BEGROTINGSVERWANTE VERORDENINGE EN BELEIDE
BUDGET RELATED BY-LAWS AND POLICIES

(<u>Nota:</u> Slegs beskikbaar in Engels / *<u>Note:</u> Only available in English*)

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SWARTLAND MUNICIPALITY

TARIFF POLICY

REVIEWED AND NOT AMENDED

MAY 2026

PREAMBLE

In terms of section 74 of the Local Government: Municipal Systems Act, of 2000, the Municipality of Swartland must adopt and implement a Tariff Policy that complies with the provisions of any applicable legislation on the levying of fees for municipal services provided by or on its behalf.

Section 75 of the Systems Act requires that the Council adopt by-laws to give effect to the implementation and enforcement of its Tariff Policy.

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DEFINITIONS

"Availability charges" shall mean charges that may be levied against immovable property with or without improvements, which is not connected to any municipal service works where such property can be reasonably so connected or having access to the service;

"Average consumption" means the average consumption by a customer of a municipal service and may be calculated on the basis of the average usage over the prior calendar year 3 month seasonal average, circumstances of the consumer or any other practical method deemed appropriate given the specific set of circumstances of a consumer, within the capabilities of the financial system for purposes of an audit trail;

"Conservancy tank" means a tank which is used for the retention or temporary retention of the discharge from a drainage installation and which is emptied at intervals. References to a conservancy tank will be interchangeably used for a French drain where such request for pumping is received inclusive of the term: septic tank.

"Consumer" –

(a) with effect from 1 July 2015 and with regard to property zoned for residential purposes, the owner of the property shall be regarded as the consumer, irrespective of who the tenant or occupier is, provided that where a lease agreement in respect of such property exists on 1 July 2015, the tenant or occupier shall still be regarded as the consumer until expiration of the agreement, subject to the provisions of the definition clauses in section 1 of "occupier" and "owner" of the policy;

(b) with regard to any other property, the person who receives or uses municipal services or benefits there from; and
(c) with regard to municipal property that is leased, the person who receives or uses municipal services or benefits there from;

"Dwelling" the portion of a building or structure on a property, where a household lives as a permanent resident, with authorized separate municipal services connections;

"**Domestic consumer**" refer to all persons older than 18 years that resides within a dwelling on a property within the jurisdiction of the Council regardless whether the person rents or owns the property, which shall include an indigent household;

"Inclining block tariff" means a tariff based on consumption levels being categorised into blocks, with the tariff being determined and increased as consumption levels increase;

"Indigent household" means a household, including a child-headed household, registered as such with the Municipality lacking the necessities of life which –

(a) complied with the property threshold criteria as set in 2014 until such time that an audit or in-loco inspection is performed or re-application is made ;or
(b) qualifies per the requirements set in paragraph 3; or
(c) still qualifies as per an audit or an in-loco inspection as referred to in paragraph 4; and
(d) occupies property within the boundaries of the jurisdiction of the municipality; and
(e) includes all persons who live on the property;

"**Interest"** means a charge levied, on all arrear accounts calculated at an interest rate, which is one percent higher than the prevailing prime interest rate;

"kWh" means kilowatt-hour and is a unit of energy consumption measurement.

"kVA" means kilovolt-ampere and is the unit used for the apparent power in an electrical circuit

"kVArh" means kilovolt ampere reactive hours and is a unit of measurement of reactive power

"**Municipal area**" means the area in respect of which the Municipality has executive and legislative authority as determined by the Constitution and national legislation and the area as demarcated by the Demarcation 1998 (Act no. 27 of 1998);

"**Municipal council**" means the council of Swartland Municipality;

"**Municipality**" means Swartland municipality and includes any delegated official or service provider of the municipality;

"Network charges" shall mean charges that may be levied against immovable property with or without improvements, which is connected to any municipal service works or where such a property has reasonable access to municipal services;

"Occupier" means any person who occupies any property or part thereof or has control over such premises, without taking cognisance of the title in which such person occupies the property;

"Owner" (a) as regards property in terms of section 1(a) of the definition of "property": a person in whose name ownership of the property is registered;
(b) as regards a right in terms of section 1(b) of the definition of "property": a person in whose name the right is registered;
(c) as regards a land tenure right in terms of section 1(c) of the definition of "property": a person in whose name the right is registered or to whom it was granted by legislation; or
(d) as regards public service infrastructure in terms of section 1(d) of the definition of "property": the organ of state which owns or controls the public service infrastructure concerned;
provided that, for the purposes of this policy, the Municipality also regards a person mentioned below as the "owner" of a property in the following cases –
(i) a trustee, in the case of a property held in a trust, excluding state trust land;
(ii) an executor or administrator of a deceased estate;
(iii) a trustee or liquidator of an estate that is insolvent or under liquidation;
(iv) a judicial manager of the estate of a person under judicial management;
(v) a curator of the estate of a person under curatorship;
(vi) a usufructuary or other person in whose name a usufruct or other personal servitude is registered, in the case of a property that is subject to a usufruct or other personal servitude; and
(vii) a buyer, in the case of a property that was sold and of which possession was given to the buyer pending registration of ownership in the buyer's name;
(e) as regards immovable property of which the Council is unable to determine the identity of the owner: the person who is entitled to the beneficial use thereof;
(f) as regards immovable property in respect of which a lease agreement of 30 (thirty) years or longer was concluded: the lessee thereof;
(g) in respect of –
(i) a portion of land demarcated on a sectional title plan and registered in accordance with the Sectional Titles Act 95 of 1986: the developer or governing body, as far as the joint property is concerned;
(ii) a portion of land: the person in whose name that portion is registered in accordance with a title deed, including the lawfully appointed representative of such person;
(iii) any person, including but not limited to –
(aa) a company registered in accordance with the Companies Act 71 of 2008, a trust inter vivos, a trust mortis causa, a close corporation registered in accordance with the Close Corporations Act 69 of 1984, and a voluntary association;
(bb) any government department;
(cc) any council or governing body established in accordance with any legislation in force in the Republic of South Africa; and
(dd) any embassy or other foreign entity;

person includes –
(a) a natural person;
(b) a juristic person;
(c) for the purposes of this policy, any industrial or commercial undertaking; and
(d) an organ of state;

"**POPIA**" means the Protection of Personal Information Act 4 of 2013
"Property" shall mean –

(a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person;
(b) a right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property;
(c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; or
(d) public service infrastructure;

"**Tariff Policy**" means a Tariff Policy on the levying of fees, charges, rates or other taxes for municipal services provided by the Municipality itself and that complies with the Municipal Systems Act, (Act no. 32 of 2000); and

"**The Act**" means the Municipal Systems Act, (Act no, 32 of 2000);

"Wheeling" means the transportation of electric power over transmission lines from where it is generated to where it is consumed by making use of a third party's electricity network.

1. Objectives of policy

The objectives of this policy are –
(a) To comply with the provisions of section 74 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000); and
(b) To give guidance to the councilor responsible for finance regarding tariff proposals to be submitted to council annually during the budget process.
(c) To ensure the fair, equitable and transparent charging for municipal services
(d) Revenue adequacy and certainty

The Municipality must have access to adequate sources of revenue to enable it to carry out its functions. The Municipality must:

(i) Fully exploit the available sources of revenue to meet its developmental objectives; and
(ii) Be reasonably certain of its anticipated revenue streams to allow for realistic financial planning.

(e) Sustainability

Financial sustainability requires a budget that balances. This means that the Municipality must ensure that:
(i) Services are provided at affordable levels; and
(ii) It is able to recover the costs of trading and other services where appropriate.

2. Tariff principles

The following principles shall apply –
(a) restricted free services to consumers and financial assistance to indigent households shall be considered only in as far as it can be financed from –
(i) financial allocations by the National Government; and
(ii) a grant for that purpose by the municipality, which shall be determined annually during the budget process.
(b) all consumers of municipal services must be treated equitably and the various categories of consumers must pay the same charges based on the same cost structure, if applicable;
(c) the amount payable by consumers must be in proportion to usage of the service;
(d) indigent households must at least have access to basic services through direct subsidisation;
(e) tariffs must reflect the total cost of services unless stated otherwise in this policy document;
(f) where provided for in this policy, consumers may choose a tariff from a range of applicable tariffs;
(g) tariffs must be set at a level that facilitates the sustainability of services by ensuring that –
(i) cash inflows cover cash outflows which mean that sufficient provision for working capital and bad debts must be made; and
(ii) access to the capital market is maintained by providing for the repayment of capital, maintaining sufficient liquidity levels and making profit on trading services.
(h) provision shall be made for additional tariffs, amended tariffs and surcharges on tariffs, which will apply in appropriate circumstances including but not limited to nationally or locally proclaimed states of disaster or periods of drought but subject to exemption from Section 28(6) of the Municipal Finance Management Act (Act 56 of 2003) having been obtained from the Minister of Finance in terms of Section 177(1)(b) of that Act;
(i) efficient and effective use of resources shall be encouraged by providing for penalties to prohibit exorbitant use;
(j) the extent of subsidisation of tariffs shall be disclosed;
(k) VAT is excluded from all tariffs and shall be additional to these tariffs when applicable.

3. Categories of consumers

(1) The tariff structure may provide for the following categories of consumers-
(a) domestic consumers;
(b) commercial consumers;
(c) industrial consumers;
(d) agricultural consumers;
(e) municipalities;
(f) consumers with whom special agreements were made;
(g) consumers in certain geographical areas;
(h) sport and recreation facilities;
(i) educational and communal institutions; and
(j) charitable and welfare institutions and organizations.

(k) Government.

(2) The municipality may differentiate within or between different categories of consumers, debtors, service providers, services, service standards and other matters.

(3) The differentiation shall be based on one or more of the following elements –
(a) infrastructure or operating costs;
(b) volume usage; or
(c) availability or network charges and service standards;
(d) when the "user pays" principle applies

4. Service classification

The municipality may, subject to the guidelines provided by the National Treasury and the Mayoral Committee, make provision for the following classification of services:

(a) ***trading services***
- (i) water
- (ii) electricity
- (iii) camping facilities

(b) ***economic services***
- (i) refuse removal
- (ii) sewerage disposal

(c) ***community services***
- (i) air pollution
- (ii) firefighting services
- (iii) local tourism
- (iv) town planning
- (v) municipal public works
- (vi) storm water management system in built-up areas
- (vii) trading regulations
- (viii) fixed billboards and the display of advertisements in public places
- (ix) cemeteries
- (x) control of public nuisances
- (xi) control of undertakings that sell liquor to the public
- (xii) facilities for accommodation, care and burial of animals
- (xiii) fencing and fences
- (xv) licensing and control of undertakings that sell food to the public
- (xvi) local amenities
- (xvii) local sport facilities
- (xviii) municipal parks and recreation
- (xix) municipal roads
- (xx) noise pollution
- (xxi) pounds
- (xxii) public places
- (xxiii) street trading/street lighting
- (xxiv) traffic and parking

- (xxv) building control
- (xxvi) licensing of motor vehicles and transport permits
- (xxvii) nature reserves

5. Expenditure classification

Expenditure may be classified as:
(a) Subjective classification which includes –
- (i) salaries, wages and allowances
- (ii) bulk purchases
- (iii) general expenditure
- (iv) repairs and maintenance
- (v) capital charges (interest and redemption) / depreciation
- (vi) contribution to fixed assets
- (vii) contribution to funds –
  - (aa) bad debts;
  - (bb) working capital; and
  - (cc) statutory funds
- (viii) contribution to reserves
- (ix) gross expenditure
- (x) less charge-out
- (xi) net expenditure
- (xii) income; and
- (xiii) surplus/deficit

This classification of expenditure each with a unique vote must be applied to all cost centres.

(b) Objective classification in terms of which the following cost centres must be created to which the costs associated with providing the service can be allocated –
- (i) department
- (ii) section/service
- (iii) division/service

6. Cost elements

The following cost elements may be used to calculate the tariffs for the different services –
(a) fixed costs which consist of the capital costs (interest and redemption) on external loans as well as internal advances or depreciation whichever are applicable to the service, and any other costs of a permanent nature as determined by the municipality;
(b) variable cost which includes all other variable costs that have reference to the service; and
(c) total cost which consists of the fixed cost and variable cost;
(d) a cost recovery tariff; or
(e) a combination of any of abovementioned tariffs.

7. Tariff types

In determining the type of tariff applicable to the type of service the municipality may make use of the following options or a combination thereof –

(a) a single tariff which shall consist of a cost per unit consumed and which will be recovered through unit charges at the level where income and expenditure breaks even. Subject to a recommendation by the Director: Financial Services the municipality may approve profits on trading services which will be added to cost of the service for the purpose of calculating the tariffs.

(b) cost related two-to-three-part tariff which shall consist of two to three parts –
  (i) management, capital, maintenance and operating costs may be grouped together and be recovered by a fixed charge, independent of consumption for all classes of consumers;
  (ii) variable costs may be recovered by a unit charge per unit consumed; and
  (iii) three part tariffs may be used to calculate the tariff for electricity and to provide for maximum demand and usage during periods of limited demand.

(c) inclining block tariff which is based on consumption levels being categorised into blocks, with the tariff increasing as consumption levels increase. The first step in the tariffs will be calculated at break-even point and subsequent steps will be calculated to yield a result that would discourage excessive use of the commodity.

(d) declining block tariff which is the opposite of the inclining block tariff and decreases as consumption levels increase. The first step will be calculated by dividing the fixed, variable cost and profit by the volume consumed and will only be used for special agreements;

(e) a cost recovery tariff; or

(f) a regulating tariff which is of a regulatory nature and the municipality may recover the full cost or a portion thereof associated with rendering the service.

8. Tariff structure and methods of calculations

The following tariff structure may be applied to determine tariffs –

(1) Water

(a) Tariff structure-
  (i) fixed fee per consumer type plus a single tariff per unit used or an inclining block tariff structure (kiloliters used);
  (ii) single tariff per consumer; or
  (iii) a cost recovery tariff;

(b) Method of calculation-
  (i) the fixed costs of the service shall consist of the costs indicated as such by the municipality;
  (ii) the number of consumers shall be used to determine the fixed costs per consumer;
  (iii) where a fixed cost per consumer is charged, the unit charge shall be calculated by dividing the variable cost by the volume consumed;
  (iv) where a fixed cost per consumer is not charged, the unit charge shall be calculated by dividing the total cost by volume consumed;

  (v) if for any reason a meter cannot be read or has not been read, the municipality shall be entitled to render an account based on the estimated consumption calculated on the prior calendar year 3 month seasonal average, circumstance of the consumer or any other practical method deemed appropriate given the set of circumstances of a consumer, within the capabilities of the financial system for purposes of an audit trail;
  (vi) where a property is not connected to the water reticulation system but can reasonably be so connected, an availability charge as determined annually by Council shall be applicable;
  (vii) surpluses made on the service shall be added to the fixed and variable cost before tariffs are calculated.

(2) Electricity

(a) Tariff structure –
  (i) kWh – Active Energy;
  (ii) kVA – maximum demand (thermic or block) register in a half an hour period;
  (iii) kVArh – Reactive Energy;
  (iv) peak, standard and off-peak time periods – according to bulk purchase tariff structure;
  (v) high and low consumption seasons – according to bulk purchase tariff structure;
  (vi) allocation of holiday season – according to bulk purchase tariff structure;

(b) Method of calculation –
  (i) the guidelines and policy issued by the National Electricity Regulator shall form the basis for calculating tariffs;
  (ii) cross subsidisation between and within categories of consumers may be allowed based on the load factors of the categories and consumers within the category;
  (iii) portions of the fixed costs will be recovered through an energy or time-of-use charge.
  (iv) in applying the abovementioned principle, the cost allocation basis, cost groupings, tariff components and tariff types reflected in the following tables shall be used-
  (v) The outcomes of a Cost of Supply study could be used to restructure all electricity tariffs in the future to be more reflective of actual cost to make supply available to the various categories of customers.

Tariff types	Fixed charge Rands/ consumer/ Month	Active Energy charge cents / kWh	Seasonally Time-of-use Energy charge Peak Standard Off-peak	Capacity-charge Rands / kVA / month	Reactive energy charge cents / kWh
One part		X			
One part block 1 Block block 2		X X			
Two part	X	X			
Two part Block Block 1 Block 2 Block 3 Block 4	X	 X X X X			 X X X X
Three part	X	X		X	
Time-of-use High season Peak Standard Off-peak Low season Peak Standard Off-peak	X		 X X X X X X	X	X
Three part Net-Metering Import Export	X	 X X			

(aa) The one-part single energy rate tariff –

All costs allocated to a consumer category which normally makes use of a one-part single energy rate tariff shall be expressed in a single cents/kWh charge, calculated as follows –

(i) the maximum demand costs (rands/kVA/month) of all consumers that will normally use a single tariff will be calculated by considering the average load factor applicable to the type of consumers and added to the variable cost;

(ii) the fixed cost (rand per consumer per month) and the energy cost (kWh) shall be added to the variable cost;

(iii) the total cost (maximum demand, fixed and energy costs) allocated to consumers which normally uses a one-part-single-energy tariff shall be calculated at a break-even point comparable with the number of kWh units determined by Eskom;

(iv) the total cost will be expressed in a cents/kWh tariff.

(bb) The two-part tariff –

(i) a portion of the fixed cost equal to the operating and administrative cost of the Electricity Department shall be

recovered through a rands per consumer per month charge;

(ii) the remaining portion of the fixed cost will be added to the variable cost and recovered through a unit charge (cent/kWh charge);

(iii) the tariff consists of a fixed monthly charge plus a variable charge related to metered kWh consumption.

(cc) The three-part tariff –

(i) a portion of the fixed cost as described in sub paragraph (2)(bb)(i) shall be recovered through a rand/consumer/ month charge;

(ii) the remaining portion of the fixed cost shall be recovered through a unit charge (cent/kWh) and maximum demand charge (rand/kVA/month);

(iii) the maximum demand charge (rand/kVA cost) shall be recovered through the capacity charge where applicable;

(iv) the cent/kWh charges shall recover the total variable cost plus portions of re-allocated fixed and demand charges (rand/consumer/month and rand/kVA costs) where applicable.

(dd) Time-of-use tariff –

(i) time-of-use tariffs offered shall be based on the peak, standard and off-peak tariffs and time periods of the supply authority to maintain cost recovery in the event of load profile shifting. Transmission and distribution network charges may be recovered through rand/kVA charges;

(ii) the cents/kWh charge recovers the full variable costs as well as a portion of the reallocated rands/kVA charges where applicable;

(iii) the rands per consumer per month charge is not reallocated;

(iv) the structure of the time-of-use tariff will be calculated according to the purchase structure;

(v) the time-of-use tariff will only be offered in areas where similar tariffs are available to the municipality;

(ee) Net metering –

(i) net-metering import tariff (energy supplied to the consumer) cent/kWh charges shall be based on the average cost of supply including a portion of operating cost, surplus and purchase cost allowing for time-of-use tariff variations;

(ii) net-metering export tariff (energy supplied by the consumer) cent/kWh charges shall not exceed the average cost of purchase allowing for time of use tariffs applicable during the time period of supply;

(iii) a portion of the fixed cost equal to the operating and administrative cost of the Electricity Department shall be recovered through a rands/consumer/month charge.

(ff) Wheeling tariffs -
(i) The generator of the wheeled energy will be charged a Basic Fee per month;
(ii) A Use of System Charge based on R/kVA to be charged to the Generator for the use of the municipal network;
(iii) The Off-Taker (customer) will be charged his normal monthly account (at TOU Tariff) including:
(a) an additional administration charge per month
(b) a credit that is calculated based on the wheeled energy at the Eskom Megaflex Time of Use Active energy rate minus Losses at 6.5%.

(c) The municipality may permit the bulk supply or wheeling of electricity through its electrical grid by another electricity supplier which is licensed and or registered to supply electricity in terms of the ERA and the municipality's Guideline on Wheeling.

(d) No person may generate electricity by way of a fixed electrical installation and feed into the municipal electricity distribution network unless an agreement has been concluded with the municipality, and such agreement together with the provisions of the Electricity Supply By-Law and this Policy, as well as any other legislation governing the licensing of generators, shall govern such generation of electricity.

(gg) General
(i) where a surplus is generated on the service it will be added to the fixed and variable cost before tariffs are calculated.
(ii) where a property is not connected to the electricity reticulation system but can reasonably be so connected, an availability charge equal to the fixed costs calculated in accordance with the provisions of sub paragraph (2)(b) shall be payable.

(3) Waste removal
(a) Unit of measurement-
(i) number of premises whether built on or not, is a basic unit;
(ii) bulk waste removal;
(iii) cost recovery tariff
(iv) special waste;
(v) gate levies/coupons

(b) Method of calculation –
(i) a cost recovery tariff equal to the unit tariff applicable to domestic consumers shall be levied on each premises whether built upon or not;
(ii) a unit tariff per premise, whether residential or other institution, shall be levied which will be calculated by dividing the total cost by the total number of premises;

(iii) where more than one dwelling unit, as defined in the municipality's scheme regulations, are situated on premises (such as semi-detached units or blocks of flats), each such dwelling unit shall be regarded as separate premises for the purposes of this paragraph;
(iv) for each business on premises a compulsory waste removal tariff shall be charged that will be adjusted according to volume of waste removed. The waste unit for business is two plastic bags or two 85 litre waste bins or a 240 litre wheely bin per week. For residential premises it is unlimited in the context of black bags .
(v) a waste tariff equal to the unit tariff levied in terms of sub paragraph (b)(ii) & (iv) in respect of the removal of waste
on premises situated within the urban fringe areas of the towns of Malmesbury, Moorreesburg, Riebeek-Wes, Riebeek-Kasteel, Darling, Yzerfontein, Abbotsdale, Kalbaskraal, Chatsworth, Riverlands and Koringberg and Ongegund shall be applicable to waste removal once a week per premises.
(vi) with regard to premises situated outside the above mentioned urban fringe areas, or the occasional removal of refuse, a tariff based on a levy per load or part thereof shall be levied;
(vii) the tariff for special waste shall be levied by adding the cost of air space occupied, measured in tons, to the actual cost to treat and cover such waste;
(viii) the coupon prices for waste delivered personally at waste sites, shall be determined according to vehicle capacity, the air space occupied as well as the cost to cover such waste daily;
(ix) waste tariffs shall be levied monthly.

(c) Where a waste removal service is available, whether such service is used or not, an availability tariff equal to the monthly tariff applicable to residential and business premises shall be levied

(4) Sewerage:
(a) Unit of measurement
(i) number of toilets;
(ii) formula based water flow tariff; or
(iii) a cost recovery tariff and

(b) Method of calculation –
(i) an availability charge may be levied at a tariff equal to the unit tariff applicable to residential consumers where a property is not connected to the sewerage reticulation system but can reasonably be so connected;
(ii) a unit charge per consumer may be charged; the tariff will be calculated by dividing the total cost by the number of premises connected to the sewerage reticulation system;
(iii) where more than one dwelling unit, as defined in the municipality's zoning scheme regulations, is situated on premises (such as a semi-detached dwelling or a block of flats etc.), each such a dwelling unit shall for the purpose of this paragraph, be considered to be separate premises;
(iv) a surcharge of 15% shall be levied for each additional toilet in respect of consumers mentioned in paragraphs 3(1)(b) to 3(1)(k)

(v) the tariff payable for the removal of the contents of a conservancy tank shall be equal to the charges determined per the approved municipal tariff listing for conservancy tanks in use on premises situated within the jurisdictional area of the municipality; where a third/subsequent suction/pumping is done in the same month, whether during Easter Weekend or school holidays, such suction/removal shall be done at actual cost;

(vi) a tariff, based on a charge per load to be removed, may be levied for the emptying of conservancy tanks on premises situated outside the urban fringe areas or for the occasional removal of the contents of a septic tank on such premises;

(vii) charges payable in terms of sub paragraph (vi) must be levied by the Incident program monthly;

(viii) where requests by any consumer to whom a sewerage removal service is received by Emergency Services after ordinary office hours, the actual cost shall be levied by the Incident program;

(ix) industries classified as wet industries (water intensive industries) shall pay a treatment cost based on the following formula in addition to a tariff per cistern:
B = 0,85 V[R x COD] / 1000
B = Treatment cost
V = Volume of water used in kiloliter
R = Applicable COD Rate in R/kilogram COD
COD = Chemical oxygen demand in milligram per litre

(x) industries classified as wet industries and equipped with a flow measurement device to record the effluent volume, the following shall apply:
B = V[R x COD] / 1000
B = Treatment cost
V = Volume of effluent in kiloliter
R = Applicable COD Rate in R/kilogram COD
COD = Chemical oxygen demand in milligram per litre

(xi) sewerage tariffs shall be levied monthly.

(c) Where property is not connected to any water bearing sewerage system or a sewerage pumping system, but can reasonably be so connected, a monthly availability charge equal to the fixed cost calculated in terms of sub paragraph (1)(b), shall be levied, provided that such an availability charge shall not be applicable on premises where "French drains" existed prior to this practice being regulated.

(5) Community services

(a) Tariff structure –

(i) the tariff structure as reflected in table 1 below shall be used to determine regulatory community and subsidised services.

(b) Method of calculation –

(i) these tariffs may be adjusted annually by a percentage as determined by the council during its budget process, or by a recalculation of the estimated actual cost.

Table 1

FUNCTION	UNIT OF RETURN
1. **SUNDRY SERVICE CHARGES**	
1.1 Information regarding valuation of properties.	• Fixed amount per enquiry per property.
1.2 Issuing of Valuation certificate of a property.	• Fixed amount per certificate.
1.3 Issuing of Clearance valuation certificate of a property.	• Fixed amount per certificate.
1.4 Issuing of second duplicate account / Payslip or IRP 5's	• Fixed amount per duplicate account / Payslip or IRP 5's.
1.5 Photocopying: A4 size, A3 size	• Fixed amount per black/white or coloured photocopy.
1.6 Copies of building plans and area maps.	• Fixed amount per black/white or coloured copy.
1.7 Dishonouring charges payable when bank dishonours a cheque and debit order per ACB system.	• Amount equal to the costs levied by the bank plus 15% admin cost.
1.8 Cleaning of erven	• Actual cost, plus 15% Admin cost.
1.9 Application for open burning	• No cost – **Council Resolution**
1.10 Application for pesticide spraying	• No cost – **Council Resolution**
2. **LETTING OF TOWN HALLS AND COMMUNITY HALLS**	
2.1 Hall reservations, taking into account various uses thereof.	• Fixed amount per reservation.
2.2 Hall reservations, including kitchen by standing users.	• Fixed amount per annum.
2.3 Use of side halls additional to main hall.	• Fixed amount per reservation.
2.4 Use of kitchen in addition to main hall or side hall.	
2.5 Use of refreshment room in addition to main hall or side hall.	• Fixed amount per reservation.
2.6 Use of facilities one day prior to date of reservation.	• Fixed amount per reservation.
2.7 Deposit payable for the use of the hall and facilities.	• Fixed amount per reservation.
2.8 Use of Sound System at town and community halls.	• Fixed amount per reservation.
2.9 Nominal Tariff for day and evening reservations	• Fixed amount per reservation.
2.10 Exceeding of prescribed hours.	• Fixed amount per reservation at the discretion of the Director Corporate Services
2.11 Fees in respect of caretaker – functions on Sundays.	• Fixed tariff per hour or portion of an hour. • Fixed amount per function on Sundays, excluding church- /burial services (only Malmesbury and Wesbank halls).
2.12 Use of grand piano.	• Fixed amount per reservation.
2.13 Cancellation of hall reservation.	• 10% of the rental payable to cover administration costs shall be recovered from the deposit paid.
3. **LIBRARY FEES**	
3.1 Fine for the late return of books.	• Fixed amount per week or portion of a week per item.
3.2 Fine for late return of a CD or DVD	• Fixed amount per day or portion of a day per CD or DVD .
3.3 Lost library lender card.	• Fixed amount per card.

FUNCTION	UNIT OF RETURN
3.4 Booking of library material- • material in stock • material not in stock	• Fixed amount per booking. • Fixed amount per booking.
4. **ELECTRICAL SERVICE CONNECTION**	
4.1 Service connections up to 30 metres 10 mm^2 x 2 core with standard credit meter.	• Fixed amount per 30 metre. • Estimated cost based on a 30 metre connection plus a % levy for administrative costs.
4.2 Additional cable per meter – maximum 50 ampère (household).	• Fixed amount per metre
4.3 Service connections more than 30 metres 16 mm^2 x 2 core with standard credit meter.	• Fixed amount per 30 metre • Estimated cost based on a 30 metre connection plus a % levy for administrative costs.
4.4 Additional cable per metre – maximum 60 ampère (household) and 80 ampère (business).	• Fixed amount per metre
4.5 Service connections up to 30 metres 16 mm^2 x 4 core with standard credit meter.	• Fixed amount per metre • Estimated actual cost based on a 30 metre connection plus a % levy for administrative costs.
4.6 Additional cable per meter – maximum 3 x 40 ampère household and 3 x 80 ampère business	• Fixed amount per metre
4.7 Erven with installed service connections.	• Fixed amount per connection.
4.8 Single Relay – in areas where the geyser load management system is implemented, the applicant is responsible to install a load management relay for the control of the geyser.	• Fixed amount per single relay
4.9 Double Relay - in areas where the geyser load management system is implemented, the applicant is responsible to install a load management relay for the control of the geyser	• Fixed amount per double relay
4.10 Repair of cable and additional joint.	• Fixed amount per cable joint
4.11 Damages to any electrical connections and reticulation – costs to be recovered.	• Actual cost as per quote, plus % administration cost.
4.12 Additional levy i.r.o tampering of - In the case where tampering to electrical equipment caused an incorrect electricity usage registered through the meter, an additional levy for the upgrading of a connection will be payable by the registered consumer before reconnection. I.r.o. indigent households, the consumers will pay this additional levy before the service will be restored.	• Fixed amount
4.13 Tampering Fees: In the case of tampering with electricity meters or where a consumer restored his or her own meter by breaking a seal, a tampering fee per meter is payable by the registered consumer before reconnection.	• The first tampering fee is based on a fixed amount, and any further occurrence of tampering will result in an increased fee.

FUNCTION	UNIT OF RETURN
5. **SALE OF PREPAID ELECTRICAL METERS**	
5.1 Pre-paid Single phase meter (programming included) – to service connection kWh maximum 100amp.	• Fixed amount per application
5.2 Pre-paid Three phase meter (programming included) to service connection kWh maximum 100amp.	• Actual purchase price plus % levy of administrative costs
5.3 Pre-paid 1-phase split meter (programming included).	• Fixed amount per application
5.4 Pre-paid 3-phase split meter (programming included).	• Actual purchase price plus % levy of administrative costs • Amount based on quotation
6. **SUNDRY SERVICES: ELECTRICITY DEPARTMENT**	
6.1 Call-out fee payable for private queries and problems (municipal electrical supply or connections not included) • Office hours • After hours and Saturdays • Public holidays and Sundays	• Fixed amount per call
6.2 Application by consumers for circuit breakers with a higher or lower rating per phase	• Fixed amount per call
6.3 Services connections- connection for residential and business	• Fixed amount per connection
6.4 Testing of credit meter on request of consumer for accuracy: Single phase, three phase and maximum demand	• Fixed amount per application
6.5 Additions to service connections kWh maximum 100amp to- • Single phase credit meter with circuit breaker • Three phase credit meter with circuit breaker	• Fixed amount per application
7. **ELECTRICITY DEPOSIT**	
7.1 Electricity deposit included in consumer services deposit (water, electricity, refuse removal and sewerage).	• Fixed amount per consumer
7.2 Business – new consumers	• Double the amount of the average of the municipal account for three consecutive months' i.r.o. electricity, water, sewerage and refuse removal. • The deposit for newly erected buildings will be based on an estimate of the expected charges i.r.o. the mentioned services.
8. **WATER SERVICES CONNECTIONS**	
8.1 15 mm connection – low cost housing	• Cost will be determined as per contract
8.2 15 mm connection – other connections	• Estimated actual cost plus % levy for administrative costs.
8.3 22 mm connection	• Estimated actual cost plus % levy for administrative costs.

FUNCTION	UNIT OF RETURN
8.4 Connections 22 mm private development	• Estimated actual cost plus % levy for administrative costs.
8.5 Testing of water meters	• Fixed Amount - Refundable if result is faulty
8.6 Damages to water connections and reticulation – costs to be recovered	• Estimated actual cost plus % levy for administrative costs.
8.7 Tampering fee: In the case of tampering with water meter installations or where a consumer restored his or her own meter by breaking a seal, a tampering fee per meter is payable by the registered consumer before re-connection.	• Fixed Amount
8.8 Any network repairs by Swartland Municipality on a private property will be recovered from the registered consumer.	• Estimated actual cost per quote + % levy for administration,
9. **SERVICES DEPOSIT**	
9.1 Deposit for residential consumer services (water, electricity, refuse removal, sewerage), excluding indigents.	• Fixed amount per consumer
9.2 Deposit for residential and business services with a prepaid electricity meter, excluding indigents.	• Fixed amount per consumer. • Must be determined by demand.
9.3 Deposit for Business (conventional electricity services)	• Double the amount of the average municipal account for the three consecutive months with regards to electricity, water, sewerage and refuse removal. The deposit for newly erected buildings will be based on an estimate of the expected charges with regards to the mentioned services.
9.4 Increased services deposits regarding arrears and no payment of accounts – excluding indigents.	• Must be determined on a case by case basis based on defaulting consumer up to a maximum of 2.5 x the average monthly consumption over a period of 12 months.
9.5 Deposit - Letting of a municipal stand pipe.	• Fixed amount per letting
10. **SEWERAGE** **SERVICE CONNECTIONS**	
10.1 100mm Sewerage connections - PVC	• Estimated actual cost plus % levy for administrative costs.
10.2 150 mm Sewerage connections - PVC	• Estimated actual cost plus % levy for administrative costs.
10.3 Damages to sewerage connections and reticulation – costs to be recovered.	• Estimated actual cost plus % levy for administrative costs.
10.4 Any private repairs to sewerage equipment (e.g. Toilet bowl etc.) by Swartland Municipality – costs to be recovered.	• Estimated actual cost plus % levy for administration costs.

FUNCTION	UNIT OF RETURN
11. **SUNDRY SERVICES SEWERAGE**	
11.1 Emptying of sewerage tanks from Monday to Thursday from 08:00 to 17:00 and Friday from 08:00 to 15:45 including **Grotto Bay and Jakkalsfontein**	• Fixed sewerage levy for 2 pumpings per month is applicable to residential or business premises excluding premises where french drains exist. • For each pumping thereafter (from 3rd pumping) – Actual cost per suction pm.
11.2 Emptying of sewerage tanks during Easter weekend and school holidays.	• Fixed sewerage levy for two pumpings per month. • For each pumping thereafter (from 3rd pumping) – Actual cost per suction pm.
11.3 Emptying of sewerage tanks (rural and non-urban areas, **excluding** Grotto Bay and Jakkalsfontein)	• Actual cost per suction.
11.4 Emptying of sewerage tanks **after ordinary office hours**: Monday – Thursday from 17h00 Friday from 15h45 to Monday morning at 08:00.	• Actual cost per suction.
11.5 Industrial effluent per kl (COD)	• Estimated actual cost plus % levy for administrative costs.
11.6 Selling of treated waste water – all consumers, excluding Rooiheuwel JV treated waste water.	• As per agreement according to the following components - depreciation rate per kilolitre, operating cost per kilolitre and energy cost per kilolitre as determined by the municipality annually.
11.7 Selling of treated waste water – Only for Rooiheuwel JV – they are responsible for the maintenance, repair and replacement of assets as well as for the operating cost – contract conditions.	• Fixed amount as determined by the municipality annually.
11.8 Sewerage blockages.	• Estimated actual cost plus % levy for administrative costs.
11.10 Sewerage blockages according Municipal flats: 96 and 56	• Free of charge.
11.11 Sewerage blockages (after hours) and Public holidays: Monday – Thursday from 17:00 Friday from 15:45 to Monday morning at 08:00.	• Estimated actual cost plus % levy for administrative costs.
12. **SEWERAGE DEPOSIT**	
12.1 Deposit included in consumer services deposit (water, electricity, refuse removal, sewerage).	• Fixed amount per consumer.
13. **SUNDRY ENGINEERING SERVICES**	
13.1 Construction of single motor vehicle entrance – 3m².	• Estimated actual cost plus % levy for administrative costs.
13.2 Construction of double motor vehicle entrance – 6m².	• Estimated actual cost plus % levy for administrative costs.
13.3 Construction of motor vehicle entrance with storm water grid.	• Estimated actual cost plus % levy for administrative costs.

FUNCTION	UNIT OF RETURN
13.4 Tarring and patch work.	• Estimated actual cost per m² plus % levy for administrative costs.
14. **CEMETERY FEES** • Application for the preparation of grave(s) must be done at least 2 days prior to the funeral date at/before 12h00 • ***Weekend arrangements for funerals:*** Application for the preparation of a reserved grave – before/on Wednesday, 12h00 • ***Covering of graves*:** The covering of graves will only be done during normal office hours • **Graves may only be reserved for a funeral with a certified copy of the death certificate and with the required payment.** • **Payment of graves must be done prior to the funeral.**	
14.1 Single grave site – purchase price.	• Fixed amount per site.
14.2 Single grave – children under 12 years.	• Fixed amount per site.
14.3 Reservation of site.	• Fixed amount per site.
14.4 Applications for a single grave burial on approval from non-Swartland Inhabitants	• Fixed amount per site – provides last residing address
14.5 Reservation Application for a single grave burial on approval from Non-Swartland Inhabitants	• Fixed amount per site – provides last residing address
14.6 Digging of grave – 1.8m	• Estimated actual cost plus % levy for administrative costs.
14.7 Covering of grave.	• Estimated actual cost plus % levy for administrative costs.
14.8 Pointing out of grave site.	• Fixed amount per site.
14.9 Construction of brick lining: • single grave • extra deep grave	• Estimated actual cost plus % levy for administrative costs
14.10 Wall of remembrance – purchases of storage space.	• Fixed amount per urn.
14.11 Application for Availability of temporary toilets at funerals	• Fixed cost per availability quantity of temporary toilets at funerals.
15. **SWIMMING POOL FEES**	
15.1 Per ticket and per Class I or Class II swimming pool	• Fixed amount per ticket.
15.2 Per seasonal ticket per Class I or Class II swimming pool	• Fixed amount per ticket.
15.3 For galas – during the week per Class I or per Class II swimming pool	• Fixed amount per gala per Class I and II swimming pool.
15.4 For galas – weekends (Saturdays and Sundays) per Class I or per Class II swimming pool	• Fixed amount per gala per Class I and II swimming pool.
15.5 For 2/3 camp gatherings (max 3 hours) per Class I or Class II swimming pool – during week and weekends (Saturdays and Sundays).	• Fixed amount per gatherings.

FUNCTION	UNIT OF RETURN
15.6 Season fee for clubs and schools 1 – 6 days per week per Class 1 or Class II swimming pool.	• Fixed amount per club or school.
15.7 Uplifting projects (non-exclusive usage max of 30 persons per day) per Class I or Class II swimming pool.	• Fixed amount per event per day.
15.8 Churches, Youth, Crèches, Sport Clubs – per person per Class I or Class II swimming pool.	• Fixed amount per ticket.
16. **BUILDING PLAN FEES**	
16.1 Minor building work.	• Fixed amount per building plan.
16.2 Boundary walls.	• Fixed amount per running metre.
16.3 Extension of validity period, within 12 months.	• Fixed amount per application.
16.4 Extension of validity period (after 12 months but before 24 months, 50% but not less than minimum fees).	• Fixed amount per m², less 50% of per m².
16.5 Building plan fees: low cost housing.	• Fixed amount per building plan.
16.6 Additional building fees – Start building without approval – Step 1. : Capture the Process-	• That 50% of the actual cost tariff structure will be applicable on minor building works.
16.7 Additional building fees – Start building without approval – Step 2. : Follow-up the Process-	• That 50% of the actual cost tariff structure will be applicable on minor building works.
16.8 Additional building fees – Start building without approval – Step 3. : Legal Process-	• That 50% of the actual cost tariff structure will be applicable on minor building works.
16.9 List of approved building plans (annual fees).	• Fixed amount per building plan.
16.10 Approval of building plan fees.	• Fixed amount per m².
16.11 Approve - Minimum building plan fees.	• Fixed amount per building plan.
16.12 Approval of building plan fees: rural areas.	• Fixed amount per m².
16.13 Approval: building plan fees (architectural design manual).	• Fixed amount per m².
16.14 Issue of certificate of occupation i.t.o. A20 NBR for buildings where the total floor space is 500 square metres or less	• Fixed amount for buildings where the total floor area is 500m² and smaller
16.15 Issue of certificate of occupation i.t.o A20 NBR for buildings where the total floor space is more than 500 square metres.	• Fixed amount for buildings where the total floor area is in access of 500m²
17. **LAND USE APPLICATIONS AND SUB-DIVISIONS: TARIFFS**	
17.1 Advertising signs.	• Fixed amount per sign.
17.2 Application fees- advertising signs erected without approval.	• Fixed amount per application.
17.3 Show house signs (payable per annum).	• Fixed amount – annual, excluding sign deposit.
17.4 Show house deposit.	• Fixed amount per application.
17.5 Town plans: Drawings	• Fixed amount per black and white or coloured.
17.6 Digital area maps – per pdf.file.	• Fixed amount per pdf.file.
17.7 Application for rezoning (not applicable to sub divisional area)	• Fixed amount per application.
17.8 Application for rezoning (applicable to sub divisional area) additional amount per land use (open spaces and roads excluded).	• Fixed amount per application plus additional amount per land use.
17.9 A permission required in terms of the zoning scheme - Section 25(2)(*g*).	• Fixed amount per permission.
17.10 A determination of a zoning – Section 25(2)(*m*).	• Fixed amount per determination.
17.11 An approval of an overlay zone as provided for in the zoning scheme – Section 25(2)(*j*).	• Fixed amount per approval.

FUNCTION	UNIT OF RETURN
17.12 A permission required in terms of the conditions of approval – Section 25(2)(*l*).	• Fixed amount per permission.
17.13 A permission required for the reconstruction of an existing building that constitutes a non-conforming use that is destroyed or damaged to the extent that it is necessary to demolish a substantial part of the building – Section 25(2)(*s*).	• Fixed amount per permission.
17.14 Application for consent uses.	• Fixed amount per application. .
17.15 Application for consent use – (House Shops ONLY).	• Fixed amount for House Shops ONLY.
17.16 Application for consent use – Day Care Centre only.	• Fixed amount per application for Day Care Centre.
17.17 Applications for extension of the validity period of approvals for re-zoning and consent uses.	• Fixed amount per application.
17.18 Application for extension of validity period – consent use – House shop / Day Care Centre only	• Fixed amount per application.
17.19 An extension of the validity period of an approval - Section 25(2)(*i*) ; (Of a temporary departure)	• Fixed amount per extension period of a temporary departure
17.20 Subdivisions and Registration of Servitude / Lease Agreement	• Fixed amount per Subdivisions and Registration
17.21 Applications for sub-division:	
• Above 10 erven	• Fixed amount per sub division above 10 erven.
• Plus: above 10 erven – per erf	• Fixed amount per sub division above 10 erven per erf
17.22 An amendment or cancellation of an approved subdivision plan or a part thereof, including a general plan or diagram – Section 25(2)(*k*).	• Fixed amount per an amendment or cancellation of an approved subdivision plan or a part thereof, including a general plan or diagram
17.23 Application for extension of validity period of sub divisions.	• Fixed amount per application.
17.24 Applications for departures:	
• erven < 500 m^2	• Fixed amount per application.
• erven 501 m^2 – 750 m^2	• Fixed amount per application.
• erven > 750 m^2	• Fixed amount per application.
17.25 Application for departure (By-Law)	• Fixed amount per application.
17.26 Application for departure (House Shop ONLY)	• Fixed amount per application.
17.27 An occasional use of land – Section 25(2)(*p*)	• Fixed amount per application
17.28 Application for removal of restricting.	• Fixed amount per application
17.29 Closure of Public Place	• Fixed amount per application
17.30 Consolidation of Land Units	• Fixed amount per application.
17.31 Amendment/Cancellation of General Plan	• Fixed amount per amendment /Cancellation.
17.32 Exemptions - Section 34	• Fixed amount per exception
17.33 Appeals - Section 89(2)	• Fixed amount per application
17.34 Disestablish Home Owner's Association – Section 25(2)(*q*)	• Fixed amount per application
17.35 To rectify a failure by a home owner's association to meet its obligations in respect of the control over or maintenance of services – Section 25(2)(*r*);	• Fixed amount per application
17.36 Cost of advertisements - payable with application (Spluma/Lupa/By-Law) (rezoning, sub-division, consent uses and departures) – Cost per single application – News papers	• Fixed amount per single application - newspapers.

FUNCTION	UNIT OF RETURN
17.37 Cost of advertisements – payable with application (Spluma/Lupa/By-Law)(rezoning, sub-division, consent uses and departures) – Combination application - newspapers	• Fixed amount per combination applications – cost per application type – news papers
17.38 Cost of advertisements in regard to the advertising of applications for rezoning, sub-division, consent uses and departures– Provincial Gazette	• Fixed amount per application – Provincial Gazette
17.39 Postage Fees (Subject to Quantity postage)	• Price per unit (subject to quantity postage)
17.40 Issue of section 38 (BY-LAW)	• Fixed amount per Erf
17.41 Amendment, deletion or imposition of conditions – application fee will only be considered if the application requires a public participation process)	• Fixed amount per amendment, deletion or imposition if requires a public participation process
17.42 Amendment, deletion or imposition of conditions – application fee will only be considered if the application without a public participation process)	• Fixed amount per amendment, deletion or imposition without a public participation process
17.43 Approval of a Constitution	• Fixed amount per approval
17.44 Approval of an architectural design manual	• Fixed amount per approval
17.45 Amendment of a constitution or an architectural design.	• Fixed amount per amendment or per design
17.46 Additional Fees for unauthorised land use – per day	• Fixed amount per day after the closing date of the Final Notice.
17.47 Zoning Certificate.	• Fixed amount per zoning certificate.
17.48 CD for SDF.	• Fixed amount per CD. -SDF
17.49 CD for Zoning Scheme Regulations.	• Fixed amount per CD.
17.50 Application providing the reasons for the decision to the applicant taken by the Valuation Appeal Board – regarding the Property Rates Act (6 of 2004) section 53(2)	• Fixed amount per application.
17.51 Amendment of SDF (if required)	• Fixed amount per amendment.
18. **CARAVAN PARK AND CHALETS: TARIFFS**	
18.1 Camping sites for caravans and/or tents (out of season):	
• limited to 4 persons per site.	• Fixed amount for 4 persons per night.
• more than 4 persons per site.	• Fixed amount for each additional person per night.
18.2 Camping sites for caravans and/or tents (in season):	
• limited to 4 persons per site.	• Fixed amount for 4 persons per night.
• more than 4 persons per site.	• Fixed amount for each additional person per night.
18.3 Chalets (out of season)-	
• limited to 6 persons per chalet	• Fixed amount for 6 persons per night.
18.4 Chalets (in season)-	
• limited to 6 persons per chalet	• Fixed amount for 6 persons per night.
18.5 Entrance fees for visitors	
• entrance fees for motor vehicles plus entrance fees per person.	• Fixed amount per person and per vehicle

FUNCTION	UNIT OF RETURN
18.6 Camping site without any facilities for cyclists with one-person tents.	• Fixed amount per application per night.
18.7 Storage place for caravans.	• Fixed amount per storage place.
18.8 Washing machine fees.	• Fixed amount per wash.
18.9 Fees payable at reservation	
Chalets – December/January	• 100% of amount payable for reserved period
Easter week-end	• 100% of amount payable for reserved period
Other periods	
Camping sites – December/January	• 100% of amount payable for reserved period.
Easter week-end	
18.10 Cancellation of reservations for chalets/camping sites.	• The amount payable for the reserved period less 10% forfeit fee
18.11 Cancellation of reservation after 3 weeks from booking date.	• 100% FORFEIT FEE will be recovered from fees payable, if cancellation is after 3 week from booking date.
18.12 Rebate for pensioners and groups:	• 40% for persons 60 years and older during "out of season" period.
Pensioners-	
Groups:	
10 – 15 caravans	10% rebate.
16 – 25 caravans	15% rebate.
26 – 50 caravans	20% rebate.
More than 50 caravans	25% rebate.
18.13Crockery of Chalets	• Fixed cost per item
18.14 Bedding of Chalets	• Fixed cost
19. **DISPLAY OF POSTERS AND/OR BANNERS ON MUNICIPAL COMMONAGE**	
19.1 Deposit payable for events of a non-commercial nature (Religious, sport, tourism etc.).	• Refundable deposit payable per event.
19.2 Deposit payable for election purposes, by political parties for National and Provincial Elections and Local Government Elections (excluding By-Elections).	• Refundable deposit payable per ward.
19.3 Deposit payable for Election purposes by political parties for By-Elections.	• Refundable deposit payable irrespective of the number of wards.
19.4 Charge payable for display of posters and banners for Election purposes	• Fixed non-refundable charge payable by political parties.
19.5 Levy for the non-removal of posters/banners on due date.	• Fixed amount payable per poster/banner.
20. **AD HOC LETTING OF COMMONAGE, CAMPING SITES, HAWKERS AREA**	
20.1 Hiring of circus sites.	• Fixed amount per reservation per day.
20.2 Hiring of Riebeeck Kasteel Town Square.	• Fixed amount per hiring per day.
20.3 Hiring of open spaces for church services. Chemical toilet must be provided.	• Fixed amount per reservation per day or part of a day. Chemical toilet provided by Lessee at own cost.
20.4 Hiring of site for merry-go-round.	• Fixed amount per site.
20.5 Use of coastal area and/or other municipal open spaces in respect of:	• Fixed amount per reservation type per day.

FUNCTION	UNIT OF RETURN
• Film shooting	
• Still photos	
• Weddings	
• Concession: 50% rebate on student filming	• 50% rebate on student filming
20.6 Hiring of hawkers' sites. (Open spaces)	• Fixed amount per open space.
20.7 Cancellation of sports grounds lease.	• Actual cost plus 15% of seasonal fees.
20.8 Rental of sport grounds as per tariff list classification.	• Fixed costs per sport ground: per sport type – per year or per occasion.
	• Fixed costs per season or per occasion.
20.9 Rental of Sport club facilities.	• Fixed costs per season or per occasion.
20.10 Sport Club deposit	
20.11 Levy for the Provision of additional ablution facilities, temporary fencing and parking arrangements during special / large events:	• Fixed costs per special / large events.
20.12 Recovery of breakages at sport grounds.	• Actual costs plus % levy for administration costs.
21. APPLICATION FOR EXTENDED TRADING HOURS into. SECTION 9(1) OF BY-LAW TO LIQUOR TRADE	
21.1 Application for extended trading hours into Section 9(1) of By-Law to Liquor Trade	• Fixed amount per application
22. **TRAFFFIC DEPARTMENT: TARIFFS FOR TRAFFIC SERVICES**	
22.1 Issuing of stickers for the disabled.	• Free of Charge per issuing of a disabled sticker
22.2 Test – Brake and light testing for light motor vehicles	• Fixed amount per test, per light vehicle
22.3 Test – Brake and light testing for heavy motor vehicles	• Fixed amount per test, per heavy vehicle
22.4 Escorting of vehicles through town.	• Fixed amount per hour per officer.
22.5 Rendering of services to bodies such as sporting clubs, funeral escorts, festivals and similar services, etc.	• Fixed amount per hour per officer per occasion.
22.6 Closing of any Municipal road(s) for any private or tourism activities, excluding matric farewell.	• Fixed amount per road closing application
23. **HARBOUR AND FISH MARKET, YZERFONTEIN: TARIFFS**	
23.1 Use of harbour facilities - all boats.	• Fixed amount per service.
23.2 Entrance fees for motor vehicles.	• Fixed amount per motor vehicle.
23.3 Entrance fees payable in regard to the use of the fish market facilities.	• Fixed amount per service.
24. **SPORT GROUNDS – FIELDS AND CLUB HOUSES: TARIFFS**	
24.1 Sport ground application – cancellations;	• 15% Administration cost payable calculated on Actual cost of application
24.2 Sport Ground: Class's: I; II and III	• Rent payable per Sport Ground Class
24.3 External organisFations, private, national and international organisations/companies;	• Rent per Sport ground Class and per day

FUNCTION	UNIT OF RETURN
24.4 Sport Ground used by Elderly Clubs, Crèches and Nursery Schools; 24.5 Uplifting Projects (Non-Profit) 24.6 Sport Fields: Rugby, Soccer, Cricket, Netball, Hockey, Tennis, etc. 24.7 Schools (All facilities) 24.8 Schools (All facilities) 24.9 Sport Club Houses- Class I; II and III; 24.10 Sport Club Houses – Deposit 24.11 Sport Ground: Special / Large events – levy of additional ablution facilities, temporary fencing and parking arrangements 24.12 Sport facilities - vandalism	• Rent per Sport ground Class • Rent per Sport ground Class • Rent per Sport League matches or except League matches, per season or per occasion or only League matches • Rent per year – electricity excluded • Rent per occasion – electricity excluded • Rent payable per Sport Ground Class and occasion; • Sport Club Deposit per Sport Ground Class and per season or per occasion; • Rent per Sport Club Class and per Sport ground field A; B and C. • Cost recovered; actual cost + 15% administration cost.
25. THUSONG CENTRES: 25.1 Centre applications 25.2 Centre - kitchen and/or committee room 25.3 Centre – use by Schools/Churches and or Sport clubs	 • Rent per day and/or per evening • Rent per item and per occasion • Rent per application, less 50% of tariffs
26. SWARTLAND FIRE SERVICES: 26.1 Attendance of any irrespective of number of vehicles and personnel 26.2 Attendance after first hour:	 • Attendance of any incident irrespective of number of vehicles and personnel (first hour) • Major / Medium appliance Rescue pumps / Arial appliance including Personal (Standby) (per hour or part thereof) • Hazmat Unit (per hour or part thereof • Auxiliary appliance (inclusive of manpower) Off-road, light/heavy rescue. Hazmat units (Standby((per hour of part thereof) • Service vehicles (inclusive of manpower) LDV's and transporters (Standby) • Trailers and units (inclusive of manpower) Fuel/hydrant trailer BA trailer and command unit (Standby) (per hour of part thereof) • Chief Fire Officer (per hour or part thereof) • Assistant Chief Fire Officer (per hour or part thereof) • District Commander (per hour or part thereof) • Station Senior Officer (per hour or part thereof)

FUNCTION	UNIT OF RETURN
26.3 Personnel charges (cost if additional personnel are required) (Standby): 26.4 Specialized consumable material (Standby)	• Platoon Officers (per hour or part thereof • Senior Fire Fighters (per hour of part thereof • Fire Fighters (per hour of part thereof) • Learner Fire Fighters (per hour or part thereof • EPWP Learner Fire Fighters (per hour or part thereof • Replacement Cost plus 10% administration cost

9. Notification of tariffs, fees and service charges

(1) The municipality must give notice of all tariffs approved at the annual budget meeting at least 30 days prior to the date that the tariffs become effective.
(2) A notice stating the purport of the council resolution and the date on which the new tariffs shall become operational, must be displayed/advertised by the municipality.

10. Compliance to the POPIA

All personal information in "softcopy" data format and physical format will be subject to the protection and limited use as required in the POPI Act.

SWARTLAND MUNICIPALITY

PROPERTY RATES POLICY

REVIEWED AND AMENDED MAY 2026

for the Financial Year 2026/2027

In terms of section 3 of the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004), the Swartland Municipality hereby adopts the following Property Rates Policy –

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1. Definitions

In this policy, unless the context otherwise indicates –

"agricultural property" in relation to the use of a property, means property that is primarily used for agricultural purposes, but without derogating from section 9 of the Act, excludes any portion thereof that is used commercially for the hospitality of guests and excludes the use of the property for the purposes of eco-tourism or for the trading in or hunting of game;

"annually" means once every financial year;

"business property" means property used for the activity of buying, selling or trade in goods or services and includes any office or other accommodation on the same erf, the use of which is incidental to such business and includes property that does not fall into any other category of property;

"category" –

(a) means a category of property determined based on the use of the property in terms of section 8 of the Act;
(b) in relation to owners of property, means a category of owners determined in terms of section 15(2) of the Act;

"conservation area" means –

(a) a protected area listed in terms of section 10 of the Protected Areas Act, 2003 (Act 57 of 2003);
(b) a nature reserve established in terms of the Nature and Environmental Conservation Ordinance, No 19 of 1974; or
(c) any land which is zoned as open space zone II or III in terms of the municipality's zoning scheme regulations, provided that such protected areas, nature reserves or land, with the exception of tourism facilities that may have been erected thereon, are exclusively utilised for the preservation of fauna and/or flora in perpetuity and the products of such land are not being traded for commercial gain;

"council" means the municipal council of the Swartland Municipality referred to in section 18 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

"disabled person" means a person who receives a disability grant from the Department of Social Development;

"exclusion" in relation to a municipality's rating power, means a restriction of that power as provided in section 17 of the Act;

"Exemption" in relation to the payment of rates, means an exemption granted in terms of section 15 of the Act;

"financial year" means the period starting from 1 July in a year to 30 June of the next year;

"Income Tax Act" means the Income Tax Act, 1962 (Act 58 of 1962);

"industrial property" means a property used as a branch of trade or manufacturing, production, assembling or processing of finished or partially finished products from raw materials or fabricated parts, on so large scale that capital and labour are significantly involved, including the processing, storage and warehousing of the products and includes any other incidental facilities on the property;

"land tenure right" means a land tenure right as defined in section 1 of the Upgrading of Land Tenure Rights Act, 1991 (Act 112 of 1991);

"local community" means –

that body of persons comprising –

(a) the residents of the municipality;

(b) the ratepayers of the municipality;
(c) any civic organisations and non-governmental, private sector or labour organisations or bodies which are involved in local affairs within the municipality; and
(d) visitors and other people residing outside the municipality who, because of their presence in the municipality, make use of services or facilities provided by the municipality; and

more specifically includes the poor and other disadvantaged sections of such body of persons;

"market value" means the value of the property determined in accordance with section 46 of the Act;

"mining property" means a property used for mining operations as defined in the Mineral and Petroleum Resources Development Act , 2002 (Act 28 of 2002);

"multiple purposes" means the use of a property for more than one purpose subject to section 9 of the Act;

"municipal property" means property of which the municipality is the owner and used for municipal services;

"municipal valuer" means a person designated as a municipal valuer in terms of section 33(1) of the Act;

"municipality" means the Swartland Municipality established in terms of Section 21 of the Municipal Structures Act, 117 of 1998, and includes any political structure, political office bearer, councillor, duly authorized agent or any employee acting in connection with this policy by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

"municipal manager" means a person appointed in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)

"occupier" means a person in actual occupation of a property whether or not that person has a right to occupy the property;

"Office bearer", in relation to places of public worship, means the primary person who officiates at services at that place of worship.

"Official residence", in relation to places of public worship, means

(a) a portion of the property used for residential purposes; or

(b) one residential property, if the residential property is not located on the same property as the place of public worship, registered in the name of a religious community or registered in the name of a trust established for the sole benefit of a religious community and used as a place of residence for the office bearer.

"owner" –

(a) in relation to a property referred to in paragraph (a) of the definition of **"property"**, means a person in whose name ownership of the property is registered;

(b) in relation to a right referred to in paragraph (b) of the definition of **"property"**, means a person in whose name the right is registered;

(i) in relation to a time sharing interest contemplated in the Property Time-sharing Control Act, 1983 (Act 75 of 1983), means the management association contemplated in the regulations made in terms of section 12 of the Property Time-sharing Control Act, 1983, and published in Government Notice R327 of 24 February 1984;

(ii) in relation to a share in a share block company, means the share block company as defined in the Share Blocks Control Act, 1980 (Act 59 of 1980);

(iii) in relation to buildings, other immovable structures and infrastructure referred to in section 17(1)(f) of the Act, means the holder of the mining right or the mining permit;

(c) in relation to a land tenure right referred to in paragraph (c) of the definition of **"property"**, means a person in whose name the right is registered or to whom it was granted in terms of legislation; or

(d) in relation to public service infrastructure referred to in paragraph (d) of the definition of **"property"**, means the organ of state which owns or controls that public service infrastructure as envisaged by the definition in the Act of the term **"publicly controlled"**;

provided that a person mentioned below may for the purposes of this policy be regarded by the municipality as the owner of a property in the following cases –

(i) a trustee, in the case of a property in a trust excluding state trust land;

(ii) an executor or administrator in a deceased estate;

(iii) a trustee or liquidator in an insolvent estate or in liquidation;

(iv) a judicial manager in the estate of a person under judicial management;

(v) a curator in the estate of a person under curatorship;

(vi) a usufructuary or other person in whose name a usufruct or other personal servitude is registered that is subject to a usufruct or other personal servitude;

(vii) a buyer, in the case of a property that was sold by the municipality and of which possession was given to the buyer pending registration of ownership in the name of the buyer;

(viii) a lessee in the case of a property that is registered in the name of the municipality and is leased by it.

"POPIA" means the Protection of Personal Information Act 4 of 2013

"permitted use" means the limited purposes for which the property may be used in terms of –

(a) any restrictions imposed by –

(i) a condition of title;

(ii) a provision of a town planning or land use scheme; or

(iii) any legislation applicable to any specific property or properties; or

(b) any alleviation of any such restrictions;

"property" means –

(a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person;

(b) a right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property;

(c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; or

(d) public service infrastructure;

"protected area" means an area that is or has to be listed in the register referred to in section 10 of the National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003), excluding any residential or other properties located therein;

"public benefit organisation property" means property owned by public benefit organisations and used for any specified public benefit activities listed in Part I of the Ninth Schedule to the Income Tax Act;

"public service infrastructure" means publicly controlled infrastructure of the following kinds:

(a) national, provincial or other public roads on which goods, services, or labour move across a municipal boundary;

(b) water or sewer pipes, ducts or other conduits, dams, water supply reservoirs, water treatment plants or water pumps forming part of a water or sewer scheme serving the public;

(c) power stations, power substations or power lines forming part of an electricity scheme serving the public;

(d) gas or liquid fuel plants or refineries or pipelines for gas or liquid fuels, forming part of a scheme for transporting such fuels;

(e) railway lines forming part of a national railway system;

(f) communication towers, masts, exchanges or lines forming part of a communications system serving the public;

(g) runways, aprons and the air traffic control unit at national or provincial airports, including the vacant land known as the obstacle free zone surrounding these, which must be vacant for air navigation purposes;
(h) breakwaters, sea walls, channels, basins, quay walls, jetties, roads, railway or infrastructure used for the provision of water, lights, power, sewerage or similar services of ports, or navigational aids comprising lighthouses, radio navigational aids, buoys, beacons or any other device or system used to assist the safe and efficient navigation of vessels;
(i) any other publicly controlled infrastructure as may be prescribed; or
(j) a right registered against immoveable property in connection with infrastructure mentioned in paragraphs (a) to (i);

"public service purposes" in relation to the use of a property means property owned and used by an organ of state as-

(a) hospitals or clinics;
(b) schools, pre-schools, early childhood development centres or further education and training colleges;
(c) national and provincial libraries and archives;
(d) police stations;
(e) correctional facilities; or
(f) courts of law,

but excludes property contemplated in the definition of "public service infrastructure";

"rate" means a municipal rate on property envisaged in section 229(1)(a) of the Constitution and **"rates"** has a corresponding meaning;

"rateable property" means property on which a municipality may, in terms of section 2 of the Act levy a rate, excluding property fully excluded from the levying of rates in terms of section 17 of the Act;

"rebate" means a discount on the amount of the rates payable on the property;

"reduction" means the lowering of the amount for which the property was valued and the rating of the property at that lower amount;

"residential property" means a property included in a valuation roll in terms of section 48(2)(b) of the Act as residential in respect of which the primary use or permitted use is for residential purposes, without derogating from section 9 of the Act;

"senior citizen" means a pensioner that reached retirement age, who is 60 years or older in the financial year for which the application for rebate is made, irrespective of his or her age at the time of application and no longer meaningfully employed; (part time employment excluded);

"the Act" means the Municipal Property Rates Act, 2004 (Act 6 of 2004) as amended from time to time and includes regulations made in terms of section 83; and

"vacant land" means land on which no immovable improvements have been made as determined by the Municipal Valuer.

1A. Purpose of the policy

The purpose of the policy is –

(a) to comply with the provisions of section 3 of the Act; and
(b) to determine criteria to be applied for –
  (i) the levying of different rates for different categories of properties;
  (ii) exemptions;
  (iii) reductions and rebates; and
  (iv) rate increases or decreases;
(c) to determine or provide criteria for the determination of –
  (i) categories of properties for the purpose of levying different rates; and
  (ii) categories of owners of properties or categories of properties, for the purpose of granting of exemptions, rebates and reductions;
(d) to determine how the municipality's powers must be exercised in relation to multiple purpose properties;
(e) to identify and quantify in terms of cost and benefit to the community –
  (i) exemptions, rebates and reductions;
  (ii) exclusions; and
  (iii) rates on properties to be phased in;
(f) to take into account the effect of rates on the poor;
(g) to take into account the effect of rates on organisations which are conducting particular public benefit activities and are registered in terms of the Income Tax Act for tax exemptions, in respect of those activities;
(h) to take into account the effect of rates on public service infrastructure;
(i) to allow the municipality to promote local economic and social development;
(j) to identify all rateable property;
(k) to ensure that any exemptions, rebates or reductions provided for in this policy comply and be implemented in accordance with a national framework after consultation with organised local government; and
(l) to ensure that the municipality does not grant relief in respect of the payment of a rate –

(i) to a category of owners of properties, or to the owners of a category of properties, other than by way of an exemption, a rebate or a reduction provided for in this policy; or
(ii) to the owners of properties on an individual basis.

1B. Application

This property rates policy shall be applicable in respect of the financial year 1st July 2024 until 30th June 2025.

2. Policy principles

(1) The levying of a tax rate on a property is an exclusive power of the municipality in terms of Section 229 of the Constitution of the Republic of South Africa which will be applied with due regard to the total revenue pool of the municipality.
(2) In terms of Section 4(1)(c) of the Local Government: Municipal Systems Act, 1998 (Act 117 of 1998) a municipality has the right to finance the affairs of that municipality by imposing, inter alia, rates on property.
(3) In terms of Section 2 of the Act a municipality may levy a rate on property in its area.
(4) This Policy is adopted in terms of Section 3 of the Act.
(5) This Policy must be read together with and is subject to the provisions of the Act and the Swartland Municipality: Municipal Property Rates By-Law.
(6) The rating of property will be done impartially, fairly, equitably and without bias, and these principles also apply to the setting of criteria for exemptions, reductions and rebates contemplated in section 15 of the Act.
(7) The rating of property will be implemented in a way that –
  (a) is developmentally orientated;
  (b) supports sustainable local government by providing a stable and buoyant revenue source within the discretionary control of the municipality; and
  (c) supports local and social economic development.
(8) Property rates may be levied to correct the imbalances of the past and to minimise the effect of rates on the poor.
(9) Rates will be levied in proportion to the market value of the property;
(10) The rates will be based on the value of all rateable properties and the amount required by the municipality to balance the operating budget after taking into account surpluses generated on trading and economic services and the amounts required to finance exemptions, rebates, reductions and phasing in of rates as approved by the council.

(11) Trading and economic services must be ring fenced and tariffs and service charges calculated, whenever possible in such a manner that the income generated covers the cost of the services or generates a surplus;
(12) Property rates may be used to finance community services.
(13) Surpluses on trading and economic services may be used to subsidise community services.
(14) The provision for working capital and bad debts must relate to the requirements for community services and not to those of trading and economic services.
(15) The revenue base of the municipality must be protected by limiting reductions, exemptions and rebates.
(16) The General Valuation Roll with base date 1 July 2023 (updated with Supplemental Valuation Rolls that may be implemented during its period of validity) and which will be implemented on 1 July 2024, determines the market values on which rates will be charged in terms of this policy.

3. Levying of rates

(1) Subject to the provisions of subparagraph (2), the municipality must levy rates on all rateable property in its area of jurisdiction at a rate to be fixed in terms of section 14 of the Act.
(2) Rates may not be levied –
  (a) as contemplated in terms of section 17 of the Act;
  (b) on property of the municipality;
  (c) on public services infrastructure which is the property of a municipal entity;
  (d) property referred to in section 7(2)(a)(iii) and (iv) of the Act; and
  (e) property exempted in terms of paragraph 7 hereof.

4. Categories of property

(1) Properties may be categorised as follows according to the use of the property, the permitted use of the property, or a combination of the two –
  (a) residential properties;
  (b) vacant land;
  (c) industrial properties;
  (d) mining properties;
  (e) business and commercial properties;
  (f) agricultural properties;
  (g) public service infrastructure properties;
  (h) properties owned by an organ of state and used for public service purposes;

(i) informal settlements including those on land which are not subdivided into residential erven;
(j) properties owned by public benefit organisations and used for specified public benefit activities –
(k) properties used for multiple purposes subject to section 9 of the Act.

5. Categories of owners

(1) In terms of section 15(2) of the Act the following categories of owners will be recognised –
(a) owners who qualify for indigent support in terms of the municipality's Indigent Policy;
(b) owners of property situated within an area affected by –
(i) a disaster within the meaning of the Disaster Management Act, 2002 (Act 57 of 2002); or
(ii) any other adverse social or economic conditions;
(c) owners of residential properties of which the market value is lower than an amount determined by the municipality; and
(d) an owner of residential property who is a senior citizen or a disabled person.

6. Differential rates

(1) In terms of section 8 of the Act the municipality may levy differential rates for different categories of rateable property.
(2) A rate equal to 25% or such lesser rate as the municipality may determine, of the rate applicable to residential properties shall be levied in respect of –
(a) agricultural property used for agricultural purposes; and
(b) that portion of a property in the category "**multiple purposes**" which has been apportioned for agricultural purposes in terms of section 15(2) of the Act.

7. Exemptions

(1) To reduce the rates burden and cost of service charges all municipal properties (used for municipal services) are exempted from property tax, including municipal property which is leased.
(2) The following properties will also be exempt from rates (i.e exempted from paying any rates) –
(a) property used as conservation areas and protected areas as defined in section 1 of this policy ;
(b) property registered in the name of a public benefit organisation (welfare and humanitarian) which is used for the following public benefit activities –
(i) the care for, or counselling of abandoned, abused, neglected, orphaned or homeless children or the provision of education programmes relating to such children;

(ii) the care for, or counselling of poor and needy persons where more than 90% of the persons to whom the care or counselling is provided are over the age of 60 years;
(iii) the care for, or counselling of physically or mentally abused and traumatised persons or the provision of education programmes relating to such persons;
(iv) the provision of disaster relief;
(v) the rescue or care of persons in distress;
(vi) the provision of poverty relief;
(vii) rehabilitative care, counselling or education of prisoners, former prisoners and convicted offenders and persons awaiting trial;
(viii) the rehabilitation, care or counselling of persons addicted to a dependence-forming substance or the provision of preventative and educations programmes regarding addiction to dependence-forming substances;
(ix) conflict resolution, the promotion of reconciliation, mutual respect and tolerance between the various peoples of South Africa;
(x) the promotion or advocacy of human rights and democracy;
(xi) the protection of the safety of the general public;
(xii) the promotion or protection of family stability;
(xiii) the provision of legal services for poor and needy persons;
(xiv) the provision of facilities for the protection and care of children under school-going age of poor and needy parents;
(xv) the promotion or protection of the rights and interests of, and the care of, asylum seekers and refugees;
(xvi) community development for poor and needy persons and anti-poverty initiatives, including –
(aa) the promotion of community based projects relating to self-help, empowerment, capacity building, skills development or anti-poverty;
(bb) the provision of training, support or assistance to community based projects contemplated in paragraph (aa); or
(cc) the provision of training, support or assistance to emerging micro enterprises to improve capacity to start and manage businesses, which may include the granting of loans on such conditions as may be prescribed by the minister by way of regulation; and
(dd) the promotion of access to media and a free press.
(c) property registered in the name of a public benefit organisation (cultural) which is used for the following public benefit activities –

(i) the advancement, promotion or preservation of the arts, culture or customs;
(ii) the promotion, establishment, protection, preservation or maintenance of areas, collections or buildings of historical or cultural interest, national monuments, national heritage sites, museums, including art galleries, archives and libraries; and
(iii) the provision of youth leadership or development programmes.

