial Constitution and section 126(c) of the Constitution.
6. Please contact Ms Carmen Lucas at carmen.lucas@westerncape.gov.za or 021 483 0072 if you require any additional information or wish to make an appointment to meet with the Department to discuss the agreement.

Thank you for your continued support and collaboration.

Kind regards,

Guy Redman Digitally signed by Guy Redman
Date: 2025.06.20 11:58:49 +02'00'

GT REDMAN

HEAD: CULTURAL AFFAIRS AND SPORT