



**DISTRICT MUNICIPALITY
UMASIPALA WESITHILI
DISTRIKSMUNISIPALITEIT**

Raadslede

Councillors

Ooceba

**Eden
Distriksmunisipaliteit**

**Eden
District Municipality**

**Umasipala Wesithili se
Eden**

Meneer/Dame

Sir/Madam

Mnumzana/Nkosikazi

Kennis geskied hiermee ingevolge Artikel 29 (2) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998, (Wet 117 van 1998) dat die Eerste Raadsvergadering van die 2016/2021 termyn van die Eden Distriksmunisipaliteit gehou sal word in die C A Robertson Raadsaal, Yorkstraat 54, George op Woensdag, 31 Augustus 2016 om 11:00, ten einde oorweging aan die items soos in die meegaande agenda uiteengesit, te skenk.

Notice is hereby given in terms Section 29 (2) of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) that the First Council meeting of the 2016/2021 term of the Eden District Municipality will be held in the C A Robertson Council Chamber, 54 York Street, George, on Wednesday, 31 August 2016 at 11:00 to consider the items as set out in the attached agenda.

Kukhutshwe isaziso ngokwemiqathango yoMhlathi 29(2) woRhulumente Basekhaya: Umthetho Wolawulo loMasiapala, 1998(uMthetho 117 wango 1998) sokokuba Intlanganiso Yokuqala ye Bhunga yexesha lango 2016/2021 yoMasipala Wesithili se Eden izakube ibanjwe kwi Gumbhi leBhunga l CA Robertson, 54 York Street, e George ngomhla ngoLwesathu, 31kweyeThupha 2016 ngo 11:00 ukuqwalasela imiba edandalaziswe kwi agenda edityanisiweyo


GW Lcw

MUNISIPALE BESTUURDER / MUNICIPAL MANAGER / IBAMBELA MANEJA KUMASIPALA

<u>Ngem asb kennis</u>	<u>Please note</u>	<u>Igaziso</u>
Ingevolge Artikel 36 (3) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998, sal die Munisipale Bestuurder tydens die eerste vergadering van die nuut verkose Raad, voor sit totdat die Speaker verkies is.	<i>In terms of Section 36 (3) of the Local Government: Municipal Structures Act, 1998, the Municipal Manager will preside over the first meeting of the newly elected District Council until the election of the Speaker.</i>	Ngokwemi miselo ka Section 36(3) ye Structures Act, 1998, Umanejala womasipala uzakuba ngusihlalo wentlangano yokuqala xa kusonyulwa ibhunga elitsha lesithili de konyulwe usomlomo omtsha webhunga

Item	Agenda	Bladsy/ Page
GENERIC ITEMS / <i>GENERIESE ITEMS</i> / IMIBA EPHAMBILI		
	OPENING AND WELCOME / <i>OPENING EN VERWELKOMING</i> / UVULO NOLWAMKELO	1 - 18
DC 01/08/16	CONSTITUTING OF MEETING AND REPRESENTATION ON COUNCIL: INTRODUCTION OF COUNCILLORS / <i>KONSTITUERING VAN VERGADERING EN VERTEENWOORDIGING OP RAAD: BEKENDSTELLING VAN RAADSLEDE / UKUVULWA KWENTLANGANO NOKUCHAZWA KWEBHUNGA: UKWAZISWA KOOCEBA NEZIPHATHAMANDLA (531542)</i> <i>Refer: Report 4/1/1/1 dated 07 July 2016 from the Municipal Manager (GW Louw)</i>	
DC 02/08/16	OATH/SOLEMN AFFIRMATION BY COUNCILLORS / <i>INHULDIGING VAN RAADSLEDE / UKUFUNGISWA KOOCEBA</i>	
DC 03/08/16	APPLICATIONS FOR LEAVE OF ABSENCE / <i>AANSOEKE OM VERLOF TOT AFWESIGHEID / IZICELOZOKUNGAZIMAS</i>	
DC 04/08/16	COMMUNICATIONS BY THE MUNICIPAL MANAGER / <i>MEDEDELINGS DEUR DIE MUNISIPALE BESTUURDER / UNXIBELELWANO LUKA SODOLOPHU</i>	
DC 05/08/16	DECLARATION OF INTEREST BY COUNCILLORS / <i>VERKLARING VAN BELANGE DEUR RAADSLEDE / OCEBA BACHAZA IINJONGO ZABO (531539)</i> <i>Refer: Report (4/2/2) dated 07 July 2016 from the Executive Manager: Corporate Services (GW Louw)</i>	19 – 21
ITEMS DIRECTLY SUBMITTED TO COUNCIL / <i>ITEMS DIREK AAN DIE RAAD VOORGEHOU</i> / IMIBA NENIKEZELWE KWIBHUNGA		
Dc 06/08/16	ELECTION OF SPEAKER / <i>VERKIESING VAN SPEAKER / UKUCHONGWA KOSOMLOMO WEBHUNGA (528256)</i> <i>Refer: Report (5/2/1) dated 08 July 2016 from the Executive Manager: Corporate/Strategic Services (B Holtzhausen)</i>	22 - 25

DC 07/08/16	<p>STANDARD BY-LAW TO THE PROCEDURE AND MAINTENANCE OF ORDER DURING MEETINGS / STANDAARD VERORDENINGE INSAKE DIE PROSEDURE EN DIE HANDHAWING VAN ORDE TYDENS VERGADERINGS / UMTHEHO QINGQIWEYO NGENQUBO</p> <p>KUNYE NOKUZIPHATHA KWINTLANGANO (531538) Refer: Report (4/1/1/3) dated 08 July 2016 from the Municipal Manager (GW Louw)</p>	26 - 43
DC 08/08/16	<p>ELECTION OF EXECUTIVE MAYOR / VERKIESING VAN UITVOERENDE BURGEMEESTER / UKUCHONGWA KOSODOLOPHU (528227) Refer: Report (5/2/1) dated 08 July 2016 from the Executive Manager: Corporate/Strategic Services (B Holtzhausen)</p>	44 - 47
DC 09/08/16	<p>ELECTION OF EXECUTIVE DEPUTY MAYOR / VERKIESING VAN UITVOERENDE ONDER-BURGEMEESTER / UKUCHONGWA KOSEKELA SODOLOPHU (528259) Refer: Report (5/2/1) dated 08 July 2016 from the Executive Manager: Corporate/Strategic Services (B Holtzhausen)</p>	48 - 51
DC 10/08/16	<p>ESTABLISHMENT OF COMMITTEES IN TERMS OF SECTION 79 AND 80 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT 117 OF 1998) / BEVESTIGING VAN KOMITEES IN TERME VAN ARTIKEL 79 EN 80 VAN DIE PLAASLIKE REGERING: MUNISIPALE STRUKTURE, WET 1998 117 VAN 1998 / UKUMISELWA KWEKOMITI NGOKWEMIQATHANGO KA SECTION 79 KUNYE NO 80 YORHULUMENTE BASEMAKHAYA:MUNICIPAL STRUCTURES ACT,1998(ACT 117 OF 1998)(528257) Refer: Report (4/1/2/1 & 1/1/1/1/7) dated Augustus 2016 from the Executive Manager: Corporate/Strategic Services (B Holtzhausen)</p>	52 - 55
DC 11/08/16	<p>ACCEPTANCE OF A SYSTEM OF DELEGATIONS / AANVAARDING VAN 'N STELSEL VAN DELEGASIES/ UKWAMKELWA KWENQUBO ZABACHONGWA (531537) Refer: Report 4/2/1/1 dated 07 July 2016 from the Municipal Manager GW Louw)</p>	56 - 145
DC 12/08/16	<p>CODE OF CONDUCT FOR COUNCILLORS / GEDRAGSKODE VIR RAADSLEDE / UKUZIPHATHA KOOCEBA (528200) Refer: Report (4/2/7) dated 08 July 2016 from the Executive Manager: Corporate/Strategic Services (B Holtzhausen)</p>	146 - 152

DC 13/08/16	<p>REPORT ON THE REPRESENTATION OF COUNCIL ON EXTERNAL BODIES / VERSLAG RAKENDE DIE VERTEENWOORDIGING VAN DIE RAAD OP EKSTERNE LIGGAME / INGXELO NGOKUBANDAKANYEKA KOCEBA</p> <p>KWIMICIMBI YANGAPHANDLE (528261) Refer: Report 4/1/2 dated dated 08 July 2016 from the Executive Manager: Corporate/Strategic Services (B Holtzhausen)</p>	153 - 158
DC 14/08/16	<p>REPORT ON THE SCHEDULE OF COUNCIL AND COMMITTEE MEETINGS FOR THE REMAINDER OF 2016 / VERSLAG RAKENDE DIE SKEDULE VAN VERGADER DATUMS VIR RAAD EN KOMITEE VERGADERINGS VIR DIE OORBLYWENDE GEDEELTE VAN 2016 / INGXELO MALUNGA NEZICWANGCISO ZEBHUNGA KUNYE NENTLANGANO ZALO KWISIQINGATHA SOKUGQIBELA SONYAKA KA 2016 (529415) Refer: Report (4/1/2/1) dated 08 July 2016 from the Executive Manager: Corporate/Strategic Services (B Holtzhausen)</p>	159 - 162
DC 15/08/16	<p>EDEN DISTRICT ANNUAL INTERGOVERNMENTAL RELATIONS (IGR) CALENDER FOR THE REMAINDER OF 2016 / EDEN DISTRIK JAARLIKSE INTERREGERINGSVERHOUDINGE (IRV) KALENDER VIR DIE OORBLYWENDE GEDEELTE VAN 2016 / IKHALENDAYONYAKA YESITHILI SE EDEN YEMICIMBI YENDIBANISELWANO KWEZOLAWULO KWIXESHA ELISHEKILEYO LIKA 2016 (IGR)(531355) Refer: Report (16/8/2) dated 27 July 2016 from the Executive Manager: Corporate/Strategic Services (B Holtzhausen)/Coordinator IDP & IGR (C Domingo)</p>	162 - 165
DC 16/08/16	<p>EDEN 2016/17 (FINAL) REVIEW OF THE 2012/2013-2016/2017 INTEGRATED DEVELOPMENT PLAN (IDP) / EDEN 2016/17 (FINALE) HERSIENING VAN DIE 2012/2013-2016/2017 GEINTEGREERDE ONTWIKKELINGSPLAN (GOP) UQWALASELO LOKUGQIBELO LWENDIBANISELWANO YESICWANGCISO SEZOPHUHLISO(IDP) YE EDEN LUKA 2016/2017 ISICWANGCISO SIKA 2012/2013-2016/2017 (531186) Refer: Report (16/8/2) dated 25 July 2016 from the Executive Manager: Corporate/Strategic Services (B Holtzhausen): Coordinator IDP & IGR (C Domingo)</p>	166 - 167
DC 17/08/16	<p>DRAFT INTEGRATED DEVELOPMENT PLANNING (IDP) SECTION 27 FRAMEWORK AND 2016/17 DISTRICT IDP</p>	171 - 207

	<p>PROCESS PLAN / KONSEP GEINTEGREERDE (GOP) ARTIKEL 27 RAAMWERK AND 2016/17 DISTRIK GOP PROSESPLAN / UYILO LWESICWANGCISO SENDIBANISELANO YOPHURLISO UMHLATHI 27 WENDLELA YOKUSEBENZA KUNYE NESICWANGCISO SENKQUBO YE IDP KWISITHILI KU 2016/17 (534585)</p> <p><i>Refer: Report (16/8/2) dated 16 August 2016 from the Executive Manager: Corporate/Strategic Services (B Holtzhausen): District IDP Manager (C Domingo)</i></p>	
DC 18/06/16	<p>REPORT: ADJUSTMENT BUDGET 2016/2017 MTREF / AANGEPASTE BEGROTING 2016/2017 MTREF (536568)</p> <p><i>Refer: Report (16/8/17) dated 22 August 2016 from the Accounting Officer (GW Louw)</i></p>	208 - 237

Rdl / Cllr CN Lichaba
Rdl / Cllr D Xego
Rdl / Cllr S De Vries
Rdl / Cllr NF Kamte
Rdl / Cllr MP Mapitiza
Rdl / Cllr TA Simmers
Rdl / Cllr D Saayman
Rdl / Cllr BN Van Wyk
Rdl / Cllr RE Spies
Rdl / Cllr T Van Rensburg
Rdl / Cllr N Ndayi
Rdl / Cllr AJ Rossouw
Rdl / Cllr KS Lose
Rdl / Cllr T Fortuin
Rdl / Cllr JP Johnson
Rdl / Cllr IT Mangaliso
Rdl / Cllr SM Odendaal
Rdl / Cllr SS Mbandezi
Rdl / Cllr BHJ Groenewald
Rdl / Cllr E Meyer
Rdl / Cllr RH Ruiters
Rdl / Cllr I Stemela
Rdl / Cllr EH Stroebe
Rdl / Cllr RS Figland
Rdl / Cllr PJ van der Hoven
Rdl / Cllr T Teyisi
Rdl / Cllr V Gericke
Rdl / Cllr CMA Clarke
Rdl / Cllr K Windvogel
Rdl / Cllr JCLambaateen
Rdl / Cllr RR Wildschut
Rdl / Cllr NC Jacob
Rdl / Cllr M Booysen
Rdl / Cllr MV Molosi
Rdl / Cllr MS Willemse
Rdl / Cllr L Tyokolo

DISTRICT COUNCIL

31 AUGUST 2016

(DC 01/08/16)

**CONSTITUTING OF MEETING AND REPRESENTATION ON COUNCIL:
INTRODUCTION OF COUNCILLORS/ KONSTITUERING VAN VERGADERING
EN VERTEENWOORDIGING OP RAAD: BEKENDSTELLING VAN
RAADSLEDE / UKUHLALWA KWENTLANGANISO KUNYE NABAMELI
KWIBHUNGA: UKWAZISWA KOOCEBA (531542)**

(4/1/1/1)

07 July 2016

REPORT FROM THE MUNICIPAL MANAGER (GW LOUW)**PURPOSE OF REPORT**

Is to constitute the newly elected District Council for Eden and to introduce the councillors and officials.

BACKGROUND / DISCUSSION

Section 2 of Provincial Notice 122/2016 promulgated in Provincial Gazette Extraordinary no. 7599 dated 8 April 2016, reads as follows;

"2.

8. *The Municipal Council of the District Municipality has 35 (thirty-five) councillors as determined by the Provincial Minister in Provincial Notice 264/2014 published in Provincial Gazette Extraordinary No. 7314 dated 6 October 2014, of whom*

(1) *14 (fourteen) proportionally represent the parties contesting the election in the District Municipality in terms of section 23(1)(a) of the Municipal Structures Act;*

(2) *21 (twenty-one) directly represent the Local Municipalities in terms of section 23(1)(b) of the Municipal Structures Act, of whom:*

(a) *1 (one) directly represents the Kannaland Municipality (WC041);*

(b) *2 (two) directly represent the Hessequa Municipality (WC042);*

(c) *4 (four) directly represent the Mossel Bay Municipality (WC043);*

- (d) 6 (six) directly represent the George Municipality (WC044);
 (e) 3 (three) directly represent the Oudtshoorn Municipality (WC045);
 (f) 2 (two) directly represent the Bitou Municipality (WC047);
 (g) 3 (three) directly represent the Knysna Municipality (WC048).

3. *Short title and commencement*

This Notice is called the Eden District Municipality (DC04) Establishment Seventh Amendment Notice and has effect from the date of the next general election of municipal councils."

In accordance with the abovementioned notice, councillors are now introduced as follows and councillors are respectfully requested to rise to the house when their names are called.

A. Proportional representation (14 councillors)

Party	Name(s)	Number of Councillors
ANC	Clodia Ntabiseng Lichaba	5
	Doris Xego	
	Stephen De Vries	
	Nontsikelo Frieda Kamte	
	Mputumi Patco Mapitiza	
DA	Tertuis Alfred Simmers	8
	Daniel Saayman	
	Bernardus Nicholson Van Wyk	
	Rowan Emerson Spies	
	Thersia Van Rensburg	
	Nompumelelo Ndayi	
	Albertus Johannes Rossouw	
	Khayaletu Sabelo Lose	
ICOSA	Theresa Fortuin	1

B. Direct representation from seven (7) local municipalities

DC Councillor List Report - Directly Elected (DC40%)

Results as at: Wednesday, 24 August 2016 10:35:7

Province: WESTERN CAPE

Municipality: DC4 - EDEN

Province	District Council	Party	Councillor	ID Number	Local Council	Election Type
Western Cape	DC4 - Eden	AFRICAN NATIONAL CONGRESS	CLODIA NTABISENG LICHABA	7006290330084	N/A	DC40% - Voted
			DORIS XEGO	8807350514084	N/A	DC40% - Voted
			MPUTUMI PATCO MAPITZA	7408085670083	N/A	DC40% - Voted
			NONTSIKELO FRIEDA KAMTE	5508100690088	N/A	DC40% - Voted
			STEPHEN DE VRIES	6812305004088	N/A	DC40% - Voted
		DEMOCRATIC ALLIANCE	ALBERTUS JOHANNES ROSSOUW	6801085142085	N/A	DC40% - Voted
			BERNARDUS NICHOLSON VAN WYK	4908255081085	N/A	DC40% - Voted
			DANIEL SAAYMAN	7203245279083	N/A	DC40% - Voted
			KHAYALETHU SABELO LOSE	8306245851083	N/A	DC40% - Voted
			NOMPUMELELO NDAYI	7208110880086	N/A	DC40% - Voted
		INDEPENDENT CIVIC ORGANISATION OF SOUTH AFRICA	ROWAN EMERSON SPIES	7003065224084	N/A	DC40% - Voted
			TERTUIS ALFRED SIMMERS	8303235057080	N/A	DC40% - Voted
			THERSIA VAN RENSBURG	8812200051084	N/A	DC40% - Voted
			THERESA FORTUIN	7402240248088	N/A	DC40% - Voted

DC Councillor List Report - Appointed (DC60%)

Results as at: Wednesday, 24 August 2016 10:36:17

Province: WESTERN CAPE

Municipality: DC4 - EDEN

Province	District Council	Party	Councillor	ID Number	Local Council	Election Type
Western Cape	DC4 - Eden	AFRICAN NATIONAL CONGRESS	NAN TREVOR MANGALISO	7311235142084	WC042 - Hessequa	Ward 10402062
			KLAAS WINDVOGEL	6005205142085	WC045 - Oudtshoorn	PR
			MZUKISI VICTOR MOLOSI	7101245680085	WC048 - Knysna	Ward 10408008
			NOMHIKI CYNTHIA JACOB	6710130515081	WC047 - Bitter	PR
			PIETER JACOBUS VAN DER HOVEN	5303105930089	WC044 - George	PR
			SEBENZILE STANFORD MBANDEZI	6409105662081	WC043 - Mossel Bay	PR
			TOBEKA TEYISI	6508120826086	WC044 - George	PR
			BAREND HENDRIK JACOBUS GROENEWALD	5510215115081	WC043 - Mossel Bay	Ward 10403007
			ELIZABETH HENDRIKA STROEBEL	5206040108082	WC044 - George	PR
			ENICA MEYER	6016176107086	WC043 - Mossel Bay	Ward 10403009
		DEMOCRATIC ALLIANCE	ISAYA STEMELA	6403016825080	WC044 - George	PR
			JEROME CEASER LAMBAAT JEEN	9603135205081	WC045 - Oudtshoorn	Ward 10405006
			JOSLYN PATRICIA JOHNSON	7008180171882	WC041 - Kenneland	PR
			LIZUKO TYOKOLO	5302165473085	WC048 - Knysna	PR
			MARK SYDNEY WILLEMSE	6408265148087	WC048 - Knysna	Ward 10408009
			MEMORY BODYSEN	6606265555084	WC047 - Bitter	PR
			RAYBEN GIBB SYLVESTER FICLAND	8103265077085	WC044 - George	PR
			ROSINA HENRIETTA RUITERS	6411200149089	WC043 - Mossel Bay	Ward 10403013
			RYK RAYMOND WILDSCHUT	7108265568084	WC045 - Oudtshoorn	Ward 10405011
			SIMON MARTINUS ODEENDAAL	5107065023085	WC042 - Hessequa	Ward 10402009
	PLAASLIKE BESORGDE INWONERS		VIRGILL GERICKE	6708165148087	WC044 - George	PR



Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

Provincial Gazette Extraordinary

7599

Friday, 8 April 2016

Registered at the Post Office as a Newspaper

CONTENTS

(*Copies are obtainable at Room M21 Provincial Legislature Building, 7 Wale Street, Cape Town 8001.)

Provincial Notice

Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), as amended: Amendment of the existing Establishment Notices for Category B and C municipalities in the Province.

- 122 Eden District Municipality (DC4) Seventh Establishment Amendment Notice
- 123 Hessequa Municipality (WCO42) Sixth Amendment Notice to the Establishment Notice
- 124 Mossel Bay Municipality (WCO43) Sixth Amendment Notice to the Establishment Notice
- 125 George Municipality (WCO44) Seventh Amendment Notice to the Establishment Notice
- 126 Oudtshoorn Municipality (WCO45) Fifth Amendment Notice to the Establishment Notice
- 127 Knysna Municipality (WCO48) Sixth Amendment Notice to the Establishment Notice

Buitengewone Provinsiale Koerant

7599

Frydag, 8 April 2016

As 'n nuusblad by die Poskantoor Geregistreer

INHOUD

(*Afskrifte is verkrygbaar by Kamer M21, Provinsiale Wetgewergebou, Waalstraat 7, Kaapstad 8001.)

Provinsiale Kennisgewing

Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998), soos gewysig: Wysigingskennisgewings van die bestaande Instellingskennisgewings vir Kategorie B en C munisipaliteite in die Provinsie.

- 122 Sewende Wysigingskennisgewing van die Eden Distriksmunisipaliteit (DC4) Instellingskennisgewing
- 123 Sesde Wysigingskennisgewing van die Munisipaliteit Hessequa (WCO42) se Instellingskennisgewing
- 124 Sesde Wysigingskennisgewing van die Munisipaliteit Mosselbaai (WCO43) se Instellingskennisgewing
- 125 Sewende Wysigingskennisgewing van die Munisipaliteit George (WCO44) se Instellingskennisgewing
- 126 Vyfde Wysigingskennisgewing van die Munisipaliteit Oudtshoorn (WCO45) se Instellingskennisgewing
- 127 Sesde Wysigingskennisgewing van die Munisipaliteit Knysna (WCO48) se Instellingskennisgewing

PROVINCIAL NOTICE

The following Provincial Notice is published for general information.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

P.N. 122/2016

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

8 April 2016

LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998

(ACT 117 OF 1998)

THE EDEN DISTRICT MUNICIPALITY (DC4) ESTABLISHMENT SEVENTH AMENDMENT NOTICE

In terms of section 16 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), I further amend the Eden District Municipality (DC4) Establishment Notice, Provincial Notice 497/2000 published in the Provincial Gazette Extraordinary No. 5592 dated 22 September 2000 (the principal Notice), as set out in the Schedule.

In this notice "principal Notice" means the Eden District Municipality (DC4) Establishment Notice, Provincial Notice 497/2000 published in the Provincial Gazette Extraordinary No. 5592 dated 22 September 2000, as amended by Provincial Notice 682/2000 published in the Provincial Gazette Extraordinary No. 5644 dated 4 December 2000, Provincial Notice 382/2002 published in the Provincial Gazette No. 5949 dated 22 November 2002, Provincial Notice 464/2002 published in the Provincial Gazette Extraordinary No. 5970 dated 19 December 2002, Provincial Notice 192/2003 published in the Provincial Gazette Extraordinary No. 6022 dated 28 May 2003, Provincial Notice 157/2005 published in the Provincial Gazette Extraordinary No. 6257 dated 29 April 2005, Provincial Notice 19/2006 published in the Provincial Gazette Extraordinary No. 6335 dated 3 January 2006, Provincial Notice 125/2008 published in the Provincial Gazette 6511 dated 28 March 2008 and Provincial Notice 63/2011 published in the Provincial Gazette 6854 dated 25 February 2011.

Dated this 7th day of April 2016.

AW BREDELL, PROVINCIAL MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

SCHEDULE**Amendment of principal Notice**

1. Section 2.(1) of the Schedule to the principal Notice is amended by the substitution for subsection (f) of the following subsection:-

"2.(1) On 3 March 2000, the Municipal Demarcation Board, acting in terms of section 21 of the Municipal Demarcation Act, determined the boundaries of the District Municipality, as reflected in the map appearing in Provincial Notice 69/2000 published in Provincial Gazette Extraordinary No. 5431 dated 3 March 2000 (a copy of the map is republished in Annexure "1" to this Schedule). Those boundaries were amended by Provincial Notice 364/2003 published in Provincial Gazette Extraordinary No. 6081 dated 5 November 2003 read with Provincial Notice 146/2004 published in Provincial Gazette No. 6153 dated 30 July 2004 and Provincial Notice 339/2013 published in Provincial Gazette Extraordinary No. 7185 of 15 October 2013 read with Provincial Notice 417/2013 published in Provincial Gazette Extraordinary No. 7209 of 10 December 2013, Provincial Notice 248/2013 published in Provincial Gazette Extraordinary No. 7156 of 8 August 2013, Provincial Notice 1/2014 published in Provincial Gazette No. 7217 dated 10 January 2014, Provincial Notice 63/2014 published in Provincial Gazette No. 7236 dated 7 March 2014 and Provincial Notice 159/2014 published in Provincial Gazette No. 7277 dated 13 June 2014."

2. Section 8. of the principal Notice is amended by the substitution of the following section:

"8. The Municipal Council of the District Municipality has 35 (thirty-five) councillors, as determined by the Provincial Minister in Provincial Notice 264/2014 published in Provincial Gazette Extraordinary No. 7314 dated 6 October 2014, of whom

(1) 14 (fourteen) proportionally represent the parties contesting the election in the District Municipality in terms of section 23(1) (a) of the Municipal Structures Act;

(2) 21 (twenty-one) directly represent the Local Municipalities in terms of section 23(1)(b) of the Municipal Structures Act, of whom:-

- (a) 1 (one) directly represents the Kannaland Municipality (WCO41);
- (b) 2 (two) directly represent the Hessequa Municipality (WCO42);
- (c) 4 (four) directly represent the Mossel Bay Municipality (WCO43);
- (d) 6 (six) directly represent the George Municipality (WCO44);
- (e) 3 (three) directly represent the Oudtshoorn Municipality (WCO45);
- (f) 2 (two) directly represent the Bitou Municipality (WCO47), and
- (g) 3 (three) directly represent the Knysna Municipality (WCO48)."

3. Short title and commencement

This Notice is called the Eden District Municipality (DC4) Establishment Seventh Amendment Notice and has effect from the date of the next general election of municipal councils.

PK. 122/2016

8 April 2016

WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998

(WET 117 VAN 1998)

DIE EDEN DISTRIKSMUNISIPALITEIT (DC4) INSTELLINGSKENNIGGEWING SEWENDE WYSIGINGSKENNIGGEWING

In terme van artikel 16 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998), wysig ek verder die Eden Distrikmunisipaliteit (DC4) Instellingskennisgewing, Provinsiale Kennisgewing 497/2000 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5592 van 22 September 2000 (die hoofkennisgewing) soos uiteengesit in die Bylaag.

In hierdie kennisgewing beteken "hoofkennisgewing" die Distrikmunisipaliteit Eden (DC4) Instellingskennisgewing, Provinsiale Kennisgewing 497/2000 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5592 van 22 September 2000, soos gewysig deur Provinsiale Kennisgewing 682/2000 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5644 van 4 Desember 2000, Provinsiale Kennisgewing 382/2002 gepubliseer in die Provinsiale Koerant Nr. 5949 van 22 November 2002, Provinsiale Kennisgewing 464/2002 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5970 van 19 Desember 2002, Provinsiale Kennisgewing 192/2003 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 6022 van 28 Mei 2003, Provinsiale Kennisgewing 157/2005 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 6257 van 29 April 2005, Provinsiale Kennisgewing 19/2006 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 6335 van 3 Januarie 2006, Provinsiale Kennisgewing 125/2008 gepubliseer in die Provinsiale Koerant 6511 van 28 Maart 2008 en Provinsiale Kennisgewing 63/2011 gepubliseer in die Provinsiale Koerant 6854 van 25 Februarie 2011.

Gedateer op hierdie 7de dag van April 2016.

AW BREDELL, PROVINSIALE MINISTER VAN PLAASLIKE REGERING, OMGEWINGSKE EN ONTWIKKELINGSBEPLANNING

BYLAAG**Wysiging van die Bylaag in die hoofkennisgewing**

1. Artikel 2.(1) van die hoofkennisgewing word gewysig deur die vervanging van subartikel (1) deur die volgende subartikel:-

"2.(1) Op 3 Maart 2000 het die Munisipale Afbakeningsraad, wat ingevolge artikel 21 van die Munisipale Afbakeningswet handel, die grense van die Munisipaliteit bepaal, soos aangetoon op die kaart wat voorkom in Provinsiale Kennisgewing 69/2000 gepubliseer in Buitengewone Provinsiale Koerant Nr. 5431 van 3 Maart 2000 ('n kopie word herpubliseer in Aangangsel "1" tot die Bylaag). Daardie grense was gewysig deur Provinsiale Kennisgewing 364/2003 gepubliseer in Provinsiale Koerant Nr. 6081 van 5 November 2003 saamgelees met Provinsiale Kennisgewing 146/2004 gepubliseer in Provinsiale Koerant Nr. 6153 van 30 Julie 2004 en Provinsiale Kennisgewing 339/2013 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7185 van 15 Oktober 2013 saamgelees met Provinsiale Kennisgewing 417/2013 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7209 van 10 Desember 2013, Provinsiale Kennisgewing 248/2013 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7156 van 8 Augustus 2013, Provinsiale Kennisgewing 1/2014 gepubliseer in Provinsiale Koerant Nr. 7217 van 10 Januarie 2014, Provinsiale Kennisgewing 63/2014 gepubliseer in Provinsiale Koerant Nr. 7236 van 7 Maart 2014 en Provinsiale Kennisgewing 159/2014 gepubliseer in Provinsiale Koerant Nr. 7277 van 13 Junie 2014."

2. Artikel 8. van die hoofkennisgewing word gewysig deur die vervanging deur die volgende artikel :

"8. Die Munisipale Raad van die Distrikmunisipaliteit het 35 (vyf-en-dertig) raadslede, soos bepaal deur die Provinsiale Minister in Provinsiale Kennisgewing 264/2014 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7314 van 6 Oktober 2014, van wie:-

- (1) 14 (veertien) die partye wat ingevolge artikel 23(1)(a) van die Munisipale Strukturewet aan die verkiesing in die Distrikmunisipaliteit deelneem, proporsioneel verteenwoordig;

- (2) 21 (een-en-twintig) die Plaaslike Munisipaliteite ingevolge artikel 23(1)(b) van die Munisipale Strukturewet regstreeks verteenwoordig, van wie:-

- (a) 1 (een) die Munisipaliteit Kannaland regstreeks verteenwoordig (WCO41);
- (b) 2 (twee) die Munisipaliteit Hessequa regstreeks verteenwoordig (WCO42);
- (c) 4 (vier) die Munisipaliteit Mosselbaai regstreeks verteenwoordig (WCO43);
- (d) 6 (ses) die Munisipaliteit George regstreeks verteenwoordig (WCO44);
- (e) 3 (drie) die Munisipaliteit Oudtshoorn regstreeks verteenwoordig (WCO45);
- (f) 2 (twee) die Munisipaliteit Bitou regstreeks verteenwoordig (WCO47), en
- (g) 3 (drie) die Munisipaliteit Knysna regstreeks verteenwoordig (WCO48)."

3. **Korttitel en inwerkingtreding**

Hierdie Kennisgewing word die Eden Distrikmunisipaliteit (DC4) Instellingskennisgewing Sewende Wysigingskennisgewing genoem en tree inwerking vanaf die datum van die volgende algemene verkiesing van munisipale rade.

P.N. 123/2016

8 April 2016

LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998**(ACT 117 OF 1998)****THE HESSEQUA MUNICIPALITY (WCO42) ESTABLISHMENT SIXTH AMENDMENT NOTICE**

In terms of section 16 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), I hereby further amend the Hessequa Municipality (WCO42) Establishment Notice, Provincial Notice 499/2000 published in Provincial Gazette 5592 dated 22 September 2000 (the principal Notice) as set out in the Schedule.

In this notice "principal Notice" means the Hessequa Municipality (WCO42) Establishment Notice, Provincial Notice 499/2000 published in the Provincial Gazette Extraordinary No. 5592 dated 22 September 2000, as amended by Provincial Notice 684/2000 published in the Provincial Gazette Extraordinary No. 5644 dated 4 December 2000, Provincial Notice 466/2002 published in the Provincial Gazette Extraordinary No. 5970 dated 19 December 2002, Provincial Notice 193/2003 published in the Provincial Gazette Extraordinary No. 6022 dated 28 May 2003, Provincial Notice 205/2005 published in the Provincial Gazette Extraordinary No. 6278 dated 24 June 2005, Provincial Notice 21/2006 published in the Provincial Gazette Extraordinary No. 6335 dated 3 January 2006 and Provincial Notice 127/2008 published in the Provincial Gazette No. 6511 dated 28 March 2008.

Dated this 7th day of April 2016.

AW BREDELL, PROVINCIAL MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

SCHEDULE**Amendment of the Schedule of the principal Notice**

1. Section 2.(1) of the principal Notice is amended by the substitution for subsection (1) of the following subsection:-

"2.(1) On 3 March 2000 the Municipal Demarcation Board, acting in terms of section 21 of the Municipal Demarcation Act, determined the boundaries of the Municipality, as reflected in the map appearing in Provincial Notice 69/2000 published in Provincial Gazette Extraordinary No. 5431 of 3 March 2000 and amended by Provincial Notice 364/2003 published in Provincial Gazette Extraordinary No. 6081 of 5 November 2003, Provincial Notice 365/2003 published in Provincial Gazette Extraordinary No. 6081 of 5 November 2003, Provincial Notice 366/2003 published in Provincial Gazette Extraordinary No. 6081 of 5 November 2003 and Provincial Notice 367/2003 published in Provincial Gazette Extraordinary No. 6081 of 5 November 2003 read with Provincial Notice 146/2004 published in Provincial Gazette No. 6153 of 30 July 2004 (A copy of the map is republished in Annexure "I" to this Schedule) and Provincial Notice 339/2013 published in Provincial Gazette Extraordinary No. 7185 of 15 October 2013 read with Provincial Notice 417/2013 published in Provincial Gazette Extraordinary No. 7209 of 10 December 2013, Provincial Notice 248/2013 published in Provincial Gazette Extraordinary No. 7156 of 8 August 2013, Provincial Notice 1/2014 published in Provincial Gazette No. 7217 dated 10 January 2014, Provincial Notice 63/2014 published in Provincial Gazette No. 7236 dated 7 March 2014 and Provincial Notice 159/2014 published in Provincial Gazette No. 7277 dated 13 June 2014."

2. Section 8. of the principal Notice is amended by the substitution of the following section:-

"8.(1) The Municipal Council of the Local Municipality has 17 (seventeen) councillors, as determined by the Provincial Minister in Provincial Notice 264/2014 published in Provincial Gazette Extraordinary No. 7314 dated 6 October 2014, of which 9 (nine) are ward councillors and 8 (eight) are proportionally elected councillors.

(2) The Local Municipality has 9 (nine) wards."

3. Short title and commencement

This Notice is called the Hessequa Municipality (WCO42) Sixth Establishment Amendment Notice and has effect from the date of the next general election of municipal councils.

P.K. 123/2016

8 April 2016

WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998**(WET 117 VAN 1998)****DIE MUNISIPALITEIT HESSEQUA (WCO42) INSTELLINGSKENNIGGEWING SESDE WYSIGINGSKENNIGGEWING**

In terme van artikel 16 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998), wysig ek hierby verder die Munisipaliteit Hessequa (WCO42 Instellingskenniggewing, Provinsiale Kennisgewing 499/2000 gepubliseer in Provinsiale Koerant 5592 van 22 September 2000 (die hoofkenniggewing) soos uiteengesit in die Bylaag.

In hierdie kennisgewing beteken "hoofkenniggewing" die Munisipaliteit Hessequa (WCO42) Instellingskenniggewing Provinsiale Kennisgewing 499/2000 gepubliseer in Buitengewone Provinsiale Koerant Nr. 5592 van 22 September 2000 (die Hoofkenniggewing), soos gewysig deur Provinsiale Kennisgewing 684/2000 gepubliseer in Buitengewone Provinsiale Koerant Nr. 5644 gedateer 4 Desember 2000, Provinsiale Kennisgewing 466/2002 gepubliseer in Buitengewone Provinsiale Koerant Nr. 5970 gedateer 19 Desember 2002, Provinsiale Kennisgewing 193/2003 gepubliseer in Buitengewone Provinsiale Koerant Nr. 6022 gedateer 28 Mei 2003 en Provinsiale Kennisgewing 205/2005 gepubliseer in Buitengewone Provinsiale Koerant Nr. 6278 gedateer 24 Junie 2005, Provinsiale Kennisgewing 21/2006 gepubliseer in Buitengewone Provinsiale Koerant Nr. 6335 van 3 Januarie 2006 en Provinsiale Kennisgewing 127/2008 gepubliseer in die Provinsiale Koerant Nr. 6511 van 28 Maart 2008.

Gedateer op hierdie 7de dag van April 2016.

AW BREDELL, PROVINSIALE MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING

BYLAAG**Wysiging van die Bylaag van die hoofkenniggewing**

1. Artikel 2.(1) van die hoofkenniggewing word gewysig deur subartikel (1) met die volgende subartikel te vervang:-
 - "2.(1) Op 3 Maart 2000 het die Munisipale Afbakeningsraad, wat ingevolge artikel 21 van die Munisipale Afbakeningswet handel, die grense van die Munisipaliteit bepaal, soos aangetoon op die kaart wat voorkom in Provinsiale Kennisgewing 69/2000 gepubliseer in Buitengewone Provinsiale Koerant Nr. 5431 van 3 Maart 2000 en gewysig deur Provinsiale Kennisgewing 364/2003 gepubliseer in Buitengewone Provinsiale Koerant Nr. 6081 van 5 November 2003, Provinsiale Kennisgewing 365/2003 gepubliseer in Buitengewone Provinsiale Koerant Nr. 6081 van 5 November 2003 en Provinsiale Kennisgewing 366/2003 gepubliseer in Buitengewone Provinsiale Koerant Nr. 6081 van 5 November 2003 saamgelees met Provinsiale Kennisgewing 146/2004 gepubliseer in Provinsiale Koerant Nr. 6153 van 30 Julie 2004 ('n Kopie van die kaart word in Aanhangsel "1" by hierdie Bylaag herpubliseer) en Provinsiale Kennisgewing 339/2013 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7185 van 15 Oktober 2013 saamgelees met Provinsiale Kennisgewing 417/2013 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7209 van 10 Desember 2013, Provinsiale Kennisgewing 248/2013 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7156 van 8 Augustus 2013, Provinsiale Kennisgewing 1/2014 gepubliseer in Provinsiale Koerant Nr. 7217 van 10 Januarie 2014, Provinsiale Kennisgewing 63/2014 gepubliseer in Provinsiale Koerant Nr. 7236 van 7 Maart 2014 en Provinsiale Kennisgewing 159/2014 gepubliseer in Provinsiale Koerant Nr. 7277 van 13 Junie 2014."
2. Artikel 8. van die hoofkenniggewing word gewysig deur die vervanging van subartikel (1) deur die volgende subartikel:
 - "8.(1) Die Munisipale Raad van die Munisipaliteit het 17 (sewentien) raadslede, soos deur die Provinsiale Minister bepaal in Provinsiale Kennisgewing 264/2014 gepubliseer in Buitengewone Provinsiale Kennisgewing Nr. 7314 van 6 Oktober 2014, waarvan 9 (Nege) wykraadslede is en 8 (aght) proporsioneel verkose raadslede is.
 - (2) Die Munisipaliteit het 9 (nege) wyke."
3. **Korttitel en inwerkingtreding**
 Hierdie Kennisgewing heet die Sesde Wysigingskenniggewing van die Munisipaliteit Hessequa (WCO42) Instellingskenniggewing en tree in werking vanaf die datum van die volgende algemene verkiesing van munisipale rade.

P.N. 124/2016

8 April 2016

LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998**(ACT 117 OF 1998)****THE MOSSEL BAY MUNICIPALITY (WCO43) ESTABLISHMENT SIXTH AMENDMENT NOTICE**

In terms of section 16 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), I hereby further amend the Mossel Bay Municipality (WCO43) Establishment Notice, Provincial Notice 500/2000 published in Provincial Gazette 5592 dated 22 September 2000 (the principal Notice) as set out in the Schedule.

In this notice "principal Notice" means the Mossel Bay Municipality (WCO43) Establishment Notice, Provincial Notice 500/2000 published in Provincial Gazette 5592 dated 22 September 2000, as amended by Provincial Notice 685/2000 published in the Provincial Gazette Extraordinary No. 5644 dated 4 December 2000, Provincial Notice 467/2002 published in the Provincial Gazette Extraordinary No. 5970 dated 19 December 2002, Provincial Notice 194/2003 published in the Provincial Gazette Extraordinary No. 6022 dated 28 May 2003, Provincial Notice 22/2006 published in the Provincial Gazette Extraordinary No. 6335 dated 3 January 2006, Provincial Notice 128/2008 published in the Provincial Gazette No. 6511 dated 28 March 2008 and Provincial Notice 65/2011 published in the Provincial Gazette Extraordinary No. 6854 dated 25 February 2011.

Dated this 7th day of April 2016.

AW BREDELL, PROVINCIAL MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

SCHEDULE**Amendment of the Schedule to the principal Notice**

1. Section 2.(1) of the principal Notice is amended by the substitution for subsection (1) of the following subsection:-

"2.(1) On 3 March 2000 the Municipal Demarcation Board, acting in terms of section 21 of the Municipal Demarcation Act, determined the boundaries of the Municipality, as reflected in the map appearing in Provincial Notice 69/2000 published in Provincial Gazette Extraordinary No. 5431 of 3 March 2000 and amended by Provincial Notice 366/2003 published in Extraordinary Provincial Gazette No. 6081 dated 5 November 2003, Provincial Notice 367/2003 published in Extraordinary Provincial Gazette No. 6081 dated 5 November 2003 and Provincial Notice 368/2003 published in Extraordinary Provincial Gazette No. 6081 dated 5 November 2003 read with Provincial Notice 146/2004 published in Provincial Gazette No. 6153 dated 30 July 2004 (A copy of the map is republished in Annexure "1" to this Schedule) and Provincial Notice 339/2013 published in Provincial Gazette Extraordinary No. 7185 of 15 October 2013 read with Provincial Notice 417/2013 published in Provincial Gazette Extraordinary No. 7209 of 10 December 2013, Provincial Notice 248/2013 published in Provincial Gazette Extraordinary No. 7156 of 8 August 2013, Provincial Notice 1/2014 published in Provincial Gazette No. 7217 dated 10 January 2014, Provincial Notice 63/2014 published in Provincial Gazette No. 7236 dated 7 March 2014 and Provincial Notice 159/2014 published in Provincial Gazette No. 7277 dated 13 June 2014."

2. **Short title and commencement**

This Notice is called the Mossel Bay Municipality (WCO43) Establishment Sixth Amendment Notice and has effect from the date of the next general election of municipal councils.

P.K. 124/2016

8 April 2016

WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998**(WET 117 VAN 1998)****DIE MUNISIPALITEIT MOSSELBAAI (WCO43) INSTELLINGSKENNIGGEWING SESDE WYSIGINGSKENNIGGEWING**

In terme van artikel 16 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998), wysig ek hierby verder die Munisipaliteit Mosselbaai (WCO43) Instellingskennisgewing, Provinsiale Kennisgewing 500/2000 gepubliseer in Provinsiale Koerant 5592 van 22 September 2000 (die hoofkennisgewing) soos uiteengesit in die Bylaag.

In hierdie kennisgewing beteken "hoofkennisgewing" die Munisipaliteit Mosselbaai (WCO43) Instellingskennisgewing, Provinsiale Kennisgewing 500/2000 gepubliseer in Provinsiale Koerant 5592 van 22 September 2000, soos gewysig deur Provinsiale Kennisgewing 685/2000 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5644 van 4 Desember 2000, Provinsiale Kennisgewing 467/2002 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5970 van 19 Desember 2002, Provinsiale Kennisgewing 194/2003 gepubliseer in Buitengewone Provinsiale Koerant Nr. 6022 van 28 Mei 2003, Provinsiale Kennisgewing 22/2006 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 6335 van 3 Januarie 2006, Provinsiale Kennisgewing 128/2008 gepubliseer in die Provinsiale Koerant Nr. 6511 van 28 Maart 2008 en Provinsiale Kennisgewing 65/2011 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 6854 van 25 Februarie 2011.

Gedateer op hierdie 7de dag van April 2016.

AW BREDELL, PROVINSIALE MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING

BYLAAG**Wysiging van die Bylaag in die hoofkennisgewing**

1. Artikel 2.(1) van die hoofkennisgewing word gewysig deur die vervanging deur die volgende subartikel (1) deur die volgende subartikel:-
 - "2.(1) Op 3 Maart 2000 het die Munisipale Afbakeningsraad, wat ingevolge artikel 21 van die Munisipale Afbakeningswet handel, die grense van die Plaaslike Munisipaliteit bepaal, soos aangetoon op die kaart wat voorkom in Provinsiale Kennisgewing 69/2000, gepubliseer in Buitengewone Provinsiale Koerant No. 5431 van 3 Maart 2000 en gewysig deur Provinsiale Kennisgewing 366/2003 gepubliseer in Buitengewone Provinsiale Koerant Nr. 6081 van 5 November 2003, Provinsiale Kennisgewing 367/2003 gepubliseer in Buitengewone Provinsiale Koerant Nr. 6081 van 5 November 2003 en Provinsiale Kennisgewing 368/2003 gepubliseer in Buitengewone Provinsiale Koerant Nr. 6081 van 5 November 2003 saamgelees met Provinsiale Kennisgewing 146/2004 gepubliseer in Provinsiale Koerant Nr. 6153 van 30 Julie 2004 ('n Kopie van die kaart word in Aanhangsel "I" by hierdie Bylaag herpubliseer) en Provinsiale Kennisgewing 339/2013 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7185 van 15 Oktober 2013 saamgelees met Provinsiale Kennisgewing 417/2013 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7209 van 10 Desember 2013, Provinsiale Kennisgewing 248/2013 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7156 van 8 Augustus 2013, Provinsiale Kennisgewing 1/2014 gepubliseer in Provinsiale Koerant Nr. 7217 van 10 Januarie 2014, Provinsiale Kennisgewing 63/2014 gepubliseer in Provinsiale Koerant Nr. 7236 van 7 Maart 2014 en Provinsiale Kennisgewing 159/2014 gepubliseer in Provinsiale Koerant Nr. 7277 van 13 Junie 2014."
2. **Korttitel en inwerkingtreding**
 Hierdie Kennisgewing word die Munisipaliteit Mosselbaai (WCO43) Instellingskennisgewing Sesde Wysigingskennisgewing genoem en tree in werking op die datum van die volgende algemene verkiesing van munisipale rade.

P.N. 125/2016

8 April 2016

LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998**(ACT 117 OF 1998)****THE GEORGE MUNICIPALITY (WCO44) ESTABLISHMENT SEVENTH AMENDMENT NOTICE**

In terms of section 16 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), I hereby further amend the George Municipality (WCO44) Establishment Notice, Provincial Notice 501/2000 published in Provincial Gazette 5592 dated 22 September 2000 (the principal Notice) as set out in the Schedule.

In this notice "principal Notice" means the George Municipality (WCO44) Establishment Notice, Provincial Notice 501/2000 published in Provincial Gazette 5592 dated 22 September 2000, as amended by Provincial Notice 686/2000 published in the Provincial Gazette Extraordinary No. 5644 dated 4 December 2000, Provincial Notice 468/2002 published in the Provincial Gazette Extraordinary No. 5970 dated 19 December 2002, Provincial Notice 227/2003 published in the Provincial Gazette Extraordinary No. 6034 dated 24 June 2003, Provincial Notice 23/2006 published in Provincial Gazette Extraordinary No. 6335 dated 3 January 2006, Provincial Notice 129/2008 published in the Provincial Gazette No. 6511 dated 28 March 2008, Provincial Notice 66/2011 published in the Provincial Gazette Extraordinary No. 6854 dated 25 February 2011 and Provincial Notice 286/2011 published in the Provincial Gazette No. 6918 dated 21 October 2011.

Dated this 7th day of April 2016.

AW BREDELL, PROVINCIAL MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

SCHEDULE**Amendment of the Schedule of the principal Notice**

1. **Section 8. of the principal Notice is amended by the substitution of the following section:-**
 - "8.(1) The Municipal Council of the Municipality has 53 (Fifty-three) councillors, as determined by the Provincial Minister in Provincial Notice 264/2014 published in Provincial Gazette Extraordinary No. 7314 dated 6 October 2014, of which 27 (twenty-seven) are ward councillors and 26 (twenty-six) are proportionally elected councillors.
 - (2) The Municipality has 27 (twenty-seven) wards."
2. **Short title and commencement**

This Notice is called the George Municipality (WCO44) Establishment Seventh Amendment Notice and has effect from the date of the next general election of municipal councils.

PK. 125/2016

8 April 2016

WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998**(WET 117 VAN 1998)****DIE MUNISIPALITEIT GEORGE (WCO44) INSTELLINGSKENNISGEWING SEWENDE WYSIGINGSKENNISGEWING**

In terme van artikel 16 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998), wysig ek hierby verder die Munisipaliteit George (WCO44) Instellingskennisgewing, Provinsiale Kennisgewing 501/2000 gepubliseer in Provinsiale Koerant 5592 van 22 September 2000 (die hoofkennisgewing) soos uiteengesit in die Bylaag.

In hierdie kennisgewing beteken "hoofkennisgewing" die Munisipaliteit George (WCO44) Instellingskennisgewing, Provinsiale Kennisgewing 501/2000 gepubliseer in Provinsiale Koerant 5592 van 22 September 2000, soos gewysig deur Provinsiale Kennisgewing 686/2000 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5644 van 4 Desember 2000, Provinsiale Kennisgewing 468/2002 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5970 van 19 Desember 2002, Provinsiale Kennisgewing 227/2003 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 6034 van 24 Junie 2003, Provinsiale Kennisgewing 23/2006 gepubliseer in Buitengewone Provinsiale Koerant Nr. 6335 van 3 Januarie 2006, Provinsiale Kennisgewing 129/2008 gepubliseer in die Provinsiale Koerant Nr. 6511 van 28 Maart 2008, Provinsiale Kennisgewing 66/2011 gepubliseer in Buitengewone Provinsiale Koerant Nr. 6854 van 25 Februarie 2011 en Provinsiale Kennisgewing 286/2011 gepubliseer in Provinsiale Koerant Nr. 6918 van 21 Oktober 2011.

