STELLENBOSCH MUNICIPALITY

SYSTEM OF DELEGATIONS

STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

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PART 1

DEFINITIONS AND ABBREVIATIONS

"accounting officer" means the person appointed as Accounting Officer (Municipal Manager) of the municipality or a person acting in that position;

"Authorised employee" means the person as contemplated in Section 68 (a) the Stellenbosch Land Use Planning Bylaw of 2015

"CFO" means Chief Financial Officer

"CIDB" means the Construction Industry Development Board Act, 2000;

"Competent person" means the person responsible for machinery as per the general machinery regulations in terms of Occupational Health and Safety Act, Act 85 of 1993, as amended.

"Constitution" means the Constitution of the Republic of South Africa, 1996;

"CR" means a resolution taken by council or by the executive mayor in consultation with the executive mayoral committee;

"delegation", as defined in the various legislation referred to in this system of delegations where applicable – Structures and Systems Acts "in relation to a duty, includes an instruction to perform a duty, and "delegate" has a corresponding meaning.

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

"delegating authority"

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

"designation" means a power designated to the Executive Mayor to be performed together with the members of the mayoral committee as envisaged in section 60(3) of the Structures Act;

"DMA" means the Disaster Management Act, 2002; "EPA" means the Engineering Professions Act, 2000; "ERA" means the Electricity Regulations Act, 2006;

"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 Systems Act;

"Executive Mayor" (EM) means a person elected in terms of section 55 of the Structures Act and in whom the executive leadership of the municipality is vested

"FBSA" means the Fire Brigade Services Act, 1987;

"HA" means the National Heritage Resources Act, 1999;

"HSCM" means Head Supply Chain Management

Local Government: Municipal Structures Amendment, Act 3 of 2021

"LSA" means the Land Survey Act, 1997;

"LUPA": Western Cape Land Use Planning Act, 2014, Act 3 of 2014;

"LUPO" means the Land Use Planning Ordinance, 1985;

"MATR" means the Municipal Asset Transfer Regulations Gazette number 31346, 22 August 2008

"MTO" means Manager Treasury Office

"MCA" means the Magistrate's Court Act, 1944;

"MFMA" means the Local Government: Municipal Finance Management Act, 2003;

"Municipal Manager" (MM) means a person appointed in terms of section 82 of the

Structures Act; (Note section 56A of Systems Act declared unconstitutional)

"NBRBSA" means National Building Regulations and Building Standards Act, 1977;

"NBR" means the National Building

Regulations; "NEA" means the National

Energy Act, 2008;

"NEMA" means the National Environmental Management Act, 1998;

"NEMWA" means the National Environmental Management Waste Act,

2008; "NWA" means the National Water Act, 1998;

"OHASA" means the Occupational Health and Safety Act 85, 1993;

"PAIA" means the Promotion of Access to Information Act, 2 of 2000;

"PRA" means the Municipal Property Rates Act, 2004;

"political office bearer" means the speaker, executive mayor, deputy executive mayor as referred to in the Structures Act;

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

"RTA" means the National Road Traffic Act, Act 93 0f 1996;

"Speaker" means the person elected in terms of section 36 of the Structures Act;

"SPLUMA" means the Spatial Planning and Land Use Management Act, 2013, Act 16 of 2013;

"STA" means the Sectional Titles Act, 1986;

"Stellenbosch Land Use Planning Bylaw (SLUPB)" means the bylaw contemplated in section 156(1) of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);

"Structures Act" means the Local Government: Municipal Structures Act,

1998; "Systems Act" means the Local Government: Municipal Systems Act,

2000; "WSA" means the Water Services Act, 1997

PART 1 (…continues)

LEGAL FRAMEWORK

Legislation that bears relevance to a system of delegations is the following:

Legislation	Provision	Outline of Provision
Constitution	Section 151(2) Section 238	The executive and legislative authority of a municipality is vested in its Municipal Council.
Systems Act	Section 59	59. **Delegations.** —(1) A municipal council must develop a system of delegation that will maximise administrative and operational efficiency and provide for adequate checks and balances, and, in accordance with that system, may— (a) delegate appropriate powers, excluding a power mentioned in section 160 (2) of the Constitution and the power to set tariffs, to decide to enter into a service delivery agreement in terms of section 76 (*b*) and to approve or amend the municipality's integrated development plan, to any of the municipality's other political structures, political office bearers, councillors, or staff members; (b) instruct any such political structure, political office bearer, councillor, or staff member to perform any of the municipality's duties; and (c) withdraw any delegation or instruction. (2) A delegation or instruction in terms of subsection (1)— (a) must not conflict with the 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 the power or the performance of the duty; and (f) must be reviewed when a new council is elected or, if it is a district council, elected and appointed. (3) The municipal council— (a) in accordance with procedures in its rules and orders, may, or at the request in writing of at least one quarter of the councillors, must, review any decision taken by such a political structure, political office bearer, councillor or staff member in consequence of a delegation or instruction, and either confirm, vary or revoke the decision subject to any rights that may have accrued to a person; and (b) may require its executive committee or executive mayor to review any decision taken by such a political structure, political office bearer, councillor or staff member in consequence of a delegation or instruction.

Legislation	Provision	Outline of Provision
		(4) Any delegation or sub-delegation to a staff member of a power conferred on a Accounting Officer (Municipal Manager) must be approved by the municipal council in accordance with the system of delegation referred to in subsection (1).
Systems Act	Section 60	60. **Certain delegations restricted to executive committees or executive mayors.**—(1) The following powers may, within a policy framework determined by the municipal council, be delegated to an executive committee or executive mayor only: (a) decisions to expropriate immovable property or rights in or to immovable property; and (b) the determination or alteration of the remuneration, benefits or other conditions of service of the Accounting Officer (Municipal Manager) or managers directly responsible to the Accounting Officer (Municipal manager). (2) The council may only delegate to the Accounting Officer (Municipal Manager) the power to make decisions on investments on behalf of the municipality within the municipality's investment policy contemplated in section 13 (2) of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003).
Systems Act	Section 61	61. **Referral of matters to delegating authorities for decision.**—A political structure, political office bearer, councillor or staff member of a municipality to whom a delegating authority has delegated or sub-delegated a power to dispose of matters falling within the area of responsibility of that political structure, political office bearer, councillor or staff member may, or must if instructed to do so by the relevant delegating authority, refer a matter before the political structure, political office bearer, councillor or staff member to the relevant delegating authority for a decision.
Systems Act	Section 62	**62. Appeals.**—(1) A person whose rights are affected by a decision taken by a political structure, political office bearer, councillor or staff member of a municipality in terms of a power or duty delegated or sub-delegated by a delegating authority to the political structure, political office bearer, councillor or staff member, may appeal against that decision by giving written notice of the appeal and reasons to the Accounting Officer (Municipal Manager) within 21 days of the date of the notification of the decision. (2) The Accounting Officer (Municipal Manager) must promptly submit the appeal to the appropriate appeal authority mentioned in subsection (4). (3) The appeal authority must consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision. (4) When the appeal is against a decision taken by— (a) a staff member other than the Municipal Manager), the Accounting

Legislation	Provision	Outline of Provision
		Officer (Municipal Manager) is the appeal authority; (b) the Accounting Officer (Municipal Manager), the executive committee or executive mayor is the appeal authority, or, if the municipality does not have an executive committee or executive mayor, the council of the municipality is the appeal authority; or (c) a political structure or political office bearer, or a councillor— (i) the municipal council is the appeal authority where the council comprises less than 15 councillors; or (ii) a committee of councillors who were not involved in the decision and appointed by the municipal council for this purpose is the appeal authority where the council comprises more than 14 councillors. (5) An appeal authority must commence with an appeal within six weeks and decide the appeal within a reasonable period. (6) The provisions of this section do not detract from any appropriate appeal procedure provided for in any other applicable law.
Systems Act	Section 63	**63. Duty to report to delegating authorities.**—A political structure, political office bearer, councillor or staff member of a municipality to whom a delegating authority has delegated or sub-delegated a power or duty, must report to the delegating authority at such intervals as the delegating authority may require, on decisions taken in terms of that delegated or sub-delegated power or duty since the last report.
Systems Act	Section 64	**64. Withdrawal, amendment or lapsing of delegation or sub-delegation.**—The withdrawal, amendment or lapsing of a delegation or sub-delegation does not invalidate anything done as a consequence of a decision taken in terms of that delegation or sub-delegation.
Systems Act	Section 65	**65. Review of delegations.**—(1) Whenever it becomes necessary in terms of section 59 (2) (*f*) to review a municipality's delegations, the Accounting Officer (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 any changes to the existing delegations which the Accounting Officer (Municipal Manager) may consider necessary. (2) If the municipality has an executive committee or executive mayor, the Accounting Officer (Municipal Manager) must submit the report and any recommendations to the municipal council through the executive committee or executive mayor.
		59. Delegations of mayoral powers and duties.—(1) The powers and duties assigned in terms of this Act to the mayor of a municipality, may— (a) in the case of a municipality which has an executive mayor referred to in section 55 of the Municipal Structures Act, be delegated by the

Legislation	Provision	Outline of Provision
MFMA	Section 59	executive mayor in terms of section 60 (1) of that Act to another member of the municipality's mayoral committee; (b) in the case of a municipality which has an executive committee referred to in section 43 of that Act, be delegated by the council of the municipality to another member of the executive committee; or (c) in the case of a municipality which has designated a councillor in terms of section 57 (1) of this Act, be delegated by the council to any other councillor. (2) A delegation in terms of subsection (1)— (a) must be in writing; (b) is subject to any limitations or conditions that the executive mayor or council, as the case may be, may impose; and (c) does not divest the mayor of the responsibility concerning the exercise of the delegated power or the performance of the delegated duty. (3) The mayor may confirm, vary or revoke any decision taken in consequence of a delegation in terms of this section, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.

Legislation	Provision	Outline of Provision
MFMA	Section 79	**79. Delegations.**—(1) The accounting officer of a municipality— (a) must, for the proper application of this Act in the municipality's administration, develop an appropriate system of delegation that will both maximise administrative and operational efficiency and provide adequate checks and balances in the municipality's financial administration; (b) may, in accordance with that system, delegate to a member of the municipality's top management referred to in section 77 or any other official of the municipality— (i) any of the powers or duties assigned to an accounting officer in terms of this Act; or (ii) 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 the aims of a specific provision of this Act; and (c) must regularly review delegations issued in terms of paragraph (*b*) and, if necessary, amend or withdraw any of those delegations. (2) The accounting officer may not delegate to any political structure or political office-bearer of the municipality any of the powers or duties assigned to accounting officers in terms of this Act. (3) A delegation in terms of subsection (1)— (a) must be in writing; (b) is subject to such limitations and conditions as the accounting officer may impose in a specific case; (c) may either be to a specific individual or to the holder of a specific post in the municipality; (d) may, in the case of a delegation to a member of the municipality's top management in terms of subsection (1) (*b*), authorise that member to sub-delegate the delegated power or duty to an official or the holder of a specific post in that member's area of responsibility; and (e) does not divest the accounting officer of the responsibility concerning the exercise of the delegated power or the performance of the delegated duty. (4) The accounting officer may confirm, vary or revoke any decision taken in consequence of a delegation or sub-delegation in terms of this section, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.

PART 1 (…continues)

PRINCIPLES AND GENERAL CONDITIONS OF DELEGATION

1. In terms of the Systems Act a Municipal Council must develop a system of delegation that will maximise administrative and operational efficiency and provide for adequate checks and balances. In terms of this system of delegation the Municipal Council may instruct any political structure, political office bearer, councillor, or staff member to perform any of the municipality's duties and withdraw any delegation or instruction.

2. A delegation or instruction in terms of the system of delegation must not conflict with the Constitution or the Systems Act or Structures Act. The Constitution empowers a Municipal Council to make by-laws, which prescribe rules and orders for the powers and functions of its Committees, and further prescribes those functions which may not be delegated by Council.

3. All delegations must therefore ensure that the Council retains all legislative powers and those executive powers which may not be lawfully delegated. See in this regard specifically section 160(2) of the Constitution and section 59(1) (a) of the Systems Act, as set out under Part 1 of this document.

4. The Council may exercise no power and perform no function beyond that conferred to it by law and the Executive may not exercise its authority contrary to any policy approved by Council. Powers and functions must furthermore be performed in such a manner to comply with Council's Integrated Development Plan, by-laws and budget.

5. All delegations must be aimed at empowering the relevant executives to perform their functions effectively, taking into account the different levels of decision making.

6. The functions allocated to Council's Executive, as may be approved by Council from time to time, will form the basis for the allocation of delegations of executive decision-making power.

7. Delegations may be subject to limitations, conditions and directions as approved by the Municipal Council.

8. The delegations and instructions in terms of the system of delegation do not divest the Municipal Council of responsibility concerning the exercise of the power or the performance of the duty.

9. The Council, in accordance with procedures in its rules and orders, may - or at the request in writing of at least one quarter of the councillors, must -
   a. review any decision taken by a political structure, political office bearer, councillor or staff member in consequence of a delegation or instruction, and either confirm, vary or revoke the decision subject to any rights that may have accrued to a person; and
   b. may require its executive mayor to review any decision taken by such a political structure, political office bearer, councillor or staff member in consequence of a delegation or instruction.

10. All delegations, and all other decisions affecting the rights of others, must be in writing.

11. Where powers or functions are delegated or sub-delegated by the Executive Mayor in terms of the delegation register, he/she has given such delegations due consideration and approves of same.

12. The Accounting Officer (Municipal Manager) is authorised to sub-delegate any of his/her powers to the most effective level.

13. The Accounting Officer (Municipal Manager) is authorised to delegate the statutory powers and when it is done it will be reported to council

14. All delegations and sub-delegations must be recorded in the delegation register, which must be kept updated at all times by the Accounting Officer (Municipal Manager).

15. All delegates that have delegations from Council must report delegated decisions at least quarterly to Council.

16. Delegations that originate from the Accounting Officer (Municipal Manager) or Executive Mayor must report their delegated decisions at such required intervals as required by the Accounting Officer (Municipal Manager) and Executive Mayor.

17. Any delegation is also exercised by the person who acts in that post.

18. The exercising of a power must comply with all applicable legislation and instructions issued in relation thereto. In the case of personnel matters, agreements entered into in the Bargaining Council are included.

19. The person or institution who delegates, may at any time instruct the delegate not to carry out a matter in terms of his delegated authority, but to submit it to the delegating official/institution for consideration and finalization.

20. A delegate can exercise or perform any power, function or duty delegated to him, through delegating any power or function to any official under his control.

21. When funds are not available, expenditure may not be incurred when exercising delegated powers.

22. Any person whose rights are affected by a decision taken by a political structure, political office bearer, councillor or staff member of a municipality in terms of a power or duty delegated or sub-delegated by delegating authority to the political structure, political office bearer, councillor or staff member may appeal against that decision by giving written notice of the appeal and reasons to the Accounting Officer (Municipal Manager). The process as indicated in section 62 if the Systems Act must be followed. The person's whose rights are affected must be informed of their rights of appeal.

23. Any delegation may be revoked in writing by the delegating authority at any time, subject to any vested rights.

24. All delegations are replaced by the delegations contained in these delegations unless specifically

stated otherwise.

25. When delegations contained in this register conflict with any decision taken by council or its committees, the delegations herein shall enjoy preference.

26. The delegations contained herein are to be read in conjunction with Council's Role Clarification in terms of section 53 of the Systems Act, which defines the specific role and area of responsibility of each political structure and political office bearer of the municipality and of the Accounting Officer (Municipal Manager).

27. Current delegations taken up in the Rules of Order Bylaw, other bylaws and Policies not addressed or taken up in the register will remain in force and effect until such time as reviewed and revised and will then be added administratively to this register.

28. The post titles referred to in this register may change when evaluation of posts take place. Changes to post names will be affected in the register and reported to Council after evaluations took place.

The objectives of a delegation system are to:

1. ensure administrative and operational effectiveness;
2. make adequate provision for control mechanisms (so-called checks and balances);
3. delegate decision making powers to the most effective level in the administration;
4. as far as practically possible, involve employees in managerial decisions;
5. create a climate of collective responsibility for job performance;
6. clearly allocate duties for the management of administrative components, systems and mechanisms;
7. clearly define the responsibilities of every political structure and political office-bearer;
8. articulate the relationship between political structures, political office-bearers and the administration and to clear applicable lines for reporting and responsibilities.

PART 2

POLITICAL DELEGATIONS

"political delegations" encompass delegations that relate to powers, duties or functions assigned to or conferred on the municipal council or any political office-bearer in terms of legislation.

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	**LEGISLATIVE MANDATE**	**DESCRIPTION OF POWER OR DUTY**	**RESPONSIBILITY/ DELEGATED FROM**	**DELEGATED TO**	**SUB-DELEGATED TO**	**CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST**
CONSTITUTION						
C1	Section 160(2), Constitution (See also sections 75 and 75A of the Systems Act)	(a) the passing of by-laws; (b) the approval of budgets; (c) the imposition of rates and other taxes, levies and duties and (d) the raising of loans	Council	N/A		May not be delegated
STRUCTURES ACT						
C2	Section 19(2), Structures Act	Must annually review – (a) the needs of the community; (b) its priorities to meet those needs; (c) its processes for involving the community; (d) its organizational and delivery mechanisms for meeting the needs of the community; and (e) its overall performance in achieving its objectives	Council	Executive Mayor		Accounting Officer (Municipal Manager)/ All Directors/heads of departments/
C3	Section 19(3), Structures Act	Must develop mechanisms to consult the community and community organizations in performing its functions and exercising its powers	Council	Executive Mayor		
C4	Sections 36(2) and 55(1), Structures Act	Council elects the Speaker of the Council, Executive Mayor and Deputy Executive Mayor	Council	N/A		
C5	Section 78, Structures Act	Council may dissolve ward committees	Council	N/A		
C6	Section 80(1)-(4), Structures	Appointment of section 80 committees	Council	N/A		

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	**LEGISLATIVE MANDATE**	**DESCRIPTION OF POWER OR DUTY**	**RESPONSIBILITY/ DELEGATED FROM**	**DELEGATED TO**	**SUB-DELEGATED TO**	**CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST**
	Act					
C7	Section 4(2)(a) to 4(2)(j), Systems Act	(a) Exercise executive and legislative authority and use resources in the best interest of local community (b) Provide democratic and accountable government (c) Encourage community involvement (d) Ensure services are provided in a financially and environmentally sustainable manner (e) Consult local community (f) Give equitable access to services (g) Promote and undertake development (h) Promote gender equity (i) Promote safe and healthy environment Contribute to the progressive realisation of fundamental rights	Council	Executive Mayor		MM and All Directors/ heads of departments
C8	Section 25(1), Systems Act	Must adopt integrated development plan	Council	N/A		Read with section 59(1)(a)(iii), Systems Act – See item 21 below
C9	Section 25(4), Systems Act	Must give notice to public of adoption of integrated development plan and where copies or extracts are available, and publicise a summary of the plan	Council	Accounting Officer (Municipal Manager)	Senior Manager: Governance	

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
C10	Section 36, Systems Act	Ensure that affairs of municipality are consistent with integrated development plan	Council	Executive Mayor		MM/Senior Manager: Governance
C11	Section 38, Systems Act	Establish a performance management system	Council	Executive Mayor		Accounting Officer (Municipal Manager)/ Senior Manager: Governance
C12	Section 40, Systems Act	Establish mechanisms to monitor and review the performance management system (evaluates progress against the key performance indicators prescribed in terms of section 43)	Council	Executive Mayor		All Directors/heads of department / Senior Manager: Governance
C13	Section 42, Systems Act	Involve the local community in the development, implementation and review of the performance management system and allow the community to participate in the setting of key performance indicators and performance targets for the municipality	Council	Executive Mayor		MM and Senior Manager: Governance
C14	Section 44, Systems Act	Determine the manner in which the key performance indicators and performance targets must be made known both internally and to general public	Council	Executive Mayor		MM and Senior Manager: Governance
C15	Section 46, Systems Act	Prepare a performance report for financial year	Council	Executive Mayor		MM and Senior Manager: Governance/All Directors/

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
C16	Section 53(1), Systems Act	*Develop* a system for defining the role and area of responsibility of each political structure and political office bearer of the municipality and of the Accounting Officer (Municipal Manager)	Council	Executive Mayor		MM and Director : Strategic and Corporate
C17	Section 53(1), Systems Act	*Approve* the system defining the role and area of responsibility of each political structure and office bearer of the municipality and of the Accounting Officer (Municipal Manager)	Council	N/A		
C18	Section 82 of Structures Act (117/98)	Appoint an Accounting Officer (Municipal Manager) as head of the administration or an acting Accounting Officer (Municipal Manager) under circumstances and for a period as prescribed (not exceeding 3 months)	Council	N/A		
C19	Section 56(1)(a)(i), Systems Act	Appoint, after consultation with the Accounting Officer (Municipal manager), managers directly accountable to the Accounting Officer (Municipal manager)	Council	N/A		Refer MSA Amendment Act 7/2011
C19.1	Section 56(1)(a)(ii), Systems Act	Appoint, after consultation with the Accounting Officer (Municipal manager), an acting manager directly accountable to the Accounting Officer (Municipal Manager) under circumstances and for a period as prescribed (not exceeding 3 months)	Council	N/A		
C19.2	Section 57	To exercise the rights and obligations of council in terms of the employment	Council	Executive Mayor		

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
		contract of the Municipal Manager and manager reporting directly to the Municipal Manager				
C20	Section 59(1), Systems Act	Develop a system of delegation that will maximize administrative and operational efficiency and provide for adequate checks and balances	Council	Accounting Officer (Municipal Manager)		Director: Corporate Services
C21	Section 59(1), Systems Act	Approve system of delegations	Council	N/A		
C22	Section 59(1)(a), Systems Act	The power to – (i) set tariffs, (adoption and implementation of a tariff policy in terms of sections 74 and 75) (ii) decide to enter into a service delivery agreement in terms of section 76(b) of the Structures Act, and approve or amend the municipality's integrated development plan	Council	N/A		May not delegate (Also see item 8 above)
C23	Section 59(2)(f), Systems Act	When a new council is elected and appointed, *review* the system of delegation	Council	Accounting Officer (Municipal Manager)		Director: Corporate Services
C24	Section 59(2)(f), Systems Act	When a new council is elected and appointed, *approve* the system of delegation	Council	N/A		
C25	Section 60(1)(a), Systems Act	Within a policy framework determined by council, decide about the expropriation of immovable property or rights in or to immovable property	Council	Executive Mayor (may only delegate to him/her)		
C26	Section 60(1)(b), Systems Act	Within a policy framework determined by the Minister, alter the remuneration, benefits or other	Council	Executive Mayor (may only delegate to		Read with the Regulations on the Appointment of Senior

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
		conditions of service of the Accounting Officer (Municipal Manager) or managers directly responsible to him/her		him/her)		Managers
C27	Section 60(2), Systems Act	Decision to make investments on behalf of the municipality	Council	Accounting Officer (Municipal Manager) (may be delegated to him/her only)		Read with the Council Investment Policy
C28	Section 66(1)(a), Systems Act	Approve a staff establishment for the municipality	Council	N/A		Accounting Officer (Municipal Manager) to develop and submit to council
C29	Section 67, Systems Act	*Develop* systems and procedures to ensure fair, efficient, effective and transparent personnel administration	Council	Accounting Officer (Municipal Manager)		Director: Corporate Services
C30	Section 67, Systems Act	*Adopt* systems and procedures to ensure fair, efficient, effective and transparent personnel administration	Council	Executive Mayor in consultation with Executive Mayoral Committee		
C31	Section 68, Systems Act	Build capacity of human resources in accordance with the provisions of the Skills Development Act, 1998	Council	Accounting Officer (Municipal Manager)		All Directors/ heads of departments
C32	Section 77, Systems Act	Review mechanisms to provide service delivery	Council	Executive Mayor		MM and All Directors/heads of departments
C33	Section 81, Systems Act	Regulate, monitor and assess service delivery when using a service provider to ensure proper municipal service is delivered	Council	Accounting Officer (Municipal Manager)		All Directors/ heads of departments / heads of sections
C34	Section 95(a) and (b), Systems Act	Establish a sound customer management system with mechanisms for users and ratepayers to give feedback	Council	Accounting Officer (Municipal Manager)		Director Corporate Services/All heads of departments /

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
C35	Section 95(c) to (i), Systems Act	Provide proper facilities for payment of rates and other taxes	Council	Accounting Officer (Municipal Manager)		Chief Financial Officer (CFO) / head of relevant section
C36	Section 96(a), Systems Act	Collect all money which is due and payable to it	Council	Accounting Officer (Municipal Manager)		Chief Financial Officer (CFO) / head of relevant section
C37	Section 96(b), Systems Act	Adopt a credit control and debt collection policy	Council	N/A		CFO
C38	Section 96(b), Systems Act	Maintain and implement the credit control policy	Council	Accounting Officer (Municipal Manager)		Chief Financial Officer (CFO)
C39	Section 109A, Systems Act	To provide legal representation for a Councillor, the Accounting Officer (Municipal Manager) or manager directly accountable to the Accounting Officer (Municipal Manager) and staff members (a) where legal proceedings have been instituted against the Councillor or staff member as a result of any Act or omission by the Councillor or official in the exercise of his or her powers or the performance of his or her duties; or (b) where a Councillor or staff member 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	EM – insofar as it relates to a councillor and after having considered a recommendation from the MM, or where the MM is involved, recommendation from the CFO. MM –Insofar it relates to all other staff and the EM		With assistance of Director Corporate Services In as far as it relates to the EM after input from the Speaker has been considered.
C40	Section 109(2), Systems Act	Compromise or compound any action or proceedings and submit to arbitration any matter other than a matter involving a decision on its status, powers or	Council	Accounting Officer (Municipal Manager)		

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
		duties or the validity of its actions and by-laws				
MUNICIPAL FINANCE MANAGEMENT ACT (MFMA)						
C41	Section 7(1), MFMA	Deciding to open a bank account for the municipality	Council	Accounting Officer (Municipal Manager)	Chief Financial Officer	
C42	Section 7(1), MFMA	Deciding at which bank/banks to open a bank account	Council	Accounting Officer (Municipal Manager)	Chief Financial Officer	Subject to section 8(2) of the MFMA
C43	Section 7(1), MFMA	Deciding to close a bank account	Council	Accounting Officer (Municipal Manager)	Chief Financial Officer	Section 10(1)(B) of the MFMA
C44	Section 7(2), MFMA	Determining into which bank account money collected or received by the municipality must be deposited	Council	Accounting Officer (Municipal Manager)	Chief Financial Officer	See section 48(2)(d) of the MFMA
C45	Section 8(1), MFMA	Designating a bank account of the municipality as the municipality's primary bank account	Council	Accounting Officer (Municipal Manager)	Chief Financial Officer	Section 62(2) of the MFMA
C46	Section 8(3), MFMA	Determining the reasonable steps to be taken to ensure that the prescribed money received is paid into the municipality's primary bank account	Council	Accounting Officer (Municipal Manager)	Chief Financial Officer	Section 62(2) of the MFMA
C47	Section 8(4), MFMA	Entering into an agreement with other parent municipalities, as to which municipality's primary bank account to use for the purpose of receiving allocations from organs of state to the municipal entity concerned	Council		Chief Financial Officer	
C48	Section 12(2), MFMA	Deciding to open a separate bank account in the name of the municipality for the purpose of a relief, charitable, trust or other fund	Council			Chief Financial Officer Section 12(1) of the MFMA

POWERS/DUTIES CONFERRED ON COUNCIL						
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C49	Section 13(2), MFMA	Establishing an appropriate and effective cash management and investment policy for the municipality	Council (must approve the policies for implementation by the Accounting Officer and Senior Management)			MM/CFO
C50	Section 14(2) of the MFMA (read with section 90, MFMA)	Deciding to transfer ownership as a result of a sale or other transaction or otherwise permanently dispose of a capital asset	Council			
C51	Section 14(2)(1), MFMA	Deciding, at a meeting open to the public and on reasonable grounds, that an asset of the municipality is not needed to provide the minimum level of basic municipal services	Council			
C52	Section 14(2)(b), MFMA	Considering the fair market value of an asset to be disposed of and the economic and community value to be received in exchange for an asset to be disposed of	Council			Read with Regulation 11 of the MTAR
C53	Section 14(4), MFMA	Determining the value of <u>movable</u> assets in respect of which the Accounting Officer (Municipal Manager) may determine – (a) whether an asset to be disposed of is not needed to provide the minimum level of basic municipal services; and determining the fair market value of such asset and the economic and community value to be received in exchange for the asset	Council	Accounting Officer (Municipal Manager)		A council may delegate to the accounting officer its power to make the determinations referred to in subsection (2)(a) & (b) i.r.o. movable capital assets below a value determined by the council. Read with Asset Management Policy.

POWERS/DUTIES CONFERRED ON COUNCIL						
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C54	Section 16(1), MFMA	Approval of annual budget	Council	N/A		See also (1) section 160(2)(b), read with section 160(3)(b) of the Constitution; (2) section 24(1), MFMA; (3) section 30(5), Structures Act; and section 25(1), MFMA
C55	Section 16(3), MFMA	Deciding whether money for capital expenditure for a period not exceeding three financial years may be appropriated in an annual budget	Council			A separate appropriation must be made for each financial year
C56	Section 19(1)(b), MFMA	Approving a capital project, including its total cost	Council	N/A		
C57	Section 19(1)(d), MFMA	Considering the sources of funding of a capital project	Council	Accounting Officer (Municipal Manager)	Chief Financial Officer	
C58	Section 19(2), MFMA	Considering, i.r.o. a capital project, the projected cost covering all financial years until the project is operational and the future operational costs and revenue on the project, including municipal tax and tariff implications	Council	N/A		
C59	Section 19(3), MFMA	Deciding to approve capital projects below the prescribed value individually or as part of a consolidated capital	Council	N/A		

POWERS/DUTIES CONFERRED ON COUNCIL						
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		programme				
C60	Section 23(1), MFMA	Receiving and considering the views of the communities and organs of state received in connection with the budget	Council	N/A		
C61	Section 23(2), MFMA	Deciding to give the mayor an opportunity to respond to any submissions received in connection with the budget from communities and organs of state	Council	N/A		
C62	Section 28(1), MFMA	Deciding to revise an approved budget by way of an adjustments budget	Council	N/A		
C63	Section 32(2), MFMA	Deciding to recover unauthorised, irregular or fruitless and wasteful expenditure from the person liable for that expenditure (see exceptions)	Council	N/A		Except, in the case of unauthorised expenditure, if the amount of the expenditure is authorised in an adjustments budget Is certified by the council, after investigation by a council committee, as irrecoverable and written off by the council Irregular or fruitless and wasteful expenditure is, after investigation by a council

POWERS/DUTIES CONFERRED ON COUNCIL						
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						committee, certified as irrecoverable and written off by council
C64	Section 32(2), MFMA	Determining the amount of unauthorised, irregular or fruitless and wasteful expenditure to be recovered, written off or provided for in an adjustments budget	Council	MPAC		
C65	Section 32(2), MFMA	Identifying the identity of the person who is liable for unauthorised, irregular or fruitless and wasteful expenditure	Council	MPAC		Accounting officer in terms of Section 62(1)(e)
C66	Section 32(2), MFMA	Appointing a committee to investigate any suspected or reported unauthorised, irregular or wasteful expenditure	Council			I.t.o. the judgments of the courts in The Democratic Alliance and another v Amos Masondo and another and Democratic Alliance and Another v Amos Masondo NO and the Minister of Provincial and Local Government (CC) a mayoral committee was found not to be a committee of a municipal council. The council may therefore not

POWERS/DUTIES CONFERRED ON COUNCIL						
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						appoint the mayoral committee to perform such an Investigation MPAC serve this function currently
C67	Section 32(7), MFMA	Determining whether an alleged irregular expenditure incurred by the Accounting Officer (Municipal Manager) constitutes a criminal offence	Council			
C68		Reporting alleged irregular expenditure incurred by the Accounting Officer (Municipal Manager) that constitutes a criminal offence and alleged theft and fraud perpetrated by the Accounting Officer (Municipal Manager) to the SAPS	Council	Executive Mayor		
C69	Section 33(1), MFMA	Deciding to enter into a contract which will impose financial obligations on the municipality beyond a financial year	Council			
C70	Section 34(1), MFMA	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	Accounting Officer (Municipal Manager)		
C71	Section 34(3)(a), MFMA	Considering the results of the provincial government's monitoring of the municipality	Council	Accounting Officer (Municipal Manager)		
C72	Section 34(3)(b), MFMA	Considering a notification of the provincial government of any emerging	Council	Executive Mayor		

POWERS/DUTIES CONFERRED ON COUNCIL						
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		or impending financial problems in the municipality				
C73	Section 37(1)(a), MFMA	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	Accounting Officer (Municipal Manager)	Senior Manager Governance	
C74	Section 38(2), MFMA	Considering a notice received from the National Treasury of its intention to stop the transfer of funds to the municipality	Council	Executive Mayor		
C75	Section 39(3), MFMA	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	Executive Mayor		
		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	Executive Mayor		
C76	Section 45(1), MFMA	Deciding whether to incur short term debt	Council	N/A		I.t.o. section 60(2) of the Constitution the council may not delegate the raising of loans. A decision to raise a loan must be taken by the council with a supporting vote of a

POWERS/DUTIES CONFERRED ON COUNCIL						
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						majority of its members i.t.o. section 160(3)(b) of the Constitution.
C77	Section 45(2)(a), MFMA	Approving any short-term debt agreement	Council	N/A		
C78	Section 46(1), MFMA	Deciding whether to incur long term debt	Council	N/A		Read with section 160(2) & 160(3)(b) of the Constitution, as well as section 30(5) of the Structures Act
C79	Section 46(2)(a)	Approving any long-term debt agreement	Council	N/A		
C80	Section 48(1), MFMA	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 municipality or such other person	Council	N/A		

C81	Section 48(2), MFMA	Deciding the form/nature of security to be provided 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	Council	N/A		

POWERS/DUTIES CONFERRED ON COUNCIL						
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		property, plant or equipment to be used by the municipality or such other person				
C82	Section 48(3)(a), MFMA	Deciding whether an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services	Council	N/A		
C83	Section 48(3)(b), MFMA	Deciding, if an asset or right that has been hypothecated in any manner as security is necessary for providing the minimum level of basic municipal services, the manner in which the availability of the asset or right will be protected	Council	N/A		
C84	Section 50, MFMA	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 Municipality	Council	N/A		

C85	Section 64(2)(g), MFMA	Deciding to grant exemptions from charging interest on any arrears owing to the municipality in accordance with the municipality's budget-related Policies	Council	Accounting Officer (Municipal Manager)		Refer Credit Control and Debt Collection Policy
C86	Section 83(2), MFMA	Determining the resources or opportunities to be made available for the training of officials to meet the prescribed financial management competency levels	Council	Accounting Officer (Municipal Manager)	Director Corporate Services	
C87	Section 84(1)(a),	Determining precisely the function or service that a municipal entity would	Council	Accounting Officer (Municipal		

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	MFMA	perform on behalf of the Municipality when considering the establishment of, or participation in, a municipal entity		Manager)		
C88	Section 84(2)(b)(i), MFMA	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	Accounting Officer (Municipal Manager)		
C89	Section 84(2)(b)(ii), MFMA	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	N/A		

C90	Section 84(2)(b)(ii), MFMA	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	N/A		
C90.1	Section 84(2)(b)(iii), MFMA	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 i.r.o. the municipality's intention to establish and/or	Council	N/A		

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		participate in a municipal entity				
C91	Section 111, MFMA	Developing and implementing a supply chain management policy for the municipality	Council	Accounting Officer (Municipal Manager)	Chief Financial Officer	Subject to the content requirements i.t.o. section 112(1) of the MFMA / Also refer delegations i.t.o. Supply Chain Policy
C92	Section 113(1), MFMA	Deciding whether to consider an unsolicited bid received outside the municipality's normal bidding process	Council			