(d) property registered in the name of a public benefit organisation (sport) which is used for the administration, development, co-ordination or promotion of sport or recreation in which the participants take part on a non-professional basis as a pastime.

(e) property owned by public benefit organisations and used for any public benefit activity listed in item 4 (education and development) of part 1 of the Ninth Schedule to the Income Tax Act.

(f) property registered in the name of a public benefit organisation (conservation, environmental and animal welfare) which is used for the following public benefit activities –

(i) engaging in the conservation, rehabilitation or protection of the natural environment, including flora, fauna or the biosphere;
(ii) the care of animals, including the rehabilitation or prevention of the ill-treatment of animals; and
(iii) the promotion of education and training programmes relating to environmental awareness, greening, clean-up or sustainable development projects.

(g) property registered in the name of a public benefit organisation (healthcare) which is used for the following public benefit activities –

(i) the provision of healthcare services to poor and needy persons;
(ii) the care or counselling of terminally ill persons or persons with a severe physical or mental disability, and the counselling of their families in this regard;
(iii) the prevention of HIV infection, the provision of preventative and education programmes relating to HIV/AIDS;
(iv) the care, counselling or treatment of persons afflicted with HIV/AIDS, including the care or counselling of their families and dependants in this regard;
(v) the provision of blood transfusion, organ donor or similar services; and
(vi) the provision of primary healthcare education, sex education or family planning.

(h) property registered in the name of an agricultural society affiliated to or recognised by a bona fide agricultural union, which is used for the purposes of such a society shall be exempt from rates, provided

that the owner thereof applies annually on or before 30 September for exemption for the ensuing financial year.

(i) property registered in the name of and used primarily as a place of public worship by a religious community, including an official residence registered in the name of that community which is occupied by an office-bearer of that community who officiates at services at that place of worship, may be exempted from property rates provided that the owner make an official application annually on or before 30 September for the exemption of rates for the ensuing financial year. The municipality reserves the right to annually review, suspend or withdraw such exemption should the requirements not be complied with.

(j) property registered in the name of a public benefit organisation (PBOs) and used for a specified public benefit activity or activities, must apply annually confirming their status and continued eligibility. The Municipality reserves the right to annually review, suspend or withdraw such exemption should the requirements not be complied with.

8. Rebates (for purposes of the 2026-2027 financial year, please refer to the 2025-2026 published resolutions)

(1) The municipality may grant rebates (only in cases specifically so determined by the council from time to time and subject to budgetary provision) to industrial enterprises that promote local, social and economic development in the municipality's area of jurisdiction.

(2) The following criteria shall be taken into consideration for applications by industrial enterprises –
(a) Job creation in the municipal area;
(b) Social upliftment of the local community; and
(c) Creation of infrastructure for the benefit of the community.

(3) For purposes of rebates an industrial enterprise shall be considered to be an enterprise which is lawfully conducted from premises zoned for industrial purposes in terms of the municipality's zoning scheme and which employs at least 25 or more fulltime employees on such premises.

(4) Rebates to industrial enterprises shall be phased out within five years from the date on which the rebate was granted for the first time.

(5) Rebates to industrial enterprises may be granted on application subject to –
(a) the submission of a business plan indicating how the local, social and economic development objectives of the municipality are going to be achieved;
(b) the submission of a continuation plan certified by auditors of the enterprise stating that the objectives have been met in the first year

after establishment and how the enterprise plans to continue to achieve the objectives; and

(c) an assessment and confirmation by the municipal manager that the enterprise qualifies.

(6) Rebates may be granted in respect of the following properties

(a) properties registered in the name of a public benefit organisation (education and development) which are used for the following public benefit activities

(i) the provision of education by a school as defined in the South African Schools Act, 1996 (Act 84 of 1996);
(ii) the provision of higher education by a higher education institution as defined in terms of the Higher Education Act, 1997 (Act 101 of 1997);
(iii) adult basic education and training, as defined in the Adult Basic Education and Training Act, 2000 (Act 52 of 2000), including literacy and numeracy education;
(iv) further education and training provided by a public further education and training institution as defined in the Further Education and Training Act, 1998 (Act 98 of 1998);
(v) training for unemployed persons with the purpose of enabling them to obtain employment;
(vi) the training or education of persons with a severe physical or mental disability;
(vii) the provision of bridging courses to enable educationally disadvantaged persons to enter a higher education institution as envisaged in subparagraph (ii);
(viii) the provision of educare or early childhood development services for pre-school children;
(ix) training of persons employed in the national, provincial and local spheres of government, for purposes of capacity building in those spheres of government;
(x) the provision of school buildings or equipment for public schools and educational institutions engaged in public-benefit activities contemplated in subparagraphs (i) to (viii);
(xi) career guidance and counselling services provided to persons for purposes of attending any school or higher education institution as envisaged in subparagraphs (i) and (ii);
(xii) the provision of hostel accommodation to students of a public benefit organisation, institutions, board or body;
(xiii) programmes addressing needs in education provision, learning, teaching, training, curriculum support, governance, whole school development, safety and security at schools, pre-schools

or education institutions as envisaged in subparagraphs (i) to (viii);
(xiv) educational enrichment, academic support, supplementary tuition or outreach programmes for the poor and needy.

(b) residential properties of owners as categorised in paragraph 5(a), of which the value exceeds the limit as determined in the municipality's Indigent Policy, subject to compliance with the following requirements –

(i) application for a rebate must be submitted annually before 30 September for the ensuing financial year –
(ii) the applicant must be the registered owner of the property; and
(iii) the owner must occupy the property;

to an amount equal to the rates payable on the first amount of the valuation of such property to a limit of R 400 000 with the proviso that such owner can only qualify either in terms of the Indigent Policy or this policy, subject to any conditions imposed. Such owner shall still be liable for payment of rates on the valuation which exceeds the amount determined above. The R15 000 exemption in terms of section 17(1)(h) of the Act shall be excluded from the amount above.

(c) residential properties of owners as categorised in paragraph 5(d), to an amount equal to the rates payable on the first amount of the valuation of such property to a limit of R 400 000, subject to compliance with the following requirements –

(i) application for a rebate must be submitted to the municipality by 30 September annually in respect of the ensuing financial year;
(ii) the applicant must be the registered owner of the residential property concerned and must occupy such property as his or her normal residence;
(iii) the applicant must be a natural person, and a South African citizen. If not a South African citizen, he or she must be the registered owner of the property within the jurisdiction of the municipality and must submit proof of his or her permanent residency in the Republic of South Africa;
(iv) the applicant must provide evidence that he or she is indeed a senior citizen, or in receipt of a disability pension from the Department of Social Development;
(v) where the owner owns more than one property, a rebate will be granted only on the occupied property;

(vi) where the applicant occupies a residential property as the usufructuary thereof, he or she must satisfy the occupancy requirement; and

(vii) such owner shall still be liable for payment of rates on the valuation which exceeds the amount above which is subject to the determination annually[1] during the budget process. The R15 000 exemption in terms of section 17(1)(h) of the Act shall be excluded from the amount above.

9. Application of rates and Quantification of rebates to certain categories of owners in the form of a rebate or zero rated rates

The municipality shall levy rates for the different categories of rateable property as follows:

		Cent amount in the Rand rate
(1)	Residential properties	0.005831
(2)	Vacant land	0.008726
(3)	Industrial properties	0.009721
(4)	Business and commercial properties	0.009721
(5)	Agricultural properties (used for agricultural purposes)	0.001458
(6)	Mining properties	0.009721
(7)	Properties owned by an organ of state and used for public service purposes	0.009721
(8)	Public service infrastructure	0.001458
(9)	100% rebate to owners of public benefit organisations used for the public benefit listed activities	0.00
(10)	Municipal properties	0.00
(11)	Informal settlements, including those on land which are not subdivided into residential erven	0.00
(12)	Conservation areas	0.00
(13)	Protected areas (excluding residential or other properties located therein)	0.00
(14)	National monuments	0.00

[1]

(15)	A rebate to an amount equal to the rates payable on the first amount of the valuation of such property to a limit of R400 000	Qualifying indigent, senior citizens and disabled persons

[1] Determined on 29 May 2025, that the rebate amount of R300 000 will increase to R400 000 for the 2026/27 financial year.

10. Application for exemption or rebate

(1) Application for an exemption or a rebate must be made on the application form, the content of which and information required therein shall be determined by the Chief Financial Officer.

(2) Applications must be submitted annually by 30 September to qualify for an exemption or rebate for the ensuing financial year.

(3) Late applications after 30 September may be considered in the sole discretion of the Chief Financial Officer.

(4) All applications for an exemption or a rebate must be considered by the Chief Financial Officer or his delegate.

(5) The Chief Financial Officer or his delegate may refuse an application for exemption or a rebate if –

(a) the information furnished on the application is incomplete, incorrect or false; or

(b) the application form is not received on or before the due date determined for such applications.

(6) Applications by senior citizens or disabled persons must be accompanied by the following –

(a) a certified copy of the identity document of the owner or any other proof of the owner's age, provided that no age requirement will apply if the owner is a disabled person in receipt of a disability grant; and

(b) proof of a disability grant where applicable.

11. Reductions

(1) Reduction in the municipal valuation as contemplated in section 15(1)(b) of the Act may be granted where the value of a property is affected by fire damage, demolition or floods.

(2) The reduction will be subject to a certificate issued by the municipal valuer.

12. Rate adjustments

(1) The municipality may adjust rates annually during the budget process.

(2) Rate adjustments may be used to finance operating costs of community services.

(3) The following annual adjustment's impact will form part of the consideration in determining the adjustment in rates on an annual basis:

(a) all salary and wage adjustments as agreed at the National Bargaining Council;

(b) an inflation adjustment for general expenditure, repairs and maintenance and contributions to funds; and
(c) additional depreciation costs of interest and redemption on loans associated with the assets created during the previous financial year.

(4) Extraordinary expenditure not foreseen during the previous budget period and approved by the council during a budget review process will be financed by an adjustment in property rates.

(5) All adjustments in the property rates must be communicated to the local community in terms of the legislative requirements relating to the annual approval of budgets.

13. Multiple purpose use of property

The municipality shall apportion the market value of a property used for multiple purposes in a manner determined by the municipal valuer and shall apply the rates applicable to the different categories determined by it subject to the permitted use.

To prevent fruitless and wasteful expenditure, the municipal valuer will only apply this category when it is considered reasonable to apportion the value for each distinct use of the property for billing at the appropriate rate(s).

14. Costs of exemptions, rebates, reductions and phasing in of rates

(1) During the budget process the Chief Financial Officer shall inform council of the estimated costs associated with the suggested exemptions, rebates, reductions as well as the cost of phasing in of rates and grants in lieu of rates.

(2) Provision must be made in the operating budget for –
(a) the full potential income associated with property rates; and
(b) the estimated costs associated with exemptions, rebates, reductions, phasing in of rates and grants in lieu of rates insofar as the aforementioned impacts revenue foregone.

15. Payment arrangements

The following matters shall be dealt with in terms of the municipality's credit control and debt collection policy –
(a) the date on which rates become due;
(b) the due date for payment of rates which are levied monthly as well as annually;
(c) interest on taxes in arrears; and
(d) steps against defaulters.

16. Utilisation of property

Where it is necessary to determine the use of property, the permitted use of such a property, as contemplated in section 8(1)(b) of the Act, shall be decisive.

17. Compliance to the POPIA

All personal information shall be processed subject to the minimum conditions for lawful processing in terms of POPIA:

SWARTLAND MUNICIPALITY

CREDIT CONTROL AND DEBT COLLECTION POLICY

REVIEWED AND NOT AMENDED

MAY 2026

SWARTLAND MUNICIPALITY
CREDIT CONTROL AND DEBT COLLECTION POLICY

In compliance with sections 95, 96 and 97 of the Local Government: Municipal Systems Act 32 of 2000, read with section 156 of the Constitution and the Rates Act 6 of 2004, and –

WHEREAS section 95 of the Local Government: Municipal Systems Act 32 of 2000 ("the Act") requires a municipality to:

(a) establish a sound customer management system;
(b) establish mechanisms for users of services and ratepayers to give feedback to the municipality regarding the quality of services;
(c) take reasonable steps to ensure that users of services are informed of the costs involved in service provision, the reasons for the payment of service fees, and the manner in which monies raised from services are utilised by the municipality;
(d) take reasonable steps to ensure accurate readings of consumption of services;
(e) ensure that persons liable for the payment of services receive regular and accurate accounts that indicate the basis on which such services have been calculated;
(f) provide accessible mechanisms by which persons can query and verify accounts and metered consumption, as well as appeal procedures which allow such persons to receive prompt redress for inaccurate accounts;
(g) provide accessible mechanisms for dealing with complaints, ensuring prompt replies and corrective action by the municipality;
(h) provide mechanisms to monitor the response time in dealing with complaints as set out in (g) above; and
(i) provide accessible pay points and other mechanisms for settling accounts or for making prepayments for services;

AND WHEREAS section 96 of the Act requires a municipality to:

(a) collect all money that is due and payable; and
(b) for the above-mentioned purpose must adopt, maintain and implement a credit control and debt collection policy;

AND WHEREAS section 97 of the Act requires the credit control and debt collection policy to provide for:

(a) credit control procedures and mechanisms;
(b) debt collection procedures and mechanisms;
(c) indigent debtors;
(d) realistic targets;
(e) interest on arrears;
(f) extended time for payment of accounts;
(g) termination and/or restriction of services while payments are in arrears;
(h) measures in case of unauthorised consumption of services, theft and damages; and
(i) any other matters that may be prescribed by regulation under section 104 of the Act.

NOW THEREFORE the Swartland Municipality hereby adopts the following Credit Control and Debt Collection Policy with effect from 1 July 2024.

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CHAPTER 1: DEFINITIONS AND OBJECTIVES

1. Definitions

Any word or expression in this policy shall have the meaning assigned to it in the Act and, unless the context indicates otherwise, the following words or expressions shall have the meaning as herein defined, to be read together with the Swartland Municipality Credit Control and Debt Collection By-law:

account includes levies, surcharges, service charges and availability charges in respect of the following services –

(a) electricity supply,
(b) water supply,
(c) refuse removal,
(d) sewerage services,
(e) rates,
(f) rental,
(g) loan instalments,
(h) interest on arrears, and
(i) any other levies and monies due and payable to the Municipality;

and **municipal account** has a corresponding meaning;

Act means the Local Government: Municipal Systems Act 32 of 2000, as amended from time to time;

arrears means any amount due and payable to the Municipality which has not been paid on or before the date of payment;

availability charges means charges that may be levied against immovable property – whether with or without improvements – that is not connected to any municipal service works, where such property can be reasonably so connected;

consumer –

(a) with effect from 1 July 2015 and with regard to property zoned for residential purposes, the owner of the property is regarded as the consumer, irrespective of who the tenant or occupier is; provided that, where a lease agreement in respect of such property has existed on 1 July 2015, the tenant or occupier is to be regarded as the consumer until the agreement has expired; subject to the definitions of “occupier” and “owner” in this section 1;
(b) with regard to any other property, the person who receives or uses municipal services or benefits therefrom; and
(c) with regard to municipal property that is leased, the person who receives or uses municipal services or benefits therefrom;

consumer services deposit, as regards connection of services, means –

(a) a deposit for residential consumer services (water, electricity, refuse removal and sewerage services), except in the case of indigents; or

(b) a deposit for residential and business services with a prepaid electricity meter, except in the case of indigents; or

(c) a deposit for business services (conventional electricity services); and

(d) increased service deposits (related to arrears and non-payment of accounts), except in the case of indigents; or

(e) a deposit for letting a municipal stand pipe;

Council means the Municipal Council of the Swartland Municipality;

debt means any monies owing to the Municipality in respect of the rendering of municipal services, including monies relating to property rates, housing, motor vehicle registration and licensing, terminated leases and any other outstanding amounts; also, any interest on amounts owed to the Municipality;

default means –

(a) if, at the end of the Municipality's financial year, an owner owes the Municipality any amount of money in respect of rates or availability charges; or

(b) if, after 31 October of a given year, an owner is in arrears with payment of rates; or

(c) if an owner is in arrears for a period of 60 days or more with payments for availability charges, read with the definition of "arrears" in this section 1;

Director: Financial Services means the municipal official appointed by the Council to administer its finances, regardless of the designation or title attached to the post; the incumbent, and/or any other staff member or official to whom the incumbent has delegated specific duties and responsibilities under this by-law, is responsible for the collection of any and all monies owed to the Municipality;

due date means the final date, as shown on the municipal account statement, on which payment must be made;

Executive Mayor means an executive mayor elected to the Swartland Municipality in terms of section 55 of the Local Government: Municipal Structures Act 117 of 1998;

financial year means the period from 1 July until 30 June of each year;

illegal practises refers to any practise or trade operated on municipal premises that is in contravention of any national or provincial legislation or any by-laws or regulations of the Municipality;

indigent means a person or household as contemplated in the Indigent Policy of Swartland Municipality;

lock-down means the confining of people to their homes or a state of isolation or restricted access instituted by the President of South Africa as a preventative measure typically in order to manage a pandemic or any other disaster and to regain control of such pandemic or disaster**;**

Municipality means the Swartland Municipality and includes any delegated official or service provider of the Municipality;

Municipal Manager means the person appointed in that capacity by the Council under section 54A of the Act;

municipal services has the meaning as defined in section 1 of the Act, and includes a function or a combination of functions listed in schedules 4B and 5B of the Constitution as well as any other service rendered by the Municipality;

occupier means any person who occupies or has control over any premises;

owner –

(a) as regards property in terms of section 1(a) of the definition of "property": a person in whose name ownership of the property is registered;

(b) as regards a right in terms of section 1(b) of the definition of "property": a person in whose name the right is registered;

(c) as regards a land tenure right in terms of section 1(c) of the definition of "property": a person in whose name the right is registered or to whom it was granted by legislation; or

(d) as regards public service infrastructure in terms of section 1(d) of the definition of "property": the organ of state which owns or controls the public service infrastructure concerned;

provided that, for the purposes of this by-law, the Municipality also regards a person mentioned below as the "owner" of a property in the following cases –

(i) a trustee, in the case of a property held in a trust, excluding state trust land;

(ii) an executor or administrator of a deceased estate;

(iii) a trustee or liquidator of an estate that is insolvent or under liquidation;

(iv) a judicial manager of the estate of a person under judicial management;

(v) a curator of the estate of a person under curatorship;

(vi) a usufructuary or other person in whose name a usufruct or other personal servitude is registered, in the case of a property that is subject to a usufruct or other personal servitude; and

(vii) a buyer, in the case of a property that was sold and of which possession was given to the buyer pending registration of ownership in the buyer's name;

(e) as regards immovable property of which the Council is unable to determine the identity of the owner: the person who is entitled to the beneficial use thereof;

(f) as regards immovable property in respect of which a lease agreement of 30 (thirty) years or longer was concluded: the lessee thereof;

(g) in respect of –

(i) a portion of land demarcated on a sectional title plan and registered in accordance with the Sectional Titles Act 95 of 1986: the developer or governing body, as far as the joint property is concerned;

(ii) a portion of land: the person in whose name that portion is registered in accordance with a title deed, including the lawfully appointed representative of such person;

(iii) any person, including but not limited to –

(aa) a company registered in accordance with the Companies Act 71 of 2008, a trust *inter vivos*, a trust *mortis causa*, a close corporation

registered in accordance with the Close Corporations Act 69 of 1984, and a voluntary association;

(bb) any government department;

(cc) any council or governing body established in accordance with any legislation in force in the Republic of South Africa; and

(dd) any embassy or other foreign entity;

person includes –

(a) a natural person;

(b) a juristic person;

(c) for the purposes of this by-law, any industrial or commercial undertaking; and

(d) an organ of state;

premises means any portion of land situated within the municipal area of jurisdiction, and the outer boundaries of which are demarcated on –

(a) a general plan or diagram registered in accordance with the Land Survey Act 8 of 1997 or the Deeds Registries Act 47 of 1937, as amended; or

(b) a sectional title plan registered in accordance with the Sectional Titles Act 95 of 1986;

property means –

(a) immovable property registered in the name of a person, including – in the case of a sectional title scheme – a sectional title unit registered in the name of a person;

(b) a right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property;

(c) a land tenure right registered in the name of a person or granted to a person by legislation; or

(d) public service infrastructure;

standard rate of interest means a rate of interest equal to the prime rate as determined by the Reserve Bank of South Africa plus a percentage that the Council determines annually during the budgeting process;

(the) by-law means the Swartland Municipality Credit Control and Debt Collection By-law adopted by Council and amended from time to time.

2. Objectives of this policy

2.1 The objectives of this policy are –

(a) to focus on all outstanding debt due and payable to the Municipality;

(b) to provide for innovative, cost-effective, efficient, appropriate and relevant methods for credit control, debt collection and indigent relief;

(c) to promote a culture of good payment habits and create a sense of responsibility towards the payment of municipal accounts and reduction of municipal debt;

(d) to provide for the subsidisation of services to indigent households where applicable and/or on application by qualifying consumers; and

(e) to provide payment relief under certain conditions of crisis and during unprecedented periods and subject to relief being requested by a consumer, provided that such relief shall be case specific, based on merit and for consumers affected by a pandemic or other disaster.

CHAPTER 2: CUSTOMER CARE AND MANAGEMENT

3. Communication and the conveyance of information

3.1 In order to comply with sections 95(a) to (c) of the Act, the Municipality may –

(a) establish a customer care forum where community members and Council members may meet;

(b) hold ward meetings where representatives of the Municipality and other service providers may consult with ward members and their ward representative; and

(c) implement measures to ensure that consumers of municipal services or any other service, ratepayers and residents in general are properly informed about the delivery of services, in particular about the costs involved in service provision.

4. Measuring of municipal services and defective meters

4.1 The Municipality must ensure that the consumption of electricity and water provided to consumers is measured by means of accurate and verifiable metering systems.

4.2 Meters must be read, as far as possible, at intervals of 1 (one) month or a period determined by the Municipality.

4.3 If for any reason meters cannot be read or have not been read, the Municipality is entitled to render an account statement based on the estimated consumption calculated on the average consumption during the 3 (three) months preceding the date on which the meter was last read; provided that the difference between actual usage and estimated usage must be set off as soon as a metered reading has been obtained. Reading of meters may not be possible under certain conditions of crisis whereby the Disaster Management Act was activated, whether nationally or provincially.

4.4 It may be assumed that the electricity or water usage registered by a meter has in fact been delivered; provided that, for any period that a meter is out of order, the electricity or water so delivered may be calculated according to the average usage during the 3 (three) months preceding the period in question.

4.5 Consumers may request a special meter reading against payment of the prescribed tariff.

4.6 Defective metering equipment must be handled as stipulated in the Municipality's by-laws regarding water and electricity supply.

4.7 The provisions of the by-laws mentioned in section 4.6 regarding defective metering equipment apply with the necessary changes.

5. Municipal accounts

5.1 The Municipality must render a monthly account statement to consumers of municipal services. Postal delivery of an invoice or statement may during periods of disaster, such as a national or provincial period of lock-down, not be delivered.

5.2 The account statement must reflect the following –

(a) all outstanding amounts and the balance brought forward;
(b) amounts owing;
(c) total amount due; and
(d) meter readings, where applicable.

5.3 In respect of account statements rendered to a consumer who is not the owner of the relevant property, and where a lease agreement exists between the owner and the tenant, the Municipality reserves the right to switch the account to the owner of the property upon expiration of the lease agreement.

5.4 An account as contemplated in section 5.3 will be switched to the owner of the property if –

(a) ownership changes; or
(b) a tenant or occupier fails to pay the account on 3 (three) occasions, irrespective of the period of lease between the owner and the tenant.

5.5 Section 5.4(b) applies also in the case of non-residential consumers.

5.6 Where the owner of a block of flats fails to pay their account, the Municipality must notify the tenants of such failure and grant the owner 14 (fourteen) days to settle the account, failing which the Municipality may restrict or discontinue services to the premises.

5.7 Upon switching of an account under sections 5.3 and 5.4 above, consumer service deposits paid by a tenant or occupier must be refunded to the relevant tenant or occupier after the final outstanding balance has been calculated.

5.8 The Municipality will supply an owner who rents out property with a copy of the monthly account statement provided to the tenant or occupier of the property. The council will determine the cost of such duplicate statement annually and may debit the amount against the owner's account; provided that e-mailed account statements will be issued at no cost.

5.9 An owner who leases out property must provide the tenant or occupier upon request with a copy of the monthly account statement rendered to the owner by the Municipality.

5.10 The provisions of sections 5.3 and 5.4 do not apply to –

(a) occupiers of municipal property under a lease agreement; or
(b) state-owned property, where one department pays the rates and another pays the services account.

6. Enquiry, dispute and appeal

6.1 Enquiries –

(a) Consumers may request the Municipality to review an account.
(b) While an account is under review, the consumer concerned must pay an amount equal to the average usage for the preceding 3 (three) months, if the history of that account is available.

(c) Should the history mentioned in subsection (b) above be unavailable, the consumer must pay an estimated amount before the due date until the matter has been resolved.
(d) The Municipality must resolve the matter within 10 (ten) working days of receipt of such request and inform the consumer concerned of the outcome of the enquiry.
(e) Failure to pay the amount determined under section 6.1(b) or (c) on or before the due date may result in the consumer's services being restricted or disconnected.

6.2 Disputes –

(a) Consumers may dispute an account received, either in part or in full, in which case section 102 of the Act applies.
(b) The provisions of sections 6.1(b) and (c) apply, with the necessary changes, to such disputes.

6.3 Appeals –

(a) A person who feels aggrieved by a decision of the Municipality regarding delegated authority may appeal against that decision by means of written notice to the Municipal Manager within 21 (twenty-one) days of the date of notification of the decision, as stipulated in section 62 of the Act.
(b) The grounds for appeal must be clearly set out by the aggrieved person or their duly authorised representative.
(c) Where applicable, the costs incurred for testing any metering equipment must be included in the notice.

7. Payment facilities

7.1 The Municipality must provide and maintain strategically situated, accessible payment offices and cash points throughout its area of jurisdiction.

7.2 The following alternative payment facilities must also be provided or made available –

(a) electronic bank transfers (ACB system);
(b) internet transfers;
(c) direct deposits into the Municipality's approved bank account;
(d) payments at various accredited businesses and other agencies; and
(e) where available, credit and debit card facilities – up to R5 000 per municipal account per month, only in respect of residential property.

7.3 Where any of the alternative payment facilities are used, the onus is on the person using such facilities to provide proof of payment, and the Municipality does not accept liability for non-receipt of such payments, or for incorrect allocations which are due to a mistake on the part of that person.

7.4 Where payment is made by way of a direct deposit into the Municipality's approved bank account, the consumer must submit proof of the deposit before or on the due date.

8. Consolidation of accounts and appropriation of payments

8.1 The Municipality considers all separate accounts of a consumer to be consolidated as contemplated in section 102 of the Act, even if separate

accounts should be rendered for such owner or tenant and including all prepaid services for which no account statement is issued.

8.2 Payments received by the Municipality will be appropriated in the order determined by the Municipality during the annual budgeting process.

8.3 The Municipality must appropriate payments received in date order – oldest debts first – by means of instalments as determined by the Council annually in order to prevent prescription, and must take care not to let consumers accrue more debts by neglecting to appropriate a portion of such payment(s) to current accounts.

CHAPTER 3: CREDIT CONTROL AND DEBT COLLECTION MEASURES

9. Application for municipal services

9.1 No person may receive or consume municipal services without the Municipality's approval.

9.2 The Municipality may render services to consumers in terms of special agreements where circumstances require special measurements.

9.3 Consumers who want to receive or use municipal services must apply in writing for approval as contemplated in section 9.1.

9.4 In respect of non-residential property where the consumers are not the owners, the owner must consent in writing to the services being supplied as requested.

9.5 Upon approval of an application for services to be provided, the Municipality must inform the applicant of the following –

(a) the various levels or standards of services available, and the applicable tariffs or fees payable in respect of each level of service;
(b) the due date for payment of all amounts owed to the Municipality;
(c) the service hours of cashiers where payments may be made, and the conditions for payment at vendor points;
(d) the various alternative payment facilities available, and the conditions and requirements relating to each;
(e) the Municipality's right to terminate or restrict water or electricity services in case of non-payment of an account **or any part thereof** or tampering with municipal metering equipment;
(f) the consumer's liability for any damages caused to metering equipment or other municipal property;
(g) the consumer's obligation to pay for services despite possible non-delivery of an account statement;
(h) the owner's liability for the occupier's or tenant's arrears for municipal services;
(i) the Municipality's right to consolidate the various accounts of a specific consumer;
(j) the Municipality's right to install a prepayment meter on a property where the electricity supply was disconnected because of non-payment or tampering, in which case the meter remains municipal property;
(k) the installation of prepayment meters being *encouraged* but subject to the owner's written permission, while debtors whose electricity supply has been disconnected three times for non-payment will be *compelled* to

install a prepayment meter before the supply will be reconnected; and all energy dispensers being installed at the owner's or tenant's expense;
(l) the Municipality's right to install a water demand management meter on a property because of non-payment or tampering, in which case the meter remains municipal property;
(m) the Municipality's right to withhold or to limit units purchased for a prepayment meter or to offset a portion of any payment against arrears in case of non-payment of debt owed the Municipality;
(n) the Municipality's right to levy interest on amounts not paid by the due date as stipulated on an account statement such interest will be charged and accrue from the 8th of each month;
(o) the Municipality's right to attach movable and immovable property;
(p) the Municipality's offering assistance to indigents; and
(q) the Municipality's having a client service charter.

9.6 The Municipality will be obliged to provide a specific level of a municipal service requested only if –

(a) the Municipality already provides such level of service in the normal course of events; and
(b) the Municipality possesses the means and capacity to provide service at such level.

9.7 Consumers may apply at any time to change the level of a municipal service originally approved, provided that the level of service requested is available and that the costs and disbursements incidental to such change be borne by the applicant.

9.8 In the case of illiterate or similarly disabled persons, the Municipality must ensure that they are aware of and understand the contents of the application form and that they are assisted in completing it.

9.9 Should the Municipality –

(a) refuse an application for the provision of municipal services or of a specific service or level of service; or
(b) not be in a position to provide such municipal service or level of service on the date on which it is requested; or
(c) not be in a position to provide such municipal service or level of service at all,

the Municipality must inform the applicant of such refusal or inability to provide the service and the reasons for it.

9.10 Approval for the provision of services or any undertaking or arrangement under this policy does not constitute a credit facility contemplated in section 8(3) of the National Credit Act 34 of 2005 but is deemed to be incidental credit as contemplated in section 4(6)(b) read with sections 5(2) and (3) of the National Credit Act.

10. Liability for payment

10.1 A consumer who receives, uses or benefits from the services offered or rendered by the Municipality in terms of its functions as listed in schedules 4B and 5B of the Constitution is responsible for the payment of any monies due and payable to the Municipality in respect of such consumption or benefit.

10.2 If for any reason service charges have not been levied, the Municipality is entitled to issue an account statement as from the date of registration of such property at the Deeds Office.

10.3 Rental payable in respect of the letting of state-financed housing and other municipal property is payable by –

(a) the person with whom the lease was concluded; or

(b) if no agreement of lease was concluded: the person who applied to rent the premises; or

(c) if no such person can be identified: the head of the household occupying such premises; or

(d) any other person who accepts responsibility for the payment of rental due, whether they occupy the premises or not.

10.4 The responsibility for repaying housing loans rests on the person(s) with whom the loan agreement or instrument of debt has been concluded.

10.5 If an account is not paid in full, any lesser amount offered and accepted by the Municipality will not be regarded as full and final settlement of such account unless the Municipal Manager accepts such lesser amount in writing as being in full and final settlement of the account in question.

10.6 Non delivery of an account or an error on or omission from an account statement resulting from an administrative error on the part of the Municipality does not exempt consumers from payment of any amounts owing to the Municipality.

11. Due date

Accounts for rates or services offered or rendered by the Municipality become due and payable as follows –

11.1 *Rates* –

(a) Rates become due and payable on 1 July of each year for which such rates are calculated.

(b) The Municipality will recover rates levied in 12 (twelve) equal instalments that will be payable on the date indicated on the account statement.

(c) The Municipality will recover the rates levied in a single amount by prior arrangement, in which case the amount is payable on the date determined by the Municipality in respect of annual payments at the end of October of the year in which the amount is levied.

(d) Where property becomes taxable after 1 July of the Municipality's financial year, the rates levied become due and payable on the date of notice to the owner of their being liable for payment thereof.

(e) The provisions of sections 11.1(b) and (c) will apply with the necessary changes in respect of rates levied under section 11.1(d).

(f) Applications to pay rates in a single amount must be submitted to the Municipality before 31 May of each year.

11.2 *Availability charges* –

(a) Availability charges become due and payable on 1 July of each year for which such fees are calculated.

(b) The Municipality will recover the availability charges levied in 12 (twelve) equal instalments that will be payable on or before the last working day of each month in respect of which payment must be made.

(c) If a levy becomes payable after 1 July of a financial year, it becomes due and payable on the date of notice to the owner of their being liable for payment thereof.

11.3 *Municipal services* –

Monies payable in respect of municipal services are due and payable on the date indicated on the account statement that is rendered each month, and payment must be made on or before the last working day of the month in which an account was delivered.

11.4 *Rental or loan instalment* –

Payment of rental or loan instalments due in respect of state-financed housing or other municipal property must be made on the dates and in accordance with the provisions set out in the relevant lease or loan agreements.

11.5 *Other fees or instalments* –

Payment of monies other than those contemplated in sections 11.1(a) to (e) and section 11.4 must be made on the date indicated on the account, which date will be no more than 30 (thirty) days after the particular service has been rendered.

12. Accounts in arrears

12.1 *Rates* –

(a) If rates that are payable in a single amount remain unpaid after the due date, the Director: Financial Services will serve a written notice on the owner demanding payment within 14 (fourteen) days from the date of notification to remedy the default.

(b) Upon failure to comply with a notice contemplated in subsection (a) above, the Director: Financial Services will institute legal proceedings to recover such rates, subject to the provisions of section 16.

(c) If an owner who pays rates in monthly instalments defaults on payments, the Director: Financial Services will withdraw by written notice the owner's right to pay monthly instalments, in which event the full amount of outstanding rates becomes due and payable immediately.

(d) If rates payable in monthly instalments are not paid in full within 12 (twelve) months after the date on which such rates became due and payable, the Director: Financial Services will act as set out in subsections (a) and (b) above.

(e) Subsections (a) and (b) above apply also with regard to recovery of rates as contemplated in subsection (c).

(f) Businesses and other consumers affected by the lock-down will be allowed arrangements of up to 6 months on arrear accounts unless otherwise dictated by the Council given the severity of the situation at hand Current accounts are payable by the due date.

12.2 *Availability charges* –

Sections 12.1(c) and (d) apply, with the necessary changes, to owners who default on payments regarding availability charges.

12.3 *Municipal services –*

(a) If a consumer fails to pay any amount or portion thereof regarding municipal services on the due date, the Municipality may –

(i) disconnect the electricity supply to the premises concerned;

(ii) restrict the water supply to such premises by installing a water demand management meter on the service connection, which will allow the passage of at least 6 (six) kilolitres of water per month or as permitted by such management meter;

(iii) install a prepayment meter where the electricity supply has been disconnected because of non-payment;

(iv) withhold or limit units purchased for a prepayment meter or to offset a portion of any payment against arrears as result of non-payment of debt owed to the Municipality.

(b) Notice to a consumer in respect of an account in arrears or outstanding debt may be given via direct electronic media, including but not limited to e-mail, SMS or any other available method of electronic communication determined by the Council from time to time.

(c) The Municipality may enter into an agreement with consumers who are unable to pay their account or a portion of it in terms of which agreement the consumer will be permitted to pay the outstanding amount in monthly instalments as determined annually by the Council.

(d) Where applicable, the Municipality may enter into an agreement with a consumer's employer under section 103 of the Act.

(e) Should a consumer fail to comply with the conditions contemplated in section 12.1(c) or (d), the Municipality may cancel the agreement and institute any of the debt collection measures provided for in section 14.

(f) Should a consumer be served with an account that shows an amount payable that is exceptionally high as a result of –

(i) an act or omission on the part of the Municipality; or

(ii) a leakage from a water installation or electricity installation on the premises which is not part of the Municipality's service connection,

the Municipality may enter into an agreement with the consumer to pay the amount owed in monthly instalments.

(g) If more than 30 (thirty) days have expired after the due date without an agreement having been conclude, the Director: Financial Services will institute legal proceedings against the consumer in accordance with section 16 for the recovery of the debt.

(h) Should a basic levy, availability charge, rates or any other cost be levied on premises of which the owner cannot be traced, the Municipal Manager and the Director: Financial Services, in consultation with the internal auditor and the Executive Mayor, may cease such levies; provided that, should the owner be traced, such levies may be recovered retrospectively.

12.4 *Rentals or loan instalments –*

(a) Interest payable on rentals or loan instalments in arrears will be levied in accordance with the provisions of the lease or loan agreement concerned.

(b) Should rentals or loan instalments remain unpaid on or after the due date, a notice demanding payment as well as interest will be served on the person responsible for payment.

(c) The Municipality may enter into an agreement with a consumer to pay the arrears by way of monthly instalments as set out in section 18, subject to the necessary changes.

(d) If no agreement has been concluded to pay the arrears and such arrears should remain outstanding for more than 30 (thirty) days, the Director: Financial Services will take the steps set out in section 14.

12.5 *Other fees or instalments –*

Section 12.4 applies, with the necessary changes.

13. Levying of interest

13.1 The standard rate of interest must be levied and collected in respect of all amounts due and payable for each month; on the understanding that, for the purposes of calculation, a portion of a month will be regarded as a month. Such interest will be charged and accrue from the 8th of each month.

13.2 Interest is levied from the first working day following the date on which an amount in arrears has become payable.

13.3 The Director: Financial Services, Municipal Manager and internal auditor, in consultation with the Executive Mayor, may authorise such interest to be waived.

14. Disconnection, restriction and reconnection of services

14.1 Services disconnected or restricted under section 12.3(a) will be reconnected only upon payment of –

(a) the amount in arrears together with interest, or an amount according to a payment agreement under section 18;
(b) the reconnection fees; and
(c) any other fees stipulated in the Municipality's Tariff Policy.

14.2 The onus is on the debtor to request reconnection and to prove that the full amount owing was paid, or that a payment agreement was concluded.

14.3 Restricted or disconnected services will be restored within a reasonable time after the debtor has produced proof of payment of the required amount, and subject to the Municipality's capacity at the time to restore such service.

14.4 Services disconnected under section 22 will be reconnected only upon payment of –

(a) the reconnection fees;
(b) the cost of damages to equipment;
(c) the replacement costs of damaged equipment; and
(d) any other fees stipulated in the Municipality's Tariff Policy.

14.5 No standby service will be rendered instead of reconnection in case of non-payment or tampering with metering equipment.

14.6 During a period of lock-down as a consequence of a pandemic, reconnection of services may be required and disconnection of services may not proceed.

15. Payment of consumer services deposit

15.1 A consumer as contemplated in subsections (b) and (c) of the definition of "consumer" in section 1 of this policy must pay, upon application for municipal services, a consumer services deposit as determined by the Municipality before the requested services will be provided.

15.2 Should a consumer as contemplated in section 12.3 (a) fail to pay the total outstanding debt for municipal services, or should services be disconnected or restricted as set out in section 14.1, the Municipality may increase the consumer services deposit.

15.3 The increase will be equal to the owner's average consumption over a period of 12 (twelve) months.

15.4 Should a consumer as contemplated in section 14.1 move to other premises within the area of jurisdiction of the Municipality, the deposit payable may be increased if such move should require that.

15.5 Should services be terminated upon a consumer's request, or should accounts be switched under section 5, the deposit may be utilised to cancel or reduce the owner's debt; the remainder, if any, will be refunded.

15.6 The Municipality may increase a deposit held under section 15.1 annually, which increase will be equal to the average of the services consumed over a period of 12 (twelve) months.

15.7 Should a consumer vacate the premises, the deposit will be forfeited and applied to settle any unpaid municipal accounts.

15.8 The Municipality is not liable for the payment of interest on deposits held.

16. Institution of legal proceedings

16.1 The institution of legal proceedings includes but is not limited to –

(a) issuing summons for payment of amounts in arrears;
(b) attachment of rent payable in respect of a property, where applicable;
(a) attachment of a consumer's remuneration;
(b) attachment and sale in execution of movable property;
(c) attachment and sale in execution of immovable property; and
(d) eviction of an occupier of any municipal property and/or attachment of an occupier's movable property in terms of a hypothec lien.

16.2 The institution of legal proceedings must be undertaken with due consideration of all legal requirements and in compliance with the applicable regulations and court rules as per the Magistrates' Court Act 32 of 1944 (as amended) and the Supreme Court Act 59 of 1959 (as amended).

16.3 Should a consumer's debt be less than R500 (five hundred rand) and older than 90 (ninety) days, the Director: Financial Services may decide whether –

(a) the account should be handed over for collection; or
(b) legal proceedings should be instituted against the consumer.

16.4 Should the debt be more than R500 (five hundred rand) and older than 90 (ninety) days, the Director: Financial Services may determine which of the judicial measures listed in section 16.1 will be the most appropriate and effective in the particular case.

17. Writing off of outstanding debt

This will be dealt with case by case upon the recommendation of the Director: Financial Services, and subject to approval by the Council.

18. Payment agreement criteria

18.1 Agreements to pay outstanding debts in legal suit by means of monthly payment agreements are made with reference to the following –

(a) the debtor's income;
(b) the debtor's employment status;
(c) the total amount outstanding;
(d) payment agreement concluded previously;
(e) the debtor's socio-economic and/or other circumstances;
(f) the account history; and
(g) consumer's affected by a lock-down as a result of a pandemic and/or any other natural disaster.

18.2 Agreements to pay outstanding debt on account, not in legal suit but in current status by means of monthly payment arrangement are made with reference to the following –

(a) the debtor's income;
(b) the debtor's employment status;
(c) the total amount outstanding;
(d) the debtor's socio-economic and/or other circumstances;
(e) the account history; and
(f) consumer's affected by a lock-down as a result of a pandemic and/or any other natural disaster.

CHAPTER 4: GENERAL PROVISIONS

19. Collection costs

All legal costs, disbursements, collection commission and any other expenses incurred by the Municipality in order to recover monies owing by a consumer will be debited against the relevant account and collected from the person responsible for it.

20. Access to premises and the power of inspection

Authorised officials of the Municipality or of a service provider have access to premises at all reasonable hours for the purposes of implementation under this policy; provided that the official concerned must provide the necessary identification upon request by the owner, tenant and/or lawful occupant, and also to the unlawful possessor or holder of the property.

21. Safe accommodation of service connections and appliances

Consumers are responsible for safely accommodating any service connections, meters, stopcocks and appliances and equipment for the safeguarding of services on their premises, and are liable for any costs or losses incurred or damages suffered by the Municipality in this respect that result from the consumer's failure to fulfil the aforementioned responsibility.

22. Unauthorised use of services

22.1 A consumer who –

(a) uses or gains access to municipal services without approval under section 9; or

(b) tampers with, breaks or damages any seal, or removes any appliance or equipment which has been installed to measure, provide or restrict the supply of services,

will be held liable for payment regarding any unauthorised consumption of services.

22.2 The Municipality has the right to disconnect water or electricity supply to premises if –

(a) such services are used without approval as contemplated in section 22.1(a); and

(b) metering equipment has been wilfully damaged or tampered with as contemplated in section 22.1(b).

22.3 Without prejudice to the Municipality's right to institute criminal proceedings, a consumer who tampers with or damages any appliance or equipment as contemplated in section 22.1(b) is liable for the costs contemplated in section 26.2.

22.4 In the case of tampering with or damaging of any metering equipment, the owner will held responsible for such tampering or damages unless the owner can prove otherwise.

23. Signing and certification of documents

Any order, notice or other document which needs to be signed or certified by the Municipality is to be regarded as duly signed and certified if done by the Municipal Manager or a duly authorised municipal official.

24. Prima facie evidence

In lawsuits initiated by the Municipality, the court may accept the mere submission of a certificate reflecting the amount due and payable to the Municipality and signed by the Municipal Manager or a duly authorised municipal official as prima facie evidence that the amount is indeed due.

25. Clearance certificates

25.1 Upon the sale of any property the Municipality will withhold the clearance certificate required under section 118(1) of the Act until all amounts have been fully paid that became due and payable in connection with that property for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties during the 2 (two) years preceding the date of application for the certificate.

25.2 All payments must be allocated to the seller's municipal accounts, and all refunds will be made to the seller.

25.3 No interest will be paid in respect of such payments.

25.4 In terms of the Rates Act 6 of 2004 the clearance certificate validation period is stipulated to be 60 (Sixty) days exclude the day of issue and include the last day, and the amount due must be calculated as follows –

(a) applications received on 30 June must include 3 (three) months' advance payments;

(b) applications received on 1 July must include –

(i) rates and availability charges in advance for the full financial year; and

(ii) 3 (three) months' advance payments for water, electricity, sewerage services and refuse removal;

(c) all other applications must include 3 (three) months' advance payments.

25.5 Payments under section 25.4 must include all outstanding debts due and payable regarding the property.

25.6 Under section 118(3) of the Act an amount due for municipal services, surcharges on fees, property rates and other municipal taxes, levies fees and charges is a charge upon the property regarding which the amount is owed, which enjoys preference over any mortgage bond registered against the property.

25.7 The amount owing is for the account of the registered owner regardless of who incurred the debt.

25.8 The Municipality may obtain a court order to sell any property in execution to recover outstanding debt due and payable as set out in the court order.

26. Offences and penalties

26.1 The following are offences and in contravention of this policy –

(a) read with section 20: to refuse, obstruct or hinder access to their property to a duly authorised municipal official wishing to exercise their power to perform a municipal function or duty; or

(b) read with sections 22.1(a) and (b) and 22.4: to use unlawfully or to interfere with, tamper or damage municipal equipment.

26.2 A tampering fee applies to the offences mentioned in section 26.1.

26.3 Council may decide on further legal remedies, which may include criminal prosecution.

SWARTLAND MUNICIPALITY

INDIGENT MANAGEMENT POLICY

REVIEWED AND AMENDED

MAY 2026

Preamble

Whereas section 96 of the Local Government: Municipal Systems Act, 32 of 2000 ("The Act") requires a municipality to adopt, maintain and implement a credit control and debt review policy which is consistent with its rates and tariff policies and complies with the provision of the Act.

And whereas section 97 (c) of the Act further requires that such policy must provide for "Provision of indigent debtors that is consistent with its rates and tariff policies and any national policies on indigents"

And whereas section 10 of the Credit Control and Debt Collection by-law ("The By-law") of the Swartland Municipality provides that financial assistance may be granted by the municipality to person/s that meet the criteria as set-outin this indigent policy.

Now therefore the Municipal Council of the Swartland Municipal adopts and confirms the Indigent policy as set out in this document.

Constitutional Framework

Section 156 of the Constitution of the Republic of South Africa, 1996 ("The Constitution") provides amongst other for the following:

A municipality has executive authority in respect of, and has the right to administer—

The local government matters in part B of Schedule 4 and part B of Schedule 5. These services include water, electricity, sanitation and refuse removal.

In terms of section 227 of the Constitution, local government is entitled to an equitable share of nationally raised revenue to enable it to provide basic services and perform the functions allocated to it. The local government equitable share is an unconditional transfer that supplements the revenue which municipalities can raise themselves (including revenue raised through property rates and service charges). The equitable share provides funding for municipalities to deliver free basic services to registered poor households and subsidises the cost of administration and other core services.

In order to achieve the objective cited above the Swartland Municipality receives an annual Equitable Share from National Government and elected that the bulk of this Share may be utilised to finance those basic services to households who qualify in terms of this Indigent policy and for the express purpose of poverty alleviation and dignified living conditions.

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1. Definitions

In this policy, unless the context indicate otherwise–

"account" includes–

(a) levies, surcharges or service charges in respect of the following services:
  (i) electricity consumption;
  (ii) water consumption;
  (iii) refuse removal;
  (iv) sewage services;
(b) rates;
(c) rental;
(d) loan instalments
(e) interest on arrears;
(f) any other levies and money owing to the Municipality;

and **"municipal account"** has a corresponding meaning;

"arrears" means any amount due and payable to the Municipality which has not been paid on or before the due date for payment;

"Applicant" means, registered homeowner, occupant or child headed household who makes a formal written application on the prescribed form required for the indigent subsidy and for purposes of clarity exclude those instances in 2014 where the subsidy was allocated automatically with the criteria only being the property value of ≤ R 115 000.00;

"child-headed household" means a household where both parents are deceased and where all the occupants of the property are children or beneficiaries of the deceased or any other previous occupant and are younger than 18 years old, i.e. a child-headed household is a household consisting only of children;

"**combined income"** means income up to a maximum R-value of twice the published state funded old age social grant plus 10% thereon;

"household" means a registered homeowner, including all members of the household and/or occupants with or without children who reside on the same premises inclusive of the definition of a child headed household;

"illegal practises" means any practise or trade exercised on premises which is in contravention of any National or Provincial legislation or any by-laws or regulations of the municipality;

“income threshold” shall have the same meaning as combined income and means any form of income of the entire household whether as a full-time or part-time employee which shall include old age grants (Old persons grants) and social disability grants , but exclude foster care grants and child support grants; and shall be known as the combined income of the household being ;

"indigent household" means a household, including a child-headed household, registered as such with the Municipality lacking the necessities of life which –

(a) complied with the property threshold criteria as set in 2014 until such time that an audit or in-loco inspection is performed or re-application is made ;or
(b) qualifies per the requirements set in paragraph 5; or
(c) still qualifies as per an audit or an in-loco inspection as referred to in paragraph 4; and
(d) occupies property within the boundaries of the jurisdiction of the municipality; and
(e) includes all persons who live on the property;

“Covid-19” means the name given by the World Health Organization (WHO) on February 11, 2020 for the disease caused by the novel coronavirus SARS-CoV-2. It started in Wuhan, China in late 2019 and has since spread worldwide. COVID-19 is an acronym that stands for coronavirus disease of 2019;

“Lock-down” means the confining of people to their homes or a state of isolation or restricted access instituted by the President as a preventative measure typically in order to manage a pandemic or any other disaster;

“Member” means any child, stepchild, grandchild, parent, stepparent, grandparent, spouse, sibling, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, and shall include adoptive relationships;

"municipality" means the Swartland Municipality established in terms of Section 21 of the Municipal Structures Act, 117 of 1998, and includes any political structure, political office bearer, councillor, duly authorized agent or any employee acting in connection with this policy by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

"municipal services" means the provision of water and electricity, the removal of domestic waste, the disposal of sewage or any one combination of these services;

"municipal valuation" means the value of the property as determined in terms of the Property Rates Act, 6 of 2004;

"occupier" means any person who occupies any property or part thereof or has control over such premises, without taking cognisance of the title in which such person occupies the property;

“official” means any municipal official in the Credit Control Department whether as a permanent employee or under a temporary contract or intern;

"owner" in relation to immovable property means –

(a) the person in whom is vested the legal title thereto provided that –
  (i) the lease of immovable property which is leased for a period of not less than fifty years, whether lease is registered or not, shall be deemed to be owner thereof, and
  (ii) the occupier of immovable property occupied in terms of a service or right analogous thereto shall be deemed the owner thereof;
(b) if the owner is deceased, or the deceased estate is insolvent, or has assigned his or her estate for the benefit of his or her creditors, or has been placed under curatorship by order of court or is a company being wound up or under judicial management, then the person in whom the administration of such property is vested as executor, administrator, trustee, assignee, curator, liquidator or judicial manager, as the case may be;
(c) if the owner is absent from the Republic or if his or her address is unknown to the municipality, then any person who as agent or otherwise receives or is entitled to receive the rent in respect of such property; or
(d) if the municipality is unable to determine who such person is, then the person who is entitled to the beneficial use of such property;
(e) if the owner is deceased and the executor being duly authorised issues an affidavit that the occupier is the legal beneficiary of the estate or the authorised occupier of the property;

“POPIA” means the Protection of Personal Information Act 4 of 2013

"pre-payment electricity meter" means a type of electricity meter that requires consumers to pay for energy before using it and that will allow the flow of the pre-purchased amounts of energy in an electrical circuit;

“property” means any portion of land of which the boundaries are determined within the jurisdiction of the Municipality;

"Property Rates Act” means the Local Government: Municipal Property Rates Act, 6 of 2004 as amended from time to time;

"water demand management meter" means a device designed to manage/restrict the water flow, water consumption or water needs of a residential or any other property.

2. Objective

(1) The objective of the indigent policy is to ensure the following –

(a) the provision of basic services to the community in a sustainable manner, within the financial and administrative capacity of the council; and
(b) provide procedures and guidelines for the subsidization of basic service(s) charges to its indigent households, using the council's budgetary provisions and the equitable share grant received from national government in accordance with prescribed policy guidelines.

(2) The council also recognizes that many of the residents can simply not afford the cost of full municipal service provision and for this reason the council will endeavour to ensure affordability through,
(a) setting tariffs in terms of the councils tariff policy, which will balance the economic viability of continued service delivery.

3. Purpose of the indigent policy

(1) The purpose of the policy is to consider the socio-economic and other conditions presently prevalent in South Africa, such as the level of unemployment and poverty.
(2) The policy aims to address this through the application of services rendered to consumers who cannot afford to pay.
(3) The council accepts that it is responsible for the rendering of services in terms of schedules 4 and 5 of the constitution as well as other services, which may be delegated by national and provincial government.
(4) The council endeavours to render a basic level of service necessary to ensure an acceptable and reasonable quality of life, which takes into consideration health and environmental concerns.
(5) The council is therefore of the view that none of the residents should fall below the minimum level of services.

4. Qualification of automatic indigent approvals granted in 2014 based on the property valuation threshold of ≤ R 115 000.00 (which includes the impermissible tax of R 15 000) as the single qualification criteria:

(1) Indigent households who qualified as a result of the threshold value in 2014 are deemed to still qualify for the subsidy (this however does not justify that

indigent households who do not qualify, still receiving same as this directly disadvantage deserving households).

(2) Council has the responsibility to act within the interest of all its citizens and to equitable and fairly ensure that those households who are able to pay for services does so and only those deserving families received the free basic services.

(3) In the event that the annual vetting and/or audit process finds that a household may no longer qualify for the indigent subsidy, based on the income threshold or other set criteria as outlined in this policy, the subsidy eligibility may be reassessed/cancelled.

(4) Council is acutely aware of the social demise this could cause, and therefore;

(a) Council will certainly apply the principles of The Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) ("PAJA") that gives effect to the right to administrative action that is lawful, reasonable and fair; and
(b) Affected indigent households will have 14 days to object/appeal after receiving a letter of termination and will have to re-apply for the free basic services component should they be successful in their object/appeal.

5. Qualification criteria for financial assistance where an application was or is made

(1) Financial assistance may be granted by the municipality to a household that meets the following criteria:

(a) where the property occupied by such owner is valued at R105 000.00 or less, or as determined by council annually, provided that the R15 000.00 exemption as contemplated in section 17(1)(h) of the Act shall be excluded from the R105 000.00 and the income threshold;

(b) where the property that is occupied by the owner is valued at more than the R105 000.00, but complies with the income threshold; or

(c) where the occupier is not the owner of the property and the combined income does not exceed the income threshold; and

where it is found that a state official (excluding EPWP workers) whether from a national, provincial or local department is resident on a property, the indigent subsidy will not be granted or cancelled as the case may be.

(2) The Senior Manager: Treasury may as a discretionary provision increase the income limitation in sub paragraph 1 where extraordinary circumstances prevail, such as—

(a) where a large number of the persons living in the property are without any income or where the living conditions warrant such approval;
(b) where they have to care for dependents or family members who are handicapped or who suffer from chronic or terminal illness;
(c) with the proviso that the household consumption does not exceed the monthly indigent allowable consumption allocation and where the monthly consumption exceeds, such will become due and payable by the consumer and therefore credit control measures may be executed.

(3) The applicant must be a resident of the municipal area of jurisdiction. (the applicant must be a South Africa citizen with valid South African identity documentation) or in the case where such applicant is not a South African citizen then such applicant should possess a valid foreign national resident status and should be resident within the jurisdiction of the municipality.

(4) The applicant must either receive the municipal services and be registered as an account holder on the municipal financial system or be a beneficiary of the estate of the owner or be the occupier who has the consent of the owner or executor of the estate.

(5) For purposes of a service connection and updating of the indigent register only the lawful beneficiary's information, where such information is readily available, shall be processed subject to the minimum conditions for lawful processing in terms of the provisions of POPIA. The municipality recognize the complexities involved in the winding-up processes of estates. The municipality's approach aims to facilitate this transition smoothly, respecting the sensitive nature of these circumstances and may include, correcting the beneficiary's information on the financial system for purposes of regularizing the occupants, in a bid to have the correct information on the financial system that coincides with the indigent register. The aforementioned must not be read to mean that it suggests or infer any rights on the individual/household as it pertain to the property concerned.

(6) The applicant, applicant's spouse or legal children who reside with their parents may not be the legal owners of other immovable property, irrespective whether such property is situated within or outside of the municipal boundary.

(7) If the applicant is a seasonal worker the combined income shall be calculated over a period of one year to approximate a monthly income. (ie: seasonal

workers with a 6 months contract, as a yearly with an average monthly income @ R2500-00 monthly 6 * R2500-00 = R15000-00 / 12 months = R1250-00)

(8) Households that are child headed, can apply for financial assistance when—

(a) the parents of the household has died;
(b) a minor has assumed the role of care giver in respect of another minor in the household;
(c) the main caregiver of the household is younger than 18 years of age; or
(d) such minors reside permanently on the property, the situation pertaining to the household must be verified in writing by a registered Social Worker and Ward Councillor.

(9) The onus to apply for financial assistance, rest with the occupier or household.

(10) An application shall be accompanied by the following documentation and shall be processed subject to the minimum conditions for lawful processing in terms of the provisions of POPIA:

(a) duly completed application whether electronically (as a paperless application) or on the prescribed hard copy form signed in full by the applicant or with a thumbprint when done electronically (this shall not be applicable when adhoc audits and in loco visits are conducted by a municipal official or it's duly appointed agents from time to time unless re-application is required in terms of this policy);
(b) certified copies of all occupants' identity documents, excluding minor children, unless the minor child is the applicant whether it be a SA identity document or a valid foreign national identity document; (where re-applications and audits are conducted during in loco visits non-certified copies will suffice, and written confirmation from the official and agent that he/she cited the original document will be accepted)
(c) proof of income, or an affidavit confirming unemployment status as per (b) above;
(d) three months bank statements for working members of a household where a banking accounts exist;
(e) particulars of any other grants received by the occupants;
(f) any other proof of ownership or residence which excludes municipal accounts; (where applicable)
(g) birth certificates where necessary, and only and most notably in the case of child headed households when the minor child is the applicant;

(h) copy of the applicant's all pay cards or any proof that the applicant is a SASSA recipient;
(i) a marriage certificate (only where applicable),
with the provision that the Manager: Legal and Credit Control may in his/her sole discretion, and on good cause or any extraordinary circumstances, consider less or more of the above.

6. Accepted qualification criteria for indigent households being audited inclusive of those indigent households that qualified under the 2014 property threshold criteria and in order for an indigent household to receive ongoing subsidy, the following will be sufficient:

(a) an audit report or a new electronic application completed by a duly authorised official or duly appointed agents from the Credit Control Department; or
(b) any other documentation in support of the status of the occupants, with the proviso that the Manager: Legal and Credit Control may in his/her sole discretion, and on good cause or any extraordinary circumstances, consider more or less of the above.

7. Appropriation of financial assistance

(1) Subject to sustainability and affordability, financial assistance to an indigent household shall be appropriated as follows –

(a) 50 kWh electricity per month; which shall include the basic charge of electricity for the month where a conventional meter is applicable;
(b) sanitation fees or the fees payable in respect of the pumping of a suction tank to an amount equal to the tariff determined;
(c) fees for waste removal;
(d) 6 kl water per month; which shall include the water network charge for the month; and
(e) rates payable to a maximum amount calculated at the tariff multiplied by R105 000,00 or less, provided that the R15 000.00 exemption as contemplated in section 17(1)(h) of the Act shall be excluded,
(2) sewerage blockages for indigent households will be subject to a reduced sewerage service fee as determined by the director of finance and subject to the municipality's rates and tariff policies.

(3) The municipality may, annually during the budget process, revise the financial assistance provided to indigents, subject to compliance with NT's prescripts in respect of subsidised services to indigents.

8. Free bulk services

(1) Free bulk services shall be the provision of services (water stand pipes, high mast lighting and refuse removal) to informal settlements.

(2) The cost of the provision of free bulk services is recovered from the equitable share and in the case of water recovered per the Tariff Policy and approved tariffs from the Equitable Share Allocation by National Government.

9. Excess usage of allocation and arrear municipal accounts

(1) If the level of consumption of the indigent household exceeds the consumption level provided by the municipality, the household will be liable to pay for the excess consumption on a monthly basis. Should the municipal account be in arrears due to the non-payment for the excess consumption used, such account will be subject to the municipality's credit control and debt collection measures.

(2) If the level of consumption or use of a municipal service is less than the subsidized service, the unused portion shall not be transferable from one month to another.

(3) The municipality reserves the right to install a prepaid electricity meter on a property that is occupied by an indigent household, where the electricity supply has been disconnected for non-payment or tampering, or where the electricity usages are excessive and not affordable, in which case the meter remains the property of the municipality.

(4) The municipality may withhold or limit the units purchased for a prepayment electricity meter or offset a portion of any payment against arrears as a result of non-payment of the municipal account in the case of excess consumption, therefore—

(a) the municipality may in the above instance if and when so decided allow only 20% for pre-paid electricity use when a payment is made towards an outstanding pre-paid electricity account of an indigent consumer whose arrears accounts was provisionally suspended. During any period of disaster ie: lock-down due to Covid-19 limitation on the purchase of pre-paid electricity will be suspended (until such time that the disaster is lifted whether nationally or provincially).
(b) such consumers can only purchase pre-paid electricity from the local municipal office - this is applicable to indigent households only.

(5) The municipality reserves the right to install a water demand management meter on a property that is occupied by an indigent household and located in an area where Eskom is the service provider, or for non-payment or tampering, or where the water usages are excessive and not affordable, in which case the meter remains the property of the municipality. The installation of water demand management meters will be suspended during any period of disaster ie: lock-down due to Covid-19 (until such time that the disaster is lifted whether nationally or provincially).

(6) The cost of the replacement of a conventional electricity meter with a prepayment electricity meter, as well as the cost of the installation of a water demand management meter on a property, will be recovered from the Equitable Share Allocation received from National Treasury.

10. Processing and verifications of applications

(1) The application for financial assistance will be registered and the information of the indigent beneficiaries will be contained in an indigent register.

(2) The indigent register, together with the applications and required documentation will be maintained with due consideration of the Protection of Personal Information Act, 4 of 2013.

(3) The municipality reserve its rights, when deemed necessary and subject to capacity, to conduct audits to verify the authenticity of the information furnished or possible changes in the status of applicants.

(4) The frequency of such audits will depend on the institutional capacity and subject to the discretion of the Director of Financial Services. Audits during the period of any disaster ie: lock-down due to Covid-19 will be suspended (until such time as the state of disaster is lifted whether nationally or provincially).

(5) Any official from the Credit Control Department including it's appointed agents are herewith duly authorised in terms of this policy to conduct audits or in-loco inspections to indigent households and to provide such audit reports as referred to in paragraph 6.

11. Cancellation of financial assistance/ or request for deregistration of subsidy

(1) All steps necessary must be taken to prevent unlawful access to financial assistance as an indigent household, and for this reason the Manager: legal and Credit Control may—

(a) at any time, investigate the financial circumstances of an indigent household;

(b) request documentary proof or information pertaining to the income or lifestyle of the household;

(c) verify the information furnished by a household or member by;

(i) conducting interviews with; and

(ii) the taking of statements from such member or any other person; and

(d) after proper notice, review, suspend or cancel the indigent household's financial assistance if illegal practises are present on the premises which include, but are not limited to –

(i) building operations without approval;

(ii) business or commercial uses in contravention of the Town Planning Scheme Regulations;

(iii) dealing in liquor or prohibited substances;

(iv) false information had been furnished in an effort to obtain or retain financial assistance; or

(v) circumstances have changed to such an extent that the indigent household no longer complies with one or more of the requirements mentioned in paragraph 5.

(2) In case of cancellation of financial assistance in terms of paragraph .11(1) the indigent household shall forfeit all financial assistance with immediate effect and the municipality shall be entitled to re-claim the financial assistance granted to the indigent household, by giving notice to the affected household within 48 (forty eight) hours of such decision –

(a) from the date it was originally granted where sub paragraph .(1) (d) (i) & (ii) applies; or

(b) from the date on which the circumstances referred to in sub paragraph .(1) (d) (iii) - (v) changed or, if such date cannot be determined, from the date on which it was established that the owner or tenant no longer complied with the qualifying criteria being the and other requirements as set out in the policy.

(3) An indigent household, whose indigent support has been suspended or cancelled, shall at the discretion of the Manager: Legal and Credit Control, be reconsidered for support if the circumstances leading to the suspension or cancellation have been rectified and the required documentary proof is provided.

(4) An indigent household should immediately or as soon as reasonably possible request deregistration of the subsidy when –

(a) the property had been sold; or

(b) the household's circumstances have change and the need for the subsidy is no longer required; or

(c) the household no longer qualify for the subsidy in terms of the qualifying criteria of the policy (this relates to the duty that rest on the indigent household of keeping the municipality informed).

12. Duration of Indigent Subsidy

(1) All subsidies will be granted and processed on the municipality's financial system based on the income profile of the household or any such criteria required by this policy.

(2) Subsidies are not approved indefinitely and in this regard the municipality reserves the express right to cancel same should information become available that justifies cancellation. An annual vetting of all indigent households will be conducted using a third-party vendor system. This vetting process is essential to ensure compliance with the qualifying criteria year-on-year.

(3) Reasonable notice will be given to the affected indigent households in this regard, prior to cancellation.

13. Irrecoverable Debt

(1) Debt will only be written off as irrecoverable if it has been approved by council.

(2) Once an indigent application has been registered council may consider writing off such debt

14. Legal Process

No legal process will commence against any indigent household for outstanding debt as long as such household is recognised as an indigent household in terms of this policy.

15. Appeals Process

The Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) ("PAJA") gives effect to the right to administrative action that is lawful, reasonable and fair, therefore all persons whose indigent subsidy was terminated for whatever reason shall be given the right of appeal and will be required to either make formal written submission; or those who cannot read or write can visit the municipal office credit control and make formal oral submissions to the designated officials.

16. Short title and commencement

This policy is the Indigent Policy of Swartland Municipality, suffice for the subsequent revisions and the automatic approvals granted in 2014 deemed to still qualify subject to the further provisions set herein.

SWARTLAND MUNICIPALITY

CASH MANAGEMENT AND INVESTMENT POLICY

REVIEWED AND AMENDED

MAY 2026

PREAMBLE

Whereas section 13 of the Local Government: Municipal Finance Management Act, 2003 (No. 56 of 2003) determines that a municipality must introduce an appropriate and effective cash management and investment arrangement;

and whereas a bank, in accordance with the provisions of section 13 of the Act, has to disclose details regarding a municipalities' investments;

and whereas councillors and officials, as trustees of public funds have an obligation to ensure that cash resources are managed as effectively, efficiently and economically as possible;

now therefore the Swartland Municipality adopts the cash and investment management policy set out in this document.

CASH MANAGEMENT AND INVESTMENT POLICY

DEFINITIONS

For the purpose of this policy any word or expression to which a meaning has been assigned in the Act shall bear the same meaning in this policy and, unless the context indicates otherwise, means:–

"Accounting Officer" is a person appointed by the Municipality in terms of Section 82 Of the Local Government: Municipal Structure Act, 1998 (Act No. 117 of 1998) and who Is the head of administration and also the Municipal Manager of the Municipality.

"Cashiers" are any municipal official appointed to receive cash or any other form of payment(s) on behalf of Swartland Municipality at any of the receipting points within the Swartland Municipal area.

"Chief financial officer" an officer of a municipality designated by the municipal manager to be administratively in charge of the budgetary and treasury functions.

"Councillor" a member of a municipal council.

"Current assets"

- debtors;
- cash;
- inventories; and
- the short-term portion of long-term debtors.

"Current liabilities"

- creditors;
- bank overdrafts and
- short-term portion of long-term liabilities

"Investments" funds not immediately required for the defraying of expenses and invested at approved financial institutions.

"Municipal Manager" is the Accounting Officer appointed in terms of section 82 of the local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and being the head of administration and Accounting Officer in terms of section 55 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000) and includes any person –

(a) Acting in such position

"Municipality" is the institution that is responsible for the collection of funds and the provision of services to the customers of Swartland; and

"Municipal Official or Official" any employee of the Swartland Municipality;

"Negotiable certificate" a loan certificate that is tradable on the capital market.

"Net current assets" is the difference between current assets and current liabilities.

"Provisions" are estimated credit obligations based on past events. Provisions differ from other liabilities due to the uncertainty of the timing of payment or the amount due.

"Public funds" all monies received by the municipality to perform the functions allocated to them.

"Short-term portion of long-term debtors" refers to the capital installments of long-term debtors due and payable in the next financial year.

"Short-term portion of long-term liabilities" refers to the capital repayment of long-term loans due and payable in the next financial year.

"**Special payment"** refers to any payment processed outside of the standard operating procedures for payments.

"**SMME('s)**" refers to Small, Medium and Micro Enterprises as determined by the Department of Trade and Industry. In the Swartland context, SMME's are identified through the nature of invoices received by such suppliers and their requests to deliver goods or services on a cash-on-hand basis.

OBJECTIVES

2. (1) The objectives of a cash management and investment policy are:-

(a) to give effect to the provisions of Local Government Municipal Finance Management Act, 2003 (Act No. 56 of 2003) and Regulation R308 as published in Government Gazette 27431 of 1 April 2005 read in conjunction with the provisions of the cash management and investment policy of the Swartland Municipality;

(b) to manage the net current asset requirement of the municipality in such a manner that it will not tie up the municipality's scarcest resources required to improve the quality of life of the citizens;

(c) to manage the financial affairs of the municipality in such a manner that sufficient cash resources are available to finance the capital and operating budgets of the municipality; and

(d) to gain the highest possible return on investments, without incurring unnecessary risk, during periods when excess funds are not required for capital or operational purposes.