Gedateer op hierdie 7de dag van April 2016.

AW BREDELL, PROVINSIALE MINISTER VAN PLAASLIKE REGERING, OMGEWINGSKE EN ONTWIKKELINGSBEPLANNING

BYLAAG**Wysiging van die Bylaag tot die hoofkennisgewing**

1. Artikel 8. van die hoofkennisgewing word gewysig deur die artikel met die volgende artikel te vervang:-
 - "8.(1) Die Munisipale Raad van die Munisipaliteit het 53 (drie-en-vyftig) raadslede, soos deur die Provinsiale Minister bepaal in Provinsiale Kennisgewing 264/2014 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7314 van 6 Oktober 2014, waarvan 27 (sewe-en-twintig) wyksraadslede is en 26 (ses-en-twintig) proporsioneel verkose raadslede is.
 - (2) Die Munisipaliteit het 27 (sewe-en-twintig) wyke."
2. **Korttitel en inwerkingtreding**
 Hierdie Kennisgewing word die Munisipaliteit George (WCO44) Instellingskennisgewing Sewende Wysigingskennisgewing genoem en tree in werking vanaf die datum van die volgende algemene verkiesing van munisipale rade.

P.N. 126/2016

8 April 2016

LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998**(ACT 117 OF 1998)****OUTDSHOORN MUNICIPALITY (WCO45) ESTABLISHMENT FIFTH AMENDMENT NOTICE**

In terms of section 16 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), I hereby further amend the Oudtshoorn Municipality (WCO45) Establishment Notice, Provincial Notice 502/2000 published in Provincial Gazette 5592 dated 22 September 2000 (the principal Notice) as set out in the Schedule.

In this notice "principal Notice" means the Oudtshoorn Municipality (WCO45) Establishment Notice, Provincial Notice 502/2000 published in the Provincial Gazette Extraordinary No. 5592 dated 22 September 2000 (the Principal Notice), as amended by Provincial Notice 687/2000 published in the Provincial Gazette Extraordinary No. 5644 dated 4 December 2000, Provincial Notice 469/2002 published in the Provincial Gazette Extraordinary No. 5970 dated 19 December 2002, Provincial Notice 196/2003 published in the Provincial Gazette Extraordinary No. 6022 dated 28 May 2003, Provincial Notice 130/2008 published in the Provincial Gazette No. 6511 dated 28 March 2008 and Provincial Notice 67/2011 published in the Provincial Gazette Extraordinary No. 6854 dated 25 February 2011.

Dated this 7th day of April 2016.

AW BREDELL, PROVINCIAL MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

SCHEDULE**Amendment of the Schedule of the principal Notice**

1. Section 2.(1) of the principal Notice is amended by the substitution for subsection (1) of the following subsection:-

"2.(1) On 3 March 2000 the Municipal Demarcation Board, acting in terms of section 21 of the Municipal Demarcation Act, determined the boundaries of the Local Municipality, as reflected in the map appearing in Provincial Notice 69/2000 published in Provincial Gazette Extraordinary No. 5431 of 3 March 2000 (A copy of the map is republished in Annexure "1" to this Schedule) and Provincial Notice 339/2013 published in Provincial Gazette Extraordinary No. 7185 of 15 October 2013 read with Provincial Notice 417/2013 published in Provincial Gazette Extraordinary No. 7209 of 10 December 2013, Provincial Notice 248/2013 published in Provincial Gazette Extraordinary No. 7156 of 8 August 2013, Provincial Notice 1/2014 published in Provincial Gazette No. 7217 dated 10 January 2014, Provincial Notice 63/2014 published in Provincial Gazette No. 7236 dated 7 March 2014 and Provincial Notice 159/2014 published in Provincial Gazette No. 7277 dated 13 June 2014."

2. Short title and commencement

This Notice is called the Oudtshoorn Municipality (WCO45) Establishment Fifth Amendment Notice and has effect from the date of the next general election of municipal councils.

P.K. 126/2016

8 April 2016

WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998**(WET 117 VAN 1998)****MUNISIPALITEIT OUDTSHOORN (WCO45) INSTELLINGSKENNISGEWING VYFDE WYSIGINGSKENNISGEWING**

In terme van artikel 16 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998), wysig ek hierby verder die Munisipaliteit Oudtshoorn (WCO45) Instellingskennisgewing, Provinsiale Kennisgewing 502/2000 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5592 van 22 September 2000 (die hoofkennisgewing) soos uiteengesit in die Bylaag.

In hierdie kennisgewing beteken "hoofkennisgewing" die Munisipaliteit Oudtshoorn (WCO45) Instellingskennisgewing, Provinsiale Kennisgewing 502/2000 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5592 van 22 September 2000, soos gewysig deur Provinsiale Kennisgewing 687/2000 gepubliseer in Buitengewone Provinsiale Koerant Nr. 5644 van 4 Desember 2000, Provinsiale Kennisgewing 469/2002 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5970 van 19 Desember 2002, Provinsiale Kennisgewing 196/2003 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 6022 van 28 Mei 2003, Provinsiale Kennisgewing 130/2008 gepubliseer in die Provinsiale Koerant Nr. 6511 van 28 Maart 2008 en Provinsiale Kennisgewing 67/2011 gepubliseer in Buitengewone Provinsiale Koerant Nr. 6854 van 25 Februarie 2011.

Gedateer op hierdie 7de dag van April 2016.

AW BREDELL, PROVINSIALE MINISTER VAN PLAASLIKE REGERING, OMGEWINGSACE EN ONTWIKKELINGSBEPLANNING

BYLAAG**Wysiging van die Bylaag tot die hoofkennisgewing**

1. **Artikel 2(1) van die hoofkennisgewing word gewysig deur die vervanging van die volgende subartikel (1) deur die volgende subartikel:-**
 - 2.(1) Op 3 Maart 2000 het die Munisipale Afbakeningsraad, wat ingevolge artikel 21 van die Munisipale Afbakeningswet handel, die grense van die Plaaslike Munisipaliteit bepaal, soos aangetoon op die kaart wat voorkom in Provinsiale Kennisgewing 69/2000 wat in Buitengewone Provinsiale Koerant No. 6431 van 3 Maart 2000 gepubliseer is ('n Kopie van die kaart word in Aanhangsel "1" by hierdie Bylaag herpubliseer) en Provinsiale Kennisgewing 339/2013 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7185 van 15 Oktober 2013 saamgelees met Provinsiale Kennisgewing 417/2013 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7209 van 10 Desember 2013, Provinsiale Kennisgewing 248/2013 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7156 van 8 Augustus 2013, Provinsiale Kennisgewing 1/2014 gepubliseer in Provinsiale Koerant Nr. 7217 van 10 Januarie 2014, Provinsiale Kennisgewing 63/2014 gepubliseer in Provinsiale Koerant Nr. 7236 van 7 Maart 2014 en Provinsiale Kennisgewing 159/2014 gepubliseer in Provinsiale Koerant Nr. 7277 van 13 Junie 2014."
2. **Korttitel en inwerkingtreding**
Hierdie Kennisgewing word die Munisipaliteit Oudtshoorn (WCO45) Instellingskennisgewing Vyfde Wysigingskennisgewing genoem en tree in werking op die datum van die volgende algemene verkiesing van munisipale rade.

P.N. 127/2016

8 April 2016

LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998**(ACT 117 OF 1998)****THE KNYSNA MUNICIPALITY (WCO48) ESTABLISHMENT SIXTH AMENDMENT NOTICE**

In terms of section 16 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), I hereby further amend the Knysna Municipality (WCO48) Establishment Notice, Provincial Notice 504/2000 published in the Provincial Gazette Extraordinary No. 5592 dated 22 September 2000 (the principal Notice) as set out in the Schedule.

In this notice "principal Notice" means the Knysna Municipality (WCO48) Establishment Notice, Provincial Notice 504/2000 published in the Provincial Gazette Extraordinary No. 5592 dated 22 September 2000, as amended by Provincial Notice 689/2000 published in the Provincial Gazette Extraordinary No. 5644 dated 4 December 2000, Provincial Notice 471/2002 published in the Provincial Gazette Extraordinary No. 5970 dated 19 December 2002, Provincial Notice 198/2003 published in the Provincial Gazette Extraordinary No. 6022 dated 28 May 2003, Provincial Notice 25/2006 published in the Provincial Gazette Extraordinary No. 6335 dated 3 January 2006, Provincial Notice 132/2008 published in the Provincial Gazette No. 6511 dated 28 March 2008 and Provincial Notice 69/2011 published in the Provincial Gazette Extraordinary No. 6854 dated 25 February 2011.

Dated this 7th day of April 2016.

AW BRÉDELL, PROVINCIAL MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

SCHEDULE**Amendment of the Schedule to the principal Notice****1. Section 8. of the principal Notice is amended by the substitution of the following section :-**

"8.(1) The Municipal Council of the Local Municipality has 21 (twenty-one) councillors, as determined by the Provincial Minister in Provincial Notice 264/2014 published in Provincial Gazette Extraordinary No. 7314 dated 6 October 2014, of which 11 (eleven) are ward councillors and 10 (ten) are proportionally elected councillors.

(2) The Local Municipality has 11 (eleven) wards."

2. Short title and commencement

This Notice is called the Knysna Municipality (WCO48) Establishment Sixth Amendment Notice and has effect from the date of the next general election of municipal councils.

P.K. 127/2016

8 April 2016

WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998**(WET 117 VAN 1998)****DIE MUNISIPALITEIT KNYSNA (WCO48) INSTELLINGSKENNIGGEWING SESDE WYSIGINGSKENNIGGEWING**

In terme van artikel 16 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998), wysig ek hierby verder die Munisipaliteit Knysna (WCO48) Instellingskenniggewing, Provinsiale Kenniggewing 504/2000 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5592 van 22 September 2000 (die hoofkenniggewing) soos uiteengesit in die Bylae.

In hierdie kenniggewing beteken "hoofkenniggewing" die Munisipaliteit Knysna (WCO48) Instellingskenniggewing, Provinsiale Kenniggewing 504/2000 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5592 van 22 September 2000, soos gewysig deur Provinsiale Kenniggewing 689/2000 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5644 van 4 Desember 2000, Provinsiale Kenniggewing 471/2002 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 5970 van 19 Desember 2002, Provinsiale Kenniggewing 198/2003 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 6022 van 28 Mei 2003, Provinsiale Kenniggewing 25/2006 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 6335 van 3 Januarie 2006, Provinsiale Kenniggewing 132/2008 gepubliseer in die Provinsiale Koerant Nr. 6511 van 28 Maart 2008 en Provinsiale Kenniggewing 69/2011 gepubliseer in die Buitengewone Provinsiale Koerant Nr. 6854 van 25 Februarie 2011.

Gedateer op hierdie 7de dag van April 2016.

AW BREDELL, PROVINSIALE MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING

BYLAAG**Wysiging van die Bylaag in die hoofkenniggewing**

1. Artikel 8. van die hoofkenniggewing word gewysig deur die vervanging van die artikel deur die volgende artikel:-
 - "8.(1) Die Munisipale Raad van die Munisipaliteit het 21 (een-en-twintig) raadslede, soos deur die Provinsiale Minister bepaal in Provinsiale Kenniggewing 264/2014 gepubliseer in Buitengewone Provinsiale Koerant Nr. 7314 van 6 Oktober 2014, waarvan 11 (elf) wyksraadslede is en 10 (tien) proporsioneel verkose raadslede is.
 - (2) Die Munisipaliteit het 11 (elf) wyke."
2. Korttitel en inwerkingtreding

Hierdie Kenniggewing word die Munisipaliteit Knysna (WCO48) Instellingskenniggewing Sesde Wysigingskenniggewing genoem en tree in werking op die datum van die volgende algemene verkiesing van munisipale rade.

DISTRICT COUNCIL

31 AUGUST 2016

(DC 05/08/16)

**DECLARATION OF INTERESTS BY COUNCILLORS / VERKLARING VAN
BELANGE DEUR RAADSLEDE / UKUBHENGZWA KWENJONGO
NGOOCEBA (531539)**

(4/2/2)

07 July 2016

REPORT FROM THE MUNICIPAL MANAGER (GW LOUW)**PURPOSE OF REPORT**

Is to enable councillors to declare/disclose to Council any interests they may have as set out in Clause 5 of the Code of Conduct for Councillors.

BACKGROUND / DISCUSSION

Section 5 of the Code of Conduct for Councillors as contained in Schedule 1 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), reads as follows:

"5 Disclosure of interests**(1) A councillor must-**

(a) disclose to the municipal council, or any committee of which that councillor is a member, any direct or indirect personal or private business interest that the councillor, or any spouse, partner or business associate of that councillor may have in any matter before the council or the committee; and

(b) withdraw from the proceedings of the council or committee when that matter is considered by the council or committee, unless the council or committee decides that the councillor's direct or indirect interest in the matter is trivial or irrelevant.

(2) *A councillor who, or whose spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a contract concluded with the municipality, must disclose full particulars of the benefit of which the councillor is aware at the first meeting or the municipal council at which it is possible for the councillor to make the disclosure.*

(3) *This section does not apply to an interest or benefit which a councillor, or a spouse, partner, business associate or close family member, has or acquires in common with other residents of the municipality."*

RELEVANT LEGISLATION

Municipal Systems Act, 2000 (Act 32 of 2000)(Code of Conduct for councillors), Schedule 1.

UITVOERENDE OPSOMMING

Raadslede word die geleentheid gebied om ingevolge die wetlike verpligtinge van raadslede, om enige direkte of indirekte persoonlike of privaat besigheidsbelange te verklaar.

FINANCIAL IMPLICATION

None

RECOMMENDATION

1. That cognisance be taken of the obligation of Councillors to declare/disclose any direct or indirect personal or private business interest or that of any spouse, partner or business associate in terms of section 5(1)(a) of the code of Conduct for Councillors.
2. That cognisance be taken of section 5(1)(b) of the Code of Conduct for Councillors that a Councillor must withdraw (excuse him/herself) from the relevant meeting if a declaration/disclosure is done as mentioned in one (1) above.
3. That Councillors be given the opportunity to make applicable disclosures as stipulated in section 5(2) of the Code of Conduct for Councillors not later than 30 September 2016.

AANBEVELING

1. *Dat kennis geneem word van die wetlike verpligtinge van raadslede om enige direkte of indirekte persoonlike of privaat besigheidsbelange te verklaar wat daardie raadslid mag hê in terme van artikel 5(1)(a) van die Gedragskode vir Raadslede.*
2. *Dat kennis geneem word dat 'n raadslid in terme van artikel 5(1)(b) van die Kode moet onttrek aan die verrigtinge van die betrokke vergadering, as 'n verklaring soos in een (1) hierbo genoem, gedoen word.*
3. *Dat raadslede die geleentheid gebied word om die toepaslike verklaring van belange ingevolge artikel 5(2) van die Kode, nie later nie as 30 September 2016, te doen.*

ISINDULULO

1. Sesokuba kunikwe ingqwalasela okufuneka kubhengezwe/kuChazwe ngoCeba nalo naluphi uhlobo loshishino okanye injongo zoshishino zabucala,okanye amaqabane abo, okanye ihlakani lezoshishino ngokwemithetho yomhlathi 5(1)(a) yomgaqo Wokuziphatha Kooceba.
2. Sesokuba kunikwe ingqwalsela umhlathi 51(1)(b) womgawo Wokuziphatha Koceba wokokuba uCeba kufuneka arhoxe(acele ukuphuma) kwintlanganiso efanelekileyo ukubangaba uye wabhengeza/bachaza injongo zakhe njengoko kuchazwe ngasentla.
3. Sesokuba ooCeba banikwe ithuba lokwenza izicelo zokubhengeze njengoko kudandalaziswe kumhlathi 5(2) womgawo Wokuziphatha Koceba phambi komhla 30 kweyoMsintsi 2016.

DISTRICT COUNCIL

31 AUGUST 2016

(DC 06/08/16)

**ELECTION OF SPEAKER / VERKIESING VAN SPEAKER
/ UKONYULWA KOSOMLOMO (528256)**

(5/2/1)

08 July 2016

**REPORT FROM THE EXECUTIVE MANAGER: CORPORATE/STRATEGIC SERVICES
(B HOLTZHAUSEN)**

PURPOSE OF THE REPORT

Is to elect an Speaker for the Eden District Municipality in terms of section 36(2) of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998) in accordance with the procedures as stipulated in Schedule 3 of the aforementioned Act.

BACKGROUND

Section 38 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) determines as follows:

"38.

Term of office of speakers –

The speaker of a municipal council is elected for a term ending, subject to section 39, when the next council is declared elected."

The term of office of the previous Speaker has in terms of the said stipulation now expired. In order to fill the vacancy, Council has to elect a new Speaker in terms of Section 36 of the said Act. Section 36 reads as follows:

"38. *Election of speakers –*

- "(1) *Each municipal council must have a chairperson who will be called the speaker.*
- (2) *At its first sitting after its election, or when necessary to fill a vacancy, a municipal council must elect its speaker from among the councillors.*
- (3) *The municipal manager of the municipality or, if the municipal manager is not available, a person designated by the MEC for Local Government in the province, presides over the election of a speaker.*
- (4) *The procedure set out in Schedule 3 applies to the election of a speaker.*
- (5) *A councillor may not hold office as speaker and mayor or executive mayor at the same time, but in a municipality of a type mentioned in section 9(e) of (f) or 10(c) the speaker must be called."*

The election of a Speaker must be conducted in accordance with the directives as set out in Annexure A. The prescribed form to be used for the nomination and secondment of a Speaker by two (2) councillors is attached as Annexure B. Nomination forms will be available at the office of the Municipal Manager and at the meeting.

RELEVANT LEGISLATION

Section 36 of the Local Government: Municipal Structures Act, Act 117 of 1998.

FINANCIAL IMPLICATIONS

None

UITVOERENDE OPSOMMING

Die termyn van die vorige Speaker het verstryk en die Raad moet in terme van Artikel 36 van die Wet op Plaaslike Regering: Munisipale Strukture, Wet 117 van 1998, 'n nuwe Speaker verkies.

RECOMMENDATION

That a Speaker be elected for Eden District Municipality in terms of provision of Section 36 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998), in accordance with the procedures as stipulated in Schedule 3 of the aforementioned Act .

AANBEVELING

Dat 'n Speaker vir die Eden Distriksmunisipaliteit verkies word ingevolge die bepalings van Artikel 36 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998) in ooreenstemming met die prosedure soos uiteengesit in Bylae 3 van die voornoemde Wet.

ISINDULULO

Sesokuba uSomlolo onyulelwe uMasipala Wesithili se Eden ngokwemiqatango yomhlathi 55 Wemithetho Yolawulo Lorchulumente Baemakhaya, 1998(uMthetho 117 wango 1998) ngokulandela inkqubo nezidandalaziswe kuMhlathi 3 womthetho ophawulwe ngasentla.

ANNEXURE A

Schedule 3
ELECTION OF MUNICIPAL OFFICE-BEARERS
 [Schedule 3 amended by s. 34 of Act 51 of 2002.]

1 Application

The procedure set out in this Schedule applies whenever a municipal council meets to elect a speaker, an executive mayor, a deputy executive mayor, a mayor or a deputy mayor.

2 Nominations

The person presiding at a meeting to which this Schedule applies must call for the nomination of candidates at the meeting.

3 Formal requirements

(1) A nomination must be made on the form determined by the municipal manager.

(2) The form on which a nomination is made must be signed by two members of the municipal council.

(3) A person who is nominated must indicate acceptance of the nomination by signing either the nomination form or any other form of written confirmation.

4 Announcement of names of candidates

At a meeting to which this Schedule applies, the person presiding must announce the names of the persons who have been nominated as candidates, but may not permit any debate.

5 Single candidate

If only one candidate is nominated, the person presiding must declare that candidate elected.

6 Election procedure

If more than one candidate is nominated-

- (a) a vote must be taken at the meeting by secret ballot;
- (b) each councillor present at the meeting may cast one vote; and
- (c) the person presiding must declare elected the candidate who receives a majority of the votes.

7 Elimination procedure

(1) If no candidate receives a majority of the votes, the candidate who receives the lowest number of votes must be eliminated and a further vote taken on the remaining candidates in accordance with item 6. This procedure must be repeated until a candidate receives a majority of the votes.

(2) When applying subitem (1), if two or more candidates each have the lowest number of votes, a separate vote must be taken on those candidates, and repeated as often as may be necessary to determine which candidate is to be eliminated.

8 Further meetings

(1) If only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, a further meeting must be held within seven days at a time determined by the person presiding.

(2) If a further meeting is held in terms of subitem (1), the procedure prescribed in this Schedule must be applied at that meeting as if it were the first meeting for the election in question.

(3) If at the further meeting held in terms of subitem (1) only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, the person presiding at such meeting must determine by lot who of the two candidates will hold the office for which the election has taken place.

[Subitem (3) added by s. 34 of Act 51 of 2002.]

ANNEXURE B

**EDEN DISTRICT MUNICIPALITY
EDEN DISTRIKSMUNISIPALITEIT
UMASIPALA WESITHILI**

DISTRICT COUNCIL**AUGUST 2016**

YORKSTRAAT 54 YORK STREET, POSBUS / P.O. BOX 12 GEORGE 6530
E-POS/E-MAIL: admin@edendm.co.za, TEL (044) 803 1300 FAKS / FAX (044) 874 4670

**NOMINASIEVORM: VERKIESING VAN SPEAKER
NOMINATION FORM: ELECTION OF SPEAKER**

Ons, die ondergetekendes, nomineer hiermee die volgende persoon:
We, the undersigned, hereby nominate the following person:

VOLLE NAAM EN VAN VAN GENOMINEERDE
FULL NAME AND SURNAME OF NOMINEE

NAME VAN NOMINEERDERS:
NAMES OF NOMINATORS:

Nomineerder: Naam en van: Handtekening
Nominator: Name and surname: Signature

Sekondant: Naam en van Handtekening:
Seconder: Name and surname: Signature:

Ek, die ondergetekende, aanvaar hiermee die nominasie.
I, the undersigned, hereby accept the nomination.

Geteken te GEORGE op hierdie dag van 20.....

Signed at GEORGE on this day of 20.....

.....
**HANDTEKENING VAN GENOMINEERDE
SIGNATURE OF NOMINEE**

DISTRICT COUNCIL

31 AUGUST 2016

(DC 07/08/16)

**STANDARD BY-LAW TO THE PROCEDURE AND THE MAINTENANCE OF
ORDER AT MEETINGS / *STANDAARDVERORDENINGE INSAKE DIE
PROSEDURE EN DIE HANDHAWING VAN ORDE TYDENS VERGADERINGS* /
UMTHETHO OFANELEKILEYO NGENKQIBO KUNYE NOKUGCINWA
KWEZINYE IINTLANGANISO (531538)**

(4/1/1/3)

08 July 2016

REPORT FROM THE MUNICIPAL MANAGER (GW LOUW)**PURPOSE OF REPORT**

Is to inform Council of the Rules of Order at meetings.

BACKGROUND / DISCUSSION

With reference to the rules of order presently applicable to Council, it is confirmed that the Standard By-laws relating to the Procedure and the Maintenance of Order at Meetings, as promulgated by PN 6469/2007, dated 28 September 2007, is applicable to Council.

A copy of those by-laws is attached for your information and records.

RELEVANT LEGISLATION

Rules of Order Regulating the Conduct of Meetings as promulgated by PN 6469/2007 dated 28 September 2007.

UITVOERENDE OPSOMMING

Die Standaardverordeninge insake die Prosedure en die Handhawing van Orde tydens Vergaderings soos afgekondig in PK 6469/2007, gedateer 28 September 2007, word aan die Raad vir kennisname voorgelê.

FINANCIAL IMPLICATION

None

RECOMMENDATION

1. That the Standard By-laws to the Procedure and the Maintenance of Order at Meetings as promulgated by PN 6469/2007 dated 28 September 2007, be accepted by Council.
2. That any amendments to these Rules of Order be referred to a workshop, to be determined and facilitated by the Speaker.

AANBEVELING

1. *Dat die Standaardverordeninge insake die Prosedure en die Handhawing van Orde tydens Vergaderings soos afgekondig in PK 6469/2007, gedateer 28 September 2007, deur die Raad aanvaar word.*
2. *Dat enige wysigings aan hierdie Ordereëls na 'n werkswinkel verwys word, wat deur die Speaker bepaal en gefasiliteer, sal word.*

ISINDULULO

1. Sesokuba inkqubo efanelekileyo yomthetho kunye nokugcinwa kwezinye iintalanganiso njengoku kulunqwe ku PN 6469/2007 yangomhla 28 kweyoMsintsi 2007, yamkelwe liBhunga.
2. Sesokuba ulungiso kulemiqathango yemithetho, kubanjwe uqeqesho yayo, nalapho kuzakuqwalasela kwaye iququzelwelwe nguSomlomo.

PROVINCE OF WESTERN CAPE



PROVINSIE WES-KAAP

Provincial Gazette

6469

Friday, 28 September 2007

Provinsiale Koerant

6469

Vrydag, 28 September 2007

EDEN DISTRICT MUNICIPALITY

Rules of Order Regulating the Conduct of Meetings

Index

Part 1: General

1. Definitions

Part 2: Application of Rules

2. Application
3. Supplementation

Part 3: Meetings

4. Commencement of Meeting
5. Order of Business
6. Matters In-Committee
7. Speaker may introduce urgent matter
8. Deputations and invitations to non-members
9. Business to be transacted
10. Special Meetings
11. Meetings
12. Attendance at Meetings
13. Leave of Absence
14. Sanction for Non-attendance
15. Minutes
16. Quorum

Part 4: Decisions

17. Unopposed
18. Debate prior to decisions
19. Manner of voting

EDEN DISTRIKSMUNISIPALITEIT

Reëls van Prosedure vir die Hou van Vergaderings

Inhoud

Deel 1: Algemeen

1. Woordomskriving

Deel 2: Toepassing van Reëls

2. Toepassing
3. Aanvulling

Deel 3: Vergaderings

4. Aanvang van vergadering
5. Volgorde van sake
6. Nie-openbaar-making van aangeleenthede
7. Speaker kan dringende aangeleenthede indien
8. Afvaardigings en uitnodigings aan nie-lede
9. Hantering van sake
10. Spesiale vergaderings
11. Vergaderings
12. Bywoning van vergaderings
13. Verlof tot afwesigheid
14. Sanksies vir nie-bywoning
15. Notule
16. Kworum

Deel 4: Besluite

17. Onbestrede aangeleenthede
18. Debatvoering voor besluite
19. Wyse van stemming

20. Decisions

21. Preference to unopposed business

Part 5: Public Access

22. Admittance of Public

23. Exclusion of the public from meetings

24. Re-admission of public and media to meetings

Part 6: Order of Meetings

25. Conduct of non-members and members of the public

26. Conduct of members

27. Offence

Part 7: Rules of Debate

28. Member to address the chair

29. Order of priority

30. Precedence of Speaker

31. Relevance

32. Right to speak

33. Length of speeches

34. Re-introduction of motion or question

35. Notices of motions

36. Notices of questions

37. Absence of mover or questioner

38. Motions and questions on matters dealt with by committee, Executive Mayor or member of the mayoral committee

39. Recommendation of the Executive Mayor regarded as motion

40. Questions

41. Motion of exigency

42. Motions of course

43. Points of order

44. Points of explanation

45. Withdrawal of motion, amendment or question

46. Speaker's ruling on points of order and explanation

47. Order of debate

48. That the motion be amended

49. That consideration of the matter be postponed

50. That the council do now adjourn to another date

51. That the council adjourn for a specified time

52. That the debate be adjourned

53. That the matter be put to the vote

54. That the matter be removed from the agenda

Part 8: Legislative Process

55. Introduction by draft by-law

20. Besluite

21. Voorkeur aan onbestrede sake

Deel 5: Toegang van Publiek

22. Toelating van publiek

23. Uitsluiting van die publiek en media van vergaderings

24. Hertoelating van publiek en media van tot vergaderings

Deel 6: Orde op Vergaderings

25. Gedrag van nie-lede en lede van die publiek

26. Gedrag van lede

27. Misdrywe

Deel 7: Reëls van Debatvoering

28. Lid spreek stoel aan

29. Orde van voorkeur

30. Voorrang van Speaker

31. Relevansie

32. Reg om te praat

33. Lengte van toesprake

34. Herindiening van mosie of vraag

35. Kennisgewing van mosie

36. Kennisgewing van vraag

37. Afwesigheid van voorsteller of vraesteller

38. Mosies en vrae oor aangeleenthede deur komitee, Uitvoerende Burgemeester of lid van die burgemeesterkomitee hanteer

39. Aanbeveling van Uitvoerende Burgemeester as mosie beskou

40. Vrae

41. Dringende mosie

42. Mosies van orde

43. Punt van orde

44. Punt van verduideliking

45. Terugtrekking van mosie, amendement of vraag

46. Speaker se beslissing oor punte orde en verduideliking

47. Volgorde van bespreking

48. Dat mosie geamendeer word

49. Dat oorweging van die aangeleentheid uitgestel word

50. Dat die raad nou tot 'n ander datum verdaag

51. Dat die raad vir 'n bepaalde tyd verdaag

52. Dat die debat verdaag word

53. Dat die aangeleentheid tot stemming gebring word

54. Dat die aangeleentheid van die sakelys verwyder word

Deel 8: Verordeningsproses

55. Indiening van konsepverordeninge

56. Introduction by member
57. Introduction by executive mayor
58. Publication
59. Introduction by council
60. Debate Procedure

Part 1: General

1. Definitions

In this by-law, unless inconsistent with the context—

“Council” means the Eden District Municipality;

“code” means the Code of Conduct for Councillors as set out in Schedule 1 of the System Act;

“Constitution” means the Constitution of the Republic of South Africa, 1996;

“MEC” means the member of the Provincial Council responsible for local government in the province of the Western Cape;

“meeting” means the meetings of the council;

“motion” means a motion of which notice is given by a member but shall not include a motion as contemplated in sections 39 and 40;

“member” means a member of the council;

“Municipal Manager” means the person appointed by council in terms of the Structures Act, or a person delegated by the municipal manager;

“rules” means the provisions of this by-law;

“Speaker” means the member elected as chairperson of the council or any other member acting as chairperson of the council;

“Systems Act” means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

“Structures Act” means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998).

Part 2: Application of Rules

2. Application

- (1) These rules apply to all meetings.
- (2) Except where it is clearly inappropriate, a rule applying to a member in any proceedings, also apply to a non-member who takes part in those proceedings with the approval of the Speaker or who attends the meeting as an observer.
- (3) These rules are also applicable to a committee of the Council unless a committee has determined its own rules and procedures.

3. Supplementation

- (1) The Speaker may give a ruling in respect of any eventuality for which these rules do not provide and no further discussion shall be allowed on the ruling.
- (2) The ruling of the Speaker must be entered into the minutes.

Part 3: Meetings

4. Commencement of Meeting

The Speaker must take the chair precisely at the time the meeting has been scheduled for and must proceed immediately with the business of the meeting subject to section 16.

56. Indiening deur lid
57. Indiening van uitvoerende burgemeester
58. Publikasie
59. Indiening by raad
60. Debatsprosedure

Deel 1: Algemeen

1. Woordomskrywing

In hierdie reëls, tensy dit uit die samehang anders blyk, beteken—

“Grondwet” die Grondwet van die Republiek van Suid-Afrika, 1996;

“kode” die Gedragskode vir Raadslede soos in Bylae 1 van die Stelselswet uiteengesit;

“lid” ’n lid van die raad;

“LUR” die lid van die Provinsiale Uitvoerende Raad verantwoordelik vir plaaslike regering in die provinsie van die Wes-Kaap;

“mosie” ’n mosie waarvan kennis deur ’n lid gegee is, maar nie ’n mosie soos in artikels 39 en 40 bedoel nie;

“municipale bestuurder” die persoon deur die raad aangestel ingevolge die Strukturewet, of ’n persoon deur die munisipale bestuurder gemagtig;

“raad” die munisipale raad van Eden Distrikmunisipaliteit;

“reëls” die bepalings van hierdie verordening;

“Speaker” die lid gekies tot voorsitter van die raad of enige ander lid wat as voorsitter van die raad waarneem;

“Stelselswet” die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000);

“Strukturewet” die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998);

“vergadering” die vergaderings van die raad.

Deel 2: Toepassing van Reëls

2. Toepassing

- (1) Hierdie reëls is op alle vergaderings van toepassing.
- (2) Uitgesonderd waar dit klaarblyklik onvanpas is, is ’n reël wat in enige verrigtinge op ’n lid van toepassing is, ook van toepassing op ’n nie-lid wat met die goedkeuring van die Speaker aan daardie verrigtinge deelneem of as ’n waarnemer die vergadering bywoon.
- (3) Hierdie reëls is ook van toepassing op ’n komitee van die raad tensy ’n komitee sy eie reëls en prosedures bepaal het.

3. Aanvulling

- (1) Die Speaker kan ’n beslissing gee oor enige gebeurlikheid waarvoor hierdie reëls nie voorsiening maak nie, en geen verdere bespreking word oor die beslissing toegelaat nie.
- (2) Die beslissing van die Speaker moet in die notule aangeteken word.

Deel 3: Vergaderings

4. Aanvang van vergadering

Die Speaker moet die stoel inneem presies op die tyd waarvoor die vergadering belê is en moet onmiddellik begin met die sake van die vergadering, behoudens artikel 16.

5. Order of business

- (1) The business of meetings will appear in the following order on the agenda—
 - (a) election of acting Speaker, if necessary;
 - (b) notifications;
 - (c) applications for leave of absence;
 - (d) confirmation of minutes;
 - (e) statements and communications by the Speaker;
 - (f) statements and communications by the Executive Mayor/Executive Deputy Mayor;
 - (g) consideration of reports;
 - (h) urgent matters submitted by the municipal manager;
 - (i) consideration of notices of motion;
 - (j) consideration of notices of questions;
 - (k) consideration of motions of urgency;
- (2) The Speaker may of his or her own volition change the order of the business appearing on the agenda.
- (3) A member who wishes to have the order of business on the agenda changed must approach the Speaker prior to the meeting. The decision of the Speaker in this regard is final.

6. Matters In-Committee

- (1) Whenever the municipal manager, in his or her discretion, has before the meeting provisionally placed any matter on a part of the agenda which may not be disclosed to the public or during a meeting requested the Speaker to exclude the public from a discussion, the Speaker, when such matters are to be considered, must—
 - (a) direct that all members of the public must leave the venue of the meeting; and
 - (b) direct that the members consider whether it would be reasonable for any or all of the items on such part of the agenda to be considered without the presence of the public, with due regard to section 160(7) of the Constitution which requires that the public and media may only be excluded from being present at a meeting when it is reasonable to do so, having regard to the nature of the business being transacted.
- (2) The motivation for the exclusion of the public must be minuted if not appearing from the report.

7. Speaker may introduce urgent matters

The Speaker may at any time and without notice make any statement or introduce urgent matters.

8. Deputations and invitations to non-members

Non-members and deputations will as a general rule be interviewed by the executive mayor or committees. If justified due to special circumstances, the Speaker may grant approval for a deputation to be interviewed by Council or for a non-member to address Council or to attend a meeting in order to state his/her views on a matter before Council on condition that the interview does not take longer than 15 minutes.

9. Business to be transacted

Except as otherwise provided in these rules, no matter not specified in the agenda of a meeting may be transacted at such meeting.

5. Volgorde van sake

- (1) Die sakelys van vergaderings moet in die volgende volgorde op die sakelys verskyn:
 - (a) verkiesing van waarnemende Speaker, indien nodig;
 - (b) mededelings;
 - (c) aansoeke vir verlof vir afwesigheid;
 - (d) bekragtiging van notules;
 - (e) verklarings en medelings deur die Speaker;
 - (f) verklarings en mededelings deur die Uitvoerende Burgemeester/Uitvoerende Onder-Burgemeester;
 - (g) ocrweging van verslae;
 - (h) dringende aangeleenthede deur die munisipale bestuurder voorgelê;
 - (i) oorweging van kennisgewings van mosies;
 - (j) oorweging van kennisgewings van vrae;
 - (k) oorweging van dringende mosies.
- (2) Die Speaker kan uit eie beweging die volgorde van die sake op die sakelys verander.
- (3) 'n Lid wat die volgorde van sake op die sakelys wil verander, moet die Speaker voor die vergadering nader. Die Speaker se beslissing daarvoor is final.

6. In-komitee aangeleenthede

- (1) Wanneer die munisipale bestuurder na sy goedgevunde, voor die vergadering, enige aangeleentheid voorlopig op 'n deel van die sakelys plaas wat nie aan die publiek openbaar gemaak mag word nie of tydens die vergadering die Speaker vra om die publiek van 'n bespreking uit te sluit, moet die Speaker, wanneer sodanige aangeleenthede oorweeg gaan word—
 - (a) gelas dat alle lede van die publiek die vergader lokaal verlaat; en
 - (b) gelas dat die lede oorweeg of dit redelik sal wees as enige van of al die items op sodanige deel van die sakelys oorweeg word sonder die teenwoordigheid van die publiek, met behoorlike inagneming van artikel 160(7) van die Grondwet, wat vereis dat die publiek en die media van 'n vergadering uitgealuit kan word slegs as dit redelik is om dit te doen met inagneming van die aard van die sake wat oorweeg word.
- (2) Die motivering vir die uitsluiting van die publiek moet volledig genotuleer word.

7. Speaker kan dringende aangeleentheid indien

Die Speaker kan te eniger tyd en sonder kennisgewing enige verklaring maak of dringende aangeleenthede indra.

8. Afvaardiging en uitnodigings van nie-ledes

As 'n algemene reël sal onderhoude aan lede van die publiek en afvaardigings deur die uitvoerende burgemeester of komitees toegestaan word. Indien spesiale omstandighede dit regverdig, mag die Speaker toestemming verleen vir 'n afvaardiging om 'n onderhoud met die raad te voer, of vir 'n lid van die publiek om die raad toe te spreek ten einde sy of haar standpunt oor 'n aangeleentheid voor die raad te stel op voorwaarde dat sodanige onderhoud nie langer as 15 minute mag plaasvind nie.

9. Sake vir afhandeling

Uitgesonderd waar hierdie reël anders bepaal, mag geen aangeleentheid wat nie op die sakelys van 'n vergadering verskyn, op sodanige vergadering hanteer word nie.

10. Special meetings

If the majority of the members request the Speaker in writing to convene a meeting, the Speaker must convene a meeting at a time set out in the request provided provided that such meeting may not take place sooner than 3 working days after a request for such meeting has been received.

11. Meetings

- a. Council must meet at least quarterly.
- b. The Speaker decides when and where the council meets.
- c. The municipal manager must, at the direction of the Speaker, give notice in writing to each member of every meeting decided upon in terms of subsection (2).
- d. The municipal manager must give notice to the public of the date, time and venue of every meeting by publishing a notice in a local newspaper determined by him or her; provided that he or she may depart from this requirement when time constraints make this impossible.
- e. Members will be informed by the municipal manager of every meeting and an agenda will be delivered at the members address at least 3 days before the meeting. The period may in terms of an emergency be shorter.
- f. The Speaker shall inspect the attendance register for Council meetings on a regular basis and may, if deemed fit, take the appropriate steps in terms of the Code of Conduct for Councillors against members who are absent on a regular basis.

12. Attendance at meetings

- (1) Every member attending a meeting of the council must sign his or her name in the attendance register kept for such purpose.
- (2) A member must attend each meeting except when—
 - (a) leave of absence is granted in terms of section 13; or
 - (b) the member is required by law to withdraw.

13. Leave of absence

A member who wishes to absent himself from meetings must before so absents himself or herself, obtain leave of absence from the Council, provided that the Speaker, on good cause shown, may grant leave of absence to a member who has been prevented by special circumstances from obtaining leave of absence from the Council.

14. Sanction for non-attendance

- (1) A member who without leave absents himself or herself from a meeting or who fails to be in attendance at the start of the meeting or fails to remain in attendance at such meeting, is in breach of these rules.
- (2) A ad hoc committee elected by council, must investigate and make a finding on any breach referred to in subsection (1).
- (3) The ad hoc committee elected by council conduct its business in accordance with the uniform standing procedures determined by council.
- (4) If the committee elected by council finds that a member has breached subsection (1), the member must be fined 10% of his or her monthly salary.
- (5) A member who is absent for three (3) or more consecutive meetings which he or she is required to attend in terms of section 11, must be removed from office in terms of item 4(2) of the code.
- (6) Proceedings for the removal of a member in terms of

10. Spesiale vergaderings

Indien 'n meerderheid van die lede die Speaker skriftelik versoek om 'n vergadering te belê, moet die Speaker 'n vergadering belê op 'n tyd in die versoek vermeld op voorwaarde dat sodanige vergadering sal nie binne 3 werksdae nadat die versoek ontvang is plaasvind nie.

11. Vergaderings

- a. Die raad moet ten minste kwartaalliks vergader.
- b. Die Speaker besluit waar en wanneer die raad vergader plaasvind.
- c. Die munisipale bestuurder moet, in opdrag van die Speaker, aan elke lid skriftelik kennis gee van elke vergadering waarop ingevolge subartikel (2) besluit is.
- d. Die munisipale bestuurder moet die publiek kennis gee van die datum, tyd en plek van elke vergadering deur 'n kennisgewing te publiseer in 'n plaaslike koerant deur hom of haar bepaal. Met dien verstande dat hy of sy van hierdie vereiste kan afwyk wanneer tydsbeperkings dit onmoontlik maak.
- e. Lede sal deur die munisipale bestuurder in kennis gestel word van elke vergadering deur 'n sakelys te laat aflewer by die lid se adres minstens 3 dae voor die tyd van die vergadering. In 'n noodgeval mag 'n korter tydperk geld.
- f. Die Speaker sal die bywoningsregister van die Raadsvergadering op 'n gereelde basis inspekteer en indien nodig toepaslike stappe in terme van die Kode vir Raadslede te neem toe raadslede wie op 'n gereelde basis afwesig mag wees.

12. Bywoning van vergaderings

- (1) Elke lid wat 'n vergadering van die raad bywoon, moet sy of haar naam teken in die bywoningsregister wat vir dié doel gehou word.
- (2) 'n Lid moet elke vergadering bywoon, uitgesonderd wanneer—
 - (a) verlof vir afwesigheid ingevolge artikel 13 verleen is; of
 - (b) die lid kragtens wetgewing moet onttrek.

13. Verlof tot afwesigheid

'n Lid wat 'n vergadering nie kan bywoon nie, moet vooraf verlof tot afwesigheid van die raad verkry. Met dien verstande dat die Speaker, om goeie redes, verlof tot afwesigheid kan verleen aan 'n lid wat deur spesiale omstandighede verhinder word om verlof tot afwesigheid van die raad te verkry.

14. Sanksies vir nie-bywoning

- (1) 'n Lid wat sonder verlof van 'n vergadering wegbly of wat versuim om aan die begin van die vergadering teenwoordig te wees of wat versuim om op so 'n vergadering teenwoordig te bly, oortree hierdie reëls.
- (2) 'n Ad hoc komitee deur die raad gekies, moet enige oortreding in subartikel (1) bedoel, ondersoek en 'n bevinding daaroor doen.
- (3) Die ad hoc komitee wat deur die raad gekies is, moet sy sake doen in ooreenstemming met die eenvormige staande procedure wat die raad bepaal.
- (4) As die komitee wat deur die raad gekies is, bevind dat 'n lid subartikel (1) oortree het, moet die lid beboet word met 10% van sy of haar maandelikse besoldiging.
- (5) 'n Lid wat van drie (3) of meer opeenvolgende vergaderings afwesig is wat hy of sy ingevolge artikel 11 moet bywoon, moet ingevolge item 4(2) van die kode uit sy of haar amp ontsaam word.
- (6) Verrigtinge vir die ontslag van 'n lid ingevolge subartikel (5)

subsection (5) or for the imposition of a fine in terms of subsection (4) must be conducted in accordance with the uniform standing procedure determined by the Council in terms of subsection (3).

15. Minutes

- (1) The municipal manager must compile the minutes of the proceedings of meetings in printed form.
- (2) The minutes of a meeting must be confirmed by the council at the next meeting and signed by the Speaker.
- (3) The minutes shall be taken as read, for the purpose of confirmation, if a copy thereof was sent to each member within a reasonable period before the next meeting.
- (4) No motion or discussion shall of the minutes, except with respect to the correctness thereof is permitted.

16. Quorum

- (1) A majority of the members constitutes a quorum.
- (2) If there is no quorum at the time for which the meeting is scheduled, the Speaker must take the chair as soon as quorum is present.
- (3) Whenever there is no quorum, the start of the meeting must be delayed for no longer than 30 minutes and if at the end of that period, there is no quorum, the Speaker must adjourn the meeting to another time, date and venue at his or her discretion and record the names of those members present.
- (4) Whenever the Speaker is not present and there is no quorum, the start of the meeting must be delayed for not more than 30 minutes and if there is no quorum at the end of that period, no meeting may take place and the municipal manager must record the names of the members present and the reason for the cancellation of the meeting.
- (5) Whenever during a meeting there is no quorum, the Speaker must suspend the proceedings until a quorum is again present, provided that if after 10 minutes or such longer time the Speaker may allow, there is still no quorum, the Speaker must adjourn the meeting.
- (6) Whenever a meeting is adjourned owing to the absence of a quorum, the time of such adjournment, as well as names of the members present, must be recorded in the minutes.
- (7) The Speaker must report the names of the absent members to the committee established in terms of section 14(2) for the purposes of an investigation of a breach of these rules.

Part 4: Decisions

17. Unopposed matters

- (i) Whenever council is called upon to consider a matter before it and there is no opposition from any member, a unanimous vote will be recorded in the minutes.
- (ii) Should any member/s abstain from voting, the resolution shall be recorded as: "Adopted-nam con" [non against].
- (iii) The name of the abstainer shall at his/her request be noted in the minutes.

18. Debate prior to decisions

- (i) Before any matter in council is debated, the Speaker must indicate that the matter is open for discussion.
- (ii) In the event of an opposed matter, the Speaker shall not allow any proposal or amendment to be moved until the

of vir die opiegging van 'n boeste ingevolge subartikel (4) moet geakied ooreenkomstig die eenvormige staande prosedures wat die raad ingevolge subartikel (3) bepaal het.

15. Notule

- (1) Die munisipale bestuurder moet die notule van die vergadering in gedrukte vorm saamstel.
- (2) Die notule van 'n vergadering moet op die volgende vergadering deur die raad bekragtig en deur die Speaker onderteken word.
- (3) Die notule word vir die doel van bekragtiging as gelees beskou indien 'n eksemplaar daarvan binne 'n redelike tydperk voor die volgende vergadering aan elke lid gestuur is.
- (4) Geen mosie of bespreking oor die notule mitgesondard oor die juistheid daarvan word toegelaat nie.

16. Kworum

- (1) 'n Meerderheid van die lede maak 'n kworum uit.
- (2) As daar op die tyd waarvoor die vergadering belê is nie 'n kworum is nie, moet die Speaker die stoel inneem sodra daar 'n kworum teenwoordig is.
- (3) Wanneer daar nie 'n kworum is nie, moet die aanvang van die vergadering met hoogstens 30 minute vertraag word, en as daar aan die einde van daardie tydperk nog nie 'n kworum is nie, moet die Speaker die vergadering verakuij na 'n ander tyd, datum en plek na sy of haar goeddunke en moet hy of sy die name van die teenwoordige lede aanteken.
- (4) Wanneer die Speaker nie teenwoordig is nie en daar nie 'n kworum is nie, moet die begin van die vergadering met hoogstens 30 minute vertraag word, en as daar aan die einde van daardie tydperk nog nie 'n kworum is nie, mag die vergadering nie plaasvind nie en moet die munisipale bestuurder die name van die teenwoordige lede aanteken en ook die redes vir die konesellering van die veradering.
- (5) Wanneer daar tydens 'n vergadering nie 'n kworum is nie, moet die Speaker die vergadering opekort totdat daar weer 'n kworum is: Met dien verstande dat as daar na 10 minute, of so 'n langer tydperk as wat die Speaker mag toelaat, nog nie 'n kworum is nie, die Speaker die vergadering moet verdaag.
- (6) Wanneer 'n vergadering verdaag word omdat daar nie 'n kworum is nie, moet die tyd van sodanige verdagging asook die name van die teenwoordige lede in die notule aangeteken word.
- (7) Die Speaker moet die name van die afwesige lede voorlê aan die komitee wat ingevolge artikel 14(2) ingestel is vir die doel van 'n ondersoek na 'n skending van hierdie reëls.

Deel 4: Besluite

17. Onbestrede aangeleenthede

- (i) Wanneer die raad 'n aangeleentheid oorweeg en daar geen teenkanting van enige lid is nie, moet 'n eenparige stemming in die notule aangeteken word.
- (ii) Indien enige lid buite stemming bly, sal die besluit aandui dat niemand 'n teenstem aangeteken het nie.
- (iii) Die name van die persoon wie buite stemming gebly het sal op sy/haar versoek in die notule aangeteken word.

18. Debatvoering voor besluite

- (i) Alvorens debat oor enige aangeleentheid voor die raad gevoer word, moet die Speaker te kenne gee dat die aangeleentheid oop is vir bespreking.
- (ii) In die geval van 'n onbestrede aangeleentheid laat die Speaker nie enige voorstel of amendement toe nie tensy hy

matter has, in the view of the Speaker, been adequately debated by the meeting.

- (iii) An item on the agenda shall be deemed to be opposed business if a member signifies his/her intention to discuss such item immediately after the Speaker has indicated to the meeting that such item is open for discussion, provided that no item shall be deemed to be opposed by reason only of questions been asked in connection therewith.

19. Manner of voting

- (1) The Speaker must put every opposed motion to the vote by calling upon the members to indicate by a show of hands unless otherwise prescribed by law, whether they are for such motion or against it, whereupon the Speaker must declare the result of such vote.
- (2) The Speaker may, at the request of a majority of the members present, rule that a matter be decided by secret ballot. In such event the municipal manager shall ensure that a duly marked ballot paper is handed to each member.
- (3) If there is an equality of votes in respect of a motion on which voting takes place in accordance with subsection (1) and (2), the Speaker must exercise his casting vote, in addition to his deliberate vote, provided that the Speaker may not exercise a casting vote in terms of any matter set out in section 160(2) of the Constitution.
- (4) Upon the Speaker's declaration of the result of a vote, a member may demand for his or her vote to be recorded against the decision concerned and the Municipal Manager shall ensure that such vote is recorded in the minutes.
- (5) A member may abstain from voting on any matter. Upon indication that a member wishes to abstain from voting, it shall be accordingly recorded in the minutes.

