

CENTRAL KAROO DISTRICT MUNICIPALITY

DELEGATION AND FURTHER SUB-DELEGATION OF POWERS AND DUTIES IN TERMS OF THE MUNICIPAL FINANCE MANAGEMENT ACT, 2003 (ACT 56 OF 2003) BY THE ACCOUNTING OFFICER, CHIEF FINANCIAL OFFICER AND DIRECTORS FOR THE CENTRAL KAROO DISTRICT MUNICIPALITY

REVIEWED : 25 MAY 2017

Under the powers vested in me by section 79 of the Municipal Finance Management Act, 2003 (Act 56 of 2003), I, _____ Accounting Officer (and Municipal Manager) for the Central Karoo District Municipality, hereby delegate the powers and duties assigned to me by the said Act, as well as any powers and duties to assist me in complying with a duty, as set out in Annexure A hereto. I furthermore authorise the sub-delegation of such powers and duties as contemplated in section 79(3)(d) of the Act.

Signed at Beaufort-West this _____ day of _____

ACCOUNTING OFFICER (MUNICIPAL MANAGER)
CENTRAL KAROO DISTRICT MUNICIPALITY

CHIEF FINANCIAL OFFICER FOR THE CENTRAL KAROO DISTRICT MUNICIPALITY

Under the powers vested in me by section 82 of the Municipal Finance Management Act, 2003 (Act 56 of 2003), I, _____ Chief Financial Officer for the Central Karoo District Municipality, hereby sub-delegate the powers and duties delegated to me in writing by the Accounting Officer, as set out in Annexure A hereto.

Signed at Beaufort-West this _____ day of _____

CHIEF FINANCIAL OFFICER
CENTRAL KAROO DISTRICT MUNICIPALITY

ANNEXURE A

CENTRAL KAROO DISTRICT MUNICIPALITY**DELEGATION OF POWERS AND DUTIES BY THE ACCOUNTING OFFICER (MUNICIPAL MANAGER) AND RELATED SUB-DELEGATIONS**

Municipal Finance Management Act, 2003 (Act 56 of 2003)

| Item No. | Section | Cryptic Description of Power or Duty | Delegated to | Lowest Level Sub-delegated to | Remarks, Limitations or Conditions | Authorisation Number |
|----------|---------|---|-------------------|-------------------------------|--|----------------------|
| 1 | 8(5) | Submit to the National Treasury, the Provincial Treasury and the Auditor-General, in writing, the name of the bank where the primary bank account of the municipality is held, and the type and number of the account. | Municipal Manager | Chief Financial Officer | To be confirmed annually. First letter to be submitted by 31/07/2004 This function can only be delegated to the CFO [Section 10 (2)] | |
| 2 | 8(5) | Inform the National Treasury and the Auditor-General, in writing, at least 30 days before changing the municipality's primary bank account, | Municipal Manager | Chief Financial Officer | | |

Initial: _____

Date: _____

DELEGATION OF POWERS AND DUTIES BY THE ACCOUNTING OFFICER (MUNICIPAL MANAGER) AND RELATED SUB-DELEGATIONS

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| 3 | 9 | <p>Submit to the Provincial Treasury and the Auditor-General, in writing—</p> <p>(a) within 90 days after the municipality has opened a new bank account, the name of the bank where the account has been opened, and the type and number of the account; and</p> <p>(b) annually before the start of a financial year, name of each bank where the municipality holds a bank account, and the type and number of each account.</p> | <p>Municipal Manager</p> <p>Municipal Manager</p> | <p>Chief Financial Officer</p> <p>Chief Financial Officer</p> | | |
| 4 | 10(1)(a) | Administer all the municipality's bank accounts, including a bank account referred to in section 12 or 48(2)(d). | Municipal Manager | Chief Financial Officer | | |