SCOPE OF THE POLICY

3. (1) The policy deals with-

(a) responsibility/accountability;
(b) management of net current assets;
(c) investment instruments;
(d) investment ethics and principles;
(e) investment procedures;
(f) other external deposits;
(g) control over investments;

(h) short title.

RESPONSIBILITY/ACCOUNTABILITY

4. (1) The municipal manager as the accounting officer of the municipality is accountable for cash management and investments.

(2) The Municipal Council is the trustee of the public revenues, which it collects, and therefore has an obligation to the community to ensure that cash resources are managed effectively and efficiently. The Council also has a responsibility to invest these cash resources knowledgeably and judiciously/ sensibly/ wisely, and must be able to account fully to the community in regard to such investments.

(3) The Municipal Council must establish an appropriate policy with prescribed procedures, processes and systems required to ensure efficient and effective management of cash and investments. The Municipal Manager must review the Cash Management and Investment policy annually and, if amended, submit it to Council for approval.

(4) Efficient and effective management include:-

(a) collecting revenue when it is due;
(b) banking and depositing monies on a daily basis;
(c) making payments, including transfers to other levels of government and non-government entities, no earlier than necessary, with due regard for efficient, effective and economical service delivery and the creditor's normal terms for account payments;
(d) avoiding pre-payment for goods or services (i.e. payments in advance of the receipt of goods or services), unless required by the contractual arrangements with the supplier;
(e) accepting discounts for early payments when the payments have been included in the monthly cash flow estimates for each department and supplied to the chief financial officer;
(f) pursuing debtors with appropriate sensitivity and rigour to ensure that amounts receivable by the municipality are collected and banked

promptly;

(g) accurately forecasting the municipality's cash flow requirements;

(h) timing of in- and outflow of cash;

(i) recognising the time value of money;

(j) taking any other action that avoids locking up money unnecessarily and inefficiently, such as managing inventories to the minimum level necessary for efficient and effective programme delivery, and selling surplus or under utilised assets; and

(k) avoiding bank overdrafts.

(l) ensuring that duties are segregated in such a manner that the risk of error or fraud is mitigated to a level as considered reasonable by management.

MANAGEMENT OF NET CURRENT ASSETS

5. (1) Cash management includes the management of net current assets which entail:-

(a) debtors;

(b) cash;

(c) inventory;

(d) short-term portion of long-term debtors;

(e) creditors;

(f) bank overdraft;

(g) provisions; and

(h) short-term portion of long-term liabilities.

Debtors

(2) The municipal council must set a target for debt collection based on the performance of the municipal manager during the last financial year.

(3) The target must be expressed as a percentage of potential income and/or the turnover rate of debtors.

(4) All monies owing to the council must be correctly reflected in the debtors system.

(5) All funds due to the council must be collected timeously and banked within 3 working days after receipt.

(6) Extension for payment of rates and service charges must only be given in terms of the municipality's credit control and debt collection by-law and in exceptional circumstances.

(7) Monies collected by other agencies on behalf of the municipality shall be collected and paid over to the municipality or deposited in the bank account of the municipality in a manner prescribed by the Municipal Manager and as agreed upon by way of a written agreement between the municipality and the agency concerned.

Receipt of money over the counter

(8) Every amount of payment received by a cashier or other officer responsible for the receipt of money shall be acknowledged at once by issuing a numbered official receipt.

(9) Receipts that are cancelled will be reattached in the correct place in the receipt file. Information on both the original as well as the copy must be visible and a reason for the cancellation stated.

(10) Where computer generated receipts are used the original must be filed for audit purposes.

(11) The Cashier must compile a daily balance of all cash collected. Surpluses and shortages must be indicated as such. Shortages must be paid in on completion of the reconciliation (including a recount) by the Controller: Cashiering and Vendor points or as soon as possible afterwards. Cash must be banked according to prescribed/ approved arrangements.

Direct Deposits (Electronic Funds Transfer)

(12) Direct Deposits: Direct deposits must be dealt with as follow:

a) These transactions are handled by the Controller: Cashiering and Vendor points.

b) A file must be generated by importing information from the banking system, this information must then be uploaded onto the financial system.

c) The financial system creates a receipting batch for updating, this only contains transactions with valid reference numbers.

d) Invalid transactions must be dealt with on a manual basis, these sundry transactions must be captured into the receipting system by a Cashier.

e) Balancing between the Controller: Cashiering and Vendor points summary and the cashier transactions summary must be fulfilled

Third Party (Any third party that entered into a signed agreement with the Municipality):

(13) Third party payments must be dealt with as follow:

a) All payments received must be handled by the Controller: Cashiering and Vendor points by means of an internet download and a transfer to the financial system.

b) The Controller: Cashiering and Vendor points within the Financial Information Section transfers the payments recieved received from the third parties to the Debtors System on a daily basis.

c) Balancing of the third party transaction totals to the Bank totals must be completed by the Controller: Cashiering and Vendor points who completes the cashbook reconciliation.

d) Balancing of the third party transaction totals to the Bank totals must be completed by the Controller: Cashiering and Vendor points who completes the cashbook reconciliation.

e) Variances must be followed up by the Controller: Cashiering and Vendor points. Variances in banking totals identified by the Controller: Cashiering and Vendor points must be sent to Cashier section for follow up with the service provider.

f) The serial numbers of receipt transfers from the institutions must be

checked on a daily basis by the Controller: Cashiering and Vendor points to ensure that all receipts/deposits are transferred to the Municipality on a daily basis. These serial numbers must be recorded by the Controller: Cashiering and Vendor points and any discrepancies must be followed up on a daily basis by the accountant.

ACB Debit order procedure

(14) The following process needs to be followed to institute a debit order against an account:

a) The application form for payment via the ACB debit order system must be completed

b) The completed application needs to be returned by the 15th of a month in order for the deduction to take place in the same month of application.

c) Applications received after the 15th will only come into effect in the following month

d) The same deadline (15th of the month) applies to cancelation of ACB requests.

e) The debit order will always be deducted on the last working day of the month. Therefore, if the last calendar day of the month is a weekend, the ACB will be deducted on the Friday preceding the last calendar day.

f) The account due in the current month before the application is processed, will have to be settled by the client themselves.

g) The municipality reserves the right to adjust the authorised ACB limit automatically in the event of a general adjustment of tariffs with a percentage equal to such an adjustment. This includes special tariff adjustments such as drought water tariffs.

h) If a debit order is returned twice by the Bank as unpaid due to no funds being available or insufficient funds it will be cancelled

i) If a debit order is returned for any other reason other than the above, it will be cancelled immediately.

j) An Administration Fee, as stated in Councils' Tariff list for the applicable financial year, will be levied for all unpaid debit orders.

k) 30 Days' notice is needed for any changes in debit order.

l) The bank charges pertaining to such transactions are for the customer's own account.

Cash Float

(15) Cash Float will be set at R1000 for the Malmesbury Main office and the Darling office including the Moorreesburg Traffic office. All other cash offices will have a cash float of R500. If a cash office has a proven need for more float, such increase in the limit must be authorised by the CFO.

(16) Cash Float must be periodically reviewed by the Accounting Officer (and delegated as per the delegation of authority) and this will include spot checks. When counting cash on hand – cash float will be excluded before balancing amounts to the financial system.

(17) Cash float will be retrieved from cashiers at the end of the day and locked in the strong room safe and issued the next day to cashiers.

Management of cash

(18) All monies due to the municipality must be collected as soon as possible,
   a) either on or immediately after due date, and banked on a daily basis.
   b) over week-ends and public holidays monies must be banked on the next working day.

(19) The cash holding of the municipality must be kept at the minimum level required to finance the day to day operations of the municipality.

(20) Procedures must be designed in order to ensure compliance with the Local Government Municipal Finance Management Act, 2003 (Act No. 56 of 2003) and Regulation R308 as published in Government Gazette 27431 of 1 April 2005, regarding all cash.

(21) Bank account balances must be reconciled to the cashbook. Accounts that are used daily must be reconciled daily while investment accounts may be reconciled on a less frequent basis.

Credit and Debit Cards

(22) The accounting officer must ensure that no credit card or debit card linked to the municipality's bank account is issued to any official or political office bearer, with the exception of officials responsible for petty cash.

(23) Where officials or political office bearers incur expenditure in relation to official municipal activities, such officials or political officer bearers must use their personal credit cards or cash or arrangements made by the municipality, and request reimbursement in accordance with the approved Travel and Subsistence Policy and processes.

Access to Cashiers Offices/ Workstations/ Booths

Handling and Safeguarding of Cash:

(24) The cash office must be fitted with a lockable door and lockable money drawer. During business hours, all forms of cash must be stored/ safeguarded in lockable drawers, cash registers and/or cash boxes.

(25) The cash office must remain locked at all times, irrespective of whether the Cashier is present or not.

(26) All monies received must be locked in the locker during meal hours and in a safe overnight and over week-ends.

(27) The cashier should have complete control and responsibility for the cash they collect during business hours.

(28) Access to areas where cash is collected/paid/stored/safeguarded is restricted and limited to only those employees who need access, and have been designated to have access, which would be the Cashier handling the money and the direct Supervisor/Authorised Official performing reconciliations and checks.

(29) Any other Officials/ Auditors must request documents from the Supervisor/ Authorised Official who will enter the Cashier's office/ area, to collect the appropriate documents, and hand it over to the officials/

auditors. These documents must be handed over and returned under control to prevent documents being lost.

(30) Cash Offices must be restricted by means of the biometrics system (where possible) to prevent unauthorised access. The restriction of cash offices is to prevent the continuous movement of staff not handling cash or serving the public. Cashiers need to concentrate to prevent cash shortages which they are held responsible for.

(31) Cash may only be accepted at Cash Offices of the municipality and registered vendors.

(32) All keys must remain in the possession of the staff responsible and must not be relinquished for whatever reason.

(33) Written acknowledgements must be obtained for all keys and monies handed over to the Supervisor or any other authorised staff members.

(34) The relevant authorised official /Supervisor must supervise the cash activities on a daily basis.

(35) The cashier must compile a daily cash summary. This cash on hand per the summary must match the actual cash on hand.

(36) The day end cash balance and money must be safeguarded in the safe until deposited in accordance with approved cash arrangements.

Management of Inventory

(37) Adequate control must be exercised over all goods received, the storage and issuing of goods kept in inventory in order to improve cash management.

(38) Minimum and maximum inventory levels, reordering procedures, turnover rate of inventory items must be reviewed quarterly to ensure that funds are not unnecessarily tied up in inventory.

(39) An inventory register, reflecting the under-mentioned detail must be kept and updated daily:-

a) item description;

b) stores code number;

c) transaction date;

d) goods received –

i. goods delivery note number;

ii. number of items received; and

iii. value of items received.

e) goods issued-

i. requisition number; and

ii. number of items issued.

f) balance of items in inventory.

(40) Inventory counts must be affected quarterly and an annual report reflecting inventory shortages and surpluses must be submitted to council on 30 June of each financial year, or as soon as reasonably possible after the aforementioned date.

(41) All surpluses and shortages must be explained by the relevant head of department.

Short-term portion of debtors

(42) The periodical payments relating to long-term debtors must be raised and recovered monthly / biannually.

Payment of Creditors

(43) The Chief Financial Officer shall ensure that all tenders and quotations invited by and contracts entered into by the municipality stipulate payment terms favourable to the municipality. Payments should ensure compliance with all relevant laws and regulations. The municipality encourages payments in such a manner that protect our interest bearing bank balances. Protecting our interest bearing balances would require that we make payments at the later end of those timeframes as stipulated by law. Incentives schemes that promote local economic development within the jurisdiction of the municipality may also be

considered when negotiating payment terms.

(44) Payments to creditors shall be limited to one payment per creditor, per calendar month with such payment process taking place before the end of each month, with the exception of: -

a) when a query is applicable;

b) creditors failure to supply statements;

c) SMME's payment requests processed earlier; or

d) Invoices received at year-end

Any Special payments arrangements to creditors shall only be made with the express approval of the Chief Financial Officer or delegated senior manager, who shall be satisfied that there are compelling reasons for making such payments outside of the normal month-end processing.

(45) Discounts for early settlement must be considered and utilised.

(46) Creditors statements must be reconciled monthly.

(47) All creditors invoices must be sent to the municipal creditors section directly. For purposes of compliance to the MFMA, invoices will only be considered received, once delivered to the creditors section.

(48) Before invoices are considered due, certification by the responsible officer that the goods and services are received or rendered on time and is in accordance with the order, the general conditions of contract and specifications where applicable and that the price charged is as quoted / in terms of a contract is required.

a) Payment terms / days may be delayed as invoices will only be considered due on certification by the responsible official, confirming goods and services were received or rendered timeously and in accordance with the order and/or the general conditions of contract and/or the specifications where applicable and the price charged as quoted and/or in terms of a contract.

(49) Payment must only occur on receipt of a statement of which the original company invoices can be linked to official orders that were issued prior to the company's invoice date and certified goods received notes. Copies of invoices must be certified by creditors as a true copy of the original and Payment Clerks must ensure that payment has not yet occurred for these invoices.

a) In cases where a supplier does not provide a statement, payment will be made within 30 days of receipt of an invoice.

Management of bank overdraft

(50) All debt shall be raised in strict compliance with the requirements of sections 45 to 47 of the Municipal Finance Management Act 2003, and only with the prior approval of the council.

A bank overdraft may only be obtained in anticipation of a positive income stream or to finance capital projects in anticipation of an approved capital grant or long-term loan.

(51) The bank overdraft must be repaid at the end of each financial year.

(52) The council can only approve a bank overdraft on the submission of a cash flow statement indicating the anticipated income stream or a certificate stating the approved grant or long-term loan.

(53) The council may approve a short-term debt transaction individually, or may approve an agreement with a lender for a short-term credit facility to be accessed as and when required, including a line of credit or bank overdraft facility, provided that the credit limit must be specified in the resolution of the council.

(54) A municipality may incur long-term debt only for the purpose of capital expenditure on property, plant or equipment to be used for the purpose of achieving the objects of local government as set out in Section 152 of the Constitution.

Commitments

(55) Commitments for known short-term liabilities must be made for each municipal order issued.

(56) At year end, all incomplete orders must be reviewed to ensure that only valid orders remain to roll over into the following financial period.

(57) Sufficient cash must be available when payments are due.

Short-term portion of long-term liabilities

(58) Loan installments due in the next financial year must be provided for in the financial statements.

(59) Sufficient cash must be available when payments are due.

INVESTMENT INSTRUMENTS

6. (1) The municipality may invest funds only in any of the following investments types as may be appropriate to the anticipated future need for the funds-

(a) securities issued by the national government;

(b) listed corporate bonds with an investment grade rating from a nationally or internationally recognized credit rating agency;

(c) deposits with banks registered in terms of the Banks Act, 1990 (Act No. 94 of 1990);

(d) deposits with the Public Investment Commissioners as contemplated by the Public Investment Commissioners Act, 1984 (Act No.45 of 1984);

(e) deposits with the Corporation for Public Deposits as contemplated by the Corporation of Public Deposits Act, 1984 (Act No.46 of 1984);

(f) bankers, acceptance certificates or negotiable certificates of deposits of banks registered in terms of the Banks Act, 1990; (Act No. 94 of 1990)

(g) guaranteed endowment policies with the intention of establishing a sinking fund;

(h) repurchase agreements with banks registered in terms of the Banks Act, 1990;

(i) municipal bonds issued by the municipality; and

(j) any other investment type as the minister may identify by regulation in terms of section 168 of Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) in consultation with the Financial Services Board.

(2) The municipality must comply with the disclosure and reporting requirements of the MFMA and shall not transgress any of its restrictions such as (but not limited to):

(a) Disclosure of all bank accounts and balances in the annual financial statements.

(b) A municipality may not open a bank account (a) abroad, (b) with an institution not registered as a bank in terms of the Banks Act, 1990 or (c) otherwise than in the name of the municipality.

(c) The municipality can only have one primary bank account.

(d) All allocations, income received on investments, all money collected on behalf of the municipality etc. must be paid into the primary bank account of the municipality.

(e) Withdrawals can only be made by the Accounting Officer, Chief Financial Officer or relevant Senior Financial Official approved by the Accounting Officer.

(f) All withdrawals must comply with the requirements of Section 11 of the MFMA.

(g) The accounting officer must within 30 days after the end of each quarter- (a) table in the municipal council a consolidated report of all withdrawals made in terms of section 4, subsection (I)(b) to (j) of the MFMA during that quarter; and (b) submit a copy of the report to the relevant provincial treasury and the Auditor-General.

(h) The municipality must, within 30 days after the financial year, notify the Auditor- General in writing regarding the details of the bank account/investment. (type, number, opening and closing balance).

INVESTMENT ETHICS AND PRINCIPLES

7. (1) The municipal manager will be responsible for the investment of funds, and he/she, with due regard for the provisions of the Municipal Finance

Management Act, 2003, and in compliance with any policy directives formulated by the council, has to steer clear of outside interference, regardless of whether such interference comes from individual councilors, investment agents or institution or any outside parties.

(2) Under no circumstances may councillors and officials be bribed into making an investment.

(3) No member of staff may accept any gift unless that gift can be deemed so small that it would not have an influence on his/her work or was not intended to do so, and can merely be seen as goodwill and in this regard the municipality's standing resolutions have to be observed.

(4) Particulars of gifts received, as described in the municipality's standing resolutions, have to be recorded in a register held for that purpose.

(5) The first and foremost objective for investments is the preservation and safety of the principal amount invested. It is a requirement that investments may only be made with institutions with a good credit rating from an internationally accepted credit ratings bureau (Currently, Moody's, Fitch and Standard & Poor's).

(6) Any investments made must be liquidated if an institution's credit–worthy rating falls below the level of Good (F1 (Fitch), P1 (Moody's) or A1 (Standard and Poor's)." In the case where the sovereign rating (national credit rating) is graded down, the Accounting Officer may on recommendation of Chief Financial Officer allow a lesser favourable grading aligned to the lowered sovereign rating.

(7) To minimize the potential risk that banks would pose on council's investments, SM decided to assess banks based on the international rating scales as these ratings agencies are the most influential and is supported by table 2 of the Draft notice as these ratings are applicable to both national and international ratings.

(8) To limit exposer to a single institution, investment of funds, where this involves large amounts, should be distributed over more than one institution in order to limit Council's risk exposure.

Although the objective of the Chief Financial Officer in making investments on behalf of the municipality shall always be to obtain the best interest rate on offer, this consideration must be mitigated by the

degree of potential risk involved.

(9) The maximum amount invested with a financial institution should not exceed 20% of the municipal net assets (capital and reserves).

(10) The council may not borrow money to invest.

(11) Should the municipal manager invest with financial institutions, he/she must ensure that such institutions are registered in terms of the Banks Act No. 94 of 1990 and that they are approved financial institutions - as approved by the Reserve Bank, from time to time.

(12) When making growth related investments, the municipal manager must guarantee that at least the capital amount invested is safe, and must exercise due diligence in this regard.

INVESTMENT PROCEDURES

8. (1) After determining whether there is cash available for investment and fixing the maximum term of investment, the municipal manager must consider the way in which the investment is to be made.

Short-term investments (i.e for a term up to a maximum of 12 months)

(2) Quotations should be obtained from a minimum of three financial institutions, for the term of which the funds will be invested.

(3) Should one of the institutions offer a better rate for a term, other than the term which the municipality had in mind, the other institutions which were approached, should also be asked to quote a rate for the other term.

(4) Quotations can be obtained by e-mail or facsimile as rates generally change on a regular basis and time is a determining factor when investments are made.

(5) The person responsible for requesting quotations from institutions must record the following:

(a) name of institution;

(b) name of person quoting rates;

(c) period of the investment;

(d) relevant terms; and

(e) other facts i.e. is interest payable monthly or on maturation date.

(6) Once the required number of quotes has been obtained, a decision must be taken regarding the best terms offered and the institution with which funds are going to be invested.

(7) The best offer must under normal circumstances be accepted, with thorough consideration of investment principles.

(8) The investment capital must only be paid over to the institution with which it is to be invested and not to an agent.

(9) The financial institution where the investment is made must issue a certificate stating the details of the investment.

(10) The municipal manager must make sure that the investment document received is a genuine document and issued by the approved institution.

(11) The financial institution, where the investment is made, must issue a certificate for each investment made stating that no commission has, nor will, be paid to any agent or third party, or to any person nominated by the agent or third party.

(12) The municipal manager must within 10 working days of the end of each month submit to the mayor of the municipality a report describing, in accordance with municipal budget and reporting regulations, the investment portfolio of that municipality at the end of the month.

(13) The report referred to in 8 (12) must set out at least:

(a) the market value of each investment as at the beginning of the reporting period;

(b) any changes to the investment portfolio during the reporting period;

(c) the market value of each investment as at the end of the reporting period; and

(d) fully accrued interest or yield for the reporting period.

(14) Where money is kept in current accounts, the municipality must bargain for more beneficial rates.

(15) The municipal manager must ensure that the financial institution where the investment is to be made is creditworthy and the performance of the institution is to his/her satisfaction, before investing money in the institution.

(16) The municipal manager must obtain information from which the creditworthiness of financial institutions can be determined. The information obtained must be analysed annually.

Long-term investments (i.e for a term more than 12 months)

(17) At least three written quotations must be obtained for all investments made for periods longer than twelve months.

(18) All long-term investments are also subject to the provisions contained in paragraphs 8(3), 8(5), 8(6), 8(7), 8(8), 8(9), 8(10), 8(11), 8(12), 8(13), 8(15) 8(16) and 8(20) of this policy.

(19) The municipal manager must approve all investments made for periods longer than twelve months after considering the cash requirement for the next three years, after having considered Section 2(1)(d) .

(20) No commission may be paid to any municipal official, councillor, spouse or close family member as per paragraph 8 of Regulation 308 for any investment made or loan granted. The exceptions pertaining to gifts do not apply to commission, which is prohibited.

OTHER EXTERNAL DEPOSITS

9. (1) The principles and procedures set out above must apply to other investment possibilities, subject to the applicable legislation, which is available to the council, including debentures and other securities of the state as well as other municipalities or statutory bodies in the republic, instituted under and in terms of any law.

CONTROL OVER INVESTMENTS

10. (1) An investment register should be kept of all investments made. The following detail must be recorded:

(a) name of institution;

(b) capital invested;

(c) date invested;

(d) interest rate;

(e) maturation date;

(f) interest received;

(g) capital repaid;

(h) balance invested;

(i) Opening balance at the beginning of the period; and

(j) Closing balance at the end of the period.

(2) The investment register and accounting records must be reconciled on a monthly basis.

(3) The investment register must be examined on a fortnightly basis to identify investments falling due within the next two weeks. It must then be established as what to do with the funds, bearing in mind the cash flow requirements.

(4) Interest, correctly calculated, must be received timeously, together with any distributable capital.

(5) The Manager Expenditure must check that the interest is calculated correctly.

(6) The Chief Financial Officer (or delegee) shall ensure that all investment documents and certificates are properly secured. The following documents must be safeguarded-

(a) fixed deposit letter or investment certificate;

(b) receipt for capital invested;

(c) copy of electronic transfer;

(d) excel schedule of comparative investment figures;

(e) commission certificate indicating no commission was paid on the investment; and

(f) interest rate quotations.

SHORT TITLE

11. The short title of this policy is the investment and cash management policy of the Swartland Municipality

SWARTLAND MUNICIPALITY

ASSET MANAGEMENT POLICY

REVIEWED AND AMENDED MAY 2026

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PREAMBLE

Whereas sections 14 and 63 of the Local Government: Municipal Finance Management Act, 2003 (Act no. 56 of 2003) determines that a municipal council may not dispose of assets required to provide minimum services, and whereas the Municipal Asset Transfer Regulations (Government Gazette 31346 dated 22 August 2008) has been issued,

- and whereas the Municipal Council of Swartland Local Municipality wishes to adopt a policy to guide the municipal manager in the management of the municipality's assets,

- and whereas the Municipal Manager as custodian of municipal funds and assets is responsible for the implementation of the asset management policy which regulate the acquisition, safeguarding and maintenance of all assets,

- and whereas these assets must be protected over their useful life and may be used in the production or supply of goods and services or for administrative purposes,

- now therefore the Municipal Council of the Swartland Local Municipality adopts the following asset management policy:

ABBREVIATIONS AND DEFINITIONS

AM	Asset Management
AMS	Asset Management System
AR	Asset Register
CFO	Chief Financial Officer
CRR	Capital Replacement Reserve
GRAP	Standards of Generally Recognised Accounting Practice
IA	Intangible Assets
IAR	Infrastructure Asset Register
IDP	Integrated Development Plan
IIMM	International Infrastructure Management Manual
IP	Investment Property
LM	Local Municipality
MFMA	Municipal Finance Management Act
MSA	Municipal Services Act
NT	National Treasury

OHSA	Occupational Health and Safety Act
PPE	Property, Plant and Equipment
SARS	South African Revenue Service
SDBIP	Service Delivery and Budget Implementation Plan

Amortisation is the systematic allocation of the depreciable amount of an intangible asset over its useful life.

Assets are resources controlled by an entity as a result of past events and from which future economic benefits or service potential are expected to flow to the entity.

Accounting Officer means the Municipal Manager appointed in terms of Section 82 of the Local Government: Municipal Structures Act, 1998 (Act no. 117 of 1998) and being the head of administration and accounting officer in terms of section 55 of the Local Government: Municipal Systems Act 2000 (Act no. 32 of 2000).

Agricultural Produce is the harvested product of the municipality's biological assets.

Biological Assets are defined as living animals or plants.

Capital Assets (assets) are items of Biological Assets, Intangible Assets, Investment Property or Property, Plant or Equipment defined in this Policy.

Carrying Amount is the amount at which an asset is included in the statement of financial position after deducting any accumulated depreciation (or amortisation) and accumulated impairment losses thereon.

Cash-generating assets are assets used with the objective of generating a commercial return.

Commercial return means that positive cash flows are expected to be significantly higher than the cost of the asset.

Chief Financial Officer (CFO) means an officer of a municipality designated by the Municipal Manager to be administratively in charge of the budgetary and treasury functions.

Commercial Return means that positive cash flows are expected to be significantly higher than the cost of the asset.

Community Assets are defined as any asset that contributes to the community's well-being. Examples are parks, libraries and fire stations.

Cost is the amount of cash or cash equivalents paid or the fair value of the other consideration given to acquire an asset at the time of its acquisition or construction, or, where applicable, the amount

attributed to that asset when initially recognised in accordance with the specific requirements of other Standards of GRAP.

Current replacement cost is the cost the entity would incur to acquire the asset on the reporting date.

Depreciable Amount is the cost of an asset, or other amount substituted for cost in the financial statements, less its residual value.

Depreciation is the systematic allocation of the depreciable amount of an asset over its useful life.

Fair Value is the amount for which an asset could be exchanged, or a liability settled, between knowledgeable, willing parties in an arm's length transaction. The fair value of items of plant and equipment is usually their market value determined by appraisal, while the fair value of land and buildings is usually determined from market-based evidence by appraisal.

Fair value less cost to sell is the amount obtainable from the sale of an asset in an arm's length transaction between knowledgeable, willing parties, less the costs of disposal.

GRAP are standards of Generally Recognised Accounting Practice.

Heritage Assets are assets that have a cultural, environmental, historical, natural, scientific, technological or artistic significance and are held for the benefit of present and future generations. Examples are works of art, historical buildings and statues.

Infrastructure Assets are defined as any asset that is part of a network of similar assets. Examples are roads, water reticulation schemes, sewerage purification and trunk mains, transport terminals and car parks.

Intangible Assets are defined as identifiable non-monetary assets without physical substance.

Investment Properties are defined as properties (land or buildings) that are acquired for economic and capital gains. Examples are office parks and undeveloped land acquired for the purpose of resale in future years or vacant stand held for undetermined future use.

Involuntary Disposals is the act of accounting for an asset that was lost, stolen, destroyed, or any other form of unplanned alienation, including natural disasters and damage suffered from riot or strike action, without consent, or intention of management or council. There is no intention or decision to generate a profit, discharge a liability or recuperate the value of an asset no longer in use or retired, and there was no exchange of resources.

Land is defined as a class of PPE when the land is held for purposes such as administration and provision of services. Land therefore excludes Investment properties and Land Inventories.

Living resources are defined as any living animal or plant that undergoes biological changes naturally.

MFMA refers to the Local Government: Municipal Finance Management Act (Act no. 56 of2003).

Movable Assets are defined as assets that are not fixed and utilised in normal operations. Examples are plant and equipment, motor vehicles and furniture and fittings.

Net realisable value is the estimated selling price in the ordinary course of operations less the estimated costs of completion and the estimated costs necessary to make the sale, exchange or distribution.

Non-cash-generating assets are assets other than cash generating assets.

Non-living resources are those resources that occur naturally and have not been extracted. Minerals, oil, water and land are examples hereof.

Other Assets are defined as assets utilised in normal operations. Examples are plant and equipment, motor vehicles, municipal buildings and furniture and fittings.

Property, Plant and Equipment (PPE) are tangible assets that:
(a) Are held by a municipality for use in the production or supply of goods or services, for rental to others, or for administrative purposes, and
(b) Are expected to be used during more than one period.

Recoverable Amount is the amount that the municipality expects to recover from the future use of an asset, including its residual value on disposal.

Recoverable Service Amount is the higher of a non-cash generating asset's fair value less cost to sell and its value in use.

Residual Value is the net amount that the municipality expects to obtain for an asset at the end of its useful life after deducting the expected costs of disposal.

Revalued amount is the fair value at the date of the revaluation less any subsequent accumulated depreciation and subsequent accumulated impairment losses.

Useful Life is:
(a) The period of time over which an asset is expected to be used by the municipality; or
(b) The number of production or similar units expected to be obtained from the asset by the municipality's accounting officer.

Voluntary Disposal is the act of taking a decision to dispose of an asset to generate a profit, discharge a liability or recuperate the value of an asset no longer in use or retired.

Write-off includes the sale, loss, theft, destruction, decommissioning, derecognition or any other form of alienation that is the result of loss of control of the asset in question.

OBJECTIVE

The MFMA was introduced with the objective of improving accounting in the municipalities sector in keeping with global trends. Good asset management is critical to any business environment whether in the private or public sector. In the past municipalities used a cash-based system to account for assets, but since the adoption of GRAP, entities are required to prepare financial statements using the accrual basis of accounting per GRAP 1.

With an accrual system the assets are incorporated into the books of accounts and systematically written off over their anticipated useful lives. This necessitates that a record is kept of the cost of the assets, the assets are verified periodically, and the assets can be traced to their suppliers via invoices or other such related delivery documents. This ensures good financial discipline, and allows decision makers greater control over the management of assets. An Asset Management Policy should promote efficient and effective monitoring and control of assets.

According to the MFMA, the Accounting Officer in the Municipality should ensure:

a) that the municipality has and maintains an effective and efficient and transparent system of financial and risk management and internal control;
b) the effective, efficient and economical use of the resources of the municipality;
c) the management (including safeguarding and maintenance) of the assets of the municipality;
d) that the municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the municipality;
e) that the municipality's assets and liabilities are valued in accordance with standards of generally recognised accounting practice; and
f) that the municipality has and maintains a system of internal control of assets and liabilities, including an asset and liabilities register, as may be prescribed.

The objective of this Asset Management Policy is to ensure that the municipality:

a) consistently applies asset management principles;
b) applies accrual accounting;
c) complies with the MFMA, GRAP and other related legislation;
d) safeguard and control the assets of the municipality; and
e) optimises asset usage.

MSCOA has been implemented in the financial function of Swartland Municipality. The implementation of mSCOA will result in the consistent application of the municipal accountability cycle from planning, budgeting, implementation, monitoring and reporting and ultimately improved service delivery.

LEGISLATIVE FRAMEWORK

1) LEGAL FRAMEWORK

A municipality exercises its legislative and executive authority by, among others, developing and adopting policies, plans, strategies and programmes, including setting targets for delivery (section 11(3) of the MSA).

Participation by the local community in the affairs of the municipality must take place through, among others, generally applying the provisions for participation as provided for in the MSA (section 17(1) of the MSA).

A municipality must communicate to its community information concerning, among others, municipal governance, management and development (section 18(1) of the MSA).

As head of administration the Municipal Manager is, subject to the policy directions of the municipal council, responsible and accountable for, among others, the following:

- The management of the provision of services to the local community in a sustainable and equitable manner;
- Advising the political structures and political office bearers of the municipality (section 55(1) of the MSA); and
- Providing guidance and advice on compliance with the MFMA to the political structures, political office-bearers and officials of the municipality (section 60 of the MFMA).

The accounting officer of the municipality is responsible and accountable for, among others, all assets of the municipality (section 55(2) of the MSA).

The accounting officer must take all reasonable steps to ensure, among others, that the resources of the municipality are used effectively, efficiently and economically (section 62(1) of the MFMA).

2) RATIONALE FOR MANAGEMENT OF ASSETS

The South African Constitution requires municipalities to strive, within their financial and administrative capacity, to achieve the following objectives:

- Providing democratic and accountable government for local communities;
- Ensuring the provision of services to communities in a sustainable manner;
- Promoting social and economic development;
- Promoting a safe and healthy environment; and
- Encouraging the involvement of communities and community organisations in matters of local government.

In terms of the section 63 of the MFMA, the accounting officer is responsible for managing the assets and liabilities of the municipality, including the safeguarding and maintenance of its assets.

The MFMA further requires the accounting officer to ensure that:

- The municipality has and maintains a management, accounting and information system that accounts for its assets and liabilities;
- The municipality's assets are valued in accordance with standards of generally recognised accounting practice; and
- The municipality has and maintains a system of internal control of assets and liabilities.

The OHSA requires the municipality to provide and maintain a safe and healthy working environment, and in particular, to keep its infrastructure assets safe.

According to the International Infrastructure Management Manual (IIMM), the goal of infrastructure asset management is to meet a required level of service, in the most cost effective manner, through the management of assets for present and future customers.

The core principles of infrastructure asset management are:

1. Taking a lifecycle approach;
2. Developing cost-effective management strategies for the long-term;
3. Providing a defined level of service and monitoring performance;
4. Understanding and meeting the impact of growth through demand management and infrastructure investment;
5. Managing risks associated with asset failures;
6. Sustainable use of physical resources; and
7. Continuous improvement in asset management practices.

POLICY FRAMEWORK:

3) POLICY OBJECTIVE

The municipality is committed to providing municipal services for which the municipality is responsible, in a transparent, accountable and sustainable manner and in accordance with sound infrastructure management principles.

The main challenges associated with managing assets can be characterised as follows:

a) Moveable assets – controlling acquisition, location, use, and disposal (over a relatively short-term lifespan)
b) Immovable assets – lifecycle management (over a relatively long-term lifespan).

The policy approach has been to firstly focus on the financial treatment of assets, which needs to be consistent across both the movable and immovable assets, and secondly to focus on the management of immovable assets as a fundamental departure point for service delivery.

4) POLICY PRINCIPLES

The following policy principles serve as a framework for the achievement of the policy objective:

4.2.1 Effective Governance

The municipality strives to apply effective governance systems to provide for consistent asset management and maintenance planning in adherence to and compliance with all applicable legislation to ensure that asset management is conducted properly, and municipal services are provided as expected. To this end, the municipality will:

- Adhere to all constitutional, safety, health, systems, financial and asset-related legislation;
- Regularly review and update amendments to the above legislation;
- Review and update its current policies and by-laws to ensure compliance with the requirements of prevailing legislation; and
- Effectively apply legislation for the benefit of the community.

4.2.2 Sustainable Service Delivery

The municipality strives to provide to its customers services that are technically, environmentally and financially sustainable. To this end, the municipality will:

- Identify levels and standards of service that conform to statutory requirements and rules for their application based on the long-term affordability to the municipality;
- Identify technical and functional performance criteria and measures, and establish a commensurate monitoring and evaluation system;
- Identify current and future demand for services, and demand management strategies;
- Set time-based targets for service delivery that reflect the need to newly construct, upgrade, renew, and dispose assets, where applicable in line with national targets;
- Apply a risk management process to identify service delivery risks at asset level and appropriate responses;

- Prepare and adopt an immovable (infrastructure) asset management strategy and immovable (infrastructure) asset management plans to support the achievement of the required performance;
- Prepare and adopt an immovable (infrastructure) asset maintenance strategy and immovable (infrastructure) asset maintenance plans to execute maintenance timeously;
- Allocate budgets that take cognisance of the full life cycle needs of existing and future assets;
- Implement its Tariff and Credit Control and Debt Collection Policies to sustain and protect the affordability of services by the community.

4.2.3 Social and Economic Development

The municipality strives to promote social and economic development in its municipal area by means of delivering municipal services in a manner that meet the needs of the various customer user-groups in the community. To this end, the municipality will:

- Regularly review its understanding of customer needs and expectations through effective consultation processes covering all service areas;
- Implement changes to services in response to changing customer needs and expectations where appropriate;
- Foster the appropriate use of services through the provision of clear and appropriate information;
- Ensure services are managed to deliver the agreed levels and standards; and
- Create job opportunities and promote skills development in support of the national EPWP.

4.2.4 Custodianship

The municipality strives to be a responsible custodian and guardian of the community's assets for current and future generations. To this end, the municipality will:

- Establish a spatial development framework that takes cognisance of the affordability to the municipality of various development scenarios;
- Establish appropriate development control measures including community information;
- Cultivate an attitude of responsible utilisation and maintenance of its assets, in partnership with the community;
- Ensure that heritage resources are identified and protected; and
- Ensure a long-term view and lifecycle costs are taken into account in immovable asset management decisions.

4.2.5 Transparency

The municipality strives to manage its immovable assets in a manner that is transparent to all its customers, both now and in the future. To this end, the municipality will:

- Develop and maintain a culture of regular consultation with the community with regard to its management of immovable assets in support of service delivery;
- Clearly communicate its service delivery plan and actual performance through its Service Delivery and Budget Implementation Plan (SDBIP);
- Avail asset management information on a ward basis; and

- Continuously develop the skills of councillors and officials to effectively communicate with the community with regard to service levels and standards.

4.2.6 Cost-effectiveness and Efficiency

The municipality strives to manage its immovable assets in an efficient and effective manner. To this end, the municipality will:

- Assess lifecycle options for proposed new immovable assets;
- Regularly review the actual extent, nature, utilisation, criticality, performance and condition of immovable assets to optimise planning and implementation works;
- Assess and implement the most appropriate maintenance of infrastructure assets to achieve the required network performance standards and to achieve the expected useful life of immovable assets;
- Ensure the proper utilisation and maintenance of existing assets;
- Establish and implement demand management plans;
- Timeously renew immovable assets based on capacity, performance, risk exposure, and cost;
- Timeously dispose of immovable assets that are no longer in use;
- Establish documented processes, systems and data to support effective lifecycle immovable asset management;
- Strive to establish a staff contingent with the required skills and capacity, and procure external support as necessary; and
- Conduct annual assessments to support continuous improvement of immovable asset management practice.

ASSET RECOGNITION

5) CLASSIFICATION OF CAPITAL ASSETS

General

When accounting for Capital Assets, the municipality should follow the relevant standards of GRAP relating to the capital assets. An item is recognised in the statement of financial position as a Capital Asset if it satisfies the definition and the criteria for recognition of assets. The first step in the recognition process is to establish whether the item meets the definition of an asset. Secondly, the nature of the asset should be determined, and thereafter the recognition criterion is applied.
Capital Assets are classified into the following categories for financial reporting purposes:

1. Property, Plant and Equipment (GRAP 17)
   - Land (land not held as investment property)
   - Infrastructure Assets (immovable assets that are used to provide basic services)
   - Community Assets (resources contributing to the general well-being of the community)
   - Owner Occupied Housing Assets (occupied by employees which are required as part of their employment to be located in a specific area)
   - Movable Assets (non-fixed operational resources)
   - Other Assets (ordinary operational resources, mainly buildings)

2. Investment Property (GRAP 16)

3. Intangible Assets (GRAP 31)

4. Living and non-living resources (GRAP 110) (Agriculture in terms of GRAP 27 is not applicable to Swartland Municipality)

5. Heritage Assets (GRAP 103)

When accounting for Current Assets (that is of capital nature), the municipality should follow the relevant standards of GRAP relating to these assets. Current Assets (with a capital nature) are classified into the following categories for financial reporting purposes:

7. Land Inventories (GRAP 12)
   - Land Inventories (land or buildings owned or acquired with the intention of selling or distributing such property in the ordinary course of business)

Further asset classification has not been defined in GRAP. The examples of infrastructure assets include road networks, sewer systems, water and power supply systems and communication networks. Current classifications used for infrastructure are limited and do not represent all asset types. To facilitate the practical management of infrastructure assets and asset register data, infrastructure assets have been further classified. The recommended classifications are provided in Annexure A.

Policy

The asset classification specified by GRAP shall be adhered to as a minimum standard. The extended asset classification specified in Annexure A shall be adopted. The CFO shall ensure that the classifications adopted by the municipality are adhered to.

6) IDENTIFICATION OF ASSETS

General

An asset identification system is a means to uniquely identify each asset in the municipality in order to ensure that each asset can be accounted for on an individual basis. Movable assets are usually identified using a barcode system by attaching a barcode to each item. Immovable assets are usually identified by means of an accurate description of their physical location. For this purpose, a Geo-spatial identification system (GIS) is used as far as possible resulting in a GIS-ID.

In exceptional cases, where it is impractical to barcode assets, barcodes will not be used to verify assets, but rather the location of the asset. This exception is only allowed for equipment where the barcodes are expected to fall off during the use of the asset, interfere with the working of the asset/s (e.g. notice boards, jackhammers or impact tools) and for fixtures where barcoding is not required in order to identify the asset (i.e. an air-conditioning unit in an office or for signage). Where barcodes have fallen off the assets, the asset unit should be promptly notified. Barcodes that has fallen off must at least be replaced during the annual verification.

Policy

An asset identification system shall be operated and applied in conjunction with an asset register. As far as practicable, every individual asset shall have a unique identification number. The CFO shall develop and implement an asset identification system, while acting in consultation with the Executive Directors.

7) ASSET REGISTER

General

An asset register is a database of information related to all the assets under the control of the municipality. The asset register consists of an inventory of all the assets, with each asset having a unique identifying number. Data related to each asset should be able to be stored in the asset register. The data requirements for the asset register are as follows:

Data	Land	Movable	Infrastructure / building
Identification			
•Unique identification number or asset mark	✓	✓	✓
•Unique name	✓	✓	✓
•Internal Classification	✓	✓	✓
•Descriptive data (make, model, etc.)	✓	✓	✓
•Erf/Registration number	✓	✓	✓
Location	✓	✓	✓
•Title deed reference	✓		
Accountability			
•Department	✓	✓	✓
Performance			
•Age		✓	✓
•Condition		✓	✓
•Remaining Useful life		✓	✓
•Expected Useful Life		✓	✓
Accounting			
•Historic cost	✓	✓	✓
•Take-on value	✓	✓	✓
•Take-on date	✓	✓	✓
•Re-valued amount (where assets were re-valued)	✓	✓	✓
•Valuation difference (for purposes of revaluation reserve and depreciation)	✓	✓	✓
•Depreciation method		✓	✓
•Depreciation portion that should be transferred from Revaluation reserve to		✓	✓

Data	Land	Movable	Infrastructure / building
accumulated depreciation (where assets were re-valued)			
•Depreciation charge for the current financial year		✓	✓
•Accumulated Depreciation	✓	✓	✓
•Impairment losses in the current year		✓	✓
•Reversal of impairment losses in the current year			
•Accumulated depreciation		✓	✓
•Carrying value	✓	✓	✓
•Residual value		✓	✓
•Source of financing	✓	✓	✓

Assets remain in the asset register for as long as they are in physical existence or until being written off. The fact that an asset has reached the end of its original useful life, or is impaired, is not in itself a reason for writing-off such an asset. The asset register does not include assets that belong to other third parties. These assets may be included as separable entities for control purposes.

When assets are listed as security for borrowings, the asset register needs to include a reference to the loan/borrowing for purposes of identification of the loan.

Policy

An asset register shall be maintained for all assets. In some cases, separate sub-asset registers will be maintained. The format of the register shall include the data needed to comply with the applicable accounting standards and data needed for the technical management of the assets. The asset register should be continuously updated and asset records should be reconciled to the general ledger on a quarterly basis, where possible.

8) RECOGNITION OF CAPITAL ASSETS: INITIAL MEASUREMENT

General

A Capital Asset should be recognised as an asset in the financial and asset records when:

- The entity has control of the asset;
- It is probable that future economic benefits or potential service delivery associated with the item will flow to the municipality;
- The cost or fair value of the item to the municipality can be measured reliably;
- The cost is above the municipal capitalisation threshold (if any); and
- The item is expected to be used during more than one financial year.

Spare parts and servicing equipment are usually carried as inventory in terms of GRAP 12 on Inventories and are recognised in surplus or deficit as consumed. However, major spare parts and stand-by equipment qualify as property, plant and equipment when the municipality expects to use them during more than one period. Similarly, if the spare parts and servicing equipment can be used only in connection with an item of property, plant and equipment, they are accounted for as property, plant and equipment.

Where an asset is acquired through a non-exchange transaction, its cost shall be measured at its fair value as at the date of acquisition.

Further guidance for the recognition of assets is provided below:

Capitalisation Threshold

The capitalisation threshold is a policy decision of the municipality and determines which assets are capitalised and reported in the financial statements as tangible or intangible capital assets as opposed to being expensed in the year of acquisition. As a result, the threshold has an impact on the size of the asset register and the complexity of asset management. Asset management is a costly exercise. As part of the municipal objective to deliver effective and efficient services, the use of a capitalisation threshold will resolve that only those assets and asset components which warrants separate asset management incurs the appropriate asset management costs. The capitalisation threshold should be determined annually by comparison against materiality and must be determined at a level that will ensure that the municipality does not deviate materially from the requirements of GRAP 17. The municipality's decision to utilise a capitalisation threshold is based on ASB's Guideline on the application of materiality of financial statements supported by GRAP 1: Presentation of Financial Statements.

The capitalisation threshold should not be applied to the components of an asset, but should be applied to the capital asset as a whole. If the threshold is applied at component level, the asset register would be incomplete in the sense that an asset recorded as such would not be a complete asset. The municipality has taken the following into account when considering a capitalisation threshold:

- The impact of the threshold on the financial statements and the decisions/assessments the users of the financial statement may or may not make;
- The cost of maintaining financial and management information on assets when the threshold is very low;
- The impact on comparability and benchmarking cost of services may be difficult if different capitalisation thresholds are applied;
- The size of the municipality or the size of its service areas when setting a capitalisation threshold level. Municipalities vary greatly in size, so what is relevant to one may be immaterial to another.

The full threshold consideration is included as Annexure B.

Calculation of initial cost price

Only costs that comprise the purchase price and any directly attributable costs necessary for bringing the asset to its working condition should be capitalised. The purchase price exclusive of VAT should be capitalised, unless the municipality is not allowed to claim input VAT paid on acquisition of such assets. In such an instance, the municipality should capitalise the cost of the asset together with VAT (e.g. Passenger Vehicles). Any trade discounts and rebates are deducted in arriving at the purchase price. If, rebates, discounts or refunds are received after payment, such shall be deducted insofar such is given within the same financial period in which the asset is recognised (capitalised). Discounts or rebates received after year-end will be considered revenue in such period, but will be considered an indicator for the revision of the useful life and impairments.

Listed hereunder are examples of directly attributable costs (not exhaustive list), of:

- Costs of employee benefits (as defined in the applicable standard on Employee Benefits) arising directly from the construction or acquisition of the item of the Capital Asset
- The cost of site preparation;
- Initial delivery and handling costs;
- Installation costs;
- Professional fees such as for architects and engineers;
- The estimated cost of dismantling and removing the asset and restoring the site.

When payment for an asset is deferred beyond normal credit terms, its cost is the cash price equivalent. The difference between this amount and the total payments is recognised as an interest expense over the period of credit.

In exceptional cases, the initial cost price may have been negotiated to the point where the costs are determinable, only to discover at a later stage that additional expenditure is required on the same asset. If the asset has already been taken into use (e.g. owner occupation of a building has commenced with additional building alterations required), the additional costs must be assessed to determine whether those costs ought to have been known at the date of recognition in terms of a prior period error. If it was found that management had already incurred the additional costs (i.e. services has been rendered and that there was a reasonable expectation that those costs were due and approved), the initial costs must be revised. In those instances where services were rendered, but the cost associated with the additional services were not considered due, those costs that were approved at a later date would be added to the existing asset in the year during which the costs are paid. If additional costs are incurred (goods or services rendered) in a period subsequent to initial recognition those costs may be added to the existing asset (also see subsection for Subsequent Expenditure).

Component approach

The component approach is a GRAP-supported approach where complex assets are split into separate depreciable parts for recording. The key considerations in determining what should become a separately depreciable part (component) are:

- Significant cost in relation to the asset as a whole;
- Considerable difference in useful life;

- The frequency that the component is expected to be replaced; and
- The risk or significance of the component in relation to the usefulness of the asset as a whole;

If the value of a part of the asset is significant (i.e. material) compared to the value of the asset as a whole and/or has a useful life that is considerably different to the useful life of the asset a whole, it should be recognised as a separately depreciable part (component).

Subsequent Expenses

The municipality should not recognise the costs of day-to-day servicing of the item in the carrying amount of an item of capital asset. These costs are recognised as expenditure as and when incurred. Day-to-day costs are primarily the costs of labour and consumables and may include the costs of small parts. The purpose of these expenditures is usually for the 'repair and maintenance' of the capital asset.

Parts of some capital assets may require replacement at regular intervals. For example, a road may need resurfacing every few years. It may be necessary to make less-frequently recurring replacement of parts, such as replacing the interior walls of a building, or to make a non-recurring replacement. Under the recognition principle, an entity recognises in the carrying amount of the capital asset the cost of replacing the part of such an item when that cost is incurred if the recognition criteria are met. At the same time the part to be replaced should be derecognised.

Based on the component approach, if a component is replaced, it will be regarded as a capital expenditure. If part or a section of a component is replaced or renewed due to maintenance, such expenditure shall be regarded as operational. Major capital renewal projects would be material and therefore the component level approach would not be applicable to such projects (refer below).

Rehabilitation/Enhancements/Renewals of capital assets

Expenditure to rehabilitate, enhance or renew an existing capital asset (including separately depreciable parts) can be recognised as capital if:

- The expenditure satisfies the recognition criteria;
- That expenditure is enhancing the service potential of that capital asset beyond its original expectation and either that expenditure:
  - increases the useful life of that capital asset (beyond its original useful life);
  - increases the capital asset capacity (beyond its original capacity);
  - increases the performance of the capital asset (beyond the original performance);
  - increases the functionality of that capital asset;
  - reduces the future ownership costs of that capital asset significantly; or
  - increases the size of the asset or changes its shape.

The expenditure to restore the functionality of the capital asset to its original level is a maintenance or refurbishment expense and will not be capitalised to the carrying value of the capital asset. The rehabilitated or renewed separately depreciable part will be derecognised and the replacement will be recognised. Where the separately identifiable asset is rehabilitated or renewed, the amount incurred will be added to the carrying value of the asset.

Leased Assets

A lease is an agreement whereby the lesser conveys to the lessee, in return for a payment or series of payments, the right to use an asset for an agreed period of time. Leases are categorised into finance and operating leases:

- A Finance Lease is a lease that transfers substantially all the risks and rewards incident to ownership of an asset, even though the title may or may not eventually be transferred. Where the risks and rewards of ownership of an asset are substantially transferred, the lease is regarded as a finance lease and is recognised as a Capital asset.
- Where there is no substantial transfer of risks and rewards of ownership, the lease is considered an Operating Lease and payments are expensed in the income statement on a systematic basis.

Policy

All capital assets shall be correctly recognised as assets and capitalised at the correct value in its significant components. The capitalisation threshold based on a list of items included in Annexure B, but the application thereof will be determined annually by the municipality.

All assets falling outside the capitalisation threshold and with an estimated useful life of more than one year shall be recorded on a Minor Assets Control List ("toolbox items"). The existence of items recorded on such a list shall be physically verified from time to time, and any amendments which are made to such lists pursuant to such asset verifications shall be retained for audit purposes.

The Council shall specify which kinds of leases the municipality may enter into. A lease register shall be maintained with all the information that is necessary for reporting purposes.

9) SUBSEQUENT REMEASUREMENT OF CAPITAL ASSETS

General

After initial recognition of Capital Assets, the municipality values its assets using the cost model, unless a specific decision has been taken to revalue a certain class of assets and in such instance the PPE will be valued using the revaluation model. When an item of PPE is revalued, the entire class of property to which that asset belongs, should be re-valued. The fair value of the assets will be revised at least annually, with reference to the valuation roll of the municipality.

When an asset's carrying amount is increased as a result of the revaluation, the increase should be credited to a revaluation surplus. However, the increase shall be recognised in surplus or deficit to the extent that it reverses a revaluation decrease of the same asset previously recognised in surplus or deficit.

When and asset's carrying amount is decreased as a result of devaluation, the decrease should be recognised as an expense in the annual financial statements. However, the decrease shall be

debited directly to a revaluation surplus to the extent of any credit balance existing in the revaluation surplus in respect of that asset.

10) RECOGNITION OF INVENTORY ITEMS (NON-CAPITAL ITEMS)

General
Inventories encompass finished goods purchased or produced, or work in progress being produced by the municipality. They also include materials and supplies awaiting use in the production process and goods purchased or produced by the municipality, which are for distribution to other parties for no charge or for a nominal charge. GRAP 12.7 defines Inventories as assets:

- In the form of materials or supplies to be consumed in the production process;
- In the form of materials or supplies to be consumed or distributed in the rendering of services;
- Held for sale or distribution in the ordinary course of operations; or
- In the process of production for sale or distribution.

Examples of Inventories may include the following:

- Ammunition
- Consumable stores;
- Maintenance materials;
- Spare parts for plant and equipment other than those dealt with under PPE;
- Strategic stockpiles (e.g. Water reserves);
- Work in progress; and
- Land / Property held for sale or development (and where plans have been approved/council has resolved).

Cost of inventories shall comprise of all costs of purchase (i.e. purchase price, import duties, other taxes and transport, handling and other costs attributable to the acquisition of finished goods, materials and supplies), costs of development, costs of conversion and other costs incurred in bringing the inventories to their present location and condition.

Trade discounts, rebates and other similarities are deducted. Taxes recoverable by the entity from the SARS may not be included.

Costs of development for housing or similar developments which are acquired or developed for resale will include costs directly related to the development – e.g. purchase price of land acquired for such developments, surveying, conveyance costs and the provision of certain infrastructure. Infrastructure costs relating to extending the capacity of existing infrastructure are excluded. The costs of inventories of a service provider consisting of direct labour and other costs of personnel directly engaged in providing the service and other attributable overheads are included.

Where inventories are acquired at through a non-exchange transaction, their cost shall be measured at their fair value as at the date of acquisition.

The cost of inventories, shall be assigned by using the weighted average cost formula.

Policy
Assets acquired or owned by the municipality for the purpose of selling or developing such assets with the intention to sell it or utilising the asset in the production process or in the rendering of services shall be accounted for in the municipality's financial statements as inventory items and not as property, plant and equipment.

Inventories are recorded in a dedicated section of the Inventory Register and it is maintained for this purpose. The amount of cost of inventories is recognised and carried forward until related revenues are recognised.

The cost of inventories, shall be assigned by using the weighted average cost formula.

Inventories are measured at the lower of cost and current replacement cost where they are held for distribution at no charge or for nominal charge, or for consumption in the production process of goods to be distributed at no charge or for a nominal charge.

In cases where the above does not apply, inventories are measured at lower of cost and net realisable value.

The estimation of the water stock in the reservoirs is based on the measurement of water via electronic level sensors, where the level indicates the depth of the water in the reservoir, which is then converted into volumes based on the total capacity of the relevant reservoir. Furthermore, the length and width of all pipes are also taken into account in determining the volume of water on hand at year-end.

Water inventory is being measured by multiplying the cost per kilolitre of purified water by the amount of water in storage.

11) RECOGNITION AND DERECOGNITION OF LAND (IGRAP 18)

General

IGRAP 18 is applied in the recognition and derecognition of land.

IGRAP 18 is applied to clarify the treatment (whether or not the municipality should recognise or derecognise land) of land where the building is owned by another party including, but not limited to:

- Formal RDP houses
- Informal RDP houses (without council permission)
- Schools, clinics, churches and similar
- Private properties on municipal land

It will also assist in confirming the treatment of the following assets regardless of ownership of the land:

- Infrastructure assets (municipal infrastructure taken over and serviced by the public)
- Community assets
- Vacant stands registered at the title deeds office
- Vacant stands not registered at the title deeds office

(par the considerations of GRAP 32: Service Concession Arrangements)

Management assesses at each reporting date whether there are any changes in a binding agreement that could impact its assessment of internal control. In assessing whether the rights that have been granted to the municipality in a binding arrangement result in control of the land, it is important to distinguish between substantive rights and protective rights. Only substantive rights are considered in assessing whether the municipality controls land. Substantive rights grant the municipality the ability to make decisions about, and benefit from, certain rights and assets, such as how to use the land to provide services, and when to dispose of the land, to whom and at what price. For the right to be substantive, the holder of the right must have the present ability to exercise that right.

Where the municipality has been granted a right to use land, management needs to consider whether the right should be accounted for in terms of the Standard of GRAP on Leases (GRAP 13)

Policy

The control of land is evidenced by the following criteria:

(a) legal ownership; and/or

(b) the right to direct access to land, and to restrict or deny the access of others to land.

Substance over form determines that the land is controlled by the municipality that has the right to direct access to land, and to restrict or deny access of others to land. This is usually demonstrated by the following:

a. it can direct the use of the land's future economic benefits or service potential to provide services to beneficiaries;
b. it can exchange, dispose of, or transfer the land; and/or
c. it can use the land in any other way to generate future economic benefits or service potential.

When, after assessment of control per the criteria set out above, the municipality concludes that it controls the land, the land should be recognised as an asset in the statement of financial position and accordance with the relevant Standard of GRAP.

If the municipality concludes that it does not control the land, and is currently recognising the land, it should derecognise it in accordance with the relevant Standard if GRAP.

In assessing the control criteria, any binding arrangements over properties will be considered. Binding agreements can be in written form, a verbal agreement, court decision or the result of past practice.

The loss of control will result in the derecognition of the property, despite legal title, while assets over which the entity does not hold the legal title may be recognized as an asset if control over the property has been established.

ASSET TYPES

12) PROPERTY, PLANT AND EQUIPMENT: LAND (GRAP 17)

General
Land comprise any land held (by the owner or by the lessee under a finance lease) by the municipality to be used in the production or supply of goods or for administrative purposes. Land held for a currently undetermined future use, should not be included in PPE: Land, but should be included in Investment Properties. For PPE Land there is no intention of developing or selling the property in the normal course of business. This land includes infrastructure reserves.

Policy
The municipality has selected the cost model as its accounting policy and shall apply this policy to an entire class of property, plant and equipment. After recognition as an asset, Land and Buildings shall be carried at its cost less any accumulated depreciation and any accumulated impairment losses. The remaining useful life and residual value applied to Building assets shall be reviewed on an indication bases as per the guidance of GRAP 17.

Land is not depreciated as it is deemed to have an indefinite useful life. The municipality assesses at each reporting date if there is an indication of impairment.

13) PROPERTY, PLANT AND EQUIPMENT: INFRASTRUCTURE ASSETS (GRAP 17)

General
Infrastructure Assets comprise assets used for the delivery of infrastructure-based services. These assets typically include electricity, sanitation, solid waste, storm water, transport, and water assets. Most infrastructure assets form part of a greater facility e.g. a pump in a pump station.

Level of detail of componentisation
For the technical management of infrastructure, the most effective level of management is at the maintenance item level. It is at this level that work orders can be executed and data collected. This data is useful for maintenance analysis to improve infrastructure management decision making. This level, in most cases, coincides with the level that means the accounting criteria of different effective lives and materiality. However, the collection of data at this level of detail can be very costly when dealing with assets that are numerous in nature e.g. water meters, street signs, streetlights, household connections, etc. It is therefore prudent to balance the value of the information with the cost of collecting the data. The different levels of detail are shown below:

- Level 1: Service level (e.g. Swartland Water Supply)
- Level 2: Network level (e.g. Swartland Pump Stations)
- Level 3: Facility level (e.g. Swartland Pump Station)
- Level 4: Maintenance item level (e.g. Pump 1 in Swartland Pump Station)
- Level 5: Component level (e.g. Bearing of Pump 1 in Swartland Pump Station)

The preferred level of detail for the accounting and technical management of infrastructure is level 4 above.

The compilation of a detailed infrastructure asset register in one financial term is a costly and onerous exercise. To ensure the practicality of implementing asset registers (and asset management planning as a whole), the International Infrastructure Management Manual (IIMM) recommends the adoption of a continuous improvement process as a practical implementation approach. This approach recognises the value of limited data above no data and enables the municipalities to slowly, but steadily, increases their knowledge in the assets they own. The improvement principles of the IIMM recommend starting with complete coverage of the infrastructure types at a low level of detail (e.g. level 2 or 3) and then improving the level of detail over a period of several years, starting with the high-risk assets, such as pump stations, treatment works, etc.

Policy
The infrastructure asset register shall ensure complete representation of all infrastructure asset types. The level of detail of componentisation shall be defined to a level that balances the cost of collecting and maintaining the data with the benefits of minimising the risks of the municipality. Infrastructure assets are valued at cost (or, if acquired through a non-exchange transaction, the cost of the asset at recognition is measured as the fair value of the asset), less accumulated depreciation and accumulated impairment. If cost can however not be established, then infrastructure assets will be initially recognised at depreciated replacement cost. Depreciated replacement cost is an accepted fair value calculation for assets where there is no active and liquid market. Depreciation shall be charged against such assets over their expected useful lives. The remaining useful life and residual value applied to Infrastructure assets shall be reviewed on an indication base as per the requirements of GRAP 17.

Infrastructure Assets shall be recorded under the main categories listed in *Annexure A*;

Incomplete construction work is stated at historical cost. Depreciation only commences when the asset is available for use. The municipality assesses at each reporting date if there is an indication of impairment.

14) PROPERTY, PLANT AND EQUIPMENT: COMMUNITY ASSETS (GRAP 17)

General
Community Assets include a variety of assets used to provide services to the community. These assets include building assets such as aquariums, cemeteries, clinics, hospitals, game reserves, museums, parks, etc. Community assets also include recreational assets such as tennis courts, swimming pools, golf courses, outdoor sports facilities, etc.

Policy
Community assets are valued at cost less accumulated depreciation and accumulated impairment losses. Depreciation shall be charged against such assets over their expected useful lives. The remaining useful life and residual value applied to Infrastructure assets shall be reviewed on an indication base as per the requirements of GRAP 17.

15) PROPERTY, PLANT AND EQUIPMENT: HOUSING ASSETS

General

Housing Assets comprise residential property that does not meet the definition of Investment Property. (I.e. earn rentals or capital gains).

It further includes a specific exclusion in GRAP 16 based on housing that is provided solely to employees due to an operational requirement to be located in a specific area. This includes military and official personnel. The housing should be specifically intended for this purpose and private individuals should not be able to rent or occupy such property. Where the property may be let out to either an employee or a private person, the exclusion is not satisfied, and the classification of Investment Property should be applied.

Houses that have their origin from housing units erected in terms of the Housing Act, funded from loans granted by Government regardless whether it comprise rental stock or selling stock not held for capital gain, it should be measured against the definition criteria of GRAP 16 and the specific exclusions to determine classification.

Policy

Housing assets are valued at cost less accumulated depreciation and accumulated impairment losses. Depreciation shall be charged against such assets over their expected useful lives.
Housing Assets shall be recorded under the following main categories;

- Rental Schemes; and
- Selling Schemes.

16) PROPERTY, PLANT AND EQUIPMENT: OTHER ASSETS

General
Other assets compromise buildings held (as owner or lessee under a finance lease) by the municipality to be used in the production or supply of goods or for administrative purposes. For this class of buildings there is no intention of developing or selling the property in the normal course of business.

The municipality has chosen the cost model as its accounting policy and shall apply this policy to an entire class of property, plant and equipment.

Policy
Other assets are recognised and measured at cost (or, if acquired through a non-exchange transaction, at its fair value) less accumulated depreciation and accumulated impairment losses. Depreciation shall be charged against such assets over their expected useful lives. Other assets are not re-valued. The remaining useful life and residual value of applied to other assets shall be reviewed using an indicator-based approach as per the requirements of GRAP 17. Other Assets shall be recorded under the main categories listed in *Annexure A*.

17) PROPERTY, PLANT AND EQUIPMENT: MOVABLE ASSETS

General
Movable Assets include machinery and equipment, furniture and office equipment, transport assets and computer equipment.

Policy
Movable assets are carried at cost (or, if acquired through a non-exchange transaction, at its fair value) less accumulated depreciation and accumulated impairment losses. Depreciation shall be charged against such assets over their expected useful lives. Movable assets are not re-valued. The remaining useful life and residual value of applied to other assets shall be reviewed on an indication bases as per the guidance of GRAP 17.

Movable Assets (general assets) shall be recorded under the main categories listed in *Annexure A*.

18) HERITAGE ASSETS (GRAP 103)

General
Heritage assets are assets that have a cultural, environmental, historical, natural, scientific, technological or artistic significance and are held indefinitely for the benefit of present and future generations. Heritage assets include the following:

- Archaeological sites;
- Conservation areas;
- Historical buildings or other historical structures (such as war memorials);
- Historical sites (for example a historical battle site or site of a historical settlement);
- Museum exhibits;
- Public statues; and
- Works of art (which will include paintings and sculptures).

Policy
Heritage assets are stated at cost (or, if acquired through a non-exchange transaction, the cost of the asset at recognition is measured as the fair value of the asset) less accumulated impairment losses. Heritage assets are not re-valued. If an asset that might be regarded as a heritage asset cannot be reliably measured, relevant and useful information about it shall be disclosed in the notes

to the financial statements. Heritage Assets are tested for impairment annually based on the indicator approach.

19) INTANGIBLE ASSETS (GRAP 31)

General
Intangible Assets can be purchased, or can be internally developed, by the municipality and includes, but are not limited to, computer software, website development cost, servitudes and mining rights.

Servitudes

Creation of servitudes through the exercise of legislation
In terms of legislation, municipalities are granted certain rights regarding the creation of servitudes. For example, in proclaiming townships, a municipality may declare that servitudes are to be registered over certain parts of the land falling within the boundaries of the proclaimed township so that it is able to install infrastructure to provide basic services.

A key feature of servitudes created using rights granted in legislation is that no compensation is paid to the landowner for the acquisition of these rights. Costs may however be incurred to register the servitude with the Deeds Office.

Servitudes granted under these conditions **do not meet** the 'identifiably' criteria above for the following reasons:

• They cannot be sold, transferred, rented or exchanged freely and are not separable from the entity.
• They arise from rights granted to the entity in statute and are specifically excluded from GRAP 31 as they are "internally generated rights".

Creation of servitudes through acquisition (including by way of expropriation or agreement)
An entity may need to acquire the rights associated with a specific piece of land, e.g. to span power cables related to an electricity distribution network. When an entity acquires rights associated with land, and registers a servitude, the landowner is usually compensated. Servitudes granted under these conditions are distinguished from those that are created through the exercise of legislation. These servitudes meet the definition of an "identifiable" intangible asset because they arise from contractual or other legal rights that are acquired through a specific arrangement, rather than through rights conferred on an entity in statute. In these instances, an entity would recognise the servitude as an intangible asset at cost. The cost of these servitudes on initial recognition is usually the transaction price, i.e. the compensation paid to the landowner and any other costs that can be capitalised to the cost of the asset in terms of GRAP 31.

Policy
Intangible assets are stated at cost less accumulated amortisation and accumulated impairment losses. Such assets are amortised over the best estimate of the useful life of the intangible asset. If

an intangible asset is generated internally by the municipality, then a distinction should be made between research and development costs. Research costs should be expensed and development costs may be capitalised if all the criteria set out in GRAP 31 has been met.

20) INVESTMENT PROPERTY (GRAP 16)

General
Investment Property comprise of land or buildings (or parts of buildings) or both, held by the municipality as owner, or as lessee under a finance lease, to earn rental revenues or for capital appreciation or both. Investment property does not include property used in the production or supply of service or for administration. It also does not include property that will be sold in the normal course of business. Typical investment properties include:

- Office parks (which have been developed by the municipality itself or jointly between the municipality and one or more other parties);
- Shopping centres (developed along similar lines);
- Housing developments (developments financed and managed by the municipality itself, with the sole purpose of selling or letting such houses for profit).

Policy
Investment Properties shall be accounted for in terms of GRAP 16 and shall not be classified as PPE for purposes of preparing the municipality's Statement of Financial Position.

Investment Property is recognised at cost. Transaction costs shall be included in this initial measurement. Where an investment property is acquired at no cost, or for a nominal cost, its cost is its fair value as at the date of acquisition.

If the Council of the municipality resolves to construct or develop a property for future use as an investment property, such property shall in every respect be accounted for as PPE until it is ready for its intended use, where after it shall be reclassified as an investment asset.

After initial recognition, all investment property shall be measured at cost less accumulated depreciation and accumulated impairment losses. Depreciation of buildings is calculated on cost, using the straight-line method over the useful life of the property. The remaining useful life and residual value applied to investment property shall be reviewed based on the indicator approach.

Land will not depreciate as it is deemed to have an indefinite useful life. The municipality assesses at each reporting date if there is an indication of impairment.

Vacant land parcels must be earmarked for own use or sale through a council decision (land parcels considered for service delivery or council decision to transfer the property). Until such time that a council decision has been approved, vacant land is considered to be held for capital appreciation (future undetermined use). No land parcels included in Investment Property shall be transferred to inventory unless such development of the vacant land has commenced (e.g. a service connection has been installed at our account).

Classification of assets as Investment Property or other asset class

The following classes of Municipal Property **will be classified** as Investment Property:

a) Land held for long-term capital appreciation rather than for short-term sale in the ordinary course of operations which council intends to sell at a beneficial time in the future.
b) Land held for a currently undetermined future use.
c) A building owned by the municipality (or held by the municipality under a finance lease) and leased out under one or more operating leases (market rental does not need to be charged).
d) A building that is currently vacant but is held to be leased out under one or more operating leases on a commercial basis to external parties.
e) Property that is being constructed or developed for future use as investment property.