20. Decisions

- (1) In accordance with the Constitution, a supporting vote of a majority of the members is necessary to decide on—
 - (a) the passing of by-laws;
 - (b) the approval of the budget;
 - (c) the imposition of rates and other taxes, levies and duties;
 - (d) the raising of loans.
- (2) In accordance with section 34(1) of the Local Government Municipal Structures Act, Act 117 of 1998 a supporting vote of least two-thirds of the members is necessary to adopt a decision to dissolve the council.
- (3) In accordance with item 6(3) of the Code of conduct for Councillors, if more than one quarter of the members are against a motion to grant consent to a member to—
 - (a) be a party to or beneficiary under a contract for—
 - (i) the provision of goods or services to the municipality; or
 - (ii) the performance of any work otherwise than as a member for the municipality.
 - (b) obtain a financial interest in any business of the municipality; or
 - (c) for a fee or other consideration appear on behalf of any other person before the council or a committee;

such consent may only be given to the member with the approval of the MEC.

of sy van mening is dat die aangeleentheid voldoende deur die vergadering gedebatteer is.

- (iii) 'n Aangeleentheid op die sakelys sal geag word bestrede te wees wanneer 'n lid, nadat die Speaker te kenne gegee het dat die aangeleentheid oop is vir bespreking, aandui dat hy of sy van voorneme is om die aangeleentheid te bespreek; met dien verstande dat geen aangeleentheid geag sal word bestrede te wees slegs omdat vrae in verband daarmee gestel is nie.

19. Wyse van stemming

- (1) Die Speaker moet 'n stemming hou oor elke mosie wat teengestaan word, deur die lede te versoek om deur die opsteek van hande, tensy anders voorgeskryf by wet, aan te dui of hulle vir of teen sodanige mosie is, waarna hy of sy die uitslag van sodanige stemming bekend moet maak.
- (2) Die Speaker mag, op versoek van 'n meerderheid van die lede teenwoordig, beaai dat daar by wyse van geheime stemming oor 'n aangeleentheid besluit word. In so 'n geval moet die munisipale bestuurder toesien dat 'n bekoortlik gemerkte stembrief aan elke lid verakaf word.
- (3) As daar 'n staking van stemme is ten opsigte van 'n mosie waarvoor 'n stemming gehou word in ooreenstemming met subartikel (1), moet die Speaker sy of haar beslissende stem uitbring benevens sy of haar gewone stem; met dien verstande dat die Speaker nie 'n beslissende stem mag uitbring nie ten opsigte van enige aangeleentheid in artikel 160(2) van die Grondwet niteengeit.
- (4) Wanneer die Speaker die uitslag van 'n stemming bekend maak, kan 'n lid versoek dat sy of haar stem teen die betrokke besluit aangeteken word, en die munisipale bestuurder moet toesien dat sodanige stem in die notule aangeteken word.
- (5) 'n Lid mag buite stemming bly, Indien 'n lid aandui dat hy buite stemming wil bly, moet dit so in die notule aangeteken word.

20. Besluite

- (1) In ooreenstemming met die Grondwet is die ondersteunende stem van 'n meerderheid van die lede nodig om te besluit oor—
 - (a) die aanneem van verordeninge;
 - (b) die goedkeuring van die begroting;
 - (c) die oplegging van eiendomsbelasting en ander belastinge, heffings en regte;
 - (d) die verkryging van lenings.
- (2) In ooreenstemming met Art 34(1) van die Plaaslike Regering: Munisipale Strukture Wet, Wet 117 van 1998 'n ondersteunende stem van minstens twee derdes van die lede nodig om 'n besluit om die raad te ontbind, aan te neem.
- (3) Indien, in ooreenstemming met item 6(3) van die Gedragskode vir Raadslede, meer as 'n kwart van die lede gekant is teen 'n mosie om aan 'n lid toestemming te gee om—
 - (a) 'n party of 'n bevoordeelde van 'n kontrak te wees vir—
 - (i) die verakaffing van goedere of dienste aan die munisipaliteit; of
 - (ii) die verrigting van enige werk anders as 'n lid van die munisipaliteit.
 - (b) 'n finansiële belang te verkry in enige sake van die munisipaliteit; of
 - (c) vir betaling of ander vergoeding namens enige ander persoon voor die raad of 'n komitee te verakyn

mag sodanige toestemming slegs met die goedkeuring van die LUR gegee word.

- (4) All other questions are decided by a majority of votes cast.
- (5) In accordance with section 59(3)(a) of the Systems Act, the council may, or at the request in writing of at least one quarter of the councillors, must, review any decision taken by a political structure, political office bearer, councillor or staff member in consequence of a delegation or instructions, and either confirm, vary or revoke the decision subject to any rights that may have accrued to a person.

21. Preference to unopposed business

- (1) When a meeting has been in progress for not less than one hour the Speaker may interrupt the proceedings and direct that the council proceed forthwith to dispose of business other than opposed business.
- (2) After the disposal of such business the proceedings shall be resumed at the point at which they were interrupted, unless all other remaining business has been adjourned.
- (3) An item on the agenda shall be deemed to be opposed business if a member signifies his intention to discuss such item immediately after the Speaker has intimated to the meeting that such item is open for discussion, provided that no item shall be deemed to be opposed by reason only of matters being asked in connection therewith.

Part 5: Public Access

22. Admittance of public

The Speaker must take reasonable steps to regulate public access to, and public conduct at meetings.

23. Exclusion of the public from meetings

- (1) The public including the media may be excluded from the meeting:
 - (a) where so directed by the Speaker in terms of section 6, or
 - (b) where so decided by council in terms of subsection (3).
- (2) If a motion to exclude the public from the meeting is seconded, the motion must be put to the vote, forthwith without discussion.
- (3) If a motion to exclude the public is carried, the place of meeting shall be cleared of all members of the public, including the media.
- (4) The motivation for the exclusion of the public must be minuted.

24. Re-admission of public and media to meetings

- (1) A member may during the course of the meeting from which the public and the media were excluded, move "that the meeting again be opened" and state the reasons for such motion.
- (2) If such motion is seconded it shall be put to the vote forthwith without discussion.

Part 6: Order in Meetings

25. Conduct of non-members and members of the public

If a non-member or member of the public misconducts himself or herself, behaves in an unseemly manner or obstructs the business of any meeting, the Speaker may direct such person to retire from the place of meeting for the remainder of the meeting and may, if necessary, cause him or her to be removed therefrom.

26. Conduct of members

- (1) If a member—

- (4) Alle ander kwessies word deur 'n meerderheid van die uitgebragte stemme beslis.

- (5) In ooreenstemming met artikel 59(3)(a) van die Stelselwet, mag die raad, of, moet die raad op skriftelike versoek van minstens 'n kwart van die raadslede, enige besluit wat deur 'n politieke struktuur, politieke amptbekleër, raadslid, of personeëlid ten gevolge van 'n delegasie of opdrag geneem is, hersien en die besluit bevestig, verander of herroep behoudens enige regte wat aan 'n persoon mag toegeval het.

21. Voorkeur aan onbestrede sake

- (1) Wanneer 'n vergadering minstens een uur aan die gang is, kan die Speaker die verrigtinge onderbreek en gelas dat die raad onverwyld daartoe oorgaan om onbestrede sake af te handel.
- (2) Na die afhandeling van sodanige sake moet die verrigtinge hervat word op die punt waar dit onderbreek is, tensy alle ander oorblywende sake tot die volgende vergadering verdaag is.
- (3) 'n Item op die sakelys word geag 'n bestrede saak te wees as 'n lid te kenne gee dat hy voornemens is om sodanige item te bespreek onmiddellik nadat die Speaker aan die vergadering te kenne gegee het dat sodanige item oop is vir bespreking. Met dien verstande dat geen item geag word bestrede te wees slegs omrede vrae in verband daarmee gestel word nie.

Deel 5: Toegang vir die Publiek

22. Toelating van publiek

Die Speaker moet redelike stappe doen om toegang vir die publiek tot vergaderings en hul gedrag te reguleer.

23. Uitsluiting van die publiek van vergaderings

- (1) Die publiek insluitende die media kan van die vergadering uitgesluit word:
 - (a) waar die Speaker dit ingevolge artikel 6 gelas, of
 - (b) waar die raad dit ingevolge subartikel (3) besluit.
- (2) Indien 'n mosie van 'n lid om die publiek van die vergadering uit te sluit, sekondeer word, moet dit onverwyld en sonder bespreking tot stemming gebring word.
- (3) Indien 'n mosie om die publiek van die vergadering uit te sluit aangeneem word, moet alle lede van die publiek, insluitende die media, die vergaderlokaal verlaat.
- (4) Die redes vir die uitsluiting van die publiek moet notuleer word.

24. Hartoelating van publiek en media tot vergaderings

- (1) 'n Lid kan in die loop van die vergadering waarvan die publiek en die media uitgesluit is, voorstel "dat die vergadering weer oopgestel word" met vermelding van die redes vir sodanige mosie.
- (2) Indien sodanige mosie gesecondeer word, moet dit onverwyld en sonder bespreking tot stemming gebring word.

Deel 6: Orde van Vergaderings

25. Gedrag van nie-lede en lede van publiek

Indien 'n nie-lid of lid van die publiek hom of haar aan wangedrag skuldig maak, op 'n onbehoorlike wyse gedra of die sake van enige vergadering belemmer, kan die Speaker gelas dat sodanige persoon die vergaderplek vir die duur van die vergadering verlaat of, indien nodig, uit die lokaal verwyder word.

26. Gedrag van lede

- (1) Indien 'n lid—

- (a) misconducts himself or herself; or
- (b) behaves in an unseemly manner, or
- (c) obstructs the business of a meeting; or
- (d) challenges the ruling of the Speaker on any point of order or ruling; or
- (e) declines to withdraw any expression when required to do so by the Speaker; or
- (f) indulges in the tedious repetition, unbecoming language or remarks which are of a defamatory nature, or
- (g) commits any breach of these rules,

the Speaker shall direct such member to conduct himself or herself properly and, if speaking, to discontinue his or her speech.

- (2) In the event of a disregard of the directions of the Speaker, the Speaker may direct such member to retire from the place of meeting for the remainder of the meeting and may, if necessary, cause him or her to be removed therefrom.

27. Offence

Any non-member or member of the public who—

- (a) refuses or fails to comply with a direction of the Speaker given in terms of section 23; or
- (b) returns to the place of meeting prior to the conclusion of the meeting from which he or she was directed to retire or to be removed.
- (c) offers resistance whilst removed from the place of meeting,

shall be guilty of an offence and liable on conviction to a fine determined by the court or to imprisonment for a period as determined by the court.

Part 7: Rules of Debate

28. Member to address the chair

A member who speaks at a meeting must address the chair standing and may do so in any one of the three official languages of Province of the Western Cape.

29. Order of priority

When a member wishes to address the council, he or she must first have the permission of the Speaker.

30. Precedence of Speaker

Whenever the Speaker addresses the meeting, all members must be silent so that the Speaker may be heard without any interruptions.

31. Relevance

- (1) A member who speaks must direct his speech strictly to the subject or matter under discussion or to an explanation or to a point of order.
- (2) No discussion may be permitted—
 - (a) which will anticipate any matter on the agenda;
 - (b) on any matter in respect of which a decision by a judicial or administrative body or a commission of enquiry is pending.

32. Right to speak

- (1) A member may only speak once—

- (a) hom of haar aan wangedrag skuldig maak; of
- (b) hom of haar op 'n onbehoorlike wyse gedra; of
- (c) die sake van enige vergadering belemmer; of
- (d) die beslissing van die Speaker oor enige punt van orde of beslissing ingevolge artikel 3(1) uitdaag; of
- (e) weier om enige uitdrukking terug te trek wanneer die Speaker daarop aandring; of
- (f) hom of haar oorgoo aan langdradige herhalings of onbehoorlike taalgebruik van 'n lasterlike aard; of
- (g) enige van hierdie reëls oortree,

moet die Speaker gelas dat sodanige lid hom of haar behoorlik gedra en, indien hy of sy aan die woord is, om sy of haar redevoering te staak.

- (2) In die geval van 'n verontagsaming van die lasgewing van die Speaker mag die Speaker sodanige lid gelas om die vergader lokaal vir die res van die vergadering te verlaat en kan hy of sy, indien nodig, sodanige lid uit die lokaal laat verwyder.

27. Misdrywe

Enige nie-lid van die publiek wat—

- (a) weier of versuim om te voldoen aan 'n lasgewing van die Speaker ingevolge artikels 22; of
- (b) na die vergaderlokaal terugkeer voor die afsluiting van die vergadering waaraan hy of sy gelas is om te onttrek of verwyder is, of
- (c) weerstand bied terwyl hy of sy uit die vergaderlokaal verwyder word,

begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete of gevangenisstraf vir 'n tydperk van hoogstens drie maande soos deur die hof bepaal.

Deel 7: Reëls vir Debatvoering

28. Lid spreek stoel aan

'n Lid wat op 'n vergadering praat, moet die stoel staande aanspreek en kan dit doen in enige van die drie amptelike tale van die Provinsie die Wes-Kaap.

29. Orde van voorkeur

Wanneer 'n lid die raad wil toespreek, moet hy of sy eers die Speaker se toestemming kry.

30. Voorrang van Speaker

Wanneer die Speaker die vergadering toespreek, moet alle lede stil bly sodat die Speaker sonder enige onderbreking aangehoor kan word.

31. Relevansie

- (1) 'n Lid wat aan die woord is, moet sy toespraak streng bepaal by die onderwerp of aangeleentheid onder bespreking of by 'n verduideliking of by 'n punt van orde.
- (2) Geen bespreking word toegelaat—
 - (a) wat enige aangeleentheid op die sakelys sal vooruitloop nie;
 - (b) oor enige aangeleentheid ten opsigte waarvan 'n besluit deur 'n geregtelike of administratiewe liggaam of 'n kommissie van ondersoek hangende is nie.

32. Reg om te praat

- (1) 'n Lid mag net een keer praat—

- (a) to the matter before the council;
- (b) to any motion before the council;
- (c) to any amendments to a matter or motion before the council;
- (d) to a point of order or a question of privilege,

unless authorised by the Speaker or as provided for in terms of these rules.

- (2) The mover of an original motion may speak to the motion and reply but in replying he or she must strictly confine himself or herself to answering previous Speakers and may not introduce any new matter into the debate.
- (3) The right of reply shall not extend to the mover of an amendment which, having been carried, has become the substantive motion.

33. Length of speeches

Except with the consent of the Speaker no member may speak for more than five minutes.

34. Re-introduction of motion or question

No motion which has been rejected by the council and no question asked in terms of the rules and dealt with at any meeting may again be moved or asked within a period of three months of such meeting except with the consent of the Speaker.

35. Notices of motions

- (1) Subject to section 35(2), the Speaker may not accept any motion except a motion of exigency or a motion of course unless notice thereof has been given in terms of subsection (2).
- (2) Every notice of intention by a member to introduce a motion shall be in writing, motivated, signed and dated and delivered to the municipal manager or his nominee by close of office at least six working days before the date of the meeting on which it is intended to be introduced.

36. Notices of questions

- (1) Subject to sections 36(2) and 38 the Speaker may not accept any question unless notice thereof has been given in terms of subsection (2).
- (2) Every notice of intention by a member to introduce a question shall be in writing, motivated, signed and dated and delivered to the municipal manager or his nominee by close of office at least six working days before the date of the meeting on which it is intended to be introduced.

37. Absence of mover or questioner

In the event of the mover or questioner not being present at the meeting of the council when called upon by the Speaker to move a motion or ask a question standing in his name on the agenda, such motion or question shall lapse unless the original mover or questioner has notified the Speaker in writing of a substitute to move the motion or ask the question.

38. Motions and questions on matters dealt with by committee, Executive Mayor or member of the mayoral committee

- (1) A member may not give notice of a motion or question in regard to any matter assigned to a committee or the Executive Mayor, unless—
 - (a) such motion has previously been submitted to such committee or the Executive Mayor without any response; or

- (a) oor die aangeleentheid voor die raad;
- (b) oor enige mosie voor die raad;
- (c) oor enige amendemente van 'n aangeleentheid of mosie voor die raad;
- (d) oor 'n punt van orde of 'n saak van privilege,

tensy deur die Speaker gemagtig of soos in hierdie reëls voorsiening gemaak.

- (2) Die voorsteller van 'n oorspronklike mosie kan oor die mosie praat en repliek lewer, maar in sy of haar repliek moet hy of sy hom of haar bepaal by die beantwoording van vorige sprekers en mag hy of sy geen nuwe aangeleentheid in die debat inbring nie.
- (3) Die reg tot repliek is nie van toepassing nie op die voorsteller van 'n amendement wat, nadat dit goedgekeur is, die substantiewe mosie geword het.

33. Lengte van toesprake

Uitgesonderd met die toestemming van die Speaker mag geen lid langer as vyf minute oor enige onderwerp (of aangeleentheid) praat nie.

34. Herindiening van mosie of vraag

Geen mosie wat deur die raad verwerp is en geen vraag wat ingevolge die reëls gestel is en afgehandel is op enige vergadering, mag weer ingedien of gestel word nie binne 'n tydperk van drie maande na sodanige vergadering, uitgesonderd met die toestemming van die Speaker.

35. Kennisgewing van mosie

- (1) Behoudens artikel 35(2) mag die Speaker geen mosie, uitgesonderd 'n dringende mosie of 'n mosie van orde, aanvaar nie tensy kennis daarvan ingevolge subartikel (2) gegee is.
- (2) Elke kennisgewing van voorneme deur 'n lid om 'n mosie in te dien, moet skriftelik, gemotiveer, onderteken en gedateer wees en aan die munisipale bestuurder gelewer word minstens ses werksdae voor die datum van die vergadering waarop dit ingedien gaan word.

36. Kennisgewing van vraag

- (1) Behoudens artikel 36(2) en 38 mag die Speaker geen vraag aanvaar nie tensy kennis daarvan ingevolge subartikel (2) gegee is.
- (2) Elke kennisgewing van voorneme deur 'n lid om 'n vraag te stel, moet skriftelik, gemotiveer, onderteken en gedateer wees en aan die munisipale bestuurder of sy genomineerde by sluiting van kantore gelewer word minstens ses werksdae voor die datum van die vergadering waarop dit gestel gaan word.

37. Afwesigheid van voorsteller of vraesteller

Indien die voorsteller of vraesteller nie in sy plek teenwoordig is nie op die vergadering van die raad wanneer hy of sy deur die Speaker versoek word om 'n mosie in te dien of 'n vraag te stel wat op sy of haar naam op die sakelys verakyn, verval sodanige mosie of vraag tensy die oorspronklike voorsteller of vraesteller die Speaker skriftelik in kennis gestel het van 'n plaasvervanger om die mosie in te dien of die vraag te stel.

38. Mosies en vrae oor aangeleenthede deur komitee of die Uitvoerende Burgemeester hanteer

- (1) 'n Lid mag nie kennis van 'n mosie of vraag gee met betrekking tot enige aangeleentheid wat aan 'n komitee of die Uitvoerende Burgemeester opgedra is nie, tensy—
 - (a) sodanige mosie of vraag voorheen aan sodanige komitee of Uitvoerende Burgemeester voorgelê is sonder enige reaksie; of

- (b) such motion is in the form of a reference to such committee or the Executive Mayor for consideration and report; or
 - (c) such committee or Executive Mayor has failed to finalise or report on such matter within a time period as specified by council; or
 - (d) the Speaker in his discretion authorised such motion to be included in the agenda of council.
- (2) The chairperson of a portfolio committee or the Executive Mayor may, if he or she is of opinion that the matter is one of urgency, give notice of his or her intention to introduce a motion or ask a question on a matter assigned to such committee or the Executive Mayor notwithstanding the fact that such motion or question has not received the prior consideration of the committee or the Executive Mayor.
- (3) Any motion intended in terms of (1) and (2) must comply with the provisions of section 32(2).

39. Recommendation of the Executive Mayor regarded as motion

- (1) The adoption of a recommendation contained in a report submitted by the executive mayor to the council shall be deemed to have been moved by him or her or in his or her absence, by a member of the mayoral committee deputed by him or her to act at the time when the Speaker intimates that such report is open for discussion, and no such motion need be seconded, nor shall the executive mayor be thereby precluded from exercising his or her right to speak thereon.
- (2) The Executive Mayor or member referred to in subsection (1) may speak on the matter and reply but in replying he or she shall strictly confine himself or herself to answering previous Speakers and shall not introduce any new matter into the debate.

40. Questions

- (1) After any motion or amendment has been moved and seconded or at the conclusion of any speech thereon a member may ask any question relevant to such motion or amendment.
- (2) No supplementary questions may be asked except by the member asking the original question and then only in respect of matters arising out of the reply to such original question.
- (3) The Speaker may not disallow any such question, provided that the member to whom such question is directed may either reply thereto forthwith or require that notice thereof be given in terms of section 33.

41. Motion of exigency

- (1) A member may direct the attention of the council to any matter which does not appear on the agenda and of which no previous notice has been given, by stating briefly the subject of the matter and without comment thereon moving "that the motion to which attention has been directed be considered forthwith as a matter of exigency".
- (2) Such motion is herein referred to as a motion of exigency.
- (3) If a motion of exigency is seconded and carried, the mover shall be permitted without notice to bring the matter under consideration by way of motion or question.

42. Motions of course

In addition to those provided for elsewhere in these rules, the following shall be regarded as motions of course:

- (b) sodanige mosie in die vorm is van 'n verwysing na sodanige komitee of Uitvoerende Burgemeester vir oorweging en verslagdoening; of
 - (c) sodanige komitee of Uitvoerende Burgemeester versuim het om sodanige aangeleentheid te finaliseer of daarvoor verslag te doen binne 'n tydperk deur die raad voorgeskryf; of
 - (d) die Speaker in sy diskresie die insluiting van sodanige mosie in die sakelys gemagtig het.
- (2) Die voorsitter van 'n komitee of die Uitvoerende Burgemeester kan, indien hy of sy van mening is dat die aangeleentheid dringend is, kennis gee van sy of haar voorneme om 'n mosie in te dien of 'n vraag te stel oor 'n aangeleentheid wat aan sodanige komitee of Uitvoerende Burgemeester opgedra is, ondanks die feit dat sodanige mosie of vraag nie vooraf deur sodanige komitee of Uitvoerende Burgemeester oorweeg is nie.
- (3) Enige mosie ingevolge subartikels (1) of (2) moet voldoen aan die bepalinge van artikel 32(2).

39. Aanbeveling van Uitvoerende Burgemeester as mosie beskou

- (1) Die aanvaarding van 'n aanbeveling vervat in 'n verslag wat deur die uitvoerende burgemeester aan die raad voorgelê is, word geag deur hom of haar voorgestel te wees of, in sy of haar afwesigheid, deur 'n lid van die burgemeesterkomitee deur hom of haar aangewys om waar te neem wanneer die Speaker te kenne gee dat sodanige verslag oop is vir bespreking, en geen sodanige mosie hoef gesekondeer te word nie, en die uitvoerende burgemeester mag ook nie verhinder word om sy reg om daaroor te praat, uit te oefen nie.
- (2) Die Uitvoerende Burgemeester of lid in subartikel (1) bedoel, kan egter oor die aangeleentheid praat en repliek lewer, maar sy of haar repliek moet streng bly by antwoorde aan vorige sprekers en geen nuwe aangeleenthede mag in die debat ingevoer word nie.

40. Vrae

- (1) Nadat enige mosie of amendement voorgestel en gesekondeer is of na afhandeling van enige toespraak kan 'n lid enige vraag stel wat tersaaklik is vir sodanige mosie of amendement.
- (2) Geen aanvullende vrae mag gestel word nie uitgesonderd deur die lid wat die oorspronklike vraag gestel het en dan net ten opsigte van aangeleenthede voortspruitend uit die antwoord op sodanige oorspronklike vraag.
- (3) Die Speaker mag geen sodanige vraag weier nie: Met dien verstande dat die lid aan wie sodanige vraag gerig is, onverwyld daarop kan antwoord of kan vereis dat kennis daarvan ingevolge artikel 33 gegee is.

41. Dringende mosie

- (1) 'n Lid kan die aandag van die raad vestig op enige aangeleentheid wat nie op die sakelys verskyn nie en waarvan daar nie vooraf kennis gegee is nie, deur kortliks die onderwerp van die aangeleentheid te meld en sonder kommentaar daarop voor te stel "dat die mosie waarop die aandag gevestig is, onverwyld oorweeg word as 'n kwessie van dringendheid".
- (2) Sodanige mosie word hierin 'n dringende mosie genoem.
- (3) Indien 'n dringende mosie gesekondeer en aangeneem word moet die voorsteller toegelaat word om die aangeleentheid sonder kennis deur middel van 'n mosie of vraag tot oorweging te bring.

42. Mosie van orde

Bewens die mosies waarvoor elders in hierdie reëls voorsiening gemaak word, word die volgende as mosies van orde beskou:

- (i) that precedence be given to the consideration of any particular item appearing on the agenda;
- (ii) that any report referred to in the agenda be noted, adopted, acted upon or referred back or that the recommendations in report be executed;
- (iii) that any document before the council be acted upon in the manner specified in the motion;
- (iv) that action be taken in regard to any item submitted for consideration in the manner specified in the motion;
- (v) that the public be excluded from the meeting during a discussion of an item or items on the agenda.

43. Points of order

A member may raise a point of order to call attention to a departure from these rules by stating the particular rule such member relies on, whereupon such member shall immediately be heard.

44. Points of explanation

The Speaker may allow a member to raise a point of explanation provided that such explanation shall be confined to some material part of the debate which may have been misunderstood.

45. Withdrawal of motion, amendment or question

- (1) A motion or amendment may without debate and with the permission of the seconder and council, be withdrawn by the mover.
- (2) A member may not talk on such a motion or amendment after the Council has agreed to the withdrawal of such motion.
- (3) A question may be withdrawn by the member intending to put it.

46. Speaker's ruling on points of order and explanation

- (1) The ruling of the Speaker on a point of order or an explanation shall be final and not open to discussion.
- (2) The ruling of the Speaker on any point of order raised as to the interpretation of these rules must be entered in the minutes.

47. Order of debate

When a motion is under debate no further motion shall be received except the following:

- (a) that the motion be amended;
- (b) that the consideration of the matter be postponed;
- (c) that the public and the media be excluded;
- (d) that the public and the media be re-admitted;
- (e) that the council do now adjourn to another date;
- (f) that the council adjourn for a specified time;
- (g) that the debate be adjourned;
- (h) that the matter be put to the vote;
- (i) that the matter be removed from the agenda.

48. That the motion be amended

- (1) Every amendment must be relevant to the motion on which it is moved.

- (i) dat voorrang verleen word aan die oorweging van enige bepaalde item wat op die sakelys verskyn;
- (ii) dat daar kennis geneem word van enige verslag in die sakelys vermeld, aangeneem of terugverwys word of dat die aanbevelings in die verslag uit gevoer word;
- (iii) dat daar uitvoering gegee word aan enige dokument voor die raad op die wyse in die mosie vermeld;
- (iv) dat stappe gedoen word met betrekking tot enige item wat vir oorweging voorgelê is, op die wyse in die mosie vermeld;
- (v) dat die publiek uitgesluit word van die vergadering vir die duur van 'n bespreking van 'n item of items op die sakyiys.

43. Punte van orde

'n Lid kan 'n punt van orde opper om die aandag te vestig op 'n afwyking van hierdie reëls deur die bepaalde reël te noem waarop sodanige lid beroep, waarna sodanige lid onmiddellik gehoor verleen moet word.

44. Punt van verduideliking

Die Speaker kan 'n lid toelaat om 'n punt van verduideliking te opper. Met dien verstande dat sodanige verduideliking beperk moet word tot 'n wesenlike deel van die debat wat moontlik misverstaan is.

45. Terugtrekking van mosie, amendement of vraag

- (1) 'n Mosie of amendement kan sonder bespreking en met die toestemming van die sekondeerder en die raad deur die voorsteller teruggetrek word.
- (2) 'n Lid mag nie oor sodanige mosie of amendement praat nie nadat die raad tot die terugtrekking van sodanige mosie ingestem het.
- (3) 'n Vraag kan teruggetrek word deur die lid wat dit wou gestel het.

46. Speaker se beslissing oor punte van orde en verduideliking

- (1) Die beslissing van die Speaker oor 'n punt van orde of verduideliking is finaal en nie oop vir bespreking nie.
- (2) Die beslissing van die Speaker oor 'n punt van orde wat oor die vertolking van hierdie reëls geopper is, moet in die notule aangeteken word.

47. Volgorde van bespreking

Wanneer 'n mosie onder bespreking is mag geen verdere mosie ontvang word nie, uitgesonderd die volgende:

- (a) dat die mosie geamendeer word;
- (b) dat die oorweging van die aangeleentheid uitgestel word;
- (c) dat die publiek en die media uitgesluit word;
- (d) dat die publiek en die media weer toegelaat word;
- (e) dat die raad nou tot 'n ander datum verdaag;
- (f) dat die raad vir 'n bepaalde tyd verdaag;
- (g) dat die debat verdaag word;
- (h) dat die aangeleentheid tot stemming bebring word;
- (i) dat die aangeleentheid van die sakelys verwyder word.

48. Dat die mosie geamendeer word

- (1) Elke amendement moet tersaaklik wees vir die mosie waarop dit voorgestel word.

- (2) An amendment must, if required by the Speaker, be in writing, signed by the mover and handed to the Speaker.
- (3) An amendment must be read before being moved.
- (4) An amendment may not be discussed or put to the council until it has been seconded.
- (5) If there is more than one amendment to a motion the amendment last proposed must be put to the vote first and if carried the matter shall be resolved accordingly.
- (6) If the amendment last proposed is rejected, the amendment proposed immediately prior to the last amendment must be put to the vote.
- (7) No further amendment may be moved to a motion or amendment after the Speaker has commenced to take the vote upon such motion or amendment.

49. That consideration of the matter be postponed

- (1) A member may at the conclusion of a speech move that the consideration of the matter be postponed to a given date.
- (2) Such motion must be seconded but need not be in writing, provided that the seconder may not be permitted to speak. The mover must be permitted to speak to the motion for a period not exceeding five minutes and the seconder may not speak except for seconding the motion.
- (3) Upon such motion being made the mover of the matter under debate may (without prejudice to his or her ultimate right of reply if the motion that the matter be postponed be not carried) be heard in reply for five minutes, after which the motion shall be put without further debate.
- (4) If the motion is carried, the matter must be placed first on the agenda of matters to be considered at the meeting to which it has been postponed, provided that sections 5(2) and (3) shall not apply to such matter.

50. That the council do now adjourn to another date

- (1) A member who has not yet participated in the debate on the matter then before the meeting may at any time except during the course of a speech by another member or while a vote is being taken move "that the council do now adjourn to another date".
- (2) Such motion must be seconded but need not be in writing.
- (3) The mover may speak to the motion for a period not exceeding five minutes, but the seconder may not speak except for seconding the motion.
- (4) If the motion is carried the council must forthwith adjourn, provided that the Speaker may direct that the meeting proceed first to dispose of business other than opposed business.
- (5) If the motion is not carried the Speaker may not accept another such motion until the period of half an hour has elapsed.
- (6) Save as is provided in subsection (3), no discussion on such motion shall be permitted, except that a member, who has first indicated as such, may speak in opposition of the motion for not more than five minutes.
- (7) No amendment to such motion may be moved except in relation to the period of adjournment.
- (8) If a motion to adjourn a meeting has been carried during a debate and prior to the conclusion thereof, then upon

- (2) 'n Amendement moet, indien die Speaker dit verlang, skriftelik en deur die voorsteller onderteken wees en aan die Speaker oorhandig word.
- (3) 'n Amendement moet gelees word voordat dit voorgestel word.
- (4) 'n Amendement mag nie bespreek of aan die raad gestel word voordat dit gesecondeer is nie.
- (5) As daar meer as een amendement op 'n mosie is, word die amendement wat laaste ingedien is, eerste tot stemming gebring, en as dit aangeneem word, word die aangeleentheid diensoreenkomstig afgehandel.
- (6) Indien die amendement wat laaste ingedien is, verwerp word, word die amendement wat onmiddellik voor die laaste amendement ingedien is, tot stemming gebring.
- (7) Geen verdere amendement op 'n mosie of amendement mag ingedien word nadat die Speaker begin het om sodanige mosie of amendement tot stemming te bring nie.

49. Dat oorweging van die aangeleentheid uitgestel word

- (1) 'n Lid kan aan die einde van 'n toespraak voorstel dat die oorweging van die aangeleentheid uitgestel word tot 'n bepaalde of onbepaalde datum.
- (2) Sodanige mosie moet gesecondeer word maar hoef nie skriftelik te wees nie: Met dien verstande dat die sekondeerder nie toegelaat mag word om te praat nie. Die voorsteller moet toegelaat word om vir 'n tydperk van hoogstens vyf minute oor die mosie te praat, en die sekondeerder mag nie praat nie, behalwe om die mosie te sekondeer.
- (3) Wanneer so 'n mosie voorgestel word, kan die voorsteller van die aangeleentheid onder bespreking (sonder benadeling van sy of haar uiteindelijke reg op repliek indien die mosie dat die aangeleentheid uitgestel word, nie aanvaar word nie) vyf minute lank repliek lewer, waarna die mosie sonder verdere bespreking tot stemming gebring word.
- (4) Indien die mosie aanvaar word, moet die aangeleentheid eerste geplaas word op die sakelys van aangeleenthede wat oorweeg moet word op die vergadering waartoe dit uitgestel is: Met dien verstande dat artikel 5(2) en (3) nie op sodanige aangeleentheid van toepassing is nie.

50. Dat die raad nou tot 'n ander datum verdaag

- (1) 'n Lid wat nog nie aan die bespreking oor die aangeleentheid wat dan voor die vergadering is, deelgeneem het nie, kan te eniger tyd, uitgesonderd in die loop van 'n toespraak deur 'n ander lid of terwyl daar gestem word, voorstel "dat die raad nou tot 'n ander datum verdaag".
- (2) Sodanige mosie moet gesecondeer word maar hoef nie skriftelik te wees nie.
- (3) Die voorsteller mag vir 'n tydperk van hoogstens vyf minute oor die mosie praat, maar die sekondeerder mag nie praat nie behalwe om die mosie te sekondeer.
- (4) Indien die mosie aanvaar word, moet die raad onverwyld verdaag: Met dien verstande dat die Speaker kan gelas dat die vergadering voortgaan om eers onbestrede sake af te handel.
- (5) Indien die mosie nie aanvaar word nie, mag die Speaker nie nog so 'n mosie aanvaar nie totdat 'n halfuur verstryk het.
- (6) Uitgesonderd soos in subartikel (3) bepaal, mag geen bespreking oor sodanige mosie toegelaat word nie, behalwe dat 'n lid wat dit eerste aangedien het, hoogstens vyf minute lank teen die mosie kan praat.
- (7) Geen amendement op sodanige mosie mag voorgestel word nie, uitgesonderd met betrekking tot die tydperk van verdagging.
- (8) Indien 'n mosie om 'n vergadering te verdaag aanvaar is gedurende 'n debat en voor die afhandeling daarvan, is die lid

consideration of the matter forming the subject of such debate at the adjourned meeting, the member who moved the adjournment shall be entitled to speak first.

- (9) No business may be transacted at an adjourned meeting except such as was set out in the agenda for the meeting of which it is adjournment.

51. That the council adjourn for a specified time

- (1) A member may at any time except during the course of a speech by another member or while a vote is being taken move "that the council now adjourn for a specified time", up to one hour.
- (2) Such motion must be seconded but need not be in writing.
- (3) If the motion is carried the council shall forthwith adjourn for the specified time.
- (4) The Speaker may limit the number of such motions.

52. That the debate be adjourned

- (1) A member who has not yet participated in the debate on a matter then before the meeting may at the conclusion of any speech move that the debate be adjourned.
- (2) Such motion must be seconded but need not be in writing.
- (3) The mover of such motion may speak to it for five minutes, but the seconder may not speak beyond formally seconding it.
- (4) Save as is provided in subsection (3) no discussion may be permitted on such motion except in relation to the period of adjournment and that the member who first rises in his place for that purpose may speak in opposition thereto for five minutes.
- (5) If such motion is carried, the meeting proceeds to the next business on the agenda, and the discussion of the adjourned debate, unless otherwise resolved, is resumed at the next meeting.
- (6) On the resumption of the adjourned debate the member who moved the adjournment is entitled to speak first.
- (7) If the motion is not carried the Speaker may not accept another such motion until half an hour has elapsed.
- (8) A member may not move or second more than one the motion for the adjournment of the debate during the course of that debate.

53. That the matter be put to the vote

- (1) A member who has not yet participated in the debate on a matter then before the meeting, may during such debate, at the conclusion of any speech, move that the matter be removed from the agenda.
- (2) Subject to the provision of subsection (3), no motion put in terms of subsection (1) is open for discussion.
- (3) The mover of a matter under discussion may, when a motion has been put in terms of subsection (1), speak on such motion for not more than five minutes, whereupon the said motion must be put to the vote without any further discussion.

54. That the matter be removed from the agenda

- (1) A member who has not yet participated in the debate on a matter then before the meeting, may during such debate, at the conclusion of any speech, move that the matter be removed from the agenda.
- (2) Subject to the provisions of subsection (3), no motion put in terms of subsection (1) is open to discussion.

wat die verdaging voorgestel het, geregtig om eerste te praat by oorweging van die aangeleentheid wat die onderwerp van sodanige bespreking op die verdaagde vergadering sal wees.

- (9) Geen sake mag op 'n verdaagde vergadering afgehandel word nie, uitgesonderd die sake wat op die sakelys van die vergadering waarvan dit 'n verdaging is, verskyn.

51. Dat die raad vir 'n bepaalde tyd verdaag

- (1) 'n Lid kan te eniger tyd behalwe in die loop van 'n toespraak deur 'n ander lid of terwyl daar gestem word, voorstel "dat die raad nou vir 'n bepaalde tyd, verdaag", tot een uur.
- (2) Sodanige mosie hoef nie skriftelik te wees nie, maar moet gesekondeer word.
- (3) Indien die mosie aanvaar word, moet die raad onverwyld vir die bepaalde tyd verdaag.
- (4) Die Speaker kan die aantal sodanige mosies beperk.

52. Dat die debat verdaag word

- (1) 'n Lid wat nog nie aan die bespreking oor die aangeleentheid wat dan voor die vergadering is, deelgeneem het nie, kan aan die einde van enige toespraak voorstel dat die debat verdaag word.
- (2) Sodanige mosie moet gesekondeer word maar hoef nie skriftelik te wees nie.
- (3) Die voorsteller van sodanige mosie kan vyf minute lank daarvoor praat, maar die sekondeerder mag nie praat nie behalwe om dit formeel te sekondeer.
- (4) Uitgesonderd soos in subartikel (3) bepaal, mag geen bespreking oor sodanige mosie toegelaat word nie, behalwe in verband met die tydperk van verdaging en dat die lid wat eerste in sy sitplek op die been kom vir dié doel, vyf minute lank daarteen mag praat.
- (5) Indien sodanige mosie aanvaar word, gaan die vergadering oor na die volgende saak op die sakelys, en die bespreking van die verdaagde debat word op die volgende vergadering hervat, tensy daar anders besluit word.
- (6) Met die hervatting van die verdaagde debat is die lid wat die verdaging voorgestel het, geregtig om eerste te praat.
- (7) Indien die mosie nie aanvaar word nie, mag die Speaker nie nog so 'n mosie aanvaar nie totdat 'n halfuur verstryk het.
- (8) 'n Lid mag nie meer as een mosie vir die verdaging van die debat in die loop van daardie debat voorstel of sekondeer nie.

53. Dat die aangeleentheid tot stemming gebring word.

- (1) 'n Lid wat nog nie aan die bespreking oor die aangeleentheid wat dan voor die vergadering is, deelgeneem het nie, kan in die loop van sodanige bespreking, aan die einde van enige toespraak, voorstel dat die aangeleentheid nou tot stemming gebring word.
- (2) Behoudens die bepalinge van subartikel (3) is geen mosie wat ingevolge subartikel (1) voorgestel is, oop vir bespreking nie.
- (3) Die voorsteller van 'n aangeleentheid onder bespreking kan, wanneer 'n mosie ingevolge subartikel (1) voorgestel is, hoogstens vyf minute lank oor sodanige mosie praat, waarna genoemde mosie sonder enige verdere bespreking tot stemming gebring word.

54. Dat die aangeleentheid van die sakelys verwyder word

- (1) 'n Lid wat nog nie aan die bespreking oor die aangeleentheid wat dan voor die vergadering is, deelgeneem het nie, kan in die loop van sodanige bespreking, aan die einde van enige toespraak, voorstel dat die aangeleentheid van die sakelys verwyder word.
- (2) Behoudens die bepalinge van subartikel (3) is geen mosie wat ingevolge subartikel (1) voorgestel is, oop vir bespreking nie.

- (3) The mover of a matter under discussion may, when a motion has been put in terms of subsection (1), speak on such motion for not more than five minutes, whereupon the said motion must be put to the vote without any further discussion.
- (4) If such a motion is carried, the matter under discussion may not be further pursued.

Part 8: Legislative Process

55. Introduction of draft by-law

In accordance with section 12 of the system Act, a draft by-law may only be introduced by a member or the executive mayor.

56. Introduction of draft by-laws

- (1) A member introduces a draft by-law by submitting it together with a memorandum on the objects of the by-law to the Speaker.
- (2) The Speaker must on receipt of a draft by-law, present it together with any comments received in terms of subsection (3), to the Executive Mayor for consideration in accordance with section 30(5) of the Structures Act.
- (3) The Speaker must obtain the comments of the municipal manager on the contents of the draft by-law and may solicit the comments of any person.
- (4) The Executive Mayor must within three months after receipt of the draft by-law from the Speaker, consider the draft by-law and decide whether or not to support it.
- (5) If the executive mayor decides to support the the proposes by-law he or she must request the municipal manager to publish the draft by-law for public comment in order that the public will have the opportunity to make representations with regard thereto.
- (6) If the executive mayor decides not to support the proposed by-law he or she must submit a report to the council in the following form—
 - (a) an executive summary of the draft by-law;
 - (b) a memorandum on the objects of the by-law;
 - (c) the need to regulate the conduct proposed in the draft by-law;
 - (d) the contents of the proposed by-law;
 - (e) other by-laws that must be repealed or amended if the draft by-law is adopted;
 - (f) any relevant comments or proposals;
 - (g) the reasons why the proposed by-law is not supported; and
 - (h) a recommendation.
- (7) After considering the report referred to in subsection (6), the council must decide to either reject the proposed by-law or to provisionally pass it.
- (8) When a proposed by-law has been rejected by the council no by-law of the same substance may be introduced within a period of 6 months from the date of rejection.
- (9) When a proposed by-law has been provisionally passed, it must be advertised for public comment.

57. Introduction by executive mayor

- (1) The executive mayor may on his/her own volition or after

- (3) Die voorsteller van 'n aangeleentheid onder bespreking kan, wanneer 'n mosie ingevolge subartikel (1) voorgestel is, hoogstens vyf minute lank oor sodanige mosie praat, waarna genoemde mosie sonder enige verdere bespreking tot stemming gebring word.
- (4) Indien sodanige mosie aanvaar word, word die aangeleentheid onder bespreking nie verder bespreek nie.

Deel 8: Verordeningproses

55. Indiening van konsepverordeninge

In ooreenstemming met artikel 12 van Stelselwet kan 'n konsepverordening net deur 'n lid of die Uitvoerende Burgemeester ingedien word.

56. Indiening deur lid

- (1) 'n Lid dien 'n konsepverordening in deur dit saam met 'n memorandum oor die oogmerke van die verordening aan die Speaker voor te lê.
- (2) Die Speaker moet by ontvangs van 'n konsepverordening dit saam met enige kommentaar wat ingevolge subartikel (3) ontvang is, aan die uitvoerende Burgemeester voorlê vir oorweging ingevolge artikel 30(5) van die Struktuwet.
- (3) Die Speaker moet die kommentaar van die munisipale bestuurder oor die inhoud van die konsepverordening verkry en kan die kommentaar van enige persoon vra.
- (4) Die Uitvoerende Burgemeester moet, binne drie maande na ontvangs van 'n konsepverordening van die Speaker, die konsepverordening oorweeg en besluit om dit te ondersteun of nie.
- (5) Indien die Uitvoerende Burgemeester besluit om die konsepverordening te ondersteun, moet hy of sy die munisipale bestuurder versoek om die konsepverordening vir openbare kommentaar te publiseer op 'n wyse wat die publiek 'n geleentheid bied om vertoë in verband daarmee te rig.
- (6) Indien die Uitvoerende Burgemeester besluit om nie die konsepverordening te ondersteun, moet hy of sy 'n verslag aan die raad voorlê wat die volgende bevat—
 - (a) 'n bestuursopsomming van die konsepverordening;
 - (b) 'n memorandum oor die oogmerke van die verordening;
 - (c) die noodsaaklikheid om die voorgestelde gedrag in die konsepverordening te reguleer;
 - (d) die inhoud van die konsepverordening;
 - (e) ander verordeninge wat herroep of gewysig moet word indien die konsepverordening aanvaar word;
 - (f) enige tersaaklike kommentaar of voorstelle;
 - (g) die redes waarom die konsepverordening nie ondersteun word nie; en
 - (h) 'n aanbeveling.
- (7) Na oorweging van die verslag gemeld in subartikel (6) moet die raad besluit om die konsepverordening af te keur of voorlopig goed te keur.
- (8) Indien die raad 'n konsepverordening afgekeur het, mag geen verordening oor dieselfde onderwerp binne 'n tydperk van 6 maande vanaf die datum van afskuring ingedien word nie.
- (9) Indien die raad 'n konsepverordening voorlopig goedgekeur het moet dit vir openbare kommentaar publiseer word.

57. Indiening deur Uitvoerende Burgemeester

- (1) Die Uitvoerende burgemeester kan uit eie beweging of na

considering a request from the municipal manager introduce a draft by-law.

- (2) If the executive mayor on own volition decides to introduce a draft by-law, he or she must obtain the comments of the municipal manager on the contents thereof and may solicit the comments of any person thereon.
- (3) When the executive mayor is satisfied that proposed by-law should be proceeded with, it must be advertised for public comment.

58. Publication

The municipal manager must as soon as possible after council has provisionally passed a by-law in terms of section 59(3) or the Executive Mayor has indicated satisfaction with a proposed by-law in terms of section 57(3), publish the draft by-law for public comment in order that the public comment in order that the public will have the opportunity to make representations with regard thereto.

59. Introduction to council

- (1) The municipal manager must as soon as possible after the closing date for public representations, submit, a report to the executive mayor together with,
 - (a) a copy of the proposed by-law;
 - (b) copies of the advertisements in which the public was invited to make representations;
 - (c) any comments received from the public; and
 - (d) any other comments from the administration.
- (2) The executive mayor must consider the report by the municipal manager and—
 - (a) report to the council in the following form—
 - (i) an executive summary of the draft by-law,
 - (ii) a memorandum on the objects of the by-law,
 - (iii) the need to regulate the conduct proposed in the draft by-law,
 - (iv) the contents of proposed by-law,
 - (v) other by-laws that must be repealed or amended in the draft by-law is adopted,
 - (vi) any relevant comments or proposals, and
 - (b) recommend to Council to pass the by-law, pass the by-law in an amended form or reject it.
- (3) When a draft by-law has been rejected by the council, no by-law of the same substance may be introduced within a period of 6 months from the date of rejection.
- (4) When a proposed by-law has been passed, it must be published in the Provincial Gazette.

60. Debate procedure

The rules pertaining to debate also apply to the legislative process.

oorweging van 'n versoek van die munisipale bestuurder 'n konsepverordening indien.

- (2) Indien die Uitvoerende Burgemeester uit eie beweging besluit om 'n konsepverordening in te dien, moet hy of sy die kommentaar van die munisipale bestuurder oor die inhoud daarvan verkry en kan hy die kommentaar van enige persoon daarvoor vra.
- (3) Indien die Uitvoerende Burgemeester tevrede is dat met die konsepverordening voortgegaan word, moet dit vir openbare kommentaar gepubliseer word.

58. Publikasie

Die munisipale bestuurder moet so gou doenlik, nadat die raad 'n konsepverordening ingevolge artikel 59(4) voorlopig goedgekeur het, of, die Uitvoerende Burgemeester ingevolge artikel 57(3) aangedui het dat hy of sy tevrede is dat met die konsepverordening voortgegaan word, die konsepverordening vir openbare kommentaar publiseer op 'n wyse wat die publiek 'n geleentheid bied om vertoë in verband daarmee te rig.

59. Indiening by raad

- (1) Die munisipale bestuurder moet so gou moontlik na die sluitingsdatum vir vertoë deur die publiek 'n verslag aan die Uitvoerende Burgemeester voorleë, tesame met,
 - (a) 'n eksemplaar van die voorgestelde verordening;
 - (b) eksemplare van die advertensies waarin die publiek genooi is om vertoë te rig;
 - (c) enige kommentaar wat van die publiek ontvang is, en
 - (d) enige kommentaar van die administrasie.
- (2) Die uitvoerende burgemeester moet die verslag van die munisipale bestuurder oorweeg—
 - (a) aan die raad 'n verslag voorleë wat die volgende bevat—
 - (i) 'n bestuursopsomming van die konsepverordening,
 - (ii) 'n memorandum oor die oogmerke van die konsepverordening,
 - (iii) die noodsaaklikheid om die voorgestelde gedrag in die konsepverordening te reguleer,
 - (iv) die inhoud van die konsepverordening,
 - (v) ander verordeninge wat herroep of gewysig moet word indien die konsepverordening aangeneem word, en
 - (vi) enige tersaaklike kommentaar of voorstelle
 - (b) die raad adviseer om die verordening aan te neem, om die verordening in 'n gewysigde vorm aan te neem of om dit te verwerp.
- (3) Wanneer 'n konsepverordening deur die raad verwerp is, mag geen verordening met dieselfde inhoud binne 'n tydperk van 6 maande na die verwerping ingedien word nie.
- (4) Wanneer 'n verordening aangeneem is, moet dit in die Provinsiale Koerant publiseer word.