C93	Section 116(3), MFMA	Considering the reasons for the proposed amendment of a contract or agreement and any representation that may have been received regarding the proposed amendment of a contract or an agreement procured through the supply chain management policy of the municipality and deciding whether to consent to the amendment of the contract or agreement	Council			Advertise to community first and then table reasons in council
C93.1	Section 116(3), MFMA	Considering the reasons for the proposed amendment of a contract or agreement and any representation that may have been received regarding the proposed amendment of a contract or an agreement procured through the supply chain management policy of a municipal entity of which the municipality is a parent municipality and deciding whether to	Council	Accounting Officer (Municipal Manager)		In consultation

POWERS/DUTIES CONFERRED ON COUNCIL						
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		consent to the amendment of a contract or agreement				
C94	Section 119(2), MFMA	Determining the resources or opportunities to be made available for the training of officials involved in the implementation of the supply chain management policy of the municipality to meet the prescribed competency levels	Council	Accounting Officer (Municipal Manager)		In consultation with Director: Corporate Services

C95	Section 120(1), MFMA	Deciding to enter into a public private partnership agreement	Council	N/A		
C96	Section 120(1)(a), MFMA	Determining whether a proposed public private partnership agreement will provide value for money to the municipality	Council	N/A		
C97	Section 120(1)(b), MFMA	Determining whether a public private partnership agreement will be affordable for the municipality	Council	N/A		
C98	Section 120(1)(c), MFMA	Determining whether a proposed public private partnership agreement will transfer appropriate technical, operational and financial risk to the private party	Council	N/A		
C99	Section 120(4), MFMA	Deciding to conduct a feasibility study before a public private partnership is concluded	Council	Accounting Officer (Municipal Manager)		
C100	Section 120(5), MFMA	Determining whether to apply for the national government's assistance in carrying out and assessing a feasibility	Council	N/A		

POWERS/DUTIES CONFERRED ON COUNCIL						
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		study regarding a proposed public private partnership				
C101	Section 121(1), MFMA	Preparing an annual report for the municipality	Council	Accounting Officer (Municipal Manager)		Senior Manager: Governance

C102	Section 121(4)(f), MFMA	Determining any additional information to be contained in the annual report of a municipal entity of which the municipality is a parent municipality	Council	Accounting Officer (Municipal Manager)		All Directors/Senior Manager: Governance
C103	Section 126(2)(a), MFMA	Receiving the financial statements of municipal entity over which the Municipality has sole control or effective control (if it is a private company)	Council	Accounting Officer (Municipal Manager)		
C104	Section 126(4), MFMA	Receiving a report outlining the reasons for the delay from the Auditor-General if she/he is unable to complete an audit within three months after submission of the municipality's annual financial statements and any consolidated annual financial statements of the municipality and of a municipal entity over which the municipality has sole control or effective control (if it is a private company)	Council	N/A		
C105	Section 129(1), MFMA	Considering the annual report of the municipality and of any municipal entity under the municipality's sole or shared control; and adopting an oversight report containing the council's comments on the annual report(s)	Council	N/A		

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C106	Section 129(5), MFMA	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	N/A		
C107	Section 133(c)(i), MFMA	Deciding whether to request the Speaker or another councillor to investigate the reasons for the failure of the Accounting Officer (Municipal Manager) or of the accounting officer of a municipal entity under the municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Executive Mayor's failure to table the annual report of the Municipality or a municipal entity in the council; and Receiving the report of the appointed councillor	Council	N/A		
C108	Section 133(c)(ii), MFMA	Determining the appropriate steps to be taken to ensure that the financial statements are submitted to the Auditor- General or that the annual report, including the financial statements and the audit report on those statements, is tabled in the Council, as the case	Council	N/A		

POWERS/DUTIES CONFERRED ON COUNCIL						
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		may be				
C109	Section 133(c)(iii), MFMA	Deciding whether disciplinary steps should be taken against the Accounting Officer (Municipal Manager) or any other person(s) for failing to submit annual financial statements to the Auditor-General or for the failure to table the audit report on those statements to Council, as the case may be	Council	N/A		
C110	Section 135(3), MFMA	Considering whether the municipality is, or is likely to, encounter a serious financial problem in meeting its financial commitments	Council	Executive Mayor		
C111	Section 135(3)(a), MFMA	Determining the manner of seeking solutions to any serious financial problem in meeting its financial commitments experienced or anticipated by the municipality; 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		
C112	Section 135(3)(b), MFMA	Informing the MEC responsible for local government and the MEC responsible for finance of any serious financial problem in meeting its financial commitments experienced or anticipated by the municipality	Council	Executive Mayor		
C113	Section 135(3)(c),	Notifying organised local government of any serious financial	Council	Executive Mayor		

POWERS/DUTIES CONFERRED ON COUNCIL						
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	MFMA	problem in meeting its financial commitments experienced or anticipated by the municipality				
C114	Section 137(2), MFMA	Receiving an assessment of the seriousness of the financial problem in the Municipality, the determination of the provincial executive whether the financial problem experienced by the municipality, singly or in combination with other problems, is sufficiently serious or sustained that the municipality would benefit from a financial recovery plan and the request to a suitably qualified person to prepare and submit a financial recovery plan for the municipality	Council	Executive Mayor*		* must be tabled at the next council meeting
C115	Section 137 (3) of MFMA	Receiving a copy of the Municipal Financial Recovery Service's determination of the reasons for the crisis in the municipality's financial affairs and assessment of the municipality's financial state	Council	Executive Mayor		Accounting Officer to assist
C116	Section 141(3)(a) & 144(2), MFMA	Participating in consultation with the person or body appointed to prepare a financial recovery plan or an amendment of such plan for the Municipality.	Council	Accounting Officer (Municipal Manager)		CFO
C117	Section 141(3)(c) & 144(2), MFMA	Commenting on a draft financial recovery plan or on an amendment to such plan for the municipality	Council	Accounting Officer (Municipal Manager)		CFO to assist

POWERS/DUTIES CONFERRED ON COUNCIL

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C118	Section 143(3)(a), MFMA	Receiving an approved financial recovery plan for the municipality	Council	Executive Mayor*		* must be tabled at the next council meeting CFO
C119	Section 145(1)(a) & 146(1)(a), MFMA	Implementing an approved financial recovery plan for the municipality	Council	Accounting Officer(Municipal Manager)		CFO
C1120	Section 145(1)(b), MFMA	Reporting monthly to the MEC for local government on the implementation of the approved financial recovery plan for the municipality	Council	Accounting Officer(Municipal Manager)		CFO
C121	Section 147(1)(b), MFMA	Receiving progress reports and a final report on any intervention from the MEC for local government or the MEC responsible for finance	Council	Executive Mayor*		* must be tabled at the next council meeting
C122	Section 148(1)(b)(i), MFMA	Declaring the municipality's willingness to fulfil the executive obligation in terms of legislation or the Constitution that gave rise to any discretionary intervention in the municipality	Council	N/A		
C123	Section 148(3)(a), MFMA	Receiving a notification that an intervention in the municipality has ended	Council	Executive Mayor		Accounting Officer (Municipal Manager) to place before Council with an item
C124	Section 152(1), MFMA	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	Accounting Officer (Municipal Manager)		CFO/Director Corporate Services

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C125	Section 153(1)(a), MFMA	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	Accounting Officer (Municipal Manager)		CFO/Director Corporate Services
C126	Section 153(1)(b), MFMA	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	Council	Accounting Officer (Municipal Manager)		CFO/Director Corporate Services
C127	Section 153(1)(c), MFMA	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	Accounting Officer (Municipal Manager)		CFO/Director Corporate Services
C128	Section 165(1), MFMA	Deciding whether to establish an internal audit unit or to outsource the internal audit function	Council			
C129	Section 166(1) & 166(6), MFMA	Deciding whether to establish an internal audit committee for – (a) the municipality only; or (b) the municipality and the local municipalities within the district municipal area; or the municipality and any municipal entity under its sole control.	Council			
C130	Section 166(2)(d), MFMA	Requesting the audit committee to investigate the financial affairs of the municipality or a municipal entity of which the municipality is a parent	Council	Executive Mayor		

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C131	Section 166(4), MFMA	Determining the number of members of the audit committee; Determining the nature of the appropriate experience that persons should possess to be considered for appointment as a member of the audit committee	Council			
C132	Section 166(5), MFMA	Appointing the members of the audit committee of the municipality and of a municipal entity of which the municipality is a parent municipality; Appointing from amongst the members of an audit committee who is not in the employ of the municipality or municipal entity a chairperson	Council			
C133	Section 168(3), MFMA	Considering any guidelines issued by the Minister of Finance in terms of section 168(1) of the MFMA	Council	Accounting Officer (Municipal Manager)		
C134	Section 171(4)(a), MFMA	Investigating any allegations of financial misconduct against the Accounting Officer (Municipal manager), the Chief Financial Officer, a senior manager or other official of the municipality unless those allegations are frivolous, vexatious, speculative or obviously unfounded; Deciding whether an allegation of financial misconduct against the Accounting Officer (Municipal	Council			Read with the Regulations on Financial Misconduct Procedures promulgated under the MFMA and the Regulations on Disciplinary procedures against Senior Managers

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
		manager), the Chief Financial Officer, a senior manager or other official of the municipality is frivolous, vexatious, speculative or obviously unfounded				promulgated under the Systems Act.
C135	Section 171(4)(b), MFMA	Deciding whether an investigation of an allegation of financial misconduct against the Accounting Officer (Municipal manager), the Chief Financial Officer, a senior manager or other official of the municipality revealed anything that warrants the institution of disciplinary proceedings	Council			Read with the Relations on Financial Misconduct Procedures promulgated under the MFMA and the Regulations on Disciplinary procedures against Senior Managers promulgated under the Systems Act.
C136	Section 176(2), MFMA	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 function of office.	Council			
C137	Section 178(2)(a), MFMA	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 an interest	Council	Accounting Officer (Municipal Manager)		
C138	Section 178(2)(b), MFMA	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	Council	Accounting Officer (Municipal Manager)		

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
		total or per annum				
C139	Section 178(2)(c), MFMA	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 a value of more than one million Rand in total or per annum	Council	Accounting Officer (Municipal Manager)		
DISASTER MANAGEMENT ACT, (DMA), 57 OF 2002						
C140	Section 51(1), DMA	May establish a municipal disaster management advice forum	Council	Accounting Officer (Municipal Manager)		Director: Community and Protection Services
C141	Section 53(1), DMA	Prepare disaster management plan which must, inter alia, form part of the Integrated Development Plan	Council	Accounting Officer (Municipal Manager)		Director: Community and Protection Services
C142	Section 55, DMA	Declare a local state of disaster if warranted by provisions of Act	Council	Executive Mayor		
FIRE BRIGADE SERVICES ACT (FBSA) Act 99 of 1987						
C143	Section 3, FBSA	Establishment of a fire brigade service	Council			
C144	Section 6A, FBSA	Establishment of a fire brigade service reserve force	Council	Accounting Officer (Municipal Manager)	Director: Community and Protection Services	
C145	Section 10, FBSA	To *determine fees* for the usage of firefighting services	Council	N/A		Read with section 160(2), Constitution
C146	Section 12, FBSA	To enter into agreement with other controlling bodies	Council	Accounting Officer (Municipal Manager)		
C147	Section 16, FBSA	The power to adopt by-laws relating to fire-fighting services	Council	N/A		

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	**LEGISLATIVE MANDATE**	**DESCRIPTION OF POWER OR DUTY**	**RESPONSIBILITY/ DELEGATED FROM**	**DELEGATED TO**	**SUB-DELEGATED TO**	**CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST**
MAGISTRATE'S COURT ACT (MCA) Act 32 of 1944 as amended						
C148	Section 15(2), MCA	Appoint personnel as authorized officers for the serving of process of the Court and all other documents	Council	Accounting Officer (Municipal Manager)		Director: Corporate Services
MUNICIPAL PROPERTY RATES ACT (MPRA) Act 6 of 2004						
C140	Section 3, MPRA	To adopt a policy consistent with the MPRA on the levying of rates on rateable property in the municipality	Council	N/A		Chief Financial Officer to table annually along with budget
PROMOTION OF ACCESS TO INFORMATION ACT (PAIA) Act 2 of 2000						
C141	Part 4, section 74, PAIA	Appeal authority for the consideration of appeals lodged against a decision taken i.t.o. delegated powers by any of the deputy information officers of the municipality	Council	Municipal Manager		
OCCUPATIONAL HEALTH AND SAFETY ACT (OHASA) Act 85 of 1993						
C142	Section 8(1), OHASA	Ensure that the Municipality adheres to all the provisions of the Occupational Health and Safety Act and the regulations promulgated in terms thereof, and for this purpose bestowed with overall power to execute matters to which the Act pertains	Council	Accounting Officer (Municipal Manager)		Director: Corporate Services
C143	Section 17(1), OHASA	Appoint safety representatives for departments in consultation with	Council	Accounting Officer (Municipal		Director: Corporate

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
		respective Heads of Departments		Manager)		Services
C144	Section 19(1), OHASA	Consider establishment of health and safety committees	Council	Accounting Officer (Municipal Manager)		Director Infrastructure Services/Director Corporate Services
ROAD TRAFFIC ACT (RTA) Act 93 of 1996						
C145	Section 80A, RTA	Power to make by-laws relating to matters listed in subsections (a) – (r)	Council	N/A		
MUNICIPAL STRUCTURES ACT (117 of 1998) – COUNCIL						
C146	Section 33, Structures Act	Establishing of committees of Council	Council	N/A		

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	**LEGISLATIVE MANDATE**	**DESCRIPTION OF POWER OR DUTY**	**RESPONSIBILITY/ DELEGATED FROM**	**DELEGATED TO**	**SUB-DELEGATED TO**	**CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST**
MUNICIPAL STRUCTURES ACT (117 of 1998) – EXECUTIVE MAYOR						
EM1	Section 56(1), Structures Act	Receives reports from committees of the municipal council and forward these reports together with a recommendation to the council when the matter cannot be disposed of by the Executive Mayor in terms of his/her delegated powers	Executive Mayor	N/A		
EM2	Section 56(2)(a), Structures Act	Identify the needs of the municipality	Executive Mayor			All Directors/heads of departments / Senior Manager: Governance
EM3	Section 56(2)(b), Structures Act	Review and evaluate those needs in order of priority	Executive Mayor			All Directors/heads of departments / Senior Manager: Governance
EM4	Section 56(2)(c), Structures Act	Recommend to the council strategies, programmes and services to address priority needs through the integrated development plan, and the estimates of revenue and expenditure, taking into account any applicable national and provincial development plans	Executive Mayor			All Directors and Senior Manager Governance
EM5	Section 56(2)(d), Structures Act	Recommend or determine the best way, including partnership and other approaches to deliver those strategies, programmes and services to the maximum benefit of the community	Executive Mayor			All Directors and Senior Manager Governance
EM6	Section 56(3)(a),	Identify and develop criteria to evaluate progress in the implementation of	Executive Mayor			All Directors /Senior

POWERS/DUTIES CONFERRED ON COUNCIL						
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	Structures Act	strategies, programmes and services (including key performance indicators)				Manager Governance and All heads of departments
EM7	Section 56(3)(c), Structures Act	Review performance in order to improve efficiency of municipality, credit control and revenue and debt collection services and implementation of by-laws	Executive Mayor	N/A		
EM8	Section 56(3)(d), Structures Act	Monitor management of the municipality's administration in accordance with policy directions from municipal council	Executive Mayor			After consultation with members of the Mayoral Committee
EM9	Section 56(3)(d), Structures Act	Oversee provision of services in sustainable manner	Executive Mayor			After consultation with members of the Mayoral Committee
EM10	Section 56(3)(g), Structures Act	Report annually on the involvement of communities and community organizations in the affairs of the municipality	Executive Mayor			After consultation with members of the Mayoral Committee
EM11	Section 56(4), Structures Act	Perform a ceremonial role as the municipal council may determine	Executive Mayor	N/A		
EM12	Section 56(5), Structures Act	Report to council at such intervals as the latter may determine on decision taken	Executive Mayor	N/A		
EM13	Section 60(1)(a), Structures Act	Appoint a mayoral committee from among the councillors to assist the Executive Mayor	Executive Mayor	N/A		

POWERS/DUTIES CONFERRED ON COUNCIL						
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EM14	Section 60(1)(b), Structures Act	Delegate specific responsibilities to each member of the mayoral committee	Executive Mayor	N/A		
EM15	Section 60(1)(c), Structures Act	Determine the functional area for each portfolio of the members of the mayoral committee	Executive Mayor	N/A		
EM16	Section 60(1)(d), Structures Act	May dismiss a member of the mayoral Committee	Executive Mayor	N/A		
EM17	Section 80(3)(a), Structures Act	Appoint a chairperson for each committee from the mayoral committee	Executive Mayor	N/A		
EM18	Section 80(3)(b) and (c), Structures Act	May delegate any powers and duties of the Executive Mayor to the committee, but is not divested of the responsibility concerning the exercise of the power or the performance of a duty	Executive Mayor	N/A		
EM19	Section 80(3)(d), Structures Act	May vary of revoke any decision taken by the committee, subject to vested rights	Executive Mayor	N/A		
EM20	Section 30, Systems Act	In respect of the integrated development plan: (i) manage the drafting of the Strategic goals	Executive Mayor			
EM21	Section 30, Systems Act	In respect of the integrated development plan: (ii) assign responsibilities in this regard	Executive Mayor			

POWERS/DUTIES CONFERRED ON COUNCIL						
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		to the Accounting Officer (Municipal manager)				
EM22	Section 30, Systems Act	In respect of the integrated development plan: (iii) submits the draft plan to the council and make recommendations	Executive Mayor			
EM23	Section 39, Systems Act	In respect of the performance management system: (i) manage the development of the municipality's performance management system	Executive Mayor			
EM24	Section 39, Systems Act	In respect of the performance management system: (ii) assign responsibilities in this regard to the Accounting Officer (Municipal manager)	Executive Mayor			
EM25	Section 39, Systems Act	In respect of the performance management system: (iii) submit the proposed system to the municipal council and make recommendations to council	Executive Mayor			
EM26	Section 62(4)(b), Systems Act	Deal with appeal against decision made by Accounting Officer (Municipal manager)	Executive Mayor			
EM27	Section 99, Systems Act	Oversee and monitor: (i) the implementation and enforcement of a	Executive Mayor			

POWERS/DUTIES CONFERRED ON COUNCIL						
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		municipality's credit control and debt collection policy and by-laws enacted in terms of section 98				
EM28	Section 99, Systems Act	Oversee and monitor (iii) the performance of the Accounting Officer (Municipal Manager) in implementing the credit control and debt collection policy and by-laws	Executive Mayor	N/A		
EM29	Section 99, Systems Act	When necessary evaluate or review the policy and any by-laws or the implementation of the policy and any by-laws, in order to improve efficiency of its credit control and debt collection mechanisms, processes and procedures	Executive Mayor			Chief Financial Officer
EM30	Section 99, Systems Act	At such intervals as may be determined by council report to a meeting of Council	Executive Mayor	N/A		
MUNICIPAL FINANCE MANAGEMENT ACT 56 OF 2003 (MFMA) – EXECUTIVE MAYOR						
EM31	Section 12(1), MFMA	Deciding to set-up a relief, charitable, trust or other fund of whatever	Executive Mayor			Chief Financial Officer

POWERS/DUTIES CONFERRED ON COUNCIL						
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		description				
EM32	Section 16(2), MFMA	Tabling the annual budget at a council meeting	Executive Mayor			The annual budget must be tabled at least 90 days before 1 July each year. The work output on the annual budget is managed by the Accounting Officer.
EM33	Section 21(1)(a), MFMA	Coordinating the processes of preparing the annual budget and reviewing the municipality's integrated development plan and budget-related policies.	Executive Mayor			All Directors/ heads of departments to assist
EM34	Section 21(1)(b), MFMA	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 integrated development plan and the municipality's budget-related policies, the tabling and adoption of any amendments to the integrated development plan and the budget-related policies and any consultative processes forming part of the processes	Executive Mayor			At least 10 months before 1 July each year Senior Manager: Governance
EM35	Section 21(2)(b), MFMA	Implementing the reasonable steps to be taken to review the municipality's integrated development plan	Executive Mayor			Senior Manager: Governance/ Manager: IDP/PM/IGR

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
EM36	Section 21(2)(d), MFMA	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			Chief Financial Officer/Senior Manager Governance
EM37	Section 21(2)(e), MFMA	Providing information relating to the budget that may be requested by the National Treasury and any other organ of state.	Executive Mayor			Subject to any limitations that may be prescribed i.r.o. organs of state other than the National Treasury
EM38	Section 25(3), MFMA	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			Immediately report the matter to the MEC responsible for local government
EM39	Section 26(4)), MFMA	Obtaining the MEC responsible for finance's approval to withdraw funds from the municipality's bank accounts, if a budget has not been approved on or before 1 July of each year.	Executive Mayor			
EM40	Section 27(1), MFMA	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; Informing the MEC responsible for	Executive Mayor			

POWERS/DUTIES CONFERRED ON COUNCIL						
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		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 process.				
EM41	Section 27(2), MFMA	Decision 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; 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			
EM42	Section 27(3), MFMA	Informing the council, the 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			
EM43	Section 28(4), MFMA	Tabling an adjustments budget in the council	Executive Mayor			

POWERS/DUTIES CONFERRED ON COUNCIL						
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EM44	Section 29(1), MFMA	Decision to authorise unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	Executive Mayor			
EM45	Section 29(2)(c), MFMA	Reporting to the council regarding the authorisation of unforeseeable and unavoidable expenditure for which no provision was made in an approved budget in emergency or other exceptional circumstances	Executive Mayor			Such report must be made to the council at the first council meeting next ensuing after the authorisation was given
EM46	Section 31(d), MFMA	Giving written approval for exceeding the amount appropriated i.r.o. a capital programme	Executive Mayor			
EM47	Section 52(a), MFMA	Decision on 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			
EM48	Section 52(b), MFMA	Decision on the monitoring and oversight mechanisms to be applied to the exercise by the Accounting Officer (Municipal Manager) and the chief financial officer of their powers, functions and duties i.t.o. the MFMA	Executive Mayor			

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
EM49	Section 52(c), MFMA	Decision on 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			
EM50	Section 52(d), MFMA	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			Chief Financial Officer
EM51	Section 53(1)(a), MFMA	Decision on 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			
EM52	Section 53(1)(b), MFMA	Decision on the steps to be taken to co- ordinate the annual revision of the integrated development plan and the preparation of the annual budget; Determining how the integrated development plan is to be taken into account or revised for the purposes of the budget	Executive Mayor			Chief Financial Officer (i.r.o. budget) / Senior Manager: Governance (i.r.o. IDP)
EM53	Section 53(1)(c)(i), MFMA	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			

POWERS/DUTIES CONFERRED ON COUNCIL						
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EM54	Section 53(1)(c)(ii), MFMA	Determining the reasonable steps to be taken to ensure he/she approves the municipality's service delivery and budget implementation plan.	Executive Mayor			
EM55	Section 53(1)(c)(iii), MFMA	Determining the reasonable steps to be taken to ensure that the annual performance agreements for the Accounting Officer (Municipal Manager) and all senior managers comply with the MFMA, are linked to the measurable performance objectives approved with the budget and to the service delivery and budget implementation plan and are concluded in accordance with section 57(2) of the Systems Act.	Executive Mayor			
EM56	Section 53(2), MFMA	Reporting to the council and the MEC responsible for finance any delay in the tabling of an annual budget, the approval of the service delivery an budget implementation plan or the signing of the annual performance agreements.	Executive Mayor			

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
EM57	Section 53(3)(a), MFMA	Ensuring that the revenue and expenditure projections for each month and the service delivery targets and performance indicators for each quarter, contained in the service delivery an budget implementation plan, are made public no later than 14 days after the approval of the service delivery and budge implementation plan	Executive Mayor			
EM58	Section 53(3)(b), MFMA	Ensuring that the performance agreements of the Accounting Officer (Municipal manager), 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 service delivery an budget implementation plan; Submission of the annual performance agreements of the Accounting Officer (Municipal manager), senior managers and any other categories of officials as may be prescribed, to the council and the MEC responsible for local Government	Executive Mayor			
EM59	Section 54(1)(a), MFMA	Making arrangements for the receipt of a monthly statement on the state of the municipality's budget and a mid-	Executive Mayor			The statement regarding the municipality's budget must be submitted not later than 10 working

POWERS/DUTIES CONFERRED ON COUNCIL						
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		year corporate performance assessment report				days after the end of each month
			Executive Mayor			The mid-year performance assessment report must be submitted not later than 25 January of each year
			Executive Mayor			The mid-year corporate performance assessment report must be submitted to the council not later than 31 January
EM60	Section 54(1)(b), MFMA	Determining the procedures, including reports required to check whether the municipality's approved budget is implemented in accordance with the service delivery and budget implementation plan	Executive Mayor			
EM61	Section 54(1)(c), MFMA	Determining whether it is necessary to make any revisions to the service delivery and budget implementation plan	Executive Mayor			Revisions to the service delivery targets and performance indicators in the plan may only be made with the approval of the council following

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
						approval of an adjustments budget
EM62	Section 54(1)(d), MFMA	Determining the instructions to be given to the Accounting Officer (Municipal Manager) to ensure that the budget is implemented in accordance with the service delivery and budget implementation plan and that spending of funds and revenue collection proceed in accordance with the budget	Executive Mayor			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 Accounting Officer (Municipal Manager) 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 i.t.o. Chapter 13 of the MFMA and alert the council and the MEC for Local Government of those problems.
EM63	Section 54(1)(e),	Considering whether the municipality faces any financial problems including	Executive Mayor			

POWERS/DUTIES CONFERRED ON COUNCIL						
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	MFMA	any emerging or impending financial problems				
EM64	Section 54(3), MFMA	Making public any revisions of the service delivery and budget implementation plan	Executive Mayor			
EM65	Section 55, MFMA	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			
EM66	Section 56, MFMA	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			
EM67	Section 59(1)(a), MFMA	Deciding to delegate the powers and duties assigned to the executive mayor i.t.o. the MFMA to another member of the executive mayoral committee	Executive Mayor	N/A		May only be delegated to another member of the mayoral committee. Delegation must be in writing and does not divest the executive mayor of his/her responsibility concerning the exercise of the delegated power or the performance of the delegated duty.
EM68	Section 59(1), MFMA	Determining the conditions and limitations of any delegation by the Executive Mayor	Executive Mayor	N/A		

POWERS/DUTIES CONFERRED ON COUNCIL						
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EM69	Section 59(3), MFMA	Deciding to confirm, vary or revoke any decision taken in consequence of a delegation by the Executive Mayor	Executive Mayor	N/A		No variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision
EM70	Section 87(3), MFMA	Tabling the proposed budget of a municipal entity of which the municipality is the parent municipality in the council	Executive Mayor			Together with the municipality's budget for the relevant financial year
EM71	Section 87(6), MFMA	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			
EM72	Section 87(9), MFMA	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			
EM73	Section 102(1), MFMA	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, tat municipal entity	Executive Mayor			
		Receiving a report of the accounting officer of a municipal entity of which				

POWERS/DUTIES CONFERRED ON COUNCIL						
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EM74	Section 103, MFMA	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	Executive Mayor			
EM75	Section 127(2), MFMA	Tabling in the council the municipality's annual report of any municipal entity under the municipality's sole or shared control	Executive Mayor			
EM76	Section 127(3)(a), MFMA	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 sole or shared control	Executive Mayor			
EM77	Section 130(1), MFMA	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 Municipal Council	Executive Mayor			

POWERS/DUTIES CONFERRED ON COUNCIL						
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EM78	Section 131(1), MFMA	Ensuring that the municipality addresses all the issues raised in an audit report	Executive Mayor			Accounting officer in collaboration with Directors, Chief Financial Officer and Chief Audit Executive
EM79	Section 133(1)(a), MFMA	Tabling in the council a written explanation setting out the reasons for the failure of the Accounting Officer (Municipal Manager) or of the accounting officer of a municipal entity under the municipality's sole or shared control to submit annual financial statements to the Auditor-General or the Executive Mayor's failure to table the annual report of the municipality or a municipal entity in the council	Executive Mayor			
EM80	Section 136(1)(a), MFMA	Participating in consultations with the MEC for local government regarding a serious financial problem in the municipality	Executive Mayor			
EM81	Section 137(1)(d), MFMA	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			
EM82	Section 139(1)(b), MFMA	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	Executive Mayor			

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
		recovery plan				
EM83	Section 139(2), MFMA	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			
EM84	Section 166(2), MFMA	Receiving reports of the audit committee	Executive Mayor			
MUNICIPAL STRUCTURES ACT (117 of 1998) – SPEAKER						
S1	Section 37(a), Structures Act	Presides at meetings of the Council	Speaker	N/A		(When the speaker is absent, the Accounting Officer (Municipal Manager) must preside for

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
						council elect an acting speaker)

S2	Section 37(c), Structures Act	Ensure that the council meets at least quarterly	Speaker	N/A		
S3	Section 37(d), Structures Act	Maintain order during meetings	Speaker	N/A		
S4	Section 37(e), Structures Act	Ensure compliance in the council and council committees with the Code of Conduct	Speaker	N/A		
S5	Section 37(f), Structures Act	Ensure that council meetings are conducted in accordance with the rules and orders of the council	Speaker	N/A		
S6	Section 73	To oversee the establishment and co-ordination of ward committees in terms of Council policy including monitoring the performance of ward committees	Council	Speaker		After consultation with the administration
S7	Section 78	To make recommendations to Council in respect of the dissolution of ward committees	Council	Speaker		After consultation with the Accounting Officer
S7A	Section 37 of Structures Act	Ensure that ward committee meetings are scheduled and minutes of the meetings is received. Report on a quarterly basis to Council	Speaker	Corporate Services Director	Manager Councillor Support Executive	
MUNICIPAL SYSTEMS ACT, Act 32 0f 2000, CODE OF CONDUCT - SPEAKER						
S8	Section 109A MSA	To provide input to the Accounting officer decide on the provision of legal services for the EM	Speaker [1]			

[1] See also section 109A above

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
S9	Schedule 1	Responsibility to investigate an alleged breach of the Code of Conduct by a councillor and to report on same to council	Speaker	N/A		
S10	Schedule 1	Appoint a person to assist speaker with the investigation into the facts and circumstances of an alleged breach of the code of conduct	Accounting Officer (Municipal Manager)			After consultation with the Speaker
S11	Schedule 1	Report a councillor who has not attended three (3) consecutive meetings as required to disciplinary committee	Speaker			
S12	Schedule 1	Refer a matter in which there is a reasonable suspicion that the Code of Conduct has been breached to either Council or a committee appointed by council for investigation and recommendation on action to be taken if found guilty	Speaker			Read with terms of reference of Disciplinary Committee
S13	Section 5(a) of Schedule 2	Ensure Municipal Manager and Managers directly accountable declare their interests	Speaker			
MUNICIPAL FINANCE MANAGEMENT ACT (MFMA), ACT 56 of 2003 – SPEAKER						
S14	Section 130, MFMA	Ensure public access to council meetings where the annual financial report is discussed	Speaker	N/A		
RULES OF ORDER BYLAW (2019) [2] - SPEAKER						
S15	Rules of Order – rule 5.1	Call a special Council meeting	Speaker	N/A		

[2] Not all delegations approved by council as indicated in the Bylaw has been taken up herein. Those not taken up is intact and will be added administratively if necessary

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
S16	Rules of Order – rule 9.1	Maintain order during the proceedings	Speaker	N/A		
S17	Rules of Order – rule 9.2	Ensure that the Code of Conduct for Councillors be adhered to during the meeting	Speaker	N/A		
S18	Rules of Order – rule 9.3	Ensure that the meeting be conducted in accordance with the rules of order	Speaker	N/A		
S19	Rules of Order – rule 9.6	Ensure that members of the public attending meetings conduct themselves in an orderly manner and obey any ruling made by the speaker or chair at the meeting	Speaker	N/A		
S20	Rules of Order – rule 9.7	Ensure that any councillor or member of the public refusing to comply with the ruling of the speaker or chair leave the meeting	Speaker	N/A		
S21	Rules of Order – rule 9.8	Ensure that the whip of each political party represented in the Municipal Council, as well as the Council whip of Council, maintain discipline during the meeting.	Speaker	N/A		
S22	Rules of Order – rule 11.2	The Speaker or chair may suspend the meeting for a period that they deem fit and thereafter adjourn the meeting to reconvene on another date and at another time and/or venue.	Speaker	N/A		
S23	Rules of Order – rule 21.3	The speaker or chair may grant leave at their sole discretion, and the speaker or chair is at liberty to reject an application for leave of absence				
S24	Rules of Order – rule 32.2	May order disorderly members to be removed from Council	Speaker	N/A		
S25	Rules of Order – rule 45	The speaker may, within the framework of the Municipality's approved operational budget and subject to its	Speaker	N/A		

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
		supply chain management policy, refer any matter pertaining to the Council and its proceedings for legal advice.				
S26	Rules of Order – Rule 30	To compile a speakers list for meetings of Council, after consultation with the other whips, in which times for speakers are allocated to determine the order in which speakers may be permitted to address the Council on any item which is to be debated; and submit the list of scheduled speakers to the Speaker, the Executive Mayor and all party whips.	Council	Speaker		
S27	Rule 40.3	A committee consisting of the speaker, the Council whip and two other party whips chosen on a rotational basis must investigate before a fine is imposed under rule 40.2, and report to Council on the transgression contemplated by rule 40.2 read with rule 21.	Council	Speaker, Council Whip, 2 other whips		
RULES OF ORDER BYLAW (2019) COUNCIL WHIP						
SW1	Rules of Order – rule 21	To receive leave of absence from Councillors for meetings of Council and its committees in accordance with the rules of Order and provide it to the Speaker to approve/decline	Council	Council Whip		
SW2	Rules of Order – rule 21	To monitor the attendance of Councillors at meetings of Council and its committees	Council	Council Whip		
SW3	Rules of Order – rule 9.8 and Section 41B	Ensure that the whip of each political party represented in the Municipal	Council Whip	N/A		

POWERS/DUTIES CONFERRED ON COUNCIL						
ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
	(a) of the Structures Amendment Act	Council, as well as the Council whip of Council maintain discipline during the meeting.				
SW4	Rules of Order – rule 12.9 and Section 41 B(d) of Structures Amendment Act	The Council whip counts the votes and declares the result of the decisions to the chair.	Council Whip	N/A		
SW5	Rule 40.3	A committee consisting of the speaker, the Council whip and two other party whips chosen on a rotational basis must investigate before a fine is imposed under rule 40.2, and report to Council on the transgression contemplated by Rule 40.2 read with rule 21.	Council	Speaker, Council Whip, 2 other whips		
SW 6	Section 41B (b) of Structures Amendment Act	Maintains sound relations between the various political parties	Council Whip			
SW 7	Section 41 B (c) of Structures Amendment Act	Informs whips of all parties of important matters on the council agenda	Council Whip			
SW 8	Section 41 B (f) of Structures Amendment Act	Resolves disputes between speaker, Executive Mayor or members of Executive Mayoral Committee	Council Whip			

DELEGATIONS IN THE RULES OF ORDER (2019) NOT TAKEN UP IN HERE ARE IN TACT AS APPROVED BY COUNCIL.
OTHER CURRENT DELEGATIONS NOT TAKEN UP IN THIS REGISTER DUE TO THE POLICIES AND BYLAWS BEING UNDER REVIEW, REMAINS IN FORCE UNTIL REVIEWED. THE CHANGES TO THE REGISTER WILL BE AFFECTED THE REVIEW POLICIES AND BYLAWS HAVE BEEN APPROVED BY COUNCIL.