The following classes of Municipal Property will **not be classified** as Investment Property:

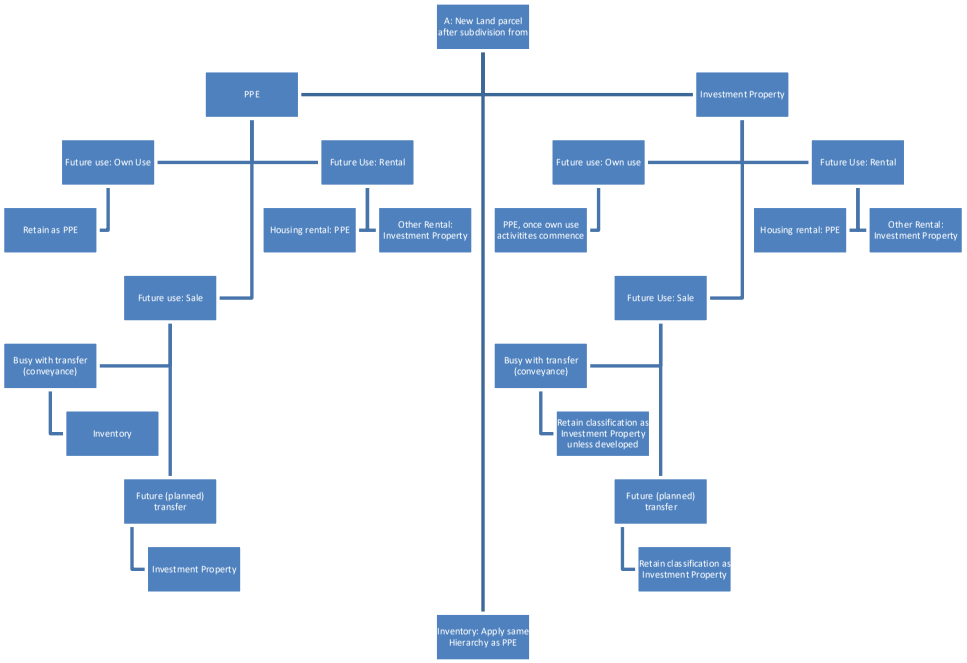
a) Property held for sale in the ordinary course of operations or in the process of construction or development for such sale. This property is treated as inventory.
b) Property being constructed or developed on behalf of the Provincial Government: Housing Department.
c) Owner-occupied property which is defined as property which is held (by the owner or by the lessee under a finance lease) for use in the production or supply of goods or services or for administrative purposes as per definition criteria of GRAP 17 which includes all council buildings used for administration purposes.
d) Property occupied by employees such as housing for personnel (whether or not the employees pay rent at market rates) are also regarded to be owner–occupied property.
e) Property that is leased to another entity under a finance lease.
f) Property held by council for strategic purposes or to meet service delivery objectives rather than to earn rental or for capital appreciation.
g) Where council has properties that are used both for administrative and commercial purposes and part of the properties cannot be sold separately these properties will not be classified as investment properties.

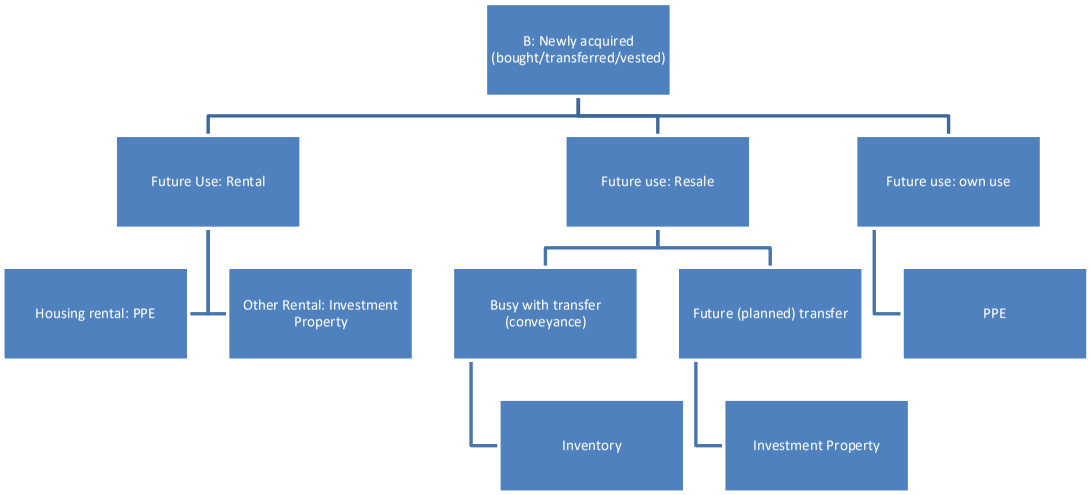
In the case of land, special considerations needs to be applied:

a) If for example plans have drawn up to sell or rent the land only to discover that in terms of laws or other regulations (such as national heritage or preservation of natural reserves) such land may not be transferred, the land must be classified or reclassified as Property, Plant and Equipment or Heritage as it serves the strategic needs of the community rather than to generate a return to the municipality. If the land is marked as a nature reserve, only when objective evidence is available that the municipality has applied to the Department to transfer the land or exclude the land portion from the nature reserve status, may the classification as Investment Property be applied.
b) If for example, activities on a single land parcel comprise both commercial, rental and municipal use for service delivery, the land parcel needs to be assessed in order to determine whether a sub-division of land would allow the activities to be split. If found that a sub-division of land would appropriately resolve the mixed use into separate portions of owner-occupied and income generating, such land portion may be recorded as both Investment Property and

Property, Plant and Equipment, provided that accurate sizes are retained to allow each portion to be separately identifiable. This is often appropriate for municipal commonages where sections of the land may be sold or distributed with certain section of the same commonage which are already used as owner occupied property.

c) Some land parcels might be included in the asset register without those parcels being recorded in the Deeds Office. Classification will be determined based on the following diagrams:





21) LAND AND INFRASTRUCTURE IN TERMS OF THE GUIDELINE ON ACCOUNTING FOR ARRANGEMENTS IN TERMS OF THE NATIONAL HOUSING PROGRAM(ME)

General

ASB's Housing Guideline (as it is commonly referred) primarily aims to describe the accounting for grants in terms of these housing arrangements. The guideline does however provide recommended accounting consequences for the classification of land and accounting for infrastructure.

The key element to consider when determining the classification of land is whether the agreement with the department has already been entered. For Swartland, there would be an overall agreement to establish a housing project, but at the time that funds are released for purposes of funding the acquisition of land, the detailed project scope would not yet be approved. For example, land might be acquired to establish 3400 serviced sites, but at the time that the land is funded, phase 1 (e.g. 340 serviced sites) might not yet have commenced or signed. At the time Swartland becomes the owner of the land, such land portion might far exceed the town planning and current feasibility study of the housing project (mutually exclusive). As such, at the time that the land is to be recognised, a very small portion of the land parcel might be considered to be for a housing project, (e.g. 340 of 3400 = 10%) with the remaining extent of the land earmarked for housing without a specific future determined use (e.g. the project might end after phase 1). As the housing projects run in phases and funding is only secured for each phase at a time, the municipality had to adapt the guidelines recommendation to meet its obligations in terms of GRAP.

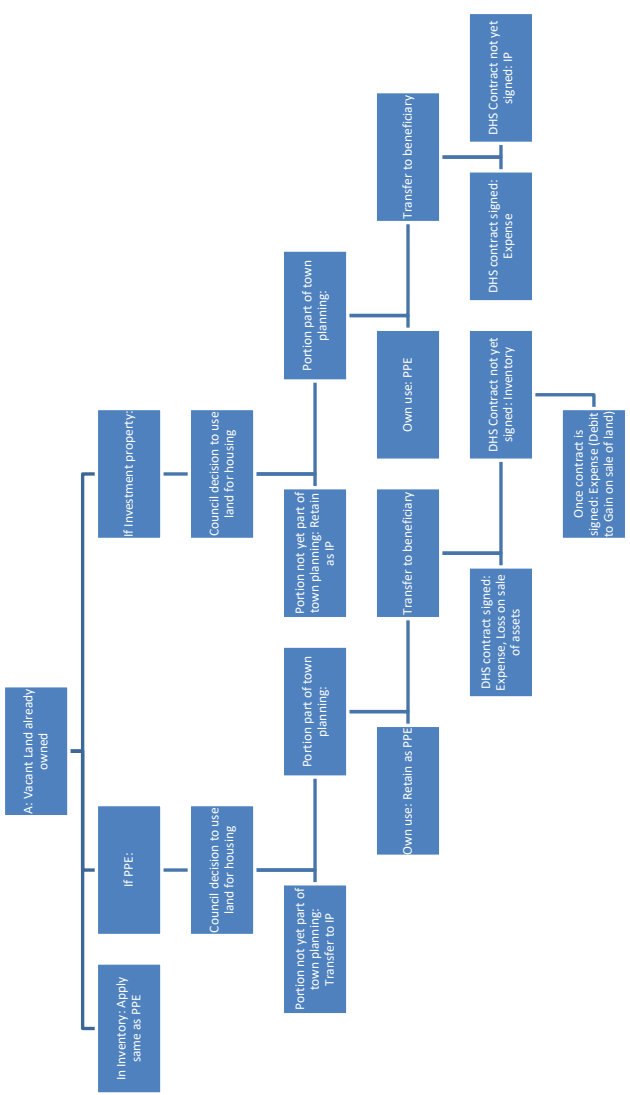
As there is historic evidence of Land purchased for purposes of housing upon which the housing projects were not commenced or completed, Swartland has opted to have Investment Property as the default classification for housing land where detailed town planning is not yet available at initial recognition. If at initial recognition, a portion of town planning is available, such town planning will be used to determine:

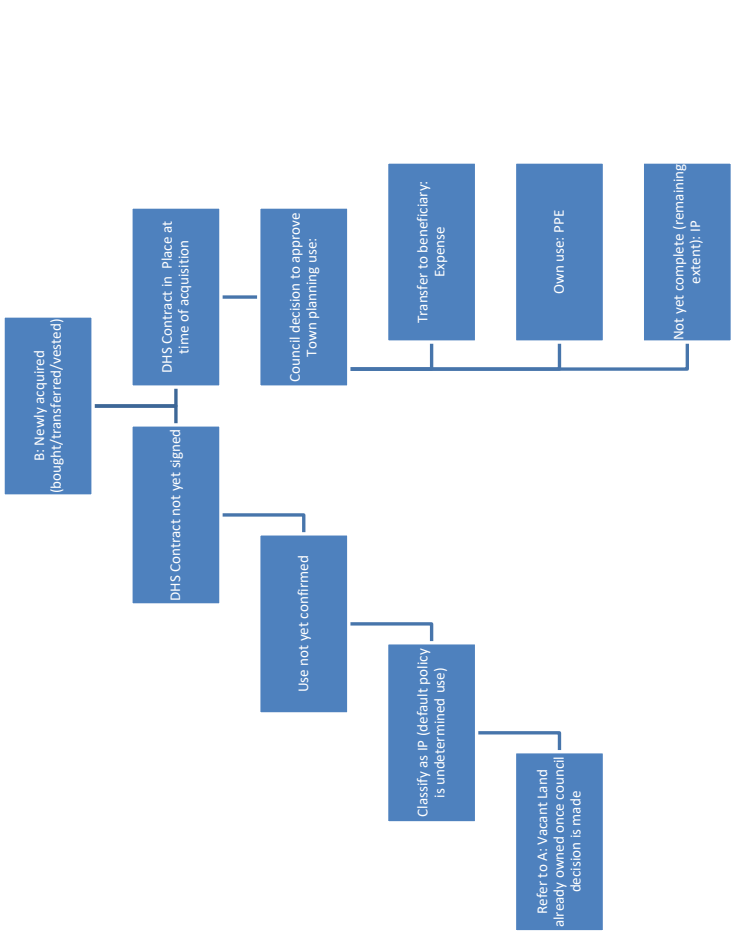
a) Land portions that will not be recognised (recorded as Inventory Consumed (Expense)
b) Land portions that will be used for infrastructure
c) Land portions that will be used for commercial purposes (sold as inventory)
d) Land portions that will be rented for commercial purposes

The remaining portion of the land for which the Town Planning has not yet commenced will be regarded as Investment Property as Council has not yet determined the use (as per Town Planning)

For a housing project, the services (infrastructure) needs to first be installed. Once Town planning has drawn up the detailed plans in terms of the infrastructure development and such development is likely to proceed, the land portions upon which service delivery would be (including parks and public open spaces), will be transferred to Property plant and equipment.

Also refer the diagrams below for the interpretation of the accounting treatment for land in terms of housing projects.





Policy

Land parcels purchased by means of receipts from the Provincial Department are assessed in terms of IGRAP 18: Recognition and Derecognition of Land. The portions of the expenditure that will remain under the control of the municipality is capitalised as Property, Plant and Equipment when the future use is determinable. When such future use cannot be determined, such land will be accounted for as Investment Property based on the municipal policy to only classify vacant land for which the use is determined as Property, Plant and Equipment. The portion of land expenditure that will be transferred to the beneficiaries are expensed once the contract is signed. The expense and receipts pertaining to land transactions are included under Loss on sale of Property, Plant and Equipment or Other Materials and Gains on Sale of Land, respectively.

All infrastructure and land that arises from Housing Arrangements are included under Property, Plant and Equipment or Investment Property as appropriate. Land acquired by means of Housing Arrangements for which the future use is not yet determined, is accounted for as Investment Property when the municipality is unable to determine the future use of the Land.

Once the use is determined or determinable in terms of Town Planning, the land will be transferred to Property, Plant and Equipment or Inventory or disposed as per the requirements of the Guideline. History has shown that some Land portions could be purchased and retained indefinitely resulting in a different accounting treatment than that outlined by the Guideline.

Only once the use of vacant land has been determined in terms of a Council decision, may vacant land accounting entries be made to record the asset as Property, Plant and Equipment, or Inventory or Disposed through the statement of Financial Performance.

22) LIVING RESOURCES (GRAP 110)

General

Living resources are living plants and animals such as trees in a plantation or orchard, cultivated plants, sheep and cattle. Managed agricultural activity such as raising livestock, forestry, annual or perennial cropping, fish farming that are in the process of growing, degenerating, regenerating and/or procreating which are expected to eventually result in agricultural produce. Such agricultural produce is recognised at the point of harvest. Future economic benefits must flow to the municipality from its ownership or control of the asset.

The cost of a living resource comprises:
(a) its purchase price, including import duties and non-refundable purchase taxes; and
(b) any costs directly attributable to bringing the living resource to the location and condition necessary for it to be capable of operating in the manner intended by management.

Policy

Living resources are initially measured at cost. However, when obtained through a non-exchange transaction, it shall be measured at the fair value at the date of acquisition.

Living resources, such as livestock and crops, are valued annually at cost less accumulated depreciation and accumulated impairment. Living resources are valued annually at cost less accumulated

depreciation and accumulated impairment. (if held for longer than 12 months). If living resources are held for less than 12 months, it shall be measured in accordance with GRAP 12 - inventory.

Living resources shall only be accounted for when the cost or fair value of the asset can be measured reliably.

23) INVENTORY PROPERTY (GRAP 12)

General
Inventory Property comprises any land or buildings owned or acquired by the municipality with the intention of selling such property in the ordinary course of business, or any land or buildings owned or acquired by the municipality with the intention of developing such property for the purpose of selling it in the ordinary course of business.

Policy
Inventory land and buildings shall be accounted for as inventory, and not included in either PPE or Investment Property in the municipality's asset register or Statement of Financial Position. Inventory property shall be valued annually at reporting date at the lower of carrying value or net realisable value, except where they are held for:

a) distribution at no charge or for a nominal charge, or
b) Consumption in the production process of goods to be distributed at no charge or for a nominal charge, then they shall be measured at the lower of cost and current replacement cost.

Inventory properties shall be recorded in the Inventory register.

When inventories are sold, exchanged or distributed the carrying amount of those inventories shall be recognised as an expense in the period in which the related revenue is recognised.

The amount of any write-down of inventories to net realisable value or current replacement cost and all losses of inventories shall be recognised as an expense in the period the write-down or loss occurs.

The amount of any reversal of any write-down of inventories, arising from an increase in net realisable value or current replacement cost, shall be recognised as a reduction in the amount of inventories recognised as an expense in the period in which the reversal occurs.

24) MINOR ASSETS (CAPITAL ASSETS BELOW APPROVED THRESHOLD)

General
Minor Assets comprise movable assets not capitalised in terms of the threshold policy of the municipality. However, these assets must still be controlled, safeguarded and verified by the municipality. They are not capitalised for the number of assets compared to their value does not

warrant the complex procedures applicable to asset management, rendering a manageable asset register by concentrating on what is material and significant to the municipality's operation.

Policy
Minor assets shall be expensed in the Statement of Financial Performance and not be capitalised. These assets shall not be depreciated or tested for impairment and shall not generate any further transactions, except in the cases where losses are recovered by means of insurance claims or recoveries from disciplinary actions.

25) NON-LIVING RESOURCES (GRAP 110)

General
Non-living resources are those resources that occur naturally and have not been extracted. Minerals, oil, water and land are examples hereof. Living resources are only disclosed when:

- Management intervenes in the processes as part of the municipal mandate in order to deliver goods or services.
- This intervention must be at the point before extraction while the resource is still in its natural state. Intervention must be proceeded by either extraction or utilisation of the resource.

Management only identified water resources as none of the other resources mentioned are prevalent within our jurisdiction.

Water contained in reservoirs and pipes are considered to be extracted and is therefore accounted for as Inventory in terms of GRAP 12.

Water can occur naturally, but it could also be retained in man-made structures such as reservoirs or dams. In the case of aquafers and borehole extraction, the municipality does not initiate any control over the groundwater and therefore these resources do not meet the definition on a non-living resource.

Similarly, reservoirs contain purified extracted water. The contents of a reservoir does not meet the definition of a non-living resource, but rather water inventory.

Water in man-made dams could meet the definition of non-living resources provided that management intervenes in the processes to monitor and maintain the water's quantity and quality. In some instances, the control over the resource (such as a dam wall) are located in jurisdiction of another municipality. In this case, the municipality would disclose the resource despite another Municipality's activities to extract the water.

All other types of natural resources, such as minerals and oil are assessed against the definition on the same principles as water. Land shall be excluded from non-living resources.

Policy
The municipality shall disclose all non-living resources is the annual financial statements provided that some intervention is performed/planned in order to utilise such resource. The existence of such a resource without any intention to utilise or preserve the resource would fail to meet the requirement to disclose such resource as the definition of a non-living resource is not fully met.

ASSET ACQUISITION

26) ACQUISITION OF ASSETS

General
Acquisition of assets refers to the purchase of assets by buying, building (construction), or leasing. The date of acquisition of assets is deemed to be the time when control passes to the municipality.

Policy
Should the municipality decide to acquire a capital asset, the following fundamental principles should be carefully considered prior to acquisition of such an asset:

- The purpose for which the asset is required is in keeping with the objectives of the municipality and will provide significant, direct and tangible benefit to it;
- The asset meets the definition of a Capital Asset (as defined in GRAP 16, GRAP 17, GRAP 31, GRAP 110 and GRAP 103)
- The asset has been budgeted for;
- The future annual operations and maintenance needs have been calculated and have been budgeted for in the operations budget;
- The purchase is absolutely necessary as there is no alternative municipal asset that could be economically upgraded or adapted;
- The asset is appropriate to the task or requirement and is cost-effective over the life of the asset.
- The asset is compatible with existing equipment and will not result in unwarranted additional expenditure on other assets or resources;
- Space and other necessary facilities to accommodate the asset are in place;
- Adequate audit support is kept regarding incomplete construction works in order to meet the disclosure requirements of GRAP 17 pertaining to assets in the process of being constructed or developed (work-in-progress); and
- The most suitable and appropriate type, brand, model, etc. has been selected.

27) CREATION OF NEW INFRASTRUCTURE ASSETS

General
Creation of new infrastructure assets refers to the purchase and/or construction of totally new assets that has not been in the control or ownership of the municipality in the past.

Policy
The cost of all new infrastructure facilities (not additions to or maintenance of existing infrastructure assets) shall be allocated to the separate assets making up such a facility and values may be used as a basis for splitting up construction costs of new infrastructure into the component parts, each of which have an appropriate useful life.

Work in progress shall be flagged (indicated) as such in the asset register until such time that the facility is completed. Depreciation will commence when the construction of the asset is finalised and

the asset is in the condition necessary for it to operate in the manner intended by management. Each part of an item of Infrastructure with a cost that is significant in relation to the total cost of the item shall be depreciated separately. Work in progress shall also be assessed to identify if there are any indicators for impairment.

Audit evidence is kept pertaining to assets in the process of being constructed or developed. Such information shall at a minimum contain:

a) Support obtained from the Engineering Department, such as completion certificates and bills of quantities.
b) The cumulative expenditure recognised in the carrying value of property, plant and equipment. These expenditures shall be disclosed in aggregate per class of asset.
c) The carrying value of property, plant and equipment that is taking a significantly longer period of time to complete than expected, including reasons for any delays.
d) The carrying value of property, plant and equipment where construction or development has been halted either during the current or previous reporting period(s). The entity shall also disclose reasons for halting the construction or development of the asset and indicate whether any impairment losses have been recognised in relation to these assets.

The above disclosures will be aggregated to the main categories disclosed in the annual financial statements (Movable assets, Infrastructure, Community, Other assets).

28) SELF-CONSTRUCTED ASSETS

General
Self-constructed assets relate to all assets constructed by the municipality itself or another party on instructions from the municipality.

Policy
All assets that can be classified as assets and that are constructed by the municipality should be recorded in the asset register and depreciated over its estimated useful life for that category of asset. Work in progress shall be flagged (indicated) as such in the asset register until such time that the facility is completed. Depreciation will commence when the construction of the asset is finalised and the asset is in the condition necessary for it to operate in the manner intended by management.

ASSET MAINTENANCE

29) USEFUL LIFE OF ASSETS

General
Useful Life of assets is defined in “ABBREVIATIONS AND DEFINITIONS” of the Policy and is basically the period or number of production units for which an asset can be used economically by the municipality.

Although National Treasury (NT) guidelines exist that includes directives for useful lives of assets, municipalities must use their own judgement based on operational experience and in consultation with specialists where necessary in determining the useful lives for particular classes of assets. The calculation of useful life is based on a particular level of planned maintenance.

Policy
The remaining useful life of assets shall be reviewed using an indicator-based approach as per the guidance of GRAP. Changes emanating from such reviews should be accounted for as a change in accounting estimates in terms of GRAP 3. During annual physical verification of movable assets, an assessment of condition and use shall determine the appropriateness of the remaining useful lives, while for infrastructure assets, the useful lives shall be deemed to be appropriate unless an event has occurred or conditions of use have changed, which may have an effect on the remaining useful lives of these assets. Please refer to Annexure A. A memo with regards to a condition assessment and remaining useful life must be circulated on a yearly basis and the memo must be signed by the directors.

30) RESIDUAL VALUE OF ASSETS

General
The Residual Value of an asset is the estimated amount that the municipality would currently obtain from disposal of the asset, after deducting the estimated costs of disposal, if the asset were already of the age and in the condition expected at the end of its useful life.

The residual values of most assets are however considered to be insignificant and therefore immaterial in the calculation of the depreciable amount. The reason is that the majority of assets are hardly ever recovered through sale, but rather through use of the asset until the end of its useful life, after which insignificant amounts, if any, are expected to be obtained, as these assets will most probably be replaced in its entirety.

Assets typically not sold by the municipality are land, buildings, infrastructure and community assets, which assets will have a residual value of zero, allowing the asset to be fully depreciated over its useful life cycle. Residual values will only be applicable to assets that are normally disposed of by selling them once the municipality does not have a need for such assets anymore, e.g. motor

vehicles. Past experiences of municipal auctions held revealed that furniture, computer equipment and other movable assets does not reach selling prices that are material.

Policy
Residual values shall be determined upon initial recognition of assets that are normally disposed of by selling them once the municipality does not have a need for such assets anymore, e.g. motor vehicles. The basis of the residual value estimates shall be determined by the results of past sales of vehicles at auctions when it reaches the end of its useful lives. The residual value of assets shall be reviewed using an indicator-based approach as per the requirements of GRAP. Changes in depreciation charges emanating from such reviews should be accounted for as a change in accounting estimates in terms of GRAP 3.

31) DEPRECIATION OF ASSETS

General
Depreciation is the systematic allocation of the depreciable amount of an asset over its useful life. Depreciation therefore recognises the gradual exhaustion of the asset's service capacity. The depreciable amount is the cost of an asset, or other amount substituted for cost in the financial statements, less its residual value. The depreciation method used must reflect the pattern in which economic benefits or service potential of a Capital Asset is consumed by the municipality. The following are the allowed alternative depreciation methods that can be applied by the municipality:

a. Straight-line;
b. Diminishing Balance; and
c. Sum of the Units.

These methods are all acceptable, but the municipality elected to only apply the straight-line basis so as to apply a consistent approach across all assets. The alternative options are not feasible for all asset types.

Policy
All PPE and IP assets except land shall be depreciated over their reasonable useful lives. The residual value and the useful life of an asset shall be reviewed using an indicator-based approach. The depreciation method applied shall be reviewed at each reporting date. Reasonable budgetary provisions shall be made annually for the depreciation of all applicable assets controlled or used by the municipality or expected to be so controlled or used during the ensuing financial year.

Depreciation shall take the form of an expense both calculated and debited on a monthly basis against the appropriate line item in the department or vote in which the asset is used or consumed. Depreciation of an asset shall begin when the asset is ready to be used, i.e. the asset is in the location and condition necessary for it to be able to operate in the manner intended by management. Depreciation of an asset ceases when the asset is derecognised. Therefore, depreciation does not cease when the asset becomes idle or is retired from active use and held for disposal unless the asset is fully depreciated. However, under certain methods of depreciation the depreciation charge can be zero while there is no production. In the case of intangible assets being included as assets,

the procedures to be followed in accounting and budgeting for the amortisation of intangible assets shall be identical to those applying to the depreciation of other assets.

The residual value and useful life of an asset shall be reviewed on an annual basis based on the indicator approach defined in the relevant GRAP standards.

Any changes in depreciation methods and depreciation rates shall be accounted for in terms of the requirements of GRAP 3: Accounting Policies, Changes in Accounting Estimates and Errors as well as the municipal materiality assessment for the year.

32) IMPAIRMENT LOSSES

General
An impairment is the loss in the future economic benefits or service potential of an asset, over and above the systematic recognition of the loss of the asset's future economic benefits or service potential through depreciation. The following serve as examples of impairment indicators:

- During routine physical inspection of the asset there was evidence of physical damage (or obsolescence);
- The asset is not being used, or access to the asset is restricted, due to structural damage.
- The asset is not able to perform at the planned or required level and as a result is not meeting service delivery targets.
- During routine physical inspection of the asset it was identified that the asset deteriorated faster than expected, or was subject to damage, which will result in replacement or significant maintenance earlier than expected.
- Due to technological advances or environmental requirement, the asset may need to be taken out of service.
- A decision to halt the construction of the asset before it is complete or in an unusable condition.

All assets will be designated at recognition as either non-cash generating or cash generating in accordance with GRAP 21.

Designation is based on the municipality's objective of using the asset at initial recognition (when obtaining/acquiring the asset) for:
- Delivery of service (service assets) or
- Generating commercial return (profit assets)

It is expected that some assets may have a dual-purpose.
A dual-purpose asset is only classified as cash-generating (profit assets) if the purpose to create a profit clearly stands out and the service delivery aspect is incidental. If the purpose is not clear, the assets are presumed to be non-cash-generating (service assets).

The designation may be done on an asset or group of assets, where a group of assets is a unit of assets operating together. In the designation process assets are first designated using a group of

assets and any remaining assets are then designated on an individual asset basis. The designation is applied to individual assets. An asset could comprise a group of assets that are part of a system or network, that is, infrastructure assets.

Examples of a "group of assets":

- Administrative / owner-occupied assets
- Infrastructure – Roads
- Infrastructure – Water
- Infrastructure – Electricity
- Infrastructure – Sewer
- Infrastructure – Waste Management
- Community Assets – Community Hall

For non-cash generating assets GRAP 21 will be applied.
For cash generating assets GRAP 26 will be applied.

The impairment amount is calculated as the difference between the carrying value and the recoverable value.

Non-cash generating assets
The recoverable value is the higher of the asset's value in use or its fair value less cost to sell.
Value in use of a non-cash-generating asset is the present value of the asset's remaining service potential. A temporary decline does not have to be accounted for as an impairment, but only if evidence can be provided that the decline is temporary in nature.

Cash generating assets
The recoverable value is the higher of the asset's value in use or its fair value less cost to sell.
Value in use of a cash-generating asset is the present value of the estimated future cash flows expected to be derived from the continuing use of an asset and from its disposal at the end of its useful life.

Where the recoverable amount is less than the carrying amount, the carrying amount should be reduced to the recoverable service amount by way of an impairment loss. The impairment loss should be recognised as an expense when incurred unless the asset is carried at re-valued amount.

If the asset is carried at a re-valued amount the impairment should be recorded as a decrease in the revaluation reserve. Where immovable property, plant and equipment surveys are conducted, the recoverable service value is determined using the depreciated replacement costs method by assessing the remaining useful life.

Policy
Assets shall be reviewed annually for all assets with impairment indicators. Impairment of assets shall be recognised as an expense. The reversal of a previous impairment losses recognised as an expense is recognised as a gain rather than income. A memo with regards to the measurement of

potential impairment losses must be circulated on a yearly basis and the memo must be signed by the directors.

Any impairment losses shall be recommended to council for approval.

33) MAINTENANCE OF ASSETS AND THE ASSET REGISTER

General
Maintenance refers to all actions necessary for retaining an asset as near as practicable to its original condition in order for it to achieve its expected useful life, but excludes rehabilitation or renewal. This includes all types of maintenance – corrective and preventative maintenance.

For linear infrastructure assets, such as pipes, cables and roads, the following test is applied to differentiate between maintenance and renewal when partial sections of linear assets are renewed:

- If a future renewal of the entire pipe will include the renewal of the partial section that is now renewed, then the renewal of the partial section is treated as maintenance.
- If a future renewal of the entire pipe will retain the partial section that is now renewed, then the renewal of the partial section is treated as renewal and the pipe is split into two separate assets.

Maintenance analysis is an essential function of infrastructure management to ensure cost-effective and sustainable service delivery. In order to analyse maintenance data, maintenance actions undertaken against individual infrastructure assets should be recorded against such assets.

Policy
Maintenance actions performed on infrastructure assets shall be recorded against the individual assets that are identified in the asset register.

34) RENEWAL OF ASSETS

General
Asset renewal is restoration of the service potential of the asset. Asset renewal is required to sustain service potential from infrastructure beyond the initial or original life of the asset. If the service provided by the asset is still required at the end of its useful life, the asset must be renewed. However, if the service is no longer required, the asset should not be renewed. Asset renewal projections are generally based on forecast renewal by replacement, refurbishment, rehabilitation or reconstruction of assets to maintain desired service levels.

Policy
Assets renewal shall be accounted for against the specific asset. The renewal value shall be capitalised against the asset and the expected life of the asset adjusted to reflect the new asset life.

35) REPLACEMENT OF ASSETS

General
This paragraph deals with the complete replacement of an asset that has reached the end of its useful life so as to provide a similar or agreed alternative level of service.

Policy
Assets that are replaced shall be derecognised at their carrying value. The replacement asset shall be accounted for as a separate new asset. Costs incurred to replace the asset shall be split between costs to dispose of the old asset, which shall be expensed as part of the derecognition, and costs to install the new asset, which shall be capitalised against the new asset.

ASSET DISPOSAL

36) TRANSFER OF ASSETS

General
The processes and rules for the transfer of a capital asset to another municipality, municipal entity or national/provincial organ of state are governed by an MFMA regulation namely “the Local Government: Municipal Asset Transfer Regulations”.

Transfer of assets or inventory items refers to the internal transfer of assets within the municipality or from the municipality to another entity. Procedures need to be in place to ensure that the Asset Control Department can keep track of all assets and ensure that the asset register is updated with all changes in asset locations. These procedures must be followed and apply to all transfers of assets from:

- One Department to another Department;
- One location to another within the same department;
- One building to another; and
- One entity to another.

Policy
The transfer of assets shall be controlled by a transfer process and the asset register shall be updated.

37) EXCHANGE OF ASSETS

General
According to GRAP 16 an item of IP and GRAP 17 an item of PPE may be acquired in exchange for a non-monetary asset or assets, or a combination of monetary and non-monetary assets. The cost of such an item of property, plant and equipment is measured at fair value unless:

- the exchange transaction lacks commercial substance; or
- the fair value of neither the asset received, nor the asset given up is reliably measurable.

If the acquired item is not measured at fair value, its cost is measured at the carrying amount of the asset given up.

Policy
The cost of assets acquired in exchange for another asset shall be measured at the fair value of the asset received, which is equivalent to the fair value of the asset given up, adjusted by the amount of any cash or cash equivalents transferred.

38) ALIENATION / DISPOSAL OF ASSETS

General
Alienation / Disposal is the process of disowning redundant and obsolete assets by transferring ownership or title to another owner, which is external to the municipality, or no owner in the case of destruction of the asset. This includes voluntary and involuntary disposals.

The MFMA (section 14 and 90) and the Municipal Supply Chain Management Regulation no. 27636 have specific requirements regarding the voluntary disposal of capital assets.

Specifically:

- A municipality may not …" permanently dispose of a capital asset needed to provide the minimum level of basic municipal services"
- Where a municipal council has decided that a specific asset is not needed to provide the minimum level of basic services, a transfer of ownership of an asset must be fair, equitable, transparent, competitive and consistent with the municipality's supply chain management policy.

In addition, the MFMA section 75 (1)(h) requires that the accounting officer of a municipality places on the municipality's website an information statement containing a list of assets over a prescribed value that have been disposed of in terms of section 14(2) or (4) during the previous quarter.

Policy
The disposal of an item of property, plant or equipment must be fair, equitable, transparent, competitive and cost effective and comply with a prescribed regulatory framework for municipal supply chain management and the Supply Chain Management Policy of the municipality.

Different disposal methods will be necessary for different types of assets. Before deciding on a particular disposal method, the following shall be considered:

- The nature of the asset
- The potential market value
- Other intrinsic value of the asset
- Its location
- Its volume
- Its trade-in price
- Its ability to support wider Government programmes;
- Environmental considerations
- Market conditions
- The asset's life

Appropriate means of disposal may include:

- Public auction
- Public tender

- Transfer to another institution
- Sale to another institution
- Letting to another institution under finance lease
- Trade-in
- Controlled dumping (for items that have low value or are unhygienic)

Other means of alienation include:

- Donations: Donations may be considered as a method of alienation, but such requests must be motivated to the Municipal Manager for approval.
- Destruction: Assets that are hazardous or need to be destroyed must be identified for tenders or quotations by professional disposal agencies.
- Scrapping: Scrapping of assets that cannot be alienated otherwise may be considered as a method of alienation, but such requests must be motivated to the Municipal Manager.
- The letting of immovable property, excluding municipal housing for officials and political office bearers, must be done at market-related tariffs, unless the relevant treasury approves otherwise. No municipal property may be let free of charge without the prior approval of the relevant treasury.

All involuntary disposals should be reported to the Chief Financial Officer on a regular basis. This report should include the investigation into the reason for the involuntary disposal per asset.

Once the fixed assets are disposed, the asset shall be removed from the accounting records and the asset register. All gains and losses realised on the disposal of assets shall be accounted for as revenue or expense in the Statement of Financial Performance.

39) SELLING OF ASSETS

General
Selling of assets refers to the public sale of municipal assets approved for alienation.

Given the strategic risks pertaining to laptops, laptops will not be placed on external auction. Instead, given the risks, the laptops will only be made available for sale internally to employees or councillors. The employee or councillor procuring the laptop, will purchase it as-is and the municipality will not be liable for any support, repair or maintenance of the laptop.

Policy
All assets earmarked for sale must be sold by public auction or tender and the following steps shall be followed:

- A notice of the intention of the municipality to sell the asset shall be published in a local newspaper;

- The municipality shall appoint an independent appraiser to fix a minimum selling price;
- In the case of a public auction, the municipality shall appoint an independent auctioneer to conduct the auction; and
- In the case of a tender, the prescribed tender procedures of the municipality shall be followed.
- The municipality will obtain council approval for all disposals.

Sold assets shall be derecognised in the asset register once control and all rights and obligations of the asset has been transferred.

40) WRITING-OFF OF ASSETS

General
The write-off of assets is the process to permanently remove the assets from the asset register. Assets can be written-off after approval of the Municipal Manager of a report indicating that:

- The useful life of the asset has expired;
- The asset has been destroyed;
- The asset is out-dated;
- The asset has no further useful life;
- The asset does not exist anymore;
- The entity has lost control of the asset
- The asset has been sold; and
- Acceptable reasons have been furnished leading to the circumstances set out above.

All involuntary disposals should be reported to the Chief Financial Officer on a regular basis. This report should include the investigation into the reason for the involuntary disposal per asset and advise if any remediation or recovery could be made.

Policy
All assets identified for write-off shall be presented to council by the responsible manager detailing reasons for writing off assets, other than the sale of such assets during the process of alienation, shall be the loss, theft, destruction or decommissioning of the asset in question.

PHYSICAL CONTROL (MOVABLE ASSETS)

41) PHYSICAL CONTROL / VERIFICATION

General
Movable assets require physical control and verification of existence.

Assets that cannot be physically verified may indicate loss of control of the asset and as such, should be treated in line with paragraph 8.5 of this policy for the disposal of assets.

Policy
All movable assets shall be actively controlled, including an annual verification process. Annual physical inspections of assets shall be performed to identify items which are missing, damaged, not in use or are obsolete due to changed circumstances, to ensure that they are appropriately repaired, impaired, written off or disposed of.

Registers shall be kept for those assets allocated to staff members. The individuals are responsible and accountable for the assets under their control. These registers should be updated when the assets are moved to different locations or allocated to a different staff member in order to facilitate control and physical verification.

42) INSURANCE OF ASSETS

General
Insurance provides selected coverage for the accidental loss of the asset value. Generally, government infrastructure is not insured against disasters because relief is provided from the Disaster Fund through National Treasury.

Policy
Refer to the municipality policy for insurance.

43) SAFEKEEPING OF ASSETS

General
Asset safekeeping is the protection of assets from damage, theft, and safety risks.

Policy
Directives for the safekeeping of assets shall be developed and the safekeeping of assets shall be actively undertaken.

ASSET FINANCIAL CONTROL

44) CAPITAL REPLACEMENT RESERVE (CRR)

General
The CRR is a reserve account to set aside funds for the financing of property, plant and equipment. The CRR is therefore an asset financing source that represents an alternative to the other funding sources available to the municipality, namely external loans (interest bearing borrowings) and government grants and subsidies. The value of this reserve is not represented by any values of assets under the municipality's control and shall preferably be cash-backed.

Policy
Refer to the Funding and Reserves policy.

45) BORROWING COSTS (GRAP 5)

General
Borrowing costs are interest and other costs incurred by the municipality from borrowed funds. The items that are classified as borrowing costs include interest on bank overdrafts and short-term and long-term borrowings, amortisation of premiums or discounts associated with such borrowings, amortisation of ancillary costs incurred in connection with the arrangement of borrowings, finance charges in respect of finance leases and foreign exchange differences arising from foreign currency borrowings when these are regarded as an adjustment to interest costs.

Policy
Borrowing cost shall be recognised as an expense in the period in which they are incurred.

46) FUNDING SOURCES

General
The Municipal Finance Management Act (MFMA) provides guidelines on how to utilize funds in financing assets (Section 19 of MFMA). The municipality shall utilise any of the following sources to acquire and / or purchase assets:

- Grants, Subsidies and Public Contributions;
- Revenue Contributions;
- Capital Replacement Reserve;
- Self-insurance Reserve
- Cash Surplus; and / or
- External / Donor Funds.

Policy
The annual capital budget must be funded and the sources of finance must be disclosed as part of the Council's budget.

47) DISASTER

General
In terms of the Disaster Management Act, 2002, Disaster means a progressive or sudden, widespread or localised, natural or human – caused occurrence which causes or threatens to cause:

- death, injury or disease;
- damage to property, infrastructure or the environment; or
- disruption of life of community; and
- is of a magnitude that exceeds the ability of those affected by the disaster to cope with its effects using only their own resources.

In terms Section 56 (b) of the Disaster Management Act, 2002 the cost of repairing or replacing public sector infrastructure should be borne by the organ of state responsible for the maintenance of such infrastructure. The National, Provincial and Local organs of state may contribute financially to response efforts and post – disaster recovery and rehabilitation.

Policy
The Municipality will correspond with the Provincial organs to gain funds for repairing assets damaged in disaster events. The municipality must adhere to the disaster management plan for prevention and mitigation of disaster in order to be able to attract the disaster management contribution during or after disaster.

ANNEXURE A: ASSET CATEGORY AND USEFUL LIFE

Community assets	Community facilities	Cemeteries / crematoria	15 - 50 years
Community assets	Community facilities	Clinics / care centres	5 - 50 years
Community assets	Community facilities	Halls Centres	5 - 50 years
Community assets	Community facilities	Libraries	5 - 50 years
Community assets	Community facilities	Markets	15 - 50 years
Community assets	Community facilities	Museums	15 - 50 years
Community assets	Community facilities	Parks, Public Open Spaces	5 - 50 years
Community assets	Community facilities	Public ablution facilities	5 - 50 years
Community assets	Community facilities	Taxi ranks / bus terminals	15 - 50 years
Community assets	Community facilities	Traffic Testing Stations	10 - 50 years
Community assets	Sport and recreation facilities	Sportsgrounds / Swimming Pools / Harbours	5 - 50 years
Heritage assets	Heritage assets	Historical Buildings	Not depreciated
Heritage assets	Heritage assets	Paintings and Works of Art	Not depreciated
Heritage assets	Heritage assets	Monuments	Not depreciated
Infrastructure assets	Electrical infrastructure	LV networks	10 - 45 years
Infrastructure assets	Electrical infrastructure	MV networks	15 - 50 years
Infrastructure assets	Electrical infrastructure	MV substations	10 - 50 years
Infrastructure assets	Electrical infrastructure	MV switching stations	15 - 45 years
Infrastructure assets	Electrical infrastructure	HV substations	10 - 50 years
Infrastructure assets	Roads infrastructure	Road furniture	15 - 30 years
Infrastructure assets	Roads infrastructure	Road structures	25 - 50 years
Infrastructure assets	Roads infrastructure	Roads	10 - 50 years

Infrastructure assets	Sanitation infrastructure	Municipal Office	15 years
Infrastructure assets	Sanitation infrastructure	Reticulation	60 years
Infrastructure assets	Sanitation infrastructure	Rising Mains	10 - 60 years
Infrastructure assets	Sanitation infrastructure	Sewer Pump Stations	10 - 50 years
Infrastructure assets	Sanitation infrastructure	Waste water treatment works (WWTW)	10 - 50 years
Infrastructure assets	Solid waste infrastructure	Landfill sites	10 - 50 years
Infrastructure assets	Solid waste infrastructure	Recycling facilities	10 - 50 years
Infrastructure assets	Solid waste infrastructure	Waste transfer stations	10 - 50 years
Infrastructure assets	Storm-water infrastructure	Storm-water conveyance	50 years
Infrastructure assets	Storm-water infrastructure	Attenuation	50 years
Infrastructure assets	Storm-water infrastructure	Drainage collection	50 years
Infrastructure assets	Water supply infrastructure	Boreholes	10 - 50 years
Infrastructure assets	Water supply infrastructure	Bulk mains	15 - 60 years
Infrastructure assets	Water supply infrastructure	Dams weirs	15 - 50 years
Infrastructure assets	Water supply infrastructure	Distribution	30 - 60 years
Infrastructure assets	Water supply infrastructure	Municipal office	15 years
Infrastructure assets	Water supply infrastructure	PRV stations	30 - 50 years

Infrastructure assets	Water supply infrastructure	Pump stations	10 - 50 years
Infrastructure assets	Water supply infrastructure	Reservoirs	10 - 60 years
Infrastructure assets	Water supply infrastructure	Water treatment works	10 - 50 years
Intangible assets	Intangible assets	Computer software	Specific to software
Intangible assets	Intangible assets	Websites	5 – 10 years
Intangible assets	Intangible assets	Rights	Not depreciated
Intangible assets	Intangible assets	Systems (annual license)	Not capitalised
Investment property	Investment property: Land	Investment property: Undeveloped	Not depreciated
Investment property	Investment property: Land	Investment property: Developed	Not depreciated
Investment property	Investment property: Buildings	Investment property: Developed	20 – 30 years
Land	Land	Land	Not depreciated
Land	Quarry	Quarry	Per expert report
Movable assets	Computer equipment	Computer equipment	3 – 10 years
Movable assets	Computer equipment	Laptops	5-6 years with a 10% residual value
Movable assets	Furniture and office equipment	Furniture and office equipment	5 – 10 years
Movable assets	Furniture and office equipment	Audio equipment and music instruments	15 – 20 years
Movable assets	Machinery and equipment	Bulk containers	30 years
Movable assets	Machinery and equipment	Machinery and equipment	3 – 10 years
Movable assets	Transport assets	Motorcycles and bicycles	10 years
Movable assets	Transport assets	Commercial and passenger vehicles	10-12 years

Movable assets	Transport assets	Industrial vehicles (Heavy, Tractors, earthmoving equipment and Refuse Compactors)	9-12 years
Movable assets	Transport assets	Busses and fire engines	15 - 20 years
Other assets	Housing	Social, Staff Housing	10 - 50 years
Other assets	Operational buildings	Depots / Stores / Workshops / Yards	5 - 50 years
Other assets	Operational buildings	Municipal offices	5 - 50 years

ANNEXURE B: CAPITALISATION THRESHOLD

1) INTRODUCTION

The municipality reviewed the Asset Management Policy and has determined that that the capitalisation threshold needed to be revised in order to ensure compliance with the GRAP requirements and to align the budgeting process with the requirements of GRAP. Based on the revision of the capitalisation threshold it was decided that the most suitable approach would be to identify assets for which their value or use does not justify the cost to maintain the assets in the register.

The GRAP discussion paper on materiality states the following: "Information in the financial statements is therefore relevant when it meets these information needs. The relevance of information is affected by its nature and materiality." This implies that certain information would not be relevant to the users of financial statement due to its value or nature. Furthermore, the discussion paper also states: "Materiality establishes a threshold, which may include a cut-off point, or criteria which are used in making certain decisions. Materiality in itself is not a characteristic that information must have to be useful to users. "The municipality followed a qualitative materiality approach rather than a purely quantitative approach in order to identify items that are considered not material.

Management of assets within an asset register is a costly exercise and certain assets economic benefits have been noted to be exceeded by the annual cost to maintain these assets within the register. Furthermore, many movables do constitute future economic benefits or service potential, but rather comfort staff performing their duties. For such items, the cost to conduct annual impairment or change in useful life testing would already be more than the expected benefit for the public from holding the assets. This does not imply that the expenditure is fruitless, it merely implies that economic benefits are consumed immediately after the item is taken into use. For this reason, the municipality has taken an approach to identify assets that fall within this category where the management cost of the assets exceeds their economic benefits or service potential.

Different types of assets were identified that require amendment in the approach due to the revised capitalisation approach. Items with useful lives of less than 12 months must be expensed immediately.

2) ITEMS THAT ARE CONSUMED WITHIN 12 MONTHS (ITEMS NOT BARCODED)

Characteristics of asset type

Many purchased goods are expected to be consumed within 1 year, but due to the usage of the asset, the lifespan might be prolonged. For example, a stapler is not really expected to last more than a year as wear and tear on the items are quite excessive. However, certain staff members have indicated that their staplers could last several years. The fact that a single item lasts longer than a year does not negate from the expectation that the item would be consumed within 1 year.

OR

Another consideration in this category is the replacement or purchase rate. If the item is expected to be purchased multiple times in a single year, the item is not considered to be an item that would last for longer than 1 year. In example, despite the fact that spanners could be durable, they are often purchased throughout the year with new spanners being purchased at a regular interval. Due to the regular repurchase rate, the item is not considered to last for longer than a year despite its durable nature.

OR

The next consideration for items that fall within this category, is the control over the ability to transfer assets. Some assets are of such a minute significance to a department, that when assets are transferred between users, formal asset transfer documentation would not be maintained. Example, if employee 1 is willing to borrow his wrench to employee 2 without asking for written confirmation of the transfer of the wrench since the inherent value of the item does not justify any audit trail of the transfer.

OR

The item is a plastic or wood stackable table used at a community hall.

For control purposes, these items are not barcoded and will be purchased through an expense account.

The approved listing of items that forms part of this category is listed in annexure 1.

For ease of reference, examples of items that fall within this category:

- All stationery items excluding heavy duty versions thereof (any item titled machine, would not fall within this category e.g. Mechanical Binding Machine, Laminating Machine) including calculators and other small items
- Any boxes, and containers designed to retain stationary (such as buddy drawers, pen holders, paper racks)
- All bins and disposal containers
- Any camp site bedroom furniture such as beds and bedding
- Small appliances such as kettles, toasters, fans with a warrantee of 1 year

- Any computer accessories such and keyboards, mouse, laptop bags, dongles (UPS's and external hard drives are excluded from this)
- Other peripheral devices that cannot function without being connected to another asset (such as decoders, power supplies, etc).
- Fire extinguishers as their service interval requires exchanging of these items several times a year
- Hand tools that are normally transported in bulk (i.e. small tools that would be transported with other tools in toolboxes)
- Cleaning items such as buckets, mops, brooms etc.
- Safety equipment that are frequently replaced, similar to helmets, goggles, gloves etc.
- Crockery, cutlery and other kitchen utensils

3) DECISION TREE

All items not falling in the above categories, would be considered assets and would be included in the asset register.

4) MATERIALITY

The full cost price of all asset additions that would not be included in the AFS as at 30 June 2021 was extracted and compared to materiality. The accumulative cost of all these assets listed in annexure 1 amounted to less 3% of materiality and thus accepted as reasonable. Materiality was based on the 2020 operating expenditure as utilised by the auditors during the audit of 2020/21.

5) ANNEXURE B1: ITEMS CONSUMED WITHIN 12 MONTHS

The following list of items is approved to only be purchased via the operational vote for expenditure and these items will not be barcoded:

Items often classified as stationery and of operational nature
- Buddy Systems
- Waste Bins
- Money Boxes
- Staplers (Heavy Duty)
- Punches (Heavy Duty)
- Calculator
- Stamps and daters
Items of operational nature of which the guarantee is 1 year or less if used by a business entity
- Fans
- Heaters
- Kettles/Toasters and Urns
- Mops and Mop buckets and similar cleaning tools and equipment
- Torches
- 2-Plate Stoves (Ovens are assets)
- Towel/paper/aerosol dispensers
- 3G or similar Internet Dongles
- Back Support
- Battery
- Beds at campsites
- Hand Binder
- External Harddrives
- Fire Arm Holster / Mag pouches
- First Aid Kit
- Floor Polisher
- Foot rests
- Guillotine
- Hat and Coat Stand
- Knapsack
- Kitchen utensils
- Ladder
- Laptop bags
- Loose standing power supply
- Mat, Carpet or Floor protectors (beneath chairs)
- Post Boxes and similar document storage solutions
- Pots and pans
- Small kitchen Appliances, Scales, Kettles, Mixer bowls
- Testers (Small less 1 year warrantee or less)
- Tape Measure
- Trolleys
- Vacuum cleaners
- Visitors' Chair/Plastic

- Wall Clocks
- Water dispensers
- Wheelbarrow
- Extension leads or cables
Items of operational nature and refilled – the contents of which can only be used over 1 reporting period
Fire Extinguisher
Non-electrical hand tools of operational nature
Hand Tools (eg. Pliers, screwdrivers, sockets, etc. and not limited to)

ANNEXURE C: ASSET UNBUNDLING METHODOLOGY

Section 1: Background

The objective of this document is to recommend a standardised approach to unbundling for Swartland Municipality going forward, together with required backup documentation demonstrating adherence to best practise, guidelines, legislation and applicable standards.

The unbundling of assets refers to the component approach of recognising assets. The component approach is a GRAP-supported approach where complex assets can be split into significant parts for recording. Once an item is identified as a separately depreciable part it can be treated as a separate capital asset for depreciation, recognition and derecognition purposes. In the asset register a component is linked to a main asset.

Section 2: Standards and guidelines

The following standards and guidelines have been considered in developing the asset unbundling methodology:

- Accounting Standards Board's (ASB) Generally Recognised Accounting Practice (GRAP)
- National Treasury's Guide on Local Government Capital Asset Management
- Swartland Local Municipality Asset Management Policy
- The Department of Provincial and Local Government's guidelines for infrastructure asset management as published by COGTA

SECTION 3: Methodology

The component approach is a GRAP-supported approach where complex assets are split into separate depreciable parts for recording. The key considerations in determining what should become a separately depreciable part (component) are:

- Significant cost in relation to the asset as a whole;
- The risk or significance of the component in relation to the usefulness of the asset as a whole;
- Considerable difference in useful life; and
- Components that are separately maintained or replaced.

If the value of a part of the asset is significant compared to the value of the asset as a whole and/or has a useful life that is considerably different to the useful life of the asset as a whole, it should be recognised as a separately depreciable part (component).

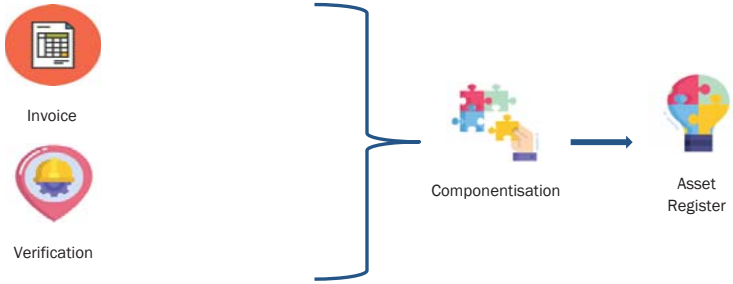
The components should satisfy the needs of all stakeholders, without a cost that outweighs the benefit, these include but are not limited to:

- Technical managers
- Asset managers
- Finance function
- Auditors
- Engineers

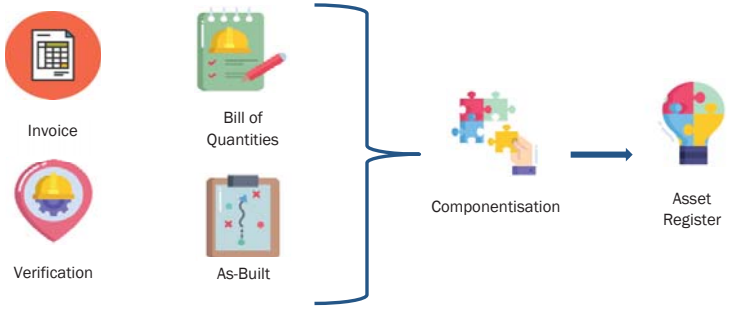
- **3.1 Project to asset**

After the needed budget has been secured to source an asset the appropriate Supply Chain Channels are followed to procure the asset.

Purchased Assets



Constructed Assets



3.1.1 Invoice

All invoices are reconciled to the general ledger to ensure all costs relating to the asset are recognised while testing the invoices to ensure only costs that can be included according to GRAP standards are included in the recognition cost of the asset. The invoice will further be scrutinised to ensure the expenditure relates to the asset, while the engineer will identify any elements that may assist in the unbundling process of the asset.

In the asset register, a component is linked to a main asset, and the value of the main asset is used to determine the value of the components. This implies that the total of the invoices should equal the total value of the components.

Invoice	Amount	Project	Component	Component Value
1	R100		A	R200
2	R500		B	R250
3	R300		C	R423
4	R400	R1300	D	R155
			E	R272
Total	**R1300**	**R1300**		**R1300**

All costs associated with infrastructure projects like Professional fees, Preliminary and General, Commissioning fees etc. were included in the total cost of the turnkey projects and apportioned to the individual components based on their contribution to the overall project cost.

Invoices are however limited on detail required to determine if the main assets consists of components that are significant when compared to the asset as a whole and if that component will depreciate at a considerably different rate.

All expenditure associated with infrastructure projects is included in the project's cost. The cost will be inclusive of the direct and indirect costs. The direct cost refers to the construction cost of the asset, where the cost can be directly linked to an asset component and will form part of the asset component cost. The indirect cost refers to the cost that cannot be directly linked to a specific asset component but can be linked directly to the asset or project. The indirect cost is apportioned to the individual asset components based on their contribution to the asset/project cost.

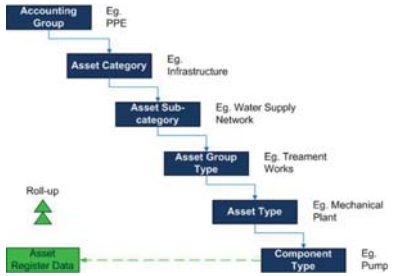
3.1.2 Verification

The verification of assets forms an integral part of the unbundling process.

During the verification process the field worker will:

- Identify components based on the asset hierarchy
- Collect specifications required by engineer to confirm separate components and different depreciation rate
- Confirm specific information as required by engineer
- Capture component location;
- Perform a component condition assessment;
- Collect component attributes required by the engineer to confirm separate components and different depreciation rates; and
- Confirm any additional specific information as required by the engineer

Asset Hierarchy



Above Ground Assets

Above ground assets refer to assets that can be accessed and inspected without the requirement of excavation of material to gain access to the asset or asset component. These types of assets are typical transformers, kiosks, water pump stations, sewer pump stations, reservoirs, network node assets, roads and stormwater channels.

Step 1: Preload all relevant datasets in the system:

- Available GIS data of facilities & roads. This allows the field worker to associate / link assets to road segments, crossings or facilities e.g. pump station. Each asset is therefore associated to a map feature which allows for location tracking.
- Asset hierarchy in order for the field worker comply to the unbundling and asset hierarchy guidelines in the asset management policy

Step 2: Field verification on mobile application:

- Identify different components
- Record asset details e.g. dimensions, make, model, material, serial number etc.
- Take a photo
- Capture component location and
- Perform a condition assessment.

Step 3: Quality assurance:

- The output from the software is an Excel worksheet which includes a web hyperlink to the photo as well as a GIS database to indicate location. The Engineers and Managers use this data on a day-to-day basis to perform quality checks in order to ensure data integrity. When the quality process is completed, the data is used in the componentisation process.

Underground Assets

Below-ground assets refer to assets that cannot be accessed and inspected without the requirement of excavation of material to gain access to the asset or asset component. These assets are typical network assets.

Below ground assets includes:

- Water pipes
- Sewer pipes
- Storm water pipes
- Electricity cables

As the verification of below ground assets cannot be performed through physical inspection it is done using the As-Built drawings and the technical knowledge of the technical department. This may include linking GPS co-ordinates to existing infrastructure to ensure accuracy, I.e. Additions to the sewer pipes are expected to originate in an area with developed stands and deploy into a sewage treatment plant. Where possible, physical feature of the underground network which are above ground will be inspected and verified to ensure that the as-built location aligns to what is physically visible (e.g. a manhole cover).

3.1.3 Bill of quantities

A bill of quantities, or bill of material, is a document used in tendering in the construction industry in which materials, parts, and labour (and their costs) are itemized. It also (ideally) details the terms and conditions of the construction or repair contract and itemizes all work to enable a contractor to

price the work for which he or she is bidding. The quantities may be measured in number, area, volume, weight or time.

Although the bill of quantities may detail all the parts of a constructed asset it is limited in the unbundling process as:

- It is not detailed on a component level
- It is used in the tendering phase and actuals might not be reflected.

3.1.4 As-Built

As-built drawings are prepared by the contractor who installed the infrastructure and shows the final construction/layout of networks or facilities. As seen in the example below, the As-built drawing clearly indicates the layout of the water reticulation system as installed by the contractor.

The legend provides detail on the material and diameter used.

When the as-built drawings are georeferenced using the Municipality's GIS application with the Surveyor General of South Africa digital cadastral data as the reference data, the engineer is able to confirm the extent of the asset. Georeferencing is the process of aligning the As-built drawing to that of a map coordinate system. This allows the user to view the data, query and analyse the data spatially.

3.1.5 Componentisation
Unbundling

Each part of an item of property, plant and equipment with a cost that is significant in relation to the total cost of the item shall be depreciated separately. (GRAP 17.48)

An entity allocates the amount initially recognised in respect of an item of property, plant and equipment to its significant parts and depreciates separately each such part. For example, in most cases, it would be required to depreciate separately the pavements, formation, curbs and channels, footpaths, bridges and lighting within a road system. (GRAP17.49)

National Treasury states in its guidance to capital asset management that the decision on what is to be treated as a separately depreciable part will depend on a municipality's judgement in terms of materiality and management or operational practices.

If the value of a part of the asset is significant (i.e. material) compared to the value of the asset as a whole and/or has a useful life that is considerably different to the useful life of the asset as a whole, it should be recognised as a separately depreciable part (component).

For the technical management of infrastructure, the most effective level of management is at the maintenance item level. It is at this level that work orders can be executed and data collected. This data is useful for maintenance analysis to improve infrastructure management decision making. This level, in most cases, coincides with the level that means the accounting criteria of different effective lives and materiality. However, the collection of data at this level of detail can be very costly when dealing with assets that are numerous in nature e.g. water meters, street signs, streetlights, household connections, etc. It is therefore prudent to balance the value of the information with the cost of collecting the data. The different levels of detail are shown below:

- Level 1: Service level (e.g. Swartland Water Supply)
- Level 2: Network level (e.g. Swartland Pump Stations)
- Level 3: Facility level (e.g. Swartland Pump Station)
- Level 4: Maintenance item level (e.g. Pump 1 in Swartland Pump Station)
- Level 5: Component level (e.g. Bearing of Pump 1 in Swartland Pump Station)

The preferred level of detail for the accounting and technical management of infrastructure is level 4 above. Similarly, a length of road would be split into sections that are expected to be maintained or refurbished together. For accounting purposes, the most appropriate level of unbundling would be the level where components of an asset can be recognised, replaced and derecognised without affecting the rest of the asset. As these changes are expected to happen on the maintenance level it is also the most appropriate level for accounting.

Refer to Section 6 for details on typical asset components.

Costing

The cost accountant uses the following information to determine the cost that should be associated to each component:

- The components as identified by the engineer
- The total cost as confirmed through the invoices
- The current replacement cost (CRC) of the separate components for cost allocation

Invoice	Amount	Project	Component	CRC	Apportion	Component Value
1	R100		A	R191	15%	R200
2	R500		B	R238	19%	R250
3	R300		C	R403	33%	R423
4	R400	R1300	D	R148	12%	R155
			E	R259	21%	R272
Total	R1300	R1300		R1240	79%	R1300

The above approach ensures all costs are included and that the value of the total components does not exceed the original costs incurred.

The replacement cost of an asset is the cost to replace the asset's gross service potential. This cost is depreciated to reflect the asset in its used condition. GRAP 21 states the depreciated replacement cost is measured as the current reproduction or replacement cost of the asset, whichever is lower, less accumulated depreciation calculated on the basis of such cost, to reflect the already consumed or expired service potential of the asset. While GRAP 12 defines current replacement cost as the cost the entity would incur to acquire the asset on the reporting date. Current replacement cost would this be a depreciated replacement cost where there is no depreciation effect.

The term current replacement cost or replacement value refers to the amount that an entity would have to pay to replace an asset at the present time, according to its current worth.

3.1.6 Asset register

The final step is to update the asset register with the different components comprising the total project.

Each component would be added to the asset register with its own component ID, value, useful life and other characteristics, which allows the separate components to be accounted for, depreciated and managed separately.

3.1.7 Level of unbundling

GRAP 17.50 states that a significant part of an item of property, plant and equipment may have a useful life and a depreciation method that are the same as the useful life and the depreciation method of another significant part of that same item. Such parts may be grouped in determining the depreciation charge. Paragraph 51 further states that all remaining items (that were not significant) may be depreciated separately. This implies that the level of unbundling is only required up to the point where the components have separate estimated useful lives.

The compilation of a detailed infrastructure asset register in one financial term is a costly and onerous exercise. To ensure the practicality of implementing asset registers (and asset management planning as a whole), the International Infrastructure Management Manual (IIMM) recommends the adoption of a continuous improvement process as a practical implementation approach. This approach recognises the value of limited data above no data and enables the municipalities to slowly, but steadily, increases their knowledge in the assets they own. The improvement principles of the IIMM recommend starting with complete coverage of the infrastructure types at a low level of detail (e.g. level 2 or 3) and then improving the level of detail over a period of several years, starting with the high risk assets, such as pump stations, treatment works, etc.

Element vs Component Cost

The total cost of an asset includes various component costs and may include but are not limited to:

- Raw materials
- Personnel costs
- Production costs
- Preliminary and General costs (P&G's)
- Engineering and design fees
- legislative requirements" (for example, where an Environmental Impact Assessment is done)
- Locations factor

In practice this implies that a window, an installed window, and window as part of a building project would all have different costs. It would thus not be appropriate to unbundle the asset to an element/part level without taking the component cost into account.

Section 4: Scope

Asset Class	Unbundled	Notes
Land	No	Land is not depreciated, but each land parcel is treated as an individual asset.
Movable Assets	Excluded	Excluded
Infrastructure	Yes	An infrastructure network should be broken down into “separately depreciable parts”, e.g. segment of road seal, length of pipe, or civil component of a pumping station.
Community Assets	Yes	Freestanding buildings should be treated as an individual asset. A complex comprising a number of buildings may need to be split according to the individual buildings. In additional features like parking areas and external perimeters will be recognised separately.
Other Assets	Yes	Other Assets like buildings should be treated as individual assets.
Investment Property	Yes	Investment property like buildings should be treated as individual assets.
Intangible Assets	Excluded	Excluded
Heritage Assets	No	Heritage assets are not depreciated

SECTION 5: FREQUENTLY ASKED QUESTIONS

5.1 How do I identify the components of each facility?

In the asset register each component is linked to a main asset. This is identified with a pre-fix in the description field.

5.2 When is a component considered significant?

If the value of a part of the asset is significant (i.e. material) compared to the value of the asset as a whole and/or has a useful life that is considerably different to the useful life of the asset a whole, it should be recognised as a separately depreciable part (component).

5.3 Why is the level of bundling considered appropriate?
Why is further unbundling not required?

Section 4.1.5 provides details on the level of unbundling.

The level of unbundling is a fine act of determining an appropriate level of unbundling where the cost of data management does not exceed the benefit to the stakeholders.

For accounting purposes, the maintenance level (current level of unbundling) satisfies both the requirement to separately depreciate items with significant costs and a significantly different useful life.

5.4 How should subsequent expenditure be treated for unbundling purposes?

Subsequent expenditure is capitalised when it increases the capacity or future economic benefit of the asset. This principal does not change when the asset has been unbundled.

A component with a shorter estimated useful life is expected to be replaced during the life cycle of the main asset. When this component is replaced, it is derecognised, and the new component is recognised. This is a perfect example of the appropriateness of unbundling up to the maintenance level.

Where expenditure that may be capitalised is incurred over more than one component, that cost must be allocated to the different components, where such information is not available the expense should be apportioned over the different components.

SECTION 6: Typical components

A vast number of components have been identified. The full list can be obtained from the asset management department. Annually, during the budgeting process of each year the various user departments will agree to the list.

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SWARTLAND MUNICIPALITY

FLEET MANAGEMENT POLICY

REVIEWED AND NOT AMENDED

MAY 2026

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1. DEFINITIONS AND ABBREVIATIONS

CFO	Chief Financial Officer
CC	Cubic Capacity
SCM	Supply Chain Management
LDV	Light Duty Vehicle
KM	Kilometre

In this policy, unless the context otherwise indicates:–

"Council" means the municipal council of Swartland Municipality;
"driver" means all employees engaged in the operation of vehicles and plant, being:
(a) **occasional driver**: a person who is not a permanent driver but is required to use a municipal vehicle on and a*d hoc* basis to perform his/her duties;
(b) **professional driver**: a person employed specifically to drive municipal vehicles for general transport purposes.
(b) **operator**: a person employed specifically to operate civil engineering plant;
"employee" means all permanent, part-time or contract employees who are in the employment of the municipality;
"municipality" means the Municipality of Swartland established in terms of Section 12 of the Municipal Structures Act, 117 of 1998, and includes any political structure, political office bearer, councillor, duly authorised agent or any employee acting in connection with this policy by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

"municipal manager" means the person appointed as municipal manager for the municipality in terms of section 54A of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), or his or her delegate;
"municipal vehicle" means all municipal owned vehicles, engineering plant, equipment, motorcycles, trailers, etc. utilised for municipal purposes ;
"Head of Departments" means any director, manager/supervisor of the relevant user department responsible for, amongst other duties, are responsible for the management of vehicles, plant and equipment allocated to his or her department and a department for purposes of this policy is used interchangeably to also mean a section.
"Mechanical Evaluation" to check that the vehicle's economic value is in line with and suitable in terms of its actual condition;
"Technical Evaluation" means to check vehicle to be more efficient and effective to perform its function.

2. POLICY OBJECTIVES

Swartland Municipality maintains an extensive range of plant, equipment and vehicles to assist in providing a high level of service to the community.

2.1 This policy aims to provide rules to ensure the proper management of these assets, which will be referred to as the municipal fleet in this document.

2.2 This policy aims to ensure the management of municipality's plant, equipment and vehicles, and will develop strategies to:

(a) provide optimally effective and reliable plant, equipment and vehicles to deliver services for current and future needs at the lowest cost;

(b) optimise the procurement of all plant, equipment and vehicles to ensure best value for and most appropriate for the municipality's operating needs.

(c) manage the fleet assets to ensure the asset value is maintained and applicable vehicles are roadworthy; and

(d) maintain a modern, efficient, reliable and safe fleet of plant, equipment and fleet of vehicles at the lowest possible cost without compromising service levels.

2.3 The policy will be accompanied by a detailed Fleet User Guide for the Management of Vehicles, Plant and Equipment to be used by all municipal employees responsible for the daily management of plant, equipment and vehicles.

3. REGULATORY FRAMEWORK

This policy should be read in conjunction with the following legislation and policies:

(a) The Municipal Finance Management Act, 2003, (Act 56 of 2003);
(b) The Occupational Health and Safety Act, 1993, (Act 85 of 1993);
(c) The National Road Traffic Act, 1996, (Act 93 of 1996);
(d) Swartland Municipality's Supply Chain Management Policy;
(e) Swartland Municipality's Asset Management Policy;

(f) The GRAP 17 Standards;

4. ROLES AND RESPONSIBILITIES

4.1 The Directors of the various directorates shall take overall responsibility for all matters relating to the management, provision and maintenance of municipal vehicles.

4.2 The Managers/Heads/Supervisors of all departments who use the vehicles shall be responsible for the proper use and control of fleet assets allocated to their Directorates.

4.3 The Manager: Assets, Fleet and Insurance Management 's' responsibility is limited to:

(a) the registration and licensing of all municipal vehicles; and
(b) the management and use of pool vehicles;
(c) attendance of Bid Specification Committee meetings;
(d) attendance of the Accident Committee; and
(e) administrative support function.

4.4 The Chief Financial Officer shall be responsible for the completeness and accuracy of the Asset Register and to ensure that all municipal vehicles are recorded in the register and to perform economic life assessments in respect of all municipal vehicles on an annual basis.

4.4 The detailed duties and responsibilities of all municipal employees/officials using municipal vehicles and plant are documented in the Fleet User Guide. Any non-compliance with this policy or the Fleet User Guide will result in the application of the municipal Code of Conduct.

5. PURCHASE & DISPOSAL

5.1 Purchase of vehicles

5.1.1 The relevant Director or delegate supported by the Asset Management & Fleet Unit shall form the Specifications Committee together with the delegated SCM official who shall be responsible for the specification informing tenders for the provision of new vehicles and equipment.