60. Debatsprosedure

Die reëls rakende debatvoering is ook op die wetgewende proses van toepassing.

DISTRICT COUNCIL

31 AUGUST 2016

(DC 08/08/16)

**ELECTION OF EXECUTIVE MAYOR / VERKIESING VAN
UITVOERENDE BURGEMEESTER / UKONYULWA
KOSODOLOPHU OBEKEKILEYO (528227)**

(5/2/1)

08 July 2016

**REPORT FROM THE EXECUTIVE MANAGER: CORPORATE/STRATEGIC SERVICES
(B HOLTZHAUSEN)**

PURPOSE OF THE REPORT

Is to elect an Executive Mayor for the Eden District Municipality in terms of section 55 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998), in accordance with the procedures as stipulated in Schedule 3 of the aforementioned Act.

BACKGROUND

Section 55 of the Municipal Structures Act, 1998 (Act 117 of 1998) as amended in Section 4 of the Local Government Municipal Structures Amendment Act, 2003 (Act 1 of 2003) determines as follows:

- "(1) If a municipal council chooses to have an executive mayor it must elect an executive mayor and, if the MEC for local government in the province so approves, also an executive deputy mayor, from among its members at a meeting that must be held-*
- (a) within 14 days after the council's election; or*
 - (b) if it is a district council, within 14 days after the last of the local councils has appointed its representatives to the district council; or*
 - (c) within 14 days after the date with effect from which the type of the municipality has been changed from any of those mentioned in section 8(a), (b), (c) (d), 9(a), (b), (e) or (f) or 10(a) or (c) to any of those mentioned in section 8(3), (f), (g) or (h), 9(c) or (d) or 10(b)."*

Schedule 3 of the said Act, which deals with the election of municipal office-bearers, is attached as Annexure A.

Attached as Annexure B is an example of the prescribed form for the nomination of the Executive Mayor. Nomination forms will be available at the office of the Municipal Manager and at the meeting.

RELEVANT LEGISLATION

Section 55 of the Local Government: Municipal Structures Act, Act 117 of 1998.

FINANCIAL IMPLICATIONS

None

UITVOERENDE OPSOMMING

"n Uitvoerende Burgemeester moet binne veertien (14) dae na afloop van die plaaslike verkiesing verkies word.

RECOMMENDATION

That an Executive Mayor be elected for the Eden District Municipality in terms of Section 55 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998), in accordance with the procedures as stipulated in Schedule 3 of the aforementioned Act.

AANBEVELING

Dat 'n Uitvoerende Burgemeester vir die Eden Distriksmunisipaliteit verkies word ingevolge die bepalinge van Artikel 55 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998), in ooreenstemming met die prosedure soos uiteengesit in Bylae 3 van die voornoemde Wet.

ISINDULULO

Sesokuba konyulwe uSodolophu Obekekileyo onyulelwe uMasipala Wesithili se Eden ngokwemiqatango yomhlathi 55 Wemithetho Yolawulo Lorhulumente Baemakhaya, 1998(uMthetho 117 wango 1998) ngokulandela inkqubo nezidandalaziswe kuMhlathi 3 womthetho ophawulwe ngasentla.

ANNEXURE A

Schedule 3
ELECTION OF MUNICIPAL OFFICE-BEARERS
 [Schedule 3 amended by s. 34 of Act 51 of 2002.]

1 Application

The procedure set out in this Schedule applies whenever a municipal council meets to elect a speaker, an executive mayor, a deputy executive mayor, a mayor or a deputy mayor.

2 Nominations

The person presiding at a meeting to which this Schedule applies must call for the nomination of candidates at the meeting.

3 Formal requirements

(1) A nomination must be made on the form determined by the municipal manager.

(2) The form on which a nomination is made must be signed by two members of the municipal council.

(3) A person who is nominated must indicate acceptance of the nomination by signing either the nomination form or any other form of written confirmation.

4 Announcement of names of candidates

At a meeting to which this Schedule applies, the person presiding must announce the names of the persons who have been nominated as candidates, but may not permit any debate.

5 Single candidate

If only one candidate is nominated, the person presiding must declare that candidate elected.

6 Election procedure

If more than one candidate is nominated-

- (a) a vote must be taken at the meeting by secret ballot;
- (b) each councillor present at the meeting may cast one vote; and
- (c) the person presiding must declare elected the candidate who receives a majority of the votes.

7 Elimination procedure

(1) If no candidate receives a majority of the votes, the candidate who receives the lowest number of votes must be eliminated and a further vote taken on the remaining candidates in accordance with item 6. This procedure must be repeated until a candidate receives a majority of the votes.

(2) When applying subitem (1), if two or more candidates each have the lowest number of votes, a separate vote must be taken on those candidates, and repeated as often as may be necessary to determine which candidate is to be eliminated.

8 Further meetings

(1) If only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, a further meeting must be held within seven days at a time determined by the person presiding.

(2) If a further meeting is held in terms of subitem (1), the procedure prescribed in this Schedule must be applied at that meeting as if it were the first meeting for the election in question.

(3) If at the further meeting held in terms of subitem (1) only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, the person presiding at such meeting must determine by lot who of the two candidates will hold the office for which the election has taken place.

[Subitem (3) added by s. 34 of Act 51 of 2002.]

**ANNEXURE B**

**EDEN DISTRICT MUNICIPALITY
EDEN DISTRIKSMUNISIPALITEIT
UMASIPALA WESITHILI**

DISTRICT COUNCIL**AUGUST 2016**

YORKSTRAAT 54 YORK STREET, POSBUS / P.O. BOX 12 GEORGE 6530
E-POS/E-MAIL: admin@edendm.co.za, TEL (044) 803 1300 FAKS / FAX (044) 874 4670

**NOMINASIEVORM: VERKIESING VAN UITVOERENDE
BURGEMEESTER
NOMINATION FORM: ELECTION OF EXECUTIVE MAYOR**

Ons, die ondergetekendes, nomineer hiermee die volgende persoon:
We, the undersigned, hereby nominate the following person:

Ons, die ondergetekendes, nomineer hiermee die volgende persoon:
We, the undersigned, hereby nominate the following person:

VOLLE NAAM EN VAN VAN GENOMINEERDE
FULL NAME AND SURNAME OF NOMINEE

NAME VAN NOMINEERDERS:
NAMES OF NOMINATORS:

Nomineerder: Naam en van: Handtekening
Nominator: Name and surname: Signature

Sekondant: Naam en van Handtekening:
Seconder: Name and surname: Signature:

Ek, die ondergetekende, aanvaar hiermee die nominasie.
I, the undersigned, hereby accept the nomination.

Geteken te GEORGE op hierdie dag van20.....

Signed at GEORGE on thisday of20.....

.....
**HANDTEKENING VAN GENOMINEERDE
SIGNATURE OF NOMINEE**

DISTRICT COUNCIL**AUG/SEPT 2016**

DISTRICT COUNCIL

31 AUGUST 2016

(DC 09/08/16)

**ELECTION OF EXECUTIVE DEPUTY MAYOR / VERKIESING VAN
UITVOERENDE ONDER-BURGEMEESTER / UKONYULWA
KOSEKELA SODOLOPHU OBEKEKILEYO (528259)**

(5/2/1)

08 July 2016

**REPORT FROM THE EXECUTIVE MANAGER: CORPORATE/STRATEGIC SERVICES
(B HOLTZHAUSEN)**

PURPOSE OF THE REPORT

Is to elect an Executive Deputy Mayor for the Eden District Municipality in terms of Section 55 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998), in accordance with the procedures as stipulated in Schedule 3 of the aforementioned Act.

BACKGROUND

Section 55 of the Municipal Structures Act, 1998 (Act 117 of 1998), as amended in section 4 of the Local Government Municipal Structures Amendment Act, 2003 (Act 1 of 2003) determines as follows:

- “(1) If a municipal council chooses to have an executive mayor it must elect an executive mayor and, if the MEC for local government in the province so approves, also an executive deputy mayor, from among its members at a meeting that must be held-*
- (d) within 14 days after the council's election; or*
 - (e) if it is a district council, within 14 days after the last of the local councils has appointed its representatives to the district council; or*
 - (f) within 14 days after the date with effect from which the type of the municipality has been changed from any of those mentioned in section 8(a), (b), (c) (d), 9(a), (b), (e) or (f) or 10(a) or (c) to any of those mentioned in section 8(3), (f), (g) or (h), 9(c) or (d) or 10(b).”*

Schedule 3 of the said Act, which deals with the election of municipal office-bearers, is attached as **Annexure A**.

Attached as **Annexure B** is an example of the prescribed form for the nomination of the Executive Deputy Mayor. Nomination forms will be available at the office of the Municipal Manager and at the meeting.

RELEVANT LEGISLATION

Section 55 of the Local Government: Municipal Structures Act, Act 117 of 1998.

FINANCIAL IMPLICATIONS

None

UITVOERENDE OPSOMMING

"n Uitvoerende Onder-Burgemeester moet binne veertien (14) dae na afloop van die plaaslike verkiesing verkies word.

RECOMMENDATION

That an Executive Deputy Mayor be elected for the Eden District Municipality in terms of section 55 of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998), in accordance with the procedures as stipulated in Schedule 3 of the aforementioned Act .

AANBEVELING

Dat 'n Uitvoerende Onder-Burgemeester vir die Eden Distriksmunisipaliteit verkies word ingevolge die bepalinge van artikel 55 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998) in ooreenstemming met die prosedure soos uiteengesit in Bylae 3 van die voornoemde Wet.

ISINDULULO

Sesokuba uSekele Sodolophu Obekekileyo onyulelwe uMasipala Wesithili se Eden ngokwemiqatango yomhlathi 55 Wemithetho Yolawulo Lorhulumente Baemakhaya, 1998(uMthetho 117 wango 1998) ngokulandela inkqubo nezidandalaziswe kuMhlathi 3 womthetho ophawulwe ngasentla.

ANNEXURE A

Schedule 3
ELECTION OF MUNICIPAL OFFICE-BEARERS
 [Schedule 3 amended by s. 34 of Act 51 of 2002.]

1 Application

The procedure set out in this Schedule applies whenever a municipal council meets to elect a speaker, an executive mayor, a deputy executive mayor, a mayor or a deputy mayor.

2 Nominations

The person presiding at a meeting to which this Schedule applies must call for the nomination of candidates at the meeting.

3 Formal requirements

(1) A nomination must be made on the form determined by the municipal manager.

(2) The form on which a nomination is made must be signed by two members of the municipal council.

(3) A person who is nominated must indicate acceptance of the nomination by signing either the nomination form or any other form of written confirmation.

4 Announcement of names of candidates

At a meeting to which this Schedule applies, the person presiding must announce the names of the persons who have been nominated as candidates, but may not permit any debate.

5 Single candidate

If only one candidate is nominated, the person presiding must declare that candidate elected.

6 Election procedure

If more than one candidate is nominated-

- (a) a vote must be taken at the meeting by secret ballot;
- (b) each councillor present at the meeting may cast one vote; and
- (c) the person presiding must declare elected the candidate who receives a majority of the votes.

7 Elimination procedure

(1) If no candidate receives a majority of the votes, the candidate who receives the lowest number of votes must be eliminated and a further vote taken on the remaining candidates in accordance with item 6. This procedure must be repeated until a candidate receives a majority of the votes.

(2) When applying subitem (1), if two or more candidates each have the lowest number of votes, a separate vote must be taken on those candidates, and repeated as often as may be necessary to determine which candidate is to be eliminated.

8 Further meetings

(1) If only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, a further meeting must be held within seven days at a time determined by the person presiding.

(2) If a further meeting is held in terms of subitem (1), the procedure prescribed in this Schedule must be applied at that meeting as if it were the first meeting for the election in question.

(3) If at the further meeting held in terms of subitem (1) only two candidates are nominated, or if only two candidates remain after an elimination procedure has been applied, and those two candidates receive the same number of votes, the person presiding at such meeting must determine by lot who of the two candidates will hold the office for which the election has taken place.

[Subitem (3) added by s. 34 of Act 51 of 2002.]

**ANNEXURE B**

**EDEN DISTRICT MUNICIPALITY
EDEN DISTRIKSMUNISIPALITEIT
UMASIPALA WESITHILI**

DISTRICT COUNCIL**AUGUST 2016**

YORKSTRAAT 54 YORK STREET, POSBUS / P.O. BOX 12 GEORGE 6530
E-POS/E-MAIL: admin@edendm.co.za, TEL (044) 803 1300 FAKS / FAX (044) 874 4670

**NOMINASIEVORM: VERKIESING VAN UITVOERENDE ONDER-
BURGEMEESTER**

NOMINATION FORM: ELECTION OF EXECUTIVE DEPUTY MAYOR

Ons, die ondergetekendes, nomineer hiermee die volgende persoon:
We, the undersigned, hereby nominate the following person:

Ons, die ondergetekendes, nomineer hiermee die volgende persoon:
We, the undersigned, hereby nominate the following person:

VOLLE NAAM EN VAN VAN GENOMINEERDE
FULL NAME AND SURNAME OF NOMINEE

NAME VAN NOMINEERDERS:
NAMES OF NOMINATORS:

Nomineerder: Naam en van: Handtekening
Nominator: Name and surname: Signature

Sekondant: Naam en van Handtekening:
Seconder: Name and surname: Signature:

Ek, die ondergetekende, aanvaar hiermee die nominasie.
I, the undersigned, hereby accept the nomination.

Geteken te GEORGE op hierdie dag van20.....

Signed at GEORGE on this day of20.....

.....
**HANDTEKENING VAN GENOMINEERDE
SIGNATURE OF NOMINEE**

DISTRICT COUNCIL

31 AUGUST 2016

(DC 10/08/16)

ESTABLISHMENT OF COMMITTEES IN TERMS OF SECTION 79 AND 80 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT 117 OF 1998) / STIGTING VAN KOMITEES IN TERME VAN ARTIKEL 79 EN 80 VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, WET 117 VAN 1998 / UKUMISELWA KWEKOMITI NGOKOMHLATHI 79 KUNYE 80 WORHULUMENTE BASEKHAYA: UMTHETHO WESIMO SOMASIPALA, 1998(UMTHETHO 117 WANGO 1998) (528257)

(4/1/2/1 & 1/1/1/7)

08 July 2016

REPORT FROM THE EXECUTIVE MANAGER: CORPORATE/STRATEGIC SERVICES (B HOLTZHAUSEN)

PURPOSE OF REPORT

Is to establish Committees of Council in terms of sections 79 and 80 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998).

BACKGROUND/DISCUSSION

Section 79 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), reads as follows:

(1) *A municipal council may –*

- (a) *establish one or more committees necessary for the effective and efficient performance of any of its functions or the exercise of any of its powers;*
- (b) *appoint the members of such a committee from among its members; and*
- (c) *dissolve a committee at any time.*

(2) *The municipal council –*

- (a) *must determine the functions of a committee;*
- (b) *may delegate duties and powers to it in terms of section 32;*
- (c) *must appoint the chairperson;*

- (d) *may authorize a committee to co-opt advisory members who are not members of the council within the limits determined by the council;*
- (e) *may remove a member of a committee at any time; and*
- (f) *may determine a committee's procedure.*

Section 80 of the abovementioned Act, reads as follows:

- (1) *If a municipal council has an executive committee or executive mayor, it may appoint in terms section 79, committees of councilors to assist the executive committee or executive mayor.*
- (2) *Such committees may not in number exceed the number of the executive committee or mayoral committee.*
- (3) *The executive committee or executive mayor –*
 - (a) *appoints a chairperson for each committee from the executive committee or mayoral committee;*
 - (b) *may delegate any powers and duties of the executive committee or executive mayor to the committee.*
 - (c) *is not divested of the responsibility concerning the exercise of the power or the performance of the duty; and*
 - (d) *may vary or revoke any decision taken by a committee, subject to any vested rights.*
- (4) *Such a committee must report to the executive committee or executive mayor in accordance with the directions of the executive committee or executive mayor.*

The previous Council resolved at its special meeting held on 29 February 2016 as follows:

That Council approves the establishment of the following Section 80 Committees:

1. SECTION 80 COMMITTEES

(II) Roads & Transport Planning Services

- (a) *Roads*
- (b) *Transport Planning*

(III) Strategic Services:

- (a) *IGR*
- (b) *Communications*
- (c) *IDP*
- (d) *Information Communication and Technology (ICT)*

- (e) *Shared Services*
- (f) *Funding Mobilization*
- (g) *Strategic Properties (For noting only)*

(iv) Financial Services

- (a) *Income and Expenditure*
- (b) *Supply Chain*
- (c) *BTO*
- (d) *Revenue Management*
- (e) *Asset Management*
- (f) *Stores*
- (g) *Financial Statements/GRAP Statements*

(v) Community Services

- (a) *Fire and Rescue*
- (b) *Disaster Management*
- (c) *Municipal Health*
- (d) *Environmental Management*
- (e) *EPWP*
- (f) *Property Planning*

(vi) Corporate Services

- (a) *Human Resource Development*
- (b) *Committee Services*
- (c) *Auxiliary Services*
- (d) *Legal Services*

(vii) District Economic Development and Tourism

- (a) *Regional Economic Development*
- (b) *Tourism / Arts and Culture*
- (c) *HIV*
- (d) *Youth, Gender and Disability*

(viii) Property Management & Development

- (a) *Maintenance*
- (b) *Resorts*
- (c) *Strategic Properties*
- (d) *Regional Bulk Infrastructure and Planning*

2. SECTION 79 COMMITTEES

2.1 That Council approves the following Committees in terms of Section 79 (1) and (2) of the Local Government: Municipal Structures Act, 1998:

- 2.1.1 *Budget Steering Committee*
- 2.1.2 *Appeals Committee*
- 2.1.3 *Governance Committee*

- 2.1.4 *Budget Steering Committee*
- 2.1.5 *Municipal Public Accounts Committee (MPAC)*
- 2.1.6 *Training & Development Committee*
- 2.1.7 *Health & Safety Committee*
- 2.1.8 *Local Labour Forum (LLF) with its three (3) sub committees*
- 2.1.9 *Disciplinary Committee*
- 2.1.10 *Audit and Performance Audit Committee*

RELEVANT LEGISLATION

Section 79 and 80 of the Local Government: Municipal Structures Act, Act 117 of 1998.

FINANCIAL IMPLICATIONS

None

UITVOERENDE OPSOMMING

Artikel 79 en 80 komitees moet in gevolge die bepalings van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998), ingestel word.

RECOMMENDATON

That Committees be established in terms of section 79 and 80 of the Local Government: Municipal Structures Act, 1998, Act 117 of 1998.

AANBEVELING

Dat komitees ingestel word ingevolge artikel 79 en 80 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998, Wet 117 van 1998.

ISINDULULO

Sesokuba iiKomiti zimiselwe ngokwemiqathango yomhlathi 79 kunye 80 woRhulumente Basekahaya: Isimo somasipal uMthethi, 1994, uMthetho 117 wango 1998.

DISTRICT COUNCIL

31 AUGUST 2016

(DC 11/08/16)

**ACCEPTANCE OF SYSTEM OF DELEGATIONS / AANVAARDING VAN 'N
STELSEL VAN DELEGASIES / UKWAMKELWA KWENKQUBO
YABACHONGWA (531537)**

(4/1/2/1)

07 July 2016

REPORT FROM THE MUNICIPAL MANAGER (GW LOUW)**PURPOSE OF REPORT**

The purpose of this report is to introduce and consider the current system of delegated powers of Council as accepted by the previous Council, in terms of Section 59 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

BACKGROUND / DISCUSSION

Attached to this report is Annexure A, which reflects the current Register of Delegated Powers of Council, the contents of which are self explanatory.

RELEVANT LEGISLATION

Section 59 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

UITVOERENDE OPSOMMING

Die Register van van Gedelegeerde Magte soos tans van toepassing, word aan die Raad voorgelê.

FINANCIAL IMPLICATION

None

RECOMMENDATION

1. That the contents of the attached Register of Delegations which is currently applicable, be approved.
2. That it be noted that the present Register of Delegations can be revised as and when Council deemed it fit.

3. That the Municipal Manager be requested to convene a workshop with the view to explaining the contents of the Register of Delegations and to effect amendments where appropriate.

AANBEVELING

1. *Dat die inhoud van die huidige Delegasieregister goedgekeur word.*
2. *Dat kennis geneem word dat die huidige Delegasieregister ter enige tyd gewysig kan word soos en wanneer dit die Raad behaag.*
3. *Dat die Munisipale Bestuurder versoek word om 'n werkswinkel te reël waartydens die inhoud van die Delegasieregister verduidelik en voorgestelde toepaslike wysigings bespreek kan word.*

ISINDULULO

1. Sesokuba umongo Woluhlu Lwabachonga oludityanisiweyo nelisasetyenziswayo, luphunyezwe.
2. Sesokuba kuthathelwe ingqalelo Uluhlu Lwabachongwa lusengaqwalaselwa kwakhona xa iBhunga libona kufanelekile.
3. Sesokuba umphathi masip [ala acelwe ukuba aququzelele uqeqesho ngenjongo zokucacisa umongo Woluhlu Lwabachonga kwaye amisele ulungise apho kufanelekile.

EDEN DISTRICT MUNICIPALITY



DELEGATION SYSTEM

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

INDEX	
SUBJECT	PAGE
DEFINITIONS	4
PRINCIPLES OF DELEGATION	6
STATUTORY DUTIES AND FUNCTIONS OF COUNCIL	9
POWERS RESERVED BY COUNCIL	10
STATUTORY POWERS RESERVED FOR EXECUTIVE MAYOR	13
POWERS DELEGATED BY COUNCIL TO THE EXECUTIVE MAYOR	19
To be exercised after consultation with Members of the Mayoral Committee	19
Without consultation with Members of the Mayoral Committee	22
Powers delegated by Council to the Executive Mayor may not be sub delegated	24
Powers delegated by Council to the Chief Financial Officer	25
OTHER DELEGATIONS OF COUNCIL TO EXECUTIVE MAYOR	24
POWERS DELEGATED BY THE EXECUTIVE MAYOR TO THE MUNICIPAL MANAGER	26
STATUTORY POWERS AND FUNCTIONS OF THE SPEAKER	33
COMMITTEES TO ASSIST THE EXECUTIVE MAYOR	36
FUNCTIONS ASSIGNED BY THE EXECUTIVE MAYOR TO	37

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

MEMBERS OF THE MAYORAL COMMITTEE FOR RECOMMENDING TO THE EXECUTIVE MAYOR	37
TERMS OF REFERENCE OF PORTFOLIO COMMITTEES	39
GENERAL	41

DEFINITIONS

In this document, unless inconsistent with the context-

“Commercial activity” means, subject to the provisions of the MFMA and regulations promulgated in terms thereof, any activity relating to the:

- i) buying, selling, hiring or letting of goods;
 - ii) the hiring or acquisition of immovable property;
 - iii) acquiring or providing services;
- and includes, without limiting the generality of the aforesaid

the advertising of tenders for such goods or property and services, the awarding of such tenders, the entering into and signing of contracts and the amendment and cancellation of such contracts. The total contract price shall fall within the delegated limits of the relevant functionary.

For the purpose of this definition:

- a) Contract includes any legal activity required by or incidental to the powers and functions outlined here; and
- b) The value of a commercial activity in respect of a lease is the total rental due in respect of the full duration of the lease;

“Constitution” means the Constitution of the Republic of South Africa, 1996;

“Delegation”, as defined in the various legislation referred to in this system of delegations where applicable means -

Municipal Structures- and Municipal Systems Act “in relation to a duty, includes an instruction to perform a duty, and “delegate” has a corresponding meaning”;

MFMA “in relation to a duty, includes an instruction or request to perform or to assist in performing the duty”

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

“Delegating authority” –

- a) in relation to a delegation of a power or duty by a municipal council, means the municipal council; or
- b) in relation to a sub delegation of a power or duty by another political structure, or by a political office bearer, councillor or staff member of a municipality, means that political structure, political office bearer, councillor or staff member;

“Designation” means powers and functions designated to the Executive Mayor to be performed together with the members of the Mayoral Committee as envisaged in section 60(3) of the Municipal Structures Act;

“Executive Authority”, in relation to a municipality, means the municipality’s executive authority envisaged in section 156 of the Constitution, read with section 11 of the Municipal Systems Act;

“Executive Mayor” means a person elected in terms of section 55 of the Municipal Structures Act and in whom the executive leadership of the municipality is vested;

“LUPO” means the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

“MFMA” means the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003);

“Municipal Manager” means a person appointed in terms of section 82 of the Municipal Structures Act;

“Municipal Structures Act” means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), and

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

"Municipal Systems Act" means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

"NEMA" means the National Environmental Management Act, 1998 (Act 107 1998)

"Political office bearer" means the speaker, executive mayor, deputy executive mayor or member of the executive committee as referred to in the Municipal Structures Act;

"Political structure", in relation to a municipality, means the council of the municipality or any committee or other collective structure of a municipality elected, designated or appointed in terms of a specific provision of the Municipal Structures Act;

"Speaker" means a councillor elected in terms of section 36 of the Municipal Structures Act to be the chairperson of a municipal council as envisaged in section 160(1)(b) of the Constitution;

"Statutory powers reserved for the Executive Mayor" means the powers conferred on the executive mayor in terms of the Municipal Systems Act (Act 32 of 2000).

PRINCIPLES OF DELEGATION

1. In terms of the Systems Act a Municipal Council must develop a system of delegations that will maximise administrative and operational efficiency and provide for adequate checks and balances. In terms of this system of delegation the Municipal Council may instruct any political structure, political office bearer, councillor, or staff member to perform any of the municipality's duties and withdraw any delegation or instruction.
2. A delegation or instruction in terms of the system of delegation must not conflict with the Constitution or the Systems Act or Structures Act. The Constitution empowers a Municipal Council to make by-laws, which prescribe rules and orders

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

for the powers and functions of its Committees, and further prescribes those functions which may not be delegated by Council.

3. All delegations must therefore ensure that the Council retains all legislative powers and those executive powers which may not be lawfully delegated.

See in this regard specifically section 160(2) of the Constitution and section 59(1) (a) of the Systems Act. Section 160(2) of the Constitution reads as follows:

"The following functions may not be delegated by a Municipal Council:

- a) the passing of by-laws;*
- b) the approval of budgets;*
- c) the imposition of rates and other taxes, levies and duties; and*
- d) the raising of loans."*

Section 59(1)(a) of the Systems Act reads as follows:

(A) municipal council must develop a system of delegation that will maximise administrative and operational efficiency and provide for adequate checks and balances, and, in accordance with that system, may-

- a) delegate appropriate powers, excluding a power mentioned in section 160(2) of the Constitution and the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76(b) and to approve or amend the municipality's integrated development plan, to any of the municipality's other political structures, political office bearers, councillors, or staff member;".*

4. The Council may exercise no power and perform no function beyond that conferred to it by law and the Executive Mayor may not exercise his/her authority contrary to any policy approved by Council. Powers and functions must furthermore be performed in such a manner to comply with Council's Integrated

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

Development Plan, by-laws and budget.

- 5. All delegations must be aimed at empowering the relevant executives to perform their functions effectively, taking into account the different levels of decision making.**
- 6. The functions allocated to Council's Executive, as may be approved by Council from time to time, will form the basis for the allocation of delegations of executive decision making power.**
- 7. All delegations and instructions are subject to any limitations, conditions and directions the Municipal Council may impose.**
- 8. The delegations and instructions in terms of the system of delegation do not divest the Municipal Council of the responsibility concerning the exercise of the power or the performance of the duty.**
- 9. The Council, in accordance with procedures in its rules and orders, may - or at the request in writing of at least one quarter of the councillors, must -

review any decision taken by a political structure, political office bearer, councillor or staff member in consequence of a delegation or instruction, and either confirm, vary or revoke the decision subject to any rights that may have accrued to a person; and
may require its executive mayor to review any decision taken by such a political structure, political office bearer, councillor or staff member in consequence of a delegation or instruction.**
- 10. All delegations, and all other decisions affecting the rights of others, must be in writing.**

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

11. The Municipal Manager is authorised to sub-delegate any of his/her powers to the most effective level.
12. All delegations and sub-delegations must be recorded in the delegation register, which must be kept updated at all times by the Municipal Manager.
13. All delegates must report delegated decisions at such intervals as the delegating authority may require.
14. Any delegation is also exercised by the person who acts in that post.
15. When funds are not available, expenditure may not be incurred when exercising delegated powers.
16. A person whose rights are affected by a decision taken by a political structure, political office bearer, councillor or staff member of a municipality in terms of a power or duty delegated or sub-delegated by a delegating authority to the political structure, political office bearer, councillor or staff member may appeal against that decision by giving written notice of the appeal and reasons to the Municipal Manager. This process is regulated by section 62 of the Municipal Systems Act.
17. Any delegation may be revoked in writing by the delegating authority at any time, subject to any vested rights.

A STATUTORY DUTIES AND FUNCTIONS OF COUNCIL

1. The statutory duties and functions of the Council are prescribed by, *inter alia* the following key pieces of legislation:
 - Constitution of the Republic of South Africa, 1996;
 - Municipal Structures Act, 1998 ;
 - Municipal Systems Act 2000; and

- Municipal Finance Management Act, 2003.

2. THE FOLLOWING POWERS PROVIDED FOR IN TERMS OF THE UNDER-MENTIONED LEGISLATION MAY NOT BE DELEGATED BY COUNCIL:

2.1 Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)

Section 160(2) –

- a) The passing of by-laws;
- b) The approval of budgets;
- c) The imposition of rates and other taxes, levies and duties, and
- d) The raising of loans.

2.2 Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)

Section 59(1)(a) –

The power

- i) to set tariffs, (adoption and implementation of a tariff policy in terms of sections 74 and 75)
- ii) to decide to enter into a service delivery agreement in terms of section 76(b) of the Structures Act, and
- iii) to approve or amend the municipality's integrated development plan.

B POWERS RESERVED FOR COUNCIL

1. Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)

Regulation	Prescription
Section 82(1)(a) and (b)	Responsible for the appointment of the Municipal Manager and when necessary, for the

	appointment of an Acting Municipal Manager for a period of more than 21 days
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2. Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)

Regulation	Prescription
Section 53(1)	Approve the system defining the role and area of responsibility of each political structure and office bearer of the municipality and of the Municipal Manager
Section 56	Appoint, after consultation with the Municipal Manager, managers directly accountable to the Municipal Manager
Section 59(1)	Approve a system of delegation for the municipality
Section 59(2)(f)	When new Council is elected and appointed, approve the system of delegation
Section 60(1)	Approve policy framework within which decisions may be taken to- expropriate immovable property or rights in immovable property, and alter the remuneration, benefits or other conditions of service of the Municipal Manager or managers directly responsible to him/her
Section 67	Adopt systems and procedures to ensure fair, efficient, effective and transparent personnel administration
Section 96(b)	Adopt a credit control and debt collection policy for the municipality

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

3. Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)

Regulation	Prescription
Section 13(2)	Establish an affective cash management and investment policy framework prescribed by the Minister of Finance
Section 14(1)	May not transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset needed to provide the minimum level of basic municipal services
Section 14(2)	May transfer ownership or otherwise dispose a capital asset other than one contemplated in subsection (1), but only after the Municipal Council, in meeting open to the public – <ul style="list-style-type: none"> (a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services; and (b) has considered the fair market value of the asset and the economic and community value to be received in exchange for the asset

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

Section 19(1)(b)	Approval of capital projects
Section 28	Revise the approved annual budget through an adjustments budget
Section 33	Authorise the municipal manager to enter into a contract that will impose financial obligations on the municipality beyond the three years in the annual budget
Section 45 read with section 47	Approve incurring short-term debts
Section 46 read with section 47	Approve incurring long-term debts
Section 48	Approve security for any debt obligations
Section 50	Issue guarantees, subject to approval of National Treasury and provisions of section 50
Section 111	Adopt a Supply Chain Management Policy
Section 133(1)(c)	Investigate failure to submit financial statements

C STATUTORY POWERS AND FUNCTIONS RESERVED FOR THE EXECUTIVE MAYOR

1. Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)

Regulation	Prescription
Section 56(1)	May receive reports from committees of the Municipal Council and forward these together with a recommendation to the council when matter cannot be disposed off by Executive Mayor in terms of

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

	delegated powers
Section 56(2)(a) – (d)	<p>Must –</p> <p>Identify the needs of the municipality;</p> <p>Review and evaluate those identified needs in order of priority;</p> <p>Recommend to the Municipal Council strategies, programmes and services to address priority needs through the integrated development plan, and the estimates of revenue and expenditure, taking into account any applicable national and provincial development plans;</p> <p>Recommend or determine the best way, including partnership and other approaches to deliver those strategies, programmes and services to the maximum benefit of the community</p>
Section 56(3)(a)	Must identify and develop criteria to evaluate progress in the implementation of strategies, programmes and services (including key performance indicators)
Section 56(3)(b)	Must evaluate progress against key performance indicators
Section 56(3)(c)	Must review performance in order to improve efficiency of municipality, credit control and revenue and debt collection services and implementation of by-laws

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015; RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

Section 56(3)(d)	Must monitor management of the municipality's administration in accordance with directions from Municipal Manager
Section 56(3)(e)	Must oversee provision of services in sustainable manner
Section 56(3)(g)	Must annually report on the involvement of communities and community organizations in the affairs of the municipality
Section 56(3)(h)	Must ensure that regard is given to public views and report on the effect of consultation on the decisions of the council
Section 56(4)	Must perform ceremonial role as the Municipal Council may determine
Section 56(5)	Must report to Council at such intervals as the latter may determine on decisions taken
Section 60(1)(a)	Appoint members to the Mayoral Committee
Section 60(1)(b)	Delegates specific responsibilities to each member of the Mayoral Committee
Section 60(1)(c)	Determine the functional area for each portfolio of Members of the Mayoral Committee and delegate powers to Members
Section 60(1)(d)	May dismiss a member of the Mayoral Committee
Section 80(1) – (4)	Appointment of Section 80 Committees

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

Section 80(3)(a)	Appoint a chairperson for each committee from the Mayoral Committee
Section 80(3)(b) and (c)	Delegate any powers and duties of the Executive Mayor to the Committee – but is not divested of the responsibility concerning the exercise of the power or performance of the duty
Section 80(3)(d)	Vary or revoke any decision taken by the Committee, subject to vested rights

4. Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)

Regulation	Prescription
Section 30	Manage the drafting of the Integrated Development Plan, assign responsibilities to the Municipal Manager and submit the draft to Council and make recommendations thereon
Section 39	Manage the development of the municipality's Performance Management System, assign responsibilities to the municipal manager and submit the proposed system to Council for adoption and make recommendations thereon
Section 42	Involve the local community in the development, implementation and review of the Performance Management System and allow the community to participate in the setting of Key Performance Indicators

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

	and performance targets for the municipality
Section 53(1)	Define the role and area of responsibility of each political structure and political office bearer of the municipality and of the Municipal Manager
Section 62(4)(b)	Deal with appeal against decision made by Municipal Manager
Section 99	Oversee and monitor the performance of Municipal Manager in implementing the credit control and debt collection policy and by-laws and report to a meeting of the Council at such intervals as may be determined by the latter

3. Local Government: Municipal Finance Management Act, 2000 (Act 56 of 2003)

Regulation	Prescription
Section 16(2)	Table draft annual budget at Council meeting in prescribed format
Section 21	Co-ordinate the processes for preparing the annual budget and review municipality's Integrated Development Plan and budget
Section 23(2)	Respond to submissions on budget, and if necessary revise and table amendments on budget
Section 27	Inform MEC of Finance of impending noncompliance with tabling of budget or

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

	approval of annual budget
Section 28(4)	Table adjustments budget in the Council
Section 29	Authorise, in the event of an emergency or other exceptional circumstance, unforeseeable and unavoidable expenditure for which no approval was made in budget
Section 31	Give prior written approval for the increase of funds – shifting of funds between multi-year appropriations
Section 45 read with section 47	Sign resolutions regarding short-term debts
Section 46 read with section 47	Sign resolutions regarding long-term debts
Section 52	Provide political guidance in respect of fiscal and financial affairs of the municipality
Section 53	Provide political guidance over budget processes and co-ordinate annual revision of Integrated Development Plan and approve budget before start of new financial year
Section 55	If an annual budget is not approved by 1 July of the year, report to the MEC for Local Government and make recommendations on appropriate provincial intervention
Section 127(2) and (3)	Table the Annual Report in the Council or written explanation setting out the reasons for the delay if the same cannot be tabled

	timeously
Section 133(1)(a)	If the Accounting Officer fails to submit financial reports to the Auditor-General or the Executive Mayor fails to table the Annual Report of the Municipality in the Council – the Executive Mayor must table written explanations setting out the reasons for the failure

D POWERS DELEGATED BY COUNCIL TO THE EXECUTIVE MAYOR

D1 TO BE EXERCISED AFTER CONSULTATION WITH MEMBERS OF THE MAYORAL COMMITTEE

**1. Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)
(Powers designated in terms of section 60(3) of the Structures Act)**

Regulation	Prescription
Section 19(2)	Review the needs of the community; its priorities to meet those needs; its processes for involving the community; its organizational and delivery mechanisms for meeting the needs of the community
Section 19(3)	Must develop mechanisms to consult the community and community organizations in performing its functions and exercising its powers
Section 82(1)(b)	Responsible for the appointment of an Acting Municipal Manager for a period of 6 to 21 days

2. Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)

Regulation	Prescription
Section 4(2)(a)	Exercise executive and legislative authority and use resources in the best interest of local community
Section 4(2)(b)	Provide democratic and accountable government
Section 4(2)(c)	Encourage community involvement
Section 4(2)(d)	Ensure services are provided in a financially and environmentally sustainable manner
Section 4(2)(e)	Consult local community
Section 4(2)(f)	Give equitable access to services
Section 4(2)(g)	Promote and undertake development
Section 4(2)(h)	Promote gender equality
Section 4(2)(i)	Promote a safe and healthy environment
Section 38	Establish a Performance Management System
Section 40	Establish mechanisms to monitor and review the performance management system (Evaluates progress against the key performance indicators prescribed in terms of section 43)
Section 42	Involve the local community in the development, implementation and review of the Performance Management System and allow the community to participate in

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

	the setting of Key Performance Indicators and performance targets for the municipality
Section 44	Determine the manner in which Key Performance Indicators and performance targets must be made known both internally and to general public
Section 46	Prepare a performance report for financial year
Section 66	Determine a policy framework within which the staff establishment may be approved
Section 77	Review mechanisms to provide service delivery
Section 81	Regulate, monitor and assess service delivery when using a service provider to ensure proper municipal service is delivered
Section 95(a) and (b)	Establish sound customer management system with mechanisms for users and ratepayers to give feedback
Section 109(2)	Compromise or compound any action or proceedings and submit to arbitration any matter other than any matter involving a decision on its status powers or duties or the validity of its actions and by-laws

3. Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)

Regulation	Prescription
Section 171(4)	Responsible for the investigation of alleged financial misconduct of the municipality

D2 POWERS DELEGATED BY COUNCIL TO THE EXECUTIVE MAYOR WITHOUT CONSULTATION WITH MEMBERS OF THE MAYORAL COMMITTEE

1. Local Government: Municipal Systems Act, (Act 32 of 2000)

Section 25(4)	Notice to public of adoption of Integrated Development Plan and where copies or extracts are available and publicise a summary of the plan
Section 36	Ensure that affairs of the municipality are consistent with the Integrated Development Plan
Section 53(1)	Develop a system for defining the role and area of responsibility of each political structure and political office bearer of the municipality and of the Municipal Manager
Section 59(1)	Develop a system of delegation that will maximise administrative and operational efficiency and provide for adequate checks and balances
Section 59(2)(f)	When a new Council is elected and appointed, review the system of

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

	delegation
Section 60(1)	Develop policy framework within which decisions may be taken to - expropriate immovable property or rights in immovable property, and alter the remuneration, benefits or other conditions of service of the Municipal Manager or managers directly responsible to him/her
Section 67	Develop systems and procedures to ensure fair, efficient, effective and transparent personnel administration
Section 68	Build capacity of human resources in accordance with provisions of the Skills Development Act, 1998
Section 95(c) – (l)	Provide proper facilities for payment of rates and other taxes
Section 96(a)	Collect all money which is due and payable to it
Section 96(b)	Maintain and implement the credit control policy

2. Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)

Regulation	Prescription
Section 32(7)	Report to SAPS if charge of unauthorized, irregular or fruitless and wasteful expenditure is against Accounting Officer; or Accounting Officer fails to comply
Section 121(1)	Table the Annual Report

3. Disaster Management Act, 2002 (Act 57 of 2002)

Regulation	Prescription
Section 51(1)	Establish a Municipal Disaster Management Advisory Forum
Section 53(1)	Table the Disaster Management Plan which must, <i>inter alia</i> , form part of the Integrated Development Plan
Section 55	Declare a local state of disaster if warranted by provisions of the Disaster Management Act

D3 THE FOLLOWING POWERS DELEGATED BY COUNCIL TO THE EXECUTIVE MAYOR MAY NOT BE SUB-DELEGATED

1. Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)

Regulation	Prescription
Section 60(1)	The power to develop a policy framework within which decisions to - determine or alter the remuneration, benefits or other conditions of service of the Municipal Manager or managers directly responsible to the Municipal Manager

E. POWERS DELEGATED BY COUNCIL TO THE CHIEF FINANCIAL OFFICER

Regulation	Prescription
Section 60(2)	Decision to make investments on behalf of the municipality- To be exercised in conjunction with the Municipal Manager (or his/her nominee)

F. OTHER DELEGATIONS FROM COUNCIL TO EXECUTIVE MAYOR

The following powers are conferred upon the Executive Mayor by the Council:

(a) Appeals

- i Comment on appeals lodged in terms of Section 44 of the LUPO as well as the regulations promulgated in terms thereof;
- ii Comment on appeals lodged in terms of section 9 of the National Building Regulations and Building Standards, 1977 (Act 103 of 1977) as read with the regulations thereto and authorizing officials to appear at the Review Board Hearing of the appeal.

Note: Reference to legislation includes amendments to the legislation, which take place from time to time as well as regulations promulgated in terms of such legislation.

Note: Reference to the LUPO and the Removal of Restrictions Act, 1967 (Act 84 of 1967) includes the reference to legislation which may supersede and repeal the LUPO and which provides for the same applications.

G. POWERS DELEGATED BY THE EXECUTIVE MAYOR TO THE MUNICIPAL MANAGER

1. Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)

Regulation	Prescription
Section 4(2)(a)	Exercise executive and legislative authority and use resources in the best interest of local community
Section 4(2)(b)	Provide democratic and accountable government
Section 4(2)(c)	Encourage community involvement
Section 4(2)(d)	Ensure services are provided in a financially and environmentally sustainable manner
Section 4(2)(e)	Consult local community
Section 4(2)(f)	Give equitable access to services
Section 4(2)(g)	Promote and undertake development
Section 4(2)(h)	Promote gender equity
Section 4(2)(i)	Promote safe and healthy environment
Section 25(4)	Notice to public of adoption of Integrated Development Plan and where copies or extracts are available, and publicise a summary of the Plan
Section 36	Ensure that affairs of municipality are consistent with Integrated Development Plan
Section 40	Establish mechanisms to monitor and review the Performance Management

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

	System (Evaluates progress against the key performance indicators prescribed in terms of section 43)
Section 44	Determine the manner in which Key Performance Indicators and performance targets must be made known both internally and to general public
Section 46	Prepare a performance report for financial year
Section 59(1)	Develop a system of delegation that will maximize administrative and operational efficiency and provide for adequate checks and balances
Section 59(2)(f)	When new Council is elected and appointed, review the system of delegation
Section 66	Determine a policy framework for the staff establishment
Section 67	Adopt systems and procedures to ensure fair, efficient, effective and transparent personnel administration
Section 68	Build capacity of human resources in accordance with the Skills Development Act
Section 77	Review mechanisms to provide service delivery
Section 81	Regulate, monitor and assess service delivery when using a service provider to ensure proper municipal service is delivered

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

Section 95(a) and (b)	Establish sound customer management system with mechanisms for users and ratepayers to give feedback
Section 95(c) – (i)	Provide proper facilities for payment of rates and other taxes
Section 96(a)	Collect all money which is due and payable to municipality
Section 96(b)	Maintain and implement the credit control policy
Section 99	Oversee and monitor- the implementation and enforcement of a municipality's Credit Control and Debt Collection Policy and by-laws enacted in terms of section 98; and when necessary evaluate or review the policy and any by-laws or the implementation of the policy and any by-laws, in order to improve efficiency of its Credit Control and Debt Collection mechanisms, processes and procedures
Section 109(2)	Compromise or compound any action or proceedings and submit to arbitration any matter other than any matter involving a decision on its status powers or duties or the validity of its actions and by-laws
Section 109A	Authorise legal representations for employees and Councillors against whom legal proceedings have been instituted resulting from the execution of their duties
Section 104 – 110	Resolution DC1037/04/16 (19 April 2016):

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

	<p><i>That the municipal manager be accorded with the authority to in future initiate legal proceedings and where appropriate defend the municipality in litigation, in consultation with the Executive Mayor,</i></p> <p><i>That the municipal manager be authorized to appoint attorneys / senior council, from the panel of attorneys and where specialized knowledge is required, such expertise be acquired, on an urgent basis.</i></p>
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2. Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)

Regulation	Prescription
Section 32(2)	Recover irregular or fruitless and wasteful expenditure
Section 54	Monitor the budget control and identify early signs of financial problems
Section 121(1)	Prepare Annual Report
Section 131	Ensure that the municipality address issues raised in the audit report of the Auditor-General
Section 171(4)	Responsible for the investigation of alleged financial misconduct

3. Disaster Management Act, 2002 (Act 57 of 2002)

Regulation	Prescription
Section 43(1)	Establish and operate a Disaster Management Center
Section 51(1)	Establish a Municipal Disaster Management Advice Forum
Section 53(1)	Prepare Disaster Management Plan which must, <i>inter alia</i> , form part of the Integrated Development Plan
Section 54 (1) (b)	After consultation with the relevant local municipality assume primary responsibility for the coordination and management of local disasters

4. Occupational Health and Safety Act, 1993 (Act 85 of 1993)

Regulation	Prescription
Section 8(1)	Ensure that the municipality adheres to all the provisions of the Occupational Health and Safety Act and the regulations promulgated in terms thereof, and for this purpose bestowed with overall power to execute matters to which the Act pertains
Section 17(1)	Appoint safety representatives for departments in consultation with respective Heads of Departments
Section 19(1)	Consider establishment of health and safety committees

5. Health Act (Act 61 of 2003)

Regulation	Prescription
Section (80) (c)	Appointment of Health Officers (Municipal Health Function

6. Land Use Planning Ordinance(15 of 1985)

1. Comment on all applications made in terms of the following legislation (as amended) where there is no delegated authority to officials in terms of the delegation documents applicable to individual administrations or in cases where objections have been received:
 - i the LUPO' where applicable, the applications are in accordance with the General Structure Plan, a section 4(6) Structure Plan, and the Urban Structure Plan for the Eden District Municipal area (if and when established), including, but not limited to rezoning, subdivision, departures (temporary or permanent), consents, conditional uses, the waiving, amendment or imposition of additional conditions of approval, amendment or cancellation of an approved plan of subdivision or general plan or diagram, determination of zonings, extensions of time for rezoning, subdivision and departure applications; provided that the Mayor may depart from a section 4(10) Structure Plan and approved policies for local area spatial planning, environmental, heritage and land use management which are used to guide decision-making in respect of the above matters if reasons are furnished for such departure;
 - ii National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);
 - iii National Heritage Resources Act, 1999 (Act 25 of 1999);

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

- iv Section 13 of the Legal Succession to South African Transport Services Act, 1989 (Act 9 of 1989);
 - v National Environmental Management Act, 1998 (Act 107 of 1998) and Environment Conservation Act, 1989 (Act 73 of 1989) and the regulations thereto;
 - vi Other laws, by-laws, regulations, policies and agreements in respect of spatial planning, environmental, heritage, building and land use management.
2. Makes recommendations to National or Provincial spheres of government where Council does not have delegated authority (nor competency conferred upon it) in terms of the following legislation as amended from time to time, and in cases where there are no delegated authority to officials or in cases where objections have been received:
- i LUPO including, but not limited to land use applications (where the application does not comply with the General Structure Plan, a section 4(6) Structure Plan and /or the Urban Structure Plan for the Eden District Municipal area if and when established) and ad hoc amendments to zoning schemes regulations
 - ii Removal of Restrictions Act, 1967 (Act 84 of 1967);
 - iii National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);
 - iv National Heritage Resources Act, 1999 (Act 25 of 1999);
 - v Less Formal Township Establishment Act, 1991 (Act 113 of 1991);
 - vi National Environmental Management Act, 1998 (Act 107 of 1998) and

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

Environment Conservation Act, 1989 (Act 73 of 1989) and the regulations thereto.

3. Makes determinations, issues directives, designates areas, confirms the deeming provisions, exercises all other powers conferred upon Council, in terms of the following legislation in cases where there are no delegated authority to officials or in cases where objections have been received:

- i LUPO;
- ii National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), including but not limited to sections 10 and 12;
- iii National Heritage Resources Act, 1999 (Act 25 of 1999);
- iv Less Formal Township Establishment Act, 1991 (Act 113 of 1991);
- v Legal Succession to South African Transport Services Act, 1989 (Act 9 of 1989);
- vi National Environmental Management Act, 1998 (Act 107 of 1998) and Environment Conservation Act, 1989 (Act 73 of 1989);
- vii Section 27(1)(c) of the Physical Planning Act, 1991 (Act 125 of 1991), and
- viii Other laws, by-laws, regulations, policies and agreements in respect of spatial planning, environmental, heritage, building and land use management.

