



## Sedibeng District Municipality

**SPECIFICATION: Re- advert 8/2/6/19-2009**

### **TERMS OF REFERENCE**

**Implementation of the Gauteng Tourism Authority's Tourism Institutional Framework in the Sedibeng District Municipality. A Legal Opinion on a vehicle to manage the Regional Tourism Organization of the Sedibeng District Municipality and the Establishment of a Legal Entity**

#### **1. INTRODUCTION AND BACKGROUND**

The Sedibeng District Municipality is considering the establishment of a separate service delivery unit to perform its function to promote local tourism for the area of the district municipality. This unit will be managed as an autonomous operational unit with a budget separated from that of the council. Without restricting the generality of the opinion, the council requires a legal opinion and advice on which type of entity would be the best suited for its requirements and subsequent establishment of a legal entity.

#### **2. TERMS OF REFERENCE**

- Local Municipalities and tourism associations within the district should participate in the entity;
- The entity should comply with the following legislation, but not limited to: The Systems Act, 32 of 2000, MFMA, 56 of 2003 and Structures Act, 117 of 1998;
- A comparative analysis of the difference in municipal control over the governance, staff, financial administration, revenue and expenditure management of the various types of entities.
- Establishment and registration of the Legal Entity.

- Any other relevant aspect.

### **3. DELIVERABLES**

1. Legal Opinion
2. Presentation to stakeholder representatives
3. Constitution for an Interim service delivery unit, until Regional Tourism Organization has been established
4. Constitution or Articles of Association or By Laws for the final service delivery unit
5. Establishment of legal entity

### **4. SPECIAL CONDITIONS OF CONTRACT**

- Quotation for the abovementioned project must include the costs of the presentation, consultations with relevant stakeholders and the development of a constitution for the interim and final service delivery unit.
- Bidders are requested to prepare two separate documents:
  - 1) Technical information
  - 2) Financial information
- Knowledge of local government and legislation and previous work experience in similar work will be an added advantage.