

UGU DISTRICT MUNICIPALITY
("The Municipality")



CREDIT CONTROL AND DEBT COLLECTION POLICY

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A. PREAMBLE:

The Local Government : Municipal Systems Act No. 32 of 2000 ("the Municipal Systems Act") has as one of its objects the need to ensure financially and economically viable municipalities;

The Municipal Systems Act also envisages a new system of Local Government requiring an efficient, effective and transparent local public administration that conforms to constitutional principles;

The Ugu District Municipality has adopted a tariff policy in terms of Section 74(1) of the Municipal Systems Act No. 32 of 2000 which policy reflects the principles enunciated in Section 74(2) and differentiates as it may in terms of Section 74(3) of the Municipal Systems Act;

The Ugu District Municipality has also adopted By-laws as envisaged in Section 75 of the Municipal Systems Act No. 32 of 2000;

This policy is adopted in terms of Section 96(d) of the Municipal Systems Act, is consistent with the Ugu District Municipality's rates and tariff policies and complies with the provisions of the Municipal Systems Act;

1. DEFINITIONS

Except to the extent to which the context may otherwise require:

- a) any word or expression importing any gender or the neuter shall include both genders and the neuter;
- b) words importing the singular shall include the plural and vice versa where the context so requires; the following words shall have the meanings assigned to them herein:-

"Service charges" means all monies that are currently due and payable to Ugu District Municipality in terms of Section 96(a) of the Municipal Systems Act;

"Municipality" means Ugu District Municipality;

"Services" shall mean all services provided by the Ugu District Municipality and without limiting the generality of the a foregoing shall include_

- a) water supply and connection;
- b) sanitation supply and connection;
- c) miscellaneous services as specified in the Municipality's tariffs;
- d) where sanitation, connection and supply does not apply, sanitation haulage, ad hoc vacuum tanker services, conservancy tank clearances; services relating to industrial effluent;
- e) the provision of water borne sanitation;
- f) or any other services that the Municipality may supply all in terms of the Municipality's tariffs.

"consumer" shall mean, without limiting the generality thereof, any natural person or legal entity or generally any member of the public who has made application for services and whose application has been approved.

"owner" shall mean, without limiting the generality thereof,

- a) a person in whom is vested the legal title to the premises;
- b) in a case where the person in whom the legal title to premises is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration and control of such premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
- c) in any case where the authority or authorised provider is unable to determine the identity of such person, a person who is entitled to the benefit of the use such

premises or a building or buildings thereon, including a person who receives the rent or profits of such premises or any part thereof from any tenant or occupier or who would receive such rent or profits if the premises or any part thereof were let, whether for his own account or as agent for any person entitled thereto or having an interest therein;

d) in the case of premises for which a lease agreement of 30 years or longer has been entered into, the lessee there under;

e) in relation to -

- (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act 95 of 1986, the developer or the body corporate in respect of the common property,
- (ii) or a section as defined in such Act, the person in whose name such section is registered under a sectional title deed and includes the lawfully appointed provider of such person;

2. THE SCOPE OF THIS POLICY:

- 2.1 This Policy shall apply solely in respect of all levies, fees, surcharges on fees, service charges and any other monetary amounts due to the Municipality and levied in terms of the Municipality's existing tariffs;
- 2.2 Any interest which has already or shall in the future accrue to the Municipality in respect of the rendering of the services;
- 2.3 Any collection charges lawfully due to the Municipality.

3. THE OBJECTIVES AND CONTENTS OF THIS POLICY:

- 3.1 The adoption of this Policy has as its principal objective the fulfilment of the requirements of Section 97(1) of the Municipal Finance Management Act, namely to provide for:-
 - a) Credit Control Procedures and Mechanisms;
 - b) Debt Collection Procedures and Mechanisms;
 - c) Provision for indigent debtors that is consistent with its rates and tariff policies and any national policy on indigents;
 - d) Realistic targets consistent with:-
 - i) generally recognised accounting practices and collection ratios; and
 - ii) the estimates of income set in the budget less an acceptable provision for bad debts;
 - e) Interest on arrears, where appropriate;
 - f) Extension of time for payment of accounts;

- g) Termination of services with the restriction of the provision of services when payments are in arrears;
 - h) Matters relating to unauthorised consumption of services, theft and damages; and
 - i) Any other matters that may be prescribed by Regulation in terms of Section 104 of the Municipal Systems Act.
- 3.2 To the extent that the differentiation envisaged in Section 97(2) of the Municipal Systems Act is discretionary,
- 3.3 The ~~Ugu District~~ Municipality has in terms of Section 98 of the Municipal Systems Act No. 32 of 2000 adopted By-laws to give effect to this Credit Control and Debt Collection policy, its implementation and enforcement and for this reason it is not necessary within the framework of this Policy to indicate the procedures of implementation, delegation or, otherwise, administration of this Policy apart from what is mentioned further herein.

4. SUPERVISORY AUTHORITY

In terms of Section 99 of the Municipal Systems Act a municipality's executive committee or executive mayor, must:-

- 4.1 oversee and monitor:-
- a) the implementation and enforcement of the Municipality's Credit Control and Debt Collection policy and any by-laws enacted in terms of Section 98; and
 - b) the performance of the Municipal Manager in the implementing of this policy and any by-laws;
- 4.2 When necessary, evaluate or review the policy and any by-laws, or the implementation of the policy and any such by-laws, in order to improve efficiency in Credit Control and Debt Collection mechanisms, processes and procedures; and
- 4.3 At such intervals as may be determined by the Council report to a meeting of the Council, except when the Council itself performs the duties mentioned in paragraphs 2.1 and 2.2.

5. ROLE OF THE MUNICIPAL MANAGER

In terms of Section 100 of the Municipal Systems Act the Municipal Manager or service provider must:-

- 5.1 Implement and enforce the Municipality's Credit Control and Debt Collection policy and any by-laws enacted in terms of Section 98;

- 5.2 In accordance with the Credit Control and Debt Collection policy and any such by-laws, establish effective administrative mechanisms, processes and procedures to collect money that is due and payable to the Municipality; and
- 5.3 At such intervals as may be determined by the Council report prescribed particulars to a meeting of the Supervisory Authority referred to in Section 99.

6. SERVICE AGREEMENTS:-

- 6.1 The Credit Control procedure shall commence with an application by a potential consumer for the provision of services;
- 6.2 The application aforesaid shall contain at least the following:-
- a) the full name of the Applicant/s;
 - b) the identity number (in the case of a natural person) or registration number; copies of relevant registration certificate together with certified copy of the resolutions that give permission to apply on behalf of the legal person in the case of a corporate entity or any other legal person;
 - c) the postal address and physical address (which in the case of legal persons must include the address of their accounting officer or principal place of business);
 - d) a copy of the Applicant/s 's identity document or in the case of a legal person its proof of registration; copies of relevant registration certificate together with certified copy of the resolutions that give permission to apply on behalf of the legal person;
 - e) in the event that the Applicant/s is/are not the owner/s of the property at which the services will be supplied then the application must contain:-
 - i) the consent of the owner to the supply of services on credit to the Applicant;
 - ii) the owner/s 's full details including a copy of the owner/s 's identity document or proof of registration as envisaged in the preceding paragraphs;
 - iii) The aforesaid consent shall make provision that in the event of the Applicant/s defaulting in the payment of any amounts due that the owner/s will be held responsible therefore;
 - f) the Applicant's contact details including :
 - i) telephone numbers (home, work and cellular phone numbers); and
 - ii) e-mail address (where applicable);
 - g) The amount of the deposit shall be calculated as per policy and payable in advance prior to connection of the service;
- 6.3 Every such application shall constitute an offer to the Municipality to enter into an agreement with the Applicant for the rendering of the services applied for which upon

acceptance shall constitute a binding agreement between the Municipality and the consumer/s;

- 6.4 Illiterate Applicants must be assisted in the completion of the forms and must affix their mark to the form which mark must be certified by a Commissioner of Oaths as the mark of the Applicant;
- 6.5 The name, address and details of the Applicant's employer shall also be stated;
- 6.6 The Applicant shall also consent on the application form to:-
 - a) an adverse listing with the credit bureau in the event of a default in payment.

7. THE RENDERING OF ACCOUNTS:

- 7.1 Consumers on the billing system will receive an understandable and accurate bill from the Municipality, which bill will consolidate all service costs for that property.
- 7.2 Accounts will be produced in accordance with the meter reading cycle and due dates will be linked to the statement date.
- 7.3 Accounts will be rendered monthly in cycles of approximately 30 days at the address last recorded with the municipality or its authorised agent.
- 7.4 It is the consumer's responsibility to ensure that postal address and other contact details are correct.
- 7.5 It is the consumer's responsibility to make enquiries and ensure timeous payments in the event of accounts not received.
- 7.6 Settlement or due dates will be as indicated on the statement.
- 7.7 Payments can be made at:-
 - a) Ugu District Municipalities offices in Port Shepstone, Oslo Beach, Harding, Park Rynie offices as well as Satellite Offices;
 - b) The South African Post Office and their agencies;
 - c) ABSA Bank; and
 - d) Easy-Pay outlets, example Pick 'n Pay and Checkers;
 - e) Selected credit card payments can be made at Port Shepstone, Park Rynie, Harding and Oslo Beach offices.
 - f) In addition to the above, Municipality offers debit order facilities and details can be obtained from any of the municipal offices
- 7.8 All Ugu District Municipal Councillors and employees who are deemed to be consumers must not be in arrears for a period longer than 90 days, the Municipality reserves the right to recover any such amounts from monies due to the employee in terms of Clause 10, Schedule 2. of the local Government: Municipal Systems Act.

8. INTERRUPTION OF SERVICE

- 8.1 Consumers who are in arrears with their municipal account and who have not made arrangements with the Council will have their supply of water, and other municipal services, suspended, restricted or terminated.
- 8.2 The restriction of service may happen when the Municipal account is one day overdue.
- 8.3 Council reserves the right to deny or restrict the sale of water to consumers who are in arrears with their municipal charges.
- 8.4 Upon the liquidation of arrears, or the conclusion of acceptable arrangements for term payment, the service will be reconnected as soon as conveniently possible.
- 8.5 The cost of the restriction and the reconnection, will be determined by tariffs approved by Council, and will be payable by the consumer.
- 8.6 Interest can be raised as a charge on all accounts not paid by the due date.

9. DEBT COLLECTION PROCEDURE:

- 9.1 The Municipality or any duly authorised collection agent or service provider for the collection of outstanding debt may, in addition to the normal legal procedures for the collection of arrear accounts, also –
 - a) terminate or restrict the supply of services; and
 - b) allocate any payments or pre-payments toward the liquidation of any arrears in terms of section 12 below;
- 9.2 Where an account is not settled in full, any lesser amount tendered and accepted shall not be deemed to be in full and final settlement of such an account.
- 9.3 The Municipality may, when a debtor is in arrears and all other credit control actions have been exhausted, commence legal process against that debtor, which process could involve final demands, restrictions, summonses, judgements, garnishee orders and as a last resort sales in execution of property.
- 9.4 All costs of legal process, including interest, service discontinuation costs are for the account of the debtor.
- 9.5 Uncollectable Arrears
 - 9.5.1 The effective implementation of the present policy also implies a realistic review of the Municipality's debtor's book at the conclusion of each financial year. The Municipal Manager shall as soon as possible after 30 June each financial year present to the Council a report indicating the amount of the arrears which it is believed is uncollectable, together with the reasons for this conclusion.
 - 9.5.2 The Council shall then approve the write off of such arrears, if it is satisfied with the reasons provided.

10. INSTALMENT AGREEMENTS (ARREARS ONLY):**DOMESTIC ACCOUNTS**

10.1 The Municipality recognises that in certain instances domestic consumers may experience difficulty with the payment of a lump sum arrear amount and in such instances will accommodate any domestic consumers who require paying their arrears over an extended period;

10.2 In these instances the Municipality shall require:-

- a) an agreement stipulating:
 - i) the extended period;
 - ii) the amount payable by the consumer;
 - iii) any deposits payable.

In such instances all deposits shall be payable either in cash or by bank guarantee.

10.3 It shall be a condition for the conclusion an arrangement that the consumer is bound to pay every current municipal account in full and on time during the period over which such arrangement extends.

10.4 Each request is treated on its individual merits, however, collection staff will be guided by the following minimum guidelines in entering into agreements of this nature:-

- a) First time request:-
 - i) any amount in arrears – a deposit of 10% of the arrear amount is payable immediately with the balance payable over eleven months;
- b) In case of a default, complete disconnection will be effected and free basic water can be collected from the Ugu Market premises. The full amount becomes due and payable immediately before re-instatement of the supply;
- c) In respect of repeat requests by domestic defaulting consumers or domestic consumers with agreements as envisaged in sub-paragraph (a) above or first time tampering consumers:-
 - ii) any amount in arrears – a deposit of 25% of the arrear amount is payable immediately with the balance payable over eleven months;
- d) In case of a default, complete disconnection will be effected and free basic water can be collected from the Ugu Market premises. The full amount becomes due and payable immediately before re-instatement of the supply.

10.5 Reconnection fees and additional deposits must be paid in full before any agreement as aforesaid can be entered into;

- 10.6 In the event of such agreements being negotiated with legal entities, then, the agreement must be duly signed by a duly authorised officer of the same and this must be accompanied by personal sureties of a natural person. All such agreements must be accompanied by a resolution of the entity authorising the signatory to sign as aforesaid;
- 10.7 In instances where agreements as envisaged in this clause are entered into, a consumer may be required to complete a debit order authority for the payment of the arrears in terms of the agreement.