ADMINISTRATIVE DELEGATIONS

"Administrative delegations" encompass delegations that relate to powers, duties or functions assigned to or conferred on:

- political structures and/or political office-bearers in terms of municipal policy, resolution, procedures, etc. relating to the activities of such structures and/or office-bearers
- the accounting officer, i.e. Accounting Officer (Municipal Manager) and/or other municipal employees in terms of legislation, municipal policies, resolutions, procedures, directives, guidelines, etc.

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST
MUNICIPAL STRUCTURES ACT, 32 OF 2000 _ MUNICIPAL MANAGER						
MM1	Section 29(2), Structures Act	Call first meeting of council	Accounting Officer (Municipal Manager)			
MM2	Section 36(3), Structures Act	Presides over election of speaker	Accounting Officer (Municipal Manager)			
MUNICIPAL SYSTEMS ACT – MUNICIPAL MANAGER						
MM3	Section 15, Systems Act	Compilation and maintaining of municipal code	Council	Accounting Officer(Municipal Manager)	Senior Manager: Administrative Support Services	After consultation with Director: Corporate Services
MM4	Section 19, Systems Act	Notice to public of time, date and venue of ordinary meeting of council and special or urgent meeting of council – except when time constraints make it impossible	Accounting Officer (Municipal Manager)	Director: Corporate Services	Manager: Secretariat/Committee Services	After consultation with Director: Corporate Services
MM5	Section 21B, Systems Act	If affordable, establish own website	Accounting Officer (Municipal Manager)	Senior Manager: Governance	Manager: Communication	In consultation with Senior Manager: Governance and Director Corporate Services (ICT)
MM6	Section 55(1)(a), Systems Act	Form and develop an economical, effective and accountable administration	Accounting Officer (Municipal Manager)	All Directors		All heads of departments/sections
MM7	Section 55(1)(c), Systems Act	Implement integrated development plan and monitor progress thereof	Accounting Officer (Municipal	All Directors		All heads of departments/sections

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST
			Manager)			
MM8	Section 55(1)(d), Systems Act	Manage provision of service to local community	Accounting Officer (Municipal Manager)	All Directors		All heads of departments/sections
MM9	Section 55(1)(e), Systems Act	Appoint staff in accordance with staff establishment	Accounting Officer (Municipal Manager)	Director: Corporate Services		In consultation with applicable Directors
MM10	Section 55(1)(f)-(h), Systems Act	Manage staff / Maintain staff discipline / Promote sound labour relations	Accounting Officer (Municipal Manager)	All Directors		All heads of departments/sections
MM11	Section 55(1)(i), Systems Act	Advise political structures and political office bearers	Accounting Officer (Municipal Manager)	All Directors		All heads of departments/sections
MM12	Section 55(1)(j), Systems Act	Manage communications between municipality's administration and its political structures and political office bearers	Accounting Officer (Municipal Manager)			
MM13	Section 55(1)(k), Systems Act	Carry out decisions of the political structures and political office bearers of the municipality	Accounting Officer (Municipal Manager)	All Directors		All heads of departments/sections/all employees
MM14	Section 55(1)(l), Systems Act	Administer and implement municipality's by-laws and other legislation	Accounting Officer (Municipal Manager)	All Directors		All heads of departments/sections
MM15	Section 55(1)(n)-(o), Systems Act	Facilitate participation by the local community / Develop and maintain a system to assess community satisfaction with municipal services	Accounting Officer (Municipal Manager)	All Directors		All heads of departments/sections
MM16	Section 55(1)(p), Systems Act	Implement national and provincial legislation	Accounting Officer (Municipal Manager)	All Directors		All heads of departments/sections
MM17	Section 62(2), Systems Act	Submit appeal to appropriate appeal authority	Accounting Officer (Municipal Manager)	Director: Corporate Services	Manager: Secretariat/	

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST
			Accounting Officer (Municipal Manager)		Committee Services	
MM18	Section 62(4)(a), Systems Act	Deal with appeal against decision of other staff member	Accounting Officer (Municipal Manager)			See also APP below
MM19	Section 65(1)(a), Systems Act	Submit report to council on existing delegations	Accounting Officer (Municipal Manager)			Read with section 59(2)(f), Systems Act/ Senior Manager; Governance to co-ordinate
MM20	Section 65(1)(b), Systems Act	Make recommendations on possible changes	Accounting Officer (Municipal Manager)	All Directors		
MM21	Section 66(1)(b), Systems Act	Provide job descriptions for each post on the staff establishment	Accounting Officer (Municipal Manager)	All Directors		All heads of departments/sections
MM22	Section 66(1)(c), Systems Act	Attach remuneration and other conditions of service to those posts	Accounting Officer (Municipal Manager)	Director: Corporate Services		In consultation with all Directors and in line with Council policy
MM23	Section 66(1)(d), Systems Act	Establish mechanism to evaluate staff establishment / Review staff establishment and the remuneration and conditions of service if necessary	Accounting Officer (Municipal Manager)	Director: Corporate Services		In consultation with all Directors and in line with Council policy and applicable collective agreements

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST
MM24	Section 67(4), Systems Act	Ensure staff members and trade unions have access to systems and procedures in respect of personnel administration	Accounting Officer (Municipal Manager)	Director: Corporate Services	Senior Manager: Human Resource Services	In consultation with Director Corporate Services

MM25	Section 68(1), Systems Act	Built capacity of human resources in terms of the Skills Development Act, 1989	Accounting Officer (Municipal Manager)	Director: Corporate Services	Senior Manager: Human Resource Services	In consultation with all Directors and in line with Council policy and applicable collective agreements
MM26	Section 70, Systems Act	Provide and communicate code of conduct to staff and where necessary to local community	Accounting Officer (Municipal Manager)	Director: Corporate Services	Senior Manager: Human Resource Services	All heads of departments/sections
MM27	Section 100(a), Systems Act	Implement and enforce municipality's credit control and debt collection policy and by-laws	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure	
MM28	Section 100(b), Systems Act	Establish effective mechanisms, processes and procedures to collect monies due and payable to the municipality	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure	
MM29	Section 117, Systems Act	Keep records and documents of municipality in custody	Accounting Officer (Municipal Manager)	Director: Corporate Services	Manager: Registry & Office Auxiliary Services	All heads of departments/sections
MM30	Schedule 2, Systems Act	Power to grant permission for the disclosure of privileged or confidential information as defined in Code of Conduct	Accounting Officer (Municipal Manager)			

MUNICIPAL FINANCE MANAGEMENT ACT (MFMA) - MUNICIPAL MANAGER

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST

MM31	Section 7(1), MFMA	Opening and maintaining at least one bank account	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM32	Section 7(2), MFMA	Prompt payment of money received into bank account(s)	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure	In consultation with CFO
MM33	Section 8(5), MFMA	Submission of the municipality's primary bank account details, and any impending change thereof	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager: Financial Management Services	
MM34	Section 9(a), MFMA	Submission of the prescribed details regarding any new bank accounts opened for the municipality	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Financial Management Services	
MM35	Section 9(b), MFMA	Submission of the details of the municipality's bank accounts annually before the start of a financial year	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Financial Management Services	
MM36	Section 10(1)(a), MFMA	Administration of the municipality's bank accounts	Accounting Officer (Municipal Manager)	Chief Financial Officer		With assistance of Manager: Financial Statements and Reporting
MM37	Section 10(2), MFMA	Enforcing compliance with sections 7, 8 and 11 of the MFMA	Accounting Officer (Municipal Manager)	Chief Financial Officer		No further sub-delegation permitted

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST

MM38	Section 11(1), MFMA	Written authorisation to senior financial official to withdraw or authorise the withdrawal of money from the municipality's bank account for the purpose outlined i.t.o. section 11, MFMA	Accounting Officer (Municipal Manager)	Chief Financial Officer (must be issued with written authorisation by the Accounting Officer)		The Accounting Officer must issue written authorisation to any other senior financial official to implement section 11. See Financial Transactions below.
MM39	Section 11(4)(a), MFMA	Preparation of a quarterly consolidated report of all withdrawals made in terms of section 11(1)(b) to (j) of the MFMA from the municipality's bank accounts;	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM40	Section 11(4)(a), MFMA	Tabling of a quarterly consolidated report of all withdrawals made in terms of section 11 (1)(b) to (j) of the MFMA from the municipality's bank accounts in the Municipal Council	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM41	Section 11(4)(b), MFMA	Submission of quarterly 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	Accounting Officer (Municipal Manager)	Chief Financial Officer		No further sub-delegation permitted
MM42	Section 12(4), MFMA	Issuing 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.	Accounting Officer (Municipal Manager)	Chief Financial Officer		With assistance from the Senior Manager: Financial Statements, compliance and reporting
MM43	Section 22, MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer		With assistance from Senior Manager Governance

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST

MM44	Section 24(3), MFMA	Submission of the approved annual budget to the National Treasury and the provincial treasury	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM45	Section 31(c), MFMA	Issuing a 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	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM46	Section 32(3)	Deciding whether a decision taken by the Council or the Executive Mayor is likely to result, if it is implemented, in unauthorised, irregular or fruitless and wasteful expenditure	Accounting Officer (Municipal Manager)			
MM47A	Section 32(3)	Instructing an authorised employee not to implement a decision taken by the Council or the Executive Mayor that is likely to result, if it is implemented, in unauthorised, irregular or fruitless and wasteful expenditure	Accounting Officer (Municipal Manager)			
MM47B	Section 32(3)	Informing the Council or the Executive Mayor that a decision taken by the Council or the Executive Mayor is likely to result, if it is implemented, in unauthorised, irregular or fruitless and wasteful expenditure	Accounting Officer (Municipal Manager)			Chief Financial Officer (CFO) to assist

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST

MM48	Section 32(4), MFMA	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 to recover or rectify such expenditure and to prevent a recurrence of such expenditure.	Accounting Officer (Municipal Manager)			With assistance Chief Financial Officer / Chief Audit Executive
MM49	Section 32(6), MFMA	Reporting alleged irregular expenditure that constitutes a criminal offence and alleged theft and fraud which occurred in the Municipality to the SAPS.	Chief Financial Officer / Chief Audit Executive	Chief Audit Executive		Also refer Fraud Policy
MM50	Section 33(1)(a), MFMA	Make public a draft contract (that will impose financial obligations beyond the three years covered in the budget) and information statement summarising the municipality's obligations and invite comments from the public; Solicit recommendations from National and Provincial Treasury and the National department responsible for local government, and if necessary, other relevant national departments	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM51	Section 37(2), MFMA	Determining the projected amount of any allocation proposed to be transferred to another municipality during each of the next three financial years and notifying the	Accounting Officer (Municipal Manager)	Chief Financial Officer		In consultation with Accounting Officer

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST

		receiving municipality thereof.				
MM52	Section 45(2)(b), MFMA	Signing a debt agreement or other document which creates or acknowledges any short term debt	Accounting Officer (Municipal Manager)			
MM53	Section 46(2)(b), MFMA	Signing a debt agreement or other document which creates or acknowledges any long-term debt	Accounting Officer (Municipal Manager)			
MM54	Section 61(1)(b), MFMA	Deciding the timing and manner of disclosing to the Municipal Council and the Executive Mayor all material facts which are available or reasonably discoverable, and which in any way might influence the decisions or actions of the Municipal Council or the Executive Mayor.	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM55	Section 62(1)(a), MFMA	Deciding the reasonable steps to be taken to ensure that that the resources of the Municipality are used effectively, efficiently and economically	Accounting Officer (Municipal Manager)	All Directors		All heads of departments/sections to assist
MM56	Section 62(1)(b), MFMA	Deciding the reasonable steps to be taken to ensure that that full and proper records of the Municipality's financial affairs are kept in accordance with any prescribed norms and standards	Accounting Officer (Municipal Manager)	Chief Financial Officer		

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST

MM57	Section 62(1)(c)(i), MFMA	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 internal control	Accounting Officer (Municipal Manager)	Chief Financial Officer and all heads of departments		All senior financial managers& other sectional heads
MM58	Section 62(1)(c)(ii), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer and all heads of departments		All senior financial managers& other sectional heads
MM59	Section 62(1)(d), MFMA	Deciding the reasonable steps to be taken to ensure that unauthorised, irregular or fruitless and wasteful expenditure and other losses are prevented	Accounting Officer (Municipal Manager)	Chief Financial Officer and Chief Audit Executive		All Directors, Senior managers& other sectional heads of all directorates to comply
MM60	Section 62(1)(e), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer and all Directors		Director: Corporate Services /Chief Audit Executive
MM61	Section 62(1)(f)(i), MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and implements a tariff policy referred to in section 74 of the Municipal Systems Act	Accounting Officer (Municipal Manager)	Chief Financial Officer		

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST

MM62	Section 62(1)(f)(ii), MFMA	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: Municipal Property Rates Act, 2004	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM63	Section 62(1)(f)(iii), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM64	Section 62(1)(f)(iv), MFMA	Deciding the reasonable steps to be taken to ensure that that the Municipality has and implements a supply chain management policy in accordance with Chapter 11 of the MFMA	Accounting Officer (Municipal Manager)	Chief Financial Officer and all heads of departments		
MM65	Section 63(1), MFMA	Responsible for the management of assets and liabilities of municipality	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM66	Section 63(2)(a), MFMA	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	Accounting Officer (Municipal Manager)			Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit
		Deciding the reasonable steps to be	Accounting Officer			Chief Financial Officer / Senior Manager: ICT, /

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST

MM67	Section 63(2)(b), MFMA	taken to ensure that the municipality's assets and liabilities are valued in accordance with standards of generally recognised accounting practice	(Municipal Manager)	Chief Financial Officer		Chief Internal Audit to assist
MM68	Section 63(2)(c), MFMA	Deciding the reasonable steps to be taken to ensure 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	Accounting Officer (Municipal Manager)	Chief Financial Officer		Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist
MM69	Section 64(2)(a), MFMA	Deciding the 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	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist
MM70	Section 64(2)(b), MFMA	Deciding the reasonable steps to be taken to ensure that revenue due to the municipality is calculated on a monthly basis	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist
MM71	Section 64(2)(c), MFMA	Deciding the reasonable steps to be taken to ensure that 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	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST

MM72	Section 64(2)(d), MFMA	Deciding the reasonable steps to be taken to ensure that all money received is promptly deposited in accordance with the MFMA into the Municipality's primary and other bank accounts	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist
MM73	Section 64(2)(e), MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises revenue when it is earned and accounts for debtors and for receipts of revenue	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist
MM74	Section 64(2)(f), MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of debtors and revenue	Accounting Officer (Municipal Manager)	Chief Financial Officer / Chief Audit Executive	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist
MM75	Section 64(2)(g), MFMA	Deciding the 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	Accounting Officer (Municipal Manager)	Chief Financial Officer / Chief Audit Executive	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist

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		budget-related policies and within a prescribed framework				
MM76	Section 64(2)(h), MFMA	Deciding the reasonable steps to be taken to ensure 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	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist
MM77	Section 64(3), MFMA	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.	Accounting Officer (Municipal Manager)	Chief Financial Officer	Head: Income and Senior Manager: Financial Statements, compliance and reporting I	In consultation with CFO
MM78	Section 64(4)(a), MFMA	Deciding the reasonable steps to be taken to ensure 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	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist
MM79	Section 64(4)(b), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist

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MM80	Section 65(2)(a), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist
MM81	Section 65(2)(b), MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a management, accounting and information system which recognises expenditure when it is incurred and that accounts for creditors of, and payments made by, the Municipality	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM82	Section 65(2)(c), MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality has and maintains a system of internal control in respect of creditors and payments	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM83	Section 65(2)(d), MFMA	Deciding the reasonable steps to be taken to ensure that payments 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	Accounting Officer (Municipal Manager)	Chief Financial Officer		

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MM84	Section 66, MFMA	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; Determining whether an organisation 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, - (d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and has in respect of previous similar transfers complied with all the requirements of section 67(1) of the MFMA	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist
MM85	Section 67(1), MFMA	Entering into an agreement with an organisation 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	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM86	Section 67(2), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer		

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		other business transaction if there has been a failure by an organisation or body to comply with the requirements of section 67(1) of the MFMA in respect of a previous transfer				
MM87	Section 67(3), MFMA	Determining the appropriate mechanisms to ensure compliance by an organisation or body outside any sphere of government to whom funds of the Municipality was transferred otherwise than in compliance with a commercial or other business transaction with – (a) any agreement with the Municipality, (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 Accounting Officer (Municipal Manager) on actual expenditure against such transfer and to submit its audited financial statements for its financial year to the Accounting Officer (Municipal Manager) promptly; (d) implements effective, efficient and transparent financial management and internal control systems to guard against fraud, theft and financial mismanagement; and has in respect of previous similar	Accounting Officer (Municipal Manager)	Chief Financial Officer		

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		transfers complied with all the requirements of section 67(1) of the MFMA				
MM88	Section 67(4), MFMA	Determining whether an organisation 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 is an organisation or body serving the poor or used by government as an agency to serve the poor	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM89	Section 68(a), MFMA	Assisting the Executive Mayor in performing the budgetary steps assigned to the Executive Mayor	Accounting Officer (Municipal Manager)	Chief Financial Officer and all heads of departments	Senior Manager: Financial management Services	All heads of sections
MM90	Section 68(b), MFMA	Determining the administrative support, resources and information required by the Executive Mayor to perform the budgetary steps assigned to the Executive Mayor available to him/her	Accounting Officer (Municipal Manager)	Chief Financial Officer and all heads of departments		
MM91	Section 69(1)(a), MFMA	Determining, in relation to implementing the Municipality's approved budget, the reasonable steps required to ensure 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	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM92	Section 69(1)(b), MFMA	Determining, in relation to implementing the Municipality's approved budget, the reasonable steps required to ensure that	Accounting Officer (Municipal Manager)	Chief Financial Officer		

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		revenue and expenditure are properly monitored				
MM93	Section 69(2), MFMA	Determining whether it is necessary to prepare an adjustments budget; Preparing an adjustments budget and submitting it to the Executive Mayor for consideration and tabling in the Council	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM94	Section 69(3)(a), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer / All heads of departments / Senior Manager: Strategic Services	Senior Manager: Financial management Services	
MM95	Section 69(3)(b), MFMA	Preparing and submitting, within 14 days after the approval of the Municipality's annual budget, drafts of the annual performance agreements as required in terms of section 57(l)(b) of the Municipal Systems Act for the Accounting Officer (Municipal Manager) and all senior managers	Accounting Officer (Municipal Manager)	Chief Financial Officer		Senior Manager: Governance/
MM96	Section 70(1), MFMA	Reporting in writing to the Municipal Council any impending shortfalls in budgeted revenue and overspending of the Municipality's budget and any steps taken to prevent or rectify such shortfalls or overspending	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager: Financial management Services	All heads of sections to assist in compiling report
MM97	Section 70(2), MFMA	Informing the National Treasury that the 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	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager: Financial management Services	

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MM98	Section 71(1), MFMA	Submitting to the Executive Mayor and the provincial treasury, within 10 working days after the end of each month, a statement in the prescribed format on the state of the municipality's budget	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM99	Section 71(5), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM100	Section 72(1)(a), MFMA	Performing an assessment of the Municipality's performance during the first half of each financial year	Accounting Officer (Municipal Manager)			Chief Financial Officer / All Directors / Senior Manager: Governance to assist
MM101	Section 72(3), MFMA	Determining whether it is necessary to recommend that an adjustments budget be considered and that revised projections for revenue and expenditure is necessary	Accounting Officer (Municipal Manager)	Chief Financial Officer and all heads of departments		
MM102	Section 73(a), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer		

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MM103	Section 73(b), MFMA	Informing the provincial treasury of any non-compliance by a political structure or political office-bearer of the Municipality with a budget-related policy or the supply chain management policy	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM104	Section 74(1), MFMA	Submitting to the National Treasury, the provincial treasury, the department for local government and the Auditor- General such information, returns, documents, explanations and motivations as may be prescribed or as may be required	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM105	Section 74(2), MFMA	Reporting his/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	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM106	Section 75(1), MFMA	Ensuring that the required documents are uploaded to, and available on, the Municipality's website within five days after its tabling in the Council or on the date on which it must be made public, whichever occurs first	Accounting Officer (Municipal Manager)	Chief Financial Officer / Senior Manager: Governance	Manager: Communications	Close consultation between relevant Directorates and Manager Communication
MM107	Section 77(1), MFMA	Deciding to designate any officials other than those listed in section 77(1)(a) to (c) of the MFMA as "top management"	Accounting Officer (Municipal Manager)			
MM108	Section 79(1)(a), MFMA	Developing an appropriate system of delegation that will both maximise administrative and operational efficiency and provide adequate checks and balances in the Municipality's financial administration	Accounting Officer (Municipal Manager)	Chief Financial Officer / All Directors		Read with Financial delegations

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		for the proper application of the MFMA				
MM109	Section 79(1)(b), MFMA	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 the aims of a specific provision of the MFMA	Accounting Officer (Municipal Manager)			Read with Financial delegations
MM110	Section 79(1)(c), MFMA	Regularly reviewing 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	Accounting Officer (Municipal Manager)			Read with Financial delegations
MM111	Section 79(2), MFMA	Reviewing and confirming, varying or revoking any decision taken in consequence of a delegation or sub-delegation in terms of the MFMA.	Accounting Officer (Municipal Manager)			Read with Financial delegations
MM112	Section 80(2)(b), MFMA	Allocating officials of the Municipality to the Chief Financial Officer (Budget and Treasury Office).	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM113	Section 84(1)(b), MFMA	Making 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	Accounting Officer (Municipal Manager)	Chief Financial Officer / Relevant Director		

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		of, or participation in, a municipal entity				
MM114	Section 84(2)(a)(i)(aa), MFMA	Publishing an information statement regarding the Municipality's intention to establish and/or participate in a municipal entity	Accounting Officer (Municipal Manager)	Chief Financial Officer / Relevant Director		
MM115	Section 84(2)(a)(i)(bb), MFMA	Inviting the local community, organised 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	Accounting Officer (Municipal Manager)	Chief Financial Officer / Relevant Directors		
MM116	Section 84(2)(a)(ii), MFMA	Soliciting 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	Accounting Officer (Municipal Manager)	Chief Financial Officer / Relevant Director		
MM117	Section 86(2), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer		

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		provincial treasury				
MM118	Section 87(11), MFMA	Receiving a monthly statement in the prescribed format on the state of the budget of a municipal entity of which the Municipality is the parent municipality	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM119	Section 101(2), MFMA	Tabling 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 in the first Council meeting next ensuing	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM120	Section 102(1), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM121	Section 114(1), MFMA	Submitting a report containing the reasons for deviating from such recommendation to the Auditor-General, the provincial treasury and the 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	Accounting Officer (Municipal Manager)	Chief Financial Officer		

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MM122	Section 115(1)(a), MFMA	Implementing the Municipality's supply chain management policy	Accounting Officer (Municipal Manager)	All Directors	All senior managers/manager and officials with financial delegations	In accordance with policy
MM123	Section 115(1)(b), MFMA	Determining the reasonable steps that must be taken 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	Accounting Officer (Municipal Manager)	Chief Financial Officer / All Directors		
MM124	Section 116(2)(a), MFMA	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 properly enforced	Accounting Officer (Municipal Manager)	All Directors		All line departments
MM125	Section 116(2)(b), MFMA	Monitoring the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis	Accounting Officer (Municipal Manager)	Chief Financial Officer / Directors		
MM126	Section 116(2)(c), MFMA	Determining the capacity that needs to be established within the Municipality's administration to assist the Accounting Officer (Municipal Manager) to enforce the provisions of a contract or agreement between the Municipality and a contractor and to	Accounting Officer (Municipal Manager)	All Directors/ Senior Manager: Supply Chain Management		

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		monitor the performance of a contractor under a contract or an agreement with the Municipality on a monthly basis				
MM127	Section 116(2)(d), MFMA	Regularly report to the Municipal Council regarding the management of contracts and/or agreements and the performance of contractors	Accounting Officer (Municipal Manager)	Chief Financial Officer and Senior Manager Supply Chain		
MM128	Section 116(2)(d), MFMA	Determining the frequency/regularity of reports to be submitted to the Municipal Council regarding the management of contracts and/or agreements and the performance of contractors.	Accounting Officer (Municipal Manager)			Senior Manager: SCM
MM129	Section 116(3)(a), MFMA	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 management policy of the Municipality in the Council	Council			First advertise before tabling reasons at council
MM130	Section 116(3)(b), MFMA	Giving the local community reasonable notice of the intention to amend a contract or agreement procured through the supply chain management policy of the Municipality and inviting the local community to submit representations to the Municipality	Council	Accounting Officer (Municipal Manager)		Collaboration between Manager Communication and Senior Manager Supply Chain Management

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MM131	Section 119, MFMA	Ensure officials dealing with supply chain management meet necessary competency requirements	Council	Accounting Officer (Municipal Manager)		
MM132	Section 120(6)(a), MFMA	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	Accounting Officer (Municipal Manager)	CFO		Relevant Director/Manager Secretariat/Committee Services
MM133	Section 120(6)(b), MFMA	Making the 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	Accounting Officer (Municipal Manager)	CFO		
MM134	Section 121(3)(e), MFMA	Performing an assessment of any arrears on municipal taxes and service charges for inclusion in the Municipality's annual report	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager revenue and Expenditure	
	Section 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	Accounting Officer (Municipal Manager)	All Directors		

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MM135	MFMA	MFMA for revenue collection from each revenue source and for each vote in the Municipality's approved budget for the relevant financial year for inclusion in the Municipality's annual report				
MM136	Section 122(1)/ Section 126(1)(a), MFMA	Preparing annual financial statements which fairly presents the state of affairs of the Municipality, its performance against its budget, 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; Submitting the annual financial statements of the Municipality to the Auditor-General on or before 31 August of each year	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager: Financial Management Services	To be assisted by all heads of divisions within Financial Services
MM137	Section 126(1)(b), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager: Financial Management Services	
MM138	Section 127(5)(a), MFMA	Publishing the annual report and inviting the local community to submit representations in connection with the annual report	Accounting Officer (Municipal Manager)	Senior Manager: Governance		Office of the Speaker/Manager IDP/PM/IGR/Manager Communications
MM139	Section 127(5)(b), MFMA	Submitting the annual report to the Auditor-General, the provincial treasury and the provincial department responsible for local government	Accounting Officer (Municipal Manager)	Senior Manager Governance		
MM140	Section 129(2)(a), MFMA	Attending the meetings of the Municipal Council and its committees where the annual report is discussed	Accounting Officer (Municipal Manager)			All Directors/Senior Manager Governance/Manager

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		and responding to questions concerning the report				IDP/PM/IGR
MM141	Section 129(2)(b), MFMA	Submitting copies of the minutes of meetings 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	Accounting Officer (Municipal Manager)	Chief Financial Officer / Senior Manager Governance		Manager IDP/Performance
MM142	Section 129(3), MFMA	Publishing the oversight report regarding the annual report	Accounting Officer (Municipal Manager)	Senior Manager: Governance		Manager Communication
MM143	Section 131(1), MFMA	Submit issues raised by Auditor-General in audit report promptly to executive mayor	Accounting Officer (Municipal Manager)	Chief Financial Officer		Assisted by Chief Audit Executive
MM144	Section 132(2), MFMA	Submission of the Municipality's annual report and oversight report and the annual report and oversight report of a municipal entity under the Municipality's sole or shared control to the provincial legislature	Accounting Officer (Municipal Manager)	Senior Manager: Governance		
MM145	Section 146(1)(c), MFMA	Reporting monthly to the MEC responsible for finance on the implementation of a financial recovery plan for the Municipality resulting from a mandatory provincial intervention	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM146	Section 153(1)(b), MFMA	Bringing 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	Accounting Officer (Municipal Manager)			

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MM147	Section 153(3), MFMA	Giving 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	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM148	Section 164, MFMA	Ensure forbidden commercial activities are not followed	Accounting Officer (Municipal Manager)	All Directors		
MM149	Section 167(2)(a), MFMA	Recovering any amount paid or given in cash or in kind to a 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 framework of the Public Office-Bearers Act, 1998 (Act No. 20 of 1998), including any bonus, bursary, loan, advance or other benefit	Accounting Officer (Municipal Manager)	Chief Financial Officer		
MM150	Section 176(2), MFMA	Ensure recovery of loss or damage suffered by municipality because of deliberate or negligent unlawful action of official when performing a function of office	Accounting Officer (Municipal Manager)	All Directors		
MM151	Section 64 of MFMA	To consider, approve or refuse requests to reverse reconnection fees in deserving cases.	Council	Accounting Officer (Municipal Manager)	CFO	Credit Control and debt Collection policy
MM152	Section 65(2)(f), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist

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MM53	Section 65(2)(g), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Revenue and Expenditure *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist
MM154	Section 65(2)(h), MFMA	Deciding the reasonable steps to be taken to ensure that the Municipality's available working capital is managed effectively and economically in terms of the prescribed cash management and investment framework	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Financial Management Services *	*After consultation with *After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist
MM155	Section 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	Accounting Officer (Municipal Manager)	Chief Financial Officer		Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist
MM156	Section 65(2)(j), MFMA	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	Accounting Officer (Municipal Manager)	Chief Financial Officer	Senior Manager Financial Management Services *	*After consultation with CFO Chief Financial Officer / Senior Manager: ICT, / Chief Internal Audit to assist

MM156	Cost containment regulations Chapter 4 of the MFMA and SCM policies Requirements of Section 67 of the MFMA	Support the request for municipal in-kind support and approve the waiver of applicable municipal fees and the provision of operational support associated with the event	Accounting Officer (Municipal Manager)			
PROMOTION OF ACCESS TO INFORMATION ACT (PAIA) Act 2 of 2000 – MUNICIPAL MANAGER						

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST
MM157	Section 17, PAIA	To designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records	Council	Accounting Officer (Municipal Manager) (as information officer)		
MM158	Section 17, PAIA	To delegate a power or duty conferred or imposed on the information officer by the act to a deputy information officer	Accounting Officer (Municipal Manager)			Deputy information officers' powers and duties to be delegated in writing – see letters of appointment
MM159	Part 4: Chapter 1, PAIA	To receive and process appeals against the decision of an information officer to refuse a request for information; To determine whether an appeal are to be deferred until the fee is paid; To refer appeals to the relevant authority	Accounting Officer (Municipal Manager)	Director: Corporate Services		
ROAD TRAFFIC ACT (RTA), Act 93 of 1996 – MUNICIPAL MANAGER						
MM160	Section 3A(c), RTA	Appointment of inspector of licenses, i.e. examiner of vehicles, examiner of driving licences and traffic wardens	Accounting Officer (Municipal Manager)	Director: Community and Protection Services	Senior Manager Protection Services	

MM161	Section 3A(d), RTA	Appointment of traffic officers and reserve traffic officers	Accounting Officer (Municipal Manager)	Director: Community and Protection Services	Senior Manager: Protection Services	Designation as Traffic Officer
MM162	Sections 8 – 36, RTA	Handling all matters relating to drivers' licences: driver fitness, learner licences, instruction certificates, professional driving permits	Accounting Officer (Municipal Manager)	Director: Community and Protection Services	Senior Manager: Protection Services	In consultation with Manager Traffic and Law Enforcement and Chief Traffic Services
MM163	Sections 37 – 44, RTA	Handling all matters relating to vehicle fitness: requirements for roadworthiness. See to the prescribed conditions for a vehicle testing station.	Accounting Officer (Municipal Manager)	Director: Community and Protection Services	Senior Manager: Protection Services	In consultation with Manager Traffic and Law Enforcement and Chief Traffic Services

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REGULATIONS ON COST CONTAINMENT – MUNICIPAL MANAGER						
MM164	Regulations on cost containment	To authorise the usage of official vehicles by councillors and officials	Accounting Officer (Municipal Manager)			
MUNICIPAL ASSET TRANSFER REGULATIONS - MUNICIPAL MANAGER						
MM165	Regulation 34(1)(b) of MATR	Granting or right to use, control or manage municipal capital assets, subject to the considerations outlined in regulation 36 of MATR.	Council			
MM166	Regulation 35 (1) of MATR	The accounting officer must conduct a public participation process in connection with any proposed granting of a long-term right to use, control or manage a capital asset with a value in excess of 10 million	Council	Municipal Manager		

MM 166A		Acquisition of immovable property rights by way of a lease agreement or registration of a servitude	Council	Municipal Manager (in consultation with the Executive Mayor) Executive Mayor (in consultation with the Executive Mayoral Committee)		To the contract value of R5 Million To the contract value of between R5 million and below R10 million
MM 166B	Section 33	Approval of applications for temporary use of Council Property for Film Shoots; Sport gatherings; Religious gatherings; Circus; concerts; Festivals and other similar events for a period not exceeding 1 month.	Council	Municipal Manager	Relevant Director	In consultation with the Municipal Manager

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MM 166C	Section 33	Issuing of special power of attorney to 3rd parties to obtain permission on Council owned properties for example to apply for a building plan when erecting a cellphone tower or erecting a fence on council land.	Council	Accounting officer (Municipal Manager)		On recommendation from Director Corporate Services and in terms of Council Policy/Bylaw/legislation
MM 166D	Section 33	To approve wayleaves (cables; pipes; electronic communication network over council properties (under streets, road reserves, public open spaces)	Council	Accounting Officer (Municipal Manager)	May be delegated to relevant Director.	On recommendation from relevant Director and in terms of Council Policy/Bylaw/legislation.
MM 166E	Section 34	To approve outdoor dining applications no longer than three years	Council	Accounting Officer		In consultation with the relevant directors. May refer the matter to Executive Mayor at any time for a decision.