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| 5 | 10(1)(b) | Accountable to the municipal council for the municipality's bank accounts. | Chief Financial Officer | | The principal accountability remains with the accounting officer. | |
| 6 | 10(1)(c) | Enforce compliance with sections 7, 8 and 11. | Chief Financial Officer | | May only be delegated to the Chief Financial Officer. | |
| 7 | 11(1) | Withdraw money or authorise the withdrawal of money from any of the municipality's bank accounts, subject to stipulated provisos (a) to (j). | Chief Financial Officer | Accountant | The managers and directors specified in the lowest level column are only for the purposes of signatories for withdrawal of money. May only be delegated to Senior Financial Officers | |

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DELEGATION OF POWERS AND DUTIES BY THE ACCOUNTING OFFICER (MUNICIPAL MANAGER) AND RELATED SUB-DELEGATIONS

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| 10 | 22 | <p>Immediately after an annual budget is tabled in a municipal council—</p> <p>(a) in accordance with Chapter 4 of the Municipal Systems Act—</p> <p>(i) make public the annual budget and the documents referred to in section 17(3); and</p> <p>(ii) invite the local community to submit representations in connection with the budget; and</p> <p>(b) submit the annual budget—</p> <p>(i) in both printed and electronic formats to the National Treasury and the Provincial Treasury; and</p> <p>(ii) in either format to any prescribed national or provincial organs of state and to other municipalities affected by the budget.</p> | <p>Chief Financial Officer</p> <p>Chief Financial Officer</p> | Accountant | | |

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| 11 | 24(3) | Submit the approved annual budget to the National Treasury and the Provincial Treasury. | Chief Financial Officer | | | |
| 12 | 32(1) | Advise a political office-bearer of a municipality that any anticipated expenditure is likely to result in unauthorised expenditure; | Municipal manager | Chief Financial Officer | | |
| 13 | 32(3) | Inform the council, the mayor or the executive committee, in writing, that the expenditure that would result from a decision taken is likely to be unauthorised, irregular or fruitless and wasteful expenditure. | Municipal manager | Chief Financial Officer Director: Technical Services Director: Health Director: Corporate Services | | |

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| 14 | 32(4) | <p>Inform the mayor, the MEC for local government in the province and the Auditor-General, in writing, of—</p> <p>(a) any unauthorised, irregular or fruitless and wasteful expenditure incurred by the municipality;</p> <p>(b) whether any person is responsible or under investigation for such unauthorised, irregular or fruitless and wasteful expenditure; and</p> <p>(c) the steps that have been taken—</p> <p>(i) to recover or rectify such expenditure; and</p> <p>(ii) to prevent a recurrence of such expenditure.</p> | Municipal manager | Chief Financial Officer | | |

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| 15 | 32(6) | Report to the South African Police Service all cases of alleged— (a) irregular expenditure that constitute a criminal offence; and (b) theft and fraud that occurred in the municipality. | Director: Corporate Services | Human Resources officer responsible for the administration of disciplinary hearings. | The disciplinary hearing procedures should be amended to include this section of the MFMA | |
| 16 | 37(2) | Notify the receiving municipality of the projected amount of any allocation proposed to be transferred to that municipality during each of the next three financial years, no later than 120 days before the start of its budget year. | Municipal manager | | Not applicable | |

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| 17 | 45(2)(2) | Sign the agreement or other document that creates or acknowledges the creation of short-term debt for a municipality, after such debt-agreement had been approved by the Council. | Chief Financial Officer | | Only once municipal manager was informed of such debt. | |
| 18 | 45(3)(iii) | Notify the council in writing as soon as practical of the amount, duration and cost of any debt incurred in terms of a credit facility that is limited to emergency use, as well as options for repaying such debt. | Chief Financial Officer | | | |
| 19 | 46(2)(b) | Sign the agreement or other document that creates or acknowledges the creation of long-debt for a municipality, after such debt-agreement had been approved by the Council. | Municipal manager and Chief Financial Officer | | Both the individuals must sign such contracts | |

