

TRIBAL LEVIES

WHAT ARE TRIBAL LEVIES?

Tribal levies are payments that traditional leaders or traditional councils impose on community members. They are often collected for things like proof of address letters, permission to hold ceremonies, land acquisitions, establishment of businesses or the running of a traditional council, etc. The amounts differ from one traditional area to another. It is called a levy if it is a forced payment, rather than a voluntary one. So if you are punished in some way for not paying, then it is a levy because you do not have the right to refuse.



WHAT DOES THE LAW SAY ABOUT TRIBAL LEVIES?

- The Constitution, mandates the national, provincial government as well as local municipalities to impose taxes, rates and levies on residents.



CASE STUDY TO LEARN FROM: LIMPOPO HIGH COURT AND CONSTITUTIONAL COURT JUDGEMENTS:

- Section 25 of the Limpopo Traditional Leadership and Institutions Act, 6 of 2005 allows traditional councils to impose levies, is declared unconstitutional and invalid
- As of, 1 November 2023, the Limpopo High Court ordered that Section 25 goes against the Constitution and can no longer stand as the law.
- On 20 December 2024, the Constitutional Court handed down a judgement to confirm the Limpopo High Court's decision declaring that tribal levies are inconsistent with the constitution.

 [Limpopo High Court Order](#)

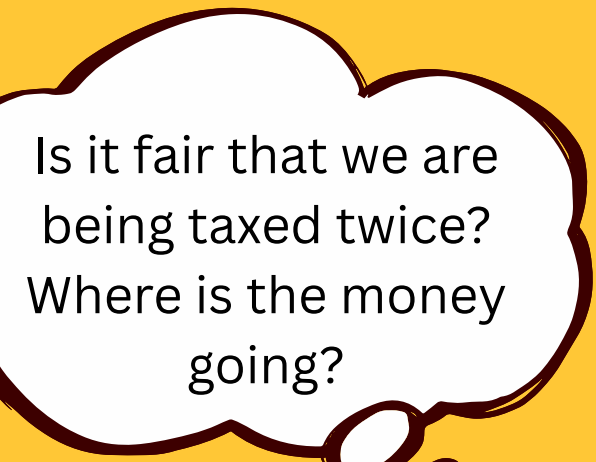
 [Constitutional Court Judgment](#)



Traditional councils and traditional leaders do not have the power to impose taxes, rates or levies.



It is declared that customary law only permits traditional leadership structures to impose only voluntary levies, and only after consultation with the community about the need for, amounts and purpose of the levy.



Is it fair that we are being taxed twice?
Where is the money going?

Free, Prior, Informed Consent

principle. I have the right to know:

- *What I am being asked to pay?*
- *For what reason?*
- *Is there harm to me agreeing?*
- *Will I be punished if I disagree?*
- *I CAN CHANGE MY MIND!*



WHAT AM I BEING CHARGED FOR?

NEXT STEPS...

EXAMPLES OF LEVIES

- ☐ Burial levies to be buried in the communal burial plot
- ☐ Traditional council administration levies
- ☐ Initiation school contributions
- ☐ Ceremonial contributions (e.g. rituals or celebrations)
- ☐ Livestock transfer levies (relocating or moving livestock)
- ☐ Marriage levies (record / proof of customary marriage)
- ☐ Land levies (PTO's, annual fees, allocation of plough fields)
- ☐ School support levies
- ☐ Development levies (e.g. building a hall or school or community)
- ☐ Security levies
- ☐ Fines

No matter what, members of traditional communities cannot be forced to make payments to traditional councils.

What to do?

- Petition Provincial Legislature
- Contact CoGHSTA
- Go to your nearest SAPS
- Contact the Premier's toll-free line
- Contact us on info@stopthebantustanbills.org

For more information



INFO@STOPTHEBANTUSTANBILLS.ORG



+27 (0) 10 021 04572 / +27 (0) 66 132 5909



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RURAL DEMOCRACY
NOW!!! SCRAP
#TRIBAL LEVIES