ADMINISTRATIVE MATTERS						
MM167	CR 20/11/2002	To decide on the closing of offices on Easter Weekend, 24 and 31 December annually	Council	Accounting Officer (Municipal Manager)		
ADVERTISING, PUBLICITY AND MEDIA LIAISON						
AD1	General	Development and implementation of criteria for placement of advertisements and general notices in the media	Accounting Officer (Municipal Manager)	Senior Manager: Governance	Manager: Communication	After consultation with Accounting Officer (Municipal manager)
AD2	Communication Policy	To make media statements on all administrative matters on behalf of the municipality	Accounting Officer (Municipal Manager) in so far as it entails administrative matters			Manager Communication in conjunction with relevant heads of departments Sub delegations in terms of Communications

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			Executive Mayor in so far as it entails political matters			Policy
AD3	General	To instruct or oversee placement of advertisement and/or municipal notices (e.g. tenders, town planning matters, vacancies, etc) in media in terms of relevant criteria	Accounting Officer (Municipal Manager)	All Directors within their functional areas		All Vacancies - Director Corporate Services In co-ordination with Manager Communications (website)
APPEALS						

APP 1	Section 62(4)(a) MSA	Serve as Appeals Authority in the case where the rights of an individual is affected as a result of a decision taken by a staff member other than the Accounting Officer (Municipal Manager)	Accounting Officer (Municipal Manager)			
APP 2	Section 62(4)(b)	Serve as Appeals Authority in the case where the rights of an individual is affected as a result of a decision taken by the Accounting Officer (Municipal Manager)	Executive Mayor			
APP3	Section 62 MSA	Administration of appeals received in terms of section 62 of Systems Act in accordance with appeal policy	Accounting Officer (Municipal Manager)	Senior Manager: Governance		Administration, research, facilitate investigation, appoint independent reviewer and processing of appeal supported by SM Governance
AAP4	Section 62 MSA	Appeal authority in the case of an appeal against a decision taken by a political structure, a political office-bearer or a Councillor	Appeal committee appointed by Council			Appointed by Council

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BUILDING CONTROL						
	National Building Regulations and Building Standards Act, 1997 (NBRBSA) Act 103 0f 1997 National Building Regulations (NBR)					
BC1	Section 5 of NHRBSA (read in conjunction with (CR 26/11/2009)	To exercise and perform the powers, duties or activities granted or assigned by or under this act	Council	Senior Manager: Development Management/ Manager Building Development Management		

BC2	Sections 4, 7(a) and (b), NHRBSA	To consider and approve building plans on recommendation by building control officer	Council	Senior Manager: Development Management/ Manager Building Development Management		
BC3	Section 15, NHRBSA & section 41, LUPO	To enter a building or land to execute functions i.t.o. NHRBSA	Council	Senior Manager: Development Management/ Manager Building Development Management	Building inspectors	
BC4	Section 2(4), NBRBSA	To comment on plans, specifications and certificate in respect of any building to be erected by or on behalf of the State	Council	Senior Manager: Development Management/ Manager Building Development Management		
BC5	Section 4(2)(2) NBRBSA	To prescribe the application form for the erection of any building and to require such particulars as may be required for the carrying out of the objects and purposes of this Act	Council	Senior Manager: Development Management/ Manager Building Development Management		
BC6	Section 7(1) NBRBSA	To, after having considered a recommendation by a building control officer, grant approval or refuse to grant approval for the erection of any building in respect of which plans and specifications have been drawn and submitted in terms of this Act	Council	Senior Manager: Development Management/ Manager Building Development Management		
BC7	Section 7(4) NBRBSA	To extend the period of 12 months (as from the date on which approval was granted) for which an approval for the erection of any building is valid	Council	Director: Planning & Economic Development		

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BC8	Section 7(6) NBRBSA	To grant provisional authorisation to an applicant to commence or proceed with the erection of a building, before approval has been considered and to impose such conditions as may be deemed fit	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC9	Section 10(1) NBRBSA	To prohibit or to grant approval subject to conditions, the erection of a building or earthwork that – * will not be in the interest of good health or hygiene; * will be unsightly or objectionable; * will probably or in fact be a nuisance to the occupiers of adjoining or neighbouring properties; * will probably or in fact derogate from the value of adjoining or neighbouring properties; * is being or is to be erected on a site which is subject to flooding does not drain properly or is filled up or covered with refuse or material impregnated with matter liable to decomposition	Council	Senior Manager: Development Management/ Manager: Building Development Management		

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BC10	Section 11(1)NBRBSA	To, where for a period exceeding 3 months the erection of a building is not proceeded with, order the owner of such building to resume and to complete the erection thereof within a specified period.	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	

BC11	Section 11(2) NBRBSA	To, where the owner of a building fails to proceed with the erection of a building as ordered, extend the period specified in the notice of satisfied it that the owner's failure was due to circumstances beyond his control	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC12	Section 11(3) NBRBSA	To, where the owner of a building fails to resume or to complete the erection of a building within the specified periods as ordered, order the owner to demolish such building and to remove the material, if of the opinion that such building is unsightly or dangerous to life or property or derogates from the value of adjoining or neighbouring properties	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC13	Section 11(4) NBRBSA	To, where the owner of a building fails to comply with an order to demolish such building and to remove the material, demolish such building and remove the material and recover the costs thereof from such owner	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC14		To order the owner of a building, land or earthwork, that is dilapidated or in a state of disrepair or is dangerous or is showing signs of becoming dangerous	Council	Senior Manager: Development Management/		

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	Section 12(1) NBRBSA	to life or property, to demolish, alter or secure such building in such manner that it will no longer be dilapidated or dangerous to life or property		Manager: Building Development Management	Building Inspectors	

BC15	Section 12(3) NBRBSA	To, where the condition of any building or the land on which a building was or is being or is to be erected or any earthwork is such that it is dangerous or is showing signs of becoming dangerous to life or property: * order the owner of such building, land or earthwork to at own risk instruct an architect or Registered person to investigate such condition and to report to the City on the nature and extent of the steps to be taken, in the opinion of such architect of registered person, in order to render such building, land or earthwork safe; * order that any activities be stopped or prohibit the performance of any activities which may increase the danger or hinder or obstruct the architect or registered person from properly carrying out the investigation; * require the architect or registered person to submit evidence of his or her competence to carry out such duties; * order the owner to instruct another architect or registered person to carry out the duties	Council	Senior Manager: Development Management/ Manager: Building Development Management		
		To, if deemed necessary for the safety of any person – * order the owner of any building to	Council	Senior Manager: Development		

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BC16	Section 12(4)(5) NBRBSA	remove all persons occupying or working or being for any other purpose in such building there from, and to take care that no unauthorised person may enter such building; * order any person occupying or working or being for any other purpose in any building, to vacate such building; grant permission that such building may again be occupied or used		Management/ Manager: Building Development Management	Building Inspectors	
BC17	Section 13(3) NBRBSA	To, where the building control refused to extend any period of 6 months allowed for a minor building work, consider such refusal and confirm such refusal or extend such period on such conditions as may be deemed fit	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC18	Section 14(1) NBRBSA	To issue or to refuses to issue a certificate of occupancy on completion of the erection of a building	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC19	Section 14(1A) NBRBSA	To grant permission to use a building before the issue of the certificate of occupancy, for such period on such conditions as may be deemed necessary, and to extend or alter such period and conditions	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC20		To permit a deviation or grant an exemption from any applicable	Council	Senior Manager: Development		

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	Section 18(1)	national building regulation except a national building regulation regarding the strength and stability of buildings		Management/ Manager: Building Development Management		
BC 21	Regulation A1(7)(a) NBR	To, before granting provisional authorisation for a temporary building, assess such building in relation to – * the intended use and life of the building; * the area in which it is to be erected; and the availability of suitable materials from which it may be constructed	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC22	Regulation A1(7)(d) NBR	To, where any building is intended to be used experimental, demonstration, testing or assessment purposes – * grant authority for the erection of such building and for the performance of any experiment, or for the demonstration, testing or assessment of such building; and * grant authority for the erection of such building where testing or assessment of the completed building is the only way to ascertain whether such building complies with the requirements of these regulations	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC23	Regulation A2(1)	To require from any person intending to erect any building, plans and particulars of – * general structural arrangements;	Council	Senior Manager: Development Management/ Manager: Building Development		

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	NBR	* general arrangements of artificial ventilation; * a fire protection plan; any required certificate; and any other particulars		Management		
BC24	Regulation A3(1) NBR	To, upon request by a person who intends to erect a building – * examine any preliminary sketch plans of the building proposed to be erected and furnish comments on such plans or on any particular features thereof specified by such person; or furnish an opinion as to whether any material or method or form of construction intended to be used in the erection of such building will comply with these regulations	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC25	Regulation A3(2) NBR	To furnish reasons for the inability to accede to the request by a person who intends to erect a building	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC26	Regulation A4 NBR	To exercise the powers and duties regarding additional documents and information in respect of structural details and artificial ventilation as contemplated in the regulation	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC27	Regulation A5(3) NBR	To determine the number of additional paper copies of every plan, drawing or diagram that must accompany an application	Council	Senior Manager: Development Management/ Manager: Building Development Management		

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BC28	Regulation A7 NBR	To exercise the Municipality's powers and duties regarding requirements of layout drawings as contemplated in the regulation	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC29	Regulation A8(4) NBR	To require the owner to submit – * drainage design calculations which shall clearly indicate the basis for such design; * an estimate of the composition and quantity of any industrial effluent proposed to be discharged into any sewer; and * where approval has been given in terms of the local authority's industrial effluent by-laws or regulations for the discharge into a sewer of industrial effluent from the site, plans and particulars and any drainage works and installations required by the local authority in terms of its conditions of approval for such discharge.	Council	Director Infrastructure		May be sub- delegated
BC30	Regulation A9(1) NBR	To require that an application in respect of the erection of any building, not being a dwelling house, be accompanied by a fire plan	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC31	Regulation A11(1)	To require the owner, to at own cost, engage a professional land surveyor to identify boundary pegs or beacons and other relevant information where	Council	Senior Manager: Development Management/		

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	NBR	the location of any boundary to a site has not been accurately determined		Manager: Building Development Management		
BC32	Regulation A11(2) NBR	To, where an owner fails to engage a professional land surveyor, engage a professional land surveyor to establish and point out the location of such pegs or beacons, and recover such costs of such establishing and pointing out from such owner	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC33	Regulation A13(2) NBR	To test any material or component used or to be used in the erection of any building in order to determine whether such material or component complies with the requirements of these regulations	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC34	Regulation A13(3) NBR	To, if any material or component used in the erection of a building does not comply with these regulations, serve a notice on the person erecting such building, stating the respects in which such material or component does not comply and prohibiting such person from making further use of such material or component for the purpose for which it was or is to be used in the erection of such building	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC35	Regulation A13(5) NBR	To, if any material or component is tested and has failed to comply with these regulations, recover the cost of such test from the owner of the building concerned	Accounting Officer (Municipal manager)	Director: Planning & Economic Development	Chief Building Control Officer	
BC36	Regulations A13(6)	To permit the use of any material or component, which is not permitted or	Council	Senior Manager: Development		

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	NBR	prescribed by these regulations, for a particular purpose if such material or component is at least as suitable for that purpose as the material or component permitted or prescribed to be used by these regulations		Management/ Manager: Building Development Management		
BC37	NBR Regulation A15(3)	To serve a notice on an owner or other person requiring compliance with A15 pertaining to the installation and maintenance and operation of installations	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC38	NBR Regulation A15(4)	To, by notice in writing to the owner, order the evacuation of a building where the state of such equipment or installation will cause conditions which may be detrimental to the safety or health of the occupiers or users of such building	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC39	NBR Regulation A19(1)	To waive the requirement that the owner of any building must appoint and retain any person who is a professional engineer or other approved competent person to undertake responsibility for design and inspections	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC40	NBR Regulation A19(4)	To approve the form on which owner must report the appointment of a professional engineer or other approved competent person	Council	Senior Manager: Development Management/ Manager: Building Development Management		

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BC41	NBR Regulation A22(1)	To prescribe the format of the notice in connection with the erection or demolition of any building	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC42	NBR Regulation A22(3)	To approve trenches or excavations, within erven boundaries.	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC43	NBR Regulation A22(3)	To approve a drainage installation	Council	Senior Manager: Development Management/ Manager: Building Development Management		~~May be delegated to Sanitation Section of the Water Services Division~~
BC44	NBR Regulation A23(1)	To grant provisional authorisation to an applicant to proceed with the erection of a temporary building in accordance with any conditions or directions specified in such authorisation	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC45	NBR Regulation A23(2)	To require an applicant the erection of a temporary building to submit – * a statement of the period for which authorisation is required; * a site plan; * layout drawings; and any structural detail required to determine the structural safety of the proposed building	Council	Senior Manager: Development Management/ Manager: Building Development Management		

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BC46	NBR Regulation A23(4)	To grant approval for one or more extensions of the period of authorisation of a temporary building and to require such information as may be necessary to consider an application for extension	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC47	NBR Regulation A24(1)	To examine plans, specifications or other documents which accompanied or which are intended to accompany an application, to perform any tests that are considered necessary and inspect the site on which a building is to be erected, and issue a report in connection therewith	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC48	NBR Regulation A25(2)	To serve a notice calling upon a person who contravenes a provision of regulation A25(1) to forthwith cease such contravention	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC49	NBR Regulation A25(6)	To serve a notice on any person contemplated in Section 4(4) of the Act or sub regulation (4) of (5), ordering such person forthwith to stop the erection of a building concerned or to comply with such approval	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC50	NBR Regulation A25(7)	To serve a notice on the owner of any building contemplated in sub regulation (4) or (5) ordering such owner to rectify or demolish the building in question by a date specified in the notice	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	

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BC51	NBR Regulation A25(9)	To serve a notice on the owner of a building where such building is being or has been erected and a contravention of these regulations, other than those referred to in sub regulation (4) or (5) has been committed, specifying a date by which such owner shall have complied with the regulations, citing the regulations contravened and specifying the steps to be taken in order to comply with the regulations	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC52	NBR Regulation A25(10)	To serve a notice on the owner of a building that is being or has been erected without the prior approval contemplated in Section 4(1) of the Act to obtain the approval in writing as required by the Act by the date specified in the notice	Council	Manager: Building Development Management / Building Inspectors		
BC53	NBR Regulation E1(1)(2)	To grant permission to demolish a building and to impose any condition or requirements for the safety, health and convenience of the public, and for the safety of any other building or installation, which may be affected by such demolition	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC54	NBR Regulation E1(4)	To serve a notice on any person involved in the demolition of a building to make the site safe, and on failure to do so, carry out the necessary work and recover the cost thereof from such person	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	

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BC55	NBR Regulation E3	To prohibit the use of any method to be applied in the demolition of any building where such method will create or cause to create any danger to any person or other building or property, and to give reasons for such prohibition	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC56	NBR Regulation F1(1)	To require that the owner of a site, where danger or serious inconvenience to the public may ensure from the demolition or erection of a building, erect a fence, hoarding or barricade to prevent the public from entering such site and to protect them from the activities on such site	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC57	NBR Regulation F1(4)	To permit any person, undertaking any work of erection or demolition on a site, to encroach upon or over any street or public place abutting such site and to impose conditions with regard to the safety and convenience of persons using such street or public place	Council	Senior Manager: Development Management/ Manager: Building Development Management		Excluding Encroaching over a street – Director Infrastructure
BC58	NBR Regulation F1(5)	To impose conditions to safeguard the interests of the general public, during the erection or demolition of any building	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC59	NBR Regulation F2(1)	To require the owner of a building to pay a deposit or give security to cover the costs of the repair of any damage to municipal property which may be caused by the demolition or erection of any building and to appropriate the amount of the deposit or	Council	Senior Manager: Development Management/ Manager: Building Development	Building Inspectors	

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		security towards the costs of repairing damage		Management		
BC60	NBR Regulation F2(3)	To, in the absence of a deposit or security, demand from the owner of a building to pay the cost of the repair of any damage to municipal property which may be caused by the demolition or erection of any building and upon failure to recover such cost from the owner in a court of competent jurisdiction	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC61	NBR Regulation F3(1)	To inform an applicant of any suspected unstable sub-soils or unstable slopes in the area in which a site, upon which a building is to be erected	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC62	NBR Regulation F3(2)	To require an owner to engage a professional engineer or other approved competent person to prepare measures for any differential movements or other effects which could be detrimental to a building	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC63	NBR Regulation F6(1)	To consider whether any activity, in the course of any building, demolition or excavation work or any machine, machinery, engine, apparatus, tool or	Council	Senior Manager: Development	Building Inspectors	

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		contrivance, unreasonably disturb or interfere with the amenity of the neighbourhood		Management/ Manager: Building Development Management		
BC64	NBR Regulation F7(1)	To, where any work carried out in connection with the erection of any building is not in accordance with the provisions of these regulations or any approval or authority granted there under, order the owner of such building- * to supply satisfactory proof that such work is in accordance with such provision, approval or authority; or * to cause such work to be cut into, laid open or demolished; or to cause a test of such work to be carried out	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC65	NBR Regulation F7(2)	To, where the actions of the owner is still not compliant, order the owner to take such steps as may be necessary to ensure that there is such compliance, or to order the owner to cause such work to be cut into, laid open or demolished	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC66	NBR Regulation F7(3)	To give authority to proceed with work, in connection with the erection of any building, upon being satisfied with the work cut into, laid open or demolished	Council	Senior Manager: Development Management/ Manager: Building Development	Building Inspectors	

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS / INSTRUCTION TO ASSIST

				Management		
BC67	NBR Regulation F8(1)(2)	To order the owner of a site to remove rubble, rubbish, other debris or combustible waste material or to order such removal and recover the costs thereof from the owner	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC68	NBR Regulation F9(1)	To order the owner or person erecting or demolishing any building to remove any surplus material and matter arising from such erection or demolition from the site and from any other land or public street or public place affected by such material or matter during or after the completion of such erection or demolition	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC69	NBR Regulation F10(2)	To require an owner or person carrying out or performing work in connection with the erection or the demolition of any building, to erect on the site of such work such temporary builder's sheds as may be necessary	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
		To, where a shed is not constructed, located or maintained in terms of this regulation, order the owner or person to move, reconstruct or repair or	Council	Senior Manager: Development Management/ Manager: Building	Building Inspectors	

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BC70	NBR Regulation F10(4)	improve the condition of such shed, or if the use thereof is being made other than that permitted, to cease such un-permitted use		Development Management		
BC71	NBR Regulation F11(1)	To approve that sanitary facilities for personnel employed on or in connection with the erection or demolition of any building not be provided on the site but at some other place	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC72	NBR Regulation F11(1)	To, where sanitary facilities for personnel employed on or in connection with the erection or demolition of any building have not been provided, order the cessation of such work until the required facilities have been provided, and, should such order not be complied with, to install such facilities and recover the costs of such installation from the owner of the site	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC73	NBR Regulation G1(3)	To grant authority for any excavation, where the safety or stability of any property or service is likely to be impaired by such excavation or where the depth, at any point, of such excavation is likely to be more than 3 m	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	

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BC74	NBR Regulation O(3)	To grant approval for the installation of any artificial ventilation system in any building	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC75	NBR Regulation P1(1)	To prescribe a location and level for the connection of a sewer for the drainage of a building within the boundaries of erven	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	
BC76	NBR Regulation P1(2)	To order the owner of any existing building to make a sewer connection within a prescribed period	Council	Chief Building Control Officer/ Building Inspectors		
BC77	NBR Regulation P1(4)	To, where the owner of a building fails to comply with an order to do so, lay, alter or extend any drain, alter or extend such drain and recover the costs thereof from the owner	Council	Chief Building Control Officer/ Building Inspectors		
BC78	NBR Regulation P2(2)	To require a rational design, where the size or complexity of a drainage installation in any building so requires, to furnish reasons for such necessity and to require such owner to submit for approval plans and particulars of a complete drainage installation based on such design	Council	Chief Building Control Officer/ Building Inspectors		May be delegated to Sanitation Section of the Water Services Division

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BC79	NBR Regulation P3(3)	To order the owner of any site to, at own cost, execute any precautionary measures to prevent objectionable sewage discharge to enter any stormwater drain, stormwater sewer or watercourse, any river, stream or natural watercourse or any street or other site	Council	Chief Building Control Officer/ Building Inspectors		May be delegated to Sanitation Section of the Water Services Division
BC80	NBR Regulation P3(4)	To permit the discharge of water from a swimming pool, fountain or reservoir onto any public street or public place, or onto any site other than onto the site upon which such swimming pool, fountain or reservoir is situated	Council	Chief Building Control Officer/ Building Inspectors		May be delegated to Sanitation Section of the Water Services Division
BC81	NBR Regulation P6(1)	To permit any person to interfere with any sewer or connecting sewer or to break into or interfere with any part of a drainage installation for the purpose of repair and maintenance	Council	Senior Manager: Development Management/ Manager: Building Development Management		May be delegated to Sanitation Section of the Water Services Division
BC82	NBR Regulation P7(3)	To inspect, test and pass any drainage installation as complying with these regulations	Council	Senior Manager: Development Management/ Manager: Building Development Management	Building Inspectors	May be delegated to Sanitation Section of the Water Services Division

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BC83	NBR Regulation Q1	To permit other means of sewage disposal where waterborne sewage disposal is not available	Council	Senior Manager: Development Management/ Manager: Building Development Management		In consultation with the Director Infrastructure Services May be delegated to Sanitation Section of the Water Services Division
BC84	NBR Regulation Q2	To permit the construction of any pit latrine	Council	Senior Manager: Development Management/ Manager: Building Development Management		In consultation with the Director Infrastructure Service May be delegated to Sanitation Section of the Water Services Division
BC85	NBR Regulation R1(3)	To require a rational design where the conditions or any site so requires; to furnish reasons for such necessity and to require such owner to submit for approval plans and particulars of a complete storm water control and disposal installation for such site and for any building erected thereon, based on such design	Council	Senior Manager: Development Management/ Manager: Building Development Management		In consultation with the Director Infrastructure Service
BC86	NBR Regulation T1(2)	To, where compliance with the relevant SABS code would not comply with the general fire protection requirements, order the owner of the building to submit for approval a rational design	Council	Senior Manager: Development Management/ Manager: Building Development Management		

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BC87	NBR Regulation U2	To approve the access of a refuse storage area from any street, for the purpose of removing the refuse	Council	Senior Manager: Development Management/ Manager: Building Development Management		
BC88	NBR Regulation W1	To, subject to any conditions considered necessary, allow a fire installation to be connected to – * a source of supply other than a communication pipe; or a source of non-potable water where such water is not to be used for domestic or any other purpose	Council	Senior Manager: Development Management/ Manager: Building Development Management		May be delegated to Senior Manager: Waste Management
BC89	NBR Regulation W2	To permit that water may be taken from a supply system for use in any fire installation and to impose conditions	Council	Senior Manager: Development Management/ Manager: Building Development Management		May be delegated to Senior Manager: Waste Management
BC90	NBR Regulation W3	To require the provision of isolating valves to control the flow of water to a fire installation, and to such points within the installation	Council	Senior Manager: Development Management/ Manager: Building Development Management		May be delegated to Senior Manager: Waste Management
BC91	Stellenbosch Municipal Land Use Planning By-law, 2023 Sections 45 and 46	Approval of the core festive period and arrangements for the processing of land use and building plan applications and associated public participation	Council	Director: Planning and Economic Development		

VIREMENTATION POLICY						
VRP 1	Paragraph 6f	Virementation of capital funds within a vote	Council	Accounting Officer (Municipal Manager)	CFO	
VRP 2	Paragraph 6f	Virementation of operational funds within a vote	Council	Accounting Officer (Municipal Manager)	CFO	May be further sub-delegated to

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						Senior Manager: Financial Management Services
MUNICIPAL PROPERTY RATES ACT, ACT 6 OF 2004 PROPERTY RATES POLICY (VALUATIONS)						
VAL 1	Section 23 MPRA	To draw up, maintain and regularly update a register in respect of properties situated within the municipal area and to ensure that it is open for inspection by the public and to display it on the official website.	Council	CFO	Senior Manager: Expenditure and Revenue	
VAL 2	Section 31(1) MPRA	Determine a date for a general valuation	Council	CFO	Senior Manager: Expenditure and Revenue	
VAL 3	Section 31(1)+(3) MPRA	Designate an official or a person in private practice as its municipal valuer and issue such person an identity card in the prescribed format subject to SCM.	Council	CFO	Senior Manager: Expenditure and Revenue	
VAL 4	Section 49(2) MPRA	To publish the notice and valuation roll on the Council's official website.	Council	CFO	Senior Manager: Expenditure and Revenue	may be sub-delegated to Asst Accountant Valuations (AA-VAL

VAL 5	Section 55(2) MPRA	To, where has adjustments have been made to a valuation roll that affects the rates payable on a property, reprocess the rates payable as per sub-section 55(2)(b).	Council	CFO	Senior Manager: Expenditure and Revenue	may be sub-delegated to Asst Accountant Valuations (AA-VAL)
VAL 6	Section 12(2) MPRA	Review the amount in the Rand of the current rates in line with the annual budget for the next financial year.	Council	CFO	Senior Manager: Expenditure and Revenue	

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VAL 7	Section 14(3) MPRA	Publish Council resolution levying rates in the libraries and on the Website and advertise in the media the same notice	Municipal Manager	CFO	Senior Manager: Expenditure and Revenue	
VAL 8	Section 14(2) MPRA	To annually publish within 60 days of the Council resolution levying rates in the Provincial Gazette.	Council	CFO	Senior Manager: Expenditure and Revenue	and may be sub-delegated to Head: Revenue
VAL 9	Section 15(3)+(4) MPRA	To annually table in Council a – (a) list of all exemptions, rebates and reductions granted during the previous financial year; and (b) statement reflecting the income foregone during the previous financial year by way of such exemptions, rebates and reductions.	Council	CFO		
VAL 10	Section 22 MPRA	To determine the parameters and provisions of a proposed special rating area	Council	CFO		
VAL 11	Section 26(3) MPRA	To determine the special circumstances for the deferment of a rate payment	Council	CFO		CFO to table recommendations
VAL 12	Section 27 MPRA	Furnishing of accounts as per specific layout regulations	Council	CFO		

VAL 13	Section 33(4) MPRA	To withdraw the designation of a person as its municipal valuer on the grounds of misconduct, incapacity or incompetence, non-compliance with a provision of the MPRA, under-performance or breach of contract.	Council	CFO		
VAL 14	Section 35(1) MPRA	To designate officials of the Municipality or persons in private practice as assistant municipal valuers to assist the valuer of the Municipality.	Council	CFO		
VAL 15	Section 35(2) MPRA	To permit the municipal valuer to designate persons in private practice	Council	CFO		

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		as assistant municipal valuers to assist the municipal valuer with the performance of any of his/her functions if the municipal valuer is not an official.				
VAL 16	Section 35(4) MPRA	To issue to the person designated as an assistant municipal valuer an identity card.	Council	CFO	Senior Manager: Expenditure and Revenue	and may be sub-delegated to Asst Accountant Valuations (AA-VAL)
VAL 17	Section 35(5) MPRA	To withdraw the designation of a person designated as assistant municipal valuer on the grounds of misconduct, incapacity, incompetence, non-compliance with a provision of the MPRA, under-performance or breach of any of the terms or conditions of the designation.	Council	CFO		
VAL 18	Section 36(1) + (2) MPRA	Designate officials or persons as data-collectors to assist the valuer	Council	Municipal manager		
VAL 19	Section 36(4) MPRA	To issue to the person designated as a data-collector an identity card in the prescribed format containing a photograph of that person.	Council	CFO	Senior Manager: Expenditure and Revenue	

VAL 20	Section 36(5) MPRA	To request a municipal valuer to withdraw the designation by the municipal valuer of a person as a data-collector.	Council	CFO		
VAL 21	Section 36(5) MPRA	To withdraw the designation of a person as a data-collector	Council	CFO		
VAL 22	Section 40(1) MPRA	Receive certified copies of the prescribed declaration by the valuer or assistant valuer	Council	Municipal manager		

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VAL 23	Section 41(2) MPRA	To issue to the person, authorised by the municipal valuer to enter any property that must be valued, an identity card in the prescribed format containing a photograph of that person.	Council	CFO	Senior Manager: Expenditure and Revenue	may be sub-delegated to Asst Accountant Valuations (AA-VAL)
VAL 24	Section 43(5) MPRA	To designate a special valuer to perform a valuation which a municipal valuer or assistant municipal valuer may not perform, i.e. in cases where that valuer, or any spouse, parent, child, partner or business associate of the valuer, has a personal or private business interest.	Council	CFO		

VAL 25	Section 49(1) MPRA	To, on receipt of the certified valuation roll from the valuer– (a) publish a notice stating that the roll is open for public inspection and inviting objections; (b) disseminate the substance of the notice to the local community; and (c) serve, on every owner of property listed in the valuation roll a copy of the notice together with an extract of the valuation roll pertaining to that owner's property.	Council	CFO	Senior Manager: Expenditure and Revenue	may be sub-delegated to Head Revenue
VAL 26	Section 50(1) MPRA	To receive objections against any matter reflected in, or omitted from, the roll.	Council	CFO	Senior Manager: Expenditure and Revenue	may be sub-delegated to Asst Accountant Valuations (AA-VAL
VAL 27	Section 50(3) MPRA	To assist an objector to lodge an objection if that objector is unable to	Council	CFO	Senior Manager: Expenditure and	may be sub-delegated to Asst

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		read or write.			Revenue	Accountant Valuations (AA-VAL
VAL 28	Section 50(4) MPRA	To lodge an objection with the Municipal Manager concerning any matter reflected in or omitted from the roll.	Council	CFO	Senior Manager: Expenditure and Revenue	may be sub-delegated to Asst Accountant Valuations (AA-VAL
VAL 29	Section 50(4) MPRA	Inform Council of any matter reflected in, or omitted from, the roll that affects the interests of the municipality.	Municipal manager			

VAL 30	Section 50(5) MPRA	To submit all objections to the municipal valuer for decision and disposal.	Council	CFO	Senior Manager: Expenditure and Revenue	may be sub-delegated to Asst Accountant Valuations (AA-VAL
VAL 31	Section 54(1) MPRA	To lodge an appeal with the Municipal Manager against a decision of a municipal value in terms of section 51 of the MPRA	Council	CFO	Senior Manager: Expenditure and Revenue	may be sub-delegated to Asst Accountant Valuations (AA-VAL
VAL 32	Section 54(1) +(3) MPRA	To receive appeals to an appeal board against a decision of a municipal valuer. and to forward such appeals to the chairperson of the Valuation Appeal Board.	Council	CFO	Senior Manager: Expenditure and Revenue	may be sub-delegated to Asst Accountant Valuations (AA-VAL
VAL 33	Section 15(1) MPRA	To approve applications for a rates rebate in terms of the Rates Policy	Council	CFO	Senior Manager: Expenditure and Revenue	may be sub-delegated to Asst Accountant Valuations (AA-VAL
VAL 34	Section 66(1) MPRA	To provide an appeal board with the necessary office accommodation and	Council	CFO	Senior Manager: Expenditure and	may be sub-delegated to Asst

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		other administrative assistance, including staff.			Revenue	Accountant Valuations (AA-VAL
Val 35	Sections 61(3) and 66(2) MPRA	Remunerate members of the Appeal Board	Council	CFO		

Municipal By-Laws and Polices

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
OUTDOOR ADVERTISING AND SIGNAGE (*By-Law currently under review*)[3]						

OAS1	Stellenbosch Municipal Zoning Scheme By-Law Sec 261(a)	To approve adverts or signs	Director: Planning & Economic Development	Senior Manager: Development Planning	Senior: Heritage Planner	
OAS2	Stellenbosch Municipality: Land Use Planning By-Law Sec 42 (1)	To require the submission of any or all of the applicable studies or assessment (environmental, traffic or heritage impact) i.r.o. applications received	Director: Planning & Economic Development	Senior Manager: Development Planning	Senior Heritage Planner	
OAS3	Stellenbosch Municipality: Land Use Planning By-Law Sec 44 (1)	To decide if public participation process is required	Director: Planning and Economic Development	Senior Manager: Development Planning	Senior Heritage Planner	
OAS4	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To determine fees for signage	Council			

[3] New delegations will be approved with by-law and will replace delegations contained herein.

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OAS5	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To determine minimum standards for specific sign types	Director: Planning and Economic Development	Senior Manager: Development Planning	Senior Heritage Planner	
OAS6	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To approve illuminated signs	Director: Planning and Economic Development	Senior Manager: Development Planning	Senior Heritage Planner	
OAS7	Road Traffic Act 93/1996 Section 57	To approve signs within road reserve	Council	Municipal Manager	Director Infrastructure	May be delegated to Senior Manager: Transport, Roads, Stormwater & Traffic Engineering
OAS8	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To decrease minimum distances in areas of minimum control and other areas of control	Director: Planning and Economic Development	Senior Manager: Development Planning		Traffic impact assessment required In consultation with the Director Infrastructure Services
OAS9	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To consider applications and determine conditions where necessary	Director: Planning & Economic Development	Senior Manager: Development Planning	Senior Heritage Planner	
OAS10	Stellenbosch Municipal Zoning Scheme By-Law	To withdraw or amend conditions	Director: Planning and Economic Development	Senior Manager: Development Planning	Senior Heritage Planner	Upon proper written notice
OAS11	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To extend the 12 month period after approval of application	Director: Planning and Economic Development	Senior Manager: Development Planning	Senior Heritage Planner	

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OAS12	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To notify applicant of decision to approve or refuse application	Director: Planning and Economic Development	Senior Manager: Development Planning	Senior Heritage Planner	May be delegated
OAS13	Stellenbosch Municipal Zoning Scheme By-Law	To accept notice of appeal	Municipal Manager	Director: Corporate Services	Manager: Secretariat & Records Services	
OAS14	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To order the removal of signs	Director: Planning and Economic Development	Senior Manager: Development Planning / Manager Spatial Planning	Senior Heritage Planner	
OAS15	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To approve the erection of signs on municipal land	Director: Planning and Economic Development	Senior Manager: Development Planning / Manager Spatial Planning	Senior Heritage Planner	
OAS16	Western cape noise control regulations pn7141 dated 20/06/2013 sec 2 and 3 (a) and (b)	To enter into any premise, at a reasonable time, for the purposes or carrying out any inspection necessary for the proper administration and enforcement of the provisions of this by-law	Director: Planning and Economic Development/ Senior Manager Protection Services	Senior Manager: Development Management / Manager Land Use Management/ Manager Traffic and Law Enforcement	~~Law Enforcement Chief~~ Land Use Inspectors /Town Planners /Senior heritage Planner	
OAS17	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To notify a person to remove or alter a sign	Director: Planning and Economic Development	Senior Manager: Development Planning / senior Heritage Planner		

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OAS18	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To withdraw or vary a notice	Director: Planning and Economic Development	Senior Manager: Development Planning / senior Heritage Planner		
OAS19	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To decide if a sign must be removed or altered	Director: Planning and Economic Development	Senior Manager: Development Planning / senior Heritage Planner		
OAS20	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To recover costs for removal or alteration of signs	Director: Planning and Economic Development	Senior Manager: Development Planning / senior Heritage Planner		
OAS21	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To authorise the removal of a sign without notice where sign endangers life or property	New	Senior Manager: Development Planning / senior Heritage Planner		
OAS22	Stellenbosch Municipal Zoning Scheme By-Law Sec 261	To dispose of removed signs	Director: Planning and Economic Development	Senior Manager: Development Planning /senior Heritage Planner		Subject to court order
OAS23	Stellenbosch Municipal Zoning Scheme By-Law Sec 249	To establish liaison forums	Accounting Officer (Municipal manager)	Director: Planning and Economic Development		
OAS24	National Heritage Resource Act 25 of 1999 Sec 26(1)(d)	Exercising for and on behalf of the municipality all powers, duties and functions necessary to fulfil this function (e.g. consideration and approval of applications)	Director: Planning and Economic Development	Senior Manager: Development Planning	Senior Heritage Planner/Heritage Officer	

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AIR QUALITY						
AQ1	Section 14, NEM:AQA (39 of 2004)	To designate an employee of the municipality as air quality officer to be responsible for co- ordinate matters pertaining to air quality management, and to request the MEC responsible for environment to designate official as environmental management inspectors i.t.o. NEMA	Municipal Manager	Director Community and Protection services	Senior Manager Community services	Senior Environmental planner
AQ2	Section 14, NEM:AQA (39 of 2004)	To perform the powers and functions of the air quality officer	Municipal Manager	Director Community and Protection Services	Senior Manager Community Services	Senior Environmental planner
AQ3	Section 14, NEM:AQA (39 of 2004)	To perform, as designated environmental management inspectors, those powers and functions as set out in sections 31Gto 31L of NEMA	Municipal Manager	Director Community and Protection Services	Senior Manager Community Services	
AQ4	Section 11, NEM:AQA (39 of 2004)	To determine local emission standards	Municipal Manager			
AQ5	NEM:AQA (39 of 2004)	To enter into an agreement with other organs of state or organisations to achieve optimal service delivery	Municipal Manager	Director Community and Protection Services		
AQ6	Stellenbosch Municipality: Air Quality By-Law, 2019	To grant exemption from provisions of by-law	Council	Municipal Manager	Director Community and Protection Services	
AQ7	Section 14, NEM:AQA (39 of 2004)	Exercising for and on behalf of the municipality all powers, duties and functions necessary to ensure enforcement of and compliance with by-law	Municipal Manager	Director Community and Protection Services	Senior Manager Protection Services	In consultation with Manager Traffic and law Enforcement