11. DISHONoured CHEQUES

The refusal or failure by a bank to honour any cheque payment or debit order by a consumer shall be regarded as non-payment. In this regard:-

- 11.1 The consumer will be contacted telephonically and requested to make a cash deposit equivalent to that of the dishonoured cheque or debit order into the Municipality's bank account within 24 hours of such request;
- 11.2 Should the Municipality be unable to contact the consumer as aforesaid, the Municipality shall issue a final demand and proceed as envisaged earlier herein;
- 11.3 Should the cheque payment or debit order relate at all to an agreement for extension or reconnection, the supply of the service will immediately be disconnected without any further notice to the consumer and will only be reconnected once the consumer has made payment of the full outstanding balance in cash;
- 11.4 In the event of a consumer not having sufficient funds in cash to settle the amount equivalent to the amount of a dishonoured cheque then the Municipality shall be entitled but not obliged to proceed with the institution of criminal charges of fraud against the consumer;
- 11.5 All dishonoured cheques shall be retained by the Municipality and only returned to the consumer upon request therefore by the consumer and after reversal of the dishonoured payment;
- 11.6 The Municipality shall be entitled to levy an administration fee in order to recover all bank charges and administrative work involved in reversing the entries which fee shall levied irrespective of the reason for dishonour or non-payment;
- 11.7 Details of all dishonoured cheque payments may be forwarded to the credit bureau for processing against the consumer's credit profile.

12. ALLOCATION OF PART-PAYMENTS AND APPROPRIATION OF DEPOSITS

- 12.1 If an accountholder pays only part of any municipal account due, the Accounting Officer shall allocate such payment as follows:
- 12.1.1 Firstly, to any unpaid charges levied by the Municipality in respect of unacceptable cheques, notices, legal expenses and reconnections or reinstatements of services in respect of the account or property concerned;
 - 12.1.2 Secondly, to any unpaid interest raised on the account;
 - 12.1.3 Thirdly, to any unpaid sanitation charges;
 - 12.1.4 Fourthly, to any unpaid water charges.
- 12.2 This sequence of allocation shall be followed notwithstanding any instructions to the contrary given by the accountholder.

13. METER TAMPERING

- 13.1 Water metering and connection equipment remain the property of the Municipality and any person involved in the tampering with, damaging or theft thereof will be liable to criminal prosecution;
- 13.2 Where there is evidence of any illegal reconnection of a supply, or the tampering therewith, the supply will be immediately terminated. Reconnection of the supply after such termination shall only be effected if the relevant penalty tariff charges has been paid and satisfactory arrangements have been made for the settlement of any outstanding arrears;
- 13.3 The detection of any further instances of tampering as envisaged herein will result in termination of the water supply and the removal of any connection equipment. Consumers in such instances will then be required to pay the full costs of a new connection together with a penalty on consumption equivalent to the average usage over the six months preceding the date of tampering together with all outstanding arrear charges before replacement of the equipment and reconnection of the supply will be considered.

14. UNOCCUPIED PREMISES

- 14.1 When a consumer terminates a consumption account and no new consumer is registered the property shall be deemed to be unoccupied;
- 14.2 In such instances, a courtesy letter shall be forwarded for the attention of any actual new occupier (should there be one) and served at the premises where the supply has been rendered, requiring the new occupier within 7 (seven) days of the aforesaid letter to register with the Municipality as a consumer and detailing the registration procedures to be followed;

- 14.3 A failure by a new occupier to respond to the aforesaid letter will result in the termination/disconnection of the service supplied;
- 14.4 In such instances, the property will be linked to the registered owner's name and any basic charges in terms of the tariff shall be levied on a monthly basis and sent by ordinary mail to the most recent recorded address of the registered owner of the property for payment;
- 14.5 In the event of water consumption being recorded at a property that has been deemed unoccupied in terms hereof, every effort shall be made to establish the identity of the person responsible for the aforesaid consumption and such person shall be charged accordingly as if he or she were a consumer;
- 14.6 However, should attempts at establishing the identity of such person fail then the registered owner of the property shall be liable for any water consumed at the property.

15. NEW DEPOSITS

- 15.1 All new consumers are required to pay a minimum deposit in accordance with the applicable Municipality tariff;
- 15.2 The calculation of the minimum deposit is based on a three month's estimate consumption as indicated by the consumer;
- 15.3 In respect of domestic consumers the Municipality applies four scales of tariffs to determine the deposit payable, namely:-
- a) Scale 1: 0 – 200 litres per day;
 - b) Scale 2: 201 – 500 litres per day;
 - c) Scale 3: 501 – 750 litres per day;
 - d) Scale 4: 751 – 1000 litres per day.
- 15.4 The deposit amount is calculated on the following formula: $3 \times (\text{tariff} \times \text{estimated consumption plus basic charge and Value Added Tax})$;

16. ADDITIONAL DEPOSITS

- 16.1 The value of the original deposit paid or any guarantees held in respect of the aforesaid deposit will be reviewed on a regular basis;
- 16.2 Upon such review the Municipality may require a consumer not previously required to pay a deposit for whatever reason, to pay a deposit on request within 10 (ten) days from the date of such request.

17. COMMERCIAL ACCOUNTS

- 17.1 In these instances where commercial accounts fall into arrears, the Municipality shall require:-
- a) Arrears to be paid in full before water supply is re-instated
 - b) No instalment arrangement shall be accepted for any commercial account
 - c) In such instances deposits shall be adjusted and payable either in cash or by bank guarantee
 - d) Reconnection fees and additional deposits must be paid in full before water supply is re-instated
- 17.2 The Municipality shall review consumption patterns whenever meter readings are received;
- 17.3 Should the amount of the deposit or guarantee held be deemed inadequate after such review, the Municipality shall send a letter requesting the payment of an additional deposit;
- 17.4 The value of any such increase in deposit shall be added to the next monthly account.

18. PERSONS AND BUSINESS WHO TENDER TO THE MUNICIPALITY

- 18.1 The Procurement Policy and Tender Conditions of the Municipality will include the following:
- a) When inviting tenders for the provision of services or delivery of goods, potential contractors may submit tenders subject to a condition that consideration and evaluation thereof will necessitate that the tenderer obtain from the municipality a certificate stating that all relevant municipal accounts owing by the tenderer and/or its directors, owners or partners have been paid or that suitable arrangements (which include the right to set off in the event of non-compliance) have been made for payment of any arrears.
 - b) No tender will be allocated to a person/contractor until a suitable arrangement for the repayment of arrears, has been made. No further debt may accrue during contract period.
 - c) A condition allowing the municipality to deduct any moneys owing to the municipality from contract payments.

19. DOMESTIC ACCOUNTS

- 19.1 In the event of the Municipality detecting an irregular and unacceptable payment pattern then the Municipality shall be entitled to review the deposit held in respect of residential consumers;

- 19.2 In the event of such review the relevant consumer shall be sent a request by the Municipality for the payment of an additional deposit;
- 19.3 The value of any such increase of the deposit as aforesaid shall be added to the consumer's next account.

20. FORFEITING DEPOSITS

- 20.1 A deposit shall be forfeited to the Municipality if it has not been claimed within a period of 36 months from the date of termination of a service.

21. CLEARANCE CERTIFICATES

- 21.1 Certificates are issued in terms of Section 118 of Systems Act
- 21.2 In addition to the afore going the Municipality shall require a deposit equivalent to the cost of three month's average consumption on water and sanitation charges (where applicable);In case of a vacant stand,
- 21.3 Upon payment of the amounts referred to in 1 and 2 above, the Municipality shall issue a clearance certificate within 5 (five) working days of the request for such certificate.

22. WATER AND SANITATION RATES

- 22.1 Water and sanitation rates are an availability charge which is levied against properties where there is water reticulation and waterborne sanitation system in place is charged to the registered owner of the property
- 22.2 The water rates year commences on the 1st July of each year and terminates on the 30th June of the following year. Upon the declaration of the rates tariffs, these are advertised as required in terms of existing legislation;
- 22.3 Rate payers currently have the option of paying their rates on an annual basis or by monthly instalments. Monthly rates are payable over a maximum period of 10 months commencing on the 1st September of the rates year and terminating on the 30th June of the rates year;
- 22.4 Water rates accounts are posted by ordinary mail during September of each year and the final date for annual payments is the last working day of November in that year;
- 22.5 Water rates that are not paid by the final date incur a late payment penalty calculated at 1.25% per month on outstanding rates from the 1st December each year. In the event that these rates remain unpaid after the 31st January of the following year, a once-off collection charge equivalent to 10% of the rates outstanding at the time is levied; however, penalties continue to accrue on the outstanding rates due notwithstanding the once-off charge aforesaid;

22.6 After the final date for payment of the water rates has expired and in the event of no payment being received by the Municipality a final notice shall be despatched by registered mail to the consumer requiring the payment of the arrear amount and any penalties and interest;

22.7 Upon expiry of the period reflected in the final notice the Municipality shall :-

- a) compile a schedule of all arrear rate payers;
- b) conduct deeds offices searches in respect of ownership of property;
- c) authorise and institute the necessary tracing action in instances where the consumer's whereabouts are unknown;
- d) engage legal assistance for the institution of civil legal proceedings against the consumer.

23. TEMPORARY MEASURES OF ASSISTANCE:

23.1 The Municipality recognises that there are instances where rate payers face temporary hardships caused by personal circumstances, poor economic conditions, unemployment, temporary disablement or illness and in such instances the Municipality is willing to accommodate arrangements to settle outstanding arrears;

23.2 In such instances the following procedures shall apply:-

- a) consumers may approach the Municipality for arrangements to be made for a maximum period extending up to the 30th June of the current financial year, and in exceptional circumstances, up to 1 (one) month before the final date for payment of rates in respect of the next financial year;
- b) these arrangements envisage the consumer paying in equal instalments all outstanding amounts including any interest and collection charges that may have been levied by the Municipality;

23.3 Once such an arrangement has been made the consumer must sign an Acknowledgement of Debt for this purpose and should the consumer renege on this arrangement then the whole outstanding arrear amount, inclusive of penalties and interest shall become immediately due and payable and shall be subject to the normal collections procedures envisaged herein;

23.4 In exceptional circumstances and so as to ensure payment of the capital sums of rates due and in order to avoid the accrual of further legal costs and other charges, the Municipality may, by resolution waive the payment of any interest, penalties and/or collection charges for a maximum period of 6 (six) months calculated from the date of signature of the Acknowledgement of Debt.

24. INDIGENT SUBSIDY

- 24.1 Customers may apply for an indigent subsidy on the conditions as stipulated in the Municipality's Indigent policy.

25. COMPLIANCE AND ENFORCEMENT

- a) Violation of or non-compliance with this Policy will give a just cause of disciplinary steps to be taken.
- b) It will be the responsibility of Accounting Officer to enforce compliance with this Policy.

26. EFFECTIVE DATE

The policy shall come to effect upon approval by Council.

27. POLICY ADOPTION

This policy has been considered and approved by the COUNCIL OF UGU DISTRICT MUNICIPALITY as follows:

Resolution No:.....

Approval Date:.....

UGU DISTRICT MUNICIPALITY

“The Municipality”



INDIGENT SUPPORT POLICY

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1. PREAMBLE

WHEREAS section 74 of the Local Government: Municipal Systems Act, No. 32 of 2000, requires that the Council should, in formulating a Tariff Policy for the municipality, at least take into consideration the extent of subsidisation of tariffs for poor households;

WHEREAS Council therefore needs to approve an Indigent Support Policy;

WHEREAS such policy must provide procedures and guidelines for the subsidisation of basic services and tariff charges to its indigent households; and

WHEREAS the Council has committed itself to render a basic level of services necessary to ensure an acceptable and reasonable quality of life, which takes into account health and environmental considerations;

NOW THEREFORE the Council of the Ugu Municipality has adopted the Indigent Support Policy set out hereunder:

2. DEFINITIONS

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

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

“Authorised Officer” means any official of the Council who has been authorised by the Council to administer, implement and enforce the provisions of this Policy;

“by-law” means a by-law adopted by the Council;

“Municipal manager” means the Accounting Officer of the Municipality

“Council” means the Council of the Ugu Municipality

“indigent person” means a person who meets criteria on qualification for indigent support.

“municipality” means Ugu District Municipality

“services” means the basic services referred to in this Policy

“household” means all the people who permanently reside in the dwelling

“dwelling” means property registered in the deeds office or allocated to a family by the Traditional Authority, with an Ugu water connection

3. POLICY OBJECTIVE

The objective of this Policy is to ensure the following:

- 3.1 The provision of basic services to the community in a sustainable manner, within the financial means of Council; and
- 3.2 To provide procedures and guidelines for the subsidisation of service charges and rates to its indigent households, using a portion or the whole of the Equitable Share for this purpose.
- 3.3 Council also recognises that many of the residents can simply not afford to pay the required service charges and rates, and Council will endeavour to ensure affordability through:
- 3.4 Setting rates and tariffs which will balance the economic viability of continued service delivery; and
- 3.5 Determine appropriate service levels.

4. CRITERIA FOR QUALIFICATION FOR INDIGENT SUPPORT

- 4.1 The indigent subsidy shall apply to a household per dwelling and not an individual.
- 4.2 The property must be zoned residential.
- 4.3 The total gross monthly income of all members of the household must not exceed two old age grants (excluding disability and child grant).
- 4.4 Indigent support will apply to all households whose total monthly income is less than or equal to the above-mentioned amount, irrespective of the source of income.
- 4.5 Household's dependant on social welfare grants only may also apply.
- 4.6 Child headed households dependant on foster care social grants qualifies.
- 4.7 The applicant as well as any other member of the household shall not own other fixed property other than the one on which they reside, whether within or outside of the municipal area.
- 4.8 Multi unit residential - bulk users and Non Government Organizations are excluded from this Policy.

5. APPLICATION FOR INDIGENT SUPPORT

- 5.1 The legal owner of a dwelling who is responsible for the payment of the water and sanitation services account must apply for the household to be registered as indigent.
- 5.2 Application forms are available from any of the Water Services Offices within the Ugu District Municipality and can also be posted on request and the following documents should be submitted together with the application form:
- a) Copies of identity documents for household members 18 years and above.
 - b) Copies of birth certificates of household members younger than 18 years.
 - c) Copies of proof of income or written affidavits confirming status of employment or circumstances from each household member 18 years and above
 - d) Proof of ownership or occupancy e.g. Title deed or letter from ward councillor confirming occupancy status
 - e) Where property owner or account holder is deceased, copy of the death certificate and letter from ward councillor confirming that applicant resides in the dwelling.

6. AVENUES FOR SUBMISSION OF APPLICATION FORMS

- 6.1 Submit through Ward Councillor.
- 6.2 Submit personally to any of Ugu District Municipality offices.

7. PROCESSING OF APPLICATION

- 7.1 Each application will be given a number, for reference purposes
- 7.2 Indigent Support Application register and an Indigent Support Application card will be issued to the applicant for control purposes.
- 7.3 The application will be processed within two weeks of receipt by the Municipality in a manner prescribed by the internal processes.
- 7.4 A letter informing the applicant of the status of the application will be sent to the applicant within two weeks of finalizing the application scrutiny process.
- 7.5 For the purposes of transparency, on an annual basis the following key information of the recipient's indigent support shall be displayed on all Councils and notice boards of Local Municipalities:
- a) Names of Households benefiting from the Indigent Support
 - b) Stand number where services are rendered to the recipients
- 7.6 Any resident may query the qualification of a recipient in writing within days from the date of publication of such listings.
- 7.7 A report on Indigent Support shall be done to the Budget and Finance Committee quarterly.

8. DURATION OF THE INDIGENT SUPPORT BENEFIT

- 8.1 Indigent support is only provided for a period of 12 months, from date of approval, where after the applicant must submit Form UIS 3, confirming that its circumstances has not changed since its initial application and that it still qualifies for indigent support in terms of the latest criteria.
- 8.2 The Municipality will send a written notice to the approved household, at least two months prior to expiry of the approval, but the onus still rests on the applicant or another permanent adult occupant on the property to submit Form UIS 3.

9. RESPONSIBILITY OF THE INDIGENT SUPPORT APPLICANT/ BENEFICIARY

- 9.1 Should, at the most, 21 days lapse without receiving any feedback regarding the application, the applicant should enquire as to the status of the application through the call centre.
- 9.2 The onus is on the beneficiary to inform the Municipality of any change in his/her status or personal household circumstances that might affect their Indigent status.
- 9.3 A household must immediately request de-registration if their circumstances have changed to the extent that the household no longer meets the requirements set out in this Policy. Failure to disclose will result in such a person being immediately liable to repay to the Municipality all the debt accumulated from such date of change in indigent status, and immediately removed from the indigent register of the Municipality. Such debt will be recovered in terms of the applicable Credit Control Debt Collection policy.

10. USAGE IN EXCESS OF THE BASIC SERVICE LEVELS

- 10.1 All services used in excess of the basic municipal services level shall be levied at the current scale of tariff and payable on the due date and a device will be installed to control water usage.
- 10.2 If the excess account is not paid for as and when due, the services shall be restricted to the basic level and the normal Credit Control and Debt Collection policy shall be implemented.

11. WITHDRAWAL OF INDIGENT SUPPORT BY THE MUNICIPALITY

- 11.1 The Indigent support shall be withdrawn by the Municipality in the event of the beneficiary misusing the system or providing incorrect information.
- 11.2 In this regard the Municipality shall recover from the recipient the amount of relief furnished by debiting the beneficiary's account.

- 11.3 The Municipality shall apply its credit control policy in accordance with the Credit Control and Debt Collection policy.
- 11.4 The Municipality shall institute a criminal charge of fraud against the beneficiary and may not again be considered for indigency relief for a period extending for two years beyond the financial year in which the misconduct is detected.
- 11.5 The Indigent support will cease should the form UIS 3 not be supplied to the Municipality.

12. EXTENUATING CIRCUMSTANCES

- 12.1 In the event of death of one of the member of the household, and where the flow has been limited, full flow will be reinstated from the day of death to the day of the funeral after which the flow shall be limited again.
- 12.2 In the event of a household member suffers from a sickness requiring excessive usage of water and is under a home based care programme, such a household will be eligible to apply for additional allocation of water, approval of which is subject to the Municipality's conditions.

13. WHAT DOES THE INDIGENT SUPPORT BENEFIT COVER

On approval of the application the Municipality shall provide the following

- 13.1 Basic Municipal Services which include:
- a) Access to a minimum safe water supply i.e. 6kl of water free of charge on a monthly basis or as determined by Council
 - b) Adequate sanitation as determined by Council
 - c) Once off credit equivalent to the outstanding balance on the dwelling at the date of approval.
- 13.2 Where there are leaks after the meter or in the property, they may be attended to in terms of the bylaws S58 (4) (c) and the cost may be recovered from the Indigent Support allocation.
- 13.3 Cost of restriction shall be recovered from the Indigent Support allocation.
- 13.4 Excess usage in the event of death shall be recovered from the Indigent Support allocation.

14. MISCELLANEOUS

- 14.1 Should any circumstances not covered by this policy regarding the administration of the Indigent Support policy arise, and is urgent, it shall be referred to the General Manager, Treasury.

15. COMMUNICATION

- 15.1 From time to time the Municipality will endeavour to communicate its Policy adequately, so that members of the community are apprised of the existence of such a policy or any amendments that may have been done by Council.
- 15.2 Structures, processes and or platforms that shall be used to communicate the benefits of the policy shall include:
- a) The Ward Committee
 - b) The Ward Councillors
 - c) Community meetings
 - d) Budget and IDP road shows
 - e) Special events
 - f) Local media
- 15.3 Any communication issued by the Municipality must be coordinated by the Communications Unit or the Municipal Manager or his delegated authority.

16. SANITATION REBATE

All applications will be considered on the following basis:

- 16.1 The Sanitation Rebate subsidy will apply to a household per dwelling and not to an individual.
- 16.2 Each household shall receive a rebate on the fixed sanitation basic charge as determined by Council.
- 16.3 The legal owner of a dwelling who is responsible for the payment of the water and sanitation services account must apply for the household to be registered as a sanitation rebate beneficiary.
- 16.4 The applicant as well as any other member of the household shall not own other fixed property other than the one on which they reside.
- 16.5 The sanitation rebate shall be withdrawn by the Municipality in the event of the beneficiary misusing the system or providing incorrect information.

17. EFFECTIVE DATE

The policy shall come to effect upon approval by Council.

UGU DISTRICT MUNICIPALITY

TARIFF OF CHARGES 2019/2020 WITH EFFECT FROM 1 JULY 2019 (EXCLUDING VAT)

1. COUNCIL'S CHARGES FOR WATER SUPPLIED TO CONSUMERS

- (a) All consumers with a private water connection will be liable for the payment of a basic cost irrespective if water is supplied or not. The basic cost shall be calculated by multiplying the quota of a consumer by the amount of the basic cost.
- (b) In 2019/2020 financial year there will be no increment on the basic charge.
- (b) Charges for water supplied shall be calculated by multiplying the consumption of the consumer by the applicable tariff code, by category of consumer.
- (c) The following tariff and basic costs will be implemented on all accounts submitted on or after **1 July 2019** based on the quota as allocated to the meter.
- (d) The production cost incurred by the municipality in producing one (1) kilolitre of water is **R15.98 excluding VAT**.
- (e) The 6 kilolitres free will only be limited to indigent customers. None indigent customers will be charged on all water usage.
- (f) All overdue accounts will be charged 6.5% interest.

CONSUMPTION CHARGE

1. Properties zoned as Special and General Residential -Category A AND E

A: INDIGENTS CUSTOMERS

	2018/2019	2019/2020	% increase	
0 to 6 Kl	Free	Free	Indigent only	Indigent customers
7 – 39kl	12.92	15.25	18%	
40 – 51kl	20.60	24.31	18%	
>52kl	23.21	27.39	18%	

B: NON-INDIGENTS CUSTOMERS

	2018/2019	2019/2020	% increase	
0 – 39kl	12.92	15.25	18%	
40 – 51kl	20.60	24.31	18%	
>52kl	23.21	27.39	18%	

2. **Multi unit residential - Estates AND OTHER bulk users****Total Monthly Quota as per Service Level Agreement- Category B**

	2018/2019	2019/2020		
For water consumption	9.15	15.25	Adjusted to normal residential tariff	
For water drawn in excess of quota	23.27	27.46	18%	

3. **Commercial, Industrial or other- Category C**

For water consumption up to quota	12.92	15.25	18%
For water drawn in excess of quota	25.81	30.46	18%

4. **Special Category - Category D**

Basic to be determined as per Service Level Agreement
Water Consumption determined as per Service Level Agreement

BASIC CHARGE**Category A to D (i.e. Residential and Special Residential Properties)**

- (d) A monthly basic charge per kilolitre quota (or part thereof) per day which cost shall be paid at Council's option by the consumer and/or legal owner of the property serviced by the meter – **R165.11**.
Consumers residing in areas currently categorised as rural areas by the municipality will receive a 75% rebate on the basic charge.

Category E (i.e. Sub-economic such as Townships)

- (g) A monthly basic charge per kilolitre quota of **0.71 kilolitres** per day, which cost shall be paid at Council's option by the consumers residing in areas currently categorised as sub-economic by the municipality – **R110.99**.

(f) **Water and Sanitation Basic Charges- other**

Category	Adjusted billing to
Schools	One Basic per meter + Charge per Kilolitre
Religious institutions & non-profit organisations	One Basic per meter + Charge per Kilolitre
Industrial	Calculated Quota
Category E	Sub-economic
Category F	Indigent

2. **COUNCIL'S CHARGE FOR A NEW WATER AND SANITATION CONNECTION****2.1 WATER**

SIZE	2018/2019	2019/2020	% Increase
15 mm [Other]	3,170.85	3,741.60	18%
20 mm	5,743.80	6,777.68	18%
25 mm	7,448.84	8,789.63	18%
40 mm	11,651.08	13,748.27	18%
SIZE		Deposit Required	
50mm	Cost plus 10%	12,000.00	
75mm	Cost plus 10%	13,000.00	
100mm	Cost plus 10%	14,000.00	
50mm combination	Cost plus 10%	16,000.00	

2.2 SANITATION

SIZE	2018/2019	2019/2020	% Increase
110mm standard connection, 6m from the boundary of the property to be connected	2,020.99	2,384.77	18%
160mm Standard connection 6m from the boundary of the property to be connected	2,599.58	3,067.50	18%

SIZE	2018/2019	2019/2020	
110mm under gravel, situated more than 6m from boundary of the property to be connected	Cost plus 10%	Cost plus 10%	
160mm under gravel, situated more than 6m from boundary of the property to be connected	Cost plus 10%	Cost plus 10%	
110mm under tarmac road, situated more than 6m from boundary of the property to be connected	Cost plus 10%	Cost plus 10%	
160mm under tarmac road, situated more than 6m from boundary of the property to be connected	Cost plus 10%	Cost plus 10%	

3. **COUNCIL'S CHARGES FOR MISCELLANEOUS SERVICES**

	SERVICE	2018/2019	2019/2020	% INCREASE
1.	Testing water meters 15 mm and 20 mm	1,303.38	1,537.99	18%
2.	Reconnection/Requested Disconnection of supply	275.07	324.58	18%
3.	Reconnection of supply outside working hours	1,199.68	1,415.62	18%
4.	Restriction (Credit control)	281.77	332.49	18%
5.	Disconnection (Credit control)	657.46	775.80	18%
6.	Special meter readings	939.20	1,108.26	18%
7.	Inspection of leaks in terms of Section 23(c)	1,253.65	1,479.31	18%
8.	Any other service	N/A	N/A	N/A
9.	For water drawn from an unmetered point of supply per hour or part thereof	958.00	1,130.44	18%
10.	For water drawn from a hydrant standpipe	12.92	15.25	18%
11.	Availability charge per fire hydrant standpipe	98.99	116.81 per month per fire hydrant	18%
12.	Water supplied by tanker less/equal to 6kl	1,354.80	1,598.66	18%
13.	Plan approval fee	298.06	351.71	18%
14.	Inspection Fee per visit	606.61	715.80	18%
				18%
15.	Clearance Certificates	313.27	369.66	18%
16.	Drainage Certificate Fee	246.32	290.66	18%
17.	Application in terms of New Planning Act	3,063.70	3,615.17	18%
18.	Town Planning Applications	298.06	351.71	18%
19.	Miscellaneous charges		Cost + 10%	18%
20.	Administration fee/ Town Planning related matters	241.29	284.72	18%
21.	Administration fee/ Town Planning related matters	606.61	715.80	18%

5. **WATER AVAILABILITY CHARGE** for the year 2019/2020 raised in terms of gazetted water bylaws of the municipality the Council levy a uniform **WATER RATE** on all vacant land to cater for capital cost of the water infrastructure already invested in the area. The owner of such land should have a title deeds to prove ownership of the land. An increment of 18% as from 01 July 2019 shall apply.

A UNIFORM CHARGE OF R2,338.18 (2018/2019: R1,981.51) PER YEAR PER RATED LOT IRRESPECTIVE OF AREA

The final date for payment of such charge shall be **30 NOVEMBER 2019**.

5. **COUNCIL'S CHARGES FOR SANITATION SERVICES**

		2018/2019	2019/2020	% INCREASE (DECREASE)
5.1	Waterborne Sanitation (All Areas) Residential Basic Charge (per unit / per property) Charge per kilolitre (water consumption) Conservancy with a Main line facility to Pay 2 x basic fee Industrial/Commercial Basic Charge (per quota) Charge per kilolitre	269.16 4.02 538.30 269.16 4.02	269.16 4.74 538.30 269.16 4.75	0.00% 18% 0.00% 0.00% 18%
	For any sewage effluent delivered to the sewerage works for processing, per kilolitre or part thereof	30.18	35.61	18%
5.3	Conservancy Tank Clearances (All Ugu) Residential Basic Charge (per unit/ per property) Charge per kilolitre (water consumption) SINGLE RESIDENTIAL UNITS ▪ FIRST LOAD 100% OF APPROVED TARIFF - ▪ SECOND LOAD 70% OF APPROVED TARIFF- ▪ THIRD LOAD AND MORE 50% OF APPROVED ON CONDITION THAT THERE IS A SPLIT OF GREY AND BLACK WATER As approved by a municipal inspector Industrial/Commercial Basic Charge(per quota) Charge per kilolitre <i>Conservancy tank customers will receive one load per month included in the basic charge tariff</i>	269.16 4.02 419.60 293.72 209.79 269.16 4.02	269.16 4.74 495.13 346.59 247.55 269.16 4.75	0.00% 18% 18% 18% 18% 0.0% 18%
5.4	Adhoc Vacuum tanker services (All	572.60	675.67%	18%

		2018/2019	2019/2020	% INCREASE (DECREASE)
	Ugu) For each draw requested			
5.5	Removal of conservancy tank effluent: - - For the removal of conservancy effluent per load or part thereof after normal office hours (Monday to Friday). An applicant for the supply of a conservancy service shall pay a deposit equivalent to the rand value of the number of estimated additional monthly draws anticipated.	2,374.15	2,801.50	18%
5.6	1) Conservancy tank additional draws are performed on a cash basis, unless there is a consumer account reflecting an appropriate deposit. 2) Conservancy tank draws shall be performed within 48 hours of request and/or confirmation of receipt of monies. 3) It is the responsibility of the person requesting a draw to get a reference number for follow-up queries.	572.13 402.70 287.65	675.11 475.19 339.43	18% 18% 18%
5.7	Septic Tank Charge: - Umdoni Municipality - Per Draw Provided: i) The septic tank must be located and exposed by the owner. ii) The effluent in the septic tank must be liquefied by the owner. iii) The septic tank must be accessible for removal. This service is performed on a cash basis only.	1,509.08	1,780.71	18%
5.8	Leachate Removal Charge: - Umdoni Municipality - Per Draw	270.89	319.65	18%

6. Tariff of charges for GIS Copies of Maps – all prices excl vat

Size	Colour Copy		Black and White Copy		Standard photo Copy		% Increase / (Decrease)
	2018/2019	2019/2020	2018/2019	2019/2020	2018/2019	2019/2020	
A0	307.80	363.20	153.89	181.59		-	18%
A1	230.84	272.39	115.41	136.18		-	18%
A2	153.89	181.59	71.90	84.84		-	18%
A3	91.46	107.92	46.16	54.47	7.68	9.06	18%

A4	76.94	90.79	38.46	45.38	3.07	3.62	18%
Electronic Soft copy on CD	76.94	90.79				-	18%
Images (per MB)	62.82	74.13	38.46	45.38			18%

7.1 CAPITAL CONTRIBUTIONS FOR 2019/2020

Capital contribution shall be based on the actual demand and actual current cost that each development requires as calculated by a registered Civil Engineer and agreed to by Ugu Water Services Authority. The design shall be in terms of the Guidelines for Engineering Services and the National Building Regulations (SANS 0400).
Failing to submit an Engineers report the following will apply:

CONTRIBUTIONS

COST PER QUOTA

	2018/2019	2019/2020 (i.e. 18%)
OUTFALL SEWER/PUMPING MAIN	R 7 884.00	R9,303.12
WASTE WATER TREATMENT WORKS	R 7 489.80	R8,837.96
TOTAL	R 15 373.80	R18,141.08
ONE QUOTA = 1000 LITERS		
	COST PER QUOTA	
NETWORK	R2 299.50	R2,713.41
DAM	R 2 299.50	R2,713.41
SUPPLY PIPELINE	R 2 089.26	R2,465.33
PUMPSATION	R 2 969.64	R3,504.18
RESERVOIR	R 2 233.80	R2,635.88
WATER PURIFICATION WORKS	R 2 759.40	R3,256.09
TOTAL	R 14,651.10	R17,288.30
ONE QUOTA = 1000 LITERS		

CONTRIBUTIONS

		WATER QUOTA		SANITATION QUOTA	
	2019/2020	2018/2019	2019/2020	2018/2019	
RESIDENTIAL 1					
SUB ECONOMIC (250 TO 400)	0.30	0.25	0.24	0.20	
LOW (401 TO 700 M ²)	0.71	0.60	0.59	0.50	
MIDDLE (701 TO 900 M ²)	0.94	0.80	0.77	0.65	
HIGH (901 TO 2000)	1.18	1.00	1.18	1.00	
GRANNY FLAT	0.59	0.50	0.47	0.40	

RESIDENTIAL 2 AND 3				
LOW (30 TO 60 M ²)	0.71	0.60	0.59	0.50
MIDDLE (61 TO 200 M ²)	0.94	0.80	0.77	0.65
HIGH (201 TO 500)	1.18	1.00	1.18	1.00
RESIDENTIAL 4 (HIGH RISE)	1.18	1.00	1.18	1.00
LOW (30 TO 50 M ²)	0.53	0.45	0.47	0.40
MIDDLE (51 TO 80 M ²)	0.71	0.60	0.59	0.50
HIGH (81 TO 200 M ²)	0.89	0.75	0.83	0.70
OFFICE /100M ²	0.47	0.40	0.47	0.40
SHOPS/100M ²	0.47	0.40	0.47	0.40
	2019/2020	WATER QUOTA	2019/2020	SANITATION QUOTA
CLINIC/BED	0.30	0.25	0.30	0.25
RETIREMENT VILLAGE/PERSON				
FRAIL CARE/PERSON	0.30	0.25	0.30	0.25
BEDSITTER/PERSON	0.30	0.25	0.30	0.25
UNITS/UNIT	0.59	0.50	0.59	0.50
HOSTELS/PUPIL	0.18	0.15	0.18	0.15
CRECHE/PUPIL	0.02	0.02	0.02	0.02
SCHOOLS/PUPIL	0.02	0.02	0.02	0.02
HOSPITAL/BED	0.30	0.25	0.30	0.25
RESTAURANT/SEAT	0.11	0.09	0.11	0.09
WAREHOUSE/ VEHICLE SHOWROOM(EXCL OFFICE) /100 M ²	0.24	0.20	0.24	0.20
INDUSTRIAL(EXCL.OFFICE) /100M ²	0.47	0.40	0.47	0.40
CARAVAN PARK/SITE	0.71	0.60	0.59	0.5
CONFERENCE CENTRE/HALL / PER SEAT	0.11	0.09	0.11	0.09
GOLF ESTATE /HECTARE	5.90	5.00	6.10	0.00
SERVICE STATION/WORKSHOP/100M ²	0.47	0.40	0.47	0.40
B&B AND GUESTHOUSE/LODGE/ROOM	0.71	0.60	0.59	0.50
HOTEL/ROOM	0.71	0.60	0.71	0.60
CHURCH/RELIGIOUS INSTITUTIONS	1.18	1.00	1.18	1.00
HALLS AND CLUB HOUSES	1.18	1.00	1.18	1.00
CAR WASH	9.06	7.68	9.06	7.68

QUOTA

WATER
QUOTASANITATION
QUOTA

RESIDENTIAL 1

SUB ECONOMIC (250 TO 400)	0.24	0.2
LOW (401 TO 700M ²)	0.59	0.4
MIDDLE (701 TO 900 M ²)	0.83	0.7
HIGH (901 TO 2000)	1.18	1.1

GRANNY FLAT	0.59	0.4
RESIDENTIAL 2 AND 3		
LOW (30 TO 60 M ²)	0.71	0.5
MIDDLE (61 TO 200 M ²)	0.94	0.7
HIGH (201 TO 500)	1.18	1.1
RESIDENTIAL 4 (HIGH RISE)		
LOW (30 TO 50 M ²)	0.47	0.4
MIDDLE (51 TO 80 M ²)	0.71	0.5
HIGH (81 TO 200 M ²)	0.94	0.8
OFFICE /100M²	0.47	0.4
SHOPS/100M²	0.47	0.4
		SANITATION QUOTA
CLINIC/BED	0.24	0.2
RETIREMENT VILLAGE/PERSON		
FRAIL CARE/PERSON	0.24	0.2
BEDSITTER/PERSON	0.24	0.2
UNITS/UNIT	0.59	0.5
HOSTELS/PUPIL	0.19	0.1
CRECHE/PUPIL	0.02	0.0
SCHOOLS/PUPIL	0.02	0.0
HOSPITAL/BED	0.02	0.0
RESTAURANT/SEAT	0.12	0.1
WAREHOUSE (EXCL. OFFICE) /100 M²	0.12	0.1
INDUSTRIAL(EXCL.OFFICE) /100M²	0.35	0.2
CARAVAN PARK/SITE	0.47	0.4
CONFERENCE CENTRE/SEAT	0.12	0.1
GOLF ESTATE / HECTARE	6.31	6.3
SERVICE STATION/WORKSHOP/100M²	0.24	0.2
B&B AND GUESTHOUSE/LODGE/ROOM	0.49	0.4
HOTEL/ROOM	0.59	0.4
CHURCH/RELIGIOUS INSTITUTIONS	1.18	1.1
HALLS AND CLUB HOUSES	1.18	1.1

7.2 QUOTA

Quota can be bought at the rate (tariff) applicable when the development was constructed.

7.3 NUMBER OF BASIC CHARGES

Number of Basic charges shall be based on the actual number of units for each property. The number of basic charges shall be calculated as per the Guidelines for Engineering Services and based on the number of units, unit size and consumption per unit.

8. INDUSTRIAL EFFLUENT CHARGES

- The charges payable by the owner or occupier, as the case may be, of the manufacturing premises for the use of the Council's sewers in respect of the discharge and conveyance therein of trade effluent from the manufacturing premises, including the use of the Council's sewage purification works for purification of the trade effluent, shall be determined in accordance with the provisions of this by-law. Accounts will be rendered as soon as possible after each period of six months ending on 31st December, or 30th June of each year and shall apply to such periods. Where during any such six monthly period there has been a change of ownership or occupancy necessitating an apportionment of the amount due to the Council, the Council will apportion the amount between the parties concerned in a manner proportionate to the quantity of trade effluent discharged during the relevant respective periods of ownership or occupancy. Nothing herein shall be construed as preventing the Council from submitting accounts on a monthly basis should such practice be considered more expedient by the Council.

The General Manager: Water Services may base the trade effluent charge as described in paragraph (p) section (a), on the highest COD of one, or more samples collected from the trade effluent sampling point.

The charge to be levied by the General Manager: Water Services in respect to trade effluent discharged into its sewers from manufacturing premises shall be assessed in accordance with the following formula: -

$$R = A + ((\text{COD}/1000) \times B)$$

WHERE

- R is the rate in cents per kilolitre due to the Council.
- A is the basic carriage tariff expressed in cents per kilolitre, determined annually in advance by the Council. The value of A is R 7.52 (18%)
- B is the basic treatment tariff expressed in cents per kilogram of COD, determined annually in advance by the Council. The value of B is R0.71 (18%)
- COD is the chemical oxygen demand value expressed in milligram of COD per litre of effluent recorded in snap samples of effluent collected as and when deemed fit by the General Manager: Water Services.

The charges payable by the owner or occupier will also include any other charges as may be applicable.

- A copy of the methods of chemical analysis and testing procedures used to determine the COD for the purpose of calculating the charge equation described above shall be kept available by the General Manager: Water Services for inspection by the owner or occupier of any premises concerned. The method of chemical analysis will in all respects follow the STANDARD METHODS FOR WATER ANALYSES published by the SOUTH AFRICAN BUREAU OF STANDARDS being SABS METHOD 1048 – CHEMICAL OXYGEN DEMAND OF WATER.
- In the absence of any direct measurement, the quality of trade effluent discharged into the Council's sewers from any manufacturing premises during any period shall be estimated and determined by the General Manager: Water Services by reference to the quantity of water consumed on such premises during such period. The quantity of water consumed on such premises shall be determined by reference to the Council's water meters in the case of water obtained from the Council and by meter or by calculation in the case of water obtained from any other source, including water emerging from material processed on the premises. In determining the quantity of trade effluent so discharged, due allowance shall be made for the quality of water which it is estimated is used for domestic purposes including gardening on such premises or any other purpose not resulting in the discharge of trade effluent and for water lost by reaction or evaporation during any processes on the manufacturing premises concerned and for water present in the final products or materials produced on such premises and, generally, the District Municipality shall take into consideration such matters as will enable it to estimate for the purpose of the by-laws the quantity of trade effluent

discharged as aforesaid during any given period.

Industries linked to water borne sewer will be liable for the sanitation basic fee and charges per kilolitre as per charges set, over and above the industrial effluent charge, based on the calculated quota.

9. **ACCEPTANCE OF SEWAGE DELIVERED BY ROAD HAULAGE**

Description	2018/2019	2019/2020
	R	R
The charges for any sewage delivered for disposal to any Council facilities shall be assessed by an authorised officer in accordance with the prescribed tariff of charges:		
(a) Disposal of trade effluent from within the Council's area of jurisdiction delivered by private road tanker to Council facilities		
Per tanker load	663.40	R782.81
(b) Disposal of trade effluent from without the Council's area of jurisdiction delivered by private road tanker to Council facilities		
Per tanker load	1,190.21	R1,404.45
(c) Disposal of domestic effluent from within or without the Council's area of jurisdiction to Council facilities		
(i) delivered by private road tanker per kilolitre, measured as the nominal carrying capacity, of the tanker	198.36	R234.06
(ii) delivered by private road haulage in drums per drum of capacity not exceeding 150 litres	39.66	R46.80

10. **TARIFFS FOR INSTALLATION OF BASE TELECOMMUNICATION STATIONS**

The MONTHLY tariffs for the new installation and the renewal of existing leases of base telecommunication stations on municipal property shall be as per the below mentioned tariff of charges:

- R7,504.10 (R6,359.41) on property with an existing structure.

Tower erected on Municipal land (a Greenfield site)

- R3,752.05 (R3,179.70) for Co-Locators (Sub-leases)

Billed to the main lessee, applicable to new leases signed or renewed after 1 July 2012

-R1,500.82 (R1,271.88) for antennae's with no base stations

Dependant on technical criteria, frequency emissions and site size being no greater than 5m2

It should be noted that for a single installation, a lease agreement will be entered into with one service provider. In the event of co-use of telecommunications masts by cellular network providers, the primary service provider with whom the municipality entered into lease agreement will be responsible for the account.

11. OFFENCES AND PENALTIES

Any offences and/or penalties raised by the municipality shall be affected as per Part 7 (General Provisions), clause 34, of the Gazetted Water Services Bylaws, as adopted in terms of Section 21 of the Water Services Act, Act No. 108 of 1997.

12. SPORTFIELDS AND MULTI – COURTS TARIFFS 2019/2020

The municipal has leased out the Ugu Sports and Leisure Centre to Cyassound Holdings for a period of 5 years ending 28 February 2020. The tariffs for the use of the facility will be determined by the lessor until the expiry of the lease contract. However, the lease agreement in question has been terminated. The property is now managed by the municipality itself.

13. PROMOTION OF ACCESS TO INFORMATION ACT (PAIA) SCHEDULE OF FEES

(Act No. 2 of 2000) [Regulation 6]

A request for access to a record, as contemplated in Section 18(1) of the Act, must be made in the form of Form A – PAIA REQUEST FOR ACCESS TO RECORD.

1. FEE STRUCTURE

Fees chargeable for the records of Ugu District Municipality;

A.	REPRODUCTION FEES	
1.	For every photocopy of an A4 Size page or part thereof	R1.08
2.	For every printed copy of an A4 size page or part thereof held on a computer in electronic or machine readable form	R0.76
3.	For a copy in a computer readable form on;	
3.1	Compact Disc (CD)	R71.98
3.2	Digital Video Disk (DVD)	R71.98
4.		
4.1	For transcription of visual images for an A4 size page or part thereof	R39.58
4.2	For a copy of visual images	R113.94
5.		
5.1	For a transcription of an audio record, for an A4 size page or part thereof	R22.78
5.2	For a copy of an audio record	R30.58
6.	The request fee payable by every requested, other than a personal requestor referred to in section 22(1) of the Act	R62.94
B.	ACCESS FEES	
	Access fees payable by a requester referred to in section 22(7) of the Act, unless exempted under section 22(8) of the Act	
1.	For every photocopy of an A4 Size page or part thereof	R1.08
2.	For every printed copy of an A4 size page or part thereof held on a computer in electronic or machine readable form	R0.80
3.	For a copy in a computer readable form on;	

3.1	Compact Disc (CD)	R71.98
3.2	Digital Video Disk (DVD)	R71.98
4.		
4.1	For transcription of visual images for an A4 size page or part thereof	R39.58
4.2	For a copy of visual images	R107.93
5.		
5.1	For a transcription of an audio record, for an A4 size page or part thereof	R21.60
5.2	For a copy of an audio record	R59.60
6.	To search for the record for disclosure, excluding the first hour, reasonably required time for such a search.	R26.97 per hour or part of an hour

COUNCIL'S TARIFF OF CHARGES FOR ATMOSPHERIC EMISSIONS LICENCE PROCESSING

- (a) All activities listed in terms of section 21 of the NEM-Air Quality Management Act (Act no. 39 of 2004) and Section 6 of Ugu District Municipality Air Quality Management by-law will be subject to the payment of an AEL processing fee.
- (b) The cost shall be calculated by using the AEL processing fee calculator which is prescribed by Ugu District Municipality with due consideration given to a myriad of factors.
- (c) The fee shall be implemented on all AEL applications submitted to the Air Quality Officer (AQO) for scrutiny and approval.

EXISTING AEL FEE BANDS

APPLICATION BANDS	BAND SIZE		FEE SCHEDULE (R)/YEAR
Band 1	0	13	5,975.25
Band 2	14	21	14,938.11
Band 3	22	40	23,901.00
Band 4	41	60	32,863.89
Band 5	61	80	89,628.78
Band 6	81	100	119,505.03

UGU DISTRICT MUNICIPALITY
NEW ATMOSPHERIC EMISSIONS LICENCE (AEL) FEES 2019/20 FOR POST 2013 (NEW) AELS

Number of 21 listed activities	New application	Review	Renewal	Transfer	Service fee (consideration of annual reports)	Penalty for late submission of annual report
1 unit of listed activities	23,600	11,800	11,800	11,800	5,900	12% of the outstanding amount
2 to 5 units of listed activities	59,000	29,500	11,800	11,800	14,750	12% of the outstanding amount
6 to 10 units of listed activities	118,000	59,000	11,800	11,800	29,500	12% of the outstanding amount
11 and more units of listed activities	472,000	236,000	11,800	11,800	236,000	12% of the outstanding amount

UGU DISTRICT MUNICIPALITY

“The Municipality”



CASH, BANKING AND INVESTMENT MANAGEMENT POLICY

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1. **DEFINITIONS**

In this Policy, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Act, has the same meaning as in that Act.

“Accounting Officer” means the Municipal Manager of Ugu District Municipality.

“Act” means the Local Government: Municipal Finance Management Act No. 56 of 2003, the Local Government: Municipal Systems Act No. 32 of 2000.

“Accounting Principles” mean stipulated guidelines to be followed.

“Acquisition” means acquiring goods or services through procurement policies.

“Agents” mean professional bodies appointed to execute a specific task on behalf of the Ugu District Municipality.

“Accounts” mean statement of moneys received.

“Assignee” means a person with a delegated authority.

“Bank” means an institution recognised by the Registrar of Banks.

“Bank Account” is the recognised statement of financial holdings on behalf of the municipality.

“Cash” means money, such as bank notes and coin, or cash equivalents.

“Chief Financial Officer” means the Chief Financial Officer of Ugu District Municipality.

“Constitution of the Republic of South Africa, Act No. 108 of 1996” means the Supreme Law of the Republic of South Africa.

“Cash Management” means efficient and effective management of funds.

“Delegate” means an official/person delegated to perform tasks on behalf of another person.

“Delegated Authority” means any person/persons/committee delegated with the authority to act for on behalf of Ugu District Municipality.

“Diversification of Investments” means investing in more, or more than one type of financial instrument.

“Investment Ethics” mean ethical framework within which investments must take place.

“Liquidity” means the ease with which financial instruments can be converted to cash or cash equivalents.

“Municipal Entity” means the developmental arm of the municipality established in terms of the Local Government: Municipal Finance Management Act No. 56 of 2003, in particular.

“Municipality” means the Ugu District Municipality.

“Ownership” means that all investments must be made in the name of the Ugu District Municipality.

“Short term investment” means a financial instrument with a lifespan or maturity of less than or equal to 1 year.

“Long term investment” means financial instrument with a lifespan or maturity of greater than a year.

2. OBJECTIVE OF THE POLICY

- 2.1 In terms of the Municipal Finance Management Act, Act 56 of 2003, Section 13(2): "Each Municipal Council and Governing body shall adopt by resolution cash, banking and investment policy regarding the investment of its cash resources not immediately required.
- 2.2 An Accounting Officer has an obligation to ensure that cash resources are managed as effectively, efficiently and economically as possible. Competitive investment and effective cash management ensures both short term and long-term viability and sustainability of the Municipality. Hence, it is critical for the Municipality to have its own cash, banking and investment management policy located within the local government legislative framework. This Policy should be read and understood against this background.
- 2.3 The primary and the ultimate goal of the investing funds is to earn the safety of returns on investment principal, an amount invested whilst managing liquidity requirements and, providing the highest return on investment at minimum risk, within the parameters of authorised instruments as per the MFMA

3. BANKING ARRANGEMENTS

3.1 Opening of a Bank Account

The Chief Financial Officer will ensure that the Municipality opens and maintains the following minimum bank accounts:

- a) General Bank Account – normal municipal receipts and payments
- b) External Financing Fund – to record loan receipts and accumulations towards the repayment of such loans
- c) Capital Replacement reserve – this reserve must be cash backed at all times and therefore requires a separate bank account
- d) Unutilised Capital Receipts – this is to account for unutilised conditional grant monies and developer contributions, requires a separate bank account and must be cash backed.
- e) Consumer deposits – this is to account for consumer deposits received and must be cash backed and requires a separate bank account.
- f) A specific account will be identified as a primary bank account and all the allocations from national, provincial and other spheres of government will be deposited into this account

3.2 Management of a Bank Account

Only the Accounting Officer or his/her delegate is authorised to withdraw money from the Municipality's bank account and the delegated powers shall be in accordance with limits which will be specified by the Accounting Officer

The responsibility for the management of all the Municipal bank accounts will be allocated by the Chief Financial Officers to the officials of the Treasury department in accordance with their job descriptions. The Chief Financial Officer or his/her delegate will review reconciliations of all the Municipal bank accounts on a monthly basis.

4. CASH MANAGEMENT

- 4.1 All monies received by the Municipality must be deposited into the Municipal primary bank account promptly.

The Chief Financial Officer will establish an internal control procedure for the operation and maintenance of the following process with regards to cash management:

- a) Receipting, and banking of and reconciliations of daily cash and cheques
- b) Returned cheque register
- c) Unallocated receipts/deposit registers

- 4.2 The Chief Financial Officer, inter-alia, has to ensure financial viability and sustainability of the Municipality. In order to achieve this in a sustainable manner, the Chief Financial Officer must ensure that internal financial systems and controls are in place that will enable the Municipality to detect the mismanagement of funds.

4.3 Cash Collection:

- 4.3.1 All monies due to the Municipality must be collected as soon as possible, either on or immediately after due date, and banked on a daily basis. Cash left in the safe can pose a security risk, could necessitate additional insurance coverage and does not earn any interest. Special deposits should be arranged for larger amounts to ensure that these are banked on the next working day they are received.
- 4.3.2 All monies collected by the Council must be banked in the primary bank account of the Municipality.
- 4.3.3 The respective responsibilities of the Chief Financial Officer and other Heads of Departments in this regard are defined in a procedures manual approved by the Municipal Manager and the Chief Financial Officer.

4.3.4 It is important that all monies owing to the Council are correctly reflected in the debtors system. The following control measures are necessary:

- a) A well managed debtors and banking control system will ensure that funds owed to the Council are received and banked; and
- b) It is also important to review debt collection performance by comparing the debtors outstanding in relation to total revenue and then comparing this to previous financial years, in order to determine whether the debt collection process is deteriorating or improving.

4.3.5 The unremittant support of and commitment to the Municipality's credit control Policy, both by the Council and the Municipality's officials, is an integral part of proper cash collections, and by approving the present Policy the Council pledges itself to such support and commitment.

4.4 Petty Cash

- a) The Municipality keeps petty cash floats at two of its offices, that is Treasury office and Park Rynie office. Each petty cash float will be limited to R2 000 for the Treasury office.
- b) Each transaction of petty cash shall not exceed R2 000.-
- c) The officials who are responsible for petty cash management will be independent of all other cash functions like cashiering
- d) An imprest system of petty cash will be used.

5. CASH FLOW ESTIMATES

- 5.1 Before money can be invested, the Accounting Officer or his/her delegate must determine whether there will be surplus funds after meeting the necessary obligations.
- 5.2 To be able to make investments for any fixed terms; it is essential that cash flow estimates are prepared.
- 5.3 The Auditor-General requires the financial institution, where the investment is made, to issue a certificate for each investment made. This certificate must state that no commission has, nor will, be paid to any agent or third party, or to any person nominated by the agent or third party.

6. INVESTMENT ETHICS

- 6.1 The Accounting Officer and his/her delegate are responsible for the investment of funds and must ensure that there is no interference in these processes.

- 6.2 Under no circumstances may the Accounting Officer and his/her delegate ~~he/she~~ accept bribes into making an investment.
- 6.3 No member of staff may accept any gift unless that gift can be deemed so small that it would not have an influence on his/her relationship with the said institution.
- 6.4 The gift must be declared to the Municipality.
- 6.5 The Accounting Officer and his/her delegate must act according to their discretion and must report any serious cases of payment in kind or gifts, to the Municipal Council. Excessive gifts and hospitality should be avoided at all costs.

7. INVESTMENT PRINCIPLES

7.1 Risk management

The preservation of principal is the foremost objective of the investment program. To attain this objective, diversification is required to ensure that the Accounting Officer or his/her nominee prudently manages risk exposure. Risk profiles should be minimised by only placing investments with institutions and instruments approved by the Public Investment Commission or the Republic of South Africa: National Minister of Finance.

7.2 Prudence

Investments shall be made with care, skill, prudence and diligence. The approach must be that which a prudent person acting in a like capacity and familiar with investment matters would use in the investment of funds of like character and with like aims, to safeguard the principal and maintain the liquidity needs of the Municipality. Investment officials are required to:

- a) Adhere to written procedures and policy guidelines.
- b) Exercise due diligence.
- c) Prepare all reports timeously.
- d) Exercise strict compliance with all legislation.

7.3 Ownership

All investments must be made in the name of the Ugu District Municipality.

7.4 Risk and Return

Although the objective of the Accounting Officer and/ Chief Financial Officer in making investments on behalf of the Municipality shall always be to obtain the best interest rate on offer, this consideration must be tempered by the degree of risk involved in regard to both the financial institution and the investment instrument concerned. No investment shall be made with an institution where the degree of risk is perceived to be higher than the average

risk associated with investment institutions. Deposits shall be made only with registered deposit-taking institutions (see Gazette 27431 1 April 2005).

8. INVESTMENT PROCEDURE

8.1 After determining whether there is cash available for investment and fixing the maximum term of investment, the Municipal Manager must consider the way in which the investment is to be made.

8.2 Short-term Investment

- a) The term of investment shall not be more than 12 months.
- b) Quotations must be obtained from a minimum of three financial institutions, for the term of which the funds will be invested.
- c) Should one of the institutions offer a better rate for a term, other than the term originally quoted for, the other institutions which were approached, must also be asked to quote a rate for the other term.
- d) Quotations can be obtained telephonically, as rates generally change on a regular basis and time is a determining factor when investments are made
- e) No attempts must be made to make institutions compete with each other.

8.3 Long-term investment

- a) Written quotations must be obtained for investments made for periods longer than twelve months.
- b) The prior approval of the Council must be obtained for all investments made for periods longer than twelve months after considering the cash requirement for the next three years.

8.4 Investment maturity

- a) Upon maturity of the investment the Municipality shall do one of the following:
 - i. Shall withdraw the whole amount invested.
 - ii. Shall re-invest 100% interest plus the original amount that had been invested, in terms of the investment procedure, unless if Council wishes to utilise the original money or the interest.
 - iii. Shall withdraw the interest and re-invest the original capital amount.

8.5 Early withdrawal of invested funds

- a) When investing the funds with the banking institutions the Chief Financial Officer shall ensure that such funds are not withdrawn earlier than the maturity date agreed upon,

by so doing the Municipality will not incur fruitless and wasteful expenditures in form of penalties resulting from early withdrawal of investments.

- b) The Chief Financial Officer shall only withdraw funds if :
 - i) the banking institution concerned has agreed to exempt any penalties due to early withdrawal of investment or;
 - ii) the Accounting Officer may grant approval to withdraw the invested funds after he/she has satisfied himself/herself that the urgency was unforeseeable at the time when funds were invested and that the need for funds far outweighs the penalties being paid for such early withdrawal.

8.6 Call deposits and fixed deposits:

- a) Before making any call or fixed deposits, the Chief Financial Officer, shall obtain quotations from at least three registered financial institutions.
- b) Given the volatility of the money market, the Chief Financial Officer, shall, whenever necessary, request quotations telephonically, and shall record in an appropriate register the name of the institution, the name of the person contacted, and the relevant terms and rates offered by such institution, as well as any other information which may be relevant (for example, whether the interest is payable monthly or only on maturity, and so forth).
- c) Once the best investment terms have been identified, written confirmation of the telephonic quotation must be immediately obtained (by facsimile, e-mail or any other expedient means).
- d) Any monies paid over to the investing institution in terms of the agreed investment (other than monies paid over in terms of part 8 below) shall be paid over only to such institution itself and not to any agent or third party. Once the investment has been made, the Chief Financial Officer shall ensure that the Municipality receives a properly documented receipt or certificate for such investment, issued by the institution concerned in the name of the Municipality.

9. DELEGATION OF AUTHORITY

- 9.1 The delegation to authorise investments must distinguish between short term & long-term investments. The authority to make long-term investments as provision of security, is vested with the Municipal Council in terms of Section 48 of the MFMA and with reference to section 11(1) (h) of the MFMA dealing with cash management, the responsibility to make short investments lies with the Accounting Officer or Chief Financial Officer or any other senior financial officer authorised by either the Accounting Officer or the Chief Financial Officer/ relevant assignee.

9.2 The Local Government Municipal Systems Act of 2000, Section 3, (60) (2) states that the Municipal Council may only delegate to an Accounting Officer, Executive Committee, Mayor or Chief Financial Officer decisions to make investments on behalf of the municipality within a policy framework determined by the Minister of Finance.

9.3 The Chief Financial Officer is responsible for the investment of municipality's funds that are made under section 13 of the Municipal Finance Management Act.

10. INVESTMENT ISSUE PERTAINING TO MUNICIPAL COUNCIL APPROVAL

10.1 In the event that an investment that needs to be made, quotations are required from at least three registered financial institutions. In the case of telephonic quotations, the following information is required:

- a) The name of the Institution,
- b) The name of the person, who gave the quotation,
- c) The relevant terms and rates and
- d) Other facts such as if interest is payable on a monthly basis or on a compound basis upon maturation.

10.2 All investment documents must be signed by two authorised cheque signatories.

10.3 The Chief Financial Officer must ensure that a bank, insurance company or other financial institution, which at the end of a financial year holds, or at any time during a financial year held, an investment for the Municipality must:

- a) Within 30 days after the end of that financial year, notify the Auditor-General, in writing, of that investment, including the opening and closing balances of that investment in that financial year and
- b) Promptly disclose information regarding the investment when so requested by the National Treasury or the Auditor-General.
- c) Promptly disclose information of any possible or actual change in the investment portfolio, which could or will have a material adverse effect.

11. MUNICIPAL ENTITIES

The board of Directors of all municipal entities must adopt this cash management and investment policy. Further, the same municipal entities must submit reports, as detailed in the reporting and monitoring procedures, in the same manner as Ugu District Municipality, to the Mayor.

12. POLICY REVIEW

This Policy must be reviewed annually and be tabled to the Municipal Council for approval.

13. INTERNAL CONTROL PROCEDURES

13.1 An investment register should be kept of all investments made. The following facts must be indicated:

- a) Name of institution;
- b) Capital invested;
- c) Date invested;
- d) Interest rate; and
- e) Maturity date and
- f) Interests earned on investments.

13.2 The investment register and accounting records must be reconciled on a monthly basis.

13.3 The investment register must be examined on a fortnightly basis by the senior official under the direction of the Chief Financial Officer/ assignee as instructed, to identify investments falling due within the next two weeks. An investment plan must then be established for the next calendar month bearing in mind the cash flow requirements.

13.4 Interest, correctly calculated, must be received timeously, together with any distributable capital. The Chief Financial Officer or his/her assignee must check that the interest is calculated correctly, in terms of sound universally accepted financial management practices.

13.5 Investment documents and certificates must be safeguarded in a fire resistant safe, with dual custody. The following documents must be safeguarded:

- a) Fixed deposit letter or investment certificate;
- b) Receipt for capital invested;
- c) Copy of electronic transfer or cheque requisition;
- d) Schedule of comparative investment figures;
- e) Commission certificate indicating no commission was paid on the investment; and
- f) Interest rate quoted.

13.6 All investment must be denominated in South African Rand (ZAR)

13.7 The Chief Financial Officer or his/her assignee is responsible for ensuring that the invested funds have been invested with registered financial institutions approved by the Republic of

South Africa: National Minister of Finance, Public Investors Commission or with a bank rating of AA and endeavour to minimise risk exposure.

14. REPORTING AND MONITORING PROCEDURES

- 14.1 The Accounting Officer must within 10 days of the end of each month submit to the Mayor or Finance, Budget Control & Monitoring Committee a report describing in detail the investment and cash flow position of the Municipality as at the end of the month.
- 14.2 The report must contain a statement, prepared in compliance with generally recognised accounting principles/generally accepted municipal accounting principles, that states the:
- a) beginning market value for the period
 - b) additions and changes to the market value during the period
 - c) ending market value for the period
 - d) fully accrued interest/yield for the reporting period
 - e) the credit risk rating for the institutions whose securities are held by the Municipality as at beginning and end of the reporting period
 - f) investments disposed of due to adverse changes in credit ratings
 - g) diversification of investments
 - h) any investments locked into a time period with an institution that has a rating that is not acceptable according to Fitch, Naspers or CA-ratings.

15. PERMITTED INVESTMENTS

- 15.1 The Republic of South Africa: National Minister of Finance may identify by regulation in terms of Section 168 of the Municipal Finance Management Act instruments or investments other than those referred to below in which Municipality may invest:
- a) Deposits with banks registered in terms of the Banks Act, 1990 (Act No. 94 of 1990);
 - b) Securities issued by the National Government;
 - c) Investments with the Public Investment Commissioners as contemplated by the Public Investment Commissions Act, 1984 (Act No. 5 of 1984);
 - d) Listed corporate bonds with an investment grade rating from a nationally or internationally recognized credit rating agency;
 - e) Deposits with the corporation for Public Deposits as contemplated by the Corporation for Public Deposits Act, 1984 (Act 46 of 1984);
 - f) Banker's acceptance certificates or negotiable certificates of deposits of banks registered in terms of the Banks Act, 1990 (Act 94 of 1990);
 - g) Municipal Bonds issued by a Municipality
 - h) Guaranteed endowment policies with the intention of establishing a sinking fund; and

- i) Repurchase agreements with banks registered in terms of the Banks Act, 1990 (Act 94 of 1990)

16. EXISTING INVESTMENTS

Current investments that were not permitted investments at the time of purchase do not have to be liquidated.

17. INVESTMENT DIVERSIFICATION

The Chief Financial Officer must ensure that available money is not invested with one institution. Investment will be restricted to institutions with a minimum credit rating of [AA]. The maximum term for any investment, may be 2 years, other than ceded investments.

18. PERFORMANCE EVALUATION

- 18.1 The performance of the investment portfolio must be evaluated quarterly. The time weighted yield attributable to the investment portfolio must be calculated each quarter and compared with the prevailing returns available on securities issued by the National Government.

- 18.2 A report discussing the performance of the investment portfolio must be submitted to the Chief Financial Officer within 10 days of the end of each quarter.

19. USE OF INDEPENDENT INVESTMENT MANAGERS

Should the need arise to use an investment manager at any time; one will be appointed using Supply Chain Management principles and practices.

20. UNALLOCATED RECEIPTS

All unclaimed and unidentified deposits older than three (3) years shall be publicised in a local newspaper on an annual basis and if unclaimed within the specified time frame, such monies will be transferred to sundry income.

21. PAYMENT OF CREDITORS

- 21.1 Due to the high bank charges with regard to cheque payments, it is essential to limit the payment of creditors to one payment per creditor per month. Should the facility be available, payments should be done by electronic transfer (subject to strict controls).
- 21.2 When considering the time to pay a creditor, proper consideration must be given to the conditions of credit terms of payment offered.

- a) In cases where a cash discount is given for early settlement, the discount, if the relevant time scale is taken into account, must in most cases be more than any investment benefit that could be received from temporarily investing the funds.
- b) If discounts are offered for early settlement they must be properly considered and utilised.

21.3 Besides this, the normal conditions of credit terms of payment offered by suppliers, must also be considered and utilized to the full by paying on the due date and not earlier, provided that no worthwhile discount is available or offered.

22. BANK AND CASH IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT Act NO.56 of 2003, Chapter 3, Part 1.

- 22.1 All names of bank accounts must be changed to the name of the newly created municipality,
- 22.2 New bank accounts must be opened if required,
- 22.3 All cheques received from the disestablished municipalities must be banked,
- 22.4 All bank accounts currently held and transferred to the municipality must be accounted for in the new accounting system,
- 22.5 The official responsible must ensure that the name change on the accounts has been effected,
- 22.6 All bank and cash must be made in terms of the Cash Management Policy,
- 22.7 Every municipality must open and maintain at least one bank account in the name of the municipality and
- 22.8 All money received by a municipality must be paid into its bank account in the name of the municipality as per the abovementioned legislative framework.

23. MANAGEMENT OF STOCK

Cash management must be improved by seeing that adequate stock control is exerted over all goods kept in stock.

24. SHORT- AND LONG-TERM DEBT

A municipality may only incur debt in terms of the Municipal Finance Management Act No. 56 of 2003. The municipality may incur two types of debt, namely short-term and long-term debt.

24.1. SHORT-TERM DEBT

24.1.1 A municipality may incur short-term debt only when necessary to bridge:

- a) Shortfalls within a financial year during which the debt is incurred, in expectation of specific and realistic anticipated income to be received within that financial year or

- b) Capital needs within a financial year, to be repaid from specific funds to be received from enforceable allocations or long-term debt commitments.

24.1.2 A municipality:

- a) Must pay off short-term debt within a financial year and
- b) May not renew or refinance its short-term debt.

24.2. **LONG-TERM DEBT**

A municipality may incur long-term debt for purposes of financing its long-term strategic objectives, as outlined in the Constitution of the Republic of South Africa, Act No. 108 of 1996, and Chapter 7 on Local Government.

- a) To provide democratic and accountable government for local communities,
- b) To ensure the provision of services to communities in a sustainable manner,
- c) To promote social and economic development,
- d) To promote a safe and healthy environment and
- e) To encourage the involvement of communities and community organizations in the matters of local government.

25. **COMPLIANCE AND ENFORCEMENT**

- a) Violation of or non-compliance with this Policy may give a just cause of disciplinary steps to be taken.
- b) It will be the responsibility of Accounting Officer to enforce compliance with this Policy.

26. **EFFECTIVE DATE**

This Policy shall come to effect upon approval by Council of Ugu District Municipality.

27. **POLICY ADOPTION**

This Policy has been considered and approved by the **COUNCIL OF UGU DISTRICT MUNICIPALITY** as follows:

Resolution No:.....

Approval Date:.....

UGU DISTRICT MUNICIPALITY
("the Municipality")

2



BORROWING POLICY

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1. Definitions

“Act” means the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003).

“Disclosure statements” means a statement issued or to be issued by:

- a municipality which intends to incur debt by issuing municipal debt instruments; and
- a person who intends to incur debt by issuing securities backed by municipal debt.

“Financing agreement” means any loan agreement, lease, instalment, purchase arrangement under which a municipality undertakes to repay a long-term debt over a period of time.

“Lender” means a person who provides debt finance to the Municipality.

“Long term debt” means debt repayable by the Municipality over a period exceeding one (1) year.

“Municipal debt” means:

(a) A monetary liability or obligation on a municipality by:

- a financing agreement, note, debenture, bond or overdraft; and
- the issuance of municipal debt instruments.

(b) A contingent liability such as that created by guaranteeing a monetary liability or obligation of another.

“Municipality” means Ugu District Municipality

“Security” means any mechanism intended to secure the interest of a lender or investor and includes any of the mechanisms mentioned.

“Short term debt” means debt that is repayable over a period not exceeding one (1) year.

2. Purpose

The purpose of this Policy is to establish a borrowing framework for the Municipality and to set out the objectives, policies, statutory requirements and guidelines for the borrowing of funds, in order to:

- 2.1. Manage interest rate and credit risk exposure;
- 2.2. Maintain debt within specified limits and ensure adequate provision for the repayment of debt;
- 2.3. Ensure compliance with all Legislation and Council policy governing borrowing of funds.

3. Legislative Framework

All borrowings made by the Municipality shall be subject to the requirements of the Local Government: Municipal Finance Act, 2003 ("the MFMA") and the Municipal Regulations on Debt Disclosure ("the Disclosure Regulations") made there under and published under GN R 492 in Government Gazette 29966 of 15 June 2007.

4. Types of Debt

- 4.1. This Policy applies to the debt incurred by the Municipality through the issue of municipal debt instruments or in any other way.
- 4.2. Without derogating from the generality of the preceding subparagraph, this policy will apply:
 - 4.2.1. To any debt, whether short -term or long term;
 - 4.2.2. To any debt incurred pursuant to any financing agreement, which includes any of the following agreements under which the Municipality undertakes to repay a long-term debt over a period of time:
 - 4.2.2.1. Loan agreements;
 - 4.2.2.2. Leases;
 - 4.2.2.3. Instalment purchase contracts;
 - 4.2.2.4. Hire purchase arrangements;
 - 4.2.3. To any debt created by the issuance of municipal debt instruments, including:
 - 4.2.3.1. Any note;
 - 4.2.3.2. Bond; or
 - 4.2.3.3. Debenture; and

- 4.2.4. To any contingent liability such as that created by guaranteeing a monetary liability or obligation of another.

5. Principles Guiding Borrowing Practices

The following principle shall guide the borrowing practices of the Municipality, namely:

- 5.1. Risk Management: The need to manage interest rate risk, credit risk exposure and to maintain debt within specified limits is the foremost objective of the borrowing policy. To attain this objective, diversification is required to ensure that the Chief Financial Officer prudently manages interest rate and credit risk exposure;
- 5.2. Cost of Borrowings : The borrowings should be structured to obtain the lowest possible interest rate, on the most advantageous terms and conditions, taking cognisance of borrowing risk constraints, infrastructure needs and the borrowing limits determined by Legislation;
- 5.3. Prudence: Borrowings shall be made with care, skill, prudence and diligence. To this end, officials of the Municipality are required to:
- 5.3.1. adhere to this policy, and other procedures and guidelines;
 - 5.3.2. exercise due diligence;
 - 5.3.3. prepare all reports in a timely fashion;
 - 5.3.4. ensure strict compliance with all Legislation and Council policy.

6. Factors to be taken into account when borrowing

- 6.1. The Municipality shall take into account the following factors when deciding whether to incur debt:
- 6.1.1. the type and extent of benefits to be obtained from the borrowing;
 - 6.1.2. the length of time the benefits will be received;
 - 6.1.3. beneficiaries of the acquisition or development financed by the debt;
 - 6.1.4. the impact of interest and redemption payments on both current and forecast income;
 - 6.1.5. the current and future capacity of the Municipality's revenue base to pay for borrowings;

- 6.1.6. other current and projected sources of funds;
 - 6.1.7. likely movements in interest rates for variable rate borrowings;
 - 6.1.8. competing demands for funds;
 - 6.1.9. timing of money market interest rate movements and the long term rates on the interest rate curve.
- 6.2. The Municipality will, in general, seek to minimise its dependence on borrowings in order to minimise future revenue committed to debt servicing and redemption charges.

7. Sources of Borrowings

- 7.1. Subject to any particular determination of the Council of the Municipality, the Municipality may enter into financing agreements with:
- 7.1.1. Registered South African Banks;
 - 7.1.2. The Development Bank of Southern Africa;
 - 7.1.3. Vendors of goods acquired under instalment purchase contracts or hire purchase arrangements;
 - 7.1.4. Any other institution approved by the Council from time to time.
- 7.2. Unless the Council of the Municipality specifically determines otherwise, the Municipality shall not incur any debt by the issuance of any municipal debt instruments.

8. Short-term Debt

- 8.1. The Municipality may incur short –term debt only in accordance with and in the circumstances contemplated in Section 45 of the MFMA.
- 8.2. In particular, the provisions of section 45 (1) of the MFMA must be noted, these requiring that the Municipality may incur short –term debt only when necessary to bridge:
- 8.2.1. Shortfalls within a financial year during which the debt is incurred, in expectation of specific and realistic anticipated income to be received within that financial year; or
 - 8.2.2. Capital needs within a financial year, to be repaid from specific funds to be received from enforceable allocations or long-term debt commitments.

8.3. Furthermore, as required by section 45 (4) of the MFMA, the Municipality must pay off short term debt within the financial year.

9. Overdraft Facility

9.1. Overdraft facilities are regulated by Section 45(3) of the MFMA.

10. Long Term Debt

10.1. The Municipality may incur long-term debt only in accordance with and in the circumstances contemplated in Section 46 of the MFMA.

10.2. Long-term debt may be incurred only for the purposes contemplated in Section 46(1) of the MFMA, namely:

10.2.1. Capital expenditure on property, plant or equipment to be used for the purpose of achieving the objects of local government, as set out in Section 152 of the Constitution; or

10.2.2. Re-financing existing long term debt, subject to section 46(5).

11. Council approval

Sections 45(2) and 46(2) require that short-term debt and long-term debt respectively may be incurred only if:

11.1. A resolution of the Council, signed by the Mayor, has approved the debt agreement;

11.2. The Accounting Officer has signed the agreement or other document which creates or acknowledges the debt.

12. Refinancing

12.1. Short-term debt may not be renewed or refinanced where that would have the effect of extending the short-term debt into a new financial year.

12.2. The Municipality may borrow in order to refinance long-term debt subject to the conditions contained in Section 46(5) of the MFMA.

13. Early repayment of loans

- 13.1. No loans will be repaid before due date unless there is a financial benefit to the Municipality.
- 13.2. The Municipality shall therefore assess the nature and extent of any benefits of early repayment before it makes any such early repayment.
- 13.3. Cognisance must be taken of any early repayment penalty clauses in the initial loan agreement, as part of the assessment.

14. Debt Repayment Period

- 14.1. As far as is practical, cognisance must be taken of the useful lives of the underlying assets to be financed by the debt for purposes of determining the duration of the debt.
- 14.2. Should it be established that it is cost effective to borrow the funds for a duration shorter than that of the life of the asset, the Municipality should endeavour to negotiate terms for the loan agreement on a shorter duration.

15. Provision for Redemption of Loans

- 15.1. The Municipality may set up sinking funds to facilitate loan repayments, especially when the repayment is to be met by a bullet payment on the maturity date of the loan.
- 15.2. Such sinking funds may be invested directly with the Lender's Bank.
- 15.3. The maturity date and accumulated value of such investment must coincide with the maturity date and amount of the intended loan that is to be repaid.

16. Non-Repayment or Non-Servicing of Loan

- 16.1. The Municipality must honour all its loan obligations.
- 16.2. Failure to effect prompt payment may jeopardise the Municipality's credit rating and adversely affect the ability of the Municipality to raise loans in the future loans at favourable interest rates.

16.3. In addition to ensuring the timely payment of the loans, the Municipality must adhere to the covenants stipulated in the loan agreements, including, in particular, the following where applicable:

16.3.1. furnishing audited annual financial statements;

16.3.2. maintaining long-term credit rating;

16.3.3. reporting of material changes in financial position of the Municipality.

17. Borrowing for Investment Prohibited

The Municipality shall not under any circumstances borrow funds for the purposes of investing them.

18. Security

18.1. Section 48 of the MFMA provides that the Municipality may provide security for any of its debt obligations in any of the forms referred to in Section 48(2).

18.2. Such security shall be given only pursuant to a resolution of the Council, which resolution must comply with the provisions of Section 48(3), (4) and (5) of the MFMA.

19. Disclosure

19.1. Section 49 of the MFMA requires that any person involved in the borrowing of money by a municipality must, when interfacing with a prospective lender or when preparing documentation for consideration by a prospective investor Any Official involved in the securing of loans by the Municipality must, when interacting disclose all relevant information in that persons possession or within that person's knowledge that may be material to the decision of that lender or investor, and take reasonable care to ensure the accuracy of any information disclosed.

19.2. In addition the Disclosure Regulations establish detailed requirements for the disclosure of information to prospective lenders and investors. Regulations 2, 3, 4, 5, 15, 16 and 17 are of particular importance to the Municipality, given the nature of the borrowings which it intends to make.

20. Guarantees

The Municipality may issues guarantees only in accordance with the provisions of Section 50 of the MFMA.

21. Internal Control

The Accounting Officer shall ensure that mechanisms, procedures and systems are put in place to ensure that:

- 21.1. Duties are separated in order to prevent fraud, collusion and other misconduct;
- 21.2. loan agreements and contracts are kept in proper safe custody;
- 21.3. there is a clear delegation of duties relating to the borrowing process;
- 21.4. senior officials check and verify all transactions;
- 21.5. transactions and repayments are properly documented;
- 21.6. a Code of ethics and standards is established and adhered to;
- 21.7. procedures relating to the borrowing process are established.

22. National Treasury Reporting and Monitoring Requirements

The Municipality shall promptly submit all returns and reports relating to borrowings as required by National Treasury, including reports on the Municipality's external interest paid each month, and the quarterly itemization of all of its external borrowings.

23. Other Reporting and Monitoring Requirements

- 23.1. The Municipality shall on a monthly basis perform the following control and reporting functions relevant to borrowings:
 - 23.1.1. Reconciliation of bank accounts;
 - 23.1.2. Payment requisition verification and authorization;
 - 23.1.3. Completion of South African Reserve Bank returns;
 - 23.1.4. Maintain schedule of payment dates and amounts;
 - 23.1.5. Complete National Treasury Cash Flow returns;
 - 23.1.6. Submission of particulars of borrowings as required by Section 71 of MFMA;
 - 23.1.7. Perform analysis of ratios;
 - 23.1.8. Scrutinise loan agreements to ensure compliance with loan covenants.

23.2. The Municipality shall on a quarterly basis perform the following control and reporting functions relevant to borrowings:

23.2.1. Submit National Treasury Borrowings return

23.2.2. Prepare debt schedules for reporting to the Executive Committee.

24. Related Policies

This Policy must be read in conjunction with the following other policies of the Municipality:

24.1. Budget Process Policy;

24.2. Cash Management and Investment Policy;

24.3. Virement Policy.

25. Municipal Manager to Implement Policy

The Municipal Manager, as Accounting Officer of the Municipality, shall be responsible for implementing this Policy, provided that he or she may delegate in writing any of his or her powers under this Policy to any other official of the Municipality.

26. Effective Date

The Policy shall come to effect upon approval by Council.

27. Policy Adoption

This revised Policy replaces the current Policy; it has been considered and approved by the **COUNCIL OF UGU DISTRICT MUNICIPALITY** as follows:

Resolution No:.....

Approval Date:.....

UGU DISTRICT MUNICIPALITY

“The Municipality”



FUNDING AND RESERVES POLICY

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1. **DEFINITIONS**

In this Policy, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Act, has the same meaning as in that Act.

“Accounting Officer” means the Municipal Manager of Ugu District Municipality

“Chief Financial Officer” means the Chief Financial Officer of Ugu District Municipality

“Council” means the Council of Ugu District Municipality

“MFMA” means the Municipal Financial Management Act, 2003 (Act No 56 of 2003)

“Municipality” means Ugu District Municipality

“GRAP” means Generally Recognised Accounting Practices standards.

2. **OBJECTIVES OF THE POLICY**

The objectives of this Policy are to:

- a. Ensure that the Medium Term Revenue/Expenditure Framework (Annual Budget) of the Municipality is appropriately funded.
- b. Ensure that cash resources and reserves are maintained at the required levels to avoid unfunded liabilities.
- c. To achieve financial stability in order to provide sustainable levels of service delivery to the community.

3. **SCOPE AND INTENDED AUDIENCE**

- 3.1 The Funding and Reserves policy aims to ensure that the Municipality has sufficient funding in order to achieve its objectives through the implementation of its operating and capital budgets.
- 3.2 This Policy aims to set guidelines towards ensuring financial viability over both the short- and long-term which includes reserves requirements.

4. **REGULATORY FRAMEWORK**

The legislative framework governing funding of the Annual Budget is:

- a. Local Government Municipal Finance Management Act, 2003 (Act No. 56 of 2003);
and,

- b. Local Government: Municipal Budget and Reporting Regulation, Regulation 393, published under Government Gazette 32141, 17 April 2009.

5. FUNDING OF THE ANNUAL BUDGET

5.1 An annual budget may only be funded from:

- a. Cash backed accumulated funds from previous years' surpluses and reserves not committed for any other purpose;
- b. Realistically anticipated revenues to be collected;
- c. Borrowed funds only for capital expenditure, and
- d. Grants and subsidies.

5.2 Realistic anticipated revenue projections must take into account:

- a. Projected revenue for the current year based on the previous year's billing information.
- b. Actual revenue collected in previous financial years.

6. OPERATING BUDGET

6.1 The operating budget provides funding to departments for their medium term expenditure as planned. The Municipality categorises services rendered to the community according to its revenue generating capabilities in line with the tariffs policy

- a) Trading services – services that generate surpluses that can be used for cross subsidisation to fund other services.
- b) Economic services – services that break even with no surpluses.
- c) Rates and general services – services that are funded by surpluses generated by trading services, and/or other revenues generated such as, interest received, grants and subsidies etc.

6.2 The operating budget is funded from the following main sources of revenue:

- a) Surpluses generated from service charges.
- b) Government grants and subsidies.
- c) Other revenue, interest received etc.
- d) Cash backed accumulated surpluses from previous years not committed for any other purposes.

6.3 The following guiding principles apply when compiling the operating budget:

- a) The annual budget must be balanced and funded.

- b) Growth parameters must be realistic taking into account the current economic conditions.
- c) Tariff adjustments must be realistic, taking into consideration the general inflation, affordability, bulk increases and the demand according to the approved Integrated Development Plan (IDP).
- d) Revenue from government grants and subsidies must be in line with allocations gazette in the Division of Revenue Act and provincial gazettes.
- e) Revenue from public contributions, donations or any other grants may only be included in the budget if there are acceptable documentation that guarantees the funds such as:
 - (i) Signed service level agreement;
 - (ii) Contract or written confirmation; or
 - (iii) Any other legally binding document.
- f) Projected revenue from service charges must be realistic based on current and past trends with expected growth considering the current economic conditions. The following factors must be considered for each service when applicable:
 - i. Metered services namely water:
 - aa) The consumption trends for the previous financial years;
 - bb) Envisaged water restrictions when applicable; and
 - cc) Actual revenue collected in previous financial years.
 - ii. Sewerage services:
 - aa) The actual number stands/consumer points receiving the service and the consumption trends per category; and
 - bb) Actual revenue collected in previous financial years.
- g) Rebates, exemptions or reductions for service charges are budgeted either as revenue foregone or as expenditure most often (grant) as per directive in MFMA Budget Circular 51 depending on the conditions thereof.
- h) Other projected income is charged in terms of the approved sundry\ tariffs and fines considering the past trends and expected growth for each category.

- i) Provision for revenue that will not be collected is made against the expenditure item bad debt and based on actual collection levels for the previous financial year and the projected annual non-payment rate.
- j) Interest received from actual long-term and or short-term investments are based on the amount reasonably expected to be earned on cash amounts available during the year according to the expected interest rate trends. The actual amount allocated for interest on investments is contributed to the Capital Replacement Reserve.
- k) Transfers from the accumulated surplus to fund operating expenditure will only be allowed for specific once-off projects and with no recurring operating expenditure resulting there from.
- l) Transfers from the accumulated surplus to offset the increased depreciation charges as a result of the implementation of GRAP 17 will be phased out over a number of years.
- m) A detailed salary budget is compiled on an annual basis. All funded positions are budgeted for in total and new and/or funded vacant positions are budgeted for six months only of the total package considering the recruitment process. As a guiding principle the salary budget should not exceed the parameter (percentage) of the aggregate operating budget component of the annual or adjustments budget, the parameters as may be contained in the budget circular issued by National Treasury from time to time.
- n) (Depreciation charges are fully budgeted for according to the asset register and to limit the impact of the implementation of GRAP 17 a transfer from the accumulated surplus is made) However the annual cash flow requirement for the repayment of borrowings must fully be taken into consideration with the setting of tariffs.
- o) To ensure the health of municipal assets, sufficient provision must be made for the maintenance of existing and infrastructure assets based on affordable levels, resulting that maintenance budgets are normally lower than the recommended levels. Therefore the mere reduction of maintenance budgets to balance annual budgets must carefully be considered. As a guiding principle repair and maintenance should constitute between 5 and 8% of the carrying value of the property, plant and equipment and should annually be increased incrementally until the required targets are achieved.
- p) Individual expenditure line items are to be revised each year when compiling the budget to ensure proper control over expenditure. Increases for these line items must be linked

to the average inflation rate and macro-economic indicators unless a signed agreement or contract stipulates otherwise.

7. CAPITAL BUDGET

- 7.1 The capital budget provides funding for the Municipality's capital programme based on the needs and objectives as identified by the community through the Integrated Development Plan and provides for the eradication of infrastructural backlogs, renewal and upgrading of existing infrastructure, new developments and enlargement of bulk infrastructure.
- 7.2 Capital expenditure may only be incurred on a capital project if:
- a. The funding for the project has been appropriated in the capital budget.
 - b. The total cost for the project has been approved by Council.
 - c. The future budgetary implications and projected cost covering all financial years until the project is operational has been considered.
 - d. The implications of the capital budget on municipal tax and tariff increases been considered.
 - e. The sources of funding are available and have not been committed for other purposes.
- 7.3 Provisions on the capital budget will be limited to availability of sources of funding and affordability. The main sources of funding for capital expenditure are:
- (a) Accumulated cash backed internal reserves;
 - (b) Borrowings;
 - (c) Government grants and subsidies; and
 - (d) Public donations and contributions.
- 7.4 The following guiding principles apply when considering sources of funding for the capital budget:
- (a) Government grants and subsidies:
 - i. Only gazette allocations or transfers as reflected in the Division of Revenue Act or allocations as per provincial gazettes may be used to fund projects;
 - ii. The conditions of the specific grant must be taken into consideration when allocated to a specific project; and
 - iii. Government grants and subsidies allocated to specific capital projects are provided for on the relevant department's operating budget to the extent the conditions will be met during the financial year.

- (b) In the case of public contributions, donations and/or other grants, such capital projects may only be included in the annual budget if the funding is guaranteed by means of:
 - i. Signed service level agreement;
 - ii. Contract or written confirmation; and/or
 - iii. Any other legally binding document.
- (c) Public donations, contributions and other grants are provided for on the relevant department's operating budget to the extent the conditions will be met during the financial year.
- (d) The borrowing requirements, to be used as a basis to determine the affordability of external loans over the Medium Term Income and Expenditure Framework. The ratios to be considered to take up additional borrowings:
 - i. Long-term credit rating of BBB;
 - ii. Interest cost to total expenditure to not exceed 8%;
 - iii. Long-term debt to revenue (excluding grants) not to exceed 50%;
 - iv. Collection rate of above 95%;
 - v. Percentages of capital charges to operating expenditure less than 18%.
- (e) Allocations to capital projects from cash backed internal reserves will be based on the available funding for each ring-fenced reserve according to the conditions of each reserve as follows:
 - i. Infrastructure projects to service new developments and the revenue is received through the sale of stands/land/site must be allocated to the capital reserve for services;
 - ii. Capital projects of a smaller nature such as office equipment, furniture, plant and equipment etc. must be allocated to the capital reserve from revenue which is funding from the revenue budget for that specific year. A general principle is that these types of capital expenditure should not exceed more than 1% of total operating expenditure;
 - iii. Capital projects to replace and/or upgrade existing assets may be allocated to the capital replacement reserve;
 - iv. Capital projects to upgrade bulk services will be allocated to the capital bulk contributions reserve for each service.

7.5 All capital projects have an effect on future operating budget therefore the following cost factors should be considered before approval:

- a) Additional personnel cost to staff new facilities once operational;
- b) Additional contracted services, that is, security, cleaning etc.
- c) Additional general expenditure, that is, services cost, stationery, telephones, material etc.
- d) Additional other capital requirements to the operate facility, that is, vehicles, plant and equipment, furniture and office equipment etc.
- e) Additional costs to maintain the assets;
- f) Additional interest and redemption in the case of borrowings;
- g) Additional depreciation charges;
- h) Additional revenue generation. The impact of expenditure items must be offset by additional revenue generated to determine the real impact on tariffs.

8. CASH FLOW MANAGEMENT

- 8.1 The availability of cash is the most important requirement for financial sustainability and must be closely monitored by the Chief Financial Officer. In doing so the Chief Financial Officer must ensure a minimum cash on hand to cover 90 days operational expenditure.
- 8.2 Surplus cash not immediately required for operational purposes must be invested in terms of the Municipality's Cash Banking and Investment Policy to maximise the return on cash.

9. MANAGEMENT OF DEBTORS

- 9.1 Debt is managed in terms of the Municipal credit control and debt collection policy.
- 9.2 The provision for bad debts is budgeted as an expense and is based on the projected annual non-payment rate for each service.

10. DONATIONS, GRANTS AND SUBSIDIES.

- 10.1 Revenue from donations or any other grants may only be included in the budget if there is acceptable documentation that guarantees the funds such as:
 - a) Signed service level agreement;
 - b) Contract or written confirmation; or
 - c) Any other legally binding document.
- 10.2 The conditions of the specific grant must be taken into consideration when allocated to a specific project. Government grants and subsidies allocated to specific capital projects are provided for on the relevant department's operating budget to the extent that the conditions will be met during the financial year.

11. THE CAPITAL REPLACEMENT RESERVE

- 11.1 All reserves must be “*ring fenced*” and “*cash backed*” as internal reserves within the accumulated surplus, except for provisions as allowed by GRAP.
- 11.2 Once the Municipality has reached its maximum gearing ability, no further borrowings can be taken up. The Municipality must invest in a capital replacement reserve. This reserve provides internal funding for the Municipality’s capital replacement and renewal programme. Contributions to the capital replacement reserve through the operating budget will be:
- a) Interest received on investments;
 - b) Proceeds from sale of assets.

12. THE CAPITAL CONTRIBUTIONS

These supplement capital expenditure for the necessary expansions and upgrading of bulk infrastructure. Revenue generated from capital contributions is allocated to this reserve for each applicable service. The unspent contributions must be cash backed to ensure availability of cash when the infrastructure upgrades are required.

13. PROVISIONS

A provision is recognised when the Municipality has a present obligation as a result of a past event and it is probable, more likely than not, that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation and a reliable estimate can be made of the amount of the obligation.

Provisions are revised annually and those estimates to be settled within the next twelve (12) months are treated as current liabilities.

The Municipality has the following provisions:

(a) *Leave provision*

Liabilities for annual leave are recognised as they accrue to employees. An annual provision is made from the operating budget to the leave provision. Due to the fact that not all leave balances are redeemed for cash, only 75% of the leave provision is cash backed.

(b) *Long services awards*

Municipal employees are awarded leave days according to years in service at year end. Due to the fact that not all long service leave balances are redeemed for cash, only 75% of the long service leave provision is cash backed.

(c) *Post employment medical care benefits*

The Municipality provides post-retirement medical care benefits by subsidising the medical aid contributions to retired employees and their legitimate spouses. The entitlement to post-retirement medical benefits is based on employees remaining in service up to retirement age and the completion of a minimum service period. The expected cost of these benefits is accrued over a period of employment.

14. OTHER ITEMS TO BE CASH BACKED

14.1 Unspent conditional grant funding

Revenue received from conditional grants is recognised as revenue to the extent that the municipality has complied with any of the criteria, conditions or obligations embodied in the agreement. Amounts in relation to the unspent grant funding are therefore retained in cash and are not available to fund any other items on the operating or capital budget other than that for which it was intended for.

14.2 Consumer Deposits

Consumer deposits are partial security for a future payment. Deposits are considered a liability as the deposit is utilised once the agreement is terminated. The funds are owed to consumers and can therefore not be utilised to fund the operating or capital budget. Consumer deposits should be retained in cash and be ring-fenced.

15. POLICY REVIEW

This Policy will be reviewed annually to ensure that it complies with changes in applicable legislation and accounting standards.

16. COMPLIANCE AND ENFORCEMENT

- a. Violation of or non-compliance with this Policy may give a just cause of disciplinary steps to be taken.
- b. It will be the responsibility of Accounting Officer to enforce compliance with this Policy.

17. EFFECTIVE DATE

This Policy shall come to effect upon approval by Council of Ugu District Municipality.