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| 20 | 46(3)(a) | <p>To incur long-term debt — has, in accordance with section 21A of the Municipal Systems Act—</p> <p>(i) at least 21 days prior to the meeting of the council at which approval for the debt is to be considered, made public an information statement setting out particulars of the proposed debt, including the amount of the proposed debt, the purposes for which the debt is to be incurred and particulars of any security to be provided; and</p> <p>(ii) invited the public, the National Treasury and the Provincial Treasury to submit written comments or representations to the council in respect of the proposed debt.</p> | Chief Financial Officer | Accountant | | |

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| 21 | 46(3)(b) | <p>To incur long-term debt — Submitted a copy of the information statement to the municipal council at least 21 days prior to the meeting of the council, together with particulars of —</p> <p>(i) the essential repayment terms, including the anticipated debt repayment schedule; and</p> <p>(ii) the anticipated total cost in connection with such debt over the repayment period.</p> | Chief Financial Officer | Accountant | | |

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| 22 | 54(2)(a) | <p>Propose any remedial or corrective steps to the mayor, if the municipality faces any serious financial problems, which may include—</p> <p>(i) steps to reduce spending when revenue is anticipated to be less than projected in the municipality's approved budget;</p> <p>(ii) the tabling of an adjustments budget; or</p> <p>(iii) steps in terms of Chapter 13.</p> | Chief Financial Officer | | Proposal to mayor only once it has been agreed with the municipal manager | |

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| 23 | 60 | <p>Must -</p> <p>(a) exercise the functions and powers assigned to an accounting officer in terms of this Act; and</p> <p>(b) provide guidance and advice on compliance with this Act to—</p> <p>(i) the political structures, political office-bearers and officials of the municipality; and</p> <p>(ii) any municipal entity under the sole or shared control of the municipality.</p> | Municipal manager | | This section is also applicable to senior management and other officials referred to in section 77 of the MFMA. Municipal manager to issue a directive in this regard. | |

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| 24 | 61(1) | <p>Must—</p> <p>(a) act with fidelity, honesty, integrity and in the best interests of the municipality in managing its financial affairs;</p> <p>(b) disclose to the municipal council and the mayor all material facts which are available to the accounting officer or reasonably discoverable, and which in any way might influence the decisions or actions of the council or the mayor; and</p> <p>(c) seek, within the sphere of influence of the accounting officer, to prevent any prejudice to the financial interests of the municipality.</p> | Municipal manager | | This section is also applicable to senior management and other officials referred to in section 77 of the MFMA. Municipal manager to issue a directive in this regard. | |

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| 25 | 62(1) | <p>Responsible for managing the financial administration of the municipality, and must for this purpose take all reasonable steps to ensure—</p> <p>(a) that the resources of the municipality are used effectively, efficiently and economically;</p> <p>(b) that full and proper records of the financial affairs of the municipality are kept in accordance with any prescribed norms and standards;</p> <p>(c) that the municipality has and maintains effective, efficient and transparent systems—</p> <p>(i) of financial and risk management and internal control; and</p> <p>(ii) of internal audit operating in accordance with any prescribed norms and standards;</p> | <p>Chief Financial Officer</p> <p>Director: Technical Services</p> <p>Director: Health</p> <p>Director: Corporate Services</p> <p>Chief Financial Officer</p> <p>Chief Financial Officer</p> | The directors are responsible to delegate this sub-section to all staff in their area of responsibility. | The directors and other officials are only responsible as far as its relates to their area of responsibility. | |

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| | | <p>(d) that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented;</p> <p>(e) 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; and</p> <p>(f) that the municipality has and implements—</p> <p>(i) a tariff policy referred to in section 74 of the Municipal Systems Act;</p> <p>(ii) a rates policy as may be required in terms of any applicable national legislation;</p> <p>(iii) a credit control and debt collection policy referred to in section 96(b) of the Municipal Systems Act; and</p> <p>(iv) a supply chain management policy in accordance with Chapter 11.</p> | <p>Director: Technical Services</p> <p>Director: Health</p> <p>Director: Corporate Services</p> <p>Director: Technical Services</p> <p>Director: Health</p> <p>Director: Corporate Services</p> <p>Chief Financial Officer</p> | | The Chief Financial Officer must implement and maintain the policies and procedures relating to this sub-section | |