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BY-LAW RELATING TO THE CONTROL OF UNDERTAKINGS THAT SELL LIQUOR TO THE PUBLIC						
LIQ1	Trading hours by-law pn7553 dated 15/01/2016 sec 4 and 5	To determine trading days and hours for on consumption / To determine hours for off consumption	Council			
LIQ2	Liquor trading hours by-law pn7553 dated 15/01/2016 sec	To recommend a deviation from the trading hours i.t.o. the by-law where the Liquor Authority refers an application for a special events license or a temporary license i.t.o. section 48 of the Liquor Act	Municipal Manager			In consultation with applicable directorates
LIQ3	SEC 334 (1)(a) of the CRIMINAL PROCEDURE ACT 51 OF 1977	To appoint any official to implement and enforce the provisions of the by-law	Municipal Manager	Director Community and Protection Services	Senior Manager Protection Services	Designation
LIQ4	Liquor trading hours by-law	To determine the definition or category of any licensed premises type where a definition or category is uncertain or difficult to determine (for purposes of determining the applicable trading hours)	Director: Planning and Economic Development	Senior Manager: Development Management/ Manager: Land Use Management	Town Planners	
LIQ5	Section 9	To consider and approve applications for extended trading hours i.t.o. section 9	Council			In consultation with both external and internal role- players as per by-law

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LIQ6	Liquor trading hours by-law	To lodge representations against the automatic renewal of a liquor license	Accounting Officer (Municipal Manager)			
CREDIT CONTROL AND DEBT COLLECTION						
REV 1	Irrecoverable Debts Policy, Section 3	To write off bad debt	Council	EM - Up to an amount of R100 000 per case (subject to Council's Policy). CFO up to an amount of R20 000 per case (subject to Council's Policy) Manager Treasury Office (MTO) - up to an amount of R10 000 Manager Revenue Management- up to an amount of R5 000 (subject to Council Policy).		NOTE: The above amounts, where applicable, exclude accrued interest on the debt as determined by the MTO. SUBJECT to policy
REV 2	Credit Control and debt collection Bylaw, Section 6	To grant authorisation for the disconnection of electricity supply to the premises of any consumer as the	Council	CFO	Manager Treasury Office	may be delegated to the Snr Clerk Credit Control & Debt Collection (SC-CC

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		result of non-payment by such a consumer of his/her account.				
REV 3	Water Services Bylaw, Part 4, Section 75	To grant authorization to reduce water flow to 200 litres per day as a result of non-payment by the consumer and to exercise discretion in so far as the postponement of payment is concerned and to waive of the prescribed re-connection fees in deserving case.	Council	Engineer		may be delegated to the Snr Clerk Credit Control & Debt Collection (SC-CC)
REV 4	Credit Control and debt Collection policy, Section 2.1 Credit Control and Debt Collection Bylaw, Section 6.1.	To give instruction for the total disconnecting of water on request of the consumer (consumer / tenant / lessee) in respect of vacant properties or in cases where no consumer has applied for or entered into a service agreement with Council since the previous consumer vacated the premises	Council	CFO		may be delegated to the Snr Clerk Credit Control & Debt Collection (SC-CC)
REV 5	Credit Control and debt Collection Policy, Section 2.1. Credit Control and Debt Collection Bylaw, Section 9.5	To give instructions to Council's attorneys or contractor in respect of debt collection to collect monies owing to Council and to take all necessary steps in accordance with Council's Credit Control Policy to collect the monies	Council	CFO		may be delegated to the Asst Accountant Credit Control & Debt Collection (AA-CC)

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
REV 6	Credit Control and debt Collection policy, Section 3. Credit Control and Debt Collection Bylaw, Section 9.12.	To determine the terms and conditions for payment of outstanding monies owing to Council and to sign all documentation in that regard	Council	CFO		may be delegated to the Asst Accountant Credit Control & Debt Collection (AA-CC)
REV 7	Credit Control and debt Collection Policy, Section3. Credit Control and Debt Collection Bylaw, Section 9.12.	To exercise discretion and to consider, approve or refuse applications for extension of any payments due to Council	Council	CF O		May be delegated to Head Revenue.
REV 08	Credit Control and debt Collection Bylaw, Section 9.	To institute a claim against any insolvent or deceased estate or against a company in liquidation, for any monies owing to the Council, and to conduct any action which a creditor is normally entitled.	Council	CFO	MTO	may be sub-delegated to Senior Accountant: Credit Control and Debt Collection (SA-CC)
REV 09	Credit Control and debt Collection policy	To, if convinced that the delay in payment of an account is not due to the conduct of a certain government department, write back all interest on such a government or provincial account	Council	CFO,		On condition that a report to such an extent has to be submitted to MAYCO.
REV 10	Credit Control and debt Collection policy, Section 3. Credit Control and Debt Collection Bylaw, Section	To consider and approve arrangements for the settlement of arrears	Council	CFO		may be delegated to the Asst. Accountant Credit Control & Debt Collection (AA-CC)

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	9.12.					
REV 11	Credit Control and debt Collection policy, Section 13. Credit Control and Debt Collection Bylaw, Section 7.18.	To recover the following costs in instances where such costs are incurred by or on behalf of the Municipality, (a) cost and administration fees where payments, made to the Municipality by negotiable instruments, are dishonoured by banks when presented for payment; (b) legal and administration costs, including attorney and client costs, and tracing fees incurred in the recovery of debts; (c) any collection of commission.	Council	CFO,		may be delegated to the Asst. Accountant Credit Control & Debt Collection (AA-CC)
REV 12	Credit Control and debt Collection policy, Section 2.1. Credit Control and Debt Collection Bylaw, Section 9.5.	To recover debt and to initiate legal action for the recovery of debt and exercising all other powers	Council	MTO		may be delegated to the Asst Accountant Credit Control & Debt Collection (AA-CC)
REV 13	Credit Control and debt Collection Bylaw, Section 9.9.	To attach the rental or any other payments due to debtors who are in arrears with their Municipal accounts	Council	MM	CFO	
REV 14	Credit Control and debt	To deduct any outstanding amount from a Councillor's	Council	MM	CFO	

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	Collection policy, Section 3(i).	remuneration or from a staff members' salary				
REV 15	MFMA, Section 64(1).	Take all reasonable steps to ensure - that the Municipality has effective revenue collection systems consistent with S 95 of the Municipal Systems Act and the Municipality's credit control and debt collection policy/By-Law; that revenue due to the Municipality is calculated on a monthly basis; 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; that all money received is promptly deposited in accordance with this Act into the Municipality's primary and other bank accounts; that the Municipality has and maintains a management, accounting and information	Council	CFO	MTO MTO MTO MTO	

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
		system which:- (i) recognises revenue when it is earned; (ii) accounts for debtors; and (iii) accounts for receipts of revenue. that the Municipality has and maintains a system of internal control in respect of debtors and revenue, as may be prescribed; 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 ensure 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.		CFO	MTO MTO	
REV 16	MFMA, Section 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.	Council	CFO Director – Protection and Community Services Insofar as it relates to motor vehicle registrations		

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REV 17	MFMA, Section 64(4).	Take all reasonable steps to ensure - 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 that such funds are not used for purposes of the Municipality.	Council	CFO In relation to the organisation as a whole.		
PARKING BY-LAW						
PM1	Section 3J(1) (a) and 3J (1) (c) Act 93 of 1996 National Road Traffic Act	To direct or regulate traffic in cases of emergency on areas of land which the public or persons are entitled or allowed to use as a parking place	Senior Manager: Protection Services	Manager: Traffic & Law Enforcement Services	Traffic and Law Enforcement Chief Law Enforcement/Traffic Officers	Law Enforcement / Traffic Officers
PM2	Section 152(2) and (5) and Part B of Schedule 5 of the Constitution of Republic of South Africa.	To manage parking and collect fees related thereto	Director Community and Protection Service in collaboration with CFO and Director Infrastructure Service	Senior Manager Protection Services	Manger Law enforcement and Traffic Services	In consultation with Traffic Chief
PM3	Chapter 11 (s110-120) of the MFMA	To appoint a service provider to manage parking and to collect fees related thereto	Council	Municipal Manager		May be Sub delegated
PM4	Section 57(1) (3) (a) Act 93 of 1996	To grant written approval for the erection or placement of signs or notices indicating that parking is reserved for a person or a class of persons	Council	Director Community and Protection Services	Senior Manager: Protection Services	
PM5	Municipal Bylaw 5 July 2013	To issue work zone parking permits	Council	Director Community and Protection	Senior Manager: Protection Services	

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				Services		
PM6	Municipal Parking Policy dated 1997-06-17 Municipal Bylaw 5 July 2013	To issue municipal works parking permit	Council	Director Community and Protection Services	Senior Manager: Protection Services	
PM7	Regulation 284-Regulation 291 of National Road Traffic Act Regulation, 2000 r/w Section 58(1) and Section 89(1) NRTA 93/1996.	To reserve and designate areas for the disabled and other groups	Council	Director Community and Protection Services	Senior Manager: Protection Services	
PM8	Municipal Bylaw 5 July 2013	To issue resident parking permits	Council	Director Community and Protection Services	Senior Manager: Protection Services	Manager Traffic and Law Enforcement Services
PM9	Municipal Bylaw 5 July 2013	To issue temporary parking permits	Senior Manager: Protection Services	Manager Traffic and Law Enforcement Services	Traffic Chief	
PM10	Regulation 320(1) and (2), of National Road Traffic Regulations of Act 93 of 1996	To instruct the removal of abandoned vehicles	Senior Manager: Protection Services	Manager Traffic and Law Enforcement Services	Traffic Chief	
PM11	Regulation 320(3) (a) and (b) NRTR 200, NRTA, 93 of	To obtain a court order for the sale of abandoned vehicles	Senior Manager: Protection Services	Manager Traffic and Law Enforcement Services	Traffic Chief	

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	1996.					
PM12	Municipal By-Law and NLTA 5/2009	To set aside temporary taxi parking facilities	Senior Manager: Protection Services	Manager: Traffic & Law Enforcement Services	Traffic Chief	Must be done in collaboration with Senior Manager: Roads, Transport and Stormwater
PM13	This was dealt with as it must happen via tender process					
PM14	Section 59 1 (b) of the Municipal Systems Act 32 of 2000	To implement and administer the by-law and to delegate responsibilities in writing to a competent official	Director: Community and Protection Services	Senior Manager Protection Services	Manager: Traffic and law Enforcement Services	Read with PM18 below
PM15	Criminal Procedures Act, Act 51 of 1977	To issue and serve notices of compliance	Senior Manager: Protection Services	Manager: Traffic & Law Enforcement Services	Traffic and Law Enforcement Chiefs	Read with PM18 below
PM16	Parking By-Law, 2013	To close, when necessary, any parking space or parking ground	Municipal Manager	Director: Community and Protection Services	Senior Manager Protection Services	
PM17	Parking By-law,2013	To grant written exemption from any provision of the by- law, and to determine conditions related to same	Council	Municipal Manager		
PM18	Section 59 1 (b) of the Municipal Systems Act 32 of 2000	Exercising for and on behalf of the municipality all powers, duties and functions necessary to ensure enforcement of and compliance with by-law	Senior Manager: Protection Services	Manager: Traffic & Law Enforcement Services	Law Enforcement/Traffic Officers	

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PUBLIC AMENITIES						
PAM1	Access Control Legislation	To grant written consent to bring a firearm into or have a firearm in possession in a public amenity	Council	Director: Community and Protection Services Accounting Officer (Municipal Manager)	Senior Manager Protection Services	Manager: Traffic and law Enforcement Services
PAM2	MFMA	To determine prescribed fees payable	Council	Accounting Officer (Municipal Manager)	Director: Community and Protection Services	As part of budget process
PAM3	BY-LAW RELATING TO PLANTATIONS, PLAY PARKS, GARDENS, RECREATION FACILITIES, NATURE RESERVES AND PUBLIC OPEN SPACES.	To grant approval and to determine conditions for camping in a camping area for a period exceeding three months in any period of twelve months	Council	Municipal Manager	Director: Community and Protection Services	Senior Manager Community Services
PAM4	BY-LAW RELATING TO PLANTATIONS, PLAY PARKS, GARDENS, RECREATION FACILITIES, NATURE RESERVES AND PUBLIC OPEN SPACES.	To determine rules and conditions, in addition to any provisions in the by-law, for the use of camping sites / caravan parks and for display in/at the camping area / caravan park	Council	Municipal Manager	Director Community and Protection Services	In consultation with Senior Manager Community services
PAM4	BY-LAW RELATING TO PLANTATIONS,	To determine rules and conditions, in addition to any provisions in the by-law, for the use of swimming pools	Council	Municipal Manager	Director Community and Protection Services	In consultation with Senior Manager Community services

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	PLAY PARKS, GARDENS, RECREATION FACILITIES, NATURE RESERVES AND PUBLIC OPEN SPACES.					
PAM5	BY-LAW RELATING TO	Exercising for and on behalf of the municipality all powers, duties and functions necessary to ensure enforcement of and compliance with by-law	Council	Municipal Manager	Director Community and Protection Services	In consultation with Senior Manager Protection services
PAM6	PLANTATIONS, PLAY PARKS,	To enter into a written agreement regarding the co-operative development, co-operative management or regulation of human activities of/within a public amenity	Council	Municipal Manager	Director Community and Protection Services	In consultation with Senior Manager Community services
PAM7	Section 59 of MSA	To decide to take steps to abate or remove nuisance an to recover cost	Director: Community and Protection Services	Senior Manager Protection Services	Manager Traffic and Law Enforcement	Depending on the nature of the nuisance
PAM8	Section 59 of MSA	To determine fees for impoundment	Council			
PAM9	Section 59 of MSA	To enter into a service level agreement with District Municipality	Council	Municipal Manager	Director Community and Protection Services	
PAM10	Section 59 of MSA	To give effect to provisions of a service level agreement with District Municipality	Council	Accounting Officer (Municipal Manager)		
PAM11	Section 59 of MSA	Exercising for and on behalf of the municipality all powers, duties and	Director Community and Protection Services			

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		functions necessary to ensure enforcement of and compliance with by-law, including serving of documents, right of entry and inspection, removing the cause or source of the nuisance and the seizure and impoundment of dogs		Senior Manager Protection Services	Manger Traffic and Law Enforcement Services Head: Traffic/Law Enforcement Services	Traffic and Law Enf Chiefs in consultation with Senior Manager Community Services
PAM12	Section 59 of MSA	To exempt any person and class of persons from any by- law requirements and imposing any other appropriate requirements	Council	Municipal Manager	Director Community and Protection Services	In consultation with Senior Manager Community services and Senior Manager Protection Services
PAM13	Section 59 of MSA	To establish liaison forums in community	`Municipal Manager	Director: Community and Protection Services	Senior Manger Community Services	
ROADS AND STREETS BY-LAW DATED August 2021						
RSB1	Roads and Streets By-Law S3	Decision to construct and maintain roads, sidewalks and walkways	Council	Municipal Manager	Director: Infrastructure Services	
RSB2	Roads and Streets By-Law S4	Conclude encroachment agreements	Council	Municipal Manager	Director Corporate Services	In consultation with Senior Manager: Roads, Transport, Stormwater
RSB3	Roads and Streets By-Law S7	Authorization to advertise	Council	Municipal Manager	Director: Infrastructure Services	
RSB4	Roads and Streets By-Law S9	Instruct owner or occupier to cut tree branches away from overhead lines	Council	Municipal Manager	Director: Infrastructure Services	In consultation with Community Services
RSB5	Roads and Streets By-Law S11(2)	Instruct Person to remove Vehicles	Council	Municipal Manager	Director: Community Services	
RSB6	Roads and Streets By-Law S16	Regulating building materials, dangerous objects and cleanliness	Council	Municipal Manager	Director: Infrastructure Services	

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RSB7	Roads and Streets By-Law S18	Issuing permits for races and sport events	Council	Municipal Manager	Director: Community & Protection Services	
RSB8	Roads and Streets By-Law S21(5)	Issuing permits to travel over curbs, sidewalks, walkways or road verges	Council	Municipal Manager	Director: Infrastructure Services	
RSB9	Roads and Streets By-Law S23	Regulating street and door-to-door collections and distribution of handbills	Council	Municipal Manager	Director: Community & Protection Services	
RSB10	Roads and Streets By-Law S24	Regulating administration of poison for weed killing	Council	Municipal manager	Director: Community & Protection Services	
RSB11	Roads and Streets By-Law S25	Regulating Processions	Council	Municipal Manager	Director: Community & Protection Services	
RSB12	Roads and Streets By-Law S28	Allow a deviation to allow stormwater or watercourse water to run onto a street	Council	Municipal Manager	Director: Infrastructure Services	
RSB13	Roads and Streets By-Law S31	Regulating display of street numbers	Council	Municipal Manager	Director: Planning and Economic Development	
RSB14	Roads and Streets By-Law S32	Regulating bridges and crossings	Council	Municipal Manager	Director: Infrastructure Services	
RSB15	Roads and Streets By-Law S33	Regulating Amusement Shows and Devices	Council	Municipal Manager	Director: Community & Protection Services	
RSB16	Roads and Streets By-Law S35	Regulating Informal Parking Attendants	Council	Municipal Manager	Director: Community & Protection Services	
RSB17	Roads and Streets By-Law S37	Regulating costs and tariffs	Council			

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
RSB18	Roads and Streets By-Law S38	Regulating Limited Access	Council	Municipal Manager	Director: Infrastructure Services	
RSB19	Roads and Streets By-Law S39	Regulating Closure or diversions	Council	Municipal Manager	Director: Infrastructure Services	
RSB20	Roads and Streets By-Law S40(a)	Make, reconstruct, alter and maintain roads	Council	Municipal Manager	Director: Infrastructure Services	
RSB21	Roads and Streets By-Law S40(b)	Name and rename roads and streets	Council			
RSB22	Roads and Streets By-Law S40(c)	Allocate and reallocate numbers to properties	Council	Municipal Manager	Director: Planning and Economic Development	
RSB23	Roads and Streets By-Law S41	Declaration of Streets and public places	Council	Municipal Manager	Director: Planning and Economic Development	
RSB24	Roads and Streets By-Law S42	Determination of subcategories and regulation of pedestrians, pedal cyclists and subcategories	Council	Municipal Manager	Director: Infrastructure Services	
STORM WATER MANAGEMENT						
SW1	FUNCTIONAL AREA	To grant written consent for things other than storm water to be discharged, placed or permitted to enter into the storm water system	Director: Infrastructure Services	Senior Manager: Transport, Roads , Stormwater & Traffic Engineering	Manager; Roads & Stormwater	
SW2	FUNCTIONAL AREA	Power to enter upon any premises of any portion thereof to carry out inspections or tests to determine the status of a storm water system	Director: Infrastructure Services	Senior Manager: Transport, Roads , Stormwater & Traffic Engineering	Manager; Roads & Stormwater	
SW3	FUNCTIONAL AREA	To instruct by written notice any property owner to retain storm water generated or accumulated on such property	Director: Infrastructure Services	Senior Manager: Transport, Roads , Stormwater & Traffic	Manager; Roads & Stormwater	

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		or to lay a storm water drain pipe or gutter		Engineering		
SW4	FUNCTIONAL AREA	To grant written exemption from any provision of the by- law, and to determine conditions related to same	Accounting Officer (Municipal Manager)			
WALLS AND FENCES						
WAF1	Section 59 of MSA	To grant written permission for the erection of walls or fences of any nature on any boundary	Council	Senior Manager: Development Management/ Manager: Building Development Management		
WAF2	Section 59 of MSA	To refuse permission and to furnish reasons in writing for the refusal	Council	Senior Manager: Development Management/ Manager: Building Development Management		
WAF3	Section 59 of MSA	To grant written permission for a fence for which consent has been granted i.t.o. this by-law to be demolished, interfered with or damaged	Council	Senior Manager: Development Management/ Manager: Building Development Management		
WAF4	Section 59 of MSA	To issue owner or occupier with notice to take action when a wall or fence needs to be erected or repaired, or where the height of a wall or fence at a street corner needs to be reduced	Council	Senior Manager: Development Management/ Manager: Building Development Management		
WAF5	Section 59 of MSA	To issue compliance notices	Council	Senior Manager: Development Management/ Manager: Building Development		

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				Management		
WAF6	Section 59 of MSA	To decide on steps to be taken where owner fails to comply with notice	Council	Senior Manager: Development Management/ Manager: Building Development Management		
WAF7	Section 59 of MSA	To decide on the disposal of material after demolition, and to deduct costs from the proceeds of materials disposed of	Council	Manager: Building Development Management		
WAF9	Section 59 of MSA	To grant written exemption from any provision of the by- law, and to determine conditions related to same	Council	Accounting Officer (Municipal Manager)		
WAF10	Section 59 of MSA	To establish community liaison forums w.r.t. matters dealt with in by-law	Council	Director: Planning and Economic Development		
WATER SERVICES BYLAW 2017						
WSB01	Definition of "Municipality"	Authorize the Municipal Manager to act on behalf of the municipality when the word "municipality" is used within the Water Services By Law and to allow the Municipality Manager to Sub Delegate where applicable	Council	Accounting Officer (Municipal Manager)		
WSB02	Section 68	Concluding a Water Services Agreement with a customer	Director: Infrastructure Services	Senior Manager: Water & Waste water Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager;	

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					Water Treatment	
WSB03	Section 75(1)	Authorization of Restriction or discontinuance of a Water Service	Director: Infrastructure Services	Senior Manager: Water & Waste water Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	
WSB04	Section 75(2)	Authorization to disconnect Sanitation Services	Director: Infrastructure Services	Senior Manager: Water & Waste water Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	
WSB05	Section 76	Determining levels of services	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB06	Section 77	Authorization to install a water connection pipe	Director: Infrastructure Services	Senior Manager: Water & Waste water Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	
WSB07	Section 80	Disconnection of a connection pipe at termination of an agreement or requested by the enforcement of the Credit Control and Debt Collection By Laws	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	
WSB08	Section 82	Authorize a test to determine the pressure of the water supply system at a premises	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	
WSB09	Section 84(1)	Determination of Water Restrictions	Accounting Officer			

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
			(Municipal Manager)			
WSB10	Section 84(2)	Determination of areas to be restricted of water consumption	Accounting Officer (Municipal Manager)	Director: Infrastructure Services		
WSB11	Section 84(3)	Issue instructions to water user to restrict the use of water or to disconnect and restore the connection of a water supply	Accounting Officer (Municipal Manager)	Director: Infrastructure Services		
WSB12	Section 86(2)	Specify the maximum pressure at which water will be supplied from water supply system	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	
WSB13	Section 85(4)	Authorization to interrupt a water supply during an emergency	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB14	Section 85(5)	Authorization to restrict a water supply due to the adverse effect on the system by a consumer	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB15	Section 86(1)	Providing Water measuring devices	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	
WSB16	Section 86(2)	Regularly measuring the water quantities consumed by a measuring device	Accounting Officer (Municipal Manager)	Chief Financial Officer		
WSB17	Section 86(7)	Authorize: the disconnecting of a measuring device and associated equipment; or to break a seal; or to interfere with measuring device and associated equipment	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
WSB18	Section 78(8)	Increase the size of a meter at the cost of the customer	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	
WSB19	Section 78(9)	Determine whether a group of units is top measured separately or as a group	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB20	Section 87(2)	Estimate the quantity of water used by a Consumer who bypassed the meter as per Section 87(3)	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB21	Section 87(6)	Determining a fixed cost for a group of customers, based on an estimated consumption, supplied without the use of a meter	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB22	Section 88(1)	Instructing the installation of a water meter to ascertain the quantity of water used.	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB23	Section 89(2)	Consider a request for granting a rebate in the case of a burst pipe, geyser burst or underground leak	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB24	Section 89(4)	Determine the volume of water that has leaked within a premises	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	
WSB25	Section 90(1)	Requiring a Customer to undertake a water audit	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB26	Section 91	Granting approval of Installation Work	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB27	Section 92	Authorizing persons to perform stated functions	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
WSB28	Section 93(3)	Providing consent to work on water sections of pipe between a meter, installed outside an erf boundary, and the erf boundary	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB29	Section 95(1)	Authorization of the use pipes and fittings not included in the Schedule of Approved Pipes & Fittings	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	
WSB30	Section 95(2)	Impose further conditions over and above the Schedule	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB31	Section 98	Authorization to provide communal standpipes	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	
WSB32	Section 99	Authorize the use of Fire Hydrants to be used as a temporary supply together with the provision of a dedicated water meter	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	
WSB33	Section 100	Grant permission to drill boreholes upon requirements of Section 100	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	Manager: Water Reticulation Manager; Wastewater Treatment Manager; Water Treatment	
WSB34	Section 101	Grant or permission to connect a fire extinguishing installation to a municipal water main or to instruct the disconnection of such a system	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB35	Section 106	To authorize the installation or removal of a meter for use for a fire	Director: Infrastructure	Senior Manager: Water & Wastewater		

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		extinguishing system	Services	Services		
WSB36	Section 110(2)	Determine whether an owner must connect to the municipal sanitation system	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB37	Section 111(3)	Authorize the installation of, or the approval of an installed sanitation installation	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB38	Section 117(1)	Determine the % amount of discharged coupled with the use of water for erven where the amount payable is excessive.	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB39	Section 118(2)	Determine whether industrial effluent must be connected to a sewer	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB40	Section 118(6)	Conclude an agreement with a person discharging effluent to establish alternative methods of assessing the quantity and tempo of discharge	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB41	Section 119	Determining the reduction measured quantity of effluent discharged	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB42	Section 121(1)	Prescribing the discharge point and depth of a sewer connection.	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB43	Section 125(1)	Determining the soil conditions to be provided for drains	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB44	Section 126(5)	Determining where a blockage occurred on a sewer pipe to indicate whether the owner or municipality is at fault	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB45	Section 127	Indicating when and where grease traps must be installed	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
WSB46	Section 128(1)	Indicating when effluent contains unacceptable, grease oil, fat of inorganic solid matter and that the process is to make use of settling tanks	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB47	Section 128(2)	Deciding that a disconnected drainage installation must be destroyed	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB48	Section 128(3)	Issuing a Certificate indicating that a disconnection has been successfully completed	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB49	Section 128(4)	Instructing that disconnected sewer be sealed at the cost of the owner	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB50	Section 129(1)	Approve application for mechanical appliance for lifting sewage	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB51	Section 130	Concluding and approving an agreement with an owner to provide an on-site sanitation system	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB52	Section 131	Authorizing the use of a VIP Latrine	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB53	Section 132	Authorize the use of a septic tank	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB54	Section 133	Authorize the use of a French drain	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB55	Section 134	Authorize the use of a Conservancy tank	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB56	Section 137	Authorize the discharge of industrial effluent	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB57	Section 138	Withdrawing approval to discharge industrial effluent	Accounting Officer	Director: Infrastructure Services	Senior Manager: Water & Wastewater	

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
			(Municipal Manager)		Services	
WSB58	Section 139	Determine quality standards for disposal of industrial effluent	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB59	Section 140	Determining conditions for the discharge of industrial effluent	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB60	Section 141	Authorizing the acceptance of sewage delivered by road haulage	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB61	Section 143	Withdrawing the permission for delivery of sewage by road haulage	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB62	Section 145	Approval of connections to the drainage installation from farm animal premises	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB63	Section 146	Approval of connections to the drainage installation from mechanical food-waste or other disposal units	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB64	Section 147	Approval of Installation Work	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB65	Section 148	Authorizing the installation work to be performed by person who is not a plumber	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB66	Section 149	Approval to use material not listed on the schedule of approved pipes and fittings	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB67	Section 150	Approving drainage installation tests	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB68	Section 152	Controlling and accepting registering of Water Services Intermediaries	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	

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WSB69	Section 154(3)	Authorizing intervention of the cases where the municipality a cause to intervene	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB70	Section 156(3)	Authorize the recovery of costs associated with damage from illegal operation as per Sections (156(1)&(2))	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB71	Section 158(4)	Issue a notice to prohibit the use of unacceptable equipment water or sanitation equipment	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB72	Section 159(3)	Issue a notice to prohibit the flushing of rainwater into stormwater systems	Accounting Officer (Municipal Manager)	Director: Infrastructure Services		
WSB73	Section 159(6)	Recovering costs from any person who discharges unauthorized or illegal effluent	Accounting Officer (Municipal Manager)	Director: Infrastructure Services		
WSB74	Section 163(2)	Consent to use water from a source other than the municipal water supply system	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB75	Section 164(1)	Approving of onsite Sanitation Services not connected to the Municipal System	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB76	Section 165	Power to serve compliance notices	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services	
WSB77	Section 176	To grant written exemption from any provision of the by-law, and to determine conditions related to same	Director: Infrastructure Services)			
WSB78	Section 180(2)	Authorization to store water supplied by the Municipality within a tank.	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		
WSB79	Section 180(4)	Authorization of water installations to a boiler, steam kettle or apparatus for generating steam, gas producer, gas engine or oil engine etc.	Director: Infrastructure Services	Senior Manager: Water & Wastewater Services		

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CEMETRIES						
CEM1	Section 28, NEMA	To take actions to prevent pollution or degradation of the environment. Establishment of cemeteries will require environmental authorization (EIA)	Municipal Manager	Director: Community and Protection Services	Senior Manager: Community Services Technical Services	Assistance from Senior Environmental Planner
CEM2	Section 19, National Water Act	Responsibility to ensure, while operating cemeteries, that operations will not result in pollution of a water resource	Municipal Manager	Director: Community and Protection Services	Senior Manager: Community Services Technical Services	Assistance from Senior Environmental Planner
CEM3	National Heritage Resources Act, 1999	The municipality to obtain the required permits from HWC and SAHRA for grave exhumations and alterations to existing cemeteries. New cemeteries require a Phase 1 Heritage Assessment, which can be part of the EIA	Municipal Manager	Director: Community and Protection Services	Senior Manager: Community Services	Director: Planning and Economic Development
CEM4	OHASA	The municipality to protect the health and safety of cemetery staff who are exposed to health and safety risks	Municipal Manager	Director: Community and Protection Services	Senior Manager: Community Services	Director: Planning and Economic Development
CEM5	Circular C/195 dated 30/01/1995	Delegation of Cemetery Responsibility to Local Authorities	Council	Municipal Manager	Director Community and Protection services	In consultation with relevant directors
CEM6	Section 164, Sections Council Ordinance, 18/1976	Directive to Local Authorities to establish cemeteries	Council	Municipal Manager	Director community and protection services	In consultation with relevant directors

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CEM7	Section 165, Sections Council Ordinance, 18/1976; Section 164, Municipal Ordinance, 20/1975	Taking over of cemeteries and matters incidental thereto	Council	Municipal Manager	Senior Manager: Community Services	In consultation with relevant directors
CEM8	Section 168/1, Sections Council Ordinance, 18/1976 Section 167/1, Municipal Ordinance, 20/1974	Issuing of directive to close any cemetery or portion thereof	Council	Municipal Manager	Senior Manager: Community Services	In consultation with relevant directors
CEM9	Section 163, Municipal Ordinance, 20/1974	Directive to Local Authorities to establish cemeteries	Council	Municipal Manager		In consultation with relevant directors
CEM10	Exhumations Ordinance, 12/1980	Directive regarding exhumations/internments	Municipal Manager	Director community and protection services		
CEM11	LUPO, 15/1985	Definition and zoning allocation for cemeteries, application and approval process for land use change to facilitate the cemetery land use authorisation	Council	Municipal Manager	Director: Planning and Economic Development	In consultation with Director: Infrastructure Services and Director Community and Protection Services and Senior Town Planner
COMMUNICATION – COMMUNICATION POLICY 2025						
COM1	Communication policies	Development and review of communication policies and action plans to ensure effective	Accounting Officer (Municipal Manager))	Senior manager Governance		Manager Communication After

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		communication with both external and internal target groups				consultation with relevant role players, i.e. councillors, senior management
COM2	Communication policies	To oversee and monitor the implementation of communication policies, strategies and actions plans in accordance with communication policies	Accounting Officer (Municipal Manager)	Senior Manager Governance		To be assisted by all relevant employees i.t.o. policies – see applicable policies
COM3	Social Media Policy	To manage social media accounts, i.e. to manage social media account content	Accounting Officer (Municipal Manager)	Senior Manager Governance	Manager Communication	
COMMUNITY DEVELOPMENT						
CD1	Section 152(c), Constitution	To promote social and economic development	Municipal Manager	Director Community and Protection Services	Manger Community Development	
CD2	Section 152(e), Constitution	To encourage the involvement of community organisations in matters of local government	Municipal Manager	Director Community and Protection Services	Manger Community Development	
CD3	Section 153(a), Constitution	To meet basic needs of the community as well as to promote social and economic development	Municipal Manager	Director Community and Protection Services	Manger Community Development	
CD4	Addendum 4B, Constitution	To oversee functions elating to childcare facilities	Municipal Manager	Director Community and Protection Services	Manger Community Development	May be delegated to relevant Director
CD5		To compile and implement policy relating to social development	Municipal Manager	Director Community and Protection Services	Manger Community Development	
CD6	Economic Development Strategy	To implement economic development strategy including Early Childhood Development, linking poor with economic sector and poverty reduction	Municipal Manager	Director Community and Protection Services	Manger Community Development	

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CONTRACT MANAGEMENT						
CM1	General provisions	Authority to enter into and sign contracts on the municipality's behalf	Council	Accounting Officer (Municipal Manager) and/or Director: Corporate Services		
CM2	General provisions	To accept/reject guarantees/securities on behalf of contractors	Council	Relevant Director		
CM3	General provisions	Authority to communicate the acceptance of tenders, quotations or offers for the procurement of goods/services i.t.o. council's supply chain policy, valued up to R200 000 (VAT inclusive)	Accounting Officer (Municipal Manager)	Senior Manager: Supply Chain Management		
CM4	General provisions	Authority to communicate tenders awarded by tender award committee (BAC)	Accounting Officer (Municipal Manager)	CFO	Manager Supply Chain	
CM5	General provisions	Authority to enter into and sign formal contracts on the municipality's behalf	Accounting Officer (Municipal Manager)	Director: Corporate Services		
CM6	General provisions	Safekeeping and maintenance of contracts/securities	Accounting Officer (Municipal Manager)	Director: Corporate Services		May be sub delegated
CM7	General provisions	Monitoring expiring of contracts and lapsing of securities	Accounting Officer (Municipal Manager)	Applicable Director:		May be sub delegated
CM9	General provisions	Maintenance of register of non-performing contractors	Accounting Officer (Municipal Manager)	Manager: Supply Chain Management		
CM10	Circular 62	To authorise the adjustment or expansion of a contract as a matter of sheer necessity, limited to 15% of the original approved contract amount and subject to the	Accounting Officer (Municipal Manager)	BAC		

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		conditions per the resolution				
CIVIC AND CEREMONIAL DUTIES						
CL1	Section 59 (1) of MSA and section 56 (4) of Structures Act	To host, welcome, receive and interview VIP's, dignitaries, representatives and delegations from international and national governments, agencies, public interest groups, etc.	Council	Executive Mayor		
CL2	Section 59 (1) of Systems Act	Nomination/appointment of councillors to represent the municipality at meetings, functions and on outside bodies, etc. or to open projects, events, facilities and new buildings, etc.	Council	Executive Mayor		Including removal and recall of such appointments/ nominations
CL3	General	To confer the freedom of the municipality on a person or institution	Council			
CL4	Section 59(1) of MSA	To present a medal, memento, address or other commemorative token to any person or body for – (a) commemorating a public event of local, national or international importance; (b) outstanding community service; (c) performing an act of bravery; (d) a meritorious achievement; long or outstanding service in the municipality	Council	Executive Mayor		In consultation with executive mayoral committee