5.1.2 To reduce the municipal carbon footprint and mitigate the rising fleet costs, the specifications committee will determine appropriate parameters for the purchase of vehicles/fleet with same set as follows:
a) For passenger vehicles, the engine capacity should be limited to 1500 cc.
b) For bakkies, the engine capacity should allow for a range of 1900 cc to 2500 cc based on the capacities of the various vehicle manufacturers, subject the operational needs requirement.
c) If the relevant directorate requires a higher capacity vehicle, such request must be accompanied by a detailed needs-analysis informed by the operational requirements as envisaged by the SCM Regulations or Circulars supporting same.

5.1.3 All records pertaining to the transfer of fleet items between the various departments and the acceptance of vehicles allocated must be approved by the relevant directors and forwarded timeously to the Manager: Assets, Fleet and Insurance Management Department.

5.1.4 All Bakkies, Combi's and Passenger vehicles must be bought with a manufacturer maintenance/service plan of at least 5 years and a minimum of 90 000km.

5.1.5 For the purchase of All Bakkies, Combi's and Passenger vehicles the use of any available Transversal Tender must first be considered. The municipal tender process may only be utilised if evidence is available that such process is in the best interest of Swartland Municipality having cognisance of local economic development.

5.1.6 The relevant Director or delegate must ensure the following with a new vehicle:

- that the items are insured prior to delivery
- logbook, fuel card and affix with SM logo
- ensure that the vehicle monitoring system is fitted if allowed by the budget

5.2 Disposal and economic life assessment

5.2.1 The Assets, Fleet and Insurance Management Department must follow the normal Supply Chain Management procedure for the disposal by means of sale of vehicles.

5.2.2 Vehicles are only disposed of on public auctions, or donated to government institutions or written off by means of an accident or theft. Vehicles written off by accident will be collected by the applicable insurance company

- When vehicles are disposed of, the following process will be implemented:
  - ✓ Ensure that vehicles / Plant are de-registered or a change of ownership form has been completed and processed by the Traffic department.
- ➢ A schedule of disposed vehicles/plant must be compiled and distributed to the Asset Management and the Insurance clerk to remove from the insurance register, the fleet officer to cancel fuel cards and remove tracking device and Asset management team to remove from the Asset Register.
- ➢ In cases where vehicles are written off by the insurance company, the insurance clerk will notify the relevant Manager who will ensure that the applicable documentation are completed.

5.2.3 Economic life assessment should be performed in order to determine the economic service life expectancy of vehicles and plant under their specific operating conditions.

5.2.4 In terms of GRAP, vehicle and plant assets are required to be depreciated over their respective useful life as determined by Management from time to time. The Chief Financial Officer must ensure that vehicle and plant assets are depreciated annually and have their appropriate values entered in the asset register.

5.2.5 Vehicles shall be evaluated for disposal in terms of the Asset Management policy when they have reached their economic useful life or due to uneconomical running and maintenance costs.

Replacement Criterion Table

VEHICLE GROUP	CRITERIA	REPLACEMENT
1. Motor Cycles	1. Age 2. Km 3. Mech. evaluation	10 years and/or 80 000km >60%
2. LDV and Cars (Capacity <1 ton) (Light Duty)	1. Age 2. Km 3. Mech. evaluation	> 10 years and/or 200 000km >60%
3. LDV (1 ton) (Heavy Duty)	1. Age 2. Km 3. Mech. evaluation	> 10 years and/or 200 000km > 60%
4. Medium vehicles (Capacity 3 - 5 ton)	1. Age 2. Km 3. Mech. evaluation	>10 years and/or 275 000km > 60%
5. Heavy vehicles (Capacity 6 - 9 ton)	1. Age 2. Km 3. Mech. evaluation	>12 years and/or 300 000km > 60%
6. Extra heavy vehicles (Capacity 10 ton +)	1. Age 2. Km 3. Mech. evaluation	>12 years and/or > 375 000km > 60%
7. Tractors	1. Age 2. Hrs 3. Mech. evaluation	>12 years and/or 15 000hrs > 60%
8. Earth moving equipment	1. Age 2. Hrs 3. Mech. evaluation	>12 years and/or 15 000hrs > 60%
9. Refuse compactor	1. Age 2. Mech. evaluation	>9 years and/or > 60%
10.1 Fire engines	1. Age 2. Mech. evaluation 3. Tech. evaluation	15 - 20 years and/or > 60% > 70%
10.2 Fire engines (Light Vehicles) (SANS 10090:2003 Edition 3)	1. Age 2. Mech. evaluation 3. Tech. evaluation	10 years and/or > 60% > 70%
11. Vehicle used for Political Office Bearer	1. Km 2. Mech. evaluation	120 000km >60%
Small implements 12. Rollers, Cement Mixers, Track Excavators, Trailers and related Equipment	1. Age 2. Mech. evaluation	>10years and/or >60%

5.3 Vehicles used for Political Office Bearers

5.3.1 The threshold limit for vehicle purchases relating to official use by political office-bearers must not exceed the lowest of R700 000 or 70% (VAT inclusive) of the total annual remuneration package for the different grades of municipalities, as defined in the Public Office Bearers Act and the notices issued in terms thereof by the Minister of Cooperative Governance and Traditional Affairs, whichever is lower.

5.3.2 The procurement of vehicles used for Political Office Bearers must be undertaken using the national government transversal contract mechanism, unless it may be procured at a lower cost through other procurement mechanisms.

5.3.3 Before deciding to procure a vehicle, the Accounting Officer or delegated official in terms of his/her System of Delegation must provide the council with information relating to the following criteria which must be considered-
(a) status of current vehicles;
(b) extent of service delivery backlogs;
(c) terrain for effective usage of the vehicle; and
(d) any other policy of council.

6. FLEET PLANNING

6.1 Fleet register

The Manager: Asset and Fleet Management shall ensure that all key data of each vehicle is included in the asset register. The details in the vehicle register must include:

(a) a description of the vehicle, (registration number, model, etc);
(b) purchase cost;
(c) current depreciated value;
(d) the useful life; and
(e) date of acquisition - date of disposal (if applicable).

6.2 Renting of vehicles

The renting of vehicles or equipment must be approved by the relevant director or as per approved delegation of authority subject to budget allocation. The Manager shall be responsible for arranging the renting of vehicles or equipment and the managing thereof. The insurance of the rental vehicle must be included in the rental amount.

7. OPERATION AND MAINTENANCE

7.1 Maintenance plan

7.1.1 The relevant manager must ensure that annual maintenance takes place per each vehicle's prescribed maintenance schedule.

7.1.2 Each Manager must ensure that no vehicles are used beyond their service/maintenance schedules.

7.1.3 For vehicles that are still within their warranty periods, the maintenance plan shall be as prescribed by the manufacturer.

7.1.4 For vehicles outside the warranty period, the maintenance plan shall be informed by items such as the prescribed maintenance intervals and issues noted in the vehicle logbooks.

7.2 Registration, annual renewal & certificates of fitness

The Assets, Fleet and Insurance Management Department must maintain a register of the registration certificates, roadworthy certificates (COF's), licences and all other data pertaining to the identity of all vehicles, plant and equipment.

7.3 Insurance

7.3.1 The relevant Manager must ensure that all vehicles assigned to his or her department are properly bar coded, insured and supplied with a fuel card where applicable.

7.3.2 The Manager: Assets, Fleet and Insurance Management must ensure that sufficient detail of the entire fleet of the municipality is communicated to the corporate insurance service provider.

7.3.3 All accidents or damage to vehicles must be reported immediately to the relevant Divisional Head, who will have the authority to withdraw the vehicle from service in order to repair it or prevent further damage. Accidents and damage to vehicles must be reported in accordance with the Insurance Management Policy.

7.4 Vehicle Accident Committee

An Accident Committee has been established, the main function of which will be to act as the controlling body for conducting accident investigations and ensuring that drivers or operators abusing vehicles, be kept accountable where negligence on the part of the driver or operator is proved. The relevant department is responsible to conduct a disciplinary meeting if the driver is found negligent.

7.5 Authorising service & repairs

7.5.1 The relevant Manager must ensure that no payment for service or repairs that are covered by a maintenance agreement or warranty are authorised.

7.5.2 All services and repairs to specialised vehicles must, as far as possible, be contracted to the original manufacturer, or authorised service centre, due to the specialised nature of the work.

7.5.3 The relevant Manager must adhere to the supply chain management policy requirements when servicing and repairing vehicles, plant and equipment.

7.5.4 The relevant Manager must maintain a warranty register which will provide details of the warranty conditions and periods of each vehicle in his or her department. The warranty information must be reported to the Asset and Fleet Management Division.

7.5.5 The relevant Manager is to aggressively pursue claims against the manufacturer for reimbursement of costs caused through the failure of a component apparently defective at manufacture, and against repairers for faulty workmanship.

7.6 Breakdowns

7.6.1 Breakdowns which result from the inappropriate use of vehicles or non-compliance with vehicle management procedures, such as pre-trip inspections, are to be thoroughly investigated by the relevant Manager and appropriate action taken.

7.6.2 The Supply Chain Management division is responsible to develop procedures and actions to be taken by drivers who experience breakdowns outside working hours and to provide drivers with a list of approved suppliers who can assist with repairs and tow in services after working hours.

7.7 Fuel and refuelling

7.7.1 The Manager: Assets, Fleet and Insurance Management shall be contract manager for the fuel management system used by the municipality and ensure that the users of petrol cards are properly informed of the use thereof.

7.7.2 The relevant Manager is responsible to sign off and furnish the Manager: Asset and Fleet Management with monthly log sheets and receipts issued by fuel suppliers.

7.7.3 It is the responsibility of each driver or operator to provide the correct odometer/hour meter reading to the fuel station attendant and to ensure that all log sheets are properly completed and supported by receipts issued by fuel suppliers.

7.7.4 Refuelling from sources other than municipal suppliers will not be allowed.

7.7.5 It is the responsibility of the relevant Director supported by the Divisional Head to monitor consumption (e.g. Misuse / High consumption) and to take the necessary action. In addition the Asset and Fleet management division will monitor fuel

consumption and provide same to the director who must act where instances of potential misuse are at play.

8. POOL VEHICLES

8.1 Pool vehicles are provided for use by municipal employees and temporary employees who by nature of their duties are required to use them during working hours or when required performing standby duties.

8.2 The : Assets, Fleet and Insurance Management Department shall be responsible for the management and allocation of all pool vehicles.

8.3 In the event that no pool vehicle is available due to operational reasons, an employee may use his or her private motor vehicle with the authorisation of the Manager of the department and claim expenses in terms of the municipality's Subsistence and Travel policy.

8.4 Use of a pool vehicle by a councillor must be authorised by the Municipal Manager and the respective authorisation form must be completed.

8.5 Officials requiring the use of a pool vehicle must book a vehicle at least 7 days in advance, except in cases of emergency where the Manager: Asset and Fleet may approve the use of a pool vehicle. Short notice for booking a vehicle may however be accepted subject to the availability of a pool vehicle.

8.6 A pool vehicle shall not be released unless written authorisation by the relevant Manager has been received and keys and tag must be collected on the day and time when the vehicle is to be used.

8.7 In the event that a pool vehicle is needed before 08:00, the official concerned may collect the vehicle before closing time the day before. In such instance, the vehicle must be parked at the official's residence but it must be parked behind a lockable gate or garage and may not be used for any other purposes. The official will take full responsibility for the safeguarding of the vehicle.

8.8 Where the official using the pool vehicle returns after 17h00 from Monday to Thursday and after 15h45 on Friday, the keys and inspection checklist must be returned to Asset and Fleet Management by 08:00 on the next working day.

8.9 Prior to use of the pool vehicle the official must inspect the vehicle for any damages, interior defects, tidiness, logbook completion and lost tools and report any defects or damage to Asset and Fleet Management as soon as possible. The last user of a vehicle will be held responsible for any unreported damage, defects, or loss.

8.10 The official using the vehicle must ensure that the vehicle is returned in good condition, failing which the municipality reserves the right to take disciplinary action and/or withhold the allocation of a pool vehicle to such official.

8.11 After the use of a pool vehicle, the official shall ensure that the vehicle is not parked when fuel tank has less than ¼ fuel and there after it shall be parked in its allocated parking. Once parked, the driver must ensure that the logbook is completed properly.

8.12 Upon return of a pool vehicle, the keys and vehicle tag as well as the completed trip authorisation form and pre-drive inspection sheet must be returned to Asset and Fleet Management.

9. CONTROL

9.1 **Fleet User Guide**

9.1.1 A Fleet User Guide, which contains full details of the vehicle control measures to be followed, and which describes the duties of the employees responsible for the use and daily management of municipal vehicles is set out in the Fleet User Guide.

9.1.2 All users of vehicles will be required to accept the responsibilities allocated to them in terms of the Fleet User Guide in writing.

9.2 Allocation of vehicles

9.2.1 Vehicles may only be allocated by the relevant Manager and in the case of pool vehicles by The Assets, Fleet and Insurance Management Department, to a person in the employment of the municipality, whose name appears on the list of approved drivers.

9.2.2 Any change in driver/operator allocation must be reported to the Manager and must bear his or her approval.

9.3 Drivers licences

9.3.1 No employee may drive any municipal vehicle without a valid driver's licence, such licence being subject to validation by the relevant Manager. If a driver's licence is expired, the official is prohibited from operating the vehicle.

9.3.2 No employee may operate any plant or equipment without proof of having received proper training for the specific plant/equipment entrusted to him, such proof to be validated by the relevant Manager. If the relevant training or certification is time-bound the training or certification must be renewed before expiry.

9.3.3 The cost of obtaining drivers licences or public driver's permits are to be borne by employees. Only where it is a job requirement for an employee to be in possession of a public driver's permit or operator's certificate, the municipality may reimburse the employee for the cost of obtaining the permit or certificate, which cost shall include:

(a) The costs charged by the traffic department in respect of the application for and issuing of the permit;
(b) The cost of the medical examination, provided the employee is examined by a doctor approved by the municipality; and

(c) The cost of the criminal record clearance; and
(d) The cost of operator training including travel and subsistence.

9.3.4 Employees who choose to make use of their own doctor will not be reimbursed for the cost of medical examination.

9.3.5 Employees may be reimbursed for the cost of ID photos.

9.3.6 Applicants for new positions in the municipality, where a driver's licence/operators certificate is a pre-condition for employment, are to be tested and approved of by the relevant Manager before an appointment is made.

9.4 Induction

9.4.1 The relevant Manager must subject all new drivers to an induction course during which his or her duties and responsibilities will be explained. No driver may use or operate vehicles, plant or equipment before the required induction course has been completed.

9.4.2 All drivers must be informed of the contents of this policy and issued with a copy of the Fleet Users Guide, the receipt of which is to be signed off.

9.5 Training

9.5.1 The relevant Manager must ensure that all drivers are properly trained to operate vehicles, plant or equipment used in each department.

9.5.2 Internal training is to be done by each department itself and the relevant Manager must maintain a training log as well as an induction log.

9.6 Use of private vehicles

9.6.1 The use of private vehicles for municipal business is not permitted unless approved by the relevant Manager.

9.6.2 The municipality will not be liable for any claims for damages as a consequence of an employee using his or her private vehicle for municipal business unless there is malicious damage to the employee's vehicle which is not the fault of the employee.

9.6.3 Private vehicles used for municipal business must be covered by comprehensive insurance.

9.6.4 Employees will be reimbursed for the use of private vehicles in terms of the municipality's Travel and Subsistence Policy.

9.6.5 Participants in any of the municipality's motor schemes are not permitted to make use of municipal vehicles of similar type for any purpose, but may be transported in a municipal vehicle in exceptional cases with the approval of the delegated Senior Manager.

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9.7 Compliance with Road Traffic Act

9.7.1 Drivers of municipal vehicles are required to comply with the rules and regulations at all times.

9.7.2 Under no circumstances will the municipality be responsible for parking and traffic infringements by drivers.

9.7.3 When required, the municipality will make available to the authorities the detail of the driver in control of the vehicle at the time of the offence.

9.7.4 Municipal Drivers will be held responsible for all traffic fines incurred by such driver.

9.8 Compliance with Occupational Health and Safety Act

9.8.1 The relevant Manager must, in conjunction with the Health and Safety Officer, ensure that drivers of municipal vehicles are medically fit. In order to promote occupational health and safety in the workplace.

9.8.2 Each driver/passenger of a municipal vehicle shall, if any situation which is unsafe or unhealthy, including his or her own health situation, comes to his or her attention, as soon as practicable report such situation to the relevant Manager or Supervisor.

9.9 Vehicle Usage

9.9.1 Only municipal officials may be transported in a municipal vehicle.

9.9.2 Whenever passengers are to be transported on an open truck, it is the responsibility of the driver to ensure at all times, that the passengers are seated within the body of the truck.

9.9.3 Only authorized municipal officials may drive a municipal vehicle.

9.9.4 Vehicles may only be used for the purpose for which it is designed. Inappropriate use of municipal vehicles must be reported to the Assets, Fleet and Insurance Management department who will in turn report the instance to the relevant persons.

9.9.5 Only suppliers who are officially approved and listed in accordance with the relevant Supply Chain Management (SCM) processes are permitted to provide recovery services for broken down vehicles.

10. VEHICLE TRACKING

10.1 All vehicles will be fitted with a tracking device.

10.2 All drivers will be issued a driver identification tag.

10.3 Driver identification tags are unique to each official receiving a tag and may under no circumstances be used by another official.

10.4 If a driver loses his/her driver identification tag he/she will be held responsible for the cost of the replacement tag.

10.5 Tampering of the device will be reported to the Manager of the department and if found guilty the driver will be held responsible for the repair cost.

10.6 Where necessary, officials fulfilling a role of supervision or management may at their own discretion utilise the vehicle tracking to monitor, evaluate or inform staff adherence to the municipal code of conduct.

10.7 The municipality may install dash cameras or other similar surveillance equipment in and around the vehicles to protect the council and council employee's interest in the event of loss or damage or public liability. As the devices will form part of the tracking equipment, same might be utilised by officials fulfilling the role of supervision or management. for purposes of alleged misconduct.

11. COMPLIANCE AND ENFORCEMENT

Non-compliance with any of the provisions contained in this policy or the Fleet User Guide, shall be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

12. RIGHTS

In fulfilling the duties as the driver of a municipal vehicle, the driver has the right to:-

- refuse to drive an unsafe or un-roadworthy vehicle;
- refuse to drive or refuse to let someone else drive a municipal vehicle allocated to the driver without the necessary authorization, a valid license and
- refuse to use a vehicle for work or loads for which the vehicle is not suited or designed.

Provided that such action is reported to the line manager and any other senior official as needed in order to protect the municipality against operating a vehicle in a manner not congruent with legislation.

13. PROXY

There should at all times be two proxy's appointed to sign all vehicle- and National RoadsTraffic Act related documentation on behalf of the Municipality. This function will be held at the asset and fleet offices.

14. COMMENCEMENT

This policy will comes into effect on the date of original adoption by the Council of Swartland Municipality, save for the amendments which will come into effect on the first day of the new financial year.

SWARTLAND MUNICIPALITY

SUPPLY CHAIN MANAGEMENT POLICY

REVIEWED AND AMENDED MAY 2026

MUNICIPAL SUPPLY CHAIN MANAGEMENT POLICY
LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, No 56 of 2003
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The Council of the Swartland Municipality resolves in terms of section 111 of the Local Government: Municipal Finance Management Act (Act No 56 of 2003) to adopt the following as the Supply Chain Management Policy of the municipality:

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Definitions

1. In this Policy, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Act has the same meaning as in the Act, and –

"competitive bidding process" means a competitive bidding process referred to in paragraph 12(1)(d) of this Policy;

"competitive bid" means a bid in terms of a competitive bidding process;

"contracts of a long term nature" means a contract with a duration exceeding three years;

"final award", in relation to bids or quotations submitted for a contract, means the final decision on which bid or quote to accept;

"formal written price quotation" means quotations referred to in paragraph 12(1)(c) of this Policy;

"in the service of the state" means to be –

(a) a member of –

(i) any municipal council;

(ii) any provincial legislature; or

(iii) the National Assembly or the National Council of Provinces;

(b) a member of the board of directors of any municipal entity;

(c) an official of any municipality or municipal entity;

(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No 1 of 1999);

(e) an executive member of the accounting authority of any national or provincial public entity; or

(f) an employee of Parliament or a provincial legislature;

"long term contract" means a contract with a duration period exceeding one year;

"list of accredited prospective providers" means the list of accredited prospective providers which the municipality must keep in terms of paragraph 14 of this Policy;

"other applicable legislation" means any other legislation applicable to municipal supply chain management, including –

(a) the Constitution of the Republic of South Africa Act, 1996 (Act No 108 of 1996);

(b) the Preferential Procurement Policy Framework Act, 2000 (Act No 5 of 2000);

(c) the Broad-Based Black Economic Empowerment Act, 2003 (Act No 53 of 2003);

(d) the Construction Industry Development Board Act, 2000 (Act No 38 of 2000); and

(e) the Prevention and Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004);

(f) the Preferential Procurement Regulations, 2022 ;

(g) the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000);

(h) the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

(i) National Treasury, MFMA Circular No. 34, Municipal Finance Management Act No. 56 of 2003, Reporting of awards above R 100 000

(j) National Treasury, MFMA Circular No. 46, Municipal Finance Management Act No. 56 of 2003, Checking the prohibition status of recommended bidders

(k) National Treasury, MFMA Circular No. 50, Municipal Finance Management Act No. 56 of 2003, Preparation of the municipal audit file (Stores & Consumables)

(l) National Treasury, MFMA Circular No. 52, Municipal Finance Management Act No. 56 of 2003, Prohibition of restricted practices

(m) National Treasury, MFMA Circular No. 53, Municipal Finance Management Act No. 56 of 2003, Amended guidelines in respect of bids that include functionality as a criterion for evaluation

(n) National Treasury, MFMA Circular No. 56, Municipal Finance Management Act No. 56 of 2003, Database of restricted suppliers

(o) National Treasury, MFMA Circular No. 62, Municipal Finance Management Act No. 56 of 2003, Enhancing compliance and accountability

(p) National Treasury, MFMA Circular No. 68, Municipal Finance Management Act No. 56 of 2003, Unauthorised, irregular, fruitless and wasteful expenditure

(q) National Treasury, MFMA Circular No. 82, Municipal Finance Management Act No. 56 of 2003, Cost Containment Measures (as qualified under section 35.5)

(r) National Treasury, MFMA Circular No. 81, Municipal Finance Management Act No. 56 of 2003, Web Based Central Supplier Database (CSD)

(s) National Treasury, MFMA Circular No. 83, Municipal Finance Management Act No. 56 of 2003, Advertisement of bids and the publication of notices in respect of awarded bids, cancelled bids, variations and extensions of existing contracts on the eTender publication portal

(t) National Treasury, MFMA Circular No. 90, Municipal Finance Management Act No. 56 of 2003, Tax Compliance Status

"Regulations" means the Local Government: Municipal Finance Management Act, 2003, Municipal Supply Chain Management Regulations;

"Treasury guidelines" means any guidelines on supply chain management issued by the Minister in terms of section 168 of the Act;

"the Act" means the Local Government: Municipal Finance Management Act, 2003 (Act No 56 of 2003); and

"**written**" quotations means quotations referred to in paragraph 12 (1)(b) of this policy.

CHAPTER 1
ESTABLISHMENT AND IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY

Supply chain management policy

2. (1) The principles of this policy are that it -

(a) gives effect to –

(i) section 217 of the Constitution; and

(ii) Part 1 of Chapter 11 and other applicable provisions of the Act;

(b) is fair, equitable, transparent, competitive and cost effective;

(c) complies with –

(i) the regulations; and

(ii) any minimum norms and standards that may be prescribed in terms of section 168 of the Act;

(d) is consistent with other applicable legislation;

(e) does not undermine the objective for uniformity in supply chain management systems between organs of state in all spheres; and

(f) is consistent with national economic policy concerning the promotion of investments and doing business with the public sector;

(2) The municipality pledges effective and efficient service delivery by acquiring goods and services of optimum value through best purchasing practices. The acquisition of goods, works and / or services are dealt with in accordance with the municipality's Preferential Procurement Policy and the PPPFA Regulations.

(3) The municipality further supports the creation and maintenance of a good, sound business relationship with the biding public in general, as well as with its valued supplier base, without which it cannot survive in a competitive market.

(4) The municipality also seeks to develop and maintain positive, long term relationships based on mutual trust and respect with those suppliers who demonstrate their commitment to the municipality's shared goals. The municipality also commits itself to clarity in its communication of requirements, and to be professional, courteous, fair, factual and responsive in its business dealings.

(5) The municipality may not act otherwise than in accordance with this policy when –

(a) procuring goods or services;

(b) disposing of goods no longer needed;

(c) selecting contractors to provide assistance in the provision of municipal services otherwise than in circumstances where Chapter 8 of the Municipal Systems Act applies; or

(d) selecting external mechanisms referred to in section 80(1)(b) of the Municipal Systems Act for the provision of municipal services in circumstances contemplated in section 83 of that Act.

(6) This Policy, except where provided otherwise, does not apply in respect of:

(a) the procurement of goods and services contemplated in section 110(2) of the Act, including –

(i) water from the Department of Water Affairs or a public entity, another municipality or a municipal entity; and

(ii) electricity from ESKOM or another public entity, another municipality or a municipal entity;

(b) the acquisition of services of management consultants in respect of the financial systems will be dealt with in terms of the delegated powers as provided for in the Municipality's delegation register, as amended from time to time;

(c) insurance claims;

(d) repairs and servicing of vehicles, where the vehicles must be repaired and or serviced by the relevant agency/authorized dealer or manufacturer, with a value equal to or less than R30 000.00 (including VAT).

(e) training, courses, seminars, conferences and/or workshops presented by the municipality's systems providers or a single provider, with a value equal to or less than R30 000.00 (including VAT).

(f) provision of material for structural damage in a disaster situation in terms of the Municipality's Disaster Management Plan, with a value equal to or less than R30 000.00 (including VAT).

(g) machinery or other equipment serviced and repaired by the agent of that machinery or equipment, with a value equal to or less than R30 000.00 (including VAT)

(h) The acquisition of services of medical specialists as may be required from time to time and in terms of the Pension Funds Amendment Act, Act 65 of 2001 and

related regulations and amendments, with a value equal to or less than R30 000.00 (including VAT).

(i) refresher training courses where initial training has already been provided by the same supplier, with a value equal to or less than R30 000.00 (including VAT)

(j) In the event of a strip and quote or adhoc repairs to plant, equipment and machinery where it is not possible to ascertain the nature or extent of the work required in order to call for quotations, authorised by the relevant Director with a value equal to or less than R30 000.00 (including VAT),

(k) subscription fees, franking machine postage and membership fees for Council and employees of municipal institutes/bodies, with a value equal to or less than R30 000.00 (including VAT)

(l) local travel agencies for booking of accommodation, air travel reservations or any other specified reservations, with a value equal to or less than R30 000.00 (including VAT)

(m) emergency repair of tyres (excluding replace and purchase of new tyres), with a value equal to or less than R30 000.00 (including VAT).

Adoption and amendment of the Supply Chain Management Policy

3. (1) The Accounting Officer must –

(a) at least annually review the execution of provisions contained in this policy; and

(b) when the Accounting Officer considers it necessary, submit proposals for the amendment of this policy to the Council.

(2) If the Accounting Officer submits a draft policy to the Council that differs from the model policy issued by the National Treasury, the Accounting Officer must –

(a) ensure that such draft policy complies with the regulations; and

(b) report any deviation from the model policy to the National Treasury and the relevant provincial treasury.

(3) When amending this policy the need for uniformity in supply chain practices, procedures and forms between organs of state in all spheres, particularly to promote accessibility of supply chain management systems for small businesses must be taken into account.

(4) The Accounting Officer must, in terms of section 62(1)(f)(iv) of the Act, take all reasonable steps to ensure that the municipality has and implements this Supply Chain Management Policy.

Delegation of supply chain management powers and duties

4. (1) The Council hereby delegates all powers and duties to the Accounting Officer which are necessary to enable the Accounting Officer –

(a) to discharge the supply chain management responsibilities conferred on accounting officers in terms of –

(i) Chapter 8 of the Act; and

(ii) this policy;

(b) to maximise administrative and operational efficiency in the implementation of this policy;

(c) to enforce reasonable cost-effective measures for the prevention of fraud, corruption, favouritism and unfair and irregular practices in the implementation of this policy; and

(d) to comply with his or her responsibilities in terms of section 115 and other applicable provisions of the Act.

(2) Section 79 and 106 of the Act applies to the sub delegation of powers and duties delegated to the Accounting Officer in terms of paragraph 4(1) of this policy.

(3) The Council or Accounting Officer may not delegate or sub delegate any supply chain management powers or duties to a person who is not an official of the municipality or to a committee which is not exclusively composed of officials of the municipality.

(4) This paragraph may not be read as permitting an official to whom the power to make final awards has been delegated, to make a final award in a competitive bidding process otherwise than through the committee system provided for in paragraph 26 of this policy.

Sub delegations

5. (1) The Accounting Officer may in terms of section 79 of the Act sub delegate any supply chain management powers and duties, including those delegated to the Accounting Officer in terms of this policy, but any such sub delegation must be consistent with paragraph 4 and paragraph 5(2) of this policy.

(2) The power to make a final award –

(a) above R10 million (VAT included) may not be sub delegated by the Accounting Officer;

(b) above R2 million (VAT included), but not exceeding R10 million (VAT included), may be sub delegated, but only to –

(i) the Chief Financial Officer;

(ii) a Director of a department; or

(iii) a bid adjudication committee of which the Chief Financial Officer and Director of a department is a member.

(c) not exceeding R2 million (VAT included) may be sub delegated, but only to–

(i) the Chief Financial Officer;

(ii) a Director of a department;

(iii) an official directly accountable to the Chief Financial Officer or a Director; or

(iv) a bid adjudication committee.

(3) An official or bid adjudication committee to which the power to make final awards has been sub delegated in accordance with paragraph 5(2) of this policy must within five (5) working days of the end of each month submit to the official referred to in paragraph 5(4) of this Policy a written report containing particulars of each final award made by such official or committee during that month, including –

(a) the amount of the award;

(b) the name of the supplier or person to whom the award was made; and

(c) the reason why the award was made to that supplier or person.

(4) A written report referred to in paragraph 5(3) of this Policy must be submitted –

(a) to the Accounting Officer, in the case of an award by –

(i) the Chief Financial Officer;

(ii) a Director of a department; or

(iii) a bid adjudication committee of which the Chief Financial Officer or a Director is a member; or

(b) to the Chief Financial Officer or the Director responsible for the relevant bid, in the case of an award by –

(i) an official referred to in paragraph 5(2)(c)(iii) of this policy; or

(ii) a bid adjudication committee of which the Chief Financial Officer or a Director is not a member.

(5) Paragraphs 5(3) and 5(4) do not apply to procurements by way of direct purchases described in paragraph 15 of this policy.

(6) This paragraph may not be interpreted as permitting an official to whom the power to make final awards has been sub delegated, to make a final award in a competitive bidding process otherwise than through the committee system provided for in paragraph 26 of this policy.

(7) No supply chain management decision-making powers may be delegated to an advisor or consultant.

(8) The power to cancel bids on recommendation by the relevant department.

Oversight role of Council

6. (1) The Council must maintain oversight over the implementation of this policy.

(2) For the purposes of such oversight the Accounting Officer must –

(a) within 30 days of the end of each financial year, submit a report on the implementation of the Supply Chain Management Policy of the municipality to the council of the municipality; and

(b) whenever there are serious and material problems in the implementation of such Supply Chain Management Policy, immediately submit a report to the Council.

(3) The Accounting Officer must, within ten (10) working days of the end of each quarter, submit a report on the implementation of the Supply Chain Management Policy to the Mayor.

(4) The reports must be made public in accordance with section 21A of the Municipal Systems Act.

Supply chain management unit

7. (1) One supply chain management unit is hereby established to implement this policy.

(2) The supply chain management unit operates under the direct supervision of the Chief Financial Officer or an official to whom this duty has been delegated in terms of section 82 of the Act.

Training of supply chain management officials

8. The training of officials involved in implementing this policy should be in accordance with any Treasury guidelines on supply chain management training.

(a) The accounting officer and all other officials of the municipality involved in the implementation of the supply chain management policy of the municipality or municipal entity must meet the prescribed competency levels.

(b) The municipality must for the purposes of subsection (a) provide resources or opportunities for the training of officials referred to in that subsection to meet the prescribed competency levels.

(c) The National Treasury or a provincial treasury may assist municipalities and municipal entities in the training of officials referred to in subsection (a).

CHAPTER 2
FRAMEWORK FOR SUPPLY CHAIN MANAGEMENT SYSTEM

Format of supply chain management system

9. This policy provides systems for –

(i) demand management;
(ii) acquisition management;
(iii) logistics management;
(iv) disposal management;
(v) risk management; and
(vi) performance management.

Part 1: Demand management

System of demand management

10. (1) The Accounting Officer must establish and implement an appropriate demand management system in order to ensure that the resources required by the municipality support its operational commitments and its strategic goals outlined in the Integrated Development Plan.

(2) The demand management system must -

(a) include timely planning and management processes to ensure that all goods and services required by the municipality are quantified, budgeted for and effectively delivered at the right locations and at the critical delivery dates, and are of the appropriate quality and quantity at a fair cost;

(b) take into account any benefits of economies of scale that may be derived in the case of acquisitions of a repetitive nature;

(c) provide for the compilation of the required specifications to ensure that its needs are met.

(d) undertake appropriate industry analysis and research to ensure that innovations and technological benefits are maximised.

Part 2: Acquisition management

System of acquisition management

11. (1) The Accounting Officer must implement an effective system of acquisition management in order to ensure that –

(a) goods and services are procured by the municipality in accordance with authorised processes only;

(b) expenditure on goods and services is incurred in terms of an approved budget in terms of section 15 of the Act;

(c) the threshold values for the different procurement processes are complied with;

(d) bid documentation, evaluation and adjudication criteria, and general conditions of a contract, are in accordance with any applicable legislation; and

(e) any Treasury guidelines on acquisition management are properly taken into account.

(2) When procuring goods or services contemplated in section 110(2) of the Act, the Accounting Officer must make public the fact that such goods or services are procured otherwise than through the supply chain management system, including -

(a) the kind of goods or services; and

(b) the name of the supplier.

Range of procurement processes

12. (1) Goods and services may only be provided by way of –

(a) direct purchases, up to a transaction value of R2 000 (VAT included);

(b) formal written price quotations for procurement of a transaction value over R2000 up to R300 000 (VAT included);

(c) a competitive bidding process for–

(i) procurement above a transaction value of R300 000 (VAT included); and

(ii) the procurement of long term contracts.

(2) The Accounting Officer may, in writing -

(a) lower, but not increase, the different threshold values specified in paragraph 12(1); or

(b) direct that –

(i) formal written price quotations be obtained for any specific procurement of a transaction value lower than R10 000 (VAT included); or

(ii) a competitive bidding process be followed for any specific procurement of a transaction value lower than R300 000 (VAT included).

(3) Goods or services may not deliberately be split into parts or items of a lesser value merely to avoid complying with the requirements of this policy. When determining transaction values, a requirement for goods or services consisting of different parts or items must as far as possible be treated and dealt with as a single transaction.

General preconditions for consideration of written quotations or bids

13.1 A written quotation or bid may not be considered unless the provider who submitted the quotation or bid –

(a) has furnished that provider's –

(i) full name;

(ii) identification number or company or other registration number;

(iii) tax reference number and VAT registration number, if any; and

(iv) tax clearance from the South African Revenue Services that the provider's tax matters are in order; in those cases where the quotation or bid is more than R30 000,00 (VAT included)

(b) has indicated –

(i) whether he or she is in the service of the state, or has been in the service of the state in the previous twelve months;

(ii) if the provider is not a natural person, whether any of its directors, managers, principal shareholders or stakeholder is in the service of the state, or has been in the service of the state in the previous twelve months; or

(iii) whether a spouse, child or parent of the provider or of a director, manager, shareholder or stakeholder referred to in paragraph 13(b)(ii) is in the service of the state, or has been in the service of the state in the previous twelve months.

Lists of accredited prospective providers

14. The municipality utilises the Web based Central Supplier Database of National Treasury.

Direct purchases (value up to R2 000, VAT included)

15. (1) The conditions for the procurement of goods by means of direct purchases referred to in paragraph 12(1) (a) of this policy, are that –

(a) minor items are purchased for up to a transaction value of R2 000 (VAT included) where it is impractical, impossible or not cost-effective to obtain written or formal quotations, subject to normal internal control procedures;

(b) orders must be placed with providers whose names appear on the list of accredited prospective providers of the municipality, if they are capable to deliver the required goods; or from providers who are not listed but who meet the listing criteria referred to in paragraph 14(1)(c), and

(c) the procurement is made by the supply chain management unit.

(2) A monthly reconciliation report from the supply chain management unit must be provided to the Chief Financial Officer, including –

(a) the total amount of direct purchases for that month; and

(b) goods receipt notes and appropriate documents for each purchase.

Written quotations

16. Deleted

Formal written price quotations

17. (1) The conditions for the procurement of goods or services through formal written price quotations are as follows:-

(a) quotations must be obtained in writing from at least three different providers whose names appear on National Treasury's Central Supplier Database (CSD); provided that if quotations are obtained from providers who are not listed, such providers must meet the listing criteria set out in paragraph 13.1 of this Policy;

(b) if it is not possible to obtain at least three quotations, the reasons must be recorded and approved by the Chief Financial Officer or an official designated by the Chief Financial Officer; and

(c) the Accounting Officer must record the names of the potential providers requested to provide such quotations and their formal written price quotations.

(2) The designated official referred to in paragraph 17(1)(b) must within three (3) working days of the end of each month report to the Chief Financial Officer on any approvals given during that month by that official in terms of that paragraph.

Procedures for procuring goods or services through formal written price quotations

18. The procedure for the procurement of goods or services through formal written price quotations, is as follows:–

(a) when using the list of accredited prospective providers the Accounting Officer must promote ongoing competition amongst providers by inviting providers to submit quotations on a rotation basis;

(b) all requirements in excess of R30 000 (VAT included) that are to be procured by means of formal written price quotations must, in addition to the requirements of paragraph 17, be advertised for at least seven days on the website and the official notice boards of the municipality;

(c) offers received must be evaluated on a comparative basis taking into account unconditional discounts;

(d) the Accounting Officer must take all reasonable steps to ensure that the procurement of goods and services through formal written price quotations is not abused;

(e) the Accounting Officer or Chief Financial Officer must on a monthly basis be notified in writing of all written quotations and formal written price quotations accepted by an official acting in terms of a sub delegation;

(f) offers equal to or below R10 000 (VAT included) must be awarded based on compliance to specifications and conditions of contract, ability and capability to deliver the goods and services and lowest price;

(g) offers with a valuemore than R10 000 (VAT included) are subject to the preference points system (PPPFA) and associated regulations and must be dealt with according to the Council's Preferential Procurement Policy; and

(h) the Chief Financial Officer must set requirements for proper record keeping of all informal written and formal written price quotations accepted on behalf of the municipality.

Competitive bidding process

19. (1) Goods or services above a transaction value of R300 000 (VAT included) may only be procured through a competitive bidding process, subject to paragraphs 11(2) of this Policy.

(2) No requirement for goods or services above an estimated transaction value of R300 000 (VAT included), may deliberately be split into parts or items of lesser value merely for the sake of procuring the goods or services otherwise than through a competitive bidding process.

Process for competitive bidding

20. (1) The procedures for the following stages of a competitive bidding process are as follows:-

(a) Compilation of bidding documentation, detailed in paragraph 21.
(b) Public invitation of bids, detailed in paragraph 22.
(c) Site meetings or briefing sessions, detailed in paragraph 22.
(d) Handling of bids submitted in response to public invitation, detailed in paragraph 23.
(e) Evaluation of bids, detailed in paragraph 28.
(f) Awarding of contracts, detailed in paragraph 29.
(g) Administration of contracts –
(i) After approval of a bid, the Accounting Officer and the bidder must enter into a written agreement.
(h) Proper record keeping –
(i) Original / legal copies of written contracts and agreements must be kept in a secure place for reference purposes.

(2) The procedures for bids in excess of R10 million (all applicable taxes included):

(a) **Verification by the Chief Financial Officer prior to advertisement of bids above R10 million**

The following information must be submitted by the senior manager responsible for the Vote to the CFO **prior** to the public advertisement of any bids in excess of R10 million (all applicable taxes included):

(a) Proof that budgetary provision exists for procurement of the goods, services and/or infrastructure projects;
(b) Any ancillary budgetary implications related to the bid, for example, if the project is for the acquisition of a municipal asset, does budgetary provision exist for

the operation of the asset, maintenance costs relating to the asset, administration costs and rehabilitation/renewal costs;
(c) Any multi-year budgetary implications, for example, if a project will take more than one financial year, the estimated expenditure per financial year.

Goods, services and/or infrastructure projects above the value of R10 million (all applicable taxes included) may only be advertised after the CFO has verified in writing that budgetary provision exists for the commencement of the particular project.

Requirements may not be deliberately split into parts or items of lesser value merely to avoid the information being submitted.

(b) **Verification from the Chief Financial Officer prior to the award of contracts above the value of R10 million**

Contracts above the value of R10 million (all applicable taxes included) may only be awarded to the preferred bidder after the Chief Financial Officer has verified in writing that budgetary provision exists for the acquisition of the goods, infrastructure projects and/or services and that it is consistent with the Integrated Development Plan.

(c) **Confirmation of bidding process for bids in excess of R10 million (all applicable taxes included)**

Internal audit units must compile risk based audit plans, review internal control measures, and ensure that supply chain management is sufficiently and adequately covered in the annual coverage plan.

Internal auditors must be alert to fraud risks and design audit procedures and indicators that would reasonably assist in preventing and detecting potential or actual fraud and corruption.

During competitive bidding and adjudication processes or before the award of a contract, the accounting officer may, at his or her discretion, specifically request the internal audit function to carry out audit procedures and provide an opinion on

compliance of the bidding process with the Municipal Supply Chain Management Regulations.

Where bids involve internal audit service, the audit of the bidding process may be outsourced to an independent external service provider or internal audit function of another organ of state, subject to the oversight of the audit committee.

The accounting officer may, at his or her discretion, decide to have a specific contract audited by external service providers prior to the award of the contract.

Bid documentation for competitive bids

21. (1) The criteria to which bid documentation for a competitive bidding process must comply, must –

(a) take into account –

(i) the general conditions of contract and any special conditions of contract, if specified;

(ii) any Treasury guidelines on bid documentation; and

(iii) the requirements of the Construction Industry Development Board, in the case of a bid relating to construction, upgrading or refurbishment of buildings or infrastructure;

(b) include the evaluation and adjudication criteria, including any criteria required by other applicable legislation;

(c) compel bidders to declare any conflict of interest they may have in the transaction for which the bid is submitted;

(d) if the value of the transaction is expected to exceed R10 million (VAT included), require bidders to furnish –

(i) if the bidder is required by law to prepare annual financial statements for auditing, their audited annual financial statements –

(aa) for the past three years; or

(bb) since their establishment if established during the past three years;

(ii) a certificate signed by the bidder certifying that the bidder has no undisputed commitments for municipal services towards a municipality

or other service provider in respect of which payment is overdue for more than 30 days;

(iii) particulars of any contracts awarded to the bidder by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract;

(iv) a statement indicating whether any portion of the goods or services are expected to be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality is expected to be transferred out of the Republic;

(e) stipulate that disputes must be settled by means of mutual consultation, mediation (with or without legal representation), or, when unsuccessful, in a South African court of law;

(f) require a surety guarantee in appropriate cases;

(g) indicate the value or extent to which the execution of the contract should or should not be subcontracted; and

(h) submit a certificate from the Department of Labour indicating compliance with the Occupational Health and Safety Act, 1993 (Act No 85 of 1993).

(i) require bidders to furnish a certificate signed by the bidder certifying that the bidder has no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 3 months.

(2) A non-refundable charge in terms of the Council's approved tariff structure shall be raised for bid forms, plans, specifications, samples and any other bid documentation, depending on the nature, magnitude and value of technical information or samples provided by the municipality.

(3) Bid documents may allow for bidders to bid for one or more items or for a part of one or more items but the municipality reserves the right to accept part of a bid or a complete bid or quotation even if it is not the lowest, provided the interests of the municipality are best served thereby. Bid documents must be specific as certain contracts, e.g. the construction of a bridge, may require that the whole contract is to be completed by the same contractor.

(4) Where bidders insert prices on price lists supplied by the municipality they shall delete items for which they do not bid or if the price has been included elsewhere in

the price list. After bid/quotations have been opened bidders may not supplement their original offer if the original offer was incomplete.

Public invitation for competitive bids

22. (1) The procedure for the invitation of competitive bids is as follows:-

(a) Any invitation to prospective providers to submit bids must be by means of National Treasury's eTender Publication Portal, a public advertisement in newspapers commonly circulating locally, the website of the municipality or any other appropriate ways (which may include an advertisement in the Government Bid Bulletin); and

(b) the information contained in a public advertisement, must include –

(i) the closure date for the submission of bids, which may not be less than 30 days in the case of transactions over R10 million (VAT included), or which are of a long term nature, or not less than 14 days in any other case, from the date on which the advertisement is placed in a newspaper, subject to paragraph 22(2) of this Policy;

(ii) a statement that bids may only be submitted on the bid documentation provided by the municipality; and

(iii) date, time and venue of any proposed site meetings or briefing sessions.

(c) All bids advertised on the eTender Publication Administrator must at least contain the following information:

- Bid description;
- Bid number;
- Name of Municipality;
- The physical location where the goods, services or works specified in the bid are required;
- The closing date and time of the bid;
- Municipality contact details (postal and physical address, telephone number, email address, etc.);
- The physical location where hard copies of bids can be collected;
- The physical location where bids should be delivered; and

- The bid documents (MBDs, Terms of Reference, GCC and any other relevant documents)

(2) The Accounting Officer may determine a closure date for the submission of bids which is less than the 30 or 14 days requirement, but only if such shorter period can be justified on the grounds of urgency or emergency or any exceptional case where it is impractical or impossible to follow the official procurement process.

(3) Bids submitted must be sealed.

(4) Where bids are requested in electronic format, such bids must be supplemented by sealed hard copies.

Procedure for handling, opening and recording of bids

23. (1) The procedures for the handling, opening and recording of bids, are as follows:-

(a) Bids –

(i) must be opened only in public;

(ii) must be opened at the same time and as soon as possible after the period for the submission of bids has expired; and

(iii) received after the closing time should not be considered and returned unopened immediately.

(b) Any bidder or member of the public has the right to request that the names of the bidders who submitted bids in time must be read out and, if practical, also each bidder's total bidding price;

(c) No information, except the provisions in paragraph 23(1)(b), relating to the bid should be disclosed to bidders or other persons until the successful bidder is notified of the award; and

(d) The Accounting Officer must –

(i) record in a register all bids received in time;

(ii) make the register available for public inspection;

(iii) publish the entries in the register and the bid results on the website;

(iv) after the closure of any advertised competitive bid (above the threshold value of R300 000- all applicable taxes included), publish on the municipality's website the reference number of the bid, the description of the goods, services or infrastructure project, names of all bidders, the B-BBEE status level of contribution of all bidders, where applicable,

the local content percentages of the goods offered and where practical, total price of the bids, by all bidders that submitted bids in relation to that particular advertisement. Copies should be made available at municipal offices and libraries. The municipality should endeavor to publish the aforementioned information within ten (10) working days after closure of the bid and it must remain on the website of the municipality for at least thirty (30) days;

(v) in accordance with section 75 (1) (g) of the MFMA, place on the website all supply chain management contracts above the value of R300 000 (including all applicable taxes).

The following information on the successful bids must be made available on the municipal website:

(a) Contract numbers and description of goods, services or infrastructure projects;
(b) Names of the successful bidder(s) and the B-BBEE level of contribution claimed;
(c) The contract price(s), and;
(d) Brand names and dates for completion of contracts.

(vi) publish the awards of all competitive bids on the eTender Publication Portal as mentioned below.

The municipality must publish the following information on successful bids within seven (7) working days of awarding the bids:

- Names of the successful bidder(s) and preference points claimed;
- Contract price(s) ;
- Contract period;
- Contact details;
- Names of Directors; and
- Date of completion/award.

In addition to the information required above, accounting officers of municipalities are required to publish information on unsuccessful bids

on the eTender Publication Portal and publish the following data within the same time frame referred to above:

- Names of the unsuccessful bidder(s); and
- Contact details.

Notice of a cancelled bid must be published on the same day, or at the latest, the day after a municipality or municipal entity decided to cancel a bid.

Notice of all awards to suppliers through deviations from competitive bidding procedures must be published on the eTender Publication Portal within seven (7) working days after

the award was made. Notice of all awards through variations and extensions of existing contracts must be published on the eTender Publication Portal within seven (7) working days after the award was made.

Records of such publication must be retained for audit purposes.

Negotiations with preferred bidders and communication with prospective providers and bidders

24. (1) The Accounting Officer may negotiate the final terms of a contract with bidders identified through a competitive bidding process as preferred bidders, provided that such negotiation –

(a) does not allow any preferred bidder a second or unfair opportunity;
(b) is not to the detriment of any other bidder; and
(c) does not lead to a higher price than the bid as submitted.

(2) Minutes of such negotiations must be kept for record purposes and as for as practical be made part of the final contract.

Two-stage bidding process

25. (1) A two-stage bidding process is allowed for –

(a) large complex projects;
(b) projects where it may be undesirable to prepare complete detailed technical specifications; or
(c) long term projects with a duration period exceeding three years.

(2) In the first stage technical proposals on conceptual design or performance specifications should be invited, subject to technical as well as commercial clarifications and adjustments.

(3) In the second stage final technical proposals and priced bids should be invited.

Committee system for competitive bids

26. (1) The following committees are hereby established -

(a) bid specification committees;

(b) bid evaluation committees; and

(c) a bid adjudication committee.

(2) The Accounting Officer is required to appoint the members of each committee, taking into account section 117 of the Act.

(3) The Accounting Officer is required to appoint a neutral or independent observer to attend or oversee a committee when this is appropriate for ensuring fairness and promoting transparency.

(4) The committee system must be consistent with –

(a) paragraphs 27, 28 and 29 of this Policy; and

(b) any other applicable legislation.

(5) The Accounting Officer may apply the committee system to formal written price quotations.

Bid specification committees

27. (1) The appropriate bid specification committee must compile the specifications for the procurement of goods or services by the municipality, depending on the department involved.

(2) Specifications –

(a) must be drafted in an unbiased manner to allow all potential suppliers to offer their goods or services;

(b) must take account of any accepted standards such as those issued by Standards South Africa, the International Standards Organisation, or an authority accredited or recognised by the South African National Accreditation System with which the equipment or material or workmanship should comply;

(c) where possible, must be described in terms of performance required rather than in terms of descriptive characteristics for design;

(d) may not create trade barriers in contract requirements in the forms of specifications, plans, drawings, designs, testing and test methods, packaging, marking or labelling of conformity certification;

(e) may not make reference to any particular trade mark, name, patent, design, type, specific origin or producer unless there is no other sufficiently precise or intelligible way of describing the characteristics of the work, in which case such reference must be accompanied by the word “equivalent”;

(f) must indicate each specific goal for which points may be awarded in terms of the points system set out in the Preferential Procurement Regulations 2022; and

(g) must be approved by the Accounting Officer prior to publication of the invitation for bids in terms of paragraph 22 of this Policy.

(3) A bid specification committee must be composed of one or more officials of the municipality, preferably the manager responsible for the function involved, and may, when appropriate, include external specialist advisors.

(4) No person, advisor or corporate entity involved with the bid specification committee, or director of such a corporate entity, may bid for any resulting contracts.

Bid evaluation committees

28. (1) The bid evaluation committee must –

(a) evaluate bids in accordance with –

(i) the specifications for a specific procurement; and

(ii) the points system set out in terms of paragraph 27(2)(f).

(b) verify the following in respect of the recommended tenderer:

i. the capability and capacity of a tenderer to perform the contract;

ii. the tenderer’s tax and municipal rates and taxes compliance status;

iii. confirm that the tenderer’s municipal rates and taxes and municipal service charges are not in arrears;

iv. the Compulsory Declaration has been completed; and

v. the tenderer is not listed in the National Treasury’s Register for Tender Defaulters or the List of Restricted Suppliers.

(c) submit to the adjudication committee a report and recommendations regarding the award of the bid or any other related matter.

(2) The bid evaluation committee must as far as possible be composed of–

(a) officials from departments requiring the goods or services; and

(b) at least one supply chain management practitioner of the municipality.

Bid adjudication committees

29. (1) The bid adjudication committee must –

(a) consider the report and recommendations of the bid evaluation committee and:

1) verify that the procurement process which was followed complies with the provisions of this document;

2) confirm that the report is complete and addresses all considerations necessary to make a recommendation;

3) confirm the validity and reasonableness of reasons provided for the elimination of tenderers; and

4) consider commercial risks and identify any risks that have been overlooked or fall outside of the scope of the report which warrant investigation prior to taking a final decision; and

b) refer the report back to the evaluation committee for their reconsideration or make a recommendation to the Accounting Officer on the award of a tender, with or without conditions, together with reasons for such recommendation.

(2) The bid adjudication committee must consist of at least four senior managers of the municipality which must include –

(a) the Chief Financial Officer or, if the Chief Financial Officer is not available, another manager in the budget and treasury office reporting directly to the Chief Financial Officer and designated by the Chief Financial Officer; and

(b) at least one senior supply chain management practitioner who is an official of the municipality; and

(c) a technical expert in the relevant field who is an official, if such an expert exists.

(3) The Accounting Officer must appoint the chairperson of the committee. If the chairperson is absent from a meeting, the members of the committee who are present must elect one of them to preside at the meeting.

(4) No member of the evaluation committee may serve on the tender committee. A member of an evaluation committee may, however, participate in the deliberations of a tender committee as a technical advisor or a subject matter expert.

(5) (a) If the bid adjudication committee decides to award a bid other than the one recommended by the bid evaluation committee, the bid adjudication committee must prior to awarding the bid –

(i) check in respect of the preferred bidder whether that bidder's municipal rates and taxes and municipal service charges are not in arrears; and

(ii) notify the Accounting Officer.

(b) The Accounting Officer may –

(i) after due consideration of the reasons for the deviation, ratify or reject the decision of the bid adjudication committee referred to in paragraph 29(5)(a); and

(ii) if the decision of the bid adjudication committee is rejected, refer the decision of the adjudication committee back to that committee for reconsideration.

(6) The Accounting Officer may at any stage of a bidding process, refer any recommendation made by the evaluation committee or the adjudication committee back to that committee for reconsideration of the recommendation.

(7) The Accounting Officer must comply with section 114 of the Act within 10 working days.

Procurement of banking services

30. (1) Banking services –

(a) must be procured through competitive bids;

(b) must be consistent with section 7 or 85 of the Act; and

(c) may not be for a period of more than five years at a time.

(2) The process for procuring a contract for banking services must commence at least nine months before the end of an existing contract.

(3) The closure date for the submission of bids may not be less than sixty (60) days from the date on which the advertisement is placed in a newspaper in terms of paragraph 22(1). Bids must be restricted to banks registered in terms of the Banks Act, 1990 (Act No 94 of 1990).

Procurement of IT related goods or services

31. (1) The Accounting Officer may request the State Information Technology Agency (SITA) to assist with the acquisition of IT related goods or services through a competitive bidding process.

(2) Both parties must enter into a written agreement to regulate the services rendered by, and the payments to be made to, SITA.

(3) The Accounting Officer must notify SITA together with a motivation of the IT needs if –

(a) the transaction value of IT related goods or services required in any financial year will exceed R50 million (VAT included); or

(b) the transaction value of a contract to be procured whether for one or more years exceeds R50 million (VAT included).

(4) If SITA comments on the submission and the municipality disagree with such comments, the comments and the reasons for rejecting or not following such comments must be submitted to the Council, the National Treasury, the relevant provincial treasury and the Auditor General.

Procurement of goods and services under contracts secured by other organs of state

32. (1) The Accounting Officer may procure goods or services under a contract secured by another organ of state, but only if –

(a) the contract has been secured by that other organ of state by means of a competitive bidding process applicable to that organ of state;

(b) there is no reason to believe that such contract was not validly procured;

(c) there are demonstrable discounts or benefits to do so; and

(d) that other organ of state and the provider have consented to such procurement in writing.

(2) Paragraphs 32(1)(c) and (d) do not apply if –

(a) a municipal entity procures goods or services through a contract secured by its parent municipality; or

(b) a municipality procures goods or services through a contract secured by a municipal entity of which it is the parent municipality.

Procurement of goods necessitating special safety arrangements

33. (1) The acquisition and storage of goods in bulk (other than water), which necessitate special safety arrangements, including gasses and fuel, should be avoided where ever possible.

(2) Where the storage of goods in bulk is justified, such justification must be based on sound reasons, including the total cost of ownership, cost advantages and environmental impact and must be approved by the Accounting Officer.

Proudly SA Campaign

34. (1) The municipality supports the Proudly SA Campaign to the extent that, all things being equal, preference is given to procuring local goods and services from:-

(a) Firstly, suppliers and businesses within the municipality/municipal district;

(b) Secondly, suppliers and businesses within the relevant province; and

(c) Thirdly, suppliers and businesses within the Republic of South Africa.

(2) These principles are to be embodied in the points allocated in terms of the Preferential Procurement Policy of the municipality.

Appointment of consultants

35. (1) The Accounting Officer may procure consulting services provided that any Treasury guidelines requirements in respect of consulting services are taken into account when such procurements are made.

(2) Consultancy services must be procured through competitive bids if-

(a) the value of the contract exceeds R300 000 (VAT included); or

(b) the duration period of the contract exceeds one year.

(3) In addition to any requirements prescribed by this Policy for competitive bids, bidders must furnish particulars of –

(a) all consultancy services provided to an organ of state in the last five years; and

(b) any similar consultancy services provided to an organ of state in the last five years.

(4) The Accounting Officer must ensure that copyright in any document produced, and the patent rights or ownership in any plant, machinery, thing, system or process designed or devised, by a consultant in the course of the consultancy service is vested in the municipality.

(5) The Accounting Officer shall as far as possible endeavour to realize the following cost containment measures when engaging with consultants:

5.1 The municipality may only appoint consultants if an assessment of the needs and requirements confirms that the municipality does not have the requisite skills or resources in its full-time employ to perform the function. For purposes of such assessment the template document as per **Annexure A** to this policy must be completed.

5.2 The Accounting Officer adopts the below-mentioned reference to rates as the municipality's fair and reasonable remuneration framework for consultants, provided that where no prescribed rates are available, the municipality may from time to time adjust the rates as per prevailing market conditions, limited however to one thousand rand (R1 000) in respect of 2019/20: -

(a) "Guideline on fees for audits undertaken on behalf of the Auditor-General of South Africa", issued by the South African Institute of Chartered Accountants;

(b) "Guide on Hourly Fee Rates for Consultants", issued by the Department of Public Service and Administration;

(c) rates as prescribed by the body regulating the profession of the consultant, including but not limited to

- Engineering Council of South Africa (ECSA)
- South African Council for the Quantity Surveying Profession (SACQSP)
- South African Council for the Architectural Profession (SACAP)
- South African Council for the Landscape Architectural Profession (SACLAP)
- South African Council for Project and Construction Management Professions (SACPCMP)
- 2018 Guideline Professional Fees in terms of section 29 of the Planning Professions Act (less 30%)
- June 2009 fee scale as per Draft Guidelines issued by PLATO and SAGI (less 30%), or

(d) any other reasonable framework prescribed by Professional Bodies and/or spheres of Government.

5.3 The tender documentation for the appointment of consultants must include a clause that the remuneration rates will be subject to negotiation, not exceeding the applicable rates mentioned in 4.2.

5.4 Taking into account the above-mentioned rates, the Accounting Officer has delegated powers to consider and approve or reject applications to exceed these rates based on a fully motivated written and signed request by the relevant senior manager in exceptional circumstances.

5.5 When negotiating cost-effective consultancy rates for international consultants, the Accounting Officer may take into account the relevant international and market-determined rates.

5.6 When consultants are appointed, the Accounting Officer or delegated official in terms of his/her System of Delegation must:

(a) appoint consultants on a time and cost basis with specific start and end dates;

(b) where practical, appoint consultants on an output-specified basis, subject to specific measurable objectives and associated remuneration;

(c) ensure that contracts with consultants include overall cost ceilings by specifying whether the contract price is inclusive or exclusive of travel and subsistence disbursements where applicable and appropriate;

(d) ensure the transfer of skills by consultants to the relevant officials of the municipality; and

(e) undertake all engagements of consultants in accordance with the Municipal Supply Chain Management Regulations, 2005 and the municipality's Supply Chain Management Policy.

5.7 The accounting officer or delegated official in terms of his/her System of Delegation must review its consultancy reduction plan on an annual basis and develop consultancy reduction plans to reduce the reliance on consultants where applicable and appropriate.

5.8 All contracts with consultants must include a fee retention or penalty clause for poor performance.

5.9 The municipality must ensure that the specifications and performance are used as a monitoring tool for the work to be undertaken and are appropriately recorded and monitored. The senior manager concerned must ensure that contractual deliverables as specified are met by the Service Provider.

5.10 No subsistence costs shall be paid to consultants, whereas travel costs of consultants shall be limited to a maximum tariff of R3,61 per km or the amended tariff as may be determined by the South Africa Revenue Service from time to time.

This provision shall not apply in respect of contracts entered into prior to the effective date of this policy, i.e. 1 July 2019.

Deviation from, and ratification of minor breaches of, procurement processes

36. (1) The Accounting Officer may –

(a) Dispense with the official procurement processes established by this Policy and procure any required goods or services through any convenient process, which may include direct negotiations, but only –

(i) in an emergency;

(ii) if such goods or services are produced or available from a single provider only;

(iii) for the acquisition of special works of art or historical objects where specifications are difficult to compile;

(iv) acquisition of animals for zoos and/or botanical specimens for nature and game reserves; or

(v) in any other exceptional case where it is impractical or impossible to follow the official procurement processes; and

(b) Ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.

(c) The Accounting Officer shall consider and only when merit for such exist, approve all deviations from procurement processes with a value above R30,000.00 (including VAT).

(d) Written recommendations for approval of all deviations from procurement processes with a value above R30,000.00 (including VAT) must be submitted to the Accounting Officer within 1 (one) working day for consideration and approval thereof, prior to incurring any expenditure,

(e) The relevant director shall after due consideration of the emergency, approve the deviation from procurement processes in line with paragraph 36(1)(a)(i), with a value equal to or less than R30,000.00 (including VAT),

(f) The Senior Manager: Supply Chain Management, shall after having considered the merits informing a motivation received from the relevant director for a deviation from procurement processes referred to in paragraphs

36(1)(a)(ii) to 36(1)(a)(v) with a value equal to or less than R30,000.00 (including VAT), be mandated to authorise same, but only where the services were not procured yet and the transaction has been considered and pre-approved by the relevant director.

(2) The Accounting Officer must record the reasons for any deviations in terms of paragraphs 36(1)(a) and (b) of this Policy and report them to the next meeting of the Council and include as a note to the annual financial statements.

(3) Paragraph 36(2) does not apply to the procurement of goods and services contemplated in paragraph 11(2) of this Policy.

(4) In those cases where the terms of reference of a quotation or tender which had already been approved by either the supply chain manager or the bid adjudication committee in terms of delegated authority and which as a matter of sheer necessity has to be adjusted or expanded, the Accounting Officer may - in conjunction with the Chief Financial Officer – authorise the adjustment or expansion of such a contract, provided that –

(i) a written quotation be obtained from the contractor/service provider concerned for the proposed adjustment of expansion of the contract;

(ii) the adjustment or expansion of the contract does not result in an increase of more than 20% for construction related goods, services and/or infrastructure projects and 15% for all other goods and/or services of the original approved contract amount;

(iii) the increased contract amount does not exceed the amount that had been budgeted for the procurement of such goods or services;

(iv) this delegation shall not be construed to be an authorization to apply savings on an amount budgeted for a specific purpose to meet expenditure for another purpose, whether budgeted or not.

Unsolicited bids

37. (1) In accordance with section 113 of the Act there is no obligation to consider unsolicited bids received outside a normal bidding process.

(2) The Accounting Officer may decide in terms of section 113(2) of the Act to consider an unsolicited bid, only if –

(a) the product or service offered in terms of the bid is a demonstrably or proven unique innovative concept;

(b) the product or service will be exceptionally beneficial to, or have exceptional cost advantages;

(c) the person who made the bid is the sole provider of the product or service; and

(d) the reasons for not going through the normal bidding processes are found to be sound by the Accounting Officer.

(3) If the Accounting Officer decides to consider an unsolicited bid that complies with paragraph 37(2) of this policy, the decision must be made public in accordance with section 21A of the Municipal Systems Act, together with –

(a) reasons as to why the bid should not be open to other competitors;

(b) an explanation of the potential benefits if the unsolicited bid were accepted; and

(c) an invitation to the public or other potential suppliers to submit their comments within 30 days of the notice.

(4) The Accounting Officer must submit written comments received pursuant to paragraph 37(3), including any responses from the unsolicited bidder, to the National Treasury and the relevant provincial treasury for comment.

(5) The adjudication committee must consider the unsolicited bid and may award the bid or make a recommendation to the Accounting Officer, depending on its delegations.

(6) A meeting of the adjudication committee to consider an unsolicited bid must be open to the public.

(7) When considering the matter, the adjudication committee must take into account –

(a) any comments submitted by the public; and

(b) any written comments and recommendations of the National Treasury or the relevant provincial treasury.

(8) If any recommendations of the National Treasury or provincial treasury are rejected or not followed, the Accounting Officer must submit to the Auditor General, the relevant provincial treasury and the National Treasury the reasons for rejecting or not following those recommendations.

(9) Such submission must be made within seven days after the decision on the award of the unsolicited bid is taken, but no contract committing the municipality to the bid may be entered into or signed within 30 days of the submission.

Combating of abuse of supply chain management system

38. (1) In order to combat the abuse of the supply chain management system the Accounting Officer must –

(a) take all reasonable steps to prevent abuse of the supply chain management system;

(b) investigate any allegations against an official or other role player of fraud, corruption, favouritism, unfair or irregular practices or failure to comply with this Policy, and when justified –

(i) take appropriate steps against such official or other role player; or

(ii) report any alleged criminal conduct to the South African Police Service;

(c) check the National Treasury's database prior to awarding any contract to ensure that no recommended bidder, or any of its directors, is listed as a person prohibited from doing business with the public sector;

(d) reject any bid from a bidder –

(i) if any municipal rates and taxes or municipal service charges owed by that bidder or any of its directors to the municipality, or to any other municipality or municipal entity, are in arrears for more than three months; or

(ii) who during the last five years has failed to perform satisfactorily on a previous contract with the municipality or any other organ of state after written notice was given to that bidder that performance was unsatisfactory;

(e) reject a recommendation for the award of a contract if the recommended bidder, or any of its directors, has committed a corrupt or fraudulent act in competing for the particular contract;

(f) cancel a contract awarded to a person if –

(i) the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract; or

(ii) an official or other role player committed any corrupt or fraudulent act during the bidding process or the execution of the contract that benefited that person; and

(g) reject the bid of any bidder if that bidder or any of its directors –

(i) has abused the supply chain management system of the municipality or has committed any improper conduct in relation to such system;

(ii) has been convicted for fraud or corruption during the past five years;

(iii) has wilfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or

(iv) has been listed in the Register for Bid Defaulters In terms section 29 of the Prevention and Combating of Corrupt Activities Act (Act No 12 of 2004).

(h) invalidate recommendations or decisions that were unlawfully or improperly made, taken or influenced, including recommendations or decisions that were made, taken or in any way influenced by—

(i) councillors in contravention of item 5 or 6 of the Code of Conduct for Councillors set out in Schedule 1 to the Municipal Systems Act; or

(ii) municipal officials in contravention of item 4 or 5 of the Code of Conduct for Municipal Staff Members set out in Schedule 2 to that Act;

(2) The Accounting Officer must inform the National Treasury and relevant provincial treasury in writing of any actions taken in terms of paragraphs 38(1)(b)(ii), (e) or (f) of this policy.

3) Restrictive practices are prohibited

a) In terms of section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, an agreement between, or concerted practice by, firms, or a decision by an association of firms, is prohibited if it is between parties in a horizontal relationship and if a bidder is or a contractor was involved in collusive bidding.

b) If a bidder or contractor, based on reasonable grounds or evidence obtained by the municipality, has engaged in the restrictive practice referred to above, the municipality may refer the matter to the Competition Commission for investigation

and possible imposition of administrative penalties as contemplated in section 59 of the Competition Act No. 89 of 1998.

c) If a bidder or contractor has been found guilty by the Competition Commission of the restrictive practice referred to above, the municipality may, in addition and without prejudice to any other remedy provided for, invalidate the bid for such item(s) offered, and / or terminate the contract in whole or part, and / or restrict the bidder or contractor from conducting business with the public sector for a period not exceeding ten (10) years and / or claim damages from the bidder or contractor concerned.

Part 3: Logistics, Disposal, Risk and Performance Management

Logistics management

39. The Accounting Officer must establish and implement an effective system of logistics management, which must include -

(a) the monitoring of spending patterns on types or classes of goods and services which should, where practical, incorporate the coding of items to ensure that each item has a unique number for the purposes of monitoring;

(b) the setting of inventory levels that includes minimum and maximum levels and lead times wherever goods are placed in stock;

(c) the placing of manual or electronic orders for all acquisitions;

(d) before payment is approved, certification by the responsible officer that the goods and services are received or rendered on time and is in accordance with the order, the general conditions of contract and specifications where applicable and that the price charged is as quoted / in terms of a contract;

(e) appropriate standards of internal control and warehouse management to ensure that goods placed in stores are secure and only used for the purpose for which they were purchased;

(f) regular checking to ensure that all assets, including official vehicles, are properly managed, appropriately maintained and only used for official purposes; and

(g) monitoring and review of the supply vendor performance to ensure compliance with specifications and contract conditions for particular goods or services.

Disposal management

40. (1) The criteria for the disposal or letting of assets, including unserviceable, redundant or obsolete assets, subject to section 14 of the Act are as follows–

(a) the asset is uneconomical to repair;

(b) the asset is irreparable;

(c) the useful life of the asset has expired;

(d) the relevant department has no further use for the asset;

(e) no other department requires the asset; and

(2) Assets must be disposed of by–

(a) transferring the asset to another organ of state in terms of a provision of the Act enabling the transfer of assets;

(b) transferring the asset to another organ of state at market related value or, when appropriate, free of charge;

(c) selling the asset; or

(d) destroying the asset.

(3) The Accounting Officer must ensure that –

(a) immovable assets are sold or let in terms of the Municipality's Asset Transfer policy;

(b) movable assets are sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;

(c) in the case of the free disposal of computer equipment, the provincial department of education is first approached to indicate within 30 days whether any of the local schools are interested in the equipment;

(d) in the case of the disposal of firearms, the National Conventional Arms Control Committee has approved any sale or donation of firearms to any person or institution within or outside the Republic;

(e) immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise;

(f) all fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are annually reviewed; and

(g) where assets are traded in for other assets, the highest possible trade-in price is negotiated.