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| 26 | 62(2) | Responsible for and must account for all bank accounts of the municipality, including any bank account opened for— (a) any relief, charitable, trust or other fund set up by the municipality in terms of section 12; or (b) a purpose referred to in section 48(2)(d). | Municipal manager | Chief Financial Officer | | |
| 27 | 63(1) | Responsible for the management of— (a) the assets of the municipality, including the safeguarding and the maintenance of those assets; and (b) the liabilities of the municipality. | Municipal manager Chief Financial Officer Director: Technical Services Director: Health Director: Corporate Services Manager: Budget and assets | The directors are responsible to delegate this sub-section to all staff in their area of responsibility. | The directors and other officials are only responsible as far as its relates to their area of responsibility. The Accountant must implement and maintain the policies and procedures relating to this sub-section | |

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| 28 | 63(2) | <p>Ensure—</p> <p>(a) that the municipality has and maintains a management, accounting and information system that accounts for the assets and liabilities of the municipality;</p> <p>(b) that the municipality's assets and liabilities are valued in accordance with standards of generally recognised accounting practice; and</p> <p>(c) 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.</p> | Chief Financial Officer | Accountant | | |

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| 29 | 64(2) | <p>Take all reasonable steps to ensure—</p> <p>(a) 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;</p> <p>(b) that revenue due to the municipality is calculated on a monthly basis;</p> <p>(c) that accounts for municipal tax and charges for municipal services are prepared on a monthly basis, or less often as may be prescribed where monthly accounts are uneconomical;</p> <p>(d) that all money received is promptly deposited in accordance with this Act into the municipality's primary and other bank accounts;</p> <p>(e) that the municipality has and maintains a management, accounting and information system which—</p> | Chief Financial Officer | Respective Treasury officials responsible for the particular functions | | |

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| | | <p>(i) recognises revenue when it is earned;</p> <p>(ii) accounts for debtors; and</p> <p>(iii) accounts for receipts of revenue;</p> <p>(f) that the municipality has and maintains a system of internal control in respect of debtors and revenue, as may be prescribed;</p> <p>(g) that the municipality charges interest on arrears, except where the council has granted exemptions in accordance with its budget-related policies and within a prescribed framework; and</p> <p>(h) that all revenue received by the municipality, including revenue received by any collecting agent on its behalf, is reconciled at least on a weekly basis.</p> | Chief Financial Officer | Accountant | | |

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| 30 | 64(3) | Inform 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. | Chief Financial Officer | Accountant | | |
| 31 | 64(4) | Take all reasonable steps to ensure— (a) that any funds collected by the municipality on behalf of another organ of state is transferred to that organ of state at least on a weekly basis; and (b) that such funds are not used for purposes of the municipality. | Chief Financial Officer | Accountant | | |

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| 32 | 65(2) | <p>Take all reasonable steps—</p> <p>(a) that the municipality has and maintains an effective system of expenditure control, including procedures for the approval, authorisation, withdrawal and payment of funds;</p> <p>(b) that the municipality has and maintains a management, accounting and information system which—</p> <p style="padding-left: 20px;">(i) recognises expenditure when it is incurred;</p> <p style="padding-left: 20px;">(ii) accounts for creditors of the municipality; and</p> <p style="padding-left: 20px;">(iii) accounts for payments made by the municipality;</p> <p>(c) that the municipality has and maintains a system of internal control in respect of creditors and payments;</p> | <p>Chief Financial Officer</p> <p>Chief Financial Officer</p> | Accountant | The CFO must implement and maintain policies and procedures to guide all staff of the municipality. | |