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CL5	Section 59(1) of MSA	To send a wreath or other floral tribute on the occasion of the death of any person or to send a token of sympathy on the occasion of the serious illness of any person	Executive Mayor	Accounting Officer (Municipal Manager)		
CL6	Section 59(1) of MSA	To perform his/her ceremonial functions or to appoint any member of council to perform such ceremonial functions on his/her behalf	Executive Mayor Executive Mayor			
DECISION-MAKING ON URGENT MATTERS AND WHILST COUNCIL IS IN RECESS						
CL7	Section 59 (1) of Systems Act	To authorise and decide on conduct in the case of emergencies, where losses may be suffered or the lives of residents are at stake	Council	Executive Mayor		
CL8	Section 59 (1) of Systems Act	To exercise any power of the Council and/or its political structures as well as designated powers during recess of Council	Council	Executive Mayor		
FINANCIAL AID, GRANTS, CHARITY AND RELIEF						
CL9	Section 12(1), MFMA	To establish relief, charitable, trusts or other funds in the municipality's name as provided for in terms of section 12(1)	Council	Accounting Officer (Municipal Manager)	CFO	
CL10	Section 59(1) of MSA	To make donations which are within council's powers and functions, to deserving cases, subject to council policy	Council	Executive Mayor		
CL10	General	To determine the headquarters and regional offices of the municipality	Council			

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CL11	Section 59(1) of MSA	To approve the use of office space by political office bearers, political structures, political parties and staff	Council	Accounting Officer (Municipal Manager)		Where necessary, with the assistance of heads of department
DISASTER MANAGEMENT ACT, Act 57 of 2002						
DM1	57)(Section 44 and 55 of the Disaster act)	To exercise the powers as contained In legislation	Director community and Protection	Senior Manager Protection Services	Manager Fire and Disaster Services Snr Disaster Coordinator	In consultation with Disaster Coordinator
DM2	(Section 55 (2a)) of Disaster act	Grant permission for the hiring of any equipment as well as the activating of equipment and resources of other Directorate units in order to perform reconnaissance in events of emergencies or disasters	Director community and Protection	Senior Manger Protection Services	Manager Fire and Disaster Services	In consultation with Disaster Coordinator
DM3	(Section 55 (2a) of the Disaster act)	To grant permission for the utilization of any Municipal facilities during an emergency	Director community and Protection	Senior Manger Protection Services	Manager Fire and Disaster Services	In consultation with Property management
DM4	(Section 55 (2d) of Disaster act)	To 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 community and Protection	Senior Manger Protection Services	Manager Fire and Disaster Services	In consultation with property management
DM5	Section 55 (2k) of Disaster act)	To serve notices, directives, early warnings and/or other documentation to Councillors and communities regarding safety and prevention of disaster	Director community and Protection	Senior Manger Protection Services Manager fire Services and disaster management	Manager Fire and Disaster Services	In consultation with Disaster Coordinator and Law Enforcement

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DM6	In terms of Councils emergency meal provision policy	To purchase food stuffs or emergency meals	Director community and Protection	Senior Manger Protection Services	Manager Fire and Disaster Services Snr Disaster Coordinator	
DM7	Protection of councilors policy	Provide emergency housing for Councillors and their immediate family who reside within the Councillor's house	Director community and Protection	Senior Manger Protection Services	Manager Fire and Disaster Services	
DM8	Fire Safety bylaw	Issuing of notices to property owners re the clearing of their premises in terms of the relevant	Director community and Protection	Senior Manger Protection Services	Manager Fire and Disaster Services	
FIRE SERVICES ACT, ACT 99 OF 1987						
FS 1	(i.t.o the Fire services act and Structures act)	To manage the Fire Service in terms of relevant legislation and service agreement in conjunction with the Cape Winelands District Municipality.	Municipal Manager	Senior Manager Protection Services	Manager fire Services and disaster management	
FS2	(i.t.o mutual aid agreement	To request assistance from other fire departments and to authorise such departments to operate in municipal area in cases of emergency	Municipal Manager	Director Community & Protection Services	Senior Manager Protection Services	
FS3	(Hazardous substances act 15 of 1973)	The exercise of all powers conferred upon the Municipality by –legislation relating to fire hazards in built-up areas and to enforce the provisions of the Regulations governing the conveyance of hazardous	Municipal Manager	Senior Manager Protection Services	Manger Fire and Disaster Services	

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		substances by road tankers; and Fire Brigade Services Act 99 of 1987				
FS4	Mutual aid agreement	In cases of emergency to order the fire brigade to act outside the Municipal area in terms of approved Memorandum of Agreement	Municipal Manager	Director Community & Protection Services	Senior Manager Protection Services	
FS5	(Section 9 (6) of the Fire services act)	To give notice by means of a newspaper advertisement that goods placed in safe storage, must be claimed within a specified time	Municipal Manager	Senior Manager Protection Services	Manager fire Services and disaster management	
FS6	(Section 12 of the Fire services act)	To grant authority for the utilization of the fire service outside the area of jurisdiction of the Province	Council	Municipal Manager		
FS7	(Section 18 of the Fire services act)	To take all necessary steps on behalf of and at the cost of an owner who failed to comply with the directions in regard to the utilisation and storage of hazardous substances and safety precautions	Municipal Manager	Senior Manager Protection Services	Manager fire Services and disaster management	Manager Fire Services
FS8	(Section 6A of the Fire Services act)	To appoint a person(s) as a member(s) of the Fire Brigade Reserve Force.	Municipal Manager	Director community and Protection	Senior Manager Protection Services	
ELECTRICITY: SUPPLY, MAINTENANCE AND DISTRIBUTION –ACTS AND BY-LAWS						
	Engineering Professions Act, Act 46 2000 (EPA)					
EL1	Section 18(2)	To accept responsibility for and to direct, manage, execute and supervise the electrical engineering work reserved by or under this act	Director: Infrastructure Services as Registered Professional Engineer by Engineering Council of South Africa (ECSA)		Any other person qualified to do Electrical Engineering work related to the	

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					category of work	
Electricity Regulations Act, Act 4 2006 (as amended) (ERA)[4]						
EL2	Section 11, ERA	To apply for license issued by National Energy Regulator of South Africa (NERSA) to enable distribution of and trading with electricity	Council as Licensee and Organ of State	Accounting Officer (Municipal Manager)		
EL3	Section 15, ERA	To allocate resources to ensure compliance with distribution license conditions	Council as Licensee and Organ of State	Accounting Officer (Municipal Manager)		
EL4	Section 16, ERA	To allocate resources to ensure compliance with tariff principles	Council as Licensee and Organ of State	Accounting Officer (Municipal Manager)		
EL5	National Rationalized Specification. Electricity Supply: Quality of Service NRS 047	To allocate resources to ensure compliance with license conditions re quality of service	Council as Licensee and Organ of State	Accounting Officer (Municipal Manager)		Senior Manager: Operations, Maintenance & Construction
EL6	Electricity Supply Quality of Supply NRS 048	To allocate resources to ensure compliance with license conditions re quality of supply	Council as Licensee and Organ of State	Accounting Officer (Municipal Manager)		Senior Manager: Technical Services
EL7	Code of Practice for Electricity Metering NRS 057	To allocate resources to ensure compliance with license conditions re electricity metering	Council as Licensee and Organ of State	Accounting Officer (Municipal Manager)		Senior Manager: Technical Services
	Electricity Regulations for compulsory	To allocate resources to ensure compliance with license conditions re compulsory norms and standards	Council as Licensee and	Accounting Officer (Municipal Manager)		Senior Manager: Technical Services

[4] Note: In terms of this Act Council as Licensee to distribute and trade electricity is deemed liable for damage or injury inflicted as a result of electricity distribution and must prove the contrary in civil proceedings (refer section 26). In addition, in terms of 19(4) a NERSA tribunal may rule on contravention of this Act and may impose a penalty of R2 000 000 or 10% of annual turnover (whichever is higher) per day.

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EL8	Norms and Standards R773		Organ of State			
EL9	Electricity Pricing Policy 750 2008	To allocate resources to ensure compliance with license conditions re electricity pricing	Council as Licensee and Organ of State	Accounting Officer (Municipal Manager)		Senior Manager: Technical Services
EL10		To comply with Regulations and enforcement of energy efficiency measures promulgated i.t.o. this Act	Council as Organ of State	Accounting Officer (Municipal Manager)		
ELECTRICITY SUPPLY BY-LAWS 30 JANUARY 2017						
EL11	Section 2(2) of Electricity Supply By-Law (ESB)	To permit the supply or retail wheeling of electricity through its network	Director: Infrastructure Service	Senior Manager: Electrical Services		
EI12	Section 2(4)	To permit co-generation of electricity	Director: Infrastructure Service	Senior Manager: Electrical Services		
EI13	Section 2(5)	To prohibit the surplus generation of electricity	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL14	Section 3(1)	To conclude an Electricity Supply Agreement	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL15	Section 3(3)	To conclude an Electricity Generation Agreement	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL16	Section 4	To Serve a notice ito the ESB	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL17	Section 8	To issue or withdraw a way leave application	Director: Infrastructure Service	Senior Manager: Electrical Services		

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EL18	Section 10	To authorize a staff member, co to gain access to any property for the purpose of conducting inspection, tests or maintenance works	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL19	Section 13	To authorize the disconnection of electricity to property where such electricity is used unsafely or improperly	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL20	Section 18	To authorize a person to resell electricity to another person or persons and to determine condition of sale of such electricity	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL21	Section 19(1)	To authorize the disconnection of electricity upon misuse, tampering or non-payment of any fees.	Director: Infrastructure Service	Senior Manager: Electrical Services		EL21
EL22	Section 19(2)	To authorize the limitation of a electricity supply due to any contravention Section 18(1) of the ESB	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL23	Section 19(4)	To authorize the removal of and electricity installation due to a repeated illegal re-connection	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL24	Section 23	To authorize an official to seal electricity meters or protective devices as well as to remove these seals	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL25	Section 24(2)	To authorize the disconnection of electricity, supply due tampering with a meter, or metering equipment or service connection	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL26	Section 25(3)	To instruct the owner or occupier of a house to which an electricity supply connection is given, to cut trees interfering with such electricity supply	Director: Infrastructure Service	Senior Manager: Electrical Services		

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EL27	Section 25(4)	To authorize the removal of anything damaging, obstructing or endangering or likely to damage, obstruct, endanger or destroy from the electricity distribution system	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL28	Section 30	To authorize the connection or removal of any temporary supplies	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL29	Section 32(1)	To authorize the reduction of load during peak times or emergencies	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL30	Section 32(4)	To authorize the installation of any load control devices within the premises of a customer	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL31	Section 34(1)	To authorize the provision of accommodation of substation or switching rooms	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL32	Section 37(5)	To permit the use of an alternate electricity supply	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL33	Section 37(6)	To authorize the disconnection of the main supply if the alternate supply is not operated within the Grid Connection Code for Renewable Power Plants	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL34	Section 38	To authorize the issuing of circular letters	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL35	Section 44(5)	To determine whether an electricity supply should be underground or overhead	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL36	Section 44(6)	To instruct a customer to replace an overhead connection with an underground cable	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL37	Section 44(9)	To authorize more than one connection to registered erf	Director: Infrastructure Service	Senior Manager: Electrical Services		

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
EL38	Section 45(1)	To instruct a customer to provide metering accommodation	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL39	Section 45(5)	To instruct a customer to move a meter accommodation to a new position if the old one has become unsuitable	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL40	Section 48(3)	To instruct a customer to install the necessary equipment to filter out any undue interference	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL41	Section 50(1)	To instruct a Customer to maintain his power factor to the limits set by Section 50(1)	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL42	Section 52(4)	To determine whether a block of shops, flats, tenant houses or similar buildings may be metered individually or as a group	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL43	Section 56(1)	To determine whether smart meters are to be introduced to a premises	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL44	Section 57(2)	To authorize an official, inspect, test or connect a supply	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL45	Section 60(1)	To determine and publish norms, standards and guidelines to save energy	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL46	Section 61	To authorize the connections to Backyard Dwellings	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL47	Section 62	To authorize the calculation of Development Contributions to a development or upgraded electricity supply	Director: Infrastructure Service	Senior Manager: Electrical Services		
EL48	Section 63(2)	To authorize the granting, altering, canceling or refusing of any exemption	Municipal Manager	Director: Infrastructure Service		
FINANCIAL FUNCTIONS - POLICIES AND DEPARTMENTAL REGULATIONS						

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
EL49		To approve payment of electricity accounts	Chief Financial Officer (CFO)	Director: Infrastructure Services	Senior Manager: Electrical Services	
EL50		To approve progress and final payments to contractors executing projects and suppliers upon delivery of materials or rendering of services	Chief Financial Officer (CFO)	Director: Infrastructure Services	Senior Manager: Electrical Services	
EL51		To determine diverse electricity services tariffs	Chief Financial Officer (CFO)	Director: Infrastructure Services	Senior Manager: Electrical Services	Subject to approval by Council
EL52		To determine electricity tariff structures and annual tariff adjustments	Chief Financial Officer (CFO)	Director: Infrastructure Services	Senior Manager: Electrical Services	Subject to approval by Council
E53		To determine and approve quotations for non-standard electricity services applications	Director: Infrastructure Services			
EL54		To determine actual electricity bulk services contributions and fixed capital contributions as well as conditions with respect to development applications.	Director: Infrastructure Services			Also refer Development Policies below
EL55	Maintenance Policy and Procedures	To ensure compliance with license conditions and departmental maintenance policy	Director: Infrastructure Services	Senior Manager: Electrical Services	Manager: Operations & Maintenance	Superintendents
EL56	General Regulations re Operating of Municipal Electrical Power Systems	To ensure compliance, evaluation and updating of General Regulations re Operating of Municipal Electrical Power Systems	Director: Infrastructure Services	Senior Manager: Electrical Services	Manager: Operations & Maintenance	Superintendents
ENVIRONMENTAL AND PUBLIC HEALTH-RELATED MATTERS						

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
ENV1	Occupational Health and safety Act	To approve applications for usage of gas canons i.t.o. approved directives	Director: Community and Protection Services			
FINANCIAL MATTERS						
	Municipal Finance Management Act (MFMA) – *also see Policies below*					
MFM01	Section 118 MFMA	To issue and sign clearance certificates upon payment of the relevant monies or receipt of an undertaking form the transferring attorney on record, that all outstanding monies will be paid on date of transfer.	Council	Municipal Manager	CFO	
MFM02	Item 12(A) and item 10 of Schedule 2 of the MSA	To enter into an agreement with the Councillor or staff member who has consented that outstanding amounts due to the Municipality in respect of service charges, housing and property lease debts may be deducted from his or her salary, and to inform the Speaker in regard to Councillors.	Council	Municipal Manager	CFO	
AUDIT, FINANCIAL OVERSIGHT AND RISK MANAGEMENT						
	Fraud Prevention and Anti-Corruption Strategy					
FP1	Sections 171 to 175, MFMA	To investigate allegations of financial misconduct and to institute disciplinary		Accounting Officer (Municipal Manager)	Senior Manager Governance & Chief Risk Officer	

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		proceedings	Council*			
FP2	Section 34 of the Prevention and Combating of Corrupt Activities Act, 12 of 2004	To report incidents of corruption, theft and fraud	Accounting Officer (Municipal Manager)	All heads of departments / Manager: Internal Audit		All reported incidents by Governance and Chief Risk Office
Internal Audit Strategy and Work Procedures						
IA1	Sections 165 & 166, MFMA	To establish an internal audit unit and audit committee to provide an oversight role on the systems of internal control, risk management and governance	Council			
IA2	Sections 165 & 166, MFMA	To perform those duties and functions assigned by the relevant legislation or by the accounting officer	Accounting Officer (Municipal Manager)	Audit committee / Chief Audit Executive		
Risk Management Policy						
RM1	Section 62(1)(c), MFMA and Risk Management Policy, 2018	To maintain effective, efficient and transparent systems of financial and risk management and internal control	Accounting Officer (Municipal Manager)	All directors / Snr. Manager Governance/Chief Risk Officer		Chief Risk Officer
RM2	Risk Management Policy, 2018	Implementation of an integrated risk management framework at all levels within the municipality.	Accounting Officer (Municipal Manager)	Senior Manager Governance and Chief Risk Officer	All heads of departments, responsible managers/supervisors	
RM3	Risk Management Policy, 2018	Embed a culture of Enterprise Risk Management throughout the municipality performance	Accounting Officer (Municipal Manager)	Senior Manager Governance and Chief Risk Officer		

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RM4	Risk Management Policy, 2018	To provide an independent, objective assurance to Council and the Audit Committee on the effectiveness of risk management, and to assist in bringing about a systematic, disciplined approach to evaluate and improve the effectiveness of the entire system of risk management and provide recommendations for improvement where necessary	Council	Chief Audit Executive		
FINANCE RELATED						
	Credit Control and Debt Collection Policy (CCP)					
CC1	Credit Control and Debt Collection Policy	To institute criminal prosecution if sufficient proof is available of • tampering, damaging, breaking, meddling or removing of any appliance or equipment which had been installed to measure, provide or restrict the supply of services, • uses or gains access to services without approval of municipality • obstructs or hinders any municipal councillor/official in execution of duties under by-law or policy • unlawfully uses or interferes with equipment or consumption of services supplied • fails to comply with notices in terms of by-law or policy • refuses a municipal official access to premises gives	Accounting Officer (Municipal Manager)			After consultation with relevant heads of departments

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		false information regarding supply of services or with application for indigent subsidy				
Supply Chain Management						
SC1	MFMA – SECTION 14	To authorise the disposal of redundant or obsolete of movable capital assets provided that, in respect of capital assets above a value of R200 000, a recommendation from the Supply Chain Management Bid Adjudication Committee must be obtained.	Council	EM - Up to an amount of R5million in consultation with Mayoral Committee MM - Up to an amount of R2million in consultation with CFO up to an amount of R1million of carrying value per disposal event in consultation with Senior Manager Financial Management Services		Designated NOTE: All amounts reflected are inclusive of VAT
SC2	3(2)(c)	Report any deviation from the guideline standard to the National Treasury and relevant provincial treasury	Council	Accounting Officer	Snr Manager SCM	
SC3	4(1)	To exercise all supply chain management powers and duties and to take decisions on all procurement of goods and services subject to the Municipal supply chain management regulations and council's SCM policy.	Council	Accounting Officer	Chief Financial Officer	
SC4	3(2)(c)	Report any deviation from the guideline standard to the National	Council	Snr Manager SCM		

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		Treasury and relevant provincial treasury				
SC5	4(1)	To exercise all supply chain management powers and duties and to take decisions on all procurement of goods and services subject to the Municipal supply chain management regulations and council's SCM policy.	Council	Accounting Officer	Chief Financial Officer	
SC6	5 (2)(a)	Make a final award above R 10million (VAT incl)	Council	Accounting Officer		May not be sub-delegated
SC6	5(2)(b)	Make a final award above R 200 000 (VAT incl) but not exceeding R 10 million (VAT incl).	Council	Accounting Officer	Bid Adjudication Committee	
SC7	5(2)(c)	Make a final award not exceeding R200 000 (VAT included).	Council	Accounting Officer	CFO, Senior Manager: SCM; Senior Accountant: Demand Management, Acquisition and Logistics and Senior Accountant: Tender and Contracts Administration	
SC8	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.	Council	Accounting Officer	Chief Financial Officer	

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SC9	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)	Council	Accounting Officer	Chief Financial Officer	
SC10	7(1)	Establish a supply chain management unit.	Council	Accounting Officer	CFO	
SC11	12(2)(a)	Allow the Accounting Officer to lower, but not to increase, the different threshold values specified in sub regulation(1).	Accounting Officer	Chief Financial Officer		
SC12	14(1)(a)(ii)	Invite prospective providers of goods and services at least once a year through newspaper commonly circulating locally and the website of the municipality	Accounting Officer			
SC13	17(c)	Approve the recorded reasons for not obtaining at least three written price quotations for a transaction value for goods and services between R 10,000 – R200, 000.	Accounting Officer	Chief Financial Officer	CFO, Senior Manager: SCM; Senior Accountant: Demand Management, Acquisition and Logistics and Senior Accountant: Tender and Contracts administration	
SC14	22(2)	The Accounting Officer may determine the closure date for the submission of bids which is less than	Council	Accounting Officer	Bid Specifications Committee	

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		the 30 days or 14 days requirement, but only if such shorter period can be justified on the grounds of urgency or emergency or any exceptional case where it is impractical or impossible to follow the official procurement process				
SC15	24(1)	Negotiate the final terms of a contract with bidders identified through a competitive bidding process as preferred bidders, provided that such negotiation – (a) does not allow any preferred bidder a second or unfair opportunity; (b) is not to the detriment of any other bidder; and (c) does not lead to a higher price than the bid submitted. Minutes of such negotiations must be kept.	Accounting Officer	BAC	Senior Manager SCM	
SC16	26(1)(b)	Appoint the members of the bid specification, evaluation and adjudication committees, taking into account Section 117 of the MFMA.	Council	Accounting Officer		
SC17	26(1)(c)	Appoint a neutral or independent observer to a bid specification, evaluation or adjudication committee for an attendance and oversight process when this is appropriate for ensuring fairness and promoting transparency.	Council	Accounting Officer		

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SC18	27(2)(g)	Approve specifications compiled by the bid specification committee prior to publication of the invitation for bids.	Council	Accounting Officer	Bid Specifications Committee	
SC19	28(1)(b)	Evaluate each bidder's ability to execute the contract.	Council	Accounting Officer	Bid Evaluation Committee	
SC20	29(1)(a)	Consider the report and recommendations of the bid evaluation committee where the award value exceeds R200 000 (VAT incl) and make the award up to value of R10m (as per delegated authority)	Council	Accounting Officer	Bid Adjudication Committee	
SC21	29(1)(b)(i)	For bids above R10 million, the bid adjudication committee will make recommendation to the Municipal Manager to make the final award.	Council	Bid Adjudication Committee		
SC22	29(1)(b)(ii)	Make another recommendation to the accounting officer on how to proceed with the relevant procurement.	Council	Bid Adjudication Committee		
SC23	29(3)	Appoint the chairperson of the bid adjudication committee.	Council	Accounting Officer		
SC24	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 that bidder's	Council	Accounting Officer	Bid Adjudication Committee	

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		municipal rates and taxes and municipal service charges are not in arrears; and (ii) Notify the accounting officer.				
SC25	31(1)	Request the State Information Technology Agency (SITA) to assist the municipality with the acquisition of IT related goods or services through a competitive bidding process.	Council	Accounting Officer	Bid Adjudication Committee	
SC26	31(2)	Enter into a written agreement to regulate the services rendered by, and the payments made to, SITA.	Council	Accounting Officer		
SC27	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 of the municipality; and	Council	Accounting Officer	BAC	

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		(d) that other organ of state and the provider have consented to such procurement in writing				
SC28	35(1)	Procure consulting services above the value of R200 000 (VAT incl) provided that any Treasury guidelines in respect of consulting services, cost containment regulations or CIDB guidelines in respect of services related to the build environment and construction works are taken into account when such procurements are made	Council	Accounting Officer	Bid Adjudication Committee	
SC29	36(1)(a)	Dispense with the official procurement processes established by the policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only – i) in an emergency; (ii) if such goods or services are produced or available from a single provider only; (iii) for the acquisition of special worker of art or historical objects where specifications are difficult to compile; (iv) acquisition of animals for zoos; or v) in any other exceptional case where it is impractical or impossible to		Accounting Officer		

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		follow the official procurement processes				
SC30	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	Accounting Officer		
SC31	37(2)	Decide to consider an unsolicited bid but only if – a) the product or service offered is a demonstrably or proven unique innovative concept; (b) the product or service will be exceptionally beneficially 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 processes are found to be sound by the accounting officer.		Accounting Officer		
SC32	35(1)	Procure consulting services above the value of R200 000 (VAT incl) provided that any Treasury guidelines in respect of consulting services, cost containment regulations or CIDB guidelines in respect of services		Accounting Officer	Bid Adjudication Committee	

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		related to the build environment and construction works are taken into account when such procurements are made				
SC33	36(1)(a)	Dispense with the official procurement processes established by the policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only – (i) in an emergency; (ii) if such goods or services are produced or available from a single provider only; (iii) for the acquisition of special worker of art or historical objects where specifications are difficult to compile; (iv) acquisition of animals for zoos; or (v) in any other exceptional case where it is impractical or impossible to follow the official procurement processes		Accounting Officer		
SC34	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	Accounting Officer		

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SC35	37(2)	Decide to consider an unsolicited bid but only if – (a) the product or service offered is a demonstrably or proven unique innovative concept; (b) the product or service will be exceptionally beneficially 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 processes are found to be sound by the accounting officer.	Council	Accounting Officer		
SC36	37(5)	Consider and may award the bid or make recommendations to the accounting officer depending on the delegations to the adjudication committee.	Council	Accounting Officer	Bid Adjudication Committee	
SC37	37(7)	When considering an unsolicited bid, take into account where considering an unsolicited bid – (i) any comments submitted by the public; and (ii) any written comments and recommendations of the National	Council	Accounting Officer		

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		Treasury or the relevant provincial treasury.				
SC38	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 official or other role player; or (ii) report any alleged criminal conduct to the South African Police Service.	Council	Accounting Officer	Senior Manager: Governance	
SC39	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; (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.	Council	Accounting Officer	Bid Adjudication Committee	
SC40	38(1)(e)	Reject a recommendation for the award of a contract if the recommended bidder, or any of its	Council	Accounting Officer	Bid Adjudication Committee	

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		directors, has committed a corrupt or fraudulent act in competing for the particular contract.				
SC41	38(1)(f)	Cancel a contract awarded to a person if – the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract; or (i) 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.	Council	Accounting Officer		
SC42	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	Council	Accounting Officer	Bid Adjudication Committee	

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		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 Prevention and Combating of Corrupt Activities Act (No 12 of 2004).				
SC43	40(2)	A Supply Chain management policy must specify the ways in which assets may be disposed of, including by – (i) Transferring the asset to another organ of state in terms of a provision of the MFMA enabling the transfer of assets (ii) Transferring the asset to another organ of state at market related value or, when appropriate, free of charge (iii) Selling the asset (iv) Destroying the asset	Council	Accounting Officer		
SC44	40(2)(b)	Stipulate that – Immoveable property may be sold only at market related prices except when public interest or the plight of the poor demands otherwise; Movable assets may be sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever	Council	Accounting Officer		

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		is the most advantageous to the municipality; In the case of the free disposal of computer equipment, the Provincial Department of Education must first be approached to indicate within 30 days whether any of the local schools are interested in the equipment; In the case of the disposal of firearms, the National Conventional Arms Control Committee has approved any sale or donation of firearms to any person or institution within or outside the Republic; All fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are annually reviewed Ensure that where assets are traded in for other assets, the highest possible trade-in is negotiated				
SC45	40(2)(d)	Ensure that where assets are traded in for other assets, the highest possible trade-in is negotiated		Accounting Officer		
SC46	42	Establish and implement an internal monitoring system in order to determine, on a retrospective analysis, whether the authorised supply chain management processes were	Accounting Officer	Chief Financial Officer	Senior Manager: SCM	

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		followed and whether the objectives of this policy were achieved.				
SC50	53(1)SCM POLICY	Contract having budgetary implications beyond three financial years cannot be entered into unless the requirements of section 33 of the MFMA have been fully complied with.	Council	Accounting Officer		
SC51	54(1)SCM POLICY	Any increase and/or extension in the approved contract sum that may become necessary as a result of exceptional circumstances during the contract period must be approved prior to implementation.	Council	Accounting Officer	Bid Adjudication Committee	
SC52	54(5) SCM POLICY	Any unapproved increase in the contract sum must be reported in writing requesting condonation for of such unapproved increase.	Council	Accounting Officer		
SC53	General accounting for Council assets	To manage and certify the annual stocktaking of Council's assets.	Council	Accounting Officer	SC101	
Tariff Policy (TP)						
TP1	Municipal Systems Act Section 74	To provide for categories of consumers i.t.o. the by-law and to differentiate between different categories of consumers, debtors, service providers, services, service standards, geographical areas and other matters, based on any of the elements listed in	Council			As part of annual budget process

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		subsection 3(3) of the by-law				
ENVIRONMENTAL MANAGEMENT ACT						
EMA1	Section 14(3), EMA	Appointment as air quality officer to co-ordinate matters pertaining to air quality management and to perform the duties or exercise the powers assigned or delegated in terms of the EMA	Municipal Manager			
HEALTH AND SAFETY						
OH1	Section 16, OHASA	To ensure compliance with the act and regulations and to accept responsibility for safety of employees and the public with respect to all work and facilities covered by or under this act	Accounting Officer (Municipal Manager) (as Chief Executive Officer)	All heads of departments		Manager: Environmental & Occupational Health to oversee All sectional heads to assist
OH2	Section 24, OHASA	To report defined incidents or accidents to Department of Labour	Accounting Officer (Municipal Manager) (as Chief Executive Officer	All heads of departments		Manager: Environmental & Occupational Health to oversee All sectional heads to assist
		To appoint a competent person with Government Certificate of				

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OH3	Regulations R533, General Machinery Regulations 2(5)c GMR R1521	Competency as Electrical Engineer responsible for machinery used for distribution of electricity with 30 minute integrated maximum demand exceeding 10 000kVA. Competent person i.t.o. definition 1c,d to be a graduate engineer with minimum two years' experience or certificated Engineer.	Accounting Officer (Municipal Manager) as Employer or User of Plant and Machinery	Director: Infrastructure Services		Senior Manager: Technical Services Senior Manager: operations, Maintenance & Construction
OH4	General Machinery Regulations 2	To supervise machinery used for distribution of electricity with 30 minute maximum demand exceeding 10 000 kVA	Director: Infrastructure Services as designated competent person			Director: Infrastructure Services as designated competent person
OH5	Electrical Machinery Regulations EMR R1593	To ensure compliance w.r.t. municipal electricity distribution system	Director: Infrastructure Services as designated competent person	Senior Manager: Electrical Services	Manager: Maintenance & Operations	Director: Infrastructure Services as designated competent person
OH6	Driven Machinery Regulations DMR R1301	To ensure compliance w.r.t. driven machinery used by electricity department	Director: Infrastructure Services as designated competent person	Senior Manager: Electrical Services	Manager: Operations, Maintenance	Superintendents (Operations, Maintenance & Construction)
OH7	General Safety Regulations GSR R1601	To ensure compliance w.r.t. General Safety Regulations in electricity department	Director: Infrastructure Services as designated competent person	Senior Manager: Electrical Services	Manager: Maintenance & operations	Superintendents (Operations, Maintenance & Construction)
	Vessels under		Director: Infrastructure Services designated	Senior Manager:		

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OH8	Pressure Regulations VPR R1702	To ensure compliance w.r.t. Vessels under Pressure Regulations in electricity department	competent person	Electrical Services	Manager: Operations, Maintenance	Superintendents (Operations, Maintenance & Construction)
OH9	Construction Regulations 2003	To ensure compliance w.r.t. construction work carried out by the electricity department	Director: Infrastructure Services as designated competent person	Senior Manager: Electrical Services	Manager: Operations, Maintenance	Superintendents (Operations, Maintenance & Construction)
OH10	Electrical Installation Regulations EIR R31975	To ensure compliance w.r.t. municipal electrical installations	Director: Infrastructure Services as designated competent person	Senior Manager: Electrical Services	Manager: Operations, Maintenance	Superintendents (Operations, Maintenance & Construction)
OH11	Electrical Installation Regulations EIR R6	To ensure that new electrical installations are not connected and energized prior to inspection and testing by a registered person and issuing of a Certificate of Compliance (COC)	Director: Infrastructure Services as designated competent person	Senior Manager: Electrical Services	Manager: Operations, Maintenance	Superintendents (Operations, Maintenance & Construction)
OH12	South African National Standard Code of Practice for Wiring of Premises SANS 10142-2009	To ensure compliance w.r.t. municipal electrical installations (All municipal buildings and facilities covered by SANS 10142-2009)	Director: Infrastructure Services as designated competent person	Senior Manager: Electrical Services	Manager: Operations, Maintenance	Superintendents (Operations, Maintenance & Construction)

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OH13		To ensure compliance w.r.t. municipal electricity distribution system	Director: Infrastructure Services as designated competent person	Senior Manager: Electrical Services	Manager: Operations, Maintenance	Superintendents (Operations, Maintenance & Construction)
HERITAGE MATTERS						
National Heritage Resources Act, Act 25 of 1999 (HA)						
HE1	Section 8(6), HA	To apply for assessment of municipality's competence to perform functions	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development		
HE2	Sections 8, 25, 26(1), HA	To perform any general responsibility, duty or function assigned, deemed or delegated to a competent Local Authority	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development	Senior Manager: Development Planning	
HE3	Sections 4 – 10, HA	To manage heritage resources (policy, identify resources, assess and grade, perform local responsibilities, database)	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development	Senior Manager: Development Planning	
HE4	Section 27, HA	To follow the procedure for formal protection of heritage sites, comment on declarations proposed by SAHRA or Province, regulations pertaining to heritage sites and to make agreements with site owners	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development	Senior Manager: Development Planning	
HE5	Section 28, HA	To make recommendations regarding provision in By-laws or	Accounting Officer	Director: Planning and Economic	Senior Manager:	

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
		zoning scheme for managing Protected Areas	(Municipal manager)	Development	Development Planning	
HE6	Section 29, HA	To provisionally protect places considered conservation-worthy or threatened, public notices	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development	Senior Manager: Development Planning/ Manager Spatial Planning	
HE7	Section 30, HA	To compile heritage inventory to assist in compiling municipality's part of the Provincial Heritage Register, and follow application assessment requirements	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development	Senior Manager: Development Planning / Senior Heritage Planner	
HE8	Section 31, HA	To recommend on the designation of Heritage Areas, to protect places of environmental or cultural interest and to require/consider approval or refusal of consent for alteration or development in the area and to perform powers in Heritage Areas	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development	Senior Manager: Development Planning / Senior Heritage Planner	
HE9	Section 34, HA	To, subject to competency being granted, deal with structures older than 60 years and apply for exemptions of areas or categories	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development	Senior Manager: Development Planning / Senior Heritage Planner	
HE10	Section 38, HA	To notify developers of requirement for Heritage Impact Assessment (HIA), follow consideration procedures for HIA's, comment on HIA's, authorise HIA in cases where evaluation of impact can be dealt with in an application made i.t.o. LUPO, Zoning Scheme Regulations or other relevant laws	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development	Senior Manager: Development Planning / Senior Heritage Planner	
HE11	Section 39, HA	To inform of destruction of listed heritage place	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development	Senior Manager: Development Planning Senior Heritage Planner	

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
HE12	Section 42, HA	To negotiate heritage agreements	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development	Senior Manager: Development Planning / Senior Heritage Planner	
HE13	Section 43, HA	To recommend on the provision of incentives in By-law or planning scheme	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development	Senior Manager: Development Planning / Senior Heritage Planner	
HE14	Section 44, HA	To promote presentation and use of heritage resources	Director: Planning and Economic Development	Senior Manager: Development Planning	Senior Heritage Planner	
HE15	Section 45, HA	To serve notices for compulsory repair and maintenance of heritage resources	Director: Planning and Economic Development	Senior Manager: Development Planning	Senior Heritage Planner	
HE16	Section 48, HA	To deal with the manner in which application is to be made for any permit or other requirement and make stipulations and conditions	Director: Planning and Economic Development	Senior Manager: Development Planning	Senior Heritage Planner	
HE17	Section 49, HA	To appeal against decisions	Accounting Officer (Municipal Manager)			
HE18	Section 50, HA	To perform all functions of appointed Heritage Inspector	Director: Development Services	Senior Manager: Development Planning	Senior Heritage Planner	
HE19	Section 51, HA	To lay charges and make submissions for offences	Director: Planning and Economic Development	Senior Manager: Development Planning	Senior Heritage Planner	
HE20	Section 54, HA	To recommend to Council on the formulation of By-laws for heritage resources	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development		
HE21	Section 55, HA	To assist and cooperate with heritage bodies	Director: Planning and Economic Development	Senior Manager: Development Planning	Senior Heritage Planner	
HE22	Section 58, HA	To provide for the protection of conservation areas under previous National Monuments Act, or perform other transitional powers	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development		

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
Housing Act, Act 107 of 1997						
HO1	Housing Act, 1997	To oversee compilation of housing contracts with Department of Human Settlements and other stakeholders	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development	Senior Manager: Human Settlements	
HO2		To authorise (1) allocation of municipal rental housing units (2) evictions i.t.o. departmental reports and lease agreements and to oversee compilation of housing waiting-list and undertaking of socio-economic surveys, subject to certain criteria and discretionary powers to depart from such criteria	Director: Planning and Economic Development	Senior Manager: Human Settlements	Manager: Housing Administration	
HO3	National Housing Code 2009	Allocation of Municipal rental units, the subsequent conclusion of rental agreements and the execution of such agreements in the area of jurisdiction of the Stellenbosch Municipality.	Director: Planning and Economic Development	Senior Manager: Human Settlements	Manager: Housing Administration	
HO4	Housing Act 107 of 1997	To allocate subsidy scheme dwellings on the terms and conditions determined by Council.	Director: Planning and Economic Development	Senior Manager: Human Settlements	Manager: Housing Administration	
HO5	Housing Act 107 of 1997	To execute in general all the activities and duties of the Council in terms of the Housing Act 107 of 1997, the Housing Code, the Municipal Housing Strategy and the IDP, in order to promote the right to have access to adequate housing is realized on a progressive basis.	Director: Planning and Economic Development	Senior Manager: Human Settlements	Manager: Housing Development	
HO6	Rental agreements: Rental housing	Compilation/signing of rental agreements	Accounting Officer (Municipal manager)	Director Planning and Economic Development		

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
				(in as far as Rental Housing)		
Local Government: Disciplinary Regulations for Senior Managers, General Notice 344 dated 21 April 2011						
LR 1	Regulation 4	To institute disciplinary proceedings in accordance with Disciplinary Code (regulations) i.r.o. a senior manager	Council			
LR2	Regulation 6	To suspend a senior manager on full pay where the circumstances in para 6(1)(a) prevail	Council			
LR 3	Regulation 7	To deal with cases of less serious misconduct i.t.o. the Disciplinary Code	Mayor* Accounting Officer (Municipal Manager) *			* where Accounting Officer (Municipal Manager) is concerned ** i.r.o. managers directly accountable to him/her
LR 4	Regulation 11	Power to request the Commission for conciliation Mediation and Arbitration to conduct a pre-dismissal arbitration	Council			
LR 5	Para 16	To deal with substandard performance of senior managers	Mayor* Accounting Officer (Municipal Manager) *			* where Accounting Officer (Municipal Manager) is concerned ** i.r.o. managers directly accountable to him/her
GENERAL HUMAN RESOURCES [5]						

[5] Delegation approved by council with the approval of Human Resources policy automatically forms part of these delegations and will be taken up in the delegations.

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
HR 1	MSA	Granting approval to staff to serve on outside bodies	Accounting Officer			Directors to make recommendations for staff in their directorates
HR2	Conditions of Service (SALGBC)	To dispose of all powers and functions of Council in line with HR policies	Municipal Manager			May be delegated
EMPLOYMENT EQUITY						
EEP1	Employment Equity Act	To accept responsibility for the implementation and monitoring of the employment equity process	Accounting Officer (Municipal Manager)			Senior Manager HR and all Directors
EEP2	Employment Equity Act	To keep and maintain copies of all relevant employment equity documents for perusal by employees of the municipality	Accounting Officer (Municipal Manager)	Director corporate Services	Senior Manager: Human Resources	
EEP3	Employment Equity Act	To compile a report detailing the progress with the implementation of employment equity, with specific LEGISLATIVE MANDATE to achievement of numerical goals, every six months	Accounting Officer (Municipal Manager)	Director corporate Services	Senior Manager: Human Resources	
Outside/Private work policy (OWP)						
OW1		Authority to approve applications by employees to perform remunerated work outside the employment contract with the municipality	Accounting Officer (Municipal Manager)	Director Corporate Services		Heads of departments/ Senior Manager: Human Resource Services to make recommendations, subject to policy criteria

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
OW2		To keep and maintain a register of employees who performs remunerated work outside his/her official duties	Accounting Officer (Municipal Manager)	Director corporate Services	Senior Manager: Human Resources	
Provision of protective and safety apparel to employees (PPSA)						
UP1	Occupational health and Safety Act	Responsible for ensuring strict and consistent application of act	Accounting Officer (Municipal Manager)	All Directors		
UP2	Occupational health and safety act	Power to approve amendments to the annexures with regard to Protective and Safety Equipment provided to Employees	Accounting Officer (Municipal Manager)	Director Infrastructure Services		In consultation with directors and Senior manager HR
Training and related matters						
TR1	Skills Development Act /MSA	To authorise attendance of training courses, meetings or information sessions of staff	Accounting Officer (Municipal Manager)	Senior Manager HR		Subject to budgetary provisions and in consultation with Directors
TR2	Skills development Act	To prepare and implement skills plan and report on training	Accounting Officer (Municipal Manager)	Senior Manager HR		In consultation with Director Corporate Services
RECRUITMENT AND SELECTION [6]						
RS 1	MSA	Appointment of staff below Directors reporting Directly to Municipal Manager	Municipal Manager as far as it refers to the managers reporting to the section 56 managers.	Director Corporate Services as far as it refers to all other staff below the managers reporting to the section 56 managers		In line with principles in recruitment and selection policy

[6] After approval of recruitment and selection policy currently under review the delegations approved therein will be taken up in the delegation register

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LEGAL MATTERS[7]						
LEG1	General	To institute and defend any legal processes/proceedings and claims by or against council, either in the magistrate or the high court, including the initiation, dealing with or settlement of such on behalf of the council	Council	Accounting Officer (Municipal Manager)		In consultation with the Executive Mayor(EM) Director: Corporate Services to assist)
LEG 2	Section 41of Constitution	To institute or defend any matter in any court against an organ of state where all reasonable steps in terms of the principles of co-operative governance have failed	Council	Accounting Officer (Municipal Manager)		In consultation with the Executive Mayor (EM) Director: Corporate Services to assist)
LEG3	General	To appoint attorneys and counsel in legal matter	Council	Accounting Officer (Municipal Manager)	Director: Corporate Services	In consultation with Accounting Officer (Municipal manager)
LEG4	General	Entering appearance and authorising the defending of all matters.	Council	Accounting Officer (Municipal Manager)	Director: Corporate Services	In consultation with Accounting Officer (Municipal Manager/EM
LEG5	General	Authorising the briefing of counsel/attorney to obtain legal opinion in any matter.	Council	Accounting Officer (Municipal Manager)	Director: Corporate Services	In consultation with Accounting Officer (Municipal manager)
LEG 6	General	To settle any action out of court including arbitrations, mediations and debt collection where court action shave been instituted/defended	Council	Accounting officer where the settlement is below R1 000 000 EM where the settlement is above R1 000 000 after considering advice		In consultation with the EM CFO and DCS to assist

[7] Also see 'Contracts' above as well as Credit Control and Debt Collection Policy for delegations i.r.o. legal proceedings related to debt collection issues.

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
				from the Accounting Officer		
LEG 7	General	To sign all documents and to authorise any person to attest to an affidavit on behalf of the Municipality as required for any legal proceedings as required from time to time	Council	Accounting officer		May be sub-delegated
LEG 8	General	To lay criminal charges or authorise any official to lay criminal charges in respect of any criminal act perpetrated by any employee or councillor or by any person perpetrated against the municipality, an employee or councillor.	Council	Accounting Officer (Municipal Manager)	Director: Corporate Services	In consultation with Accounting Officer (Municipal manager) Where it involves actions by or against a councillor after consultation with the Speaker
LEG9	General	To conduct any necessary action in any matter instituted by or against the municipality, including the signature of the prescribed powers of attorney, affidavits and other documents in order to finalise the matter	Council	Accounting Officer (Municipal Manager)	Director: Corporate Services	In consultation with Accounting Officer (Municipal manager)
LEG10		To institute and defend legal proceedings and to apply, where necessary, for relevant court orders i.t.o. building legislation transgressions, illegal squatting, erection & demolishment of buildings	Council	Accounting Officer (Municipal Manager)	Director: Corporate Services	In consultation with building control section
LEG11		To make affidavits i.t.o. legal proceedings where non-compliance with building legislation is concerned	Accounting Officer (Municipal Manager) *	Director: Planning and Economic Development	Senior Manager: Land Use Management	*may be sub-delegated

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LEG 12	General	To authorise forensic investigations in relation to any alleged fraud, corruption or criminal activity, maladministration and or negligence on the part of any employee, Councillor, agent, contractor, supplier or service provider	Council	Executive Mayor in so fat as it relates to Councillors Municipal Manager as far as it relates to all other		Chief Audit Executive to assist
LEG 13	General	To pursue, facilitate and/or represent the Municipality in respect of any appropriate, criminal, civil and/or related proceedings	Council	Executive Mayor as far as it relates to Councillors Municipal Manager as far as it relates to all other		May be delegated to any Director where relevant
LEG 14	General	To appear before a notary to execute any document or appoint any other person to appear before the notary on behalf of the municipality, including the power to sign any documents relating thereto	Council	Accounting Officer		May be delegated
LEG 15	Section 126 and 127 of Municipal Ordinance 20/1974	Approval of an encroachment onto municipal owned land or public spaces	Council	Accounting officer (Municipal Manager)		On recommendation from Director Corporate Services In terms of Council Policy/Framework.
LEG 16		To exercise the rights and obligations of the Municipality as Lessor or lessee in respect of agreements of lease, servitudes and other legal instruments.	Council	Accounting officer (Municipal Manager)		On recommendation from Director Corporate Services and in terms of Council Policy/Bylaw/legislation
LEG 17		To approve applications for the placement of posters and banners on municipal properties	Council	Accounting officer (Municipal Manager)		On recommendation from the relevant Director and in terms of Council Policy/Bylaw/legislation

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
LEG 18		To approve applications for fund raising – street and house collections	Council	Accounting officer (Municipal Manager)	May be sub delegated to relevant Director	On recommendation from the relevant Director and in terms of Council Policy/Bylaw/legislation
LEG 19		To enter into agreements where approvals were granted to acquire rights from or to 3rd parties	Council	Accounting officer (Municipal Manager)	May be sub delegated to Director Corporate Services	
LEG20		To sign off all court documents, affidavits and report relating to eviction matters within the Department's functional area	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development		
LIBRARIES						
LIB1		To consider and approve applications for library membership i.t.o. council resolution and to recover, where necessary, the applicable subscription fees	Council	Director: Community and Protection Services	Senior Manager: Community Services	Manager" Library Services
LIB2		To issue demand letters i.to. outstanding library material i.t.o. council resolution and to ensure that money owed are debited against consumer accounts	Council	Director: Community and Protection Services	Senior Manager: Community Services	Manager" Library Services
LIB3	General Tariffs Policy 2019 -20	To levy and recover applicable fines and sundries i.t.o. council resolution and tariff lists	Council	Director: Community and Protection Services	Manager Library Services	In consultation with Senior Librarians
LIB4	General Library in house rules reviewed 2019	To disapprove membership applications where applicants owe monies/fines to other libraries	Council	Director: Community and Protection Services	Manager" Library Services	In consultation with Senior Librarians

LIB 5	Section 67(5.2)	To compile and submit on council's behalf business plans i.t.o. conditional grant funding	Council	Director: Community and Protection Services	Senior Manager: Community Services	Manager" Library Services

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LIB 6	Western Cape Provincial Libraries Asset Management and Collection Development Policies 2019	To purchase printed, digital and audio-visual library resources i t o provincial guidelines	Municipal Manager	Director Community and Protection Services	Manager Library Services	In consultation with Senior Librarians
LICENCES. PERMITS AND CONCESSIONS						
LPC1		To grant permissions for the erection of show house signage boards & direction indicators on municipal and private property	Accounting Officer (Municipal manager)	Director: Planning and Economic Development	Senior Heritage Planner	
LPC2	Branding Policy	To consider and grant approval for usage of municipal logo	Accounting Officer (Municipal Manager)			*May be sub – delegated
LPC3	GATHERINGS ACT 205 OF 1993 EVENTS BY-LAW PN7564 DATED 12/02/2016	To approve marches, processions, fun-runs, races, etc in municipal area i.t.o. applicable legislation and policy directives	Municipal Manger	Director: Community and Protection Services	Senior Manager: Protection Services	In consultation where necessary with the Manager: Traffic and Law Enforcement Services
LPC4		To permit usage and/or temporary closing of streets and public places for fund-raising or other activities	Municipal Manager	Director: Community and Protection Services	Senior Manager: Protection Services	In consultation where necessary with Director: Infrastructure Services
LPC5	I	To grant permission for the display of posters and/or banners and flyers i.t.o. applicable by-law or policy directives	Municipal Manager	Director: Corporate Services	Senior Manager: Administration	to be delegated in new Poster bylaw

LPC6		To issue a trade licence which is properly applied for to businesses on behalf of the licensing authority and to determine the applicable conditions	Council (as licensing authority)	Director: Planning and Economic Development	Manager LED	

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MUNICIPAL LAW ENFORCEMENT						
Traffic and Traffic Related Matters						
MP1	Fire Arms Control Act, 2000 [Regulation 98(2)]	Issuing of fire arm permits	Municipal Manager	Director Community and protection Services	Senior Manager Protection Services	
MP2	Fire Arms Control Act,2000 [Regulation 95 to 101]	Additional responsibilities in terms of the Act	Municipal Manager	Director Community and protection Services	Senior Manger Protection Services	
MP3		To suspend, under special conditions, the levying of fees for services rendered by Traffic officials during public events	Council	Municipal Manager	Director: Community and Protection Services	
MP4		To authorise applications for public broadcasting with loudhailer	Municipal Manager	Director: Community and Protection Services	Senior Manager Protection Services	
MP5	Section 15(2)(b), Magistrate's Court Act, 1944	To authorise in writing a person in the employ of another public body to serve processes of the court within the municipal boundaries of the municipality	Municipal Manager		Public Prosecutor	In consultation with the Director: Community and Protection Services & Manager: Traffic and Law Enforcement Services

MP6	National Road Traffic Act	Issuing of appointment certificates to all members of the Traffic and Law Enforcement Service	Municipal Manager	Director: Community and protection Services	Senior Manager Protection Services	
Municipal Public Facilities						

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
MPF1	General	To oversee the maintenance of all municipal public facilities within the municipal area and to report on how any shortcomings and irregularities are to be remedied	All heads of departments	All heads of sections		
Sports Grounds and Recreation Facilities						
MPF2	Section 59 of MSA	To permit the temporary closing of municipal swimming-pools for public usage, and the use of pools by schools and swimming clubs at a fee determined by council	Municipal manager	Director: Community and Protection Services		
MPF3	White Paper on Sport, Priority ONE	To develop a policy framework for the governance of sport at local level that is in concert with the national and provincial sport and recreation policy To make sport and recreation accessible to all people in the local area To create the infrastructure required for the delivery of sport and recreation	Municipal Manger	Director: Community and Protection Services	Senior Manager: Community Services	
MPF4	White Paper on Sport, Priority ONE	To make sport and recreation accessible to all people in the local area	Municipal Manger	Director: Community and Protection Services	Senior Manager: Community Services	
MPF5	White Paper on Sport, Priority ONE	To create the infrastructure required for the delivery of sport and recreation	Municipal Manger	Director: Community and Protection Services	Senior Manager: Community Services	

MPF6	White Paper on Sport, Priority TWO	To create multi-purpose indoor/outdoor facilities that are community centred, with schools, clubs and recreation organisations as target	Council	Municipal Manager	Senior Manager: Community Services	

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Town Halls, Community Halls and Library Activity Halls						
MPF7	Section 59 of MSA	Administration of the leasing of town and community halls i.t.o. relevant policy, including inter alia, the granting of special rebates in terms thereof, and the discretion to deviate within reason	Municipal Manager	Director: Community and Protection Services	Senior Manager: Community Services	
MPF8	Section 59 of MSA	Application/execution of policy and discretionary powers to deviate within reason	Municipal Manager	Director: Community and Protection Services	Senior Manager: Community Services	
MPF9	Section 59 of MSA	To approve applications for usage of municipal commonage for church services, in terms of policy directives	Municipal Manager	Director: Community and Protection Services	Senior Manager: Community Services	
MPF10	MFMA	To reimburse deposits for leasing of halls	Municipal Manager	Director: Community and Protection Services	Senior Manager: Community Services	
PROPERTY RATES I.T.O. PROPERTY RATES ACT, 2004 (PRA)						
Resolutions Levying Rates						

PRA1	Section 14(2), PRA	To publish the council resolution levying rates in the Provincial Gazette	Accounting Officer (Municipal manager)	Director: Corporate Services	Manager: Secretariat & Records Services	
Register of Properties						

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PRA2	Section 23, PRA	To draw up, maintain and regularly update a register in respect of properties situated within the municipal area and to ensure that it is open for inspection by the public and to display it on the official website	Accounting Officer (Municipal Manager)	CFO		Assisted by appointed municipal valuer
Municipal Valuers and Data-Collectors						
PRA3	Section 33(1), PRA	To designate (either one of its officials or a person in private practice) as its municipal valuer	Accounting Officer (Municipal Manager)			On recommendation by the Tender Adjudication Committee
PRA4	Section 33(1), PRA	To issue to the person so designated an identity card	Accounting Officer (Municipal Manager)	CFO		
PRA5	Section 33(4) & 33(5), PRA	To withdraw the designation of a person as its municipal valuer on the grounds of misconduct, incapacity or incompetence, non-compliance with a provision of the PRA, under-performance or breach of contract	Accounting Officer (Municipal Manager)			
PRA6	Section 35(4), PRA	To issue to the person designated as an assistant municipal valuer an identity card	Accounting Officer (Municipal Manager)	CFO		
PRA7	Section 36(4), PRA	To issue to the person designated as a data-collector an identity card in the prescribed format containing a photograph of that person	Accounting Officer (Municipal Manager)	CFO		

PRA8	Section 36(5), PRA	To withdraw the designation by the Accounting Officer (Municipal Manager) of a person as a data-collector	Accounting Officer (Municipal Manager)	CFO		
PRA9	Section 41(2), PRA	To issue to the person, authorised by the municipal valuer to enter any property that must be valued, an identity card in the prescribed format	Accounting Officer (Municipal Manager)			

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
		containing a photograph of that person				
PRA10	Section 66(1), PRA	To provide an appeal board with the necessary office accommodation and other administrative assistance, including staff	Accounting Officer (Municipal Manager)			
PRA11	Section 4(2), PRA	To display the draft rates policy at municipal offices and libraries and on the official website; to advertise in the media a notice and invite comments and representations	Accounting Officer (Municipal Manager)	Director: Corporate Services	Manager: Secretariat & Records Services	
PRA12	Section 14(3), PRA	To display the resolution to levy rates at the municipality's head and satellite offices and libraries; and on the official website; to advertise in the media a notice stating that a resolution levying a rate on property has been passed by the council; and is available for public inspection	Accounting Officer (Municipal Manager)	Director: Corporate Services	Manager: Secretariat & Records Services	
PRA13	Section 15(3), PRA	To annually table in council, a * list of all exemptions, rebates and reductions granted during the previous financial year; and statement reflecting the income foregone during the previous financial year by way of such exemptions, rebates and reductions, exclusions and the phasing-in discount granted	Accounting Officer (Municipal Manager)	Chief Financial Officer (CFO)	Head: Income	

PRA14	Section 35(1), PRA	To designate officials of the municipality or persons in private practice as assistant municipal valuers to assist the valuer of the municipality	Accounting Officer (Municipal Manager)			
		To permit the municipal valuer to designate persons in private				

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PRA15	Section 35(2), PRA	practice as assistant municipal valuers to assist the municipal valuer with the performance of any of his/her functions if the municipal valuer is not an official	Accounting Officer (Municipal Manager)			
PRA16	Section 36(5), PRA	To request a municipal valuer to withdraw the designation by the municipal valuer of a person as a data-collector	Accounting Officer (Municipal Manager)			
PRA17	Section 43(5), PRA	To designate a special valuer to perform a valuation which a municipal valuer or assistant municipal valuer may not perform, i.e. in cases where that valuer, or any spouse, parent, child, partner or business associate of the valuer, has a personal or private business interest	Accounting Officer (Municipal Manager)			

PRA18	Section 49(1), PRA	To, on receipt of the certified valuation roll from the valuer – * publish a notice stating that the roll is open for public inspection and inviting objection; * disseminate the substance of the notice to the local community; and * serve on every owner of property listed in the valuation roll a copy of the notice together with an extract of the valuation roll pertaining to that owner's property publish the roll on the official website	Accounting Officer (Municipal Manager)			Assisted by Corporate Services & Financial Services Directorate
PRA19	Section 50(1), PRA	To receive objections against any matter reflected in, or omitted from, the roll	Accounting Officer (Municipal Manager)			

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
PRA20	Section 50(3), PRA	To assist an objector to lodge an objection if that objector is unable to read or write	Accounting Officer (Municipal Manager)			
PRA21	Section 50(5), PRA	To submit all objections to the municipal valuer for decision and disposal	Accounting Officer (Municipal Manager)			
PRA22	Section 52(1), PRA	To, if a municipal valuer adjusts the valuation of a property by more than 10 per cent upwards or downwards, submit to the valuation appeal board the municipal valuer 's decision, the reasons for the decision and all relevant documentation, for review	Accounting Officer (Municipal Manager)			

PRA23	Section 54(1), PRA	To receive appeals to an appeal board against a decision of a municipal valuer, and to forward such appeals to the chairperson of the appeal board	Accounting Officer (Municipal Manager)			
PRA24	Section 55(2), PRA	To, if an adjustment in the valuation of a property affects the amount due for rates payable on that property – * calculate the amount actually paid since the effective date and the amount payable in terms of the adjustment since the effective date; and recover from, or repay to, the person liable for the payment of the rate the difference plus interest at a prescribed rate	Accounting Officer (Municipal Manager)	Chief Financial Officer (CFO)	Head: Income	
PRA25	Section 55(3), PRA	To, where an addition has been made to a valuation roll, recover from the person liable for the	Accounting Officer (Municipal Manager)	Chief Financial Officer (CFO)	Head: Income	

ITEM NUMBER	LEGISLATIVE MANDATE	DESCRIPTION OF POWER OR DUTY	RESPONSIBILITY/ DELEGATED FROM	DELEGATED TO	SUB-DELEGATED TO	CONDITIONS/LIMITATIONS/ INSTRUCTION TO ASSIST
		payment of the rate the amount due for rates payable plus interest				
RECORDS MANAGEMENT						
RM1	Section 9(5)(a) & Part 4, Provincial Archives Act, 2005 / CR 10/09/2008	Control and management of municipal records in terms of paragraph 8 of council's records management policy & paragraph 1 of council's registration procedure manual	Accounting officer	Manager: Secretariat & Records Services (Records Manager - N Brand w.e.f. 01/10/2008)		All employees to assist as per the roles and responsibilities in para 7 of records management policy

RM2	Para 1.2, Registration procedure manual	Responsible for - supervising the execution of all registry procedures i.t.o. para 2.1 to 2.8 of manual - training and direct supervision of registry staff all tasks as per para 3.1 to 5.8 of manual	Manager: Secretariat & Records Services (Records Manager)	Administrator: Records & Archives		With the assistance of registry staff
ROADS AND STORMWATER						
RS1	Section 7(2), Roads Ordinance (19/1976)	To construct and maintain public roads where the municipality is the road authority	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic engineering	
RS2	Section 8(1), Roads Ordinance (19/1976)	To undertake work on public roads (by agreement with another road authority)	Council	Director: Civil Engineering Services	Senior Manager: Transport, Roads, Stormwater & Traffic engineering	Other road authorities (PAWC, SANRAL, etc.)
RS3	Section 207(1), Local Government Laws Amendment Act (15/2002)	To recover costs/expenses due to council related to work done by directorate Infrastructure Services services	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic engineering	Chief Financial Officer (CFO)

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RS4	Section 139(1)(a), Local Government Laws Amendment Act (15/2002)	To provide, establish and maintain storm water systems within the municipal area	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	Department Water Affairs
RS5	Section 139(1)(e), Local Government Laws Amendment Act (15/2002)	To direct drained storm water into any natural water course	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	Department Water Affairs

RS6	Section 10(a) & (b), Road Ordinance 19/1976	To erect and maintain direction signposts and distance indicators	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	
RS7	Section 12(a), Road Ordinance 19/1976	To regulate walls, hedges and vegetation at road corners	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	In consultation with other road authorities
RS8	Section 13(a) & (b), Road Ordinance 19/1976	To erect gates across public roads	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	
RS9	Section 14(1) & 14(2)(a)&(b), Road Ordinance 19/1976	To remove gates across public roads	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	In consultation with other road authorities
RS10	Section 15(1)-15(4), Road Ordinance 19/1976	To construct and close motor by-passes	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	In consultation with other road authorities
RS11	Section 18(1) – 18(3), Road Ordinance 19/1976	To regulate access to and exit from certain public roads	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	In consultation with other road authorities

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RS12	Section 19, Road Ordinance 19/1976	To manage the temporary closing and diversion of public roads	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	In consultation with other road authorities
RS13	Section 20, Road Ordinance 19/1976	To indicate the closing of public roads	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	In consultation with other road authorities

RS14	Section 28, Road Ordinance 19/1976	To permit inspection of property for any purpose	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	
RS15	Section 8, Advertising of Roads and Ribbon Development Act (43/1986)	To regulate the depositing or leaving of certain articles or materials near public roads outside the urban area	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	In consultation with other road authorities
RS16	Explosives Act (15/2003)	To grant or reject applications to use explosives or to do blasting and to determine conditions	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	In consultation with other road authorities
RS17	Section 2, By-law relating to streets (PN 5859 dd 19/04/2002)	To determine whether any tree or vegetation has a detrimental influence on municipal services, causes a nuisance, discomfort or danger and to decide whether such vegetation should be removed	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	
RS18	Sections 5 & 6, By-law relating to streets (PN 5859 dd 19/04/2002)	To accept an application to construct a sidewalk in a street reserve	Council	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	Chief Financial Officer (CFO)
RS19	Sections 5 & 6, By-law relating to	To approve, to make an excavation, dig a pit, trench or hole	Council	Director: Infrastructure Services	Senior Manager:	

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	streets (PN 5859 dd 19/04/2002)	in the street			Transport, Roads, Stormwater & Traffic Engineering	
RS20	Sections 5 & 6, By-law relating to streets (PN 5859 dd 19/04/2002)	To authorise legally approved weed-killers or poisons in any street reserve	Director: Infrastructure Services	Senior Manager: Transport, Roads, Stormwater & Traffic Engineering	Manager: Roads & Stormwater	

SEWERAGE SERVICES						
SS1	Water Services Act & National Water Act	To exercise all powers conferred upon the municipality by applicable legislation relating to sanitation and waste water treatment works	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager: Technical Services
SS2	Section 5/1, Provincial Gazette 16/1998	To remove any obstruction from the drainage system, for which a service charge shall be paid to council when the obstruction was on private land	Council	Senior Manager: Water Operations	Superintendent: Sewer Operations	
SS3	Section 19, Provincial Gazette 1982/1998	To deal with pollution prevention and in particular where pollution of water resources occur or may occur as activities on land	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Manager: Wastewater
TOWN PLANNING AND RELATED MATTERS						
	General Town Planning					
Gen Town Planning		Approval of amusement licences in terms of policy directives	Director: Planning and Economic Development	Manager: Land use Management		
Gen Town Planning		To consider and approve the waiving of additional building plan fees under the conditions stipulated in the resolution	Council	Director: Planning and Economic Development		Subject to motivation by owner and comments by Building Control

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						division / to be reported regularly to executive mayoral committee
	LUPO Ordinance 15 of 1985 and SLUPBL					

LUP1	Sections 14 , 16, 18 of LUPO	To consider and administer applications and grant a use right by way of rezoning in terms of section 16 or 18 where the lawful use right of land cannot be determined in relation to land in terms of section 14 of "LUPO".	Council	Manager: Land Use Management (to administer all applications and make decisions where no objections were received Director: Planning and Economic Development (where no substantive objections were received) Executive Mayor where substantive objections were received		Only regarding applications prior to 01/12/2015
LUP2	Section 15 of LUPO	To consider and administer applications and approve applications for an alteration of the land use restrictions applicable to a particular zone in terms of the scheme regulations concerned in terms of section 15 of "LUPO".	Council	Manager: Land Use Management (to administer all applications and make decisions where no objections were received) Director: Planning and Economic Development (where		Only regarding applications prior to 01/12/2015

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				no substantive objections were received) Executive Mayor where substantive objections were received		
LUP3	Section 16 of LUPO	To consider and administer applications and grant or refuse an application by an owner of land for the rezoning thereof in terms of section 16 of "LUPO".	Council	Manager: Land Use Management (to administer all applications and make decisions where no objections were received) Director: Planning and Economic Development (where no substantive objections were received) Executive Mayor where substantive objections were received		Only regarding applications prior to 01/12/2015
LUP4	Section 25 of LUPO	To consider and administer applications and grant or refuse an application for the subdivision of land in relation to land in terms of section 25 of "LUPO". This delegation is limited to the subdivision of an erf into not more than two erven.	Council	Manager: Land Use Management (to administer all applications and make decisions where no objections were received)		Only regarding applications prior to 01/12/2015

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				Director: Planning and Economic Development (where no substantive objections were received) Executive Mayor where substantive objections were received		
LUP5	Section 42 of LUPO	To impose conditions when granting an authorisation, exemption or application under LUPO, in terms of section 42 of LUPO.	Council	Manager: Land Use Management (to administer all applications and make decisions where no objections were received) Director: Planning and Economic Development (where no substantive objections were received) Executive Mayor where substantive objections were received		Only regarding applications prior to 01/12/2015
LUP6	Section 42 of LUPO	To consider and administer applications and approve Precinct Plans, Site Development Plans and amendments thereto arising out of	Council	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development	

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		agreements entered into in terms of the SATS Act.				
LUP7	Section 42 of LUPO	To consider and make recommendations to the Council on the naming and renaming of streets.	Council	Executive Mayor		
LUP8	Western Cape Gambling and Racing Act 1996 (Act 4 of 1996).	To comment on applications in terms of the Western Cape Gambling and Racing Act 1996 (Act 4 of 1996).	Council	Manager Land Use Management/ Principal Planner	Senior Town Planner	
LUP9	Section 19 of national Liquor Act, Act 27 of 1989	To comment on applications for liquor licenses.	Council	Manager Land Use Management/ Principal Planner	Senior Town Planner	
LUP10	Section 37(2) of the Land Survey Act, 1997 (Act No. 8 of 1997)	To amend or cancel - subdivision diagrams; general plans; road widening diagrams; public open space; road closures; and servitudes; in terms of section 37(2) of the Land Survey Act, 1997 (Act No. 8 of 1997)	Council	Director: Planning and Economic Development	Manager: Land Use Management	
CHAPTER II SPATIAL PLANNING						
LUP11	Stellenbosch Municipality: Land Use Planning By-Law Sec3(2)(a)	Publish a notice regarding the SDF process in accordance with section 28(3) and 29 of the Municipal Systems Act	Council	Director: Planning and Economic Development	Manager: Spatial Planning	

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LUP12	Stellenbosch Municipality: Land Use Planning By-Law Sec3(2)(b)	Inform the Provincial Minister in writing of the intention, process and decision by Council	Council	Director: Planning and Economic Development	Manager: Spatial Planning	
LUP13	Stellenbosch Municipality: Land Use Planning By-Law Sec3(2)(c)	Register relevant stakeholders	Council	Director: Planning and Economic Development	Manager: Spatial Planning	
LUP14	Stellenbosch Municipality: Land Use Planning By-Law Sec 4	Establish a project committee	Council	Municipal Manager	Director: Planning and Economic Development	
LUP15	Stellenbosch Municipality: Land Use Planning By-Law Sec 5	Invite written nominations for representatives to serve on the intergovernmental steering committee	Council	Director: Planning and Economic Development	Manager: Spatial Planning	
LUP16	Stellenbosch Municipality: Land Use Planning By-Law Sec 6(1)	Compilation of a draft status quo report and submission to intergovernmental steering committee	Council	Director: Planning and Economic Development	Manager: Spatial Planning	
LUP17	Stellenbosch Municipality: Land Use Planning By-Law Sec 6(2)	Project committee to finalise status quo report and submit it to Council for adoption	Council	Director: Planning and Economic Development	Manager: Spatial Planning	
LUP18	Stellenbosch Municipality: Land Use Planning By-Law Sec 6(4), and 6(5)	Project committee to finalise first draft of municipal spatial development framework or amendment and submit it to the Council to approve publication for public comment in accordance with the process adopted in terms	Council	Director: Planning and Economic Development	Manager: Spatial Planning	

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		of sections 28 and 29 of the Municipal Systems Act.				
LUP19	Stellenbosch Municipality: Land Use Planning By-Law Sec 6	Consideration by intergovernmental steering committee, project committee final draft municipal spatial development framework or amendment submitted to the Council for adoption	Council	Director: Planning and Economic Development	Manager: Spatial Planning	
LUP20	Stellenbosch Municipality: Land Use Planning By-Law Sec 9	Within 14 days of Council's decision give notice of its decision in the media and the Provincial Gazette	Council	Director: Planning and Economic Development	Manager: Spatial Planning	
LUP21	Stellenbosch Municipality: Land Use Planning By-Law Sec 7	Administer the compilation or amendment of a municipal spatial development framework	Council	Director: Planning and Economic Development	Senior Manager: Development Planning/ Manager: Spatial Planning	
LUP22	Stellenbosch Municipality: Land Use Planning By-Law Sec 9	Propose a local spatial development framework for a specific geographical area in a part of the municipal area to Council.	Council	Director: Planning and Economic Development	Senior Manager: Development Planning/ Manager: Spatial Planning	
LUP23	Stellenbosch Municipality: Land Use Planning By-Law Sec 10	Administration of the compilation, amendment or review of a local spatial development framework	Council	Municipal Manager	Director: Planning and Economic Development	Senior Manager: Development Planning/ Manager: Spatial Planning
LUP24	Stellenbosch Municipality: Land Use Planning By-Law Sec 12	Administration of the conversion of a structure plan to a local spatial development framework	Council	Director: Planning and Economic Development	Senior Manager: Development Planning/ Manager: Spatial Planning	
LUP25	Stellenbosch Municipality: Land Use Planning By-Law Sec 15 (6)	Conduct land development application processes or any activity contemplated in subsection (2), for a decision by the Tribunal in accordance with this Chapter and Chapter IV.	Council	Director: Planning and Economic Development	Senior Manager: Development Planning/ Manager: Spatial Planning	

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LUP26	Stellenbosch Municipality: Land Use Planning By-Law Sec 17	Decision to rezone land of which the municipality is not the owner	Council	Director: Planning and Economic Development	Senior Manager: Development Planning/ Manager: Spatial Planning	
LUP27	Sections 12 and 13 of the Municipal Systems Act	create an overlay zone in compliance with sections 12 and 13 of the Municipal Systems Act.	Council	Director: Planning and Economic Development	Senior Manager Development Management Manager: Land use Management	
LUP28	Stellenbosch Municipality: Land Use Planning By-Law Sec 13	If a rezoning approval lapses, the zoning applicable to the land before the approval of the rezoning applies or, where no zoning existed before the approval of the rezoning, determine a zoning in terms of section 13.	Authorised Employee/ Municipal Planning Tribunal			
LUP29	Stellenbosch Municipality: Land Use Planning By-Law Sec 19(2)	Development parameters for consent use	Council	Director: Planning and Economic Development	Senior Manager Development Management	
LUP30	Stellenbosch Municipality: Land Use Planning By-Law Sec 19(3)	May approve permanently or for a period specified in the conditions of approval imposed in terms of section 66.	Authorised Employee/ Municipal Planning Tribunal			