H. STATUTORY POWERS AND FUNCTIONS OF THE SPEAKER

1. **Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)**

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

Regulation	Prescription
Section 37(a)	Presides at meeting of the Council When the Speaker is absent, the Municipal Manager must preside at a Council meeting to elect an acting Speaker
Section 37(c)	Ensure that Council meet at least quarterly
Section 37(d)	Maintain order during meetings
Section 37(e)	Ensure compliance in the Council and Council Committees with the Code of Conduct
Section 37(f)	Ensure that Council meetings are conducted in accordance with the rules and orders of the Council

2. Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)

Regulation	Prescription
Section 130	Ensure public access to Council meetings where the Annual Financial Report is discussed
Section 133 (1)(a)	Tabling in the Council a written explanation setting out the reasons for the failure of the Municipal Manager or of the Accounting Officer of a municipal entity on the Municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Executive Mayor's

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

	failure to table the annual report of the municipality or a municipal entity in the Council
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3. In general the duties of the Speaker include:

- a) Ensuring that Council meetings as well as committee meetings are conducted in an orderly manner, and in this regard he must strictly apply Council's rules and orders and the code of conduct for Councillors;
- b) Liaising closely with the committee service responsible for the agenda and minutes of each meeting, in consultation with the Executive Mayor and Municipal Manager as and when necessary;
- c) Coordinating the arrangements inter alia regarding venues, dates and the circulation of agendas and minutes of all the meetings of the Council and Council Committees;
- d) Liaising with Councillors, as well as members of the public and media who attend Council meetings, regarding proper conduct during such meetings to ensure compliance with Council's rules and orders.
- e) Liaison with the community, other committees and Councillors, and political office bearers in the different spheres of government;
- f) Overseeing the establishment and effective functioning of ward committees within the district;
- g) Liaising with the community and Councillors;
- h) Assisting the Executive Mayor with interviewing the public and visitors to the offices of the municipality, as well as with ceremonial duties and functions;
- i) Chairing of the Rules Committee meeting of the Council;
- j) Assist with drafting the rules and order of the Council.
- k) In consultation with Council's Legal Advisors, ensuring that by-laws introduced in

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

the Council comply with the Constitution, the Structures Act, and where applicable, national and provincial legislation.

- l) Monitoring whether the constitutional obligation of public participation and consultation with regard to proposed by-laws has been complied with.
- m) The Speaker is responsible for the political management of Council activities.
- n) Managing Councillor support and community liaison functions.
- o) Responsible for supporting and building the capacity of Councillors. This includes holding training programmes and workshops.
- p) In order to ensure that all councillors are accountable to local communities, the Speaker is empowered to allocate Proportional Representation (PR) councillors to particular areas within the municipality.
- q) Ex-Officio sitting status (without voting rights) on all committees of the Council.
- r) Managing the complaints and petition register of the Council.
- s) Guards the integrity of Council and the privileges and interest of Councillors.
- t) Facilitates implementation of section 20 of the Municipal Systems Act in as far as it deals with admission of the public to meetings of the Council.
- u) Monitor and manage the implementation of Council resolutions and administering appropriate action in cases of non-implementation.
- v) May perform ceremonial function if delegated by the Mayor.

I. COMMITTEES TO ASSIST THE EXECUTIVE MAYOR

Section 80 of the **Local Government: Municipal Structures Act, 1998** (Act 117 of 1998) reads as follows:

"80(1) If a municipal council has an executive committee of executive mayor, it may appoint in terms of section 79, committees of councillors to assist the executive committee or executive mayor.

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

- (2) *Such committees may not in number exceed the number of members of the executive committee or Mayoral committee.*
- (3) *The executive committee or executive mayor –*
- a) appoints a chairperson for each committee from the executive committee or mayoral committee;*
 - b) may delegate any powers and duties of the executive committee of executive mayor to the committee;*
 - c) is not divested of the responsibility concerning the exercise of the power or the performance of the duty; and*
 - d) may vary or revoke any decision taken by a committee, subject to any vested rights.*
- (4) *Such a committee must report to the executive committee or executive mayor in accordance with the directions of the executive committee or executive mayor."*

1. MEMBERS OF THE MAYORAL COMMITTEE

Members of the Mayoral Committee are responsible for the following portfolio committees:

1. Financial Services Committee
2. Community Services Committee
3. Property Management Committee
4. Corporate Services Committee
5. Strategic Services Committee
6. District Economic and Tourism Development Committee
7. Roads and Transport Planning Services Committee
8. Statutory Committees, consisting of the following forums/committees:
 - Local Labour Forum
 - Training and Development Forum

- Occupational Health and Safety Committee

In terms of section 80(1), these committees are established to assist the Executive Mayor. The members of the Mayoral Committee make recommendations to the Executive Mayor and may be advised by his/her respective committee herein.

2. FUNCTIONS ASSIGNED BY THE EXECUTIVE MAYOR TO MEMBERS OF THE MAYORAL COMMITTEE FOR RECOMMENDING TO THE EXECUTIVE MAYOR

Develop and recommend policy within the functional area of their respective portfolios:

- i. Develop and recommend on the content and drafting of by-laws within the functional area of their responsibility.
- ii. Comment on and recommend the business plans within the functional area of their respective portfolios.

Make recommendations in regard to the Draft Integrated Development Plan and budget within the functional area of their respective portfolios:

- I. Make recommendations in regard to the setting or revision of tariffs, levies, taxes and duties within the functional area of their respective portfolios.
- II. Facilitate public participation in the development of policy, legislation, the Integrated Development Plan and budget within the functional area of their respective portfolios.
- iii. Monitor the implementation of Council's Integrated Development Plan, budget, business plans, strategic objectives, policies and programmes within the functional area of their respective portfolios.

- iv. Recommend or determine the best way, including partnership and other approaches, to deliver strategies, programmes and services to the maximum benefit of the community.
- v. Assess the performance of service delivery within the functional area of their respective portfolios.
- vi. Receive recommendations from the section 80 committee of which he/she is the chairperson and make recommendations on any matter to the Executive Mayor.
- vii. Identify the needs of the municipality in respect of his/her portfolio.
- viii. Review and evaluate the needs referred to in xi) in order of priority.
- ix. Prepare reports on the involvement of communities and community organisations in respect of his/her portfolio as required by the Executive Mayor.
- x. Ensure that regard is given to public views and report on the effect of consultation on the decisions of Council.
- xi. Recommend comments on National and Provincial legislation that affects their portfolios.

3. TERMS OF REFERENCE OF PORTFOLIO COMMITTEES

3.1 Financial Services Committee

The functional areas of the Financial Services Committee include, but are not limited to:

3.1.1 Revenue and debt management

3.1.2 Procurement and stock management

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

- 3.1.3 Income and expenditure
- 3.1.4 Budgets and budgetary control
- 3.1.5 Financial administration
- 3.1.6 Insurance
- 3.1.7 Asset management
- 3.1.8 Financial statements / GRAP statements

3.2 Corporate Services Committee

The functional areas of the Corporate Services Committee include, but are not limited to:

- 3.2.1 Human resource development
- 3.2.2 Auxiliary services
- 3.2.3 Legal services

3.3 Strategic Services Committee

The functional areas of the Strategic Services Committee include, but are not limited to:

- 3.3.1 Inter Governmental Relations
- 3.3.2 Communications
- 3.3.3 Integrated Development Planning
- 3.3.4 Information Communication and Technology
- 3.3.5 Shared Services
- 3.3.6 Funding Mobilization

3.4 District Economic and Tourism Development

The functional areas of the District Economic and Tourism Development Committee include, but are not limited to:

- 3.4.1 Regional Economic Development
- 3.4.2 Tourism / Arts and Culture
- 3.4.3 HIV

3.4.4 Youth, Gender and Disability**3.5 Community Services Committee**

The functional areas of the Community Services Committee include, but are not limited to:

- 3.5.1 Fire and Rescue / Disaster Management
- 3.5.2 Municipal Health / Environmental Management
- 3.5.3 EPWP
- 3.5.4 Property Planning and Maintenance

3.6 Property Management and Development Committee

The functional areas of the Strategic Services Committee include, but are not limited to:

- 3.6.1 Asset Maintenance
- 3.6.2 Resorts
- 3.6.3 Strategic Properties
- 3.6.4 Alien Eradication
- 3.6.5 Regional Bulk Infrastructure Planning
- 3.6.6 Planning, including Spatial Planning and Environmental and Land Use

3.7 Roads and Transport Planning Services

The functional areas of the Roads and Transport Planning Services Committee include, but are not limited to:

- 3.7.1 Roads and Transport Planning.

3.8 Statutory Committees, consisting of the following forums / committees:

The functional areas of the Statutory Committees include, but are not limited to:

- 3.8.1 Local Labour Forum
- 3.8.2 Training and Development Forum
- 3.8.3 Occupational Health and Safety Committee

GENERAL

DELEGATION SYSTEM**APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)**

- 1. When Council goes in recess, the Executive Mayor – in consultation with the Municipal Manager – takes decisions on behalf of the Council or any of its Committees, where the failure to exercise such delegated authority as a matter of urgency would, in the view of the Executive Mayor, prejudice the Council and / or its services. Note that the Speaker must be informed of all such decisions.**
- 2. The Council furthermore delegates any power or function it has to execute which is provided for in any National or Provincial Act, Ordinance or By-law not mentioned in these Delegations of Power to the Municipal Manager – to be performed or exercised after consultation with the Executive Mayor – incurred as a result thereof has been budgeted for.**

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

COUNCIL**CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996**

ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	REMARKS, LIMITATIONS OR CONDITIONS
C1	Section 160 (2) of the Constitution See also section 75 and 75A of the Systems Act	(a) The passing of by-laws; (b) The approval of budgets; (c) The imposition of rates and other taxes, levies and duties, and (d) The raising of loans	Council	Not applicable	May not delegate

LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (Act 117 of 1998)

ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	REMARKS, LIMITATIONS OR CONDITIONS
C2	Section 19(2)	Review the needs of the community; its priorities to meet those needs; its processes for involving the community; its organizational and delivery mechanisms for meeting the needs of the community	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C3	Section 19(3)	Must develop mechanisms to consult the community and community organizations in performing its functions and exercising its powers	Council	Executive Mayor	After consultation with Members of the Mayoral Committee

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

C4	Section 82(1)(a) and (b)	Responsible for the appointment of the municipal manager and when necessary the acting municipal manager for a period of more than 21 days	Council	Not delegated	Not applicable
C5	Section 82(1)(b)	Responsible for appointment of an acting municipal manager for a period of 6 to 21 days	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (Act 32 of 2000)					
ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	REMARKS, LIMITATIONS OR CONDITIONS
C6	Section 4(2)(a)	Exercise executive and legislative authority and use resources in the best interest of local community	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C7	Section 4(2)(b)	Provide democratic and accountable government	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C8	Section 4(2)(c)	Encourage community involvement	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C9	Section 4(2)(d)	Ensure services are provided in a financially and environmentally sustainable manner	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C10	Section 4(2)(e)	Consult local community	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C11	Section 4(2)(f)	Give equitable access to services	Council	Executive Mayor	After consultation with Members of the Mayoral Committee

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	REMARKS, LIMITATIONS OR CONDITIONS
C12	Section 4(2)(g)	Promote and undertake development	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C13	Section 4(2)(h)	Promote gender equity	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C14	Section 4(2)(i)	Promote safe and healthy environment	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C15	Section 25(4)	Notice to public of adoption of Integrated Development Plan and where copies or extracts are available, and publicise a summary of the Plan	Council	Executive Mayor	Not applicable
C16	Section 36	Ensure that affairs of municipality are consistent with Integrated Development Plan	Council	Executive Mayor	Not applicable
C17	Section 38	Establish a performance management system	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C18	Section 40	Establish mechanisms to monitor and review the performance management system (Evaluates progress against the key performance indicators prescribed in terms of section 43)	Council	Executive Mayor	After consultation with Members of the Mayoral Committee

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015; RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	REMARKS, LIMITATIONS OR CONDITIONS
C19	Section 42	Involve the local community in the development, implementation and review of the performance management system and allow the community to participate in the setting of key performance indicators and performance targets for the municipality	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C20	Section 44	Determine the manner in which the key performance indicators and performance targets must be made known both internally and to general public	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C21	Section 46	Prepare a performance report for financial year	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C22	Section 53(1)	Develop a system for defining the role and area of responsibility of each political structure and political office bearer of the municipality and of the municipal manager	Council	Executive Mayor	Not applicable
C23	Section 53(1)	Approve the system defining the role and area of responsibility of each political structure and office bearer of the municipality and of the municipal manager	Council	Not delegated	Not applicable

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	REMARKS, LIMITATIONS OR CONDITIONS
C24	Section 58	Appoint, after consultation with the municipal manager, managers directly accountable to the municipal manager	Council	Not delegated	Not applicable
C25	Section 59(1)	Develop a system of delegation that will maximize administrative and operational efficiency and provide for adequate checks and balances	Council	Executive Mayor	Not applicable
C26	Section 59(1)	Approve system of delegations	Council	Not delegated	Not applicable
C27	Section 59(1)(a)	The power to – (i) set tariffs, (adoption and implementation of a tariff policy in terms of sections 74 and 75) (ii) decide to enter into a service delivery agreement in terms of section 78(b) of the Structures Act; and (iii) approve or amend the municipality's integrated development plan	Council	Not applicable	May not delegate
C28	Section 59(2)(f)	When a new council is elected and appointed, review the system of delegation	Council	Executive Mayor	Not applicable
C29	Section 59(2)(f)	When a new council is elected and appointed, approve the system of delegation	Council	Not delegated	Not applicable

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	REMARKS, LIMITATIONS OR CONDITIONS
C30	Section 60(1)	Develop a policy framework within which decisions may be taken to - expropriate immovable property or rights in immovable property, and alter the remuneration, benefits or other conditions of service of the municipal manager or managers directly responsible to him/her	Council	Executive Mayor (May only delegate to him/her)	Not applicable
C31	Section 60(1)	Approve a policy framework within which decisions may be taken to - expropriate immovable property or rights in immovable property, and alter the remuneration, benefits or other conditions of service of the municipal manager or managers directly responsible to him/her	Council	Not delegated	Not applicable
C32	Section 60(2)	Decision to make investments on behalf of the municipality	Council	Chief Financial Officer in conjunction with Executive Mayor / Deputy Mayor / Municipal Manager in this sequence depending on availability	Only within policy framework determined by Minister of Finance
C33	Section 62(4)(c)	Deal with appeal against decision made by a political structure or political office bearer or councillor	Council	Appeal Committee	Not applicable
C34	Section 66	Determine a policy framework	Council	Executive Mayor	After consultation with

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

ITEM NUMBER	REFERENCE TO POWER	within which the staff establishment may be approved CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	Members of the Mayoral Committee REMARKS, LIMITATIONS OR CONDITIONS
C35	Section 67	Develop systems and procedures to ensure fair, efficient, effective and transparent personnel administration	Council	Executive Mayor	Not applicable
C36	Section 67	Adopt systems and procedures to ensure fair, efficient, effective and transparent personnel administration	Council	Not delegated	Not applicable
C37	Section 68	Build capacity of human resources in accordance with the provisions of the Skills Development Act, 1998	Council	Executive Mayor	Not applicable
C38	Section 77	Review mechanisms to provide service delivery	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C39	Section 81	Regulate, monitor and assess service delivery when using a service provider to ensure proper municipal service is delivered	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C40	Section 95(a) and (b)	Establish a sound customer management system with mechanisms for users and ratepayers to give feedback	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C41	Section 95(c) to (i)	Provide proper facilities for payment of rates and other taxes	Council	Executive Mayor	Not applicable
C42	Section 96(a)	Collect all money which is due and payable to it	Council	Executive Mayor	Not applicable

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

C43	Section 96(b)	Adopt a credit control and debt collection policy	Council	Not delegated	Not applicable
ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	REMARKS, LIMITATIONS OR CONDITIONS
C44	Section 96(b)	Maintain and implement the credit control policy	Council	Executive Mayor	Not applicable
C45	Section 109(2)	Compromise or compound any action or proceedings and submit to arbitration any matter other than any matter involving a decision on its status powers or duties or the validity of its actions and by-laws	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
C46	Section 109A	Authorise legal representation for employees and Councillors against whom legal proceedings have been instituted resulting from the execution of their duties/	Council	Executive Mayor	Not applicable
LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (Act 56 of 2003)					
ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	REMARKS, LIMITATIONS OR CONDITIONS
C47	Section 13(2)	Establish an effective cash management and investment policy within the framework prescribed by the Minister of Finance (This will allow the Executive Mayor to perform delegated functions in terms of section 60(2) of the Systems Act)	Council	Not delegated	Not applicable
C48	Section 14 read with section 90	Transfer of ownership of immovable capital assets	Council	Not delegated	Not applicable

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

C49	Section 19(1)(b)	Approval of capital projects	Council	Not delegated	Not applicable
ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	REMARKS, LIMITATIONS OR CONDITIONS
C50	Section 28	Revise the approved annual budget through an adjustments budget	Council	Not delegated	Not applicable
C51	Section 32(2)	Recover irregular or fruitless and wasteful expenditure	Council	Municipal Manager	Not applicable
C52	Section 32(7)	Report to SAPS if charge of unauthorized, irregular or fruitless and wasteful expenditure is against accounting officer; or accounting officer fails to comply	Council	Executive Mayor	Not applicable
C53	Section 33	Authorise the municipal manager to enter into a contract that will impose financial obligations on the municipality beyond the three years in annual budget for that financial year	Council	Not delegated	In the interest of accountability and transparency
C54	Section 45 read with section 47	Approve incurring short-term debts	Council	Not delegated	Not applicable
C55	Section 46 read with section 47	Approve incurring long-term debts	Council	Not delegated	Not applicable
C56	Section 48	May approve security for any debt obligations	Council	Not delegated	Not applicable

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

C57	Section 50	Issuing of guarantees, subject to approval of National Treasury and provisions of section 50	Council	Not delegated	Not applicable
C58	Section 111	Adopt a supply chain management policy	Council	Not delegated	Not applicable
C59	Section 121(1)	Prepare annual report	Council	Executive Mayor	Not applicable
C60	Section 133(1)(c)	Investigation into failure to submit financial statements	Council	Not delegated	Not applicable
C61	Section 171(4)	Responsible for the investigation of alleged financial misconduct	Council	Executive Mayor	After consultation with Members of the Mayoral Committee
DISASTER MANAGEMENT ACT, 2002 (Act 57 of 2002)					
ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	REMARKS, LIMITATIONS OR CONDITIONS
C62	Section 51(1)	May establish a municipal disaster management advice forum	Council	Executive Mayor MM	Not applicable
C63	Section 53(1)	Prepare disaster management plan which must, <i>inter alia</i> , form part of the Integrated Development Plan	Council	Executive Mayor MM	Not applicable
C64	Section 55	Declare a local state of disaster if warranted by provisions of Act	Council	Executive Mayor MM	Not applicable

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (Act 85 of 1993)					
ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	REMARKS, LIMITATIONS OR CONDITIONS
C65	Section 8(1)	Ensure that the Municipality adheres to all the provisions of the Occupational Health and Safety Act and the regulations promulgated in terms thereof, and for this purpose bestowed with overall power to execute matters to which the Act pertains	Council	MM	Not applicable
C66	Section 17(1)	Appoint safety representatives for departments in consultation with respective Heads of Departments	Council	MM	Not applicable
C67	Section 19(1)	Consider establishment of health and safety committees	Council	MM	Not applicable

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

POWERS AND FUNCTIONS OF THE SPEAKER

LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (Act 117 of 1998)

ITEM NUM	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	SUB-DELEGATED TO
S1	Section 37(a)	Presides at meetings of the Council <i>When the Speaker is absent, the Municipal Manager must preside for Council to elect an acting Speaker</i>	Speaker	Not applicable	Not applicable
S2	Section 37(c)	Ensure that the Council meet at least quarterly	Speaker	Not applicable	Not applicable
S3	Section 37(d)	Maintain order during meetings	Speaker	Not applicable	Not applicable
S4	Section 37(e)	Ensure compliance in the Council and Council Committees with the Code of Conduct	Speaker	Not applicable	Not applicable
S5	Section 37(f)	Ensure that Council meetings are conducted in accordance with the rules and orders of the Council	Speaker	Not applicable	Not applicable

LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (Act 56 of 2003)

ITEM NUM	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	SUB-DELEGATED TO
S6	Section 130	Ensure public access to Council meetings where the annual financial report is discussed	Speaker	Not applicable	Not applicable

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015; RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

EXECUTIVE MAYOR					
LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (Act 117 of 1998)					
ITEM NUMBER	REFERENCE TO FUNCTION	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	INSTRUCTION / REQUEST TO ASSIST
EM1	Section 33	Setting up committees (excluding section 79 committees)	Executive Mayor	Not delegated	Not applicable
EM2	Section 56(1)	Receives reports from Committees of the Municipal Council and forward these reports together with a recommendation to the Council when the matter cannot be disposed of by the Executive Mayor in terms of his/her delegated powers	Executive Mayor	Not delegated	Not applicable
EM3	Section 58(2)(a)	Identify the needs of the Municipality	Executive Mayor	Municipal Manager	All Heads of Department
EM4	Section 58(2)(b)	Review and evaluate those needs in order of priority	Executive Mayor	Municipal Manager	All Heads of Department
EM5	Section 58(2)(c)	Recommend to the Municipal Council strategies, programmes and services to address priority needs through the integrated development plan, and the estimates of revenue and	Executive Mayor	Municipal Manager	All Heads of Department

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

		expenditure, taking into account any applicable national and provincial development plans			
ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	INSTRUCTION / REQUEST TO ASSIST
EM6	Section 56(2)(d)	Recommend or determine the best way, including partnership and other approaches to deliver those strategies, programmes and services to the maximum benefit of the community	Executive Mayor	Municipal Manager	All Heads of Department
EM7	Section 56(3)(a)	Identify and develop criteria to evaluate progress in the implementation of strategies, programmes and services (including key performance indicators)	Executive Mayor	Municipal Manager	All Heads of Department
EM8	Section 56(3)(b)	Evaluate progress against key performance indicators	Executive Mayor	Not delegated	After consultation with Members of the Mayoral Committee
EM9	Section 56(3)(c)	Review performance in order to improve efficiency of municipality, credit control and revenue and debt collection services and implementation of by-laws	Executive Mayor	Not delegated	After consultation with Members of the Mayoral Committee
EM10	Section 56(3)(d)	Monitor management of the municipality's administration in accordance with policy directions from Municipal Council	Executive Mayor	Not delegated	After consultation with Members of the Mayoral Committee

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015; RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

EM11	Section 56(3)(e)	Oversee provision of services in sustainable manner	Executive Mayor	Municipal Manager	After consultation with Members of the Mayoral Committee
ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	INSTRUCTION / REQUEST TO ASSIST
EM12	Section 56(3)(g)	Report annually on the involvement of communities and community organizations in the affairs of the municipality	Executive Mayor	Not delegated	After consultation with Members of the Mayoral Committee
EM13	Section 56(4)	Perform a ceremonial role as the Municipal Council may determine	Executive Mayor	Not delegated	Not applicable
EM14	Section 56(5)	Report to Council at such intervals as the latter may determine on decision taken	Executive Mayor	Not delegated	Not applicable
EM15	Section 80(1)(a)	Appoint a Mayoral Committee from among the councillors to assist the Executive Mayor	Executive Mayor	Not delegated	Not applicable
EM16	Section 80(1)(b)	Delegate specific responsibilities to each member of the Mayoral Committee	Executive Mayor	Not delegated	Not applicable
EM17	Section 80(1)(c)	Determine the functional area for each portfolio of the Members of the Mayoral Committee	Executive Mayor	Not delegated	Not applicable
EM18	Section 80(1)(d)	May dismiss a member of the Mayoral Committee	Executive Mayor	Not delegated	Not applicable
EM19	Section 80(1) - (4)	Appointment of section 80 committees	Executive Mayor	Not delegated	Not applicable

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

EM20	Section 80(3)(a)	Appoint a chairperson for each Committee from the Mayoral Committee	Executive Mayor	Not delegated	Not applicable
EM21	Section 80(3)(b) and (c)	May delegate any powers and duties of the Executive Mayor to the Committee, but is not divested of the responsibility concerning the exercise of the power or the performance of a duty	Executive Mayor	Not delegated	Not applicable
EM22	Section 80(3)(d)	May vary or revoke any decision taken by the Committee, subject to vested rights	Executive Mayor	Not delegated	Not applicable
LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (Act 32 of 2000)					
ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	INSTRUCTION / REQUEST TO ASSIST
EM23	Section 30	In respect of the Integrated Development Plan: i) manage the drafting of the municipality's Integrated development plan	Executive Mayor	Not delegated	After consultation with Members of the Mayoral Committee
EM24	Section 30	In respect of the Integrated Development Plan: ii) assign responsibilities in this regard to the municipal manager	Executive Mayor	Not applicable	Not applicable
EM25	Section 30	In respect of the Integrated Development Plan: i) submits the draft plan to the	Executive Mayor	Not delegated	After consultation with Members of the Mayoral

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

		council and make recommendations			Committee
EM26	Section 39	In respect of the Performance Management System: (i) manage the development of the municipality's performance management system	Executive Mayor	Not delegated	After consultation with Members of the Mayoral Committee
ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	INSTRUCTION / REQUEST TO ASSIST
EM27	Section 39	In respect of the Performance Management System: (ii) assign responsibilities in this regard to the municipal manager	Executive Mayor	Not applicable	Not applicable
EM28	Section 39	In respect of the Performance Management System: (iii) submit the proposed system to the Municipal Council for adoption and make recommendations to Council	Executive Mayor	Not delegated	After consultation with Members of the Mayoral Committee
EM29	Section 62(4)(b)	Deal with appeal against decision made by a municipal manager	Executive Mayor	Not delegated	Not applicable
EM30	Section 99	Oversee and monitor:			

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

		(I) the implementation and enforcement of a municipality's credit control and debt collection policy and by-laws enacted in terms of section 98	Executive Mayor	Municipal Manager	Chief Financial Officer
EM31	Section 99	Oversee and monitor: (II) the performance of municipal manager in implementing the credit control and debt collection policy and by-laws	Executive Mayor	Not delegated	After consultation with Members of the Mayoral Committee
ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	INSTRUCTION / REQUEST TO ASSIST
EM32	Section 99	When necessary evaluate or review the policy and any by-laws or the implementation of the policy and any by-laws, in order to improve efficiency of its Credit Control and Debt Collection mechanisms, processes and procedures	Executive Mayor	Municipal Manager	Head of Department: Financial Services
EM33	Section 99	At such intervals as may be determined by Council report to a meeting of Council	Executive Mayor	Not delegated	After consultation with Members of the Mayoral Committee
LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2000 (Act 56 of 2003)					

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	INSTRUCTION / REQUEST TO ASSIST
EM34	Section 16(2)	Table draft annual budget at Council meeting in prescribed format	Executive Mayor	Not delegated	Not applicable
EM35	Section 21	Co-ordinate the processes for preparing the annual budget and review municipality's integrated development plan and budget related policies to ensure it is mutually consistent and credible	Executive Mayor	Not delegated	Not applicable
EM36	Section 23(2)	Respond to submissions on budget, and if necessary revise and table amendments on budget	Executive Mayor	Not delegated	Municipal Manager
EM37	Section 27	Inform MEC of Finance of impending non compliance with tabling budget or approval of annual budget	Executive Mayor	Not delegated	Not applicable
ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	INSTRUCTION / REQUEST TO ASSIST
EM38	Section 28(4)	Table an adjustment budget in the Council	Executive Mayor	Not delegated	Not applicable
EM39	Section 29	Authorize, in the event of an emergency or other exceptional circumstances, unforeseeable and unavoidable expenditure for which no approval was made in budget	Executive Mayor	Not delegated	Municipal Manager
EM40	Section 31	Grant prior written approval for the increase of funds – shifting of	Executive Mayor	Not delegated	Municipal Manager

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

		funds between multi-year appropriations			
EM41	Sections 45 read with section 47	Sign resolutions regarding short term debts	Executive Mayor	Not delegated	Not applicable
EM42	Sections 46 read with section 47	Sign resolutions regarding long term debts	Executive Mayor	Not delegated	Not applicable
EM43	Section 52	Provide general political guidance in respect of fiscal and financial affairs of the municipality	Executive Mayor	Not delegated	After consultation with Members of the Mayoral Committee
EM44	Section 53	Provide political guidance over budget processes and co-ordinate annual revision of integrated development plan	Executive Mayor	Not delegated	After consultation with Members of the Mayoral Committee
EM45	Section 54	Monitor the budgetary control and identify early signs of financial problems	Executive Mayor	Municipal Manager	Head of Department: Financial Services
ITEM NUMBER	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	ORIGINAL POWER	DELEGATED TO	INSTRUCTION / REQUEST TO ASSIST
EM46	Section 55	If an annual budget is not approved by 1 July of the year, report to the MEC for Local Government and make recommendations on appropriate provincial intervention	Executive Mayor	Not delegated	Not applicable

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

EM47	Section 127(2) and (3)	Table the annual report in the council or written explanation setting out the reasons for the delay if the same cannot be tabled timeously	Executive Mayor	Not delegated	Municipal Manager
EM48	Section 131	Ensure that the municipality address issues raised in the audit report of the Auditor-General	Executive Mayor	Municipal Manager	Head of Department: Financial Services
EM49	Section 133(1)(a)	Table written explanations setting out the reasons for the failure if the accounting officer fails to submit financial reports to the Auditor-General or the Executive Mayor fails to table the annual report of the Municipality in the council	Executive Mayor	Not delegated	Municipal Manager

POWERS RECEIVED BY MUNICIPAL MANAGER**LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (Act 117 of 1998)**

ITEM NUM	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	DELEGATED / SUB-DELEGATED TO	INSTRUCTION TO ASSIST
C2	Section 19(2)	Review the needs of the community; its priorities to meet those needs; its processes for involving the community; its organizational and delivery mechanisms for meeting the needs of the community	Municipal Manager	All Heads of Department
EM3	Section	Identify the needs of the	Municipal Manager	All Heads of Department

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

	56(2)(a)	Municipality		
EM4	Section 56(2)(b)	Review and evaluate those needs in order of priority	Municipal Manager	All Heads of Department
EM5	Section 56(2)(c)	Recommend to the Municipal Council strategies, programmes and services to address priority needs through the Integrated development plan, and the estimates of revenue and expenditure, taking into account any applicable national and provincial development plans	Municipal Manager	All Heads of Department
EM6	Section 56(2)(d)	Recommend or determine the best way, including partnership and other approaches to deliver those strategies, programmes and services to the maximum benefit of the community	Municipal Manager	All Heads of Department
EM7	Section 56(3)(a)	Identify and develop criteria to evaluate progress in the implementation of strategies, programmes and services (including key performance indicators)	Municipal Manager	All Heads of Department
EM11	Section 56(3)(e)	Oversee provision of services in sustainable manner	Municipal Manager	Not applicable
LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 (Act 32 of 2000)				
ITEM NUM	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	DELEGATED / SUB-DELEGATED TO	INSTRUCTION TO ASSIST
C6	Section 4(2)(a)	Exercise executive and legislative authority and use resources in the best interest of local community	Municipal Manager	All Heads of Department
C7	Section 4(2)(b)	Provide democratic and accountable government	Municipal Manager	All Heads of Department
C8	Section 4(2)(c)	Encourage community involvement	Municipal Manager	All Heads of Department

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

C9	Section 4(2)(d)	Ensure services are provided in a financially and environmentally sustainable manner	Municipal Manager	All Heads of Department
C10	Section 4(2)(e)	Consult local community	Municipal Manager	All Heads of Department
C11	Section 4(2)(f)	Give equitable access to services	Municipal Manager	All Heads of Department
C12	Section 4(2)(g)	Promote and undertake development	Municipal Manager	All Heads of Department
C13	Section 4(2)(h)	Promote gender equity	Municipal Manager	All Heads of Department
C14	Section 4(2)(i)	Promote safe and healthy environment	Municipal Manager	All Heads of Department
C15	Section 25(4)	Notice to public of adoption of Integrated Development Plan and where copies or extracts are available, and publicise a summary of the Plan	Municipal Manager	IDP Manager
C16	Section 36	Ensure that affairs of municipality are consistent with Integrated Development Plan	Municipal Manager	IDP Manager
C18	Section 40	Establish mechanisms to monitor and review the performance management system (Evaluates progress against the key performance indicators prescribed in terms of section 43)	Municipal Manager	All Heads of Department
ITEM NUM	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	DELEGATED / SUB-DELEGATED TO	INSTRUCTION TO ASSIST

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

C19	Section 42	Involve the local community in the development, implementation and review of the performance management system and allow the community to participate in the setting of key performance indicators and performance targets for the municipality.	Municipal Manager	IDP Manager
C20	Section 44	Determine the manner in which key performance indicators and performance targets must be made known both internally and to general public.	Municipal Manager	IDP Manager
C21	Section 46	Prepare a performance report for financial year.	Municipal Manager	All Heads of Department
C22	Section 53(1)	Develop a system for defining the role and area of responsibility of each political structure and political office bearer of the municipality and of the municipal manage.	Municipal Manager	Head of Department: Corporate Services
C25	Section 59(1)	Develop a system of delegation that will maximize administrative and operational efficiency and provide for adequate checks and balances.	Municipal Manager	Head of Department: Corporate Services
C28	Section 59(2)(f)	When a new council is elected and appointed, review the system of delegation	Municipal Manager	Head of Department: Corporate Services
C34	Section 66	Determine a policy framework for the staff establishment	Municipal Manager	Head of Department: Corporate Services
ITEM NUM	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	DELEGATED / SUB-DELEGATED TO	INSTRUCTION TO ASSIST
C35	Section 67	Develop systems and procedures to ensure fair, efficient, effective and transparent personnel administration	Municipal Manager	Head of Department: Corporate Services
C37	Section 68	Build capacity of human resources in accordance with Skills Development Act	Municipal Manager	All Heads of Divisions

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

C38	Section 77	Review mechanisms to provide service delivery	Municipal Manager	All Heads of Department
C39	Section 81	Regulate, monitor and assess service delivery when using a service provider to ensure proper municipal service is delivered	Municipal Manager	All Heads of Divisions
C40	Section 95(a) and (b)	Establish sound customer management system with mechanisms for users and ratepayers to give feedback	Municipal Manager	IDP Manager Head of Department: Community Service and Social and Economic Development
C41	Section 95(c) to (i)	Provide proper facilities for payment of tariffs	Municipal Manager	Head of Division: Income
C42	Section 96(a)	Collect all money which is due and payable to municipality	Municipal Manager	Head of Division: Income
C44	Section 96(b)	Maintain and implement the credit control policy	Municipal Manager	Head of Department: Financial Services
EM30	Section 98	Oversee and monitor- the implementation and enforcement of a municipality's credit control and debt collection policy and by-laws enacted in terms of section 98	Municipal Manager	Head of Department: Financial Services
EM32	Section 99	When necessary evaluate or review the policy and any by-laws or the implementation of the policy and any by-laws, in order to improve efficiency of its Credit Control and Debt Collection mechanisms, processes and procedures	Municipal Manager	Head of Department: Financial Services
C45	Section 109(2)	Compromise or compound any action or proceedings and submit to arbitration any matter other than any matter involving a decision on its status powers or duties or the validity of its actions and by-laws	Municipal Manager	Not delegated

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

C46	Section 109A	Authorise legal representation for employees and Councillors against whom legal proceedings have been instituted resulting from the execution of their duties	Municipal Manager	Not delegated
LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (Act 56 of 2003)				
ITEM NUM	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	DELEGATED / SUB-DELEGATED TO	INSTRUCTION TO ASSIST
C51	Section 32(2)	Recover irregular or fruitless and wasteful expenditure	Municipal Manager	Head of Department: Financial Services
EM45	Section 54	Monitor the budget control and identify early signs of financial problems	Municipal Manager	Head of Department: Financial Services
C59	Section 121(1)	Prepare annual report	Municipal Manager	Head of Department: Corporate Services
EM48	Section 131	Ensure that the municipality address issues raised in the audit report of the Auditor-General	Municipal Manager	Head of Department: Financial Services
C81	Section 171(4)	Responsible for the investigation of the alleged financial misconduct	Municipal Manager	Not delegated
DISASTER MANAGEMENT ACT, 2002 (Act 57 of 2002)				
ITEM NUM	REFERENCE TO POWER	CRYPTIC DESCRIPTION OF POWER	DELEGATED / SUB-DELEGATED TO	Sub delegated to
C82	Section 51(1)	Establish a municipal disaster management advice forum	Municipal Manager	Head of Department: Management Services
C83	Section 53(1)	Prepare disaster management plan which must <i>inter alia</i> form part of the Integrated Development Plan	Municipal Manager	Head of Department: Management Services
OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (Act 85 of 1993)				
ITEM	REFERENCE	CRYPTIC DESCRIPTION OF POWER	DELEGATED /	INSTRUCTION TO

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

NUM	TO POWER		SUB-DELEGATED TO	ASSIST
C65	Section 8(1)	Ensure that the Municipality adheres to all the provisions of the Occupational Health and Safety Act and the regulations promulgated in terms thereof, and for this purpose bestowed with overall power to execute matters to which the Act pertains	Municipal Manager	Not delegated
C66	Section 17(1)	Appoint safety representatives for departments in consultation with respective Heads of Departments	Municipal Manager	Not delegated
C67	Section 19(1)	Consider establishment of health and safety committees	Municipal Manager	Not delegated

EDEN DISTRICT MUNICIPALITY

**ACCOUNTING OFFICER'S DELEGATIONS IN TERMS OF SUPPLY CHAIN MANAGEMENT POLICY ADOPTED BY
COUNCIL ON 14 DECEMBER 2006 PER RESOLUTION 05/12/14/4.1.1
REFER EDEN POLICY**

The Accounting Officer of a municipality is responsible for managing the financial administration of the municipality and must, for this purpose, ensure, *inter alia*, that –

- i) the resources of the municipality are used effectively, efficiently and economically;
- ii) the municipality has and maintains, effective, efficient and transparent systems of financial and risk management and internal control; and

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

iii) unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented.

The Accounting Officer must furthermore implement the Supply Chain Management Policy of the municipality and take all reasonable steps to ensure that proper mechanisms and separation of duties in the supply chain management system are in place to minimise the likelihood of fraud, corruption, favouritism and unfair and irregular practices.

To give effect to the responsibilities and accompanying accountability, the following delegations are issued in terms of the Supply Chain Management Policy of the Municipality.

The delegations are well defined and the process to follow pertaining to each delegation is also detailed in this document for convenience.

All officials of the Municipality are therefore instructed to follow the delegations and procedures.

DELEGATION OF POWERS AND FUNCTIONS BY ACCOUNTING AUTHORITY AND RELATED SUB-DELEGATIONS					
SUPPLY CHAIN MANAGEMENT POLICY					
ITEM NO	PARAGRAPH IN POLICY DOCUMENT	BRIEF DESCRIPTION OF POWER	DELEGATED TO	SUB-DELEGATION	REMARKS, LIMITATIONS OR CONDITIONS
F1	3(1)	Review of policy at least annually and submission of policy to Council when necessary	Chief Financial Officer	Not applicable	Must consult with Accounting Officer prior to decision May not sub-delegate

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

F2	3(2) – (3)	If draft policy differs from the model policy, the draft policy must comply with the Regulations and deviations must be reported to the National and Provincial Treasury	Chief Financial Officer	Not applicable	Must confirm in writing to the Accounting Officer that this par has been complied with May not sub-delegate
F3	5(1)	The power to make a final award in respect of transactions to the value of: Above R200 000 up to R10 million (VAT included) Above R10 million (VAT included)	Bid committee of which the Chief Financial Officer is a member May not delegate	Not applicable	Report of awards by the Bid committee must be submitted to the Accounting Authority within 5 days of month end
F4	7(1)	Establish Supply Chain Management Unit	Chief Financial Officer	Not applicable	Subject to authorization by the Accounting Officer May not sub-delegate
F5	7(2)	Unit to function under supervision of the Chief Financial Officer	Chief Financial Officer	Not applicable	May not sub-delegate
ITEM NO	PARAGRAPH IN POLICY DOCUMENT	CRIPITC DESCRIPTION OF POWER	DELEGATED TO	SUB-DELEGATION	REMARKS, LIMITATIONS OR CONDITIONS
F6	8	Training of officials involved in Supply Chain Management	Chief Financial Officer	Manager: Supply Chain Management	Subject to prior consultation with the Chief Financial Officer and guidelines by National Treasury

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

F7	10(1)	Establishment and implementation of an appropriate demand management system	Chief Financial Officer	Not applicable	May not sub-delegate
F8	11(1)	Implementation of an effective system of acquisition management	Chief Financial Officer	Not applicable	Subject to the provisions of par 11(1)(a) to (e) May not sub-delegate
F9	11(3)	To make public goods and services acquired in terms of section 110(2) of the Act	Chief Financial Officer	Manager: Supply Chain Management	Not applicable
F10	12(1)	Acquisition of goods and services— a) petty cash purchases to transaction value of R2000 (VAT Included); b) written or oral quotations, transaction value above R2000 up to R30 000 (VAT included); c) formal written price quotations, transaction value above R30 000 up to R200 000 (VAT included); d) competitive bid process, transaction value above R200 000 (VAT Included); e) procurement of long term contracts	Chief Financial Officer Chief Financial Officer Chief Financial Officer Chief Financial Officer Chief Financial Officer	Divisional Heads Divisional Heads Heads of Department	Par (a) to (e) is subject to the final awarding in thereof in accordance with the provisions of par 5(1) of the policy. It is furthermore specifically subject to the provisions of par 5(4), 15, 16, 17, 18 and 19 and the policy in general Sub-par (e) may not be sub-delegated
ITEM NO	PARAGRAPH IN POLICY DOCUMENT	CRIPITC DESCRIPTION OF POWER	DELEGATED TO	SUB-DELEGATION	REMARKS, LIMITATIONS OR CONDITIONS
F11	14(1)	a) Annual Invitation to prospective providers to register as providers b) Setting up criteria for	Chief Financial Officer Chief	Manager: Supply Chain Management	Sub-par b) may not be sub-delegated and must be done in consultation with the

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

		registration of accredited prospective providers	Financial Officer		Accounting Officer
F12	16(c)	Reasons why at least three quotations could not be obtained must be recorded and quarterly submitted to the Accounting Officer	Chief Financial Officer	Manager: Supply Chain Management	Report must be submitted quarterly to the Chief Financial Officer and forwarded to the Accounting Officer for his information
F13	17(1)(c)	Reasons why at least three formal quotations could not be obtained must be recorded and submitted to the Chief Financial Officer for approval	Chief Financial Officer	Manager: Supply Chain Management	Within three days of the end of the month a report must be submitted to the Chief Financial Officer
F14	18(d)	The Chief Financial Officer must on a monthly basis be notified in writing of all written and oral quotations and formal written price quotations accepted	Chief Financial Officer	Manager: Supply Chain Management	Must submit report to Chief Financial Officer
F15	20(g)	Concluding a written contract with the supplier once a bid has been accepted	Chief Financial Officer	Head of specific Department	Not applicable
F16	20(h)	Original or certified copies of contracts must be secured	Head: Department of Corporate Services	Manager: Supply Chain Management	Not applicable
ITEM NO	PARAGRAPH IN POLICY DOCUMENT	CRIPITC DESCRIPTION OF POWER	DELEGATED TO	SUB-DELEGATION	REMARKS, LIMITATIONS OR CONDITIONS
F17	22(1)	Invitations to prospective providers to submit bids must be by means of advertisement in newspapers, the	Chief Financial Officer	Manager: Supply Chain Management	Subject to the conditions contained in par 22(1)(b), (2), (3) and (4)

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015; RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

		municipality's website or any other appropriate way			
F18	23(1)(c)	All bids received timeously, must be registered and the register must be available to public inspection and all entries in the register and bid results published on the website	Chief Financial Officer	Manager: Supply Chain Management	Not applicable
F19	24	Negotiation of final terms of contract pursuant to competitive bid	Chief Financial Officer	Not applicable	Subject to the provisions of par 24(1) and (2) and that the Accounting Officer are consulted in every case May not sub-delegate
F20	27(2)(g)	Specifications must be approved by the Accounting Officer prior to the invitation of tenders	Chief Financial Officer	Manager: Supply Chain Management	On condition that the Head of the relevant Department is consulted prior to decision
F21	31(1)	State Information Technology Services (SITA) may be requested to assist with information technology goods and services	Chief Financial Officer	Manager: Supply Chain Management	On condition that Chief Financial Officer are consulted prior to decision
F22	31(2)	Agreement to be concluded between SITA and the municipality	Head: Department of Corporate Services	Not applicable Not applicable	Not applicable Not applicable
ITEM NO	PARAGRAPH IN POLICY DOCUMENT	CRIPITIC DESCRIPTION OF POWER	DELEGATED TO	SUB-DELEGATION	REMARKS, LIMITATIONS OR CONDITIONS

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

F23	31(3)	SITA must be notified if goods and services in respect of information technology exceeds R50 million (VAT included) or the value of a contract for one or more years exceeds R50 million (VAT included)	Chief Financial Officer	Manager: Supply Chain Management	On condition that Chief Financial Officer are consulted prior to decision
F24	31(4)	If the municipality disagree with the comments of SITA, reasons for rejection thereof must be submitted to the Council, National and Provincial Treasury and the Auditor General	Chief Financial Officer	Not applicable	May not sub-delegate
F25	32(1)	Acquisition of goods and services through a contract secured by another public organs	Chief Financial Officer	Manager: Supply Chain Management	Subject to the conditions contained in par 32(1)(a) to (d) and consultation with the Chief Financial Officer prior to decision
F26	33(2)	Where storage of goods in bulk are justified, reasons must be provided	Chief Financial Officer	Not applicable	On condition that the Accounting Officer give consent May not sub-delegate
F27	35(1)	Appointment of consultants	Chief Financial Officer	Not applicable	Taking into consideration the guidelines of National Treasury and the CIDB requirements and subject to the conditions contained in subpar (2) and (3) May not sub-delegate
ITEM NO	PARAGRAPH IN POLICY DOCUMENT	CRIPITIC DESCRIPTION OF POWER	DELEGATED TO	SUB-DELEGATION	REMARKS, LIMITATIONS OR CONDITIONS

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 [AMENDED 19 APRIL 2016]

F28	35(4)	Copyright in any document produced and patent rights or ownership in any plant, machinery, thing, system or process designed or devised by a consultant must vest in the municipality	Chief Financial Officer	Manager: Supply Chain Management	Not applicable
F29	36	<p>Deviation from, and ratification of minor breaches in procurement processes:</p> <p>(i) Transaction value of R30 000 (VAT included);</p> <p>(ii) Transaction value above R30 000 up to R200 000 (VAT included);</p> <p>(iii) Transaction value above R200 000 up to R10 million (VAT included)</p> <p>Transaction value above R10 million (VAT included)</p>	<p>Chief Financial Officer</p> <p>Head of relevant Department in consultation with the Chief Financial Officer</p> <p>Bid committee of which the Chief Financial Officer is a member Not delegated</p>	<p>Manager: Supply Chain Management</p> <p>Not applicable</p>	<p>Reasons for deviation and ratification of minor breaches must be submitted to Council and noted on the financial statement</p> <p>Not applicable</p>
ITEM NO	PARAGRAPH IN POLICY DOCUMENT	CRIPITIC DESCRIPTION OF POWER	DELEGATED TO	SUB-DELEGATION	REMARKS, LIMITATIONS OR CONDITIONS

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

F30	37(2)	Power to consider unsolicited bid	Chief Financial Officer	Not applicable	Subject to conditions contained in paragraphs 37(2)(a) to (d) and on condition that Accounting Officer have been consulted prior to decision May not sub-delegate
F31	37(3)	Disclosure of decision to consider unsolicited bid	Chief Financial Officer	Not applicable	Subject to the provisions of par 37(3)(a) to (c)
F32	37(4)	All written comments received pursuant to par 37(3), including responses from the unsolicited bidder, must be submitted to the National and Provincial Treasury for comment	Chief Financial Officer	Not applicable	Not applicable
F33	37(8)	If recommendations of the National or Provincial Treasury are rejected, reasons must be submitted to the Auditor-General	Chief Financial Officer	Not applicable	Subject to the provisions of par 37(9) (In other words, reasons must be provided within 7 days after decision have been taken)
F34	38(1)(c)	Check the National Treasury's database to ensure that the recommended bidder or any of its directors is prohibited from doing business with the public sector	Chief Financial Officer	Manager: Supply Chain Management	Not applicable
F35	38(1)(d) – (g)	Power to reject a tender or cancel a contract when the circumstances contained in par (d), (e), (f) and (g) prevail	Chief Financial Officer	Manager: Supply Chain Management	On condition that Chief Financial Officer is consulted prior to decision
ITEM NO	PARAGRAPH IN POLICY	CRIPITIC DESCRIPTION OF POWER	DELEGATED TO	SUB-DELEGATION	REMARKS, LIMITATIONS OR CONDITIONS

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

	DOCUMENT				
F36	38(2)	Obligation to inform National and Provincial Treasury in writing of any actions taken in terms of par 38(1)(b)(II), (e) or (f)	Chief Financial Officer	Not applicable	Not applicable
F37	39	Establish and implement an effective system of logistical management	Chief Financial Officer	Manager: Supply Chain Management	Subject to the conditions of paragraph 39
F38	43(1)	No award above R30 000 may be given to a person whose tax matters are not in order	Chief Financial Officer	Manager: Supply Chain Management	
F39	43(2)	Before making an award to a person it must first be ascertained that a tax certificate has been submitted in terms of par 13(a)(III)	Chief Financial Officer	Manager: Supply Chain Management	If SARS does not respond within 7 days, it will be assumed that the bidder's status in respect of tax is in order
F40	44	No award may be given to a person mentioned in par 44	Chief Financial Officer	Manager: Supply Chain Management	Not applicable
F41	45	Ensure that particulars are disclosed by way of notes to the financial statements where any award of more than R2000 was made 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 12 months	Chief Financial Officer	Manager: Supply Chain Management	Not applicable

HUMAN RESOURCE MANAGEMENT

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

**SYSTEMS AND PROCEDURES TO ENSURE FAIR, EFFICIENT, EFFECTIVE AND TRANSPARENT
PERSONNEL ADMINISTRATION**

**WITH REFERENCE TO SECTIONS 66 AND 67 OF THE LOCAL GOVERNMENT: MUNICIPAL
SYSTEMS ACT, 2000 (ACT 32 OF 2000)**

ITEM NUMBER	CRYPTIC DESCRIPTION OF POWER	DELEGATED TO	SUB-DELEGATED TO
HR1	To temporarily re-organise divisions of Departments including the amendment of duties and responsibilities of divisions in consultation with the relevant trade union(s) for a period not exceeding three months	All Heads of Department (After consultation with Municipal Manager)	Not sub-delegated
HR2	All appointments of employees provided a vacancy exists except section 57 Managers	MM	Not sub-delegated
HR3	Temporary appointments Retain existing delegation- (Change to T grade)	MM	Not sub-delegated
HR4	Extend period of probation for a period not exceeding six (6) months, provided that period of probation must be extended <u>before</u> date of completion of original probation period	Heads of Departments	Not sub-delegated
ITEM NUMBER	CRYPTIC DESCRIPTION OF POWER	DELEGATED TO	SUB-DELEGATED TO
HR5	Appointment of employees for acting and authorizing payment of an acting allowance in terms of Council policy	All Heads of Department & MM	Not sub-delegated
HR6	To require that attendance registers be completed by officials and to determine the form and manner thereof	All Heads of Department	All Divisional managers
HR7	To request officials to work overtime and to ensure that overtime register are completed and approved on a monthly basis	All Heads of Department	All Divisional managers

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866 /06/15 (AMENDED 19 APRIL 2016)

HR8	To place employees on stand-by service in consultation with trade unions	All Heads of Department	All Divisional managers
HR9	To utilize an employee in another capacity for a period not exceeding three (3) months	Not delegated Municipal Manager in consultation with relevant Head of Department	Not applicable
HR10	To accept resignations from the service of the Council at short notice	MM in consultation with Head of Department	Not sub-delegated
HR11	To terminate the services of any employee declared medically unfit by a medical board, due to forfeiture of any certification of competence, license or authorization which renders him unable to perform his/her duties attached to the post	MM	Not sub-delegated
HR12	To terminate the services of an employee who has reached retirement age or expiry of a service contract	MM	Not sub-delegated
ITEM NUMBER	CRYPTIC DESCRIPTION OF POWER	DELEGATED TO	SUB-DELEGATED TO
HR13	To provide uniforms and/or protective clothing to officials or to pay them an allowance therefore, in accordance with Council policy	All Heads of Department	All Divisional managers
HR14	To instruct an official to report for duty outside official hours when extra-ordinary or urgent circumstances necessitate it: Provided that such circumstances should not exceed a period of three (3) months at a time	All Heads of Department	All Divisional managers
HR15	To approve applications from employees to perform paid work outside the Council's service in accordance with Council's policy in this regard	Not delegated Municipal Manager in consultation with all Heads of Department	Not applicable
HR16	To approve or refuse the use of Municipal employees or property for purposes other than that of the Municipality, or the removal thereof from Municipal premises	All Heads of Department	All Divisional managers

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

HR17	To approve or refuse leave of absence of Heads of Departments with due consideration to the exigencies of the Municipality	Not delegated	Not applicable
HR18	To cancel, postpone or interrupt leave of Heads of Departments on condition that such decision must be made by the Executive Mayor if the cancellation of leave causes financial liability to the Municipality in any way	Not delegated	Not applicable
	Note existing delegations (DC 128/12/07)		
HR19	To approve leave	All Heads of Department - approve leave of divisional head	All Divisional Managers – approve leave of personnel in division
HR20	To approve trip authority	All Heads of Department - approve trip of divisional head	All Divisional Managers – approve trips of personnel in division
ITEM NUMBER	CRYPTIC DESCRIPTION OF POWER	DELEGATED TO	SUB-DELEGATED TO
HR21	To demand medical certificates from Heads of Departments in respect of absence from duty due to illness for three days or less	Not delegated	Not applicable
HR22	To appoint such registered medical practitioner(s) as may be required to give effect to the relevant stipulation of the Conditions of Employment Agreement, and to authorize payment for services rendered in this regard	Not delegated	Not applicable
HR23	To require an employee to submit himself/herself to an examination by a registered medical practitioner appointed by the Municipality	All Heads of Department	Not sub-delegated
HR24	Approval of sick leave for substance addicts to attend an approved rehabilitation centre	MM in consultation with HOD's	Not sub-delegated
HR25	Granting of special sick leave to employees due to injuries arising from his/her duties and occurring in the course of his/her duties	MM in consultation with HOD's	All Divisional managers

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

HR26	Granting of special leave to a maximum of five (5) days to Heads of Departments in terms of the Basic conditions of Services agreement for study leave.	MM	Not sub-delegated
HR27	To authorize officials to attend training courses/seminars related to local authority, in the opinion of the Municipal Manager, and to authorize all fees in this regard, including course fees	MM for Heads of Department	Heads of Department for employees reporting to them
HR28	To grant consent that Heads of Departments be allowed to resume duty before termination of leave approved	MM	Not sub-delegated
HR29	To approve claims from officials in respect of travel and subsistence allowances and authorize payment thereof in respect of attendance of Council business (including congresses, etc.) outside Eden District	MM for Heads of Department	Heads of Department for employees reporting to them
HR30	To ensure that the competency levels of the officials (accounting officer, CFO, other senior managers, other financial officials and officials involved with Council's SCM meets the required competency's in terms Section 83 and 108 of the MFMA	MM for Heads of Department	Heads of Department for employees reporting to them
HR31	To consider relocation expenses of all the staff appointed on the municipality's establishment	MM for Heads of Department	Heads of Department for employees reporting to them
HR32 HR32	To give administrative support services to the District Intergovernmental Forum as contained in section 27(6) of the IGRFA	MM	Not applicable
HR33	To approve the payment of long service bonuses	MM in consultation with HOD's	Not applicable
HR34	To consider and approve the payment of rental subsidies of employees on recommendation of the relevant manager and subject to policy	MM in consultation with HOD's	Not applicable
HR35	To provide staff establishment for approval by Council	MM in consultation with HOD's	Not applicable

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

HR36	To provide job descriptions for each post on the staff establishment	MM in consultation with HOD's	Not applicable
HR37	To promote sound Labour Relations and compliance with applicable labour laws, collective agreements	MM in consultation with HOD's	Not applicable

RECRUITMENT, SELECTION AND ADVERTISING

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 [AMENDED 19 APRIL 2016]

ACTIVITY	POLICY	RESPONSIBILITY
Recruitment		
1.1 Approval for filling of posts	Filling of all permanent posts must have approval of the highest delegated authority	<u>Type of vacancy:</u> <u>Municipal Manager – Council</u> <u>Section 56 appointment:</u> Council must give approval <u>Task grades 21 - 1:</u> Municipal Manager
1.2 Setting of criteria for position	Selection criteria and specifications	Decision for determining the criteria is the responsibility of: <ul style="list-style-type: none"> • <u>Municipal Manager:</u> Council • <u>Section 56 appointment:</u> Council after consultation with the Municipal Manager • <u>Task grades 21 - 14:</u> Municipal Manager in consultation with HOD, EE Manager and HR section; • <u>Task grades 13 - 7:</u> HOD after consultation with Human Resource Section and EE Manager • <u>Level 6 - 1:</u> HOD or nominee after consultation with Human Resource Section and EE Manager

DELEGATION SYSTEM
APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

1.3 Advertising	<p><u>Posts:</u></p> <p>1.Municipal Manager: National Newspapers, Provincial and local, website, Internal</p> <p>Level 1-3: National Newspapers, Provincial and Local, Internal</p> <p>Level 4-18 Provincial and Local</p> <p><u>Other:</u></p> <p>Copy of all adverts placed on internal notice boards</p> <p>Copy provided to local unions</p>	<p><u>Section 56 appointment and MM:</u> Council decides on the extent of advertising</p> <p><u>Task grades 21 – 14:</u> Municipal Manager decides on the extent after consultation with EE Manager</p> <p><u>Task grades 13 - 1:</u> HOD in consultation with HR section and EE Manager decides on the extent of the advertising.</p> <p><u>Approval of Advertisements</u> HR compile advertisement for approval by the following:</p> <ul style="list-style-type: none"> • <u>Municipal Manager:</u> Council • <u>Section 56 -</u> Council in consultation with Municipal Manager • <u>Task grades 21 - 14:</u> Municipal Manager in consultation with HOD, EE Manager and unions • <u>Task grades 13 - 1:</u> Municipal Manager in consultation with HOD, EE Manager and unions
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APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

24

	<p>capacity</p> <ul style="list-style-type: none"> • EE Manager may be present in an advisory capacity • <i>Trade Unions:</i> one rep from each trade union may be present in an observer capacity 	
	<p><u>Task Grades 21 – 14:</u></p> <ul style="list-style-type: none"> • Municipal Manager or his/her nominee • HOD or his/her nominee • Representative from HR • EE Manager must be present in an advisory capacity • <i>Trade Unions:</i> one rep from each trade union may be present in an observer capacity • Chairperson of Corporate Services Committee or his/her nominee may be present in an observer capacity 	<p>Interview panel recommends to Municipal Manager who has the authority to appoint</p>
	<p><u>Task Grades 13-7:</u></p> <ul style="list-style-type: none"> • HOD or nominee • HR • EE Manager must be present in an advisory capacity 	<p>Interview panel recommends to Municipal Manager who has the authority to appoint</p>

DELEGATION SYSTEM

APPROVED BY COUNCIL ON 22 JUNE 2015: RESOLUTION DC 866/06/15 (AMENDED 19 APRIL 2016)

	<ul style="list-style-type: none"> • <i>Trade Unions:</i> one rep from each trade union may be present in an observer capacity • Chairperson of Corporate Services Committee or his/her nominee may be present in an observer capacity. <p>Task grades 6 -1:</p> <ul style="list-style-type: none"> • HOD or nominee • HR • EE Manager must be present in an advisory capacity • <i>Trade Unions:</i> one rep from each trade union may be present in an observer capacity • Chairperson of Corporate Services Committee or his/her nominee may be present in an observer capacity 	Interview panel recommends to Municipal Manager who has the authority to appoint
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(DC 12/08/16)**CODE OF CONDUCT FOR COUNCILLORS / *GEDRAGSKODE VIR
RAADSLEDE* / UMGAQO WOKUZIPHATHA KOCEBA (528200)**

(4/2/7)

08 July 2016

**REPORT FROM THE EXECUTIVE MANAGER: CORPORATE/STRATEGIC
SERVICES (B HOLTZHAUSEN)****PURPOSE OF THE REPORT**

Is to bring the contents of the Code of Conduct for Councillors to the notice of Councillors.

BACKGROUND

Schedule 1 of the Local Government Municipal Systems Act (Act 32 of 2000) reflects the contents of the Code of Conduct for Councillors as set out in the said Act. The Code of Conduct for Councillors is attached for the information and records of Councillors.

RELEVANT LEGISLATION

Schedule 1 of the Local Government Municipal Systems Act (Act 32 of 2000)

FINANCIAL IMPLICATIONS

None

UITVOERENDE OPSOMMING

Die Gedragskode vir Raadslede soos vervat in Bylae 1 van die Wet op Plaaslike Regering: Munisipale Stelsels, (Wet 32 van 2000), word aan die Raad vir kennisname voorgelê.

RECOMMENDATION

That Councillors take note of the contents of the Code of Conduct for Councillors as reflected in Schedule 1 of the Local Government: Municipal Systems Act, Act 32 of 2000.

AANBEVELING

Dat Raadslede kennis neem van die inhoud van die Gedragskode vir Raadslede soos vervat in Bylae 1 van die Wet op Plaaslike Regering: Munisipale Stelsels, (Wet 32 van 2000).

ISINDULULO

Sesokuba ooCeba bathathele ingqalelo umongo Womgaqo Wokuziphatha kooCeba njengoko kuphawulwe kumhlathi 1 Worhulumente Basekhaya: Umthetho Wenkqubo zoMasipala, Umthetho 32 wango 2000.

Act No. 32,2000

LOCAL GOVERNMENT
MUNICIPAL SYSTEMS ACT, 2000

SCHEDULE 1

CODE OF CONDUCT FOR COUNCILLORS

Preamble

Councillors are elected to represent local communities on municipal councils, to ensure that municipalities have structured mechanisms of accountability to local communities, and to meet the priority needs of communities by providing services equitably, effectively and sustainably within the means of the municipality. In fulfilling this role councillors must be accountable to local communities and report back at least quarterly to constituencies on council matters, including the performance of the municipality in terms of established indicators. In order to ensure that councillors fulfil their obligations to their communities, and support the achievement by the municipality of its objectives set out in section 19 of the Municipal Structures Act, the following Code of Conduct is established.

Definitions

1. In this Schedule 'partner' means a person who permanently lives with another person in a manner as if married.

General conduct of councillors

2. A councillor must—

- (a) perform the functions of office in good faith, honestly and a transparent manner; and
- (b) at all times act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised.

Attendance at meetings

3. A councillor must attend each meeting of the municipal council and of a committee of which that councillor is a member, except when—

- (a) leave of absence is granted in terms of an applicable law or as determined by the rules and orders of the council; or
- (b) that councillor is required in terms of this Code to withdraw from the meeting.

Sanctions for non-attendance of meetings

4. (1) A municipal council may impose a fine as determined by the standing rules and orders of the municipal council on a councillor for:

- (a) not attending a meeting which that councillor is required to attend in terms of item 3; or
- (b) failing to remain in attendance at such a meeting.

(2) A councillor who is absent from three or more consecutive meetings of a municipal council, or from three or more consecutive meetings of a committee, which that councillor is required to attend in terms of item 3, must be removed from office as a councillor.

(3) Proceedings for the imposition of a fine or the removal of a councillor must be conducted in accordance with a uniform standing procedure which each municipal council must adopt for the purposes of this item. The uniform standing procedure must comply with the rules of natural justice.

Disclosure of interests

5. (1) A councillor must—

- (a) disclose to the municipal council, or to any committee of which that councillor is a member, any direct or indirect personal or private business interest that that councillor, or any spouse, partner or business associate of that councillor may have in any matter before the council or the committee: and

Act No. 32, 2000

LOCAL GOVERNMENT.
MUNICIPAL SYSTEMS ACT, 2000

- (h) withdraw from the proceedings of the council or committee when that matter is considered by the council or committee, unless the council or committee decides that the councillor's direct or indirect interest in that matter is trivial or irrelevant.
- (2) A councillor who, or whose spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a contract concluded with the municipality, must disclose full particulars of the benefit of which the councillor is aware at the first meeting of the municipal council at which it is possible for the councillor to make the disclosure.
- (3) This section does not apply to an interest or benefit which a council or, or a spouse, 10 partner, business associate or close family member, has or acquires in common with other residents of the municipality.

Personal gain

6. (1) A councillor may not use the position or privileges of a councillor, or confidential information obtained as a councillor, for private gain or to improperly 15 benefit another person.
- (2) Except with the prior consent of the municipal council, a councillor may not—
- (a) be a party to or beneficiary under a contract for—
- (i) the provision of goods or services to the municipality; or
- (ii) the performance of any work otherwise than as a councillor for the 20 municipality;
- (b) obtain a financial interest in any business of the municipality; or
- (c) for a fee or other consideration appear on behalf of any other person before the council or a committee.
- (3) If more than one quarter of the councillors object to consent being given to a 25 councillor in terms of subitem (2), such consent may only be given to the councillor with the approval of the MEC for local government in the province.

Declaration of interests

7. (1) When elected or appointed, a councillor must within 60 days declare in writing to the municipal manager the following financial interests held by that councillor: 30
- (a) shares and securities in any company;
- (b) membership of any close corporation;
- (c) interest in any trust;
- (d) directorships;
- (e) partnerships; 35
- (f) other financial interests in any business undertaking;
- (g) employment and remuneration;
- (h) interest in property;
- (i) pension; and
- (j) subsidies, grants and sponsorships by any organisation. 40
- (2) Any change in the nature or detail of the financial interests of a councillor must be declared in writing to the municipal manager annually.
- (3) Gifts received by a councillor above a prescribed amount must also be declared in accordance with subitem (1).
- (4) The municipal council must determine which of the financial interests referred in 45 subitem (1) must be made public having regard to the need for confidentiality and the public interest for disclosure.

Full-time councillors

8. A councillor who is a full-time councillor may not undertake any other paid work, except with the consent of a municipal council which consent shall not unreasonably be 50 withheld.

Rewards, gifts and favours

9. A councillor may not request, solicitor accept any reward, gift or favour for—
- (a) voting or not voting in a particular manner on any matter before the municipal council or before a committee of which that councillor is a member;
 - (b) persuading the council or any committee in regard to the exercise of any 5 power, function or duty;
 - (c) making a representation to the council or any committee of the council; or
 - (d) disclosing privileged or confidential information.

Unauthorised disclosure of information

10. (1) A councillor may not without the permission of the municipal council or a 10 committee disclose any privileged or confidential information of the council or committee to any unauthorised person.

(2) For the purpose of this item 'privileged or confidential information' includes any information—

- (a) determined by the municipal council or committee to be privileged or 15 confidential;
- (b) discussed in closed session by the council or committee;
- (c) disclosure of which would violate a person's right to privacy; or
- (d) declared to be privileged, confidential or secret in terms of law.

(3) This item does not derogate from the right of any person to access to information 20 in terms of national legislation.

Intervention in administration

11. A councillor may not, except as provided by law—
- (a) interfere in the management or administration of any department of the 25 municipal council unless mandated by council;
 - (b) give or purport to give any instruction to any employee of the council except when authorised to do so;
 - (c) obstruct or attempt to obstruct the implementation of any decision of the council or a committee by an employee of the council; or
 - (d) encourage or participate in any conduct which would cause or contribute to 30 maladministration in the council.

Council property

12. A councillor may not use, take, acquire or benefit from any property or asset owned, controlled or managed by the municipality to which that council [or has no right.

Duty of chairpersons of municipal councils 35

13. (1) If the chairperson of a municipal council, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, the chairperson must—
- (a) authorise an investigation of the facts and circumstances of the alleged breach;
 - (b) give the councillor a reasonable opportunity to reply in writing regarding the 40 alleged breach; and
 - (c) report the matter to a meeting of the municipal council after paragraphs (a) and (b) have been complied with.
- (2) A report in terms of subitem (1) (c) is open to the public.
- (3) The chairperson must report the outcome of the investigation to the MEC for local government in the province concerned. 45
- (4) The chairperson must ensure that each councillor when taking office is given a copy of this Code and that a copy of the Code is available in every room or place where the council meets.

Breaches of Code

14. (1) A municipal council may—
- (a) investigate and make a finding on any alleged breach of a provision of this Code; or
 - (b) establish a special committee—
 - (i) to investigate and make a finding on any alleged breach of this Code; and
 - (ii) to make appropriate recommendations to the council.
- (2) If the council or a special committee finds that a councillor has breached a provision of this Code, the council may—
- (a) issue a formal warning to the councillor;
 - (b) reprimand the councillor;
 - (c) request the MEC for local government in the province to suspend the councillor for a period;
 - (d) fine the councillor; and
 - (e) request the MEC to remove the councillor from office.
- (3) (a) Any councillor who has been warned, reprimanded or fined in terms of paragraph (a), (b) or (d) of subitem (2) may within 14 days of having been notified of the decision of council appeal to the MEC for local government in writing setting out the reasons on which the appeal is based.
- (b) A copy of the appeal must be provided to the council.
- (c) The council may within 14 days of receipt of the appeal referred to in paragraph (b) make any representation pertaining to the appeal to the MEC for local government in writing.
- (d) The MEC for local government may, after having considered the appeal, confirm, set aside or vary the decision of the council and inform the councillor and the council of the outcome of the appeal.
- (4) The MEC for local government may appoint a person or a committee to investigate any alleged breach of a provision of this Code and to make a recommendation on whether the councillor should be suspended or removed from office.
- (5) The Commissions Act, 1947 (Act 8 of 1947), may be applied to an investigation in terms of subitem (3).
- (6) If the MEC is of the opinion that the councillor has breached a provision of this Code, and that such contravention warrants a suspension or removal from office, the MEC may—
- (a) suspend the councillor for a period and on conditions determined by the MEC;
 - or
 - (b) remove the councillor from office.
- (7) Any investigation in terms of this item must be in accordance with the rules of natural justice.

Application of Code to traditional leaders

15. (1) Items 1.2, 5, 6, 9(b) to (d), 10, 11, 12, 13 and 14(1) apply to a traditional leader who participates or has participated in the proceedings of a municipal council in terms of section 81 of the Municipal Structures Act.
- (2) These items must be applied to the traditional leader in the same way they apply to councillors.
- (3) If a municipal council or a special committee in terms of item 14(1) finds that a traditional leader has breached a provision of this Code, the council may—
- (a) issue a formal warning to the traditional leader; or
 - (b) request the MEC for local government in the province to suspend or cancel the traditional leader's right to participate in the proceedings of the council.
- (4) The MEC for local government may appoint a person or a committee to investigate any alleged breach of a provision of this Code and to make a recommendation on whether the right of the traditional leader to participate in the proceedings of the municipal council should be suspended or cancelled.
- (5) The Commissions Act, 1947, may be applied to an investigation in terms of subitem (4).
- (6) If the MEC is of the opinion that the traditional leader has breached a provision of

Act No. 32, 2000

LOCAL GOVERNMENT
MUNICIPAL SYSTEMS ACT, 2000

this Code, and that such breach warrants a suspension or cancellation of the traditional leader's right to participate in the council's proceedings, the MEC may—

- (a) suspend that right for a period and on conditions determined by the MEC; or
- (b) cancel that right.

(7) Any investigation in terms of this item must be in accordance with the rules of natural justice. 5

(8) The suspension or cancellation of a traditional leader's right to participate in the proceedings of a council does not affect that traditional leader's right to address the council in terms of section 81 (3) of the Municipal Structures Act.

(DC 13/08/16)**REPORT ON THE REPRESENTATION OF COUNCIL ON EXTERNAL BODIES / *VERSLAG RAKENDE DIE VERTEENWOORDIGING VAN DIE RAAD OP EKSTERNE LIGGAME / INGXELO NGOKUBANGAMALUNGU KOCEBA KWIMIBUTHO ENGAPHANDLE KWEBHUNGA (528261)***

(4/1/2)

08 July 2016

REPORT FROM THE EXECUTIVE MANAGER: CORPORATE/STRATEGIC SERVICES (B HOLTZHAUSEN)**PURPOSE OF THE REPORT**

To appoint councillors who will represent Council in various external bodies.

BACKGROUND

There is a range of external bodies to which Council must appoint councillors who will represent Council in those bodies.

In order to enable Council to nominate the new councillor representatives to these bodies, the respective bodies are supplied.

RELEVANT LEGISLATION

Section 79 of Local Government: Municipal Structures Act, Act 117 of 1998.

FINANCIAL IMPLICATIONS

None

UITVOERENDE OPSOMMING

Raadslede moet aangewys word om die Raad te verteenwoordig op die verskeie eksterne liggame en/of komitees.

RECOMMENDATION

That Council appoints representatives and secundus to represent Council in the following external bodies:

EXTERNAL BODY		COUNCILLOR	SECUNDUS
1.	South African Local Government Association (SALGA) Working Groups		
1.1	Economic Development (1 councillor and 1 secundus)		
1.2	Governmental and Intergovernmental Relations (1 councillor and 1 secundus)		
1.3	Human Resource Management (1 councillor and 1 secundus)		
1.4	Municipal Finance (1 councillor and 1 secundus)		
1.5	Municipal Services (1 councillor and 1 secundus)		
1.6	Social Development		
2.	District Assessment Committee – (2 councillors and 2 secundus)		
3.	Public Transport Steering (1 councillor and 1 secundus)		
4.	District Fire Fighting Committee (1 councillor and 1 secundus)		
5.	Trustee Councils of Museums		
5.1	George Museum (1 councillor and 1 secundus)		
5.2	Groot Brakrivier Museum (1 councillor and 1 secundus)		
5.3	CP Nel Museum (Oudtshoorn) (1 councillor and 1 secundus)		
5.4	Diaz Museum (Mossel Bay) (1 councillor and 1 secundus)		
6.	Cango Caves Working Group (1 councillor and 1 secundus)		
7.	Provcom (1 councillor and 1 secundus)		
8.	South Cape Karoo Electricity Distribution (1 councillor and 1 secundus)		
	Provincial Health Council		

9.	(1 councillor and 1 secundus)		
10.	George Multi Purpose Centre(1 councillor and 1 secundus)		

Water Consumer Associations

<u>ASSOCIATION</u>	<u>NEAREST TOWN</u>	<u>REPRESENTATIVE</u>	<u>SECUNDUS</u>
Bo-Goukou	Riversdale		
Modderivier	George/Blanco		
Brandrivier	Riversdal/Ladismith		

AANBEVELING

Dat die Raad verteenwoordigers en sekundi aanwys om die Raad in die volgende eksterne organisasies te verteenwoordig:

	EKSTERNE LIGGAAM	RAADSLID	SEKUNDIS
1.	Suid-Afrikaanse Plaaslike Regering Assosiasie Werkgroep (SAPLA)		
1.1	<i>Ekonomiese Ontwikkelingsbeplanning en Omgewingswerkgroep (1 raadslid en 1 sekundis)</i>		
1.2	<i>Regering en interregering Verhouding en Internasionale Verhoudingswerkgroep</i>		
1.3	<i>Menslike Hulpbron Ontwikkeling Werkgroep (1 raadslid en 1 sekundis)</i>		
1.4	<i>Munisipale Finansies (1 raadslid en 1 sekundis)</i>		
1.5	<i>Munisipale Dienste (1 raadslid en 1 sekundis)</i>		
1.6	<i>Maatskaplike Ontwikkeling</i>		
2.	<i>Distrik Assesseringskomitee (2 raadslede en 2 sekundis)</i>		

3.	<i>Publieke Vervoer Loodskomitee (1 raadslid en 1 sekundis)</i>		
4.	<i>Distrik Brandbestrydingskomitee (1 raadslid en 1 sekundis)</i>		
5.	<i>Trustee Rade van Museums</i>		
5.1	<i>George Museum (1 raadslid en 1 sekundis)</i>		
5.2	<i>Groot Brakrivier Museum (1 raadslid en 1 sekundis)</i>		
5.3	<i>CP Nel Museum (Oudtshoorn) (1 raadslid en 1 sekundis)</i>		
5.4	<i>Diaz Museum (Mosselbaai) (1 raadslid en 1 sekundis)</i>		
6.	<i>Kango Grotte Werksgroep (1 raadslid en 1 sekundis)</i>		
7.	<i>Provcom (1 raadslid en 1 sekundis)</i>		
8.	<i>Suid-Kaap Karoo Elektriesitiet Verspreiding (1 raadslid en 1 sekundis)</i>		
9.	<i>Provinsiale Gesondheidsraad (1 raadslid en 1 sekundis)</i>		
10.	<i>George Multi Purpose Centre (1 raadslid en 1 sekundis)</i>		

Water Verbruikersassosiasies

<u>ASSOSIASIE</u>	<u>NAASTE DORP</u>	<u>VERTEENWOORDIGER</u>	<u>SEKUNDUS</u>
<i>Bo-Goukou</i>	<i>Riversdale</i>		
<i>Modderivier</i>	<i>George/Blanc o</i>		
<i>Brandrivier</i>	<i>Riversdal/Lad ismith</i>		

ISINDULULO

Ukuba ibhunga lithathele ingqalelo abachongwe balandelayo kunye namasekela abo, batyunjwa Ngusomlomo ukuze bamele I Bhunga kulamacandelo alandelayo:

IMIBUTHO YANGAPHANDLE		OCEBA	ABASEKELI
1.	AMAQUMRHU ASEBENZAYO EMANYANO YORHULUMENTE BASEMAKAHAYA KWELOMZANTSI AFRIKA(SALGA)		
1.1	Uphuhliso Lwezoqoqosho (1 ceba kunye 1 umsekeli)		
1.2	Unxibelelwano Lwaseburhulumentene kunye nelorhulumente bobambiswano (1 uceba kunye 1 umsekeli)		
1.3	Umphathi Kwezengqesho (1 ceba kunye 1 umsekeli)		
1.4	Iimali Zomasipala (1 uceba kunye 1 umsekeli)		
1.5	Inkonzo Zikamasipala (1 uceba kunye 1 umsekeli)		
1.6	Uphuhliso Loluntu		
2.	Ikomiti yesithili Yezohlengahlengiso — (2 ceba kunye 2 abasekeli)		
3.	Ulawulo Lwezothutho Loluntu (1 uceba kunye 1 umsekeli)		
4.	Ikomiti Yokulwa Imililo Kwisithili (1 uceba kunye 1 umsekeli)		
5.	Umthenjwa Woceba kwi ndawo ezinemiboniso yezembali(Museum)		
5.1	Indawo yokubonisa ezembali e George (Museum) (1 useba kunye 1 umsekeli)		
5.2	Indawo yokubonisa ezembali e Groot Brakrivier (Museum) (1 uceba kunye 1 umsekeli)		
5.3	Indawo yokubonisa ezembali e CP Nel (Oudtshoorn) (1 uceba kunye 1 umsekeli)		
5.4	Indawo yokubonisa ezendalo e Diaz (Mossel Bay) (1 uceba kunye 1 umsekeli)		

6.	Iqela elisebenza kwi Cango Caves (1 ceba kunye 1 umsekeli)		
7.	Provcom (1 uceba kunye 1 umsekeli)		
8.	Unikezelo lombane Kumzantsi kapa ne Karoo (1 uceba kunye 1 umsekeli)		
9.	Ibhunga Lezempilo Ephondweni (1 uceba kunye 1 umsekeli)		
10.	George Multi Purpose Centre(1 ceba kunye 1 umsekeli)		

Amahlakani emicimbi yezamanzi

<u>UBUDLELWANE</u>	<u>IDOLOPHU ESONDELEYO</u>	<u>UMELI</u>	<u>ABASEKELI</u>
Bo-Goukou	Riversdale		
Modderivier	George/Blanco		
Brandrivier	Riversdal/Ladismith		

(DC 14/08/16)

**REPORT ON THE SCHEDULE OF COUNCIL AND COMMITTEE
MEETING DATES FOR THE REMAINDER OF 2016 / *VERSLAG
RAKENDE DIE SKEDULE VAN VERGADERDATUMS VIR RAAD EN
KOMITEEVERGADERINGS VIR DIE OORBLYWENDE GEDEELTE VAN
2016* / INGXELO NGOLUHLU LWEMIHLA YENTLANGANISO
ZEBHUNGA KUNYENEZEKOMTITI KWINTSALELA KA 2016 (529415)**

(4/1/2/1)

08 July 2016

**REPORT FROM THE EXECUTIVE MANAGER: CORPORATE/STRATEGIC
SERVICES (B HOLTZHAUSEN)**

PURPOSE OF THE REPORT

Is to submit dates for meetings for Council and Committees for the remainder of 2016.

BACKGROUND

The previous Council has in accordance with Section 18 (2) of the Local Government: Municipal Structures Act, Act 117 of 1998, resolved on 26 January 2016 to have their full Council and Committee meetings as per the attached schedule.

The meeting dates from the various municipalities in the region after the elections has been received and their Council meeting dates was taken into consideration during the compilation of the schedule of Eden District Municipality.

RELEVANT LEGISLATION

Section 18 (2) of the Local Government: Municipal Structures Act, Act 117 of 1998.

FINANCIAL IMPLICATIONS

None

UITVOERENDE OPSOMMING

Vergaderdatums vir Raad en Komiteevergaderings vir die oorblywende gedeelte van 2016 word aan die Raad voorgelê vir oorweging.

RECOMMENDATION

That Council considers the meeting dates of Council and Committees for the remainder of 2016.

AANBEVELING

Dat die Raad die vergaderdatums vir die Raad en Komitees vir die oorblywende gedeelte van 2016 oorweeg.

ISINDULULO

Sesokuba iBhunga linike ingqwalasela imihla yentlanganiso zeBhunga kunye Neekomiti ezishiyekileyo ku 2016.

[illegible]

CHS Sub Committees									
Northern H & S	9	Officials only			16				
Eastern H & S	10				17				
Western H& S	11				18				
CHS		8	22		14	28			
APAC start at 13:00	10	28	8	22	8	24			
MPAC	2	16	1	15	3	17			
Budget Steering Com	7	18	16/2	14	20/4	23			
ICT Steering Com	8	8				9			
Council Workshops	8	23				9	27		

	10				11				
	11				13				
	12				14				
		13	27				18/11	2	
10	26	10	28				18/11	2	
2	16	6	18						
8	22	10	24						
8 (14h00)							14		
8	31				10	25			

(DC 15/08/16)

**EDEN DISTRICT ANNUAL INTERGOVERNMENTAL RELATIONS (IGR)
CALENDAR FOR THE REMAINDER OF 2016 / EDEN DISTRIK
JAARLIKSE INTERREGERINGSVERHOUDINGE (IRV) KALENDER VIR
DIE OORBLIWENDE GEDEELTE VAN 2016 / IKHALENDI YONYAKA
YESITHILI SE EDEN YEMICIMBI YENDIBANISELWANO
KWEZOLAWULO KWIXESHA ELISHEKILEYO LIKA 2016 (IGR)
(531355)**

16/8/2

27 July 2016

**REPORT FROM THE EXECUTIVE MANAGER CORPORATE & STRATEGIC
SERVICES (B HOLTZHAUSEN) COORDINATOR IDP & IGR (C DOMINGO)**

PURPOSE OF THE REPORT

This item aims to notify the Eden District Municipal Council regarding the annual district IGR Forum meetings for the remainder of 2016.

BACKGROUND

The South African system of government makes provision for three spheres of government, namely national government, provincial government and local government. Chapter 3 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996) provides that these three spheres are "distinctive, interdependent and interrelated." The Constitution furthermore also provides for three categories of municipalities in South Africa, including Category A, Category B and Category C municipalities. The Eden District Municipality, as a Category C Municipality, is not directly responsible for service delivery, but mainly for the integration, coordination and facilitation of service delivery. One mechanism to achieve the aforementioned is the IGR technical forums that were established, coordinated and chaired by the Eden municipality. Some of these forums also include, the District Mayoral Forum (DCF), Municipal Managers Forum (MMF) and Bulk Infrastructure and Engineers Forum. Whilst some forums meet on a quarterly basis, others meet bi – monthly or on a monthly basis to discuss technical field specific matters that are of a regional significance.

FINANCIAL IMPLICATIONS

The hosting of IGR Forum meetings and the attendance thereof are funded by funding that was made available through the individual departmental 2016/2017 budgets.

RELEVANT LEGISLATION

This item was prepared in terms of:

The Constitution of the Republic of South Africa, 1996 (Act 108 of 1996).

Chapter 5 of the Municipal Systems Act, 2000 (Act 32 of 2000).

The Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005).

UITVOERENDE OPSOMMING

Eden Distriksmunisipaliteit, volgens die Grondwet van Suid-Afrika, 1996 (Wet 108 van 1996) is nie direk verantwoordelik vir die lewering van basiese munisipale dienste nie, maar wel grootmaat dienste. As deel van sy funksie, is Eden ook verantwoordelik vir die koördinerende en fasiliterende van dienslewering op 'n distriksvlak. Die meganismes wat aangewend word ten einde die voorgenoemde te bereik is die verskeie Interregeringsverhoudings forums.

RECOMMENDATION

That Council takes note of the 2016 annual IGR calendar for the remainder of 2016.

AANBEVELING

Dat die Raad kennis neem van die 2016 IRV jaarkalender vir die oorblywende gedeelte van 2016.

ISINDULULO

Sesokuba iBhunga lithathele ingqalelo ikhalenda yonyaka ye IGR yexesha elishiyekileyo lika 2016.

APPENDIX

Eden 2016 IGR Calendar

SCHEDULE OF MEETING DATES FOR 2016 / SKEDULE VIR VERGADERDATUMS VIR 2016: MANCOM, PROVINCIAL IGR FORUMS & INTER-GOVERNMENTAL FORUMS

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC
MANCOM	MD	MD	MD	MD	MD	MD	MD	MD	MD	MD	MD	MD
MANCOM/MAYCO												
REFLECTION SESSIONS	20	17	16	20	18	22	20	17	21	19	16	7

PROVINCIAL IGR FORUM

Minister's Mayoral Technical Committee (MinMay Tech)		29				6		4			28	
Minister's Mayoral Forum (MinMay)		29				7		4			29	
Premier's Coordinating Meeting (PCF)			1					10				

EDEN DISTRICT INTER-GOVERNMENTAL YEAR CALENDAR

District Co-ordinating Forum		19				24			23		11	
Municipal Managers Forum		19				24			23		11	
District IDP Mangers Forum		10				14			05		23	
Bulk Infrastructural Forum			09	13				11			02	
Eden District IDP Task Team		04		05			06			05		
Eden District Public Participation Forum		18				23	11		22			

DISTRICT COUNCIL

31 AUGUST 2016

(DC 16/08/16)

**EDEN 2016/17(FINAL) REVIEW OF THE 2012/2013-2016/2017
INTEGRATED DEVELOPMENT PLAN (IDP) / EDEN 2016/17 (FINALE)
HERSIENING VAN DIE 2012/13 – 2016/17 GEÏNTEGREERDE
ONTWIKKELINGSPLAN (GOP) / UQWALASELO LOKUGQIBELO
LWENDIBANISELWANO YESICWANGCISO SEZOPHUHLISO(IDP) YE
EDEN LUKA 2016/2017 ISICWANGCISO SIKA 2012/2013-2016/2017
(531186)**

(16/8/2)

25 July 2016

**REPORT FROM THE EXECUTIVE MANAGER: CORPORATE/STRATEGIC
SERVICES (B HOLTZHAUSEN): DISTRICT IDP CO-ORDINATOR (CL DOMINGO)**

PURPOSE OF THE REPORT

To request the Eden District Municipal Council to adopt the 2016/17 (Final) Review of the 2012/13 – 2016/17 Integrated Development Plan for the Eden District Municipality in compliance with Chapter 5 of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000).

BACKGROUND

The Municipal Systems Act, 2000 (Act 32 of 2000) mandates municipalities in section 25 (1) to "within a prescribed period after the start of its elected term, to adopt a single, inclusive and strategic plan for the development of the municipality, which:

- a) Links, integrates and coordinates plans and takes into account proposals for the development of the municipality;
- b) Aligns the resources and capacity of the municipality with the implementation of the plan;
- c) Forms the policy framework and general basis on which budgets must be based;
- d) Complies with the provisions of this chapter and; and
- e) Is compatible with National and Provincial Development Plans and planning requirements binding on the municipality in terms of legislation."

Section 34 of the Municipal Systems Act, 2000 (Act 32 of 2000), however, compels each South African Municipality to review their five year strategic plans or IDPs:

- (i) annually in accordance with an assessment of its performance measurements in terms of section 4 (i); and
- (ii) to the extent that changing circumstances demand an adjustment.

The main objectives for the review IDP are as follows:

- Confirm the municipality's role as the region's strategic enabler
- Ensure that the IDP complies with legislative mandates
- Ensure that the municipality abides by its roles and responsibilities as a district municipality
- Ensure that the IDP drives the process of the municipality to maintain the status of a municipal clean audit
- Ensure that the 2016/2017 Council adopted IDP and Performance Management System is built on the availability of financial and human resources.

The process followed in drafting the IDP could be illustrated as follows:

March 2016 and the process of publication of the Draft 2016/2017 IDP was followed for public input and comments. The provisioning of the Office of the Member of the Executive Council (MEC) with a copy of the said IDP, in compliance with Section 32 of the Municipal Systems Act 2000 (Act 32 of 2000) was complied with in terms of the relevant legislative prescripts and further additional public input and comments and recommendations received from the Department of Local Government emanating from the LGM TEC 3 IDP and Budget Assessment and Engagement held on 05 May 2016 were included in the final submission of the IDP for Council adoption on 27 May 2016. A Council workshop was also held on 18 May 2016. The Eden District Municipality and the B – Municipalities that reside within the region have considered and adopted the final review of their 2012/2013 – 2016/2017 IDPs on 27 May 2016.

The 2016/2017 Reviewed IDP is divided into **ten chapters as depicted hereunder:**

SECTION	CONTENT
Chapter 1	Focuses on the legal and policy framework guiding the district municipality's undertaking of review, identifies the review informants and explains the objectives to be achieved through the revision process. The 2015/16 Time schedule is illustrated and adhered to. Provincial monitoring and support is acknowledged and commended. MSCOA readiness is indicated.
Chapter 2	The situational analyses is deduced using the 2015 Western Cape Socio-economic Profile (SEP) which reflects the socio-economic reality of municipalities. As such, valuable insight can be gained as to the developmental challenges faced by communities residing within a specific geographical area. This SEP supplements the 2011 STATSSA data and has been compiled using the latest data

	<p>available from the department of Social Development, the MERO, STATSSA and Quantec. In addition, the 2015 MERO Report describes the current economic realities facing the Eden District and provides for economic intelligence so as to supplement the 2011 Census data employed by STATS SA. The MERO Report is based on the analysis of the Eden District Growth and development Trends and serves to assist the private sector in identifying growth opportunities within the Eden District. The Provincial Treasury department is commended for assisting the district with the provision of updated statistics and the full reports are available on the municipal website for scrutiny. An assessment of the existing level of development in the municipality indicating the communities who do not have access to basic municipal services is included in this section as required by section 26(b) Municipal Systems Act 32 of 2000.</p>
Chapter 3	<p>Reaffirms Council's commitment to the 2012/13 – 2016/17 five year vision, mission, values and principles and strategic goals. Operational strategies and accompanying project descriptions are clearly tabulated and explained. Project implementation shall drive the IDP realisation during 2016/17.</p>
Chapter 4	<p>Calls for the updating of the Eden District Spatial development framework through strategic co-ordination. The inter-governmental system of spatial governance hinges on overarching principles for spatial development and seeks to unlock economic and sustainable infrastructural expansion to support sustainable living and environmental preservation.</p>
Chapter 5	<p>Ensures a depiction of alignment between the Millennium Development Goals, The National Development Plan, National Outcomes, Provincial Strategic Goals and the Eden District Strategic Goals. The section favours an inter-governmental approach to development planning and reports on the progress made in relation to each of the seven Eden District Municipality's Strategic Objectives.</p>
Chapter 6	<p>IDP and Public participation alignment through an activity calendar allows for the involvement of the local community in the development, review and implementation of the IDP. A culture of municipal governance that complements formal representative government with a system of participatory democracy is nurtured. The district has hosted a Ward Committee Summit in George during August 2015 and assisted with the planning of the Provincial Public participation Conference in Stellenbosch during September 2016. The IGR newspaper and internal staff newsletter encourages and facilitates community participation. Local newspapers and radio broadcasts keeps citizens notified on matters of municipal affairs.</p>

	The municipal website is regularly updated.
Chapter 7	Intergovernmental alignment illustrates the importance of ensuring a co-operative approach towards service delivery. Eden District Municipality seeks to maintain and uphold good intergovernmental relations with all spheres of government to facilitate co-ordination in the implementation of policy and legislation including coherent government; effective provision of services; monitoring implementation of policy and legislation and the realisation of national priorities. This is achieved by taking into account the circumstances, material interests and budgets of other governments when performing functions; consulting other organs of state; through direct contact and engagement; intergovernmental structures and forums; consultation, sharing of information; participating in intergovernmental structure in efforts to settle intergovernmental disputes; responding promptly to requests by other organs of state and through the avoidance of wasteful duplication. Eden has complied with the Back-to-basics monthly reporting. The JPI provides for long term joint collaborative planning initiatives between all spheres of government. The NCOP shall once again "Bring Parliament to the People" and a community report back session is scheduled to take place during April 2016.
Chapter 8	The Disaster Management Plan and a Risk Register is incorporated into the section as a systematic and formalised good governance process in order to identify, assess, manage and monitor risks which effectively ensures achievement of the strategic goals is incorporated. The risk register illustrates all Eden's organisational risks
Chapter 9	The financial management plan illustrates national, provincial and district financial investment. The B Municipal priorities, and Eden District Municipal Priorities are identified. A three year Eden District Municipal MTREF is included in the section to accommodate for multi -year planning and budgeting. B-municipal priorities are finalised and incorporated into the Final 2016/17 IDP Review and the district response to these priorities are captured.
Chapter 10	Organisational Performance focuses on past accomplishments celebrated and guides future delivery through accurate alignment of Eden District Municipality Strategic Goals, a well thought through Service Delivery Budget Implementation Plan (SDBIP), and a Financial Budget which supports community development. An Institutional Framework proposed during 2015/16 which shall serve as a guide to micro-structure review for objective resource allocation to meet strategic goals. An IDP/SDBIP/Budget alignment template responds to the AG Finding and ensures transparency and accountability in public spending. A benchmarking assessment hand over report has been incorporated into this section which highlights the matters outstanding to be addressed during the final year of implementation of the 2012/13-2016/17 five year IDP.

The 2016/2017 Reviewed IDP is attached electronically on **compact disc**.

FINANCIAL IMPLICATIONS

The District's IDP process was funded through the application of available finance in the 2015/2016 Financial Year's budget.

RELEVANT LEGISLATION

This was compiled in terms of Chapter 5 of the Municipal Systems Act, 2000 (Act 32 of 2000).

UITVOERENDE OPSOMMING

Aangeheg, is die Eden Distriksmunisipaliteit se 2016/17 Hersiening van die 2012/2013 – 2016/17 GOP, wat die finale hersiening van die Raad se 2012/2013 – 2016/ 2017 GOP verteenwoordig.

RECOMMENDATION

That the Eden District Municipal Council adopt the 2016/2017 (Final) Review of the 2012/13 – 2016/17 IDP in terms of the Municipal Systems Act 2000 (Act 32 of 2000).

AANBEVELING

Dat die Eden Distriksmunisipaleraad die 2016/17 (Finale) Hersiening van die 2012/13 – 2016/17 GOP aanvaar in terme van die Munisipale Stelselwet, 2000 (Wet 32 van 2000).

ISINDULULO

Sesokuba iBhunga Lomasipala Wesithili se Eden lamkele Uqwalaselo Lokugqibela luka 2016/2017 lwango 2012/13-2016/17 i IDP ngokwemiqathango Yenqubo Zomthetho zomasipala 2000 (Umthetho 32 wango 2000).

(DC 17/08/16)

**DRAFT INTEGRATED DEVELOPMENT PLANNING (IDP) SECTION 27
FRAMEWORK AND 2016/2017 DISTRICT IDP PROCESS PLAN /
KONSEP GEÏNTEGREERDE ONTWIKKELINGSPLAN (GOP) ARTIKEL
27 RAAMWERK EN 2016/2017 DISTRIK GOP PROSESPLAN / UYILO
LWESICWANGCISO SENDIBANISELANO YOPHUHLISO UMHLATHI 27
WENDLELA YOKUSEBENZA KUNYE NESICWANGCISO SENKQUBO
YE IDP KWISITHILI KU 2016/2017 (534585)**

(16/8/2)

16 August 2016

**REPORT FROM EXECUTIVE MANAGER: CORPORATE/STRATEGIC SERVICES
(B. HOLTZHAUSEN) / DISTRICT IDP MANAGER (C. DOMINGO)**

PURPOSE OF THE REPORT

This item aims to notify the Eden District Council of the District Section 27 Framework and IDP Process Plan that will guide the formulation of the 2017/2018 – 2021/2022 Eden Fourth Generation IDP.

BACKGROUND

Section 25 (1) of the Municipal Systems Act, 2000 (Act 32 of 2000) mandates all municipal councils to “within a prescribed period after the start of its elected term, to adopt a single, inclusive and strategic plan for the development of the municipality, which:

- (a) Links, integrates and coordinates plans and takes into account proposals for the development of the municipality;
- (b) Aligns the resources and capacity of the municipality with the implementation of the plan;
- (c) Forms the policy framework and general basis on which budgets must be based;
- (d) Complies with the provisions of chapter 5; and
- (e) Is compatible with National and Provincial Development Plans and planning requirements binding on the municipality in terms of legislation.”

Section 27 (1) of the Act furthermore compels district municipalities to:

- a. plan integrated development for the area of the district municipality as a whole but in close consultation with the local municipalities in that area;
- b. align its integrated development plan with the framework adopted in terms of section 27; and

- c. draft its integrated development plan, taking into account the integrated development processes of, and proposals submitted to it by the local municipalities (B – municipalities) in that area.

According to section 28 of the Municipal Systems Act, 2000 (Act 32 of 2000), it is mandatory for each municipal council to, within a prescribed period after the start of its elected term, adopt a process which sets out in writing to guide the planning, drafting, adoption and review of its IDP.

Engagements, emanating from the aforementioned sections already commenced with various deliberations between the Eden District Municipality, the IDP Managers of District Municipalities in the Western Cape, the IDP Managers and Public Participants of the seven B – Municipalities that reside within the Eden District and the Public Participation – and IDP Section of the Western Cape Department of Local Government (DLG).

FINANCIAL IMPLICATIONS

Vote 10 14 04 5040 of the council adopted 2016/2017 budget will be utilised as the source of funding for the implementation of the Section 27 Framework and District IDP Process Plan.

RELEVANT LEGISLATION

1. The Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)
2. The Municipal Systems Act, 2000 (Act 32 of 2000)
3. The Municipal Finance Management Act, 2003 (Act 56 of 2003)
4. The Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005)

UITVOERENDE OPSOMMING

Die doel van hierdie verslag is om die Raad 'n geleentheid te gee om die inhoud van die 2016/2017 Artikel 27 Raamwerk en GOP Prosesplan te bespreek en aanvaar.

RECOMMENDATION

- 1) That Council takes note of the Section 27 Framework and District IDP Process Plan.
- 2) That a workshop be arranged with Council to discuss the content of the Section 27 Framework for final adoption by Council at the next Council meeting.

AANBEVELING

- 1) *Dat die Raad kennis neem van die Artikel 27 Raamwerk en Distrik GOP Prosesplan.*
- 2) *Dat 'n werkswinkel met die Raad gereël word ten einde die inhoud van die Artikel 27 Raamwerk te bespreek vir finale aanvaarding deur die Raad by die volgende raadsvergadering.*

ISINDULULO

- 1) Sesokuba iBhunga Lesithili se Eden lithathele ingqalelo Indlela Yokusebenza yoMhlathi 27 kunye Nekqubo Yesicwangciso se IDP kwisiThili.
- 2) Sesokuba iCandelo le IDP limisele uqeqesho kunye neBhunga Lesithili se Eden ukuze kuxoxwe umongo woMhlathi 27 Wendlela Yokusebenza ukuze lamkelwe liBhunga kwintlanganiso elandelayo Yesithili seBhunga.

APPENDIX A:**EDEN SECTION 27 FRAMEWORK (INCLUDING 2016/2017 IDP PROCESS)**



EDEN

DISTRICT MUNICIPALITY
UMASIPALA WESITHILI
DISTRIKSMUNISIPALITEIT

SECTION 27 DISTRICT IDP FRAMEWORK PLAN

CONTENTS

1. Introduction.....	3
2. Purpose of district 27 framework revision	4
3. The role of the district	4
4. District IDP framework vs IDP process plan	5
5. Legal Context of the DISTRICT IDP Framework	5
6. Critical Issues Related to the 2016/2017 Review Process.....	6
7. Principles	6
8. The IDP Cycle	8
9. Horizontal and vertical alignment	8
10. Eden Organisational Arrangements (Structures That Drive the IDP Process).....	10
11. Municipal Public Participation.....	10
12. Eden District Municipality's Stakeholder Engagements.....	11
13. Components for inclusion in Municipal IDP's	11
14. Policy Requirements to be Included in Municipal IDP's.....	13
15. Monitoring of the District IDP Framework Plan	16
16. Procedure to affect Amendments to the District IDP Framework Plan	16
17. Review of District IDP Framework Plan.....	16
18. Conclusion	16
ANNEXURE I: EDEN DISTRICT MUNICIPALITY: TIME SCHEDULE FOR 2016/2017 IDP/BUDGET AND SDBIP REVIEW PROCESS	17
ANNEXURE II: PROPOSED FIVE YEAR 2017/2018 – 2021/2022 IDP CONTENT	28

1. INTRODUCTION

Section 27 (1) of the Municipal Systems Act 2000 (Act 32 of 2000), "Each district municipality, within a prescribed period after the start of its elected term and after following a consultative process with the local municipalities within its area, must adopt a framework for integrated development planning in the area as a whole".

The Eden District Municipality is responsible for drafting the District IDP Framework Plan, a mechanism to ensure alignment and integration between the IDPs of the Eden District Municipality and Local Municipalities of:

- Bitou
- Knysna
- George
- Mossel Bay
- Hessequa
- Oudtshoorn
- Kannaland

The Framework Plan is to guide and inform the Process Plans of the District and its Local Municipalities. The Framework Plan provides the linkage for binding relationships to be established between the District and Local Municipalities in the District. In so doing, proper consultation, co-ordination and alignment of the IDP process of the District Municipality and its various Local Municipalities can be maintained.

Eden District Municipality is in the process of consulting with the local municipalities within its area for the development and adoption of its Section 27 Framework Plan in accordance with the Municipal Systems Act 2000 (Act 32 of 2000) and intends effecting essential amendments to the existing framework in accordance with sub-section 12 as described hereunder.

The Eden District Section 27 Framework is the result of the Special IDP Process Plan workshop which was held on Friday 8 April 2016 in Langebaan and the Eden District IDP Managers Forum held on Monday 27 June 2016 in Kannaland.

The purpose for the review emanates from the declaration of a newly elected municipal council following the 2016 Local Government Elections scheduled for 3 August 2016; the crafting of a five year 2016/17 – 2020/21 IDP; various engagements conducted in consultation with the District and counterpart B - Local municipalities, incorporating the Joint Planning Initiative conducted on ; outcomes flowing from the IDP Indaba 2 Feedback sessions conducted on 24 February 2016; the LGMTEC 3 Assessment recommendations and engagement session conducted on 04 May 2016; and finally culminating into the robust and strategic Provincial IDP Managers Forum held in Hermanus on 2 and 3 June 2016.

2. PURPOSE OF DISTRICT 27 FRAMEWORK REVISION

The crafting of a new five (2016/17 – 2020/21) year IDP necessitates the adoption of a Section 27 District Framework which guides the process of drafting, reviewing and amending the Integrated development plan adopted by Council.

The objective of this revised Framework Plan is to ensure that the Eden District and B – Municipalities as well as the National and Provincial planning processes are mutually linked and, secondly, to guarantee that these processes and strategies inform and complement each other thereby culminating into a regulatory framework which seeks to direct efficient, effective and economically driven planning initiatives and innovations in response to the prevalent socio- economic realities through accurate, credible and sustainable resource allocation.

The Section 27 Framework shall incorporate a District time schedule, attached as an Annexure I and shall also provide guidance pertaining to IDP content, plans and planning requirements as specified in the relevant section through the adoption of mutually agreed upon working principles.

This IDP drafting, review and amendment process will be conducted as outlined in each individual municipality (B and C Municipalities) and IDP time schedules which, by law, must be prepared and adopted by each municipal council on an annual basis shall accompany the district framework submission to Council for adoption.

3. THE ROLE OF THE DISTRICT

The functions and powers of Municipalities are clearly prescribed in Chapter 5 of the Municipal Structures Act (MSA), 1998 (Act 117 of 1998).

Section 83(3) of the MSA, states:

"A district municipality must seek to achieve the integrated, sustainable and equitable social and economic development of its area as a whole by –

- (a) ensuring integrated development planning for the district as a whole;*
- (b) promoting bulk infrastructural development and services for the district as a whole;*
- (c) building the capacity of local municipalities in its area to perform their functions and exercise their powers where such capacity is lacking; and*
- (d) promoting the equitable distribution of resources between the local municipalities in its area to ensure appropriate levels of municipal services within the area.*

There are various roles that a district should play to drive regional planning and development, and one way is through the development of a framework for integrated development planning in that district. The Eden District Municipality has, therefore, developed a framework from which all the local IDPs in the District should be aligned. The revised District IDP Framework Plan was presented and work-shopped to stakeholders at the District IDP Managers' Forum on 27 June 2016, to solicit their input and support.

4. DISTRICT IDP FRAMEWORK VS IDP PROCESS PLAN

The District IDP Framework Plan is a high level summary of the District development plan over a five year period. The Framework Plan indicates, amongst others, matters that require alignment and how this alignment and integration will be achieved.

The IDP Process Plan is a time schedule of activities and events to be undertaken in the process of developing the actual District IDP, supporting IDP processes of the Local Municipalities to ensure alignment.

5. LEGAL CONTEXT OF THE DISTRICT IDP FRAMEWORK

Section 27 of the Municipal Systems Act, 2000 (Act 32 of 2000) states that the Framework Plan must at least cover the following issues:

- a. Identify the plans and planning requirements binding in terms of national and provincial legislation on the district municipality and the local municipalities or on any specific municipality;
- b. Identify the matters to be included in the integrated development plans of the district municipality and the local municipalities that require alignment;
- c. Specify the principles to be applied and coordinate the approach to be adopted in respect of those matters; and
- d. Determine procedures -
 - i. for consultation between the district municipality and the local municipalities during the process of drafting their respective integrated development plans; and
 - ii. to effect essential amendments to the framework.

According to section 35 of Municipal Systems Act, 2000 (Act 32 of 2000) the following milestones with regards to alignment must be attained:

1. Budgeting process of the municipality should align with IDP process in the way that allocations would be informed by the priorities and objectives emanating from the IDP. It is imperative to note and ensure that all projects in the IDP should be linked with the budget
2. National and Provincial Departments' programmes/projects at municipal levels should align with the municipal development priorities and objectives
3. Local government programmes at the District level should align with programmes at the local municipalities
4. All development initiatives (government, private sector international agencies) should only be approved on the basis that they have expression in the priorities and objectives of Eden District Municipal IDP

5. Local municipalities' IDPs should inform the District IDP within the District Framework¹

6. CRITICAL ISSUES RELATED TO THE 2016/2017 REVIEW PROCESS

The following issues remain critical throughout the 2016/2017 IDP Review process:

1. The District IDP framework shall inform the time schedule of both the District and those of the B-Local municipalities
2. The IDP process should align with the prescribed legislative timeframes
3. Community involvement should be enshrined in the process from preparatory phase to approval and implementation phases of municipal IDPs
4. The region's B – municipalities IDP process should be informed by the Ward level development concerns and needs
5. In all phases of the IDP Drafting, Review and Amendment process, the district's B – municipalities will inform the Eden District Municipal IDP
6. B – Municipalities shall submit their considered and final approved IDP documents to the Eden District Municipality.

7. PRINCIPLES

Eden District Municipality proposes that the principles as encapsulated in the National Environmental Management Act 107 of 1998 form the basis for planning:

1. Environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably.
2. Development must be socially, environmentally and economically sustainable.
3. Sustainable development requires the consideration of all relevant factors including the following:
 - (i) that the disturbance of ecosystems and loss of biological diversity are avoided, or, where they cannot be altogether avoided, are minimised and remedied;
 - (ii) that pollution and degradation of the environment are avoided, or, where they cannot be altogether avoided, are minimised and remedied;
 - (iii) that the disturbance of landscapes and sites that constitute the nation's cultural heritage is avoided, or where it cannot be altogether avoided, is minimised and remedied;
 - (iv) that waste is avoided, or where it cannot be altogether avoided,

¹ Refer to Annexure II which indicates the IDP Content prescribed.

- 7

attention in management and planning procedures.
18. Adherence to the Batho Pele principles.

8. THE IDP CYCLE

Phase	Activities	Timeframe
Initiation	Adoption of District Framework Adoption of Time Schedules	Completed by August/September 2016
Analysis	Community and Ward Committee meetings Stakeholder meetings	Completed by 31 October 2016
Strategies	Strategic workshops	Completed by 30 November 2016
Project	Municipality-wide Projects/Programmes Community Level Projects/Programmes	Completed by 31 January 2016
Integration	District and B – municipalities to integrate all municipal sector plans integration	Completed by 28 February 2017
Council consideration	District and B – Municipal Councils to consider Draft IDP	Completed by 31 March 2017
Public Participation	Communities to comment on IDPs	Completed by 30 April 2017
Council adoption	Final approval by District and B – Municipal Councils	Completed by 31 May 2017

9. HORIZONTAL AND VERTICAL ALIGNMENT

The main responsibility of horizontal alignment lies with the Eden District Municipality. The Eden District IDP Managers Forum will be utilized as the platform to ensure alignment between the B – municipalities residing within the district, the Eden District municipality, as well as Provincial and National Departments.

The core component of vertical alignment will be through the district's established Technical IGR engagements coordinated by the Eden District Municipality. Alignment with Provincial Sector Departments may also be achieved. For this purpose, the Provincial IDP Managers Forum meetings; Provincial IDP Indaba 1 (Joint Planning Initiative); Provincial IDP Indaba 2 and LGMTEC 3 Assessment will deliberate.

Matters that require alignment between the district and local municipalities and to be included in the IDPs are:

- **Integrated Development Planning –** The Eden District Municipality proposes that this be achieved through constant communication, dialogue, interaction, deliberations and engagements between the District and B-Municipalities. In addition to the strengthened District IDP Managers Forum, the alignment will be further augmented through the adoption of mutually agreed upon IDP content design. That the principles identified in 4 above be adhered to and assist towards the achievement of credible and sustainable IDP's. That IDP Management tools be shared and that best practices be exchanged. That a strong commitment towards the implementation of a support register guide future discussions.
- **Fostering a Green Economy –** Eden District Municipality seeks to promote the enforcement of environmental laws, coastal development and the identification of environmental projects and programmes which support local economic development initiatives such as the proposed Agriparks Initiative.
- **Bulk infrastructure development -** To be achieved through the strengthening of the District Infrastructure planning Forum and the development of a comprehensive bulk infrastructure development plan.
- **Bulk water supply systems –** Through the identification of development transitions and through the platform of the Infrastructural Planning Forums.
- **Bulk supply of electricity and the implementation of alternative energy transitions**
- **Regional waste water**
- **Sewerage disposal**
- **Waste management, education and the regional landfill site construction and administration**
- **Municipal roads**
- **Integrated Transport Planning**
- **Information and Communication Integration and governance Technologies**
- **Geographical Information Systems and Spatial Planning**
- **Performance Management –** Through the identification of assessment criteria and pre-determined objectives
- **Regulation of passenger transport services**
- **Municipal airports**
- **Municipal health**
- **Skills development**
- **Funding mobilisation**
- **Extended Public Works Programme**
- **Disaster Management and fire fighting services**
- **Establishment, control and conduct of fresh produce markets, abattoirs, cemeteries and crematoria**
- **Local Economic Development**
- **Tourism Development –** Through the extensive marketing of the entire District and the promotion of new products and experiences.
- **Disbursement of grants and allocations to the district municipality**

10. EDEN ORGANISATIONAL ARRANGEMENTS (STRUCTURES THAT DRIVE THE IDP PROCESS)

The Eden District Municipality will employ the following structures and platforms to ensure continued liaison and coordination throughout the IDP process:

- Council meetings and strategic workshops
- Mayco meetings
- Mancom
- Provincial Minmay Tech
- Eden District Coordinating Forum (DCF)
- District Municipal Managers Forum (MMF)
- The Eden District Municipality's IDP Task team
- District Public Participation and Communication Forum
- District IDP Managers Forum
- District Bulk Infrastructure Forum
- District sectoral engagements (Via Intergovernmental Relations (IGR) Technical Forums)
- Provincial IDP Managers Forum
- Provincial Integrated Working Group
- Western Cape District Integrated Forum
- Provincial IDP Indaba 1 (JPI) and 2
- Provincial Public Participation Forum

11. MUNICIPAL PUBLIC PARTICIPATION

The Municipal Systems Act, 2000 (32 of 2000) mandates all municipalities to adopt a democratic approach to promote developmental local governance. Accordingly the Eden District Municipality and its local municipalities will employ various means to ensure that the communities get involved in the municipal integrated development planning processes.

Apart from their individual IGR structures, the following platforms and mechanisms will be employed by B – municipalities as part of their IDP Process:

<i>George municipality</i>	<i>Bitou municipality</i>	<i>Knysna municipality</i>	<i>Mossel Bay municipality</i>	<i>Oudtshoorn municipality</i>	<i>Hessequa municipality</i>	<i>Kannaland municipality</i>
<ul style="list-style-type: none"> • Ward committees • Public road shows • IDP steering committee (internal) • Council & Section 80 committees • Budget committee • IDP representative forum 	<ul style="list-style-type: none"> • Ward committees • Public meetings • IDP/ Budget Steering committee • IDP representative forum • Mayco & Council • Local media 	<ul style="list-style-type: none"> • Ward committees • IDP & Budget steering committee (re-constitute) • Local radio stations • IDP representative forum • Public participation unit 	<ul style="list-style-type: none"> • Ward committees • Public road shows • IDP steering committee (in process) in liaison with Budget committee • Mayco & Council • IDP rep forum (in process to establish) • Eden FM • Newsletters, 	<ul style="list-style-type: none"> • Ward committees • Website & local media • Public participation unit • CDW's • Mayco & Council • Budget steering committee • Communication's office • Sector Community Forum (Oudtshoorn community forum) 	<ul style="list-style-type: none"> • Ward committees • Public meetings • Local media • Structured community platforms • Senior management meetings • Full Council IDP work sessions 	<ul style="list-style-type: none"> • Ward committees • Public meetings • IDP/ Budget Steering committee • IDP FORUM • Mayco & Council • Local media (Includes newsletters) Website • CDW's • Pamphlets, Door-to-door

George municipality	Bitou municipality	Knysna municipality	Mossel Bay municipality	Oudtshoorn municipality	Hessequa municipality	Kannaland municipality
			flyers, posters	• IGR forum		

Each local municipality will be responsible for their own public participation during their IDP process. Important to this process is that the region's B – Municipalities extend invitations to the Eden District Municipality, via the Office of their Municipal Managers, to these workshops and, if so required, clearly indicate the support needed from the Eden District Municipality with the facilitation or coordination of these workshops.

The outcomes of local public participation processes must be communicated to the Eden District Municipality, via the District IDP Managers Forum as soon as the municipalities have completed the analysis phase of their IDP process and by no later than the end of November 2016.

Following the consideration of the Draft Five year (2017/2018- 2021/2022) IDPs by the District's Municipal Councils at end of March 2016, the Draft IDP documents should be published for all members of the community to comment on gaps and successes of the IDP. All public comments raised during this period shall be taken into consideration before the district's five year 2017/2018-2021/2022 IDPs submitted to their respective Councils for final adoption.

12. EDEN DISTRICT MUNICIPALITY'S STAKEHOLDER ENGAGEMENTS

The Eden District Municipality will also engage district wide stakeholders as part of its five year 2017/2018-2021/2022 IDP process. This will be mainly through the utilisation of established District Technical IGR Forums. The objectives of these engagements the Eden District will be to identify developmental concerns of a district concern and possible district wide solutions for discussion with the Mancom and a Strategic Workshop with Council. The outcomes of these sessions will be included in the Eden District Municipality's Draft 2017 /18 – 2021/22 five year IDP.

The Eden District will also utilise the Provincial IDP Indaba 1 (JPI) which is tentatively scheduled for October 2016 as the platform to engage with sector departments on critical developmental issues that emanated from their previous individual IDP Public Participation engagements. Progress with regards to fast tracking long term JPI's shall also be placed under spotlight. Provincial IDP Indaba 2 will further be used as the platform where sector departments must present their budget allocations to the B's for the coming financial year. IDP, SDBIP and Budget alignment should be incorporated into the Draft IDP for tabling at Council the end of March 2017.

A District IDP Indaba is planned for November 2016.

13. COMPONENTS FOR INCLUSION IN MUNICIPAL IDPS

The contents of the district and each local municipality IDP need not necessarily be similar, but for the sake of alignment it is accepted that at least the following components will be provided to ensure alignment of district's and local municipalities Integrated Development Plans. An IDP Content table is attached, marked Annexure II.

Clear Analysis Of Municipal Reality And Clear Development Strategy	<ul style="list-style-type: none"> • Socio-economic analysis of municipal area: Ward-based profiling within the municipal area * (exclude District IDP) • Clear long term development vision (JPI and SDF) • Clear economic development strategy (to broaden economic participation through skills development and higher investment rate) • Clear strategy for people development (skills / health / education) • Clear actions for development of natural resource base • Action for integrated human settlement (spatial planning logic) • Sectoral plans in support (water, transport, energy, land reform)
Targeted Basic Services And Infrastructure Investment	<ul style="list-style-type: none"> • Basic service provision that address national targets for basic service provision (water, sanitation, electricity, waste removal/sanitation) • Comprehensive Bulk Infrastructure Planning • Clear medium to long term infrastructure provision strategy Targeting of services and infrastructure to specific areas • Maintenance of infrastructure is addressed • MIG and other infrastructure grants are optimally Utilised
Community Involvement In Planning And Delivery	<ul style="list-style-type: none"> • Ward Committee re-establishment • Ward Committee Induction and training • Communication and capacity building on IDP through council and ward structures • Sector involvement in the IDP
Institutional Delivery Capacity Within Municipality	<ul style="list-style-type: none"> • Institutional Framework and Microstructure review • Clear project and service delivery plans • Budget linked to IDP priorities and projects • Clear performance indicators for IDP implementation services/project • Internal skills, systems and implementation responsibilities
Alignment With National/Provincial Programmes	<ul style="list-style-type: none"> • IDP addresses national and provincial strategies (economic, social and environmental (i.e. NSDP, PGDS) • District and B – Municipal IDP have a shared strategic priorities • Sharing of resources between spheres of government in the IDP

The former Department of Cooperative Governance and Traditional Affairs has developed a standard IDP guideline for municipalities when drafting and planning the Integrated Development Plans. The Western Cape Department of Local Government also proposed the development of an IDP Formulation Guide at the Provincial IDP Managers Forum meeting in June 2013. This guide will be a provincial initiative in collaboration with all municipalities in the province. It must be, however, reiterated that municipalities can utilise their own discretion when drafting their IDP and must realise that each municipality's situation analysis is unique.

It is proposed that the Eden District Municipality and the local municipalities as part of their formulation or drafting of their IDPs use the guidelines as depicted below.

14. POLICY REQUIREMENTS TO BE INCLUDED IN MUNICIPAL IDPS

To ensure that both the district and local municipalities include all the relevant binding national and provincial legislation, policy, programmes, strategies or parts thereof and that these requirements are considered and met in the region's IDP formulation processes, the following is highlighted:

a) Strategic Direction

- State of the Nation Address
- Budget Speech
- State of the Provincial Address
- State of the District Address

b) Plans

- National Development Plan 2030
- Provincial Strategic Plan

LEVEL 1 (SPATIAL VISION AND SDF)

- SDF which constitutes the undermentioned components:
 - Spatial Vision
 - Long-term spatial development vision statement and plan
 - Integration of all sector policies and plans
 - Guide planning and development decisions across all sectors of government
 - Guide in relation to spatial planning and land use management systems
 - Provide clear and accessible information to public and private sector for investment purposes
 - Include previously disadvantaged areas and address their inclusion and integration into spatial, economic, social and environmental objectives
 - Address historical spatial imbalances in development
 - Identify long term risks of spatial patterns of growth

- Provide strategic direction for strategic developments, infrastructure development in the investment of land development
- Take cognizance of any environmental management instrument
- Incorporate the outcomes of substantial public engagement

LEVEL 2 (SOCIAL, ECONOMIC AND ENVIRONMENTAL VISION)

- LED/Tourism/Agriculture Plans
- Environmental Management Plans
- Integrated Human Settlements

LEVEL 3 (INPUT SECTOR PLANS)

- Integrated Waste Management Plan
- Integrated Transport Plans
- Air Quality Management Plans
- Water Services Development Plans
- Budget related planning – mSCOA
- Integrated Waste Management Plan
- Integrated Energy Plan
- Sports and Recreation Plan

LEVEL 4 (STRATEGY SUPPORT)

- Disaster Management Plan
- Risk Management Plan
- Comprehensive Bulk Infrastructure Plans

LEVEL 5 (IMPLEMENTATION SUPPORT)

- Institutional/Financial Plan
- Asset management maintenance plans

c) Planning Requirements

- National Key Performance Areas and targets
- Provincial Key Performance Areas and targets
- District Section 27 Framework
- Joint Planning Initiatives
- Indaba Agreements and Referrals
- National Spatial Development Perspective
- Provincial Spatial Development Framework
- District Spatial Development Framework
- Local Spatial Development Framework
- Disaster Contingency Plans
- Performance Management Strategies and PDO's
- EPWP Strategies
- Poverty, HIV/AIDS and Youth Development Strategies
- Land Use Development Objectives
- Human Resources Development Strategies (Workplace Skills, Employment Equity, etc)
- Local Economic Development Implementation

- Tourism Project implementation
- Integrated Infrastructure Plans implementation
- Integrated Energy Plans
- Information and Communication Technology Integration and governance implementation
- Public Participation and Communication mobilization, education and inclusion

d) Legislative Framework

- The Constitution RSA
- The White Paper on Local Government
- The Municipal Systems Act and Regulations 32 of 2000
- The Municipal Finance Management Act 56 of 2003
- The Intergovernmental Relations Framework Act
- Disaster Management Act
- National Environmental Management Act
- Municipal Structures Act
- Growth, Employment and Redistribution Programme (GEAR)
- Public Sector Procurement Reform in SA
- National Environmental Management Act
- Disaster Management Act
- Municipal Planning Regulations
- Water Services Act
- Integrated Pollution and Waste Management for SA
- White Paper on SA Land Policy
- Rural Development Framework
- White Paper Energy
- Local Agenda 21(4)
- Spatial Planning and Land Use Management Act, 2001
- Urbanisation Policy
- Farm Worker Housing and Fringe Policy
- Bio-regional Planning Policy and Guide
- Guidelines for Subdivision of Agricultural Land
- White Paper on Transport
- White Paper – Knowledge Economy for the Western Cape

e) Policies

Eden District Municipality and all the B-Municipalities are in the process of reviewing all existing policies in order to ensure an accurate alignment of policy document. The updated policy register is available on the municipal website for perusal.

15. MONITORING OF THE FRAMEWORK PLAN

The IDP unit of the Eden District Municipality will in conjunction with the IDP Managers of the local municipalities monitor the compliance and adherence of the actual IDP process of all municipalities to this Framework Plan. Provincial Government will play a monitoring and supportive role in terms of Sections 32 and 33 of the MSA 32 of 2000.

16. PROCEDURE TO AFFECT AMENDMENTS TO THE FRAMEWORK PLAN

Should the need arise to amend the framework it will be discussed at the District IDP Managers Forum and Internal IDP Task Team meeting, where after the forum will recommend amendments to the Eden District Municipality's Mancom, Mayco and ultimately Council for approval. The Eden District Municipality's IDP Unit will then inform the affected municipality of the resolution taken.

17. REVIEW OF FRAMEWORK PLAN

This Section 27 District Framework Plan will be reviewed annually.

18. CONCLUSION

The Eden District Municipal Section 27 Framework aims to bind both the district municipality and the region's B – municipalities through consultation, coordination and alignment between the planning processes. The Framework also aims to establish structures that could be of use to improve municipal IDP processes and at the same time provide the mechanisms that could be utilised to monitor and evaluated the IDP formulation process.

In conclusion, the Eden District Section 27 Framework Plan must be seen as the tool for the district to ensure that interrelated parallel planning processes within the district are used to obtain maximum advantage for the district as a whole thus leading to credible and sustainable integrated development planning and development within the District and meeting the socio-economic challenges through risk mitigation, accurate and concise budgeting and performance monitoring alignment towards a predetermined outcome which seeks to overcome the triple challenge of poverty inequality and unemployment.

ANNEXURE I: EDEN DISTRICT MUNICIPALITY: TIME SCHEDULE FOR 2016/2017 IDP/BUDGET AND SDBIP REVIEW PROCESS

Activity	Description	Responsibility/	Jun'	July'	Aug'	Sept'	Oct'	Nov'	Dec'	Jan'	Feb'	Mar'	Apr'	May'	Jun'
		Facilitator	16	16	16	16	16	16	16	17	17	17	17	17	17
PREPARATION FOR IDP PROCESS															
Provincial IDP Managers Forum	Draft IDP Framework And Process Plan	District IDP Co-ordinator	✓												
IDP Framework And Process Plan	Draft IDP Framework And Process Plan	District IDP Co-ordinator	✓												
District IDP Managers Forum Meeting	Discuss And Align Draft Framework And Process Plan With IDP Managers	District IDP Managers Forum	✓												
IDP / Budget Processes Alignment	Meeting With Finance Department, PMS and Risk management To Align 2016/2017 IDP Process And Activities To Budget, Performance and Risk Process	District IDP Co-ordinator/ CFO/PMS Officer/Risk Officer		✓											
IDP Task Team	Discuss Draft Framework And Process Plan	Eden IDP Task Team		✓											

Activity	Description	Responsibility/ Facilitator	Jun' 16	July' 16	Aug' 16	Sept' 16	Oct' 16	Nov' 16	Dec' 16	Jan' 17	Feb' 17	Mar' 17	Apr' 17	May' 17	Jun' 17
Risk Management	Preparation of Risk Policy, Strategy and Implementation Plan	MM/Risk Officer		✓											
Mancom	Discuss Draft IDP Framework And Process Plan For Input/Comments	IDP Co-ordinator/ Mancom			✓										
District IDP Managers Forum Meeting	Discuss And Align Draft Framework And Process Plan With IDP Managers	District IDP Managers Forum			✓										
2015/2016 Annual Report	Preparation of annual financial statements for inclusion into the Annual Report.	MM/CFO/ Performance Officer			✓										
WC District Integrated Forum	District Municipalities collaboration: Planning, aligning and developing the five year IDP	District IDP Managers				✓									
Mayoral Committee Meeting	Mayoral Committee To Discuss And Recommend Draft Framework And Process Plan To Council	District IDP Co-ordinator/ Mayoral				✓									

Activity	Description	Responsibility/ Facilitator	Jun' 16	July' 16	Aug' 16	Sept' 16	Oct' 16	Nov' 16	Dec' 16	Jan' 17	Feb' 17	Mar' 17	Apr' 17	May' 17	Jun' 17
		Committee													
Council Meeting	Tabling Of 2016/17 IDP Time Schedule & Section 27 Framework For Adoption By Council/Tabling Of Draft Annual Report And Risk Management Policy	Council				✓									
District Alignment Workshop	District Alignment: Aligning Overberg, Cape Winelands, Central Karoo, and West Coast Districts with Eden District	DLG/IDP Managers			✓		✓								
Public Participation	Approved Framework And Process Plan Notice To Be Published In Regional Press	District IDP Co-ordinator/pp/ Communications Department				✓									
IDP ANALYSIS PHASE															
District IDP Managers Forum	Preparation for B – Municipal Public Participation, Mini IDP Summit and IDP Indaba 1	District IDP Managers Forum					✓								

Activity	Description	Responsibility/ Facilitator	Jun' 16	July' 16	Aug' 16	Sept' 16	Oct' 16	Nov' 16	Dec' 16	Jan' 17	Feb' 17	Mar' 17	Apr' 17	May' 17	Jun' 17
Provincial IDP Managers Forum	Discuss matters related to the improvement of IDP processes and additional support required from DLG	DLG/District IDP Managers Forum				✓	✓								
IDP Task Team	Prepare For District Sectoral Engagement Process	Eden IDP Task Team					✓								
District Sectoral Engagement	Discuss Longer Term Regional Developmental Concerns, Critical Issues & Developmental Opportunities	District IDP Co-ordinator/Management						✓							
WC District Integrated Forum	District Municipalities collaboration: Planning, aligning and developing the five year IDP	District IDP Managers						✓							
Provincial IDP Indaba I	Discuss Long term district/city alignment and joint planning Initiative (JPI) progress	DLG/Sector Departments/Municipalities						✓							
Internal Analysis	Workshop With Extended Management Team- 2017/2018 – 2021/2022 Plans, Eden Financial Position	District IDP Co-ordinator/CFO/PM S Officer/Management						✓							

Activity	Description	Responsibility/ Facilitator	Jun' 16	July' 16	Aug' 16	Sept' 16	Oct' 16	Nov' 16	Dec' 16	Jan' 17	Feb' 17	Mar' 17	Apr' 17	May' 17	Jun' 17
Public Participation	B municipalities to start with Public Participation	IDP Managers/Communicators/Public Participation Officials					✓	✓							
District IDP Managers Forum	Feedback on District Sectoral Engagements- Community Priorities Identified In Public Participation Process	District IDP Managers Forum							✓						
WC District Integrated Forum	District Municipalities collaboration: Planning, aligning and developing the five year IDP	District IDP Managers							✓						
Provincial IDP Managers Forum	Feedback on District IDP Process/ Discuss matters related to the Improvement of IDP processes and additional support from DLG	DLG/IDP Managers							✓						
STRATEGY PHASE															
Review Development strategies	Session With Council, Senior Management To Discuss New Strategic Direction	Mayor/Council/ Municipal Manager/ MANCOM IDP Unit/Senior Management Team				✓	✓	✓	✓						

Activity	Description	Responsibility/ Facilitator	Jun' 16	July' 16	Aug' 16	Sept' 16	Oct' 16	Nov' 16	Dec' 16	Jan' 17	Feb' 17	Mar' 17	Apr' 17	May' 17	Jun' 17
Departmental IDP Priorities	One-On-One Sessions With Departments Determine Priorities For Next Year (IDP Template)	District IDP Co- ordinator /Eden Management				✓	✓	✓	✓						
IDP Task Team	Discuss Priorities And Project Proposals	District IDP Co- ordinator/ Task Team							✓						
Departmental Project Plans	Submit Project Proposals In Line With Council's Strategic Objectives and Regional Developmental Concerns	District IDP Co- ordinator/CFO							✓						
Performance Management	Mid – Year Performance Report/Assessment	MM/PMS Officer								✓					
INTEGRATION PHASE															
Council Meeting	Adopt Adjustment Budget/Draft Risk Register/Draft Annual Report	Eden DM Council								✓					

Activity	Description	Responsibility/ Facilitator	Jun' 16	July' 16	Aug' 16	Sept' 16	Oct' 16	Nov' 16	Dec' 16	Jan' 17	Feb' 17	Mar' 17	Apr' 17	May' 17	Jun' 17
Performance Management	Mid – Year Performance Review	MM/PMS Officer								✓					
District IDP Managers Forum	Align District's IDP Initiatives with B-municipalities, preparation for IDP Indaba 2.	District IDP Managers Forum									✓				
WC District Integrated Forum	District Municipalities collaboration: Planning, aligning and developing the five year IDP	District IDP Managers									✓				
IDP Indaba 2	Municipal Applications And Agreements To Be Discussed	DLG/Sector Departments /Municipalities									✓				
Budget And IDP Alignment	Align Draft Five year IDP to Draft Budget	District IDP Co-ordinator/ CFO									✓	✓			
Budget Drafting	Budget Process Driven By CFO	CFO									✓	✓			
Provincial IDP Managers Forum	Feedback On District IDP Process/ Discuss All Matters Related To IDP Processes	District IDP Co – ordinator										✓			

Activity	Description	Responsibility/	Jun'	July'	Aug'	Sept'	Oct'	Nov'	Dec'	Jan'	Feb'	Mar'	Apr'	May'	Jun'
		Facilitator	16	16	16	16	16	16	16	17	17	17	17	17	17
IDP/BUDGET/RISK REGISTER/SDBP/ADOPTION PHASE															
Council Workshop	Workshop To Discuss Draft Budget/SDBP/ and IDP With Council	MM, Perf Officer, CFO, IDP Co – ordinator										✓			
Tabling Of Draft IDP/ Budget/ SDBIP and Final Risk Management Policy	Adoption Of Draft IDP, Budget and SDBIP	Council										✓			
Tabling of Draft SDF	Tabling of Draft SDF	Council										✓			
LGMTEC 3	Sector Departments To Discuss Comments on Draft IDP and Budget	Heads of Departments, CFO, District IDP Co – ordinator /provincial and National Sector Departments												✓	
Public Participation	Advertise Draft IDP and Budget For Public Comment	IDP Co – Ordinator/pp/Com											✓	✓	
Public Participation	B – Municipalities to starts with Budget/IDP Roadshows	B Municipal Councillors/Management/CFOs/IDP Managers/Communicators/Public Participation											✓	✓	

Activity	Description	Responsibility/ Facilitator	Jun' 16	July' 16	Aug' 16	Sept' 16	Oct' 16	Nov' 16	Dec' 16	Jan' 17	Feb' 17	Mar' 17	Apr' 17	May' 17	Jun' 17
		Officials													
IDP Task Team	Input On Draft IDP	Eden IDP Task Team											✓		
District IDP Managers Forum	Alignment of Municipal Strategies and Budgets	IDP Managers Forum											✓	✓	
Budget Steering Committee	Workshop Final Budget And IDP With Committee	MM/CFO/IDP Co – Ordinator												✓	
Adoption of Final IDP/ Budget	Adoption Of Final Five year 2017/2018 -2021/2022 IDP and Budget	Council												✓	
Adoption of Final SDF	Adoption of Final SDF	Council													✓
Communicate Adopted Five year IDP	IDP Road show														✓
Communicate Adopted Five year IDP	Submit Council Adopted IDP To MEC For Department Of Local Government	District IDP Co-ordinator													✓
Communicate Adopted Budget	Submit Adopted Budget To National And Provincial Treasury	CFO													✓

26

ANNEXURE II: PROPOSED FIVE YEAR 2017/2018 – 2021/2022 IDP CONTENT

Section	Content	Detail to be Included	IDP Manager's Comments
	Foreword: Executive Mayor Foreword: Municipal Manager Executive Summary		Executive Mayor Municipal manager Portfolio Chalrperson: Strategic Services
A. INITIATION	Legislative Framework	<ol style="list-style-type: none"> 1. Legal Context: (Eden Policy and Law) 2. 2017/2018 – 2021/2022 set the scene for five years. Drafting the 5-year IDP. IDP review, Process followed in formulating and drafting the 5 year IDP. 3. Fourth generation IDP 4. Policy directives 5. Millennium Development Goals 6. National Key Performance Areas 7. Provincial Policy directives 8. District Mandate and function 9. Municipality in context and relevance to district 10. 	<p>Drafting 5-year 2017/18 – 2021/22 IDP; Annual and Mid-term review; Amendment</p> <p>Forward looking objectives (2017 – 2012)</p> <p>Backward looking accomplishments (2012 – 2016)</p> <p>Handover/Close out report and benchmarking</p> <p>IDP process Plan</p> <p>Setting the scene for the drafting of the 5-year IDP</p> <p>District role as strategic enabler, co-ordinator and facilitator</p>

B. ANALYSIS	The State of the district (Situational analysis) State the realities and challenges.	<ol style="list-style-type: none"> 1. Key features of the municipality – Strengths, weaknesses, opportunities and threats. (SWOT Analysis) 2. Summary of municipal access and infrastructural backlogs- water, sanitation, energy & electricity, housing, roads and transport, storm water – Graphs, maps etc. Cost the R-value to address these backlogs. 3. Demographic realities 4. Social realities- HIV/AIDS, vulnerable groups- disabled, aged, youth, gender equity, access to government services 5. Spatial realities – economic and urban settlements, land availability, social infrastructure in relation to settlements, growth and development prospects, 6. Environmental realities – natural endowments, threats, characteristics (air quality control, disaster management, environmental management, climate change, waste management,) 7. Economic realities – challenges and issues 8. Housing realities – challenges and issues, human settlement linked to the SDF 9. Community development realities/needs (Maybe on ward based) 10. Institutional Realities (Organizational structure, Also include policy shortcomings and current status), vacancies, 11. Financial realities/ Financial viability 12. Good governance and public participation 13. IDP SWOT as a result of identified realities (e.g. table format) 	<p>Ward Based Overviews</p> <p>Eden strengths and weaknesses/challenges and opportunities</p> <p>Situation Analysis (STATSSA 2011 supplemented by 2016 MERO and WC Socio – economic Profile)</p> <p>State of environment report 2016 MERO Report</p> <p>Public participation outcomes from B-Municipalities.</p> <p>Micro organizational structure</p> <p>Financial analysis; Financial performance; Financial Plan; Financial related constraints; MGRO Report</p>
C. STRATEGIES	Development Strategies	<ol style="list-style-type: none"> 1. Municipal position statement in relation to vision 2. Vision and analysis of vision (thus the basic 	State the municipality's response to national KPA's

	(Eden Vision)	<p>objectives)</p> <ol style="list-style-type: none"> 3. Mission 4. Values 5. Strategic Goals 6. Alignment of Strategic goals, operational strategies and project identification 7. Alignment: National KPA's – <ul style="list-style-type: none"> ▪ Provincial Strategic Goals ▪ Municipal Strategic Goals ▪ Planned municipal project identification (action) and operational strategies 	
D. PROJECT	Municipal Spatial Development Framework	<ol style="list-style-type: none"> 8. Eden Spatial Vision 9. Project driven Spatial Planning 10. Spatial realities 11. National Spatial Perspective 12. Provincial Spatial Development Framework 13. District Spatial Development Framework 14. Mapping of regional infrastructure opportunities 15. Geographic financial investment 16. Aligning District and B-municipal Planning 17. Alignment to National KPA's and Provincial Strategic Goals 18. Project/program identification report 	SPLUMA; LUPA mSCOA Spatial compliance
E. INTEGRATION	Inter-governmental Development Strategies alignment and report on Strategic Goals		Nationa, District, local and Provincial alignment and Report on Strategic goals
	Sector Involvement and Inter-governmental Relations	<p>Spatially Illustrated via investment footprint</p> <ul style="list-style-type: none"> ▪ Sector Plans updated (Level 1-5) ▪ Obtain from Provincial IDP Indaba 1 ▪ State alignment with national and provincial programmes ▪ State of the Nation Address ▪ Indaba 2 JPI ▪ State of the Province Address ▪ IDP and Skills development alignment 	<p>Alignment of Provincial Sector Departments to Provincial Strategic Goals and Eden DM Indaba I and II</p> <p>Align strategic objectives of each Provincial Sector Departments with Eden DM and B-</p>

		<ul style="list-style-type: none">▪ IDP and Public Participation alignment▪ Cogta Back to Basics▪ Economic Freedom	<p>Municipalities</p> <p>NDP Alignment</p> <p>Demonstrate SONA Alignment</p> <p>One Cape Vision</p> <p>JPI</p>
	<p>Eden Disaster Management Plan</p>	<ul style="list-style-type: none">• Disaster management plan• Risk Assessment Report• Disaster Risk Reduction actions• Disaster assistance to local municipalities• Summary of major incidents• Shared risk management collaboration• Risk register (corporate) – strategic and operational• Contingency plans	<p>Risk management, measurement, mitigation and budget alignment</p>
	<p>Implementation/Financial Plan</p>	<ol style="list-style-type: none">1. National, Provincial, District and Local investment footprint2. B Municipal Priorities3. Eden DM sustainability Model4. Prioritisation Model5. Budget related policies6. Budget projection7. Financial resources available8. Financial Strategy – ways of increasing revenues and external funding for capital and operational expenditure of development priorities9. IDP Identified Projects in Spatial or Ward Terms10. Draft 3 Year Medium Term Expenditure Framework Implementation Plan11. Clear statement on long term infrastructure	<p>Eden DM sustainability through:</p> <p>IDP Credibility;</p> <p>Alignment with budget and performance management systems;</p> <p>Maintenance Plans;</p> <p>Development of SOP's</p> <p>Supply Chain/Demand Management;</p> <p>Risk Assessment and</p>

		<p>investment that identifies 'economic infrastructure' investment</p> <p>12. Clear statements on the kind of maintenance investment that will take place over medium term</p> <p>13. Infrastructure funding model review</p> <p>14. Operational and Capital Investment</p> <p>15. mSCOA Compliance</p>	<p>Management;</p> <p>Procurement;</p> <p>Cost saving mechanisms (MGRO);</p> <p>Tailored microstructure;</p> <p>IDP/mSCOA alignment</p> <p>Revenue raising strategies</p> <p>Asset management strategies</p> <p>Financial management strategies</p> <p>Capital financing strategies</p> <p>Operating financing strategies</p> <p>Strategies which would enhance cost effectiveness</p>
F. PUBLIC PARTICIPATION	Aligning IDP and Public Participation	<p>The assessment seeks to find evidence of:</p> <ol style="list-style-type: none"> 1. Municipal-wide engagement with social partners (business, labour, civil society), IDP Forum, Summits, Task Teams 2. Active participation in wards through council and ward-based structures and events, ward based planning 3. Availability and access to IDP process and 	<p>IGR and Public participation feedback:</p> <ul style="list-style-type: none"> • Process in drafting the IDP • Content of IDP • Monitor implementation of IDP • Discuss development, implementation and review of the PMS

		<p>IDP information through for example adverts</p> <ol style="list-style-type: none"> 4. Re-establishment of ward committees 5. Induction and training of ward committees. 6. Promoting an active citizenry. 7. Economic inclusion of communities in council projects 8. Public participation calendar 9. NCOP oversight reporting 10. CDW community mobilization and education 	<ul style="list-style-type: none"> • Monitor, measure and review of performance in relation to KPI's and performance targets • IGR Forums • Social Media platforms • S 75 MFMA compliance • Chapter 4 MSA • Draft Youth Policy • IDP Youth booklet • IGR Newsletter and Internal Staff Communication • Supply chain • Economic opportunities
	Organizational Performance/Institutional Delivery Capacity	<ol style="list-style-type: none"> 1. Establishing new Pre-determined objectives for the 2017/18 – 2021/22 IDP. 2. Organizational performance framework (Process), is it in place and what does the system do 3. The SDBIP and budget with IDP Linkage and Projects (<i>Who, What, KPI's, targets etc.</i>) 4. Accomplishments and performance measurements 5. Institutional Plan/Organizational structure review 	<p>Aligning budget implementation with performance management systems through operational and action planning</p> <p>Succession Planning</p> <p>Updating of JD's</p> <p>Organisational structure review</p> <p>Cascading Performance Management to Line Managers</p>
G. MANCOM CONSIDERATION	TABLE DRAFT FIVE YEAR IDP TO MANCOM	MARCH 2017	
H. MAYCO CONSIDERATION	TABLE DRAFT FIVE YEAR IDP TO MAYCO	MARCH 2017	

I. COUNCIL CONSIDERATION (Workshop)	TABLE DRAFT FIVE YEAR IDP TO COUNCIL	MARCH 2017	
J. COUNCIL ADOPTION (Workshop)	COUNCIL ADOPTS FIVE YEAR IDP TO COUNCIL	MAY 2017	
	Conclusion	Moving forward	

(DC 18/06/16)

**REPORT: AJDUSTMENT BUDGET 2016/2017 MTREF / AANGEPASTE
BEGROTING 2016/2017 MTREF (536568)**

(6/18/7)

12 August 2016

REPORT FROM ACCOUNTING OFFICER (GW LOUW)**PURPOSE OF THE REPORT**

The report is tabled to council to consider approval of the Adjustment Budget that is required in terms of the Municipal Budget and Reporting Regulations 17 APRIL 2009.

BACKGROUND

Section 28 of the Municipal Finance Management Act 2003 (No.56) (MFMA) determines that a Municipality may revise an approved annual budget through an adjustment budget.

Subsection (2) also determines that an adjustment 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, authorize unforeseeable and unavoidable expenditure recommended by the mayor;
- d) May authorize the utilization of projected savings in one vote towards spending under another vote;
- e) May authorize 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.

Subsection (4) determines that only the mayor may table an adjustment budget in the municipal Council, but an adjustment budget in terms of subsection (2) (b) to (g) may only be tabled within any prescribed limitations as to timing or frequency.

Subsection (5) states –

That when an adjustment budget is tabled, it must be accompanied by an explanation of how the adjustment budget affects the annual budget and a motivation of any material changes to the annual budget.

Subsection (6) states very clearly that property rates and tariffs may not be increased during a financial year except when required in terms of a financial recovery plan.

Cognizance must also be taken of **Section 15** of the MFMA which refers to the appropriation of funds for expenditure.

Subsection (a) determines very clearly that expenditure may only be incurred in terms of an approved budget; and

(b) Within the limits of the amounts appropriated for the different votes in an approved budget.

Also take note of **Section 23 (5)** of the Budget and Reporting Regulations which refers to the Timeframes for tabling of adjustment budgets.

Subsection (5) states –

An adjustments budget referred to in section 28(2) (e) of the Act may only be tabled after the end of the financial year to which the roll-overs relate, and must be approved by the municipal council by 25 August of the financial year following the financial year to which the roll-overs relate.

FINANCIAL IMPLICATIONS

None

RELEVANT LEGISLATION

Municipal Finance Management Act, No 56 of 2003

Municipal Budget and Reporting Regulations, 17 April 2009

UITVOERENDE OPSOMMING

Die Burgemeester moet die Aangepaste Begroting aan die munisipale raad voorlê vir oorweging en goedkeuring.

RECOMMENDATION

That council take the following resolutions:

(1) That the adjustments budget (unspent grants) of Eden District Municipality for the financial year 2016/2017 as set out in the schedules contained in Section 4 be **approved:**

- i. Table B1 Adjustments Budget Summary;
- ii. Table B2 Adjustments Budget Financial Performance (by standard classification);
- iii. Table B3 Adjustments Budget Financial Performance (by municipal vote);
- iv. Table B4 Adjustment Budget Financial Performance (revenue by source); and
- v. Table B5 Adjustment Budget Capital Expenditure (by municipal vote and funding source)

(2) Council approves the Adjustment Operating Expenditure Budget of R326,567,089

(3) Council approves the Adjustment Operating Revenue Budget of R332,000,193

- (4) That a revised Service Delivery and Budget Implementation Plan (SDBIP) for the 2016/17 financial year be compiled and tabled to the Executive Mayor for approval.
- (5) The approval of the above is subject to the approval from National and Provincial Treasury for the roll-over of funds.

AANBEVELING

Dat die raad die volgende resolusies aanvaar:

- (1) *Dat die Aangepaste Begroting\ (ongepandeerde toelae) van Eden Distrik Munisipaliteit vir die finansiële jaar 2016/2017 soos vervat in die skedules van Seksie 4 goedgekeur word:*
 - i. *Tabel B1 Aangepaste Begrotings Opsomming;*
 - ii. *Tabel B2 Aangepaste Begroting Finansiële Prestasie (volgens standaard klassifikasie);*
 - iii. *Tabel B3 Aangepaste Begroting Finansiële Prestasie (volgens pos);*
 - iv. *Tabel B4 Aangepaste Begroting Finansiële Prestasie (volgens finansieringsbron); en*
 - v. *Tabel B5 Aangepaste Kapitale Begroting (volgens pos en finansieringsbron)*
- (2) *Die Raad die Aangepaste Uitgawe Begroting van R326, 567, 089 goedkeur.*
- (3) *Die Raad die Aangepaste Inkomste Begroting van R332,000, 193 goedkeur.*
- (4) *Dat die hersiende Dienslewering- en Begrotings Implementerings Plan vir 2016/2017 opgestel en aan die Uitvoerende Burgermeester voorgelê word vir goedkeuring.*
- (5) *Die goedkeuring van bostaande is onderhewig aan die goedkeuring van Nasionale en Provinsiale Tesourie vir die oorrol van fondse.*

APPENDIX

EDEN DISTRICT MUNICIPALITY

FINANCIAL YEAR 2016 - 2017

ADJUSTMENT BUDGET REPORT

2016/2017 MTREF

Table of Contents	6
Glossary	7
Legislative Framework	9
 PART 1 – ADJUSTMENT BUDGET	
Section 1 – Mayoral speech	10
Section 2 – Resolutions	11
Section 3 – Executive Summary	
3.1 Introduction	11
3.2 Adjustment budget	11
3.3 Provision of basic services	14
3.4 SDBIP and MTREF financial sustainability	14
3.5 High level summary of adjustments	15
Section 4 – Annual Budget Tables	17
 PART 2 SUPPORTING DOCUMENTATION	
Section 5 – Adjustment to budget assumptions	28
Section 6 – Adjustments to budget funding	28
Section 7 – Adjustments to expenditure on allocations and grant programmes	29
Section 8 – Adjustments to grants made by the municipality	30
Section 9 – Adjustments to councillor allowances and employee benefits	30
Section 10 – Adjustment to service delivery and budget implementation plan	30
Section 11 – Adjustments to Capital expenditure	30
Section 12 – Municipal Manager’s quality certification	31

Glossary

Adjustments budget – Prescribed in section 28 of the MFMA. The formal means by which a municipality may revise its annual budget during the year.

Allocations – Money received from Provincial or National Government or other municipalities.

Budget – The financial plan of the Municipality.

Budget related policy – Policy of a municipality affecting or affected by the budget, examples include tariff policy, rates policy and credit control and debt collection policy.

Capital expenditure - Spending on assets such as land, buildings and machinery. Any capital expenditure must be reflected as an asset on the Municipality's balance sheet.

Cash flow statement – A statement showing when actual cash will be received and spent by the Municipality. Cash payments do not always coincide with budgeted expenditure timings. For example, when an invoice is received by the Municipality it is shown as expenditure in the month it is received, even though it may not be paid in the same period.

DORA – Division of Revenue Act. Annual legislation that shows the total allocations made by national to provincial and local government.

Equitable share – A general grant paid to municipalities. It is predominantly targeted to help with free basic services.

Fruitless and wasteful expenditure – Expenditure that was made in vain and would have been avoided had reasonable care been exercised.

GFS – Government Finance Statistics. An internationally recognised classification system that facilitates like for like comparison between municipalities.

GRAP – Generally Recognised Accounting Practice. The new standard for municipal accounting.

IDP – Integrated Development Plan. The main strategic planning document of the Municipality

MBRR – Local Government: Municipal Finance Management Act (56/2003): Municipal budget and reporting regulations April 2009

MFMA – The Municipal Finance Management Act – No. 56 of 2003. The principle piece of legislation relating to municipal financial management.

MTREF – Medium Term Revenue and Expenditure Framework. A medium term financial plan, usually 3 years, based on a fixed first year and indicative further two years budget allocations. Also includes details of the previous and current years' financial position.

Operating expenditure – Spending on the day to day expenses of the Municipality such as salaries and wages.

Rates – Local Government tax based on the assessed value of a property. To determine the rates payable, the assessed rateable value is multiplied by the rate in the rand.

SDBIP – Service Delivery and Budget Implementation Plan. A detailed plan comprising quarterly performance targets and monthly budget estimates.

Strategic objectives – The main priorities of the Municipality as set out in the IDP. Budgeted spending must contribute towards the achievement of the strategic objectives.

Unauthorised expenditure – Generally, spending without, or in excess of, an approved budget.

Virement – A transfer of budget.

Virement policy - The policy that sets out the rules for budget transfers. Virements are normally allowed within a vote. Transfers between votes must be agreed by Council through an Adjustments Budget.

Vote – One of the main segments into which a budget. In Eden District this means the different GFS classification the budget is divided.

Legislative Framework

This report has been prepared in terms of the following enabling legislation.

The Municipal Finance Management Act – No. 56 of 2003

Section 28 Municipal Adjustment Budgets

Local Government: Municipal Finance Management Act (56/2003): Municipal budget and reporting regulations

Schedule B format of adjustment budgets

PART 1 – IN-YEAR REPORT

SECTION 1 – MAYORAL SPEECH

The reason for the adjustment budget tabled at council today is to include the following expenditures into the Approved budget for the 2016/2017 financial year:

- Unspent Grants allocations as per section 28(2)(e) of the Municipal Finance Management Act, 56 of 2003 that read as follows

May authorize 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;

Section 23 (5) of the Budget and Reporting Regulation states –

- An adjustments budget referred to in section 28(2) (e) of the Act may only be tabled after the end of the financial year to which the roll-overs relate, and must be approved by the municipal council by 25 August of the financial year following the financial year to which the roll-overs relate.

The details of the above inclusions into the budget are as follows:

National grant allocations:

NATIONAL GOVERNMENT ALLOCATIONS		
SECTION	PROJECT DESCRIPTION	AMOUNT
Rural Roads Asset Management	Integrated Transport Grant	(2,276,721.00)
Disaster Management Unit	Municipal Disaster Recovery Grant	(7,367,185.00)
Office of the Municipal Manager	Electricity Demand Side Management	(5,367,955.00)
	TOTAL	(15,011,861.00)

Provincial Grant allocation

PROVINCIAL GOVERNMENT ALLOCATIONS		
SECTION	PROJECT DESCRIPTION	AMOUNT
Performance Management	WC FMG Allocations	(104,914.00)
Roads Transport	Integrated Transport Grant	(652,742.00)
	TOTAL	(757,656.00)

Memorandum of Understanding (MOU) / Service Level Agreements (SLA)

MOU / SLA ALLOCATIONS		
SECTION	PROJECT DESCRIPTION	AMOUNT
Human Resources	LGESTA: Re-imbursements	(480,910.00)
Human Resources	Task Contributions - Municipalities	(152,169.00)
Manager Community services	DWA: Abstraction Validation on Bitou	(35,589.00)
Manager: EHP Offices	RBIG: Bulk water studies	(633,910.00)
Waste Management Unit	Nelson Mandela Biosphere Reserve Project	(20,000.00)
	TOTAL	(1,322,578.00)

The impact on the Approved budget is R0, as the expenditure and income is increased with equal amounts.

The detailed report provides a Reconciliation between the grants included in the Adjustment Budget as well as the Unspent grant totals as per the Grant register. Explanations as to the differences in the amounts is also included in the report

The capital budget remains unchanged.

I would therefore like to recommend that council approve the following resolutions:

- (1) That the adjustment budget of Eden District Municipality for the financial year **2016/2017** as set out in the schedules contained in Section 4 be approved:
 - (i) Table B1 Adjustments Budget Summary;
 - (ii) Table B2 Adjustments Budget Financial Performance (by standard classification);
 - (iii) Table B3 Adjustments Budget Financial Performance (by municipal vote);
 - (iv) Table B4 Adjustments Budget Financial Performance (revenue by source); and
 - (v) Table B5 Adjustments Budget Capital Expenditure (by municipal vote and funding source)
- (2) That the adjusted operating expenditure budget of Eden District Municipality for the financial year **2016/2017** of **R 326 567 089** be approved.
- (3) That the adjusted operating revenue budget of Eden District Municipality for the financial year **2016/2017** of **R 332 000 193** be approved.
- (4) That a revised Service Delivery and Budget Implementation Plan (SDBIP) for the **2016/2017** financial year be compiled and tabled to the Executive Mayor for approval .
- (5) The approval of the above is subject to the approval from National and Provincial Treasury for the roll-over of funds.

SECTION 2 – RESOLUTIONS

Municipal Financial Management Act, 56 of 2003 - SECTION 28 Municipal adjustment budgets.

These are the resolutions being presented to Council in terms of Municipal Finance Management Act, 56 of 2003 on the adjustment budget and related information.

RECOMMENDATION:

- (1) That the adjustment budget of Eden District Municipality for the financial year **2016/2017** as set out in the schedules contained in Section 4 be approved:
 - (i) Table B1 Adjustments Budget Summary;
 - (ii) Table B2 Adjustments Budget Financial Performance (by standard classification);
 - (iii) Table B3 Adjustments Budget Financial Performance (by municipal vote);
 - (iv) Table B4 Adjustments Budget Financial Performance (revenue by source); and

(v) **Table B5 Adjustments Budget Capital Expenditure (by municipal vote and funding source)**

- (2) That the adjusted operating expenditure budget of Eden District Municipality for the financial year **2016/2017 of R 326 567 089** be approved.
- (3) That the adjusted operating revenue budget of Eden District Municipality for the financial year **2016/2017 of R 332 000 193** be approved.
- (4) That a revised Service Delivery and Budget Implementation Plan (SDBIP) for the **2016/2017** financial year be compiled and tabled to the Executive Mayor for approval to incorporated into the SDBIP for the **2016/2017** the approved projects as per council resolution.
- (5) The approval of the above is subject to the approval from National and Provincial Treasury for the roll-over of funds.

SECTION 3 EXECUTIVE SUMMARY

3.1 Introduction

The Adjustment budget is tabled to Council for approval, this adjustment budget includes the rollover unspent grants received from National Treasury and Provincial Treasury. Also included in this budget is the additional allocations as per the Service level agreements.

3.2 Adjustment Budget

Municipal Budget and Reporting Regulations

According to Regulation 23(5) of the Municipal Budget and Reporting Regulations, Government Gazette 32141 dated 17 April 2009, an adjustment budget referred to in Section 28 (2) of the Municipal Finance Management Act (MFMA) (Act No 56 of 2003), may only be tabled after the end of the financial year to which the roll-overs relate, and must be approved by the municipal council by 25 August of the financial year following the financial year to which the roll-overs relate.

In terms of the funding of the projects that will be rolled-over to the next financial year, Provincial Treasury advises as follows:

1. Municipal Own Funds

The Municipality must ensure that the funding of the projects is available and not committed for other purposes.

2. Grant funding

According to Section 20 of the Division of Revenue Act, the receiving officer needs to pay back all unspent conditional grants to the National Revenue Fund at the end of the municipal financial year, unless the relevant receiving officer can prove to the satisfaction of the National Treasury that the unspent allocation is committed to identifiable projects.

MFMA Circular 51 dated 19 February 2010

National Treasury issued MFMA Circular 51 dated 19 February 2010, which provides clear guidance, on the procedure for requesting retention of the unspent allocation (grants) by the affected receiving officers.

In essence, when applying to retain unspent conditional allocations committed to identifiable projects or requesting a rollover in terms of section 20(2) of the Division of Revenue Act (DoRA), the Municipality must supply National Treasury with the following information –

1. Details of each of the projects to which funds are committed;
2. A progress report on the state of implementation of each of the projects;
3. The amount of funds committed to each project, and the conditional allocation from which the funds come from; and
4. An indication of the time-period within which the funds are to be spent;

When preparing their annual financial statements a municipality must determine what portion of each national conditional allocation it received remained unspent as at 30 June yearly.

National Treasury will initiate the process outlined in section 20(4) and (5) of the Division of Revenue Act based on the June 2014 conditional grant expenditure reports. If the receiving officer wants to motivate in terms of section 20(5)(b) that the funds have been spent or are committed to identifiable projects or wants to propose an alternative payment method or schedule the required information must be submitted to National Treasury yearly by 16 August.

National Treasury will confirm in writing whether or not the municipality may retain as a rollover any of the unspent funds because they are committed to identifiable projects or whether it has agreed to any alternative payment methods or schedules yearly by 30 September.

A municipality must return the remaining unspent conditional grant funds that are not subject of a specific repayment agreement with National Treasury to the National Revenue Fund yearly by 17 October. Failure to return these unspent funds by this date will constitute financial misconduct in terms of section 20(7) of the Division of Revenue Act.

Any unspent conditional grant funds that should have been repaid to the National Revenue Fund yearly by 17 October will be offset against the municipality's November equitable share allocation.

Operational Budget

Based on the above information the municipality is required to table an adjustment budget to council stipulating the unspent roll-over projects that council seeks approval from National and Provincial Treasury as well as other roll-over projects that required inclusion in the approved budget in order to ensure completion of these projects.

The different grants required for inclusion into the budget are as follows:

1. National and Provincial Treasury Grants in terms of the Division of Revenue Act's, these grants should be accompanied by application for roll-over as explained above.
2. Projects funded by means of other sources that is Memorandum of Understanding or Service Level Agreements.

These grants are funded by means of SLA or MOU whereby the municipality enter into agreement with the respective funders to implement projects as per the stipulated agreements.

3. Projects funded by means of council own internal revenues, these projects is mostly of strategic importance and the concluding there of is critical for achievement of the Integrated Development mandate of council.

3.3 Provision of basic services

The municipality as a category C municipality do not deliver basic services in respect of the following:

- Provision of Water services
- Provision of sanitation services
- Provision of refuse
- Provision of housing

3.4 SDBIP and MTREF financial sustainability

The municipality tabled a balanced budget during the May council approval budget process. The SDBIP was compiled on the basis of this balanced budget.

The roll-over projects tabled in this report for inclusion in the budget is either funded from a National or Provincial allocation or a result of a negotiation process end being concluded by means of a Memorandum of Understanding (MOU) or Service Level Agreement (SLA).

Internal revenues used to fund additional projects were included in the roll-over budget.

The adjustment will have no negative effect on the sustainability of the original budget as approved by council.

3.5 High level summary of adjustments

The following table indicates the Original Budget approved by council for the 2016/2017 MTREF period during the May council budget approval process.

Approved Budget during the May council approval process:

OPERATIONAL BUDGET - Original Budget tabled 27 May 2016			
DESCRIPTION	Approved Budget 2016/2017 (R'000)	Approved Budget 2017/2018 (R'000)	Approved Budget 2018/2019 (R'000)
Operational Income	314 908 098	398 509 262	410 174 100
Operational Expenditure	309 474 994	395 149 873	409 381 626
Surplus / (Deficit)	5 433 104	3 359 389	792 474
Capital Budget	5,415,494.71	3,354,100.00	790,500.00
Total	5,415,494.71	3,354,100.00	790,500.00

Revised High level summary of budget approval required:

The following table explains the effect of the approval of the projects will have on the Operational budget of Council.

More details regarding these changes are explained in Part 2 of the budget document as required in terms of the budget regulation.

No changes to the capital budget are tabled and the Capital Budget will therefor remain unchanged.

OPERATIONAL BUDGET - August Budget 2016

DESCRIPTION	Approved Budget 2016/2017 (R'000)	Approved Budget 2017/2018 (R'000)	Approved Budget 2018/2019 (R'000)
Operational Expenditure	309,474,994.22	395,149,872.99	409,381,626.45
National Grants	15,011,861.00		
Provincial Grants	757,656.00		
MOU / SLA Agreements	1,322,578.00		
Revised Operational Expenditure	326,567,089.22	395,149,872.99	409,381,626.45
Operational Income	314,908,098.07	398,509,261.83	410,174,100.42
Unspent Grants	17,092,095.00		
Revised Operational Income	332,000,193.07	398,509,261.83	410,174,100.42
Surplus / Deficit	(5,433,103.85)	(3,359,388.84)	(792,473.97)
CAPITAL BUDGET	5,415,494.71	3,354,100.00	790,500.00
Total	5,415,494.71	3,354,100.00	790,500.00

The approved budget for Capital Expenditures remains the same.

Section 4 – Annual Budget Tables

Description	Budget Year 2016/17									Budget Year +1 2017/18	Budget Year +2 2018/19
	Original Budget	Prior Adjusted	Accum. Funds	Mult-year capital	Unfore. Unavoid.	Nat. or Prov. Govt	Other Adjusts.	Total Adjus.	Adjusted Budget	Adjusted Budget	Adjusted Budget
R thousands	A	A1	B	C	D	E	F	G	H		
Financial Performance											
Property rates	-	-	-	-	-	-	-	-	-	-	-
Service charges	-	-	-	-	-	-	-	-	-	-	-
Investment revenue	7,974	-	-	-	-	-	-	-	7,974	8,436	8,825
Transfers recognised - operational	148,706	-	17,082	-	-	-	-	17,082	163,800	149,775	167,823
Other own revenue	180,228	-	-	-	-	-	-	-	180,228	240,298	243,825
Total Revenue (excluding capital transfers and contributions)	314,908	-	17,082	-	-	-	-	17,082	332,080	388,510	418,174
Employee costs	105,720	-	-	-	-	-	-	-	105,720	112,080	121,438
Remuneration of councillors	8,448	-	-	-	-	-	-	-	8,448	8,938	9,589
Depreciation & asset impairment	4,087	-	-	-	-	-	-	-	4,087	4,324	4,575
Finance charges	-	-	-	-	-	-	-	-	-	-	-
Materials and bulk purchases	-	-	-	-	-	-	-	-	-	-	-
Transfers and grants	-	-	-	-	-	-	-	-	-	-	-
Other expenditure	191,220	-	17,082	-	-	-	-	17,082	208,312	289,827	273,782
Total Expenditure	308,476	-	17,082	-	-	-	-	17,082	328,957	395,149	408,381
Surplus/(Deficit)	5,432	-	-	-	-	-	-	-	5,432	3,360	793
Transfers recognised - capital	-	-	-	-	-	-	-	-	-	-	-
Contributions recognised - capital & contributed income	-	-	-	-	-	-	-	-	-	-	-
Surplus/(Deficit) after capital transfers & contributions	5,432	-	-	-	-	-	-	-	5,432	3,360	793
Share of surplus/ (deficit) of associate	-	-	-	-	-	-	-	-	-	-	-
Surplus/ (Deficit) for the year	5,432	-	-	-	-	-	-	-	5,432	3,360	793
Capital expenditure & funds sources											
Capital expenditure	5,415	-	-	-	-	-	-	-	5,415	3,355	791
Transfers recognised - capital	-	-	-	-	-	-	-	-	-	-	-
Public contributions & donations	-	-	-	-	-	-	-	-	-	-	-
Borrowing	-	-	-	-	-	-	-	-	-	-	-
Internally generated funds	5,415	-	-	-	-	-	-	-	5,415	3,355	791
Total sources of capital funds	5,415	-	-	-	-	-	-	-	5,415	3,355	791
Financial position											
Total current assets	175,086	-	-	-	-	-	-	-	175,086	176,258	178,209
Total non current assets	291,829	-	-	-	-	-	-	-	291,829	295,943	297,541
Total current liabilities	42,143	-	17,082	-	-	-	-	17,082	59,235	45,759	61,363
Total non current liabilities	137,202	-	-	-	-	-	-	-	137,202	141,318	145,588
Community wealth/Equity	287,848	-	-	-	-	-	-	-	287,848	289,802	275,842
Cash flows											
Net cash from (used) operating	5,433	-	17,082	-	-	-	-	17,082	22,625	3,369	782
Net cash from (used) investing	(5,415)	-	-	-	-	-	-	-	(5,415)	(3,354)	(791)
Net cash from (used) financing	-	-	-	-	-	-	-	-	-	-	-
Cash/cash equivalents at the year end	148,857	-	17,082	-	-	-	-	17,082	165,840	148,862	148,563
Cash backing/surplus reconciliation											
Cash and investments available	148,584	-	-	-	-	-	-	-	148,584	148,588	148,680
Application of cash and investments	80,376	-	17,082	-	-	-	-	17,082	77,488	83,544	88,673
Balance - surplus (shortfall)	68,208	-	(17,082)	-	-	-	-	(17,082)	71,116	65,044	78,917
Asset Management											
Asset register summary (M&V)	229,810	-	-	-	-	-	-	-	229,810	228,841	224,859
Depreciation & asset impairment	4,087	-	-	-	-	-	-	-	4,087	4,324	4,575
Renewal of Existing Assets	4,085	-	-	-	-	-	-	-	4,085	2,736	531
Repairs and Maintenance	5,687	-	-	-	-	-	-	-	5,687	5,950	5,330
Free services											
Cost of Free Basic Services provided	-	-	-	-	-	-	-	-	-	-	-
Revenue cost of free services provided	-	-	-	-	-	-	-	-	-	-	-
Households below minimum service level											
Water:	-	-	-	-	-	-	-	-	-	-	-
Sanitation/sewerage:	-	-	-	-	-	-	-	-	-	-	-
Energy:	-	-	-	-	-	-	-	-	-	-	-
Refuse:	-	-	-	-	-	-	-	-	-	-	-

DC4 Eden - Table B2 Adjustments Budget Financial Performance (standard classification) - 24 AUGUST 2016

Standard Description	Ref	Budget Year 2016/17										Budget Year +1 2017/18	Budget Year +2 2018/19
		Original Budget	Prior Adjusted	Accum. Funds	Multi-year capital	Unfore. Unavoid.	Nat. or Prov. Govt	Other Adjusts.	Total Adjusts.	Adjusted Budget	Adjusted Budget	Adjusted Budget	Adjusted Budget
R thousands	1, 4	A	5 A1	6 B	7 C	8 D	9 E	10 F	11 G	12 H			
Revenue - Standard													
<i>Governance and administration</i>		176,288	-	17,082	-	-	-	-	17,082	193,369	182,021	181,816	
Executive and council		176,765	-	17,082	-	-	-	-	17,082	192,857	181,488	181,043	
Budget and treasury office		-	-	-	-	-	-	-	-	-	-	-	
Corporate services		503	-	-	-	-	-	-	-	503	532	667	
<i>Community and public safety</i>		6,485	-	-	-	-	-	-	-	6,485	6,971	6,423	
Community and social services		-	-	-	-	-	-	-	-	-	-	-	
Sport and recreation		6,288	-	-	-	-	-	-	-	6,288	5,863	6,203	
Public safety		-	-	-	-	-	-	-	-	-	-	-	
Housing		-	-	-	-	-	-	-	-	-	-	-	
Health		187	-	-	-	-	-	-	-	187	208	221	
<i>Economic and environmental services</i>		132,155	-	-	-	-	-	-	-	132,155	138,184	145,888	
Planning and development		-	-	-	-	-	-	-	-	-	-	-	
Road transport		132,000	-	-	-	-	-	-	-	132,000	138,000	145,000	
Environmental protection		155	-	-	-	-	-	-	-	155	184	600	
<i>Trading services</i>		-	-	-	-	-	-	-	-	-	71,253	86,640	
Electricity		-	-	-	-	-	-	-	-	-	-	-	
Water		-	-	-	-	-	-	-	-	-	-	-	
Waste water management		-	-	-	-	-	-	-	-	-	-	-	
Waste management		-	-	-	-	-	-	-	-	-	71,253	86,640	
Other		-	-	-	-	-	-	-	-	-	-	-	
Total Revenue - Standard	2	314,986	-	17,082	-	-	-	-	17,082	332,068	388,898	416,174	
Expenditure - Standard													
<i>Governance and administration</i>		93,848	-	8,801	-	-	-	-	8,801	98,648	107,884	108,822	
Executive and council		38,229	-	5,388	-	-	-	-	5,388	43,597	48,628	43,003	
Budget and treasury office		22,124	-	-	-	-	-	-	-	22,124	23,547	24,032	
Corporate services		33,295	-	633	-	-	-	-	633	33,828	35,708	38,787	
<i>Community and public safety</i>		68,888	-	7,367	-	-	-	-	7,367	73,488	88,219	73,840	
Community and social services		-	-	-	-	-	-	-	-	-	-	-	
Sport and recreation		12,731	-	-	-	-	-	-	-	12,731	12,182	13,107	
Public safety		25,801	-	7,367	-	-	-	-	7,367	32,888	27,435	28,542	
Housing		-	-	-	-	-	-	-	-	-	-	-	
Health		27,848	-	20	-	-	-	-	20	27,868	28,591	30,891	
<i>Economic and environmental services</i>		147,813	-	3,078	-	-	-	-	3,078	180,883	188,821	182,238	
Planning and development		10,767	-	105	-	-	-	-	105	10,882	11,633	11,641	
Road transport		134,384	-	2,929	-	-	-	-	2,929	137,283	142,382	148,523	
Environmental protection		1,861	-	36	-	-	-	-	36	1,897	2,008	2,182	
<i>Trading services</i>		2,736	-	634	-	-	-	-	634	3,388	63,828	88,794	
Electricity		-	-	-	-	-	-	-	-	-	-	-	
Water		860	-	634	-	-	-	-	634	1,484	920	995	
Waste water management		-	-	-	-	-	-	-	-	-	-	-	
Waste management		1,884	-	-	-	-	-	-	-	1,884	62,108	85,789	
Other		-	-	-	-	-	-	-	-	-	-	-	
Total Expenditure - Standard	3	388,475	-	17,082	-	-	-	-	17,082	388,587	388,158	408,382	
Surplus (Deficit) for the year		6,433	-	-	-	-	-	-	-	6,433	3,388	782	

DC4 Eden - Table B3 Adjustments Budget Financial Performance (revenue and expenditure by municipal vote) - 24 AUGUST 2018

Vote Description (Insert departmental structure etc)	Ref	Budget Year 2016/17									Budget Year +1 2017/18	Budget Year +2 2018/19
		Original Budget	Prior Adjusted	Accum. Funds	Multi-year capital	Unfore. Unavoid.	Nat. or Prov. Govt	Other Adjuts.	Total Adjuts.	Adjusted Budget	Adjusted Budget	Adjusted Budget
		A	3 A1	4 B	5 C	6 D	7 E	8 F	9 G	10 H		
R Thousands												
Revenue by Vote	1											
Vote 1 - Executive and Council		175,765	-	17,082	-	-	-	-	17,082	192,857	181,488	181,043
Vote 2 - Budget and Treasury Office		-	-	-	-	-	-	-	-	-	-	-
Vote 3 - Corporate Services		503	-	-	-	-	-	-	-	503	532	567
Vote 4 - Planning and Development		-	-	-	-	-	-	-	-	-	-	-
Vote 5 - Public Safety		-	-	-	-	-	-	-	-	-	-	-
Vote 6 - Health		187	-	-	-	-	-	-	-	187	208	221
Vote 7 - Community and Social Services		-	-	-	-	-	-	-	-	-	-	-
Vote 8 - Sport and Recreation		6,268	-	-	-	-	-	-	-	6,268	5,863	6,203
Vote 9 - Waste Management		-	-	-	-	-	-	-	-	-	71,253	66,640
Vote 10 - Road Transport		-	-	-	-	-	-	-	-	-	-	-
Vote 11 - Waste Water Management		-	-	-	-	-	-	-	-	-	-	-
Vote 12 - Water		-	-	-	-	-	-	-	-	-	-	-
Vote 13 - Environmental Protection		165	-	-	-	-	-	-	-	165	164	800
Vote 14 - Roads Agency Function		132,000	-	-	-	-	-	-	-	132,000	138,000	145,000
Vote 15 - Electricity		-	-	-	-	-	-	-	-	-	-	-
Total Revenue by Vote	2	314,906	-	17,082	-	-	-	-	17,082	332,000	306,888	416,174
Expenditure by Vote	1											
Vote 1 - Executive and Council		38,229	-	5,368	-	-	-	-	5,368	43,597	48,628	43,003
Vote 2 - Budget and Treasury Office		22,124	-	-	-	-	-	-	-	22,124	23,547	24,082
Vote 3 - Corporate Services		33,296	-	633	-	-	-	-	633	33,928	35,708	36,757
Vote 4 - Planning and Development		10,787	-	105	-	-	-	-	106	10,892	11,633	11,541
Vote 5 - Public Safety		25,601	-	7,367	-	-	-	-	7,367	32,968	27,436	29,542
Vote 6 - Health		27,648	-	20	-	-	-	-	20	27,668	28,691	30,591
Vote 7 - Community and Social Services		-	-	-	-	-	-	-	-	-	-	-
Vote 8 - Sport and Recreation		12,731	-	-	-	-	-	-	-	12,731	12,192	13,107
Vote 9 - Waste Management		1,884	-	-	-	-	-	-	-	1,884	82,106	65,799
Vote 10 - Road Transport		2,364	-	2,929	-	-	-	-	2,929	5,293	3,382	3,523
Vote 11 - Waste Water Management		-	-	-	-	-	-	-	-	-	-	-
Vote 12 - Water		850	-	634	-	-	-	-	634	1,484	920	995
Vote 13 - Environmental Protection		1,661	-	36	-	-	-	-	36	1,697	2,006	2,162
Vote 14 - Roads Agency Function		132,000	-	-	-	-	-	-	-	132,000	139,000	148,000
Vote 15 - Electricity		-	-	-	-	-	-	-	-	-	-	-
Total Expenditure by Vote	2	308,475	-	17,082	-	-	-	-	17,082	326,557	306,188	408,382
Surplus/ (Deficit) for the year	2	8,433	-	-	-	-	-	-	-	5,443	2,699	792

DC4 Eden - Table B4 Adjustments Budget Financial Performance (revenue and expenditure) - 24 AUGUST 2016

Description	Ref	Budget Year 2016/17									Budget Year +1 2017/18	Budget Year +2 2018/19
		Original Budget	Prior Adjusted	Accum. Funds	Multi-year capital	Unfore. Unavoid.	Net. or Prov. Govt	Other Adjusts.	Total Adjusts.	Adjusted Budget	Adjusted Budget	Adjusted Budget
R thousands	1	A	3	4	5	6	7	8	9	10		
Revenue By Source												
Property rates	2	-	-	-	-	-	-	-	-	-	-	-
Property rates - penalties & collection charges												
Service charges - electricity revenue	2	-	-	-	-	-	-	-	-	-	-	-
Service charges - water revenue	2	-	-	-	-	-	-	-	-	-	-	-
Service charges - sanitation revenue	2	-	-	-	-	-	-	-	-	-	-	-
Service charges - refuse revenue	2	-	-	-	-	-	-	-	-	-	-	-
Service charges - other												
Rental of facilities and equipment		1,424							-	1,424	1,807	1,584
Interest earned - external investments		7,974							-	7,974	8,436	8,825
Interest earned - outstanding debtors		798							-	798	846	885
Dividends received									-	-		
Fines									-	-		
Licences and permits		155							-	155	184	600
Agency services		14,500							-	14,500	16,300	16,000
Transfers recognised - operating		148,708		17,082					17,082	163,800	148,776	157,623
Other revenue	2	143,347	-	-	-	-	-	-	-	143,347	222,482	224,636
Gain on disposal of PPE									-	-		
Total Revenue (excluding capital transfers and contributions)		314,908	-	17,082	-	-	-	-	17,082	332,000	308,810	410,174
Expenditure By Type												
Employee related costs		105,720	-	-	-	-	-	-	-	105,720	112,080	121,436
Remuneration of councillors		8,448							-	8,448	8,839	9,588
Debt impairment		1,080							-	1,080	1,121	1,167
Depreciation & asset impairment		4,087	-	-	-	-	-	-	-	4,087	4,324	4,575
Finance charges		-							-	-	-	-
Bulk purchases		-	-	-	-	-	-	-	-	-	-	-
Other materials		-							-	-	-	-
Contracted services		11,214	-	17,082	-	-	-	-	17,082	28,306	71,576	78,613
Transfers and grants									-	-		
Other expenditure		178,947	-	-	-	-	-	-	-	178,947	187,130	183,983
Loss on disposal of PPE		-							-	-	-	-
Total Expenditure		308,475	-	17,082	-	-	-	-	17,082	326,557	305,149	400,361
Surplus/(Deficit)		6,432	-	-	-	-	-	-	-	6,432	3,360	793
Transfers recognised - capital		-							-	-		
Contributions recognised - capital									-	-		
Contributed assets									-	-		
Surplus/(Deficit) before taxation		6,432	-	-	-	-	-	-	-	6,432	3,360	793
Taxation									-	-		
Surplus/(Deficit) after taxation		6,432	-	-	-	-	-	-	-	6,432	3,360	793
Attributable to minorities									-	-		
Surplus/(Deficit) attributable to municipality		6,432	-	-	-	-	-	-	-	6,432	3,360	793
Share of surplus/ (deficit) of associate									-	-		
Surplus/ (Deficit) for the year		6,432	-	-	-	-	-	-	-	6,432	3,360	793

DC4 Eden - Table B5 Adjustments Capital Expenditure Budget by vote and funding - 24 AUGUST 2016

Description	Ref	Budget Year 2016/17									Budget Year +1 2017/18	Budget Year +2 2018/19
		Original Budget	Prior Adjusted 6	Accum. Funds 8	Multi-year capital 7	Unfore. Unavoid. 8	Nat. or Prov. Govt 9	Other Adjusts. 10	Total Adjusts. 11	Adjusted Budget 12	Adjusted Budget	Adjusted Budget
		A	A1	B	C	D	E	F	G	H		
R thousands												
Capital expenditure - Vote												
Multi-year expenditure to be adjusted	2											
Vote 1 - Executive and Council		1,680	-	-	-	-	-	-	-	1,680	421	6
Vote 2 - Budget and Treasury Office		-	-	-	-	-	-	-	-	-	-	-
Vote 3 - Corporate Services		405	-	-	-	-	-	-	-	405	350	350
Vote 4 - Planning and Development		-	-	-	-	-	-	-	-	-	-	-
Vote 5 - Public Safety		970	-	-	-	-	-	-	-	970	975	435
Vote 6 - Health		-	-	-	-	-	-	-	-	-	-	-
Vote 7 - Community and Social Services		-	-	-	-	-	-	-	-	-	-	-
Vote 8 - Sport and Recreation		1,670	-	-	-	-	-	-	-	1,670	1,500	-
Vote 9 - Waste Management		-	-	-	-	-	-	-	-	-	-	-
Vote 10 - Road Transport		-	-	-	-	-	-	-	-	-	-	-
Vote 11 - Waste Water Management		-	-	-	-	-	-	-	-	-	-	-
Vote 12 - Water		-	-	-	-	-	-	-	-	-	-	-
Vote 13 - Environmental Protection		480	-	-	-	-	-	-	-	480	109	-
Vote 14 - Roads Agency Function		-	-	-	-	-	-	-	-	-	-	-
Vote 15 - Electricity		-	-	-	-	-	-	-	-	-	-	-
Capital multi-year expenditure sub-total	3	5,415	-	-	-	-	-	-	-	5,415	3,365	791
Single-year expenditure to be adjusted	2											
Vote 1 - Executive and Council		-	-	-	-	-	-	-	-	-	-	-
Vote 2 - Budget and Treasury Office		-	-	-	-	-	-	-	-	-	-	-
Vote 3 - Corporate Services		-	-	-	-	-	-	-	-	-	-	-
Vote 4 - Planning and Development		-	-	-	-	-	-	-	-	-	-	-
Vote 5 - Public Safety		-	-	-	-	-	-	-	-	-	-	-
Vote 6 - Health		-	-	-	-	-	-	-	-	-	-	-
Vote 7 - Community and Social Services		-	-	-	-	-	-	-	-	-	-	-
Vote 8 - Sport and Recreation		-	-	-	-	-	-	-	-	-	-	-
Vote 9 - Waste Management		-	-	-	-	-	-	-	-	-	-	-
Vote 10 - Road Transport		-	-	-	-	-	-	-	-	-	-	-
Vote 11 - Waste Water Management		-	-	-	-	-	-	-	-	-	-	-
Vote 12 - Water		-	-	-	-	-	-	-	-	-	-	-
Vote 13 - Environmental Protection		-	-	-	-	-	-	-	-	-	-	-
Vote 14 - Roads Agency Function		-	-	-	-	-	-	-	-	-	-	-
Vote 15 - Electricity		-	-	-	-	-	-	-	-	-	-	-
Capital single-year expenditure sub-total		-	-	-	-	-	-	-	-	-	-	-
Total Capital Expenditure - Vote		5,415	-	-	-	-	-	-	-	5,415	3,365	791

DC4 Eden - Table B6 Adjustments Budget Financial Position - 24 AUGUST 2016

Description	Ref	Budget Year 2016/17									Budget Year +1 2017/18	Budget Year +2 2018/19
		Original Budget	Prior Adjusted 3	Accum. Funds 4	Multi-year capital 5	Unfore. Unavold. 6	Nat. or Prov. Govt 7	Other Adjusts. 8	Total Adjusts. 9	Adjusted Budget 10	Adjusted Budget	Adjusted Budget
R thousands		A	A1	B	C	D	E	F	G	H		
ASSETS												
Current assets												
Cash		148,557								148,557	148,582	148,584
Call investment deposits	1	1	-	-	-	-	-	-	-	1	-	-
Consumer debtors	1	14,888	-	-	-	-	-	-	-	14,888	15,823	15,839
Other debtors		5,002								5,002	4,972	4,924
Current portion of long-term receivables		2,757								2,757	2,757	2,757
Inventory		3,851								3,851	4,044	4,125
Total current assets		176,996	-	-	-	-	-	-	-	176,996	178,288	178,288
Non current assets												
Long-term receivables		62,283								62,283	67,276	72,858
Investments		28								28	28	28
Investment property		85,712								85,712	85,712	85,712
Investment in Associates		-								-	-	-
Property, plant and equipment	1	141,797	-	-	-	-	-	-	-	141,797	140,828	137,044
Agricultural		-								-	-	-
Biological		-								-	-	-
Intangible		2,101								2,101	2,101	2,101
Other non-current assets		-								-	-	-
Total non current assets		291,823	-	-	-	-	-	-	-	291,823	296,943	297,841
TOTAL ASSETS		468,819	-	-	-	-	-	-	-	468,819	475,231	476,129
LIABILITIES												
Current liabilities												
Bank overdraft		-								-	-	-
Borrowing		-	-	-	-	-	-	-	-	-	-	-
Consumer deposits		-								-	-	-
Trade and other payables		39,008	-	17,082	-	-	-	-	17,082	56,088	42,174	47,303
Provisions		3,137								3,137	3,586	4,080
Total current liabilities		42,143	-	17,082	-	-	-	-	17,082	69,225	45,758	51,383
Non current liabilities												
Borrowing	1	-	-	-	-	-	-	-	-	-	-	-
Provisions	1	137,202	-	-	-	-	-	-	-	137,202	141,318	145,558
Total non current liabilities		137,202	-	-	-	-	-	-	-	137,202	141,318	145,558
TOTAL LIABILITIES		179,345	-	17,082	-	-	-	-	17,082	196,427	187,077	196,921
NET ASSETS	2	289,474	-	(17,082)	-	-	-	-	(17,082)	270,392	288,154	279,208
COMMUNITY WEALTH/EQUITY												
Accumulated Surplus/(Deficit)		288,279	-	-	-	-	-	-	-	288,279	282,632	254,272
Reserves		21,370	-	-	-	-	-	-	-	21,370	21,370	21,370
Minorities' interests		-								-	-	-
TOTAL COMMUNITY WEALTH/EQUITY		288,649	-	-	-	-	-	-	-	288,649	284,002	275,642

DC4 Eden - Table B7 Adjustments Budget Cash Flow - 24 AUGUST 2016

DC4 Eden - Table B7 Adjustments Budget Cash Flows - 24 AUGUST 2016												
Description	Ref	Budget Year 2016/17									Budget Year +1 2017/18	Budget Year +2 2018/19
		Original Budget	Prior Adjusted	Accum. Funds	Multi-year capital	Unfore. Unavoid.	Net. or Prov. Govt	Other Adjusts.	Total Adjusts.	Adjusted Budget	Adjusted Budget	Adjusted Budget
		A	A1	B	C	D	E	F	G	H		
R thousands												
CASH FLOW FROM OPERATING ACTIVITIES												
Receipts												
Property rates, penalties & collection charges									-	-		
Service charges									-	-		
Other revenue		198,427							-	198,427	298,323	242,540
Government - operating	1	148,708							-	148,708	180,815	158,883
Government - capital	1								-	-		
Interest		8,773							-	8,773	8,271	8,761
Dividends		-							-	-	-	-
Payments												
Suppliers and employee		(308,475)		17,082					17,082	(282,383)	(366,160)	(409,382)
Finance charges		-							-	-	-	-
Transfers and Grants	1	-							-	-	-	-
NET CASH FROM/(USED) OPERATING ACTIVITIES		5,433	-	17,082	-	-	-	-	17,082	22,828	3,358	792
CASH FLOWS FROM INVESTING ACTIVITIES												
Receipts												
Proceeds on disposal of PPE									-	-		
Decrease (increase) in non-current debtors									-	-		
Decrease (increase) other non-current receivables									-	-		
Decrease (increase) in non-current investments									-	-		
Payments												
Capital assets		(5,415)							-	(5,415)	(3,364)	(701)
NET CASH FROM/(USED) INVESTING ACTIVITIES		(5,415)	-	-	-	-	-	-	-	(5,415)	(3,364)	(701)
CASH FLOWS FROM FINANCING ACTIVITIES												
Receipts												
Short term loans									-	-		
Borrowing long term/refinancing									-	-		
Increase (decrease) in consumer deposits									-	-		
Payments												
Repayment of borrowing		-							-	-	-	-
NET CASH FROM/(USED) FINANCING ACTIVITIES		-	-	-	-	-	-	-	-	-	-	-
NET INCREASE/ (DECREASE) IN CASH HELD		18	-	17,082	-	-	-	-	17,082	17,118	5	1
Cash/cash equivalents at the year begin:	2	148,538							-	148,538	148,567	148,582
Cash/cash equivalents at the year end:	2	148,567	-	17,082	-	-	-	-	17,082	165,648	148,582	148,583

DC4 Eden - Table B8 Cash backed reserves/accumulated surplus reconciliation - 24 AUGUST 2016

PC4 Eden - Table B8 Cash backed reserves/accumulated surplus reconciliation - 24 AUGUST 2016												
Description	Ref	Budget Year 2016/17									Budget Year +1 2017/18	Budget Year +2 2018/19
		Original Budget A	Prior Adjusted 3 A1	Accum. Funds 4 B	Multi-year capital 5 C	Unfore. Unavoid. 6 D	Nat. or Prov. Govt 7 E	Other Adjuts. 8 F	Total Adjuts. 9 G	Adjusted Budget 10 H	Adjusted Budget	Adjusted Budget
R thousands												
Cash and Investments available												
Cash/cash equivalents at the year end	1	148,567	-	17,082	-	-	-	-	17,082	165,649	148,562	148,563
Other current investments > 90 days		1	-	(17,082)	-	-	-	-	(17,082)	(17,081)	-	1
Non current assets - Investments	1	28	-	-	-	-	-	-	-	28	28	28
Cash and Investments available:		148,594	-	-	-	-	-	-	-	148,594	148,588	148,588
Applications of cash and investments												
Unspent conditional transfers		-	-	17,082	-	-	-	-	17,082	17,082	-	-
Unspent borrowing		-	-	-	-	-	-	-	-	-	-	-
Statutory requirements		-	-	-	-	-	-	-	-	-	-	-
Other working capital requirements	2	39,008	-	-	-	-	-	-	-	39,008	42,174	47,303
Other provisions		-	-	-	-	-	-	-	-	-	-	-
Long term investments committed		-	-	-	-	-	-	-	-	-	-	-
Reserves to be backed by cash/investments		21,370	-	-	-	-	-	-	-	21,370	21,370	21,370
Total Application of cash and investments:		60,378	-	17,082	-	-	-	-	17,082	77,688	83,544	88,673
Surplus(shortfall)		88,208	-	(17,082)	-	-	-	-	(17,082)	71,116	65,044	70,917

Description	Ref	Budget Year 2016/17									Budget Year +1 2017/18	Budget Year +2 2018/19
		Original Budget	Prior Adjusted 7	Accum. Funds 8	Multi-year capital 9	Unfore. Unavoid. 10	Nat. or Prov. Govt 11	Other Adjusts. 12	Total Adjusts. 13	Adjusted Budget 14	Adjusted Budget	Adjusted Budget
		A	A1	B	C	D	E	F	G	H		
R thousands												
CAPITAL EXPENDITURE												
<i>Total New Assets to be adjusted</i>	1	1,380	-	-	-	-	-	-	-	1,380	818	260
<i>Infrastructure - Road transport</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure - Electricity</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure - Water</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure - Sanitation</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure - Other</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Community</i>		735	-	-	-	-	-	-	-	735	410	180
<i>Heritage assets</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Investment properties</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Other assets</i>	8	845	-	-	-	-	-	-	-	845	208	100
<i>Agricultural Assets</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Biological assets</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Intangibles</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Total Renewal of Existing Assets to be adjusted</i>	2	4,085	-	-	-	-	-	-	-	4,085	2,736	831
<i>Infrastructure - Road transport</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure - Electricity</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure - Water</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure - Sanitation</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure - Other</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Community</i>		1,950	-	-	-	-	-	-	-	1,950	1,900	100
<i>Heritage assets</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Investment properties</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Other assets</i>	6	2,145	-	-	-	-	-	-	-	2,145	838	431
<i>Agricultural Assets</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Biological assets</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Intangibles</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Total Capital Expenditure to be adjusted</i>	4	-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure - Road transport</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure - Electricity</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure - Water</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure - Sanitation</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure - Other</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Infrastructure</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Community</i>		2,885	-	-	-	-	-	-	-	2,885	2,310	260
<i>Heritage assets</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Investment properties</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Other assets</i>		2,780	-	-	-	-	-	-	-	2,780	1,045	531
<i>Agricultural Assets</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Biological assets</i>		-	-	-	-	-	-	-	-	-	-	-
<i>Intangibles</i>		-	-	-	-	-	-	-	-	-	-	-
TOTAL CAPITAL EXPENDITURE to be adjusted	2	8,475	-	-	-	-	-	-	-	8,475	3,388	791

		233 dget Year 2016/17									Budget Year +1 2017/18	Budget Year +2 2018/19
Description	Ref	Original Budget	Prior Adjusted 7	Accum. Funds 8	Multi-year capital 9	Unform. Unavoid.	Nat. or Prov. Govt 11	Other Adjusn. 12	Total Adjusn. 13	Adjusted Budget 14	Adjusted Budget	Adjusted Budget
		A	A1	B	C	D	E	F	G	H		
Household service targets												
Water:												
Piped water inside dwelling									-	-		
Piped water inside yard (but not in dwelling)									-	-		
Using public tap (at least min.service level)	2								-	-		
Other water supply (at least min.service level)									-	-		
Minimum Service Level and Above sub-total	3	-	-	-	-	-	-	-	-	-	-	-
Using public tap (< min.service level)									-	-		
Other water supply (< min.service level)	3,4								-	-		
No water supply									-	-		
Below Minimum Service Level sub-total		-	-	-	-	-	-	-	-	-	-	-
Total number of households	5	-	-	-	-	-	-	-	-	-	-	-
Sanitation/sewage:												
Flush toilet (connected to sewerage)									-	-		
Flush toilet (with septic tank)									-	-		
Chemical toilet									-	-		
Pit toilet (ventilated)									-	-		
Other toilet provisions (> min.service level)									-	-		
Minimum Service Level and Above sub-total		-	-	-	-	-	-	-	-	-	-	-
Bucket toilet									-	-		
Other toilet provisions (< min.service level)									-	-		
No toilet provisions									-	-		
Below Minimum Service Level sub-total		-	-	-	-	-	-	-	-	-	-	-
Total number of households	5	-	-	-	-	-	-	-	-	-	-	-
Energy:												
Electricity (at least min. service level)									-	-		
Electricity - prepaid (> min.service level)									-	-		
Minimum Service Level and Above sub-total		-	-	-	-	-	-	-	-	-	-	-
Electricity (< min.service level)									-	-		
Electricity - prepaid (< min. service level)									-	-		
Other energy sources									-	-		
Below Minimum Service Level sub-total		-	-	-	-	-	-	-	-	-	-	-
Total number of households	5	-	-	-	-	-	-	-	-	-	-	-
Refuse:												
Removed at least once a week (min.service)									-	-		
Minimum Service Level and Above sub-total		-	-	-	-	-	-	-	-	-	-	-
Removed less frequently than once a week									-	-		
Using communal refuse dump									-	-		
Using own refuse dump									-	-		
Other rubbish disposal									-	-		
No rubbish disposal									-	-		
Below Minimum Service Level sub-total		-	-	-	-	-	-	-	-	-	-	-
Total number of households	5	-	-	-	-	-	-	-	-	-	-	-
Households receiving Free Basic Service												
Water (6 kilolitre per household per month)	15								-	-		
Sanitation (free minimum level service)									-	-		
Electricity/other energy (50kwh per household per month)									-	-		
Refuse (removed at least once a week)									-	-		
Cost of Free Basic Services provided (R'000)												
Water (6 kilolitre per household per month)	16								-	-		
Sanitation (free sanitation service)									-	-		
Electricity/other energy (50kwh per household per month)									-	-		
Refuse (removed once a week)									-	-		
Total cost of FBS provided (minimum social pact)		-	-	-	-	-	-	-	-	-	-	-
Highest level of free service provided												
Property rates (R'000 value threshold)									-	-		
Water (kilolitre per household per month)									-	-		
Sanitation (kilolitre per household per month)									-	-		
Sanitation (Rand per household per month)									-	-		
Electricity (kw per household per month)									-	-		
Refuse (average litres per week)									-	-		
Revenue cost of free services provided (R'000)												
Property rates (R'15 000 threshold rebate)	17								-	-		
Property rates (other exemptions, reductions and rebates)									-	-		
Water									-	-		
Sanitation									-	-		
Electricity/other energy									-	-		
Refuse									-	-		
Municipal Housing - rental rebates									-	-		
Housing - top structure subsidies	8								-	-		
Other									-	-		
Total revenue cost of free services provided (total x		-	-	-	-	-	-	-	-	-	-	-

Section 5 - Adjustments to budget assumptions

The budget assumption as tabled with the Original budget 2016/2017 is still applicable.

The following additional assumption is applicable for the tabling of this Adjustment budget as follows:

- The balance of the unspent funds is cash backed and the funds are available in the municipal bank account for successful implementation of the projects.
- **Unspent MOU / SLA** – Agreement to continue with the projects is in order and the respective departments will ensure compliance to the original signed MOU /SLA is adhered to and deviations from the above will be reported to the responsible authorities.
- **Unspent Provincial Grants** – The projects will be approved by Provincial Treasury and continuous reporting will be implemented to ensure achievement of the project objectives as per the approved business plans.
- **Unspent National Grants** – The projects will be approved by National Treasury and continuous reporting will be implemented to ensure achievement of the project objectives as per the approved business plans.
- **Additional Allocation** – Funds were received into the municipal bank account and the conditions as per the SLA is still the same and applicable. Administration is in the process of implementing the project as required.

Section 6 – Adjustments to budget funding

The adjustment to budget funding will be on the expenditure side where additional budgeting will be added to the existing budget to ensure the implementation of these roll-over projects. The funding source for these roll-overs is the cash back surplus as at 30 June 2016.

The balance in the municipal bank account at 30 June 2016 is the following:

- Current account R98,767,928.17
- Investment account R45,000,000.00
- **Total balance** **R143,767,928**

Section 7 – Adjustments to expenditure on allocations and grant programmes

Adjustments to the grants for the different proposed roll-over grant funded projects are as follows:

National grant allocations:

NATIONAL GOVERNMENT ALLOCATIONS		
SECTION	PROJECT DESCRIPTION	AMOUNT
Rural Roads Asset Management	Integrated Transport Grant	(2,276,721.00)
Disaster Management Unit	Municipal Disaster Recovery Grant	(7,367,185.00)
Office of the Municipal Manager	Electricity Demand Side Management	(5,387,955.00)
	TOTAL	(15,011,861.00)

Provincial Grant allocation

PROVINCIAL GOVERNMENT ALLOCATIONS		
SECTION	PROJECT DESCRIPTION	AMOUNT
Performance Management	WC FMG Allocations	(104,914.00)
Roads Transport	Integrated Transport Grant	(652,742.00)
	TOTAL	(757,656.00)

Memorandum of Understanding (MOU) / Service Level Agreements (SLA)

MOU / SLA ALLOCATIONS		
SECTION	PROJECT DESCRIPTION	AMOUNT
Human Resources	LGESTA:Re-Imbursements	(480,910.00)
Human Resources	Task Contributions - Municipalities	(152,169.00)
Manager Community services	DWA: Abstraction Validation on Bitou	(35,589.00)
Manager: EHP Offices	RBIG: Bulk water studies	(633,910.00)
Waste Management Unit	Nelson Mandela Biosphere Reserve Project	(20,000.00)
	TOTAL	(1,322,578.00)

Total Grant Roll-over

R 17 092 095

Section 8 – Adjustments to Grants made by the Municipality

The municipality do not intent making any allocation to external parties from its own revenues resources.

The Disaster Management Grant is an allocation from National Government via the National Division of Revenue Act. These funds are allocated to the District Municipality for distribution to the local municipalities in the region. The criteria for the distribution of these funds are as per the stipulated service level agreement between the Provincial Disaster Centre and the District municipality in collaboration with the local municipalities.

The municipality included an amount of R1, 363,482 as part of its roll-over towards this project.

Section 9 – Adjustments to Councillor and Allowances and Employee Benefits

No adjustments to councillor allowance and employee benefits are permissible during this budget process. All adjustments required will be done during the January mid- year budget process.

Section 10 – Adjustments to Service Delivery and Budget Implementation Plan

As part of council's resolution Service Delivery and Budget Implementation Plan will be revised and presented to the Mayor to incorporate these projects.

This will be concluded as per the legislative requirements.

Section 11 – Adjustment to Capital expenditure

No adjustment to the Capital budget is required.

Section 12 – Municipal Manager's quality certificate**Quality Certificate**

I **Godfrey Winston Louw**, municipal manager of **Eden District Municipality**, hereby certify that the **Adjustment Budget 2016/2017 MTREF** and supporting documentation have been prepared in accordance with the Municipal Finance Management Act and the regulations made under the Act.

Print Name: G.W. Louw

Municipal manager of **Eden District Municipality (DC4)**

Signature: [Signature]

Date: 25/08/16