Risk management

41. (1) The criteria for the identification, consideration and avoidance of potential risks in the supply chain management system, are as follows –

(a) non-compliance by the supplier to deliver within the agreed timeframes;

(b) supply of inferior goods or services by the supplier;

(c) inability of the supplier to provide goods or services as ordered;

(d) non adherence to the municipality's Policy with regards to utilisation of preferred suppliers; and

(e) procurement of goods or services at prices or of a quality not in the best interest of the municipality.

(2) Risk management must include –

(a) the identification of risks on a case-by-case basis;

(b) the allocation of risks to the party best suited to manage such risks;

(c) acceptance of the cost of the risk where the cost of transferring the risk is greater than that of retaining it;

(d) the management of risks in a pro-active manner and the provision of adequate cover for residual risks; and

(e) the assignment of relative risks to the contracting parties through clear and unambiguous contract documentation.

Performance management

42. The Accounting Officer must ensure that an effective internal monitoring system is implemented in order to determine, on the basis of a retrospective analysis, whether the authorised supply chain management processes were followed and whether the measurable performance objectives linked to and approved with the budget and the service delivery and budget implementation plan were achieved.

Part 4: Other matters

Prohibition on awards to persons whose tax matters are not in order

43. (1) The Accounting Officer must ensure that, irrespective of the procurement process followed, no award above R30 000 (VAT included) is given to a person whose tax matters have not been declared by the South African Revenue Service to be in order.

(2) Before making an award to a provider or bidder, a tax clearance certificate from SARS must first be provided as contemplated in paragraph 13(a)(iv).

(3) The bidder's tax compliance status must be verified prior to the finalisation of the award of the bid or price quotation.

(4) Where the recommended bidder is not tax compliant, the bidder should be notified of their non-compliant status and the bidder must be requested to submit to the municipality, within 7 working days, written proof from SARS of their tax compliance status or proof from SARS that they have made an arrangement to meet their outstanding tax obligations. The proof of tax compliance status submitted by the bidder to the municipality or municipal entity must be verified via the CSD or e-Filing.

(5) The accounting officer should reject a bid submitted by the bidder if such a bidder fails to provide proof of tax compliance status within the timeframe stated above.

(6) Where goods or services have been delivered satisfactorily without any dispute, the accounting officer should not delay processing payment of invoices due to outstanding tax matters.

Prohibition on awards to persons in the service of the state

44. The Accounting Officer must ensure that irrespective of the procurement process followed, no award may be made to a person –

(a) who is in the service of the state; or

(b) if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; or

(c) who is an advisor or consultant contracted with the municipality in respect of a contract that would cause a conflict of interest.

Awards to close family members of persons in the service of the state

45. The notes to the annual financial statements must disclose particulars of any award of more than R2 000 (VAT included) to a person who is a spouse, child or parent of a person in the service of the state, or has been in the service of the state in the previous twelve months, including –

(a) the name of that person;

(b) the capacity in which that person is in the service of the state; and

(c) the amount of the award.

Ethical standards

46. (1) A code of ethical standards is hereby established, in accordance with paragraph 46(2), for officials and other role players in the supply chain management system of the municipality in order to promote –

(a) mutual trust and respect; and

(b) an environment where business can be conducted with integrity and in a fair and reasonable manner.

(2) An official or other role player involved in the implementation of this Supply Chain Management Policy –

(a) must treat all providers and potential providers equitably;

(b) may not use his or her position for private gain or to improperly benefit another person;

(c) may not accept any reward, gift, favour, hospitality or other benefit directly or indirectly, including to any close family member, partner or associate of that person, of a value more than R350;

(d) notwithstanding paragraph 46(2)(c), must declare to the Accounting Officer details of any reward, gift, favour, hospitality or other benefit promised, offered or granted to that person or to any close family member, partner or associate of that person;

(e) must declare to the Accounting Officer details of any private or business interest which that person, or any close family member, partner or associate, may have in any proposed procurement or disposal process of, or in any award of a contract by, the municipality;

(f) must immediately withdraw from participating in any manner whatsoever in a procurement or disposal process or in the award of a contract in which that person, or any close family member, partner or associate, has any private or business interest;

(g) must be scrupulous in his or her use of property belonging to the municipality;

(h) must assist the Accounting Officer in combating fraud, corruption, favouritism and unfair and irregular practices in the supply chain management system; and

(i) must report to the Accounting Officer any alleged irregular conduct in the supply chain management system which that person may become aware of, including –

(i) any alleged fraud, corruption, favouritism or unfair conduct;

(ii) any alleged contravention of paragraph 47(1) of this Policy; or

(iii) any alleged breach of this code of ethical standards.

(3) Declarations in terms of paragraphs 46(2)(d) and (e) -

(a) must be recorded in a register which the Accounting Officer must keep for this purpose;

(b) by the Accounting Officer must be made to the Mayor of the municipality who must ensure that such declarations are recorded in the register.

(4) The National Treasury's code of conduct must also be taken into account by supply chain management practitioners and other role players involved in supply chain management.

(5) A breach of the code of ethics must be dealt with as follows -

(a) in the case of an employee, in terms of the disciplinary procedures of the municipality envisaged in section 67(1)(h) of the Municipal Systems Act;

(b) in the case a role player who is not an employee, through other appropriate means in recognition of the severity of the breach.

(c) In all cases, financial misconduct must be dealt with in terms of chapter 15 of the Act.

Inducements, rewards, gifts and favours to municipalities, officials and other role players

47. (1) No person who is a provider or prospective provider of goods or services, or a recipient or prospective recipient of goods disposed or to be disposed of may either directly or through a representative or intermediary promise, offer or grant –

(a) any inducement or reward to the municipality for or in connection with the award of a contract; or

(b) any reward, gift, favour or hospitality to –

(i) any official; or

(ii) any other role player involved in the implementation of this Policy.

(2) The Accounting Officer must promptly report any alleged contravention of paragraph 47(1) to the National Treasury for considering whether the offending person, and any representative or intermediary through which such person is alleged to have acted, should be listed in the National Treasury's database of persons prohibited from doing business with the public sector.

(3) Paragraph 47(1) does not apply to gifts less than R350 in value.

Sponsorships

48. The Accounting Officer must promptly disclose to the National Treasury and the relevant provincial treasury any sponsorship promised, offered or granted, whether directly or through a representative or intermediary, by any person who is –

(a) a provider or prospective provider of goods or services; or

(b) a recipient or prospective recipient of goods disposed or to be disposed.

Objections and complaints

49. Persons aggrieved by decisions or actions taken in the implementation of this supply chain management system, may lodge within 14 days of the decision or action, a written objection or complaint against the decision or action.

Resolution of disputes, objections, complaints and queries

50. (1) The Accounting Officer must appoint an independent and impartial person, not directly involved in the supply chain management processes –

(a) to assist in the resolution of disputes between the municipality and other persons regarding -

(i) any decisions or actions taken in the implementation of the supply chain management system; or

(ii) any matter arising from a contract awarded in the course of the supply chain management system; or

(b) to deal with objections, complaints or queries regarding any such decisions or actions or any matters arising from such contract.

(2) The Accounting Officer, or another official designated by the Accounting Officer, is responsible for assisting the appointed person to perform his or her functions effectively.

(3) The person appointed must –

a) strive to resolve promptly all disputes, objections, complaints or queries received; and

(b) submit monthly reports to the Accounting Officer on all disputes, objections, complaints or queries received, attended to or resolved.

(4) A dispute, objection, complaint or query may be referred to the relevant provincial treasury if –

(a) the dispute, objection, complaint or query is not resolved within 60 days; or

(b) no response is forthcoming within 60 days.

(5) If the provincial treasury does not or cannot resolve the matter, the dispute, objection, complaint or query may be referred to the National Treasury for resolution.

(6) This paragraph must not be read as affecting a person's rights to approach a court at any time.

Contracts providing for compensation based on turnover

51. If a service provider acts on behalf of the municipality to provide any service or act as a collector of fees, service charges or taxes and the compensation payable to the service provider is fixed as an agreed percentage of turnover for the service or the amount collected, the contract between the service provider and the municipality must stipulate –

(a) a cap on the compensation payable to the service provider; and

(b) that such compensation must be performance based.

Payment of contractors, sub-contractors or joint venture partners

52. (1) The Municipality shall settle all accounts within 30 days of invoice or statement as provided for in the contract.

(2) The Chief Financial Officer or an official designated by the Chief Financial Officer may consent to the direct payment of sub-contractors or joint venture partners by way of -

(a) an approved cession; or

(b) an agreement for direct payment.

Short title and commencement

53. This Policy is called the "*Supply Chain Management Policy of the Swartland Municipality*" and takes effect on 1 January 2006.

ANNEXURE A

SWARTLAND MUNICIPALITY

REPORT TO THE MANAGER: SUPPLY CHAIN

SUBJECT: **USE OF CONSULTANTS**

DIRECTORATE: **……**

AUTHOR: **……**

DATE: **……**

---

1. Project Description

Project name: ……
Vote no: ……
Financial year: ……

2. Assessment of the skills and resources required to implement the project.

2.1 Project scope of work
Provide a short description of the scope of work required.

……

……

2.2 Skills and resources
List/Discuss the skills and resources required to undertake the scope of work.

……

……

3. Internal capacity and/ or resources

Explain why internal capacity and / or resources required are not available to perform the scope of work.

……

……

……

4. Remuneration framework

List the applicable remuneration framework and whether travel and subsistence cost is applicable.

……

……

5. Transfer of skills

Indicate if a transfer of skills is to be part of the appointment if applicable and if the specific service should be included in the consultant reduction plan.

……

……

6. Budget provision for the appointment of consultant/s

List the budget provision and vote no's.

……

_____ _____
Contract Manager DATE

_____ _____
Director of Department DATE

BUDGET IMPLEMENTATION AND MONITORING POLICY

REVIEWED AND AMENDED

MAY 2026

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1. DEFINITIONS

"**Accounting officer**" means a person appointed in terms of section 82(l) (a) or (b) of the Municipal Structures Act;

"Allocation", means -

(a) a municipality's share of the local government's equitable share referred to in section 214(l) (a) of the Constitution;
(b) an allocation of money to a municipality in terms of section 214(1) (c) of the Constitution;
(c) an allocation of money to a municipality in terms of a provincial budget; or
(d) any other allocation of money to a municipality by an organ of state, including by another municipality, otherwise than in compliance with a commercial or other business transaction;

"Annual Division of Revenue Act" means the Act of Parliament, which must be enacted annually in terms of section 214 (1) of the Constitution;

"Approved budget," means an annual budget -

(a) approved by a municipal council, or
(b) includes such an annual budget as revised by an adjustments budget in terms of section 28 of the MFMA;

"Basic Municipal Service" means a municipal service that is necessary to ensure an acceptable and reasonable quality of life and which, if not provided, would endanger public health or safety or the environment;

"Budget-related Policy" means a policy of a municipality affecting or affected by the annual budget of the municipality, including -

(a) the tariff policy, which the municipality must adopt in terms of section 74 of the Municipal Systems Act;
(b) the rates policy which the municipality must adopt in terms of legislation regulating municipal property rates; or
(c) the credit control and debt collection policy, which the municipality must adopt in terms of section 96 of the Municipal Systems Act;

"Budget transfer" means transfer of funding within a function/vote subject to limitations. The transfer can be done between any combinations of segments during a municipal financial year and which results from changed circumstances from that which prevailed at the time of the previous budget adoption;

"Budget Year" means the financial year of the municipality for which an annual budget is to be approved in terms of section 16(1) of the MFMA;

"Chief Financial Officer" means a person designated in terms of section 80(2)(a) of the MFMA;

"Councillor" means a member of a municipal council;

"Current year" means the financial year, which has already commenced, but not yet ended;

"Days" means calendar days;

"Delegation", in relation to a duty, includes an instruction or request to perform or to assist in performing the duty;

"Executive mayor" means the councillor elected as the executive mayor of the municipality in terms of section 55 of the Municipal Structures Act;

"Financial recovery plan" means a plan prepared in terms of section 141 of the MFMA;

"Financial year" means a twelve months period commencing on 1 July and ending on 30 June each year;

"Financing agreement" includes any loan agreement, lease, and instalment purchase contract or hire purchase arrangement under which a municipality undertakes to repay a long-term debt over a period of time;

"Fruitless and wasteful expenditure" means expenditure that was made in vain and would have been avoided had reasonable care been exercised;

"Irregular expenditure", means –

(a) expenditure incurred by a municipality or municipal entity in contravention of, or that is not in accordance with, a requirement of the MFMA, and which has not been condoned by Council;
(b) expenditure incurred by a municipality or municipal entity in contravention of, or that is not in accordance with, a requirement of the Municipal Systems Act, and which has not been condoned in terms of that Act;
(c) expenditure incurred by a municipality in contravention of, or that is not in accordance with, a requirement of the Public Office-Bearers Act, 1998 (Act No. 20 of 1998); or
(d) expenditure incurred by a municipality or municipal entity in contravention of, or that is not in accordance with, a requirement of the supply chain management policy of the municipality or entity or any of the municipality's by-laws giving effect to such policy, and which has not been condoned in terms of such policy or by-law, but excludes expenditure by a municipality which falls within the definition of "unauthorised expenditure";

"Investment/s", in relation to funds of a municipality, means -

(a) the placing on deposit of funds of a municipality with a financial institution; or
(b) the acquisition of assets with funds of a municipality not immediately required, with the primary aim of preserving those funds;

“Item segment” is one of the 7 segments of the Municipal Standard Chart of Accounts and includes items of:

- Expenditure,
- Revenue,
- Assets,
- Liability,
- Gains and Losses.

"Local community" has the meaning assigned to it in section 1 of the Municipal Systems Act;

“mSCOA” is an abbreviation for Municipal Standard Chart of Accounts and is the classification framework for all accounting entries for municipalities. All transactions must be allocated to all includes seven segments of chart information, namely:

1. Project segment;
2. Function segment;
3. Fund segment;
4. Regional segment;
5. Item segment;
6. Costing segment; and
7. Municipal classification segment (Only this segment is optional)

"Municipal Structures Act" means the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

"Municipal Systems Act" means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

“Long-term debt" means debt repayable over a period exceeding one year;

"Municipal council" or **"council"** means the council of a municipality referred to in section 18 of the Municipal Structures Act;

"Municipality"-

(a) when referred to as a corporate body, means a municipality as described in section 2 of the Municipal Systems Act; or

(b) when referred to as a geographic area, means a municipal area determined in terms of the Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998)

"Municipal service" has the meaning assigned to it in section 1 of the Municipal Systems Act (refer to the MSA for definition);

"Municipal tariff" means a tariff for services which a municipality may set for the provision of a service to the local community, and includes a surcharge on such tariff;

"National Treasury" means the National Treasury established by section 5 of the Public Finance Management Act;

"Official", means -

(a) an employee of a municipality or municipal entity;
(b) a person seconded to a municipality or municipal entity to work as a member of the staff of the municipality or municipal entity; or
(c) a person contracted by a municipality or municipal entity to work as a member of the staff of the municipality or municipal entity otherwise than as an employee;

"Overspending"-

(a) means causing the operational and capital expenditure incurred by the municipality during a financial year to exceed the total amount appropriated in that year's budget for its operational and capital expenditure, as the case may be;
(b) in relation to a vote, means causing the operational and capital expenditure under the vote to exceed the amount appropriated for that vote; or
(c) in relation to expenditure under section 26 of the MFMA, means causing expenditure under that section to exceed the limits allowed in subsection (5) of this section;

"Quarter" means any of the following periods in a financial year:

(a) 1 July to 30 September;
(b) 1 October to 31 December;
(c) 1 January to 31 March; or
(d) 1 April to 30 June;

"Service delivery and budget implementation plan" means a detailed plan approved by the executive mayor of a municipality in terms of section 53(l)(c)(ii) of the MFMA for implementing the municipality's delivery of municipal services and its annual budget, and which must indicate –

(a) projections for each month of -
  (i) revenue to be collected, by source; and
  (ii) operational and capital expenditure, by vote;
(b) service delivery targets and performance indicators for each quarter; and
(c) any other matters that may be prescribed, and includes any revisions of such plan by the executive mayor in terms of section 54(l) (c) of the MFMA;

"Unauthorised expenditure", means any expenditure incurred by a municipality otherwise than in accordance with section 15 or 11(3) of the MFMA, and includes –

(a) overspending of the total amount appropriated in the municipality's approved budget;
(b) overspending of the total amount appropriated for a vote in the approved budget;
(c) expenditure from a vote unrelated to the department or functional area covered by the vote;
(d) expenditure of money appropriated for a specific purpose, otherwise than for that specific purpose;
(e) spending of an allocation referred to in paragraph (b), (c) or (d) of the definition of "allocation" otherwise than in accordance with any conditions of the allocation; or
(f) a grant by the municipality otherwise than in accordance with the MFMA;

"Virement" refer to the definition of budget transfer

"Vote" means -
(a) one of the main segments into which a budget of a municipality is divided for the appropriation of money for the different departments or functional areas of the municipality; and
(b) which specifies the total amount that is appropriated for the purposes of the department or functional area concerned.

2. INTRODUCTION

2.1 In terms of the Municipal Finance Management Act, No. 56 of 2003, Chapter 4 on Municipal Budgets, Subsection (16), states that the council of a municipality must for each financial year approve an annual budget for the municipality before the commencement of that financial year. According to subsection (2) of the Act concerned, in order to comply with subsection (1), the executive mayor of the municipality must table the annual budget at a council meeting at least 90 days before the start of the budget year.

2.2 This policy must be read, analysed, explained, interpreted, implemented and understood against this legislative background. The budget is a tool for planning, control and it plays a critical role in an attempt to realise diverse community needs. Central to this, the formulation of a municipality budget must take into account the government's macro-economic and fiscal policy fundamentals.

3. OBJECTIVE

The objective of the budget policy is to set out:

a) The principles which the municipality will follow in preparing each medium term revenue and expenditure framework budget (MTREF);
b) The responsibilities of the mayor, the accounting officer, the chief financial officer and other senior managers in compiling the budget;
c) To control and inform the basis, format and information included in the Budget documentation; and
d) To establish and maintain procedures to ensure adherence to the Municipality's IDP review and budget processes.

4. BUDGET PRINCIPLES

4.1 The municipality shall ensure that revenue projections in the budget are realistic taking into account actual collection levels and shall not budget for a cash deficit.
4.2 Expenses may only be incurred in terms of the approved annual budget (or adjustments budget) and within the limits of the amounts appropriated for each vote in the approved budget.
4.3 Swartland Municipality shall prepare a five-year operating budget and a three-year capital budget (medium term revenue and expenditure framework (MTREF) which will be reviewed annually and will be approved by Council.
4.4 The MTREF budget will at all times be within the framework of the Municipal Integrated Development Plan (IDP).
4.5. The budget must be aligned to the requirements of the Municipal Standard Chart of Accounts (mSCOA) regulations of the MFMA.
4.6. No budget will be allocated in the operating and capital budget for external funded projects unless it is gazetted or in special circumstances such as housing related projects, that the request is supported by written confirmation from the external source of the specific grant or donation.
4.7 When a budget line-item requires a mSCOA segment change, a new line-item must be created and the budget must be viremented or moved via the following annual budget or adjustment budget. This does not apply to annual mSCOA chart changes and NT/GRAP guidelines throughout the budget year.

5. REGULATORY FRAMEWORK

5.1 Legislation and Policy Strategy Local Municipality is committed to comply with applicable legislation as it pertains to budgeting and financial management and the following examples of pieces of legislation are relevant:

- The Constitution of the Republic of South Africa
- The Municipal Finance Management Act No 56 of 2003
- The Municipal System Act (Act No 32 of 2000)
- The Municipal Structure Act No.117 of 1998
- The Municipal Property Rates Act 6 of 2004; and
- Other applicable by-laws, ordinance or legislation

Cognisance must be taken of the National Treasury Circulars that may have an impact on the budgeting environment. All National Treasury Circulars will be considered.

6. ROLES AND RESPONSIBILITY OF CHIEF FINANCIAL OFFICER (CFO)

The CFO is administratively in charge of the budget and treasury office. The chief financial officer has an essential function in assisting the municipal manager to carry out his or her financial management responsibilities, in areas ranging from budget preparation to reporting and the development and maintenance of internal control procedures. The CFO plays a central role in implementing the financial reforms at the direction of the municipal manager with assistance of appropriately skilled staff.

6.1 The Chief Financial Officer shall be responsible for preparing the draft annual capital and operating budgets (including the budget components required for the ensuing financial years), any required adjustments budgets, the projections of revenues and expenses for the service delivery and budget implementation plan (including the alignment of such projections with the cash management programme prepared in terms of the cash and investments policy), and shall be accountable to the Accounting Officer in regard to the performance of these functions.

6.2 The Accounting Officer shall ensure that all heads of departments provide the inputs required by the Chief Financial Officer into these budget processes.

6.3 The Chief Financial Officer shall provide input to the budget timetable for the ensuing financial year for the mayor's approval, and shall indicate in such timetable the target dates for the draft revision of the annual budget and the preparation of the annual budget for the ensuing financial year, which target dates shall follow the prescriptions of the Municipal Finance Management Act, and target dates for the submission of all the budget-related documentation to the mayor, Budget Steering committee, executive committee and council.

6.4 In preparing the operating budget, the Chief Financial Officer shall determine the number and type of votes to be used and the line-items to be shown under each vote, provided that in so doing the chief financial officer shall properly and adequately reflect the organisational structure of the municipality, and further in so doing shall comply – in so far as the organisational structure permits – also with the prescribed budget format of National Treasury; GRAP and with mSCOA.

6.5 The Chief Financial Officer shall determine the depreciation expenses to be charged to each vote, the apportionment of interest payable to the appropriate votes, the any contributions to a reserve of the municipality, and the contributions to the provisions for impairment of debtors, accrued leave entitlements and obsolescence of stocks.

6.6 The Chief Financial Officer shall further, with the approval of the Accounting Officer, determine the recommended contribution to the capital replacement reserve and any other contributions to other reserves of the municipality.

6.7 The Chief Financial Officer shall also, again with the approval of the mayor and the Accounting Officer, and having regard to the municipality's current financial performance, determines the recommended aggregate growth factor(s) according to which the budgets for the various votes shall be drafted and shall comply so far as possible with the prescribed increases by National Treasury.

6.8 The Chief Financial Officer shall compile monthly budget reports, with recommendations, comparing actual results with budgeted projections, and the heads of departments shall timeously and adequately furnish the Chief Financial Officer with all explanations required for deviations from the budget.

6.9 The Chief Financial Officer shall provide technical and administrative support to the Mayor in the preparation and approval of the annual and adjustment budgets, as well as in the consultative processes, which must precede the approval of such budgets.

6.10 The Chief Financial Officer shall ensure that the annual and adjustments budgets comply with the requirements of the National Treasury, reflect the budget priorities determined by the mayor, are aligned with the IDP, and comply with all budget-related policies, and shall make recommendations to the mayor on the revision budget-related policies where these are indicated.

6.11 The Chief Financial Officer shall make recommendations on the financing of the draft capital budget for the ensuing and future financial years, indicating the impact of viable alternative financing scenarios on future expenses, and specifically commenting on the relative financial merits of internal and external financing options.

6.12 The Chief Financial Officer shall ensure that the cost of any relief/rebate is separately reflected in the appropriate mSCOA segments.

6.13 The Chief Financial Officer shall ensure that the allocations from other organs of state are properly reflected in the annual and adjustments budget, and that the estimated expenses against such allocations are appropriately recorded.

7. APPROPRIATION OF FUNDS FOR EXPENDITURE

7.1 Section 15 of the MFMA regulates as follows regarding the incurring of expenditure against budgetary provisions.

7.2 "A municipality may, except where otherwise provided in this Act, incur expenditure only:

(a) in terms of an approved budget; and
(b) within the limits of the amounts appropriated for the different votes in an approved budget."

8. ANNUAL BUDGETS

8.1 In accordance with section 16 of the MFMA, the Council of a municipality must for each financial year approve an annual budget for the municipality before the start of that financial year.

8.2 In order for a municipality to comply with subsection (1) of section 16 of the MFMA, the mayor of the municipality must table the annual budget at a council meeting at least 90 days before the start of the budget year.

8.3 Subsection (1) of section 16 of the MFMA does not preclude the appropriation of money for capital expenditure for a period not exceeding three financial years, provided a separate appropriation is made for each of those financial years.

9. FUNDING OF EXPENDITURE

9.1 Section 18 of the MFMA prescribes as follows:

"(1) An annual budget may only be funded from—

(a) realistically anticipated revenues to be collected;
(b) cash-backed accumulated funds from previous years' surpluses not committed for other purposes; and
(c) borrowed funds, but only for the capital budget referred to in section 17(2).

(2) Revenue projections in the budget must be realistic, taking into account—

(a) projected revenue for the current year based on collection levels to date; and
(b) actual revenue collected in previous financial years."

9.2 Additional funding requirements is included in the Council approved Funding and Reserves policy.

10. BUDGET PREPARATION PROCESS

10.1. **Formulation of the budget**

10.1.1 The Accounting Officer with the input of the Chief Financial Officer and the Manager responsible for the IDP shall draft an IDP and Budget Time Schedule for the municipality including municipal entities for the ensuing financial year.

10.1.2 The Executive Mayor shall table the IDP and Budget Time Schedule to Council by 31 August each year for approval (10 months before the start of the next budget year). The IDP and Budget Time Schedule shall indicate the key deadlines for the review of the IDP as well the preparation of the medium term revenue and expenditure framework budget and the revision of the annual budget. Such target dates shall follow the prescriptions of the MFMA, Municipal Budget and Reporting Regulations and the guidelines set by National Treasury.

10.1.3 The Executive Mayor shall endeavour to convene a strategic workshop in November with the mayoral committee and senior managers in order to determine the IDP priorities, which will form the basis for the preparation of the MTREF budget taking into account the financial and political pressure facing the municipality.

10.1.4 The Executive Mayor shall table the draft IDP and MTREF budget to council by 31 March (90 days before the start of the new year) together with the draft resolutions and budget related policies (policies on tariff setting, credit control, debt collection, indigents, investment and cash management, borrowings, etc).

10.1.5 The Accounting Officer, Chief Financial Officer and senior managers undertake the technical preparation of the budget.

10.1.6 The budget must be in the format prescribed by the Municipal Budget and Reporting Regulations.

10.1.7 The budget must reflect realistically expected revenues for the budget year concerned.

10.1.8 The revenue and expenses reflected in the budget must be divided into items as per the classification framework of mSCOA.

10.1.9 The budget must also contain the information related to the two financial years following the financial year to which the budget relates, as well as the estimated revenues and expenses for the current year and the three prior year actual outcomes.

10.2 **Inviting public comment**

Immediately after the draft annual budget has been tabled in a municipal council, the Accounting Officer of the municipality must -

(a) in accordance with section 21 of the Municipal Systems Act-
(i) make public the annual budget and the documents referred to in section 17(3); and
(ii) invite the local community to submit representations in connection with the budget;
(iii) the period for soliciting representations (21 calendar days) shall run from the day that the budget is published on the municipal website. During this period the budget documentation shall be displayed for inspection/viewing during normal office hours at the municipal offices and/or libraries in Malmesbury, Moorreesburg, Abbotsdale, Darling, Chatsworth, Riebeek West, Riebeek Kasteel and Yzerfontein.

10.3 **Approval of the budget**

10.3.1 Council shall consider the Annual budget for approval not later than 31 May (30 days before the start of the budget year).

10.3.2 The council resolution must contain budget policies and performance measures shall be adopted.

10.3.3 Should the Council fail to approve the budget before the start of the budget year, the executive mayor must inform the MEC for Finance that the budget has not been approved.

10.3.4 The budget table to Council for approval shall include the following supporting documents:

- Draft resolutions approving the budget and levying property rates, other taxes and tariffs for the financial year concerned,
- Measurable performance objectives for each budget vote, taking into account the municipality's IDP,
- The projected cash flows for the financial year by revenue sources and expenditure votes,
- Any proposed amendments to the IDP,
- Any proposed amendments to the budget-related policies,
- The cost to the municipality of the salaries, allowances and other benefits of its political office bearers and other councillors, the accounting officer, the chief financial officer, and other senior managers.
- Particulars of any proposed allocations or grants to other municipalities, municipal entities, external mechanisms assisting such as Non-Governmental Organisations, welfare institutions and so on,
- Particulars of the municipality's investments, and
- Information in regard to municipal entities under the shared or sole control of the municipality.

10.4 **Publication of the budget**

10.4.1 When making public the draft annual budget and supporting documentation in terms of section 22(a) of the MFMA, read with section 21A of the Municipal Systems Act, the Accounting Officer must also make public any other information that the municipal council considers appropriate to facilitate the budget consultation process.

10.4.2 The annual budget must be submitted in both printed and electronic formats to the National Treasury and the relevant provincial treasury.

10.5 **Service Delivery and Budget Implementation Plan (SDBIP)**

10.5.1 The Executive Mayor must approve the Service Delivery and Budget Implementation Plan not later 28 days after the approval of the Budget by Council.

10.5.2 The SDBIP shall include the following components:

a) Monthly projections of revenue to be collected for each source,
b) Monthly projections of expenditure (operating and capital) and revenue for each vote,
c) Quarterly projections of service delivery targets and performance indicators for each vote,
d) Ward information for expenditure and service delivery,
e) Detailed capital works plan broken down by ward over three years.

11. CAPITAL BUDGET

11.1 **Basis of Calculation**

11.1.1 The zero based method is used in preparing the annual capital budget, except in cases where a contractual commitment has been made that would span over more than one financial year.

11.1.2 The annual capital budget shall be based on realistically anticipated revenue, which should be equal to the anticipated capital expenditure in order to result in a credible budget.

11.1.3 The impact of the capital budget on the current and future operating budget in terms of finance charges to be incurred on external loans, depreciation of fixed assets, maintenance of fixed and any other operating expenditure to be incurred resulting directly from the capital expenditure, should be carefully analysed when the annual capital budget is being compiled.

11.1.4 In addition, the council shall consider the likely impact of such operational expenses, net of any revenues expected to be generated by such item, on future property rates and service tariffs.

11.2 **Budget Principles**

11.2.1 Expenditure of a project shall be included in the capital budget if it meets the definition of a capital asset.

11.2.2 Vehicle replacement shall be done in terms of Council's Fleet Management policy. The budget for vehicles shall distinguish between replacement and new vehicles. No global amounts shall be budgeted for vehicle acquisition.

11.2.3 The capital budget shall distinguish between the replacement, renewal, upgrading and new capital asset.

11.2.4 A municipality may spend money on a capital project only if the money for the project has been appropriated in the capital budget.

11.2.5 The envisaged sources of funding for the capital budget must be properly considered and the Council must be satisfied that this funding is available and not been committed for other purposes.

11.2.6 Before approving a capital project, the Council must consider:

- The projected cost of the project over all the ensuing financial years until the project becomes operational, future operational costs and any revenues, which may arise in respect of such project, including the likely future impact on operating budget (i.e. on property rates and service tariffs),
- The impact on the present and future operating budgets of the municipality in relation to finance charges to be incurred on external loan,
- Depreciation of capital assets,
- Maintenance of capital assets, and
- Any other ordinary operational expenses associated with any item on such capital budget.

11.2.7 Council shall approve the annual or adjustment capital budget only if it has been fully funded.

11.3 **Funding of Capital Budget**

The capital expenditure shall be funded from the following source/s:

11.3.1 **External loans**

- External loans can be raised only if it is linked to the financing of a capital asset,
- A capital project to be financed from an external loan can only be included in the capital budget if the loans has been secured or if can be reasonably assumed as being secured,
- Interest payable on external loans shall be included as a cost in the Operating budget,
- Finance charges relating to such loans be charged to or apportioned only between the departments or votes to which the projects relate.

11.3.2 **Capital Replacement Reserve (CRR)**

Council shall establish a CRR for the purpose of financing capital projects for the acquiring of capital assets. Such reserve shall be established from the following sources of revenue:

- All cash proceeds on the sale of capital assets (including the sale of buildings and land),
- All cash proceeds from Developers Contributions and payments received in respect of the buyout of parking areas,
- Annual contribution equal to the depreciation of that financial year; less the repayment portion of the external loans (interest bearing borrowings),
- Increased contribution to the CRR if sufficient cash surpluses were generated through savings on expenditure or additional income sources.

Before any capital asset can be financed from the CRR the financing must be available within the reserve and available as cash as this fund must be cash backed;

If there is insufficient cash available to fund the CRR, this reserve fund must then be adjusted to equal the available cash;

11.3.3 **Grant Funding**

11.3.3.1 Capital expenditure funded from grants must be budgeted for in the capital budget;

- Expenditure must be reimbursed from the unspent grant and recognised in the operating budget as transfers recognised – capital and must be budgeted for as such.
- Interest earned on investments due to unspent Conditional Grant Funding for which the grant condition stated the interest must accrue to the grant/project shall be capitalised to the unspent grant fund.
- If there is no condition stated then the interest must be allocated directly to the revenue accounts of the Municipality.

Grant funding needs to be secured in the form of cash before spending can take place. All unspent grants must be ring fenced and cash backed from available cash and cash equivalents.

11.3.4 **Contributions from third parties**

Municipal budgets are subject to an ever increasing demand which place limitations on the municipality's ability to increase resources/capacity to service these demands. In order to increase the available resources to fund capital requirements, the municipality shall employ contributions from third parties (donations, grants or development charges) to fund its capital requirements, subject to considering of its implications on the operational account.

12. OPERATING BUDGET

12.1 The municipality shall budget in each annual and adjustments budget for the contribution to:

a) Provision for accrued leave entitlements equal to 100% of the accrued leave,
b) Continued employee benefits as at 30 June of each financial year,
c) Provision for impairment of debtors in accordance with its rates and tariffs policies and the generally recognised accounting standards,
d) Provision for the obsolescence and deterioration of stock in accordance with its inventory management policy,
e) The level of cash funding in respect to a) and b) above must be decided by the Chief Financial Officer as part of the budget process annually is set out in the Funding and Reserves Policy.

12.2 Depreciation and finance charges shall be charged to or apportioned only between the departments or votes to which the projects relate.

12.3 A percentage of the operating budget component of each annual and adjustments budget shall be set aside for repairs and maintenance.

12.4 When considering the draft annual budget, council shall consider the impact, which the proposed increases in rates and service tariffs will have on the monthly

municipal accounts of households. The impact of such increases shall be assessed on the basis of a fair sample of randomly selected accounts.

12.5 Non capital expenditure funded from grants must be budgeted for as part of the revenue budget.

a) Expenditure must be reimbursed from the unspent grant and recognised in the operating budget as transfers recognised – operational and must be budgeted for as such.

12.6 The operating budget shall reflect the impact of the capital component on:

a) Depreciation charges,
b) Repairs and maintenance expenses,
c) Interest payable on external borrowings,
d) Other operational expenses.

13. UNSPENT FUNDS AND ROLL-OVER OF BUDGET

13.1 The appropriation of funds in an Annual or Adjustment Budget will lapse to the extent that they are unspent by the end of the relevant budget year, except unspent grants (if the conditions for such grant funding allow that).

13.2 Conditions of the grant funding shall be taken into account in applying for rollover of grant funds;

13.3 Projects funded from the Capital Replacement Reserve may be rolled over from the year it originates with an adjustments budget (as prescribe in Municipal Budget and Reporting Regulations in terms of reg. 23(5) only if the following conditions is met:

13.3.1 The Chief Financial Officer must assess the funding requirements from and to the CRR for the next 3 budget years; and only if sufficient funding is available in the CRR may projects be considered for roll-over;
13.3.2 The funds to be rolled over must have been committed before the 30th June;
13.3.3 The relevant Senior Manager must provide a detailed report providing the reasons for non-compliance to the deadline of 30th June and proof to substantiate 13.3.2 above;

13.4 If the above mentioned conditions for the roll-over of a project could not be met, then the relevant Senior Manager must re-prioritise projects within his/her directorate in the next 3 year capital program to stay within the funding available within the CRR over the next 3 years and submit a report to this effect to be considered as part of the roll over adjustment budget.

13.5 Projects funded from Borrowings may be rolled over from the year it originates with an adjustments budget (as prescribe in reg 23 (5) of the Municipal Budget and Reporting Regulations) only if the funding is still available and no contract conditions of the investor or financer prohibits the roll over.

14. ADJUSTMENT BUDGET

14.1 Council may revise its annual budget by means of an adjustment budget in terms of section 28 of the MFMA and according to the timelines set out in the Municipal Budget and Reporting regulations section 23.

14.2 Section 28(2) of the MFMA determines when an adjustment must be done and when it may be prepared.

14.3 The Accounting Officer must promptly adjust its budgeted revenues and expenses if a material under-collection of revenues arises or is apparent.

14.4 The Accounting Officer shall appropriate additional revenues, which have become available but only to revise or accelerate spending programmes already budgeted for or any areas of critical importance identified by Council.

14.5 The Council shall in such Adjustment Budget, and within the prescribed framework, confirm unforeseen and unavoidable expenses on the recommendation of the Mayor.

14.6 The Accounting Officer, assisted by Chief Financial Officer shall ensure that the Adjustment Budgets comply with the requirements of the National Treasury, reflect the budget priorities determined by the Mayor, are aligned with the IDP, comply with all budget related policies, and shall make recommendations to the Mayor on the revision of the IDP and the budget-related policies where these are indicated.

14.7 The Council should also authorise the spending of unspent grant funding at the end of the previous financial year, where such under-spending could not reasonably have been foreseen at the time the Annual Budget was approved by the Council.

14.8 An Adjustment Budget must contain all of the following:

b) an explanation of how the adjustments affect the approved Annual Budget;
c) appropriate motivations for material adjustments; and
d) an explanation of the impact of any increased spending on the current and future annual budgets.

14.9 Municipal taxes and tariffs may not be increased during a financial year except if required in terms of a financial recovery plan.

14.10 Any unappropriated surplus from previous financial years, even if fully cash-backed, shall not be used to balance any adjustments budget.

15. VIREMENT

Virement requirements and procedures can be found in Swartland's Virement Policy.

16. BUDGET IMPLEMENTATION

16.1 **Monitoring**

16.1.1 The Accounting Officer with the assistance of the Chief Financial Officer and other senior managers is responsible for the implementation of the budget, and must take reasonable steps to ensure that:

- funds are spent in accordance with the Budget;
- expenses are reduced if expected revenues are less than projected; and
- revenues and expenses are properly monitored.

16.1.2 The Accounting Officer with the assistance of the Chief Financial Officer must prepare any Adjustment Budget when such budget is necessary and submit it to the Mayor for consideration and tabling to Council.

16.1.3 The Accounting Officer must report in writing to the Council any impending shortfalls in the Annual Revenue Budget, as well as any impending overspending, together with the steps taken to prevent or rectify these problems.

16.2 **Reporting**

16.2.1 **Monthly budget statements**

16.2.1.1 The Accounting Officer with the assistance of the Chief Financial Officer must, not later than ten working days after the end of each calendar month, submit to the Mayor and Provincial and National Treasury a report in the prescribed format on the state of the municipality's Budget for such calendar month, as well as on the state of the budget cumulatively for the financial year to date.

16.2.1.2 This report must reflect the following:

- actual revenues per source, compared with budgeted revenues;
- actual expenses per vote, compared with budgeted expenses;
- actual capital expenditure per vote, compared with budgeted expenses;
- actual borrowings, compared with the borrowings envisaged to fund the capital budget;
- the amount of allocations received, compared with the budgeted amount;
- actual expenses against allocations, but excluding expenses in respect of the equitable share;
- the remedial or corrective steps to be taken to ensure that the relevant projections remain within the Approved or Revised Budget; and
- projections of the revenues and expenses for the remainder of the financial year, together with an indication of how and where the original projections have been revised.

16.2.1.3 The report to the National Treasury must be both in electronic format and in a signed written document.

16.2.2 **Quarterly Reports**

16.2.2.1 The Mayor must submit to Council within thirty days of the end of each quarter a report on the implementation of the Budget and the financial state of affairs of the municipality.

16.2.2.3 **Mid-year budget and performance assessment**

16.2.2.3.1 The Accounting Officer must assess the budgetary performance of the municipality for the first half of the financial year, taking into account all the monthly budget reports for the first six months, the service delivery performance of the municipality as against the service delivery targets and performance indicators which were set in the Service Delivery and Budget Implementation Plan.

16.2.2.3.2 The Accounting Officer must then submit a report on such assessment to the Mayor by 25 January each year and to Council, Provincial Treasury and National Treasury by 31 January each year.

16.2.2.3 The Accounting Officer may in such report make recommendations after considering the recommendation of the Chief Financial Officer for adjusting the Annual Budget and for revising the projections of revenues and expenses set out in the Service Delivery and Budget Implementation Plan.

17. CONCLUSION

The Accounting Officer must place on the municipality's official website the following documentation with regards to the Budget policy:

17.1 The Annual and Adjustment Budgets and all budget-related documents;

17.2 The Budget-related policies;

17.3 The Annual Report;

17.4 All performance agreements;

17.5 All service delivery agreements;

17.6 All long-term borrowing contracts;

17.7 All quarterly and mid-year reports submitted to the Council on the implementation of the budget and the financial state of affairs of the municipality.

18. REVIEW OF POLICY

This policy will take effect on **1 July 2016** and shall be reviewed on an annual basis to ensure that it is in line with the municipality's strategic objectives, good governance, and in line with relevant legislation and prudent expenditure management.

SWARTLAND MUNICIPALITY

FUNDING AND RESERVES POLICY

REVIEWED AND AMENDED

MAY 2026

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FUNDING AND RESERVE POLICY

1. INTRODUCTION AND OBJECTIVE

The Council sets as objective a long term financially sustainable municipality with acceptable levels of service delivery to the community.

This policy aims to set standards and guidelines towards ensuring financial viability over both the short- and long term and includes funding as well as reserves requirements.

2. SECTION A: FUNDING POLICY

2.1 LEGISLATIVE REQUIREMENTS

In terms of Sections 18 and 19 of the Municipal Finance Management Act (Act No 56 of 2003) (MFMA), an annual budget may only be funded from:

- Realistically anticipated revenues to be collected;
- Cash backed accumulated funds from previous years' surpluses not committed for other purposes. and
- Borrowed funds, but only for capital projects.

Furthermore, spending on a capital project may only be commenced once the funding sources have been considered, are available and have not been committed for other purposes and the budget for such capital project has been approved by council.

The requirements of the MFMA are therefore clear in that the budget must be cash – funded i.e. cash receipts inclusive of prior cash surpluses must equal or be more than cash paid.

In determining whether the budget is actually cash funded and in addition ensuring long term financial sustainability, the municipality will use analytical processes, including those specified by National Treasury from time to time.

2.2 STANDARD OF CARE

Each functionary in the budgeting and accounting process must do so with judgment and care with the primary objective of ensuring that the objectives of this policy are achieved.

2.3 STATEMENT OF INTENT

The municipality will not approve a budget which is not cash – funded or where any of the indicators as listed in this document are negative, unless acceptable reasons can be provided for non-compliance, provided that the requirements of the MFMA must at all times be adhered to.

2.4 CASH MANAGEMENT

Cash must be managed in terms of the municipality's Cash Management and Investment Policy.

2.5 DEBT MANAGEMENT

Debt must be managed in terms of the municipality's Debt and Borrowings Policy, together with any requirements in this policy

2.6 FUNDING OF THE OPERATING BUDGET

2.6.1 Basis of Calculation

- The incremental approach is used in preparing the annual Operating Budget, except in cases where contractual commitment has been made that would span over more than one financial year. In these instances the zero-based method will be followed.
- The annual Operating Budget shall be based on realistically anticipated revenue that should be equal to the anticipated operating expenditure in order to result in a balanced budget.
- An income-based approach shall be used where the realistically anticipated income is determined first and the level of operating expenditure would be based on the determined income, thus resulting in a balanced budget.

2.6.2 Assumptions for different categories

The following assumptions are used when compiling the budget for the following expenditure categories:-

2.6.2.1 Employee-Related Costs and Councillors' Remuneration

The salaries and allowances are calculated based on the percentage increases as per the collective agreement between organised labour and the employer for a particular period. The remuneration of all political office bearers is based on the limitation and percentages as determined by the responsible National Minister

2.6.2.2 Depreciation and Amortisation

Depreciation is calculated at Deemed cost using the straight line method, to allocate depreciation cost to the residual values over the estimated useful lives of the assets.

2.6.2.3 Interest on External Borrowings

The above refers to interest and redemption that has to be repaid on an external loan taken up by the Municipality. The Budget is determined by the repayments that the Municipality is liable for based on the loan agreements entered into with the Institutions.

2.6.2.4 Bulk Purchase

The expenditure on bulk purchases shall be determined by using the tariffs as stipulated by the WCDM and NERSA or any other service provider from time to time.

2.6.2.5 General Expenses

The growth will be based on a percentage growth in line with the prevailing growth rates and the CPI and prior actual expenditure trends. Such expenditure are commonly separately disclosed under various headers such as Other Expenditure, Contracted Services, Inventory Consumed etc.

2.6.2.6 Contributions to funds

Contributions made to provisions are based on previous actual expenditure and or calculations for future contributions as reflected in the actuarial and engineer reports for post-employment benefits and landfill site restoration, respectively and any other factor that could have an effect.

2.6.2.7 Debt impairment

Contributions made to debt impairment is based on experience from past events given reasonable predictions about how the macro-economic factors might impact the collection of revenue based on each revenue type (e.g. the collection of traffic fines would be different from the collection of electricity).

2.6.2.8 Transfers and subsidies paid

The amount payable to charities, social upliftment projects and other similar transfer payments are subject to the provisions of the Grants-in-Aid policy.

2.6.3 The Operating Budget shall be financed from the following sources.

- Electricity charges
- Water sales
- Refuse removal fees
- Sewerage fees
- Other Service Charges

These charges will be levied based on the approved tariff policy.

2.6.3.1 Service charges

Service charges are those charges levied in terms of the services provided to consumers in respect of the 4 main categories of services, namely Electricity, Water, Sanitation (sewerage) and Refuse. All service charges comprise a minimum fee per annual (often levied monthly). Where a consumer elects to not subscribe to a service, a minimum monthly levy is still charged, namely the availability charge. Tariffs are set in accordance with the stipulations as set out in the Tariff Policy.

2.6.3.2 Property Rates

Assessment rates are levied in terms of the Municipal Property Rates Act based on land an improvements value. Tax Rates are set in accordance with the stipulations as set out in the Municipal Property Rates Policy.

2.6.3.3 Grants and Subsidies and public contributions

Grants and subsidies shall be based on all gazetted grants from the National and Provincial Treasuries and all other Public Contributions from organisations.

2.6.3.4 Interest on Investments

The budget for interest on investments shall be in accordance with the Cash and Investment Policy of the Municipality.

2.6.3.5 Interest on Outstanding Debtors

Interest may be charged on outstanding debtors at a predetermined rate that is linked to the prime lending rate of banks (e.g. prime + 1%). Interest may be classified as both exchange and non-exchange transactions.

2.6.3.6 Rental Fees

The budget for income from rental will be based on the fees set out in the rental contracts.

2.6.3.7 Other Income

All other income will be budgeted on the actual Income received in the preceding year and a percentage growth rate for the particular year. These revenues may be charged as per the approved Tariff Policy or any other legislation that prescribes the tariffs to be charged.

2.6.3.8 Public contributions

Public contributions are those solicited and unsolicited funds that are received from the public. These funds often have a specific intent. Given the responsibility to ethically manage public contributions, public contributions shall be spent in accordance with a written purpose linked to specific expenditure accounts. Public contributions shall be supported by a written agreement

which will stipulate the terms to recognise the revenue in terms of the intent specified by the funder. If the funder chooses to not allocate the contribution in terms of a written agreement linked to a specific intent, the donation will be recognised as income immediately. At year-end each fund with a remaining balance shall be reported to the funder to ensure transparent accountability of the funds (only applicable to funds where a written intent was specified and such funds remained unspent).

2.7 FUNDING OF THE CAPITAL BUDGET

The Capital Budget can be funded by way of own contributions, grants, public contributions, borrowings or any other financing source secured by the local authority.

2.7.1 Own Funding Sources

The Municipality has established a Capital Replacement Reserve (CRR) for the purpose of financing capital projects and the acquisition of capital assets on the following conditions:-

2.7.2 Purpose of the CRR

It is the policy of the Municipality to establish a Capital Replacement Reserve. The purpose of the CRR is to set funds aside for the financing of property, plant and equipment. The CRR is therefore an asset financing source that represents an alternative to other funding sources available to municipalities, namely external loans (interest bearing borrowings) and government grants and subsidies.

2.7.3 Contributions to the CRR

It is the policy of Council to make contributions annually to the CRR to ensure that the CRR remains a capital funding source for the future. The Municipality will determine its future capital financing requirements and endeavour to transfer sufficient cash to its CRR in terms of this determination. The Integrated Development Plan, the Municipality's ability to raise external finance and the amount of Government grants and subsidies that will be received in future will need to be taken into account in determining the amount that must be transferred to the CRR. Every year, with the closure of the financial records, the Chief Financial Officer will decide on the amount that should be contributed to the CRR also taking into account the influence of depreciation, interest on investments, etc.

Included in the Annual Financial Statements for each year is a Cash flow Statement. This statement will disclose the annual increase in the bank balances for each year, as per the line "Net increase/(decrease) in cash and cash equivalents". In order to preserve resources for future generations, the Chief Financial Officer, subject to the approval of the Accounting Officer, will decide on an addition amount that should be contributed to the CRR based on 10% to 20% of any Net increase in cash and cash equivalents for the year. This additional contribution will be implemented with effect of 1 July 2024.

The proceeds from Capital Contributions (Development Charges) that were not utilised on capital expansion during the year (or received in-kind) must be transferred to the CRR.

2.7.4 Contributions from third parties

Municipal budgets are subject to an ever increasing demand with limitations on the municipal ability to increase resources available to service these demands. In order to increase the available resources to fund capital requirements, the municipality shall employ contributions from third parties (donations, grants or development charges (see 2.7.4.1) in order to fund the capital requirements.

2.7.4.1 Development charges

Development charges comprise either a monetary charge or the installation of new assets based on municipal engineering specifications or both. The portion of the development charge receivable in the form of assets will not be included as a contribution to the CRR. Only the monetary component of development charges shall be accounted for as a contribution to CRR.

2.7.5 External loans

Subject to legislation (including regulations) the municipality may enter into long term borrowings in order to fund capital budget requirements.

2.8 Accounting Requirements

The balance of the CRR must always be represented by cash. The CRR may only be utilised for the financing of items of property, plant and equipment as specified in GRAP 17 for the Municipality and may not be used for the maintenance of any assets. Whenever an asset is financed out of the CRR an amount equal to the cost price of the asset purchased is transferred from the CRR into Accumulated Surplus on the Statement of Changes in Net Assets.
This is done to accommodate future annual depreciation charges on assets funded from the CRR.

A register must be kept with full details of all the following transactions:

(a) Land Sales.
(b) Developers Contributions (monetary component only).

2.9 Other Funding Sources

The Capital Budget shall be financed from external sources such as the following:

- Grants and subsidies as allocated in the Division of Revenue Act
- Grants and subsidies as allocated by Provincial Government or the District Municipality
- External loans
- Public contributions
- Any other financing sources secured by local authorities

3. SECTION B: RESERVES

3.1 Introduction

The Municipality recognises the importance of providing to the Municipality itself, as well as its creditors, financiers, staff and general public a measure of protection for future losses, as well as providing the necessary cash resources for future capital replacements and other current and non-current liabilities.

3.2 Types of Reserves

Reserves can be classified into two main categories being "cash funded" and "non–cash funded".

3.2.1 Cash Funded Reserves

In order to provide for sufficient cash resources for future expenditure, the municipality hereby approves the establishment of the following reserves:

a) Statutory Fund

It may be necessary to create reserves prescribed by law, such as the Housing Development Fund. The Accounting Officer must create such reserves according to the directives in the relevant laws.

b) Capital Replacement Reserve

- The Capital Replacement Reserve is a reserve to finance future capital expenditure.

c) Self-Insurance Reserve

- The Municipality envisages instituting a Self-Insurance Reserve to set aside amounts to offset potential losses or claims that cannot be insured externally. The reserve is also used to increase the excess payable in a bid to reduce the annual insurance premiums due to the insurer of the municipality.
- Annual contributions will be determined by the CFO during the budgeting process and claims against the reserve will be limited to a budget as determined by the CFO on an annual basis.
- Accounting requirement would comprise:
    - Premiums are charged to the respective services, taking into account the claims history and replacement value of the insured assets.
    - Contributions to and from the reserve are transferred via the Statement of Changes in Net Assets to the reserve.

  This reserve will be implemented at the sole discretion of the Chief Financial Officer.

3.2.2 NON – CASH FUNDED RESERVES / PROVISIONS

On occasion it is necessary to create non – cash funded reserves. The Accounting Officer must create any reserves prescribed by the accounting standards, such as the Revaluation Reserve.

4. REVIEW OF THE POLICY

The Funding and Reserves Policy is the only policy of the Municipality in this regard and replaces any preceding post policies in this regard. Any revision of the policy must be approved by Council.

Whenever the Minister of Finance or National Treasury requires changes to the policy by way of legislation, changes to GRAP or otherwise, it must be reviewed annually and submitted for consideration by Council.

Date of first adoption: 1 July 2015

SWARTLAND MUNICIPALITY

DEBT AND BORROWING POLICY

REVIEWED AND NOT AMENDED

MAY 2026

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1. INTRODUCTION

Chapter 6 of the Municipal Finance Management Act, 2003 (Act No. 56 of 2003), states that the municipality may incur long- and short-term debt, subject to certain conditions. The municipality sometimes needs additional bridging funding for over short-term periods and to finance long-term projects (capital projects). This Debt Policy provides for the municipality to obtain short- and long-term debt and set out all conditions under which the municipality will be entitled to obtain such debt. All employees of the municipality should adhere to this policy.

2. POLICY FRAMEWORK

This policy addresses all relevant principles and processes to be followed when obtaining short- and long-term debt, to ensure sufficient management of debt. The policy includes the following:

- Objectives of the policy
- Due diligence
- Delegations
- Management and internal control procedures
- Debt Management
- Types of Debt
- Securities for Debt
- Approval procedures
- Cost of Debt
- Competitive selection of bids
- Types of Debt and financing sources
- Commission and discounts
- Forbidden activities
- Reporting and monitoring of requirements
- Review of the policy

3. OBJECTIVES

The objectives of this policy are to ensure optimal performance with the lowest possible risk, through managing the debt, and to ensure accountability, responsibility and transparency throughout the process.

4. DUE DELIGENCE

Each official involved in the process of debt must do so with such judgments and care, under prevailing circumstances, as a person of prudence, discretion and intelligence would exercise in managing his or her own affairs and with his or her primary goal to protect the municipality's cash resources, the municipality's interests with its funders, and in general the municipality's good name.

5. DELEGATIONS

The management of all cash resources of the municipality is the responsibility of the Accounting Officer. The Accounting Officer will be responsible for:

- the proper implementation of this policy;
- developing of a relevant system for delegation which will ensure administrative as well as operational effectiveness; and
- appropriate controls on balancing of the management of cash resources.

The Chief Financial Officer, as designated in writing by the Accounting Officer, should advise the Accounting officer on the exercise of powers and duties with regard to this policy, and assist the Accounting Officer in the administration of the cash resources, bank accounts and debt account.

The Accounting Officer may not delegate any powers or duties in the administration of the municipality's cash resources to any political structure or councilor and no council member is allowed to interfere or attempt to interfere in the management of the municipality's cash resources.

Any delegation by the Accounting Officer in terms of this policy:

- Must be in writing.
- Is subject to any restrictions and conditions as the Accounting Officer shall prescribe.
- May be either to a specific individual or to the holder of a specific position in the municipality and may not be a committee of officials.
- Cannot deprive the Accounting officer of the responsibility concerning the exercise of delegated powers or the performance of the delegated duty.

The Accounting Officer may question any decision taken as a result of a delegation or sub-delegation in terms of this policy to confirm, amend or repeal, but no such amendment or repeal of an act may be done to break down any rights that would arise as a result of the decision.

For the implementation of this policy, any reference to “Accounting Officer” also means "any other person acting under a delegated power or function as exercising delegated by the Accounting Officer in terms of paragraph 5.

6. MANAGEMENT AND INTERNAL CONTROL PROCEDURES

The Accounting Officer, assisted by the Chief Financial Officer must take all reasonable steps to ensure:

- That the municipality has a managerial-, accounting- and information system to maintain all debt-, accounts-, receipting-, withdrawals- and debt transactions.

- That, in the case of debt, amounts due been calculated on a bi-annual basis
- That the municipality have a system of internal controls over bank- and debt accounts, receipting-, withdrawal- and debt transactions.

7. DEBT

7.1. Debt Management

The Accounting Officer is responsible for the administration of all debt procedures and must take all reasonable steps to ensure that debts are managed in compliance with all audit requirements and any legal requirements included as prescribed in the Law on Local Government: Municipal Finance Management Act, 2003 and in particular Chapter 6 of the Act.
The Accounting Officer may delegate the duties, linked to investments.

7.2. Debt Ethics

All officials involved in the debt management process must act with fidelity, honesty, integrity and in the best interest of the municipality and must strive, within the sphere of influence of the officials, to prevent any impairment of the debt of the municipality and creating solvency problems.

No officials involved in the debt management process should use his or her position or privileges as, or confidential information obtained in the process for personal gain or unfair advantage to another person.

The Accounting Officer must report as soon as practicable to the Mayor as well as the National Treasury any alleged violation of the above and may also make recommendations whether the alleged offending party must be listed on the National Treasury's database of persons prohibited from doing any business with the public sector. Any such report by the Accounting Officer must complete details of the alleged violation and a written response from the alleged offending party, as proof that the alleged offending party did receive the allegations in writing and had at least 7 (seven) working days to respond to the allegations. Any sponsor, offered or granted to the municipality must be immediately reported to the National Treasury.

7.3. Types of Debt

7.3.1. Short-term Debt

To ensure that the municipality has sufficient cash to meet the objectives of local government, as contained in Article 152 of the Constitution of the Republic of South Africa (Act 108 of 1996), it is sometimes necessary to obtain short-term financing in order to finance cash shortages in a financial year to cover the bridging operation and / or temporary capital financing. Short-term debts may only be incurred if the Council

is convinced that it will be refunded during the financial year and a report to the Council should indicate how and when it will be repaid, with specific reference to the conditions set in Article 45 of the Act on Local Government: Municipal Finance Management Act (Act No. 56 of 2003).

No debt agreement for short-term debts may be incurred for a period that expires after the end of the financial year in which they are incurred. The Accounting Officer must, as part of the budgeting, determine in time whether the Council will need short term debt for the new financial year ahead and take such steps to ensure that the Council could consider a debt agreement before the date on which the Council will require such financing.

By considering the cash flow of the municipality it must be provide for emergency situations that additional cash may be needed and should be kept in mind to determine whether the Council should enter into short-term debts.
Nothing prevents the Accounting Officer, if it appears that during the financial year a cash shortage arises, to obtain approval from the Council for the introduction of short-term debts. However if it will not be repaid in the same financial year as a result of underperformance in terms of credit or over expenditure, the Council is not allowed to approve such agreement.

The conditions set out in Chapter 6 of the Act on Local Government: Municipal Finance Management, 2003 (Act No. 56 of 2003) must at all times be complied with by the Accounting Officer.

7.3.2. Long-term Debt - Capital Asset

The Council has an obligation to acquire assets in order to ensure service delivery, however it is not always possible for the Council to finance these assets from its own cash reserves. It is for this purpose that the Council may incur long-term debt.
No capital projects may be entered into before the financing sources have been considered, approved and are available. For the purposes of this, “available” means a legally enforceable document in the municipality's possession that guarantees the funding. Short-term bridging finance for capital expenditure may be incurred in anticipation of the disbursement of the long-term debt, provided that the long-term financing is "available" and the conditions for engaging in short-term debts, as per par.7.3.1 above, are met.

The municipality will only consider borrowings once the municipality has exhausted its responsibility to seek funding from third parties by means of grants, donations or development charges for partial or full funding of the capital expenditure requirements.

The cost of long-term assets which may be incurred include interest for a reasonable time, the cost of securities, finance costs, advertising, legal, advisory, trustee, credit

ratings and other costs of finance, professional services, where it directly applicable to the project and other amounts that the Minister of Finance may approve.

The terms of repayment of any debt must be calculated according to the expected useful life of the assets financed with the debt. No long-term debt may be incurred if it is not compatible with the Municipality's capital budget, excluded for refinancing.

7.3.3. Long-term Debt – Refinancing

The Municipality is, in terms of Section 46 (5) of the Act on Local Government: Municipal Finance Management Act, 2003, allowed refinancing of long-term debt with the aim to save on the cost of debt. The Accounting Officer must, for this purpose, at least annually and as part of the budget process evaluate and report to the Council about the cost of existing debt, or if the refinancing is a benefit to the Municipality. As part of the evaluation, the Accounting Officer should consider if a once-off payment at the end of the loan period would not be more favorable to the Municipality if the repayments are invested in an investment fund with reasonable projected return on such investment.
Refinancing may only be for long-term debt

a) which has been incurred lawfully in the past;
b) with the further condition that the loan period does not exceed the expected lifespan of the assets financed thereby.
c) The net present value of projected future payments (including principal and interest payments) after refinancing is less than the net present value of projected future payments before re-financing; and
d) the discount rate used in projecting net present value referred to in paragraph (c), and any assumptions in connection with the calculations must be reasonable and in accordance with criteria set out in a framework that may be prescribed.

7.4. Security for Debt

It is common practice that investors or financers required security for granting loans. The municipality will provide security for the inclusion of debt, as set out in section 48 of the Act on Local Government: Municipal Finance Management Act, 2003, but the Council will consider each form of security, together with the debt agreement.

7.5. Procedures for debt approval and securities

The procedures for approval of debt and debt security are defined in Chapter 6 of the Act on Local Government: Municipal Finance Management Act, 2003.

Swartland Municipality will only consider borrowing as a source of funding once evidence has been provided that all other sources of funding (such as grants and private funding) was sought and that such attempts to fund the capital acquisition were unsuccessful.

For completeness of this policy is extracts of the legislation shown below:

7.5.1. Short-term Debt

"MFMA Sec45 (2) A municipality may incur short-term debt only if –

(a) A resolution of the municipal council, signed by the mayor, has approved the debt agreement; and
(b) The accounting officer has signed the agreement or other document which creates or acknowledges the debt."

7.5.2. Long-term Debt

46(2) A municipality may incur long-term debt only if –

(a-b) A resolution of the municipal council, signed by the mayor, has approved the debt agreement; and the accounting officer has signed the agreement or other document which creates or acknowledges the debt.

46(3) A municipality may incur long-term debt only if the accounting officer of the municipality -

(a) Has, in accordance with section 21A of the Municipal System Act-
(i) at least 21 days prior to the meeting of the council at which approval for the debt is to be considered, made public in an information statement setting out particulars of the proposed debt, including the amount of the proposed debt, the purposes for which the debt is to be incurred and particulars of any security to be provided; and
(ii) Invited the public, the National Treasury and the relevant provincial treasury to submit written comments or representations to the council in respect of the proposed debt; and

(b) Has submitted a copy of the information statement to the municipal council at least 21 days prior to the meeting of the council, together with particulars of-

(i) The essential repayment terms, including the anticipated debt repayment schedule; and
(ii) The anticipated total cost in connection with such debt over the repayment period."

7.5.3. Security

"MFMA Sec48 (3) A council resolution authorizing the provision of security in terms of subsection (2) (a) –

(a) Must determine whether the asset or right with respect to which the security is provided, is necessary for providing the minimum level of basic municipal services; and

(b) If so, must indicate the manner in which the availability of the asset or right for the provision of that minimum level of basic municipal services will be protected.

(4) If the resolution has determined that the asset or right is necessary for providing the minimum level of basic municipal services, neither the party to whom the municipal security is provided, nor any successor or assignee of such party, may, in the event of a default by the municipality, deal with the asset or right in a manner that would preclude or impede the continuation of that minimum level of basic municipal services.
(5) A determination in terms of subsection (3) that an asset or right is not necessary for providing the minimum level of basic municipal services is binding on the municipality until the secured debt has been paid in full or the secured obligations have been performed in full, as the case may be."

7.5.4. Guarantees

(50) A municipality may not issue any guarantee for any commitment or debt of any or of state or person, except on the following conditions:

(a) The guarantee must be within limits specified in the Municipality's approved budget.

(b) A municipality may guarantee the debt of a municipal entity under its sole control only if the guarantee is authorised by the council in the same manner and subject to the same conditions applicable to a municipality in terms of this Chapter if it incurs debt;

(c) A municipality may guarantee the debt of a municipal entity under its shared control or of any other person, but only with the approval of the National Treasury, and then only if:

  (i) the Municipality creates, and maintains for the duration of the guarantee a cash-backed reserve equal to its total potential financial exposure ase result of such guarantee; or

  (ii) the municipality purchases and maintains, in effect for the duration of the guarantee, a policy of insurance issued by a registered insurer which covers the full amount of the Municipality's potential financial exposure as a result of such guarantee.

Deposits for rental contracts and bank guarantees for creditors such as the South African Post Office or Eskom is not subject to the above.

7.6. Cost of Debt

The municipality must guard that the cost of long-term debt do not rise to such a level that it has a remarkable negative effect on taxes or other municipal charges such as maintenance. The maximum percentage of the operating budget for the repayment of debt must be calculated in the municipality's long-term budget with

thorough consideration of the needs identified in the Integrated Development Plan, the cost of new or replacement of existing infrastructure and equipment and other administrative needs.

7.7. Competitive Bidding

The Accounting Officer should adhere to the process as per Supply Chain policy when considering the bids received. For purposes of evaluating tenders in terms of costs, the expected interest debt over the full term of the proposed debt agreement calculated and used as the basis for the 80/20 and 90/10 allocations.

7.8. Types of Debt and Financing sources

The types of debt that may be incurred and the debt financing which may be incurred are as follows:

7.8.1. Types of Short-term Debt

- Bank overdraft
- Short Term Loans
- Marketable Bonds
- Non-Marketable Bonds
- Other Securities

7.8.2. Types of Long-term Debt

- Long-Term Loans
- Installment Credits
- Finance Leasing
- Marketable Bonds
- Non-Marketable Bonds
- Other Securities

7.8.3. Financing Sources

- Public
- Banks
- Development Bank of South Africa
- Infrastructure Finance Corporation
- Public Investment Commissioners
- Insurance Companies
- Municipal Pension Funds
- Other Public Pension Funds
- Bond Trusts
- Internal Funds
- Other Sources

7.9. Commission or Cost

No Commission is payable to an officer or board member, or spouse to, business partner or immediate relative of an officer or board member by an institution, investors or financiers, for any reference made by them.

Any commission, fee or other compensation paid to any person by an institution must certify to the municipality by the institution through a certificate.
Any quotation / tender to the municipality given by an institution must be net of fees, commissions or rewards, but also need to include commission, rewards or costs, that will be paid in respect of the debt.

7.10. Performance

The Accounting Officer must annually measure and report to the Council on the performance of its debt in terms of the stipulated objectives of this policy.

7.11. Forbidden activities

- No debt may be made otherwise than in the name of the municipality.
- Money cannot be borrowed for the purpose of investments.
- No person, including officers and council members, may interfere or attempt to interfere in the management of fault attributed to the Accounting Officer or persons delegated by the Accounting Officer.
- No debt may be made in any other currency than the Rand, and that is not linked, or is affected by any change in the value of the Rand against any foreign currency.
- No debt shall be made for expenses not related to the functions and powers of the municipality.

7.12. Reporting

The Accounting Officer must within 10 working days after the end of each quarter furnish the Mayor with a report setting out the detail of each debt portfolio.
The above report must be in the format provided by National Treasury for reporting and monitoring of debt…

8. Review of the Policy

This Debt Policy is the only policy of the municipality and replaces any past policies in this regard. Any revision of the policy must be approved by the Municipal Council.
All proposed changes to this policy should be tabled by the Mayor as part of the annual review of policies and budget documentation.
Whenever the Minister of Finance or the National Treasury or the Auditor – General requests changes to the policy by way of legislation, changes to GRAP or otherwise, it must be reviewed and submitted for consideration by the Council. Such submission must be accompanied with a full description of the reasons for the change to the policy.

Date of adoption: 1 July 2015

SWARTLAND MUNICIPALITY

Munisipaliteit
Municipality
Umasipala

VIREMENT POLICY

REVIEWED AND NOT AMENDED

MAY 2026

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1. PURPOSE

1.1 The Chief Financial Officer has a statutory duty to ensure that adequate policies and procedures are in place to ensure an effective system of financial control.

1.2 Section 81(1)(d) of the MFMA states inter alia "that The Chief Financial Officer of the Municipality must advise senior Managers and other senior officials in the exercise of powers and duties assigned to them in terms of section 78 or delegated to them in terms of section 79".

1.3 It is the responsibility of each Executive Director of each Directorate to which funds are allocated, to plan and conduct assigned operations so as not to spend more funds than budgeted for and to ensure that funds are utilized effectively and efficiently.

1.4 Section 78 (1) of the MFMA states inter alia that "Each Senior Manager of a Municipality and each official of a Municipality exercising financial management responsibilities must take all reasonable steps within their respective areas of responsibility to ensure that in terms of Section 78(1) (b) the financial and other resources of the Municipality are utilized effectively, efficiently, economically and transparently"

1.5 No expenditure may be incurred unless provision therefore has been made in the operating and capital budgets. Refer to section 15 of the M.F.M.A. in this regard.

2. DEFINITIONS (CHAPTER 1 OF MFMA)

2.1 Accounting Officer

2.1.1 "(a) in relation to a municipality, means the Municipal official referred to in section 60"

"The municipal manager of a municipality is the accounting officer of the municipality for the purposes of this Act, and, as accounting officer, must—

(a) exercise the functions and powers assigned to an accounting officer in terms of this Act; and

(b) provide guidance and advice on compliance with this Act to—
(i) the political structures, political office-bearers and officials of the municipality; and
(ii) any municipal entity under the sole or shared control of the municipality."

2.2 Adjustments Budget

Means a budget

(a) As described in Section 28 of the MFMA i.e.

(1) A municipality may revise an approved annual budget through an adjustments budget.

(2) An adjustments budget—
(a) must adjust the revenue and expenditure estimates downwards if there is material under-collection of revenue during the current year;
(b) may appropriate additional revenues that have become available over and above those anticipated in the annual budget, but only to revise or accelerate spending programmes already budgeted for;
(c) may, within a prescribed framework, authorise unforeseeable and unavoidable expenditure recommended by the mayor of the municipality;
(d) may authorise the utilisation of projected savings in one vote towards spending under another vote;
(e) may authorise the spending of funds that were unspent at the end of the past financial year where the under-spending could not reasonably have been foreseen at the time to include projected roll-overs when the annual budget for the current year was approved by the council;
(f) may correct any errors in the annual budget; and
(g) may provide for any other expenditure within a prescribed framework.

(3) An adjustments budget must be in a prescribed form.