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| | | (d) that payments by the municipality are made— (i) directly to the person to whom it is due unless agreed otherwise for reasons as may be prescribed; and (ii) either electronically or by way of non-transferable cheques, provided that cash payments and payments by way of cash cheques may be made for exceptional reasons only, and only up to a prescribed limit; (e) that all money owing by the municipality be paid within 30 days of receiving the relevant invoice or statement, unless prescribed otherwise for certain categories of expenditure; (f) that the municipality complies with its tax, levy, duty, pension, medical aid, audit fees and other statutory commitments; | Chief Financial Officer | Accountant | | |
| | | | Chief Financial Officer | Accountant | In the instance where the financial position of the municipality does not allow compliance with this section, the CFO must inform provincial and national Treasury accordingly. | |

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| | | (g) 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; | Chief Financial Officer | | | |
| | | (h) that the municipality's available working capital is managed effectively and economically in terms of the prescribed cash management and investment framework; | Chief Financial Officer | | | |
| | | (i) that the municipality's supply chain management policy referred to in section 111 is implemented in a way that is fair, equitable, transparent, competitive and cost-effective; and | Municipal manager | Accountant | The Accountant is responsible for the management and administration of the supply chain management function. | |
| | | (j) that all financial accounts of the municipality are closed at the end of each month and reconciled with its records. | Chief Financial Officer | | | |

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| 33 | 66 | Report to the council, in a format and for periods as may be prescribed, 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 as stipulated. | Chief Financial Officer | | | |

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| 34 | 67(1) | <p>Ensure before transferring funds of the municipality to an organisation or body outside any sphere of government otherwise than in compliance with a commercial or other business transaction, that the organisation or body—</p> <p>(a) has the capacity and has agreed—</p> <p>(i) to comply with any agreement with the municipality;</p> <p>(ii) for the period of the agreement to comply with all reporting, financial management and auditing requirements as may be stipulated in the agreement;</p> <p>(iii) to report at least monthly to the accounting officer on actual expenditure against such transfer; and</p> | Municipal Manager | Chief Financial Officer | | |

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| | | (iv) to submit its audited financial statements for its financial year to the accounting officer promptly; (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 this section. | | | | |
| 35 | 67(3) | Enforce , through contractual and other appropriate mechanisms, compliance with section 67(1). | Chief Financial Officer | | | |

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Municipal Finance Management Act, 2003 (Act 56 of 2003)

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| 36 | 67(4) | Where section 67(1)(a) does not apply to an organisation or body serving the poor or used by government as an agency to serve the poor, (i) takes all reasonable steps to ensure that the targeted beneficiaries receive the benefit of the transferred funds; and (ii) certifies to the Auditor-General that compliance by that organisation or body with subsection (1)(a) is uneconomical or unreasonable. | Municipal manager | Chief Financial Officer | | |

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| 37 | 68 | (a) assist the mayor in performing the budgetary functions assigned to the mayor in terms of Chapters 4 and 7; and (b) provide the mayor with the administrative support, resources and information necessary for the performance of those functions. | Chief Financial Officer | Accountant | | |

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| 38 | 69(1) | <p>Ensure—</p> <p>(a) that the spending of funds is in accordance with the budget and is reduced as necessary when revenue is anticipated to be less than projected in the budget or in the service delivery and budget implementation plan; and</p> <p>(b) that revenue and expenditure are properly monitored.</p> | <p>Municipal manager</p> <p>Chief Financial Officer</p> <p>Director: Technical Services</p> <p>Director: Health Services</p> <p>Director: Corporate Services</p> <p>Accountant</p> | The directors are responsible to delegate this sub-section to all staff in their area of responsibility. | <p>The directors and other officials are only responsible as far as its relates to their area of responsibility.</p> <p>The Accountant must implement and maintain the policies and procedures relating to this sub-section</p> | |
| 39 | 69(2) | Prepare when necessary an adjustments budget and submit it to the mayor for consideration and tabling in the municipal council. | Chief Financial Officer | Accountant | Proposal to mayor only once it has been agreed with the municipal manager and directors | |

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| 40 | 69(3) | <p>Submit no later than 14 days after the approval of an annual budget to the mayor—</p> <ul style="list-style-type: none"> (a) a draft service delivery and budget implementation plan for the budget year; and (b) drafts of the annual performance agreements as required in terms of section 57(1)(b) of the Municipal Systems Act for the municipal manager and all senior managers. | <p>Chief Financial Officer</p> <p>Municipal manager</p> | | All Directors must provide the Key Performance Indicators for their respective functions. | |

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| 41 | 70(1) | Report in writing to the municipal council— (a) any impending— (i) shortfalls in budgeted revenue; and (ii) overspending of the municipality's budget; and (b) any steps taken to prevent or rectify such shortfalls or overspending. | Chief Financial Officer | Accountant | | |

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| 42 | 70(2) | <p>Notify the National Treasury, if a municipality's bank account, or if the municipality 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, in the prescribed format of—</p> <p>(a) the amount by which the account or accounts are overdrawn;</p> <p>(b) the reasons for the overdrawn account or accounts; and</p> <p>(c) the steps taken or to be taken to correct the matter.</p> | Chief Financial Officer | | | |

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| 43 | 71(1) | <p>Submit no later than 10 working days after the end of each month to the mayor of the municipality and the Provincial Treasury a statement in the prescribed format on the state of the municipality's budget reflecting the following particulars for that month and for the financial year up to the end of that month:</p> <ul style="list-style-type: none"> (a) Actual revenue, per revenue source; (b) actual borrowings; (c) actual expenditure, per vote; (d) actual capital expenditure, per vote; (e) the amount of any allocations received; (f) actual expenditure on those allocations, excluding expenditure on— <ul style="list-style-type: none"> (i) its share of the local government equitable share; and (ii) allocations exempted by the annual Division of Revenue Act from compliance with this paragraph; and | Chief Financial Officer | | | |

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| | | (g) when necessary, an explanation of— (i) any material variances from the municipality's projected revenue by source, and from the municipality's expenditure projections per vote; (ii) any material variances from service delivery and budget implementation plan; and (iii) any remedial or corrective steps taken or to be taken to ensure that projected revenue and expenditure remain within the municipality's approved budget. | Chief Financial Officer | Accountant | | |

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| 44 | 71(2) | <p>The monthly budget statement must include—</p> <p>(a) a projection of the relevant municipality's revenue and expenditure for the rest of the financial year, and any revisions from initial projections; and</p> <p>(b) the prescribed information relating to the state of the budget of each municipal entity as provided to the municipality in terms of section 87(10).</p> | Chief Financial Officer | | | |

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| 45 | 71(5) | Submit that part of the statement reflecting the particulars referred to in section 71(1)(e) and (f) to the national or provincial organ of state or municipality which transferred the allocation referred to in section 71(1)(e) during any particular month, by no later than 10 working days after the end of that month,. | Chief Financial Officer | | | |

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| 46 | 72(1)(a) | <p>Must by 25 January of each year—</p> <p>(a) assess the performance of the municipality during the first half of the financial year, taking into account—</p> <p>(i) the monthly statements referred to in section 71 for the first half of the financial year;</p> <p>(ii) the municipality's service delivery performance during the first half of the financial year, and the service delivery targets and performance indicators set in the service delivery and budget implementation plan;</p> <p>(iii) the past year's annual report, and progress on resolving problems identified in the annual report; and</p> <p>(iv) the performance of every municipal entity under the sole or shared control of the municipality, taking into account reports in terms of section 88 from any such entities.</p> | Municipal manager | Internal Auditor | Internal Auditor must submit the draft to the municipal manager after input from the various directors was obtained by 20 January of each year. | |