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LUP31	Stellenbosch Municipality: Land Use Planning By-Law Sec 20(6))	To issue a certificate on written request by the applicant to confirm that all conditions of the approved subdivision have been met	Director: Planning and Economic Development	Manager Land Use Management	Principal Planner/ Senior Town Planner/ Town Planner	Provided that the applicant submitted proof of same
LUP32	Stellenbosch Municipality: Land Use Planning By-Law Sec 20(4)	Impose appropriate conditions in terms of section 66 relating to engineering services for an approval of a subdivision.	Director: Planning and Economic Development	Manager: Land Use Management in consultation with the Director Infrastructure Services	Principal Planner/ Senior Town Planner/ Town Planner	
LUP33	Stellenbosch Municipality: Land Use Planning By-Law Sec 26	Closure of public places	Council	Authorised Employee/ Municipal Planning Tribunal		As categorized by Council from time to time in terms of section 69 (1) of the By-Law, 2015 and sections 11 and 12 of the Western Cape Land Use Planning Act, 2014 and section 35(3) and 47(2) of the Spatial Planning and Land Use Management Act, 2013
LUP34	Stellenbosch Municipality: Land Use Planning By-Law Sec 26	Administer claim against the Municipality for loss or damage suffered due to wrongdoing when it permanently closed a public place	Council	Municipal Manager		
LUP35	Stellenbosch Municipality: Land Use Planning By-Law Sec 37	Meet with the authorised employee and, where applicable, with employees of other relevant organs of state for a pre-application consultation and relevant guidelines	Director: Planning and Economic Development	Senior Manager: Development Planning/ Manager: Spatial Planning	Principal Planner/ Senior Town Planner/ Town Planner	
LUP36	Stellenbosch Municipality: Land Use Planning By-Law	May refuse to accept an application	Director: Planning and Economic Development	Senior Manager: Development	Principal Planner	

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	Sec 40			Management/ Manager: Land Use Management		
LUP37	Stellenbosch Municipality: Land Use Planning By-Law Sec 42	Notify the applicant in writing of any information or documents it requires in addition to the requirements contemplated in section 38.	Director: Planning and Economic Development	Senior Manager: Development Management/ Manager: Land Use Management	Administrative Officer	
LUP38	Stellenbosch Municipality: Land Use Planning By-Law Sec 42	Director must consider the application without the information or documents and notify the applicant accordingly.	Director: Planning and Economic Development	Senior Manager: Development Management/ Manager: Land Use Management	Administrative Officer	
LUP39	Stellenbosch Municipality: Land Use Planning By-Law Sec 41	To cause notice of an application to be given to every municipal department and organs of state that has an interest in such application, and to request their comment	Director: Planning and Economic Development	Senior Manager: Development Management/ Manager: Land Use Management	Administrative Officer	
LUP40	Stellenbosch Municipality: Land Use Planning By-Law Sec 52	Where an amendment to an application is material, to give notice of same to all municipal departments and organs of state and who commented on the application, and request comments to be submitted	Director: Planning and Economic Development	Senior Manager: Development Management/ Manager: Land Use Management	Principal Planner	
LUP41	Stellenbosch Municipality: Land Use Planning By-Law Sec 53	To require further public notice i.t.o. section 53	Director: Planning and Economic Development	Senior Manager: Development Management/ Manager: Land Use Management	Principal Planner	

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LUP42	Section 63 of Stellenbosch municipality Land Use Planning By-Law, 2015	To condone, on good cause shown, an error in a procedure	Council	Director: Planning and Economic Development		
LUP43	Stellenbosch Municipality: Land Use Planning By-Law Sec 57(1)	If decision is delegated to an authorised employee to decide on the application within 60 days	Council	Authorised Employee		
LUP44	Stellenbosch Municipality: Land Use Planning By-Law Sec 57(2)	If decision is not delegated to an authorised employee and no integrated process in terms of another law is being followed, the Tribunal must decide on the application within 120 days	Council	Municipal Planning Tribunal		
LUP45	Stellenbosch Municipality: Land Use Planning By-Law Sec (3)(a)	May extend the period in exceptional circumstances if interested person applied for intervener status	Authorised Employee/ Municipal Planning Tribunal			
LUP46	Stellenbosch Municipality: Land Use Planning By-Law Sec (3) (b)	May extend the period in the case of the Tribunal, if an oral hearing is to be held.	Municipal Planning Tribunal			
LUP47		May extend the period in the case of the Tribunal, if an oral hearing is to be held.	Municipal Planning Tribunal			
LUP48	Stellenbosch Municipality: Land Use Planning By-Law Section 59	Enter land or a building to conduct an inspection for the purpose of obtaining information and take appropriate action or to assess an application	Director: Planning and Economic Development	Senior Manager: Development Management/ Senior Manager: Development Planning/ Manager:	Principal Planner/ Senior Town Planner/ Town Planner/ Senior Land Use Inspector/ Land Use Inspector	

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				Land Use Management/ Manager Spatial Planning		
LUP49	Stellenbosch Municipality: Land Use Planning By-Law Section 15 (6)	To make a decision in accordance with Chapter III and IV when the Municipality conducts land development or an activity contemplated in subsection 15(6)	Municipal Planning Tribunal			May not be sub delegated to an official
LUP50	Stellenbosch Municipality: Land Use Planning By-Law Section 60	May in respect of an application contemplated in section 15 (2) deal with the application, including imposition of conditions	Authorised Employee/ Municipal Planning Tribunal			As categorized by Council from time to time in terms of section 69 (1) of the By-Law, 2015 and sections 11 and 12 of the Western Cape Land Use Planning Act, 2014 and section 35(3) and 47(2) of the Spatial Planning and Land Use Management Act, 2013
LUP51	Stellenbosch Municipality: Land Use Planning By-Law Section 61 (1)	Notify the applicant and any person whose rights are affected by the decision of the decision, the reasons for the decision and their right to appeal, if applicable.	Director: Planning and Economic Development	Senior Manager: Development Management/ Manager: Land Use Management	Administrative Officer	
LUP52	Stellenbosch Municipality: Land Use Planning By-Law Section 65 (1)	The Municipality must have regard to certain criteria as stipulated in section 65(1) when considering a land use application	Authorised Employee/ Municipal Planning Tribunal			As categorized by Council from time to time in terms of section 69 (1) of the By-Law, 2015 and sections 11 and 12 of the Western Cape Land Use Planning Act, 2014 and section 35(3) and 47(2) of the Spatial Planning

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						and Land Use Management Act, 2013
LUP53	Stellenbosch Municipality: Land Use Planning By-Law Section 65(2)	Where required in terms of applicable development parameters or conditions of approval, the Municipality must approve a site development plan if the site development plan complies to certain criteria as stipulated in section 65(2) of the SLUPBL	Director: Planning and Economic Development	Senior Manager: Development Management/ Manager: Land Use Management		
LUP54	Stellenbosch Municipality: Land Use Planning By-Law Section 66 (4)	To determine a proportional contribution to municipal public expenditure in accordance with section 83(7) and any other applicable provincial norms and standards	Council			
LUP55	Stellenbosch Municipality: Land Use Planning By-Law Section 67	To approve an extension of a validity period imposed i.t.o. a condition of approval	Authorised Employee/ Municipal Planning Tribunal			Subject to the categorization of land use applications as determined by Council.
LUP56	Stellenbosch Municipality: Land Use Planning By-Law Section 26. (6)	Without complying with Chapter IV, temporarily close a public place	Accounting Officer (Municipal Manager)			
LUP57	Stellenbosch Municipality: Land Use Planning By-Law Section 72. (1)	The members of the Tribunal referred to in section 71(1)(b) may be appointed by the Council only after the Accounting Officer (Municipal Manager) has —	Council			
LUP58	Stellenbosch Municipality: Land	extend written invitations and publish notice in newspaper for nominations	Municipal Manager	Director: Planning and Economic	Senior Administrative Officer-MPT	

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	Use Planning By-Law Section 72. (1)			development/ Senior Manager; Development Management/ Manager: Land Use Management		
LUP59	Stellenbosch Municipality: Land Use Planning By-Law Section 72. (2)	Prepare invitation for nominations	Municipal Manager	Director: Planning and Economic development/ Senior Manager; Development Management/ Manager: Land Use Management	Senior Administrative Officer MPT	
LUP60	Stellenbosch Municipality: Land Use Planning By-Law Section 72. (7)	Convene an evaluation panel to evaluate nominations that comply with this section and determine terms of reference of the evaluation panel	Municipal Manager	Director: Planning and Economic development/ Senior Manager; Development Management/ Manager: Land Use Management	Senior Administrative Officer MPT	
LUP61	Stellenbosch Municipality: Land Use Planning By-Law Section 72. (11)	Take all actions for confirming appointments and commencing activities	Municipal Manager	Director: Planning and Economic development/ Senior Manager; Development Management/ Manager: Land Use Management	Senior Administrative Officer MPT	
LUP62	Stellenbosch Municipality: Land Use Planning By-Law Section 77 (1)	Appoint or designate an employee as the Administrator and other staff for the Tribunal contemplated in section 70(1)(a) in terms of the Municipal Systems Act.	Municipal Manager			
LUP63	Stellenbosch Municipality: Land	To act as Appeal Authority in respect of decisions of the Tribunal or an	Executive Mayor			79(5). When the Appeal Authority considers an

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	Use Planning By-Law Section 79	authorised employee contemplated in section 68(a) or (b) and a failure to decide on an application as contemplated in section 58.				appeal, it must have regard to- a. the provisions of section 65(1), read with the necessary changes; and b. the comments of the Provincial Minister contemplated in section 52 of the Land Use Planning Act.
LUP64	Stellenbosch Municipality: Land Use Planning By-Law Section 81 (10).	The Appeal Authority may appoint a technical adviser to advise or assist it with regard to a matter forming part of the appeal.	Council	Municipal Manager		
LUP65	Stellenbosch Municipality: Land Use Planning By-Law Section 81 (12)	To draft a report assessing an appeal and to submit it to the Appeals Authority within the timeframes provided in the SLUPBL	Municipal Manager	Director: Planning and Economic development/ Senior Manager; Development Management/ Manager: Land use management	Principal Planner	
LUP66	Stellenbosch Municipality: Land Use Planning By-Law Section 80	To designate an employee to executive administrative actions in respect of appeals in terms of the SBLUPB	Municipal Manager	Director: Planning and Economic development/ Senior Manager; Development Management/ Manager: Land Use Management	Senior Administrative Officer MPT	

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LUP67	Stellenbosch Municipality: Land Use Planning By-Law Section 82 (3)	If the Municipality is not the provider of an engineering service, the applicant must prove that adequate arrangements have been made with the relevant service provider for the provision of that service.	Municipal Manager	Directors: Planning and Economic Development/ Infrastructure Services		
LUP68	Stellenbosch Municipality: Land Use Planning By-Law Section 82 (4)	The Municipality may enter into a written agreement with an applicant to provide services	Municipal Manager	Director Infrastructure Services		
LUP69		Exercising for and on behalf of the municipality all powers, duties and functions necessary to ensure enforcement of and compliance with SBLUPB	Director: Planning and Economic Development	Senior Manager; Development Management/ Manager: Land Use Management	Principal Planner/ Senior Town Planner/ Town Planner/ Senior Land Use Inspector/ Land Use Inspector	
LUP70	Section 89(2)	89(2) The Municipality may suspend, confirm, vary or withdraw a compliance notice or any part of the compliance notice and must specify the period within which the person to whom the compliance notice is addressed must comply with any part of the compliance notice that is confirmed or varied	Accounting Officer (Municipal Manager)	Director Planning and Economic Development		
LUP71	Section 91(1)	91(1) To issue a certificate when satisfied that the owner or occupier of any land or premises has complied with a compliance notice	Director: Planning and Economic Development	Manager: Land Use Management	Senior Land Use Inspector	
LUP72	Stellenbosch Municipality: Land Use Planning By-Law Section 82 (4)	Must annually propose fines and contravention penalties to be imposed in the enforcement of the By-law	Council	Director: Planning and Economic Development		
LUP73	Section 87(2)(b)	To determine the amount of the contravention penalty payable 30	Director: Planning and Economic Development	Manager: Land Use Management	Principal Planner	According to the penalty rate as

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		days after approval of the land use application				determined by Council annually for the contravention penalty formula
LUP74	Section 87(2)(b)	87(2)(b) To determine the amount of the contravention penalty payable 30 days after approval of the land use application	Director: Planning and Economic Development	Senior Manager; Development Management/ Manager: Land Use Management	Principal Planner/ Senior Town Planner	According to the penalty rate as determined by Council annually for the contravention penalty formula
LUP75	of section 12(2) of the "Spatial Data Infrastructure Act	To ensure that metadata for spatial information is available to users by making metadata available to the Department of Land Affairs in the prescribed manner for inclusion in the electronic metadata catalogue in terms of section 12(2) of the "Spatial Data Infrastructure Act".	Director: Planning and Economic Development	Senior Manager: Development Planning	GIS Officer	
LUP76	14(2) of the "Spatial Data Infrastructure Act".	To be accountable for the integrity of unmodified spatial information in terms of section 14(2) of the "Spatial Data Infrastructure Act".	Director: Planning and Economic Development	Senior Manager: Development Planning	GIS Officer	
LUP77	14(3) of the "Spatial Data Infrastructure Act".	To provide (a) the information in a prescribed manner and (b) the relevant metadata together with the spatial information when supplying information, in terms of section 14(3) of the "Spatial Data Infrastructure Act".	Director: Planning and Economic Development	Senior Manager: Development Planning	GIS Officer	
LUP78	16 (2) of the "Spatial Data Infrastructure Act	To ensure regular updating of base data sets in accordance with the provisions of the Act in terms of section 16 (2) of the "Spatial Data Infrastructure Act".	Director: Planning and Economic Development	Senior Manager: Development Planning	GIS Officer	
LUP79	section 17 (3) of the "Spatial Data	To report on data quality by responding in the prescribed time	Director: Planning and Economic Development	Senior Manager: Development	GIS Officer	

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	Infrastructure Act	and manner, to the user after receiving the report on that deficiency in terms of section 17 (3) of the "Spatial Data Infrastructure Act".		Planning		
LUP80	section 18(a) of the "Spatial Data Infrastructure Act	To take reasonable steps to effect adequate and appropriate security against the loss of spatial information unauthorized or unlawful access to and modification or disclosure of that spatial information in terms of section 18(a) of the "Spatial Data Infrastructure Act".	Director: Planning and Economic Development			
LUP81	18(b) of the "Spatial Data Infrastructure Act	To ensure the protection of the copyright of the state and other interested parties in spatial information in terms of section 18(b) of the "Spatial Data Infrastructure Act".	Director: Planning and Economic Development			
LUP82	18(b) of the "Spatial Data Infrastructure Act	To position, create and maintain a Town Survey Mark Reference System in terms of the "Land Survey Act, 1997 (Act 8 of 1997).	Director: Planning and Economic Development	Senior Manager; Development Management	GIS Officer	
LUP83	Land Survey Act, 1997 (Act 8 of 1997	To regulate and manage the erection of structures near building restriction roads outside the urban area in terms of Section 9 of the "Advertising on Roads and Ribbon Development Act".	Accounting Officer (Municipal Manager)	Director: Planning and Economic Development/ Director Infrastructure		
LUP84	Section 9 of the Advertising on Roads and Ribbon Development Act	To implement the requirements in terms of the said By-Law.	Director: Planning and Economic Development	Senior Manager; Development Management	Principal Planner/ Senior Town Planner/ Town Planner	
LUP85	In terms of the By-law Relating to the	To grant a waiver from compliance with the By-law Relating to the	Municipal Manager			As per Council Resolution Item 7.3.6

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	Erection of Boundary Walls and Fences and the Control of Materials Used Therefor.	Erection of Boundary Walls and Fences and the Control of Materials Used Therefor or relax any provisions thereof in special circumstances pertaining to a particular case.				dated 29 November 2017.
LUP86	Performing functions in terms of the "LUPO" "SPLUMA" "LUPA" "SLUPB" and "Zoning Schemes"	To comment on an application where the use, activity or departure may have a detrimental impact on any environmental or heritage resources, and/or to call for an impact assessment to be conducted by an independent environmental assessment practitioner, for consideration by the municipality of the desirability thereof or migratory conditions to be imposed.	Council	Director: Planning and Economic Development	Senior Manager; Development Management/ Senior Manager: Development Planning	
LUP87	Performing functions in terms of the "LUPO" "SPLUMA" "LUPA" "SLUPB" and "Zoning Schemes"	To enforce compliance with environmental and heritage conditions imposed in terms of "LUPO/SPLUMA/LUPA/SLUPB" or to enforce the environmental or heritage provisions incorporated into a zoning scheme including taking steps to rectify and recover costs and to enter a property for investigation of environmental and heritage matters.	Council	Director: Planning and Economic Development	Senior Manager; Development Management/ Senior Manager: Development Planning	
LUP88	Performing functions in terms of the "LUPO" "SPLUMA" "LUPA" "SLUPB" and "Zoning Schemes"	To identify and recommend environmental and heritage resources in a zoning scheme, imposition of conditions, performing power or duty in terms of a condition imposed in terms of LUPO/SPLUMA/LUPA/SLUPB.	Council	Director: Planning and Economic Development	Senior Manager; Development Management/ Senior Manager: Development Planning	

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LUP89	Performing functions in terms of the "LUPO" "SPLUMA" "LUPA" "SLUPB" and "Zoning Schemes"	To request additional information or documentation in any application, which may include an independent impact assessment, and which may be necessary to consider the potential detrimental impact of a proposal on environmental or heritage resources.	Council	Director: Planning and Economic Development	Senior Manager; Development Management/ Senior Manager: Development Planning	
LUP90	Actions in terms of Sections 11 and 22 of the Western Cape Land Use Planning Act 2014 and Section 35(3) and 47(2) of the Spatial Planning and Land Use Management Act, 2013	Approval / amendment of Spatial Development Framework	Council			
LUP91	Actions in terms of Sections 11 and 22 of the Western Cape Land Use Planning Act 2014 and Section 35(3) and 47(2) of the Spatial Planning and Land Use Management Act, 2013	Approval / amendment of Zoning Scheme	Council			
LUP92	Actions in terms of Sections 11 and 22 of the Western Cape Land Use Planning Act 2014 and Section 35(3) and 47(2) of the Spatial Planning and Land	Approval / amendment of an Overlay Zone for the zoning scheme 15(2)(j)	Council			

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	Use Management Act, 2013					
LUP93	Actions in terms of Sections 11 and 22 of the Western Cape Land Use Planning Act 2014 and Section 35(3) and 47(2) of the Spatial Planning and Land Use Management Act, 2013	Title Deed Relaxations in terms of the Title Deed, to enable minor departure applications SPLUMA 47(2)	Council	Director Planning and Economic Development		As per Council Resolution Item 7.3.3 dated 25 January 2017.
LUP94	Actions in terms of Sections 11 and 22 of the Western Cape Land Use Planning Act 2014 and Section 35(3) and 47(2) of the Spatial Planning and Land Use Management Act, 2013	Categorisation of applications	Council			
LUP95	Actions in terms of Sections 11 and 22 of the Western Cape Land Use Planning Act 2014 and Section 35(3) and 47(2) of the Spatial Planning and Land Use Management Act, 2013	To ensure that any application (which involves substantial changes to or intensification in land use or development) is accompanied by the required Impact Assessments, if any, as well as sufficient other information when forwarded to the relevant Planning Authority	Council	Director Planning and Economic Development	Senior Manager; Development Management/ Manager: Land Use Management	
LUP96	Section 64 (1)	64(1) To exempt in writing and subject to section 60 of the Land Use Planning Act a development from compliance with a provision of the by-law, or in an	Council	Executive Mayor		If the Provincial Minister grants an exemption or authorisation to deviate from a provision of the Land Use Planning Act

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		emergency situation authorise that a development may depart from any of the provisions of this by-law				to the Municipality in terms of section 60 of the Land Use Planning Act, the Municipality is exempted from or authorised to deviate from any provision in this By-law
LUP97	Section 33 of the BLUPBL	To cause a notice of an application in terms of the SBLUPB to be served as required	Director: Planning and Economic Development	Senior Manager; Development Management/ Manager: Land Use Management	Administrative Officer	
LUP98	Section 33(7) of the BLUPBL	33(7). To cause the publication of a notice of the decision to amend, suspend or remove a restrictive condition in the Provincial Gazette and to notify the Registrar of same	Director: Planning and Economic Development	Senior Manager; Development Management/ Manager: Land Use Management	Administrative Officer	
LUP99	Section 24 of the BLUPBL	24. To issue a certificate that a subdivision or consolidation is exempted from the application procedures as stipulated in the SLUPBL	Council	Director: Planning and Economic Development		
LUP100	Performing functions in terms of the "LUPO" "SPLUMA" "LUPA" "SLUPB" and "Zoning Schemes"	To issue Zoning certificates	Director Planning and Economic Development	Senior Manager; Development Management/ Manager: Land Use Management	Principal Planner/ Senior Town Planner/ Town Planner	
LUP101	Performing functions in terms of the "LUPO" "SPLUMA" "LUPA" "SLUPB" and "Zoning Schemes"	To comment on Building Plans	Director Planning and Economic Development	Senior Manager; Development Management/ Manager: Land Use Management	Principal Planner/ Senior Town Planner/ Town Planner	
LUP102	Performing functions in terms of the "LUPO" "SPLUMA"	To comment on Event applications	Director Planning and Economic Development	Senior Manager; Development Management/	Principal Planner/ Senior Town Planner/ Town Planner	

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	"LUPA" "SLUPB" and "Zoning Schemes"			Manager: Land Use Management		
LUP103	Section 28(3) of the BLUPBL	To confirm whether all conditions of approval have been complied for in order for a certificate to transfer a land unit as contemplated in section 28 (3) be issued	Director Planning and Economic Development	Senior Manager; Development Management/ Manager: Land Use Management	Principal Planner/ Senior Town Planner	
LUP104	Section 28(3) of the BLUPBL	To issue a certificate to transfer a land unit as contemplated in section 28 (3)	Director: Planning and Economic Development	Senior Manager; Development Management/ Manager: Land Use Management	Senior Administrative Officer	
LUP105	Actions in terms of Sections 11 and 22 of the Western Cape Land Use Planning Act 2014 and Section 35(3) and 47(2) of the Spatial Planning and Land Use Management Act, 2013	To amend the zoning map and where applicable the register when a Land Use Application contemplated in section 15 is approved	Director: Planning and Economic Development	Senior Manager; Development Management/ Manager: Land Use Management	Senior Administrative Officer	
LUP106	Actions in terms of Sections 11 and 22 of the Western Cape Land Use Planning Act 2014 and Section 35(3) and 47(2) of the Spatial Planning and Land Use Management Act, 2013	To sign all outgoing correspondence with regards to general procedures for Land Use Applications and Decision Letters	Director Planning and Economic Development	Senior Manager; Development Management/ Manager: Land Use Management	Senior Administrative Officer	
LUP107	Actions in terms of Sections 11 and 22 of the Western Cape Land Use Planning	To give comments on encroachment applications to construct a veranda, stoep, steps or other projection or erect a post in a	Director Planning and Economic Development	Senior Manager; Development Management/ Manager: Land Use	Principal Planner/ Senior Town Planner/ Town Planner	

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	Act 2014 and Section 35(3) and 47(2) of the Spatial Planning and Land Use Management Act, 2013	street or public place.		Management		
INTEGRATING ZONING SCHEME BYLAW 2019						
LUP 108	Consideration in terms of Section 60 of the Stellenbosch Land Use Planning By-law for land use applications submitted in terms of section 15(2)(a)- (f) and 15(2)(n and o) where no objections have been received	To consider and administer applications and approve applications for an alteration of the land use restrictions applicable to a particular zone in terms of the Stellenbosch Planning By-law, October 2015	Authorised employee			
LUP 109	Consideration in terms of Section 60 of the Stellenbosch Land Use Planning By-law for land use applications submitted in terms of section 15(2)(g to m) and 15(2)(p to s) where no objections have been received	To consider and administer applications and approve applications for an alteration of the land use restrictions applicable to a particular zone in terms of the Stellenbosch Planning By-law, October 2015	Authorised employee			

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LUP 110	Consideration in terms of Section 60 of the Stellenbosch Land Use Planning By-law for land use applications submitted in terms of section 15(2)(a to f) and 15(2)(n and o) where objections have been received	To consider and administer applications and approve applications for an alteration of the land use restrictions applicable to a particular zone in terms of the Stellenbosch Planning By-law, October 2015	Municipal Planning Tribunal			
LUP 111	Consideration in terms of Section 60 of the Stellenbosch Land Use Planning By-law for land use applications submitted in terms of section 15(2)(6)	To consider and administer applications and approve applications for an alteration of the land use restrictions applicable to a particular zone in terms of the Stellenbosch Planning By-law, October 2015	Municipal Planning Tribunal			
LUP 112	Stellenbosch Municipal Land Use Planning By-law 2023, Sections 45 and 46	Approval of the core festive period and arrangements for the processing of land use and building plan applications and associated public participation	Council	Director: Planning and Economic Development		
NEMA – ACT 107 of 1998 ENVIRONMENTAL AUTHORISATIONS						
NEM 1	Section 24K & L of the "*NEMA*".	To apply for concurrence and/or status as competent authority responsible for granting environmental authorizations in respect of listed activities in terms of section 24K & L of the "*NEMA*".	Council	Executive Mayor	Municipal Manager	

NEM 2	of section 43(1) of the "*NEMA: Biodiversity Act*".	To consider and submit biodiversity management plans to the Minister for approval, for (a) an ecosystem, (b) an indigenous species, (c) a migratory species in terms of section 43(1) of the "*NEMA: Biodiversity Act*".	Municipal manager	Director Community and Protection Services	Senior Manager Community services	

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NEM 3	section 49 of the "*NEM: Biodiversity Act*".	To consider a report on the monitoring of the conservation status of biodiversity and report to the Minister (if required by the Minister) in terms of section 49 of the "*NEM: Biodiversity Act*".	Municipal manager	Director Community and Protection Services	Senior Manager Community services	
NEM 4	section 24 of NEMA	Comment on applications for activities listed in terms of section 24 of NEMA	Municipal manager	Director Community and Protection services	Senior Manager Community services	
NEM 5	Chapter 7 of NEMA	Report and deal with transgressions and matters in terms of Chapter 7 of NEMA	Director Community and Protection Services	Senior Manager Community services		
NEM6	S 11 of the Road Ordinance 19 / 1976	To instruct the owner or occupant of property to remove / trim a tree or any growth that may cause an inconvenience, danger or discomfort to any person using such road, failing which, it may be removed / trimmed at the expense of the owner / occupant	Municipal manager	Director Community and Protection Services	Senior Manager Community services	In consultation with Director Infrastructure
NEM7		To instruct the owner of grounds to reduce the height of any trees, bushes, murals, walls or fences, that is deemed necessary for the safety of pedestrians	Municipal manager	Director Community and Protection services	Senior Manager: Community Services and Senior Manger Protection Services	In conjunction with manager environmental services and manager Traffic and Law Enforcement
WARD COMMITTEES						

WC1	Rules relating to the Establishment and Functioning of Ward Committees	To implement, administer and monitor the rules relating to the establishment and functioning of ward committees	Accounting Officer (Municipal Manager)	Director: Corporate Services	Manager: Support Staff	Oversight by Speaker and EM
WC2	Rules relating to the Establishment and Functioning of Ward Committees	To preside over meetings of ward committees and to ensure compliance with rules	Ward councillors			Assisted by ward support officials

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WC3	Rules relating to the Establishment and Functioning of Ward Committees (rule 4(4))	To appoint a proportionally elected councillor or member of the ward committee to chair any extraordinary public meeting, ordinary public meeting or ward committee meeting when the ward councillor is not available to chair	Ward Councillor			
WC4	Rules relating to the Establishment and Functioning of Ward Committees [rule 27]	Referral of unsolved disputes/grievances to council	Council	Speaker		
WASTE MANAGEMENT - NATIONAL ENVIRONMENTAL MANAGEMENT WASTE ACT, 2008 (NEMWA)						
WM1	Section 7 – 9, NEMWA	To exercise all powers conferred upon the municipality by applicable legislation and by-laws relating to the collection, removal, storage and disposal of refuse and other offensive or unhealthy items of waste	Council	Director: Infrastructure Services	Senior Manager; Waste Management	
WM2	Section 17.1, NEMWA	To initiate and implement recycling and other waste minimisation initiatives	Council	Director: Infrastructure Services	Senior Manager; Waste Management	

WM3	Section 10(3), NEMWA	To be responsible for coordinating matters pertaining to waste management in the municipality	Council	Director: Infrastructure Services	Senior Manager; Waste Management	
WM4	Section 10(3) NEMWA	Designation of Waste Manager	Council	Accounting Officer (Municipal Manager)		
WM5	Section 11(4) NEMWA	Submit integrated waste management plan (IWMP) to MEC for endorsement	Accounting Officer (Municipal Manager)	Director: Infrastructure Services		

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WATER SERVICES: WATER SERVICES ACT, ACT 108 1997 (WSA) & NATIONAL WATER ACT, ACT 36 OF 1998 (NWA)						
WS1	Section 11, WSA	To exercise all powers conferred upon the Municipality by applicable legislation relating to the supply of water and matters incidental thereto	Council	Director: Infrastructure Services	Senior Manager Water and Wastewater Services	As far as Water Services Authority is concerned
WS2	Section 19, WSA	To approve agreements for the supply of water to consumers i.t.o. the act	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	In consultation with relevant directors
WS3	Section 2, NWA	To ensure that the nation's water resources are protected, used, developed, conserved, managed and controlled	Council	Director: Infrastructure Services	Senior Manager: Water and Wastewater Services	In consultation with the Water Monitoring Committee
WS4	Section 3, WSA	To ensure that reasonable measures are taken to realize the right everyone has of access to basic water supply; To provide in the municipality's water services development plan, for measures to realise the right everyone has of access to basic water supply	Council	Director: Infrastructure Services	Senior Manager: Water and Wastewater Services	

WS5	Section 4, WSA	To set conditions for the provision of water services	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Review by-laws of Water and Sanitation
WS6	Section 6, WSA	To authorise any person to use water services from a source other than a water services provider	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Department Water Affairs
WS7	Section 7, WSA	To authorise any person to obtain water for industrial use from a source other than a water services provider	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Department Water Affairs

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WS8	Section 9, WSA	To ensure compliance with the standards prescribed	Council	Director: Civil Engineering Services	Senior Manager: Water Services	Review by-laws
WS9	Section 11, WSA	To progressively ensure that the duty to all consumers or potential consumers in the municipal area are fulfilled, to ensure efficient, affordable, economical and sustainable access to water services	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Water conservation and Demand Management - Zone-metering Metering of reservoirs
WS10	Section 11, WSA	To, in emergency situations, take reasonable steps to provide basic water supply	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	
WS11	Section 12, WSA	To prepare draft water services development plan as part of the process of preparing any integrated development plan	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	

WS12	Section 14, WSA	To ensure that – * reasonable steps are taken to bring the draft water services development plan to the notice of consumers, potential consumers, industrial users and water services institutions within the municipal area; * public comment thereon is invited; * copies of the draft water services development plan are sent to the Minister, Province and all neighbouring water services authorities	Council	Accounting Officer (Municipal Manager)		Strategic process: Director: Corporate Services
WS13	Section 14, WSA	To ensure that the draft water services development plan is – * available for inspection at the offices of the municipality; obtainable against payment of a nominal fee	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	

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WS14	Section 15, WSA	To consider all comments received and to adopt a development plan	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	
WS15	Section 15, WSA	To supply a copy of a development plan to the Minister, the Minister for Provincial Affairs and Constitutional Development, Province and all neighbouring water services authorities	Council	Accounting Officer (Municipal Manager)		
WS16	Section 15, WSA	To ensure that the approved water services development plan is obtainable against payment of a nominal fee, as required	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	

WS17	Section 18, WSA	To report on the implementation of a development plan to the Minister, the Minister for Provincial Affairs and Constitutional Development, Province and SALGA and to make summary thereof available for inspection at the offices of the municipality	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	
WS18	Section 22, WSA	To authorise a person to operate as a water services provider	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	
WS19	Section 22, WSA	To prescribe additional minimum standards i.r.o. the quality, quantity and sustainability of water services provided by a water services intermediary	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	
WS20	Section 26, WSA	To, if a water services intermediary fails to perform its functions effectively, direct such intermediary to rectify its failure and to exercise all the necessary powers and functions	Council	Accounting Officer (Municipal Manager)		
WS21	Section 27, WSA	To monitor the performance of water services providers and water	Council			

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		services intermediaries within the municipal area		Accounting Officer (Municipal Manager)	Director: Infrastructure Services	
WS22	Section 13, NWA	Once the class of a water resource and the resource quality objectives have been determined, to ensure compliance with same by the authority when exercising any power or duty	Council	Director: Infrastructure Services	Senior Manager: Water Services	

WS23	Section 19, NWA	To take responsibility for the prevention of pollution of water resources in particular the situation where pollution occurs or might occur as a result of activities on land	Council	Director: Infrastructure Services	Senior Manager: Water Services	
WS24	Section 19, NWA	To recover all reasonable cost from the person responsible for the pollution	Council	Accounting Officer (Municipal Manager)	Director: Infrastructure Services	Senior Manager; Water and Wastewater Services
WS25	Sections 37 & 38, NWA	To regulate controlling activities such as irrigation using waste or water containing waste and aquifer recharge – identified in the Act as a controlled activity	Council	Director: Infrastructure Services	Senior Manager; Water and Wastewater Services	Water Monitoring Committee
WS26	Section 118, NWA	To take measures aimed at improving the safety of new and existing dams with a safety risk so as to reduce the potential for harm to the public, damage to property or to resource quality	Council	Director: Infrastructure Services	Senior Manager; Water and Wastewater Services	ECSA registered professional person (Act 114 of 1990)
WS27	Section 26 NWA	To determine a fee for the connection to the water mains and collect the fee prior to the installation of the connection	Council	Director: Infrastructure Services	Senior Manager; Water and wastewater Services	Chief Financial Officer (CFO)
WS28	Section 26 NWA	To determine a fee and appropriate procedures for the testing of a water meter of which the consumer is of the opinion that the volume registration mechanism is faulty and	Council	Director: Infrastructure Services	Senior Manager; Water and	Chief Financial Officer (CFO)

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		to collect the fee prior to testing the water meter			Wastewater Services	
WS29	Section 26 NWA	To recover any costs or losses incurred for damages to the water meter installation on the premises occupied by the consumer	Council	Director: Infrastructure Services	Senior Manager; Water and Wastewater Services	

WS30	Section 26 NWA	To take measures to ensure that no permanent fixtures are made illegally to communal stand pipes and public taps	Council	Director: Infrastructure Services	Senior Manager; Water and waste Services	
WEBSITE PLACEMENT - STATUTORY REQUIREMENTS FOR PLACEMENT OF INFORMATION ON MUNICIPAL WEBSITE						
WPP01	Section 75 of the MFMA	Delegation of responsibilities and listing of documents to be placed on website	Accounting officer	Senior Manager Governance	Manager Communication	
WPP02	Communication Policy 2025	Regular updating of content and annual revision / placement and removal of information	Accounting officer	Senior Manager Governance	Manager Communication	
WPP03	Communication Policy 2025	Hosting, maintenance and webmaster of website	Director: Corporate Services	Senior Manager ICT		
WPP04	Communication Policy 2018	Ensure placement of all relevant information on website	All Directors	Senior Manager Governance	Manager Communication	To be assisted by all heads of various sections