(4) Only the mayor may table an adjustments budget in the municipal council, but an adjustments budget in terms of subsection (2)(b) to (g) may only be tabled within any prescribed limitations as to timing or frequency.

(5) When an adjustments budget is tabled, it must be accompanied by—
(a) an explanation how the adjustments budget affects the annual budget;
(b) a motivation of any material changes to the annual budget;
(c) an explanation of the impact of any increased spending on the annual budget and the annual budgets for the next two financial years; and
(d) any other supporting documentation that may be prescribed.

(6) Municipal tax and tariffs may not be increased during a financial year except when required in terms of a financial recovery plan.

(7) Sections 22(b), 23(3) and 24(3) apply in respect of an adjustments budget, and in such application a reference in those sections to an annual budget must be read as a reference to an adjustments budget.

(b) Also in terms of Part 4 of the Municipal Budget and Reporting Regulations.

2.3 Approved Budget

"Means an annual budget –

2.3.1 (a) approved by a Municipal Council; or

2.3.2 (b) approved by a Provincial or the National Executive following an intervention in terms of section 139 of the constitution, and includes such an annual budget as revised by an adjustments budget in terms of section 28 and of the Municipal Budget and Reporting Regulations."

2.4 Chief Financial Officer

2.4.1 "means a person designated in terms of section 80(2) (a)".

"(2) A budget and treasury office consists of—
(a) A chief financial officer designated by the accounting officer of the municipality."

2.5 Department

2.5.1 The definition of "Department will be set at the Directorate level e.g. Civil department, Financial services department etcetera.

2.6 Executive Directors

2.6.1 Section 56 of the Systems Act states inter alia that: "Appointment of managers directly accountable to Municipal Managers – (a) a Municipal Council, after consultation with the Municipal Manager, appoints a manager directly accountable to the Municipal Manager."

2.7 Financial year

2.7.1 Means a year ending on 30 June.

2.8 Line Item

2.8.1 The definition of a line item for Swartland Municipality is a specific item within a functional area e.g. stationary and consumables.

2.9 MFMA Vote

2.9.1 "(a) one of the main segments into which a budget of a Municipality is divided for the appropriation of money for the different departments or functional areas of the Municipality; and

(b) Which specifies the total amount that is appropriated for the purpose of the department or functional area concerned."

2.9.2 The definition of a "VOTE" for Swartland Municipality is set at the Directorate level in line with table A3 and A5 of the Municipal Budget Reporting Regulations e.g. Civil Services, Corporate Services etc.

2.10 Virement

2.10.1 The process of transferring an approved budgetary provision from one operating cost element or capital project to another during a municipal financial year and which results from changed circumstances from that which prevailed at the time of the previous budget adoption.

3. REGULATION ON BUDGET VERSUS EXPENDITURE – MFMA

3.1 The MFMA regulates as follows regarding the incurring of expenditure against budgetary provisions.

3.1.1 Section 15 – Appropriation of funds for expenditure

"A Municipality, may except where otherwise provided in the Act, incur expenditure only –

(a) In terms of an approved budget, and

(b) Within the limits of the amounts appropriated for the different votes in the approved budget."

3.1.2 Unauthorised Expenditure (M.F.M.A. Definition)

"in relation to a Municipality, means any expenditure incurred by a Municipality otherwise than in accordance with section 15 or 11 (3), and includes –

(a) Overspending of the total amount appropriated in the Municipality's approved budget;

(b) Overspending of the total amount appropriated for a vote in the approved budget;

(c) Expenditure from a Vote unrelated to the department or functional area covered by the vote;

(d) Expenditure of money appropriated for a specific purpose, otherwise than for that specific purpose.

(e) Spending of an allocation referred to in paragraph (b), (c) or (d) of the definition of "allocation" otherwise than in accordance with any conditions of the allocation; or

(f) A grant by the Municipality otherwise than in accordance with this act."

3.1.3 Overspending (MFMA Definition)

(a) "in relation to the budget of a Municipality, means causing the operational or Capital expenditure incurred by the Municipality during a financial year to exceed the total amount appropriated in that year's budget for its operational or capital expenditure, as the case may be;
(b) In relation to a Vote, means causing expenditure under the vote to exceed the amount appropriated for that vote; or
(c) In relation to expenditure under section 26, means causing expenditure under that section to exceed the limits in subsection (5) of that section."

3.1.4 Section 71 (1) (g) (iii) states inter alia (i) " The accounting officer of a municipality must by no later than 10 working days after the end of each month submit to the Mayor of the Municipality and the relevant provincial treasury a statement in the prescribed format on the state of the Municipality's budget reflected the following particulars for that month and for the financial year up to the end of that month – (g) when necessary, an explanation of – (iii) any remedial or corrective steps taken or to be taken to ensure that projected revenue and expenditure remain within the Municipality's approved budget".

4. VIREMENT REQUIREMENTS

4.1 Virements represents a flexible mechanism to affect budgetary amendments within a Municipal financial year, and represents the major mechanism to align and take corrective (financial / budgetary) action within a Directorate during a financial year.

4.2 To transfer funds from one vote (functional area) or capital project to another vote (functional area) or capital project, or transfer funds within a vote (line item to line item), a saving has to be identified within the monetary limitations of the approved vote or capital project allocations on the respective budgets.

4.3 Any budgetary amendments of which the net impact will result in exceeding the approved annual budget allocation for a vote and any other amendments not covered in this policy are to be considered for budgetary adoption via an adjustments budget (per MFMA section 28)

4.4 In terms of Section 17 of the MFMA a municipality's budget is divided into an operating and capital budget and consequently no virements are permitted between Operating and Capital Budgets.

5. DELEGATIONS

5.1 Subject to the further stipulations and conditions in this policy, the authority is delegated to every Director to vire not more than four times (debits and credits combined) per line item within a given financial year. A fifth virement would require approval by the CFO and Municipal Manager via a memorandum. (Not applicable to capital virements between line items within the same capital project)

The same apply to not vire more than 25% of a line item's budget, applicable to line-items with a budget of R10 000 and more. This includes from and to a line item. Deviation would require approval by the CFO and Municipal Manager via a memorandum. (Not applicable to capital virements between line items within the same capital project)

5.2 Virements between departments would require approval by the CFO and Municipal Manager via a memorandum.

5.3 Only the CFO and MM may approve virements between the different finance sources, except for conditional grants or any other external source of finance.

6. OPERATING BUDGET

6.1 Virements are not allowed on special purpose operating budgetary allocations of Council, unless so considered by the CFO and MM.

6.2 Savings at year-end are not to be utilised for purposes not originally intended or planned as part of the normal operations to prevent fiscal dumping and or attempts to spend budget allocations in the week leading-up to the closure date for requisitions.

6.3 Salaries and Vehicle costing system

6.3.1 No Virements to and from salary related line items will be allowed unless special permission is received from the MM or CFO. Only the Budget Office will be permitted to do the virement.

6.3.2 Any savings identified for the filling of approved vacant posts not budgeted for can only be vired as stipulated under 6.2.

6.3.3 No Virements to and from the vehicle costing system will be allowed unless special permission is received from the MM or CFO. Only the Budget Office will be permitted to do the virement.

6.3.4 If a vehicle is needed to be repaired, a virement request will be completed and forwarded to the budget office for processing once approval has been given through by supply chain management officials. There will be one global amount under the Finance Department where the funds will be viremented to the respective vehicle costing item upon receipt of a valid virement request.

6.4 Other Expenditure

6.4.1 Virements to and from the following items are not allowed: Bulk purchases; Debt Impairment, Interest Charges; Depreciation, Grants to Individuals, Revenue foregone, Insurance, Vat and other non-cashed items as determined by the Chief Financial Officer.

6.4.2 Virements in respect of expenditure votes financed from grants or any other external source of finance must be aligned to the specific amended business or support plan.

6.4.3 No Virements to and from line items linked to contracts/tenders in the operating budget e.g. Security Services, Sweeping of Streets and Highlands Refuse Dump: Recycling will be permitted unless special permission is received from the MM and CFO. Only the Budget Office will be permitted to do the virement.

6.4.4 Budgeted amounts in respect of a new approved project which are due to changed circumstances, not executed at all, can only be viremented if approved by the MM and CFO.

6.5 Revenue

6.5.1 No virements are permitted in relation to the Revenue side of the Budget.

6.5.2 Revenue adjustments are to be adopted via an adjustments Budget.

7. CAPITAL BUDGET

7.1 Virements with the result in adding 'new' projects to the Capital Budget will not be allowed unless approved by council. Motivation will be required.

7.2 Virements in respect of savings on capital projects will only be permitted if allocated to projects approved as part of the annual or adjustment budgets or the 3 year capital program of the Council.

7.3 Budgeted amounts in respect of approved capital projects which are, due to changed circumstances, not executed, can only be vired by Council.

7.4 Virements of Conditional Grant funds to purposes outside of that specified in the relevant Conditional Grant framework is not permitted.

7.5 Virements of Capital Projects can only be approved between projects of similar funding sources (e.g. MIG to MIG).

8. PROCESS AND ACCOUNTABILITY

8.1 Virement applications must be completed on the Collaborator system in accordance with Council's Virement policy.

8.2 Virement applications must be verified by the Chief Financial Officer or delegee.

8.3 The purpose and objectives of virement in the main, is to ensure flexibility, but moreover not a mechanism to cater for spending not originally part of the procurement plan and or execution of the current year's operating plan.

8.4 No year-end fiscal dumping will be allowed through the use of virements in order to ensure that effect is given to management's fiduciary responsibility.

Review of the Policy

Date of adoption: 1 July 2011

Amended: 17 June 2012

Amended: 13 May 2015

Amended: 25 May 2017

Amended: 26 October 2017

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Amended: 30 March 2023

Amended: 31 March 2025

SWARTLAND MUNICIPALITY

POLICY WITH REGARDS TO THE PAYMENT OF TRAVEL- AND ACCOMMODATION- AND SUBSISTENCE COSTS

REVIEWED & AMENDED

MAY 2026

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SCHEDULE A

1. **Payment of accommodation- and subsistence costs**

1.1 Accommodation- and subsistence costs payable when an official or council member is actual and necessarily absent for less than 24 hours of his/her usual abode or work place.

1.2 Accommodation- and subsistence costs payable when an official or council member is actual and necessarily absent for more than 24 hours of his/her usual abode or work place.

2. **Payment of travel expenses**

2.1 For the execution of official obligations within the area of jurisdiction of the municipality.

2.2 For the execution of official obligations outside the area of jurisdiction of the municipality.

SWARTLAND MUNICIPALITY

POLICY WITH RESPECT TO PAYMENT OF TRAVEL, ACCOMMODATION AND SUBSISTENCE COSTS

1. **DEFINITIONS**

In this policy document, unless the context otherwise indicates -

"Accommodation" means overnight accommodation including or excluding breakfast;

"Accounting officer" means the Municipal Manager of the municipality;

"Application form" means a form that must be completed manually or submitted via email and approved by the delegated authority before traveling overnight;

"Bargaining council" means the Western Cape division of the South African Local Government Bargaining Council;

"Chief financial officer" means an official who has been appointed as such by the accounting officer in accordance with section 80(2)(a) of the Municipal Financial Management Act, 2003 (Act 56 of 2003);

"Claim form" means the form where a person claims their actual traveling expenses whether through a manual document or electronic format.

"Councilor's own vehicle" means a vehicle used by a councilor for official business, which is his/her property, in respect of which a fixed travel allowance, as determined by the municipal council from time to time, is paid to the said councilor and which allowance is subject to the conditions as determined by the Minister of Provincial and Local Government in terms of the Remuneration of Public Office Bearers Act, 1998 (Act 20 of 1998);

"Daily allowance" means a subsistence allowance given to an official or councilor in line with the Income Tax Act no 58 of 1962 excluding the cost of meals but further subject to the SARS tax thresholds in respect of the re-imbursement of meals as it relates to the subsistence allowance;

"Department" means a section of the municipality that reports directly to the accounting officer and in relation to Swartland Municipality consist of Civil -, Corporate -, Development -, Electrical -, Finance - and Protection Services;

"Division" means a section of the municipality that reports to a Department e.g. Human Resources;

"Essential users scheme" means a scheme, as negotiated in the bargaining council, in terms of which specified personnel, in accordance with the criteria laid down by the

bargaining council and adopted by the municipal council, use their own vehicles for official business;

"Fringe benefit vehicle scheme" means a scheme in terms of which a travel allowance is included in the remuneration package for the applicable position, as resolved by the council of the municipality from time to time, and in respect of which a monthly travel allowance is paid;

"Incidental cost" means cost incurred (excluding meals) by an official or councilor while travelling to a work orientated activity whereby the actual cost are reimbursed (with supporting documentation) to the official or councilor;

"Late claim" means a claim form submitted for authorization after the 10th of the following month travelled for year-end and the following month for other periods travelled.

"MFMA" means Local Government: Municipal Finance Management Act No 56, 2003;

"Municipal official/s" includes the accounting officer, senior officials and officials;

"Municipality" means the Swartland Municipality;

"Officials" mean employees of Swartland Municipality excluding the Accounting officer, Public office bearer/s and Senior Officials;

"Private Person/s" means person/s not employed in the service of Swartland Municipality;

"Private vehicle" means a vehicle, which is not a subsidized vehicle and is registered in the name of an official or councilor, which is used by such official or councilor for official business;

"POPIA" means the Protection of Personal Information Act 4 of 2013.

"Public office bearer/s" means all councilors of Swartland Municipality including the Executive Mayor, Deputy Mayor, Speaker, members of the Executive Mayoral Committee and ordinary councilors;

"Subsidized vehicle" means a vehicle used by an officer or councilor of the municipality for official business and which, in the case of officials, was acquired in pursuance of a fringe benefit vehicle scheme or an essential users scheme and, in the case of a councilor, his/her own vehicle used for official business for which a travel allowance is paid;

"Subsistence" means meals and incidental costs as contemplated in paragraph 1.2 of Schedule A excluding accommodation;

"Senior Official/s" means employees, each of whom is responsible for a specific department within Swartland Municipality.

2. **APPLICATION OF POLICY**

This policy applies to public office bearers as well as municipal officials of the municipality and it incorporate provisions pertaining to reimbursement for specific costs incurred by persons invited by the municipality for job interviews.

This policy is not applicable to official obligations to be carried out beyond the borders of the Republic of South Africa.

In such cases permission must be obtained from the executive mayor for the relevant trip and reimbursement for the travel, accommodation and subsistence costs will be determined by the executive mayor in consultation with the accounting officer, on a case by case basis, as and when necessary, provided that in such cases travel, accommodation and subsistence costs will only be paid if provision has been made in the current budget for such expenditure.

When the executive mayor have to carry out official obligations outside the Republic of South Africa the travel, accommodation and subsistence costs for such visits must be approved in advance by the full council of the municipality.

3. **PURPOSE OF THE POLICY**

From time to time it is necessary for municipal officials and public office bearers of the municipality to perform official duties within as well as outside the area of jurisdiction of the municipality. In the execution of such duties, it is often unavoidable that travel, accommodation and subsistence costs are incurred.

The purpose of this policy is therefore to regulate, clarify and prescribe the circumstances under which such travel, accommodation and subsistence costs may be incurred, as well as the extent to which expenditure so incurred by municipal officials or public office bearers or private person/s may be reimbursed, in accordance with applicable legislation, Council-approved policies and sound financial management principles.

4. **AUTHORIZATION FOR PAYMENT OF TRAVEL, ACCOMMODATION AND SUBSISTENCE COSTS FOR DOMESTIC OBLIGATIONS**

4.1 Where travel, accommodation and subsistence costs have to be incurred in respect to the carrying out of and official obligation by municipal officials or public office bearers (for example representation of the municipality at a conference, workshop, meeting, seminar or any other official obligation) the related travel, accommodation and subsistence costs will only be paid –

- if the discharge of such official obligation has been authorized in advance as set out in paragraphs 4.2 to 4.4, and
- an application form is duly completed by the concerned municipal official or public office bearer and authorized by the executive mayor, or the accounting officer, or a senior official, or an official in charge of a division, on the understanding that

the completion of the application form and authorization thereof must occur prior to the person's traveling and will be mandatory in the following instance/s -

  - o in all cases where an official obligation must be undertaken outside the area of jurisdiction of the municipality and in respect of which travel, accommodation (only applicable if the distance to be travelled exceeds the kilometers as instructed by National Treasury in the context of Cost Containment Measures from time to time or when there is an evening function or when the municipality don't incur any cost concerning accommodation) and subsistence costs, as contemplated in paragraphs 1 and 2.2 of Schedule A, must be paid;

- a claim form is duly completed by the concerned municipal official or public office bearer and authorized by the signature of executive mayor, or the accounting officer, senior official or an official in charge of a division and will only be mandatory in the following instances -

  - o in all cases where an official obligation must be undertaken outside the area of jurisdiction of the municipality and in respect of which either travel or accommodation (only applicable if the distance to be travelled exceeds the kilometers as instructed by National Treasury in the context of Cost Containment Measures from time to time or when there is an evening function or when the municipality don't incur any cost concerning accommodation) and subsistence costs, or both, as contemplated in paragraphs 1 and 2.2 of Schedule A, must be paid;

  - o in those instances where an official obligation must be carried out within the area of jurisdiction of the municipality in respect of which travel costs as contemplated in paragraph 1 and 2.1 of Schedule A must be paid.

  - o Services rendered by a private person to the Municipality;

- the provisions set out in this policy are duly met.

4.2 Authorization for the carrying out of an official obligation as contemplated in paragraph 4.1 may only be granted as follows -

- The executive mayor for the accounting officer in respect of air travel, limited to economy class
- The accounting officer for all municipal officials or public office bearers in respect of air travel, limited to economy class
- The executive mayor for the accounting officer in respect of accommodation, subsistence and/or travel costs
- The accounting officer for the executive mayor or senior officials, in respect of accommodation, subsistence and/or travel costs;

- Senior officials or an official in charge of a division for officials in their respective departments or divisions in respect of accommodation, subsistence and/or travel costs.

- The accounting officer in respect of private person/s rendering a service to the municipality.

Deviations from NT prescripts – provide for travel agent / establish terms of reference for the latter

In instances where the accommodation -, car hire or air travel costs exceed an amount as determined from time to time by the National Treasury, the travel agent must provide written reasoning for the deviation by way of confirming same as part of the quotation provided via e-mail.

Authorization for the carrying out of an official obligation involving payment of business class air travel can only be granted by:

- the executive mayor in respect the accounting officer; or

- the accounting officer in respect of public office bearers, senior officials and officials;

and only in the following instances:

  - for flights exceeding five hours; or
  - the municipal official or a political office bearer has a disability or a medically certified condition; or
  - in cases where economy class are not available; or
  - where the business class ticket is the same price or cheaper than the economy class ticket to the same destination.

International travel must be limited to meetings or events that are considered critical and the number of municipal officials or political office bearers attending international meetings or events must be limited to those municipal officials or political office bearers directly involved in the subject matter/ area of responsibility related to such meetings or events, provided that -

- there is adequate provision in the budget for the commitment of such expenditure and the budget for the respective votes has not been exhausted or will not be exceeded;

- the authorization granted is in compliance with the provisions of this policy document; and

The authorising municipal official or executive mayor must consider, prior to approving travel requests:

- the necessity to travel; limited to absolute critical trips in support of the municipal's mandate;
- the benefit to the municipality; and
- compliance with the municipality's Travel Policy.

Delegations to the same event, conference, consultation or meeting may only exceed three officials if approved in advance by the accounting officer or delegated official.

4.3 When authorization is given in terms of paragraph 4.2, the executive mayor, accounting officer, senior official or official in charge of a division, as the case may be, confirms that he/she authorizes any of the following in respect of the relevant official duty (this further subject to the system of delegations when applicable and appropriate) -

- air travel;

- parking/garaging for a private or subsidized vehicle at the airport;

- hire of a vehicle for travel from the airport of destination to lodging, or from lodging to place where the official duty has to be fulfilled; or

- use of a private or subsidized vehicle.

- available public transport or a shuttle service (when traveling by air) if the cost of such a service is lower than -

  - the cost of hiring a vehicle; and
  - the cost of parking.

Where the expenditure is not duly authorized by the executive mayor, accounting officer, senior official or official in charge of a division, no such expense may be reimbursed to an official or councilor who incurred the expenditure.

4.4 When the authorization of the executive mayor, accounting officer, senior official or official in charge is in terms of the provisions of paragraph 4.3 consideration must be given as to whether air transport or a private or subsidized vehicle should be used in those instances where more than one municipal official and/or public office bearer has to attend the same official occasion, the executive mayor, accounting officer, senior official or official in charge must take into account that it could be more economical to authorize the use of a private or subsidized vehicle as the case may be rather than air transport.

4.5 When an official obligation is authorized in accordance with the above mentioned provisions, the completed application and/or claim forms should be submitted to the relevant official in the Finance Department.

5. **PAYMENT OF ACCOMMODATION AND SUBSISTENCE COSTS**

5.1 Where authorization in accordance with the provisions of paragraph 4 hereof is given, accommodation and subsistence costs will be paid in terms of and in accordance with the conditions and limitations as set out in paragraph 1 of Schedule A.

5.2 Where a municipal official or public office bearer spends one or more nights away from home on official business, the said municipal official or public office bearer may stay in a hotel, guesthouse, bed and breakfast establishment or hire a chalet or similar self-catering accommodation for this purpose. If a municipal official or public office bearer stays at a family member or friend, no accommodation expenses will be paid. Subsistence expenses will, however be paid in accordance with the provisions of this policy.

5.3 As a general rule, public office bearer and municipal officials must make every effort to secure accommodation as close to the place of the official duty as possible.

5.4 Air travel and Accommodation cost are payable through Supply Chain Management and Expenditure processes. Vehicle hiring can be payable through the Supply Chain Management process or can form part of the claim form with supporting documents limited to prescribed vehicles as stated by National Treasury.

Travel Agencies shall only make booking arrangements on behalf of the municipality in accordance with negotiated rates for flights and accommodation(where such exist and/or timeously updated by the NT) as communicated from time to time by National Treasury through notice unless the specifics of the situation or time of booking dictates otherwise; or any other available cheaper flight and accommodation.

5.5 In the event of meals being part of the accommodation package of the hotel, guest house or bed and breakfast establishment or where meals are provided during any official obligation attended by a municipal official or public office bearer, by free of charge, or is included as a portion of the total financial package of, for example, a conference, seminar, workshop, etc., the cost of meals as contemplated in paragraph 1.2 of Schedule A shall not be payable and may not be claimed by a municipal official or public office bearer.

6. **PAYMENT OF TRAVEL COSTS**

6.1 Where authorization in terms of the provisions of paragraph 4 is given, travel costs shall be paid in accordance with and subject to the terms of paragraph 2 of Schedule A.

6.2 Payment of expenses with regard to air travel will be restricted to economy class (with the exception of a business class booking as stated in paragraph 4.2) with the carrier quoting the most economical fare on each occasion in order that the municipal official, public office bearer leaves his/her workplace or home at the latest possible time in order to reach the place of the official business on time, and which will enable him or her to

return to his/her home or place of work at the earliest opportunity after completion of the official business.

The effect of the above stipulation shall be that the supply chain management division, for purposes hereof, may accept a less favorable quote form if the time of departure or arrival of the carrier whose quotation is the most favorable, departs to such an extent from the above-mentioned provisions that it will cause inconvenience for the municipal official or public office bearer.

6.3 Payment for garaging of a vehicle at an airport will only be made if it has been authorized in terms of the provisions of paragraph 4.3.

6.4 A municipal official or public office bearer must –

- Utilize the municipal fleet, where viable, before incurring cost for hiring a vehicle;
- Make use of available public transport or shuttle service if the cost of such service is lower than:
  - The cost of hiring a vehicle;
  - the cost of kilometers claimable by the official or political office bearer; and
  - the cost of parking.
- The hiring of a vehicle shall be restricted to class B category vehicles or below unless it proves more cost effective to hire an upgraded group (i.e. the upgraded group if offered free or at a lower charge).
- Where a different class of vehicle is required for a particular terrain or to cater for the special needs of an official, seeks the written approval of the accounting officer before hiring the vehicle.

Thus the expenditure of a municipal official or public office bearer will only be paid provided that it is authorized in accordance with the provisions of paragraph 4.3.

The hiring of a vehicle may only be authorized if alternate transport is not available, too expensive or not practical.

When a motor vehicle is hired, insurance cover must be taken out through the company renting out the vehicle.

6.5 Claims for reimbursement of travel costs must be based on the shortest route from the normal working place or the home of the municipal official or public office bearer to the place of the official obligation.

6.6 In the case of air travel the cost of air tickets will be paid directly to the travel agent used by the municipality, unless an arrangement has been made in accordance with the provisions of paragraph 8.

6.7 Where one or more officials or public office bearers are transported -

- in a private or subsidized vehicle to carry out official business within or outside the area of jurisdiction of the municipality, an additional R1,50 per kilometer will

be paid to the owner of the relevant vehicle. Where additional municipal officials or public office bearers traveling in the same vehicle, a restriction to two officials when the officials are from the same division or managers of the same department (i.e. per vehicle payroll division) or where official are from different departments three officials per vehicle will be allowed.

7. **REIMBURSEMENT OF EXPENSES INCURRED BY AN OFFICIAL OR COUNCILLOR**

7.1 On completion of an approved official obligation, the travel and subsistence costs incurred by the municipal official or public office bearer, and which was authorized in advance, must be claimed by the incumbent on the prescribed claim form, together with the authorization referred to in paragraph 4.5 and submitted to the designated official in the Finance Department.

Expenditure thus incurred on meals and so forth, in compliance with this policy, will be reimbursed to the said official.

8. **USE OF OWN OR PRIVATE TRANSPORT INSTEAD OF AIR TRANSPORT**

Any traveling by vehicle outside of the Western Cape will be limited to the cheapest of the air fares (economy class) or the traveling cost by vehicle.

9. **AIR TRAVEL AND ACCOMMODATION RESERVATIONS**

Air travel and/or accommodation reservations must be made by the designated officials of the Municipality (Refer to paragraphs 4.2, 5.4 and Schedule A section 1.2.1) and in this regard the provisions of the council's supply chain management policy should be strictly adhered to.

10. **TRAVEL, ACCOMMODATION AND SUBSISTENCE COSTS PAYABLE TO PERSONS INVITED FOR JOB INTERVIEWS**

10.1 Where a person/s are invited by the municipality for job interviews, they will -

- not be reimbursed for accommodation or living expenses; but
- be reimbursed for travel expenses calculated at the non-taxable rate per kilometer as released by the Receiver of Revenue (SARS) on an annual basis for the distance traveled to the interview. Such reimbursement shall be subject to prior written authorisation, which may be granted by the Senior Manager: Human Resources, the Director: Corporate Services, or the Accounting Officer, and shall further be subject to the submission of a duly completed claim and verification in accordance with the Municipality's financial policies, MFMA requirements and internal control procedures.
- Should the Accounting Officer authorize air travel for such a person he/she may claim the expense in respect of an air ticket (restricted to economy class), plus

the rate per kilometer as referred to above from his/her home to the nearest airport.

10.2 The accounting officer will make the necessary accommodation arrangements for account of the municipality if, in his opinion, it is considered necessary or reasonable that a person who has been invited for a job interview, must stay overnight.

10.3. Payment of claims for travel and/or an air ticket shall be made -

- to candidates whose application was unsuccessful, as soon as possible after a decision in this regard has been made;
- to the successful candidate, within 5 working days after he/she has notified the municipality in writing of his/her acceptance of appointment.

11. **Compliance with POPIA**

All personal information shall be processed subject to the minimum conditions for lawful processing in terms of POPIA:

SCHEDULE A

1. **PAYMENT OF ACCOMMODATION AND SUBSISTENCE [PAR 5 OF POLICY]**

1.1 **Accommodation- and subsistence costs payable when a municipal official or public office bearer is actually and necessarily absent from his/her usual abode or working place – and does not overnight:**

(1) The actual cost of meals where it is not provided for by the host, up to the maximum amount, as instructed by National Treasury in the context of Cost Containment Measures from time to time. Meals per person per occasion, on condition that the actual cost thus claimed, must be verified with specified invoices (only payable when representing the Municipality for duties outside normal practice) and;

- Three (3) meals where the official leaves his or her place of work or residence before 06h00 and only returns to his or her place of work or residence after 20h00;
- Any two (2) meals if the total duration of the trip is more than 8 hours but less than 14 hours;
- Only the cost of one meal if the total duration of the trip is more than 4 hours but less than 8 hours; and
- Non-alcoholic beverages is an allowable expense;

(2) The actual traveling cost incurred where public transport is utilized must be verified with specified invoices or paid tickets (for example traveling with public transport).

(3) Incidental costs incurred.

1.2 **Accommodation- and subsistence costs payable when a municipal official or public office bearer is actually and necessarily absent from his/her usual abode or working place and an overnight is applicable. (only payable when official obligations have be fulfilled outside the area of jurisdiction of the municipality) –**

(1) Accommodation (means overnight lodging where meals may be included or excluded) - the actual cost of accommodation payable subject to the maximum allowable rates table/s as revised and released by National Treasury from time to time subject to the allowance for deviation as set out in this policy in those instances where the situation dictated otherwise

- A higher star grading may only be booked if (also Refer to 4.2):
- The higher star graded establishment is the only available option due to location and availability; or

(2) Subsistence (means only meals and daily allowance, excluding accommodation) – the actual cost of meals is subject to the maximum amounts as set out hereafter, on condition that verifying, specified invoices from the service provider must be submitted before any claims will be paid out.

Meals are restricted within the limits for breakfast, lunch and dinner as instructed by National Treasury in the context of Cost Containment Measures from time to time.

In addition to the aforementioned costs of meals, an official or council member will also be entitled to an allowance to cover casual expenses. The amount of the daily allowance will be determined by the Receiver of Revenue from time to time and is applicable for each completed period of 24 hours of absence and for each following period of less than 24 hours[1]. No verification for casual expenses needs to be submitted. [For the purposes hereof, casual expenses are expenditures with regards to tips, refreshments, private phone calls etc.].

The total daily Subsistence (Meals and Daily Allowance) will not exceed the maximum daily subsistence allowance as determined annually by the Receiver of Revenue.

(3) Where a seminar or congress is held in a specific hotel/center, etc. and accommodation at such hotel/center forms an integrated part of the monetary package payable, the Procurement Policy shall not be applicable.

(4) The actual traveling cost incurred where you do not travel with your own vehicle, must be verified with specified invoices or pay tickets (for example traveling with public transport).

(5) Incidental costs incurred.

2. **PAYMENT OF TRAVEL EXPENSES [PAR. 6 OF POLICY]**

2.1 **For the execution of official obligations within the area of jurisdiction of the municipality –**

Municipal officials:

(1) Use of private vehicle – Public Office Bearers, Senior Officials and Officials with no Vehicle Allowance:

a tariff per km according to the rate as determined by the SARS annually, with the following levels for engine capacity

- Less than 1250cc engine - SARS tariff less 20%;
- Greater or equal to 1250cc engine– SARS tariff;

(2) Use of private vehicle – Officials with a Vehicle Allowance:

a tariff per km according to the rate as determined by SARS annually, for kilometers driven above the contractual stipulated kilometers:

- Less than 1250cc engine - SARS tariff less 20%;
- Greater or equal to 1250cc engine – SARS tariff;

(3) Use of private vehicle – In accordance to the Essential User Scheme-

a tariff per km according to the engine capacity of the vehicle, as determined by the Bargaining Council periodically, reviewed and adjusted.

(4) Processing of late claims –

Claim forms received late (Later than the following month travelled with the exception of year-end) for authorization will not be processed for payment. Year-end (June) claims will not be processed for payment if it is not approved before the 10th of the following month.

2.2 For the execution of official obligations outside the area of jurisdiction of the municipality –

2.2.1 Municipal officials

(1) Use of private vehicle – Public Office Bearers and Municipal Officials (Excludes officials with an Essential User Scheme Allowance)

a tariff per km according to rate as determined by SARS annually with the following levels per engine capacity:

- Less than 1250cc engine - SARS tariff less 20%;
- Greater or equal to 1250cc engine – SARS tariff;

(2) Use of private vehicle – In accordance to the Essential User Scheme-

a tariff per km according to the engine capacity of the vehicle, as determined by the Bargaining Council periodically, reviewed and adjusted.

(3) Processing of late claims –

Claim forms received late (Later than the following month travelled with the exception of year-end) for authorization will not be processed for payment.

Year-end (June) claims will not be processed for payment if it is not approved before the 10th of the following month.

2.2.2 In addition to the travel expenses as indicated in 2.1 the following expenses incurred by an official or council member will be reimbursed to him/her, on the condition that verification is submitted, whether a private vehicle or an authorized vehicle is used –

- rent of a car garage at the place of accommodation (only when staying overnight);
- parking costs;
- tollage; and
- stabling of vehicles at airport (only if authorized in advance).

2.2.3 Municipal Officials and Public office bearers (authorized air transport)

Where air transport is authorized for the execution of official obligations (Refer to 4.2) outside the area of jurisdiction of the municipality by an official or council member, transport expenses and additional costs is paid as follows –

(1) Where an official or council member uses his/her private or authorized vehicle to travel to and from the Cape Town International Airport –

- km covered between the normal working place or concerned official/member's abode and the airport x 2 at the relevant tariff as indicated in paragraphs 2.2.1 or 2.2.2; and
- km covered between the airport and the normal working place or the concerned official or member's abode x 2 at the relevant tariff as indicated in paragraphs 2.2.1 or 2.2.2.

[where stabling of such a vehicle on the airport is authorized beforehand, the distance as indicated above is not multiplied and such a member or official or council member will only be reimbursed for to and from the airport once and where an official vehicle is used to transport an official or council member between the municipal offices and the airport, no travel expenses are payable];

(2) the stabling costs of a vehicle if it is authorized beforehand;

(3) taxi fees, bus fees and/or public transport costs and/or rent of a vehicle (if the rent of a vehicle is authorized beforehand) for traveling between the airport to the final destination and the place of accommodation and place where official obligations are executed;

(4) parking costs when a rented vehicle is used; and

(5) tollage on the condition that the costs mentioned in (2), (3), (4) and (5) above, will only be paid on the submission of verification thereof.

2.3 Where services are rendered to the Municipality by a private person/s and the use of a private motor vehicle is required, reimbursement shall be effected on a per kilometer basis, calculated in accordance with the kilometer tariff rate determined annually as published by the South African Revenue Service (SARS).

MUNICIPAL COST CONTAINMENT POLICY

Munisipaliteit
Municipality
Umasipala

REVIEWED AND NOT AMENDED

MAY 2026

LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, No 56 of 2003

Date of adoption: 1 July 2019

The Council of the Swartland Municipality resolves in terms of section 168 (1) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), the Municipal Cost Containment Regulations (*Government Gazette* No. 42514) to adopted the following as the Cost Containment Policy of the municipality:

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1. DEFINITIONS

In this policy a word or expression to which a meaning has been assigned in the Act has the same meaning as in the Act, unless the context indicates otherwise, and-

"Act" means the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003);

"accounting officer" means the Municipal Manager appointed as such by the Council of Swartland Municipality in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and as contemplated in Chapter 8 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003);

"**conferences and events"** means conferences, events, meetings and study tours hosted or attended by political office bearers or officials of the municipality;

"consultant" means a professional person, individual, partnership, corporation, or a company appointed to provide technical and specialist advice or to assist with a design and implementation of projects or to assist a municipality or municipal entity to perform its functions to achieve the objects of local government in terms of section 152 of the Constitution;

"cost containment" means measures implemented to curtail spending in terms of this policy;

"credit card" means a card issued by a financial services provider, which creates a revolving account and grants a line of credit to the cardholder;

"political office bearer" means the Speaker, Executive Mayor, Deputy Mayor or Member of the Executive Mayoral Committee which for purposes of this policy will have the meaning to include ordinary councillors as referred to in the Municipal Structures Act;

"officials" shall, for the purpose of clarity, include persons reporting directly to the accounting officer; and

"social events" means events involving only municipal councillors and/or officials of the municipality and do not include events where the public is involved or held to the benefit of the public.

2. OBJECT OF POLICY

The object of this policy, in line with sections 62(1) (a) and 78(1) (b) of the Act, is to ensure that resources of a municipality are used effectively, efficiently and economically by implementing cost containment measures.

3. APPLICATION OF POLICY

This Policy applies to all officials and political office bearers in Swartland Municipality. This policy overrides provisions of any other policy of the municipality insofar that it seeks to regulate cost containment. In the case of differences between policies, this policy shall take precedence.

4. USE OF CONSULTANTS

4.1 The municipality may only appoint consultants if an assessment of the needs and requirements confirms that the municipality does not have the requisite skills or resources in its full-time employ to perform the function. For purposes of such assessment the template document as per **Annexure A** to this policy must be completed.

4.2 The Accounting Officer adopts the below-mentioned reference to rates as the municipality's fair and reasonable remuneration framework for consultants, provided that where no prescribed rates are available, the municipality may from time to time adjust the rates as per prevailing market conditions, limited however to one thousand rand (R1 000) per hour in respect of 2019/20: -

(a) "Guideline on fees for audits undertaken on behalf of the Auditor-General of South Africa", issued by the South African Institute of Chartered Accountants;

(b) "Guide on Hourly Fee Rates for Consultants", issued by the Department of Public Service and Administration;

(c) rates as prescribed by the body regulating the profession of the consultant, including but not limited to

- Engineering Council of South Africa (ECSA)
- South African Council for the Quantity Surveying Profession (SACQSP)
- South African Council for the Architectural Profession (SACAP)
- South African Council for the Landscape Architectural Profession (SACLAP)
- South African Council for Project and Construction Management Professions (SACPCMP)
- 2018 Guideline Professional Fees in terms of section 29 of the Planning Professions Act (less 30%)
- June 2009 fee scale as per Draft Guidelines issued by PLATO and SAGI (less 30%)

(d) any other reasonable framework prescribed by Professional Bodies and/or spheres of Government.

4.3 The tender documentation for the appointment of consultants must include a clause that the remuneration rates will be subject to negotiation, not exceeding the applicable rates mentioned in 4.2.

4.4 Taking into account the above-mentioned rates, the Accounting Officer has delegated powers to consider and approve or reject applications to exceed these rates based on a fully motivated written and signed request by the relevant senior manager in exceptional circumstances.

4.5 When negotiating cost-effective consultancy rates for international consultants, the Accounting Officer may take into account the relevant international and market-determined rates.

4.6 When consultants are appointed, the Accounting Officer or delegated official in terms of his/her System of Delegation must:

(a) appoint consultants on a time and cost basis with specific start and end dates;

(b) where practical, appoint consultants on an output-specified basis, subject to specific measurable objectives and associated remuneration;

(c) ensure that contracts with consultants include overall cost ceilings by specifying whether the contract price is inclusive or exclusive of travel and subsistence disbursements where applicable and appropriate;

(d) ensure the transfer of skills by consultants to the relevant officials of the municipality; and

(e) undertake all engagements of consultants in accordance with the Municipal Supply Chain Management Regulations, 2005 and the municipality's Supply Chain Management Policy.

4.7 The accounting officer or delegated official in terms of his/her System of Delegation must review its consultancy reduction plan on an annual basis and develop consultancy reduction plans to reduce the reliance on consultants where applicable and appropriate.

4.7 All contracts with consultants must include a fee retention or penalty clause for poor performance.

4.8 The municipality must ensure that the specifications and performance are used as a monitoring tool for the work to be undertaken and are appropriately recorded and monitored. The senior manager concerned must ensure that contractual deliverables as specified are met by the Service Provider.

4.9 No subsistence costs shall be paid to consultants, whereas travel costs of consultants shall be limited to a maximum tariff of R3,61 per km or the amended tariff as may be determined by the South Africa Revenue Service from time to time. This provision shall not apply in respect of contracts entered into prior to the effective date of this policy, i.e. 1 July 2019.

4.10 When a housing project implemented by the municipality is subject to the quantums as determined by the Department of Human Settlements from time to time, those quantum values are accepted as the remuneration applicable to implementing agents and other tenderers.

5. VEHICLES USED FOR POLITICAL OFFICE-BEARERS

5.1 The threshold limit for vehicle purchases relating to official use by political office-bearers must not exceed R700 000 or 70% (VAT inclusive)[1] of the total annual remuneration package for the different grades of municipalities, as defined in the Public Office Bearers Act and the notices issued in terms thereof by the Minister of Cooperative Governance and Traditional Affairs, whichever is lower.

5.2 The procurement of vehicles as referred to in 5.1 must be undertaken using the national government transversal contract mechanism, unless it may be procured at a lower cost through other procurement mechanisms.

5.3 Before deciding to procure a vehicle as contemplated in 5.1 and 5.2, the Accounting Officer or delegated official in terms of his/her System of Delegation must provide the council with information relating to the following criteria which must be considered-

(a) status of current vehicles;

(b) extent of service delivery backlogs;

[1] Refer MFMA Circular No 97 in terms of which this amount represents "total costs, including financing charges".

(d) terrain for effective usage of the vehicle; and

(e) any other policy of council.

5.4 Regardless of their usage, vehicles for official use by political office bearers may only be replaced after completion of 185 000 kilometres and in terms of the criteria as determined in the municipality's Fleet Management Policy.

5.5 Notwithstanding 5.4, the municipality may replace a vehicle for official use by political office bearers before the completion of 185 000km only in instances where the vehicle has a serious mechanical problem and is in a poor condition and subject to obtaining a detailed mechanical report by the vehicle manufacturer or approved dealer.

5.7 The accounting officer or delegated official in terms of his/her System of Delegation must ensure that the use of municipal vehicles for official purposes is addressed in the municipality's Fleet Management Policy.

6. TRAVEL AND SUBSISTENCE

All instances and the extent to which travel and subsistence costs may be incurred and reimbursed to a political office bearer or official shall be addressed by the Accounting Officer or delegated official in terms of his/her System of Delegation in the municipality's Policy with regards to the Payment of Travel- and Accommodation- and Subsistence Costs, provided that – in those instances where it is not possible to secure air travel strictly in terms of National Treasury prescripts, due to among others the availability of flights and accommodation and the timing of appointments, the travel agent acting as service provider on the municipality's behalf shall provide reasons for same.

7. DOMESTIC ACCOMMODATION

All instances and the extent to which accommodation costs may be incurred and reimbursed to a political office bearer or official shall be addressed by the Accounting Officer or delegated official in terms of his/her System of Delegation in the municipality's Policy with regards to the Payment of Travel- and Accommodation- and Subsistence Costs, provided that – in those instances where it is not possible to secure accommodation strictly in terms of National Treasury prescripts, due to among others the non-availability of 3* accommodation and the timing of appointments – the travel agent acting as service provider on the municipality's behalf shall provide reasons for same.

8. CREDIT AND DEBIT CARDS

8.1. The Accounting Officer or delegated official in terms of his/her System of Delegation must ensure that no credit card or debit card linked to a bank account of the municipality is issued to any official or political office bearer. Debit cards are used for petty cash purposes only and are regulated via the Cash Management policy.

8.2. Where officials or political office bearers incur expenditure in relation to official municipal activities, such officials or political officer bearers must use their personal credit cards or cash or arrangements made by the municipality, and request reimbursement in accordance with the municipality's approved Travel

and Subsistence Policy and processes.

9. SPONSORSHIPS, EVENTS AND CATERING

9.1 In the absence of a definition in the Municipal Cost Containment Regulations published in the Government Gazette 42514 of 7 June 2019, sponsorships shall be deemed for purposes of this policy to exclude financial contributions or donations made in the form of services rendered to events that meaningfully contribute towards local economic development, authorised by the Accounting Officer in his sole discretion, which services could be calculated in monetary terms, such as services rendered to the Berg River Canoe Marathon and KykNet Expo, but limited to events that take place in the West Coast District area.

9.2 The municipality may not incur catering expenses for meetings which are only attended by persons in the employ of the municipality, unless the prior written approval of the Accounting Officer or delegated official in terms of his/her System of Delegation is obtained and provided that such expenditure may only be incurred in respect of employee wellness events.

9.3 The Accounting Officer or delegated official in terms of his/her System of Delegation may incur catering expenses for the hosting of meetings, conferences, workshops, courses, forums, recruitment interviews, and proceedings of council that exceed five hours, provided that a budget exists.

9.4 All expenses in terms of 9.2 and 9.3 must be allocated to the mSCOA classification created for catering accounts under the various cost centres the cost relates to.

9.5 Entertainment allowances of qualifying officials may not exceed two thousand rand (R2 000) per person per financial year, unless approved otherwise by the Accounting Officer.

9.6 The municipality shall not incur expenses on alcoholic beverages.

9.7 The Accounting Officer or delegated official in terms of his/her System of Delegation must ensure that social events, team building exercises, year-end functions, sporting events and budget vote dinners are not financed from the municipality's budgets or by any suppliers or sponsors.

9.8 The municipality may not incur expenditure on corporate branded items like clothing or goods for personal use of officials, other than uniforms, office supplies and tools of trade unless costs related thereto are recovered from affected officials or is an integral part of the business model.

9.9 The Accounting Officer may incur expenditure not exceeding the limits for petty cash usage to host farewell functions in recognition of officials who retire after serving the municipality for ten or more years or retire on grounds of ill health.

9.10 Catering (in the form of light refreshments) may be provided for community project engagements hosted by the municipality's Community Development Services Division, given the nature and intent of NGO, PBO and related engagements, provided that such budget exists.

10. COMMUNICATION

10.1 Unless required by legislation the municipality may, as far as possible, advertise municipal related events on its website instead of advertising in magazines or newspapers.

10.2 The Accounting Officer or delegated official in terms of his/her System of Delegation must ensure that allowances to officials for private calls and data costs are limited to an amount as determined by the Accounting Officer.

10.2 Newspapers and other related publications for the use of officials must be discontinued on expiry of existing contracts or supply orders, unless required for professional purposes and where unavailable in electronic format.

10.3 The municipality may participate in the transversal term contract arranged by the National Treasury for the acquisition of mobile communication services.

11. CONFERENCES, MEETINGS AND STUDY TOURS

11.1 For purposes of this policy, conferences shall be deemed to exclude those conferences held and arranged by recognised Professional Bodies to which officials of the municipality are formally registered, limited to the following bodies:

- AMEU - Association of Municipal Electricity Utilities
- CIGFARO - Chartered Institute of Government Finance, Audit & Risk Officers
- IMPSA - Institute for Municipal People Practitioners of Southern Africa
- ECSA - Engineering Council of South Africa
- SARPA - Southern Africa Revenue Protection Association
- SACSSP - South African Council for Social Services Professions
- ECSA - Engineering Council of South Africa
- WMF - Waste Managers Forum
- IMESA - Institute for Municipal Engineers of South Africa
- South African Institute of Valuers
- IMPS-SA - Institute for Municipal Public Safety of Southern Africa
- IIA - Institute for Internal Auditors,
- ITLMPOSA - Institute of Traffic, Licensing and Metro Police Officers of Southern Africa and

provided that approval to attend conferences held by the above-mentioned bodies are dealt with in terms of the municipality's Travel and Subsistence system in Collaborator.

11.2. In those instances where it is required from officials who are not members of the above-mentioned professional bodies to attend conferences hosted by such bodies, the Accounting Officer or delegated official in terms of his/her System of Delegation must authorise the deviation and issue approval in terms of the municipality's Travel and Subsistence system in Collaborator. Said authority may only be delegated to senior managers reporting directly to the Accounting Officer, and no further sub-delegation shall be allowed. Not more than two officials will be allowed to attend the same conference.

11.3. The threshold of two thousand five hundred rand (R2 500) as referred to in 11.7 shall not apply to the above-mentioned Professional Bodies.

11.4 The Accounting Officer may consider applications to attend conferences or events

hosted by professional bodies (other than those listed above) or non-governmental institutions held within and outside the borders of South Africa taking into account their merits and benefits, costs and available alternatives, and provided that pre-approval be obtained in terms of the municipality's Policy with regards to the Payment of Travel- and Accommodation- and Subsistence Costs where applicable and appropriate, provided that such budget exists.

11.5 When considering applications from officials or political office bearers to attend conferences or events within and outside the borders of South Africa, the Accounting Officer or Mayor as the case may be, must take the following into account:

(a) the official's or political office bearer's role and responsibilities and the anticipated benefits of the conference or event;

(b) whether the conference or event addresses relevant concerns of the institution;

(c) the appropriate number of officials or political office bearers, not exceeding three, attending the conference or event; and

(d) the availability of funds to meet expenses related to the conference or event.

11.6 The Accounting Officer may consider appropriate benchmark costs with other professional bodies or regulatory bodies prior to granting approval for an official to attend a conference or event within and outside the borders of South Africa.

11.7 The cost to attend a conference or an event by non-governmental institutions may not exceed two thousand five hundred (R2 500) per conference.

11.8 The amount referred to in 11.6 and 11.7 excludes costs related to travel, accommodation and related expenses, but includes-

(a) conference or event registration expenses; and

(b) any other expense incurred in relation to the conference or event.

11.9 When considering costs for conferences or events these may not include items such as laptops, tablets and other similar tokens that are built into the price of such conferences or events.

11.10 The Accounting Officer or delegated official in terms of his/her System of Delegation must ensure that meetings and planning sessions that entail the use of municipal funds are, as far as may be practically possible, held in-house.

11.11 Municipal or provincial office facilities must be utilised for conference, meetings, strategic planning sessions, *inter alia,* where an appropriate venue exists within the municipal jurisdiction.

11.12 The Accounting Officer must grant the approval for officials and in the case of political office bearers and the Accounting Officer, the Mayor, as contemplated in 11.4.

11.13 The municipality must, where applicable, take advantage of early registration discounts by granting the required approvals to attend the conference, event or study tour, in advance.

11.14 The provisions of this policy do not apply to training and related events in terms of the municipality's approved Workplace Skills Plan as well as training and workshops presented by governmental entities.

12. OTHER RELATED EXPENDITURE ITEMS

12.1 All commodities, services and products covered by a transversal contract concluded by the National Treasury must be considered before approaching the market, to benefit from savings where lower prices or rates have been negotiated.

12.2 Municipal resources shall not be used to fund elections, campaign activities, including the provision of food, clothing, printing of agendas and brochures and other inducements as part of, or during election periods or to fund any activities of any political party at any time.

12.3 Expenditure on tools of trade for political office bearers must be limited to the upper limits as approved and published by the Cabinet member responsible for local government in terms of the Remuneration of Public Office Bearers Act, 1998.

12.4 The municipality shall not incur expenditure on elaborate and expensive office furniture.

12.5 Subject to 12.6, the municipality may only use the services of the South African Police Service (SAPS) to conduct periodical or quarterly security threat assessments of political office bearers and key officials and a report must be submitted to the speaker's office.

12.6 As the safety of the officials and political office bearers are important, the Accounting Officer may deviate from section 16.5 where the SAPS services required could not be obtained within a reasonable time.

12.6 The municipality may consider providing additional time-off in lieu of payment for overtime worked. The Accounting Officer or delegated official in terms of his/her System of Delegation shall ensure that matters pertaining to the payment of overtime are regulated in the municipality's Overtime Policy.

12.7 A municipality must ensure that due process is followed when suspending or dismissing officials to avoid unnecessary litigation costs.

13. ENFORCEMENT PROCEDURES

Any allegation brought to the attention of the Accounting Officer or Senior Manager must be investigated and will be dealt with in accordance with the Code of Conduct.

14. DISCLOSURES OF COST CONTAINMENT MEASURES

14.1 The disclosure of cost containment measures applied by the municipality must be included in the municipal in-year budget reports and annual costs savings disclosed in the annual report.

14.2 The following initiatives will be implemented during 2019/20:

(1) The Vehicle Tracking system will be utilised in a bid to save on fuel costs
(2) Entertainment allowances
(3) Printing costs

It is recorded that from the cost containment measures implemented in prior years, telephone savings have already materialised.

14.3 The measures implemented and aggregate amounts saved per quarter, together with the regular reports on reprioritisation of cost savings and on the

implementation of the cost containment measures must be submitted to the Municipal Council for review and resolution. The municipal council can refer such reports to an appropriate Council Committee for further recommendations and actions.

14.4 The reports referred to in 14.3 must be copied to the National Treasury and the relevant provincial treasury within seven calendar days after the report is submitted to municipal council.

15. SHORT TITLE AND COMMENCEMENT

15.1 This policy is in line with the Municipal Cost Containment Regulations published in the Government Gazette 42514 of 7 June 2019 and take effect on 1 July 2019, irrespective of the date of approval of said policy, unless specifically otherwise dictated in this policy.

15.2 The Accounting Officer or delegated official in terms of his/her System of Delegation shall ensure that the policy is reviewed annually and submitted in council along with the municipality's budget-related policies, where after the policy shall be communicated on the municipality's website.

ANNEXURE A
TEMPLATE

REPORT TO THE MANAGER: SUPPLY CHAIN

SUBJECT: USE OF CONSULTANTS

DIRECTORATE: XXX

AUTHOR: XX XX

DATE: [Select Date]

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1. Project Description

Project name, vote no, financial year

2. Assessment of the skills and resources required to implement the project

2.1 Project scope of work
Provide a short description of the scope of work required.

2.2 Skills and resources
List/Discuss the skills and resources required to undertake the scope of work.

3. Internal capacity and/ or resources

Explain why internal capacity and / or resources required are not available to perform the scope of work.

4. Remuneration framework

List the applicable remuneration framework and whether travel and subsistence cost is applicable.

5. Transfer of skills

Indicate if a transfer of skills is to be part of the appointment if applicable and if the specific service should be included in the consultant reduction plan.

6. Budget provision for the appointment of consultant/s

List the budget provision and vote no's.

_____	_____
Contract Manager	DATE
_____	_____
Director of Department	DATE

SWARTLAND MUNICIPALITY

POLICY ON UNAUTHORISED, IRREGULAR OR FRUITLESS AND WASTEFUL EXPENDITURE

REVIEWED AND NOT AMENDED

MAY 2026

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21. POLICY ADOPTION 17

1. BACKGROUND

1.1 The purpose of this policy is to define and regulate unauthorised, irregular or fruitless and wasteful expenditure. The aim is to prevent unauthorised, irregular or fruitless and wasteful expenditure; to identify and investigate unauthorised, irregular or fruitless and wasteful expenditure; to respond appropriately in accordance with the law and to address instances of unauthorised, irregular or fruitless and wasteful expenditure conclusively.

1.2 In terms of section 4(2)(a) of the Municipal Systems Act (MSA) the council has a duty to use the resources of the municipality in the best interest of the local community. This duty is extended to individual councillors through the Code of Conduct for Councillors which states that a councillor must:

i. perform the functions of office in good faith, honestly and in a transparent manner; and

ii. at all times act in the best interests of the community and in such a way that the credibility and integrity of the municipality are not compromised.

1.3 Municipalities are often challenged with unauthorised, irregular or fruitless and wasteful expenditure.

2. OBJECTIVE

2.1 The objectives of this policy includes amongst other things:

(a) Emphasising the accountability of employees;

(b) Ensuring that employees have a clear and comprehensive understanding of the procedures they must follow when dealing with unauthorised, irregular or fruitless and wasteful expenditure;

(c) Ensuring that resources made available to employees are utilised efficiently, effectively, economically and for authorised official purposes;

(d) Ensuring that the Municipality's resources are managed in compliance with the MFMA, the Municipal Budget and Reporting Regulations and other relevant legislation; and

(e) Ensure that irregular, unauthorised or fruitless and wasteful expenditure is detected, processed, recorded, and reported timeously.

3. DEFINITIONS

"allocation", in relation to a municipality, means –

(a) municipality's share of the local government's equitable share referred to in section 214(1)(a) of the Constitution;

(b) an allocation of money to a municipality in terms of section 214(1)(c) of the Constitution;

(c) an allocation of money to a municipality in terms of a provincial budget; or

(d) any other allocation of money to a municipality by an organ of state, including by another municipality, otherwise than in compliance with a commercial or other business transaction;

"fruitless and wasteful expenditure" means expenditure that was made in vain and would have been avoided had reasonable care been exercised.

The phrase 'made in vain' indicates that the municipality derived no value for money from the expenditure or the use of other resources. Fruitless and wasteful expenditure must fulfil both the conditions in the definition, namely, that it was made in vain and it would have been avoided had reasonable care been exercised.

"irregular expenditure", in relation to a municipality or municipal entity, means –

(a) expenditure incurred by a municipality or municipal entity in contravention of, or that is not in accordance with, a requirement of the MFMA, and which has not been condoned in terms of section 170 of the MFMA;

(b) expenditure incurred by a municipality or municipal entity in contravention of, or that is not in accordance with, a requirement of the Municipal Systems Act, and which has not been condoned in terms of that Act;

(c) expenditure incurred by a municipality in contravention of, or that is not in accordance with, a requirement of the Public Office-Bearers Act, 1998

(Act No. 20 of 1998); or

(d) expenditure incurred in contravention of or that is not in accordance with a requirement of the SCM policy.

"overspending" –

(a) In relation to the budget of a municipality, means causing the operational or capital expenditure incurred by the municipality during financial year to exceed the total amount appropriated in that year's budget for its operational or capital expenditure as the case may be;

(b) In relation to a vote, means causing expenditure under the vote to exceed the amount appropriated for that vote; or

(c) In relation to expenditure under section 26 of the MFMA, means causing expenditure under that section to exceed the limits allowed in subsection (5) of that section.

"unauthorised expenditure", in relation to a municipality, means any expenditure incurred by a municipality otherwise than in accordance with section 15 or 11(3) of the MFMA, and includes –

(a) overspending of the total amount appropriated in the municipality's approved budget;

(b) overspending of the total amount appropriated for a vote in the approved budget;

(c) expenditure from a vote unrelated to the department or functional area covered by the vote;

(d) expenditure of money appropriated for a specific purpose, otherwise than for that specific purpose;

(e) spending of an allocation referred to in paragraph (b), (c) or (d) of the definition of ''allocation'' in the MFMA otherwise than in accordance with any conditions of the allocation; or

(f) a grant by the municipality otherwise than in accordance with the MFMA.

''Vote'' means –

(a) One of the main segments into which a budget of a municipality is divided for the appropriation of money for the different department or functional areas of the municipality; and

(b) which specifies the total amount that is appropriated for the purposes of the department (directorate) or functional area concerned.

(c) The definition of a "VOTE" for Swartland Municipality is set at the Directorate level in line with table A3 and A5 of the Municipal Budget Reporting Regulations e.g. Civil Services, Corporate Services, Electricity Services, Financial Services, Development Services, Protection Services, Municipal Manager and Council.

4. REGULATORY FRAMEWORK

4.1 The following Laws and regulations, amongst others, inform this policy:

(a) Section 32, 170 and 173 of the MFMA

(c) Regulations 23 and 74 of the Municipal Budget and Reporting Regulations

(d) Relevant GRAP statements

(e) MFMA Circular 68 of 2013

5. SCOPE OF APPLICATION

5.1 From a responsibility perspective, this policy is relevant to all employees of the Municipality, whether full-time or part-time. It is, however, specifically applicable to the Council, Accounting Officer, Chief Financial Officer, Senior Managers, Officials and all employees. In particular, the duly appointed Directorate and responsible managers have significant roles in:

Identifying the identity of the person who is liable for unauthorised, irregular or fruitless and wasteful expenditure.

Deciding on how to recover unauthorised, irregular or fruitless and wasteful expenditure from the person liable for that expenditure.

Determining the amount of unauthorised, irregular or fruitless and wasteful expenditure to be recovered, written off or provided for.

6. RELATIONSHIPS WITH OTHER POLICIES

6.1 The unauthorised, irregular, or fruitless and wasteful expenditure policy has additional parts that cover the unique nature of the broad spectrum of expenditure generated by municipality. These policies are to be managed by all managers. The following parts exist:

(a) System of Delegations

(b) SCM Policy

(c) Debt Collection and Credit Policy

(d) Budgets and Medium Term Revenue and Expenditure Framework (MTREF)

7. ROLES AND RESPONSIBILITY

7.1 The MFMA outlines the responsibilities of the Accounting Officers which include amongst others:

(a) To exercise all reasonable care to prevent and detect irregular, unauthorised, fruitless and wasteful expenditure and must for this purpose implement effective, efficient and transparent processes of financial and risk management.

(b) To inform, in writing the executive mayor and council, as the case may be, if a decision is taken which, if implemented, is likely to result irregular, unauthorised, fruitless and wasteful expenditure.

(c) On discovery of any irregular, unauthorised, fruitless and wasteful expenditure to report promptly in writing, the particulars of the expenditure to the Mayor.

(d) The MFMA section 32 further prescribe the process that must be followed to deal with irregular, unauthorised, fruitless, and wasteful expenditure.

8. PRINCIPLES OF UNATHORISED EXPENDITURE

8.1 Essentially, "unauthorised expenditure" includes overspending on the total amount of the budget, overspending on a vote, the incurring of expenditure unrelated to a vote and the incurring of expenditure for a purpose other than the approved purpose.

9. PROCESS DEALING WITH UNAUTHORISED EXPENDITURE

9.1 Any employee who becomes aware of, or suspects the occurrence of unauthorised expenditure must immediately report, in writing, such expenditure to the Accounting Officer and Directors.

9.2 On discovery of alleged unauthorised expenditure, such expenditure must be left in the account i.e. relevant vote and the Manager: Expenditure or his/her delegate should record the details of the expenditure in an unauthorised expenditure register. (Attached as "Annexure A".)

9.3 The Accounting Officer and Directors must investigate the alleged unauthorised expenditure to determine whether the expenditure meets the definition of unauthorised expenditure.

9.4 During the period of investigation, the expenditure must remain in the expenditure account. The results of the investigation will determine the appropriate action to be taken regarding the expenditure.

9.5 Should the investigation reveal that the expenditure is in fact valid expenditure and therefore does not constitute unauthorised expenditure the details of the expenditure should be retained in the register for completeness purposes (and to provide an appropriate audit trail). The register must then be updated to reflect the outcome of the investigation.

9.6 If the investigation indicates that the expenditure is in fact unauthorised expenditure the Accounting Officer must immediately report, in writing, the particulars of the expenditure to the Mayor.

9.7 If council subsequently authorises the unauthorised expenditure, the municipality requires no further action as the amount has already been expensed in the statement of financial performance. The register should be updated to reflect the fact that the unauthorised expenditure was authorised.

9.8 If however, the council does not authorise the amount, the accounting officer must take effective and appropriate action to recover the amount from the responsible person.

10. AUTHORISING UNAUTHORISED EXPENDITURE

10.1 In considering authorisation of unauthorised expenditure, council must consider the following factors:

(i) Has the matter been referred to Council for a determination and decision?

(ii) Has the nature, extent, grounds and value of the unauthorised expenditure been submitted to Council?

(iii) Has the incident been referred to a council committee for investigation and recommendations?

(iv) Has it been established whether the accounting officer or official or public office bearer that made, permitted or authorised the unauthorised expenditure acted deliberately or in a negligent or grossly negligent manner?

(v) Has the accounting officer informed Council and the executive mayor that a particular decision would result in an unauthorised expenditure as per section 32(3) of the MFMA?

(vi) Are there good grounds shown as to why an unauthorised expenditure should be authorised? For example:

- the mayor, accounting officer or official was acting in the best interests of the municipality and the local community by making and permitting unauthorised expenditure;
- the mayor, accounting officer or official was acting in good faith when making and permitting unauthorised expenditure; and
- the municipality has not suffered any material loss as a result of the action.

In these instances, the council may authorise the unauthorised expenditure. If unauthorised expenditure is approved by council, there would be no further consequences for the political office-bearers or officials involved in the decision to incur the expenditure.

10.2 Adjustments budgets to authorise unauthorised expenditure:

Council may only authorise unauthorised expenditure in an adjustments budget. This can be addressed in three different adjustments budgets as follows:

(a) **Adjustments budget for unforeseen and unavoidable expenditure:** An adjustments budget to allow council to provide ex post authorisation for unforeseen and unavoidable expenditure that was authorised by the mayor in terms of section 29 of the MFMA must be tabled in council at the "first available opportunity" or within the 60 days after the expenditure was made. Should either of these timeframes be missed, the unforeseen and unavoidable expenditure must be treated in the same manner as any other type of unauthorised expenditure, and may still be authorised in one of the other adjustments budgets process described below.

(b) **Main adjustments budget**: Council may authorise unauthorised expenditure in the adjustments budget which may be tabled in council "at any time after the mid-year budget and performance assessment has been tabled in the council, but not later than 28 February of the current year". Where unauthorised expenditure from this period is not identified or investigated in time to include in this adjustments budget, it must be held over to the following adjustments budget process noted below.

(c) **Special adjustments budget to authorise unauthorised expenditure**:

Council may authorise unauthorised expenditure in a special adjustments budget tabled in council when the mayor tables the annual report. This special adjustments budget "may only deal with unauthorised expenditure from the previous financial year which the council is being requested to authorise in terms of section 32(2)(a)(i) of the Act."

11. RECOVERY OF UNAUTHORISED EXPENDITURE

All instances of unauthorised expenditure must be recovered from the liable official or political office-bearer, unless the unauthorised expenditure has been authorised by council in an adjustment budget.

(a) The Accounting Officer (or his/her delegate) must determine who the responsible party is from whom the amount should be recovered. This information would normally become evident while performing the investigation.

(b) The Accounting Officer (or his/her delegate) must in writing request that the liable official or political office-bearer to pay the amount relating to such unauthorised expenditure within 30 days. If the person/s fails to comply with the request, the matter may be handed to the municipality's legal division for the recovery of the debt through normal debt collection process.

12. PRINCIPLES ON IRREGULAR EXPENDITURE

12.1 For the purposes of determining whether Irregular Expenditure has taken place, there must be a transgression of a provision contained in applicable legislation and/or applicable approved policy of the Swartland Municipality.

For Irregular Expenditure to be incurred, the non-compliance must be linked to a financial transaction. Although a transaction or an event may trigger Irregular Expenditure, the municipality will usually identify Irregular Expenditure only when a payment is made. If "possible Irregular Expenditure" is determined prior to a payment being made, then the transgression shall be regarded as a non-compliance matter until payment is made and irregular expenditure is recognised.

12.2 **Categories of irregular expenditure**

Irregular Expenditure incurred as a result of a non-compliance with a Treasury regulation, the MFMA and the Supply Chain Management Policy.

Example:

Procuring of goods or services by means of quotations where the value of the goods/services exceed the set threshold as determined in the SCM policy quotations.

Irregular Expenditure incurred as a result of procuring goods or services by means of other than through competitive bids where the reason for deviating from the prescribed processes have not been recorded or approved in terms of section 17 and 36 of the SCM regulations.

Irregular Expenditure resulting from non-adherence to the delegation of authority as approved.

Irregular Expenditure incurred as a result of expenditure outside contracts or contracts expired and not extended in terms of MFMA section 116.

Expenditure resulting from non-adherence to an institution's delegation of authority is also regarded as irregular expenditure.

12.3 **Procedures for the condonation of irregular expenditure**

(a) As part of the enclosed procedures (Annexure B), provision is made for accounting officers to forward submissions to the Provincial Treasury or the relevant authority to request condonation for non-compliance with the MFMA or other legislation respectively. Annexure B to be completed by the relevant director and forwarded to the accounting officer for approval. The treasury to which the submission must be forwarded will depend on the provision that was contravened. It must, however, be emphasised that submissions requesting condonation for non-compliance must contain detailed motivation as to why the irregular expenditure in question should be considered for condonation, together with steps that have been taken to avoid a recurrence of this type of irregular expenditure.

(b) A submission for condonation must include the following:

a) Purpose;
b) Background;
c) Applicable legislative framework;
d) Motivation for condonation;
e) Remedial steps to prevent re-occurrence;
f) Financial implications;
g) Personnel implications;
h) Parties consulted; and
i) Recommendations.

(c) If the irregular expenditure(other than departures from treasury regulations as envisaged by section 170 of the MFMA) is subsequently written-off by the council, no further action is required from the department as the amount would be expensed in the statement of financial performance. The register must be updated to reflect that the irregular expenditure was written-off and the notes to the annual financial statements must also be updated to reflect that the irregular expenditure was written-off.

(d) In instances where condonation for irregular expenditure is not granted by the relevant authority, immediate steps must be taken to recover such expenditure from the relevant person, if he/she is liable in law.

(e) If there is doubt regarding liability in law referred to in (d) above, the accounting officer must liaise with the Director: Corporate Services in this regard.

13. PRINCIPLES ON FRUITLESS AND WASTEFUL EXPENDITURE

13.1 No particular expenditure is explicitly identified by the MFMA as fruitless and wasteful.

13.2 Fruitless and wasteful expenditure is expenditure that was made in vain and would have been avoided had reasonable care been exercised.

13.3 Fruitless and Wasteful expenditure will always emanate from an action instigated by an official that resulted in a financial loss to the institution.

The following are some examples of Fruitless and Wasteful expenditure:

- Expenditure due to negligence, e.g. cancellation fees incurred for missing a flight;
- Interest on overdue accounts; and
- Penalties or fines paid.

13.4 Fruitless and wasteful expenditure can arise from a range of events, activities and actions from a simple oversight in performing an administrative task to a deliberate and/or an intentional transgression of relevant laws and regulations.

13.5 It seems that the most logical approach to assess whether or not an expenditure can be classified as fruitless and wasteful expenditure is to ask a few elementary questions prior to the spending of municipal funds such as:

Did the intended spending relate to the formal powers of the municipality?

A municipality may perform only those functions and powers conferred to it by the Constitution and relevant legislation. Any expenditure incurred relating to an act or conduct exercised outside those functions and powers will result in fruitless and wasteful expenditure notwithstanding sufficient provision has been made on the budget and correct procedures were followed in incurring the expenditure.

Would the expenditure further the interest of the municipality?

The expenditure incurred to obtain a service, inventory, asset or to render a service, etc. must have been necessary and ideally unavoidable to enable the Municipality to exercise its functions and powers in accordance with the relevant legislation.

Was it essential to incur the intended expenditure?

It is of paramount importance to incur expenditure only when it is really necessary or essential for purposes as mentioned above. One should be satisfied that non-

incurrence of such expenditure will have a negative impact on the activities of the Municipality.

Was any other option perhaps available to prevent the intended expenditure or to reduce it?

This question overlap to some extent with question above but it is more specific in the sense that it put pressure on the Municipality to apply its mind and to consider all possible options. Should it appear after the expenditure has been incurred that a more effective and perhaps a less expensive option was at the disposal of the Municipality but that it was ignored or disregarded without good cause the expense will be regarded as fruitless and wasteful.

13.6 The Fruitless and Wasteful Expenditure Register must be updated throughout the investigation process until the case is finally closed.

