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→ Thnso Memugumoni

**EXTRACT FROM THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD
ON 29/09/2022**

CR/39/09/22	A	PORTFOLIO: URGENT ADMIN & GOVERNANCE DATE: 19 /09/2022 ITEM: 1 PAGE: 3 REF:	MAYORAL COMMITTEE DATE: 21/09/2022 ITEM: 6 PAGE: 151 REF:	SPECIAL COUNCIL DATE: 29/09/2022 ITEM: 10 PAGE 220
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REVIEW OF DELEGATION OF POWERS

RESOLVED

1. That Council takes cognizance of the report.
2. That Council approves the review of the current system of delegation of powers.
3. That Council notes that the next annual review will be undertaken by end of June 2024 or as and when a need arises for such a review.

Action Municipal Manager



EXTRACT FROM THE AGENDA OF SPECIAL COUNCIL MEETING HELD ON THE 29/09/2022

ITEM 10	A	PORTFOLIO: URGENT ADMIN& GOVERNANCE DATE:19 /09/2022 ITEM:1 PAGE:3 REF:	MAYORAL COMMITTEE DATE: 21/09/2022 ITEM: 6 PAGE: 151 REF:	COUNCIL DATE: ITEM: PAGE
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REVIEW OF DELEGATION OF POWERS

RECOMMENDATIONS

1. That Council takes cognizance of the report.
2. That Council approves the review of the current system of delegation of powers.
3. That Council notes that the next annual review will be undertaken by end of June 2024 or as and when a need arises for such a review.

Action

Municipal Manager

R. Maleta

Ext: 2062

DIRECTORATE: CORPORATE & SHARED SERVICES

ITEM:

REF:

REVIEW OF DELEGATION OF POWERS

Report of the Mayoral Committee to Council

1. PURPOSE OF THE REPORT

To request Council to approve the review of the current system of delegation of powers, in order to align it to the changing needs within the municipality and to ensure maximum and efficient service delivery.

2. BACKGROUND

Council resolved and approved the existing system of delegation of powers for the Polokwane Municipality on 22 November 2021 as provided for on terms of section 59 of the Municipal Systems Act of 2000. It is necessary for the municipality to review the current system of delegations in order to make provision for the powers which were not previously delegated. Since the appointment of the Municipal manager it became necessary that some powers be delegated to the office to ensure that service delivery is not compromised and it is offered in a manner that is transparent and requires accountability of such services offered by the municipality.

In terms of section 65 of the Municipal Systems, Act 32 of 2000 as amended:

(1) Whenever it becomes necessary in terms of section 59(2)(f) to review a municipality's delegations, the municipal manager must submit to the council

(a) a report on the existing delegations issued in terms of section 59 by the council and other delegating authorities of the municipality; and

(b) recommendations on tiny changes to the existing delegations which the municipal manager may consider necessary. The Municipal Systems Act further directs the Municipality to review the current delegation of powers after the election of the new Council, the reviewed document will serve before Council for adoption and becomes the working tool for the Municipality which enables the Municipality to exercise such powers.

(2) -----

3. DISCUSSION

The system of delegation of powers enables the Municipality to perform its functions and duties as conferred to by the Constitution and as effective as possible so that power is not rested with a single official. Consultation process with respective Directorates have been concluded, views solicited and incorporated into the attached draft delegation of powers which document incorporates financial delegations marked annexure "A".. Consideration was given to the alignment to the Municipal Systems Act 32 of 2000 as amended, the Municipal Structures Act 117 of 1998 as amended, Municipal Policies and By-laws.

The delegated powers are given such that the official responsible becomes accountable to the Municipal Manager at all times. The system of the delegation of powers was reviewed in a manner that the powers delegated do not contradict the vision, duties and obligations of the Municipality and are in line with the necessary legislation.

The document aims to outline and highlight the following:

- The delegated powers
- The relevant legislative provisions
- Delegating authority
- Delegated body and or the person whom the delegation applies to
- Conditions of delegated powers were applicable
- Which powers cannot be delegated
- The financial delegations for the Chief Financial Officer and which ones can be delegated to the Deputy Chief Financial Officer and the managers in the respective units within Budget and Treasury Office

- A detailed delegation of powers assigned to Directors and Managers reporting under them
- To give the Municipal Manager the authority to appoint an acting Director for a period not exceeding 30 days and that a report be submitted to Council to ratify such acting appointment
- To give the Executive Mayor the authority to appoint an acting Municipal Manager for a period not exceeding 30 days and that a report be submitted to Council to ratify such acting appointment

It is important to note that officials for whom the Municipal Manager gives responsibility are empowered by way of a system of delegation of powers to perform administrative duties and functions within the Municipality. In order to regulate the checks and balance it is important to note that there needs to be a system of the delegated powers to maximise transparency and accountability.

Section 59 of the Municipal System Act, 32 of 2000 requires that each Municipal Council adopts a system of delegation of powers, the system of delegation of powers must be reviewed once a new Council is elected which has been done as per council Resolution CR76/11/2021. The review of the delegation should be aligned to legislation applicable to the local government sphere and national legislation. The next annual review to be conducted will be undertaken by end of June 2024, it should however be noted that should a need arise for the delegations to be reviewed that may be done in order to align the delegation of powers to the changing circumstance.

Mentioned below is the table highlighting the changes from the old provisions to the new provisions in order to ensure that the current system of delegation powers is reviewed in accordance with the legislation:

Clause	Old Provision	New Provision
C.10	The old provision afforded Council to appoint acting Municipal Managers from the onset	The new provision confers upon the Executive Mayor the powers to appoint an acting Municipal Manager for a period not exceeding 30 days and that a report be submitted to Council to ratify such acting appointment
C.12	The old provision afforded Council to appoint acting Directors from the onset	The new provision confers upon the Municipal Manager the powers to appoint an acting director for a period not exceeding 30 days and that a report be submitted to Council to ratify such acting appointment
FIN.01	The CFO was solely responsible to oversee the sub-units in the Directorate Budget and Treasury	the new provision makes provision to the Deputy CFO to oversee the sub-units within the Directorate Budget and Treasury
DCFO.01-DCFO.04	There was no delegation of powers to the DCFO in terms of the old provisions	The DCFO is delegated certain powers in terms of the new provision
RT.15	There was no delegation for the function in terms of the old provision	The Municipal manager may delegate the function to the Director Roads and Transportation
RT.16	There was no delegation for the function in terms of the old provision	The Municipal manager may delegate the function to the Director Roads and Transportation
RT.17	There was no delegation for the function in terms of the old provision	The Municipal manager may delegate the function to the Director Roads and Transportation
PO.15	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
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		the function to the Manager responsible for the Unit
PO.16	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PO.17	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PO.18	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PO.19	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PO.20	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
ITSM.12	There was no condition for the delegation of the power in terms of the old provision	The condition of the delegation is that it has to be supported by Business & Finance
ITSM.13	There was no condition for the delegation of the power in terms of the old provision	The condition of the delegation is that it has to be supported by Business & Finance
PTI.09	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PTI.10	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
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PTI.11	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PTI.12	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PTI.13	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PTI.14	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PTI.15	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PTI.16	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PTI.17	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PTI.18	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PTI.19	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
PTI.20	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit

PTI.21	There was no delegation for the function in terms of the old provision	The Director Roads and Transportation may sub-delegate the function to the Manager responsible for the Unit
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Comments of the Manager Legal Services

The Local Government Regulations on Appointment and Conditions of employment of Senior Managers entitles Senior Managers to take annual leave, sick leave, family responsibility leave, maternity leave, study leave and special leave during his or her course of employment.

Regulation 23 (10) of the regulations provides that a Senior Manager may only take annual leave with the prior written approval of the Mayor, Municipal Manager as the case may be.

After approval of the leave by the Executive Mayor in the case of the Municipal Manager and the Municipal Manager in the case of a director, it required of the Executive Mayor and the Municipal Manager to put controls in place for management of the Municipality and the Directorate. It is therefore based upon this submission that the Council is required authorize the Executive Mayor and the Municipal Mayor to appoint Senior Managers to act as Municipal Manager or Director.

Section 59 (1) of the Municipal System Act, 32 of 2000 requires that each Municipal Council develop a system of delegation that will maximize administrative and operational efficiency and provide for adequate checks and balances.

Section 59(1)(a) further provides that, that system may 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 municipal integrated development plan, to any of the Municipality other political structures, political office bearers, Councillors, or staff members;

Section 59(2) also stipulates the that a delegation or instruction in terms of subsection (1)

- (a) must not conflict with the Constitution, this Act or the Municipal Structures Act;
- (b) is subject to any limitations, conditions and directions the municipal council may impose
- (c) may include the power to sub delegate a delegated power;
- (d) does not divest the Council of the responsibility concerning the exercise of the power or the performance of the duty.

Section 160 (2) of the Constitution provides that *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.*

The above section entails that there are certain powers which council may delegate with the exception of those mentioned in sub-section (2). Although Council may exercise its discretion to delegate certain powers, the delegation thereof does not absolve council from exercising those powers and being held accountable for the exercise of such delegated powers. Council has the duty to impose conditions to the execution of the delegated powers in order to prevent abuse of power and encourage transparency, openness and accountability.

Although Council is vested with various powers and functions, there are some functions which are the exclusive purview of Council and as such cannot be delegated to any other office bearer and or officials. The Constitution of South Africa is clear on what powers Council may not delegate.

The Minister of Cooperative Governance and Traditional Affairs issued out Circular No.1 of 2019, to inform Municipalities about the Constitutional Court judgement (*South African Municipal Workers Union v Minister of Co-operative Governance and Traditional Affairs* (CCT54/16) [2017] ZACC7; 2017 BCLR 641 (CC)) declaring the Local Government Municipal Systems Amendment Act, 2011 invalid, provide progress on measures taken towards correcting the tagging defect as ordered by the Constitutional Court and provide measures to be applied by the municipalities until the Local Government : Municipal Systems Amendment Bill , 2019 is approved by Parliament and assented by the President.

As of March 2017, the Municipal Systems Amendment Act has been declared unconstitutional and invalid and that means that the Amendment Act, 2011 has become inoperative and cannot be enforced including Sections 54A and 56. To date the Legislature has not passed any legislation and or law replacing the unconstitutional and invalid Local Government Systems Amendments Act of 2011 and therefore there is currently no law governing the extension of the period for which the municipal manager and managers accounting directly to the municipal manager may act.

The Department of Cooperative Governance made an analysis of the provisions of the Municipal Systems Act and its regulations that have been affected by the Concourt judgement and the provisions that remain operative.

The Principal Act and all amendments made before 2011 remain operative and enforceable. The following sections became operative after the Amendment Act of 2011 was declared invalid.

Section 56 of the Local Government Municipal Systems Act 32 of 2000 provides that:

(a) A municipal council, after consultation with the municipal manager, appoints a manager directly accountable to the municipal manager.

(b) A person appointed as a manager in terms of paragraph (a), must have the relevant skills and expertise to perform the duties associated with the post in question, taking into account the protection or advancement of persons or categories of persons disadvantaged by unfair discrimination.

It is important to note that the revived Section 56 of the Municipal Systems Act, 2000 does not make provision for appointment of Acting Manager directly accountable to the Municipal Manager.

Section 82 of the Local Government Municipal Structures Act 117 of 2008 makes provision for the appointment of a municipal manager and provides for the following:

A municipal council must appoint—

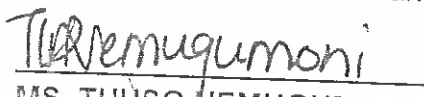
(a) a municipal manager who is the head of administration and also the accounting officer for the municipality; and

(b) when necessary, an acting municipal manager.

In accordance with the aforementioned section, that the powers to appoint a municipal manager lies with Council. It should however be noted that such powers do not fall within the limitation of section **160 (2) of The Constitution** nor the limitations as indicated in **Section 59(1)(a)**

RECOMMENDATIONS

1. That Council takes cognizance of the report.
2. That Council approves the review of the current system of delegation of powers.
3. That Council notes that the next annual review will be undertaken by end of June 2024 or as and when a need arises for such a review.


 MS. THUSO NEMUGUMONI
 MUNICIPAL MANAGER

SPECIAL COUNCIL: 29 SEPTEMBER 2022

DELEGATION OF POWERS

ATTACHMENT 1 OF ITEM 10

PAGE 1 TO PAGE 175



POLOKWANE MUNICIPAL DELEGATION OF POWERS

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PREAMBLE

WHEREAS

the Local Government: Municipal Systems Act, Act No 32 of 2000 provides that a Municipal Council must develop a system of delegation that will maximize, administrative and operational efficiency and provides for adequate checks and balances;

AND WHEREAS

the Local Government: Municipal Structures Act No 117, 1998 also provides for development of a system of delegation by Municipalities;

AND WHEREAS

Local Government Municipal Finance Management Act 56/2003 provides for a system of delegation of powers regarding financial management within a Municipality;

AND FURTHER

WHEREAS

the Constitution of the Republic of South Africa, Act 108 of 1996, empowers a Municipal Council to make by-laws-which prescribe rules and orders for the powers and functions of its committees and further prescribes the delegation of certain of its functions ;

NOW THEREFORE

the following document is adopted as the "System of Delegation of Powers for Polokwane Municipality"

1. DEFINITIONS, INTERPRETATIONS_& ACRONYMS

In this document unless the context indicates otherwise:

"Commercial activity"

Includes but is not limited to: -

The buying, selling, hiring, letting of goods, property both movable and immovable or accruing or providing services, the advertising of tenders for goods or services, the awarding of the tender, the entering into and signing of contracts or agreements including insurance contracts, the amendment and cancellation of contracts or agreements and any activity incidental thereto (provided that the total contract price still falls within the delegated limits of the relevant functionary). Decisions to make investments are excluded from the definition.

“Delegating authority”

in relation to

(a) A delegation of power or duty by a Municipal Council, means the Municipal Council; and

(b) A sub-delegation of power or duty by another political structure, or by a political office bearer, Councilor or staff member of a Municipality, means that political structure, political office bearer, Councilor or staff member;
“Delegation”

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

has a corresponding meaning.

“Delegatee”

refers to a person who has been instructed to perform a certain function.

“Director”

refers to a manager directly accountable to the Municipal Manager.

“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 Mayor with executive powers and elected from among the members of Council in terms of Section 55 of the Municipal Structures Act.

“Manager”

refers to officials directly accountable to directors

“Municipal Council” or Council

means a Municipal Council referred to in section 157(1) of the Constitution.

“Municipality”

means a Municipality referred to in Chapter 7 of the Constitution.

“Constitution”

means the Constitution of the Republic of South Africa Act, Act No 108 of 1996.

“MFMA”

means Local Government: Municipal Finance management Act 56/2003 unless specified otherwise.

“Structures Act”

means the Local Government: Structures Act no 117 of 1998.

Systems Act”

means the Local Government: Municipal Systems Act, Act no 32 of 2000.

ACRONYMS

Item No.	Acronym	Description
1	BAC	Bid Adjudication Committee
2	BEC	Bid Adjudication Committee
3	BSC	Bid Specification Committee
4	CAE	Chief Audit Executive
5	CEO	Chief Executive Officer
6	CFO	Chief Financial Officer
7	CID	City Improvement District

8	CON	Constitution
9	COO	Chief Operating Officer
10	Director: COMS	Director: Community Services
11	Director: C & SS	Director: Corporate and Shared Services
12	Director: ES	Director: Energy Services
13	Director: HS	Director: Human Settlement
14	Director: P & ED	Director: Planning & Economic Development
15	Director: PS	Director: Public Safety
16	Director: R & TS	Director: Roads & Transportation Services
17	Director: W & S	Director: Water & Sanitation
18	DMA	Disaster Management Act
19	DSDF	District Spatial Development Framework
20	ECA	Environment Conservation Act
21	EEDBS	Enhanced Extended Discount Benefit Scheme
22	EM	Executive Mayor
23	ERA	Electricity Regulation Act
24	FBSA	Fire Brigade Services Act
25	GIS	Geographical Information Systems
26	HA	Housing Act
27	IDP	Integrated Development Plan
28	IT	Information Technology
29	LGSETA	Local Government Sector Training Authority
30	LUS	Land Use Scheme
31	Manager: AM	Manager: Asset Management
32	Manager: BE & S	Manager: Bylaw Enforcement & Security
33	Manager: BI	Manager: Building Inspections
34	Manager: B & FP	Manager: Budget & Financial Planning
35	Manager: BTO	Manager: Budget & Treasury Office
36	Manager: C & M	Manager: Communications and Marketing
37	Manager: CS	Manager: Cluster Offices
38	Manager: CGI	Manager: Corporate Geo-Informatics
39	Manager: C & RP	Manager: City & Regional Planning

40	Manager: DM	Manager : Disaster Management
41	Manager: E	Manager: Expenditure
42	Manager: ED & T	Manager Economic Development & Tourism
43	Manager: EH	Manager: Environmental Health
44	Manager: EM	Manager: Environmental Management
45	Manager E: O & M	Manager Energy: Operations & Maintenance
46	Manager E: P & D	Manager Electricity: Planning and Development
47	Manager: FM	Manager: Facilities Management
	Manager: FS	Manager: Fleet Services
48	Manager: HSPP & A	Manager: Human Settlement planning, Policy & Administration
49	Manager: ICT	Manager: Information Communication Technology
50	Manager: IDPR	Infrastructure Development, Planning & Reticulation Design
51	Manager: ITSM	Manager: Intelligent Transport Systems Modelling
52	Manager: LS	Manager: Legal Services
53	Manager: LSUPP	Manager: Legislative Support
54	Manager Operations: WWW	Manager Operations: Water & Waste Water, Quality Management and Laboratory Services
55	Manager: PI & QA	Manager: Programme Implementation & Quality Assurance
56	Manager: PMS	Manager: Performance Management System
57	Manager: PMU	Manager: Project Management Unit
58	Manager: PTID	Manager: Public Transport Infrastructure Development
59	Manager: PTRM	Manager: Public Transport Regulation & Monitoring
60	Manager: R	Manager: Risk
61	Manager: RDM	Manager: Reticulation, Distribution & Maintenance, Water Demand and Conservation
62	Manager: RM & CC	Manager: Revenue Management & Customer Care
63	Manager R & TS: P & O	Manager Roads & Transportation Services: Planning & Operations
64	Manager: SCM	Manager: Supply Chain Management
65	Manager: T & L	Manager: Traffic & Licensing
66	Manager: WM	Manager: Waste Management

67	MEC	Member of the Executive Council
68	MFMA	Municipal Finance Management Act
70	MIG	Municipal Infrastructure Grant
71	MISS	Minimum Security Standards
72	MM	Municipal Manager
73	MPAC	Municipal Public Accounts Committee
74	MPRA	Municipal Property Rates Act
75	MSA	Municipal Systems Act
76	NBRBSA	National Building Regulations & Building Standards Act
77	NEMA	National Environmental Management Act
78	NEMAQA	National Environmental Management: Air Quality Act
79	NEMWA	National Environmental Management: Waste Act
80	NHA	National Health Act
81	NLTA	National Land Transportation Act
82	NRTA	National Road Traffic Act
83	NSP	National Sanitation Policy
84	NWA	National Water Act
85	PAIA	Promotion of Access to Information
86	PAJA	Promotion of Administrative Justice Act
87	PMS	Performance Management System
88	PPP	Public Private Partnership
89	PSDF	Provincial Spatial Development Framework
90	RSA	Republic of South Africa
91	RPOA	Remuneration of Public Office Bearers Act
92	SALGA	South African Local Government Association
93	SALGBC	South African Local Government Bargaining Council
94	SAPS	South African Police Service
95	SARS	South African Revenue Services
96	SCM	Supply Chain Management
97	SCOA	Standard Chart of Account
98	SDBIP	Service Delivery and Budget Implementation Plan
99	SDF	Spatial Development Framework

100	SITA	State Information Technology Agency
101	TSCM	Technical Surveillance Counter Measures
102	VAT	Value Added Tax

2. STATUTORY FRAMEWORK

2.1 The Constitution

2.1.1 Section 160 (2) of the Constitution states that a Municipal Council may not delegate the following functions:

- 2.1.1.1 the passing of by-laws;
- 2.1.1.2 the approval of budgets;
- 2.1.1.3 the imposition of rates and other taxes, levies and duties; and
- 2.1.1.4 the raising of loans.

2.1.2 By necessary implication, the Municipal Council may delegate any of its functions that are not included in the above list.

2.2 Section 59 of the Municipal Systems Act

- 2.2.1 The Section provides that Municipal Council must develop a system of delegation that will maximize 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, councilors, or staff members,
 - (b) instruct any such political structure, political office bearer, councilor, or staff member to perform and of the municipality's duties, and
 - (c) withdraw any delegation or instruction

2.2.2 a delegation or instruction in terms of subsection (1) –

- (a) must not conflict with Constitution, this act or the Municipal Structures Act,
- (b) must be in writing
- (c) is subject to any limitations, conditions and directions the municipal council may impose,
- (d) may include the power to sub-delegate a delegated power,
- (e) does not divest the council of the responsibility concerning the exercise of power of the performance of the duty, and,
- (f) must be reviewed when a new council is elected.

2.3. Municipal Finance Management Act

2.3.1. The Municipal Finance Management Act Sections 59, 79, 82, 106 and 162 provide for development of a system of delegation dealing with the financial management of a Municipality.

2.3.2. Section 14 of Municipal Finance Management Act: Disposal capital assets
The section provides that –

- (1) A municipality 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.
- (2) A municipality may transfer ownership or otherwise dispose of a capital asset other than one contemplated in subsection (1), but only after the municipal council, in a meeting open to the public –
 - (a) has decided on reasonable grounds that the asset is not needed to provide the minimum level of basic municipal services, and
 - (b) considered the fair market value of the asset and the economic and community value to be received in exchange for the asset.
- (3) A decision by a municipal council that a specific capital asset is not needed to provide the minimum level of basic municipal services, may not be reversed by the municipality after that asset has been sold, transferred or otherwise disposed of.
- (4) A municipal council may delegate to the accounting officer of the municipality its power to make the determinations referred to in subsection (2) (a) and (b) in respect of movable capital assets below value determined by the council.
- (5) Any transfer of ownership of a capital asset in terms of subsection (2) or (4) must be fair, equitable, transparent, competitive and consistent with the supply chain management policy which the municipality must have and maintain in terms of section 111.
- (6) This section does not apply to the transfer of a capital asset to another municipality or to a municipal entity or to a national or provincial organ of state in circumstances and in respect of categories of assets approved by the National Treasury, provided that such transfers are in accordance with a prescribed framework.

3. PRINCIPLES OF DELEGATIONS

- 3.1 The system of delegations should ensure that the Council retains all legislative powers and those executive powers that cannot be delegated in terms of the law.
- 3.2 In exercising delegated authority, Council's decision makers must do so in the spirit of utmost good faith and transparency.
- 3.3 It is the duty of the delegating authority to ensure that clear and comprehensive policies are drafted and that those policies may be substituted and/or amended at any given time
- 3.4 All delegations must be aimed at empowering the relevant functionaries to perform their functions effectively, taking into account the different levels of decision-making
- 3.5 The functions allocated to Council's executive as may be approved by Council from time to time, form the basis of the allocation of delegations of executive decision-making power.
- 3.6 All delegations must enhance service delivery without compromising accountability.
Delegated powers do not absolve Council or the Municipality from the responsibility of exercising powers or performing duties.
- 3.7 All delegations must provide for good governance and allow for adequate checks and balances to ensure responsible and accountable decision-making.
- 3.8 In the event that any delegated power conflicts or transgresses legislation, by-laws and/or the procurement policy of the Municipality the delegated power will be deemed as *pro non scripto*

4. CONDITIONS OF DELEGATIONS

- 4.1 All decision-making powers delegated by the Council are subject to the following conditions:
 - 4.1.1 Delegated powers conferred on political structures, political office bearers, Councillors and staff members are not conferred personally on incumbents. Anyone properly appointed in a position has the delegated powers conferred on the position.
 - 4.1.2 These delegations also apply to acting positions. Persons acting in these positions have the same delegated powers as those serving in a permanent capacity.
 - 4.1.3 In executing any delegated power, the delegatee shall under all circumstances comply with all relevant legislation, agreements and policies

- 4.1.4 These delegations do not redefine Council's powers and functions.
- 4.1.5 The policies, whether existing or future, determine the parameters of any delegation and the delegating authority is bound to comply with it. Non-compliance causes any decision so taken to be *ultra vires*. It is the duty of the delegating authority to ensure that clear and comprehensive policies are drafted and that those policies may be substituted or amended at any given time.
- 4.1.6 In executing delegated powers, no expenditure may be incurred unless the delegatee is satisfied that the Council has budgeted for the expenditure and that the funds are still available on the relevant budget votes.
- 4.2 Council or any other delegating authority may at any time, subject to applicable law, and the accrual of any rights, order a delegated matter not to be proceeded with by the delegatee and then deal with the matter
- 4.3 The delegatee may determine whether a report is needed to motivate a decision and whether the decision must be reduced to writing. If a report is required then it must indicate that all legal and financial requirements have been met.
- 4.4 A delegation may set out special circumstances in which a delegatee is prohibited from exercising their delegated power, for example if the delegatee is recommending the rejection of the most financially beneficial tender offer.
- 4.5 Any sub-delegation must be reduced to writing and recorded in the delegation register.
- 4.6 The register of delegations must be kept updated at all times by the Municipal Manager.
- 4.7 Provision must be made for separation between the evaluation and recommendation stage of the decision-making process and the actual decision itself. This must happen in all cases where the decision-making process is reasonably capable of being divided as set out above.
- 4.8 All delegations are conditional on compliance with Council's policies, Integrated Development Plan and budget.
- 4.9 A delegating authority may require any decision taken under delegated power, to be audited.

5. WITHDRAWAL, AMENDMENTS OR LAPSING OF DELEGATION OR SUB-DELEGATION IN TERMS OF SECTION 64 OF THE SYSTEMS ACT

- 5.1 The Council or any other delegating authority may at anytime withdraw, qualify or amend a delegation made by it.
- 5.2 The withdrawal, amendment or lapsing of a delegation or sub-delegation, does not invalidate anything done as a consequence of a decision taken under that delegation or sub-delegation.

6. DUTY TO REPORT IN TERMS OF SECTION 63 OF THE MUNICIPAL SYSTEMS ACT 32/2000

6.1

All delegates must report to the delegating authority at intervals as the delegating authority may require, on decisions taken under a delegated or sub-delegated power or duty, since the last report.

6.2

These reports are to enable the delegating authority to determine whether the policies regulating the power are being implemented, are adequate and or, whether the delegation is appropriate.

7. REVIEW OF DELEGATIONS

7.1

Council must in accordance with the procedures of its Standing Orders, review any decision taken under delegated powers if so requested in writing by at least a quarter of the members of the Council

7.2

Council may require the Executive Mayor, subject to the accrual of rights in law, to review any decision taken in consequence of a delegation or instruction.

7.3

The system of delegations must be reviewed when a new Council is elected. The Municipal Manager must submit a report on the existing delegations issued by the Council and other delegating authorities of the Municipality and recommendations on any related issue considered necessary. The report and any recommendations must be submitted to the Municipal Council through the Executive Mayor.

8. PROCESS OF THE ANNUAL REVIEW

8.1

The delegations are reviewed annually after approval of the review of the Integrated Development Plan.

8.2

The Municipal Manager must submit a report and recommendations on any changes to the existing delegation that he may consider necessary to the Executive Mayor.

8.3

Subsequent to the report, a workshop will be held to review delegations, taking particular cognisance of the integrated development plan.

8.4

A report follows from the Municipal Manager to the Executive Mayor.

8.5

Council has the power to finally decide on the matter.

DELEGATIONS

COUNCIL

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
CO.01	CON 160(2)(a)	The passing of by-laws	Council	None	
CO.02	CON 160(2)(b)	The approval of budgets	Council	None	Section 25 MFMA applies in event that the budget is not approved
CO.03	CON 160(2)(c) MSA 75A(2) MPRA 14(1)	The imposition of rates and other taxes, levies and duties	Council	None	
CO.04	CON 160(2)(d)	The raising of loans	Council	None	
CO.05	MSA 59(1)(a) MSA 75A(2)	The setting of tariffs	Council	None	
CO.06	MSA 59(1)(a)	The decision to enter into a service delivery agreement in terms of section 76(b) of the MSA	Council	None	
CO.07	MSA 59(1)(a)	The decision to approve or amend the municipality's IDP	Council	None	
CO.08	RPOA 7	The determination of salaries, allowances and other benefits of Councilors	Council	None	

CO.09	MSTA 82	Appointment of Municipal Manager	Council	None	To approve acting appointment of Municipal Manager for a period not exceeding 30 days and that a report be submitted to Council to ratify such acting appointment
CO.10	MSTA 82	Appointment of acting Municipal Manager	Council	Executive Mayor	
CO.11	MSA 56 MSTA 30(5)(c)	The appointment and conditions of service of Directors, after consultation with the MM, and after receiving the report and recommendations of the Executive Mayor on the matter	Council	None	
CO.12	MSA 56	Appointment of acting Director(s)	Council	None	To approve acting appointment of director(s) for a period not exceeding 30 days and that a report be submitted to Council to ratify such acting appointment
CO.13	MSTA 18	The designation of full-time Councillors as determined by the MEC for Local Government	Council	None	
CO.14	MSTA 33	The establishment of committees, including the determination of the functions and procedures of any such committee, the appointment and removal of the members of such committee and, in appropriate cases, the appointment of the chairperson of such committee	Council	None	
CO.15	MSTA 34(1)	Considering the dissolution of the Council	Council	None	A decision in this regard must be taken by the Council with a supporting vote of at least two thirds of the councillors
CO.16	MSTA 40	The election of speaker	Council	None	The procedure set out in Schedule 3 of the MST A applies to the election of a speaker
CO.17	MSTA 40	Removing the Speaker from office and filling any vacancy in the office of Speaker	Council	None	Subject to prior notice, a decision in this regard must be taken by the Council with a supporting vote of a majority of its members

CO.18	MSTA 55(1)	Electing of an EM and Executive Deputy Mayor	Council	None	The procedure set out in Schedule 3 of the MST A applies to the election of a EM or Executive Deputy Mayor
CO.19	MSTA 56(4)	Determining the ceremonial role, if any, that the EM must perform	Council	None	
CO.20	MSTA 58	Removing the EM from office	Council	None	Subject to prior notice, a decision in this regard must be taken by the Council with a supporting vote of a majority of its members
CO.21	MSTA 60(3)	Designating the powers of the EM that must be exercised by the EM together with the other members of the mayoral committee	Council	None	
CO.22	MSTA 72	Deciding whether or not to establish ward committees in the municipal area, making rules in connection with any such committees, determining the administrative arrangements that may be made available to such committees and the dissolution of any ward committee	Council	None	
CO.23	MSA 78	The decision on the appropriate mechanisms to provide municipal services	Council	None	
CO.24	MFMA 14(2)(a)	Deciding at a meeting open to the public and on reasonable grounds, that an asset of the Municipality is not needed to provide to provide the minimum level of basic municipal services.	Council	None	
CO.25	MFMA 14(2)(b)	Considering the fair market value of an asset to be disposed of and the economic and	Council	None	

CO.26	MFMA 16(3)	community value to be received in exchange for the asset to be disposed of. Deciding whether money for capital expenditure for a period not exceeding three financial years may be appropriated in an annual budget	Council	None	A separate appropriation must be made for each of financial year. A decision in this regard must be taken by the Council with a supporting vote of a majority of its members
CO.27	MFMA 23(2)	Deciding to give the Executive Mayor an opportunity to respond to any submissions received in connection with the budget from communities and organs of state	Council	None	
CO.28	MFMA 32(2)	Appointing a committee to investigate any suspected or reported unauthorised, irregular or fruitless and wasteful expenditure	Council	None	NOTE: In terms of the judgments of the Courts in the cases of The Democratic Alliance and - another v Amos Masondo and another (WLD) (Case No 01/9260) (2001) and Democratic Alliance and Another v Amos Masondo N O and the Minister of Provincial and Local Government (CC) (Case No CCT 29/02) a mayoral committee was found not to be a committee of a municipal council. The Council may therefore not appoint the Mayoral Committee to perform such an investigation. A decision in this regard must be taken by the Council with a supporting vote of a majority of its members
CO.29	MFMA 32(2)	Determining the amount of unauthorized, irregular or fruitless and wasteful to be recovered, written off or provided in the adjustments budget.	Council	None	

CO.30	MFMA 32(2)	Identifying the identity of the person who is liable for unauthorized for unauthorized, irregular and wasteful expenditure.	Council	None	
CO.31	MFMA 34(1)	Entering into agreement with the national or provincial government to assist the Municipality to build its capacity for efficient, effective and transparent financial management.	Council	None	
CO.32	MFMA 37(1)	Determining the steps the Municipality must take to promote cooperative government with the national and provincial and other municipalities in the Municipality's fiscal and financial relations.	Council	None	
CO.33	MFMA 38(2)	Considering a notice received from the National Treasury of its intention to stop the transfer of funds to the Municipality	Council	None	
CO.34	MFMA 39(3)	Determining the deputation that will appear before a committee of Parliament considering the approval or renewal of a decision of the National Treasury to stop the transfer of funds to the Municipality	Council	None	
CO.35	MFMA 39(3)	Determining the case that will be presented to a committee of Parliament considering the approval or renewal of a decision of the National Treasury to stop the transfer of funds to the Municipality	Council	None	
CO.36	MFMA 45(2)(a)	Approving any short term debt agreement	Council	None	
CO.37	MFMA 46(1)	Deciding whether to incur long term debt	Council	None	

CO.38	MFMA 46(2)(a)	Approving any long term debt agreement	Council	None	
CO.39	MFMA 48(1)	Deciding whether to provide security for any of the Municipality's debt obligations, debt obligations of a municipal entity under its sole control and contractual obligations of the Municipality undertaken in connection with capital expenditure by other persons on property, plant or equipment to be used by the City or such other person	Council	None	
CO.40	MFMA 48(2)	Deciding the form / nature of security to be provided for any of the City's debt obligations, debt obligations of a municipal entity under its sole control and contractual obligations of the City undertaken in a connection with capital expenditure by other persons on property, plant or equipment to be used by the City or such other person	Council	None	
CO.41	MFMA 50	Deciding to issue a guarantee for any commitment or debt of any organ of state, person or municipal entity under the sole or shared control of the City	Council	None	
CO.42	MFMA 50	Deciding to grant exemptions from charging interest on any arrears owing to the Municipality in accordance with the Municipality's budget related policies.	Council	None	
CO.43	MFMA 84(1)(a)	Determining precisely the function or service that a municipal entity would perform on behalf of the City when considering the establishment of, or participation in, a municipal entity	Council	None	

CO.44	MFMA 84(2)(b)(i)	Considering an assessment of the impact of the shifting of a function or service to a municipal entity on the Municipality's staff, assets and liabilities when considering the establishment of, or participation in, a municipal entity	Council	None	
CO.45	MFMA 84(2)(b)(ii)	Considering the comments or representations received from the local community, organised labour and other interested persons in respect of the Municipality's intention to establish and/or participate in a municipal entity	Council	None	
CO.46	MFMA 84(2)(b)(iii)	Considering the views and recommendations of the National Treasury and the provincial treasury, the national and provincial departments responsible for local government and the MEC responsible for local government in respect of the Municipality's intention to establish and/or participate in a municipal entity	Council	None	
CO.47	MFMA 87(2)	Considering the proposed budget of a municipal entity of which the Municipality is the parent Municipality and assessing the entity's priorities and objectives	Council	None	
CO.48	MFMA 87(2)	Deciding to make recommendations on the proposed budget of a municipal entity of which the Municipality is the parent municipality	Council	None	

CO.49	MFMA 87(5)(c)	Determining the limits, including any limits on tariffs, revenue, expenditure and borrowing, on the budget of a municipal entity of which the Municipality is the parent municipality	Council	None	
CO.50	MFMA 88(b)(ii)	Receiving and considering a mid-year performance assessment report of a municipal entity of which the Municipality is the parent municipality	Council	None	
CO.51	MFMA 90(2)	Considering an application from a municipal entity of which the Municipality is the parent municipality, to transfer ownership or otherwise dispose of a capital asset other than an asset needed to provide the minimum level of basic municipal services	Council	None	The power must be exercised in a meeting which is open to the public at which the Council: (a) must determine 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 and the economic and community value to be received in exchange for the asset.
CO.52	MFMA 97(3)	Receiving the report of the accounting officer of a municipal entity of which the Municipality is the parent municipality regarding any payments due by an organ of state to the entity in respect of service charges, if such payments are regularly in arrears for the periods of more than 30 days.	Council	None	
CO.53	MFMA 101(1)	Receiving a report of the Accounting Officer of a municipal entity of which the Municipality is the parent municipality on any financial problems of the entity.	Council	None	
CO.54	MFMA 104(1)(b)	Deciding which information, returns documents, explanations and motivations to	Council	None	

CO.55	MFMA 113(1)	require from the Accounting Officer of a municipal entity of which the Municipality is the parent municipality. Deciding whether to consider an unsolicited bid received outside the Municipality's normal bidding process.	Council	None	In line with SCM regulation 37(2)
CO.56	MFMA 109	Deciding, when a municipal entity of which the Municipality is the parent municipality, experiences serious or persistent financial problems and the board of directors of the entity fails to act effectively — (a) the appropriate steps to be taken in terms of the Municipality's rights and powers over the entity concerned, including its rights and powers in terms of any relevant service delivery or other agreement; (b) impose a financial recovery plan, which meets the criteria set out in section 142 of the MFMA; or (c) liquidate and disestablish the entity	Council	None	
CO.57	MFMA 114(1)	Considering a report containing the reasons for deviating from such recommendation of the accounting officer of a municipal entity of which the Municipality is the parent municipality if a tender other than the one recommended in the normal course of implementing the supply chain management policy of the municipal entity is approved	Council	None	
CO.58	MFMA 120(1)	Deciding to enter into a public-private partnership agreement	Council	None	

CO.59	MFMA 120(1)(a)	Determining whether a proposed public-private partnership agreement will provide value for money to the municipality	Council	None	
CO.60	MFMA 120(1)(b)	Determining whether a proposed public-private partnership agreement will be affordable for the Municipality.	Council	None	
CO.61	MFMA 120(1)(c)	Determining whether a proposed public-private partnership agreement will transfer appropriate technical, operational and financial risk to the private party	Council	None	
CO.62	MFMA 121(4)(f)	Determining any additional information to be contained in the annual report of a municipal entity of which the Municipality is a parent municipality.	Council	None	
CO.63	MFMA 129(1)	Considering the annual report of the Municipality and of any municipal entity under the Municipality's sole or shared control	Council	None	
CO.64	MFMA 129(1)	Adopting an oversight report containing the Council's comments on the annual report(s)	Council	None	
CO.65	MFMA 129(5)	Deciding whether to adopt guidelines issued by the National Treasury on the manner in which councils should consider annual reports and conduct public hearings and the functioning and composition of any public accounts or oversight committees established by a council to assist it to consider an annual report	Council	None	

CO.66	MFMA 133(1)(c)(i)	Deciding whether to request the Speaker or another Councillor to investigate the reasons for the failure of the MM or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the A- G or the EM's failure to table the annual report of the Municipality or a municipal entity in the Council	Council	None	
CO.67	MFMA 133(1)(c)(i)	Receiving the report of the appointed Councillor regarding the failure of the MM or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the A- G or the EM's failure to table the annual report of the Municipality or a municipal entity in the Council	Council	None	
CO.68	MFMA 133(1)(c)(ii)	Determining the appropriate steps to be taken to ensure that the financial statements are submitted to the A-G or that the annual report, including the financial statements and the audit report on those statements, is tabled in the Council, as the case may be	Council	None	
CO.69	MFMA 133(1)(c)(iii)	Deciding whether disciplinary steps should be taken against the MM or other persons responsible for the failure of the MM or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the A-G or the EM's failure to table the annual report of	Council	None	

CO.70	MFMA 145(1)(b)	the Municipality or a municipal entity in the Council	Council	None	
CO.71	MFMA 152(1)	Reporting monthly to the MEC for local government on the implementation of the approved financial recovery plan for the Municipality Deciding to apply to the High Court for an order to stay all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments	Council	None	
CO.72	MFMA 153(1)(a)	Deciding to apply to the High Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings, including the execution of legal process, by persons claiming money from the Municipality	Council	None	
CO.73	MFMA 153(1)(b)	Deciding to apply to the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA	Council	None	
CO.74	MFMA 165(1)	Deciding whether to establish an internal audit unit or to outsource the internal audit function	Council	None	
CO.75	MFMA 166(1) and (6)	Deciding whether to establish an internal audit committee for the municipality	Council	None	

CO.76	166(2) MFMA	Receiving reports of the audit committee	Council	None	
CO.77	MFMA 166(4)	Determining the number of members of the audit committee	Council	None	
CO.78	MFMA 166(4)	Determining the nature of the appropriate experience that persons should possess to be considered for appointment as a member of the audit committee	Council	None	
CO.79	MFMA 166(5)	Appointing the members of the audit committee of the Municipality and of a municipal entity of which the Municipality is a parent municipality	Council	None	
CO.80	MFMA 166(5)	Appointing from amongst the members of an audit committee a person who is not in the employ of the Municipality or municipal entity a chairperson	Council	None	
CO.81	MFMA 176(2)	Deciding to recover from a political office-bearer or official of the Municipality any loss or damage suffered by it because of the deliberate or negligent unlawful actions of that political office-bearer or official when performing a function of office	Council	None	
CO.82	SCM Regulations 37(2)	Decide to consider an unsolicited bid but only if- (a) the product or service offered is demonstrably or proven unique innovative concept;	Council	None	

CO.83	PPP Regulations 4(2)	(b)the product or service will be exceptionally beneficial to, or have exceptional cost advantages for, the Municipality; (c)the person who made the bid is the sole provider of the product or service; and (d)the reasons for not going through the normal bidding process are found to be sound by the accounting officer. An award of a public-private partnership agreement- (a)may be made only after the process set out in section 120(6) of the Act has been completed; and (b)is subject to compliance with section 33 of the Act.	Council	None		
CO.84	PPP Regulations 4(3)	When complying with section 120(6)(c) of the Act, the Municipality must specifically solicit the views and recommendations of the National Treasury on- (a)the proposed terms and conditions of the draft public-private partnership agreement; (b)the Municipality's plan for effective management of the agreement after its conclusion; and (c)the preferred bidder's – (i)competency to enter into a public-private partnership agreement; (ii)the capacity to comply with his or her obligations in terms of the public-private partnership agreement	Council	None		
CO.85	PPP Regulations 4(4)	A municipality or municipal entity must take all reasonable and prudent steps consistent with its investment policy and according to the	Council	None		

CO.86	PPP Regulations 6(1) & (2)	standard of care set out in Regulation 5, to ensure that it places its investments with creditworthy institutions. (1) Only the accounting officer of a municipality may sign a public-private partnership agreement on behalf of the Municipality. (2) The accounting officer may not sign a public-private partnership agreement unless section 33 of the Act has been complied with.	Council	None	
CO.87	Asset Transfer Regulations 5(1)	A municipality may transfer or dispose of a non-exempted capital asset only after- (a) the accounting officer has in terms of Regulation 6 conducted a public participation process to facilitate the determinations the municipal council must make in terms section 14(2)(a) and (b) of the Act; and subject to the prescripts of sub-regulation 2	Council	None	
CO.88	Asset Transfer Regulations 5(1)	A municipality may transfer or dispose of a non-exempted capital asset only after- (b) the municipal council- (i) has made determinations required by section 14(2)(a) and (b), and (ii) has as a consequence of those determinations approved in principle that the capital asset may be transferred or disposed of. (and further subject to full compliance with Regulations 5, 7, 11 and 12) Sub-regulation (b)(i) & (ii) may be sub-delegated to the accounting officer in terms of sub-regulation (6).	Council	None	Value to be determined by council for application to delegation to accounting officer in terms of sub-regulation (6).
CO.89	Asset Transfer	Only the municipal council may authorize the public participation process referred to in sub-regulation (1)(a) (and further subject to full	Council	None	

CO.90	Regulations 5(3) Asset Transfer Regulations 5(6)	compliance with sub-regulations 2,3(b), 4 and 5). A municipal council may delegate to the accounting officer its power to make determinations referred to in sub-regulation (1)(b)(i) and to give the approval referred in sub-regulation (1)(b)(ii) in respect of movable capital assets below the value determined by the municipal council.	Council	None	
CO.91	Asset Transfer Regulations 6	If the municipal council has in terms of regulation 5(3)(a) authorised the accounting officer to conduct a public participation process in connection with any proposed transfer or disposal of a high value capital asset or other asset referred to in regulation 5(2), the accounting officer must at least 60 days before the meeting of the council at which determinations referred to in regulation 5(1)(b) are to be considered- (a)in accordance with section 21 of the Municipal Systems Act- (i)make public the proposal to transfer or dispose of the capital together with the information statement referred to in regulation 5(3)(b); and (ii)invite the local community and other interested persons to submit to the municipality comments or representations in respect of the proposed transfer or disposal of the capital asset; and (b)solicit the views and recommendations of National Treasury and the relevant provincial treasury on the matter.	Council	None	

CO.92	Asset Transfer Regulations 8(1)	A municipality or municipal entity must take all reasonable and prudent steps consistent with its investment policy and according to the standard of care set out in regulation 5, to ensure that it places its investments in creditworthy institutions.	Council	None	Value to be determined by council for application to delegation to accounting officer in terms of sub-regulation (6)
CO.93	Asset Transfer Regulations 8(3)	The council of the parent municipality of a municipal entity may delegate to the accounting officer of the entity its power to make the determinations referred to in sub-regulation (1)(b)(i) and to give the approval referred to in sub-regulation (1)(b)(ii) in respect of movable capital assets below the value determined by the municipal council.	Council	None	
CO.94	Asset Transfer Regulations 8(6)	The council of the parent municipality of a municipal entity may delegate to the accounting officer of its entity its power to make determinations referred to in sub-regulation (1)(b)(i) and to give the approval referred to in sub-regulation (1)(b)(ii) in respect of movable capital assets below the value determined by the municipal council.	Council	None	
CO.95	Asset Transfer Regulations 22(3)	A municipality transferring a capital asset to an organ of state in the circumstances described in regulation 20(1)(a) must take all reasonable steps to ensure that the transfer will result in the continuation of the municipal service concerned at least the same or better level that otherwise would have been rendered by the transferring municipality had it not transferred the asset.	Council	None	
CO.96	Asset Transfer	If a municipality or municipal entity transfers an asset to an organ of state an exempted capital	Council	None	

	Regulations 24	asset needed to provide minimum level of basic municipal services, such transfer may only be effect on condition that and in compliance with sub-regulations (1)-(5).			
CO.97	Asset Transfer Regulations 30(1)	A municipality or municipal entity may transfer assets and liabilities in terms of this Chapter to an organ of state only in accordance with a written transfer agreement concluded between the municipality or entity and an organ of state. Transfer agreements must be drafted in terms of conditions stipulated in sub-regulations 2 & 3.	Council	None	
CO.98	Asset Transfer Regulations 34(1) & (2)	(1)A municipality may grant a right to use, control or manage a capital asset only after- (a)the accounting officer has in terms of regulation 35 conducted public participation process regarding the proposed granting of the right; and (b)the municipal council has approved in principle that the right may be granted and after considering the prescripts of regulation 36 and subject to the conditions listed in regulation 40 and 44. (2)sub-regulation (1)(a) must be complied with only if- (a)the capital asset in respect of which the proposed right is to be granted has a value in excess of R10 million; and (b) a long term right is proposed to be granted in respect of the capital asset.	Council	None	
CO.99	Asset Transfer	If the municipal council has in terms of regulation 34(3)(a) authorised the accounting officer to conduct a public participation process	Council	None	Regulation 35 must be complied with only if

	Regulations 34(4)	in connection with any proposed granting of a long term use, control or manage a capital asset with a value in excess of R10 million, the accounting officer must at least 60 days before the meeting of the municipal council at which the decision referred to in regulation 34(1)(b) is to be considered- (a)in terms of section 21A of the Municipal Systems Act- (i)make public the proposal to grant the relevant right together with the information statement referred to in regulation 34(3)(b); and (ii) invite the local community and other interested persons to submit to the municipality comments or representations in respect of the proposed granting of the right; and (b)solicit the views and recommendations of National Treasury and the relevant provincial treasury on the matter.			(a)the capital asset in respect of which the proposed right is to be granted has a value in excess of R10 million; and (b)a long term right is proposed to be granted in respect of the capital asset.
CO.100	Asset Transfer Regulations 37(1)	A municipal entity may grant a right to use, control and manage a capital asset only after- (a)the accounting officer of the entity has in terms of regulation 38 conducted a public participation process regarding the proposed granting of the right; and (b)the council of the parent municipality of the entity has approved in principle that the right may be granted and after considering the prescripts of regulation 39 and subject to the conditions listed in regulation 40 and 44. (2)Sub-regulation (1)(a) must be complied with only if-	Council	None	

CO.101	Asset Transfer Regulations 37(4)	(a) the capital asset in respect of which the proposed right is to be granted has a value in excess of R10 million; and (b) a long term right is proposed to be granted in respect of the capital asset. The council of a municipal council of a municipal entity may delegate to the accounting officer of the entity its approval referred to in sub-regulation (1)(b) excluding the power to grant long term rights to use, control or manage capital assets of a value in excess of R10 million	Council	None	The asset must be less than R10 million
CO.102	Asset Transfer Regulations 38	If council of the parent municipality of a municipal entity has in terms of regulation 37(4)(a) authorised the entity to conduct a public participation process in connection with any proposed granting a long term right to use, control or manage a capital asset with a value in excess of R10 million, the chief executive officer of the entity must at least 90 days before the meeting of the council of the parent municipality at which the decision referred to in regulation 37(1)(b) is to be considered- (a) in accordance with section 21A of the Municipal Systems Act- (i) make public the proposal to grant the relevant right together with the information statement referred to in regulation 37(3)(b); and (ii) invite the local community and other interested persons to submit to the parent municipality comments or representations in respect of the proposed right; and	Council	None	

CO.103	Asset Transfer Regulations 43	(b)solicit the views and recommendations of the National Treasury and the relevant provincial Treasury on the matter.	Council	None	
CO.104	Asset Transfer Regulations 45(1)	If a municipality or municipal entity grants a right to use, control or manage a capital asset used for or in connection with a municipal service, the municipality or entity must take reasonable steps to ensure that the granting of the right will result in the continuation of the service at the same or better level that would otherwise have been rendered by the municipality or entity had it not been granted the right. A municipal entity may grant a right to use, control or manage a capital asset to a private sector party to an organ of state only by way of a written agreement concluded between the municipality or entity and the private sector party or organ of state to whom the right is granted and further subject to full compliance with the terms and conditions contemplated in sub-regulation (2)	Council	None	
CO.105	Asset Transfer Regulations 45(3)	If a long term right to a capital asset with a value in excess of R10 million is granted following the selection of a service provider for the performance of a municipal service referred to in regulation 41(2)(b), the agreement referred to in sub-regulation (1) must comply with the provisions provided for in sub-regulations (a)-(b)	Council	None	
CO.106	Debt Disclosure	A disclosure statement issued by a municipality or municipal entity must be signed by-	Council	None	

	Regulations 7(1)	(b) in the case of the municipal entity by, by the chief executive officer			
CO.107	Debt Disclosure Regulations 7(2)	The accuracy of a statement set out in a disclosure statement must be confirmed by- (a) an opinion from an independent auditor registered with an independent regulatory board for auditors; (b) legal opinion; and (c) the opinions referred to in sub-regulation (2)(a) and (b) must be included in the disclosure statement together with any qualifications subject to which the opinions were issued.	Council	None	
CO.108	Debt Disclosure Regulations 26	Any failure by the municipality or municipal entity to meet- (i) any of its obligations pertaining to security provided by the municipality or municipal entity; or (ii) any other obligation constituting a default as defined for the purposes of a debt transaction; and must be notified by the respective parties to the contract to National Treasury within four working days of default.	Council	None	
CO.110	Minimum Competency Regulations 16(2)	If a municipal manager does not meet the minimum competency levels in the higher education qualification and the financial and supply chain management competency areas included in regulation 3,5 or 7, attainment of such competency levels within the timeframes set out in regulation 15 must be included as a performance target in that official's performance agreement in terms of regulation 26 of the Performance Regulations. It must	Council	None	

CO.111	SCOA 13(a)	further comply with the prescripts of sub-regulation (3). The accounting officer of a municipality or municipal entity must take all the necessary steps to ensure that these regulations are implemented by- (a)delegating the necessary powers and duties to the appropriate officials	Council	None	
CO.112	MSA 76(b)	Enter into service delivery agreement with: (bb)service licensed service provider registered or recognized in terms of national legislation to recover all charges due to the municipality.	Council	None	
CO.113	MSA 100	To implement and enforce Credit Control and Debt Collection Policy to implement all applicable sections.	Council	None	
CO.114	22(1) MPRA	Determination of special rating areas in the municipality, the levying of an additional rate on the property in that area and the differentiation between categories of properties when levying the additional rate	Council	None	
CO.115	MPRA 31(1)	For the purpose of a general valuation, to determine a date on which the valuation roll is to be first implemented	Council	None	
CO.116	MPRA 33	The designation of a person as a municipal valuer	Council	None	
CO.117	MPRA 38	To enter into an agreement with another municipality to designate a single municipal valuer and to share the costs of preparing valuation rolls	Council	None	

CO.118	Code of Conduct for Councilors Item 4	The sanctioning of non-attendance of Council meetings	Council	None	
CO.119	Code of Conduct for Councilors Item 7(4)	Determining the financial interests of Councilors that must be made public	Council	None	
CO.120	Code of Conduct for Councilors Item 8	Considering any application of a full-time Councilor to perform any other paid work	Council	None	Consent shall not unreasonably be withheld. A decision in this regard must be taken by the Council with a supporting vote of a majority of its members
CO.121	Code of Conduct for Councilors Item 13	Consideration of a report of the Speaker on the suspected breach of the code of conduct for Councilors	Council	None	
CO.122		The consideration of reports of the respective directorates of the Council	Council	None	
CO.123		To authorize the scrapping of goods, material and equipment to a total value as determined from time to time by Council	Council	None	A decision this regard must be taken in terms of Council's Asset Management Policy
CO.124		To authorize the scrapping and write-off of redundant goods, material and equipment to a total value as determined from time to time by Council	Council	None	A decision this regard must be taken in terms of Council's Asset Management Policy

CO.125	To authorize the write-off of lost goods and assets to a total value as determined from time to time by Council	Council	None	A decision this regard must be taken in terms of Council's Asset Management Policy
CO.126	To authorize the sale of goods and material (excluding a movable capital asset needed to provide the minimum level of basic municipal services) to an organ of state, other Municipality or public utility company and equipment to a total value as determined from time to time by Council	Council	None	
CO.127	To authorize the out of hand sale of goods and material (excluding movable capital asset needed to provide the minimum level of basic municipal services)	Council	None	
CO.128	To authorize overdrafts on bank accounts in accordance with the provisions of section 70 of the MFMA	Council	None	
CO.129	To authorize the payment of occupational rent on the purchase of land or buildings where the Council wishes to take occupation prior to transfer	Council	None	
CO.130	To, in consultation with the CFO, approve applications for the removal of fall back clauses and where necessary, to impose additional conditions	Council	None	
CO.131	Receiving Quarterly reports from Chief Audit Executive (CAE)	Council	None	

CO.132	MFMA Circular 65	Approving an Audit Committee Charter	Council	None	
CO.133		To determine the days, times and conditions for access to refuse facilities	Council	None	
CO.134	SPLUMA Sec 23(1)(b)	To maintain effective, efficient and transparent systems for: (a) spatial planning (b) (land use management (c) land development management (d) reporting (e) monitoring and evaluations (f) internal control and internal audit to ensure compliance with SPLUMA (g) operating within prescribed Guidelines, norms and standards,	Council	None	On recommendation from Manager: City and Regional Planning
CO.135	SPLUMA Sec 28(1)(2)	The Municipality may amend its LUS to achieve objectives of the SDF	Council	None	
CO.136	SPLUMA Sec 29(1)(2)	The Municipality may enter into agreement with any organ of the state to ensure streamlining of approval processes	Council	None	
CO.137	SPLUMA Sec 30	The Municipality may, subject to direction by the national government, enter into agreement with other organs of the state to align development authorization	Council	None	
CO.138	SPLUMA Sec 36(1)	-Call for nominations - Publication in the newspaper or & Gazette -Non-municipal officials to be remunerated	Council	None	

			-Period of appointment must not be more than two terms				
CO.139			Put Mechanisms in place to ensure that the Municipality prescribes the requirements for different types of applications (it would be ideal to streamline consultation process)	Council	None		
CO.140	SPLUMA Sec 52(7)		Put procedures in place for dealing with land development applications affecting the national interest	Council	None		
CO.140	SPLUMA		Determine the detailed requirements for an application	Council	None		
CO.141	SPLUMA		Determine schedule of fees for development application	Council	None		
CO.142	SPLUMA		Appoint official and non-official members of the Municipal Planning Tribunal	Council	None		
CO.143	MSA 66.1(a)		The approval of the staff establishment as established by the MM.	Council	None		
CO.144	MFMA 171(4)(a)		Deciding whether an allegation of financial misconduct against the MM is frivolous, vexatious, speculative or obviously unfounded	Council	None		
CO.144	MFMA 171(4)(a)		Investigating any allegations of financial misconduct against the MM unless those allegations are frivolous, vexatious, speculative or obviously unfounded	Council	None		

CO.145	Financial Misconduct Board Regulations 5	Establishment of the Financial Misconduct Board	Council	None	
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OFFICE OF EXECUTIVE MAYOR

EXECUTIVE MAYOR

Item No	Legislation	Power	Delegating authority	Delegating body	Conditions of delegation
EM.01	MSTA 56	To receive reports from the committees of the Council and to forward these reports together with a recommendation to the Council when the matter cannot be disposed of by him in terms of his delegated powers	Executive Mayor	None	
EM.02	MSTA 56	To identify the needs of the municipality	Executive Mayor	None	
EM.03	MSTA 56	To review and evaluate those needs in order of priority	Executive Mayor	None	
EM.04	MSTA 56	To make recommendations to the Council regarding strategies, programs and services to address priority needs through the IDP, and the estimates of revenue and expenditure, taking into account any applicable national and provincial development plans	Executive Mayor	None	
EM.05	MSTA 56	To make recommendations to the Council regarding the best way, including partnership and other approaches, to deliver those strategies, programmes and services to the maximum benefit of the community	Executive Mayor	None	
EM.06	MSTA 56	To identify and develop criteria in terms of which progress in the implementation of those strategies, programmes and services can be	Executive Mayor	None	

		evaluated, including key performance indicators which are specific to the municipality and common to local government in general				
EM.07	MSTA 56	To evaluate progress against the above-mentioned key performance indicators	Executive Mayor	None		
EM.08	MSTA 56	To review the performance of the municipality in order to improve the economy, efficiency and effectiveness of the municipality, the efficiency of credit control and revenue and debt collection services, and the implementation of the municipality's by-laws	Executive Mayor	None		
EM.09	MSTA 56	To monitor the management of the municipality's administration in accordance with the directions of the Council	Executive Mayor	None		
EM.10	MSTA 56	To oversee the provision of services to communities in the municipality in a sustainable manner	Executive Mayor	None		
EM.11	MSTA 56	To perform such duties and exercise such powers as the Council may delegate to the Executive Mayor	Executive Mayor	None		
EM.12	MSTA 56	To annually report on the involvement of communities and community organizations in the affairs of the municipality	Executive Mayor	None		
EM.13	MSTA 56	To ensure that regard is given to public views and report on the effect of consultation on the decisions of the Council	Executive Mayor	None		

EM.14	MSTA 56	To perform a ceremonial role as the Council may determine from time to time	Executive Mayor	None	
EM.15	MSTA 56	To report to the Council on all decisions taken by him	Executive Mayor	None	
EM.16	MFMA 16(2)	Tabling the draft budget at a Council meeting	Executive Mayor	None	The annual draft budget must be tabled at least 90 days before 1 July each year
EM.17	MFMA 21(1)(a)	Co-ordinating the processes of preparing the annual budget and reviewing the Municipality's IDP and budget related policies	Executive Mayor	None	
EM.18	MFMA 21(1)(b)	Tabling in the Council a time schedule outlining key deadlines for the preparation, tabling and approval of the annual budget, the annual review of the IDP and the Municipality's budget -related policies, the tabling and adoption of any amendments to the IDP and the budget-related policies and any consultative processes forming part of the processes	Executive Mayor	None	At least 10 months before 1 July each year
EM.19	MFMA 21(2)(b)	Deciding the reasonable steps to be taken to review the Municipality's IDP	Executive Mayor	None	
EM.20	MFMA 21(2)(d)	Determining the manner and timing of consultation of the local municipalities within the municipal area, the provincial treasury and such other organs of state as may be prescribed with regard to the Municipality's annual budget	Executive Mayor	None	Subject to any limitations that may be prescribed in respect of organs of state other than the National Treasury

EM.21	MFMA 21(2)(e)	Providing information relating to the budget that may be requested to the National Treasury and any other organ of state	Executive Mayor	None	Subject to any limitations that may be prescribed in respect of organs of state other than the National Treasury
EM.22	MFMA 23	Must respond to the submissions of the local community, National and Provincial Treasury, national organs of state or municipalities which made submissions on the budget; after the annual budget was tabled in the Municipal Council and if necessary, revise the budget and table amendments for consideration by the Council.	Executive Mayor	None	
EM.23	MFMA 25(3)	Complying with section 55 of the MFMA if the Municipality has not approved an annual budget, including revenue-raising measures necessary to give effect to the budget, by 1 July of any year	Executive Mayor	None	Immediately report the matter to the MEC responsible for local government. May recommend to the MEC an appropriate provincial intervention in terms of section 139 of the Constitution
EM.24	MFMA 27(1)	Determining the likelihood of the Municipality not being able to comply with the MFMA or other legislation relating to the tabling or approval of an annual budget or compulsory consultation processes	Executive Mayor	None	
EM.25	MFMA 27(1)	Informing the MEC responsible for finance of any impending non - compliance by the Municipality of any provisions of the MFMA or any other legislation pertaining to the tabling or approval of an annual budget or compulsory consultation processes	Executive Mayor	None	

EM.26	MFMA 27(2)	Deciding to apply to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget	Executive Mayor	None	
EM.27	MFMA 27(2)	Applying to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget	Executive Mayor	None	
EM.28	MFMA 27(3)	Informing the Council, MEC responsible for finance and the National Treasury, in writing, of any actual non-compliance by the Municipality of a provision of Chapter 4 of the MFMA and any remedial or corrective measures the Municipality intends to implement to avoid a recurrence of such non-compliance	Executive Mayor	None	
EM.29	MFMA 28(4)	Tabling an adjustments budget in the Council	Executive Mayor	None	
EM.30	MFMA 29(1)	Deciding to authorize unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstance	Executive Mayor	None	
EM.31	MFMA 29(2)(c)	Reporting to the Council regarding the authorization of unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	Executive Mayor	None	Such report must be made to the Council at the first Council meeting next ensuing after the authorization was given

EM.32	MFMA 31(d)	Giving written approval for exceeding the amount appropriated in respect of a capital programme	Executive Mayor	None	Such report must be made to the Council at the first Council meeting next ensuing after the authorization was given
EM.33	MFMA 31(e)	Submitting the certificate specifying that actual revenue for the financial year concerned is expected to exceed budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring further borrowing beyond the annual budget limit issued by the MM and the Executive Mayor's approval for exceeding the amount appropriated in respect of a capital programme to the provincial treasury and the A-G	Executive Mayor	None	Subject to section 21 MFMA
EM.34	MFMA 52(a)	Deciding the nature and extent of, and manner in which political guidance over the fiscal and financial affairs of the Municipality will be provided	Executive Mayor	None	
EM.35	MFMA 52(b)	Deciding the monitoring and oversight mechanisms to be applied to the exercise by the MM and the CFO of their powers, functions and duties in terms of the MFMA	Executive Mayor	None	
EM.36	MFMA 52(c)	Deciding the reasonable steps to be taken to ensure that the Municipality performs its constitutional and statutory functions within the limits of the Municipality's approved budget	Executive Mayor	None	
EM.37	MFMA 52(d)	Submitting to the Council, within 30 days of the end of each quarter, a report on the	Executive Mayor	None	

EM.38	MFMA 52(e)	Implementation of the budget and the financial state of affairs of the Municipality	Executive Mayor	None	
		Must exercise the other powers and perform the other duties assigned to the Executive Mayor in terms of the MFMA or delegated by the Council to the Executive Mayor			
EM.39	MFMA 53(1)(a)	Deciding the nature and extent of, and manner in which political guidance is to be given over the budget process and the priorities that must guide the preparation of a budget	Executive Mayor	None	
EM.40	MFMA 53(1)(b)	Deciding the steps to be taken to co-ordinate the annual revision of the IDP and the preparation of the annual budget	Executive Mayor	None	
EM.41	MFMA 53(1)(b)	Determining how the IDP is to be taken into account or revised for the purposes of the budget	Executive Mayor	None	
EM.42	MFMA 53(1)(c)(i)	Determining the reasonable steps to be taken to ensure that the Municipality approves its annual budget before the start of the budget year	Executive Mayor	None	
EM.43	MFMA 53(1)(c)(ii)	Determining the reasonable steps to be taken to ensure he approves the Municipality's SDBIP	Executive Mayor	None	The Executive Mayor must approve the annual SDBIP within 28 days after the approval of the budget
EM.44	MFMA 53(1)(c)(iii)	Determining the reasonable steps to be taken to ensure that the annual performance agreements for the MM and all senior managers	Executive Mayor	None	In terms of section 57(2)(a) of the MSA the annual performance agreements must be concluded on or before 30 July of each year

		comply with the MFMA, are linked to the measurable performance objectives approved with the budget and to the SDBIP and are concluded in accordance with section 57(2) of the MSA				
EM.45	MFMA 53(2)	Reporting to the Council and the MEC responsible for finance any delay in the tabling of an annual budget, the approval of the SDBIP or the signing of the annual performance agreements	Executive Mayor	None		
EM.46	MFMA 53(3)(a)	Ensuring that the revenue and expenditure projections for each month and the service delivery targets and performance indicators for each quarter, contained in the SDBIP, are made public no later than 14 days after the approval of the SDBIP	Executive Mayor	None		
EM.47	MFMA 53(3)(b)	Ensuring that the performance agreements of the MM, senior managers and any other categories of officials as may be prescribed, are made public no later than 14 days after the approval of the Municipality's SDBIP	Executive Mayor	None		
EM.48	MFMA 53(3)(b)	Submission of the annual performance agreements of the MM, senior managers and any other categories of officials as may be prescribed, to the Council and the MEC responsible for local government	Executive Mayor	None		
EM.49	MFMA 54(1)(a)	Making arrangements for the receipt of a monthly statement on the state of the	Executive Mayor	None	1. The statement a statement regarding the state of the municipality's budget must be submitted	

		Municipality's budget and a mid-year corporate performance assessment report			not later than 10 working days after the end of each month 2. The mid-year performance assessment report must be submitted not later than 25 January of each year 3. The mid-year corporate performance assessment report must be submitted to the Council not later than 31 January each year
EM.50	MFMA 54(1)(b)	Determining the procedures, including reports required to check whether the Municipality's approved budget is implemented in accordance with the SDBIP	Executive Mayor	None	
EM.51	MFMA 54(1)(c)	Determining whether it is necessary to make any revisions to the SDBIP	Executive Mayor	None	Revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the Council following approval of an adjustments budget
EM.52	MFMA 54(1)(c)	Determining the process of formulating revisions to the SDBIP	Executive Mayor	None	
EM.53	MFMA 54(1)(d)	Determining the instructions to be given to the MM to ensure that the budget is implemented in accordance with the SDBIP and that spending of funds and revenue collection proceed in accordance with the budget	Executive Mayor	None	If the Municipality faces any serious financial problems, the Executive Mayor must promptly respond to and initiate any remedial or corrective steps proposed by the MM to deal with such problems, which may include steps to reduce spending when revenue is anticipated to be less than projected in the Municipality's approved budget, the tabling of an adjustments budget or steps in terms of Chapter 13 of the MFMA and alert the Council and the MEC for local government to those problems

EM.54	MFMA 54(1)(e)	Considering whether the Municipality faces any financial problems including any emerging or impending financial problems	Executive Mayor	None	
EM.55	MFMA 54(1)(f)	Submit the Section 72 report to the council by 31 January of each year	Executive Mayor	None	
EM.56	MFMA 54(3)	Making public any revisions of the SDBIP	Executive Mayor	None	
EM.57	MFMA 55	Immediately report to the MEC for local government if the Municipality has not approved an annual budget by 1 July of any year or if the Municipality encounters a serious financial problem	Executive Mayor	None	
EM.58	MFMA 56	Providing guidance to the Municipality to exercise its rights and powers over any municipal entity in which the Municipality has sole or shared control	Executive Mayor	None	
EM.59	MFMA 59(1)(a)	Deciding to delegate the powers and duties assigned to the Executive Mayor in terms of the MFMA	Executive Mayor	None	
EM.60	MFMA 59(2)	Determining the conditions and limitations of any delegation by the Executive Mayor	Executive Mayor	None	
EM.61	MFMA 59(3)	Deciding to confirm, vary or revoke any decision taken in consequence of a delegation by the Executive Mayor	Executive Mayor	None	No variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision

EM.62	MFMA 87(3)	Tabling the proposed budget of a municipal entity of which the Municipality is the parent municipality in the Council	Executive Mayor	None	Together with the Municipality's budget for the relevant financial year
EM.63	MFMA 87(6)	Considering an application by the board of directors of a municipal entity of which the Municipality is the parent municipality to revise the budget of the municipal entity	Executive Mayor	None	
EM.64	MFMA 87(9)	Tabling the budget or adjusted budget and any adjustments budget of a municipal entity of which the Municipality is the parent municipality at the next Council meeting	Executive Mayor	None	
EM.65	MFMA 102(1)	Receiving a report of the board of directors of a municipal entity of which the Municipality is the parent municipality any irregular expenditure or any fruitless and wasteful expenditure incurred by, or on behalf of, that municipal entity	Executive Mayor	None	
EM.66	MFMA 127(2)	Tabling in the Council the Municipality's annual report and the annual report of any municipal entity under the Municipality's sole or shared control	Executive Mayor	None	
EM.67	MFMA 127(3)(a)	Submitting to the Council a written explanation setting out the reasons for any delay in tabling the Municipality's annual report and the annual report of any municipal entity under the Municipality's sole or shared control	Executive Mayor	None	
EM.68	MFMA 131(1)	Ensuring that the Municipality addresses all the issues raised in an audit report	Executive Mayor	None	

EM.69	MFMA 133(1)(a)	Tabling in the Council a written explanation setting out the reasons for the failure of the MM or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the AG or the Executive Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council	Executive Mayor	None	
EM.70	MFMA 136(1)(a)	Participating in consultations with the MEC for local government regarding a serious financial problem in the Municipality	Executive Mayor	None	
EM.71	MFMA 137(1)(d)	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in resolving any financial problem, and if applicable, implementing the financial recovery plan	Executive Mayor	None	
EM.72	MFMA 139(1)(b)	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in implementing the recovery plan, including the approval of a budget and legislative measures giving effect to the recovery plan	Executive Mayor	None	
EM.73	MFMA 139(2)	Receiving a request made by the provincial executive to the Municipal Financial Recovery Service to determine the reasons for the crisis in the Municipality's financial affairs, to assess the Municipality's financial state and to prepare	Executive Mayor	None	

		an appropriate recovery plan for the Municipality			
EM.74	MSTA 60(1)(a)	Appointment of mayoral committee from among Councillors to assist the Executive Mayor	Executive Mayor	None	
EM.75	MSTA 60(1)(b)	Delegation of specific responsibilities to each member of the mayoral committee	Executive Mayor	None	
EM.76	MSTA 60(1)(c)	Delegation of any of the Executive Mayor's powers to the respective members	Executive Mayor	None	
EM.77	MSTA 60(1)(d)	Dismissal of a member of the mayoral committee	Executive Mayor	None	
EM.78	MSTA 80(3)(a)	Appointment of a chairperson for each committee from the executive committee or mayoral committee	Executive Mayor	None	
EM.79	MSTA 80(3)(b)	Delegation of any powers and duties of the Executive Mayor to the committee	Executive Mayor	None	
EM.80	MSTA 80(3)(d)	To vary or revoke any decision taken by a committee, subject to any vested rights	Executive Mayor	None	
EM.81	MSA 30(a)	Manages the drafting of the municipality's IDP	Executive Mayor	None	
EM.82	MSA 30(b)	Assigns responsibilities to the MM in regard to the drafting process	Executive Mayor	None	
EM.83	MSA 30(c)	Submits the draft plan to the Municipal Council for adoption	Executive Mayor	None	

EM.84	MSA 39(a)	Manages the development of the municipality's PMS	Executive Mayor	None	
EM.85	MSA 39(b)	Assigns responsibilities to the MM in regard to the development process	Executive Mayor	None	
EM.86	MSA 39(c)	Submits the proposed system to the Municipal Council for adoption	Executive Mayor	None	
EM.87	MSA 62(4)(b)	Is the appeal authority when an appeal is lodged against a decision taken by the MM	Executive Mayor	None	
EM.88	MSA 62(5)	Must commence with an appeal within six weeks and to decide the appeal within a reasonable period	Executive Mayor	None	
EM.89	MFMA 23	Must respond to the submissions of the local community, National and Provincial Treasury, national organs of state or municipalities which made submissions on the budget; after the annual budget was tabled in the Municipal Council and if necessary, revise the budget and table amendments for consideration by the Council.	Executive Mayor	None	
EM.90	MFMA 25(3)	Complying with section 55 of the MFMA if the Municipality has not approved an annual budget, including revenue-raising measures necessary to give effect to the budget, by 1 July of any year	Executive Mayor	None	Immediately report the matter to the MEC responsible for local government. May recommend to the MEC an appropriate provincial intervention in terms of section 139 of the Constitution

EM.91	MFMA 27(1)	Determining the likelihood of the Municipality not being able to comply with the MFMA or other legislation relating to the tabling or approval of an annual budget or compulsory consultation processes	Executive Mayor	None	
EM.92	MFMA 27(1)	Informing the MEC responsible for finance of any impending non-compliance by the Municipality of any provisions of the MFMA or any other legislation pertaining to the tabling or approval of an annual budget or compulsory consultation processes	Executive Mayor	None	
EM.93	MFMA 27(2)	Deciding to apply to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget	Executive Mayor	None	
EM.94	MFMA 27(2)	Applying to the MEC responsible for finance to extend any time limit or deadline with regard to the preparation and approval of the annual budget	Executive Mayor	None	
EM.95	MFMA 27(3)	Informing the Council, MEC responsible for finance and the National Treasury, in writing, of any actual non-compliance by the Municipality of a provision of Chapter 4 of the MFMA and any remedial or corrective measures the Municipality intends to implement to avoid a recurrence of such non-compliance	Executive Mayor	None	
EM.96	MFMA 28(4)	Tabling an adjustments budget in the Council	Executive Mayor	None	

EM.97	MFMA 29(1)	Deciding to authorize unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstance	Executive Mayor	None	
EM.98	MFMA 29(2)(c)	Reporting to the Council regarding the authorization of unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	Executive Mayor	None	Such report must be made to the Council at the first Council meeting next ensuing after the authorization was given
EM.99	MFMA 31(d)	Giving written approval for exceeding the amount appropriated in respect of a capital programme	Executive Mayor	None	Such report must be made to the Council at the first Council meeting next ensuing after the authorization was given
EM.100	MFMA 31(e)	Submitting the certificate specifying that actual revenue for the financial year concerned is expected to exceed budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring further borrowing beyond the annual budget limit issued by the MM and the Executive Mayor's approval for exceeding the amount appropriated in respect of a capital programme to the provincial treasury and the A-G	Executive Mayor	None	Subject to section 21 MFMA
EM.101	MFMA 45(2)(a)	Must sign a resolution of the Council to incur short-term debt, and which signifies that Council has approved the debt agreement	Executive Mayor	None	
EM.102	MFMA 46(2)(a)	Must sign a resolution of the Council to incur long-term debt, and which signifies that Council has approved the debt agreement	Executive Mayor	None	

EM.103	MFMA 52(a)	Deciding the nature and extent of, and manner in which political guidance over the fiscal and financial affairs of the Municipality will be provided	Executive Mayor	None	
EM.104	MFMA 52(b)	Deciding the monitoring and oversight mechanisms to be applied to the exercise by the MM and the CFO of their powers, functions and duties in terms of the MFMA	Executive Mayor	None	
EM.105	MFMA 52(c)	Deciding the reasonable steps to be taken to ensure that the Municipality performs its constitutional and statutory functions within the limits of the Municipality's approved budget	Executive Mayor	None	
EM.106	MFMA 52(d)	Submitting to the Council, within 30 days of the end of each quarter, a report on the implementation of the budget and the financial state of affairs of the Municipality	Executive Mayor	None	
EM.107	MFMA 52(e)	Must exercise the other powers and perform the other duties assigned to the Executive Mayor in terms of the MFMA or delegated by the Council to the Executive Mayor	Executive Mayor	None	
EM.108	MFMA 53(1)(a)	Deciding the nature and extent of, and manner in which political guidance is to be given over the budget process and the priorities that must guide the preparation of a budget	Executive Mayor	None	

EM.109	MFMA 53(1)(b)	Deciding the steps to be taken to co-ordinate the annual revision of the IDP and the preparation of the annual budget	Executive Mayor	None	
EM.110	MFMA 53(1)(b)	Determining how the IDP is to be taken into account or revised for the purposes of the budget	Executive Mayor	None	
EM.111	MFMA 53(1)(c)(i)	Determining the reasonable steps to be taken to ensure that the Municipality approves its annual budget before the start of the budget year	Executive Mayor	None	
EM.112	MFMA 53(1)(c)(ii)	Determining the reasonable steps to be taken to ensure he approves the Municipality's SDBIP	Executive Mayor	None	The Executive Mayor must approve the annual SDBIP within 28 days after the approval of the budget
EM.113	MFMA 53(1)(c)(iii)	Determining the reasonable steps to be taken to ensure that the annual performance agreements for the MM and all senior managers comply with the MFMA, are linked to the measurable performance objectives approved with the budget and to the SDBIP and are concluded in accordance with section 57(2) of the MSA	Executive Mayor	None	In terms of section 57(2)(a) of the MSA the annual performance agreements must be concluded on or before 30 July of each year
EM.114	MFMA 53(2)	Reporting to the Council and the MEC responsible for finance any delay in the tabling of an annual budget, the approval of the SDBIP or the signing of the annual performance agreements	Executive Mayor	None	
EM.115	MFMA 53(3)(a)	Ensuring that the revenue and expenditure projections for each month and the service delivery targets and performance indicators for	Executive Mayor	None	

		each quarter, contained in the SDBIP, are made public no later than 14 days after the approval of the SDBIP				
EM.116	MFMA 53(3)(b)	Ensuring that the performance agreements of the MM, senior managers and any other categories of officials as may be prescribed, are made public no later than 14 days after the approval of the Municipality's SDBIP	Executive Mayor	None		
EM.117	MFMA 53(3)(b)	Submission of the annual performance agreements of the MM, senior managers and any other categories of officials as may be prescribed, to the Council and the MEC responsible for local government	Executive Mayor	None		
EM.118	MFMA 54(1)(a)	Making arrangements for the receipt of a monthly statement on the state of the Municipality's budget and a mid-year corporate performance assessment report	Executive Mayor	None	1. The statement regarding the state of the municipality's budget must be submitted not later than 10 working days after the end of each month 2. The mid-year performance assessment report must be submitted not later than 25 January of each year 3. The mid-year corporate performance assessment report must be submitted to the Council not later than 31 January each year	
EM.119	MFMA 54(1)(b)	Determining the procedures, including reports required to check whether the Municipality's approved budget is implemented in accordance with the SDBIP	Executive Mayor	None		
EM.120	MFMA 54(1)(c)	Determining whether it is necessary to make any revisions to the SDBIP	Executive Mayor	None		Revisions to the service delivery targets and performance indicators in the plan may only be

EM.121	MFMA 54(1)(c)	Determining the process of formulating revisions to the SDBIP	Executive Mayor	None	made with the approval of the Council following approval of an adjustments budget
EM.122	MFMA 54(1)(d)	Determining the instructions to be given to the CM to ensure that the budget is implemented in accordance with the SDBIP and that spending of funds and revenue collection proceed in accordance with the budget	Executive Mayor	None	If the Municipality faces any serious financial problems, the Executive Mayor must promptly respond to and initiate any remedial or corrective steps proposed by the MM to deal with such problems, which may include steps to reduce spending when revenue is anticipated to be less than projected in the Municipality's approved budget, the tabling of an adjustments budget or steps in terms of Chapter 13 of the MFMA and alert the Council and the MEC for local government to those problems
EM.123	MFMA 54(1)(e)	Considering whether the Municipality faces any financial problems including any emerging or impending financial problems	Executive Mayor	None	
EM.124	MFMA 54(1)(f)	Submit the Section 72 report to the council by 31 January of each year	Executive Mayor	None	
EM.125	MFMA 54(3)	Making public any revisions of the SDBIP	Executive Mayor	None	
EM.126	MFMA 55	Immediately report to the MEC for local government if the Municipality has not approved an annual budget by 1 July of any year or if the Municipality encounters a serious financial problem	Executive Mayor	None	

EM.127	MFMA 56	Providing guidance to the Municipality to exercise its rights and powers over any municipal entity in which the Municipality has sole or shared control	Executive Mayor	None	
EM.128	MFMA 59(1)(a)	Deciding to delegate the powers and duties assigned to the Executive Mayor in terms of the MFMA	Executive Mayor	None	
EM.129	MFMA 59(2)	Determining the conditions and limitations of any delegation by the Executive Mayor	Executive Mayor	None	
EM.130	MFMA 59(3)	Deciding to confirm, vary or revoke any decision taken in consequence of a delegation by the Executive Mayor	Executive Mayor	None	
EM.131	MFMA 87(3)	Tabling the proposed budget of a municipal entity of which the Municipality is the parent municipality in the Council	Executive Mayor	None	
EM.132	MFMA 87(6)	Considering an application by the board of directors of a municipal entity of which the Municipality is the parent municipality to revise the budget of the municipal entity	Executive Mayor	None	
EM.133	MFMA 87(9)	Tabling the budget or adjusted budget and any adjustments budget of a municipal entity of which the Municipality is the parent municipality at the next Council meeting	Executive Mayor	None	
EM.134	MFMA 102(1)	Receiving a report of the board of directors of a municipal entity of which the Municipality is the	Executive Mayor	None	

EM.135	MFMA 127(2)	parent municipality any irregular expenditure or any fruitless and wasteful expenditure incurred by, or on behalf of, that municipal entity	Executive Mayor	None	
EM.136	MFMA 127(3)(a)	Tabling in the Council the Municipality's annual report and the annual report of any municipal entity under the Municipality's sole or shared control Submitting to the Council a written explanation setting out the reasons for any delay in tabling the Municipality's annual report and the annual report of any municipal entity under the Municipality's sole or shared control	Executive Mayor	None	
EM.137	MFMA 131(1)	Ensuring that the Municipality addresses all the issues raised in an audit report	Executive Mayor	None	
EM.138	MFMA 133(1)(a)	Tabling in the Council a written explanation setting out the reasons for the failure of the MM or of the accounting officer of a municipal entity under the Municipality's sole or shared control to submit annual financial statements to the A-G or the Executive Mayor's failure to table the annual report of the Municipality or a municipal entity in the Council	Executive Mayor	None	
EM.139	MFMA 136(1)(a)	Participating in consultations with the MEC for local government regarding a serious financial problem in the Municipality	Executive Mayor	None	
EM.140	MFMA 137(1)(d)	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in resolving any financial problem,	Executive Mayor	None	

EM.1241	MFMA 139(1)(b)	and if applicable, implementing the financial recovery plan	Executive Mayor	None	
EM.142	MFMA 139(2)	Participating in consultations with the MEC for local government regarding the Municipality's co-operation in implementing the recovery plan, including the approval of a budget and legislative measures giving effect to the recovery plan	Executive Mayor	None	
EM.143	MSTA 60(1)(a)	Receiving a request made by the provincial executive to the Municipal Financial Recovery Service to determine the reasons for the crisis in the Municipality's financial affairs, to assess the Municipality's financial state and to prepare an appropriate recovery plan for the Municipality	Executive Mayor	None	
EM.144	MSTA 60(1)(b)	Appointment of mayoral committee from among Councilors to assist the Executive Mayor	Executive Mayor	None	
EM.145	MSTA 60(1)(c)	Delegation of specific responsibilities to each member of the mayoral committee	Executive Mayor	None	
EM.146	MSTA 60(1)(d)	Delegation of any of the Executive Mayor's powers to the respective members	Executive Mayor	None	
EM.147	MSTA 80(3)(a)	Dismissal of a member of the mayoral committee	Executive Mayor	None	
		Appointment of a chairperson for each committee from the executive committee or mayoral committee	Executive Mayor	None	

EM.148	MSTA 80(3)(b)	Delegation of any powers and duties of the Executive Mayor to the committee	Executive Mayor	None	Is not divested of the responsibility concerning the exercise of the power or the performance of the duty
EM.149	MSTA 80(3)(d)	To vary or revoke any decision taken by a committee, subject to any vested rights	Executive Mayor	None	
EM.150	MSA 30(a)	Manages the drafting of the municipality's IDP	Executive Mayor	None	
EM.151	MSA 30(b)	Assigns responsibilities to the MM in regard to the drafting process	Executive Mayor	None	
EM.152	MSA 30(c)	Submits the draft plan to the Municipal Council for adoption	Executive Mayor	None	
EM.153	MSA 39(a)	Manages the development of the municipality's PMS	Executive Mayor	None	
EM.154	MSA 39(b)	Assigns responsibilities to the MM in regard to the development process	Executive Mayor	None	
EM.155	MSA 39(c)	Submits the proposed system to the Municipal Council for adoption	Executive Mayor	None	
EM.156	MSA 62(4)(b)	Is the appeal authority when an appeal is lodged against a decision taken by the MM	Executive Mayor	None	
EM.157	MSA 62(5)	Must commence with an appeal within six weeks and to decide the appeal within a reasonable period	Executive Mayor	None	

Item No.	Legislation	Power	Delegating Authority	Delegated Body	Conditions of delegation
EM.158	MSA 60(1)(a)	The decision to expropriate immovable property or rights in or to immovable property	Council	Executive Mayor	In accordance with a policy framework determined by Council
EM.159	MSA 60(1)(b)	The determination or alteration of the remuneration, benefits or other conditions of service of the MM and Directors	Council	Executive Mayor	In accordance with a policy framework determined by the council
EM.160	MSA 11	The formulation, developing and adopting of policies, plans, strategies and programmes of the municipality, including setting of targets for service delivery	Council	Executive Mayor	In consultation with the MM
EM.161	MSTA 19(3)	The determination and development of mechanisms to consult the community and community organizations on the performance of the municipality's functions	Council	Executive Mayor	
EM.162	MSTA 87(2)	The lodging of an objection to the Minister against the temporary allocation of a function or power of the municipality to the district municipality to restore or maintain any basic service that has or may collapse	Council	Executive Mayor	
EM.163	MSTA 88(2)(b)	Determining the nature, extent, duration and conditions for providing assistance to the district municipality pursuant to a request for such assistance	Council	Executive Mayor	
EM.164	MSTA 88(2)(a)	Making a request to the district municipality for financial, technical and administrative support services	Council	Executive Mayor	

EM.165	MSA 66	Determining a policy framework for staff matters	Council	Executive Mayor	
EM.166		Adopting an employment equity plan and skills development plan for the municipality consistent with the relevant legislation	Council	Executive Mayor	
EM.167		To decide himself on the attendance of meetings, workshops, seminars, conferences, congresses and similar events and special visits by him, which are in the interest of the Council and which are to be conducted within or outside the boundaries of the RSA	Council	Executive Mayor	Provided that the necessary funds are available and that the Council is informed quarterly by means of a written report
EM.168		A decision to obtain the authority in terms of the NPA to enable an employee to institute criminal proceedings and conduct prosecutions in respect of a contravention of by-laws and other legislation applicable to the municipality	Council	Executive Mayor	
EM.169		The approval of excess expenditure, covered by a saving, on the annual capital and operating budgets	Council	Executive Mayor	
EM.170	MFMA 23(1)	Receiving and considering the views of the communities and organs of state received in connection with the budget	Council	Executive Mayor	
EM.171	MFMA 28(1)	Deciding to revise an approved budget by way of an adjustments budget	Council	Executive Mayor	

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EM.172	MFMA 32(7)	Determining whether an alleged irregular expenditure incurred by the CM constitutes a criminal offence	Council	Executive Mayor	
EM.173	MFMA 32(7)	Determining whether the CM allegedly committed an act of theft and fraud	Council	Executive Mayor	
EM.174	MFMA 32(7)	Reporting alleged irregular expenditure incurred by the CM that constitutes a criminal offence and alleged theft and fraud perpetrated by the CM to the SAPS	Council	Executive Mayor	
EM.175	MFMA 34(1)	Entering into an agreement with the national or provincial government to assist the Municipality to build its capacity for efficient, effective and transparent financial management	Council	Executive Mayor	
EM.176	MFMA 34(3)(a)	Considering the results of the provincial government's monitoring of the Municipality	Council	Executive Mayor	
EM.177	MFMA 34(3)(b)	Considering a notification of the provincial government of any emerging or impending financial problems in the Municipality	Council	Executive Mayor	
EM.178	MFMA 37(1)(a)	Determining the steps the Municipality must take to promote co-operative government with the national and provincial spheres of government and other municipalities in the Municipality's fiscal and financial relations	Council	Executive Mayor	

EM.179	MFMA 44(1)	Deciding the reasonable steps to settle a dispute of a financial nature between the Municipality and another organ of state out of court	Council	Executive Mayor	Subject to section 52 MFMA
EM.180	MFMA 44(2)(a)	Reporting a dispute of a financial nature between the Municipality and another organ of state (excluding the National Treasury) to the National Treasury	Council	Executive Mayor	Subject to section 52 MFMA
EM.181	MFMA 44(2)(b)	Deciding whether to request the National Treasury to mediate or to appoint a mediator to mediate a dispute of a financial nature between the Municipality and another organ of state (excluding the National Treasury)	Council	Executive Mayor	Subject to section 52 MFMA
EM.182	MFMA 89(a)	Determining the upper limits of the salary, allowances and other benefits of the CEO and senior managers of a municipal entity of which the Municipality is the parent municipality	Council	Executive Mayor	
EM.183	MFMA 135(3)	Considering whether the Municipality is, or is likely to, encounter a serious financial problems in meeting its financial commitments	Council	Executive Mayor	In consultation with MM
EM.184	MFMA 135(3)(a)	Determining the manner of seeking solutions to any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	Council	Executive Mayor	In consultation with MM
EM.185	MFMA 135(3)(a)	Defining the solutions to be implemented to solve or avoid any serious financial problem in meeting its financial commitments experienced or anticipated by the Municipality	Council	Executive Mayor	In consultation with MM

EM.186	MFMA 143(3)(a)	Receiving an approved financial recovery plan for the Municipality	Council	Executive Mayor	In consultation with MM
EM.187	MFMA 148(1)(b)(i)	Declaring the Municipality's willingness to fulfill the executive obligation in terms of legislation or the Constitution that gave rise to any discretionary intervention in the Municipality	Council	Executive Mayor	
EM.188	MFMA 168(3)	Considering any guidelines issued by the Minister of Finance in terms of section 168(1) of the MFMA	Council	Executive Mayor	In consultation with MM
EM.189	MFMA 174(4)(b)	Deciding whether an investigation of an allegation of financial misconduct against the MM revealed anything that warrants the institution of disciplinary proceedings	Council	Executive Mayor	
EM.190		To consult with the national and provincial spheres of government, the local and other district municipalities and organised local government in regard to the division, assignment, delegation and agency powers and functions and to promote and defend council's views	Council	Executive Mayor	
EM.191		To formulate comments on proposed national and provincial legislation, regulations, policy frameworks, etc.	Council	Executive Mayor	
EM.192		The Councillor has been summoned to attend any inquest or inquiry arising from the exercise of his powers or the performance of his duties.	Council	Executive Mayor	

EM.193		To provide authority that a Councillor may be provided with legal representation where	Council	Executive Mayor	
EM.194		May sub-delegate any power or duty which the Council has delegated to him	Council	Executive Mayor	
EM.195		To determine a short list of candidates for appointment as MM, to interview such candidates and to make recommendations to Council on a preferred candidate in terms of the Local Government: Municipal Systems Act: Regulation on the appointment and Conditions of service of Senior Managers	Council	Executive Mayor	
EM.196		To determine a short list of candidates for appointment in those positions of managers that are directly accountable to the MM, to interview such candidates and to make recommendations to Council on the preferred candidates in terms of the Local Government: Municipal Systems Act Regulation on the appointment and Conditions of service of Senior Managers	Council	Executive Mayor	In consultation with the MM
EM.197		To determine the conditions of service and the terms of employment contracts of the MM and those members of staff directly accountable to the MM	Council	Executive Mayor	Subject to the law and policy
EM.198		To exercise all the rights and duties of Council and to take all decisions regarding the privileges, rights and duties of the MM and	Council	Executive Mayor	

		those members of staff directly accountable to the MM, in terms of their respective contracts				
EM.199		To authorise the MM to attend congresses workshops meetings of institutes etc inside the borders of the RSA.	Council	Executive Mayor	Provided that the necessary funds are	
EM.200		To authorize the MM to attend any inquest or inquiry or court or arbitration arising from the exercise of his/her powers or the performance of his/her duties	Council	Executive Mayor		
EM.201		To grant authority that the MM may be provided the legal representation	Council	Executive Mayor		
EM.202		To consider audit reports and to make recommendations to Council	Council	Executive Mayor		
EM.204		To authorise audit investigations in circumstances where the MM may be implicated	Council	Executive Mayor		
EM.205		To authorise investigations into irregularities where the MM may be implicated	Council	Executive Mayor	Excluding where Councillors are involved	
EM.206		To, in accordance with applicable policy, incur expenditure necessary for the performance of the functions in connection with the office of Executive Mayor	Council	Executive Mayor		
EM.207		To consult affected municipalities and other organs of state and to advise Council on the method of aligning the municipality's planning	Council	Executive Mayor		

EM.208	MSA 28	with and supplement the development plans and strategies of such affected municipalities' and other organs of state	Council	Executive Mayor	
EM.209		To approve a process that guide the Council in the planning, drafting adoption and reviewing of an IDP, as required in terms of section 28 of the MSA	Council	Executive Mayor	
EM.210	MSA 34	To adopt a pre-determined programme that reflects time scales for the various steps of the process	Council	Executive Mayor	
EM.211	MSA 38	To annually advise the Council on the review of the IDP in accordance with an evaluation of the municipality's performance measurement as required in terms of section 34 of the MSA	Council	Executive Mayor	
EM.212		To adopt a strategy for the promotion of a culture of Performance Management among municipality's political office bearers, political structures and Councilors and in the administration, as required in terms of section 38 of the MSA	Council	Executive Mayor	
EM.213	MSA 42	To adopt a mechanism for monitoring, and review of the municipality's PMS, as required in terms of section.40 of the MSA	Council	Executive Mayor	
		To consult the community on the development, implementation and review of the municipality's PMS, as required in terms of section 42 ,of	Council	Executive Mayor	

		the MSA			
EM.214	MSA 46	To present to Council an annual report for approval, as required in terms of section 46 of the MSA	Council	Executive Mayor	
EM.215		To arrange for the protection of Councillors	Council	Executive Mayor	In accordance with a policy framework determined by the Council
EM 216		Approves MM's leave.	Council	Executive Mayor	

OFFICE OF SPEAKER

SPEAKER

Item No.	Legislation	Power	Delegation Authority	Delegation Body	Conditions of delegation
SP.01	MSTA 37	To preside at meetings of the Council	Speaker	None	
SP.02	MSTA 37	To ensure that the Council meets at least quarterly	Speaker	None	
SP.03	MSTA 37	To maintain order during meetings of the Council	Speaker	None	
SP.04	MSTA 37	To ensure that Council meetings are conducted in accordance with the rules and orders of the Council	Speaker	None	

SP.05	MSTA 37	To determine the date and venue of ordinary Council meetings	Speaker	None	
SP.06	MSTA 29(1)	To convene a special Council at a venue determined by her / him, and at the time set out in the request that such a meeting be convened	Speaker	None	
SP.07	MSTA 28	To ensure that the provisions in respect of privileges and immunities of Councillors are adhered to	Speaker	None	
SP.08	MFMA 103	Receiving a report of the accounting officer of a municipal entity of which the Municipality is the parent municipality regarding any interference by a Councillor outside that Councillor's assigned duties, in the financial affairs of the municipal entity; or the responsibilities of the board of directors of the municipal entity	Speaker	None	
SP.09	MFMA 130(1)	Determining the reasonable time period to be allowed during a council meeting at which an annual report is to be discussed or at which decisions concerning an annual report are to be taken for the discussion of any written submissions received from the local community or organs of state on the annual report and for members of the local community or any organs of state to address the Council	Speaker	None	

SP.10	MFMA 133(1)(b)	Receiving information from the A-G regarding the failure to submit annual financial statements	Speaker	None	
SP.11	MFMA 133(1)(b)	Submitting information received from the A-G regarding the failure to submit annual financial statements to the Council	Speaker	None	

Item No.	Legislation	Power	Delegation Authority	Delegation Body	Conditions of Delegation
SP.12		To assist the EM with the liaison with the community, ward committees and Councillors	Council	Speaker	
SP.13		To assist the EM with interviewing the public and visitors to the offices of the municipality, as well as with ceremonial duties and functions	Council	Speaker	
SP.14		The nomination of the Council's representatives in public bodies and the provincial executive committee of SALGA	Council	Speaker	
SP.15		To approve the attendance of meetings, workshops, seminars, conferences, congresses and similar events and special visits by Councillors and the MM, which are in the interest of the Council and which are to be conducted within or outside the boundaries of the RSA	Council	Speaker	Provided that the necessary funds are available
SP.16		Where legal proceedings have been instituted against the Councillor as a result of any act or omission by the Councillor in the exercise of his powers or the performance of his duties	Council	Speaker	

SP.17		To provide authority that a Councilor may be provided with legal representation	Council	Speaker	
SP.18		To decide on office accommodation and refurbishment of offices for political office bearers	Council	Speaker	In consultation with the MM and EM
SP.19		To decide on the accommodation, furniture and equipment of the Council and its committees	Council	Speaker	In consultation with the MM and EM

OFFICE OF MUNICIPAL MANAGER

POWERS OF THE MUNICIPAL MANAGER

As the head of administration of the Municipality, the Municipal Manager is responsible for the Implementation of the Municipality's System of Delegation. All delegations conferred on a delegatee are by implication conferred on the superior unless legislation identifies a particular delegatee for the implementation of the delegation, in which case the superior retains the oversight responsibility.

Item No.	Legislation	Power	Delegating Authority	Delegated Body	Condition of delegation
MM.01		Oversees all the directorates of the Municipality including his or her office and officials in political offices.	Council	MM	
MM.02	MSA 55(1)	Must formulate and develop an economical, effective, efficient and accountable administration - (a) equipped to carry out the task of implementing the municipality's IDP in accordance with Chapter 5 of the Systems Act;	Council	MM	

		(b) operating in accordance with the municipality's PMS in accordance with Chapter 6 of the MSA; and (c) responsive to the needs of the local community to participate in the affairs of the Municipality			
MM.03	MSA 55(1)	The management of the municipality's administration in accordance with the MSA and other legislation applicable to the municipality	Council	MM	
MM.04	MSA 55(1)	The appointment of staff other than the CM and Directors, subject to the provisions of the Employment Equity Act, 1998 (Act 55 of 1998)	Council	MM	
MM.05	MSA 55(1)	The maintenance of discipline of staff	Council	MM	
MM.06	MSA 55(1)	Advising the political structures and political office bearers of the municipality	Council	MM	
MM.07	MSA 55(1)	Managing communications between the municipality's administration and its political structures and political office bearers	Council	MM	
MM.08	MSA 55(1)	Carrying out the decisions of the political structures and political office bearers of the municipality	Council	MM	
MM.09	MSA 55(1)	The exercise of any powers and the performance of any duties delegated by the Municipal Council, or sub-delegated by other delegating authorities of the municipality, to the MM in terms of section 59	Council	MM	

MM.10	MSA 55(1)	The performance of any other function that may be assigned by the Municipal Council	Council	MM	
MM.11	MSA 56(a)	Must advise the Council and take part in the appointment of a manager directly accountable to the MM	Council	MM	
MM.12	MSA 62(1)	Must receive appeals by a person whose rights are affected by a decision taken by a political structure, political office bearer, Councilor or staff member of the municipality in terms of a power or duty delegated or sub-delegated by a delegating authority to the political structure, political office bearer, Councilor or staff member	Council	MM	
MM.13	MSA 62(2)	Must promptly submit the appeal to the appropriate appeal authority	Council	MM	
MM.14	MSA 62(4)	Act as appeal authority when an appeal is against a decision taken by a staff member other than the MM.	Council	MM	
MM.15	MSA 62(5)	Must, as appeal authority, commence with an appeal within six weeks and decide the appeal within a reasonable period.	Council	MM	
MM.16	MSA 66	To, within a policy framework determined by the Council and subject to any applicable legislation, - (a) develop a staff establishment for the administration which includes the creation of posts as required from time to time; (b) provide	Council	MM	

		a job description for each post on the staff establishment; (c) align the remuneration and other conditions of service for each post on the staff establishment in accordance with applicable Labour legislation and any collective agreement; and (d) regularly evaluate the staff establishment and, if necessary, review the staff establishment and the remuneration and conditions of service.				
MM.17	MPRA 35(1)	To designate officials of the municipality or persons in private practice as assistant municipal valuers to assist the municipal valuer	Council	MM	In terms of Supply Chain Management Requirements, where applicable	
MM.18	MPRA 36(1)	To designate officials of the municipality or persons in private practice as data-collectors to assist the municipal valuer	Council	MM	In terms of Supply Chain Management Requirements, where applicable	
MM.19	MFMA 31(c)	Issuing a certificate specifying that the actual revenue for the financial year concerned is expected to exceed the budgeted revenue and that sufficient funds are available for exceeding the amounts expropriated for a specific capital programme without incurring further borrowing beyond the annual budget limit.	Council	MM		
MM.20	MFMA 32(4)	Informing the Executive Mayor, the MEC for local government and the Auditor-General, in writing, of any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality, whether any person is responsible or under investigation for such unauthorised, irregular or fruitless and wasteful expenditure and the steps that have been taken	Council	MM		

MM.21	MFMA 32(6)	to recover or rectify such expenditure and to prevent a recurrence of such expenditure. Reporting alleged irregular expenditure that constitutes a criminal offence and alleged theft and fraud which occurred in the Municipality to the SAPS	Council	MM	
MM.22	MFMA 37(2)	Accounting officer of the Municipality responsible for the transfer should notify the receiving municipality at least 120 days before the start of the financial year of any allocation proposed to be transferred to another municipality during each of the three financial years.	Council	MM	
MM.23	MFMA 45(2)(b)	Signing a debt agreement or other document which creates or acknowledges any short term debt.	Council	MM	
MM.24	MFMA 46(2)(b)	Signing a debt agreement or other document which creates or acknowledges any long term debt.	Council	MM	
MM.25	MFMA 62(1)(c)(ii)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains effective, efficient and transparent systems of internal audit operating in accordance with any prescribed norms and standards	Council	MM	
MM.26	MFMA 62(1)(e)	Deciding the reasonable steps to be taken to ensure that disciplinary or, when appropriate, criminal proceedings are instituted against any official of the Municipality who has allegedly committed an act of financial misconduct or an offence in terms of Chapter 15 of the MFMA.	Council	MM	
MM.27	MFMA 67(1)	Entering into an agreement with an organization or body outside any sphere of government to	Council	MM	

MM.28	MFMA 72(3)	whom funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction.				
		Determining whether it is necessary to recommend that an adjustments budget to be considered and that revised projections for revenue and expenditure is necessary.	Council	MM		
MM.29	MFMA 74(2)	Reporting his or her inability to comply with any of the responsibilities in terms of the MFMA, together with reasons to the Executive Mayor and the Provincial Treasury.	Council	MM		
MM.30	MFMA 77(1)	Deciding to designate any officials other than those listed in section 77(1)(a) to (c) of the MFMA as "top management".	Council	MM		
MM.31	MFMA 79(1)(b)	Delegating to a member of the Municipality's top management or any other official of the Municipality any of the powers or duties assigned to an accounting officer in terms of the MFMA or any powers or duties reasonably necessary to assist the accounting officer in complying with a duty which requires the accounting officer to take reasonable or appropriate steps to ensure the achievement of a specific provision of the MFMA.	Council	MM		
MM.32	MFMA 79(4)	Reviewing and confirming, varying or revoking any decision taken in consequence of a delegation or sub-delegation in terms of the MFMA	Council	MM		
MM.33	MFMA 80(2)(b)	Allocating officials of the Municipality to the CFO.				
MM.34	MFMA 114(1)	Submitting a report containing the reasons for deviating from such recommendation to the Auditor-General, the Provincial Treasury and	Council	MM		

		National Treasury if a tender other than the one recommended in the normal course of implementing the supply chain management policy of the Municipality is approved.			
MM.35	MFMA 116(3)(a)	Tabling the reasons for the proposed amendment of a contract or agreement procured through the supply chain management policy of the Municipality in the Council.	Council	MM	
MM.36	MFMA 120(6)(c)	Submitting the report on the feasibility study together with all other relevant documents to the Council for a decision, in principle, on whether the Municipality should continue with the proposed public-private partnership.	Council	MM	
MM.37	MFMA 128	Monitoring whether the accounting officer of any municipal entity under the sole or shared control of the Municipality has complied with sections 121(1) and 126(2) of the MFMA, establish the reasons for any non-compliance and report any non-compliance, together with the reasons for such non-compliance with, to the Municipal Council, the Provincial Treasury and the Auditor-General.	Council	MM	
MM.38	MFMA 129(2)(a)	Attending the meetings of the Municipal Council and its committees where the annual report is discussed and responding to questions concerning the report	Council	MM	After considering the recommendation of the Bid Adjudication Committee.
MM.39	SCM Regulations 5(2)(a)	Make final award above R10 million (VAT Included)	Council	MM	
MM.40	SCM 12(2)(b)	Direct that: (i) Written quotations be obtained for any specific procurement of a	Council	MM	

MM.41	SCM Regulations 12(2)(a)	(ii) transaction value lower than R2000.00 Formal written price quotations be obtained for any specific procurement of a transaction value lower than R10 000.00; or (iii) A competitive bidding process be followed for any specific procurement of a transaction value lower than R200 000.00.	Council	MM		
MM.42	SCM Regulations 22(2)	Allow the accounting officer to lower but not to increase, the different threshold values specified in Regulation 12(1). Determine a closure date for submission of bids which is less than the 30 or 14 day requirement, but only if such shorter period can be justified on the grounds of urgency or emergency or any exceptional case where it is impractical or impossible to follow the normal procurement process.	Council	MM		
MM.43	SCM Regulations 26(1)(b)	Appoint members of the bid specification, evaluation and adjudication committees, taking into account section 117 of the MFMA.	Council	MM		
MM.44	SCM Regulations 26(1)(c)	Appoint a neutral independent observer to a bid specification, evaluation or adjudication committee for attendance and oversight process when this is appropriate for ensuring fairness and promoting transparency.	Council	MM		
MM.45	SCM Regulations 26(3)	Apply the committee system for written price quotations.	Council	MM		

MM.46	SCM 27(2)(g)	Approve the specifications compiled by the bid specification committee prior to publication of the invitation for bids.	Council	MM	
MM.47	SCM Regulations 29(3)	Appoint chairperson of the bid adjudication committee.	Council	MM	
MM.48	SCM Regulations 29(5)(b)	(i) After due consideration of the reasons for the deviation, ratify or reject the decision of the bid adjudication referred to in Regulation 29(5)(a); and (ii) If the decision of the bid adjudication committee is rejected, refer the decision of the bid adjudication committee back to that committee for reconsideration.	Council	MM	
MM.49	SCM Regulations 29(6)	Refer any recommendation made by the evaluation committee or adjudication back to that committee for reconsideration of the recommendation.	Council	MM	
MM.50	SCM Regulations 29(7)	Comply with section 114 of the MFMA within ten days.	Council	MM	
MM.51	SCM Regulations 36(1)(a)	Dispense with the official procurement processes established by the policy and to procure any required goods or services through convenient process, which may include direct negotiations, but only- (i) In an emergency (ii) If such goods or services are produced or are available from a single provider only; (iii) For acquisition of special works of art or historical objects where	Council	MM	

		specifications are difficult to compile; (iv) Acquisition of animals or zoos; or (v) In any exceptional case where it is impractical or impossible to follow the official procurement processes.			
MM.52	SCM Regulations 36(1)(b)	Ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.	Council	MM	
MM.53	SCM Regulations 37(8)	Submit to the auditor-general, the relevant provincial treasury and the National Treasury the reasons for rejecting or for not allowing any recommendations of National Treasury or provincial treasury in regard to the unsolicited bid.	Council	MM	
MM.54	SCM Regulations 38(1)(a)	Take all the reasonable steps to prevent abuse of the supply chain management system	Council	MM	
MM.55	SCM Regulations 38(1)(b)	Investigate any allegations against an official or other role player of fraud, corruption, favouritism, unfair or irregular practices or failure to comply with the supply chain management policy, and when justified- (i) take appropriate steps against such an official or other role player; or (ii) report any alleged criminal conduct to the South African Police Service	Council	MM	
MM.56	SCM Regulations 47(2)	Report any contravention of regulation 47(1) to the National Treasury for considering whether the offending person, and any representative or intermediary through which such person is alleged to have acted, should be listed in the	Council	MM	

MM.57	SCM Regulations 48	National Treasury's database of persons prohibited from doing business with the public sector.	Council	MM	
		Disclose to the National Treasury and the relevant provincial treasury any sponsorship promised, offered or granted to the municipality whether directly or through a representative or intermediary, by any person who is- (a)a provider or prospective provider of goods or services to the municipality; or (b)a prospective recipient of goods disposed or to be disposed, of by the municipality.			
MM.58	SCM Regulations 50(1)	Appoint an independent impartial person to the assist the resolution of disputes and to deal with the objections, complaints or queries as described more fully in regulation 50(1).	Council	MM	
MM.59	SCM Regulations 50(3)	Responsible to assist the person appointed in terms of regulation 50(1) to perform his or her functions effectively.	Council	MM	
MM.60	PPP Regulations 2(1)	Before a municipality initiates a feasibility study for a public private partnership contemplated in section 120(4) of the Act, the accounting officer of the municipality must- (a)notify the National Treasury and the relevant provincial treasury in writing of the municipality's intention, together with the information on the expertise within the municipality to comply with that section of the Act; and (b)if requested to so by National Treasury and the relevant provincial treasury, appoint a person with appropriate skills and experience, either from within or outside the municipality, as	Council	MM	

MM.61	PPP Regulations 2(2)	the transaction advisor to assist and advise the municipality on the preparation and procurement of the public-private partnership agreement.	Council	MM		
MM.62	PPP Regulations 4(1)	Sub-regulation 1 also applies when a municipality in terms of section 78(2) of the Municipal Systems Act explores the provision of a municipal service through an external mechanism to be appointed in terms of a public-private partnership. When complying with Part 1 of Chapter 11 of the Act, the accounting officer of the municipality must solicit the views and recommendations of National Treasury on (a) the proposed bid documentation at least 30 days before the bids are publicly invited, and; (b) the evaluation of the bids received and of any preferred bidder at least 30 days before any award is made.	Council	MM		
MM.63	PPP Regulations 9(2)	At least 60 days before a public-private partnership agreement is amended, the accounting officer must solicit the views and recommendations of the National Treasury and the relevant provincial treasury on the reasons for the amendment. The period may be shortened if the National Treasury and relevant provincial treasury respond earlier	Council	MM		
MM.64	Asset Transfer Regulations 30(2)	A transfer agreement must- (c) be signed on behalf of the municipality or municipal entity and the organ of state	Council	MM		

MM.65	Asset Transfer Regulations 46	An agreement granting the right to use, control or manage a capital asset to a private sector party or organ of state- (a) must be made in its entirety to the council of the relevant municipality or to the council of the parent municipality of the relevant municipal entity; and (b) may not be withheld from public scrutiny except as provided for in terms of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)	Council	MM	
MM.66	Debt Disclosure Regulations 7(1)	A disclosure statement issued by a municipality or municipal entity must be signed- (a) in the case of a municipality, by the accounting officer	Council	MM	
MM.67	Budget and Reporting Regulations 5	Whenever an annual budget and supporting documentation, an adjustments budget and supporting documentation or an in year report of a municipality is submitted to the mayor, tabled in the municipal council, made public or submitted to another organ of state, it must be accompanied by a quality certificate complying with Schedule A, B or C, as the case may be, and signed by the municipal manager	Council	MM	
MM.68	Budget and Reporting Regulations 10(5)	The municipal manager in signing the quality certificate in Schedule A, certifies that all the rate payers and consumers are accounted for in the annual budget calculations and that billing systems including property records and metering information are up to date and consistent with the revenue projections in the annual budget.	Council	MM	

MM.69	Budget and Reporting Regulations 14(2)	When complying with section 68 of the Act, the municipal manager must submit the draft municipal service delivery and budget implementation plan to the mayor together with the annual budget to be considered by the mayor for tabling in terms of section 16(2) of the Act.	Council	MM	
MM.70	Budget and Reporting Regulations 65(1)	The municipal manager of a municipality must notify the mayor of the municipality, the MEC for finance of the relevant province and the National Treasury if the municipal manager has failed to comply with a time provision pertaining to any in year report. Such notification must comply with the prescripts of sub-regulation (2).	Council	MM	
MM.71	Budget and Reporting Regulations 70	The municipal manager must promptly send to the relevant provincial treasury and the National Treasury a copy of notification received from the chief executive officer of a municipal entity referred to in regulation 68 together with a copy of the report referred to in section 69(4)(b).	Council	MM	
MM.72	Budget and Reporting Regulations 74(2)	The municipal manager must provide all the information required by the council committee referred to in sub-regulation (1), and any other information the council committee may require for the purpose of conducting a proper investigation.	Council	MM	
MM.73	Minimum Competency Regulations 2(1)	The accounting officer of a municipality must generally have the skills, experience and capacity to assume and fulfil the responsibilities and exercise the functions and powers assigned in terms of the Act to the accounting officer of a municipality.	Council	MM	

MM.74	Minimum Competency Regulations 2(3)	An accounting officer must note that specific financial management, functions and powers are entrusted by the Act to accounting officers and that any failure to comply with these may constitute financial misconduct.	Council	MM	
MM.75	Minimum Competency Regulations 3	The accounting officer of a municipality or municipal entity must comply with the minimum competency levels required for higher education qualification, work related experience, core managerial and occupational competencies and be competent in the unit standards prescribed for financial and supply management competencies as set out in regulation 3.	Council	MM	
MM.76	Minimum Competency Regulations 10(1)	(a) The accounting officer of a municipality involved in the supply chain management policy of the municipality, must generally have the skills, experience and capacity to assume and fulfil responsibilities and exercise the functions and powers in respect of supply chain management, assigned in terms of the Act or delegated to the municipal council to the accounting officer	Council	MM	
MM.77	Minimum Competency Regulations 10(3)	An accounting officer involved in supply management policy must note that failure to comply with supply chain management responsibilities, functions and powers may constitute financial misconduct in terms of the Act.	Council	MM	
MM.78	Minimum Competency Regulations 13	The municipal manager of a municipality and the chief executive officer of a municipal entity must ensure that the competencies of all financial officials and supply chain management	Council	MM	

MM.79	Minimum Competency Regulations 14(1)	officials are assessed in order to identify and address any gaps in the competency levels of those officials. The municipal manager and the chief executive officer of a municipal entity must monitor, and take any necessary steps to ensure compliance with the prescribed minimum competency levels for financial officials and supply chain management officials within the timeframes set out in regulation 15.	Council	MM	
MM.80	Minimum Competency Regulations 16(2)	If a chief financial officer does not meet the minimum competency levels in the higher education qualification and the financial and supply chain management competency areas included in regulation 3, 5 or 7, attainment of such competency levels within the timeframes set out in regulation 15 must be included as a performance target in that official's performance agreement in terms of regulation 26 of the Performance Management Regulations. It must further comply with the prescripts of sub-regulation (3).	Council	MM	
MM.81	Minimum Competency Regulations 16(2)	If a senior manager officer does not meet the minimum competency levels in the higher education qualification and the financial and supply chain management competency areas included in regulation 3, 5 or 7, the attainment of such competency levels within the timeframes set out in regulation 15 must be included as a performance target in that official's performance agreement in terms of regulation 26 of the Performance Regulations. It	Council	MM	

		must further comply with the prescripts of sub-regulation (3)			
MM.82	Minimum Competency Regulations 18(1)	No municipality or municipal entity may, with effect from 1 January 2013, employ a person as a financial official or supply chain management official if that person does not meet the competency levels prescribed for the relevant position, in terms of these regulations.	Council	MM	
MM.83	Minimum Competency Regulations	A municipality or municipal entity may before 1 January 2013 employ a person that does not meet the competency levels prescribed for the relevant position, provided that that official's continued employment is subject to a condition that the official attains the required minimum competency level in the required unit standards for each competency area on or before 1 January 2013.	Council	MM	

Item No.	Legislation	Power	Delegating Authority	Delegation Body	Conditions of Delegation
MM.84		May sub-delegate any power or duty which the Council has delegated to him / her	Council	MM	
MM.85		May delegate those statutory powers and duties designated by the Council to any official	Council	MM	
MM.86		To decide and act in urgent cases that require immediate action and to give such instructions as the circumstances may require	Council	MM	Such decision and/or action must be in the interests of the Municipality.
MM.87		To nominate or appoint officials to represent Council on outside bodies or other fora	Council	MM	

MM.88		To appoint authorised officials in terms of the municipality's by-laws and other laws administered by the municipality	Council	MM	
MM.89		To authorise the appointment of specialist legal representatives including senior advocates to act on behalf of the municipality in legal actions or to provide legal advice to the municipality	Council	MM	
MM.90		To refer disputes to arbitration or mediation or to authorise participation	Council	MM	
MM.91		To decide on settlements in legal or arbitration proceeding up to R1 000 000,00 in cases not covered by Council's insurance	Council	MM	
MM.92		To represent Council or to appoint someone to represent Council before any quasi-judicial forum	Council	MM	
MM.93		To reject any claim for compensation by any person or body against Council as a result of any action or failure to act by Council or any of its employees	Council	MM	
MM.94		To conclude and sign contracts on behalf of Council.	Council	MM	After verification by the Responsible Director or acting Director and the legal section.
MM.95		To consider and to do whatever he/she regards necessary in all legal proceedings in the interests of the Municipality	Council	MM	

MM.96	To sign Powers of Attorney on behalf of the Municipality, except where this power has already been delegated to another functionary	Council	MM	After verification by the Responsible Director or acting Director and the legal section.
MM.97	To grant authority that a member of staff be provided with legal representation where (a) legal proceedings have been instituted against the member of staff as a result of any act or omission by the member of staff in the exercise of his or her powers or the performance of his or her duties; or (b) the member of staff has been summoned to attend any inquest or inquiry arising from the exercise of his or her powers or the performance of his or her duties	Council	MM	In consultation with the Director concerned and after consultation with the COO in terms of the policy on legal representation for employees
MM.98	To consider and to take whatever steps that may be necessary before or during labour unrest, which may include authorizing officials to negotiate with trade unions	Council	MM	
MM.99	To, in exceptional circumstances grant authority that members of trade unions may be given time off despite existing policy and agreements	Council	MM	
MM.100	To grant authority that a member of staff may render assistance to another municipality	Council	MM	Subject to such conditions as the MM may deem fit
MM.101	To authorize the lending/borrowing/donating of goods and material to an organ of state, another municipality or public utility company and to determine appropriate conditions	Council	MM	After consultation with the Manager Assets. Any request for goods and material with a value of more than R 20 000 must be in consultation with the Executive Mayor.

MM.10 2	To authorise and manage forensic and other investigations	Council	MM	After consultation with the internal Audit Department
MM.10 3	To appoint auctioneers for the alienation of municipal land by public auction	Council	MM	Subject to SCM policy of the City
MM.10 4	To appoint land surveyors where necessary	Council	MM	Subject to SCM policy of the City
MM.10 5	To, in consultation with the relevant Director(s), approve applications for servitudes over Council property, to draft and conclude the relevant contracts and to determine the amount to be paid as compensation in accordance with industry standards or as advised by experts	Council	MM	After consultation with Manager: Legal Services
MM.10 6	To authorise encroachments, protrusions and structures that protrude on or over Council land, to conclude the relevant agreements and to determine the rental / fee payable to the City	Council	MM	After consultation with Manager: Legal Services
MM.10 7	To approve applications for the cession or delegation of rights and obligations, in terms of lease agreements or the subletting of immovable Council property and where necessary, to impose additional conditions	Council	MM	
MM.10 8	To authorise the letting of immovable municipal property at market value	Council	MM	
MM.10 9	To determine the terms and conditions pertaining to the letting of immovable municipal property	Council	MM	

MM.11 0		To renew current lease agreements in respect of immovable Council property with current lessees if the agreement allow this	Council	MM	In line with applicable policy
MM.11 1		To repudiate claims that ownership of immovable Council property has been acquired by prescription, where such action is necessary and to take such step as maybe necessary to oppose such claims	Council	MM	
MM.11 2		To decide on the most appropriate methods of publication of external publications in regard to the activities of the municipality.	Council	MM	
MM.11 3		To administer functions and gatherings approved by the Council or its structures and to take all decisions necessary to give effect thereto	Council	MM	
MM.11 4		To co-ordinate, and administer relations with the media	Council	MM	
MM.11 5		To, in consultation with the Director of the relevant department, approve the content of internal and external publications	Council	MM	
MM.11 6		To grant permission for the use of the municipality's coat of arms and other regalia	Council	MM	
MM.11 7		To make press releases on behalf of the Council	Council	MM	The City Manager has delegated this power to the Manager: Communications and in his or her or the City Manager's absence this power is delegated to the communication officer

MM.11 8	To be responsible for the Council's participation in tourism initiatives launched on area and provincial basis by bodies and organs of state authorised thereto by legislation	Council	MM	
MM.11 9	To supervise the obligations of tourism bodies to report on the employment of funds obtained from the Council and to take all reasonable steps to ensure compliance	Council	MM	
MM.12 0	To liaise on ongoing basis on behalf of the Council with other bodies with similar aims and to keep the Council informed of developments in the tourism industry, the Council's obligations in this regard and the present and future costs to the Council.	Council	MM	
MM.12 1	To approve the attendance by Directors of meetings, workshops, seminars, conferences, congresses and similar events and special visits which are in the interest of the Council and which are to be conducted inside the boundaries of the RSA	Council	MM	Provided that the necessary funds are available.
MM.12 2	The approval of private work of employees	Council	MM	In consultation with the relevant Director.
MM.12 3	To, authorise the suspension of a member of the staff, other than a Director, in the department in anticipation of the completion of a disciplinary investigation	Council	MM	In terms of the Collective Agreement and after consultation with the responsible Director.
MM.12 4	Review contracts of employment in line with compliance with new roles and responsibilities	Council	MM	In consultation with Director Corporate Services

			under the SPLUMA for senior managers and other officials exercising spatial planning and land use management responsibilities where necessary				
MM.12 5	SPLUMA Sec 34(1) &(2)		Put processes in place to consider proposals on establishment of Joint Municipal Tribunal with another LM or a group of LMs within same district. Put mechanisms in place for the municipality to conduct capacity audit	Council	MM		
MM.12 6	SPLUMA Sec 34(1) &(2)		Put processes and procedures in place should municipalities be in favour of Joint MPTs. This includes addressing the necessary formalities and documents to be prepared documents for each of the Municipalities' Councils.	Council	MM		
MM.12 7	SPLUMA Sec 34(3)		Put mechanisms in place to ensure that each affected municipality in a joint agreement publishes their agreement in the Provincial Gazette and local newspaper	Council	MM		
MM.12 8	SPLUMA Sec 39		Put processes and procedures in place for the Council to appoint technical and other advisers is established	Council	MM		
MM.12 9			To authorize the institution or defence of legal proceedings on behalf of the Municipality.	Council	MM		
MM.			To execute any power contemplated in the relevant conditions of service as applicable to the various employees of the Municipality.	Council	MM		

MM.13 0	To approve of time-off for trade union activities not catered for in the facilities agreement.	Council	MM	
MM.13 1	Approve of acting in higher/other positions for directors in a temporary capacity.	Council	MM	
MM.13 2	To withdraw any power delegated to a manager directly reporting to the Municipal Manager	Council	MM	
MM.13 3	To appoint and dismiss all staff from the level of Strategic Business Unit manager downward, subject to the policy directions of the Municipal Council, provided further that this power may be further sub-delegated to the Directors of the various Divisions of the Municipality.	Council	MM	
MM.13 4	To authorise all reports from the various Departments to committees of the Council.	Council	MM	
MM.13 5	To approve or refuse an application for burial in the honorary acre.	Council	MM	
MM.13 6	The powers arising from section 2(1) of the Control of Access to Public Premises and Vehicles Act, 1985 (Act 53 of 1985).	Council	MM	
MM.13 7	To allocate office accommodation to the various Municipal departments.	Council	MM	
MM.13 8	To authorise the payment of medical or funeral expenses arising from an injury on duty.	Council	MM	
MM.13 9	To declare any plant material or animals as surplus.	Council	MM	
MM.14 0	To authorise the payment of an acting allowance for officials directly accountable to the Municipal Manager.	Council	MM	

MM.14 1		To take any action necessary to ensure that a Council resolution is executed.	Council	MM	
MM.14 2		To sign any documents on behalf of the Municipality in accordance with Municipal policy.	Council	MM	
MM.14 3		To revoke an official's (excluding the Municipal Manager and directors) suspension at any time.	Council	MM	
MM.14 4	SALGBC Collective Agreement and other applicable law	Suspends and/or takes disciplinary action against employees below the level of section 56 Systems Act managers.	Council	MM	

CHIEF AUDIT EXECUTIVE

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
CAE.01		To manage and co-ordinate the activities of the Audit Committee and to provide the necessary administrative support required for the functioning of the committees	MM	CAE	
CAE.02		To ensure compliance of all laws that regulate the audit function	MM	CAE	
CAE.03			MM	CAE	

CAE.04		To furnish the Council and Audit Committees with all reports required by legislation.	MM	CAE	Municipal Systems Act, Section 45(a) and the Municipal Planning and Performance Regulations, Section 14(1) as part of the municipality's auditing processes
CAE.05		To continuously audit the results of performance measurements and report to the Performance Audit Committee.	MM	CAE	
CAE.06		To quarterly report on Audit Committee activities and Internal Audit Services to Council	MM	CAE	
CAE.07	MSA 55(1)	To review and update the Audit Committee Charter	MM	CAE	
		The implementation of national and provincial legislation applicable to the municipality	MM	CAE	

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
CAE.08		To manage and control the municipality's audit function in terms of the Internal Audit Charter and approved budget.	MM	CAE	
CAE.09		To issue audit reports without interference from any party or person.	MM	CAE	
CAE.10	MFMA 62(1)(c)(ii)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains effective, efficient and transparent systems of	MM	CAE	

CAE.11	MFMA 63(2)(c)	internal audit operating in accordance with any prescribed norms and standards. Deciding the reasonable steps to be taken that the Municipality has and maintains a system of internal control of assets and liabilities, including an asset and liabilities, register as may be prescribed.	MM	CAE	
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MANAGER: RISK

Item No	Legislation	Power	Delegating Authority	Delegated Body	Condition of Delegation
R.01		To ensure that the management processes are adequate to identify significant risks	MM	MR	
R.02		To ensure credible processes for feedback on risk management and assurance	MM	MR	
R.03		To cooperate with external providers of assurance in order to ensure proper coverage of financial and operational risk.	MM	MR	
R.04	MFMA 62(1)(c)(i)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains effective, efficient and transparent systems of financial and risk management and financial control.	MM	MR	
R.05		The Manager Risk Management is responsible for developing and maintaining an effective risk management system which will ensure an internal control environment that is conducive to the achievement of the municipality's overall objectives. This is achieved by developing and implementing an effective Risk Management framework and conduct institutional risk assessment in	MM	MR	

		consultation with all stakeholders including consultation with the Audit committee on matters			
R.06		Develop and implement Anti-Fraud and Corruption strategies.	MM	MR	
R.07		Ensure coordination of risk assessment within the municipality	MM	MR	
R.08		Report fraud and corruption investigation to the Municipal Manager	MM	MR	

GENERAL POWERS OF DIRECTORS

Item No.	Legislation	Power	Delegating Authority	Delegated body	Conditions of Delegation
DIR.01		The granting of leave to officials in terms of the conditions of service	MM	Directors	Delegated to all line managers as approved by relevant Director
DIR.02		The authorization of paid overtime work in terms of the conditions of service and any other applicable legislation	MM	Directors	Provided that the necessary funds are available
DIR.03		The temporary rotation or permanent placement of employees in equivalent posts within the directorate whether for experience or for other reasons as provided for in the conditions of service	MM	Directors	Provided that the Director Corporate Services and the Director Finance have been notified of such a move in writing
DIR.04		The approval of private work of employees in their respective directorates	MM	Directors	In consultation with the MM
DIR.05		To enforce Council's by-laws as well as national and provincial legislation applicable to their respective directorates, including the institution of criminal or civil proceedings in	MM	Directors	In consultation with Manager: Legal Services and Director Public Safety

		respect thereof, and to perform the functions and exercise the powers that vest in the Council in terms thereof				
DIR.06		To sign documents requiring authentication on behalf of the municipality	MM		Directors	
DIR.07		To decide, in respect of officials in his or her directorate, on the replacement, at the Council's expense, of the official's tools which are damaged or broken while used in the service of the Council.	MM		Directors	
DIR.08		To protect and exercise the municipality's rights as contained in contracts concluded between the municipality and other parties which he or she was authorized to sign on behalf of the municipality, including but not limited to the rights pertaining to penalties, breach of contract, termination of contract, amendment and renewal of contracts	MM		Directors	In consultation with Manager Legal Services
DIR.09	MSA 55(1)	To maintain the discipline of staff Members	MM		Directors	
DIR.10	MFMA 32(4)	Identifying the person responsible, or suspected of being responsible, for unauthorised, irregular or fruitless and wasteful expenditure	MM		Directors	
DIR.11	MFMA 32(4)	Determining the steps to be taken to recover or rectify any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality	MM		Directors	

DIR.12	MFMA 32(4)	Determining the steps to be taken to prevent the recurrence of unauthorised, irregular or fruitless and wasteful expenditure by the Municipality	MM	Directors	
DIR.13	MFMA 62(1)(a)	Deciding the reasonable steps to be taken to ensure that the resources of the Municipality are used effectively, efficiently and economically	MM	Directors	
DIR.14	MFMA 62(1)(d)	Deciding the reasonable steps to be taken to ensure that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented	MM	Directors	
DIR.15	MFMA 62(1)(e)	Deciding the reasonable steps to be taken to ensure that disciplinary or, when appropriate, criminal proceedings are instituted against any official of the Municipality who has allegedly committed an act of financial misconduct or an offence in terms of Chapter 15 of the MFMA	MM	Directors	
DIR.16	MFMA 65(2)(i)	Deciding the reasonable steps to be taken to ensure that the Municipality's supply chain management policy is implemented in a way that is fair, equitable, transparent, competitive and cost-effective	MM	Directors	
DIR.17	MFMA 115(1)(b)	Determining the reasonable steps that must be taken to ensure that proper mechanisms and separation of duties in the SCM system are in place to minimise the likelihood of fraud,	MM	Directors	

		corruption, favoritism and unfair and irregular practices			
DIR.18	MFMA 116(2)(a)	Determining the reasonable steps that must be taken to ensure that a contract or agreement procured through the SCM policy of the Municipality is properly enforced	MM	Directors	
DIR.19	MFMA 116(2)(b)	Monitoring the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	MM	Directors	
DIR.20	MFMA 116(2)(c)	Determining the capacity that needs to be established within the Municipality's administration to assist the MM to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis.	MM	Directors	
DIR.21	MFMA 116(2)(e)	Establishing the capacity in the Municipality's administration to assist the MM to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	MM	Directors	Within the financial capability of the City.
DIR.22	MFMA 116(2)(d)	Regularly report to the Council regarding the management of contracts and/or agreements and the performance of contractors.	MM	Directors	

DIR.23		To introduce access control at municipal premises under the control of the incumbent	MM	Directors	
DIR.24		To decide on the, most appropriate method of liaison with national, the provincial departments and other external agencies in the event of combined actions, emergencies, incidents etc., in so far as it relates to the activities of the department.	MM	Directors	
DIR.25		To authorise, the use of municipal vehicles and assets under the control of the Director	MM	Directors	Within a policy framework
DIR.26		To on behalf of Council depose to affidavits, in legal proceedings involving Council.	MM	Directors	
DIR.27		To recommend the filling of vacant posts, in the department in accordance with the appointment policy	MM	Directors	
DIR.28		To recommend appointment of staff in the department and to make employment offers to staff (permanent and temporary)	MM	Directors	In terms of the appointment policy and in consultation with Director Corporate Services
DIR.29		To recommend promotions of or grant merit awards to officials in the department in terms of the appointment and/or performance measurement policy.	MM	Directors	In terms of a policy framework
DIR.30		Approve or disapprove leave applications for officials in his or her department subject applicable law and/or policy.			

DIR.31		To recall from leave any official of the department when such official's services are required in cases of emergency or abnormal circumstances.	MM		Directors	
DIR.32		To accept notices of resignation from officials of the department for shorter periods than is prescribed in the conditions of service	MM		Directors	In accordance with applicable policy and in consultation with Director Corporate Services.
DIR.33		To, after consultation with trade unions, transfer officials of the department from one geographical locality to another	MM		Directors	In terms of a policy framework and in Consultation with Director Corporate Services
DIR.34		To authorise the rendering of standby services and overtime by officials of the department and where applicable the payment of a standby allowance.	MM		Directors	In terms of a policy framework and or Collective agreement
DIR.35		To authorise the appointment of officials in the department to act in a higher position	MM		Directors	In terms of the appointment policy
DIR.36		To, transfer officials from one department to another, provided the functional utilization is the same	MM		Directors	In consultation with the City Manager, the other Director that might be involved and the Director Corporate Services
DIR.37		To approve the payment of travel and subsistence expenditure incurred by officials of the department	MM		Directors	In terms of a policy framework
DIR.38		To authorise officials of the department to attend congresses, workshops, annual meetings of institutes etc. within the border of the RSA.	MM		Directors	In terms of a policy framework

DIR.39		To authorise officials of the department to use official vehicles outside the boundaries of the municipality	MM	Directors	In terms of a policy framework
DIR.40		To allocate offices and furniture to officials of the department	MM	Directors	
DIR.41		To authorise the transfer of operational expenditure (within a single budgetary vote) to a maximum amount as determined from time to time by the Council	MM	Directors	In terms of the Virement policy
DIR.42		To develop a strategy for the promotion of a culture of performance management among the staff of the department	MM	Directors	
DIR.43		To develop a mechanism for the monitoring and review of the municipality's PMS, in so far as it relates to the activities of the department	MM	Directors	
DIR.44		To advise the City Manager regarding the steps and arrangements necessary to involve the local community in the development, implementation and review of the municipality's PMS in so far as it relates to the, activities of the department	MM	Directors	
DIR.45		To approve the department's performance reports for inclusion in the municipality's annual report	MM	Directors	
DIR.46		The implementation of national and provincial legislation and by-laws applicable to the municipality	MM	Directors	

DIR.47		To exercise functional supervision and control over managers in his or her department	MM	Directors	
DIR.48		To manage the day to day operations of the Department.	MM	Directors	
DIR.49		To oversee and ensure that the municipal entities carry out service delivery obligations in terms of the Service Delivery Agreements	MM	Directors	
DIR.50		Temporarily employ employees in urgent cases and when necessary in accordance with Council policy.	MM	Directors	In consultation with Manager: Human Resources
DIR.51		To determine the duties and job specifications for posts in the directorate.	MM	Directors	After consultation with the relevant unit manager.
DIR.52		To decide which employees in the directorate should perform stand-by duties.	MM	Directors	
DIR.53		To nominate employees in the directorate to represent the Municipality in relevant fora	MM	Directors	
DIR.54		Authorise the payment of accounts in the directorate	MM	Directors	In accordance with policy or delegation
DIR.55		Grant extension of time to service providers who are unable to complete contracts within the contract period and to invoke penalty clauses contained in the contract documents on late completion or deliveries, where applicable.	MM	Directors	In consultation with the CFO and MM
DIR.56	MFMA 141(3)(a) & 144(2)	Participating in consultations with the person or body appointed to prepare the financial recovery plan or the amendment of such a plan for the Municipality.	MM	Directors	
DIR.57	MFMA 141(3)(c) & 144(2)	Commenting on the draft financial recovery plan or an amendment of such a plan for the Municipality.	MM	Directors	

DIR.58	MFMA 145(1)(a)	Implementing an approved financial recovery plan for the Municipality	MM	Directors	
DIR.59	MFMA 146(1)(a)	Implementing an approved financial recovery plan for the Municipality.	MM	Directors	
DIR.60	MFMA 62(1)(a)	Deciding reasonable steps to be taken to ensure that the resources of the Municipality are used effectively, efficiently and economically	MM	Directors	
DIR.61	MFMA 84(1)(b)	Making an assessment of the impact of shifting of a function or service to a municipal entity on the Municipality's staff, assets and liabilities when considering the establishment of, or participation in, a municipal entity	MM	Directors	
DIR.62	MFMA 84(2)(a)(ii)	Soliciting the views and recommendations of National Treasury and the Provincial Treasury, the national and provincial departments responsible for local government and the MEC responsible for local government of the Municipality's intention to establish and/or participate in a municipal entity.	Act	Directors	
DIR.63	MFMA 120(6)(c)	Soliciting the views and recommendations of the National Treasury, the national department responsible for local government, the responsible national department if the proposed public private-partnership involves the provision of water, sanitation, electricity or any other service as may be prescribed and any other national or provincial organ of state as may be prescribed in respect of the proposed public-private partnership at least 60 days prior to the meeting of the Municipal Council at which the matter is to be considered.	MM	Directors	

DIR.64	SCM Regulations 35(4)	Ensure that copyright in any document produced and the patent rights or ownership in any plant, machinery, thing, system or process designed or devised, by a consultant in the course of consultancy service is vested in the Municipality.	MM	Directors	
DIR.65	Minimum Competency Regulations 6(1)	A senior manager of a municipality must generally have the skills, experience and capacity to assume and fulfil the responsibilities and exercise the functions and powers assigned in terms of the Act to that senior manager.	MM	Directors	
DIR.66	Minimum Competency Regulations 6(3)	A senior manager must note that any failure to comply with any financial management responsibilities, functions and powers entrusted to that senior manager may constitute financial misconduct.	MM	Directors	
DIR.67	Minimum Competency Regulations 7	A senior manager of a municipality or municipal entity must comply with the minimum competency levels required for higher education qualification, work related experience, core managerial and occupational competencies and be competent in the unit standards prescribed for financial and supply chain management competency areas as set out in Regulation 7.	MM	Directors	
DIR.68		To sign all contracts relating to his or her department where an appointment has already been authorised or made by the MM	MM	Directors	

Item No	Legislation	Power	Delegated Body	Sub-Delegated Body	Conditions of Delegation
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DIR.69		To, authorise the suspension of a member of the staff in the department in anticipation of the completion of a disciplinary investigation	MM	Directors	After consultation with the MM in terms of the Collective Agreement.
DIR.70		To recommend the obtaining of interdicts and other court orders against any person or body in order to compel or prevent him / her / it to act in accordance with or in conflict with statutory, provisions	MM	Directors	Provided that a comprehensive report on the circumstances and actions taken be submitted to the City Manager within seven days. Where a Director is of the opinion that a he / she needs a higher mandate he / she may escalate it to the City Manager
DIR.71		To on behalf of Council depose to affidavits, where Council is involved in litigation, either as Applicant or Respondent	MM	Director	After verification by the Responsible Director or acting Director and the legal section.
DIR.72		To formulate comments on proposed national and provincial legislation, regulations, policy frameworks and submit to the EM	MM	Directors	
DIR.73		To authorize the lending of goods and material to an organ of state, other municipality or public utility company and to determine appropriate conditions	MM	Directors	In consultation with the Manager Assets and up to a value of R1 000 000. Any request for goods and material with a value of more than R1 000 000 must be referred to the Municipal Manager
DIR.74	MFMA 116(1)(a)	To ensure that a contract or agreement procured through the supply chain management system of the Municipality is in	MM	Directors	

		writing and stipulates the necessary terms and conditions			
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GENERAL POWERS OF MANAGERS

Item No	Legislation	Power	Delegating Authority	Delegated Body	Condition of Delegation
MAN.01		The granting of leave to officials in his or her business unit in terms of the conditions of service	Director	Manager	
MAN.02		To approve the payment of travel and subsistence expenditure incurred by officials of the business unit	Director	Manager	In terms of a policy framework
MAN.03		To authorise officials of the business unit to attend congresses, workshops, annual meetings of institutes etc within the border of the RSA.	Director	Manager	In terms of a policy framework
MAN.04		To authorise officials of the business unit to use official vehicles outside the boundaries of the municipality	Director	Manager	In terms of a policy framework
MAN.05		To recommend the transfer of operational expenditure (within a single budgetary vote) to a maximum amount as determined from time to time by the Council	Director	Manager	In terms of the Virement policy
MAN.06		The authorization of overtime work for officials within his/her business unit in terms of the	Director	Manager	Provided that the necessary funds are available

		conditions of service and any other applicable legislation	Director	Manager	
MAN.07		The temporary rotation or permanent placement of employees in equivalent posts within the directorate whether for experience or for other reasons as provided for in the conditions of service	Director	Manager	Provided that the departmental Director, Director Corporate Services and the CFO have been notified of such a move in writing
MAN.08		The recommend on the application to do to do private work by employees in their respective units	Director	Manager	In consultation with the City Manager.
MAN.09		To implement Council's by-laws as well as national and provincial legislation applicable to their respective directorates, including the institution of criminal or civil proceedings in respect thereof, and to perform the functions and exercise the powers that vest in the Council in terms thereof	Director	Manager	In consultation with City Manager and Director Public Safety
MAN.10		To sign documents requiring authentication on behalf of their respective business units	Director	Manager	
MAN.11		To decide, in respect of officials in his or her directorate, on the replacement, at the Council's expense, of the official's tools which are damaged or broken while used in the service of the Council.	Director	Manager	
MAN.12		To protect and exercise the municipality's rights as contained in contracts concluded between the municipality and other parties which he or she was authorized to implement on behalf of the municipality, including but not	Director	Manager	In consultation with Manager Legal Services

MAN.13	MSA 55(1)	limited to the rights pertaining to penalties, breach of contract, termination of contract, amendment and renewal of contracts	Director	Manager	
MAN.14	MFMA 32(4)	To maintain the discipline of staff Members in his or her business Identifying the person responsible, or suspected of being responsible, for unauthorised, irregular or fruitless and wasteful expenditure	Director	Manager	
MAN.15	MFMA 32(4)	Recommend the steps to be taken to recover or rectify any unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality attributable to an official in his or her business unit	Director	Manager	
MAN.16	MFMA 32(4)	Recommend the steps to be taken to prevent the recurrence of unauthorised, irregular or fruitless and wasteful expenditure by the Municipality attributable to an official in his or her business unit	Director	Manager	
MAN.17	MFMA 62(1)(a)	Recommend the reasonable steps to be taken to ensure that the resources of the Municipality are used effectively, efficiently and economically	Director	Manager	
MAN.18	MFMA 62(1)(i)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains effective, efficient and transparent systems of	Director	Manager	

MAN.19	MFMA 62(1)(d)	financial and risk management and internal control. Recommend the reasonable steps to be taken to ensure that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented	Director	Manager	
MAN.20	MFMA 62(1)(e)	Recommend the reasonable steps to be taken to ensure that disciplinary or, when appropriate, criminal proceedings are instituted against any official of the Municipality who has allegedly committed an act of financial misconduct or an offence in terms of Chapter 15 of the MFMA	Director	Manager	
MAN.21	MFMA 65(2)(i)	Recommend the reasonable steps to be taken to ensure that the Municipality's supply chain management policy is implemented in a way that is fair, equitable, transparent, competitive and cost-effective	Director	Manager	
MAN.22	MFMA 72(1)(a)	Performing an assessment of the Municipality's performance during the first half of each financial year.	Director	Manager	Bud & Rep Regulation 33. A mid-year budget and performance assessment of a municipality referred to in section 72 of the Act must be in the format specified in schedule C and include all the required tables, charts and explanatory information, taking into account any guidelines issued by the Minister in terms of section 168(1) of the Act.
MAN.23	MFMA 74(1)	Submitting to the National Treasury, the Provincial Treasury, the department for local government and the Auditor-General such information, returns, documents, explanations	Director	Manager	

MAN.24	MFMA 115(1)(b)	and motivations as may be prescribed or as may be required. Recommend the reasonable steps that must be taken to ensure that proper mechanisms and separation of duties in the SCM system are in place to minimise the likelihood of fraud, corruption, favoritism and unfair and irregular practices	Director	Manager	
MAN.25	MFMA 116(2)(a)	Recommend the reasonable steps that must be taken to ensure that a contract or agreement procured through the SCM policy of the Municipality is properly enforced	Director	Manager	
MAN.26	MFMA 116(2)(b)	Manage the performance of a contractor under a contract or an agreement with the Municipality relating to his/her business unit on a monthly basis	Director	Manager	
MAN.27	MFMA 116(2)(c)	Determining the capacity that needs to be established within the Unit to assist the Director to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis.	Director	Manager	
MAN.28	MFMA 116(2)(e)	Establishing the capacity in the Unit to assist the Director to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a	Director	Manager	Within the financial capability of the City.

MAN.29	MFMA 116(2)(d)	contract or an agreement with the Municipality on a monthly basis	Director	Manager	
MAN.60	MSA 100	Assist the Municipal Manager to implement and enforce Credit Control and Debt Collection Policy	Director	Manager	
MAN.61	MSCOA 13(b)	The accounting officer of a municipality or municipal entity must take all necessary steps to ensure that these regulations are implemented by at least- (b) ensuring that the responsible officials have the necessary capacity by providing for training and ensuring that they attend training or workshops provided by National Treasury.	Director	Manager	
MAN.62		Sub-delegating any power or duty which the Council has delegated to him / her	Director	Manager	
MAN.63		To decide and act in urgent cases that require immediate action and to give such instructions as the circumstances may require	Director	Manager	Provided that a comprehensive report on the circumstances and actions taken be submitted to the Director within seven days
MAN.64		To authorise, the use of municipal vehicles and assets under the control of the Director	Director	Manager	Within a policy framework
MAN.65		To on behalf of Council depose to affidavits, in legal proceedings involving Council.	Director	Manager	

MAN.66	To recommend the filling of vacant posts, in the business unit in accordance with the appointment policy	Director	Manager	
MAN.67	To recommend appointment of staff in the business unit and to make employment offers to staff (permanent and temporary)	Director	Manager	In terms of the appointment policy and in consultation with Director Corporate Services
MAN.68	To recommend promotions of or grant merit awards to officials in the business unit in terms of the appointment and/or performance measurement policy.	Director	Manager	In terms of a policy framework
MAN.69	To recall from leave any official of the department when such official's services are required in cases of emergency or abnormal circumstances.	Director	Manager	
MAN.70	To recommend acceptance of notices of resignation from officials of the department for shorter periods than is prescribed in the conditions of service	Director	Manager	In accordance with applicable policy and in consultation with Director Corporate Services.
MAN.71	To, after consultation with trade unions, recommend transfer officials of the department from one geographical locality to another	Director	Manager	In terms of a policy framework and in Consultation with Director Corporate Services
MAN.72	To recommend authorization of the rendering of standby services and overtime by officials of the department and where applicable the payment of a standby allowance.	Director	Manager	In terms of a policy framework and or Collective agreement

MAN.73	To recommend the appointment of officials in the business unit to act in a higher position	Director	Manager	In terms of the appointment policy
MAN.74	To recommend the suspension of a member of the staff in the department in anticipation of the completion of a disciplinary investigation	Director	Manager	In consultation with the City Manager.
MAN.75	To recommend the transfer of officials from one business unit to another, provided the functional utilization is the same	Director	Manager	In consultation with the City Manager, the other Director that might be involved and the Director Corporate Services
MAN.76	To approve the payment of travel and subsistence expenditure incurred by officials of the business unit	Director	Manager	In terms of a policy framework
MAN.77	To recommend officials of the business unit to attend congresses, workshops, annual meetings of institutes etc. within the border of the RSA.	Director	Manager	In terms of a policy framework
MAN.78	To authorise officials of the business unit to use official vehicles outside the boundaries of the municipality	Director	Manager	In terms of a policy framework
MAN.79	To allocate offices and furniture to officials of the Unit	Director	Manager	
MAN.80	To recommend the transfer of operational expenditure (within a single budgetary vote) to a maximum amount as determined.	Director	Manager	In terms of the Virement policy
MAN.81	To recommend the write-off of redundant goods, material and equipment attached to the business unit.	Director	Manager	In terms of the Asset Management policy

MAN.82		To recommend the write-off of lost goods and assets, in respect of the business unit's activities.	Director	Manager	In terms of the Asset Management policy
MAN.83		To develop a strategy for the promotion of a culture of performance management among the staff of the business unit	Director	Manager	
MAN.84		To implement a mechanism for the monitoring and review of the municipality's PMS, in so far as it relates to the activities of the business unit	Director	Manager	
MAN.85		To advise the Director regarding the steps and arrangements necessary to involve the local community in the development, implementation and review of the municipality's PMS in so far as it relates to the, activities of the business unit	Director	Manager	
MAN.86		To prepare the business unit's performance reports for inclusion in the municipality's annual report	Director	Manager	
MAN.87		The implementation of national and provincial legislation applicable to the municipality	Director	Manager	
MAN.88		To exercise functional supervision and control over officials in his or her unit.	Director	Manager	
MAN.89		To manage the day to day operations of the business unit.	Director	Manager	

DIRECTORATE: CHIEF OPERATING OFFICER**CHIEF OPERATING OFFICER/DIRECTOR**

Item No	Legislation	Power	Delegating Authority	Delegated Body	Condition of Delegation
COO.01		Oversees the business units: 1. Legislative Support; 2. Legal Services; 3. Integrated Development Planning; 4. Marketing and Communications; 5. Project Management; 6. Performance Management and; 7. Cluster Offices and ensures that they perform in accordance with their mandate.			
COO.02		To identify potential and/or existing control weaknesses and assess the adequacy of the control operational processes in the City and recommend and implement remedial action	MM	COO	
COO.03		To strategically lead and oversee the implementation of service delivery operations of the Municipality and its municipal entities by ensuring effective and efficient municipal services to all stakeholders.	MM	COO	
COO.04		To coordinate municipality-wide operational programmes and projects and ensure overall coordination between the Municipality's delivery agents (core Departments and Municipal entities) in order to promote economies of scale, and a seamless integration of service delivery to all residents of the Municipality	MM	COO	

COO.05		To oversee the implementation of service delivery plans and budgets and to ensure that the set goals and objectives as outlined in the Growth Development Strategy, Integrated Development Plan and SDBIP are met.	MM	COO	
COO.06		To establish, manage and coordinate forums to deal with specific/focal service delivery areas such as basic services, protests e.g. Service Delivery Operations Committee	MM	COO	
COO.07		To manage the development and implementation of institutional and departmental operational plans.	MM	COO	
COO.08		To manage the development and implementation of an economical, effective, efficient, accountable and performance driven organization.	MM	COO	

MANAGER: LEGISLATIVE SUPPORT

Item No	Legislation	Power	Delegating Authority	Delegated Body	Condition of Delegation
LSUPP.01		Ensure that councilors' and traditional leaders' matters relating to the Remuneration of Public Office Bearers Act 20 of 1998 and/or Municipality policy are addressed timeously	COO	Manager: LSUPP	
		Notify councilors and/or Traditional Leaders of any overpayments and ensure the necessary arrangements for repayment are made.	COO	Manager: LSUPP	
LSUPP.02		Provide research support to MPAC	COO	Manager: LSUPP	
LSUPP.03		Ensure that councilors and traditional leaders who are members of the Municipal Council	COO	Manager: LSUPP	

		are provided with a copy of the Code of Conduct for Councillors and keep record of their acknowledgment of receipt.			
LSUPP.04		Provide support in the establishment of committees in terms of sections 79 and 80 of the MSTA	COO	Manager: LSUPP	
LSUPP.05		Attend to community complaints and ensure that they are addressed by the relevant functionaries of the Municipality	COO	Manager: LSUPP	
LSUPP.06		Ensure that community satisfaction survey with regard to the Municipality's areas of service delivery.	COO	Manager: LSUPP	
LSUPP.07		Ensure that community inputs are recorded and referred to the relevant Municipality functionaries for attention	COO	Manager: LSUPP	
LSUPP.08		Ensure that the community is educated about relevant Municipality processes	COO	Manager: LSUPP	

MANAGER: LEGAL SERVICES

Item No	Legislation	Power	Delegating Authority	Delegated Body	Condition of Delegation
LS.01	MSA 15(1)	Compilation of Municipal Code of Bylaws	COO	Manager: LS	
LS.02	MSA 59	Development of a system of delegations that will maximize administrative and operational efficiency	COO	Manager: LS	Delegations approved by Council
LS.03	MSA 109A	Provision of legal representation for employees or councillors where legal proceedings have been instituted against an employee or councillor as a result of any act or omission by the employee or councillor in the exercise of his duties.	COO	Manager: LS	
LS.04	MSA 65	To submit a report on reviewed delegations	COO	Manager: LS	

LS.05	MFMA 153(3)	To give notice of an application in the High Court for an order to suspend the Municipality's financial obligations to creditors or any portion of those obligations, until the Municipality can meet those obligations	COO	Manager: LS	
LS.06	MFMA 167(2)(a)	Recovering any amount paid or given in cash or kind to a person as a political office bearer or as a member of a political structure of the Municipality otherwise than in accordance with the Remuneration of Public Office Bearers Act 20 of 1998, including any bonus, bursary, loan, advance or other benefit	COO	Manager: LS	
LS.07		To take all action necessary, including the signing of any documents to carry out the decision of the Municipal Council, the Mayoral Committee or the to institute legal proceedings against any person, body of persons, or other legal persona or to defend such.	COO	Manager: LS	
LS.08		To institute or intervene, in any circumstances which in his/her opinion immediate action is required to protect the interests of the Municipality, in any legal proceedings in any court of law, conciliation, mediation, arbitration, commissions, tribunals, forum or inquiry or similar proceedings, including the signing of any necessary documents in this regard.	COO	Manager: LS	
LS.9		To obtain an opinion on any matter concerning or which may concern the Municipality or its Municipal Entity from the Municipality's attorneys, counsel or from experts in the relevant field.	COO	Manager: LS	

LS.10		To recommend a settlement amount in respect of any claim or action by or against the Municipality	COO	Manager: LS	
LS.11		To recommend the settlement of any claim or action by or against the Municipality where the claim or action has no monetary value	COO	Manager: LS	
LS.12		To recommend the writing off, in respect of claims dealt with by Legal Services Business Unit, of any irrecoverable claim or a claim that has become uneconomical to recover.	COO	Manager: LS	
LS.13		To appoint or engage experts, expert witnesses and/or other witnesses and to approve payments of costs associated therewith	COO	Manager: LS	
LS.14		To comment on new bills and report the implications of such Bills to the MM.	COO	Manager: LS	
LS.15		To ensure that all the Departments comment and report on the implications of new bills to the Manager Legal Services who will ensure the reporting thereof to the MM.	COO	Manager: LS	
LS.16		To review legislation and advise on its implications on the Municipality as identified by the Municipality Departments and/or Municipal Entities.	COO	Manager: LS	
LS.17		To execute all such functions as may reasonably be necessary to develop, monitor and administer the implementation of a contract administration by the Municipality	COO	Manager: LS	
LS.18		To draft, vet, peruse and approve all contracts or agreements creating rights and obligations on the Municipality in terms of the contract administration framework	COO	Manager: LS	

LS.19	MFMA 152(1)	Recommend application to Court for an order to stay all legal proceedings, including execution of legal process, by persons claiming money from the Municipality if the Municipality is unable to meet its financial commitments.	COO	Manager: LS	
LS.20	MFMA 153(1)(a)	Recommend application to Court for an order to stay, for a period not exceeding 90 days at a time, all legal proceedings including the execution of legal process, by persons claiming money against the Municipality.	COO	Manager: LS	
LS.21	MFMA 153(1)(b)	Deciding to apply to the High Court for an order to suspend the Municipality's financial obligations to creditors, or any portion of those obligations, until the municipality can meet those obligations.	COO	Manager: LS	
LS.22	MFMA 153(1)(b)	Deciding to apply to the High Court for an order to terminate the Municipality's financial obligations to creditors, and to settle claims in accordance with a distribution scheme referred to in section 155 of the MFMA.	COO	Manager: LS	
LS.23	MFMA 116(2)(a)	Determining the reasonable steps that must be taken to ensure that a contract or agreement procured through the supply chain management policy of the Municipality is enforced.	COO	Manager: LS	
LS.24	MFMA 116(2)(c)	Determining and establishing the capacity that needs to be established within the Municipality's administration to assist the Municipal Manager to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a	COO	Manager: LS	

LS.25	MFMA 116(2)(c)	contract or agreement with the Municipality on a monthly basis. Establishing the capacity in the Municipality's administration to assist the Municipal Manager to enforce the provisions of a contract or agreement between the Municipality and a contractor and to monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	COO	Manager: LS	
LS.26	SCM Regulation s 24(1)	Negotiate the final terms of a contract with bidders identified through competitive bidding process as preferred bidders, provided that such negotiation- (a) does not allow any preferred bidder a second or unfair opportunity; (b) is not to the detriment of any other bidder; and (c) does not lead to a higher price than the bid submitted. Minutes of such report must be kept.	COO	Manager: LS	
LS.27		To sign all documents associated with litigation, excluding settlement agreements which may only be signed after written authorisation from the MM.	COO	Manager: LS	
LS.28		To enter appearance to defend and to take necessary steps to defend any lawsuit, claim or legal action instituted against the Council.	COO	Manager: LS	
LS.29		To obtain legal opinions from the Council's attorneys or an advocate on advice of the Council attorneys regarding any subject or	COO	Manager: LS	

			consequent lawsuit Council might be involved with or on any legal question/matter which matter certainty needs to be obtained.			
LS.30			In co-operation with Council's attorneys, take the necessary steps to institute legal action in any court against any person who fails or neglects to execute any agreement with the Council or to claim damages which Council might sustain whether resulting from contract or delict or for any amount which such person legitimately owes Council, whether such legal action instituted by way of action or motion.	COO	Manager: LS	
LS.31			In terms of the provisions of Section 6 of Ordinance 17 of 1939, to fully conclude any matter in respect of any lawsuit by or instituted against the Council, undertake all actions necessary, including the appointment of attorneys and/or advocates as well as and including the signing of the necessary power of attorneys, sworn affidavits and other documents.	COO	Manager: LS	
LS.32			To appoint attorneys, advocates and attorney firms in line with Council policy and/or panel of attorneys.	COO	Manager: LS	
LS.33			To ensure that all legal matters of the Council, Mayoral Committee, Mayor and any other committee of Council receive the necessary attention.	COO	Manager: LS	

LS.34		To present Council at any conciliation meeting, the CCMA and tribunals.	COO	Manager: LS	
LS.35		To co-ordinate execution of resolutions taken by Council and other stakeholders.	COO	Manager: LS	
LS.36	PAJA	Vetting of all responses to requests for reasons for administrative action	COO	Manager: LS	
LS.37	PAIA	Vetting of all responses to requests for information	COO	Manager: LS	
LS.38	PAIA	Preparation and submission of the PAIA Manual.	COO	Manager: LS	

MANAGER: INTEGRATED DEVELOPMENT PLANNING (IDP)

Item No	Legislation	Power	Delegating Authority	Delegated Body	Condition of Delegation
IDP.01	MSA Chapter 4	The IDP development and review process in accordance with Chapter 4 of the Systems Act	COO	Manager: IDP	
IDP.02		Align the IDP, budget and performance management system	COO	Manager: IDP	
IDP.03	MSA Chapter 4	Ensure public participation in the IDP development and review process	COO	Manager: IDP	
IDP.04	MSA 25	Ensure adoption of the IDP in compliance with section 25 of the Systems Act	COO	Manager: IDP	
IDP.05	MSA 26	Ensure that the contents of the IDP comply with section 26 of the Systems Act	COO	Manager: IDP	
IDP.06	MSA 27	Ensure adoption of a framework for integrated development planning in compliance with section 27 of the Systems Act	COO	Manager: IDP	
IDP.07	MSA 29	Ensure that process followed to adopt the IDP complies with section 29 of the Systems Act	COO	Manager: IDP	

IDP.08	MSA 32	Ensure submission of a copy of the IDP as adopted by Council is submitted to the MEC for local government in accordance with section 32 of the Systems Act	COO	Manager: IDP	
IDP.09	MSA 34	Ensure annual review of the IDP in terms of section 34 of the Systems Act	COO	Manager: IDP	
IDP.10	MSA 36	Ensure implementation of the IDP.	COO	Manager: IDP	

MANAGER: COMMUNICATIONS & MARKETING

Item No	Legislation	Power	Delegating Authority	Delegated Body	Condition of Delegation
CM.01		Promote the corporate image of the Municipality	COO	Manager: C & M	
CM.02		Ensure successful Municipality events and exhibitions	COO	Manager: C & M	
CM.03		Ensure that the Municipality's website is updated regularly and as required by the law	COO	Manager: C & M	
CM.04		Promote the Municipality's products services, policies and bylaws	COO	Manager: C & M	
CM.05		Develop an internal newsletter	COO	Manager: C & M	
CM.06		Foster good relations between the Municipality and the media	COO	Manager: C & M	
CM.07		Ensure accurate communication	COO	Manager: C & M	
CM.08		To decide on the most appropriate system for the management of public relations	COO	Manager: C & M	
CM.09		To undertake the marketing and promotion of the municipality in accordance with the most appropriate system	COO	Manager: C & M	

CM.10		To decide on the most appropriate method to manage sound, video and photographic services	COO	Manager: C & M	
CM.11	MFMA 75(1)	Ensuring that the required documents are uploaded to, and available on, the Municipality's website within 5 days after its tabling in the Council or on the date on which it must be made public, whichever occurs first.	COO	Manager: C & M	
CM.12	MFMA 116(3)(b)	Giving the local community reasonable notice of intention to amend a contract or agreement procured through the supply chain management policy of the Municipality and inviting the local community to make representations to the Municipality.	COO	Manager: C & M	
CM.13	MFMA 120(6)(b)	Making particulars of the proposed public private partnership, including the report on the feasibility study and inviting the local community and other interested persons to submit to the Municipality comments or representations in respect of the proposed public private partnership at least 60 days prior to the meeting of the municipal council at which the matter is to be considered.	COO	Manager: C & M	

MANAGER: PROJECT MANAGEMENT UNIT (PMU)

Item No	Legislation	Power	Delegating Authority	Delegated Body	Condition of Delegation
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PMU.01		Collate and submit all the necessary documents required to secure grant funding	COO	Manager: PMU	
PMU.02		The administration and financial management of grant funds within the municipal and national accounting systems for infrastructure projects of the Municipality	COO	Manager: PMU	
PMU.03		Coordination of the administration of service agreements and contracts with contractors and consultants-including feasibility and backlog studies.	COO	Manager: PMU	
PMU.04		Manage the Municipality infrastructure programme and the physical project implementation activities	COO	Manager: PMU	
PMU.05		Ensure that projects meet overall planning objectives and specific key performance indicators as determined by the grant fund policy framework.	COO	Manager: PMU	
PMU.06		Coordination of regular progress meetings with service providers	COO	Manager: PMU	
PMU.07		Ensure that associated project management administrative functions from project registration and evaluation through to final project completion reports are done.	COO	Manager: PMU	
PMU.08		Do socio-economic impact assessment detailing how the grant fund programme has impacted on communities and municipalities in terms of skills development, community involvement, municipal partnerships, local economic	COO	Manager: PMU	

		development and how the lives of the community have improved.			
PMU.09		Ensure that the Municipality has planned maintenance programmes for its assets and the necessary resources and capacity to fulfill its operations and maintenance obligations	COO	Manager: PMU	
PMU.10		Ensure project compliance with applicable legislation, policies and conditions applicable to grant fund.	COO	Manager: PMU	
PMU.11		Conduct project performance and cash flow reviews	COO	Manager: PMU	
PMU.12		Submit monthly, quarterly, bi-annual, annual and <i>ad hoc</i> reports to the Department of Cooperative Governance and Traditional Affairs in terms of applicable legislation or as required by the national grant fund Unit.	COO	Manager: PMU	

MANAGER: PERFORMANCE MANAGEMENT (ORGANIZATIONAL AND INDIVIDUAL)

Item No	Legislation	Power	Delegating Authority	Delegated Body	Condition of Delegation
PMS.01	MSA 39	Develop and maintain the Municipality's performance management system	COO	Manager: PMS	
PMS.02	MSA 40	Establish mechanisms to monitor and review the City's performance management system	COO	Manager: PMS	
PMS.03	MSA 41(1)(a)	Provide guidance to Municipality officials and councilors in setting appropriate key performance indicators as a yardstick for measuring performance, including outcomes and impact, with regard to the Municipality's development priorities and objectives set out in its IDP	COO	Manager: PMS	

PMS.04	MSA 41(1)(b)	Provide guidance to the Municipality officials and councilors in setting measurable targets with regard to each of those development priorities and objectives.	COO	Manager: PMS	
PMS.05	MSA 41(1)(c)	Monitor performance, measure and review performance at least once a year	COO	Manager: PMS	
PMS.06	MSA 41(1)(d)	Provide guidance on steps to be taken to improve performance with regard to those development priorities and objectives where performance targets are not met.	COO	Manager: PMS	
PMS.07	MSA 41(1)(e)	Establish a process of regular reporting to the Council, other political structures, political office bearers and staff of the Municipality, the public and appropriate organs of state	COO	Manager: PMS	
PMS.08	MSA 42	Involve the community in the development, implementation and review of the Municipality's performance management system	COO	Manager: PMS	
PMS.09	MSA 44	Make public the key performance indicators and the targets set by the Municipality for its performance management system	COO	Manager: PMS	
PMS.10	MSA 45	Ensure that the results of performance measurements are audited as part of the Municipality's internal auditing processes and annually by the Auditor-General	COO	Manager: PMS	
PMS.11	MSA 46	Prepare a performance report for each financial year	COO	Manager: PMS	
PMS.12	MSA 46	Ensure that the annual performance report forms part of the Municipality's annual report in terms of Chapter 12 of the Municipal Finance Management Act	COO	Manager: PMS	

PMS.13		To develop a mechanism for the monitoring and review of the municipality's PMS as required in terms of section 40 of the MSA	COO	Manager: PMS	
PMS.14	MFMA 69(3)(a)	Preparing and submitting within 14 days after the approval of the Municipality's annual budget, a draft service delivery and budget implementation plan for the budget year.	COO	Manager: PMS	
PMS.15	MFMA 69(3)(b)	Preparing and submitting within 14 days after the approval of the Municipality's annual budget, the drafts of the annual performance agreements as required in terms of section 69(3)(b) of the Municipal Systems Act.	COO	Manager: PMS	
PMS.16	MFMA 121(1)	Preparing an annual report for the Municipality	COO	Manager: PMS	
PMS.17	MFMA 72(1)(b)	Submitting the mid-year performance assessment report to the EM, the National Treasury and Provincial Treasury.	COO	Manager: PMS	Bud & Rep Regulation 33. The Municipal Manager must submit to the National Treasury and the relevant Provincial Treasury, in both printed and electronic form- (a) the mid-year budget and performance assessment by 25 January of each year and (b) any other information relating to mid-year budget and performance assessment as may be required by the National Treasury
PMS.18	MFMA 121(3)(f)	Performing an assessment of the Municipality's performance against the measurable performance objectives referred to in section 17(3)(b) of the MFMA for revenue collection from each revenue source and for each vote in the Municipality's approved budget for the relevant financial	COO	Manager: PMS	

PMS.19	MFMA 127(1)	year for inclusion in the Municipality's approved budget for the relevant financial year for inclusion in the Municipality's annual report.	COO	Manager: PMS	
PMS.20	MFMA 127(5)(a)	Receiving the annual report of a municipal entity of which the Municipality is a parent municipality.	COO	Manager: PMS	
PMS.21	MFMA 127(5)(b)	Publishing the annual report and inviting the local community to submit representations in connection with the annual report.	COO	Manager: PMS	
PMS.22	MFMA 129(2)(b)	Submitting the annual report to the Auditor-General, the Provincial Treasury and the Provincial Department responsible for local government.	COO	Manager: PMS	
PMS.23	MFMA 129(3)	Submitting copies of the minutes of the Municipal Council and its committees where the annual report was discussed to the Auditor-General, the Provincial Treasury and the Provincial Department responsible for local government.	COO	Manager: PMS	
PMS.24	MFMA 132(2)	Publishing the Oversight Report regarding the annual report.	COO	Manager: PMS	
PMS.25	Budget and Reporting Regulations 19	Submission of the Municipality's annual report and oversight report of	COO	Manager: PMS	
PMS.26	Budget and Reporting	In accordance with section 21A of the Municipal Systems Act make public the approved service delivery and budget implementation plan within ten working days after the mayor has approved the plan in terms of section 53(1)(c)(ii) of the Act.	COO	Manager: PMS	
		When publishing the quarterly reports on the implementation of the budget in terms of section 75(1)(k) of the Act, the Municipal	COO	Manager: PMS	

	Regulations 32	Manager must make public any information that the municipal council considers appropriate to facilitate public awareness of the quarterly report on the implementation of the budget and the financial state of affairs of the Municipality, including information stipulated in sub-regulations (a) & (b).			
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MANAGER: CLUSTER OFFICES

Item No	Legislation	Power	Delegating Authority	Delegated Body	Condition of Delegation
CL.01		Ensure establishment of Thusong Service Centres in the area of jurisdiction of the City	COO	Manager: CO	
CL.02		Ensure that Thusong Service Centres are strategically placed so that they are accessible to members of the community.	COO	Manager: CO	
CL.03		Coordinate activities of the centres	COO	Manager: CO	
CL.03		Ensure sound management of resources of the centres, financial, human and others	COO	Manager: CO	
CL.05		Ensure implementation of programmes of the centres.	COO	Manager: CO	
CL.06		Engage relevant traditional leaders in the activities of the centres	COO	Manager: CO	
CL.07		Build capacity of the centres	COO	Manager: CO	
CL.08		Ensure submission of reports to the Municipality in the prescribed form and at intervals as may be required.	COO	Manager: CO	

DIRECTORATE: CORPORATE SERVICES AND SHARED SERVICES

DIRECTOR CORPORATE AND SERVICES

Item No.	Legislation	Power	Delegation Authority	Delegated Body	Conditions in delegation
DCSS.01		Oversees the business units: 1. Human Resources Management; 2. Human Resource Development; 3. Information Communication Technology; 4. Fleet Services and; 5. Facilities Maintenance; and ensures that they perform in accordance with their mandate.	MM	Director: CS	
DCSS.02	55(1) MSA	The appointment of staff, subject to the provisions of the Employment Equity Act, 1998 (Act 55 of 1998)	MM	Director: CS	Within a policy framework and in consultation with the Director concerned.
DCSS.03	55(1) MSA	The promotion of sound Labour relations and compliance by the municipality with applicable Labour legislation	MM	Director: CS	
DCSS.04	55(1) MSA	Facilitating / arranging participation by the local community in the affairs of the municipality	MM	Director: CS	In consultation with the Director concerned
DCSS.05	70(2)(a) MSA	Must ensure that the purpose, contents and consequences of the Code of Conduct are explained to all staff members who cannot read	MM	Director: CS	Provided that sufficient proof of such costs that had been incurred, is furnished

DCSS.06	70(2)(b) MSA	Must communicate sections of the Code of Conduct that affect the public to the local community	MM		Director: CS	In consultation with the Director concerned
DCSS.07	MSA 75	Develop bylaws for adoption to give effect to the implementation and enforcement of the tariff policy.	Council		Director: C&SS	
DCSS.08	MSA 76(b)	Enter into a service level agreement with a service provider registered or recognized in terms national legislation to recover all charges due to the Municipality.	Council		Director: C&SS	
DCSS.09	MSA 96	To instruct Council attorneys in collaboration with the CFO and the relevant committee established for this purpose to collect monies payable to the Municipality.	Council		Director: C&SS	
DCSS.10	MSA 109	May institute legal action for and on behalf of the Municipality in consultation with the Municipal Manager and the responsible executive manager.	Council		Director: C&SS	
DCSS.11	MFMA 178(2)(a)	Submitting to the National Treasury a list of all corporate entities in which the Municipality or a municipal entity under its sole or shared control has interest.	MM		Director: C&SS	
DCSS.12	MFMA 178(2)(b)	Submitting to the National Treasury a list of all public-private partnerships to which the Municipality is a party, with a value of more than one million rand in total or per annum.	MM		Director: C&SS	
DCSS.13	MFMA 178(2)(c)	Submitting to the National Treasury a list of all other types of contracts of the Municipality for a period beyond 1 January 2007 and with the value of more than one million rand in total or per annum	MM		Director: C&SS	

DCSS.14	MFMA 79(1)(a)	Developing an appropriate system of delegations that will both maximize administrative and operational efficiency and provide adequate checks and balances in the municipality's financial administration for the proper application of the MFMA.	MM	Director: C&SS	
DCSS.15	MFMA 79(1)(c)	Regularly reviewing the delegations issued to a member of the Municipality's top management or any other official of the Municipality and, if necessary, amending or withdrawing any of those delegations.	MM	Director: C&SS	
DCSS.16	MFMA 84(2)(i)(aa)	Publishing an information statement regarding the Municipality's intention to establish and/or participate in a municipal entity.	MM	Director: C&SS	
DCSS.17	MFMA 84(2)(i)(bb)	Inviting the local community, organized labour and other interested persons to submit comments or representations in respect of the Municipality's intention to establish and/or participate in a municipal entity.	MM	Director: C&SS	
DCSS.18	SCM Regulations 31(1)	Request the State Information Technology Agency (SITA) to assist the Municipality with the acquisition of IT related goods or services through competitive bidding process.	MM	Director: C&SS	
DCSS.19	SCM Regulations 31(2)	Enter into a written agreement to regulate the services rendered by, and the payments made to, SITA.	MM	Director: C&SS	
DCSS.20	SCM Regulations 31(3)	Notify SITA together with a motivation of the IT needs of the Municipality if- (a) the transaction value of IT related goods or services required by the Municipality in	MM	Director: C&SS	

DCSS.21	SCM Regulations 31(4)	any financial year will exceed R5 million (VAT included); or (b) the transaction value of the contract to be procured by the Municipality whether for one or more years exceeds R5 million. Submit to the Council, the National Treasury, the relevant provincial Treasury and the Auditor-General the SITA comments and the reasons for rejecting or not following such comments if the Municipality agrees with SITA comments.	MM	Director: C&SS	
DCSS.22	Asset Transfer Regulations 27	If a municipality or municipal entity transfers an exempted capital asset to an organ of state and the transfer of that asset gives rise to the transfer to the organ of state of staff associated with the asset the staff transfer must be consistent with legislation regulating staff transfers in those circumstances, including any applicable labour legislation and legislation regulating the transfer of liabilities associated with such staff.	MM	Director: C&SS	
DCSS.23	Minimum Competency Regulations 14(2)	A municipality must report the consolidated information in respect of the municipality and each of its entities as prescribed in sub-regulation (a) and (b) and as set out in sub-regulation (4)	Council	Director: C&SS	
DCSS.24	Minimum Competency Regulations 16(1)	If a financial official or supply chain management official is employed subject to performance agreement and that official does not meet the minimum competency levels, attainment of such competency levels within the timeframes set out in regulation 15	Council	Director: C&SS	

DCSS.25		must be included as a performance target in that official's performance agreement. To designate employees of his directorate as Health and Safety Representatives or Employer's Nominees, and to institute Safety Committees for his directorate in terms of the provisions of the Safety Act.	Council	Director: C&SS	
DCSS.26		To, authorise the allocation of cell phones to staff in terms of Council policy	MM	Director: C&SS	
DCSS.27		To allocate official parking bays to officials at offices of the municipality	MM	Director: C&SS	
DCSS.28		To appoint an official as Employment Equity Officer, in terms of the Employment Equity Act	MM	Director: C&SS	
DCSS.29		To, together with a Councilor nominated by the Executive Mayor and the Manager: Human resources, represent council in Bargaining Council matters	MM	Director: C&SS	
DCSS.30		To, together with the Manager: Human Resources, represent Council in Bargaining Council and CCMA matters	MM	Director: C&SS	After consultation with Manager: Legal Services
DCSS.31		To be responsible for the compilation of the Council's records system as well as the operation, preservation of and disposal of records in terms of the provisions of applicable legislation and the requirements of the Archive Service	MM	Director: C&SS	

DCSS.32		To refer disputes to arbitration or mediation or to authorise participation	MM	Director: C&SS	In consultation with MM
DCSS.33		To consider and to do whatever he/she regards necessary in all arbitration proceedings, in the interests of the Municipality.	MM	Director: C&SS	In consultation with MM
DCSS.34	55(1) MSA	The management, effective utilization and training of staff	MM	Director: CS	Sub delegated to Manager: Human Resources

MANAGER: HUMAN RESOURCE MANAGEMENT

Item No.	Legislation	Power	Delegation Authority	Delegated Body	Conditions in delegation
HRM.01		To implement appointment notches, internal progress schemes, "double level awards" and "double level progress" of jobs in post-level 7 and lower on recommendation of the departmental head in deliberation with the Chief Financial Officer	MM	Manager: HRM	
HRM.02		To apply for the constitution of a pension fund in order to determine the health condition of employees in matters of possible medical boarding due to medical disability	MM	Manager: HRM	
HRM.03		To approve or reject application for housing matters, loan applications, partial reimbursement of furniture removal costs, as well as entering into necessary agreements in collaboration with the Manager: Secretariat and Legal Services	MM	Manager: HRM	

HRM.04		To enter into learner-ship agreements on behalf of the Council	MM	Manager: HRM	
HRM.05		To approve the conversion of sick leave with ½ pay to sick leave with full pay.	MM	Manager: HRM	
HRM.06		Placement of advertisements for posts to be filled	MM	Manager: HRM	
HRM.07		Approval of the amount to be paid in recognition of long service (using the current formula)	MM	Manager: HRM	
HRM.08		Approval of maternity leave	MM	Manager: HRM	
HRM.09		Approve time-off for union members	MM	Manager: HRM	
HRM.10		To approve housing allowance and rental subsidy	MM	Manager: HRM	
HRM.11		To approve transfers within the SBU's or directorates	MM	Manager: HRM	
HRM.12		To approve unpaid leave to a maximum of 20 working days per employee per year.	MM	Manager: HRM	
HRM.13		To approve appointment of students for experiential training on a closed term temporary agreement.	MM	Manager: HRM	
HRM.14		To execute in general all the activities and duties of the Council under the Occupational Health and Safety Act, 85 of 1993, as well as to implement the stipulations of the Regulations in respect of the Occupational Health and Safety Act and to carry out the instructions as indicated in the Regulations.	MM	Manager: HRM	
HRM.15		Chairman of the Loss Control Committee considering all losses incurred by Council, where after matters are referred back to	MM	Manager: HRM	

		different Directorates and Business Units for disciplinary action in respect of the Collective agreement.				
HRM.16		Investigate and reports and/or recommends to claims committee concerning all insurance claims against Council.	MM	Manager: HRM		
HRM.17		Implement the Municipality's human resources management policies.	MM	Manager: HRM		
HRM.18		To administer the Council's staff housing guarantee and subsidy scheme and to take all decisions necessary to give effect thereto	Director: C&SS	Manager: HRM		
HRM.19		To administer the Council's vehicle scheme for staff and to take all decisions necessary to give effect thereto	Director: C&SS	Manager: HRM		
HRM.20		To evaluate approve, initiate and arrange training programmes, sessions and actions for staff; to authorise all expenditure in connection therewith and to claim compensation from national training funds	Director: C&SS	Manager: HRM		
HRM.21		To, authorise the appointment of students from tertiary institutions to gain practical experience as part of their study curriculum	Director: C&SS	Manager: HRM		
HRM.22	70(1) MSA	Must provide a copy of the Code of Conduct and any amendment thereto to every member of the staff.	Director: C&SS	Manager: HRM		
HRM.23		To issue service certificates	Director: C&SS	Manager: HRM		

HRM.24		To authorise the content and placing of staff advertisements in the press	Director: C&SS	Manager: HRM	
HRM.25		To authorise time off for trade union members in terms of the organizational rights agreement	Director: C&SS	Manager: HRM	
HRM.26		To appoint an official to serve as liaison person with the SETA in terms of the Skills Development Act	Director: C&SS	Manager: HRM	

MANAGER: HUMAN RESOURCE DEVELOPMENT

Item No	Legislation	Power	Delegating Authority	Delegated Authority	Condition of Delegation
HRD.01		Development of a training policy for councillors and officials of the Municipality	Director: CS	Manager: HRD	
HRD.02		Implementation of the training policy for councillors and officials of the Municipality	Director: CS	Manager: HRD	
HRD.03		Review of the training policy/ies	Director: CS	Manager: HRD	
HRD.04		Development, implementation and review of bursary policy	Director: CS	Manager: HRD	
HRD.05		Payment of the skills development levies	Director: CS	Manager: HRD	
HRD.06		Ensure appointment of skills development officer	Director: CS	Manager: HRD	
HRD.07		Ensure the establishment of a training committee and that it is effective and efficient.	Director: CS	Manager: HRD	
HRD.08		Develop the Workplace Skills Plan	Director: CS	Manager: HRD	

HRD.09		Conduct skills audit	Director: CS	Manager: HRD	
HRD.10		Implement planned training	Director: CS	Manager: HRD	
HRD.11		Monitoring and evaluating planned training	Director: CS	Manager: HRD	
HRD.12		Preparing regular implementation reports	Director: CS	Manager: HRD	
HRD.13		Ensure that the Municipality enters into the necessary agreements with LGSETA	Director: CS	Manager: HRD	
HRD.14		Ensure that the Municipality enters into the necessary agreements with training beneficiaries and bursary holders	Director: CS	Manager: HRD	
HRD.15	SDA 17	Ensure that the Municipality enters into appropriate learnership agreements	Director: CS	Manager: HRD	
HRD.16	SDA 18	Ensure that the Municipality enters into appropriate learnership agreements	Director: CS	Manager: HRD	
HRD.17	SDA 20	Ensure that the Municipality's skills programme is in accordance with the skills development plan of the LGSETA	Director: CS	Manager: HRD	

MANAGER: INFORMATION COMMUNICATION TECHNOLOGY

<u>Item No</u>	<u>Legislation</u>	<u>Power</u>	<u>Delegating Authority</u>	<u>Delegated Authority</u>	<u>Condition of Delegation</u>
ICT.01		Ensure security of the Municipality's information by establishing the roles and responsibilities for information security governance (Information security).	Director: C & SS	Manager: ICT	
ICT. 02		Ensure access both locally and remotely to computers, systems and networks shall be granted in line with the requirements (Access control)	Director: C & SS	Manager: ICT	

ICT.03		Establish and maintain business continuity management plans and procedures to facilitate normal functioning of critical business activities in the event of failures or disasters (Disaster Recovery Management)	Director: C & SS	Manager: ICT	
ICT.04		Establish physical and environmental controls to protect the Municipality and its supporting information (Physical and environmental security)	Director: C & SS	Manager: ICT	
ICT.05		To do away with documents in accordance with the provisions of the Archives Act and other applicable legislation	Director: C & SS	Manager: ICT	
ICT.05	MFMA 63(2)(a)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the Municipality	Director: C & SS	Manager: ICT	
ICT.07	SCOA 5(2)	The financial and business applications used by a municipality or municipal entity must- (c) provide a portal allowing for free access, for information purposes, to the general ledger of the municipality or municipal entity, by any person authorised by the Director-General or accounting officer of the Municipality	Director: C & SS	Manager: ICT	
ICT.08	SCOA 5(3)	Each Municipality and municipal entity must have, or have access to, computer hardware with sufficient capacity to run the software which complies with the requirements of sub-regulation (2)	Director: C & SS	Manager: ICT	

ICT.09	SCOA 6(2)	Each municipality and municipal entity must implement the minimum business process requirements by the date determined in the notice referred to in sub-regulation 6(1).	Director: C & SS	Manager: ICT	
ICT.10	SCOA 7(2)	Each municipality and municipal entity must implement the minimum system requirements by the date determined in the notice referred to in sub-regulation 7(1)	Director: C & SS	Manager: ICT	
ICT.11	SCOA 13(c)	The accounting officer of a municipality or municipal entity must take all the necessary steps to ensure that these regulations are implemented at least by- (c)ensuring that the financial and business applications of the Municipality or municipal entity have the capacity to accommodate the implementation of these regulations and that the required modifications or upgrades are implemented; and	Director: C & SS	Manager: ICT	
ICT.12	SCOA 14(1)	All municipalities and municipal entities must ensure that- (a)the business and financial applications used by them incorporate a portal allowing for free access to their general ledgers for information purposes to any person authorised by the Director-General; and (b) such access is provided.	Director: C & SS	Manager: ICT	
ICT.13	SCOA 14(2)	The accounting officer of a municipality and municipal entity must ensure that its system providers cooperate with the National Treasury to implement the necessary programme amendments to provide the standard of access required by the National Treasury.	Director: C & SS	Manager: ICT	

ICT.14		To, in deliberation with the Municipal Manager, ensure that the Municipality enters into and signs agreements for the maintenance of the Council's hardware, software as well as (and for) electronic data processing equipment and purposes. (Refer also: CR21/4/92-87/2/2).	Director: C & SS	Manager: ICT	
ICT.15		To prevent abuse of information system.	Director: C & SS	Manager: ICT	
ICT.16		To encounter the use of e-government services and to provide for matters connected therewith.	Director: C & SS	Manager: ICT	
ICT.17		To take control of all tenders and contracts concluded and approved by the Council for Information Services, to supervise it, to draw-up tender documents and to certify all payment certificates.	Director: C & SS	Manager: ICT	
ICT.18		To prescribe technical specifications for all computer and/or computer related equipment and consumables utilized by Council.	Director: C & SS	Manager: ICT	
ICT.19		To apply and renew Polokwane Municipality's Software Licenses.	Director: C & SS	Manager: ICT	
ICT.20		To terminate user privileges and access to computer systems due to unauthorised used, miss-use and tempering of systems services on behalf of Council	Director: C & SS	Manager: ICT	
ICT.21		To do short, medium and long term profiles and forecasts and to investigate, design and implement special projects pertaining to the	Director: C & SS	Manager: ICT	

		more efficient and better utilisation of computer systems and infrastructure.				
ICT.22		To do medium- and long-term planning and design of the computer network in order to meet increased demand, reliability and Quality of equipment which has reach the end of its economic life.	Director: C & SS	Manager: ICT		
ICT.23		To ensure that Polokwane Municipality has an Information Resources Management Review Board (IRM RB) that follows policy for IT activities, Review and approves specific IT actions to assure that information technology activities reflect the goals and priorities of Polokwane Municipality programs.	Director: C & SS	Manager: ICT		
ICT.24		To serve as the overall coordinator for Polokwane Municipality information technology activities to ensure maximum efficiency and effectiveness in meeting business needs and requirements.	Director: C & SS	Manager: ICT		
ICT.25		To provide leadership for developing and promulgating Polokwane Municipality's information resource management policies, standards, guidelines and procedures on data management, system life-cycle management, security, telecommunications, IT reviews, and other related areas.	Director: C & SS	Manager: ICT		

ICT.26		To carry out responsibilities assigned by various legislative acts, e.g. The Electronic Communications and Transactions Act, Act 25 of 2002	Director: C & SS	Manager: ICT	
ICT.27		To review and approve plans and budgets of proposed major information resources management projects or systems at initiation and at major milestones during implementation.	Director: C & SS	Manager: ICT	
ICT.28		To review and approve the Information Services Long-Range Plan.	Director: C & SS	Manager: ICT	
ICT.29		To determine the Polokwane Municipality mission requirements for IT security and for adequate personal data, as defined in The Electronic Communications and Transactions Act, Act 25 of 2002 , and other sensitive data.	Director: C & SS	Manager: ICT	
ICT.30		To establish a Directorate-wide program for IT security consistent with the mission of Polokwane Municipality.	Director: C & SS	Manager: ICT	
ICT.31		To review applicable technical approval (TA) requests to assess and certify the sensitivity of proposed requests, where applicable.	Director: C & SS	Manager: ICT	
ICT.32		To review all security incidents and corrective actions taken at any Polokwane	Director: C & SS	Manager: ICT	

		Municipality location and ensure that corrective action takes place.			
ICT.33		To develop a security awareness-training program that addresses common security problems and concerns.	Director: C & SS	Manager: ICT	
ICT.34		To develop internal security standards and procedures for all levels of employees.	Director: C & SS	Manager: ICT	
ICT.35		To ensure that steps are taken to maintain IT security risk at an acceptable level.	Director: C & SS	Manager: ICT	
ICT.36		To put new contracts in place for IT resources or arrange for Polokwane Municipality to have access to other IT resources contracts.	Director: C & SS	Manager: ICT	
ICT.37		To facilitate the collaborative management of geospatial hardware and software maintenance at all levels of the Business Unit.	Director: C & SS	Manager: ICT	
ICT.38		To authorize individual customer access to data and set any limitations on the access (ready/updated/access to subsets/etc)	Director: C & SS	Manager: ICT	
ICT.39		To resolve disputes as to the meaning and valid use of data elements and values.	Director: C & SS	Manager: ICT	
ICT.40		To act as the designated authority for business-area decisions concerning data	Director: C & SS	Manager: ICT	

		content and requirements for supporting software systems.			
ICT.41		To at the request of the project manager, authorize direct support to a specific project. This support could include requirements development, data modelling, planning, metadata development, and quality assurance.	Director: C & SS	Manager: ICT	
ICT.42		To coordinate application software development within Polokwane Municipality.	Director: C & SS	Manager: ICT	
ICT.43		To establish and manage contracts for outside services.	Director: C & SS	Manager: ICT	
ICT.44		To ensure that software to be installed on the Polokwane Municipality's Computing Environment platform has been submitted and certified.	Director: C & SS	Manager: ICT	
ICT.45		To ensure that hardware and telecommunications systems are tested in accordance with FCC15 standards.	Director: C & SS	Manager: ICT	
ICT.46		To evaluate and approve or disapprove all requests received for telecommunications services and equipment.	Director: C & SS	Manager: ICT	
ICT.47		To serve as the sole signature authority to approve the ordering of dedicated network access services and equipment.	Director: C & SS	Manager: ICT	

ICT.48		To appoint representatives to the IT Steering Committee, as well as chairing IT Steering Committee meetings.	Director: C & SS	Manager: ICT	
ICT.49		To oversee the appointment of service provider to host the Polokwane Municipality's home page and associated top-level web pages on a web server the address of which shall be www.polokwane.org.za ensure and appointment or assignment of system administrator to manage this site on the Polokwane Municipality Web Farm.	Director: C & SS	Manager: ICT	
ICT.50		To allocate funds for the acquisition of information technology equipment for employees with disabilities.	Director: C & SS	Manager: ICT	

MANAGER: FLEET SERVICES

Item No	Legislation	Power	Delegating Authority	Delegated Authority	Condition of Delegation
FS.01		Develop trip authority forms and monitor their completion	Director: C & SS	Manager: FS	
FS.02		Develop logbook and monitor its completion	Director: C & SS	Manager: FS	
FS.03		Ensure that Municipality vehicle are inspected regularly for roadworthiness	Director: C & SS	Manager: FS	
FS.04		Ensure that every vehicle is allocated and bears a unique fleet number that is placed on the body of the vehicle where it can be seen with ease	Director: C & SS	Manager: FS	

FS.05		Ensure that accidents are reported within the time-frames prescribed by the law at the relevant police stations and to the Municipality's Fleet Management Unit immediately	Director: C & SS	Manager: FS	
FS.06		Ensure recovery of damages from persons who are liable for damage caused damage to the Municipality vehicles.	Director: C & SS	Manager: FS	
FS.07		Ensure recovery of damages for theft or destruction of City vehicles	Director: C & SS	Manager: FS	
FS.08		Ensure that all City vehicles are serviced in accordance with the requirements of the manufacturer	Director: C & SS	Manager: FS	
FS.09		Ensure that all the leased vehicles are serviced and handled in accordance with the conditions of hire.	Director: C & SS	Manager: FS	
FS.10		Ensure that all the City vehicles are fitted with a vehicle tracking system which must be regularly inspected in accordance with the tracking system of the service provider requirements	Director: C & SS	Manager: FS	
FS.11		Ensure that all the vehicles are inspected weekly by the delegated office and that the inspection is recorded in the inspection register.	Director: C & SS	Manager: FS	
FS.12		Ensure that all City vehicles are insured	Director: C & SS	Manager: FS	
FS.13		Ensure that all vehicles are kept in a neat and tidy condition at all times	Director: C & SS	Manager: FS	
FS.14		Ensure that only authorised persons drive the vehicles.	Director: C & SS	Manager: FS	
FS.15		Ensure that drivers pay the traffic fines which they caused	Director: C & SS	Manager: FS	

FS.16		Ensure that the Fleet Management Unit receives a monthly return on utilisation of the vehicles.	Director: C & SS	Manager: FS	
FS.17		Ensure that misuse or unauthorised of the vehicles is visited with disciplinary action	Director: C & SS	Manager: FS	
FS.18		Where appropriate, lay criminal charges in accordance with section 1 of the General Law Amendment Act 50 of 1956 or any other applicable legislation	Director: C & SS	Manager: FS	
FS.19		To manage the Council vehicle fleet by coordinating vehicle allocations, do maintenance and repair work and renew vehicle licences yearly as and when it is required to do so including (COF) Certificate of Fitness on heavy vehicle exceeding 3500kg.	Director: C & SS	Manager: FS	
FS.20		Authority to approve or disapprove the hire of pool vehicles to Directorates, Business Units and/or employees.	Director: C & SS	Manager: FS	
FS.21		Authority to approve or disapprove the hire of pool vehicles for Directorates, Business Units and/or employees.	Director: C & SS	Manager: FS	
FS.22		Authority to withdraw or cause to be withdrawn vehicles, which are being misused.	Director: C & SS	Manager: FS	

MANAGER: FACILITIES MAINTENANCE

Item No	Legislation	Power	Delegating Authority	Delegated Authority	Condition of Delegation
FM.		Ensuring the Municipality facilities legislative requirements with regard to health, environment, safety and others are complied with.	Director: C & SS	Manager: FACM	
FM.01		Allocation and management of space in the buildings	Director: C & SS	Manager: FACM	
FM.02		Ensuring that the basic facilities such as water and heating are well maintained.	Director: C & SS	Manager: FACM	
FM.03		Exercise the rights and obligations of the Municipality as the lessor in respect of the agreements of lease, servitudes and other legal instruments.	Director: C & SS	Manager: FACM	
FM.04		Advise the Municipality on property transactions	Director: C & SS	Manager: FACM	
FM.05		To advise on the appropriate course of action to take where the terms and conditions of a lease have been breached	Director: C & SS	Manager: FACM	In consultation with Manager: Legal Services
FM.06		To authorise encroachments over the Municipality's land .and to ensure conclusion of relevant agreements and imposition of the levying of a fee or tariffs.	Director: C & SS	Manager: FACM	In consultation with Manager: Legal Services and Director: C & SS.

DIRECTORATE: WATER AND SANITATION

DIRECTOR: WATER & SANITATION

Item No.	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
WS.01		Oversees the business units: 1. Reticulation, Distribution and Maintenance, Water Demand and Conservation ; 2. Operations: Water and Waste Water, Quality Management and Laboratory Services and ; 3. Infrastructure Development, Planning and Design ; and ensures that they perform in accordance with their mandate.	MM	Director: W & S	
WS.02		To grant authority for sewer installations on premises where the owner has failed to comply, in terms of the National Building Regulations and Building Standards Act 103/1977 and the regulations issued in terms thereof.	MM	Director: W & S	
WS.03		To authorize other forms of doing away with sewage, in terms of the National Building Regulations and Building Standards Act 103/1977 and the regulations issued thereunder	MM	Director: W & S	
WS.04		To decide on the most appropriate systems for the planning, control, management,	MM	Director: W & S	

			safety and maintenance of sewage treatment works, in terms of the Water Act				
WS.05			To exercise all the powers and duties of the Council regarding the supply of irrigation water, in terms of the provisions of appropriate By-laws	MM	Director: W & S		
WS.06			To in terms of Council's policy, grant approval of plans and/or draft schemes submitted by Township Developers for the installation of water and waste water networks and essential services in accordance with the relevant Conditions of Establishment.	MM	Director: W & S		
WS.07			Recommendation of appointment of professional service providers subject to the Supply Chain Management Policy of the Municipality.	MM	Director: W & S		
WS.08			Approve spending of provision for unseen expenditure on all contracts within his or her department.	MM	Director: W & S		
WS.09			Determine all costs and damages to infrastructure services caused by other parties and effect cost recovery measures in this regard and engage Legal Services Business Unit with regard to such recovery.	MM	Director: W & S		

WS.10		Determine the cost of services executed by the Directorate on request from the developers during township development.	MM	Director: W & S	
WS.11		Authorise the payment of monthly consumer accounts for electricity portable water on recommendation of the Manager.	MM	Director: W & S	
WS.12		Accept and sign loss agreements regarding insurance claims in the Directorate Water and Sanitation on behalf of the Council.	MM	Director: W & S	
WS.13		Accept the Standard Conditions set by the Departments on behalf of the Council, when the rights of the aforementioned are affected by a proposed municipal infrastructure connections (service lines) or roads.	MM	Director: W & S	
WS.14		Correct the accounts of consumers in consultation with the Chief Financial Officer and in terms of the provisions of the by-laws of the Council.	MM	Director: W & S	
WS.15		Submit quotations/tenders for infrastructure construction on behalf of the Council outside the Municipal borders of Polokwane Municipal Council with the approval of the Premier subject to applicable legislation	MM	Director: W & S	
WS.16		Make arrangements on application, for the supply of infrastructure services to clients at the Council's boarders, inside or, subject to the approval of the premier, outside the area of jurisdiction, by giving approval to the authority who provides the service and who will be able to supply it most economically.	MM	Director: W & S	
WS.17		Lend or borrow equipment from any Depot or Region within the Municipal Council area.	MM	Director: W & S	

WS.18		Perform all the necessary functions and powers on behalf of the Council in terms of the By-laws applicable to the Directorate Water and Sanitation: Provided that such shall be performed in conjunction with the applicable functionaries where necessary.	MM	Director: W & S	
WS.19		Appoint land surveyors and proceed with the proclamation process of approved projects within the budget for the specific project.	MM	Director: W & S	
WS.20		Determine the limits of industrial effluent to be discharged in the Council's system.	MM	Director: W & S	
WS.21		In conjunction with the Chief Financial Officer and Director Corporate Services, grant extension of time to contractors who are unable to complete the contracts within the contract period and to invoke penalty clauses contained in contract documents on late completion or deliveries.	MM	Director: W & S	
WS.22		In conjunction with the Portfolio Committee Chairperson, approve or refuse applications to connect to premises with the Council's water sewerage and electricity system and to effect these connections at the applicant's own cost, subject to certain conditions, to prohibit defecation in the Council's applicable system, where damage or improper functioning of the Council's system may occur.	MM	Director: W & S	
WS.23		Authorise the use of Council or goods, or the removal of such from the Council's premises for performance of official duties.	MM	Director: W & S	
WS.24		Approve industrial effluent permits.	MM	Director: W & S	

WS.25		Carry out street crossings for the installations of Water and Waste Water pipes.	MM	Director: W & S	
WS.26		Give landowners, tenants or occupants written notice of Council's intention to enter private property for installation of municipal services, in accordance with the provisions of section 84 and 134 of the Local Government Ordinance, 1939.	MM	Director: W & S	
WS.27		In conjunction with the Portfolio Committee Chairperson approve or refuse the appointment of an engineer whose services will be employed by a township developer, in terms of the conditions of establishment of any township.	MM	Director: W & S	
WS.28		Approve or refuse proposed water and sanitation schemes of township developers, in terms of the Conditions of establishment of Townships and when completed to take such schemes over on behalf of the Council.	MM	Director: W & S	
WS.29		In conjunction with the Portfolio Committee Chairperson, exercise the following functions in respect of water and sanitation, which are entrusted to the Council by means of the conditions of establishment, namely, (a). To request the township owner to submit a scheme in broad outline as well as a detailed scheme, (b). To approve the engineers who will be responsible for the drafting of the scheme concerned and the execution thereof. (c). To approve or disapprove the scheme in broad as well as the detailed scheme; and	MM	Director: W & S	

		(d). To approve or disapprove the execution of the work in accordance with the scheme.			
WS.30		Lend equipment or borough it from neighbouring towns at an agreed amount in the best interests of Council.	MM	Director: W & S	
WS.31		Ensure and approve the application, by means of prosecution or in other way of the Council's By-laws administered by this Directorate.	MM	Director: W & S	
WS.32		Authorise the use of Council property or goods, or the removal of such from the Council's premises for the performance of the official duties.	MM	Director: W & S	
WS.33		Approve or refuse the appointment of a civil engineer whose service will be utilised by a township developer, in terms of the conditions of establishment of any township.	MM	Director: W & S	
WS.34		Approve the control of road traffic engineering.	MM	Director: W & S	
WS.35		Record, in consultation with the Chief Operating Officer and Legal Services, an appearance before the Chief Magistrate in order for the Chief Magistrate to determine or refer spot-fines for penalties in respect of transgressions of the applicable by-laws and Regulations.	MM	Director: W & S	
WS.36		Consider and decide all applications to sink a borehole in accordance with the Council's policy.	MM	Director: W & S	

WS.37		26.76. Exercise the following functions in respect of storm-water drainage and roads, which are entrusted to the means of the conditions of establishment namely, (a) To request the township owner to submit a scheme in broad outline as well as a detailed scheme; (b) To approve the civil engineers who will be responsible for the drafting of the scheme concerned and execution thereof; (c) To approve or disapprove the scheme in broad outline as well as detailed scheme; (d) To approve or disapprove the execution of work in accordance with the scheme.	MM	Director: W & S	
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MANAGER: RETICULATION, DISTRIBUTION & MAINTENANCE, WATER DEMAND & CONSERVATION

Item No.	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
RDM.01		Ensure that the Municipality's water supply system is properly maintained.	Director: W & S	Manager: RDM	
RDM.02		Develop conditions for prohibition or restriction on the use of water within the Municipality's jurisdiction.	Director: W & S	Manager: RDM	
RDM.03		Ensure that the prohibition on the use of water is approved by Council	Director: W & S	Manager: RDM	
RDM.04		Ensure that the prohibition on use of water is publicised in a prescribed manner.	Director: W & S	Manager: RDM	
RDM.05		Recommend emergency situations where steps can be taken without Council resolution for Council approval	Director: W & S	Manager: RDM	

RDM.06		Recommend the prohibition of use of certain equipment or item a water installation.	Director: W & S	Manager: RDM	
RDM.07		Ensure that persons responsible for the waste of water are held liable.	Director: W & S	Manager: RDM	
RDM.08		Ensure that leaks in the City's water supply system are repaired immediately	Director: W & S	Manager: RDM	
RDM.09		Ensure that the City complies with the Regulations relating to Compulsory Standards and Measures to Conserve Water in as far as it relates to his/her area of work.	Director: W & S	Manager: RDM	
RDM.10		Identification and removal of illegal connections	Director: W & S	Manager: RDM	
RDM.11		Ensure that persons who connect water supply are prosecuted.	Director: W & S	Manager: RDM	
RDM.12		Installation of water efficient devices in the water supply system	Director: W & S	Manager: RDM	
RDM.13		Ensure proper maintenance of the water supply system	Director: W & S	Manager: RDM	
RDM.14		Preparation and implementation of the Water Conservation and Demand Management Strategy	Director: W & S	Manager: RDM	
RDM.15		To take over water and sanitation network of township developers on behalf of Council after it was inspected and found to adhere to all applicable specifications, requirements and laws.	Director: W & S	Manager: RDM	
RDM.16		To prescribe the technical specification for all the materials for water and sanitation services to be used in the townships to be established in accordance of the establishing conditions with consideration to the geological earth formation each separate case and safety requirements.	Director: W & S	Manager: RDM	

MANAGER: OPERATIONS: WATER & WASTE WATER, QUALITY MANAGEMENT AND LABORATORY SERVICES

Item No.	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
OW.01	WSA 3(1)	To provide basic water supply and sanitation	Director: W & S	Manager Operations: WWW	
OW.02	WSA 4(1)	To set conditions for the provision and limitation of water services	Director: W & S	Manager Operations: WWW	Subject to section 4(2)-(3)
OW.03	WSA 6(1)	Ensure authorisation to supply water and sanitation	Director: W & S	Manager Operations: WWW	
OW.04	WSA 9 Regulations	Ensure that the Municipality complies with Compulsory National Standards and Measures to Conserve Water	Director: W & S	Manager Operations: WWW	
OW.05	WSA 10 Regulations	Ensure that the Municipality complies with Norms and Standards for setting Water Services Tariffs.	Director: W & S	Manager Operations: WWW	
OW.06	WSA 11(1)	To ensure that the Municipality provides water and sanitation efficiently, affordably, economically and sustainable water services	Director: W & S	Manager Operations: WWW	
OW.06	WSA 11(5)	To provide water and sanitation in emergency situations	Director: W & S	Manager Operations: WWW	
OW.07	WSA 12(1)	To prepare a draft water services development plan	Director: W & S	Manager Operations: WWW	In terms of section 13 and the publication thereof in terms of section 14 and 15
OW.08	WSA 13	Ensure that the contents of the draft water services development plan comply with this section	Director: W & S	Manager Operations: WWW	
OW.09	WSA 14(1)	Take steps to publish the water services development plan in terms of this section	Director: W & S	Manager Operations: WWW	

OW.10	WSA 15	Ensure that a water services development plan is adopted and dealt with in terms of this section.	Director: W & S	Manager Operations: WWW	
OW.11	WSA 16	Develop a new water services development plan in terms of this section	Director: W & S	Manager Operations: WWW	
OW.12	WSA 18(1)	To report on the implementation of the water services development plan	Director: W & S	Manager Operations: WWW	Each financial year and publish accordingly
OW.13	WSA 19	To ensure that the Municipality enters into contracts and joint ventures with service providers subject to this section, where necessary.	Director: W & S	Manager Operations: WWW	
OW.14	WSA 15(5) Water Service Provider Contract Regulations.	Ensure the water service provider agreements entered into by the Municipality comply with the Water Service Provider Contract Regulations	Director: W & S	Manager Operations: WWW	
OW.15	WSA 20	To separate the Municipality's water services authority from the provision of the services	Director: W & S	Manager Operations: WWW	
OW.16	WSA 21	To ensure that the Municipality adopts bylaws incorporating the conditions for the provision of water services as set out in this section	Director: W & S	Manager Operations: WWW	
OW.17	WSA 22	To ensure that a water service provider is approved	Director: W & S	Manager Operations: WWW	
OW.18	WSA 23	To ensure that there is adequate information concerning the provision of the services	Director: W & S	Manager Operations: WWW	

OW.19	WSA 24	Where necessary, require the registration of water services intermediaries or classes of intermediaries within its area of jurisdiction.	Director: W & S	Manager Operations: WWW	
OW.20	WSA 27	To monitor the service providers and intermediaries	Director: W & S	Manager Operations: WWW	
OW.21	WSA 80	To carry out inspections in terms of this section	Director: W & S	Manager Operations: WWW	
OW.22	NWA 4(3)	To use water in terms of general authorisation or licence	Director: W & S	Manager Operations: WWW	
OW.23	NWA 7	To give effect to the National Water Resource Strategy	Director: W & S	Manager Operations: WWW	
OW.24	NWA 18	To give effect to reserve in terms of the Act	Director: W & S	Manager Operations: WWW	
OW.25	NWA 19	To prevent pollution and remedy pollution	Director: W & S	Manager Operations: WWW	
OW.26	NWA 20(3)	To report an emergency	Director: W & S	Manager Operations: WWW	
OW.27	NWA 20(4)	To take steps to minimize the effects of an incident	Director: W & S	Manager Operations: WWW	
OW.28	NWA 22	To use water in terms of permissible water use	Director: W & S	Manager Operations: WWW	
OW.29	NWA 40(1)	To apply for licence for water use	Director: W & S	Manager Operations: WWW	

OW.30	NWA 118	To provide the Minister with information about dams	Director: W & S	Manager Operations: WWW	
OW.31	NSP	Ensure that the Municipality complies with the National Sanitation Policy	Director: W & S	Manager Operations: WWW	

MANAGER INFRASTRUCTURE DEVELOPMENT, PLANNING AND RETICULATION DESIGN

Item No.	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
ID.01		Identification and evaluation of existing water and sanitation infrastructure	Director: W & S	Manager: IDPR	
ID.02		Assess the service requirements of the water and sanitation infrastructure	Director: W & S	Manager: IDPR	
ID.03		Development of appropriate solutions	Director: W & S	Manager: IDPR	
ID.04		Plan for new water and sanitation infrastructure projects	Director: W & S	Manager: IDPR	
ID.05		Confirmation of the design standards	Director: W & S	Manager: IDPR	
ID.06		Design and sizing of water and sanitation infrastructure	Director: W & S	Manager: IDPR	
ID.07		Quantification and costing of water and sanitation infrastructure	Director: W & S	Manager: IDPR	
ID.08		Development of tariff structure	Director: W & S	Manager: IDPR	

SPECIAL COUNCIL: 29 SEPTEMBER 2022

DELEGATION OF POWERS

ATTACHMENT 2 OF ITEM 10

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DIRECTORATE: PLANNING AND ECONOMIC DEVELOPMENT

DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

Item No.	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
PED.01		Oversees the business units: 1. City and Regional Planning ; 2. Economic Development and Tourism ; 3. Corporate Geo-Informatics; 4. Building Inspections and; 5. Property Management and ensures that they perform in accordance with their mandate.	MM	Director P & ED	
PED.02		To authorise investigations into the viability of economic development initiatives in the municipal area	MM	Director P & ED	
PED.03		To take such steps as may be required necessary to market and advertise the potential of the municipal area to investors and developers	MM	Director P & ED	
PED.04		To determine the market value of immovable property or rights in immovable property which the Council intends to acquire or alienate and if necessary to obtain the advice of a private valuer	MM	Director P & ED	In terms of a Policy framework
PED.05		To negotiate with persons in respect of the intended acquisition or alienation of immovable property, or rights in, on or over immovable property, where permitted	MM	Director P & ED	In terms of a Policy framework

PED.06		To grant authority for obtaining sworn valuations and the preparation of land surveyors diagrams of immovable property or rights in immovable property	MM	Director P & ED	In terms of Council's Supply Chain Management Policy
PED.07		To authorise the appointment of appraisers on such terms and conditions as maybe necessary, in cases where it is considered necessary that an independent appraisal in respect of the acquisition or alienation of municipal property or rights therein should be obtained	MM	Director P & ED	In terms of Council's Supply Chain Management Policy
PED.08		To authorise all documentation and to take such steps as may be necessary in respect of approved legal processes when immovable Council property is let or alienated	MM	Director P & ED	
PED.09		Make a determination regarding the sufficiency of the engineering services for which he or she is responsible	MM	Director P & ED	
PED.10		In terms of the provisions of Section 81(1)(b) of Ordinance 15 of 1986, to confirm that endowment has been paid and Council is able to provide the required services before approval of a building plan, within 3 months from date of letter.	MM	Director P & ED	
PED.11		When necessary, to appoint appraisers from a panel compiled by Council pertaining to the acquisition or alienation of land, or for any other purposes in respect of which Council is authorized by way of legislation to	MM	Director P & ED	

		appoint appraisers, excluding appraisers for the compilation of the valuation roll.			
PED.12		To issue a certificate that services to the relevant erf will be supplied within three months after date thereof according to the stipulations of Section 113(1)(c) of Ordinance 15 of 1986.	MM	Director P & ED	
PED.13		To see to the cancellation of general servitudes in disuse where township establishment is concerned and to ensure that the rights of the Council is exercised after proclamation of the road reserves of the proposed township.	MM	Director P & ED	
PED.14		To initiate any court action necessary to ensure that effective land use management and orderly development is conducted and/or to ensure that any decision or action of the Municipality is defended. This includes the prosecution of any illegal land use, contravention of conditions in the Title Deeds of property and illegal outdoor advertisement signs;	MM	Director P & ED	
PED.15		To obtain legal opinions and/or instruct officials to do so i.e. land use management, town planning and property law issues in order to ensure effective land use management and orderly development.	MM	Director P & ED	
PED.16		To give approval i.t.o. section 43(5) for an owner for a further period not exceeding 15 years for the continued use of any land or building contemplated in this section; Read with section 167 of the Municipal Planning By-law 2017.	MM	Director P & ED	

PED.17		To give approval i.t.o. section 61 for submission of a further application in terms of section 56 within a period of 2 years;	MM	Director P & ED	
PED.18		To give approval i.t.o. section 72(1) for further period for submission of documents as required by the Surveyor General; Read with section 167 of the Municipal Planning By-law 2017	MM	Director P & ED	
PED.19		To submit comments and a recommendation to Director Local Government i.t.o. section 89(4) i.r.o. an application for alteration, amendment or cancellation of general plan; Read with section 64 of the Municipal Planning By-law 2017	MM	Director P & ED	
PED.20		To give approval i.t.o. section 97 to an owner to enter into a contract while township establishment is in the process; Read with section 60 of the Municipal Planning Bylaw 2017.	MM	Director P & ED	
PED.21		To consent i.t.o. section 100 to the amendment of documents after a township has been approved, subject that such amendment doesn't contemplate a major change in any land use rights. In the latter instance such request shall be referred to the Land Use Management Committee for a decision; Read with section 54(6) & (7) of the Municipal Planning Bylaw 2017. Read with section 54(6) of Polokwane Municipal Planning Bylaw.	MM	Director P & ED	

PED.22		To approve an application for division into separate township i.t.o. section 99(2); Read with section 55 of Polokwane Municipal Planning Bylaw 2017	MM	Director P & ED	
PED.23		To issue the necessary certificate in terms of provisions of section 101(1) confirming that an township establisher has complied with requirements and conditions required by the Municipality; Read with section 57(2) of Polokwane Municipality. Read with section 57(2) of Polokwane Municipal Planning Bylaw 2017	MM	Director P & ED	
PED.24		To give approval i.t.o. section 101(2) for further period for submission of documents with the Registrar of deeds. Read with section 57(4) of Polokwane Municipal Planning Bylaw.	MM	Director P & ED	
PED.25		To investigate cases and refer the matter to the Director Local Government i.t.o. section 130(1)(b) where reasonable grounds exist for believing that any person is defeating the objects of this ordinance;	MM	Director P & ED	
PED.16		To investigate cases as contemplated in section 132 which stipulates that where reasonable grounds exist that any person intend to defraud by furnishing false or misleading information in connection with any application contemplated in this ordinance, such person commits an offence.	MM	Director P & ED	

		The Director may refer such cases to the Manager: Legal Services for further investigation or prosecution.			
PED.27		To issue the necessary certificate in terms of provisions of section 82(1)(b)(i) and (ii) or section 113(1), whatever the case may be, which will ensure that the Registrar of Deeds shall commence with transfer of an erf/erven in a township;	MM	Director P & ED	
PED.28		To issue the necessary certificate in terms of provisions of section 25(1), which will ensure that the Registrar of Deeds shall commence with transfer of any portion;	MM	Director P & ED	
PED.29		To investigate cases as contemplated in section 38 which stipulates that where reasonable grounds exist that any person intend to defraud by furnishing false or misleading information in connection with any application contemplated in this ordinance, such person commits an offence. The Director may refer such cases to the Director Corporate Services and/or Manager: Legal Services for further investigation or prosecution.	MM	Director P & ED	
PED.30		To negotiate conditions and payment of rentals with applicants and approve requests to erect outdoor advertisement signage on Council property and subsequently approve such application as contemplated in Sections 2 and 3 read together with section 5(1) of these by-laws	MM	Director P & ED	

		read together with the relevant policy. If any objection is received i.e. such application, it shall be referred to the Land Use Management Committee for a decision.			
PED.31		To see to the cancellation of general servitudes in duties where township establishment is concerned and to ensure that the rights of the Municipality are exercised after proclamation of the road reserves of a proposed township.	MM	Director P & ED	

MANAGER: CITY AND REGIONAL PLANNING

Item No	Legislation	Power	Delegating Authority	Delegated Authority	Condition of Delegation
CRP.01	ZONING SCHEME	Applications for consent uses in terms of the zoning scheme	Director P & ED	Manager: C & RP	
CRP.02		Compilation of Comment on objections for referral to the Provincial Government	Director P & ED	Manager: C & RP	
CRP.03		Put processes in place to ensure that applications will be evaluated in terms of the development principles of SPLUMA	Director P & ED	Manager: C & RP	
CRP.04	SPLUMA Sec 6	Put processes and procedures in place to ensure compliance with national norms and	Director P & ED	Manager: C & RP	

	Sec 8(1)	standards for land use management and land development			
CRP.05	SPLUMA Sec 11(3)	Put processes, procedures/ systems are in place to ensure that the municipality provides any information requested by national and provincial government with regard to administration of SPLUMA	Director P & ED	Manager: C & RP	
CRP.06	SPLUMA Sec 12(1), Sec 20(1) & Sec 20(3)	Put processes and procedures in place to develop, adopt and amend the municipality's SDF	Director P & ED	Manager: C & RP	In consultation with Director P & ED
CRP.07	SPLUMA Sec 12(2)(a)	Put processes and procedures in place to ensure that the municipality participates in the spatial planning and land use management processes of adjoining municipalities, provinces and national	Director P & ED	Manager: C & RP	
CRP.08	SPLUMA Sec 12(2)(b)	Put mechanisms in place to ensure the exercising of discretionary power guided by municipal SDF	Director P & ED	Manager: C & RP	
CRP.09	SPLUMA Sec 13(1) & Sec 15(3)(c)	Put processes and procedures in place to ensure that the municipality makes inputs into national and provincial SDFs	Director P & ED	Manager: C & RP	

CRP.10	SPLUMA Sec 18(1)	Put processes and procedures in place to ensure that the municipality makes inputs into a regional SDF proclaimed by the Minister incorporating its area or parts of its area of jurisdiction	Director P & ED	Manager: C & RP	
CRP.11	SPLUMA Sec 20(2)	Put processes and procedures in place to ensure that the SDFs is prepared as part of the municipal IDP	Director P & ED	Manager: C & RP	In consultation with Director P & ED
CRP.12	SPLUMA Sec 20(2)	Put processes and procedures in place to ensure that the SDF is available to the public	Director P & ED	Manager: C & RP	
CRP.13	SPLUMA Sec 21	Put processes and procedures in place to ensure the content of the MSDF comply with the detail requirements.	Director P & ED	Manager: C & RP	
CRP.14	SPLUMA Sec 22(1)	Put mechanisms in place to ensure the that the Municipal Planning Tribunal does not make decisions that are inconsistent with the MSDF	Director P & ED	Manager: C & RP	In consultation with Director P & ED
CRP.15	SPLUMA Sec 22, sec 42	Put processes and procedures in place to ensure that all applications which are contrary to the SDF and LUMS are submitted to the Municipal Planning Tribunal	Director P & ED	Manager: C & RP	

CRP.16	SPLUMA Sec 22(3)	Put processes and procedures/ systems in place to ensure that the Council participates in provincial and district processes to align to DSDf and PSDf.	Director P & ED	Manager: C & RP	
CRP.17			Director P & ED	Manager: C & RP	In consultation with Director: P & ED
	SPLUMA Sec 23(1) Sec 81 MSA	Put processes and procedures in place to ensure that the executive authority of a municipal council provides policy, guidance and oversees land use management in general			
CRP.18			Director P & ED	Manager: C & RP	
	SPLUMA Sec 23(2)	Put processes in place to ensure that the council develops procedures and / or structures for the participation of traditional councils in land use management			
CRP.19			Director P & ED	Manager: C & RP	
	SPLUMA Sec 24	Put processes and procedures in place to ensure full compliance with the notice period for representation as required by the Act			
CRP.20			Director P & ED	Manager: C & RP	
	SPLUMA Sec 24	Put processes and procedures in place to facilitate the municipality to develop a LUMS			
CRP.21			Director P & ED	Manager: C & RP	In consultation with Director: P & ED
		Put processes and procedures in place to prepare a single land use scheme for the entire municipal area within five years from			

	SPLUMA Sec 24(1) & Sec 33(1)	the commencement of SPLUMA and ensures that the Council adopts the document			
CRP.22	SPLUMA Sec 24(2), 25(2)	Put processes and procedures in place to ensure that the LUMS complies with the minimum requirements	Director P & ED	Manager: C & RP	
CRP.23	SPLUMA Sec 25(1), Sec 28(1)-(4),	Put processes and procedures in place to ensure the amendment of the LUMS if applicable on the adoption or amendment of the SDF	Director P & ED	Manager: C & RP	
CRP.24	SPLUMA Sec 26(3)	Preparation of procedures for land development applications and decision making in areas of municipality where there is no LUMS applicable in place before the commencement of the act	Director P & ED	Manager: C & RP	
CRP.25	SPLUMA Sec 27(1)	Put processes and procedures in place to ensure that the municipality reviews its LUMS at least once every five years	Director P & ED	Manager: C & RP	
CRP.26	SPLUMA Sec 27(2)	Put processes and procedures in place to ensure that the affected municipalities align and amend their LUMS if and when the municipal boundaries are re-determined	Director P & ED	Manager: C & RP	In consultation with Director P & ED

CRP.27	SPLUMA Sec 27(3)	Put procedures in place to ensure that the municipality submits its approved LUMS to the Premier for monitoring	Director P & ED	Manager: C & RP	
CRP.28	SPLUMA Section 29	Put procedures in place to consult with other land development authorities in order to coordinate activities	Director P & ED	Manager: C & RP	
CRP.29	SPLUMA Sec 31(1)	Put processes and procedures in place to ensure that LUMS and record of amendments of LUMS, register of land development applications and appeal outcomes is made available to the public	Director P & ED	Manager: C & RP	
CRP.30	SPLUMA Sec 32	Put procedures in place to enforce compliance with the LUMS	Director P & ED	Manager: C & RP	
CRP.31	SPLUMA Sec 35(1) and (2)	Put processes and procedures in place to appoint a Municipal Planning Tribunal and an Authorized official to decide on development applications	Director P & ED	Manager: C & RP	
CRP.32	SPLUMA Sec 35(5)	Put processes and procedures in place to complete applications to be considered by Municipal Planning Tribunal or Authorised official	Director P & ED	Manager: C & RP	

CRP.33	SPLUMA Sec 36, Sec 37, Sec 38	Put mechanisms in place to ensure the establishment of a record management system and control room for LUMS. The system would need to inform applicant on the application status	Director P & ED	Manager: C & RP	
CRP.34	SPLUMA Sec 40, Sec 41, Sec 42, Sec 43, S 44 (2), Sec 48, Sec 50 & Sec 57	Put processes, procedures and systems in place to ensure that the Municipal Planning Tribunal determines all applications before it	Director P & ED	Manager: C & RP	In consultation with Director: P & ED
CRP.35	SPLUMA Sec 40(5)	Establish administrative processes and procedures for the receipt, recording, storage, retrieval and safekeeping of all land use and land development management applications	Director P & ED	Manager: C & RP	
CRP.36	SPLUMA Sec 44	Put processes and procedures in place to ensure that applications are decided on within the time frames as prescribed by the Minister	Director P & ED	Manager: C & RP	
CRP.37	SPLUMA Sec 45(2)-(6)	Determine procedures to guide "interested persons" who intend to participate in land development applications	Director P & ED	Manager: C & RP	In consultation with Director: P & ED
CRP.38	SPLUMA Sec 46(1)		Director P & ED	Manager: C & RP	

		Put mechanisms in place to ensure that the Municipal Planning Tribunal, in the case of a land use decision not in accordance with a condition in the title deed, notifies the Register of Deeds and / or Surveyor General			
CRP.39	SPLUMA Sec 46,48	Put procedures in place for the functioning of the MPT	Director P & ED	Manager: C & RP	In conjunction with the MPT
CRP.40	SPLUMA Sec 47	Develop procedures for considering, deciding and recording applications for the removal of restrictive title deed conditions	Director P & ED	Manager: C & RP	In consultation with Director Planning & Economic Development Services
CRP.41	SPLUMA Sec 48	Put procedures in place to ensure that all municipal services installed are to the satisfaction of the municipality before clearance is given	Director P & ED	Manager: C & RP	In consultation with Director Planning & Economic Development Services
CRP.42	SPLUMA Sec 48(2)	Put processes and procedure in place for the development of criteria for appointment of external bodies and ensure that it is approved by Council	Director P & ED	Manager: C & RP	This power is delegated to the Director Planning & Economic Development to exercise in consultation with the Municipal Manager
CRP.43	SPLUMA Sec 51(3) -(7)	Develop procedures to determine appeals or procedures to appoint an appeal body in	Director P & ED	Manager: C & RP	

		terms of provincial legislation and ensure that it is approved by Council			
CRP.44	SPLUMA Sec 51	Put detail processes in place relating to the lodgement, consideration and determination of appeals including the request, receipt and consideration of professional advice to the appeal authority	Director P & ED	Manager: C & RP	In consultation with Director Planning & Economic Development and Director Corporate & Shared Services
CRP.45	SPLUMA Sec 52	Put processes and procedures in place to ensure that applications of national interest or impede on the effective performance of more than one municipality be referred to the National Minister	Director P & ED	Manager: C & RP	
CRP.46	SPLUMA Sec 53	Issue certificates that all requirements and conditions of approval have been complied with	Director P & ED	Manager: C & RP	
CRP.47		Put processes and procedures in place for receiving recommendations from provincial or national government	Director P & ED	Manager: C & RP	
CRP.48	BYLAWS	To approve applications for the extension of liquor trading days and hours and to impose conditions.	Director P & ED	Manager: C & RP	In consultation with the Legal Unit and in terms of Liquor trading days and –hours bylaw
CRP.49			Director P & ED	Manager: C & RP	As per Council resolution

		To control the use of balconies and verandas, in terms of appropriate By-laws relating to streets			
CRP.50		To allocate stands for informal traders in areas declared by the Council as areas for restricted informal trade	Director P & ED	Manager: C & RP	
CRP.51		To keep and administer a waiting list of informal traders who applied for stands in areas declared by the Council as restricted for informal trading	Director P & ED	Manager: C & RP	
CRP.52		To plan and decide on the most appropriate utilisation of staff and infrastructure and to determine the priorities for the administration of areas declared as restricted for informal trading	Director P & ED	Manager: C & RP	
CRP.53		To identify areas where informal trade should be restricted	Director P & ED	Manager: C & RP	
CRP.54	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To negotiate with interested parties regarding the limitation of informal trading roads	Director P & ED	Manager: C & RP	
CRP.55	Town Planning & Township	Require from township owner to submit reports, plans and specifications on the engineering services for which he or she is	Director P & ED	Manager: C & RP	

	Ordinance, 1986 (Ord. 15 of 1986):	responsible and the installation or supply of the services.			
CRP.56	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To conclude and finalise administrative processes of all items and resolutions of the Land Use Management Committee in line with powers delegated to the Committee.	Director P & ED	Manager: C & RP	
CRP.57	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	In cases where Council resolved to introduce a town planning scheme, to prepare such scheme and undertake surveys i.t.o. section 23;	Director P & ED	Manager: C & RP	
CRP.58	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To give the necessary notices and as contemplated in section 42 where any person acts in conflict with a provision of a town planning scheme in operation. Further, that should such person continue to be in conflict with the said scheme, such cases be referred to the Director Corporate Services and/or Manager: Secretariat & Legal Services for further prosecution and/or court interdicts prohibiting such person to continue with such transgression; Read with section 176 of Polokwane Municipal Planning Bylaw 2017.	Director P & ED	Manager: C & RP	
CRP.59	Town Planning & Township Ordinance,	To give notice i.t.o. section 28 of a draft town-planning scheme prepared by the Municipality;	Director P & ED	Manager: C & RP	

	1986 (Ord. 15 of 1986):	To give further notice i.t.o. section 56(2) of an application contemplated in section 56(1);			
CRP.60	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To oversee that procedures are followed and finalise administrative issues i.t.o. sections 56(3) – (7) ;	Director P & ED	Manager: C & RP	
CRP.61	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	Notify the applicant and/or objector or any other person who has made representations i.t.o. section 56(10) of the decision of the Municipality contemplated in sections 56(8) – (9);	Director P & ED	Manager: C & RP	
CRP.62	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	In case of an appeal, whatever the case may be, submit the required documentation i.t.o. section 59(2) or section 104(2) to the Director Local Government;	Director P & ED	Manager: C & RP	
CRP.63	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	In case of an appeal and in terms of provisions of sections 59(6), 89(7)-(8), or 139(5) whatever the case may be, state the Municipality's case and adduce evidence in support thereof and defend the decision of the relevant decision maker such as the Land Use Management Committee and/or give instructions in this regard in cases where the Municipality makes use of an legal attorney to handle the case;	Director P & ED	Manager: C & RP	

CRP.64	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	Request reasons for decision of Townships Board i.t.o. sections 59(8) and 89(11) and i.t.o. sections 59(9) and 89(12) reply to such reasons if necessary. Furthermore, if necessary refer such reasons to necessary decision makers such as Land Use Management Committee for further reply;	Director P & ED	Manager: C & RP	
CRP.65	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	During a hearing as contemplated in section 59(5) and (6), address the Board and/or give further instruction i.t.o. the costs contemplated in sections 59(12) and (13);	Director P & ED	Manager: C & RP	
CRP.66	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	Conclude the necessary actions contemplated in sections 59(15) – (17) and give the necessary notice thereof. Place notices of errors or omissions i.t.o. sections 60 and 80;	Director P & ED	Manager: C & RP	
CRP.67	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	Give notice and conclude procedures i.t.o. section 57 of an adopted draft scheme or approved amendment scheme;	Director P & ED	Manager: C & RP	
CRP.68	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	Notify owners i.t.o. section 63 of contributions payable after commencement of a scheme;	Director P & ED	Manager: C & RP	

CRP.69	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To oversee that procedures are followed and finalise issues i.t.o. section 96(2);	Director P & ED	Manager: C & RP	
CRP.70	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To see i.t.o. section 81 that, where a township is established by a land owner and where applicable, land is transferred to the Municipality and that endowments are paid;	Director P & ED	Manager: C & RP	
CRP.71	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To notify an applicant, or every objector i.t.o. section 98(4) or section 109(3) whatever the case may be, of the decision of the Municipality i.r.o. an application for township establishment;	Director P & ED	Manager: C & RP	
CRP.72	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To approve minor amendments to conditions (e.g. conditions of establishment) of an approved application i.t.o. section 98(5) where such amendments doesn't contemplate a major change in any land use rights. In the latter instance such request shall be referred to the Land Use Management Committee for a decision;	Director P & ED	Manager: C & RP	

CRP.73	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To oversee that procedures are followed and finalise administrative issues i.t.o. sections 69(1) – (9) and 88(1) -(2);	Director P & ED	Manager: C & RP	
CRP.74	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	Finalise all applications i.t.o. section 92 for subdivision and/or consolidation of erven within an approved township subject to the policies, practices and IDP of the Municipality. If an application's merit is inconsistent with the said policies and IDP, it shall be referred to the Land Use Management Committee for a decision;	Director P & ED	Manager: C & RP	
CRP.75	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To see that requirements of section 75 are complied with;	Director P & ED	Manager: C & RP	
CRP.76	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To see i.t.o. section 81 that, where a township is established by a land owner and where applicable, land is transferred to the Municipality and that endowments are paid;	Director P & ED	Manager: C & RP	
CRP.77	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	Finalise all applications i.t.o. section 92 for subdivision and/or consolidation of erven within an approved township subject to the policies, practices and IDP of the Municipality. If an application's merit is inconsistent with the said policies and IDP, it	Director P & ED	Manager: C & RP	

		shall be referred to the Land Use Management Committee for a decision;			
CRP.78	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To oversee that procedures are followed and finalise administrative issues i.t.o sections 99(3) – (6) i.r.o. a division of a township into separate townships;	Director P & ED	Manager: C & RP	
CRP.79	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To give notice i.t.o. section 103(1) or section 111(1), whatever the case may be, of an approved township and section 125 of adoption of town-planning scheme under certain circumstances and comply with the requirements set out in sections 103(2) and 111(2);	Director P & ED	Manager: C & RP	
CRP.80	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To give notice i.t.o. section 108(1) where the Municipality wishes to establish a township;	Director P & ED	Manager: C & RP	
CRP.81	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To oversee that requirements of sections 110 and 112 are complied with;	Director P & ED	Manager: C & RP	
CRP.82	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986):	To schedule hearings contemplated in the ordinance and comply with stipulations of section 131(1) and (2).	Director P & ED	Manager: C & RP	

CRP.83	Ordinance 20 of 1986	Finalise all applications i.t.o. sections 4 and 6 for subdivision of land subject to the policies, practices and IDP of the Municipality. If an application's merit is inconsistent with the said policies and IDP, and/or objections were received as contemplated in section 17, it shall be referred to the Land Use Management Committee for a decision;	Director P & ED	Manager: C & RP	
CRP.84	Ordinance 20 of 1986	Approve application and finalise administrative issues i.t.o. section 11(2)-(6) and 12, subject to the policies, practices and IDP of the Municipality. If an application's merit is inconsistent with the said policies and IDP;	Director P & ED	Manager: C & RP	
CRP.85	Ordinance 20 of 1986	In case of an appeal, submit the required documentation i.t.o. section 19(2) to the Director Local Government;	Director P & ED	Manager: C & RP	
CRP.86	Ordinance 20 of 1986	In case of an appeal, submit the required documentation i.t.o. section 19(2) to the Director Local Government;	Director P & ED	Manager: C & RP	
CRP.87	Ordinance 20 of 1986	In case of an appeal and in terms of provisions of section 19(6), state the Municipality's case and adduce evidence in support thereof and defend the decision of the relevant decision maker such as the Land Use Management Committee and/or give instructions in this regard in cases where the Municipality makes use of an attorney to handle the case;	Director P & ED	Manager: C & RP	

CRP.88	Ordinance 20 of 1986	In case of an appeal and in terms of provisions of section 19(6), state the Municipality's case and adduce evidence in support thereof and defend the decision of the relevant decision maker such as the Land Use Management Committee and/or give instructions in this regard in cases where the Municipality makes use of an attorney to handle the case;	Director P & ED	Manager: C & RP	
CRP.89	Ordinance 20 of 1986	Request reasons for decision of the Municipal Planning Tribunal i.t.o. section 19(8) and i.t.o. section 19(9) reply to such reasons if necessary. Furthermore, if necessary refer such reasons to necessary decision makers such as Land Use Management Committee for further reply;	Director P & ED	Manager: C & RP	
CRP.90	Ordinance 20 of 1986	To give approval i.t.o. section 20(1) for further period for submission of documents as required by the Surveyor General;	Director P & ED	Manager: C & RP	
CRP.91	Ordinance 20 of 1986	To notify owners i.t.o. section 22 of failure to comply with requirements;	Director P & ED	Manager: C & RP	
CRP.92	Ordinance 20 of 1986. Read with section 69(1) of Polokwane Municipal Planning Bylaw 2017	To give approval i.t.o. section 24 for further period for payment of endowment;	Director P & ED	Manager: C & RP	

CRP.93	Ordinance 20 of 1986	To schedule hearings contemplated in the ordinance and comply with stipulations of section 34.	Director P & ED	Manager: C & RP	
CRP.94	The Black Administration Act (Act 38 of 1927) read together with proclamations R293 of 1962 and proclamation R188 of 1969:	After the Land Use Management Committee made a recommendation i.r.o. any application contemplated in this legislation, to conclude administrative actions and give execution of the decision of the Municipality and make the necessary representation of such decision with the relevant controlling authority and/or tribunal.	Director P & ED	Manager: C & RP	
CRP.95	Subdivision of Agricultural Land, 1970 (Act 70 of 1970)	Comment on all applications i.r.o. subdivision of agricultural land subject to the policies, practices and IDP of the Municipality. If an application's merit is inconsistent with the said policies and IDP, it shall be referred to the Land Use Management Committee for a decision;	Director P & ED	Manager: C & RP	
CRP.96	Subdivision of Agricultural Land, 1970 (Act 70 of 1970)	To give execution of any decision of the Municipality and make the necessary representation of such decision with the relevant controlling authority and/or tribunal and/or Township Board.	Director P & ED	Manager: C & RP	
CRP.97	Outdoor advertisement By-laws on the Control of Outdoor	To approve applications for outdoor advertisements on private property contemplated in Sections 2 and 3 read together with section 5(1) of these by-laws read together with the relevant policy. If any	Director P & ED	Manager: C & RP	

	Advertising in Pietersburg/P olokwane, August 2000:	objection is received i.r.o. such application, and/or if such application is inconsistent with the Municipality's policy, it shall be referred to the Land Use Management Committee for a decision;			
CRP.98	Outdoor advertisement By-laws on the Control of Outdoor Advertising in Pietersburg/P olokwane, August 2000:	To approve applications contemplated in section 3 of these by-laws for the display of advertisement trailers on property previously earmarked by Council for such purpose;	Director P & ED	Manager: C & RP	
CRP.99	Outdoor advertisement By-laws on the Control of Outdoor Advertising in Pietersburg/P olokwane, August 2000:	To approve applications for illuminated signs, as per contract, as contemplated in Section 3 of these by-laws. If any objection is received i.r.o. such application, and/or if such application is inconsistent with the Municipality's policy, it shall be referred to the Land Use Management Committee for a decision.	Director P & ED	Manager: C & RP	
CRP.100	Outdoor advertisement – Draft Polokw	To negotiate conditions and payment of rental with applicants and approve requests to erect outdoor advertisement signage on Private/Council property and subsequently approve such application as contemplated in	Director P & ED	Manager: C & RP	

	ane Outdoor r Adverti sing By- law 2019	Chapter 2 sections 3 of these by-laws read together with the relevant policy. If any objection is received i.e. such application, it shall be referred to the Municipal Planning Tribunal for a decision.			
CRP.101		To issue a zoning certificate in terms of the Town Scheme(s) in operation;	Director P & ED	Manager: C & RP	
CRP.102		To approve a Site Development Plan in accordance with provisions of the Town Planning Scheme in operation;	Director P & ED	Manager: C & RP	
CRP.103	Polokwane/P erkesbuit Town Planning Scheme 2016	To serve any notice, directive or other documents in terms of Clause 43 of the Polokwane/Perskebut Town Planning Scheme 2016 and Clause 30 of the Polokwane Land Use Scheme 2017 read together with Section 107 of the Polokwane Municipal Planning By-Law 2017 which is required by the said scheme or instruct any officials in the Business Unit to serve it.	Director P & ED	Manager: C & RP	
CRP.104	Polokwane/P erkesbuit Town Planning Scheme 2016	To enter upon and inspect any property in terms of section 172 of Ordinance 17 of 1939 and clause 40 of the Polokwane/Perskebut Town Planning Scheme, 2016;	Director P & ED	Manager: C & RP	
CRP.105	Polokwane/P erkesbuit Town Planning Scheme 2016	To grant temporary consents for use of land in terms of clause 20 of the Polokwane/Perskebut Town Planning Scheme, 2016.	Director P & ED	Manager: C & RP	

CRP.106		To approve applicants for consent contemplated in section 20 subject to the Municipality's policies and IDP and if no objection has been received. In the latter instance, such cases shall be referred to the Municipal Planning Tribunal e for decision. Furthermore, to conclude and finalise administrative issues contemplated in sub-section (3) to (7).	Director P & ED	Manager: C & RP	
CRP.107	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986)	In cases where Council resolved to introduce a town planning scheme, to prepare such scheme and undertake surveys in terms of section 23.	Director P & ED	Manager: C & RP	
CRP.108	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986)	To give notice in terms of section 28 of a draft town-planning scheme prepared by the Municipality;	Director P & ED	Manager: C & RP	
	Read together with Section 19(b) of the Polokwane Municipal Planning By-Law 2017				
CRP.109	Town Planning & Township	To give further notice in terms of section 56(2) of an application contemplated in section 56(1);	Director P & ED	Manager: C & RP	

	Ordinance, 1986 (Ord. 15 of 1986) Read together with Section 95(2) of the Polokwane Municipal Planning By-Law 2017				
CRP.110	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986) Read together with Section 61 of the Polokwane Municipal Planning By-Law 2017	To oversee that procedures are followed and finalised administrative issues in terms of section 56 (3) – (17);	Director P & ED	Manager: C & RP	
CRP.111	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986)	Notify the applicant and/or objector or any other person who has made representations in terms of section 56(10) of the decision of the Municipality contemplated in section 56(8)–(9);	Director P & ED	Manager: C & RP	

	Read together with Section 109 of the Polokwane Municipal Planning By-Law 2017				
CRP.112	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986) Read together with Section 26 and 61(e) of the Polokwane Municipal Planning By-Law 2017	Give notice and conclude procedures in terms of section 57 of an adopted draft scheme or approved amendment scheme;	Director P & ED	Manager: C & RP	
CRP.113	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986) Read together with Section 134(1) of the Polokwane Municipal	In case of an appeal, whatever the case may be, submit the required documentation in terms of section 59(2) or section 104(2) to the Director Local Government;	Director P & ED	Manager: C & RP	

	Planning By-Law 2017				
CRP.114	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986)	In case of an appeal and in terms of provisions of sections 59(6), 89(7)-(8), or 139(5) whatever the case may be, state the Municipality's case and adduce evidence in support thereof and defend the decision of the relevant decision maker such as the Municipal Planning Tribunal and/or give instructions in this regard in cases where the Municipality makes use of an legal attorney to handle the case.	Director P & ED	Manager: C & RP	
	Read together with Section 150 of the Polokwane Municipal Planning By-Law 2017				
CRP.115	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986)	Request reasons for decision of Townships Board in terms of section 59(8) and 89 (11) and in terms of section 59 (9) and 89(12) reply to such reasons if necessary. Furthermore, if necessary refer such reasons to necessary decision makers such as Municipal Planning Tribunal for further reply.	Director P & ED	Manager: C & RP	
	Read together with Section 160 (c) of the Polokwane Municipal Planning By-Law 2017				

CRP.116	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986)	During a hearing as contemplated in section 59(5) and (6) address the Board and/or give further instruction in terms of the costs contemplated in section 59(12) and (13).	Director P & ED	Manager: C & RP	
	Read together with Section 161 of the Polokwane Municipal Planning By-Law 2017				
CRP.117		Conclude the necessary actions contemplated in sections 59(15) – (17) and give the necessary notice thereof.	Director P & ED	Manager: C & RP	
CRP.118		To oversee that procedures are followed and finalise issues in terms of section 69(2);	Director P & ED	Manager: C & RP	
CRP.119		To oversee that procedures are followed and finalise administrative issues in terms of section 69(1)-(9) and 88(1)-(2);	Director P & ED	Manager: C & RP	
CRP.120	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986)	47.2.17. To notify an applicant, or every objector in terms of section 98(4) or section 109(3) whatever the case may be of the decision of the Municipality in respect of an application for township establishment.			

	Read together with Section 109 of the Polokwane Municipal Planning By-Law 2017				
CRP.121	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986 Read together with Section 54(6)(7) of the Polokwane Municipal Planning By-Law 2017	To approve minor amendments to conditions (e.g. conditions of establishment) of an approved application in terms of section 98(5) where such amendments doesn't contemplate a major change. In any land use rights in the later instance such request shall be referred to the Municipal Planning Tribunal for a decision.	Director P & ED	Manager: C & RP	
CRP.122	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986 Read together with Section 56(5) of the	To see that requirements of section 75 are complied with;	Director P & ED	Manager: C & RP	

	Polokwane Municipal Planning By- Law 2017				
CRP.123	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986	To see in terms of section 81 that, where a township is established by a land owner and where applicable, land is transferred to the Municipality and that endowments are paid.	Director P & ED	Manager: C & RP	
	Read together with Section 67(1)(a) of the Polokwane Municipal Planning By- Law 2017				
CRP.124		Finalise all applications in terms of section 92 for subdivision and/or consolidation of erven within an approved township subject to the policies, practices and IDP of the Municipality. If an application's merit is inconsistent with the said policies and IDP it shall be referred to the Municipal Planning Tribunal for a decision;	Director P & ED	Manager: C & RP	
CRP.125	Town Planning &	To oversee that procedures are followed and finalise administrative issues in terms of	Director P & ED	Manager: C & RP	

	Township Ordinance, 1986 (Ord. 15 of 1986. Read with Section 55(3)-(5) of the Polokwane Municipal Planning By-Law 2017	section 99(3)-(6) in respect of a division of a township into separate townships;				
CRP.126		To give notice in terms of section 108(1) where the Municipality wishes to establish a township;	Director P & ED	Manager: C & RP		
CRP.127		To oversee that requirements of sections 110 and 112 are complied with;	Director P & ED	Manager: C & RP		
CRP.128		To schedule hearings contemplated in the ordinance and comply with stipulations of section 131(1) and (2);	Director P & ED	Manager: C & RP		
CRP.129	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986. Read with Section 67(7) of the Polokwane Municipal	Approve application and finalise administrative issues in terms of section 11(2)-(6) and 12, subject to the policies, practices and IDP of the Municipality. If an application's merit is inconsistent with the said policies and IDP;	Director P & ED	Manager: C & RP		

	Planning By-Law 2017				
CRP.130	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986. Read together with Section 134(1) of the Polokwane Municipal Planning By-Law 2017.	In case of an appeal, submit the required documentation in terms of section 19(2) to the Director Local Government;	Director P & ED	Manager: C & RP	
CRP.131	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986. Read together with Section 150 of the Polokwane Municipal Planning By-Law 2017.	In case of an appeal and terms of provisions of section 19(6), state the Municipality's case and adduce evidence in support thereof and defend the decision of the relevant decision maker such as the Municipal Planning Tribunal and/or give instructions in this regard in cases where the Municipality makes use of an attorney to handle the case;	Director P & ED	Manager: C & RP	

CRP.132	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986.	Request reasons for decision of Township Board in terms of section 19(8) and in terms of section 19(9) replay to such reasons if necessary. Furthermore, if necessary refer such reasons to necessary decision makers such as Municipal Planning Tribunal for further reply.	Director P & ED	Manager: C & RP	
	Read together with Section 160 (c) of the Polokwane Municipal Planning By-Law 2017.				
CRP.134	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986.	To give approval in terms of section 20(1) for further period for submission of documents as required by the Surveyor General	Director P & ED	Manager: C & RP	
	Read together with Section 110 of the Polokwane Municipal Planning By-Law 2017.				
CRP.135		To give approval in terms of section 24 for further period for payment of endowment	Director P & ED	Manager: C & RP	

CRP.136	Town Planning & Township Ordinance, 1986 (Ord. 15 of 1986. Read together with Section 104(1)(2) of the Polokwane Municipal Planning By-Law 2017.	To schedule hearings contemplated in the ordinance and comply with stipulations of section 34.	Director P & ED	Manager: C & RP	
CRP.137		After the Municipal Planning Tribunal made a decision in respect of any application contemplated in this legislation to conclude administrative actions and give execution of the decision of the Municipality and make the necessary representation of such decision with the relevant controlling authority and/or tribunal.	Director P & ED	Manager: C & RP	
CRP.138	Subdivision of Agricultural Land Act	Comment on all applications in respect of subdivision of agricultural land subject to the policies, practices and IDP of the Municipality. If an application's merit is inconsistent with the said policies and IDP it shall be referred to the Municipal Planning Tribunal for decision.	Director P & ED	Manager: C & RP	
CRP.139		To give execution of any decision of the Municipality and make the necessary representation of such decision with the	Director P & ED	Manager: C & RP	

		relevant controlling authority and/or Township Board			
CRP.140	Outdoor advertisement -Draft Polokwane Outdoor Advertising By-law 2019	To approve applications for outdoor advertisements on private/council property contemplated in Chapters 2-5 of these By-laws read together with the relevant policy. If any objection is received in respect of such application, and/or if such application is inconsistent with the Municipality's policy, it shall be referred to the Municipal Planning Tribunal for a decision.	Director P & ED	Manager: C & RP	

MANAGER: ECONOMIC DEVELOPMENT & TOURISM

Item No	Legislation	Power	Delegating Authority	Delegated Authority	Condition of Delegation
EDT.01		To support SMMEs to access target markets	Director P & ED	Manager: ED & T	
EDT.02		To identify tourist trends, needs, aspirations in order to inform marketing activities and strategically to respond to tourist needs	Director P & ED	Manager: ED & T	
EDT.03		Develop and ensure implementation of the Municipality's LED Strategy	Director P & ED	Manager: ED & T	
EDT.04		Provide advice to local entrepreneurs and business start-ups	Director P & ED	Manager: ED & T	
EDT.05		Promote tourism development	Director P & ED	Manager: ED & T	
EDT.06		Encourage sustainable business practices			
EDT.07		Conduct training to develop understanding and improve capabilities of the local community to participate in economic development initiatives	Director P & ED	Manager: ED & T	

EDT.08		Support small business enterprises and source or facilitate funding for entrepreneurs	Director P & ED	Manager: ED & T	
EDT.09		Prepare tourist information	Director P & ED	Manager: ED & T	
EDT.10		Develop and update SMME database	Director P & ED	Manager: ED & T	
EDT.11		Develop poverty alleviation plans.	Director P & ED	Manager: ED & T	
EDT.12		(1). In respect of projects facilitation and corporation, authority should be delegated for lively hoods to: (a) Seek funding on behalf of projects from donor agency and other National and Provincial Departments; (b) Develop business plans of projects that requests the service. (c) Manage the registration of cooperatives. In respect of marketing advertisement, authority should be delegated to: Direct Marketing in consultation with the communications and Executive Mayor's office. (d) Development of marketing and tourism brochures. (e) Direct link with all business structure. (f) In respect of Budget allocation, authority should be granted to: (g) Grant permission to sign and authorize an amount as delegated in the financial policy. (h) Enter into service contract with service providers for rendering of capacity building programs as stipulated in the policy.	Director P & ED	Manager: ED & T	

		(2). In respect of business development, authority should be delegated to: (a) Facilitate the establishment of City Improvement District (CID); (b) Facilitate the establishment of Tourism Forum; (3) Facilitate the establishment of Forum of prevention of crime and grime In respect of Human capital development, authority should be granted to: (a) Facilitate the resource of funding for the establishment of incubation centres (b) Engage service providers to facilitate business skill training.			
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MANAGER: CORPORATE GEO-INFORMATICS

Item No	Legislation	Power	Delegating Authority	Delegated Authority	Condition of Delegation
CGI.01		Manage collection, storage, analysis and interpretation of geospatial data	Director P & ED	Manager: CGI	
CGI.02		Spatial analysis with geographical information system in environmental assessments, spatial planning and impact prediction	Director P & ED	Manager: CGI	
CGI.03		Identify and resolve geospatial and analytical problems	Director P & ED	Manager: CGI	
CGI.04		Prepare cost estimates and quantities for GIS related quotations	Director P & ED	Manager: CGI	

CGI.05		Ensure that maps and other outputs are in line with the national standards in geospatial analysis and geo-informatics	Director P & ED	Manager: CGI	
CGI.06		Investigate new GIS applications	Director P & ED	Manager: CGI	
CGI.07		Establish and manage database structure, tables, forms and reports for GIS data for all the directorates of the Municipality.	Director P & ED	Manager: CGI	
CGI.08		Install and maintain GIS hardware.	Director P & ED	Manager: CGI	
CGI.09		Provide technical assistance in database planning, and in creating and improving digital data.	Director P & ED	Manager: CGI	
CGI.10		Keep records and writes reports on GIS status and progress.	Director P & ED	Manager: CGI	

MANAGER BUILDING INSPECTIONS

Item No	Legislation	Power	Delegating Authority	Delegated Authority	Condition of Delegation
BI.01	NBRBSA 4	Consideration of the building plans	Director P & ED	Manager: BI	
BI.02	NBRBSA 5	Designated as the building control officer	Director P & ED	Manager: BI	Subject to subsections (2), (3) and (4)
BI.03	NBRBSA 6(1)(a)	Make recommendations to the Municipality, regarding any plans, specifications, documents and information submitted to the Municipality in terms of section 4(3)	Director P & ED	Manager: BI	
BI.04	NBRBSA 6(1)(b)	Ensure that any instruction in terms of this Act by the Municipality is carried out	Director P & ED	Manager: BI	
BI.05	NBRBSA 6(1)(c)	Inspect the erection of a building, and any activities or matters connected therewith, in	Director P & ED	Manager: BI	

		respect of which approval in terms of section 4(1) was granted.			
BI.06	NBRBSA 6(1)(d)	Report to the Municipality regarding non-compliance with any condition upon which approval referred to in section 4(1) was granted.	Director P & ED	Manager: BI	
BI.07	NBRBSA 6(2)	Incorporate a report the person designated as the chief fire officer or of any other person assigned by such chief fire officer to his/her recommendations in terms of subsection (1)(a) or if the Manager Building Inspections has also been designated as the chief fire officer, he himself or she herself shall so report in such recommendations.	Director P & ED	Manager: BI	
BI.08	NBRBSA 7	Adjudicate and deal with applications in respect of erection of buildings in accordance with this section	Director P & ED	Manager: BI	
BI.09	NBRBSA 10	Prohibit a person erecting a building or earthwork or causing such building or earthwork to be erected from commencing or proceeding with the erection thereof or from so commencing or proceeding except on such conditions as the Municipality may determine from time to time	Director P & ED	Manager: BI	
BI.10	NBRBSA 10	Determine the conditions for the erection of building or earthwork	Director P & ED	Manager: BI	
BI.11	NBRBSA 11	Ensure that the timeframes for erection of a building are complied with, serve the required notices, grant or refuse extension of time, notice to demolish and clean up the site or ensure that the Municipality demolishes the building and recover the costs thereof from the owner or may sell the material of the	Director P & ED	Manager: BI	

		building defray the costs demolition, removal or clean-up			
BI.12	NBRBSA 12	Demolition or alteration of certain buildings in terms of this section	Director P & ED	Manager: BI	
BI.13	NBRBSA 13(1)(a)	Exempt the owner of a building from the obligation from obligation to submit a plan in terms of this Act for approval by the Municipality.	Director P & ED	Manager: BI	
BI.14	NBRBSA 13(1)(b)	Grant authorization for the erection of a building in accordance with the conditions and directions specified in the authorisation.	Director P & ED	Manager: BI	
BI.15	NBRBSA 13(2)	Extend the authorisation granted in terms of section 13(1)(b)	Director P & ED	Manager: BI	
BI.16	NBRBSA 14	Issue a certificate of occupancy in respect of a building or refuse to do so, grant permission to use the building before the issue of certificate of occupancy and to deal with other matters relating certificates of occupancy in respect of buildings in terms of this section	Director P & ED	Manager: BI	
BI.17	NBRBSA 15(1)	Enter any building or land at any reasonable time with a view to inspection in connection with the consideration of any application submitted in terms of section 4, or to determine whether the owner of the building or land complies with any provision of this Act or any condition imposed by the Municipality in terms of this Act.	Director P & ED	Manager: BI	
BI.18	NBRBSA 15(3)	At the request of any person affected by the execution of the powers, duties or activities in terms of this Act, produce his certificate of appointment issued to him in the form prescribed by national building regulation.	Director P & ED	Manager: BI	

BI.19	NBRBSA 16(1)(a)	Prepare a report on the adequacy of measures or in connection with buildings in its area of jurisdiction against fire, floods or other disasters and to make recommendations in order to remove inadequacies in such measures.	Director P & ED	Manager: BI	
BI.20	NBRBSA 16(1)(b)	Prepare a report on any particular building project which was or is being undertaken in the Municipality's area of jurisdiction.	Director P & ED	Manager: BI	
BI.21	NBRBSA 18	In writing permit a deviation or grant an exemption from any applicable national building regulation except a national building regulation regarding the strength and stability of buildings	Director P & ED	Manager: BI	
BI.22	NBRBSA 21	To obtain a court order to stop work on any building where such work is unauthorised or does not comply with the provisions of this Act.	Director P & ED	Manager: BI	In consultation with Manager: Legal Services
BI.23		To charge fees and/or other monies in respect of the examination of plans.			
BI.24	NBRBSA 27	Ensure proper application of any relevant provision of this Act within the area of jurisdiction of the Municipality.	Director P & ED	Manager: BI	
BI.25		To grant permission for the erection of buildings nearer than the distance stated in Table E of the compilation of tables in the Town Planning Scheme 1999, or to allow the erection of a building in a building banned area subject to the stipulations as set out in clause 10(i) and (ii) of the Town Planning Scheme, 1999, in consultation with the relevant business units.	Director P & ED	Manager: BI	

Bl.26	National Building Regulations 2008	Ensure compliance with the Regulations	Director P & ED	Manager: BI	
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MANAGER: PROPERTY MANAGEMENT

Item No	Legislation	Power	Delegating Authority	Delegated Authority	Condition of Delegation
PM.01		To recommend making available venues at facilities earmarked for commercialisation, free of charge to all the institutions, organisations, associations or clubs as set out in Section 16 of the Ordinance 17 of 1939 upon written application for such institution, organisation, association or club, provided that the intended use of the venues fall between Monday to Thursday.	Director P & ED	Manager: PM	
PM.02		Recommend for approval or refusal applications to lease new Peter Mokaba Stadium venues	Director P & ED	Manager: PM	
PM.03		To provide access of new Peter Mokaba Stadium venues to other directorates/business units of the Council, provided that they are not otherwise occupied or hired out	Director P & ED	Manager: PM	
PM.04		To recommend the granting of permission for the placing of temporary and permanent advertisement boards in and around the Peter Mokaba Complex.	Director P & ED	Manager: PM	
PM.05		To initiate and take responsibility of all contracts concluded by Council for Facilities Commercialisation and to monitor and	Director P & ED	Manager: PM	

		evaluate the contracts to improve consistency and improve revenue generation.			
PM.06		In consultation with the Manager : Legal, ensure that all contracts related to facilities are standardised	Director P & ED	Manager: PM	
PM.07		To promote and market facilities in the municipality including recommending refurbishment and advertising of facilities earmarked for commercialization	Director P & ED	Manager: PM	
PM.08		To commercialize all facilities in the municipality	Director P & ED	Manager: PM	
PM.09		To ensure sustainability of municipal facilities.	Director P & ED	Manager: PM	
PM.10		To promote and market facilities in the municipality.	Director P & ED	Manager: PM	
PM.11		To manage mega events.	Director P & ED	Manager: PM	
PM.12		Any of the delegations assigned to the Municipal Manager and Director Planning and Development which is in its turn sub-delegated;	Director P & ED	Manager: PM	
PM.13		Grant applications and other certificates relating to property issues and administration.	Director P & ED	Manager: PM	
PM.14		To approve or to reject applications by purchasers of houses from the Council.	Director P & ED	Manager: PM	As per Council Resolution
PM.15		To consider the repurchase, re-sale and the termination of the Council's pre-emptive right in respect of houses in the Council's housing scheme	Director P & ED	Manager: PM	As per Council Resolution

PM.16		To authorize the repossession of houses in the Councils home owners scheme that are occupied without authority	Director P & ED	Manager: PM	In consultation with the Director Corporate Services (Legal Services)
PM.17		To re-possess any housing property where the occupier has breached the conditions of sale	Director P & ED	Manager: PM	In consultation with the Director Corporate Services (Legal Services Unit)
PM.18		To evict lessees of non-residential property, acquired or erected with housing funds, in accordance with relevant laws and the terms of the lease agreement	Director P & ED	Manager: PM	
PM.19		To allocate or sell even acquired or developed with housing funds, and which are earmarked for religious, welfare and other similar purposes	Director P & ED	Manager: PM	As per Council Resolution
PM.20		As regards non-residential property in housing schemes acquired with Council funds- (a) to ensure conclusion of lease agreements for the lease of offices, business premises, garages, stables, vacant sites etc (b) to lease a business premises to a person who sub-leases it from, the lessee without Council's consent, until the lease or purchase of the premises has been finalized by tender or otherwise (c) to serve notices for non-payment of rental of any other service charges, in respect of business premises	Director P & ED	Manager: PM	As per Council Resolution

PM.21		To authorise the payment of any transfer, survey and incidental costs that is for the account of the Council	Director P & ED	Manager: PM	
PM.22		To advise the MM on, the reserve price and conditions of purchase in respect of Council land acquired by means of housing funds and which are to be sold by public auction or tender	Director P & ED	Manager: PM	
PM.23		To allocate municipal dwellings to officials who have to reside at specific locations to perform their function	Director P & ED	Manager: PM	
PM.24		To allocate Council houses	Director P & ED	Manager: PM	In terms of Council Policy
PM.25		To advise the MM regarding the approval of applications for servitudes over Council land, the drafting and conclusion of the relevant agreements and to determine the compensation to be paid	Director P & ED	Manager: PM	In terms of Council Resolution and in consultation with the Manager: Legal Services.
PM.26		To decide on the most appropriate systems to administer the amenities under the control of the incumbent.	Director P & ED	Manager: PM	
PM.27		To approve applications for the use of amenities under the control of the incumbent.	Director P & ED	Manager: PM	In terms of the Asset Management policy

PM.28		To determine the conditions under which access to amenities will be granted	Director P & ED	Manager: PM	
PM.29		To refuse to grant permission in respect of any applications for any activity in or on any resort	Director P & ED	Manager: PM	
PM.30		To determine the security measures at any amenity, to appoint such persons, acquire such equipment and to deploy such persons and equipment as may be necessary.	Director P & ED	Manager: PM	In consultation with the Director Technical Services
PM.31		To decide on the number, type and deployment of play park equipment or other apparatus at any resort	Director P & ED	Manager: PM	
PM.32		To determine the number of caravans and mobile homes and period of residence, in terms of the provisions of an appropriate By-law relating to parks, caravans and mobile homes	Director P & ED	Manager: PM	
PM.33		To approve or reject applications for extended occupancy at parks / resorts and to determine conditions	Director P & ED	Manager: PM	
PM.34			Director P & ED	Manager: PM	

		To reserve stand at resorts and to determine periods for occupancy			
PM.35			Director P & ED	Manager: PM	
		To prescribe control measures at resorts			
PM.36		To manage camping on private land in terms of an appropriate By-law	Director P & ED	Manager: PM	
PM.37		To determine the maximum number of persons, who may at any time be admitted to any amenity in terms of an appropriate By-law relating to public amenities	Director P & ED	Manager: PM	
PM.38		To determine the times when amenities will be open for the public, in terms of a By-law relating to public amenities	Director P & ED	Manager: PM	
PM.39		To grant or refuse applications for bringing animals into an amenity and to determine the conditions in this regard in terms of an appropriate By-law relating to public amenities	Director P & ED	Manager: PM	
PM.40		To grant or refuse applications to hold or present gatherings, processions or other activities and to impose conditions, in terms	Director P & ED	Manager: PM	

		of an appropriate By-law relating to public amenities			
PM.41		To, by means of notices and such requirements as may be necessary, regulate any amenity, in terms of an appropriate By-law relating to public amenities	Director P & ED	Manager: PM	
PM.42		To control the illegal dumping and accumulation of refuse and other material in streets, in terms of appropriate By-laws relating to street	Director P & ED	Manager: PM	
PM.43		To grant authority for the placement of containers for the recycling of glass, paper, metals etc.	Director P & ED	Manager: PM	
PM.44		To grant or refuse applications to erect structures, shelters or any other thing in or at any amenity	Director P & ED	Manager: PM	
PM.45		To approve or refuse containers in parks for caravans and mobile homes	Director P & ED	Manager: PM	
PM.46		To hire out halls	Director P & ED	Manager: PM	In terms of Council Policy and approved tariffs

PM.47		To cancel the hiring of halls where conditions have been breached	Director P & ED	Manager: PM	In terms of Council Policy and approved tariffs
PM.48		To take transfer of land that has been donated to Council or where the Council is obliged to take transfer, to authorise the payment of applicable costs, and to refund the pro rata rates that have been paid after the date of transfer or occupation of the land by Council, whichever is the earlier	Director P & ED	Manager: PM	As per Council Resolution
PM.49		To authorise a purchaser of immovable Council property to occupy such property prior to transfer, in accordance with the terms of sale, and where necessary to insist that Council be indemnified against any claims if registration fail, for whatever reason	Director P & ED	Manager: PM	
PM.50		To exercise all Council's rights and obligations as lessee or lessor in terms of agreements in respect of immovable property under the control of the incumbent	Director P & ED	Manager: PM	
PM.51		To initiate negotiations for the purchase of private land or the sale of Council land for housing development	Director P & ED	Manager: PM	As per Council Resolution
PM.52		To approve encroachment applications and the renewal of encroachment agreements, where no objections have been lodged in reaction to advertisement of such an encroachment.	Director P & ED	Manager: PM	In conjunction with Director Technical Services and all way leaves from other required authorities.

PM.53		To exercise all the rights and duties of the Council as lessor or lessee in terms of the provisions of any lease or conditions of use, in respect of the department's activities	Director P & ED	Manager: PM	
PM.54		To, in consultation with the relevant Director(s) approve applications for the erection of cell masts, radio masts and apparatus on immovable Council, property, and to determine the rent / fees for same	Director P & ED	Manager: PM	Subject to compliance with the policy of the Council.

DIRECTORATE: FINANCE

CHIEF FINANCIAL OFFICER /DIRECTOR FINANCE

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
FIN.01		Oversees the business units 1. Expenditure 2. Revenue Management and Customer Care; 3. Treasury Office and Financial Support; 4. Supply Chain Management; 5. Asset Management and; 6. Business and Financial Planning and ensures that they perform in accordance with their mandate.	MM	CFO	
FIN.02	55(2) MSA	As accounting officer of the municipality, the MM is responsible and accountable for- (a) all income and expenditure of the municipality; (b) all assets and the discharge of all liabilities of the municipality; and (c) proper and diligent compliance with applicable municipal finance management legislation	MM	CFO	
FIN.03		To exercise all the powers and duties provided for in the MFMA	Council	CFO	The MM, as Accounting Officer in terms of the MFMA, has already delegated his powers and duties to the Chief Financial Officer

FIN.04		To authorize the institution of legal action against any person or body (excluding organs of state) in terms of council's debt collection policies	Council	CFO	

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
FIN.05		To authorise departmental heads to attend congresses, workshops, annual meetings of institutes etc. within the borders of the RSA, as well as the expenditure in regard to such attendances	Council	CFO	In terms of the Travel and Subsistence policy
FIN.06		To authorise the transfer of operational expenditure (within a single budgetary vote) to a maximum amount, as determined from time to time by the Council	Council	CFO	In terms of the Virement policy
FIN.07		To determine from time to time, the maximum amount that a Director may authorize for the transfer of operational expenditure (within a single budgetary vote); provided that it does not exceed the amount referred to above	Council	CFO	In terms of the Virement policy

FIN.08	MFMA 50	Deciding to grant exemptions from charging interest on any arrears owing to the municipality in accordance with the municipality's budget related policies.			Subject to approved credit control and debt collection policy.
FIN.09	MFMA 60(b)(i)	Provide guidance and advice on compliance with this Act to the political structures, political office bearers and officials of the municipality and or municipal entity.	Act	CFO	
FIN.10	MFMA 61(b)	Deciding the timing and manner of disclosing to the municipal council and the executive Mayor all material facts which are available and reasonably discoverable, which in a way might influence the decisions or actions of the Municipal Council.	Act	CFO	
FIN.11	65(2)(i) MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality's supply chain management policy is implemented in a way that is fair, equitable, transparent, competitive and cost-effective	Council	CFO	
FIN.12	MFMA 67(1)	Determining whether an organization or body outside any sphere of government to whom funds of the municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction- (a)has the capacity to comply with sub-sections (i)-(iv) (b)implements effective, efficient and transparent financial management and internal control systems to guard against	Act	CFO	

		fraud, theft and financial mismanagement, and			
FIN.13	MFMA 73(a)	(c)has in respect of previous similar transfers complied with the all the requirements of section 167(1) of the MFMA.	MM	CFO	
		Informing the provincial treasury of any failure by the municipal council to adopt or implement a budget related policy or a supply chain management policy.			
FIN.14	MFMA 73(b)	Informing the provincial treasury of any non-compliance by a political structure or political office bearer of the municipality with budget related policy or the supply chain management policy.	MM	CFO	
FIN.15	MFMA 81(1)(b)	Advising the municipal manager on the exercise of powers and duties assigned to him or her in terms of the MFMA.			
			Council	CFO	
FIN.16	MFMA 81(1)(c)	Advising senior managers and other senior officials in the exercise of powers and duties assigned or delegated to them			
FIN.17	MFMA 82	Deciding to sub-delegate any powers and duties in the budget and treasury office.			
			Council	CFO	A sub-delegation must be in writing, is subject to such limitations or conditions as the Chief Financial Officer may impose and does not divest the Chief Financial Officer of the responsibility concerning the delegated duty.
FIN.18	MFMA 82(4)	Reviewing and confirming, varying or revoking any decision taken in consequence of a sub-delegation by the Chief Financial Officer.	Council	CFO	

FIN.19	MFMA 111	Making and implementing a supply chain management policy for the municipality.	Council	CFO	
FIN.20	115(1)(b) MFMA	Determining the reasonable steps that must be taken to ensure that proper mechanisms and separation of duties in the SCM system are in place to minimise the likelihood of fraud, corruption, favoritism and unfair and irregular practices	Council	CFO	
FIN.21	118 Municipal Systems Act	Issuing of a rates clearance certificate	Council	CFO	This function may be sub delegated.
FIN.22	MFMA 126(2)(a)	Receiving financial statements of municipal entity over which the municipality has sole control or effective control (if it is a private company).	Council	CFO	
FIN.23	MFMA 167(2)(a)	Recovering any amount paid or given in cash or in kind to a person as or as a member of a political structure of the municipality otherwise than in accordance with the framework of the Remuneration of Public Office Bearers Act (Act No. 20 of 1998), including any bonus, bursary, loan, advance or other benefit.	MM	CFO	
FIN.24	SCM Regulations 7(1)	Must establish a supply chain management unit	Council	CFO	
FIN.25	SCM Regulations 7(2)	May establish a joint supply chain management unit between the parent municipality and a municipal entity under its sole or shared control.	Council	CFO	

FIN.26	Asset Transfer Regulations 15(1)	If a service provider is appointed for the performance of a municipal service referred to in regulation 12(2)(a) or for the performance of a commercial service referred to in regulation 12(2)(b), the municipality or municipal entity, as may be agreed with the service provider and subject to section 14(1) of the Act, transfer to that service provider all capital assets, including subsidiary assets, essential to the performance of that service as defined in sub-regulation (2)	Council	CFO	
FIN.27	Asset Transfer Regulations 16(1) & (2)	(1) The proceeds received from the transfer or disposal of an asset in terms of this Chapter must be used to discharge any borrowing against the asset as at its redemption date, or another date as may negotiated with the lender. (2) Sub-regulation (1) may not be read as preventing a municipality or municipal entity from negotiating with a private sector party or organ of state to which an asset is transferred in terms of this Chapter, to take over, as part of compensation to the municipality or entity, any borrowing or entity made against the asset.	Council	CFO	
FIN.28	Asset Transfer Regulations 17(1)	A municipality or municipal entity may transfer assets approved for transfer to a private sector party or organ of state in terms of this Chapter, only by way of written transfer agreement concluded between the transferring municipality or entity and the receiving private sector party or organ of	Council	CFO	

		state (and further subject to compliance with the terms and conditions contemplated in sub-regulation (2) and (3))			
FIN.29	Asset Transfer Regulations 18	An agreement in terms of which a municipality or municipal entity transfers a non-exempted capital asset in terms of this Chapter- (a) must be made available in its entirety to the Council of the municipality or the council of the parent municipality of the municipal entity; and (b) may not be withheld from public scrutiny except as provided for in terms of the Promotion of Access to Information Act, (Act 2 of 2000).	Council	CFO	
FIN.30	Asset Transfer Regulations 22(1)	If an exempted capital asset is to be transferred to an organ of state in connection with the performance of a municipal service contemplated in regulation 20(1)(a) or a reorganisation of powers or functions contemplated in 20(1)(b) the transfer should be compliant with sub-regulation 1(a)-(c)	Council	CFO	
FIN.31	Asset Transfer Regulations 22(2)	If a feasibility study referred to in sub-regulation (1)(c) indicates that there will be a significant increase in the costs of the municipality or municipal entity after transfer of the capital asset to the organ of state, the municipality or parent municipality of the municipal entity must demonstrate- (a) how the costs can be minimised by considering the sharing of administrative, information technology or financial costs	Council	CFO	

		between the municipality or municipal entity and the organ of state; (b) how much revenue can be generated by the organ of state which will be available to the municipality or municipal entity to offset any increased costs it will incur as a result of the transfer; and (c) the extent to which the municipality or municipal entity can rationalise its administrative, information technology and the financial costs subsequent to the transfer.			
FIN.32	Asset Transfer Regulations 25(1)	If a municipality appoints an organ of state as the service provider for the performance of a municipal service as contemplated in regulation 20(1)(c), the municipality or entity must, as may be agreed with the organ of state, transfer to that organ of state all capital assets including subsidiary assets, essential to the performance of that municipal service or the exercise of that power or function as defined in sub-regulation (2).	Council	CFO	
FIN.33	Asset Transfer Regulations 26(1)	If a municipality or municipal entity transfers an exempted capital asset to an organ of state, any borrowings or other amounts owing by the municipality or entity specifically associated with the asset being transferred, or with its acquisition, operation or maintenance, must also be transferred to the organ of state.	Council	CFO	
FIN.33	Asset Transfer	If the transfer of an exempted capital assets by a municipality or municipal entity to an organ of state emanates from an	Council	CFO	

	Regulations 26(2)	appointment of an organ of state as the service provider for the performance of a municipal service as contemplated in regulation 20(1)(a) or the assignment of a power or function of a municipality or entity to an organ of state as contemplated in regulation 20(1)(a) or the assignment of a power or function, must also be transferred to the organ of state			
FIN.34	Asset Transfer Regulations 26(3)	In addition, a portion of the outstanding balance of general borrowings on capital expenditure by the municipality or municipal entity which is attributable or associated with the capital asset being transferred or with the performance of the relevant municipal service or with the exercise of the relevant power or function must also be transferred to the organ of the state to total value of all capital assets of the municipality or entity, as appears in the accounting records of the municipality or entity.	Council	CFO	
FIN.35	Asset Transfer Regulations 26(6)	If for any reason a borrowing or other amount owing referred in sub-regulation (1), (2) or (3) is not transferred to the organ of the state- (a)the municipality or municipal entity remains liable for the amount owing to the creditor; and (b)the municipality or municipal entity and the organ of state must enter into an agreement whereby an organ of state undertakes to compensate the municipality	Council	CFO	

		or entity for all payments made by it to the creditor in terms of paragraph (a).			
FIN.36	Asset Transfer Regulations 31(1) & (2)	(1) Before entering into a transfer agreement in terms of regulation 30, a municipal council or municipal entity must consider the effect the transfer of an asset will have on – (a) its credit rating and ability to raise long term or short term funds in the future; and (b) its financial position and cash flow. (2) Sub-regulation 2 does not apply if the asset is transferred to an organ of state in circumstances referred to in regulation 20(1)(c) (d) or (e).	Council	CFO	
FIN.37	Asset Transfer Regulations 41(4).	Before granting the right to use, control or manage a capital asset, the municipality or municipal entity must be satisfied that the private sector party or organ of state to whom the right is to be granted can demonstrate the ability to adequately maintain and safeguard the asset.	Council	CFO	
FIN.38	Asset Transfer Regulations 47	Any gain that will be realised or any loss and associated costs that will be incurred by a municipality or municipal entity in respect of the transfer or disposal, or the granting of a right to use, control, manage, an asset, if not budgeted for in the approved annual budget of the municipality or entity referred to in sections 28 and 87 respectively.	Council	CFO	
FIN.39	Debt Disclosure Regulations 5	A municipality or municipal entity which contemplates incurring long term debt must comply with section 46(3) of the Act.	Council	CFO	

FIN.40	Debt Disclosure Regulations 6(1)	If a municipality or municipal entity intends to incur long term debt through the issuing of municipal debt instruments, it must: (a) obtain a credit rating from an independent credit rating institution before it can incur the debt through municipal debt instruments with effect from 1 July 2008 and subject to compliance with sub-regulations (2)-(5).	Council	CFO	
FIN.41	Debt Disclosure Regulations 6(6)	A municipality or municipal entity must take all the reasonable and prudent steps consistent with its investment policy and according to the standard of care set out in regulation 5, to ensure that it places its investments in creditworthy institutions.	Council	CFO	
FIN.42	Minimum Competency Regulations 4(1)	The Chief Financial Officer of a municipality must generally have the skills, experience and capacity to assume and fulfil the responsibilities and exercise the powers and functions in terms of the Act to the Chief Financial Officer of a municipality.	Council	CFO	
FIN.43	Minimum Competency Regulations 4(3)	A Chief Financial Officer must note that any failure to comply with financial management responsibilities, functions and powers entrusted to that officer may constitute financial misconduct. In the case of Chief Financial Officers of municipalities specific financial management responsibilities, functions and powers are entrusted by the Act to the Chief Financial Officers.	Act	CFO	
FIN.44	Minimum Competency Regulations 5	A municipality or municipal entity must take all reasonable and prudent steps consistent with its investment policy and according to the standard of care set out in regulation 5,	Act	CFO	

FIN.45	Minimum Competency Regulations 17	A municipality or municipal entity must assist a financial official or supply chain management official who at the effective date does not meet the minimum competency levels, to attain those competency levels within the timeframes set out in regulation 15 by providing resources or opportunities for the training of that official.	Accounting Officer	CFO	
FIN.46	SCOA 13(d)	The accounting officer of a municipality or municipal entity must take all necessary steps to ensure that these regulations are implemented by at least- (d)submitting reports and recommendations to the municipal council or the board of directors, as the case may be, that provide for the adoption of any resolutions, policies and budgetary provisions necessary for the implementation of these regulations.	Act	CFO	
FIN.47	SCOA 15(1)	Make application to the Minister to exempt the municipality or municipal entity from the application of a provision of these regulations.	Act	CFO	

MANAGER EXPENDITURE

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
EX.01	MFMA 7(1)	Deciding to open an account for the Municipality	CFO	Manager: E	Section 62 of the MFMA

EX.02	MFMA 7(1)	Deciding at which bank/banks to open a bank account	CFO	Manager: E	Subject to section 8(2) of the MFMA
EX.03	MFMA 7(1)	Deciding to close a bank account	CFO	Manager: E	Section 10(1)(B) of the MFMA
EX.04	MFMA 7(2)	Determining into which bank account money collected or received by the Municipality must be deposited	CFO	Manager: E	See section 48(2)(d) of the MFMA
EX.05	MFMA 8(1)	Designating a bank account of the Municipality as the Municipality's primary account.	CFO	Manager: E	
EX.06	MFMA 13(2)	Establishing an appropriate and effective cash management policy for the Municipality	CFO	Manager: E	Note: In terms of section 60(2) of the MSA Council may only delegate to the EM or the CFO the authority to make to make investments on behalf of the Municipality. (The Municipal Council must approve the policies for implementation by the Accounting Officer and senior management).
EX.07	MFMA 86(1)	Receiving information from a municipal entity of which the Municipality is the parent municipality regarding the entity's banking account(s)	CFO	Manager: E	
EX.08	MFMA 8(5)	Submission of the Municipality's primary bank account details, and any impending change thereof	CFO	Manager: E	
EX.09	MFMA 9(a)	Submission of the prescribed details regarding any new bank accounts opened for the Municipality.	CFO	Manager: E	
EX.10	MFMA 9(b)	Submission of the details of the City's bank accounts annually before the start of a financial year	CFO	Manager: E	
EX.11	MFMA 10(1)(a)	Administration of the City's bank accounts	CFO	Manager: E	
EX.12	MFMA 10(2)	Enforcing compliance with sections 7, 8 and 11 of the MFMA	CFO	Manager: E	

EX.13	MFMA 11(1)	A municipality or municipal entity must take all reasonable and prudent steps consistent with its investment policy and according to the standard of care set out in regulation 5, to ensure that it places investments in creditworthy institutions.	CFO	Manager: E	The CFO or any other senior financial official must be issued with written authorisation by the Accounting Officer to implement section 11.
EX.14	MFMA 11(4)(a)	Preparation and tabling of a quarterly consolidated report of all withdrawals made in terms of section 11(1) to (j) of the MFMA from the Municipality's bank accounts	CFO	Manager: E	
EX.15	MFMA 11(4)(b)	Submission of consolidated report of all withdrawals made in terms of section 11(1)(b) to (j) of the MFMA to the Provincial Treasury and the Auditor-General	CFO	Manager: E	
EX.16	MFMA 12(4)	Issuing of written authority to withdraw money without appropriation in terms of an approved budget from a bank account opened for the purpose of relief, charitable, trust or other fund	CFO	Manager: E	
EX.17	MFMA 22	Making the annual budget public, inviting the community to submit representation in connection therewith and submitting the annual budget to the National and Provincial Treasuries and affected municipalities.	CFO	Manager: E	
EX.18	MFMA 65(2)(a)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains an effective system of expenditure control, including procedures for the approval, authorisation, withdrawal and payment of funds	CFO	Manager: E	
EX.19	MFMA 65(2)(b)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and	CFO	Manager: E	

		information systems which recognises expenditure when it is incurred, accounts for creditors of Municipality and accounts for payments made by the Municipality			
EX.20	MFMA 65(2)(c)	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains and system of internal control in respect of creditors and payments	CFO	Manager: E	
EX.21	MFMA 65(2)(d)	Deciding the reasonable steps to be taken to ensure that payments made by the Municipality are made directly to the person to whom it is due unless agreed otherwise for reasons as may be prescribed and either electronically or by way of non-transferable cheques.	CFO	Manager: E	
EX.22	MFMA 65(2)(e)	Deciding the reasonable steps to be taken to ensure that all money owing the Municipality is paid within 30 days of receiving the relevant invoice or statement unless prescribed otherwise for certain categories of expenditure.	CFO	Manager: E	
EX.23	MFMA 65(2)(f)	Deciding the reasonable steps to be taken to ensure that the Municipality complies with its tax, levy, duty, pension, medical aid, audit fees and other statutory commitments	CFO	Manager: E	
EX.24	MFMA 65(2)(g)	Deciding the reasonable steps to be taken to ensure that any dispute concerning payments due by the Municipality to another organ of state is disposed of in terms of legislation regulating disputes between organs of state.	CFO	Manager: E	
EX.25	MFMA 65(2)(h)	Deciding reasonable steps to be taken to ensure that the Municipality's available	CFO	Manager: E	

		working capital is managed effectively and economically in terms of the prescribed cash management and investment framework			
EX.26	MfMA 66	Reporting to the Council on all expenditure incurred by the Municipality on staff salaries, wages, allowances and benefits, and in a manner that discloses such expenditure per type of expenditure	CFO	Manager: E	
EX.27	MfMA 67(1)	Determine whether an organisation or body outside any sphere of government to whom the funds of the municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction,- (a)has the capacity to comply with sections (i)-(iv) (b)implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and (c)has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA.	CFO	Manager: E	
EX.28	MfMA 67(2)	Obtaining the approval of the Provincial Treasury to transfer funds of the Municipality to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction if there has been any failure by an organisation or body to comply with the requirements of section 67(1) of the MFMA in respect of a previous transfer.	CFO	Manager: E	

EX.29	MFMA 67(3)	Determine the appropriate mechanism to ensure compliance by an organisation or body outside any sphere of government to whom the funds of the City were transferred otherwise than in compliance with a commercial or other business transaction with- (a) any agreement with the City (b) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement, (c) to report at least monthly to the CM on the actual expenditure against such transfer and to submit its audited financial statements for its financial year to the MM promptly, (d) implements effective, efficient and transparent financial management and internal control systems to against fraud, theft and financial mismanagement; and (e) has in respect of previous similar transfers complied with all the requirements of section 67 of the MFMA	CFO	Manager: E	
EX.30	MFMA 67(4)	Determining whether an organisation or body outside any sphere of government to whom the funds of the Municipality stand to be transferred otherwise than in compliance with a commercial or other business transaction is an organisation or body serving the poor or used by government as an agency to serve the poor.	CFO	Manager: E	

EX.31	M/FMA 86(2)	Submitting the information received from a municipal entity of which the Municipality is the parent municipality regarding the entity's bank account(s) to the Auditor General, the National Treasury and the Provincial Treasury.	CFO	Manager: E	
EX.32	M/FMA 81(1)(c)	Assisting the MM in administering the Municipality's bank accounts and the preparation and implementation of the City's budget	CFO	Manager: E	
EX.33	Investment Regulations 2(4)	The accounting officer of a municipality or municipal entity must provide the National Treasury with details of all pension or provident funds that do not comply with sub-regulation (2)(a) within 30 days of promulgation of these regulations	CFO	Manager: E	
EX.34	Investment Regulations 3(1)	The investment policy to be established by a municipality in terms of section 13 of the Act must be- (a) adopted by the Council of the municipality (b) consistent with the Act and the regulations	CFO	Manager: E	
EX.35	Investment Regulations 3(3)	All investments made by a municipality or a municipal entity, must be in accordance with the investment policy of the municipality or entity and these regulations	CFO	Manager: E	
EX.36	Investment Regulations 10(1)	A municipality or municipal entity must take all reasonable and prudent steps consistent with its investment policy and according to the standard of care set out in regulation 5, to ensure that it places its investments with creditworthy institutions	CFO	Manager: E	

EX.37	Investment Regulations 11	A municipality or municipal entity must take all reasonable steps, consistent with its investment policy and according to the standard of care prescribed in regulation 5, to diversify its investment portfolio across institutions, types of investment and investment maturities.	CFO	Manager: E	
EX.38	Debt Disclosure Regulations 4(1)	When entering into discussions with a prospective lender, other creditor or underwriter with a view to incurring a municipal debt, a municipality or municipal entity must indicate in writing to the prospective lender, other creditor or underwriter whether it intends to incur short term or long term debt, and the purpose of the debt as defined in sub-regulations (a) and (b).	CFO	Manager: E	
EX.39	Debt Disclosure Regulations 4(1)	When entering into discussions with a prospective lender, other creditor or underwriter with a view to incurring short term or long term debt, a municipality or municipal entity must make available to the prospective lender, other creditor or underwriter certified copies of the documentation specified in sub-regulations 1(a)-(d) and 2.	CFO	Manager: E	
EX.40	Debt Disclosure Regulations 6(1)	If a municipality or municipal entity intends to incur long term debt through the issuing of municipal debt instruments, it must: (b) prepare and issue a disclosure statement, in accordance with the requirements contemplated in sub-regulations (2)-(5) and Part 2 and Part 3 of	CFO	Manager: E	

		Chapter 2, prior to the issuing of such instruments.			
EX.41	Debt Disclosure Regulations 14(1)	A municipality or municipal entity having incurred debt through the issuing of municipal debt instruments, must annually within 90 days after the end of the financial year until the debt has been repaid, prepare a consolidated disclosure statement reflecting the detail as required in sub-regulations (a)-(c)	CFO	Manager: E	
EX.42	Debt Disclosure Regulations 14(2)	A municipality or municipal entity must place the annually updated disclosure statement prepared in terms of sub-regulation (1) on the municipal debt disclosure depository in terms of regulation 24(1).	CFO	Manager: E	
EX.43	Debt Disclosure Regulations 14(3)	If there are no changes the annually updated disclosure statement must so indicate and be placed on the municipal debt disclosure depository in terms of regulation 24(1)	CFO	Manager: E	
EX.44	Debt Disclosure Regulations 15	Where a debt incurred by a municipality or municipal entity is to be paid from revenues linked to a particular municipal service, the municipality or municipal entity must disclose the information as contemplated in sub-regulations (a)-(c) and in accordance with sub-regulation 2(a) or (b)	CFO	Manager: E	
EX.45	Debt Disclosure Regulations 16	A municipality or municipal entity having incurred debt, irrespective of whether by way of issuing of municipal debt instruments or otherwise, must provide written notification to the lenders, investors and other of record of such debt instruments or debt, any designated fiduciaries representing any	CFO	Manager: E	

		such lenders, investors or holders, any securities exchange on which the instruments are listed, and the National and Provincial Treasuries, as soon as possible after becoming aware of any event listed in sub-regulation (a)-(f).			
EX.46	Debt Disclosure Regulations 17	Without derogating from any obligation to make documents at places set out in a disclosure statement, a municipality or municipal entity must keep readily available at its main office for inspection, on request of any interested person, copies of all documents relating to a debt transaction	CFO	Manager: E	
EX.47	Debt Disclosure Regulations 17	Documents submitted to National Treasury in terms of these regulations must be submitted in physical or electronic form, as the National Treasury may direct from time to time.	CFO	Manager: E	

MANAGER REVENUE MANAGEMENT AND CUSTOMER CARE

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
RM.01	MFMA 8(3)	A municipality or municipal entity must take all reasonable and prudent steps consistent with its investment policy and according to the standard of care set out in regulation 5, to ensure that it places its investments in creditworthy institutions.	CFO	Manager: RM & CC	
RM.02	MFMA 62(1)(f)(ii)	Deciding the reasonable steps to be taken to ensure that the municipality has and implements a rates policy as required in terms of section 3 of the Local Government	CFO	Manager: RM & CC	

		: Municipal Property Rates Act, 2004 (Act 6 of 2004)			
RM.03	MFMA62(1)(f)(iii)	Deciding the reasonable steps to be taken to ensure that the municipality has and implements a credit control and debt collection policy referred to in section 96(b) of the Municipal Systems Act.	CFO	Manager: RM & CC	
RM.04	MFMA62(1)(f)(iii)	Deciding the reasonable steps to be taken to ensure that the municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the municipality.	CFO	Manager: RM & CC	
RM.05	MFMA 64(2)(a)	Deciding reasonable steps to be taken to ensure that the municipality has effective revenue collection systems consistent with section 95 of the Municipal Systems Act and the municipality's credit control and debt collection policy.	CFO	Manager: RM & CC	
RM.06	MFMA 64(2)(b)	Deciding reasonable steps to be taken to ensure that the revenue due to the municipality is calculated on a monthly basis.	CFO	Manager: RM & CC	
RM.07	MFMA 64(2)(c)	Deciding reasonable steps to be taken to accounts for regional services council levies and charges for municipal services are prepared on a monthly basis, or less often as may be prescribed where monthly accounts are uneconomical.	CFO	Manager: RM & CC	
RM.08	MFMA 64(2)(d)	Deciding reasonable steps to be taken to ensure that all the money received is	CFO	Manager: RM & CC	

		promptly deposited in accordance with the MFMA into the municipality's primary and other accounts.			
RM.09	MFMA 64(2)(e)	Deciding reasonable steps to be taken to ensure that the municipality has and maintains a management, accounting and information system which recognises the revenue when it is earned and accounts for debtors and for receipts of revenue.	CFO	Manager: RM & CC	
RM.10	MFMA 64(2)(f)	Deciding reasonable steps to be taken to ensure that the municipality has and maintains a system of internal control in respect of debtors and revenue.	CFO	Manager: RM & CC	
RM.11	MFMA 64(2)(g)	Deciding reasonable steps to be taken to ensure that the municipality charges interest on arrears, except where the Council has granted exemptions in accordance with its budget related policies and within the prescribed framework.	CFO	Manager: RM & CC	
RM.12	MFMA 64(2)(h)	Deciding reasonable steps to be taken to ensure that all revenue received by any collecting agent on its behalf, is reconciled at least on a weekly basis	CFO	Manager: RM & CC	
RM.13	MFMA 64(3)	Informing the National Treasury of any payments due by an organ of state to the municipality in respect of municipal tax or for municipal services, if such payments are regularly in arrears for periods of more than 30 days.	CFO	Manager: RM & CC	(This would relate to the support and information that is provided to the CFO. The A/O and the CFO would inform the NT.)
RM.14	MFMA 64(4)(a)	Deciding the reasonable steps to be taken to ensure that any funds collected by the municipality on behalf of another organ of	CFO	Manager: RM & CC	

		state is transferred to that organ of state on a weekly basis.			
RM.15	MFMA 64(4)(b)	Deciding the reasonable steps to be taken to ensure that funds collected by the municipality on behalf of another organ of state are not used for purposes of the municipality.	CFO	Manager: RM & CC	
RM.16	MFMA 121(3)(e)	Performing an assessment of any arrears on municipal taxes and service charges for inclusion in the municipality's annual report.	CFO	Manager: RM & CC	
RM.17	MSA 74	Draft and facilitate tariff policy and implement its stipulation thereof in consultation with the Municipal Manager and other Executive Managers.		Manager: RM & CC	
RM.18	MSA 75A(1) & 75(A)	Advertising and public notice of resolution regarding levying and recovering of fees, charges and tariffs in respect of municipal services.	CFO	Manager: RM & CC	
RM.19	MSA 95	Customer care management	CFO	Manager: RM & CC	
RM.20	MSA 96(a)	Must collect all monies owed to the Municipality, subject to any applicable legislation.	CFO	Manager: RM & CC	
RM.21	MSA 96(b)	Must develop a credit control and debt collection policy for adoption by council.	CFO	Manager: RM & CC	
RM.22	MSA 118	Issue certificates on behalf of the Municipality to the Registrar of Deeds certifying that full payments due to the Municipality before registration of such properties can be effected.	CFO	Manager: RM & CC	
RM.23	MPRA 3	Drafting the rates policy for adoption by Council.	CFO	Manager: RM & CC	

RM.24	MPRA 4	Consultation with the community before adoption of the rates policy.	CFO	Manager: RM & CC	
RM.25	MPRA 4(2)(a)	Conspicuous display of the rates policy	CFO	Manager: RM & CC	
RM.26	MPRA 4(2)(b)	Advertising of the draft rates policy for public input in consultation with the [Executive Manager] Director Corporate and Shared Services	CFO	Manager: RM & CC	
RM.27	MPRA 6	Reviewal of rates policy regularly	CFO	Manager: RM & CC	
RM.28	MPRA 14(2)	Promulgation of resolution to levy rates in Provincial Gazette	CFO	Manager: RM & CC	
RM.29	MPRA 14(3)	Conspicuous display of resolution to levy rates in Provincial Gazette.	CFO	Manager: RM & CC	
RM.30	MPRA 21	Compulsory phasing in of certain rates	CFO	Manager: RM & CC	
RM.31	MPRA 22(2)	Consulting the community before determining special rating area.	CFO	Manager: RM & CC	
RM.32	MPRA 27	Furnishing accounts for rates.	CFO	Manager: RM & CC	
RM.33	MPRA 23	Keeping of register of properties	CFO	Manager: RM & CC	
RM.34	MPRA 30	Preparation and administration of the General Valuation and Supplementary Roll.	CFO	Manager: RM & CC	
RM.35	MPRA 33	Designation of a municipal valuer in consultation with the municipal manager	CFO	Manager: RM & CC	
RM.36	MPRA 49	Publication of valuation rolls.	CFO	Manager: RM & CC	
RM.37	MPRA 54	Attending appeals in terms of the MPRA.	CFO	Manager: RM & CC	
RM.38	MPRA 77	Updating valuation rolls	CFO	Manager: RM & CC	

RM.39	MPRA 78	Conducting supplementary valuations	CFO	Manager: RM & CC	
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MANAGER: TREASURY OFFICE AND FINANCIAL SUPPORT

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
BTO.01	MFMA 62(1)(b)	Deciding the reasonable steps to ensure that the full and proper records of the Municipality's financial affairs are kept in accordance with any prescribed norms and standards	CFO	Manager: BTO	
BTO.02	MFMA 65(2)(i)	Deciding the reasonable steps to be taken to ensure that all financial accounts of the Municipality are closed at the end of each month and reconciled with its records.	CFO	Manager: BTO	
BTO.03	Minimum Competency Regulations 8(1)	Any financial official of a municipality at or below the middle management level must generally have the skills, experience and capacity to assume and fulfil the responsibilities and exercise the functions and the powers assigned in terms of the Act to that official	CFO	Manager: BTO	
BTO.04	Minimum Competency Regulations 8(3)	A financial official referred to in sub-regulation (1) or (2) must note that any failure to comply with the financial management responsibilities, functions and powers entrusted in terms of the Act to that official may constitute financial misconduct.	CFO	Manager: BTO	
BTO.05	Minimum Competency Regulations 9	The financial official of a municipality or municipal entity at middle management level must comply with the minimum competency levels required for higher education	CFO	Manager: BTO	

		qualification and work related experience and be competent in the unit standards prescribed for competency areas as set out in Regulation 9			
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MANAGER: SUPPLY CHAIN MANAGEMENT

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
SCM.01	MFMA 62(1)(f)(iv)	Deciding reasonable steps to be taken to ensure that the municipality has and implements a supply chain management policy in accordance with Chapter 11 of the MFMA.	CFO	Manager: SCM	
SCM.02	MFMA 62(2)(i)	Deciding the reasonable steps to be taken to ensure that the Municipality's supply chain management policy is implemented in a way that is fair, equitable, transparent, competitive and cost-effective.	CFO	Manager: SCM	
SCM.03	MFMA 115(1)(a)	Implementing the municipality's supply chain management policy	CFO	Manager: SCM	
SCM.04	MFMA 115(1)(b)	Determining the reasonable steps to be taken to ensure 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.	CFO	Manager: SCM	
SCM.05	SCM Regulations 3(1)(a)	Prepare a draft supply chain management policy complying with Regulation 2 to the Council of the municipality for adoption.	CFO	Manager: SCM	
SCM.06	SCM Regulations 3(1)(b)	Review at least annually the implementation of the policy	CFO	Manager: SCM	

SCM.07	SCM Regulations 3(1)(c)	Submit when considered necessary, proposals for amendment of the policy to the Council.	CFO	Manager: SCM	
SCM.08	SCM Regulations 3(2)(a)	Make use of any Treasury Guidelines determining standards for municipal supply chain management policies and submit to Council that guideline standard, or any modified version thereof, as a draft policy.	CFO	Manager: SCM	
SCM.09	SCM Regulations 3(2)(b)	Ensure that a draft policy submitted to Council that differs from that guideline standard complies with Regulation 2.	CFO	Manager: SCM	
SCM.10	SCM Regulations 3(2)(c)	A municipality or municipal entity must take all reasonable and prudent steps consistent with its investment policy and according to the standard of care set out in Regulation 5, to ensure that it places its investments with creditworthy institutions.	CFO	Manager: SCM	
SCM.11	SCM Regulations 3(4)	Must in terms of section 62(1)(f)(iv) take all reasonable steps to ensure that the municipality has and implements a supply chain management policy as set out in Regulation 2.	CFO	Manager: SCM	
SCM.12	SCM Regulations 6(2)(a)(i)	Submit a report to Council within 30 days of the end of each financial year on the implementation of the supply chain management policy of the municipality.	CFO	Manager: SCM	
SCM.13	SCM Regulations 6(2)(a)(ii)	Submit to Council a report from any municipal entity made in terms of this Regulation 6(2)(a)(ii) regarding the implementation of the municipal entity's supply chain management policy.	CFO	Manager: SCM	

SCM.14	SCM Regulations 6(2)(a)(iii)	Immediately submit a report to Council whenever there are serious and material problems in the implementation of the supply chain management policy, including such a report from any municipal entity as envisaged by this Regulation 6(2)(a)(iii).	CFO	Manager: SCM	
SCM.15	SCM Regulations 6(3)	Submit a report to the Mayor of the municipality within ten days of each quarter on the implementation of the supply chain management policy.	CFO	Manager: SCM	
SCM.16	SCM Regulations 11(3)	Must make public the fact that the municipality goods or services contemplated in section 110(2) of the MFMA.	CFO	Manager: SCM	
SCM.17	SCM Regulations 14(1)(a)(i)	Keep a list of accredited prospective service providers of goods and services that must be used for procurement requirements of the municipality through written quotations and formal written quotations.	CFO	Manager: SCM	
SCM.18	SCM Regulations 14(1)(a)(ii)	Invite prospective providers of goods or services at least once a year through newspapers commonly circulating locally, the website of the municipality and any other appropriate ways, to apply for evaluation and listing as accredited service providers.	CFO	Manager: SCM	
SCM.19	SCM Regulations 14(1)(b)	Specify the listing criteria for accredited prospective providers.	CFO	Manager: SCM	
SCM.20	SCM Regulations 14(1)(c)	Disallow the listing of any prospective provider whose name appears on the National Treasury's database as a person prohibited from doing business with the public sector.	CFO	Manager: SCM	

SCM.21	SCM Regulations 14(2)	Update the list of prospective providers at least quarterly to include any additional prospective providers and any new commodities or types of services.	CFO	Manager: SCM	
SCM.22	SCM Regulations 16(c)	If it is not possible to obtain at least three quotations, record and report quarterly to the accounting officer, or another official designated by the accounting officer, the reasons for this.	CFO	Manager: SCM	
SCM.23	SCM Regulations 16(d)	Record the names of the potential providers requested to provide written quotations with their quoted prices.	CFO	Manager: SCM	
SCM.24	SCM Regulations 17(1)(c)	Record the reasons for not obtaining at least three written quotations	CFO	Manager: SCM	
SCM.25	SCM Regulations 17(1)(c)	Approve the recorded reasons for not obtaining at least three written quotations.	CFO	Manager: SCM	
SCM.26	SCM Regulations 17(1)(d)	Record the names of potential formal written price quotation providers and their written quotations.	CFO	Manager: SCM	
SCM.27	SCM Regulations 17(2)	Report to the CFO within three days of the end of the month on any approvals given during that month by the designated official referred to in sub-regulation 17(1)(c).	CFO	Manager: SCM	
SCM.28	SCM Regulations 18(b)	Must promote ongoing competition amongst providers including by inviting providers to submit quotations on a rotation basis, when using the list of accredited prospective providers.	CFO	Manager: SCM	
SCM.29	SCM Regulations 18(c)	Must take all reasonable steps to ensure that the procurement of goods and services	CFO	Manager: SCM	

		through written quotations or formal written quotations is not abused.			
SCM.30	SCM Regulations 18(d)	Notify accounting officer or CFO in writing on a monthly basis of all the written quotations and formal written price quotations accepted by the official acting in terms of a sub-delegation	CFO	Manager: SCM	
SCM.31	SCM Regulations 23(c)	(i) record in a register all bids received in time ; (ii) make the register available for public inspection; (iii) publish the entries in the register and the bid results on the website of the municipality.	CFO	Manager: SCM	
SCM.32	SCM Regulations 32(1)	To procure goods or services for the municipality under a contract secured by another organ of state, but only if- (a) the contract has been secured by that organ of state by means of a competitive bidding process applicable to that organ of state; (b)the municipality has no reason to believe that such contract was not validly procured; (c) there are demonstrable discounts or benefits for the municipality; and (d)that other organ of state and the service provider consented to such procurement in writing.	CFO	Manager: SCM	
SCM.33	SCM Regulations 35(1)	Procure consulting services provided that any Treasury guidelines in respect of consulting services are taken into account when such procurements are made.	CFO	Manager: SCM	

SCM.34	SCM Regulations 36(2)	Record the reasons for any deviations in terms of Regulations 36(1)(a) and (b); and report them to the next meeting of the Council and include as note to the annual financial statements.	CFO	Manager: SCM	
SCM.35	SCM Regulations 37(3)	Make public in accordance with section 21(A) of the Municipal Systems Act the decision to consider an unsolicited bid which complies with regulation 37(2) together with- (a) reasons as to why the bid should not be open to other competitors; (b) an explanation of the potential benefits for the municipality were it to accept the unsolicited bid; and (c) an invitation to the public and other potential suppliers to submit their comments within 30 days of the notice.	CFO	Manager: SCM	
SCM.36	SCM Regulations 37(4)	Submit written comments received pursuant to Regulation 37(3), including any responses from the unsolicited bidder, to National Treasury and the relevant Provincial Treasury for comment.	CFO	Manager: SCM	
SCM.37	SCM Regulations 38(1)(c)	Check the National Treasury's database prior to awarding any contract to ensure that no recommended bidder, or any of its directors, is listed as a person prohibited from doing business with the public sector.	CFO	Manager: SCM	
SCM.38	SCM Regulations 38(1)(d)	Reject any bid from a bidder- (i) if any municipal rates and taxes or municipal service charges owed by that bidder or any directors to the Municipality are in arrears for more than three months;	CFO	Manager: SCM	

		(ii)who during the last five years has failed to perform satisfactorily on a previous contract with the Municipality or any other organ of state after written notice was given to that bidder that performance was unsatisfactory.			
SCM.39	SCM Regulations 38(1)(e)	Reject the recommendation for the award of a contract if the recommended bidder, or any of its directors, has committed a corrupt or fraudulent act in competing for the particular contract.	CFO	Manager: SCM	
SCM.40	SCM Regulations 38(1)(f)	Cancel a contract awarded to a person if- (i)the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract; or (ii)an official or other role player committed any corrupt or fraudulent act during the bidding process or the execution of the contract that benefited that person.	CFO	Manager: SCM	
SCM.41	SCM Regulations 38(1)(g)	Reject the bid of any bidder if that bidder or any of its directors- (i)has abused the supply chain management system of the municipality or has committed any improper conduct in relation to such system; (ii)has been convicted for fraud or corruption during the last five years; (iii)has wilfully neglected or reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or (iv)has been listed in the Register for Tender Defaulters in terms of section 29 of the	CFO	Manager: SCM	

		Prevention and Combating of Corrupt Activities Act (No 12 of 2004)			
SCM.42	SCM Regulations 38(2)	Inform the National Treasury and the relevant Provincial Treasury in writing of any actions taken in terms of Regulation 38(1)(b)(ii), (e) or (f).	CFO	Manager: SCM	
SCM.43	SCM Regulations 43(2)	Check with SARS whether a person's tax matters are in order before making any award to such person	CFO	Manager: SCM	
SCM.44	SCM Regulations 45	Disclose on the notes to the annual financial statements of the municipality particulars of any award of more than R2000 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 for the previous twelve months, including, including- (a)name of that person, (b)the capacity in which that person is in service of the state; and (c)the amount of the award.	CFO	Manager: SCM	
SCM.45	SCM Regulations 46(2)	Adopt a code of conduct for supply chain practitioners and other role players involved in supply chain management.	CFO	Manager: SCM	Sect 46(2)(c) –not applicable to value less than R350.
SCM.46	SCM Regulations 46(3)(a)	Keep the register of all declarations made in terms of Regulation 46(2)(d) and (e).	CFO	Manager: SCM	Sect 46(5)-the municipality may adopt the National Treasury's code of conduct for supply chain management practitioners and the other role players involved in supply chain management
SCM.47	Asset Transfer	If approval in principle has been given in terms of Regulation 34(1)(b) or 37(1)(b) that a right to use, control or manage a capital asset may	CFO	Manager: SCM	

	Regulations 41(1)	be granted, the relevant municipality or municipal entity may grant the right only in accordance with the disposal management system of the Municipality or municipal entity irrespective of- (a)the value of the asset; (b)the period for which the right is to be granted; or (c)whether the right is to be granted to a private sector party or organ of state. The application of sub-regulation (1) is further subject to exclusions contemplated in sub-regulation (2) & (3)			
SCM.48	Asset Transfer Regulations 42	If a municipality or municipal entity intends to grant to a private sector party or organ of state a long term right to use, control or manage a capital asset with a value in excess of R10 million following the selection of that private sector or organ of state as the service provider for the performance of a municipal service referred to in Regulation 41(2)(a) or for the performance of a commercial service referred to in Regulation 41(2)(b) it should be done in compliance with sub-regulations (a) & (b)	CFO	Manager: SCM	
SCM.49	Minimum Competency Regulations 11	The head of supply chain management unit of a municipality or municipal entity must comply with the minimum competency levels required for higher education qualification and work related experience and be competent in the unit standards prescribed for competency areas as set out in regulation 12.	CFO	Manager: SCM	
SCM.50	Minimum Competency	A supply chain management manager of a municipality or municipal entity must comply	CFO	Manager: SCM	

Regulations 12	with the minimum competency levels required for higher education qualification and work related experience and be competent in the unit standards prescribed for competency areas as set out in Regulation 12.			
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MANAGER: ASSETS MANAGEMENT

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
AM.01	M/FMA 63(2)(b)	Deciding the reasonable steps to be taken to ensure that the municipality's assets are valued in accordance with the standards of generally recognised accounting practice.	CFO	Manager: AM	
AM.02	Asset Transfer Regulations 14	If a municipality or municipal entity intends to transfer to a private sector party or an organ of state a non-exempted capital asset following the selection through a competitive bidding process of a service provider in the performance of a municipal service referred to in regulation 12(2)(a) or for the performance of a commercial service referred to in regulation 12(2)(b)- (a)all assets needed or directly related to the performance of that service must be properly identified to distinguish those assets from the other assets of the municipality or municipal entity.	CFO	Manager: AM	
AM.03	Asset Transfer Regulations 23	Before transferring an exempted asset to an organ of state in any of the circumstances described in regulation 20(1), a municipality or municipal entity must-	CFO	Manager: AM	

		(a) properly identify the capital asset, including- (i) In the case of a transfer emanating from circumstances referred to in regulation 20(1)(a), all other assets needed for or directly related to, and staff associated with the municipal service concerned (ii) In the case of a transfer emanating circumstances referred to in regulation 20(1)(b) or (c), or all other assets needed or directly related to, and staff associated with, the exercise of the power or function concerned; or (iii) in the case of a transfer emanating from the circumstances referred to in regulation 20(1)(d) or (e), all assets needed for or directly related to that capital asset; and (b) distinguish that asset and staff from other assets and staff of the municipality or municipal entity			
AM.04	Asset Transfer Regulations 28(1) and (2)	(1) A municipality or municipal entity transferring an exempted asset and any subsidiary assets to an organ of state may receive compensation for the value of those assets, as may be agreed with the organ of state. The value of the asset must for purposes of sub-regulation (1) be determined in accordance with regulation 29.	CFO	Manager: AM	

MANAGER: BUSINESS AND FINANCIAL PLANNING

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
BFP.01	M/FMA 87(1)	Receiving a proposed budget for a municipal entity of which the City is the parent municipality for each financial year	CFO	Manager: B & FP	
BFP.02	M/FMA 89(b)	Monitoring and ensuring that a municipal entity of which the City is a parent municipality reports to the City Council on all expenditure incurred by that municipal entity on directors and staff remuneration matters, in a manner that discloses such expenditure per type of expenditure.	CFO	Manager: B & FP	Submission within ten working days after the City Council has approved the annual budget and compliant with regulations 20(1) & (2) and 27(1) of the Budget and Reporting Regulations
BFP.03	M/FMA 22	Making the annual budget public, inviting the community to submit representations in connection therewith and submitting the annual budget to the National and Provincial Treasuries and affected municipalities.	CFO	Manager: B & FP	
BFP.04	M/FMA 24(3)	Submission of the approved annual budget to the National Treasury and Provincial Treasury	CFO	Manager: B & FP	
BFP.05	M/FMA 31(c)	Issuing a certificate specifying that the actual revenue for the financial year concerned is expected to exceed the budgeted revenue and that sufficient funds are available for exceeding the amount appropriated for a specific capital programme without incurring further borrowing beyond the annual budget limit.	CFO	Manager: B & FP	
BFP.06	M/FMA 62(1)(f)(i)	Deciding the reasonable steps to be taken to ensure that the City has and implements a tariff policy referred to in section 74 of the Municipal Systems Act (Tariff Policy)	CFO	Manager: B & FP	

BFP.07	MFMA 68(a)	Assisting the EM in performing the budgetary steps assigned to the EM	CFO	Manager: B & FP	
BFP.08	MFMA 68(b)	Determining and making available administrative support, resources and information required by the EM to perform the budgetary steps assigned to the EM.	CFO	Manager: B & FP	
BFP.09	MFMA 69(1)(a)	Determining, in relation to the implementing the City's approved budget, the reasonable steps required to ensure that the spending of funds is in accordance with the budget and is as reduced as necessary when revenue is anticipated to be less than projected in the budget or in the service delivery and budget implementation plan.	CFO	Manager: B & FP	
BFP.10	MFMA 69(1)(b)	Determining in relation to implementing the City's approved budget, the reasonable steps required to ensure that revenue and expenditure are properly monitored.	CFO	Manager: B & FP	
BFP.11	MFMA 69(2)	Preparing an adjustments budget and submitting it to the EM for consideration and tabling in the Council	CFO	Manager: B & FP	
BFP.12	MFMA 70(1)	Reporting in writing to the City Council any impending shortfalls in the budgeted revenue and overspending of the City's budget and any steps taken to prevent or rectify such shortfalls or overspending.	CFO	Manager: B & FP	
BFP.13	MFMA 70(2)	Informing the National Treasury that the City's bank account or, if the City has more than one bank account, the consolidated balance in those bank accounts, shows a net overdrawn position for a period exceeding a prescribed period	CFO	Manager: B & FP	

BFP.14	MFMA 71(1)	Submitting to the EM and the Provincial Treasury, within 10 days after the end of each month, a statement in the prescribed format on the state of the Municipality's budget	CFO	Manager: B & FP	Regulation 28 of the Budget and Reporting Regulations- the monthly budget statement of a municipality must be in the form specified in Schedule C.
BFP.15	MFMA 71(5)	Submitting to the National or Provincial organ of state or municipality which transferred an allocation during any particular month to the Municipality within 10 working days after the end of the month concerned a statement indicating the amount of any allocations received and actual expenditure on those allocations, excluding expenditure on its share of the local government equitable share and allocations exempted by the annual Division of Revenue Act from compliance with this requirement.	CFO	Manager: B & FP	
BFP.16	MFMA 72(1)(b)	Submitting the midyear performance assessment report to the EM, the National Treasury and Provincial Treasury	CFO	Manager: B & FP	Budget and Treasury Regulation 35. The City Manager must submit to the National and relevant Provincial Treasury, in both printed and electronic form-(a) the mid-year assessment by 25 January of each year; and any information relating to the mid-year budget and performance assessment as may be required by the National Treasury.
BFP.17	MFMA 87(11)	Receiving a monthly statement in the prescribed format on the state of the budget of a municipal entity of which the City is the parent municipality	CFO	Manager: B & FP	
BFP.18	MFMA	Tabling a report of the accounting officer of a municipal entity of which the City is a parent municipality on any financial problems of the entity in the first Council meeting next ensuing	CFO	Manager: B & FP	
BFP.19	MFMA	Receiving a report of the board of directors of a municipal entity of which the City is the	CFO	Manager: B & FP	

		parent municipality any irregular or any fruitless and wasteful expenditure incurred by, or on behalf of, that municipal entity.			
BFP.20	MFMA 122(1)/126(1) (a)	Preparing the annual financial statements which fairly present the state of affairs of the Municipality, its management of revenue, expenditure, assets and liabilities, its business activities, its financial results, and its financial position as at the end of the financial year.	CFO	Manager: B & FP	
BFP.21	MFMA 126(1)(a)	Submitting the annual financial statements of the Municipality to the Auditor- General on or before the 31 August of each year.	CFO	Manager: B & FP	
BFP.22	MFMA 126(1)(b)	Preparing consolidated annual financial statements of the Municipality and of a municipal entity over which the Municipality has sole control or over which it has effective control within the meaning of the Municipal Systems Act of a municipal entity which is a private company.	CFO	Manager: B & FP	
BFP.23	MFMA 146(1)(c)	Reporting monthly to the MEC responsible for finance on the implementation of financial recovery plan for the Municipality resulting from a mandatory provincial intervention	CFO	Manager: B & FP	
BFP.24	Investment Regulations	The accounting officer of a municipality or a municipal entity must within 10 working days of the end of each month, as part of the section 71 report required by the Act, submit to the mayor of the municipality or the board of directors of the municipal entity a report describing in accordance with the generally recognised accounting practice the	CFO	Manager: B & FP	

		Investment portfolio of that municipality or municipal entity as at the end of the month.			
BFP.25	Budget and Reporting Regulations 6	The municipal manager of a municipality must take all the reasonable steps to ensure that- (a)the basis of measurement and accounting policies underpinning the municipality's annual financial statements are the same as those used in preparation of the municipality's annual budget and supporting documentation and its in-year reports; and (b)any differences or changes between financial years are explicitly noted.	CFO	Manager: B & FP	
BFP.26	Budget and Reporting Regulations 7(1)	The municipal manager of a municipality must prepare, or take all reasonable steps to ensure that the preparation of the budget-related policies of the municipality, or any necessary amendments to such policies, in accordance with the legislation applicable to those policies for tabling in the municipal council by the applicable deadline specified by the mayor in terms of section 21(1)(b) of the Act.	CFO	Manager: B & FP	
BFP.27	Budget and Reporting Regulations 8(1)	Each municipality must have a funding and reserves policy which must set out the assumptions	CFO	Manager: B & FP	
BFP.28	Budget and Reporting Regulations 8(2)	A municipality or municipal entity must all reasonable and prudent steps consistent with its investment policy and according to the standard of care set out in Regulation 5, to ensure that it places its investments with creditworthy institutions.	CFO	Manager: B & FP	

BFP.29	Budget and Reporting Regulations 13(1)	Within ten working days after the municipal council has given approval for a capital project in terms of section 19(1)(b) of the Act, the municipal manager must in accordance with section 21A of the Municipal Systems Act make public- (a)the municipal council resolution approving the capital project; and (b)the details of the nature, location and total projected cost of the approved capital project.	CFO	Manager: B & FP	
BFP.30	Budget and Reporting Regulations 15(1)	When making public the annual budget and supporting documentation in terms of section 22A of the Act, read with section 21A of the Municipal Systems Act, the municipal manager must make public any other information that the municipal council considers appropriate to facilitate the budget consultation process, including matters prescribed in sub-regulations (a) and (b) and 2(a) and (b).	CFO	Manager: B & FP	
BFP.31	Budget and Reporting Regulations 15(3)	When submitting the annual budget to the National Treasury and the relevant Provincial Treasury in terms of section 22(b)(i) of the Act, the municipal manager must also submit to the National Treasury and the relevant Provincial Treasury, in both printed and electronic form all documents and information prescribed in sub-regulations (a)-(c)	CFO	Manager: B & FP	
BFP.32	Budget and Reporting Regulations 15(4)	The municipal manager must send copies of the annual budget and supporting documentation as tabled in the municipal council, in both printed and electronic form to	CFO	Manager: B & FP	

		stakeholders prescribed in sub-regulations (a) and (b)			
BFP.33	Budget and Reporting Regulations 16(2)	The municipal manager must assist the mayor with preparation of the documents referred to in sub-regulation (1) and section 23(2) of the Act.	CFO	Manager: B & FP	
BFP.34	Budget and Reporting Regulations 18(1) & (2)	(1) Within ten working days after the municipal council has approved the annual budget of a municipality, the municipal manager must in accordance with section 21A of the Municipal Systems Act make public, the approved annual budget, supporting documentation and the resolutions referred to in section 24(2)(c) of the Act. (2) The municipal manager must also make public any other information that the municipal council considers appropriate to facilitate public awareness of the annual budget as prescribed in sub-regulations (a) & (b) and in accordance with sub-regulation 3(a) & (b)	CFO	Manager: B & FP	
BFP.35	Budget and Reporting Regulations 20(3)	The municipal manager must send copies of the approved annual budget and supporting documentation, in both printed and electronic form to the stakeholders as prescribed in sub-regulation (a) & (b).	CFO	Manager: B & FP	
BFP.36	Budget and Reporting Regulations 24(1)	The municipal manager must comply with section 28(7) of the Act, within ten working days after the mayor has tabled and adjustment budget in the municipal council.	CFO	Manager: B & FP	
BFP.37	Budget and Reporting Regulations 24(2)	When submitting the tabled adjustments budget to the National Treasury and the relevant Provincial Treasury in terms of section 28(7) of the Act, the municipal	CFO	Manager: B & FP	

		manager must submit the documents and information prescribed in sub-regulations (a) and (b) in both printed and electronic form.			
BFP.38	Budget and Reporting Regulations 24(3)	The municipal manager must send copies of an adjustments budget and supporting documents in both printed and electronic form to stakeholders as prescribed in sub-regulations (a) & (b)	CFO	Manager: B & FP	
BFP.39	Budget and Reporting Regulations 26(1)	(1) Within ten working days after the council has approved the adjustments budget, the municipal manager must in accordance with section 21A of the Municipal Systems Act make public the approved adjustments budget and supporting documentation, as well as resolutions referred to in section 25(3). (2) When making public adjustments budget and supporting documentation in terms of sub-regulation (1), the municipal manager must make public any other information that the municipal council considers appropriate to facilitate public awareness of the adjustments budget, including information prescribed in sub-regulations (a)-(c).	CFO	Manager: B & FP	
BFP.40	Budget and Reporting Regulations 27(2)	The municipal manager must send copies of an approved adjustments budget and supporting documentation, in both printed and electronic form to stakeholders as prescribed in sub-regulations (a) and (b).	CFO	Manager: B & FP	
BFP.41	Budget and Reporting	Placing monthly budget statement of a municipality on the municipality's website in accordance with sub-regulations (1) & (2).	CFO	Manager: B & FP	

	Regulations 30				
BFP.42	Budget and Reporting Regulations 34(1)	Within 5 working days of 25 January each year- the municipal manager must make the mid-year budget and performance assessment public by placing in on the municipal website.	CFO	Manager: B & FP	
BFP.43	Budget and Reporting Regulations 34(2)	The municipal manager must make public other information that the municipal council considers appropriate to facilitate public awareness of the mid-year budget assessment, including information stipulated in sub-regulation (a) & (b).	CFO	Manager: B & FP	
BFP.44	Budget and Reporting Regulations 42	A parent municipality must submit to the National Treasury and the relevant Provincial Treasury particulars of- (a)each public entity's capital budget as approved by the board of directors of the municipal entity; and (b)details of all capital projects of which the total projected cost is greater than R5 million as approved by the board of directors of the municipal entity	CFO	Manager: B & FP	
BFP.45	Budget and Reporting Regulations 46(1)	Within ten working days after the board of directors of a municipal entity has approved the annual budget of the entity in terms of section 87(4) of the Act, the municipal manager of the parent municipality must in accordance with section 21A of the Municipal Systems Act make public the approved budget of the entity.	CFO	Manager: B & FP	
BFP.46	Budget and Reporting	The municipal manager must also make public any other information that the municipal	CFO	Manager: B & FP	

	Regulations 46(2)	council considers appropriate to facilitate public awareness of the municipal entity's annual budget, including information contemplated in sub-regulation (a) and (b).			
BFP.47	Budget and Reporting Regulations 47(1)	When submitting the approved annual budget and supporting documentation of the municipality in terms of Regulation 20, the municipal manager must submit to the National Treasury and any relevant Provincial Treasury, in both printed and electronic form, the approved annual budget and supporting documentation of all the municipal entities under the municipality's sole or shared control.	CFO	Manager: B & FP	
BFP.48	Budget and Reporting Regulations 47(2)	The municipal manager must send copies of the approved annual budget and supporting documentation of a municipal entity, in both printed and electronic form to stakeholders prescribed in sub-regulation (a) & (b)	CFO	Manager: B & FP	
BFP.49	Budget and Reporting Regulations 52(1)	Within ten working days after the board of directors of a municipal entity has approved an adjustments budget of the entity, the municipal manager of the parent municipality must in accordance with section 21A of the Municipal Systems Act make public the approved adjustments budget of the entity.	CFO	Manager: B & FP	
BFP.50	Budget and Reporting Regulations 52(2)	The municipal manager must also make public any other information that the municipal council considers appropriate to facilitate public awareness of a municipal entity's adjustments budget, including information stipulated in sub-regulations (a) & (b)	CFO	Manager: B & FP	

BFP.51	Budget and Reporting Regulations 53(1)	Within five working days of the end each quarter, the municipal manager must submit to the National Treasury and the relevant Provincial Treasury, in both printed and electronic form all approved adjustments budgets and supporting documentation received from the municipal entities during that quarter.	CFO	Manager: B & FP	
BFP.52	Budget and Reporting Regulations 53(2)	The municipal manager must send copies of the approved adjustments budget and supporting documentation of a municipal entity, in both printed and electronic form to stakeholders as per sub-regulation (a) & (b)	CFO	Manager: B & FP	
BFP.53	Budget and Reporting Regulations 58(1)	When making public the mid-year budget and performance assessment of the parent municipality in terms of regulation 34, the municipal manager must make public in accordance with section 21A of the Municipal Systems Act the mid-year budget and performance assessments of all municipal entities.	CFO	Manager: B & FP	
BFP.54	Budget and Reporting Regulations 58(2)	The municipal manager must also make public any other information that the municipal council considers appropriate to facilitate public awareness of a municipal entity's mid-year budget and performance assessment, including information stipulated in sub-regulations (a) & (b).	CFO	Manager: B & FP	
BFP.55	Budget and Reporting Regulations 59	When submitting the mid-year budget and performance assessment of the municipality in terms of Regulation 35, the municipal manager must submit to the National Treasury and the relevant Provincial	CFO	Manager: B & FP	

		Treasury, in both printed and electronic form, the mid-year budget and performance assessments of all municipal entities of the municipality.			
BFP.56	SCOA 4(1)	The standard chart of accounts for a municipality or municipal entity or municipal entity must contain the segments as set out in the Schedule.	CFO	Manager: B & FP	
BFP.57	SCOA 5(1)	The standard chart of account of a municipality or municipal entity- (a) must contain segments in the Schedule as required by regulation 4(1); (b) must accurately record all financial transactions and data in the applicable segment; and (c) may not contain data which is mapped or extrapolated or which otherwise does not reflect transactions recorded or measured by the municipality or municipal entity.	CFO	Manager: B & FP	
BFP.58	SCOA 5(2)	The financial or business applications or systems used by a municipality or municipal entity must- (a) provide for the hosting of the general ledger structured in accordance with the classification framework determined in terms of Regulation 4(2); (b) be capable of accommodating and operating the standard chart of accounts.	CFO	Manager: B & FP	

DIRECTORATE ENERGY SERVICES**DIRECTOR: ENERGY SERVICES**

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
DES.01		Oversees the business units 1. Operations and Maintenance and; 2. Planning and Development and ensures that they perform in accordance with their mandate.	MM	Director: ES	
DES.02	ERA 27(a)	Ensure the City complies with all technical and operational requirements for electricity networks determined by the Regulator	MM	Director: ES	
DES.03	ERA 27(b)	Ensure the City integrates its services with its integrated development plans	MM	Director: ES	
DES.04	ERA 27(c)	Prepare, implement and require the relevant plans and budgets	MM	Director: ES	
DES.05	ERA 27(d)	Progressively ensure access to at least basic reticulation services through appropriate investments in electricity infrastructure.	MM	Director: ES	
DES.06	ERA 27(e)	Ensure provision of basic reticulation services free of charge or at a minimum cost to certain classes of end-users within its available resources.	MM	Director: ES	
DES.07	ERA 27(f)	Ensure sustainable reticulation services through effective and efficient management and adherence to the national norms and standards contemplated in section 34 of this Act	MM	Director: ES	
DES.08	ERA 27(g)	Regularly report and provide information to the Department of Provincial and Local	MM	Director: ES	

		Government, the National Treasury, the Regulator and customers			
DES.09	ERA 27(h)	Ensure that the City executes its reticulation function in accordance with the relevant national energy policies.	MM	Director: ES	
DES.10	ERA 27(i)	Ensure that the City keeps separate financial statements, including balance sheet of the reticulation business.	MM	Director: ES	
DES.11	ERA 28(1)	Ensure that the City complies with Chapter 8 of the Municipal Systems Act, and this Act prior to entering into a service delivery with a provider	MM	Director: ES	
DES.12	ERA 28(2)	Ensure the City a service delivery agreement into by the City with an external service provider must comply with the Municipal Systems Act, the Municipal Finance Management Act and this Act.	MM	Director: ES	
DES.13	ERA: Electricity Regulation for Compulsory Norms and Standards for Reticulation Services.	Ensure that the City complies with ERA: Regulatory Rules for power purchase and cost recovery	MM	Director: ES	
DES.14	Electricity Pricing Policy	Ensure the City adopts and implements the Electricity Pricing Policy	MM	Director: ES	
DES.15	Free Basic Electricity Policy	Ensure City adopts and implements the Free Basic Electricity Policy	MM	Director: ES	

DES.16	Free Basic Alternative Energy	Ensure City adopts and implements Free Basic Alternative Energy Policy	MM	Director: ES	
DES.17		To approve the use of consulting engineers who have the necessary experience for the designing and installation of electrical networks in accordance with the stipulations of Section 118(2) of By-Laws of 1986, by township developers.	MM	Director: ES	
DES.18		To take over the electrical network of township developers on behalf of Council after it was inspected and found to adhere to all applicable specifications, requirements and laws.	MM	Director: ES	
DES.19		To approve plans/or draft designs as submitted by Town Developers, Design Engineers (own department and Consulting Engineers) in accordance with the appropriate founding stipulations for installation of electrical networks as well as the terms of Section 79(1) of Local Government Ordinance 17 of 1939, and Section 119(1) of the Ordinance 15 of 1996.	MM	Director: ES	
DES.20		To recommend the appointment of a Consulting Engineer according to Council Resolutions who possesses the necessary skills regarding the tasks that must be done, at guidelines tariff of fees as determined by the Engineering Council of South Africa (ECSA) and as published from time to time as a Board	MM	Director: ES	

		Notice in a Government Gazette provided that the necessary funds have been approved in accordance with Engineering Profession Act 46/2000 in terms of which Act the appointment of Consultants shall be done.			
DES.21		To be authorised to apply and renew Polokwane Municipalities Licence to distribute and sell electricity to communities/users in our area of jurisdiction, on behalf of Council with the NER	MM	Director: ES	
DES.22		To be authorised to apply for funds to do electrification projects in the Polokwane area of jurisdiction and behalf of Council with the NER.	MM	Director: ES	
DES.23		To be authorised by Council to do medium- and long-term planning and design of the electrical supply network in order to meet increased demand, reliability and Quality of Supply Requirements to ensure timeously renewal and replacement of equipment and plant which has reach the end of its economic life.	MM	Director: ES	

MANAGER ENERGY: OPERATIONS & MAINTENANCE

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
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EOM.01		To determine the connection costs for service connection.	Director: ES	Manager E: O & M	
EOM.02		To administer street lighting and to determine the locality and most effective method of street lighting	Director: ES	Manager E: O & M	
EOM.03		To exercise access control at substations and municipal premises where equipment for the distribution of electricity is kept	Director: ES	Manager E: O & M	
EOM.04		To decide on the most appropriate systems for the planning, control, safety management, operation and maintenance of electricity distribution services.	Director: ES	Manager E: O & M	
EOM.05		To exercise all the powers and duties of the Council as contained in contracts for the supply of electricity.	Director: ES	Manager E: O & M	
EOM.06		To decide on the placement and removal of infrastructure which is utilised for the supply of electricity.	Director: ES	Manager E: O & M	
EOM.07		To consider an application for a temporary supply of electricity and to specify any special conditions to be satisfied in such a case.	Director: ES	Manager E: O & M	
EOM.08		To authorise a person(s) to sell or supply electricity supplied to his / her premises under an agreement with the Municipality to any other person or persons for use on the same premises.	Director: ES	Manager E: O & M	

EOM.09		To seal and lock all apparatus belonging to the Municipality and remove such seals and locks.	Director: ES	Manager E: O & M	
EOM.10		To connect, or permit to connect any electrical installation or part thereof to the supply mains or service connection.	Director: ES	Manager E: O & M	
EOM.11		To examine, test, inspect and take over electrical installations and infrastructure after installation by the contractor.	Director: ES	Manager E: O & M	
EOM.12		To determine the requirements of the equipment to be provided by a consumer for a connection.	Director: ES	Manager E: O & M	
EOM.13		To in terms of the regulations make adjustments to the monetary value of an account of a consumer.	Director: ES	Manager E: O & M	This power is subject to the consumer's right to appeal in terms of section 62 of the Local Government Municipal Systems Act, 2000.
EOM.14		To test any installation to ensure that it complies with the necessary safety standards.	Director: ES	Manager E: O & M	
EOM.15		To determine the requirements in contracts in consultation with developers and to approve the designs.	Director: ES	Manager E: O & M	

EOM.16		To decide on the most appropriate systems for the planning, control, safety management, operation and maintenance of electricity distribution services and internal telecommunication services	Director: ES	Manager E: O & M	
EOM.17		To ensure that all legislation relating to electricity for the enforcement of which the Council is responsible is complied with	Director: ES	Manager E: O & M	
EOM.18		To enforce the Council's By-laws relating to electricity services	Director: ES	Manager E: O & M	
EOM.19		To exercise all the powers and, duties of the Council as lessee and lessor in terms of the provisions of agreements in regard to the supply of electricity, overhead and underground uses and encroachments	Director: ES	Manager E: O & M	
EOM.20		To decide on the placement and removal of infrastructure which is utilised for the supply of electricity and internal telecommunication services provided that the placement of substations and other infrastructure including the acquisition of land and servitudes, are excluded	Director: ES	Manager E: O & M	
EOM.21		To administer street lighting and to determine the locality and most effective method of street lighting	Director: ES	Manager E: O & M	
EOM.22		To be authorised by Council as to adhere to the stipulations of the Occupational Health and	Director: ES	Manager E: O & M	

		Safety Act, Act 85 of 1993 with regard to the 66kV and 11kV substations, distribution, reticulation, operating and maintenance of the total 66kV and 11kV Network including the 220v reticulation of buildings and plant that Council are responsible for.			
EOM.23		To be authorised by Council to operate and do maintenance under the Electrical Engineers Certificate of Competency to all substations, 66kV and 11kV distribution plant and reticulation plant and associated equipment, including 380V and 220V electrical systems/networks.	Director: ES	Manager E: O & M	
EOM.24		To be authorised by Council to cut-off power to consumers/users due to unsafe conditions, unauthorised used, tampering and/or non-payment for services on behalf of Council.	Director: ES	Manager E: O & M	

MANAGER: PLANNING AND DEVELOPMENT

Item No	Legislation	Power			Conditions of Delegation
PD.01		Determine the City electricity status quo	Director: ES	Manager: P & D	
PD.02		Determine the City's electricity needs	Director: ES	Manager: P & D	
PD.03		Develop City-wide electricity masterplan	Director: ES	Manager: P & D	
PD.04		Planning and development of electricity infrastructure projects	Director: ES	Manager: P & D	

PD.05		Ensures protection of electricity infrastructure under construction	Director: ES	Manager: P & D	
PD.06		Prepare business plans and project reports to, amongst others, secure funding	Director: ES	Manager: P & D	
PD.07		Approve preliminary and preliminary designs for electricity infrastructure projects.	Director: ES	Manager: P & D	
PD.08		Do project management on electricity projects	Director: ES	Manager: P & D	
PD.09		Quality assure electricity projects	Director: ES	Manager: P & D	
PD.10		Performs client relations services with regard to provision of electricity	Director: ES	Manager: P & D	
PD.11		Manage activities related to health and safety in the business unit.	Director: ES	Manager: P & D	
PD.12		Ensures training of the relevant officials on electricity matters and education of members of the public about electricity.	Director: ES	Manager: P & D	
PD.13		Ensures compliance legal and other requirements on all new projects.	Director: ES	Manager: P & D	
PD.14		To prescribe technical specifications for all materials for electrical engineering services to be used in the to be established townships in accordance of the Establishing Conditions with consideration to the geological earth formation in each separate case and safety requirements.	Director: ES	Manager: P & D	
PD.15		To be authorised by Council to do short-, medium and long-term load profiles and forecast as to investigate, design and implement special projects pertaining to the more efficient and better utilisation of	Director: ES	Manager: P & D	

		electrical energy with the resultant reduction or containment of electricity tariff increases. Examples, power factor correction on incoming supply, ripple control, ext.			
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DIRECTORATE: COMMUNITY SERVICES

DIRECTOR: COMMUNITY SERVICES

Item No	Legislation	Power	Delegating Authority	Delegated Authority	Condition of Delegation
COM.01		Oversees the business units 1. Sports and Recreation; 2. Cultural Services and; 3. Environmental Management; 4. Waste Management; and ensures that they perform in accordance with their mandate.	MM	Director: COMS	
COM.02		That in cases of emergency the Municipal Manager and the Director Community Services be authorised to order the fire brigade and ambulance to act outside the Municipal area.	MM	Director: COMS	
COM.03		Determine the duties and job specifications for posts in the Department.	MM	Director: COMS	
COM.04		Approve/refuse the allocation of graves to indigent families in terms of Council's policy	MM	Director: COMS	
COM.05		Purchase and/or receive donations of artefacts, paintings and other materials for	MM	Director: COMS	

		exhibition and displays at museums or galleries.			
COM.06		Approve or refuse productions in the theatre/s.	MM	Director: COMS	
COM.07		Adapt library hours under special circumstances	MM	Director: COMS	
COM.08		Approve/reject applications to use the municipal swimming pool free of charge for the purposes of exercising and coaching by local schools or acknowledged swimming clubs, subject to the Council's policy.	MM	Director: COMS	
COM.09		Approve/reject applications from local schools, sport clubs or organised groups for free use of recreational grounds or facilities in terms of approved policy.	MM	Director: COMS	
COM.10		Authorise persons and organisations who have the necessary permission to make use of the Council's picnic terrains, to erect tents for their functions and to give permission that night-watchmen guard such tents overnight.	MM	Director: COMS	
COM.11		Approve/reject applications from local schools, sport clubs or organised groups for free use of recreational grounds or facilities in terms of approved policy.	MM	Director: COMS	
COM.12		Authorise persons and organisations who have the necessary permission to make use of the Council's picnic terrains, to erect tents for their functions and to give permission that night-watchmen guard such tents overnight.	MM	Director: COMS	
COM.13		Approve/reject ad hoc applications to hire or lend Council equipment to local schools,	MM	Director: COMS	

		churches, welfare organisations and/or any other organisation as determined by the Manager: Sports, Arts, Culture and Recreation			
COM.14		Authorise the use of Council property or goods, or the removal of such from the Council's premises for performance of official duties.	MM	Director: COMS	
COM.15		Blacklist individuals, schools or organisations from utilising Sport Recreation Arts and Culture facilities due to vandalism and damage caused to Council property.	MM	Director: COMS	
COM.16		Approve the closing of parks in terms of the Ordinance.	MM	Director: COMS	
COM.17		Approve the closure of cemeteries in terms of applicable legislation and approved Council policy.	MM	Director: COMS	

MANAGER: SPORTS & RECREATION

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
SR.01		Plan, organise, direct, coordinate and promote sport and recreational activities	Director: COMS	Manager: S & R	
SR.02		Develop standard operating procedures in line with legislation	Director: COMS	Manager: S & R	
SR.03		Plan, organise, direct, coordinate and promote artistic and cultural policies, programmes, projects and services	Director: COMS	Manager: S & R	
SR.04		Ensure that sports and recreation facilities of the Municipality are well maintained	Director: COMS	Manager: S & R	

SR.05		Educate, exhibit, promote and conserve heritage sites	Director: COMS	Manager: S & R	
SR.06		To provide information to the public about programmes for sports, recreation, arts and culture	Director: COMS	Manager: S & R	
SR.07		Identify and develop policies and strategies that support sports and recreation	Director: COMS	Manager: S & R	
SR.08		Organise Municipality Wellness Games to build a healthy Municipality personnel, address social ills and to reduce conflict in the Municipality working environment.	Director: COMS	Manager: S & R	
SR.09		Ensure establishment of the Sports and Recreation Committee	Director: COMS	Manager: S & R	
SR.10		Consider applications to hold events at sports grounds, parks, gardens, recreation centres, swimming pools, nature reserves or nature study centres owned by the Municipality, subject to applicable Municipality policies.	Director: COMS	Manager: S & R	
SR.11		Insofar as it is practical to do so in the circumstances of each special event, to advertise or publicise such special events in order to promote the facilities provided by the Municipality and the image of the Municipality as an attractive and desirable area for business and/or residential purposes and investment.	Director: COMS	Manager: S & R	
SR.12		To recommend hours of opening and closing at various service points for libraries vesting in the Municipality and controlled by the Municipality.	Director: COMS	Manager: S & R	
SR.13		To determine the times and dates when swimming pools will be open for the public as	Director: COMS	Manager: S & R	

		well as the conditions for entry in terms of a By-law relating to swimming pools			
SR.14		To close swimming pools for a specific time or purpose in terms of the provisions of a By-law relating to swimming pools	Director: COMS	Manager: S & R	
SR.15		To grant permission for the erection of temporary and permanent advertisement boards at the various sport facilities in accordance with the sport policy.	Director: COMS	Manager: S & R	
SR.16		To take control of all contracts concluded by Council for Sport and Recreation Services and to supervise it.	Director: COMS	Manager: S & R	
SR.17		To consider applications and grant permission for motor car rallies to be held at the sport facilities of the Municipality, subject to the approval of Manager Traffic Services and any conditions which may be prescribed.	Director: COMS	Manager: S & R	
SR.18		To grant permission for the presentation of swimming galas in a Municipal swimming pool in accordance with the Council's policy.	Director: COMS	Manager: S & R	
SR.19		To close the swimming pool without prior notice during April and on days during the swimming season when weather conditions are unfavourable.	Director: COMS	Manager: S & R	
SR.20		To determine the swimming pool hours of the different swimming pools according to his discretion, after taking into consideration the	Director: COMS	Manager: S & R	

		needs of the community as well as the fixed minimum/maximum working hours.			
SR.21		To, in collaboration with the Manager: Secretariat & Legal Services, enter into lease agreements on behalf of the Council where the Show Ground is leased to organisations, churches, individuals etc.	Director: COMS	Manager: S & R	
SR.22		To close sport facilities, community halls and swimming pools for the public when it is necessary to do maintenance work at these facilities.	Director: COMS	Manager: S & R	
SR.23		To determine variable shifts or flexi-time for personnel working in the unit, with the aim of usage of access to facilities by the public after normal working hours, subject to working the minimum working hours prescribed in terms of legislation and that the conditions of service are not affected.	Director: COMS	Manager: S & R	

MANAGER CULTURAL SERVICES

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
CUL.01		To allow or to disallow access to libraries in terms of the Library By-Law or policy	Director: COMS	Manager: CS	
		To allow or disallow the registration of a borrower or visitor to the library in terms of the Library By-Laws or policy	Director: COMS	Manager: CS	

CUL.02		To authorize or disallow the use of group activity venues in terms of the Library By-Laws or policy	Director: COMS	Manager: CS	
CUL.03		To allow or to disallow access to libraries in terms of the Library By-Law or policy	Director: COMS	Manager: CS	
CUL.04		To allow or disallow the registration of a borrower or visitor to the library in terms of the Library By-Laws or policy.	Director: COMS	Manager: CS	
CUL.05		To impose conditions in regard to the borrowing or return of library material in terms of the Library By-Laws or policy	Director: COMS	Manager: CS	
CUL.06		To determine the number of library material and periods for which it may be borrowed in terms of the Library By-Laws or policy	Director: COMS	Manager: CS	
CUL.07		To render cultural-/library-/museum services to residents and visitors of Polokwane within the framework of existing legislation and Municipal By-Laws.	Director: COMS	Manager: CS	
CUL.08		To execute in general all the activities and duties imposed on and applicable to the cultural SBU in terms of the National Heritage Resources Act 25/1999 and the Northern Province Library and Information Services Act 7/2001.	Director: COMS	Manager: CS	

CUL.09		To administer and implement the Council's Standard Library By-Laws (Local Authority Notice 437, 30 January 1991); to administer Council's Standard By-Laws and tariff structure on the Ethnological Museum (29/01/1986).	Director: COMS	Manager: CS	
CUL.10		To determine the library hours of the different libraries according to his discretion, after taking into consideration the needs of the community as well as the fixed minimum/maximum hours.	Director: COMS	Manager: CS	
CUL.11		To temporarily close a library, after due consideration of justifiable statistics, for the use of such a library during low seasonal peaks provided that, in the instance of such temporary closure, staff be allocated to other libraries where they are needed.	Director: COMS	Manager: CS	
CUL.12		To determine variable shifts for personnel working in the unit (especially library- and museum personnel) with the aim of usage/access to facilities by the public after normal working hours and during certain hours on a Saturday, subject to working the minimum working hours prescribed in terms of legislation and that the conditions of service are not affected	Director: COMS	Manager: CS	
CUL.13		To determine and vary the hours of the official opening of various libraries based on statistics of usage during the summer and winter as well as taking the safety of personnel into	Director: COMS	Manager: CS	

		consideration and the availability of public transport (during closure in the evenings), subject to working of minimum prescribed hours per month; to grant time for exhibition openings to take place in the Art Museum.			
CUL.14		To close the museums and/or libraries for a maximum of 3 working days during December to enable such personnel who work shifts according to a timetable, to spend time with their families, such closure shall however, be subject to the following conditions: that the envisaged closure be advertised at least one month prior to such closure, and that unless otherwise decided by Council, application for vacation leave during working days be applied for.	Director: COMS	Manager: CS	
CUL.15		To accept donations intended for the use of the museums and libraries and to sign as beneficiary for an on behalf of Council for the acceptance of such donations and to administer such in terms of current legislation.	Director: COMS	Manager: CS	
CUL.16		To make available the Library Auditorium free of charge to all the 'institutions, organisations, associations or clubs' as set out in Section 16 of the Ordinance, 17 of 1939 upon written application for such institution, organisation, association or club, provided that the intended use of the halls fall between Monday to Thursday.	Director: COMS	Manager: CS	

CUL.17		In terms of the provisions of the Library By-Laws (30 January 1991), to approve or refuse applications to lease the Library Auditorium.	Director: COMS	Manager: CS	
CUL.18		To put the Library Auditorium at the disposal of other directorates/business units of the Council, provided that they are not otherwise occupied or hired out.	Director: COMS	Manager: CS	
CUL.19		To enter into partnership agreements with other library-/information-/museum services, NGO's or similar institutions To conclude applications for the distribution of rag magazines and similar publications within Municipal jurisdiction.	Director: COMS	Manager: CS	

MANAGER: ENVIRONMENTAL MANAGEMENT

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
ENV.	NEMA 1998	Monitor compliance with the Act and regulations, in particular, environmental impact assessment regulations	Director: COMS	Manager: EM	
ENV.01	NEMAQA 7(3)	Ensure that the Municipality gives effect to the National Framework when exercising a power or performing a duty in terms of this Act or any other legislation regulating air quality management	Director: COMS	Manager: EM	
ENV.02	NEMAQA 8(a)	Ensure that the Municipality monitors ambient air quality and point, non-point mobile source emissions.	Director: COMS	Manager: EM	

ENV.03	NEMAQA 14(3)	Designated as Air Quality Officer of the Municipality responsible for coordinating matters pertaining to air quality management in the area of jurisdiction of the Municipality	Director: COMS	Manager: EM	
ENV.04	NEMAQA 14(4)	(a) Must perform the duties or exercise the powers assigned or delegated in terms of this Act. (b) May delegate a power or assign a duty to an official in the Environmental Management Unit	Director: COMS	Manager: EM	
ENV.05	NEMAQA 14(4)	Coordinate his/her activities in such a manner as may set out in the national framework or prescribed by the Minister responsible for environmental affairs.	Director: COMS	Manager: EM	
ENV.06	NEMAQA 15(2)	Ensure that the Municipality's air quality management plan is included in the Municipality's Integrated Development Plan contemplated in Chapter 5 of the Municipal Systems Act	Director: COMS	Manager: EM	
ENV.07	NEMAQA 16	Ensure that the contents of the Municipality's air quality management plan comply with section 16 of this Act	Director: COMS	Manager: EM	
ENV.08	NEMAQA 17	Ensure that the annual report submitted in terms of section 16(1)(b) of the NEMA 1998 contains information on the Municipality's implementation of its air quality management plan, including information on- (a) Air quality management initiatives undertaken by it during the reporting period; (b) The level of its compliance with ambient air quality standards;	Director: COMS	Manager: EM	

		(c) Measures taken by it secure compliance with those standards; (d) Its compliance with any area of air quality management plans applicable to it; and (e) Its air quality monitoring activities.			
ENV.09	NEMAQA 30	May require any person to submit an atmospheric impact report in a prescribed form if- (a) the air quality officer suspects that the person has on one or more occasions contravened or failed to comply with this Act or any conditions of a licence and that such contravention or failure has had or may have, a detrimental effect on the environment, including health, social conditions, economic conditions, ecological conditions or cultural heritage, or has contributed to the degradation of ambient air quality; (b) a review of a provisional atmospheric licence is undertaken in terms of section 45.	Director: COMS	Manager: EM	
ENV.10	NEMAQA 31	May establish a programme for public recognition of significant achievements in the area of pollution prevention	Director: COMS	Manager: EM	
ENV.11		Ensure environmental education and awareness of the councillors, officials and members of the public by organising workshops etc. for that purpose	Director: COMS	Manager: EM	
ENV.12		Ensure development of by-laws for management of environmental impacts.	Director: COMS	Manager: EM	

ENV.13		Ensures that the City adopts and implements air pollution by-laws	Director: COMS	Manager: EM	
ENV.14		Ensure compliance with the relevant Regulations, Norms and Standards, Policies and Strategies in terms of this Act, including: National Dust Control Regulations	Director: COMS	Manager: EM	
ENV.15	ECA 25	Ensure that the City is authorised to implement the Noise Control Regulations, implements the regulations and develops and implements the bylaws relating to noise control. (Government Notice R155 in Government Gazette 13717/10 January 1992)	Director: COMS	Manager: EM	
ENV.16	NHA 68(1)(b) read with section 90(4)(c) Regulations relating to Management of Human Remains	Ensure that the City complies with the Regulations, in particular Regulation 15 burials and burial sites and Regulation 16 on disposal of human remains by cremation.	Director: COMS	Manager: EM	
ENV.17		The granting, or not, of grazing rights on town land in accordance with the Council's policy.	Director: COMS	Manager: EM	
ENV.18		Selling of thatching grass and reeds.	Director: COMS	Manager: EM	
ENV.19		To arrange for the removal of street trees when he is of the opinion that such measure is necessary in the interest of safety of people, animals and property.	Director: COMS	Manager: EM	

ENV.20		To develop, administer and maintain parks, gardens and open spaces within the jurisdictional area of the Municipality.	Director: COMS	Manager: EM	
ENV.21		The selling of farm products e.g. lucern etc, at predetermined prices and if the quality does not justify it, to sell at lower prices with the approval of the Municipal Manager in which case a report must be submitted to Council.	Director: COMS	Manager: EM	
ENV.22		To manage and advise on the preservation and protection of nature, ecological factors and the environment of Polokwane Municipality jurisdictional area.	Director: COMS	Manager: EM	
ENV.23		To implement and manage the Integrated Waste Management Plan as adopted by the Council.			

MANAGER: WASTE MANAGEMENT

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
WM.	NEMWA 7	Ensure that the City gives effect to the national waste management strategy when exercising a power or performing a duty in terms of this Act or any other legislation regulating waste management.	Director: COMS	Manager: WM	
WM.01	NEMWA 9(1)	Ensure that the City exercises its executive authority to deliver waste management services, including waste removal, waste storage and waste disposal services, in a	Director: COMS	Manager: WM	

		manner that does not conflict with section 7 or 8 of this Act.			
WM.02	NEMWA 9(2)	Ensure that the City exercises its executive authority and performs its duty in relation to waste services, including waste collection, waste storage and waste disposal services by (a) Adhering to all national and provincial norms and standards; (b) Integrating its waste management plans with its integrated development plans; (c) providing access for all to such services; (d) Providing such services at an affordable price, in line with its tariff policy referred to in Chapter 8 of the Municipal Systems Act; (e) providing sustainable services through effective and efficient management; (f) Keeping separate financial statements prepared by the Municipality's Finance) Department, including a balance sheet of the services provided.	Director: COMS	Manager: WM	
WM.03	NEMWA 9(3)(a)	Develop local standards for the separation, compacting and storage of solid waste that is collected as part of the municipal service or that is disposed of at a municipal disposal facility;	Director: COMS	Manager: WM	
WM.04	NEMWA 9(3)(b)	Develop the local standards for the management of solid waste that is disposed of by the City, including requirements in respect	Director: COMS	Manager: WM	

		of the avoidance and minimisation of the generation of waste and the reuse, recycling and recovery of solid waste;			
WM.05	NEMWA 9(3)(c)	Develop local standards in respect of directing of solid waste that is collected as part of the municipal service or that is disposed of by the City or at the City waste disposal facility to specific waste treatment and disposal facilities;	Director: COMS	Manager: WM	
WM.06	NEMWA 9(3)(d)	Develop local standards in respect of the control of litter	Director: COMS	Manager: WM	
WM.07	NEMWA 10(3)	Is designated as the waste management officer of the City and is responsible for coordinating matters pertaining to waste management in the City.	Director: COMS	Manager: WM	
WM.08	NEMWA 10(4)	A power delegated or duty assigned to a waste management officer by virtue of subsection (3) may be sub-delegated or further assigned by that officer to another official in the service of the same administration, subject to such limitations or conditions as may be determined by the City.	Director: COMS	Manager: WM	
WM.09	NEMWA 10(5)	Must coordinate his/her waste management activities with those other waste management activities in the manner set out in the national waste management strategy established in terms of section 6 or determined by the Minister by notice in the <i>Government Gazette</i> .	Director: COMS	Manager: WM	
WM.10	NEMWA 11(4)	Ensure submission of the City's integrated waste management plan to the MEC for endorsement and include the endorsed integrated waste management plan in the	Director: COMS	Manager: WM	

		City's integrated development plan contemplated in the Municipal Systems Act.			
WM.11	NEMWA 11(6)	Must ensure that the City's integrated waste management plan is coordinated and aligned with plans, strategies and programmes of the Department and the provincial department responsible for environmental affairs.	Director: COMS	Manager: WM	
WM.12	NEMWA 12	Ensure that the City's integrated waste management plan complies with the requirements of section 12 of the Act.	Director: COMS	Manager: WM	
WM.13	NEMWA 13	Ensure that the annual report prepared in terms of section 46 of the Municipal Systems Act contains information on the implementation of the City's integrated waste management plan, including the information set out in paragraphs (a) to (j) of subsection (2) in so far as it relates to the City's performance.	Director: COMS	Manager: WM	
WM.14	NEMWA 23(1)	Ensures that waste collection services of the City are subject to- (a) The need for an equitable allocation of such services to all people in the area of jurisdiction of the City; (b) The obligation of persons utilising the service to pay any applicable charges; (c) The right of the City to limit the provision of general waste collection services if there is failure to comply with reasonable conditions set for the provision of such services, but where the City action to limit the provision of services, the limitation must not pose	Director: COMS	Manager: WM	

		a risk to health and the environment; and (d) The right of the City to differentiate between categories of users and geographical areas when setting service standards and levels of service for provision of municipal services			
WM.15	NEMWA 23(2)	Ensure that the City, subject to this Act, and as far as is reasonably possible, provides containers or receptacles for the collection of recyclable waste that are accessible to the public.	Director: COMS	Manager: WM	
WM.16	NEMWA 63	Ensure that the City provides information in terms of section 63 of this Act	Director: COMS	Manager: WM	
WM.17	Regulations, strategies, policies, norms and standards	Ensure that the City, within its available financial resources, complies with the applicable regulations, strategies, policies and norms and standards, including: (a) National Policy for provision of basic refuse removal for indigent households 2011; (b) National Waste Collection Standards 2011; (c) National Waste Management Strategy 2012; (d) Waste Classification and Waste Management Regulations 2013; (e) National Norms and Standards for Assessment of Waste for Landfill Disposal 2013;	Director: COMS	Manager: WM	

W/M.18	Bylaws	Ensure that the City implements the waste bylaws and reviews such bylaws when necessary	Director: COMS	Manager: WM	
W/M.19		To grant authority for the placement of containers for the recycling of glass, paper, metals etc.	Director: COMS	Manager: WM	
W/M.20		To arrange that waste etc. be removed at the cost of the owner if the owner fails to comply	Director: COMS	Manager: WM	
W/M.21		To grant or refuse applications to erect structures, shelters or any other thing in or at any amenity	Director: COMS	Manager: WM	
W/M.22		To approve or refuse containers in parks for caravans and mobile homes	Director: COMS	Manager: WM	
W/M.23		To determine the days, times and conditions for access to refuse facilities	Director: COMS	Manager: WM	
W/M.24		To prohibit the dumping of toxic material in, at or on refuse facilities	Director: COMS	Manager: WM	
W/M.25		To grant permission for the removal of materials from refuse facilities and to determine such conditions as may be deemed necessary in terms of the Waste License	Director: COMS	Manager: WM	

DIRECTORATE: ROADS AND TRANSPORTATION SERVICES

DIRECTOR: ROADS AND TRANSPORTATION SERVICES

Item No	Legislation	Power	Delegating Authority	Delegated Body	Condition of Delegation
RT.01		Oversees the business units 1. Planning and Operations 2. Intelligent Transport Systems Modelling; 3. Public Transport Regulation and Monitoring and; 4. Public Transport Infrastructure Development; and ensures that they perform in accordance with their mandate.	MM	Director: R & TS	
RT.02		Consider, refuse or approve applications for approval to erect freestanding advertisement signboards, slat fences as determined in the Council's Advertisement By-Laws, as well as direction boards, subject to the policy of the Council.	MM	Director: R & TS	
RT.03		Conclude applications for the erection of temporary or permanent advertisement signboards, notice boards and posters in terms of the policy and By-Laws of the Council on Advertising. Arrange the temporary closing of streets or public places in case of flood damage or any other emergency, in terms of section 66 of Local Government Ordinance, 17 of 1939, if the Director: Technical Services should regard it in the best interest of the public.	MM	Director: R & TS	

RT.04		Approve or refuse proposed roads schemes of township developers, in terms of the Conditions of establishment of townships and when completed to take such schemes over, on behalf of the Council.	MM	Director: R & TS	
RT.05		After having given such notice as he/she may deem necessary, close temporarily for all traffic, any street, road or thoroughfare vested in the Council or divert temporarily such street, road or thoroughfare for purposes of maintenance, reparation, construction or other such work to the street, road or thoroughfare or services therein or thereunder.	MM	Director: R & TS	
RT.06		Approve the control of road traffic engineering.	MM	Director: R & TS	
RT.07		Approve the take-over of roads infrastructure in townships where endowment fees are paid, on behalf of the municipality, when the conditions of establishment have been complied with.	MM	Director: R & TS	
RT.08		Determine if it is impractical for storm-water to be drained from an erf directly adjacent to a public street.	MM	Director: R & TS	
RT.09		Exercise the following functions in respect roads, which are entrusted to the exercise by means of the conditions of establishment, namely: (a) To request the township	MM	Director: R & TS	

		owner to submit a scheme in broad outline as well as a detailed scheme; (b) To approve the civil engineers who will be responsible for the drafting of the scheme concerned and the execution thereof; (c) To approve or disapprove the scheme in broad outline as well as the detailed scheme; (d) To approve or disapprove the execution of the work in accordance with the scheme.			
RT.10		Require from township owner to submit reports, plans and specifications of the engineering services for which he is responsible, and to approve the installation and supply of the services.	MM	Director: R & TS	
RT.11		Approve or refuse the appointment of a civil engineer whose service will be utilised by a township developer, in terms of the conditions of establishment of any township.	MM	Director: R & TS	
RT.12		Accept and sign loss agreements regarding insurance claims in the Directorate on behalf of the Municipality.	MM	Director: R & TS	
RT.13		To on behalf of the Council take over the roads and storm water networks from township	MM	Director: R & TS	

		developers after it was inspected and found to adhere to all applicable specifications, requirements and laws.			
RT.14		To approve plans/or draft designs as submitted by Town Developers, Design Engineers (own department and Consulting Engineers) in accordance with the appropriate founding specifications for roads as well as the terms of section 79(1) of Local Government Ordinance 17 of 1939, and section 119(1) of the Local Government Ordinance 15 of 1986.	MM	Director: R & TS	

MANAGER: PLANNING AND OPERATIONS

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
PO.01		To control the dumping and accumulation of refuse and other material in streets, in terms of appropriate By-laws relating to street	Director: R & T	Manager: P & O	
PO.02		To determine and recover the costs to repair a damaged street surface, in terms of appropriate By-laws relating to streets	Director: R & T	Manager: P & O	
PO.03		To grant or reject applications to make excavations in streets and to determine such conditions as may be deemed necessary in terms of appropriate By-laws relating to streets	Director: R & T	Manager: P & O	

PO.04		To grant or reject applications to make or erect private entrances, crossings, etc. and to determine conditions in this regard, in terms of the provisions of appropriate By-laws relating to streets	Director: R & T	Manager: P & O		
PO.05		To decide on the most appropriate systems for the planning, control, management and maintenance of storm-water systems, flood control, rivers, dams, etc.	Director: R & T	Manager: P & O		
PO.06		To decide on the most appropriate systems for the planning, control, management and maintenance of roads, streets, sidewalks and parking areas	Director: R & T	Manager: P & O		
PO.07		To decide on the most appropriate systems for the planning, control, management and maintenance of intersections, bridges, transport interchanges etc.	Director: R & T	Manager: P & O		
PO.08		To approve and administer the permanent and temporary closure of roads, streets and sidewalks	Director: R & T	Manager: P & O	In consultation with the Manager Traffic and Licensing	
PO.09		To decide on the most appropriate selection of road making materials. E.g. premix, block paving etc.	Director: R & T	Manager: P & O		
PO.10		To grant or refuse applications for the construction of sidewalks and to determine such conditions as may be deemed necessary	Director: R & T	Manager: P & O		

		in terms of appropriate By- laws relating to streets			
PO.11		To control plants in or over streets in terms of appropriate by-laws relating to streets	Director: R & T	Manager: P & O	
PO.12		To decide. on the most appropriate systems for the planning, control, safety management and maintenance of transport service	Director: R & T	Manager: P & O	
PO.13		To order an owner / occupier of land to remove an object on such land which obscures a road traffic sign and, at failure to comply, to arrange for such removal in terms of road traffic legislation	Director: R & T	Manager: P & O	

MANAGER: INTELLIGENT TRANSPORT SYSTEMS MODELLING

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
INTS.01	NLTA 11(1)(c)(xxvi i)	Developing and managing intelligent transport systems in a prescribed manner	Director: R & T	Manager: INTS	
INTS.02		Provide an integrated transport system	Director: R & T	Manager: INTS	
INTS.03		Integrate incident management systems together with traveller information	Director: R & T	Manager: INTS	
INTS.04		Provide parking management in the City's central business district	Director: R & T	Manager: INTS	

INTS.05		Link major nodal points	Director: R & T	Manager: INTS	
INTS.06		Manage and control the transport system during major events	Director: R & T	Manager: INTS	
INTS.07		Integrate urban traffic control with advanced public transport management services	Director: R & T	Manager: INTS	
INTS.08		Integrate dispatch software of emergency services	Director: R & T	Manager: INTS	
INTS.09		Manage and control freight transport on the City's road network	Director: R & T	Manager: INTS	
INTS.10		Provide electronic payment system for public transport as a one card payment method	Director: R & T	Manager: INTS	
INTS.11		Increase the frequency of public transport	Director: R & T	Manager: INTS	
INTS.12		Increase the safety of public transport	Director: R & T	Manager: INTS	
INTS.13		Improve travel times	Director: R & T	Manager: INTS	
INTS.14		Reduce traffic congestion	Director: R & T	Manager: INTS	
INTS.15		Link current call and operation centres	Director: R & T	Manager: INTS	
INTS.16		Control the transport network from a centralised control centre.	Director: R & T	Manager: INTS	

MANAGER: PUBLIC TRANSPORT REGULATION & MONITORING

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
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PTR.01	NLTA 11(1)(c)(i)	Development of land transport policy and strategy	Director: R & T	Manager: PTRM	
PTR.02	NLTA 11(1)(c)(ii)	Promulgation of bylaws and conclusion of the relevant agreements	Director: R & T	Manager: PTRM	
PTR.03	NLTA 11(1)(c)(iii)	Ensure coordination between departments and agencies in the municipal sphere with responsibilities that impact on transport and land use	Director: R & T	Manager: PTRM	
PTR.04	NLTA 11(1)(c)(iv)	Prepare transport plans	Director: R & T	Manager: PTRM	
PTR.05	NLTA 11(1)(c)(v)	Financial planning with regard to land transport	Director: R & T	Manager: PTRM	
PTR.06	NLTA 11(1)(c)(vi)	Management of movement of persons and goods	Director: R & T	Manager: PTRM	
PTR.07	NLTA 11(1)(c)(vii)	Encourage and promote optimal use of available transport modes	Director: R & T	Manager: PTRM	
PTR.08	NLTA 11(1)(c)(viii)	Developing implementing, measuring and monitoring a strategy to prevent, minimise or reduce any adverse impacts of the land transport system on the environment in the City's area of jurisdiction.	Director: R & T	Manager: PTRM	
PTR.09	NLTA 11(1)(c)(ix)	Developing, operating and maintaining land transport information system	Director: R & T	Manager: PTRM	
PTR.10	NLTA 11(1)(c)(x)	Encourage, promote and facilitate public consultation and participation in the planning, regulation and implementation of public	Director: R & T	Manager: PTRM	

		transport, and applying the requirements of the Systems Act in that regard.			
PTR.11	NLTA 11(1)(c)(xi)	Marketing and promoting public transport and promoting publicity associated with the public transport system	Director: R & T	Manager: PTRM	
PTR.12	NLTA 11(1)(c)(xii)	Providing information to the users or potential users of public transport	Director: R & T	Manager: PTRM	
PTR.13	NLTA 11(1)(c)(xiii)	Promoting safety and security in public transport	Director: R & T	Manager: PTRM	
PTR.14	NLTA 11(1)(c)(xiv)	Ensuring there is provision for needs of special categories of passengers in the planning and providing public transport infrastructure facilities and services to meet their needs, in so far as possible by the system provided for mainstream public transport.	Director: R & T	Manager: PTRM	
PTR.15	NLTA 11(1)(c)(xv)	Liaising on a continuous basis with the South African Police Service, Road Traffic Management Cooperation, the relevant municipal law enforcement authorities or agencies, and the inspectors appointed under the Cross Border Act, with a view to ensure coordinated transport law within its area.	Director: R & T	Manager: PTRM	
PTR.16	NLTA 11(1)(c)(xvi)	Applying traffic management techniques aimed at improving road traffic movement	Director: R & T	Manager: PTRM	
PTR.17	NLTA 11(1)(c)(xvii)	Undertaking functions relating municipal roads, as well as measures to limit damage to the road system	Director: R & T	Manager: PTRM	

PTR.18	NLTA 11(1)(c)(xviii))	The planning, implementation and management of modally integrated public transport networks and travel corridors for transport within the municipal area and liaising in that regard with the neighbouring municipalities	Director: R & T	Manager: PTRM	
PTR.19	NLTA 11(1)(c)(xix)	In relation to planning functions contemplated in paragraph (iv) include service level planning for passenger rail on a corridor network basis in consultation with the South African Rail Commuter Corporation	Director: R & T	Manager: PTRM	
PTR.20	NLTA 11(1)(c)(xx)	Introducing, establishing and assisting in or encouraging and facilitating the establishment of integrated ticketing systems, the managing thereof including through-ticketing and determining measures for the regulation and control of revenue-sharing among operators involved in those systems	Director: R & T	Manager: PTRM	
PTR.21	NLTA 11(1)(c)(xxi)	Subject to the standards set by the Minister under section 5(5), if any, set standards for interoperability between fare collection and ticketing systems within the area of jurisdiction of the City	Director: R & T	Manager: PTRM	
PTR.22	NLTA 11(1)(c)(xxii)	Formulating and apply travel demand management measures for the area of jurisdiction of the City	Director: R & T	Manager: PTRM	

PTR.23	NLTA 11(1)(c)(xxiii))	In the case of gross cost contracts for subsidised services, determining fare structures and fare levels and periodically adjusting fares after publishing the proposed adjustment for public comment	Director: R & T	Manager: PTRM	
PTR.24	NLTA 11(1)(c)(xxiv))	Recommending concessionary fares for special categories of passengers in a prescribed manner	Director: R & T	Manager: PTRM	
PTR.25	NLTA 11(1)(c)(xxv)	Exercising control over service delivery through- (i) The setting of operational and technical standards and monitoring compliance therewith; and (ii) the monitoring of contracts and concessions.	Director: R & T	Manager: PTRM	
PTR.26	NLTA 11(1)(c)(xxvi))	Ensuring conclusion of subsidised service contract, commercial service contracts, and negotiated contracts contemplated in section 41(1) with the operators for services within their areas.	Director: R & T	Manager: PTRM	
PTR.27	NLTA 11(1)(c)(xxvi) ii)	Performing other functions of municipalities in terms of this Act.	Director: R & T	Manager: PTRM	

MANAGER: PUBLIC TRANSPORT INFRASTRUCTURE DEVELOPMENT

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
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PTI.01		Develop roads infrastructure improvement plan	Director: R & T	Manager: PTID	
PTI.02		Construction of all classes of roads, bridges and associated storm-water, non-motorised infrastructure such as sidewalks, cycle tracks and traffic control equipment	Director: R & T	Manager: PTID	
PTI.03		Develop congestion relief projects	Director: R & T	Manager: PTID	
PTI.04		Provision of new public transport facilities and upgrading of existing facilities needed to accommodate the growing demand of public transport users, to improve accessibility and create a safe and dignified environment for commuters	Director: R & T	Manager: PTID	
PTI.05		Development of roads infrastructure for the City's Bus Rapid Transport	Director: R & T	Manager: PTID	
PTI.06		Construct passenger facilities, dedicated rights of way and off-street facilities such as terminals and depots.	Director: R & T	Manager: PTID	
PTI.07		Undertake localised improvements for pedestrian signs such as pedestrian only signs and street lighting along key routes.	Director: R & T	Manager: PTID	
PTI.08		improvement of lighting at all public transport facilities in order to improve safety of commuters at night	Director: R & T	Manager: PTID	

DIRECTORATE: PUBLIC SAFETY

DIRECTOR: PUBLIC SAFETY

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
PS.01		Oversees the business units Traffic and Licensing; By-law enforcement and Security; Disaster Management and; Environmental Health; and ensures that they perform in accordance with their mandate.	MM	Director: PS	
PS.02		That the appointment of Law Enforcement Officers for the purposes described in section 334 of the Criminal Procedures Act, 51/1977, read with Government Notice R210 of 19 February 2002, be delegated to the Director Community Services, subject thereto that the Manager concerned be consulted and that the official has successfully completed the examination for Law Enforcement Officers.	MM	Director: PS	
PS.03		That the Director Community Services be authorized to obtain fingerprints from employees of the Municipality in terms of Section 334 of the Criminal Procedures Act, 51/1977, for appointment as peace officers and for the issuing of fire arms under the Fire Arms Act 60/2000.	MM	Director: PS	

PS.04		S/He is also entrusted with the power to appoint peace officers and for issuing firearms under the Fire Arms Act.	MM	Director: PS	
PS.05		Grant the practising powers in terms of various Acts and notices (Criminal Procedure Act, 51 of 1977) to relevant security personnel: - (a) Apprehension in order to carry out warrants; (b) To issue instant summonses and spot fines; (c) To obtain the name and address of an offender and on refusal to supply same, the power of arrest without a warrant; (d) Apprehension without a warrant; (e) Searching; (f) The serving of summonses in criminal lawsuits.	MM	Director: PS	Subject to Council approval
PS.06		Grant approval for the attendance of training courses by Traffic Officials, Vehicle Examiners and Examiners of Drivers' Licenses, as well as other personnel to whom it may apply in terms of Council policy.	MM	Director: PS	
PS.07		Revoke the right to park next to a street and to place the prescribed traffic signs and markings.	MM	Director: PS	

PS.08		Consider, refuse or grant applications for motor rallies, go-cart races and to play musical instruments within the Council's area of jurisdiction, subject to any conditions that he/she may stipulate.	MM	Director: PS	
PS.09		Consider and finalise all applications to stage road runs, street processions, spring runs, relay races, etc., within the Polokwane Municipal Council area of jurisdiction, subject to the condition that the relevant applicants obtain permission from the Premier beforehand, should it be a prescribed requirement.	MM	Director: PS	
PS.10		Consider and finalise all applications to stage road runs, street processions, spring runs, relay races, etc., within the Polokwane Municipal Council area of jurisdiction, subject to the condition that the relevant applicants obtain permission from the Premier beforehand, should it be a prescribed requirement.	MM	Director: PS	
PS.11		Execute the powers in respect of abandoned vehicles in terms of section 114 of the Road Traffic Act, 29 of 1989. Impose or revoke speed limits on all public roads within the Council's area of jurisdiction, with the exception of throughways, in terms of the provisions of section 85(1)(a), 85(4) and regulation 149(1) of the Road Traffic Act, 29 of	MM	Director: PS	

		1989, and to grant the authority to place or remove the applicable traffic signs and markings.			
PS.12		Declare street crossings or junctions as stop streets and to make arrangements for the placing of prescribed traffic signs and markings thereof, to refuse applications to erect stop streets and to revoke stop streets and to arrange for the associated removal of traffic signs and marks.	MM	Director: PS	
PS.13		Authorise performances by the Fire Brigade.	MM	Director: PS	
PS.14		Ensure that all requirements and prescriptions contained in the Firearms Control Act be complied with and specifically with reference to: (a) the training of employees; (b) the control and safe-keeping over firearms; (c) the firearms register; (d) the acquisition/disposal/licensing of firearms; (e) inspections; (f) liaison with the Registrar appointed in terms of the Act.	MM	Director: PS	
PS.15		Perform the functions, exercise the powers or discharge the duties of a responsible person in terms of the Act with regard to applications.	MM	Director: PS	

PS.15		Manage parking areas as well as to open or close other areas as approved by the Council, according to periodic demand.	MM	Director: PS	
PS.17		Determine the number and location of taxi parking lots within the Council's area of jurisdiction, and to determine the number of taxis that may operate within the Council area of jurisdiction as well as to determine permissible on and off-loading zones.	MM	Director: PS	
PS.18		Determine loading bays in streets and to erect and paint the necessary signs and markings. Authorise the erection and removal of all road traffic markings and signs not previously mentioned.	MM	Director: PS	
PS.19		Consider, refuse or approve applications for permission for the temporary erection of advertisement posters on Council property and the temporary erection of route indication boards and signs along roads and streets subject to the Council's policy.	MM	Director: PS	
PS.20		Perform the functions, exercise the powers or discharge the duties of a responsible person in terms of the Act with regard to applications for gatherings (marches).	MM	Director: PS	

PS.21		Deal with emergencies	MM	Director: PS	
PS.22		Conclude orders for the purchasing of library media, services or goods in terms of financial prescriptions.	MM	Director: PS	
PS.23		Implement all policies and legislative measures with regard to the provision of library and information services and all matters incidental thereto.	MM	Director: PS	
PS.24		Approve or reject departmental applications to supply shrubs and to provide plant decorations at official functions.	MM	Director: PS	
PS.25		Approve/reject applications for the donation of shrubs and trees to schools and churches by means of a maximum non-recurrent donation, subject to the availability of plants.	MM	Director: PS	
PS.26		Revoke the right to park next to a street and to place the prescribed traffic signs and markings.	MM	Director: PS	
PS.27		Render assistance free of charge to any other local government in cases of emergency, if the nature and extent thereof is beyond the control of the relevant local government's emergency service sections and on request taking the local requirements at a specific point of time into account, supply men, fire brigade equipment and ambulances without	MM	Director: PS	

		delay to any local government in cases of the aforementioned nature, as resolved by the Council from time to time and in the best interest of Council.			
PS.28		Authorise the redeployment of movable resources e.g. fire tenders, vehicles, etc. within the Polokwane Municipal Council area where such resources are critically needed, with due regard to the needs of the administrative unit from where such resources must be re-deployed.	MM	Director: PS	
PS.29		Authorise, in conjunction with the Director: Planning and Development, the demolition of structures and the removal thereof at the owners' cost for which building plans have not been approved.	MM	Director: PS	
PS.30		Authorise the use of Council property or goods, or the removal of such from the Council's premises for performance of the official duties.	MM	Director: PS	
PS.31		Consider and conclude applications for helicopter landing areas.	MM	Director: PS	
PS.32		Grant authorisation for the erection of shelters for passengers and the removal thereof at public transport stops, if and when necessary, from a traffic perspective.	MM	Director: PS	

PS.33		Implement the Council's policy regarding loss of or damage to Council property. To promptly investigate all cases of Council property theft when notified thereof and that the investigating official as well as the relevant official who was responsible for the stolen property, lay a charge of theft at the South African Police Service and that the investigating official and the relevant Department/Section are kept informed of progress made and/or are informed of the outcome of the investigation.	MM	Director: PS	
PS.34		Apply access control at Council premises in terms of the Control of Access to Public Premises and Vehicles Act, 1985.	MM	Director: PS	
PS.35		Consider, approve or refuse applications of exemption for the transport of abnormal loads within the area of jurisdiction of the Polokwane Municipal Council if the Director: Technical Services is of opinion that all roads, bridges and structures next to a particular route will be able to bear the axial load of the particular vehicles	MM	Director: PS	
PS.36		Consider, approve or refuse applications of exemption for the transport of abnormal loads within the area of jurisdiction of the Polokwane Municipal Council if the Director: Technical Services is of opinion that all roads, bridges and structures next to a particular route will be	MM	Director: PS	

		able to bear the axial load of the particular vehicles.			
PS.37		Act in terms of the provisions of the Fire Brigade Services Act, 99 of 1987, where such action has not been reserved for the Chief Fire Services.	MM	Director: PS	
PS.38		Impose or revoke speed limits on all public roads within the Council's area of jurisdiction, with the exception of thoroughways, in terms of the provisions of section 85(1)(a), 85(4) and Regulation 149(1) of the Road Traffic Act, 29 of 1989, and to grant the authority to place or remove the applicable signs and markings.	MM	Director: PS	
PS.39		Consider and finalise all applications for public driving licences that are received in terms of section 89(1) of the Road Traffic Ordinance, 21 of 1966, as amended, and in respect thereof that no unfavourable police reports in terms of section 90(3) of the said Ordinance were submitted, in accordance with the Council's resolution as amended from time to time. In appropriate circumstances exempt applications from the liability to pay fees for the erection of such advertisement posters.	MM	Director: PS	
PS.40		Take appropriate steps, which are within the power of Council, for the protection of Councillors, officials and property of the Council as envisaged in section 57 of the Local Government (Administration and Elections) Ordinance, 1960.	MM	Director: PS	

PS.41		Consider and finalise all applications for public driving licences that are received in terms of section 89(1) of the Road Traffic Ordinance, 21 of 1966, as amended, and in respect thereof that no unfavourable police reports in terms of section 90(3) of the said Ordinance were submitted, in accordance with the Council's resolution as amended from time to time. In appropriate circumstances exempt applications from the liability to pay fees for the erection of such advertisement posters.	MM	Director: PS	
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MANAGER: TRAFFIC AND LICENSING

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
TL.01	NRTA	To advise the Director: Public Safety regarding the permanent closure of streets, sidewalks and roads	Director: PS	Manager: T & L	Upon Manager conducting applicable assessment to the road condition, alternative routes and hindrances for ultimate road safety
TL.02	NRTA	To, after consultation with the Director Technical Services authorize the temporary closure of street, sidewalks land roads	Director: PS	Manager: T & L	Upon Manager or his/her delegate consulting with the applicable legislation and or Municipal by-law pertaining to the issue.
TL.03	NRTA	To administer traffic safety systems, the safety bureau and the educational needs and safety measures	Director: PS	Manager: T & L	Upon appointment of the Manager or his/her delegate as traffic officer in terms of section 3 of the National Road Traffic Act 93/1996 to ensure the issue.

TL.04	NRTA	To advise the Director. Technical Services regarding the placing and removal of road traffic signs road markings and advertisements on roads and streets	Director: PS	Manager: T & L	Upon Manager or his/her delegate consulting with the applicable legislation and or Municipal by-law pertaining to the issue.
TL.05	NRTA	To facilitate, co-ordinate and to introduce whatever measure that may be necessary for the management of transport systems, traffic calming, access control plans, pedestrian control and the needs of cyclists and the handicapped	Director: PS	Manager: T & L	Upon appointment as traffic officer under section 3 and peace officer under section 334, the Manager is an authorised officer pertaining to the issue.
TL.06	NRTA	To approve the transportation of abnormal cargo and crossings	Director: PS	Manager: T & L	Upon consultation within the mentioned act as to procedure of safely ensuring the Transportation and crossing over the city of abnormal Cargo.
TL.07	NRTA	To undertake traffic impact studies: whether of own volition and at the request of the Council or other functionaries	Director: PS	Manager: T & L	Upon realising of a predicament which requires road infrastructural changes for Safety.
TL.08	CPA	To, on request of the Director PS or on own initiative, put the necessary procedures in place to enforce compliance with the Council's By-laws, ordinances and legislation	Director: PS	Manager: T & L	As peace officer under section 334 of the applicable act the Manager or his/ her delegate may apply necessary force thus ensuring compliance with any section/ regulation of the said act and including Municipal by-laws.
TL.09	CPA 334	To ensure that law enforcement officers receive the required training for appointment as peace officers in terms of the Criminal Procedure Act, No 51 of 1977	Director: PS	Manager: T & L	The section requires training from an accredited service provider thus allowing appointment as peace officer by the Provincial Commissioner of the South African Police Services.

TL.10	NRTA, CPA & LRA	To manage traffic matters, co-ordination of law enforcement incident management and special occasions and transport	Director: PS	Manager: T & L	The Manager to have applicable required skills and attributes to ensure the realization of the issue in question and compliance to applicable legislative prescripts.
TL.11	Municipal by-laws relating to parking.	To grant exemption to certain categories of persons (doctors and handicapped) from complying with parking requirements in terms of road traffic laws	Director: PS	Manager: T & L	Upon promulgation of municipal by-laws which emanates from the superior legislation which is the National Road Traffic Act 93/1996 the Manager or His/her assignee may effect the issue
TL.12	NRTA including various memorandu m of agreement.	To exercise and to perform powers, duties and responsibilities conferred by province on the municipality in terms of an agency agreement in respect of the registration of vehicles	Director: PS	Manager: T & L	Upon entering into an agreement with Province, the Municipality may via the Manager Traffic and Licenses as the unit accounting officer delegate certain correspondences with the Province in ensuring the issue.
TL.13	NRTA including various memorandu m of agreement	To exercise and to perform all the powers, duties and responsibilities conferred by province on the municipality in terms of an agency agreement in respect of the testing of vehicles	Director: PS	Manager: T & L	Upon entering into an agreement with Province, the Municipality may via the Manager Traffic and Licenses as the unit accounting officer delegate certain correspondences with the Province in ensuring the issue
TL.14	NRTA including various memorandu m of agreement	To exercise and to perform all the powers duties and responsibilities conferred by province on the municipality in terms of an agency agreement in respect of the issuing of driver's licenses	Director: PS	Manager: T & L	Upon entering into an agreement with Province, the Municipality may via the Manager Traffic and Licenses as the unit accounting officer delegate certain

TL.15	NTRA read with CPA under section 334 and including LRA	To manage traffic matters, co-ordination of law enforcement incident management and special occasions and transport	Director: PS	Manager: T & L	The Manager to have applicable required skills and attributes to ensure the realization of the issue in question and compliance to applicable legislative prescripts.
TL.16	NTRA (Sign placement regulations under volume 3)	To grant authority for the display, removal or change of road traffic signs on any public road, in terms of road traffic legislation, subject thereto that traffic lights may not be removed without the prior approval of the Council	Director: PS	Manager: T & L	Upon Manager or his/her delegate consulting with the applicable legislation and or Municipal by-law pertaining to the issue
TL.17	NTRA (Sign placement regulations under volume 3)	To grant approval and impose conditions for the placement of permanent direction signs to schools, churches etc.	Director: PS	Manager: T & L	Upon Manager or his/her delegate consulting with the applicable legislation and or Municipal by-law pertaining to the issue
TL.18	NTRA (Sign placement regulations under volume 3)	To grant approval and impose conditions for the placement of temporary direction signs to gatherings, congresses etc.	Director: PS	Manager: T & L	Upon Manager or his/her delegate consulting with the applicable legislation and or Municipal by-law pertaining to the issue
TL.19	NTRA read with Applicable Municipal parking by-laws	To authorize the marking of loading zones	Director: PS	Manager: T & L	Upon Manager or his/her delegate consulting with the applicable legislation and or Municipal by-law pertaining to the issue

TL.20	NTRA read with Applicable Municipal parking by-laws	To order and approve the removal of obstructions on pavements	Director: PS	Manager: T & L	Upon Manager or his/her delegate consulting with the applicable legislation and or Municipal by-law pertaining to the issue
TL.21	RTA read with Applicable Municipal parking by-laws	To authorize the installation of signs for parking, no parking, restricted parking of vehicles	Director: PS	Manager: T & L	Upon Manager or his/her delegate consulting with the applicable legislation and or Municipal by-law pertaining to the issue
TL.22	RTA read with Applicable Municipal parking by-laws	To grant approval for a race or other sport occasion on a public road and to grant exemption from complying with the statutory requirements for the duration thereof in terms of road traffic laws	Director: PS	Manager: T & L	After consultation with the Director Development Services and in terms of the relevant events management legislation

MANAGER: BY-LAW ENFORCEMENT AND SECURITY

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
BES.01		Municipal patrols and inspections to ensure compliance with the bylaws	Director: PS	Manager: BE & S	
BES.02	CPA 39	Effect arrests in terms of the Criminal Procedure Act	Director: PS	Manager: BE & S	
BES.03		Hand over the arrested persons to the South African Police Services	Director: PS	Manager: BE & S	
BES.04		Facilitate prosecution of offenders	Director: PS	Manager: BE & S	

BES.05		Attendance at Court in matters wherein the City is the complainant and provide a report on the proceedings.	Director: PS	Manager: BE & S	
BES.06		Cooperate with the South African Police Services in joint crime prevention operations	Director: PS	Manager: BE & S	
BES.07		Issue fines and infringement/contravention notices in terms of the relevant legislation	Director: PS	Manager: BE & S	
BES.08		Secure municipal property and assets	Director: PS	Manager: BE & S	
BES.09		Investigate theft, incidents, damages to municipal City property and security breaches.	Director: PS	Manager: BE & S	
BES.10		Provision of security services to the City councillors and officials as may be directed by the relevant authority	Director: PS	Manager: BE & S	Upon council resolution as informed by the recommendations on personal security risk assessment conducted by the SAPS
BES.11		To regulate protest Marches and picketing within the jurisdiction of Polokwane Municipality in terms of Section 2(4)(e) of the Regulations of the Gatherings Act, Act 205 of 1993.	Director: PS	Manager: BE & S	
BES.12		To exercise access control in terms of Access to Public Premises and Vehicle Act, Act 53 of 1985. The Manager Security Services may apply for the registration of Security Guards/Officers in terms of Private Security Industry Regulation Act, Act 56 of 2001.	Director: PS	Manager: BE & S	

BES.13		To obtain fingerprints of employees of the municipality in terms of Section 334 of Criminal Procedure Act, Act 51 of 1997 and in terms of Minimum Security Standards (MISS).	Director: PS	Manager: BE & S	
BES.14		Facilitate the pre-employment screening in collaboration with the State Security Agency in terms of the Minimum Security Standards (MISS)	Director: PS	Manager: BE & S	
BES.15		Facilitate the process of Technical Surveillance Counter Measures (TSCM) with the State Security Agency in terms of the (MISS).	Director: PS	Manager: BE & S	
BES.16		Facilitate the vetting of employees and all contractors as directed thereto by the Council and the Accounting Officer of the Municipality.	Director: PS	Manager: BE & S	
BES.17		Enforcement of Municipal By-Laws	Director: PS	Manager: BE & S	
BES.18		Facilitate the law enforcement agencies operations in cases of community protests.	Director: PS	Manager: BE & S	
BES.19		Conduct Security Risk Assessments at all Municipal sites	Director: PS	Manager: BE & S	

BES.20		Facilitate and coordinates the Community Safety Forums within the jurisdiction of Polokwane Municipality.	Director: PS	Manager: BE & S	
BES.21		Draft and review of the Security Policy with the assistance of Security Committee.	Director: PS	Manager: BE & S	
BES.22		Facilitate the establishment of Security Committee of the Polokwane Municipality	Director: PS	Manager: BE & S	
BES.23		To regulate protest marches and marches with a political connotation through the jurisdictional area of Polokwane Municipality in terms of section 2(4)(a) of the Regulations of the Gatherings Act 205/1993, and to appoint a responsible person.	Director: PS	Manager: BE & S	
BES.24		To apply for the registration of Security Guards/Officers in terms of the Act on Private Security Companies 56/2001.	Director: PS	Manager: BE & S	

MANAGER: DISASTER MANAGEMENT

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
DM.01	DMA 45(1)	Designated as Head of the City's Disaster Management Centre	Council	Manager: DM	
DM.02	DMA 45(2)(a)	Is responsible for the exercise by the centre of its powers and the performance of its duties	Director: PS	Manager: DM	

DM.03	DMA 45(2)(b)	In accordance with the directions of the Council, takes all decisions of the centre in the exercise of its powers and the performance of its duties, except decisions taken by another person in consequence of a delegation by the Manager Disaster Management.	Director: PS	Manager: DM	
DM.04	DMA 44	Ensures that the City's Disaster Management Centre exercises its powers and functions in terms of this section	Director: PS	Manager: DM	
DM.05	DMA 45A	Ensures that the Disaster Management Centre consists of suitably qualified staff	Director: PS	Manager: DM	
DM.06	DMA 46	Ensures that the City's Disaster Management Centre provides assistance to the National Centre and the Provincial Disaster Management Centre	Director: PS	Manager: DM	
DM.07	DMA 47	Give guidance to organs of state, the private sector, non-governmental organisations, communities, individuals in the municipal area to assess and prevent or reduce the risk of disasters	Director: PS	Manager: DM	
DM.08	DMA 49	Determine whether an event should be regarded as a disaster in terms of the Disaster Management Act, and if so, take the necessary steps in terms of this section.	Director: PS	Manager: DM	
DM.09	DMA 50	Ensure annual reports to as prescribed by this section	Director: PS	Manager: DM	

DM.10	DMA 52	Ensure that each municipal organ of state within its jurisdiction prepares disaster management plans in terms of this section	Director: PS	Manager: DM		
DM.11	DMA 53	Prepare disaster management plans for the City's municipal area	Director: PS	Manager: DM		
DM.12	DMA 54	Deal with a local disaster in terms of section 54	Director: PS	Manager: DM		
DM.13	DMA 55	Ensure that Council of the City declares a local disaster by notice in the Provincial Gazette in terms of this section.	Director: PS	Manager: DM		
DM.14	DMA 58	Ensure establishment of a unit of volunteers to participate in disaster management in the City	Director: PS	Manager: DM		
DM.15	DMA: Disaster Management Volunteer Regulations	Ensure that the City complies with the provisions of the Disaster Management Volunteer Regulations	Director: PS	Manager: DM		
DM.16	FBSA 4	Ensure establishment and maintenance of the Fire Brigade Service	Director: PS	Manager: DM		
DM.17	FBSA 5	Ensure appointment of the Chief Fire Officer	Director: PS	Manager: DM	In accordance with the City's recruitment policy	
DM.18	FBSA 8	Ensure that members of the service exercise their powers in terms of this section, when necessary.	Director: PS	Manager: DM		

DM.19	FBSA 9	Ensure that members of the service salvage movable property in accordance with this section	Director: PS	Manager: DM	
DM.20	FBSA 10	Ensure that the City determines fees payable for the services in accordance with this section.	Director: PS	Manager: DM	
DM.21	FBSA 10	Ensures that the City enters into the necessary agreements in terms of this section	Director: PS	Manager: DM	
DM.22	FBSA 16	Ensures that the City makes and adopts and implements bylaws relating to firefighting.	Director: PS	Manager: DM	
DM.23	FBSA 18	Ensure enforcement of the bylaws in accordance with this section	Director: PS	Manager: DM	
DM.24		That in case of a disaster occurring outside the jurisdictional area of Polokwane Municipality, the Manager Disaster Management and the Municipal Manager are authorized to order disaster management personnel to act outside the jurisdictional area of Polokwane Municipality.	Director: PS	Manager: DM	
DM.25		To temporarily close a street in terms of the provisions of the Local Government Ordinance 17/1939, after consultation with the relevant business unit.	Director: PS	Manager: DM	
DM.26		To arrange for the evacuation of business units and directorates where he/she is of the opinion that such measures are necessary in	Director: PS	Manager: DM	

		order to ensure the safety of persons, animals and property.			
DM.27		To, in collaboration with the Municipal Manager, grant approval for the erection of temporary accommodation at various facilities within the jurisdictional area of the Municipality in event of emergency or disaster.	Director: PS	Manager: DM	
DM.28		To serve notices, directives, early warnings and/or other documentation to Councilors and communities in terms of the Disaster Management Act, regarding safety and the prevention of disaster.	Director: PS	Manager: DM	
DM.29		To seek funding in respect of emergency/disaster relief equipment and resources from donor agencies as well as other national and provincial departments	Director: PS	Manager: DM	
DM.30		To temporarily close a street in terms of the provisions of the Local Government Ordinance 17/1939, after consultation with the relevant business unit.	Director: PS	Manager: DM	
DM.31		To serve notices, directives, early warnings and/or other documentation to Councilors and communities in terms of the Disaster Management Act, regarding safety and the prevention of disaster.	Director: PS	Manager: DM	

DM.32		To make recommendations on site development plans, town planning plans and/or other related plans in events where communities may be affected by a disaster.	Director: PS	Manager: DM	
DM.33		That in cases of emergency the Municipal Manager and the Director Community Services be authorised to order the fire brigade and ambulance to act outside the Municipal area.	Director: PS	Manager: DM	
DM.34		To administer and implement the Council By-laws relating to inflammable liquids and substances.	Director: PS	Manager: DM	
DM.35		Act in terms of the provisions of the Fire Brigade Services Act, 99 of 1987, where such action has not been reserved for the Chief Fire Services.	Director: PS	Manager: DM	
DM.36		Authorise performances by the Fire Brigade.	Director: PS	Manager: DM	
DM.37		Deal with emergencies.	Director: PS	Manager: DM	
DM.38		Authorise the redeployment of movable resources e.g. fire tenders, vehicles, etc. within the Polokwane Municipal Council area where such resources are critically needed, with due regard to the needs of the administrative unit from where such resources must be re-deployed.	Director: PS	Manager: DM	
DM.39		Render assistance free of charge to any other local government in cases of emergency, if the	Director: PS	Manager: DM	

		nature and extent thereof is beyond the control of the relevant local government's emergency service sections and on request taking the local requirements at a specific point of time into account, supply men, fire brigade equipment and ambulances without delay to any local government in cases of the aforementioned nature, as resolved by the Council from time to time and in the best interest of Council.			
DM.40		To administer Council's bylaws relating to inflammable Liquids and Substances Administrators Notice 354 of 08/05/1957.	Director: PS	Manager: DM	

MANAGER: ENVIRONMENTAL HEALTH

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
EH.01		Water quality monitoring: (a) Law enforcement based on inspections of food premises; (b) Routine monitoring of foodstuffs and food premises which includes inspections and sampling activities. (c) Health education to food processors, handlers and consumers, especially in the informal sector; (d) Advising existing and prospective entrepreneurs of requirements related to food premises and safe handling of food;	Director: COMS	Manager: EM	

		(e) Investigating and introducing appropriate control measures of all incidences of food borne diseases, which come to their attention and; (f) Investigating and taking remedial action on all food safety complaints received;			
EH.02		Waste management	Director: COMS	Manager: EM	
EH.03		Health surveillance of premises	Director: COMS	Manager: EM	
EH.04		Surveillance and prevention of communicable diseases, excluding immunisations	Director: COMS	Manager: EM	
EH.05		Vector control	Director: COMS	Manager: EM	
EH.06		Environmental pollution control	Director: COMS	Manager: EM	
EH.07		Disposal of the dead	Director: COMS	Manager: EM	
EH.08	Foodstuffs, Cosmetics and Disinfectants Act	Exercise powers and functions of inspectors in terms of section 10 of the Act	Director: COMS	Manager: EM	

DIRECTOR: HUMAN SETTLEMENT

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
HS.01		Oversees the business units 1. Planning, Policy and Administration and 2. Programme Implementation & Quality Assurance; and ensures that they perform in accordance with their mandate.	MM	Director: HS	
HS.02		To execute in general all the activities and duties of the Municipality in terms of the Housing Act 107 of 1997, the Housing Code, the Municipal Housing Strategy and the IDP, in order to ensure that the right to have access to adequate housing is realized on a progressive basis.	MM	Director: HS	
HS.03		To promote housing development projects by developers.	MM	Director: HS	
HS.04		To, on behalf of Council act as developer in respect of the planning and execution of a housing development project on the basis of full pricing for cost and risk.	MM	Director: HS	
HS.05		To enter into joint venture contracts with the developers, on behalf of Council in respect of housing development projects with the further understanding that the Manager: Legal	MM	Director: HS	

		Services must be consulted prior to the signing of any agreements.			
HS.06		To establish a separate business entity in order to execute housing development projects.	MM	Director: HS	
HS.07		To administer any national housing program in respect of the Council area of jurisdiction as soon as the Council becomes accredited.	MM	Director: HS	
HS.08		To facilitate and support the participation of all relevant role player in the housing development process.	MM	Director: HS	
HS.09		To sign standard agreements and transfers in consultation in consultation with the Manager: Legal Services and other relevant business units.	MM	Director: HS	
HS.10		To execute signing powers as approved and amended by the Director Planning and Economic Development from time to time.	MM	Director: HS	

MANAGER: HUMAN SETTLEMENT PLANNING, POLICY AND ADMINISTRATION

Item No		Power	Delegating Authority	Delegated Authority	Condition of Delegation
HSP.01	CON 26	To ensure Human Settlement Policy, Planning and Administration are performed according to the Housing related Legislation	Director : HS	Manager: HSPP & A	

HSP.02	HA (1)(a)(i)	9	Formalize Informal Settlements in the jurisdiction of the Council	Director : HS	Manager: HSPP & A	
HSP.03	HA 9 (1)(a)(i)		Facilitation and Coordination of Special Projects	Director : HS	Manager: HSPP & A	
HSP.04	HA 9 (1)(a)(i)		Execute Beneficiary Administration and Housing Allocation	Director : HS	Manager: HSPP & A	
HSP.05	HA 9 (1)(a)(i)		Facilitate the Housing Consumer Education Coordination programmes	Director : HS	Manager: HSPP & A	
HSP.06	NHC		Beneficiary identification, to establish the identity and entitlement of a person claiming EEDBS	Director : HS	Manager: HSPP & A	
HSP.07	NHC Part 3 EEDBS 5.7.1		Dispute resolution, where disputes pertaining to the identity and entitlement of the beneficiary occur.	Director : HS	Manager: HSPP & A	
HSP.08			Sales administration, including drafting and completion of sales agreements in terms of the Municipality's bylaws	Director : HS	Manager: HSPP & A	In consultation with Manager: Legal Services.
HSP.09			Forwarding the EEDBS transactions to be captured on the relevant housing database.	Director : HS	Manager: HSPP & A	
HSP.10			Facilitation of Town Planning Processes' for Human Settlement Developments	Director : HS	Manager: HSPP & A	
HSP.11	NHNR		Formulate and Coordinates research, Policy and Strategy Development as well as Knowledge Management of Housing Unit	Director : HS	Manager: HSPP & A	
HSP.12	HCPMA		Identification of well-located land to acquire for future human settlement needs	Director : HS	Manager: HSPP & A	
HSP.13			To take appropriate steps for the eviction of any occupier of premises erected with municipal or state funds and who- (a) occupies such premises without Councils consent or who continues to reside on the	Director : HS	Manager: HSPP & A	

		premises after the authorized lessee has left (b) occupies such, premises after his lease agreement with the Council, has terminated (c) uses such premises for illegal purpose (d) breaches the terms of a lease or purchase agreement			
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MANAGER: PROGRAMME IMPLEMENTATION & QUALITY ASSURANCE

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
HSP.01	CON 26	To execute Human Settlements Project Planning, Implementation and Management in terms of Legislations	Director : HS	Manager: HSP & A	
HSP.02	HA	Monitoring of Budgetary Management	Director : HS	Manager: HSP & A	
HSP.03	HA	Administer any National Housing Programmes in respect of the Council area of jurisdiction as soon as the Council becomes accredited	Director : HS	Manager: HSP & A	In Consultation with Budget Office
HSP.04	NHC	Promote and ensure Quality Assurance in all Housing Projects in the Jurisdiction of the Council	Director : HS	Manager: HSP & A	In consultation with Manager: Legal Services and Supply Chain Management

BID SPECIFICATION COMMITTEE

OTHER

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
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BIC.01	SCM Regulations 27(1)	Compile the specifications for the procurement of goods or services by the Municipality.	CM	BSC	
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BID EVALUATION COMMITTEE

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
BEC.01	SCM Regulations 28(1)(a)	Evaluate bids in accordance with- (i)the specifications for a specific procurement; and (ii)the points systems as must be set out in the supply chain management policy of the Municipality in terms of Regulation 27(2)(f) and as prescribed in the Preferential Procurement Policy Framework Act.	MM	BSC	
BEC.02	SCM Regulations 28(1)(b)	Evaluate each bidder's ability to execute the contract.	MM	BSC	
BEC.03	SCM Regulations 28(1)(c)	Check in respect of the recommended bidder whether municipal rates and taxes and municipal service charges are not in arrears.	MM	BSC	
BEC.04	SCM Regulations 28(1)(c)	Submit to the adjudication committee a report and recommendations regarding the award of the bid or any other related matter.	MM	BSC	

BID ADJUDICATION COMMITTEE

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
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BAC.01	SCM Regulations 5(2)(b)	Make a final award above R2 000 000(VAT included) but not exceeding R10 000.00 (VAT included).	MM	BAC	CFO or relevant section 56 Manager must be part of the Bid Adjudication Committee
BAC.02	SCM Regulations 5(2)(c)	Make a final award not exceeding R2 000 000 (VAT included) but excluding the appointment of consultants.	MM	BAC	
BAC.03	SCM Regulations 5(3)	Submit to the official referred to in subsection (4) within five days of end of each month a written report containing particulars of each final award, except procurements made out of petty cash, made during that month including- (a)the amount of the award; (b)the name of the person to whom the award was made; (c)the reason why the award was made to that person; and	MM	BAC	
BAC.04	SCM Regulations 7(7)	Take into account when considering an unsolicited bid- (i)any contents submitted by the public; and (ii)any written comments and recommendations of the National Treasury or the relevant provincial treasury.	Act	BAC	Sect 35- For bids over R10 million, the BAC will make recommendation to the accounting officer to make the final award.
BAC.05	SCM Regulations 29(5)(a)	If a Bid Adjudication Committee decides to award a bid other than the one recommended by the Bid Evaluation Committee, the Bid Adjudication Committee must prior to awarding the bid- (i)check in respect of the preferred bidder whether the bidder's municipal rates and taxes and municipal service charges are not in arrears; and (ii)notify the accounting officer	MM	BAC	

BAC.06	SCM Regulations 37(5)	Consider the unsolicited bid.	MM	BAC	Section 37(6)-Meeting of the BAC must be open to the public.
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PROJECT OFFICER PPP

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
PPP.01	PPP Regulations 7(1)	As soon as a municipality initiates a project that may be a public-private partnership, the accounting officer must appoint a person with appropriate skills and experience, either from within or outside the Municipality, as the project officer for the public-private partnership.	Accounting Officer/MM	Project Officer	
PPP.02	PPP Regulations 7(2)	The project officer is responsible for performing- (a)the duties set out in section 116(2)(c)(i) and (ii) of the Act; and (b)any other duties or powers delegated by the accounting officer to the project officer in terms of section 79 of the Act.	Accounting Officer/MM	Project Officer	
PPP.03	PPP Regulations 8	The accounting officer of a municipality which has entered into a public private partnership agreement must, in addition to complying with section 116(2) of the Act, take reasonable steps to ensure- (a)that the outsourced activity is effectively and efficiently carried out in accordance with the agreement; (b)that the municipal property that is placed under the control of the private party in terms of the agreement is appropriately protected against forfeiture, theft, loss, wastage, misuse and;	Accounting Officer/MM	Project Officer	

		(c) that the Municipality has contract management and monitoring capacity.			
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SCM OFFICIALS

Item No	Legislation	Power	Delegating Authority	Delegated Body	Conditions of Delegation
OFF.01	Minimum Competency Regulations 10(1)	(b) Any official of a municipality involved in the implementation of the supply chain management policy of the municipality, must generally have the skills, experience, capacity to assume and fulfil the responsibilities and exercise the functions and powers in respect of supply chain management delegated to the official by the accounting officer in terms of section 79 of the Act.	CFO	Manager: SCM	
OFF.02	Minimum Competency Regulations 10(3)	Officials involved in supply chain management – must note that failure to comply with supply chain management responsibilities, functions and powers may constitute financial misconduct in terms of the Act.	CFO	Manager: SCM	