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| 47 | 72(1)(b) | Submit a report on such assessment required in terms of section 72(1) to— (i) the mayor of the municipality; (ii) the National Treasury; and (iii) the Provincial Treasury. | Chief Financial Officer | | | |
| 48 | 72(3) | Must, as part of the review required in terms of section 72(1)— (a) make recommendations as to whether an adjustments budget is necessary; and (b) recommend revised projections for revenue and expenditure to the extent that this may be necessary. | Chief Financial Officer | | | |

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| 49 | 73 | <p>Inform the provincial treasury, in writing, of—</p> <p>(a) any failure by the council of the municipality to adopt or implement a budget-related policy or a supply chain management policy referred to in section 111; or</p> <p>(b) any non-compliance by a political structure or office-bearer of the municipality with any such policy.</p> | Municipal manager | | <p>The Directors must inform the Municipal Manager of any such non-compliance which may come to their knowledge.</p> | |

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| 50 | 74 | <p>(1) Submit to the National Treasury, the provincial treasury, the department for local government in the province or the Auditor-General such information, returns, documents, explanations and motivations as may be prescribed or as may be required.</p> <p>(2) If the accounting officer of a municipality is unable to comply with any of the responsibilities in terms of this Act, he or she must promptly report the inability, together with reasons, to the mayor and the provincial treasury.</p> | <p>Chief Financial Officer</p> <p>Municipal manager</p> | | | |

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| 51 | 75(1) | <p>Place on the website referred to in section 21A of the Municipal Systems Act the following documents of the municipality:</p> <ul style="list-style-type: none"> (a) The annual and adjustments budgets and all budget-related documents; (b) all budget-related policies; (c) the annual report; (d) all performance agreements required in terms of section 57(1)(b) of the Municipal Systems Act; (e) all service delivery agreements; (f) all long-term borrowing contracts; (g) all supply chain management contracts above a prescribed value; (h) an information statement containing a list of assets over a prescribed value that have been disposed of in terms of section 14(2) or (4) during the previous quarter; | Chief Financial Officer | | | |

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| | | (i) contracts to which subsection (1) of section 33 apply, subject to subsection (3) of that section; (j) public-private partnership agreements referred to in section 120; (k) all quarterly reports tabled in the council in terms of section 52(d); and (l) any other documents that must be placed on the website in terms of this Act or any other applicable legislation, or as may be prescribed. | | | | |
| 52 | 101(2) | Table a report referred to in section 101(1) in the municipal council at its next meeting. | Municipal manager | | Municipal Entity - Not applicable | |

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| 53 | 114 | If a tender other than the one recommended in the normal course of implementing the supply chain management policy of a municipality or municipal entity is approved, must, in writing, notify the Auditor-General, the Provincial Treasury and the National Treasury, of the reasons for deviating from such recommendation. Does not apply if a different tender was approved in order to rectify an irregularity. | Chief Financial Officer | | | |

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| 54 | 115(1) | Must— (b) implement the supply chain management policy of the municipality or municipal entity; and (b) take all reasonable steps to ensure that proper mechanisms and separation of duties in the supply chain management system are in place to minimise the likelihood of fraud, corruption, favouritism and unfair and irregular practices. | Municipal manager | Chief Financial Officer | | |

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| 55 | 116(2) | <p>Must—</p> <p>(a) take all reasonable steps to ensure that a contract or agreement procured through the supply chain management policy of the municipality or municipal entity is properly enforced;</p> <p>(b) monitor on a monthly basis the performance of the contractor under the contract or agreement;</p> <p>(c) establish capacity in the administration of the municipality or municipal entity—</p> <p style="padding-left: 40px;">(i) to assist the accounting officer in carrying out the duties set out in paragraphs (a) and (b); and</p> <p style="padding-left: 40px;">(ii) to oversee the day-to-day management of the contract or agreement; and</p> <p>(d) regularly report to the council of the municipality or the board of directors of the entity, as may be appropriate, on the management of the contract or agreement and the performance of the contractor.</p> | <p>Municipal manager</p> <p>Chief Financial Officer</p> <p>Director: Technical services</p> <p>Director: Corporate services</p> <p>Director: Health</p> | It is the responsibility of the directors to delegate specific responsibilities to their relevant managers | | |

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| 56 | 120(6) | <p>Must when a feasibility study has been completed—</p> <p>(a) submit 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;</p> <p>(b) at least 60 days prior to the meeting of the council at which the matter is to be considered, in accordance with section 21A of the Municipal Systems Act—</p> <p>(i) make public particulars of the proposed public-private partnership, including the report on the feasibility study; and</p> <p>(ii) invite local community and other interested persons to submit to the municipality comments or representations in respect of the proposed public-private partnership; and</p> | Director: Corporate Services | Manager PIMS | <p>The following needs to support the Director: Corporate services with information and reports as required executing this delegated task.</p> <p>Chief Financial Officer Director: Technical services Director: Health</p> | |

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| | | <p>(c) solicit the views and recommendations of—</p> <p>(i) the National Treasury;</p> <p>(ii) the national department responsible for local government;</p> <p>(iii) if the public-private partnership involves the provision of water, sanitation, electricity or any other service as may be prescribed, the responsible national department; and</p> <p>(iv) any other national or provincial organ of state as may be prescribed.</p> | | | | |

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| 57 | 124 | Include a statement to the notes to the annual financial statements whether or not the salaries, allowances and benefits of political office-bearers and councilors of the municipality, whether financial or in kind, are within the upper limits of the framework envisaged in section 219 of the Constitution. | Chief Financial Officer | | | |

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| 58 | 126(1) | <p>Must—</p> <p>(a) prepare the annual financial statements of the municipality and, within two months after the end of the financial year to which those statements relate, submit the statements to the Auditor-General for auditing; and</p> <p>(b) in addition, in the case of a municipality referred to in section 122(2), prepare consolidated annual financial statements in terms of that section and, within three months after the end of the financial year to which those statements relate, submit the statements to the Auditor-General for auditing.</p> | Chief Financial Officer | | | |

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| 59 | 127(5) | <p>Must immediately after an annual report is tabled in the council in terms of section 127(2)—</p> <p>(a) in accordance with section 21A of the Municipal Systems Act—</p> <p>(i) make public the annual report; and</p> <p>(ii) invite the local community to submit representations in connection with the annual report; and</p> <p>(b) submit the annual report to the Auditor-General, the Provincial Treasury and the provincial department responsible for local government in the province.</p> | Chief Financial Officer | Accountant | | |

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| 60 | 128 | <p>Must—</p> <p>(a) monitor 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);</p> <p>(b) establish the reasons for any non-compliance; and</p> <p>(c) promptly report any non-compliance, together with the reasons for such non-compliance, to the council of the parent municipality, the Provincial Treasury and the Auditor-General.</p> | | | Municipal Entity – not applicable. | |

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| 61 | 129(2) | <p>Must—</p> <p>(a) attend council and council committee meetings where the annual report is discussed, for the purpose of responding to questions concerning the report; and</p> <p>(b) submit copies of the minutes of those meetings to the Auditor-General, the Provincial Treasury and the provincial department responsible for local government in the province.</p> | Chief Financial Officer | | All directors to attend these meetings and assist the CFO | |

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| 62 | 129(3) | Make public an oversight report referred to in section 129(1) within seven days of its adoption in accordance with section 21A of the Municipal Systems Act. | Municipal manager | Chief Financial Officer | | |
| 63 | 132(2) | Submit the documents referred to in section 132(1)(a) and (b) to the provincial legislature within seven days after the municipal council has adopted the relevant oversight report in terms of section 129(1). | Municipal manager | Accountant | | |

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