14. PROCESS DEALING WITH IRREGULAR OR FRUITLESS AND WASTEFUL EXPENDITURE

14.1 Any official who becomes aware of or suspects the occurrence of irregular - or fruitless and wasteful expenditure should immediately report in writing, the particulars of such expenditure which are within his or her knowledge, to the Accounting Officer or Chief Financial Officer;

14.2 Once the Manager: Expenditure or his or her delegate has received the report alleging the occurrence of irregular - or fruitless and wasteful expenditure, the details of such expenditure must be recorded in a register for irregular or fruitless and wasteful expenditure. An example of such register is attached as “Annexure A";

14.3 The Accounting Officer or Chief Financial Officer should investigate the alleged irregular - or fruitless and wasteful expenditure to determine whether the expenditure meets the definition of irregular or fruitless and wasteful expenditure;

14.4 For accounting records purposes, during the investigation, the expenditure must remain in the expense account i.e. the vote of the department within the municipality. The results of the investigation will determine the appropriate action to be taken regarding such expenditure. Should the investigation reveal that the expenditure is not irregular - or fruitless and wasteful expenditure as defined; the details of the expenditure should be retained in the register for record purposes and to provide a full audit trail. The register must be updated to reflect the outcome of the investigation;

14.5 Should the investigation reveal that the expenditure is irregular - or fruitless and wasteful expenditure as defined above, the Accounting Officer must immediately report, in writing, the particulars of such expenditure to the Mayor. The register must be updated to reflect the outcome of the investigation;

14.6 The Accounting Officer must also include the expenditure in the relevant department's monthly revenue and expenditure report submitted to council in terms of the MFMA; and

14.7 For accounting records purposes, the irregular - or fruitless and wasteful expenditure must be treated as an asset in the books of the municipality until

such time as the expenditure is recovered from the responsible person or certified by council as irrecoverable and written off in the Annual Financial Statements.

15. ROLE OF COUNCIL COMMITTEE

15.1 A Disciplinary Board has been established according to section 4(6) of the Financial Misconduct Regulations.

16. INVESTIGATIONS AND DISCIPLINARY ACTIONS

16.1 In terms of sections 172 and 173 of the MFMA, an Accounting Officer is guilty of financial misconduct and an offence respectively if he or she:

(a) wilfully or negligently fails to take effective and appropriate steps to prevent unauthorised, irregular or fruitless and wasteful expenditure as required by the MFMA;

(b) fails to take effective and appropriate disciplinary steps against an official in the department who makes or permits unauthorised, irregular or fruitless and wasteful expenditure; and

(c) fails to report unauthorised, irregular or fruitless and wasteful expenditure in terms of the MFMA.

16.2 As soon as the accounting officer becomes aware of an allegation of financial misconduct against an official, the Accounting Officer has a responsibility to ensure that the Mayor initiates an investigation into the matter and if the allegations are confirmed, holds a disciplinary hearing in accordance with the prescripts of the applicable legislation.

16.3 ln terms of section 172 of the MFMA, an official of a department to whom a duty or power has been assigned commits an act of financial misconduct if that official will fully or negligently fails to perform that duty or exercise that power in line with applicable legislation.

16.4 ln terms of the MFMA, the accounting officer must take appropriate and effective disciplinary steps against an official who makes or permits unauthorised, irregular or fruitless and wasteful expenditure.

16.5 When an accounting officer determines the appropriateness of disciplinary steps against an official in terms of applicable legislation, he or she must take into account the following:

(a) circumstances of the transgression;

(b) extent of the expenditure involved; and

(c) nature and seriousness of the transgression.

16.6 Ratification of minor breaches of the procurement process

The accounting officer may ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely technical in nature provided that this provision is included in the municipality's supply chain management policy and the official or committee who committed the breach had the delegated authority to perform the function.

16.7 Disciplinary charges for Irregular or Fruitless and Wasteful Expenditure

If, after having followed a proper investigation, the council concludes that the political office-bearer or official responsible for making, permitting or authorising irregular expenditure did not act in good faith, then the municipality must consider instituting disciplinary action and/or criminal charges against the liable person/s.

If the irregular expenditure falls within the ambit of the above description, then the council, mayor or accounting officer (as may be relevant) must institute disciplinary action as follows:

(i) *Financial misconduct in terms of section 171 of the MFMA*: in the case of an official that deliberately or negligently:

- contravened a provision of the MFMA which resulted in irregular expenditure; or
- made, permitted or authorised an irregular expenditure (due to non-compliance with any of legislation mentioned in the definition of irregular expenditure);

(ii) *Breach of the Code of Conduct for Municipal Staff Members:* in the case of an official whose actions in making, permitting or authorizing an irregular expenditure constitute a breach of the Code; and

(iii) *Breach of the Code of Conduct for Councillors*: in the case of a political office-bearer, whose actions in making, permitting or authorizing an irregular expenditure constitute a breach of the Code. This would also include instances where a councillor knowingly voted in favour or agreed with a resolution before council that contravened legislation resulting in irregular expenditure when implemented, or where the political office-bearer improperly interfered in the management or administration of the municipality.

16.8 Criminal charges arising from an act of Irregular or Fruitless and Wasteful expenditure

(a) If, after following a proper investigation, the council concludes that the official or political office-bearer responsible for making, permitting or

authorising an instance of irregular expenditure acted deliberately or negligently, then the Council must institute disciplinary procedures and lay criminal charges against the liable official or political office-bearer.

(b) The irregular expenditure was the result of a breach of the definition of irregular expenditure it must be considered in terms of section 173 of the MFMA.

17. RECOVERY

17.1 Notwithstanding the disciplinary process, the accounting officer must identify the official who is responsible for the unauthorised -, irregular or fruitless and wasteful expenditure.

17.2 The relevant information would normally be evident from the investigation process.

17.3 The amount of the expenditure should be recovered from the official concerned by taking the following steps:

(a) The Human Resource Manager must write to the official concerned and request him or her to pay the amount within 30 days or in reasonable instalments.

(b) Reasonable instalments will vary from case to case depending on such factors as the total amount involved and the affordability level of the official concerned.

(c) The accounting officer is expected to apply his or her discretion judiciously.

17.4 Should the official refuse or fail to pay as requested, the matter may be referred to an attorney for recovery.

17.5 lf the amount is not recoverable, the accounting officer may request council to certify the debt as irrecoverable and write it off in terms of the municipal adopted policy.

17.6 All instances of irregular expenditure must be recovered from the liable official or political office-bearer, unless the expenditure is certified by the municipal council, after investigation by a council committee, as irrecoverable and is written off by the council.

17.7 Irregular expenditures resulting from breaches of the Public Office-Bearers Act is an exception in that the irregular expenditure must be recovered from the political office-bearer to whom it was paid, who might not have been responsible for making, permitting or authorising the irregular expenditure.

17.8 Once it has been established who is liable for the irregular expenditure, the accounting officer must in writing request that the liable political office-bearer or official pay the amount within 30 days or in reasonable instalments. If the person fails to comply with the request, the matter must be recovered through the normal debt collection process of the municipality.

18. REPORTING

18.1 The accounting officer must comply with the following reporting requirements: attached as “Annexure B";

18.2 Immediately upon discovery of unauthorised, irregular or fruitless, and wasteful expenditure, the accounting officer must report the details of the unauthorised, irregular or fruitless, and wasteful expenditure to the Mayor. The report must include the following details:

(a) amount of the unauthorised, irregular or fruitless and wasteful expenditure;

(b) name of the vote from which the expenditure was made;

(c) reason why the unauthorised, irregular or fruitless and wasteful expenditure could not be avoided;

(d) name and title of the responsible official;

(e) details of any recovery steps taken or to be taken by the municipality; and

(f) details of any disciplinary steps taken or to be taken by the municipality.

18.3 The accounting officer must also include the expenditure in the relevant department’s monthly revenue and expenditure report submitted to the Council in terms of the MFMA.

18.4 All unauthorised, irregular or fruitless and wasteful expenditure must be reported as a note to the annual financial statements by the Senior Manager: Financial Statements & Asset Management.

18.5 The Accounting Officer must record the reasons for any deviations in terms of SCM regulations and report to the next Council meeting and disclose this expenditure in a note to the annual financial statements.

19. REGULAR REVIEW OF THE UNAUTHORISED IRREGULAR, OR FRUITLESS AND WASTEFUL EXPENDITURE REGISTER

19.1 The Manager: Expenditure must update the Unauthorised -, Irregular – and Fruitless and Wasteful Expenditure Register throughout the process until the case is finally closed.

19.2 The unauthorised, irregular or fruitless and wasteful expenditure register should be reviewed on a monthly basis by the chief financial officer of the municipality. This review will ensure that unauthorised -, irregular or fruitless and wasteful expenditure are adequately disclosed, dealt with, recorded and that no mathematical errors exists. The Chief Financial Officer or delegated senior official, should sign the register as indication of the monthly review.

20. ACCOUNTING TREATMENT OF UNAUTHORISED, IRREGULAR OR FRUITLESS AND WASTEFUL EXPENDITURE

20.1 Unauthorised, irregular or fruitless and wasteful expenditure identified during one financial period, but not paid in the specific period should be recorded in the current financial year.

20.2 The cumulative unauthorised, irregular or fruitless and wasteful expenditure incurred during the financial year and which should be adequately and appropriately disclosed in the financial statements of the municipality.

20.3 Recognition and measurement of unauthorised, irregular or fruitless and wasteful expenditure shall be treated in terms of the latest available guidelines for the compilation of the Annual Financial Statements issued to municipalities by National Treasury on an annual basis and be in line with the latest GRAP requirements.

21. DISCLOSURE OF UNAUTHORISED, IRREGULAR OR FRUITLESS AND WASTEFUL EXPENDITURE

MFMA section 125 require accounting officers and accounting authorities to disclose in the notes to the Annual Financial Statements of the municipality particulars of any material unauthorised, irregular or fruitless and wasteful expenditure incurred during the financial year.

21.1 Particulars of any criminal or disciplinary steps taken as a result of such unauthorised, irregular or fruitless and wasteful expenditures should be disclosed in the notes to the Annual Financial Statements.

22. POLICY ADOPTION

Date of adoption: 10 June 2015

Reviewed: 20 June 2018 – No changes

Reviewed: 26 June 2019 – No changes

Reviewed : 30 June 2021 – No changes

Reviewed : March 2023 – Changes made

Reviewed : March 2024 -Designations corrected

SWARTLAND MUNICIPALITY

INSURANCE MANAGEMENT POLICY

REVIEWED AND NOT AMENDED MAY 2026

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PREAMBLE

Whereas it is required of the accounting officer to take all reasonable steps to ensure that the Council has and implements crucial policies for effective financial and risk management.

And whereas the safeguarding of assets and the protection of Council against liabilities is very important and forms part of a proper assets management system as prescribed by Section 63 and needs annual revision in terms of Section 24(2)(c)(v) of the Municipal Finance Management Act 56 of 2003.

Now therefore the Municipal Council of the Swartland Municipality adopts the following Policy for Insurance Management.

ABBREVIATIONS

CFO	Chief Financial Officer
SM	Swartland Municipality
MFMA	Municipal Finance Management Act (No. 56 of 2003)
MM	Municipal Manager (i.e. Accounting Officer)
SCM	Supply Chain Management

1. PURPOSE OF THIS DOCUMENT

1.1 This document constitutes the policy of Swartland Municipality (SM) for insuring of municipal assets, and for insuring the municipality, its employees (when/where applicable) and Councillors against public liability claims and other losses.

2. BACKGROUND

2.1 Since 2004, when the Municipal Finance Management Act No 56 of 2003 (MFMA) was promulgated municipalities have been required to align the planning, management, reporting and auditing of their finances in accordance with the strict requirements of the MFMA and related legislation.

2.2 Insurance brokers active in the municipal environment over years prepared a standard for local authority insurance that takes all circumstances related to a municipality into account. There are however aspects in addition to this standard that the Council can decide on policy in order to reduce premium without an increase in risk or where the Council is prepared to accept risk because of a very slim probability that an event might occur.

2.3 Responsible financial management of any municipality requires that assets are properly managed. Municipalities have large numbers of assets, including equipment, plant and machinery. As custodians of public funds, the Council must ensure that municipal assets are adequately insured at all times. The insurance should in addition, support the municipality's basic services, Councillors and employees against other claims from the public, such as public liability claims and other losses.

3. POLICY FRAMEWORK

3.1 POLICY OBJECTIVE

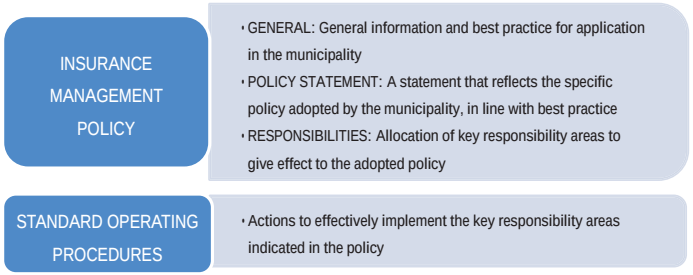
The objective of this policy is to formally set out Swartland Municipality's intention regarding the insuring of municipal assets, and the insuring of the municipality, its employees and Councillors against public liability claims and other losses.

Detailed procedures, to ensure that management and employees within the municipality understand their respective responsibilities and duties, are provided in a separate document.

In general, the object of this policy is to ensure sound and sustainable financial management within Swartland Municipality.

3.2 POLICY FORMAT

3.2.1 The figure below gives an overview to the format of presentation of this policy document, and how it links to a separate document that provides the procedures that may arise in terms of this policy:



3.3 RELATIONSHIP WITH OTHER POLICIES

3.3.1 This policy, once effective, needs to be read in conjunction with other relevant adopted policies of the municipality, including the following –

(a) Delegation of Powers (Delegations register) - Identifying the processes surrounding the establishment of delegated authority.

(b) SCM Policy - Regulating all processes and procedures relating to acquisitions of goods and services pertaining the appointment for an insurance broker, Part 3 of the policy.

(c) Asset Management Policy.

(d) Budget Policy - The processes to be followed during the budget process as well as pre-determined prioritisation methodology.

(e) Funding and reserves policy.

3.3.2 This policy does not overrule the requirement to comply with other policies. The Chief Financial Officer (CFO) will provide guidance or adjust this policy where an apparent conflict exists between this policy and other policies, legislation or regulations.

3.4 APPROVAL AND EFFECTIVE DATE

3.4.1 The CFO is responsible for the submission of this document to Council to consider its adoption. The effective date for implementation of the policy is 1 July 2023.

3.5 POLICY IMPLEMENTATION

3.5.1 Detailed procedures shall be prepared by the CFO, to give effect to this policy.

3.6 POLICY AMENDMENT

3.6.1 This policy will be reviewed annually by the CFO. Changes to this document shall only be applicable when approved by Council.

4. POLICY FOR INSURANCE MANAGEMENT

4.1 DEFINITIONS AND RULES

4.1.1 Insurance

Insurance is a contract (policy) in which the municipality receives financial protection or reimbursement against losses from an insurance company. Risk is transferred when the risk is shared amongst different parties, so one party does not carry the full loss should an event occur. Insurance involves a transfer of risk.

4.1.2 Self-Insurance Reserve (applicable only when such reserve is established)

The municipality may have a self-insurance reserves to set aside amounts to offset potential losses or claims that are not insured externally. The balance of the self-insurance reserve is determined based on insurance risk carried by the municipality and past clams history and is increased by a transfer from the accumulated surplus/(deficit). Claims are settled by transferring a corresponding amount from the self-insurance reserve to the accumulated surplus.

4.1.3 The "excess" refers to the portion of the loss that is not covered by the insurance policy and must be paid by the policy holder. If the amount of the claim is less than the excess, no payment will be made by the insurer. In such cases, the policyholder will be responsible for covering the entire loss amount.

4.1.4 Personal effects means employees', councillors' or contractors' personal property including wallets, cash, handbags, sunglasses, clothes, shoes, reading glasses and mobile phones.

4.1.5 Burglary means the criminal offense of breaking and entering a building or other premises illegally for the purpose of committing a crime.

4.1.6 Forcible and violent means an act that would cause physical damage. There must be both forcible (as simple as turning a key or pushing open a door) AND violent actions (entry by the use of any force accompanied by a violent physical act).

4.1.7 Public liability claims tend to relate to purported personal injuries sustained to individuals during or exposed to municipal operations or property.

4.1.8 Accident Committee means a committee responsible for the investigation of third party claims less than the minimum excess amount and possible negligence by an employee.

4.1.9 Accident means an external, violent or unexpected event that is visible.

4.1.10 Premiums means any direct or indirect, or partially or fully subsidised, consideration given or to be given in return for an undertaking to meet insurance obligations.

4.1.11 Damage means physical injury to or destruction of tangible property, including the loss of its use.

4.2 POLICY STATEMENT

4.2.1 Municipal Assets

(a) Material movable and immovable assets (in value and substance) shall be insured at least against destruction, fire and theft, and all municipal buildings shall be insured at least against fire and allied perils, unless a risk based assessment by the Insurance Department provides evidence that it is more cost effective to not insure the asset type.

(b) All insured assets shall be considered for purposes of the municipality's Insurance Policy as agreed with the Insurance Brokers.

(c) Separate cover for riot, strike and public disorder damage shall be taken out.

(d) Assets are to be insured at replacement values (except for motor vehicles, which are insured at market values).

(e) Any other insurance cover shall be at the discretion of the Municipal Manager .

(f) All contracts between council and a 3rd party should be monitored to ensure loss or damage to municipal property are minimised and insured. This may include but is not limited to; e.g. Rental agreements, projects under construction and any other contract relating to municipal assets.

(g) Any agreements entered as per 4.2.1(f) above, that may influence council's insurance policy and assets covered in this policy, must be communicated with the FS and Assets department.

4.2.2 Self-Insurance Reserve

The municipality may establish and administer a self-insurance reserve (SIR)

4.2.3 Staff property

Applications by staff members for reimbursement of the loss of or damage to staff property at work shall not be considered by the municipality. Liability will not be accepted by the municipality for loss or damage to an employee's personal effects which are used or stored on premises owned or used by the municipality unless the employee is entitled to claim as a third party similar to any other member of public (e.g. a vehicle accident between an employee and a council vehicle).

4.2.4 Public Liability

All public liability claims shall be referred to Council's Insurer.

4.2.5 Limits

On an annual basis the excess limits shall be assessed as part of the adjudication of the insurance quotations received from the Insurance Companies/Insurance Brokers. The excess limits shall be at the discretion of the CFO.

4.2.6 Payment of excesses (or losses below excess payable) by employees

Where in the opinion of the relevant line manager an employee's negligence led to the damage to, or loss of, an asset, the excess payable may be claimed from the employee concerned in terms of the outcome of the Disciplinary Procedures. Same may be applied if an employee left a private asset in plain sight in a municipal asset (e.g. vehicle or building) and such private asset could be regarded as the reason for damages to municipal assets (e.g. left a cell phone in a parked car and the vehicle window is broken to steal the cell phone).

4.2.7 Failure to report an incident

Failure to report an incident to the insurance section within the timeframes indicated, may result in disciplinary action taken against the employee responsible for the asset(s). The outcome of the disciplinary process will determine whether the employee will be personally held liable for the losses incurred.

4.3 RESPONSIBILITIES

4.3.1 The insurance broker must submit annual proof of registration with Financial Sector Conduct Authority (FSCA) and Financial Association of South Africa (FIA).

4.3.2 Each Director shall before 31 May of each year update or verify the schedule of insurable risks and insurable assets and new assets under their control (and any other information deemed necessary) not previously insured. This must be supported with a signed-off schedule.

4.3.3 The CFO shall, in accordance with such schedules and subject to this policy, effect such insurance through the service of an Insurance Company/Insurance Broker appointed by the Council.

4.3.4 The insurance period will be from 1 July to 30 June of the following year and shall be renewable, dependent on previous performance, for a maximum period of three years.

4.3.5 Premiums shall be paid annually in advance at the discretion of the CFO after approval and implementation of the annual budget.

4.3.6 Should circumstances change during the year, amendments, additions or deletions shall be made to the insurance portfolio with the Insurance Company / Insurance Broker.

4.3.7 It shall be the duty of each Director to notify the CFO (or delegated official) without delay of any new insurable risk or of any alteration in an existing insurable risk which has arisen in connection with his/her department after the list is verified by the 31st of May.

4.3.8 On the occurrence of any event giving rise or likely to give rise to a claim by or against the Council or against its insurers, the Director of the department concerned shall ensure that the CFO (or delegated official) is notified of such event.

4.3.9 The CFO (or delegated official) shall immediately notify the Council's insurer of any claim by or against the Council or against its insurers.

4.3.10 It is the responsibility of the relevant Director to ensure that all documents / information (for example any required forms, reports, quotations) for the completion of the claim is forwarded to the CFO (or delegated official) for submission to Council's insurance brokers within 5 working days of the event/request requiring documentation.

4.3.11 Each claim by or against the Council shall be reported for investigation and the outcome reported to the Director of the department concerned to institute disciplinary steps and / or recovery if deemed necessary.

4.3.12 Employees should avoid storing private property at the workplace for extended periods of time, especially over weekends and during vacation periods.

4.3.13 Each employee should insure personal property against loss or damage, particularly if it is of significant value.

4.3.14 To minimise the risk of loss and inconvenience to staff, each Director should advise all staff of their obligations to ensure the security of private property brought to the workplace and to ensure that staff get training on how to use equipment safely properly to comply with occupational health and safety requirements.

4.3.15 The "Accident Committee" is responsible for –

(a) Assessing if an employee's negligence led to the damage to, or loss of, an asset the excess payable may be claimed from the employee concerned in terms of the Disciplinary Procedures

(b) If the employee is considered negligent the committee shall conclude whether the event should give rise to any fruitless and waste expenditure and must be reported as such.

5 IMPLEMENTATION OF THE POLICY

This Policy is called the "Insurance Policy of the Swartland Municipality" and takes effect on 1 July 2023.

Annexure A: Items that does not fall within the ambit of the insurance portfolio (underwriters do not cover the assets):

General Exclusions:

1 War, Riot and Terrorism exclusion
2 War and Terrorism exclusion
3 Nuclear exclusion
4 Computer loss
5 Asbestos exclusion
6 Environmental Impairment exclusion
7 Maintenance Programme exclusion
8 Pandemics, Epidemics, Infectious or Contagious Disease or response taken by an authority
9 Exclusion of any composite peril or accompanying part or component of a composite peril
10 Specific exclusion for disease or any medically related risks
11 Sanctions
12 Property Cyber and Data Exclusion
13 Utilities Exclusion
14 Grid Failure or Interruption Exclusion
15 Unlawful Occupation Exclusion

Combined Section:

Excluded Property: Unless, more specifically insured under any other Section of this Policy or any other policy

1. Dam Walls, Dam Contents, Canals, Viaducts;
2. Outdoor sports playing surfaces other than tennis courts or tartan athletics tracks if declared and insured under (b) above;
3. Explosives, other than small arms ammunition;
4. Bullion; precious stones and jewellery;
5. Boundary, other walls and fences which are not erected around the insured buildings, structures or public works premises;
6. Electricity Transmission and Distribution lines including their supporting structures (other than on or within 150 meters of electricity sub stations belonging to the insured or within 150 meters of the premises of the insured)
7. Gas Transmission and Distribution Lines, including their supporting structures (other than on or within 150 meters of electricity sub stations belonging to insured or within 150 meters of the premises of the insured)
8. Water piping as well as storm water-piping including their supporting structures (other than on or within 150 meters of water treatment or purification works or reservoirs belonging to the insured)
9. Sewerage piping including their supporting structures (other than on or within 150 meters of any sewerage treatment plants belonging to the insured)
10. Roads, pavements, bridges other than bridges forming part of any building, tunnels and manhole covers;
11. Aircraft runways and aprons;
12. Land, topsoil, backfill, drainage or culverts;
13. Piers, jetties, wharves, viaducts or docks;
14. Property or structures in the course of construction, erection, dismantling or testing including supplies in connection therewith;
15. Property damaged as a result of its undergoing any process of manufacture, conversion or treatment;
16. Property in the possession of customers and which they are obliged to insure in terms of an agreement;
17. Trees, shrubs and plants;
18. Monuments and statues;
19. Graves and Tombstones;
20. Growing Timber, Growing Crops and Livestock;
21. Aircraft and Watercraft;
22. Property which at the time of DAMAGE is insured by or would but for the existence of this policy be insured by any marine policy except in respect of any excess beyond the amount which is or would have been payable under such marine policy had this insurance not been affected
23. Fire caused directly or indirectly from:
    an electrical power surge
    any illegal structures/dwellings within 50 m (meters) of the insured property.

Business All Risk Section:

1 Theft from unattended vehicles
2 Dishonesty of employees
3 Confiscation by Authorities
4 Wear and tear or gradual deterioration
5 Damage caused by vermin, insects, damp, mildew or rust
6 Cell phones of Employees

Goods in Transit Section

1 Theft by employees
2 Cell phones of Employees

Glass Section

1 Glass forming part of stock
2 Defacement other than fracture through the entire thickness of the glass

Money Section

1 The dishonesty of any employee unless discovered within 14 days of the occurance
2 Shortage due to error or omission
3 The use of keys to any safe or strong room unless the keys are obtained by violence or threats of violence to any person
4 Unattended vehicles

Public Liability Section

1 Defective, inadequate, insufficient design or construction of any works to cater for water run-off or drainage
2 Pollution
3 Contamination
4 Discrimination

Annexure B: Items not insured based on the risk based assessment that found that the insurance premiums are not a cost effective mechanism to cover the expected losses:

1 Laptops
2 Desktops
3 Items less than minimum excess fee
4 Drones (all risk not taken out, but theft cover is taken out)

SWARTLAND MUNICIPALITY

PREFERENTIAL PROCUREMENT POLICY

REVIEWED AND AMENDED MAY 2026

PREFERENTIAL PROCUREMENT POLICY adopted in terms of section 2 of the Preferential Procurement Policy Framework Act, No. 5 of 2000 and the Preferential Procurement Regulations, 2022.

Adopted: **16 January 2023 (replacing the Preferential Procurement Policy adopted on 23 March 2017)**
Amended: **31 May 2024**
Amended: **22 August 2024**
Amended: **31 March 2025**
Amended: **31 March 2026**

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1. Definitions

In this Policy, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act must bear the meaning so assigned—

"**Acceptable Tender**" mean any tender which, in all respects, complies with the specification and conditions of tender as set out in tender document.

"Black designated groups" has the meaning assigned to it in the codes of good practice issued in terms of section 9 (1) of the BBBEEA.

"Black people" has the meaning assigned to it in section 1 of the BBBEEA.

"Designated group" means black designated groups, black people, women, people with disabilities; or small enterprises which are enterprises, owned, managed, and controlled by previously disadvantaged persons and which is overcoming business impediments arising from the legacy of apartheid.

"Disability" means in respect of a person, a permanent means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being.

"EME" means

(1) exempted micro enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the BBBEEA**.**

(2) an entity with an annual turnover of R10 000 00.000 (ten million Rand) or less

"Large Enterprises" is a company with an annual turnover in excess of R50 million.

"highest acceptable tender" means a tender that complies with all specifications and conditions of tender and that has the highest price compared to other tenders;

"Locality" means the local suppliers and/or service providers which has a permanent operational office, where business is conducted from, located within the Municipal area and, or Province, excluding short or medium term lease agreements, or building site offices.

"lowest acceptable tender" means a tender that complies with all specifications and conditions of tender and that has lowest price compared to other tenders;

"National Treasury" has the meaning assigned to it in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999);

"price" means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;

"Proof of B-BBEE status level of contributor" means the B-BBEE status level certificate issued by an authorised body or person

1) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or
2) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act.

"Proof of locality" means –

1) a municipal account in the name of the tenderer not older than 90 days;
2) a valid lease agreement where the tenderer is the lessee;
3) an official letter from the bank confirming the registered business address of the tenderer; or
4) (i) an affidavit by the tenderer stating that he occupies the premises for business use; and
   (ii) an affidavit by the owner of the property stating that the tenderer occupies the premises for business use; and
   (iii) a municipal account of the premises in the name of the owner, not older than 90 days where the tenderer does not have a municipal account in his name, and does not have a lease agreement

"Qualifying Small Enterprise (QSE) "is a company with a turnover between R10 million and R50 million

"Rand value" means the total estimated value of a contract in Rand, calculated at the time of the tender invitation;

"SMME" means small, medium and micro enterprises namely Exempted Micro Enterprises and Qualifying Small Enterprises

"specific goals" means specific goals as contemplated in section 2(1)*(d)* of the Act which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in *Government Gazette* No. 16085 dated 23 November 1994;

"tender" means a written offer in the form determined by the municipality in response to an invitation to provide goods or services through price quotations (transactions with a value above R10,000.00 up to R300,000.00, VAT inclusive), competitive tendering process or any other method envisaged in legislation;

"tender for income-generating contracts" means a written offer in the form determined by the municipality in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the municipality and a third party that produces revenue for the municipality, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

"the Act" means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

"the municipality" refer to Swartland Municipality

"valid lease agreement" to accompany a bid in support of the bidder's locality claim, which must include verifiable information in respect of the following:

(i) Parties to the agreement
(ii) Property leased
(iii) Lease period
(iv) Lease amount
(v) **Signed by both parties** (lessor & lessee)

2. Introduction

2.1 The Constitution of the Republic of South Africa, 1996, provides in sections 152(1)(c) and 152(2) that local government must promote social and economic development and that the municipality must strive within its financial and administrative capacity, to achieve the objects set out in subsection 152(1).

2.2 The Constitution provides in Section 217 that an organ of state must contract for goods or services in accordance with a procurement system which is fair, equitable, transparent, competitive, and cost effective and to implement a policy to grant preferences within a framework prescribed by National Legislation.

2.3 The Broad-Based Black Economic Empowerment Act, 2003 provides in section 10 (b) that every organ of state and public entity must apply any relevant code of good practice issued in terms of the Act in developing and implementing a preferential procurement policy.

2.4 The Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000)-[PPPFA] was promulgated by the Minister in response to the Constitutional provision and allow for a Municipality to develop a preferential procurement policy and to implement such policy within the PPPFA framework.

2.4.1 Section 2 (1) (d) (i) and (ii) of the Preferential Procurement Policy Framework Act, 2000 refers to specific goals which may include:

(i) contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender or disability;
(ii) implementing the programmes of the Reconstruction and Development Programme (RDP) as published in *Government Gazette* 16085 dated 23 November 1994.

2.4.2 The RDP (1994), as basis for development in South Africa, was meant to provide a holistic, integrated, coherent socio-economic policy that is aimed at mobilising people and resources to work towards

the upliftment of the material and social conditions of local communities to build sustainable livelihoods for these communities.

2.4.3 In terms of Section 2 (1)(d)(ii), the following activities may be regarded as a contribution towards achieving the goals of the RDP, in addition to the awarding of preference points in favour of HDIs (published in Government Gazette No. 16085 dated 23 November 1994):

(i) The promotion of South African owned enterprises;
(ii) The promotion of export orientated production to create jobs;
(iii) The promotion of SMMEs;
(iv) The creation of new jobs or the intensification of labour absorption;
(v) The promotion of enterprises located in a specific province for work to be done or services to be rendered in that province;
(vi) The promotion of enterprises located in a specific region for work to be done or services to be rendered in that region;
(vii) The promotion of enterprises located in a specific municipal area for work to be done or services to be rendered in that municipal area;
(viii) The promotion of enterprises located in rural areas;
(ix) The empowerment of the work force by standardising the level of skill and knowledge of workers;
(x) The development of human resources, including by assisting in tertiary and other advanced training programmes, in line with key indicators such as percentage of wage bill spent on education and training and improvement of management skills; and
(xi) The upliftment of communities through, but not limited to, housing, transport, schools, infrastructure donations, and charity organisations.

2.5 The Minister of Finance gazetted the new Preferential Procurement Regulations, 2022 dated 4 November 2022 in terms of section 5 of the Preferential Procurement Policy Framework Act, 2000 (PPPFA).

3. Purpose and Objectives

3.1 **(a) The purpose of this policy is to**:

(i) Provide for categories of preference in awarding of bids;
(ii) Provide for the advancement of persons or categories of persons disadvantaged by unfair discrimination; and
(iii) Clarify the mechanisms how the above items in paragraph 3.1 (a) (i) and (ii) will be implemented.

3.2 **(b) The objectives to be achieved through this policy is to:**

(i) Promote Black-Based Black Economic Empowerment (B-BBEE) - enterprises providing services and goods.
(ii) Promote local labour and/ or promotion of enterprises located in the municipal area.
(iii) Promote Small Medium and Micro Enterprises (SMME's), Joint Ventures, Consortiums, and partnerships.
(iv) Implement recognised best procurement practises through effective planning, strategic purchasing, and contract management.

The policy rests upon certain core principles of behaviour as set out in the Constitution and ratified by the Constitutional Certification Judgements. In this context, the policy will be applied in accordance with a system, which is fair, equitable, transparent, competitive, and cost-effective in terms of Section 217 of the Constitution.

This policy strives to ensure that the objectives for uniformity in the supply chain management systems between Municipalities/Municipal entities, is not undermined and consistency with the SCM policies in line with sections 152(1)(c) and 152(2) of the Constitution.

4. Application of Preference Point System

4.1 The Municipality will, in the tender documents, stipulate —

(a) the preference point system applicable; and
(b) any specific goal as envisaged in section 2(1)(d) and (e) of the Preferential Procurement Act.

4.2 If it is unclear whether the 80/20 or 90/10 preference point system applies—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system.

5. 80/20 preference point system for acquisition of goods or services with a Rand value above R10,000.00 up to a Rand value equal to R50 million

5.1 The following formula must be used to calculate the points out of 80 for price in respect of an invitation for a tender with a Rand value above R10,000.00 up to a Rand value equal to R50 million, inclusive of all applicable taxes:

$$Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right)$$

Where-

Ps = Points scored for price of tender under consideration;
Pt = Price of tender under consideration; and
Pmin = Price of lowest acceptable tender.

5.2 A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender.
5.3 The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places.
5.4 A tenderer must submit proof of its B-BBEE status level of contributor in order to claim points for B-BBEE.
5.5 A tenderer failing to submit proof of B-BBEE status level of contributor with his quotation/tender or is a non-compliant contributor to B-BBEE may not be disqualified, but will only score 0 points for B-BBEE.
5.6 A tenderer must submit proof of locality in order to claiming point(s) for locality.
5.7 A tenderer failing to submit proof of locality with his quotation/tender may not be disqualified, but will only score 0 points for locality.
5.8 A tenderer that scores 0 points for B-BBEE and/or 0 points for locality must be scored for price in addition to points for B-BBEE or locality, as the case may be.
5.9 Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

6. 90/10 preference point system for acquisition of goods or services with Rand value above R50 million

6.1 The following formula must be used to calculate the points out 90 for price in respect of an invitation for tender with a Rand value above R50 million, inclusive of all applicable taxes:

$$Ps = 90\left(1 - \frac{Pt - P\min}{P\min}\right)$$

Where-
Ps = Points scored for price of tender under consideration;
Pt = Price of tender under consideration; and
Pmin = Price of lowest acceptable tender.

6.2 A maximum of 10 points may be awarded to a tenderer for the specific goal specified for the tender.
6.3 The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places.
6.4 A tenderer must submit proof of its B-BBEE status level of contributor in order to claim points for B-BBEE.
6.5 A tenderer failing to submit proof of B-BBEE status level of contributor with his quotation/tender or is a non-compliant contributor to B-BBEE may not be disqualified, but will only score 0 points for B-BBEE.
6.6 A tenderer must submit proof of locality in order to claiming point(s) for locality.
6.7 A tenderer failing to submit proof of locality with his quotation/tender may not be disqualified, but will only score 0 points for locality.
6.8 A tenderer that scores 0 points for B-BBEE and/or 0 points for locality must be scored for price in addition to points for B-BBEE or locality, as the case may be.
6.9 Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

7. 80/20 preference points system for tenders for income-generating contracts with a Rand value above R10,000.00 up to a Rand value equal to R50 million

7.1 The following formula must be used to calculate the points for price in respect of an invitation for tender for income-generating contracts, with a Rand value above R10,000.00 up to a Rand value equal to R50 million, inclusive of all applicable taxes:

$$Ps = 80\left(1 + \frac{Pt - Pmax}{Pmax}\right)$$

Where-
Ps = Points scored for price of tender under consideration;
Pt = Price of tender under consideration; and
Pmax = Price of highest acceptable tender.

7.2 A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender.
7.3 The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places.
7.4 A tenderer must submit proof of its B-BBEE status level of contributor in order to claim points for B-BBEE.

7.5 A tenderer failing to submit proof of B-BBEE status level of contributor with his quotation/tender or is a non-compliant contributor to B-BBEE may not be disqualified, but will only score 0 points for B-BBEE.
7.6 A tenderer must submit proof of locality in order to claiming point(s) for locality.
7.7 A tenderer failing to submit proof of locality with his quotation/tender may not be disqualified, but will only score 0 points for locality.
7.8 A tenderer that scores 0 points for B-BBEE and/or 0 points for locality must be scored for price in addition to points for B-BBEE or locality, as the case may be.
7.9 Subject to section 2(1)*(f)* of the Act, the contract must be awarded to the tenderer scoring the highest points.

8. 90/10 preference point system for tenders for income-generating contracts with Rand value above R50 million

8.1 The following formula must be used to calculate the points for price in respect of a tender for income-generating contracts, with a Rand value above R50 million, inclusive of all applicable taxes:

$$Ps = 90\left(1 + \frac{Pt - Pmax}{Pmax}\right)$$

Where-
Ps = Points scored for price of tender under consideration;
Pt = Price of tender under consideration; and
Pmax = Price of highest acceptable tender.

8.2 A maximum of 10 points may be awarded to a tenderer for the specific goal specified for the tender.
8.3 The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places.
8.4 A tenderer must submit proof of its B-BBEE status level of contributor in order to claim points for B-BBEE.
8.5 A tenderer failing to submit proof of B-BBEE status level of contributor with his quotation/tender or is a non-compliant contributor to B-BBEE may not be disqualified, but will only score 0 points for B-BBEE.
8.6 A tenderer must submit proof of locality in order to claiming point(s) for locality.
8.7 A tenderer failing to submit proof of locality with his quotation/tender, may not be disqualified, but will only score 0 points for locality.
8.8 A tenderer that scores 0 points for B-BBEE and/or 0 points for locality must be scored for price in addition to points for B-BBEE or locality, as the case may be.
8.9 Subject to section 2(1)*(f)* of the Act, the contract must be awarded to the tenderer scoring the highest points.

9. Specified Contract Participation Goals

9.1 The tendering conditions will stipulate the specific goals, as contemplated in section 2(1)(d)(ii) of the Preferential Procurement Act, to be attained.
9.2 Tenders for income-generating contracts points will be allocated in terms of the BBBEE scorecard as follows:

(a) Residential Properties and Promotion of local SMME's

Locality of bidder	Number of Points for Locality (80/20)	Number of Points for Locality (90/10)
Within the boundaries of the town where the subject property is located	10	5
Within the boundaries of the Swartland Municipality	10	5

(b) All other income-generating contracts

Locality of bidder	Number of Points for Locality (80/20)	Number of Points for Locality (90/10)
Within the boundaries of South Africa	20	10

9.3 For any other tenders a maximum of 20 points (80/20 preference points system) or 10 (90/10 preference points system), will be allocated for specific goals. These goals are:

(a) contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender or disability;

(b) local labour and/ or promotion of enterprises located in the municipal area.

9.4 Regarding paragraph 9.3 (a) 50% of the 20/10 points will be allocated to promote this goal and points will be allocated in terms of the BBBEE scorecard as follows.

B-BBEE Status Level of Contributor	Number of Points for Preference (80/20)	Number of Points for Preference (90/10)
1	10	5
2	9	4.5
3	8	4
4	5	2.5
5	4	2
6	3	1.5
7	2	1
8	1	0.5
Non-compliant contributor	0	0

9.5 A tenderer must submit proof of its BBBEE status level contributor [scorecard].

9.6 A tenderer failing to submit proof of BBBEE status level of contributor –

9.6.1 may only score in terms of the 80/90-point formula for price; and

9.6.2 scores 0 points for BBBEE status level of contributor, which is in line with section 2 (1) (d) (i) of the Act, where the supplier or service provider did not provide proof thereof.

9.7 Regarding paragraph 9.3 (b) 50% of the 20/10 points will be allocated to promote this goal. Points will be allocated as follows.

Locality of supplier	Number of Points for Locality (80/20)	Number of Points for Locality (90/10)
Within the boundaries of the Western Cape	3	1.5
Within the boundaries of Swartland Municipality	7	3.5

9.8 The policy should not include Pre-qualification goals.

9.9 Any specific goal for which a point may be awarded, must be clearly specified in the invitation to submit a tender.

9.10 A tenderer failing to submit proof of required evidence to claim preferences for other specified goals, which is in line with section 2 (1) (d) (ii) of the Act.

(i) may only score in terms of the 80/90-point formula for price; and

(ii) scores 0 points for the relevant specific goals where the supplier or service provider did not stipulate locality.

9.11 The preference points scored by a tenderer must be added to the points scored for price.

9.12 The points scored must be rounded off to the nearest two decimal places.

9.13 The contract must be awarded to the tenderer scoring the highest preference points.

10. Criteria for breaking deadlock in scoring

10.1 If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for specific goals.

10.2 If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.

11. Remedies

11. 1 If the municipality is of the view that a tenderer submitted false information regarding a specific goal, it must—

(a) inform the tenderer accordingly; and

(b) give the tenderer an opportunity to make representations within 14 days as to why the tender may not be disqualified or, if the tender has already been awarded to the tenderer, the contract should not be terminated in whole or in part.

11.2 After considering the representations referred to in subregulation (1)(b), the municipality may, if it concludes that such information is false—

(a) disqualify the tenderer or terminate the contract in whole or in part; and

(b) if applicable, claim damages from the tenderer.

12. Short title

This policy is called the Preferential Procurement Policy of the Swartland Municipality.

GRANTS-IN-AID POLICY

in terms of Section 67 of the
Municipal Finance Management Act, 2003
(Act 56 of 2003)

Approved: with effect from 1 July 2019
Reviewed and amended: May 2025

Reviewed and amended: May 2026

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ANNEXURES:

Appendix A Grants-in-aid Application Form

Appendix B Memorandum of Agreement (MOA)

1. DEFINITIONS

"**Appendix A**" means the application for grant-in-aid, detailed more fully below, and provided for in clause 7;

"**Appendix B**" means the memorandum of agreement (MOA), detailed more fully below, and provided for in clause 10;

"**Beneficiary**" means an organisation as defined herein to which the Municipality has allocated a grant-in-aid;

"**Grant-in-aid**" means a grant-in-aid, allocation or contribution, as referred to in Section 17(3)(j)(iv) of the MFMA, made by the Municipality to any organisation or body outside any sphere of government, which does not constitute a commercial or business transaction, and refers only to a monetary donation;

"**Memorandum of agreement (MOA)**" means the agreement entered into between the Municipality and any beneficiary who receives a grant-in-aid in terms of this policy and Appendix A;

"**MFMA**" means the Municipal Finance Management Act, 2003 (Act 56 of 2003);

"**organisation**" means an organisation or body as contemplated in Section 67 of the MFMA, which is either –

- registered in terms of Section 13 of the Non Profit Organisations Act, 1997 (Act 71 of 1997);
- a company incorporated as a non-profit company in terms of the Companies Act, 2008 (Act 71 of 2008);
- a non-governmental organisation (NGO) that is a legally constituted non-profit organisation that operates independently from any form of government;
- an organisation providing community based care and support services to the aged;
- an organ of state or properly constituted community; or
- a welfare or voluntary organisation which have a constitution, provable active membership, have regular meetings with their membership and subscribe to sound accounting practices, and which is located and serve communities and individuals who are most in need within the jurisdiction of the Municipality.

2. PURPOSE, AIMS AND OBJECTIVES

2.1 This policy aims to provide a framework for grants-in-aid to organisations as defined in the policy that serve the poor, marginalised or otherwise vulnerable as envisaged by Sections 12 and 67 of the MFMA.

2.2 The purpose of the Grants-in-Aid Policy is to complement the goals, objectives, programmes and actions of the Swartland Municipality's Integrated Development Plan (IDP), in order to give effect to the Municipality's vision of establishing a Swartland 2040 where people can live their dreams.

2.3 Grants-in-aid should not duplicate services already provided for by the Municipality or which falls within the geographical jurisdiction in which the Municipality operates.

2.4 Grants-in-aid should improve the opportunity for the Municipality to elicit the support of external organisations which fall within the Municipality's area of responsibility in a way that allows the Swartland community to create an enabling environment for community development.

3. LEGAL FRAMEWORK

3.1 The Municipality derives its competency to allocate and distribute grants-in-aid in terms of Section 156 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996) read with Section 8 of the Municipal Systems Act, Schedule 4 Part B and Schedule 5 Part B, which contains the local government matters which falls under a municipality's powers and functions. Thus a municipality may distribute grants-in-aid to organisations and bodies which promote and support these different matters as listed.

3.2 All transfers of funds in terms of this policy shall comply with the Constitution, the Municipal Systems Act, 2000 (Act 32 of 2000), the Municipal Finance Management Act, 2003 (MFMA), the Municipal Regulations on Cost Containment, 2019; and any other applicable legislation, regulations and policies that may govern the transfer of municipal funds and that are not in contradiction to the above.

4. RESTRICTIONS

4.1 This policy applies to all transfers or grants made by the Municipality towards support of services for the poor, marginalized or otherwise vulnerable people, but excludes –

(1) grants made by the Executive Mayor from the proceeds of special fund-raising activities, such as golf days;

(2) donations made from specific amounts which may be set aside by the Municipality from which the Municipal Manager, after consultation with the Executive Mayor, may at his/her discretion, make donations to support individual, meritorious cases in order to assist and/or recognise individual excellence in whichever field; and

(3) donations made in the form of services rendered to events that meaningfully contribute towards local economic development, authorised by the Municipal Manager in his sole discretion, which services could be calculated in monetary terms.

4.2 Individuals may not apply for grants-in-aid and no payment may be made under this policy to individuals. Bursaries to individuals are treated according to the applicable municipal policy guidelines.

4.3 The total expenditure on grants may not exceed 1% of the operating budget of the Municipality.

4.4 Grants will only be made for organisations operating within the Swartland municipal area.

4.5 The decision regarding the amounts to be transferred to beneficiaries as grants-in-aid in terms of this policy is solely at the discretion of the Municipality and subject to the availability of funds in its operating budget.

4.6 Grants-in-aid transfers/payments shall be restricted to deserving organisations serving especially those working with the poor, aged, youth, disabled, women and the unemployed, unless otherwise so approved in the annual budget, as per the eligible categories in clause 6, provided that such organisations or bodies:

(1) operate as a separate legal entity and are recognized as such by South African legislation;
(2) are governed by their constitutions, have regular meetings with their membership and subscribe to sound accounting principles; and
(3) are allocated and serves communities and individuals who are most in need within the jurisdiction of the Swartland Municipality.

4.7 No grant will be allocated, under this policy, to organisations or bodies in cases where a member of Council, an official of Swartland Municipality or close relative of said individuals receive any financial or other gain.

4.8 Funds may only be transferred to an organisation if provision has been made for the expenditure that has been appropriated in the approved budget.

4.9 An organisation is only entitled to one allocation per financial year, but disbursements can be made more often, e.g. by means of monthly instalments.

4.10 Payments shall not be processed as grants-in-aid for goods and services provided to the municipality, which must be subjected to a proper supply chain management process.

4.11 Funding will not be considered in the following instances: -

(1) Where a project or organisation is already receiving funds from the Municipality in terms of the Municipality's functions.

(2) Where, in the Municipality's opinion, an organisation receives sufficient funds from other sources to sustain its activities or the project applied for. For this purpose, in its sole discretion, the Municipality may require from a beneficiary during the annual screening/review process as contemplated herein, to submit financial statements and a budget for the ensuing financial year;

(3) To organisations who cannot account for the expenditure of a previous grant-in-aid;

(4) Where only one individual will benefit;
(5) For political ratepayers organisations/groupings;
(6) For projects outside the boundaries of the Municipality;
(7) Where expenses have already been incurred;
(8) Where the applicant seeks to establish a new organisation;

(9) Where the application form was not properly completed by the applicant and not all documentation provided without a reasonable explanation;
(10) Where applications were received after the due date and time for submissions, unless on good cause shown by the applicant, permission to submit the application and/or required documents has been granted by the Director: Corporate Services; and
(11) Where the applicant is more than three months in arrears to the Municipality.

5. GENERAL GUIDELINES AND CONDITIONS

5.1 General Guidelines

The following general guidelines shall apply to all applications for grants-in-aid:

(a) Receiving any grant-in-aid, irrespective of the amount granted is a privilege not a right;
(b) No precedent is established in respect of applicants who have been awarded grants-in-aid before;
(c) Funding of applications will largely be considered on an annual basis. However, ad hoc applications may be considered by the Municipal Manager, in consultation with the Executive Mayor, subject to such ad hoc funds having been made available during the annual budget process.
(d) All funds received from the Municipality in the same financial year through any other means will be taken into consideration.

5.2 Conditions

(a) All applicants must complete a grant-in-aid application form and submit with it all relevant information and documents requested therein.
(b) The Municipality reserves the right to, or not to, fund an organisation for more than one year;
(c) Where funding is made available for more than one year, beneficiaries will be screened annually by the Municipality to determine, in its sole discretion, whether the beneficiary will qualify for funding during the ensuing financial year.
(d) Beneficiaries must implement effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement;
(e) The grant must be exclusively utilised for the purposes defined in the MOA to be concluded with a beneficiary;
(f) The MOA signed with a beneficiary must be complied with, including all reporting, financial management and auditing requirements as may be stipulated in the agreement
(g) Grant-in-aid applications must be accompanied by a business plan which clearly sets out what any grant-in-aid from the Municipality would be used for.

5.2.1 Specific conditions

Crèches and Soup Kitchens –

- must be affiliated with a Non-Profit Organisation (NPO) for service delivery;
- must be registered with the Western Cape Department of Social Development.

6. CATEGORIES ELIGIBLE FOR GRANTS-IN-AID

The following categories currently apply. Cognisance should be taken that these categories are not exhaustive. Other than the general guidelines and conditions set out above, categories indicated below may require specific criteria applicable to its projects/programmes:

6.1 Social development and wellbeing

Projects/programmes include the following but are not limited to:

(1) Poverty alleviation
(2) Upliftment of communities, inclusive of sporting bodies
(3) Vulnerable groups (poor/aged/youth/disabled/women) within communities
(4) Early childhood development
(5) Museum preservation as part of the Swartland identity

6.2 Environmental wellbeing

Projects/programmes include the following but are not limited to:

(1) Organisations promoting community involvement in environmental projects
(2) Projects aimed at the sustainable management of:
    - Biodiversity
    - Heritage resources
    - Ecological conservation areas
    - Nature area management
    - Wetlands

6.3 Local economic development

Projects/programmes that promote the Swartland identity, including but not limited to sporting events

7. APPLICATIONS

7.1 Organisations identified by the Municipality to qualify for financial assistance in terms of this policy shall be required to duly complete an application form as per Appendix A hereto, and to submit same, along with the required documents and information, to the Director: Corporate Services in time to complete all relevant processes.

7.2 The Director: Corporate Services shall annually, by 31 July annually, invite existing beneficiaries in respect of whom provision has been made by the Council in the applicable operating budget, to submit their applications and all documents that may be required by 30 August, unless on good cause shown extension is granted by the Director: Corporate Services.

7.3 No grant will be considered if no or an incomplete application form is submitted.

7.4 A grant-in-aid will be made to deserving organisations for a period not exceeding three years, provided that financial assistance will be reviewed on an annual basis in terms of the deliverables in the MOA concluded with the beneficiary, in order to ensure that the Municipality complies with its legislative duties.

7.5 New applicants will be screened and existing beneficiaries reviewed annually by a committee comprising of the Chief Financial Officer, Director: Corporate Services and Manager: Community Development, which committee shall have the sole discretion to decide whether or not a grant-in-aid will be made or continued.

7.6 Old age homes are deemed to be the backbone in serving the vulnerable and the poor in the Swartland area and due to past acknowledgements and controls need not apply annually. Any change in their status must be communicated to the Municipality. Upon status review if and when required, the need to not submit annual financial statements or not will be reconsidered. The Department of Community Development will bi-annually exercise the necessary oversight based on the memorandum of agreement.

8. RIGHTS OF THE MUNICIPALITY

8.1 The Municipality shall be entitled, from time to time, to verify and inspect the existence and activities of the beneficiary. The Municipality will therefore have the right to physically visit the premises where the organisation of the funded project is based, to peruse the budgets and any progress reports related to the project (in contract).

8.2 The Municipality shall manage contracts entered into with organisations by receiving reports and doing the necessary site visits and inspections to ensure that this policy and contract are being complied with.

8.3 The Municipality has the sole discretion to determine the duration for which the grant-in-aid would be provided, and to determine the amount of grant to be awarded, subject to budget provision. Having been awarded a grant previously does not give a beneficiary the right to receive a grant again.

8.4 The grant-in-aid will be cancelled where a beneficiary has failed to remedy deliverables set in the MOA.

9. OBLIGATIONS OF THE BENEFICIARY

9.1 The head of the beneficiary must acknowledge in writing to the Municipal Manager that the money was received in its bank account and that the amount is/will be utilised to the benefit and in accordance with the role of the beneficiary. The funds shall only be used as outlined in the MOA.

9.2 The beneficiary shall report as per the requirements stipulated in the MOA, but at least annually, to the Municipal Manager (or designated official) regarding the activities conducted.

10. **AGREEMENT**

Before any funds are transferred to a beneficiary an agreement, generally in accordance with Appendix B hereto must be concluded by the Municipal Manager to protect the interest of the Municipality.

11. **DEVIATION**

Notwithstanding the provisions of this policy, the Municipal Manager, after consulting with the Executive Mayor, may authorize any deviation from this policy under justifiable circumstances.

12. **REVIEW**

The Director Corporate Services shall ensure that the policy is reviewed and updated annually by end May latest to reflect changing needs, priorities, and best practices.

APPENDIX A

APPLICATION FOR GRANT-IN-AID

PLEASE NOTE: All the questions must be answered and if not applicable, be marked as such. Each page of the application must be initialled and the last page must be signed by the applicant. If there is not enough space for answers, please use and attach further sheets of pages which must also be initialled by the applicant.

Applicants desiring assistance with regards to the completion of this form must contact the applicable project manager within the Municipality.

The allocation of Grant-in-Aid will only be considered if the application has been fully completed and signed and is accompanied by the required and supporting documentation referred to herein.

A	**REGISTERED NAME OF ORGANISATION**					
B	**DATE AND YEAR IN WHICH THE ORGANISATION WAS FOUNDED** (Include a brief description of the business or activities of the organisation)					
C	**ADDRESS OF REGISTERED ORGANISATION (Within the municipal area of jurisdiction)**					
	PHYSICAL ADDRESS		**POSTAL ADDRESS**			
	CODE		**CODE**			
D	**CONTACT DETAILS** **(Details of the person to contact regarding this GIA application)**					
	NAME & SURNAME					
	POSITION					
	TEL ( )		**FAX** ( )			
	MOBILE		**ALTERNATIVE**			
	E-MAIL ADDRESS					
E	**REGISTRATION**					
	Is the organisation a non-profit or non-governmental organisation?		**YES**		**NO**	
	If YES, please provide the Registration Number (Attach a copy of the registration certificate or proof of other affiliation where applicable)		Registration number:			

F	BOARD/COMMITTEE MEMBERS OF THE ORGANISATION (List ALL Board/Committee members of the organisation. Insert a separate page if the space is not enough.)	
1	NAME AND SURNAME	
	POSITION	
	ADDRESS	
	CONTACT NUMBER	
2	NAME AND SURNAME	
	POSITION	
	ADDRESS	
	CONTACT NUMBER	
3	NAME AND SURNAME	
	POSITION	
	ADDRESS	
	CONTACT NUMBER	
4	NAME AND SURNAME	
	POSITION	
	ADDRESS	
	CONTACT NUMBER	
5	NAME AND SURNAME	
	POSITION	
	ADDRESS	
	CONTACT NUMBER	
6	NAME AND SURNAME	
	POSITION	
	ADDRESS	
	CONTACT NUMBER	
7	NAME AND SURNAME	
	POSITION	
	ADDRESS	
	CONTACT NUMBER	

8	NAME AND SURNAME	
	POSITION	
	ADDRESS	
	CONTACT NUMBER	
9	NAME AND SURNAME	
	POSITION	
	ADDRESS	
	CONTACT NUMBER	
10	NAME AND SURNAME	
	POSITION	
	ADDRESS	
	CONTACT NUMBER	

G	PREVIOUS FUNDING	
	Have you received Swartland Municipality Grant-in-Aid funding previously?	
	If YES, for which financial year/s?	
	What amount was received?	
	Did you submit Financial Reports for the funds received?	
	Do you receive any other sources of funding, and if so, list the applicable amounts.	

H	CATEGORY (For more information refer to clauses 5 and 6 of the Grant-in-Aid Policy for general guidelines and categories eligible for GIA. Tick the applicable box below.)			
	SOCIAL DEVELOPMENT AND WELLBEING		LOCAL ECONOMIC DEVELOPMENT	
	ENVIRONMENTAL WELLBEING			
	OTHER (Please specify)			

I	REQUEST FOR FUNDING				
	Is funding required for a specific project? (If YES, attach details separately, including the duration of the project)	YES		NO	
	Is funding required for general support? (If YES, attach a copy of the organisation's overall budget)	YES		NO	
	Budgeted amount requested				

J	THE FOLLOWING MUST BE ATTACHED TO THIS APPLICATION (Please use this form as a check-list, to ensure that you comply with the specified requirements.)	
1	AUDITED FINANCIAL STATEMENTS (A copy of the latest audited financial statements or independently reviewed financial statements were when-applicable.)	

	NOTE: Where compliance with this requirement is uneconomical or unreasonable as provided for in section 67(4) of the Municipal Finance Management Act, the accounting officer must issue a certificate to the Auditor-General.	
2	**PROJECT PROGRAM / BUSINESS PLAN** (A copy of the project/program description and/or business plan for the ensuing financial year. Please ensure that the following is included in the project/program and/or business plan, by using the below mentioned bullet points as a guide.)	
3	• Full details of the proposal/project/business plan including objectives	
	• The number of people who will benefit and how the project/program will contribute or enhance the strategic objectives of Swartland Municipality	
	• The project/program commencement and completion dates	
	• Information on the total costs of the project/program budget	
	• A breakdown of costs and an outline of any contributions by fundraising and/or own contributions	
	• A list of all other sources of funding together with the assessments	
	• A summary of past achievements	
	• Reference independent of the applicant and its executive/board or committee members	
4	**SIGNED AND STAMPED SUPPLIER BANKING ACCOUNT FORM** (An original signed copy of a correctly completed Supplier Banking Account Form of the Swartland Municipality.)	
5	**MUNICIPAL ACCOUNT** (A copy of the applicant's latest municipal account.)	
K	**FORMAT FOR FEEDBACK REPORT** (Please ensure that your feedback of previous funding received, includes the following.)	
1	Summary report on the project including numbers reached, outcomes achieved, evaluation of the project indicating successes and failures/lessons learned.	
2	Pictures of the project/program if applicable	
3	Financial report on expenditure regarding previous grant-in-aid separate from the annual financial statements. (Attach proof of expenditure)	
L	**DECLARATION OF INTEREST**	
The beneficiary declares that the following municipal employees and/or councilors have a vested interest in the business of the beneficiary. However, they do not benefit directly from this donation and were not part of the decision making process in the allocation of donations:		
Name & Surname		
Designation		
Name & Surname		
Designation		
M	**UNDERTAKING**	
	I/We hereby verify that the information provided in this application is true and correct and that the conditions and restrictions applicable to the allocation of a Grant-in-Aid as set out in the GIA policy have been read and is understood and will be complied with. I/We also declare that the organisation implements effective, efficient and transparent financial management and internal control mechanisms to guard against fraud, theft and financial mismanagement and has in the past complied with requirements for similar transfer(s) of funds. Thus completed and signed at …… on this …… day of …….. 20….. …….. ……. **Chairperson/Authorised representative** **Secretary/Duly Authorised Signatory**	

PLEASE TAKE NOTE: The completed application forms, together with all the required supporting documentation must be posted to The Municipal Manager, Private Bag X52, Malmesbury 7299 or hand delivered to The Municipal Manager, 1 Church Street, Malmesbury 7300.

APPENDIX B

MEMORANDUM OF AGREEMENT

entered into by and between

SWARTLAND MUNICIPALITY

(hereinafter called the
"**MUNICIPALITY**")

herein represented by **Joggie Scholtz**, in his capacity as **Municipal Manager**, being duly authorised

and

_____

(hereinafter called the "**BENEFICIARY**")

herein represented by_____in his/her capacity as_____,
being duly authorised

WHEREAS Section 67(1) of the Local Government: Municipal Finance Management Act, Act 56 of 2003 (MFMA) obliges the Accounting Officer of a MUNICIPALITY to satisfy himself that, before transferring funds of the MUNICIPALITY to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction, that such organisation or body:-

(a) has the capacity and has agreed-

(i) to comply with any agreement with the MUNICIPALITY;

(ii) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement;

(iii) to report at least monthly to the Accounting Officer on actual expenditure against such transfer (should transfers be done on a monthly basis); and

(b) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and

(c) has in respect of previous similar transfers complied with all the requirements as set out above; and

(d) give permission to site visits done by the MUNICIPALITY.

WHEREAS the MUNICIPALITY has approved a Grants-in-Aid Policy, in terms whereof applications are considered;

WHEREAS the BENEFICIARY has applied for a grant-in-aid as per the official grant-in-aid application form; and

WHEREAS the MUNICIPALITY has approved such application, subject to certain conditions;

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. TRANSFER OF FUNDS

1.1 The MUNICIPALITY hereby undertakes to transfer an all-inclusive amount of R……. (…….), being a donation for the period 01 Jul 20... to 30 June 20… to the BENEFICIARY.

1.2 Bank Account details: (The following are confirmed through a correctly completed Suppliers Bank Account Form which is to accompany the BENEFICIARY's application.)

Account number	:	_____
Name of financial institution	:	_____
Name of account holder	:	_____
Branch code	:	_____
Type of account	:	_____

1.3 The all inclusive amount will be transferred in equal amounts on the following dates (if applicable):

_____

2. OBLIGATIONS OF BENEFICIARY

2.1 The BENEFICIARY must acknowledge in writing to the Municipal Manager that the amount(s) was(were) received in its bank account.

2.2 The BENEFICIARY hereby certifies that the money will be utilised in accordance with the role of the organisation or society, to the benefit of the community and in accordance with the project(s) / programme(s) as indicated in the application form.

2.3 The BENEFICIARY undertakes to report to the Municipal Manager regarding the activities conducted, actual expenditure against such transferred funds, as well as the number of people benefiting from the activities as determined below.

Reporting requirements: ……..

……

3. SPECIFIC CONDITIONS

3.1 The parties specifically agree on the following:

That the organisation will commit to active involvement in any program run by the MUNICIPALITY in the area of operation of the organisation when such a program is active in the community.

Other conditions:

_____

_____

4. DECLARATION OF INTEREST

The BENEFICIARY declares that the following municipal employees and/or councillors have a vested interest in the business of the BENEFICIARY. However, they do not benefit directly from this donation and were not part of the decision making process in the allocation of the donations: (Name and designation)

_____

_____

5. ACQUISITION OF ASSETS

Should the BENEFICIARY wish to acquire any moveable or immovable assets with the money donated in terms of this Agreement, the BENEFICIARY hereby undertakes to take all reasonable steps to ensure that such assets are maintained and that a system of internal control of such assets is in place.

6. RIGHTS OF THE MUNICIPALITY

6.1 The MUNICIPALITY shall be entitled, from time to time, to verify the existence and to inspect the activities of the BENEFICIARY, having regards for its right to privacy as entrenched in terms of the Constitution of the Republic of South Africa.

6.2 The MUNICIPALITY shall further be entitled to peruse the budgets and any progress reports related to the project / programme as per this Agreement.

7. FAILURE TO COMPLY

7.1 Failure by the BENEFICIARY to comply with the obligations as set out in Clause 2 of this Agreement, may lead to the cancellation of this Agreement, in which case the MUNICIPALITY may demand that the organisation pays back any unspent funds as per this Agreement. The MUNICIPALITY may even, depending on the circumstances leading to the non-compliance by the BENEFICIARY, demand that the organisation pays back the full amount paid to the BENEFICIARY.

8. INDEMNIFICATION

8.1 The BENEFICIARY hereby acknowledges that it receives the grant voluntarily and that it shall keep the MUNICIPALITY indemnified at all times against any loss, cost, damage, injury or liability suffered by the MUNICIPALITY resulting from any action, proceeding or claim made by any person (including themselves) against the MUNICIPALITY caused directly or indirectly by the use/spending of the grant.

9. DISPUTE RESOLUTION

9.1 Any dispute arising from this Agreement shall be mediated between the Parties by a mutually agreed upon and suitably skilled mediator. Should the mediator be unsuccessful and the Parties fail to reach agreement, the dispute may be referred by the aggrieved Party to the arbitration of a single arbitrator, to be agreed upon between the Parties, or failing agreement, to be nominated on the application of any Party, by the President for the time being of the South African Association of Arbitrators. The decision of the single arbitrator shall be final and binding on the Parties.

10. NOTICES AND DOMICILIA

10.1 The parties choose as their *domicilia citandi et executandi* their respective addresses as set out in this clause for all purposes arising out of or in connection with the agreement at which addresses all processes and notices arising out of or in connection with this Agreement, its breach or termination, may validly be served upon or delivered to the Parties.

10.2 For purposes of this Agreement the Parties' respective addresses shall be:

10.2.1 The MUNICIPALITY:
1 Church Street Malmesbury

7300
Fax: 022 487 9440

10.2.2 The BENEFICIARY:

_____

_____

_____

_____

e-mail address: _____

or at such other address of which the Party concerned may notify the other(s) in writing provided that no street address mentioned in this sub-clause shall be changed to a post office box or poste restante.

10.3 Any notice given in terms of this Agreement shall be in writing and shall-

10.3.1 if delivered by hand be deemed to have been duly received by the addressee on the date of delivery;

10.3.2 if posted by prepaid registered post be deemed to have been received by the addressee on the 8th (eighth) day following the date of such posting;

10.3.3 if transmitted by facsimile be deemed to have been received by the addressee on the day following the date of despatch;

10.4 Notwithstanding anything to the contrary contained or implied in this Agreement, a written notice or communication actually received by one of the Parties from another, including by way of facsimile transmission, shall be adequate written notice or communication to such party.

11. ENTIRE AGREEMENT

This Agreement, including the **Grant-in-Aid policy and application form**, constitutes the entire Agreement between the Parties and no variation, amendment or addendum shall be of any force and effect between the Parties unless contained in writing, signed and agreed on by both Parties.

Signed at Malmesbury on this_____day of_____20….

WITNESS: 1. ……..

2. ……..

……. for the MUNICIPALITY

Signed at Malmesbury on this_____day of_____20….

WITNESS: 1. ……..

2. ……..

……. for the BENEFICIARY

SWARTLAND MUNICIPALITY

LONG TERM FINANCIAL PLANNING POLICY

REVIEWED AND NOT AMENDED

MAY 2026

SWARTLAND MUNICIPALITY Long Term Financial Planning Policy

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1. INTRODUCTION

The Municipal Budget and Reporting Regulations (section 7) requires the Accounting Officer to prepare, or take all reasonable steps to ensure the preparation of the Budget Related Policies of the municipalities. Budget related policies include a policy relating to the long term financial plan.

The long term financial plan is considered to be one of the most important strategic documents of the municipality, as this document does not only incorporate various development and implementation plans for the provision of basic services, it is also aimed to assist Municipal Councillors to make informed decisions relating to the provision of basic services and capital programs.

The long term financial plan will also contribute significantly to the obligation that every organ of state, including municipalities, have in term of Section 215 of the Constitution of the Republic of South Africa whereby budgetary processes must promote the following principles:-

- Transparency;
- Accountability;
- and the effective financial management of the economy, debt and the public sector.

Goals and objectives, which forms the core of the financial plan, should be established for the short term (12 months), medium term (2 – 5 years) as well as the long term (beyond 5 years) . These goals and objectives should guide all budget and policy related decision of the municipality and should directly inform the Municipality's estimated expenditure over the medium term. The financial plan should also set out where the funding for the expenditure will come from.

2. SCOPE OF THE POLICY

In order to ensure that all budget and policy related decisions contribute to the long term sustainability of the municipality, this policy includes:

- The objectives of the policy;
- Guidance to develop the financial plan;
- Implementation and Review of this policy

3. OBJECTIVES OF THE POLICY

The main objective of this policy is to establish and document a structured approach to be followed when compiling a long term financial plan. The long term plan must ensure that the municipality remains financially viable for the foreseeable future while also ensuring that current and future service delivery needs of the community are met.

4. GUIDANCE TO DEVELOP THE FINANCIAL PLAN

The long term financial plan must be developed (and reviewed) in a phased approach. The phases include the following:

- Phase 1: Perform a status quo assessment
- Phase 2: Determine medium to long term needs
- Phase 3: Perform a risk assessment
- Phase 4: Develop the Long Term Financial Plan

The four phases will be discussed in the following sections.

4.1. Phase 1: Perform a status quo assessment

The status quo assessment must be performed to establish the current financial status of the municipality. This assessment will highlight both the key challenges faced by the municipality as well as the areas of strength. It will also identify the current revenue sources, the main cost drivers, the status of municipal infrastructure (including service delivery backlogs) as well as the municipality's ability to finance capital expenditure programs.

Based on the above, the status quo assessment of the municipality must incorporate the following:

- The current realities of the municipality, which includes the demographic information, local economic information, indigent household and service delivery backlogs information as well as housing needs.
- The financial overview based on actual historic information as well as tabled budgets. The overview should include sections on the following:
    - Revenue Management;
    - Expenditure Management;
    - Debtor and creditor management;
    - Cash Management;
    - Asset Management; and
    - Funding and Reserves.

- Where applicable, all assessments must include relevant ratio- and trend analysis. Ratio- and trend analysis should include, **but is not limited to,** the following:
    - Trends on major line items and balances;
    - Gross debtors to annual revenue;
    - Debtors Collection Period (Days);
    - Annual Collection Rate;
    - Cash Coverage Ratio;
    - Employee Costs to Total Operating Expenditure;
    - Repairs and Maintenance to PPE; and
    - Liquidity Ratio (Current Ratio).
- Financial goals and targets should be developed to guide municipal decision making.

4.2. Phase 2: Determine medium to long term financing needs

The integrated development plan (IDP) is considered to be the primary document to determine the medium to long term capital needs of the municipality. The IDP is directly informed by the various area plans of the municipality. Area based planning is an initiative that complements the IDP process by focusing and zooming in on the needs of communities.

These capital needs, together with the operating needs, are then incorporated into the 5 year budget of the municipality. The budget will also identify the relevant sources of funding.

4.3. Phase 3: Perform a risk assessment

Based on the information gathered in phase 1 and phase 2, the municipality should perform a detailed financial viability assessment. This assessment must identify all the risk areas that pose a threat to the financial sustainability of the municipality. The assessment should also provide guidance to the management/council of the municipality on the financial areas that require corrective measures.

Management and Council of the municipality should develop strategies to address these sustainability threats.

4.4. Phase 4: Develop the Long Term Financial Plan

The detailed long term financial plan must be developed by incorporating all strategies identified in phase 3. The modeling of the financial plan is also based on the current realities, financial overview and targets and risk assessments.

The financial plan must clearly highlight the projected effect the proposed plan will have on the financial status of the municipality over the Medium Term Revenue and Expenditure Framework.

5. IMPLEMENTATION AND REVIEW OF THIS POLICY

This policy shall be implemented once approved by Council.

The policy shall be reviewed in terms of section 17(2) (e) of the MFMA.

Date of adoption: 1 July 2015

Amended:

Amended: